



REPORT NO.

245

PARLIAMENT OF INDIA
RAJYA SABHA

**DEPARTMENT-RELATED PARLIAMENTARY STANDING COMMITTEE
ON HOME AFFAIRS**

TWO HUNDRED FORTY FIFTH REPORT

ON

PRISON – CONDITIONS, INFRASTRUCTURE AND REFORMS

(Presented to Rajya Sabha on 21st September, 2023)
(Laid on the Table of Lok Sabha on 21st September, 2023)



Rajya Sabha Secretariat, New Delhi
September, 2023/ Bhadra, 1945 (Saka)



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* To be appended at a later stage

**DEPARTMENT-RELATED PARLIAMENTARY STANDING
COMMITTEE ON HOME AFFAIRS**

(re-constituted *w.e.f.* 13th September, 2023)

1. **Shri Brijlal** - **Chairman**

RAJYA SABHA

2. Shri P. Chidambaram
3. Shri Biplab Kumar Deb
4. Shri N. R. Elango
5. Dr. Anil Jain
6. Shri Sujeet Kumar
7. Shri Derek O'Brien
8. Shri Neeraj Shekhar
9. Shri Digvijaya Singh
10. Shri Rakesh Sinha

LOK SABHA

11. Shri Sanjay Bhatia
12. Shri Adhir Ranjan Chowdhury
13. Dr. (Shrimati) Kakoli Ghosh Dastidar
14. Shri Dilip Ghosh
15. Shri Dulal Chandra Goswami
16. Shrimati Kirron Kher
17. Thiru Dayanidhi Maran
18. Shri Raja Amareshwara Naik
19. Shri Ranjeetsingh Naik Nimbalkar
20. Shri Jamyang Tsering Namgyal
21. Shri Gajendra Singh Patel
22. Shri Lalubhai Babubhai Patel
23. Shri R.K. Singh Patel
24. Shri Vishnu Dayal Ram
25. Shrimati Sarmistha Kumari Sethi
26. Shri Rahul Ramesh Shewale
27. Shri Ravneet Singh
28. Dr. Satya Pal Singh
29. Shrimati Geetha Viswanath Vanga
30. Shri Dinesh Chandra Yadav
31. Vacant

SECRETARIAT

Shri Swarabji B., Joint Secretary
Shri Ravinder Kumar, Director
Shri Sreejith V., Deputy Secretary
Smt. Neelam Bhatt, Under Secretary
Shri Manoj H M, Assistant Committee Officer

PREFACE

I, the Chairman of the Department-related Parliamentary Standing Committee on Home Affairs, having been authorized by the Committee to submit the Report on its behalf, do hereby present this Two Hundred Forty Fifth Report on the “Prison – Conditions, Infrastructure and Reforms”.

2. The Committee, in its meeting held on 14th October, 2020 selected the subject 'Prison – Conditions, Infrastructure and Reforms' for examination and held six meetings, *i.e.* on 28th March, and, 10th August, 2022, 17th May, 6th July, 19th July and 27th July, 2023. In these meetings, the Committee heard the views of the representatives of Ministry of Home Affairs, Domain experts on the subject, State Governments of Madhya Pradesh, Gujarat, Uttar Pradesh, NCT of Delhi, Andhra Pradesh, Tamil Nadu, Telangana, Assam, Odisha, Bihar, Chhattisgarh and Rajasthan. The Committee also sought information from all the States and Union Territories on the issues of Conditions, Infrastructure and Reforms in Prison system through a questionnaire.

3. The Committee, while making its observations/recommendations, has mainly relied upon the following documents:-

- (i) Background Notes furnished and Presentations made by representatives of Ministry of Home Affairs, Domain experts on the subject, State Governments of Madhya Pradesh, Gujarat, Uttar Pradesh, NCT of Delhi, Andhra Pradesh, Tamil Nadu, Telangana, Assam, Odisha, Bihar, Chhattisgarh and Rajasthan;
- (ii) Replies to the questionnaire sent by the Secretariat, furnished by the State Governments of Andhra Pradesh, Telangana, Tamil Nadu, Kerala, Maharashtra, Gujarat, Madhya Pradesh, Chhattisgarh, Odisha, West Bengal, Haryana, Punjab, Rajasthan, Uttar Pradesh, Himachal Pradesh, Uttarakhand, Goa, Bihar, Sikkim, Meghalaya, Nagaland, Arunachal Pradesh, Assam, Manipur, Mizoram, Tripura and Union Territories of Ladakh, Puducherry, NCT of Delhi, Andaman and Nicobar Islands, Chandigarh, Lakshadweep, Jammu & Kashmir;
- (iii) Replies to the queries/comments/suggestions of the Members, raised during the Committee's meetings, as furnished by the Departments/Ministries/State Governments and other stakeholders during various meetings of the Committee; and
- (iv) Verbatim transcripts of the meetings of the Committee held on 28th March, 2022, 10th August, 2022, 17th May, 6th July, 19th July and 27th July, 2023; and

4. The Committee considered the draft Two Hundred Forty Fifth Report and adopted the same in its meeting held on 24th August, 2023.

5. For the facility of reference and convenience, observations and recommendations of the Committee have been printed in bold letters in the body of the Report. For further convenience, abbreviations used in the Report have been compiled in a table under the acronyms section.

24th August, 2023
New Delhi
Sharvan, 1945 (Saka)

Brijlal
Chairman
Department-related Parliamentary
Standing Committee on Home Affairs

ACRONYMS

AI: Artificial Intelligence

BAOU: Baba Saheb Ambedkar Open University

BPL: Below Poverty Line

BPR&D: Bureau of Police Research and Development

CCTNS: Crime and Criminal Tracking Network and System

CCTV: Closed-Circuit Television

CID: Criminal Investigation Department

COVID-19: Coronavirus Disease 2019

CrPC: Code of Criminal Procedure

DEO: Data Entry Operator

DFMD: Door Frame Metal Detector

DLSA: District Legal Services Authority

DG: Director General

e-Visitor: Visitor Management System

e-Hospital: Hospital Management System

EMCS: Email My Case Status

FSSAI: Food Safety and Standards Authority of India

FY: Financial Year

GHSEB: Gujarat Secondary & Higher Secondary Education Board

GIPCA: Gujarat Institute of Prisons Correctional Administration

GSEB: Gujarat Secondary Education Board

GST: Goods and Services Tax

HHMD: Hand Held Metal Detector

HIV: Human Immunodeficiency Virus

ICJS: Inter-Operable Criminal Justice System

ICT: Information and Communication Technology

IGNOU: Indira Gandhi National Open University

IO: Investigating Officer

IT: Information Technology

ITI: Industrial Training Institute

LED: Light Emitting Diode

MCD: Municipal Corporation of Delhi

MEPMA: Mission for Elimination of Poverty in Municipal Areas

MHA: Ministry of Home Affairs

MIS: Management Information System

MoU: Memorandum of understanding

MSMEs: Micro, Small, and Medium Enterprises

NABARD: National Bank for Agricultural & Rural Development

NAC: National Academy of Construction

NALSA: National Legal Services Authority

NCRB: National Crime Records Bureau

NCT: National Capital Territory

NEPA: North Eastern Police Academy

NGO: Non-Governmental Organization

NHRC: National Human Rights Commission

NIC: National Informatics Centre

NIOS: National Institute of Open Schooling

NLJD: Non-Linear Junction Detector

NLU: National Law University

NPIP: National Prisons Information Portal

OSOU: Odisha State Open University

OST: Opioid Substitute Therapy

PATTAM: Personality and Attitude Transformation through Therapeutic Assistance and Management

PIMS: Prisoner Information Management System

PLV: Para Legal Volunteer

PMKVY: Pradhan Mantri Kaushal Vikas Yojana

PMS: Prison Management System

PR: Personal Recognizance

PSI: Prison Statistics India

PWD: Public Works Department

QRT: Quick Response Team

RSETI: Rural Self Employment Training Institute

SLSA: State Legal Services Authority

SMS: Short Message Service

SOP: Standard Operating Procedure

SRB: Sentence Review Board

SRIJAN: Sustainable Rehabilitation of Inmates in Jails of Assam (New)

STD: Sexually Transmitted Disease

T-HCBS: Tower for Harmonious Call Blocking System

TB: Tuberculosis

Tr.: Transgender

UN: United Nations

UT: Union Territory

VC: Video Conferencing

VHF: Very High Frequency

INTRODUCTION

Prisons play a crucial role in any society, serving as institutions designed to hold individuals accountable for their actions that have violated the law. The conditions, infrastructure and reforms within the prison system are vital aspects that determine the efficacy of the criminal justice system and the potential for prisoner rehabilitation. Examining the state of prisons and their circumstances becomes more important in the context of India, a nation with a diverse and complicated legal system as jails play an important role towards the reformation of convicts.

2. In the federal structure of India, the distribution of legislative powers between the Central Government and the State Governments is clearly defined under the Constitution. The Seventh Schedule of the Constitution of India enumerates ‘Prison/Persons detained therein’ as a subject matter under the State List (Entry 4 of List II). This means that the State Governments have the primary responsibility for enacting laws, establishing institutions, and regulating the functioning of prisons and persons detained therein within their respective jurisdictions. The Central Government, on the other hand, has limited jurisdiction in matters related to prisons. Despite the fact that the State Governments are responsible for managing and administering prisons under the Constitutional provisions, the Government of India has been regularly advising and assisting State Governments on issues relating to prison administration in light of the significance of prisons to the criminal justice system.

3. Some of the important statutory frameworks, legislations, rules and regulations guiding prison management are ‘The Prisons Act, 1894’; ‘The Prisoners Act, 1900’; ‘The Transfer of Prisoners Act, 1950’; ‘The Repatriation of Prisoners Act, 2003’; ‘The Model Prison Manual 2016’ etc. The colonial period Acts were enacted with a view to have a uniform system of prison management in the country. The Prisons Act, 1894 defines a ‘prison’ and empowers the State Governments to make rules consistent with this Act on a wide range of issues *viz.* accommodation for prisoners, separation and segregation of prisoners, control and duties of prison officers, maintenance of prisoners, diet and clothing of prisoners, prison offences, offence by prison subordinates, power to make rules etc.

4. Over a period of time various Committees *viz.* - The Jail Committee, 1939; All India Jails Manual Committee, 1960; Justice A. N. Mulla Committee, 1980; R. K. Kapoor Committee, 1986; Justice Krishna Iyer Committee, 1987, etc. were constituted to modernise the Prison Administration and to bring in reforms that suits the needs of the changing times. Dr. W. C. Reckless, a United Nations Expert on Correctional Work made a study on prison administration in India during 1951-52. The recommendations of all the

Committees have been considered and incorporated in the Model Prison Manual, 2003 & 2016. Besides, Ministry of Home Affairs (MHA) also carries out interventions and implements schemes for prison reforms in the country.

5. In order to meet modern standards for managing prisons, recently, an effort was taken by MHA and has decided that the entire obsolete Acts needs to be updated and revised. As a result, the Central Government decided to study and update the obsolete Prison Act dated from the colonial era in line with current demands and correctional ideology. This task was assigned by the Union Government to the Bureau of Police Research & Development (BPR&D). The Bureau has reviewed those obsolete Acts in consultation with the stakeholders with a view to revise it according to the changed socio-economic and political conditions and to emphasis on 'Correctional Administration'. BPR&D has recently finalised the 'Model Prisons and Correctional Services Act, 2023' and it has been shared with the States/UTs with a view that the new proposed Act may be adopted by the States/UTs with necessary changes and thereby repealing the obsolete Acts.

6. The infrastructure of Indian prisons has undergone some developments over the years, but numerous shortcomings persist. Many prisons suffer from overcrowding, leading to a strain on resources, compromised living standards, increased tensions among inmates, lack of adequate healthcare facilities, sanitation and nutrition, outdated and dilapidated buildings, limited access to recreational activities, lack of adequate mental health facilities, very high numbers of undertrials in prisons, inadequate prison staff and limited facilities for education & vocational training. These deficiencies hinder the reformation and reintegration of inmates into society, perpetuating a cycle of crime and recidivism. Additionally, reports of abuse, violence, and human rights violations within these institutions have raised serious questions about the treatment and welfare of prisoners.

7. To understand the factors and challenges faced in the domain of prison reforms, the Committee chose the subject 'Prison - Conditions, Infrastructure and Reforms' for an in-depth examination of the gamut of issues related to the Prison Administration and Management in the States and report thereon. The Committee, during the course of examination of the subject, held six (6) meetings. It interacted with the representatives of the Ministry of Home Affairs and the State Governments of Assam, Andhra Pradesh, Bihar, Chhattisgarh, Gujarat, Madhya Pradesh, Odisha, Rajasthan, Tamil Nadu, Telangana, Uttar Pradesh, and NCT Delhi. The Committee also heard the views of some of the domain experts. The Committee also sought information from all the States and Union Territories on the issues of condition, infrastructure and reforms in prison system through a questionnaire. The State/UT Governments of Andhra Pradesh, Arunachal Pradesh, Assam, Bihar, Chhattisgarh, Gujarat, Goa, Haryana, Himachal Pradesh, Kerala, Madhya Pradesh,

Maharashtra, Manipur, Meghalaya, Mizoram, Nagaland, Odisha, Punjab, Rajasthan, Sikkim, Tamil Nadu, Telangana, Tripura, Uttarakhand, Uttar Pradesh and West Bengal, Andaman & Nicobar Islands, Chandigarh, Jammu & Kashmir, Ladakh, Lakshadweep, NCT of Delhi and Puducherry have submitted their responses on the questionnaire to the Committee. Apart from that the Committee also sought the views/suggestions on the subject from individual/organizations/institutions /experts.

8. The Committee places its findings and recommendations in the respective chapters, on the basis of the inputs received from the above-mentioned Ministry/agencies/State/UT Governments, first-hand information gathered from the evidence tendered by the witnesses before the Committee and the discussions that took place during the course of the meetings of the Committee.

