

GOVERNMENT OF INDIA  
MINISTRY OF HOME AFFAIRS

LOK SABHA  
UNSTARRED QUESTION NO.2585

TO BE ANSWERED ON THE 15<sup>TH</sup> DECEMBER, 2015/AGRAHAYANA 24,1937 (SAKA)

DISABLED PRISONERS AND UNDERTRIALS

2585. DR. A. SAMPATH:

Will the Minister of HOME AFFAIRS be pleased to state:

(a) the total number of disabled/differently abled and mentally challenged people in jails in the country as convicts and undertrials, State-wise,

(b) the duration for which such undertrials are languishing in jails *viz.* less than three years, 3-5 years and more than five years and the number of those in each group;

(c) whether the Government has taken any step to expedite trial of their cases;

and

(d) if so, the details thereof?

ANSWER

MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS  
(SHRI HARIBHAI PARATHIBHAI CHAUDHARY)

(a)&(b): As per data compiled by the National Crime Records Bureau at the end of 2014, there were 5394 inmates suffering from mental illness lodged in the jails of the Country. A State/UT wise statement in this regard is at Annexure. Data regarding disabled/differently abled inmates is not maintained centrally.

(c)to(d): "Prisons" is a State subject as per Entry 4 of List II of the Seventh Schedule to the Constitution of India. Therefore, the administration and management of prisons is primarily the responsibility of the State Governments. However, the following measures have been taken by the Government of India in respect of undertrial prisoners:

(i) A comprehensive advisory dated 17<sup>th</sup> July 2009 has been issued to the States/UTs on "Prison Administration", which provides for steps to be taken by the States/UTs for providing free legal aid to undertrials, setting up of Lok Adalats/Special courts in prisons for expediting review of cases of undertrials. The same may be downloaded from the website of the Ministry of Home Affairs at the following links:

<http://mha1.nic.in/PrisonReforms/pdf/PrisonAdmin17072009.pdf>

(ii) An Advisory has been issued by this Ministry on 17.1.2013 to States/UTs regarding use of section 436A of the Cr.P.C to reduce overcrowding of prisons. The same can also be accessed on the website of Ministry of Home Affairs at the link:

[http://mha1.nic.in/PrisonReforms/pdf/AdvSec436APrisons-060213\\_0.pdf](http://mha1.nic.in/PrisonReforms/pdf/AdvSec436APrisons-060213_0.pdf)

(iii) Hon'ble Home Minister has written to Chief Ministers/LG of States/UT on 3.9.2014 regarding use of section 436A of Cr. P.C. to reduce overcrowding in jails of India.

(iv) Director General (Prisons)/Inspector General (Prisons) of all States/UTs have been requested on 22.9.2014 to take necessary action to comply with the order dated 5.9.2014 of the Hon'ble Supreme Court in the matter.

(v) Advisory dated 27.9.2014 issued to States/UTs on reckoning half-life of time spent in judicial custody of Undertrial prisoners under Section 436A of Cr. P. C. The same can also be accessed on the website of Ministry of Home Affairs at the link:

[http://mha1.nic.in/PrisonReforms/pdf/GuidelinesForRreckoningHalfLife\\_161014.pdf](http://mha1.nic.in/PrisonReforms/pdf/GuidelinesForRreckoningHalfLife_161014.pdf)

Annexure referred to in part (a)&(b) of Lok Sabha Unstarred Question  
No. 2585 for answer on 15.12.2015

S. No.	State/UT	Convict	Undertrials	Deteeues	Others	Total
1	Andhra Pradesh	33	75	0	0	108
2	Arunachal Pradesh	0	0	0	0	0
3	Assam	79	39	0	11	129
4	Bihar	29	11	0	4	44
5	Chhattisgarh	157	42	0	0	199
6	Goa	15	56	0	0	71
7	Gujarat	177	454	1	0	632
8	Haryana	69	40	0	0	109
9	Himachal Pradesh	42	25	0	0	67
10	Jammu & Kashmir	26	65	5	0	96
11	Jharkhand	88	122	0	0	210
12	Karnataka	144	243	0	0	387
13	Kerala	151	136	0	0	287
14	Madhya Pradesh	337	104	3	0	444
15	Maharashtra	64	78	0	0	142
16	Manipur	2	8	0	0	10
17	Meghalaya	0	8	0	0	8
18	Mizoram	0	0	0	0	0
19	Nagaland	0	1	0	0	1
20	Odisha	336	196	0	0	532
21	Punjab	22	32	0	20	74
22	Rajasthan	142	173	0	0	315
23	Sikkim	0	0	0	0	0
24	Tamil Nadu	15	28	0	0	43
25	Telangana	22	0	0	0	22
26	Tripura	9	10	0	0	19
27	Uttar Pradesh	281	392	0	0	673
28	Uttarakhand	33	6	0	0	39
29	West Bengal	200	307	0	0	507
30	A & N Islands	3	0	0	0	3
31	Chandigarh	0	1	0	0	1
32	D & N Haveli	0	0	0	0	0
33	Daman & Diu	0	0	0	0	0
34	Delhi	51	171	0	0	222
35	Lakshadweep	0	0	0	0	0
36	Puducherry	0	0	0	0	0
	Total	2527	2823	9	35	5394

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