

GOVERNMENT OF INDIA
MINISTRY OF HOME AFFAIRS
LOK SABHA
UNSTARRED QUESTION NO. †3359

TO BE ANSWERED ON THE 1ST JANUARY, 2019/, PAUSHA 11, 1940 (SAKA)

OVERCROWDED JAILS

†3359. SHRIMATI NEELAM SONKER:

Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether most of the jails in the country are overcrowded with inmates more than their actual capacity causing huge strain on the jail management;

(b) if so, the details thereof;

(c) whether the Government has formulated any concrete policy for construction of more jails in the country and for modernisation of the existing ones and if so, the details thereof; and

(d) whether the Government has formulated any policy for early disposal of cases of prisoners who have been in jails since long without any legal procedure and if so, the details thereof?

ANSWER

**MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS
(SHRI HANSRAJ GANGARAM AHIR)**

(a) & (b): As per information published by the National Crime Records Bureau (NCRB), as against the available capacity of 366781 inmates in various jails of the country, 419623 inmates were lodged as on 31.12.2015.

(c) & (d): 'Prisons' is a State subject under List II of the Seventh Schedule to the Constitution. Prison Administration is, therefore, the responsibility of State Governments. The State Governments are competent to take appropriate policy decisions and initiatives for construction of more jails and modernisation of existing ones, if considered necessary, in their jurisdiction. However, the Government of India has issued various advisories to State Governments

and UT Administrations on efficient Prison Administration and Prison Management. A Model Prison Manual, 2016 has also been forwarded to all States and Union Territories, which, inter alia, provides for measures to be taken to reduce overcrowding in prisons.

The National Legal Services Authority (NALSA) provides free legal services to prisoners through its legal service clinics running in jails all over India. As per information provided by NALSA, there are 1125 legal service clinics in jails which are manned by empanelled Legal Service Advocates and trained para-legal volunteers. NALSA also holds awareness camps in jails to generate awareness about the availability of free legal aid and legal rights of inmates etc. The Ministry of Home Affairs has also issued various advisories to States and UTs from time to time in this regard.