CHAPTER I

THE BACKGROUND AND PRESENT STATUS

1.1 Background of Prisons in India

1.1.1 The concept of Prison system in India which we see today is based on the Minute of Macaulay in 1835. A Committee, namely the Prison Discipline Committee was set up, which submitted its report in 1838. The Committee recommended for rigorous treatment of inmates rejecting all humanitarian needs and reforms. The recommendations led to the construction of the Central Prisons. Thus, the prisons in India are a legacy of the British rule. Another Commission of Inquiry with respect to Jail Management and Discipline made certain suggestions with respect to accommodation of prisoners, their diet, clothing, medical care, etc. In 1888, again a Commission was appointed and on its recommendation a Prison Bill was proposed. The proposed Bill became an Act in 1894, marked a milestone event in the prison history of India. For the first time in Indian prison history, the Indian Jail Committee of 1919-20 in its report, made reforms and rehabilitation a part of the objectives of Prison administration. Later on, by the enactment of the Government of India Act, 1935 transferred the subject matter of 'prisons' from Central to the Provincial Governments, which resulted in the non-uniformity of prison policy after India became independent. The Government of India in the year 1951, invited a technical UN expert, Dr. W.C. Reckless to study prison administration in India and to suggest ways to improve the prison system. Dr. Reckless in his report made a plea for transforming jails into reformation centres and for revision of the outdated jail manuals.

1.2 Committees on Prison Reforms

1.2.1 After independence, despite the Constitutional limitations about the role which the Central Government can play in the matter of Prisons, the Government of India, keeping in mind the importance of correctional administration, set up various Committees, Commissions and Groups such as the All India Prison Reforms Committee (1980) under the Chairmanship of Justice A.N. Mulla (Retd.), R.K. Kapoor Committee (1986) and Justice Krishna Iyer Committee (1987) *inter alia*, to study and make suggestions for improving the prison conditions and administration, with a view to making them more conducive to the reformation and rehabilitation of prisoners. These Committees made a number of recommendations to improve the conditions of prisons, prisoners and prison personnel all over the country. A brief about these Committees is as under:

1.3 The All-India Jails Manual Committee (1957-60)

1.3.1 The All-India Jails Manual Committee recommended for preparing a model jail. The Committee also looked into issues with jail management and recommended changes that should be implemented uniformly across the nation. In 1960, the Committee presented its report to the Government of India. The Committee stated that the prison institution should be a centre of correctional treatment, with a focus primarily on the rehabilitation of the criminal, while outlining the guiding principles for prison administration.

1.3.2 The Committee's major recommendations touched upon the vast area which included aspects related to headquarters organization, diversification of institutions based on sex, age, criminal record, security condition, architecture and building, accommodation, constitution of advisory boards, recruitment, selection and training of prison personnel, discipline, basic facilities, education of prisoners, vocational training, after care and rehabilitation and categorization of prisoners (*i.e.* undertrial prisoner, women, life convicts, habitual offenders, lunatics, juveniles etc.)

1.3.3 Various States of India prepared and adopted jail manuals to regulate prison administration and prison management in their jurisdictions.

1.4 All India Committee on Jail Reforms, 1980

1.4.1 In 1980, under the Chairmanship of Justice A.N. Mulla, the Government of India established the All-India Committee on Jail Reforms. The Commission conducted a detailed investigation of the issues relating to prisons before submitting its report in 1983. The Committee looked at every aspect of prison management and gave appropriate recommendations considering the various problems raised. As it is the duty of the State Governments to manage the jails, the suggestions provided by this Committee were circulated to all States and UTs for execution.

1.5 R.K. Kapoor Committee, 1986

1.5.1 In 1986, a Special Group was established by the Government of India under the Chairmanship of Shri R.K. Kapoor, former Director of the Intelligence Bureau, to review and examine various aspects of prison management, particularly in relation to security and discipline and to recommend improvements. Better communication systems, watch towers, wire fence, increase the height of perimeter walls, metal detectors, dog squads and other measures were suggested by the group. Closed-circuit televisions (CCTVs) were also

advised for use in areas such as the main gate area, roof tops and perimeter wall to monitor activity. The recommendations made by this Committee were forwarded to the State Governments for appropriate action.

1.6 National Expert Committee on Women Prisoners, 1986

1.6.1 The National Expert Committee on Women Prisoners headed by Justice Krishna Iyer was constituted in 1986. The Committee appraised the situation of women in jails and made various recommendations. Some of the major recommendations of the Committee included various aspects, *i.e.*, women prisoners, like men should be informed of their rights under the law, women constables should conduct searches, separate jails should be provided for women, medical checkups of women prisoners or undertrials should be done by women doctors as soon as they come to prison, they should be allowed to contact their families and communicate with their lawyers, women social workers and voluntary organizations, they should be allowed to keep their children with them. The recommendations made by the Committee were shared with the State Governments for appropriate action.

1.6.2 In the recent past, the Ministry of Women and Child Development had also examined the issue of women in prisons and had prepared a report and sent it to the Ministry of Home Affairs. Since the issues discussed in the report related to State authorities, the report was forwarded by MHA to all State Governments and State Prison authorities with the request to examine the report and make best use of the recommendations made therein and modify their Jail Manuals to that extent.

1.7 The Model Prison Manual 2016

1.7.1 The recommendations made by various Committees and Groups in the matter of Prison Reforms were duly taken note of and factored in at the time of preparing the National Model Prison Manual both in the year 2003 and then in 2016.

1.7.2 The Model Prison Manual 2016 includes all significant suggestions made by previous Committees. It also represents best practices from across the country and strives to reflect the understanding behind constitutional provisions, Supreme Court directions on prison administration and international instruments. The key features of the new Manual emphasis on prison computerization, special provisions for women prisoners, prison inspections, rights of prisoners sentenced to death, etc. The onus, however, is on respective State Governments to utilise the guidelines provided in the Model Prison Manual and to give actual effect to the recommendations of various Commissions and Committees, as

implementation of the recommendations and guidelines is exclusively in the domain of State authorities.

1.8 Present status of Prison in India

1.8.1 Even though several reformatory measures have been implemented by the Government of India, there is still lack of facilities like infrastructure, overcrowding, vacancies in jail personnel, etc., which ultimately results in not achieving the goal. The prison statistics published by the National Crime Record Bureau (NCRB) for 2021, projects that there are currently 1319 prisons in India, with a total capacity of 4,25,609 prisoners. However, the actual inmates are 5,54,034 which shows that the occupancy capacity rate is 130.2%. Of the total inmates, the number of undertrial prisoners is 4,27,165 and the number of convicted prisoners is 1,22,852. Thus, the record clearly shows that the undertrial prisoners are more in prisons which is the main reason for overcrowding. The occupancy of women prisoners has also been increased in the prisons in comparison with earlier data. Moreover, the prisons are understaffed by approximately 30% of the required strength. Lack of proper healthcare facilities and inadequate attention to health and hygiene also contribute to the poor conditions in prisons. Overall, the current Indian prison system faces several significant issues that need to be addressed and focus needs to be increased on improving the living conditions, healthcare, and rehabilitation programs of prisoners.

CHAPTER-II

PRISON CONDITIONS

2.1.1 Jail being a correctional facility is a strong pillar of the Criminal Justice System. The reformation and rehabilitation of offenders is the ultimate objective of the prison administration. To achieve this objective, prison administration needs to ensure that the conditions of the prison as well as prisoners must be at par with approved standards. Provisions of proper food, clothing and sanitation, living space, etc. are the basic amenities which are essential for the overall well-being of prisoners. Prison conditions in India have been a subject of concern and debate due to various issues. One of the major issues in Indian prisons is overcrowding. Many prisons are packed beyond their capacity, leading to inadequate living space for inmates and strained resources.

2.2 Overcrowding

2.2.1 The overcrowding in Indian prisons has long plagued the country's Criminal Justice System. The Committee has been informed by the Ministry of Home Affairs that Government of India has taken many steps to address the issue of overcrowding in prisons, like – inserting Section 436A in the Code of Criminal Procedure (CrPC); Plea Bargaining; passing of Legal Services Authority Act for providing free legal aid; conducting awareness camps through National Legal Services Authority (NALSA), etc. Despite these steps, the total inmates in India are 5,54,034 against the total prison capacity of 4,25,609. The National Average Occupancy Rate in prisons across India is 130.2%. The States of Uttar Pradesh, Bihar, Madhya Pradesh, Maharashtra, Punjab and Haryana together make up for more than 50% of the total prisoner population in the country. In four (4) of these six (6) States, the occupancy rate in prisons is more than the National Average. Further, the State of Uttarakhand has reported the highest occupancy rate of 185%. The Union Territory of Delhi with the highest crime rate in the country of 1479.9 has an occupancy rate of 182%.

State/UT wise prisoner population and occupancy rate

Sl. No.	State/UT	Available Capacity				Inmate Population				Occupancy Rate [#] (in %)			
		M	F	Tr.	Total	M	F	Tr.	Total	M	F	Tr.	Total
1.	UTTARAKHAND	3581	160	0	3741	6632	286	3	6921	185.2	178.8	-	185.0

2.	UTTAR PRADESH	60224	3527	0	63751	112783	4995	11	117789	187.3	141.6	-	184.8
3.	SIKKIM	234	26	0	260	429	5	0	434	183.3	19.2	-	166.9
4.	MADHYA PRADESH	27655	1916	0	29571	46617	1892	4	48513	168.6	98.7	-	164.1
5.	MEGHALAYA	625	55	0	680	1064	25	0	1089	170.2	45.5	-	160.1
6.	MAHARASHTRA	23427	1331	14	24772	35464	1368	21	36853	151.4	102.8	150.0	148.8
7.	CHHATTISGARH	12891	609	0	13500	19162	899	0	20061	148.6	147.6	-	148.6
8.	BIHAR	45736	2014	0	47750	63812	3067	0	66879	139.5	152.3	-	140.1
9.	JHARKHAND	16576	925	0	17501	20389	868	0	21257	123.0	93.8	-	121.5
10.	HARYANA	19012	971	16	19999	23376	777	5	24158	123.0	80.0	31.3	120.8
11.	WEST BENGAL	19556	1920	0	21476	24217	1530	22	25769	123.8	79.7	-	120.0
12.	HIMACHAL PRADESH	2270	147	0	2417	2767	109	0	2876	121.9	74.1	-	119.0
13.	GUJARAT	12843	1156	0	13999	16017	573	7	16597	124.7	49.6	-	118.6
14.	ASSAM	8171	767	0	8938	9646	431	2	10079	118.1	56.2	-	112.8
15.	KARNATAKA	14003	1372	10	15385	14867	602	4	15473	106.2	43.9	40.0	100.6
16.	RAJASTHAN	21140	1757	0	22897	22315	622	1	22938	105.6	35.4	-	100.2
17.	ODISHA	18954	2033	0	20987	20063	739	2	20804	105.9	36.4	-	99.1
18.	PUNJAB	24371	2185	0	26556	24778	1368	0	26146	101.7	62.6	-	98.5
19.	TELANGANA	7294	703	0	7997	6844	472	0	7316	93.8	67.1	-	91.5
20.	ANDHRA PRADESH	7840	921	0	8761	7545	404	1	7950	96.2	43.9	-	90.7
21.	KERALA	7519	398	3	7920	6968	143	0	7111	92.7	35.9	0.0	89.8
22.	GOA	574	50	0	624	532	19	0	551	92.7	38.0	-	88.3
23.	MIZORAM	1116	304	0	1420	1029	87	0	1116	92.2	28.6	-	78.6
24.	TAMIL NADU	21044	2548	0	23592	17271	742	2	18015	82.1	29.1	-	76.4
25.	ARUNACHAL PRADESH	309	24	0	333	242	9	0	251	78.3	37.5	-	75.4
26.	MANIPUR	1022	250	0	1272	564	47	0	611	55.2	18.8	-	48.0

27.	TRIPURA	2063	141	0	2204	993	40	0	1033	48.1	28.4	-	46.9
28.	NAGALAND	1270	180	0	1450	478	22	0	500	37.6	12.2	-	34.5
	TOTAL (STATES)	381320	28390	43	409753	506864	22141	85	529090	132.9	78.0	197.7	129.1
29.	DELHI	9346	680	0	10026	17733	556	6	18295	189.7	81.8	-	182.5
30.	JAMMU & KASHMIR	3450	136	0	3586	4815	155	0	4970	139.6	114.0	-	138.6
31.	DNH & DAMAN DIU	160	10	0	170	182	3	0	185	113.8	30.0	-	108.8
32.	A & N ISLANDS	279	40	0	319	261	6	0	267	93.5	15.0	-	83.7
33.	CHANDIGARH	1000	120	0	1120	851	46	0	897	85.1	38.3	-	80.1
34.	PUDUCHERRY	371	45	0	416	294	11	0	305	79.2	24.4	-	73.3
35.	LADAKH	150	5	0	155	20	0	0	20	13.3	0.0	-	12.9
36.	LAKSHADWEEP	64	0	0	64	5	0	0	5	7.8	-	-	7.8
	TOTAL (UTs)	14820	1036	0	15856	24161	777	6	24944	163.0	75.0	-	157.3
	TOTAL (ALL-INDIA)	396140	29426	43	425609	531025	22918	91	554034	134.0	77.9	211.6	130.2

Data taken from NCRB's Report 'Prison Statistics India 2021'

M is Male, F is Female and Tr. is Transgender

Inmate Population

#OccupancyRate = ----- 100

Total Capacity

OccupancyRate<100showsspaceavailableforinmatesinprisons. OccupancyRate>100showsovercrowdinginprisons.

