

**GOVERNMENT OF INDIA
MINISTRY OF HOME AFFAIRS**

**LOK SABHA
UNSTARRED QUESTION NO. 1719**

TO BE ANSWERED ON THE 02nd JULY, 2019/ ASHADHA 11, 1941 (SAKA)

UNDERTRIAL DETAINEES

1719. SHRI H. VASANTHAKUMAR:

Will the Minister of HOME AFFAIRS be pleased to state:

- (a) whether the Government has taken note of the numbers of undertrial detainees in Indian prisons and prepared a list of the prisoners who have been serving terms increasing the requisite, awaiting trial;**
- (b) if so, the reformatory measures being initiated like legal aid or specialized courts;**
- (c) if not, the alternative measures being planned;**
- (d) whether the Government is arranging more frequent visits to jails in the country to keep a check on the authorities and the inmates considering that violence and harassment against prisoners have been on a constant rise;**
- (e) if so, the details of frequency of the visits and the rank of the officers; and**
- (f) whether the Government is initiating any scheme for jail inmates after they are reformed or released or the increase of the remuneration accorded to prisoners in *status quo* and if so, the details thereof?**

ANSWER

**MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS
(SHRI G. KISHAN REDDY)**

- (a) to (c) : This data is not maintained centrally by the National Crime Records Bureau (NCRB) which compiles prison statistics in its publication “Prison Statistics India”. ‘Prisons’ and ‘persons detained therein’ are State subjects as per Entry 4 of List II of Seventh Schedule to the Constitution of India. Administration and management of prisons is the responsibility of State Governments and the States are competent to take necessary reformatory steps for providing legal aid to undertrials and for setting up specialized**

Courts etc. in their jurisdictions. However, the Ministry of Home Affairs (MHA) has supplemented the efforts of States/UTs in Prison Administration and has issued various advisories from time to time, which provide for steps to be taken by States/UTs for providing free legal aid to undertrials and for setting up Special Courts for expediting the review of cases of undertrials. MHA has also circulated the Model Prison Manual 2016 to all States and Union Territories in May 2016, which has a chapter on 'Legal Aid' which provides for facilities which may be provided to undertrials viz. legal defence, interview with lawyers, signing of Vakalatnama, application to Courts for legal aid at Government cost etc. The National Legal Services Authority (NALSA) provides free legal service to all under trial prisoners through its legal service clinics running in jails all over India. NALSA has recently prepared guidelines in the form of "Standard Operating Procedure for Under-Trial Review Committees" and has submitted the same to the Supreme Court of India. These guidelines have been circulated by the Ministry of Home Affairs to all States and UTs.

(d) & (e): State/UT-wise details of number of jail inspections by different visitors, including officials, during 2016 as compiled and published by NCRB, are given in Annexure. The details of frequency of such visits and rank of officers is not maintained by NCRB.

(f) : The Ministry of Home Affairs has advised the Ministry of Skill Development to coordinate with Skill Development Departments of States to make provision

for suitable opportunities for development of skills of prison inmates to facilitate their reintegration with society by providing them employment opportunities post-release. The Model Prison Manual 2016, circulated by the Ministry of Home Affairs to all States and UTs, also has a chapter on 'After-care and Rehabilitation' of prison inmates. The Model Prison Manual provides that the wages paid to prisoners should be fair and equitable and the rates should be standardised keeping in view the minimum wages notified by the State Governments from time to time. Since Prisons is a State subject, the State Governments are competent to revise or increase the wages paid to prisoners.

State/UT-wise Number of Jail Inspections by Different Visitors during 2016

Sl. No.	State/UT	Jail Inspections				
		Medical	Executive	Judicial	Others	Total
1	ANDHRA PRADESH	5568	1262	1881	1661	10372
2	ARUNACHAL PRADESH	14	9	10	7	40
3	ASSAM	112	183	538	114	947
4	BIHAR	146	177	470	130	923
5	CHHATTISGARH	173	138	243	121	675
6	GOA	163	25	23	102	313
7	GUJARAT	1004	105	893	129	2131
8	HARYANA	959	149	800	190	2098
9	HIMACHAL PRADESH	299	60	188	333	880
10	JAMMU & KASHMIR	243	48	42	37	370
11	JHARKHAND	100	84	320	53	557
12	KARNATAKA	188	79	173	2	442
13	KERALA	1110	441	315	116	1982
14	MADHYA PRADESH	2323	463	1185	427	4398
15	MAHARASHTRA	612	149	975	124	1860
16	MANIPUR	0	0	26	1	27
17	MEGHALAYA	225	10	92	16	343
18	MIZORAM	96	14	63	87	260
19	NAGALAND	225	62	87	103	477
20	ODISHA	103	185	606	106	1000
21	PUNJAB	647	270	776	167	1860
22	RAJASTHAN	1327	289	516	349	2481
23	SIKKIM	24	10	24	0	58
24	TAMIL NADU	146	95	90	32	363
25	TELANGANA	1880	397	396	233	2906
26	TRIPURA	283	517	191	357	1348
27	UTTAR PRADESH	1032	276	1045	178	2531
28	UTTARAKHAND	75	28	174	20	297
29	WEST BENGAL	741	537	950	227	2455
	TOTAL (STATES)	19818	6062	13092	5422	44394
30	A & N ISLANDS	6	3	16	2	27
31	CHANDIGARH	327	12	32	27	398
32	D & N HAVELI	12	0	12	0	24
33	DAMAN & DIU	12	4	12	6	34
34	DELHI	72	49	90	56	267
35	LAKSHADWEEP	2	2	3	6	13
36	PUDUCHERRY	8	2	7	0	17
	TOTAL (UTs)	439	72	172	97	780
	TOTAL (ALL-INDIA)	20257	6134	13264	5519	45174