

**GOVERNMENT OF INDIA  
MINISTRY OF HOME AFFAIRS**

**LOK SABHA  
UNSTARRED QUESTION NO. 146**

**TO BE ANSWERED ON THE 2<sup>ND</sup> FEBRUARY, 2021/ MAGHA 13, 1942 (SAKA)**

**OVERCROWDING OF PRISONS**

**146. SHRIMATI APARAJITA SARANGI:**

**Will the Minister of HOME AFFAIRS be pleased to state:**

- (a) the number of prisons across the country which holds more prisoners than its actual capacity, causing prison-overcrowding;**
- (b) the number of under-trial prisoners in each of the prisons which hold more prisoners than its actual capacity;**
- (c) the number of prisoners who tested positive for COVID-19 and the number of such under trials in the prisons as well as from the prisons which hold more prisoners than its actual capacity, State-wise;**
- (d) the number of prisoners who died of COVID-19 in prisons which hold more prisoners than its actual capacity, State-wise; and**
- (e) Whether the Government has taken any measures to reduce the population in prisons so as to facilitate social distancing, and if so, details thereof?**

**ANSWER**

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

**(a) & (b): National Crime Records Bureau (NCRB) compiles prison statistics reported to it by States and Union Territories (UTs) and publishes it in its annual report "Prison Statistics India". The latest published report is of the year 2019. State/UT-wise total available capacity of prisons, total number of prisoners and undertrial prisoners lodged in prisons as on 31<sup>st</sup> December, 2019 are given in Annexure.**

**(c) & (d): This data has not been reported to NCRB by the States and UTs.**

**(e): '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. States and UTs are competent to adopt appropriate measures in their jurisdictions to reduce population in prisons. The Ministry of Home Affairs (MHA) has issued various advisories to the States & UTs, from time to time, for adopting suitable measures to reduce overcrowding in prisons.**

**In view of the Covid-19 situation, MHA had issued an advisory to all States and UTs and Prison authorities on 12<sup>th</sup> March, 2020 advising them to take appropriate precautions and steps such as washing hands regularly, properly covering mouth and social distancing etc. for maintaining proper hygiene condition in prisons. They were also advised to reduce movement of prison inmates and make use of video conference facilities for their production in Courts and for their visitors etc. in place of personal appearances and meetings. On 2<sup>nd</sup> May, 2020, MHA issued another comprehensive advisory on management of COVID-19 in prisons. Detailed guidelines and protocols to be followed in prisons were also shared with all States and UTs.**

**Taking cognizance of the fact that overcrowding of prisons is a serious concern in the context of COVID-19 pandemic, the Hon'ble Supreme Court of India, in Suo Motu Writ Petition (C) No. 1 of 2020 vide its Order dated 23.3.2020 had directed all States and UTs to constitute a High Powered Committee to determine as to which class of prisoners can be released on parole or interim bail, for such period as may be thought appropriate by them. The Court had further directed the States and UTs that they leave it open for the High Powered Committee of respective States to determine the category of prisoners who may be released, depending upon the nature of offence, number of years to which they have been sentenced or the severity of the offence with which they have been charged or any other relevant factor, which the Committee may consider appropriate. Based on this direction of the Hon'ble Court, many States and UTs had released prisoners on parole/bail in their jurisdictions.**

State/UT-wise number of prisons, available capacity and inmate population as on 31st December, 2019

SI No.	State/UT	Total Capacity available	Total number of Prisoners	Number of Undertrial Prisoners
1	Andhra Pradesh	8789	7579	4769
2	Arunachal Pradesh	233	247	106
3	Assam	8888	9226	6130
4	Bihar	42222	39814	31275
5	Chhattisgarh	12063	18112	9829
6	Goa	624	518	369
7	Gujarat	13762	15089	9799
8	Haryana	19306	20423	13160
9	Himachal Pradesh	2146	2373	1425
10	Jammu & Kashmir @	2910	3689	3075
11	Jharkhand	16795	18654	12759
12	Karnataka	14315	14515	10500
13	Kerala	6841	7499	4330
14	Madhya Pradesh	28718	44603	24157
15	Maharashtra	24095	36798	27557
16	Manipur	1272	876	758
17	Meghalaya	650	1023	861
18	Mizoram	1601	1698	1097
19	Nagaland	1450	446	314
20	Odisha	19291	17563	13803
21	Punjab	23488	24174	15949
22	Rajasthan	22952	21599	15378
23	Sikkim	260	400	255
24	Tamil Nadu	23392	14707	9244
25	Telangana	7785	6717	4384
26	Tripura	2174	1103	568
27	Uttar Pradesh	60340	101297	73418
28	Uttarakhand	3540	5629	3373
29	West Bengal #	21772	23092	16478
30	A & N Islands	309	244	132
31	Chandigarh	1120	984	580
32	D&N Haveli *	70	46	46
33	Daman & Diu *	60	62	46
34	Delhi	10026	17534	14382
35	Lakshadweep	64	4	4
36	Puducherry	416	263	177
	<b>Total</b>	<b>403739</b>	<b>478600</b>	<b>330487</b>

@ Jammu and Kashmir and Ladakh are now Union Territories. This is consolidated data of both UTs - Jammu and Kashmir and Ladakh.

\* D&N Haveli and Daman & Diu have since been merged into one UT.

# Due to non-receipt of data from West Bengal for the year 2018 & 2019, data furnished for 2017 has been used.