2.2.2 The Committee in its meetings, has been informed about many different steps taken by the State/UT Governments in tackling the problem of overcrowding. Some of such steps are – construction of new barracks; construction of new jails under 'Re-densification' plans like in Madhya Pradesh; capacity enhancement of the existing jails; policy decisions to grant remission on the occasions of Independence Day, Republic Day, Gandhi Jayanti and Azadi ka Amrut Mahotsav etc.,; coordination meetings with the District Judge and other components of criminal justice system to discuss about expediting the pending cases of undertrials; undertrial review meetings by District Legal Services Authority to review the cases of undertrials lodged in jails for more than 3 months; pursuing the request of

undertrial prisoner to reduce the surety amount judicial authorities; conducting the trials of minor offences in Jail Adalats and Lok Adalats in prison premises; shifting prisoners from crowded jails to less crowded ones; temporary jails are established in the vacant wings of the transit camp and conducting peshies of undertrials through video conferencing.

2.2.3 Further, more steps taken by State/UT Governments in this direction are – providing legal aid to poor prisoners through District Legal Services Authority for filing bail application/appeal etc.; timely submission and disposal of premature release cases under Section 432 CrPC in life imprisonment cases and Article 161 of the Indian Constitution; timely sanction of temporary release on parole; special repair of unused buildings/workshops/prison barracks are done increasing the accommodation capacity for lodging prisoners; undertrial prisoners involved in petty offences are facilitated to release on P.R. (Personal Recognizance) bond; release of prisoners under Section 436A CrPC; Legal Aid Clinics are set up in each and every jail; and Sentence Review Board (SRB) meetings are organized every quarter for early release of life convicts.

2.3 Overcrowding on account of undertrial prisoners

2.3.1 The problem of overcrowding in the Indian prisons is mostly because of a very large number of undertrial prisoner population. Various measures to counter the problem of overcrowding has been taken, both at the Central and State/UT Government levels as discussed in this Chapter earlier. Despite such measures, the national Average Occupancy Rate in prisons across India is still 130.2%., with 77.1% of all the prisoners in the country being undertrials.

Category-wise percentage of prisoners in States/UTs as per NCRB’s PSI,2021 Report

Sl. No.	State/UT	Convicts	Undertrials	Detenues	Others	Total
1.	BIHAR	10.9	89.1	0.0	0.0	100
2.	WESTBENGAL	11.5	87.6	0.0	0.9	100
3.	GOA	12.7	87.3	0.0	0.0	100
4.	ODISHA	12.6	87.3	0.1	0.0	100
5.	MAHARASHTRA	13.2	86.2	0.7	0.0	100
6.	MANIPUR	15.4	84.0	0.7	0.0	100
7.	MEGHALAYA	20.2	79.5	0.0	0.3	100
8.	RAJASTHAN	21.6	78.3	0.0	0.1	100
9.	UTTAR PRADESH	22.9	76.9	0.2	0.0	100
10.	JHARKHAND	23.5	76.4	0.0	0.0	100
11.	ASSAM	24.4	75.6	0.0	0.0	100

12.	HARYANA	24.3	75.5	0.2	0.0	100
13.	KARNATAKA	24.3	75.5	0.1	0.0	100
14.	PUNJAB	25.2	74.6	0.0	0.2	100
15.	ANDHRA PRADESH	26.5	73.3	0.1	0.1	100
16.	HIMACHALPRADESH	29.6	70.4	0.0	0.0	100
17.	GUJARAT	27.9	69.9	2.2	0.0	100
18.	SIKKIM	30.4	69.6	0.0	0.0	100
19.	KERALA	30.8	68.8	0.1	0.3	100
20.	UTTARAKHAND	32.5	67.5	0.0	0.0	100
21.	TELANGANA	29.0	65.6	5.4	0.0	100
22.	NAGALAND	26.0	65.2	8.8	0.0	100
23.	TAMILNADU	25.2	65.0	9.9	0.0	100
24.	CHHATTISGARH	38.7	61.3	0.0	0.1	100
25.	MADHYA PRADESH	39.7	60.0	0.1	0.3	100
26.	TRIPURA	40.8	57.9	1.0	0.4	100
27.	MIZORAM	42.5	57.3	0.0	0.2	100
28.	ARUNACHALPRADESH	51.8	48.2	0.0	0.0	100
	TOTAL(STATES)	22.8	76.5	0.6	0.1	100
29.	LAKSHADWEEP	0.0	100.0	0.0	0.0	100
30.	DNH&DAMAN DIU	4.3	95.7	0.0	0.0	100
31.	JAMMU&KASHMIR	3.7	91.2	5.1	0.1	100
32.	DELHI	8.6	91.1	0.1	0.2	100
33.	CHANDIGARH	20.0	80.0	0.0	0.0	100
34.	LADAKH	20.0	80.0	0.0	0.0	100
35.	PUDUCHERRY	27.9	68.5	3.6	0.0	100
36.	A&N ISLANDS	40.8	59.2	0.0	0.0	100
	TOTAL(UTs)	8.6	90.1	1.1	0.2	100
	TOTAL(ALL-INDIA)	22.2	77.1	0.6	0.1	100

2.3.2 Generally, the undertrial prisoner population is high across States. It is very high in case of States that make up for more than 50% of the total prisoner population in the country. The replies received from some of the State/UT Governments for the questionnaire forwarded by the Committee are tabulated below.

No. of prisoners released under Section 436-A

CRITERION	STATE	RELEASE OF PRISONERS UNDER SECTION 436-A OF CrPC IN THE LAST 5 YEARS
<i>STATES THAT TOGETHER HOUSE OVER 50% OF THE TOTAL PRISONER POPULATION IN INDIA</i>	UTTAR PRADESH	30415 prisoners were eligible for bail under 436-A. However, only 711 (2.33%) of them were released.
	BIHAR	242 prisoners released
	MADHYA PRADESH	88 prisoners were released
	MAHARASHTRA	Number of prisoners benefitted under 436-A is NIL.
	PUNJAB	No benefit given to any under trial prisoner.
	HARYANA	No prisoner eligible to release under 436-A.
<i>STATES WITH HIGHEST CRIME RATE as per NCRB's report 'CRIME IN INDIA 2021' (crime per one lakh of population)</i>	DELHI	11894 prisoners eligible under 436-A. However, only 1696 (14.25%) were released.
	KERALA	1 prisoner eligible under 436-A.
	GUJARAT	73 prisoners released.

2.3.3 From the replies given by the State Governments to the questionnaire, it is found that only a small percentage of prisoners were eligible for release on bail under Section 436-A. Uttar Pradesh is the State with highest number of undertrial prisoners. 21.21% of the countries' undertrials are in the prisons of Uttar Pradesh. However, only 2.33% of the 30,415 prisoners eligible for bail under Section 436-A were released from jails. Delhi has the highest percentage of undertrial prisoners which is 91% of the total prisoners. As per the information provided by the Government of NCT of Delhi, 11,894 prisoners had completed half of the maximum punishment that may be awarded to them for the offence committed by them. Out of these, 10,145 prisoners were recommended by UnderTrial Review Committee (UTRC) for granting bail. However, only 1696 of the prisoners were released, which is very low.

Recommendation/Observation

2.3.4 The Committees, notes that the issue of overcrowding and delayed justice has become a pressing concern, leading to a series of consequences for both the prisoners and the criminal justice system as a whole. The Committee recommends that prisoners from overcrowded jails may be transferred to other jails with vacant cells in the same State or other States by signing MoUs to that effect. This kind of an arrangement can be mutual in nature between the States signing the MoU.

2.4 Women prisoners

2.4.1 As per Prison Statistics India 2021 Report by NCRB, there are 22,918 women inmates. Out of total women prisoners, 1,650 women inmates are with 1,867 children. Women prisoners are more vulnerable than male prisoners. Many of them are incarcerated in common prisons because there are fewer female prisons in India. Female prisoners are susceptible to various problems like gender discrimination, living in overcrowded jails in unhygienic conditions, custodial rape etc., The fewer number of women jails and low representation of women in prison staff further undermine their conditions and intensify their difficulties.

2.4.2 The Committee observes that considering the various recommendations by several Committees set up for improving the prison conditions and administration, women prisoners are to be kept separately in the Jail, barrack and enclosures with proper care and high security for maintaining dignity and prosperity of women. Women's Jail should have adequate staff to take care of women prisoners by understanding their problems and need. They should be fully trained and given training from time to time. Women prisoners are to be examined by women doctors at the time of admission and afterwards. General medical check-up of all women prisoners should be conducted periodically. During the course of examination, if any women prisoner found to be having any sign or symptoms of any disease, they are to be taken to the hospital for further examination and provide proper medical care.

Recommendation/Observation

2.4.3 The Committee recommends that special attention is to be given to the pregnant women on the line of the judgement of Hon'ble Supreme Court of India in

the case of R.D. Upadhyaya vs. State of Andhra Pradesh wherein it was observed that a Jail must have adequate facilities for prenatal and post-natal care for female prisoners as well as their children. Gynaecological examination for female prisoners shall be performed in the District Government Hospital. Proper prenatal and post-natal care shall be provided to the prisoner as per medical advice. Pregnant women in jail should be able to give birth outside the prison. Children should be given adequate care with respect to food, shelter, vaccination, education, recreational space and physical growth.

2.4.4 With regard to the facilities provided to women prisoners, many State/UT Governments have informed the Committee that sanitary pads are provided along with incinerator facility for their disposal; special assistance & facilities for celebration of important festivals like Chhath; separate libraries called 'Gyan Safura' are established for women inmates in Assam; deployment of women guards for women prisons; health check-up of women prisoners done by lady doctors when so required; additional soap, detergent etc., provided to women prisoners every month; female psychologists and counsellors are appointed in Tamil Nadu prisons; special scholarships are being given to the meritorious children of women convict prisoners in the State of Telangana; special training are also imparted to them such as knitting, weaving, darri weaving, candle making, jute product making, horticulture, fashion designing etc.

2.4.5 Going further, in case of pregnant women inmates, the Committee was informed that Secretary, District Legal Service Authorities (DLSA) and Director General of Prisons and Correctional Services are informed as soon as a pregnant women inmate is admitted into the prison; they are taken to outside hospitals for delivery when required; they are provided with cot and bed; special diet for pregnant & lactating female prisoners; gynaecological examination, pre-natal and post-natal care is given to the pregnant inmates; nutrition kits to pregnant women and new mothers, 'Bala Amrutham' to the kids (below 6 years) confined with their mothers inside the Jails are being provided; proper counselling (birth precautions for safe delivery) and master health check-up is being provided to the women inmates by conducting medical camps with outside women doctors.

2.4.6 As regards the children accompanying the women inmates, the Committee has been informed that children up to the age of 6 years can be kept along with their mothers inside the jail; the children above the age of 6 years are sent to institutions run by State Women & Child Welfare Departments if no one from the prisoner's family is willing to take care of

the child; crèche and pre-school facilities are provided to children of women inmates; in the State of Andhra Pradesh children of women inmates above the age of 4 years are sent to outside school by prison staff without disclosing their identities; cooler facility for female prisoners during summers; immunisation children accompanying women prisoners; baby foods to less than one year olds (infants); special diet for the children as per their calorific and nutritional requirements is provided; toys, game material and pictured books are provided to children and periodical health check-up and necessary treatment is also provided to children.

Recommendation/Observation

2.4.7 The Committee recommends that the babies born in the prison to be allowed to stay with mothers until the age of 12 in order to provide a nurturing environment for the children during their early years while ensuring their well-being and development. Further, as per guidelines issued from time-to-time emphasis should be given towards proper care of children relating to food, shelter, medical care, education, and physical growth. Apart from this, sports and entertainment facilities are also to be provided to these children.

2.4.8 The Committee recommends that keeping in mind, the safety, hygiene, and health of women, adequate arrangements for separate toilets and bathrooms with proper water supply and more specialist women doctors are to be provided in women jails. The Committee also notes that Ministry of Home Affairs should from time-to-time instruct all the State Governments/UTs that necessary skill development programmes to be provided to the women prisoners which indeed will help them to find employment after being released from the prison. It is also recommended that a study on women inmates who have been released from jails to evaluate the effectiveness of rehabilitation programs, identify areas of concern and to enhance prison rehabilitation policy.

2.4.9 The Committee is of view that in spite of laws for the protection of women, it is often observed that women are subjected to discrimination in various stages of life, and if a woman is on the wrong side of law or being convicted for an offence, her miseries increased manifold. As compared to male prisoners, female prisoners face endless problems. Since the prison administration and staff have wide discretion in their hands, the Committee therefore recommends that measures should be taken

that their fundamental and basic human rights are not violated and they are being provided with basic necessities and respect available to a prisoner. Women only prison and women only staff should be the motto for all the State Governments to adopt. The Central Government may formulate necessary infrastructure development programmes in that direction.

2.4.10 The Committee has been informed by the State/UT Governments that there are separate wards and prisons to house the women prisoners along with their children who are below the age of 6 years. However, it is not clear whether there are separate wards in all the jails which modelled in a children friendly manner. The Committee recommends that women prisoners with children may be housed in separate wards in all the jails which shall be modelled in a children and nursing mother friendly fashion.

2.5 Young offenders

2.5.1 The issue of young offenders within the Indian prison system is a multifaceted concern that demands comprehensive analysis and proactive solutions. Many young offenders come from socio-economically disadvantaged backgrounds, facing poverty, lack of education, and limited opportunities. Their entry into criminal activities might be driven by desperation or a lack of alternatives. The Borstal school in the country have an objective to ensure care, welfare and rehabilitation of young offenders (18-21) and to keep them away from contaminating atmosphere of the prison. The emphasis is given on the education, training and moral influence conducive for their reformation and prevention of crime. As per the NCRB’s Prison Statistics India (PSI) 2021 Report, Tamil Nadu has 12 Borstal schools and 7 States namely, Himachal Pradesh, Jharkhand, Kerala, Maharashtra, Punjab, Rajasthan & Telangana have 1 such school each in their respective jurisdiction. The total number of Borstal schools in the country and its occupancy rate is shown below.

