

**GOVERNMENT OF INDIA
MINISTRY OF HOME AFFAIRS**

**LOK SABHA
STARRED QUESTION NO. *29**

TO BE ANSWERED ON THE 20TH JULY, 2021/ ASHADHA 29, 1943 (SAKA)

PRISON REFORMS

†*29. SHRI GOPAL CHINNAYA SHETTY:

Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether the Government has formulated any Prison Policy or Policy for Reformatory Homes during the last few years;

(b) if so, the date on which the said policy has been adopted;

(c) if not, whether the Government proposes to formulate any policy in this regard;

(d) the percentage of ex-convicts who have committed repeated offences as compared to the first time offenders;

(e) the names of the States with the highest percentage of habitual offenders in jails; and

(f) the total number of open jails functioning in the country at present and the overall experience of such open jails?

ANSWER

**MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS
(SHRI AJAY KUMAR MISHRA)**

(a) to (f): A Statement is laid on the Table of the House.

Statement REFERRED TO IN reply to LOK Sabha Starred Question No. †*29 for 20th July, 2021.

(a) to (c): ‘Prisons’ and ‘persons detained therein’ are State subjects as per Entry 4 of List II of the Seventh Schedule to the Constitution of India. Administration and management of prisons is the responsibility of State Governments, who are competent to devise and adopt appropriate policies for prison and correctional administration. However, the Ministry of Home Affairs (MHA) has been supplementing the efforts of States and Union Territories (UTs) by issuing various advisories and guidelines from time to time. These advisories are available on MHA’s website at:

[https://www.mha.gov.in/Division of MHA/Women Safety Division/prison-reforms](https://www.mha.gov.in/Division_of_MHA/Women_Safety_Division/prison-reforms)

Model Prison Manual 2016 was also a step in the direction of bringing in prison reforms as the Manual strives to serve as a benchmark that all States should emulate and seek guidance from. The Manual was forwarded to all States and UTs in May 2016. The Manual, inter-alia, provides detailed guidance on all aspects of prison and correctional administration, including after care and rehabilitation of inmates. States and UTs have been advised to adopt the guidance provided in the Manual for bringing uniformity in basic principles governing prisons across the country, with due flexibility in the suggested provisions to allow adaptation as per local conditions.

(d) & (e): The National Crime Records Bureau (NCRB) compiles prison statistics reported to it by States and UTs and publishes the same in its annual publication “Prison Statistics India”. The latest published report is of the year 2019. State/UT-wise number of convicts admitted in prisons during the year 2019, number of habitual offenders and percentage share of habitual offenders to convicts are given in Annexure.

(f): As on 31.12.2019, 86 open jails have been established in 17 States of the country. Open institutions provide the prisoners opportunities of employment and living a life in the open, which is expected to restore their dignity and develop in them self-reliance, self-confidence and social responsibility, necessary for their rehabilitation in the society.

State/UT-wise number of convicts admitted during the year 2019, number of Habitual Offenders and percentage share of Habitual Offenders to convicts admitted during the year

Sl. No.	State/UT	Number of convicts admitted during the year	Number of Habitual Offenders	% share of Habitual Offenders to convicts admitted
(1)	(2)	(3)	(4)	(5)
1	ANDHRA PRADESH	15057	240	1.6
2	ARUNACHAL PRADESH	76	0	0.0
3	ASSAM	2456	105	4.3
4	BIHAR	5660	68	1.2
5	CHHATTISGARH	3857	12	0.3
6	GOA	145	0	0.0
7	GUJARAT	5766	0	0.0
8	HARYANA	5400	124	2.3
9	HIMACHAL PRADESH	853	0	0.0
10	JAMMU & KASHMIR @	257	0	0.0
11	JHARKHAND	4174	220	5.3
12	KARNATAKA	3698	124	3.4
13	KERALA	5431	421	7.8
14	MADHYA PRADESH	13802	29	0.2
15	MAHARASHTRA	12809	0	0.0
16	MANIPUR	62	0	0.0
17	MEGHALAYA	122	13	10.7
18	MIZORAM	1716	779	45.4
19	NAGALAND	156	19	12.2
20	ODISHA	1353	26	1.9
21	PUNJAB	7208	392	5.4
22	RAJASTHAN	13000	263	2.0
23	SIKKIM	44	0	0.0
24	TAMIL NADU	3333	25	0.8
25	TELANGANA	27591	502	1.8
26	TRIPURA	837	6	0.7
27	UTTAR PRADESH	29496	1247	4.2
28	UTTARAKHAND	3676	5	0.1
29	WEST BENGAL #	16800	991	5.9
	TOTAL (STATES)	184835	5611	3.0
30	A & N ISLANDS	82	8	9.8
31	CHANDIGARH	264	11	4.2
32	D & N HAVELI *	8	0	0.0
33	DAMAN & DIU *	7	0	0.0
34	DELHI	3455	1120	32.4
35	LAKSHADWEEP	0	0	0.0
36	PUDUCHERRY	114	6	5.3
	TOTAL (UTs)	3930	1145	29.1
	TOTAL (ALL-INDIA)	188765	6756	3.6

Note: The above calculation is based on convictions only. Repeat offenders among undertrials have not been taken into account.

@ 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.