Number of Borstal Schools	Total capacity of all borstal schools	Inmate population in them	Occupancy rate
19	1775	745	42%

2.5.2 All the 745 inmates in the Borstal schools are males with 53 of them being convicts and 692 of them being undertrials. When it comes to Borstal schools, the picture at the all-India level is not clear. Different States treat the young offenders in a different way. Andhra Pradesh is in the process of constructing a Borstal school at Vizianagaram. States like Assam, Chhattisgarh have no Borstal schools in their jurisdiction. States like Bihar and Uttar Pradesh have separate wards within the regular prisons to house the young offenders. They are not allowed to mix with the hardened criminals/habitual offenders/criminals who have committed heinous crimes Madhya Pradesh, Odisha and West Bengal have special homes/institutions/juvenile homes/correctional homes under the administrative control of their respective Woman & Child Development Departments. Young offenders are sent to such institutions in these three States. In case of Telangana, there is one borstal school in Nizamabad district where adolescent offenders between the age 16-21 year are kept.

Recommendation/Observation

2.5.3 The Committee has noted that the picture of young offenders is not clear across States. In view of this, the Committee recommends that a clear definition of ‘young offenders’ should be given by MHA along with a common guideline to all State/UT Governments describing the procedure to govern them shall be provided for the convenience of the State/UT Governments. State Governments may take steps for holistic development of these young offenders by providing all of them with education, skill/vocational training, nutrition. Also, the rate of recidivism among this category of inmates may be monitored regularly and a study may be conducted to understand the social background of such young offenders.

2.5.4 The Committee has noted that not all the State/UT Governments have Borstal schools in their jurisdictions. Only Tamil Nadu and 7 other States namely, Himachal Pradesh, Jharkhand, Kerala, Maharashtra, Punjab, Rajasthan & Telangana have borstal schools in their jurisdictions. Taking notice of this fact, the Committee recommends that at least 1 to 2 Borstal schools should be opened in States, where, it is non-existent, on need basis.

2.6 Transgenders in the prison

2.6.1 The Transgender Persons (Protection of Rights) Act, 2019 defines a transgender person as one whose gender does not match the gender assigned at birth. It includes trans-

men and trans-women, persons with intersex variations, gender-queers, and persons with socio-cultural identities. Keeping in view of the provisions given under this Act, the Ministry of Home Affairs has sent advisory to heads of all States and Union Territories to provide suitable facilities and ensure dignity and privacy of the Transgender prisoners. One of the most important guidelines mentioned in the advisory is regarding the prison infrastructure for transgender inmates. The advisory advocates that prisoners should be accommodated in suitable facilities according to the gender they identify themselves. A separate ward or enclosure may be provided by prison authorities to house transgender prisoners, which should be separate from the male and female wards. As per NCRB's PSI, 2021 report, out of the total of 5,54,034 prisoners, 5,31,025 are male prisoners, 22,918 are female prisoners and 91 are transgender.

2.6.2 In some prison facilities, transgender inmates are housed separately in separate cells but they are not properly taken care of and, in most cases, are segregated and even neglected by the prison authorities. Transgender inmates are often misgendered by prison staff and other inmates, which can lead to psychological distress. Transgender inmates often lack access to appropriate facilities, such as separate wards and medical care. While they may house prisoners separately but the toilets and shower facilities for all must be common which defeats the whole purpose as transgender inmates could be subjected to cruelty and sexual violence in such vulnerable and common areas. Therefore, the privacy and dignity of transgender inmates are ultimately being violated in one way or another.

Recommendation/Observation

2.6.3 Transgender prisoners are to be provided the same standards of health care available to other inmates and should have access to necessary health-care services without discrimination on the grounds of their gender identity. The Committee recommends that a doctor of their choice, rather than the prison officials, should examine them before lodging them in appropriate prison so that they may not be misgendered. There should be provisions made in prisons to have medical and health care experts to provide appropriate care to transgender inmates, if it is not feasible to have in house health experts, they may be referred to doctors/ professionals who specialize in this area of health care.

2.6.4 The Committee recommends there should be separate infrastructure facilities for transgender prisoners. Separate barracks or ward may be ensured for transmen and transwomen. To preserve their right to privacy and dignity, there should also be

provision for separate toilets and bathing facilities for such prisoners.

2.7 Prison staff

2.7.1 Prison staff and officials play a crucial role in the management and administration of prisons in India. They are responsible for maintaining order, ensuring the safety and security of both inmates and staff, and facilitating the rehabilitation and reformation of prisoners. As per NCRB’s PSI reports, a comparison of sanctioned and actual strength along with the percentage of vacancies across various categories of jail staff between the years 2017 and 2021 is shown below:

TYPE OF STAFF	2017			2021		
	SANCTIONED	ACTUAL	% OF VACANCY	SANCTIONED	ACTUAL	% OF VACANCY
Jail-Cadre staff	62689	44250	29.41	66346	49573	25.28
Warders	49723	34572	30.47	52166	38608	25.99
Correctional staff	1024	611	40.33	1391	886	36.30
Resident Medical Officer	1159	666	42.53	1270	658	48.18
Total Jail Staff (including all the other type of staff)	83288	57307	31.19	89479	64449	27.97

2.7.2 From the above table, the percentage of vacancies across categories of jail personnel has generally reduced except the Resident Medical Officer posts, where it has been increased significantly. However, still a very large vacancy of Resident Medical Officers remains vacant, (48.18%) may have a serious impact on the physical and mental wellbeing of the inmates, timely delivery of health care service. Also, a very large vacancy of Correctional Staff (36.3%) may adversely impact the successful reformation and rehabilitation of the inmates. Warders constitute 58.22% of all the jail staff at the all-India level. They play the primary role in taking care of the security of the prison and inmates. These posts across the country registered a 25.99% vacancy.

Recommendation/Observation

2.7.3 The Committee has noted that across all categories of jail staff like - jail cadre staff, warders, correctional staff and medical officers etc., the percentage of vacancies

are very high. It has become the most neglected part of the prison administration and it makes the management of the prisons very difficult. Having limited staff and making ad hoc arrangements to address staff shortage will compromise the security. A critical role is played by the Resident Medical Officers, Correctional Staff and Warders in the upkeep of the health conditions of the inmates, reformation and rehabilitation of the inmates and safety and security of the prison and prisoners. The Committee recommends that all posts need to be filled up immediately and no post should remain vacant for more than 3 months.

2.7.4 The Committee observes that there are likely chances of jail staff colluding with the inmates in passing contraband articles into the prisons. Such corrupt practices in prison administration compromise the security and discipline in the prison. In order to curb such unholy nexus between the jail staff and inmates, the Committee recommends that strict penalties/disciplinary measures should be set in their conditions of service.

2.8 Women staff strength

2.8.1 As per NCRB’s PSI reports, a comparison of actual strength of women staff in relation to the total actual jail staff across various categories between the years 2017 and 2021 is shown below:

TYPE OF STAFF	2017			2021		
	ACTUAL	ACTUAL WOMEN STAFF	% OF ACTUAL WOMEN STAFF TO TOTAL ACTUAL STAFF	ACTUAL	ACTUAL WOMEN STAFF	% OF ACTUAL WOMEN STAFF TO TOTAL ACTUAL STAFF
Jail-Cadre staff	44250	3537	7.99	49573	6617	13.34
Correctional staff	611	101	16.53	886	181	20.42
Resident Medical Officer	666	72	10.81	658	86	13.06
Total Jail Staff (including all the other type of staff)	57307	5248	9.15	64449	8881	13.77

2.8.2 The increase in the number of women personnel as a percentage of the total jail staff is commendable although it has risen at a slower pace over the years. Generally, the representation of women in the prison jobs is very low. Nationally they represented a

meagre 9.15% of all the jail staff in 2017 which increased to 13.77% in 2021. The national ratio of women inmates to women jail staff in the year 2021 was 1:2.6 which is excellent in respect of the desirable benchmark ratio of 1:6 set by the Government of India. However, this benchmark ratio has not been achieved at the all-India level for all the total inmates (including men, women and transgender), which is presently 1:8. Some of the very large States like Uttar Pradesh, Bihar, Maharashtra, Madhya Pradesh, Punjab and Haryana that contribute more than 50% of the prison population in the country have also performed poorly in this aspect.

2.8.3 The number of inmates to the prison staff in different States and Union Territories of the country is shown in the table below:

Sl. No.	State/UT	Total Number of Inmates	Jail Officials		Correctional Staff		Medical Staff		Total Prison Staff (including ministerial staff and others)	Total No. of inmates per prison staff (Col3 / Col 10)
			No. of Staff	No. of inmates per jail official	No. of Staff	No. of inmates per correctional Staff	No. of Staff	No. of inmates per medical staff		
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)
1.	JHARKHAND	21257	907	23	1	21257	79	269	1100	19
2.	BIHAR	66879	3823	17	261	256	246	271	4639	14
3.	ASSAM	10079	651	15	17	592	40	251	729	13
4.	UTTAR PRADESH	117789	7958	14	44	2677	183	643	9052	13
5.	CHHATTISGARH	20061	1495	13	46	436	56	358	1638	12
6.	PUNJAB	26146	1988	13	0	-	62	421	2282	11
7.	UTTARAKHAND	6921	538	12	0	-	14	494	590	11
8.	ODISHA	20804	1737	11	94	221	102	203	2132	9
9.	HARYANA	24158	2369	10	0	-	49	493	2731	8
10.	MADHYA PRADESH	48513	4994	9	65	746	103	471	5587	8
11.	MAHARASHTRA	36853	3711	9	101	364	73	504	4226	8
12.	WESTBENGAL	25769	3244	7	46	560	72	357	3566	7
13.	GUJARAT	16597	2068	8	5	3319	87	190	2389	6
14.	RAJASTHAN	22938	2936	7	1	22938	118	194	3375	6
15.	ANDHRA PRADESH	7950	1572	5	0	-	44	180	1872	4
16.	HIMACHALPRADESH	2876	512	5	4	719	11	261	585	4
17.	KARNATAKA	15473	2850	5	23	672	31	499	3202	4
18.	MEGHALAYA	1089	156	6	0	-	18	60	230	4
19.	SIKKIM	434	83	5	0	-	5	86	95	4

20.	TELANGANA	7316	1094	6	1	7316	27	270	1543	4
21.	GOA	551	141	3	0	-	2	275	171	3
22.	KERALA	7111	1921	3	27	263	39	182	2137	3
23.	MIZORAM	1116	245	4	0	-	9	124	308	3
24.	TAMILNADU	18015	3787	4	91	197	119	151	4779	3
25.	TRIPURA	1033	340	3	1	1033	12	86	408	2
26.	ARUNACHALPRADESH	251	135	1	0	-	9	27	170	1
27.	MANIPUR	611	336	1	0	-	31	19	507	1
28.	NAGALAND	500	434	1	2	250	5	100	581	0
	TOTAL(STATES)	529090	52025	10	830	637	1646	321	60624	8
29.	DNH&DAMAN DIU	185	16	11	0	-	0	-	16	11
30.	DELHI	18295	2049	8	22	831	343	53	2617	6
31.	JAMMU&KASHMIR	4970	575	8	19	261	76	65	817	6
32.	CHANDIGARH	897	127	7	14	64	6	149	157	5
33.	A&N ISLANDS	267	59	4	1	267	6	44	101	2
34.	PUDUCHERRY	305	94	3	0	-	2	152	105	2
35.	LADAKH	20	10	2	0	-	1	20	12	1
36.	LAKSHADWEEP	5	0	-	0	-	0	-	0	-
	TOTAL(UTs)	24944	2930	8	56	445	434	57	3825	6
	TOTAL(ALL-INDIA)	554034	54955	10	886	625	2080	266	64449	8

Recommendation/Observation

2.8.4 The Committee has noted that the States that house most of the prisoners are still below the benchmark standard set by BPR&D in the Model Prison Manual, 2016 in respect of staff to inmate ratio (1:6). Keeping this in view, the Committee recommends that all the State prison Departments should comply with the benchmark standards for the staff to inmate ratio as mentioned in the Model Prison manual, 2016. Non-compliance may lead to the compromise of the safety and security of the prison and the prisoners.

2.8.5 The Committee has noted that the representation of women in prison related jobs is generally low and recommends that advisories may be issued to State Governments to enhance their representation especially in the Correctional Staff category which suites their natural role as care givers.

2.8.6 The Committee was informed that Ministry of Home Affairs regularly provides guidance and support to the States and Union Territories on diverse issues relating to

prison administration, including measures for effective prison management and filling up of vacancies of prison officers and staff in jails. However, the recruitment of Welfare and Law Officers in prisons in the States/UTs is very meagre. The recruitment of those officials is very much needed to improve the conditions of prisons. During the meetings of the Committee with the States, it has been noted that either those posts are not filled or some temporary arrangements are being made by the States. Considering the situations, the Committee recommends that no temporary arrangements to be made, instead the posts of Welfare Officers and Law Officers needs to be filled permanently by recruitments. After recruiting the officials proper training should be given to them in order to have a better understanding of their roles. Overcrowded prisoners may be given additional staff in accordance with the proportion of overcrowding.

2.9 Staff training

2.9.1 Prison administration should constantly make awareness to the personnel of prison that correctional work is a social service which is of great importance and to attain this, all appropriate means should be used. The principal job of the prison personnel is social re-education of offenders. The effectiveness of institutional discipline and the impact of treatment mainly depend on the quality of the prison staff. Untrained and undertrained personnel are not only ineffective, but quite often become detrimental to the proper implementation of correctional policies. The training of prison personnel is, therefore, of paramount importance in any system of Prison/Correctional Administration.

2.9.2 The Committee was informed by the Gujarat Prison Department about the upcoming Gujarat Institute of Prisons Correctional Administration (GIPCA) for imparting training to prison staff as well as to provide vocational training and skill development to prisoners. Madhya Pradesh Prison Department informed the Committee about the proposal to establish an institution on the lines of 'Academy of Prisons and Correctional Administration' in Vellore in Tamil Nadu. 26 States and 7 Union Territories have replied to the Questionnaire sent by the committee to the States/Union Territories. As per the replies given by the States/UTs, most of the States in India have a dedicated training institute for imparting correctional training or are covered by the services provided by a correctional training institute in the neighbouring State. However, in the case of North Eastern States, there is no dedicated correctional training institute. North Eastern Police Academy (NEPA) is the only institute common to the North Eastern region which is also imparting correctional training.

2.10 Training given to the prison staff

2.10.1 According to NCRB's PSI, 2021 report, the status of the number of jail personnel that underwent any kind of training during the year 2021 is as under:

SL. NO	STATE/ UT	NO. OF PERSONNEL TRAINED		
		Actual Staffs	Staffs Trained	% share
1.	KARNATAKA	3202	4966	155.09
2.	GUJARAT	2389	672	28.13
3.	MADHYA PRADESH	5587	1566	28.03
4.	PUNJAB	2282	460	20.16
5.	HARYANA	2731	504	18.45
6.	ODISHA	2132	324	15.20
7.	RAJASTHAN	3375	507	15.02
8.	MIZORAM	308	46	14.94
9.	WESTBENGAL	3566	513	14.39
10.	ANDHRA PRADESH	1872	234	12.50
11.	TELANGANA	1543	172	11.15
12.	GOA	171	18	10.53
13.	BIHAR	4639	417	8.99
14.	ASSAM	729	59	8.09
15.	UTTAR PRADESH	9052	723	7.99
16.	KERALA	2137	143	6.69
17.	TAMILNADU	4779	307	6.42
18.	NAGALAND	581	37	6.37
19.	MAHARASHTRA	4226	203	4.80
20.	MEGHALAYA	230	11	4.78
21.	CHHATTISGARH	1638	58	3.54

22.	HIMACHALPRADESH	585	20	3.42
23.	JHARKHAND	1100	31	2.82
24.	MANIPUR	507	14	2.76
25.	TRIPURA	408	3	0.74
26.	ARUNACHALPRADESH	170	1	0.59
27.	UTTARAKHAND	590	1	0.17
28.	SIKKIM	95	0	0.00
	TOTAL(STATES)	60624	12010	19.81
29.	DELHI	2617	759	29.00
30.	CHANDIGARH	157	33	21.02
31.	JAMMU&KASHMIR	817	91	11.14
32.	A&N ISLANDS	101	10	9.90
33.	DNH&DAMAN DIU	16	0	0.00
34.	LADAKH	12	0	0.0
35.	PUDUCHERRY	105	0	0.0
36.	LAKSHADWEEP	0	0	-
	TOTAL(UTs)	3825	893	23.35
	TOTAL(ALL-INDIA)	64449	12903	20.02

ALL INDIA TOTAL OF JAIL PERSONNEL THAT UNDERWENT ANY KIND OF TRAINING	
YEAR 2017	YEAR 2021
15.71%	20.02%

2.10.2 From the data available in the Prison Statistics of India reports, the Committee has observed that the all-India percentage of prison personnel that underwent training of any kind in the year 2021 has increased from 15.71% in 2017 to 20.02%. This improvement is only miniscule. Going further, many States with large prison staff like Uttar Pradesh, Bihar, Maharashtra, Tamil Nadu and Rajasthan have regularly underperformed with respect to the national average.

Recommendation/Observation

2.10.3 The Committee observes that training of prison personnel is very essential to enable them to have a dignified approach towards the inmates and to bring about reformation in criminals. In this regard, the Committee recommends that the training programmes conducted by the State Prison Departments may be parameterised and their performance to be evaluated for providing funds.

2.10.4 The Committee also recommends that a dedicated institute common to all the North Eastern States to impart correctional training to the prison personnel may be established. Each State should endeavour to establish its own training institutions exclusively for training jail staff.

2.11 Rotational transfer of prison staff

2.11.1 The Committee observes that rotational transfer of prison staff is essential in prison administration to prevent corruption, disrupt information networks, bring fresh perspectives, enhance knowledge and skills, prevent complacency, foster collaboration and address local influences. It contributes to a more efficient and effective prison system that upholds the principles of fairness, accountability, and rehabilitation. It helps prevent the development of close relationships between prison staff and inmates, reducing the likelihood of corruption and collusion. By periodically moving staff members from one facility to another, the chances of forming alliances or engaging in illicit activities with prisoners are minimized. This promotes transparency and accountability within the prison system. Inmates often develop connections and networks with specific prison staff, which can be used for various purposes, including illegal activities. By rotating staff, these networks are disrupted, making it harder for inmates to manipulate the system or engage in organized criminal activities.

2.11.2 Most of the State/UT Governments that participated in the Committee meetings and those that sent replies to the questionnaire forwarded by the Committee have admitted to having a rotational transfer policy in place for their respective jail staff cadres. The Model Prison Manual, 2016 also suggests that the minimum tenure of non-gazetted and gazetted staff, at one station, should be five years and three years, respectively.

Recommendation/Observation

2.11.3 The Committee recommends that the Government of India shall create an all-India Jail-Cadre of Union Territories and the jail staffs belonging to the UTs needs to be transferred rotationally from one jail of UT to the other. From the replies of the State/UT Governments, the Committee has noted that there is no exclusive transfer policy in the State Prison Departments and recommends that the Government of India may issue periodic advisories to State Governments to have an exclusive transfer policy for their respective Prison Departments which is in compliance with the Model Prison Manual 2016. Intra-State transfer of prison officials will help them to understand various ecosystems of prisons. This will also minimise nexus with local criminals.

2.12 Sanitation and health care in prisons

2.12.1 The Committee observes that sanitation is not only a matter of basic hygiene but also a fundamental aspect of respecting human rights, maintaining public health, and fostering a safe and rehabilitative environment within prisons. Proper sanitation practices, including access to clean water and adequate toilet facilities, are essential for preventing the spread of diseases. Overcrowded and confined spaces in prisons can lead to the rapid transmission of illnesses. Access to basic sanitation facilities contributes to preserving the inherent dignity of prisoners and upholds their human rights. Living in unhygienic environments can lead to stress, anxiety, and a deteriorating sense of self-worth. Clean and sanitary conditions have a positive impact on the mental and emotional well-being of prisoners. Adequate sanitation not only benefits inmates but also contributes to the health and morale of prison staff. A hygienic environment reduces the risk of staff contracting illnesses and fosters a more positive and productive working atmosphere.

2.12.2 The Committee was informed by many States about the status of sanitation in their respective prisons which are as under:

- i. Assam: 'Clean and Green Prisons Initiative' has been launched in each jail to plant 50 medicinal and 50 fruit plants. This initiative is in line with the Swachh Bharat Mission for maintaining cleanliness and hygiene.
- ii. Rajasthan: The Prison Department is set to receive ₹ 7,600 lakhs during the next 10 years from the Government of Rajasthan for the repair works of toilets, bathrooms, barracks. The Prison Department also proposes to build 3,802 and 2,488 toilets and bathrooms respectively in the next 10 years at a cost of ₹ 433.97 and ₹ 429.86.

- iii. Chhattisgarh: ₹ 4 Cr. has been made available for recurring expenses on sanitation. 3,683 toilets are available in the prisons across the State making the inmate to toilet ratio of 1:5.3 and 230 more toilets are under construction.
- iv. Bihar: Restoration of dilapidated toilets, bathrooms, bathing platforms in prisons. Regular cleaning of prisoner wards, toilets, bathrooms, prison premises, drains & sewerage system. Measures like fogging, sprinkling of bleaching powder done to avoid infestation of pests, mosquitoes etc. Provision for safe & clean drinking water for prisoners, cooking by 100% LPG in Kitchens of prisons. Co-ordination with local bodies for waste disposal.
- v. Delhi: There should be 1 toilet for every 6 prisoners and 1 bathroom for every 10 prisoners. In Delhi Prisons there are total 3,108 toilets and 1,973 bathrooms for over 20,000 prisoners. For sanitation purposes 'SafaiPanjas', comprising convicts and undertrials have been constituted who are paid wages and given remission. Organic waste composters for waste management are installed in 06 jails of Mandoli Complex and is being installed in rest of the jails of Tihar and Rohini complex. Other waste generated in the jails are removed by the MCD.
- vi. Gujarat: Green Jail concept is also introduced in all jails across the State with a view get pollution free atmosphere in jail. Cleanliness is also maintained in all jails. The inmates are being kept in separate barrack / cell as per their classification.
- vii. Madhya Pradesh: ₹ 10.91 Cr. work was carried out in all the jails of the State through PWD between the year 2015-2020. ₹ 1.6 cr. for 69 jails was spent to improve the sanitation system during the year 2022-2023. Sum of ₹ 9 cr. was spent on cleaning, hygiene and sanitation in the jails of Madhya Pradesh in the year 2022-2023.
- viii. Tamil Nadu: 113 Cleanliness workers are recruited for main cleaning works. Gingelly or coconut oil, comb is provided to prisoners for dressing their hair. Tamil Nadu Medical Services Corporation Limited provides sanitary napkins to women prisoners. Tamil Nadu Government has accorded administrative and financial sanction for ₹ 12 Cr. towards sanitation works.
- ix. Uttar Pradesh: 'Green jail Clean Jail' initiative has been taken up for environmental protection and sanitation.

2.12.3 With regard to the provision of health care facilities to inmates in the jails, the Committee was informed that proper screening of inmate is done at the time of admission as per National Human Rights Commission (NHRC) guidelines; free medical facilities and nutrition diet is being provided to the prisoners from time-to-time; the Health Department facilitated the vaccination camps in the jail complexes to vaccinate the eligible prisoners. Accordingly, maximum numbers of prisoners were vaccinated to prevent COVID-19 pandemic; every prisoner who stays for more than 7 days in prison undergoes master health check-up due to which the death rate of prisoners drastically reduced in Telangana.

Doctors and supporting staff are posted in all prisons for attending any emergencies inside prisons; categorisation of disease of prisoners based on severity is done and a card - Red, Orange, Yellow & Green is issued subsequently in Bihar prisons; health awareness programmes and check-up programmes for Human Immunodeficiency Viruses (HIV), Tuberculosis (TB), Hepatitis B&C, Sexually Transmitted Disease (STD) etc are conducted; de-addiction & appropriate care during withdrawal period for alcohol & substance addicted prisoners and ambulances are available in all prisons for timely transport to advanced health facilities in case of emergency.

2.12.4 More than 5 lakh prisoners are lodged in different jails in India. These prisoners come from the under-privileged sections of the society and have limited knowledge about health and practice unhealthy lifestyles. As per details in the NCRB reports – ‘Prison Statistics India’ some of the natural deaths in Indian prisons were attributed to heart problems, lung related ailments, Cancer, Tuberculosis, kidney problems, liver related ailments, brain haemorrhage and HIV etc., The details regarding natural deaths in prisons as per NCRB’s PSI reports is shown below.

Year	Natural deaths due to ageing	Natural deaths due to illness
2019	78	1466
2020	100	1542
2021	83	1796

Recommendation/Observation

2.12.5 The Committee considering the fact that majority of the natural deaths in Indian prisons are attributed to heart problems, lung related ailments, Cancer, Tuberculosis, kidney problems, liver related ailments, brain haemorrhage HIV etc., feels that arrangements for providing treatment to such common ailments be made available in the prisons. The required medical experts like urologists, neurologists, oncologists etc. may be requested to visit the prisons on payment basis. A study may be conducted across the States and UTs to check whether there is an increase in the number of HIV positive patients among prisoners. It may also include how far it is on account of unsafe and unhealthy practices of drug use by prisoners since it can have alarming effects on the health of prisoners who are involved in drug abuse.

2.12.6 The Committee recommends that there should be sufficient number of toilets and that should be maintained in a clean and decent state. Both men and women prisoners shall be provided with sufficient water and toilet articles necessary for maintaining health and cleanliness. Clothing and linen provided to women should include undergarments, towels and socks in cold climates. Adequate quantity of toilet and washing soap should be provided to all the prisoners. Periodic feedbacks should be taken from all the prisoners regarding the sanitary conditions of the prison, sanitary items provided to them.

2.13 Food provided to prisoners

2.13.1 The Committee observes that providing hygienic and nutritious food to prisoners in jails is not just a matter of fulfilling basic human rights, it's a way to promote the well-being, rehabilitation, and dignity of individuals in custody. Nutritious food is essential for maintaining physical and mental health. Inadequate nutrition can lead to various health issues, including malnutrition, weakened immune systems, and chronic diseases. Poor nutrition can lead to health problems that require medical attention, which in turn increases the burden on healthcare resources both inside and outside of prisons. By providing nutritious food, the Government can potentially reduce long-term healthcare costs.

2.13.2 The Prison Statistics India, 2021 shows that approximately, 54.3% of the total money spent on prison inmates was for food only. Uttar Pradesh has reported the highest food expenditure of ₹ 205.00 crores followed by Bihar (₹ 177.36 crores) and Madhya Pradesh (₹ 93.66 crores) during the financial year 2021-22. The food provided to inmates in different jails across the country is dependent on the local dietary practices. The Committee has also been informed about providing extra nutritious diet to sick prisoners, nutritious food to pregnant and lactating mothers, baby foods to infants of women inmates, special food to children of women inmates as per their calorific and nutritional requirements. Other details regarding foods provided in prisons of some of the States as per PSI 2021 are as under:

- i. Bihar: Dietary articles are being supplied as per jail manual. Varieties of breakfast are also being provided. Special diet is also supplied to the old age men, women and women prisoners' children. Canteen facility is also provided in the prison for the prisoners;

- ii. Haryana: Cashless Canteen system have been established in all the jails and all the sales/purchases are being done by way of cashless system;
- iii. Karnataka: In a landmark achievement, Food Safety and Standards Authority of India (FSSAI) has awarded 4-star certification to all the kitchens of the 8 Central Prisons in the State. Bangalore Central Prison was awarded with the prestigious “Eat Right Campus” certificate with a 4-star rating by the FSSAI in July 2021.
- iv. Odisha: Canteen facility is made available in almost all prisons of the State to facilitate prisoners in getting their needs in order to avoid rush of visitors for petty requirements. Dry & wet food such idly, dosa, halwa, sweets, boiled egg etc. also made available in canteens at a fair price and in hygienic condition;
- v. Punjab: Catering team is provided in the jails to improve the quality and presentation of food in prisons and to serve visitors on regular visits or special programs;
- vi. Rajasthan: Dietary articles are being supplied as per jail manual. Varieties of breakfast are also being provided. Special diet is also supplied to the old age prisoners;
- vii. Sikkim: Extension of canteen facility/bakery items to all prisoners is provided in the jails. Prisoners are allowed to consume cooked food brought by the visitors after proper drill of procedure of testing. The prisoners suffering from Tuberculosis are segregated and provide with high protein/special diet of egg and milk besides green vegetables. The diabetic prisoners are also provided with special diet.
- viii. Tamil Nadu: All the non-vegetarian prisoners are provided with 115 grams of chicken and all vegetarian prisoners are provided with potato curry, kesari and a banana once in a week. Items like milk, bread, egg, chicken, etc. are given to the prisoners as medical diet to the sick prisoners on the recommendation of the Medical Officers.

Recommendation/Observation

2.13.3 The Committee observes that along with prison reforms availability of quality and nutrient rich diet is also essential for the well-being of prisoners. Lack of nutritious food can reduce their ability to contribute and reintegrate back into the

society after their release from the prison. The Committee was informed by many of the State Governments that inmates are being involved in various agricultural activities within the prison compounds for production of good quality agricultural produce. The Committee recommends that with the availability of sufficient land, prison administration of all the States may involve inmates in the production of the food via good sustainable agricultural practices and provide for healthy nutritious diet to them.

2.13.4 The Committee further recommends that surprise checks may be conducted by teams comprising of nutritional experts, medical dieticians, officials from the Ministries, FSSAI etc., to ascertain that the quality and calorific value of food provided to the prisoners is as per the benchmark standards set in the Model Prisons Manual 2016.

2.13.5 The Committee also recommends that periodic feedbacks should be taken from all the prisoners regarding the quality of food and beverage provided to them. Necessary improvements shall be made based on the feedbacks received.

2.13.6 The State of Tamil Nadu has constituted a ‘Committee for Change of prisoners Diet’ comprising of Deputy Secretary, Home & Finance Department, Prison Officials, Nutrition Experts from Rajiv Government general Hospital. The mandate of the Committee is to compare the diet pattern of prisoners in Tamil Nadu prisons with that of other States and to review the change in scale and pattern of diet given. The Committee has taken note of this arrangement and recommends that other States/UTs may also explore constituting such Committees to periodically review and change the diet patterns of their prisoners.

CHAPTER-III

PRISON INFRASTRUCTURE

3.1.1 Creating a modern and effective prison system requires careful planning, design, and investment in appropriate infrastructure. Infrastructure that aligns with principles of human rights, rehabilitation, and safety is essential for achieving the goals of the criminal justice system while ensuring the well-being of all those involved. Infrastructure requirements in prisons are essential for creating a safe, humane, and rehabilitative environment for inmates, staff, and visitors.

3.2 Types of prisons

3.2.1 In the Indian legal system, there are different types of jails and prisons that serve specific functions. Prison establishments in different States/UTs comprise several tiers of jails. As per NCRB's PSI, 2021 report, there are 1,319 prisons in India. The various type of jail institutions which are in existence in the States/UTs are Central jails, District jails and Sub jails. The other types of jail establishments are women jails, Borstal schools, open jails and special jails. The number of jails under each of these categories is as under:

SL. NO.	TYPE OF JAILS	NO. OF JAILS
1.	Sub Jails	564
2.	District Jails	424
3.	Central Jails	148
4.	Open Jails	88
5.	Special Jails	41
6.	Women Jails	32
7.	Borstal School	19
8.	Others	3

Recommendation/Observation

3.2.2 The Committee notes that adequate infrastructure can contribute to the overall functioning of the prison system and the well-being of those within it. Adequate and properly designed living quarters for the staffs. Cells or dormitories should provide sufficient space, ventilation, and natural light for inmates. Overcrowding should be minimized to ensure the comfort and safety of inmates. Proper security measures, including secure entry and exit points, surveillance systems, and secure barriers, are essential for maintaining order and preventing escapes. Utilization of technology for

communication, education, and management can enhance the efficiency and transparency of prison operations.

3.2.3 The Committee has noted that the satisfactory rate in respect of staff quarters is very low in some States. The State Prison Departments of Madhya Pradesh and Tamil Nadu have informed the Committee that only about 54% and 37% of the prison staff got Government staff accommodation in those States respectively. In view of this, the Committee recommends that all the works related to renovation of old staff quarters should be completed at the earliest. New staff quarters should be constructed wherever required. Care may be taken to make sure that the staff quarters are situated near the prison and amenities like schools, colleges and hospitals etc., are also available nearby.

3.2.4 The Committee noted that many of the representatives of the State Governments who appeared before the Committee submitted that they are undertaking construction of new buildings, barracks and new prisons to accommodate the increasing number of prisoners. However, the Committee is of the view that these are not enough to address the overcrowding of prisons. In some of the States, the prisons are overcrowded to the extent of 185% of its capacity. The Committee, therefore, recommends there is a need for the State/UT Governments to undertake a comprehensive study covering the population of the region, nature of crimes, rate of conviction, crime rate etc., and accordingly come up with a suitable plan to enhance the capacity of the prisons and/or other alternative. Adequate fund may be allocated by the Central and State Governments for construction of new barracks, buildings and prisons as per the requirement.

3.3 Prison budget

3.3.1 The Committee noted that funding for prison administration in the States of India is very important. While the Central Government provides financial assistance, the State Governments also have their own budgets and financial responsibilities for managing prisons. Adequate funding plays a crucial role in ensuring the effective functioning and management of prisons at the State level. It is necessary for infrastructure development, staffing, security measures, inmate welfare, rehabilitation programmes, and research initiatives. Adequate funding enables States to provide a secure and conducive environment for inmates, ensure the well-being of prison staff, and implement effective policies and programmes to promote rehabilitation and reduce recidivism rates.

3.3.2 As per the Prison Statistics India 2021, the total budget for the financial year 2021-22 for all prisons in the country was ₹7,619.2 crores. The actual expenditure was ₹ 6,727.3 crores which is 88.3% of total annual budget for FY 2021-22. A total of ₹ 2,106.86 crores were spent on inmates for their food, clothing, medical, vocational training, welfare activities, etc during FY 2021-22 which is almost 31.3% of total annual expenditure of all prisons for FY 2021-22. Among the 1,319 prisons, 278 prisons were renovated/expanded during 2021. Among the 1,319 prisons, 1,102 prisons were having Video Conference facility. A total of 39,159 quarters were available against the actual staff strength of 64,449 thus achieving satisfaction rate of 60.8%.

3.3.3 The share of expenses on inmates in total annual expenditure at National level during the year 2021-22 is 31.3%. The States of Uttar Pradesh, Bihar, Madhya Pradesh, Maharashtra, Punjab and Haryana house more than 50% of the total prisoners in the country. Among these States, only Haryana (100%), Bihar (37.9%) and Madhya Pradesh (32.7%) have their share of expenses on inmates higher than the National average during the year 2021-22. The share of expenses on inmates in Uttar Pradesh, Maharashtra and Punjab during the same period is 23.5%, 15.6% and 14.7% respectively. Uttar Pradesh has reported the highest capacity in their jails (capacity of 63,751 inmates in 75 jails contributing 15.0% of total capacity) and has got around 18% of the prison population in the country.

3.3.4 The Prison Statistics of India, 2021, provides that only 0.6% of prison budget is spent on vocational/ educational training of prisoners and 1% on their welfare activities. Replies to the Questionnaire submitted by the State/UTs Governments reveals that 12 State Governments and 2 Union Territory Governments had not been allocated any fund from their respective Prison Departments. 8 States did not receive any funds from the Central Government.

Recommendation/Observation

3.3.5. From the replies given by the State and Union Territory Governments, the Committee has noted that 12 State Governments and 2 Union Territory Governments did not receive funds from their respective Prison Departments. 8 States did not receive any funds from the Central Government. The Committee also acknowledges the facts that funds are an indispensable part in carrying out any form of prison reforms and in modernising the prison infrastructure. Keeping this in mind, the Committee recommends that MHA should take steps for allocation of Central funds to the State Governments that have not received any funds during the last five years in order to enable them to carry out prison reforms and infrastructure development

works. The Ministry of Home Affairs may also undertake field visits to ascertain the quality of work done for which the funds were allocated by the Government of India.

3.3.6 The Committee has noted that very low sum of money equal to 1.0% (₹ 20.50 Crores) is spent on prisoner welfare activities and hence recommends that Government of India may undertake a study on the optimum budget expenditure required per prisoner for the successful reformation and rehabilitation.

3.3.7 The Committee was informed by the State Government of Gujarat and Andhra Pradesh that there are a few colonial era jails in the country which are more than hundred years old which are in a dilapidated condition. The Committee appreciates the proposal of the Government of Gujarat to make Ahmedabad Jail Bhajiya House-cum-Restaurant-cum-historical gallery, a heritage structure depicting the “life and times” of Mahatma Gandhi, Sardar Patel, Kasturba, Bala Gangadhar Tilak, Zaverchand Meghani, who were all inmates of Sabarmati Jail. The Committee recommends that other States should also come up with similar plans/proposals to renovate the colonial era prisons to preserve their heritage and earn revenue by encouraging tourism.

3.3.8 The Committee has noted that very low sum of money is spent on prisoner welfare activities and 0.6% (₹ 13.16 Crores) on Vocational/Educational training of prisoners. The Committee recommends that the State Governments may create a Prison Development Fund. All the profits and other incomes accrued from the industrial activity undertaken by the Prison Department may go into such developmental fund. The amount in the fund may be used for the welfare activities of the prisoners which in turn minimize the dependency on the Budget allotment from the Governments.

3.3.9 The Committee noted from its interactive sessions with the State/UT Governments that the Central funds have been underutilised by some of the States and a few other States have not timely submitted the utilisation certificates with respect to the funds spent. The Committee, therefore, recommends that all the State/UT Governments should fully utilise the Central funds allotted to them and timely submit utilisation certificates in respect of the funds spent and the same should be regularly monitored by MHA.

3.4 Technology and modern equipment usage in prisons

3.4.1 The Committee observes that strategic use of Information Technology (IT) in prison administration has the potential to bring significant reforms and improvements. By leveraging IT solutions effectively, prison administration can streamline operations, improve security, enhance data management, support staff development, and enable evidence-based decision-making. These reforms contribute to more efficient and effective prison systems that prioritize inmate welfare, staff safety, and successful inmate reintegration into society.

3.4.2 As per the responses received from the State/UT Governments, some of the common electronic equipments used in prison security are – jammers, Door Frame Metal Detectors (DFMDs), Hand Held Metal Detector (HHMDs), Non-Linear Junction Detector (NLJD), pole metal detection system, deep search metal detector, body worn cameras, X-ray baggage scanners, VHF (Very High Frequency) handsets and CCTVs. Further, equipments like – drone cameras, video walls, full body scanners, Tower for Harmonious Call Blocking System (T-HCBS), and electronic lock & key system are also used in some of the prisons.

3.4.3 In the meetings of the Committee with various State Governments, the Committee was informed about the advanced equipment that enhanced the prison security. The State of Gujarat informed the Committee about the full body scanner, which is an advanced equipment that helps in the detection of contraband articles smuggled into the prisons by hiding them inside body cavities. The State Government of Tamil Nadu informed the Committee that Tower for Harmonious Call Blocking System (T-HCBS) which is being deployed in Delhi prisons is one of the best practices for blocking phone calls. This is an alternate system to jammers that can block 2G, 3G and 4G signals and also suitable for 5G. The installation of towers of a Harmonious Call-Blocking System would block incoming/outgoing calls, SMS' and data services in prison premises. The Tamil Nadu Prison Department also informed that Tamil Nadu is the first State to introduce the Electronic Lock and Key System in the country for strengthening the security system of prison in the country. This is a system that works on the basis of biometric authentication for opening and closing cells. It enables centralised monitoring also. Besides some of the State Prison Departments also have a Video Wall at their Headquarters which provides for centralised surveillance. Prison Departments of Punjab and Delhi informed the Committee in their replies to the questionnaire that they have proposals to procure AI based cameras for installation in their prisons.

3.4.4 As per NCRB’s PSI, 2021 report, jails equipped with video conferencing facility are shown below.

TYPE OF JAIL (ALL INDIA TOTAL)	NUMBER OF JAILS	NUMBER OF JAILS WITH VIDEO CONFERENCING FACILITY	% OF JAILS HAVING VC FACILITY
<i>Central Jail</i>	148	143	96.62%
<i>District Jail</i>	424	400	94.33%
<i>Sub Jail</i>	564	459	81.38%
<i>Women Jails</i>	32	26	81.25%
<i>Borstal Schools</i>	19	14	73.68%
<i>Open jails</i>	88	25	28.4%
<i>Special Jails</i>	41	34	82.92%
<i>Others</i>	3	1	33.33%
Total (all types of jails)	1319	1102	83.54%

3.4.5 The Committee noted that nationally, 83.54% of all the jails in the country have the facility of video conferencing. The percentage of VC facility availability is highest for the Central Jails followed by the District Jails. This percentage is very low for the Open Jails category mostly because these jails are already very liberal in terms of restriction on the inmates and the prisoners are not hardcore criminal. However, the purpose for which the video conferencing facility is used varies from State to State. Some of the States allow the use of video conferencing for conducting trials of the prisoners, thus saving the risk of escorting them to the court premise. Some of the State Prison Departments allow video conferencing facility to be used for conducting interviews of inmates with their family members and lawyers. Here, it may also be noted that family members can have interactions with the inmates through e-Mulakat, a video calling in e-Prisons software developed by NIC. The State Prisons which have not yet implemented this facility can make this facility available for their inmates through the e-Prisons portal.

3.4.6 As per the data available in National Prisons Information Portal, the table below shows the statistics with respect to the number of interviews through e-Mulakat Video Conferencing and through Physical Visits.

E-MULAKAT STATISTICS				
	INTERVIEWS THROUGH VC	INTERVIEWS THROUGH PHYSICAL VISITS	TOTAL INTERVIEWS	% OF INTERVIEWS THROUGH VC
<i>YEAR 2022</i>	378015	5280212	5658227	6.68%
<i>YEAR 2023 AS ON 17.07.2023</i>	153638	2588946	2742584	5.6%

Recommendation/Observation

3.4.7 The Committee has observed that the electrical equipment at the disposal of the State Prison Departments is not common across the country. To ensure better security of the prison, the Committee recommends that MHA may standardise a list of equipment to the extent possible for different categories of prisons for the ease of the State Prison Departments.

3.4.8 The Committee has noted that many State Prisons Departments have no jammers installed. Even in prisons where jammers are installed, they are capable of blocking only 2G and 3G network signals. The Committee has also been informed that mobile phones are one of the major contraband articles that is most frequently smuggled into the prisons. Mobile phones in prisons are a potential hazard for maintaining peace and order in prison. They can be used in gang activity in prisons. With technological advancement in mobile phones, there are chances of advanced mobile phones that operate on 4G and 5G networks being smuggled into prisons. In order to curb the usage of mobile phones in prisons, the Committee recommends that technologically upgraded jammers that are able to block all signals from 2G to 5G should be installed in all prisons.

3.4.9 The Committee has observed that the percentage of interviews through VC has been low despite the facility being available through e-Mulakat. To increase the utilisation of this facility, the Committee recommends that NIC may take feedback from the prison administrations for its low utilisation and take necessary steps to further increase its utilisation.

3.4.10 The Committee notes that most of the time bail is denied on three counts i.e. the undertrial prisoner may influence or intimidate the witness(es); will try to leave country or commit another crime. The Committee in its meeting was informed about the bracelet/anklet tracker by the State Government of Odisha. The Committee is of the view that technology can be explored to produce cost effective bracelet or anklet tracker that can be worn by the prisoners who have procured bail and are out of prison on bail. Through the use of these kinds of trackers, administrative machinery or human resources staff involved in keeping track of prisoners who are out on bail can be reduced and it could be a cost-effective method for keeping track of such prisoner without the involvement of large administrative staff strength. At the same time, it must be ensured that to avoid any kind of human rights violation this scheme or method should be used on voluntary basis after procuring the consent of inmates. The Committee is of the opinion that it can also minimize the problem of overcrowding in prison to some extent.

3.5 e-Prisons software

3.5.1 e-Prisons software is one of the pillars in the Inter-Operable Criminal Justice System (ICJS), which is a national platform for enabling integration of the main IT system used for delivery of Criminal Justice in the country. The ICJS, was conceptualised by the e-Committee, Supreme Court of India and implemented as a project under the Ministry of Home Affairs. It seeks to enable seamless transfer of data and information among different pillars of the criminal justice system, like courts, police, jails and forensic science laboratories from one platform to another.

3.5.2 Objectives of ICJS are:

- i. Integrating CCTNS (Crime and Criminal Tracking Network and System) project with e-Courts and e-Prisons database in the first instance and with other pillars of judiciary like forensic labs, prosecution and juvenile homes etc. In order to build an

effective criminal justice system across the country, it is essential that data across all pillars of criminal justice is interoperable and is accessible across all the pillars.

- ii. Aggregation of searchable data sets in ICJS database from Court, Prison, Police and Finger prints for carrying out national search for persons of interest and property.
- iii. Development of Business Intelligence Dashboard for visualization of complete data to display the current status of metrics and Key Performance Indicators for each pillar.

3.5.3 It also enables Pan-India criminal/accused name search in the regional language for improved inter-state tracking of criminal movement. The Investigating Officer (IO) can carry out the national search across the pillars that even if the entries are wrong in one pillar (in case of historical data) other pillars assist the IO to achieve the result. The online availability of report reduces paper communication and wastage of time. As Courts fixes the hearing dates after examining the availability of Forensic experts and Prosecutors online, the possibility of frequently postponing the hearing would be drastically reduced. The alerts at one pillar would help the other pillar to make appropriate preparation in advance.

3.5.4 The major modules in the e-Prisons Management Information System (MIS) are:

- Prisoner Information Management System (PIMS);
- Visitor Management System (e-Visitor);
- Hospital Management System (e-Hospital);
- Legal Aid Management System;
- Inventory Management System;
- Prison Management System (PMS);
- Police Intelligence System;
- Court Monitoring; and
- Kiosk Information.

Recommendation/Observation

3.5.5 Through the background notes, submissions during the meetings and replies to Questionnaire, the Committee has ascertained that all the modules under e-Prisons MIS have not been activated by all the State Government Prison Departments. In this regard, the Committee recommends that MHA may take up the issue with the State Governments for activating all the modules under e-Prisons MIS.

3.5.6 Tamil Nadu State informed the Committee in its meeting that the Crime and Criminal Tracking Network & Systems (CCTNS) and e-Courts are still not integrated with the e-Prisons. In this regard, the Committee recommends that MHA may escalate the issue with NIC for faster integration of CCTNS and e-Courts with e-Prisons which is going to benefit all the stakeholders like police, prison administration, prosecutors, law courts and forensic laboratories. MHA should issue periodic advisories to all the States to take steps to integrate all their prisons through e-Prisons software so that they can obtain the benefits of ICJS.

CHAPTER-IV

PRISON REFORMS

4.1.1 Reforms in Indian prisons have been an ongoing effort to improve the conditions, treatment, and rehabilitation of inmates. The need for prison reform is crucial for several reasons, as outdated and ineffective prison systems can lead to a range of negative outcomes for both inmates and society as a whole. Every individual, regardless of their legal status, deserves to be treated with respect and dignity. Prison reform aims to ensure that inmates are not subjected to inhumane or degrading treatment, upholding their basic human rights. Reform efforts focus on providing educational programs, vocational training, and psychological support that can help inmates acquire skills and address the factors that led to their incarceration. Many prisons suffer from overcrowding and poor living conditions, which can lead to increased tension, violence, and health risks. Reform efforts aim to address these issues by improving infrastructure, sanitation, and the overall quality of life for inmates.

4.2 Steps taken by the Government of India in the matter of prison reforms

4.2.1 The Ministry of Home Affairs has taken various steps for improving prison management and administration in States. The Ministry has issued various advisories to the States from time-to-time for improving the condition of prisons. States have been regularly advised to:

- a. Provide regular and proper training to prison staff for identifying vulnerable categories inside prisons;
- b. Conduct training courses to bring attitudinal changes towards handling prison inmates;
- c. Disseminate information to prison staff and prison inmates in the local language;
- d. Provide better surveillance and supervision through installation of CCTV cameras;
- e. Coordinate with the Department of Skill Development in States and UTs to explore suitable opportunities for development of skills of inmates and employment opportunities post release;
- f. Set up a Placement Cell in Prison Headquarters for facilitating post release employment of prisoners;
- g. Fill up vacancies in Prisons, appoint adequate number of Psychiatrists, Counsellors, Doctors etc to attend to inmates;
- h. Ensure that basic facilities such as sanitation, food and healthcare are provided to prisoners;

- i. Keep regular oversight over prisons by inspections at various levels;
- j. Ensure adoption of guidelines provided on various aspects of Prison Administration in Model Prison Manual 2016 circulated to all States and review their Jail Manuals; and
- k. Pay special attention to the needs of women prisoners.

4.3 Welfare activities for prisoners

4.3.1 The Committee observes that prisoner welfare is an important consideration within the criminal justice system. While the primary goal of incarceration is to ensure public safety and administer punishment for crimes committed, it is also crucial to treat prisoners with dignity and respect, and to provide for their basic needs. Various welfare measures put in place by prison administrations across the country take the form of skill training, recreational activities, education and after-care services etc.

4.3.2 The Committee has been informed about various welfare measures taken by the Prison Departments of various State/UT Governments. Some of them are listed below:

- i. Under the ‘Dr. YSR Arogyasri’ scheme Government of Andhra Pradesh has accorded sanction to provide free treatment to all prisoners for serious ailments in private hospitals subject to condition that treatment is not available in prison hospital/Government hospital. As of now, 15 inmates have been saved under the aegis of this scheme.
- ii. ‘Cheyutha Nidhi’ has been created by the Andhra Pradesh Prison Department for payment of fine amounts for poor prisoners.
- iii. To address the problem of drug addiction among prisoners, an Opioid Substitute Therapy (OST) is implemented in the State of Assam to de-addict and wean away such prisoners.
- iv. ‘Ashirvad Anusthan’ a reformatory step meant to encourage children of convicts who are preparing for class 10th examination is underway in Assam. The main objective of the programme is to organize a get-together of the examinees with their convict parents and to seek their blessings for their upcoming examinations. This provides a moral and cultural boost for the children.
- v. Sustainable Rehabilitation of Inmates in Jails of Assam (New) (SRIJAN Initiative) has been undertaken for transformation of Assam jails to

correctional homes for rehabilitation and provide financial assistance to the inmates by providing necessary training and exposure to Micro, Small & Medium Enterprises (MSMEs)/start-ups industry for post release settlement and livelihood and to deposit revenue to State exchequer as well as augmenting current Prison produce to support minimum wages to prisoners. Constitution of a “SRIJAN MULTIPURPOSE Society” under the Co-operative Societies Act is under process.

- vi. In the jails of Chhattisgarh, ‘Swasthya Rakshak’ have been appointed amongst prisoners to report any illness to staff.
- vii. Prison Departments of Chhattisgarh, Gujarat, Odisha and Telangana have Prisoner Welfare Funds. These funds are used to conduct welfare activities for the prisoners like - medical treatment to serious illness, educational expenses of meritorious children of the inmates, assistance to family members, in case of prisoner death, rehabilitation of the prisoner upon release and fine payment of economically backward prisoners.
- viii. As a part of Mental Welfare Programme, a Psychological Care Centre called “Samarth” has been started at four Central Jails in Gujarat to enable the prisoners free from stress.
- ix. Odisha Prison Department provides financial assistance to the released convicts (₹ 15,000) and families of convicts (₹ 5,000) (coming under BPL category) as a part of rehabilitation programme.
- x. ‘Personality and Attitude Transformation through Therapeutic Assistance and Management’ (PATTAM) programme has been launched in Tamil Nadu to address the first-time petty offenders of the age group 18-24 years. It aims at focused holistic intervention of the inmates in a conducive environment, so as to reintegrate them and transform them as responsible members of the society. This programme has drastically reduced the rate of recidivism.
- xi. In Tamil Nadu prisons well behaved and trustworthy inmates are appointed as ‘Reformation Assistant’ to guide, liaison and interact with other inmates towards their reformation and rehabilitation. They get wages on par with a skilled prisoner.
- xii. Regular medical camp for dermatology/Hepatitis-B vaccination to all prisoners is conducted under Government scheme of ‘Kanti Velugu’ in all jails of Telangana State.

- xiii. In Telangana interest free loans are being provided to convicted prisoners those who have good conduct and have at least 3 years of remaining portion of sentence, for their children's marriage, education etc., under the scheme of "Mahaparivarthan" to reform and rehabilitate the prisoners and their families. The amounts are later being adjusted at the time of release from their honorarium of works done inside prisons.
- xiv. Cognitive - Behavioural Skill Development Program called 'UNNATI' is a one-month counselling program for prisoners in the Telangana State. It was designed to reform the prisoners so that they don't commit crimes repeatedly and make their lives respectable. The rate of re-committal of prisoners into prisons drastically come down, in view of above psychological counselling sessions.
- xv. In Telangana, maximum numbers of released prisoners are provided employment in prisons to run petrol bunks and other establishments. ₹ 16,500/- is paid as salary in the Corporation limits and ₹ 13,500/- is paid in the Municipal/Village limits. Nearly 500 people are being employed on a regular basis, spending nearly ₹ 10 Crores per annum.
- xvi. In Uttar Pradesh, 'Health ATMs' are established on a pilot basis in Lucknow prison to conduct minor medical tests for prisoners.
- xvii. 'SPARSH' scheme of Delhi prisons provides for financial assistance of up to ₹ 500 in kind to the poor inmates and who have no relatives to visit them.

Recommendation/Observation

4.3.3 The Committee appreciates the scheme 'PATTAM' of the Tamil Nadu Prison Department aimed at reforming the first-time young offenders through counselling and the similar scheme 'UNNATI' of the Telangana Prison Department. The Committee recommends that such programmes aimed at reforming the first-time offenders through the joint effort of police, prison and judiciary need to be replicated in all the States/UTs to enable the first-time offenders to correct themselves and become a responsible member of the society. Such schemes will reduce the rate of recidivism. Moreover, steps should be taken by State Prison Departments to identify the different types of trades traditionally practiced in their jurisdiction and accordingly come up with vocational/skill training courses. This will make it easy for the prisoner to pick a course of his interest.

4.3.4 The Committee has also taken note of the health-oriented programmes like – ‘Health ATMs’ of Uttar Pradesh, ‘Reformation Assistant’ of Tamil Nadu, ‘Samarth’ of Gujarat and ‘Swasthya Rakshak’ as in case of Chhattisgarh and recommends that other States/UTs may adopt similar such schemes to benefit the prisoners in the upkeep of their physical and mental wellbeing.

4.3.5 Under the SRIJAN Initiative, the Assam Prison Department has been aiming to transform jails into correctional homes for rehabilitation of prisoners by providing financial assistance & training for post release settlement and livelihood. The Committee appreciates this initiative and recommends that all the other States/UTs may also strive to bring in such initiatives to change the prisons from being institutions of punishment into institutions of reformation and rehabilitation.

4.3.6 The Committee has noted that the jail inmates are deprived of contact with their family and friends for an indefinite period. Such separation makes them feel isolated/lonely which can be stressful for them. To address this issue, the Committee recommends implementing programmes like - ‘Ashirvad Anusthan’ of Assam where the children of convicts meet them to take blessings for their class 10th exams, ‘Sparsh’ of Delhi to provide financial assistance to prisoners with no family, ‘touch and feel’ of Tamil Nadu where the prisoners are allowed to meet and touch their family members; would enable the inmates to cope up with their loneliness and stress.

4.4 Vocational training and skill development programmes

4.4.1 The Committee observes that vocational training and skill development play a crucial role in the rehabilitation and reintegration of prisoners into society. Incarceration alone is not sufficient to address the root causes of criminal behaviour, and providing prisoners with opportunities for vocational training and skill development can significantly enhance their chances of leading productive life after release.

4.4.2 As per NCRB’s PSI, 2021 report, the percentage of prisoners that underwent vocational training in the year 2021 is given below

CRITERION	STATE	TOTAL PRISONER POPULATION	TOTAL PRISONERS GIVEN VOCATIONAL TRAINING	% OF PRISONERS THAT UNDERWENT VOCATIONAL TRAINING
STATES THAT COMBINDELY HOUSE MORE THAN 62% OF THE TOTAL PRISONER POPULATION IN INDIA	UTTAR PRADESH	117789	7190	6.1%
	BIHAR	66879	2952	4.41%
	MADHYA PRADESH	48513	2087	4.3%
	MAHARASHTRA	36853	499	1.35%
	PUNJAB	26146	876	3.35%
	HARYANA	24158	2296	9.5%
	WEST BENGAL	25769	158	0.61%
STATES WITH HIGHEST CRIME RATE as per NCRB's report 'CRIME IN INDIA 2021' (crime per one lakh of population)	DELHI	18295	3764	20.57%
	KERALA	7111	2374	33.38%
	GUJARAT	16597	1131	6.81%
ALL INDIA TOTAL (ALL STATES & UTs INCLUDED)		554034	39313	7.09%

4.4.3 The skilling/vocational training of the prisoners has been significantly very low across the States. At the national level only a meagre 7.09% of prisoners have undergone any kind of skilling/vocational training.

4.4.4 According to data available in the Prison Statistics India, 2021, maximum numbers of prison inmates were trained in 'tailoring' (15.6%) (6,115 out of 39,313) followed by 'agriculture' (14.7%) (5,793 out of 39,313), 'carpentry' (5.3%) (2,089 out of 39,313) and 'weaving' (15.2%) (5,986 out of 39,313).

4.4.5 The Committee has been informed about various initiatives taken up by the State/UT Governments in the area of vocational/skill training, some of which areas under:

- i. Andhra Pradesh: Training is being provided in trades like – plumbing, fabrication & welding, agriculture, carpentry, tailoring, handloom, soap and phenyl making. A total of 24 prison industries are running which include steel furniture, durries, weaving, pillow making etc., Total value of industrial production in the year 2022-23 was over ₹ 8 Cr.
- ii. Assam: Vocational training programme has been imparted under the banner of “Karagaror Pora karikor” (from prison to craftsman) in central jail, Jorhat by Industrial Training Institute (ITI) Jorhat where “domestic electric wiremen” training is given to the convicted prisoners. LED bulb making training camp has also been started for employment generation in central jail, Guwahati.
- iii. Bihar: Skill development activities are conducted by Rural Self Employment Training Institute (RSETI), National Bank for Agricultural & Rural Development (NABARD) and NGOs. Training is provided in mushroom farming, goat rearing, pisciculture, makhana farming, dairy farming etc.,
- iv. Chhattisgarh: Training is provided based on the industrial infrastructure set up in the prison. Training programme is decided on the basis of the prisoner’s education, prior experience, age and sentence period. ‘Jail Emporium’ are opened next to the jail premise to sell the items manufactured in jails. Prisoners are trained in various trades including cooler making.
- v. Gujarat: Vocational training programmes are provided to inmates under PMKVY. Many prisoners are engaged in various field of training including diamond polishing. As a part of skill development & “Aatma Nirbhar” programme, various courses like animal husbandry, vehicle repairing, carpentry, bakery etc. are imparted. Women inmates are provided training in MS Office. Gujarat prisons also manufacture bags named ‘Safari’. Items produced in jails are marketed under the brand name ‘Guj Pride’.
- vi. Madhya Pradesh: ITIs are operated in 03 jails (Ujjain, Betul and Dhar) of the State, in which, training is given in carpentry, electrician, motor mechanics. 2,270 male prisoners were trained in various industrial crafts and 916 female prisoners were trained in sewing, embroidery, computer, henna art, beauty parlour, doll making, rakhi, agarbatti making, etc.
- vii. Odisha: Para-medics (general duty assistant) training were imparted to 74 inmates in 3 batches sponsored by Odisha Skill Development Authority. Radio jockey training

imparted to 14 inmates by setting up a community FM radio station at special jail, Bhubaneswar with help of the NGO Amulya Jeevan Foundation.

- viii. Rajasthan: it is providing training in various trades to the inmates in 9 central prisons of the State. A total of 2,310 inmates have been trained in the last 5 years.
- ix. Tamil Nadu: Prisoners are provided training through ITIs. Many products like uniform, belts, caps, shoes, rain coats, mosquito nets, tag, file pad, postal covers, sealing wax etc., required by various Government Departments are manufactured in the prison industries. The items produced in the prisons are referred under the brand name 'Freedom' through Prison Bazaar outlets.
- x. Telangana: The Mission for Elimination of Poverty in Municipal Areas (MEPMA) and the National Academy of Construction (NAC), the State Government Organization provide trainings to prisoners to impart skills in various professional courses like welding, plumbing, etc. The Department has also started a placement agency to provide jobs to the released prisoners.
- xi. Uttar Pradesh: Skill development programmes for inmates have been started under Pradhan Mantri Skill Development Mission and Uttar Pradesh Skill Development Mission. 8,160 prisoners are trained under 'One Jail One Product' scheme. Under 'Best out of waste' scheme, 'cow coats' are made using old and used blankets.

Recommendation/Observation

4.4.6 The Committee has observed that only a paltry 0.6% of prison budget (all India level) is given for the vocational/educational training of prisoners and only a 7.09% of the total prisoners in the country are receiving any kind of skill training in the country. The vocational/skill training and educational has a positive impact on the prisoners, in their reformation and rehabilitation. Hence, the Committee recommends that given the positive impact it has in reforming the criminals, the Central Government may undertake a study to analyse the reasons for such a low participation of prisoners in skilling/training activities.

4.4.7 The Committee was informed by various State/UT Governments that the prisoners are earning while in prisons by way of producing bakery products, carpet weaving, soaps, incense sticks, agricultural products, etc. However, from the presentations it has been found that the wages/earnings which they are getting are very less. Hence, the Committee is of the view that it is essential to ensure that the

wages paid to prisoners are fair and equitable and that prisoners are not exploited for their labour. Therefore, the Committee recommends that the wages of the prisoners needs to be increased as this will help to improve the socio-economic conditions of prisoners and reduce recidivism rates.

4.4.8 The Committee notes that almost all the prisons in various State and UTs are providing skill based vocational training to their inmates for their rehabilitation and future source of livelihood. Prisoners are being imparted training in various trades/industries like welding, masonry, furniture, leather items, garments, bakeries etc. The Committee recommends that the products made by the inmates needs to be marketed through e-marketing platform so that the products can be sold at wider scale. It feels that online selling of these products can create a larger market and give the opportunity to convicts to earn all through the year. NGOs or activists can be involved for marketing their products. At initial level, they can tie up with government offices, institutions, hospitals, schools etc. to sell their products.

4.5 Library and recreation

4.5.1 Recreational activities can have several positive effects on prisoners' well-being and overall prison environment. While the prison system primarily serves to punish and rehabilitate offenders, incorporating recreational activities into inmates' daily routines can offer various benefits. Prison life can be stressful and tense, leading to potential conflicts among inmates. Engaging in recreational activities provides an outlet for stress, allowing prisoners to unwind and release pent-up emotions in a controlled and constructive manner. Participating in recreational activities encourages physical exercise, which is crucial for maintaining overall health and well-being. It can have positive effects on mental health by reducing anxiety, depression, and feelings of isolation. Engaging in games, sports, or hobbies can boost mood and provide a sense of purpose. Libraries / books also plays a major role in igniting the minds of individuals. The habit of reading in the prisoners would benefit them greatly in their reformation and rehabilitation.

4.5.2 The Committee during its meetings/interactions with various State/UT Governments was informed about some of the interesting initiatives in the area of recreation and library facilities which are listed below:

- i. Assam: An initiative called ‘Gyan Safura’ provides for separate library for women prisoners of central jail in Guwahati is under implementation. A music school has also been started in Guwahati central jail.
- ii. Chhattisgarh: Spiritual and cultural programmes are conducted to improve mental health of inmates and to serve as entertainment. Yoga, Vipasan and Art of Living are also conducted. Jail radio provides news and entertainment in Hindi, Gondi and Halbi.
- iii. Gujarat: Prison Department of Gujarat organized a ‘Prison Olympics’ for prisoners in which prisoners from various States participated. Gujarat prisons have a total of 1,39,503 books and 11,720 magazines available at various jails of the State. The Audio Library is also established at Lajpore-Surat central prison and Nadiad district prison to enable blind and illiterate prisoners to gain knowledge through audio clip.
- iv. Odisha: The State Prison Department encouraged its prisoners in chess and even won the national and international chess competition beating baroda prisons and Chicago respectively. Odisha Prisoners also participated and won the national dance competition ‘Kalantar’ held at Noida. Community Radio Room called ‘Azaad Vani’ is run by inmates.
- v. Tamil Nadu: Government of Tamil Nadu has announced upgradation of library in all prisons at a cost of ₹ 208.74 lakhs. Book fairs are conducted across the State to collect books from doners. Inmates are chose based on their aptitude and interest for six months training in music, dance, drama, painting and sculpting.
- vi. Telangana: Physical Training, Yoga, etc. are provided to inmates by trained professionals. Libraries with books consisting of moral stories, motivational and spiritual topics etc. and regular sports meet and cultural activities are also conducted.
- vii. Uttar Pradesh: Multimedia projectors with screen are in place for showing correctional programmes to the prisoners.
- viii. West Bengal: Inmates are allowed to take part in sports activities and various religious, devotional, patriotic and cultural ceremonial activities for achieving better living condition of inmates.

4.5.3 Generally across all the Prison Departments, various indoor and outdoor games like - ludo, carom board, chess, volley ball, football, cricket, shuttle, kabbadi, kho-kho etc. are available for the recreation of the prisoners; other options of recreation like - television programmes, jail radios, library facilities, religious texts, newspapers; celebration of some

social and/or religious events/festivals like – Independence Day, Republic Day, Prison Foundation Day are also available for the inmates.

Recommendation/Observation

4.5.4 The Committee is of the view that setting up of libraries in prison can play an important role in the rehabilitation of inmates. Library is a storehouse of vast knowledge and information which can provide unlimited opportunities to prisoners not only to gain and upgrade their educational skills but also to provide free access to relevant resources which may be crucial for their personal growth and overall well-being. It can be a source of alternate and constructive recreational activity for prisoners who are fond of reading. The Committee feels that with limited fund resources, setting up a library may be a daunting task for prison administration. The Committee, therefore, recommends that the prison administration which do not have library facilities in their jails, can start by setting up of small library by receiving second-hand books. Gradually, a small allocation of funds for upgrading their libraries may be made on regular basis to have a well stalked library. The Committee also feels the efforts taken by States like Tamil Nadu, Kerala, Rajasthan, etc. for library facilities in their prisons needs to be appreciated and other States have to follow those practices. At the same time, the Ministry may also highlight the importance and utility of library facilities by giving advisory to State/UT prison administration in this regard.

4.6 Educational opportunities and legal literacy

4.6.1 The Committee has been informed that educating jail inmates not only provides a corrective approach to the psyche of the offender but also goes a long way in developing a responsive and respectful attitude in them towards the society. Basic education courses are conducted by jail teachers who provide functional literacy to illiterate prisoners and in those jails where there are no jail teachers, education is imparted by educated prisoners.

4.6.2 The Committee was informed by various State Governments about the educational facilities available to their inmates in their background notes. The details are as follows:

- i. Andhra Pradesh: Prisoners are provided with opportunities for primary education, adult education, library facilities and courses from Dr. B. R. Ambedkar Open University.
- ii. Bihar: Education opportunities to inmates are provided in association with National Institute of Open Schooling (NIOS) and Indira Gandhi National Open University (IGNOU).
- iii. Delhi: A total of 48 teachers from Delhi Government schools have been deployed in all jails to provide primary, secondary & sports education to inmates.
- iv. Gujarat: Constant educational programmes are being run successfully by Indira Gandhi National Open University (IGNOU) and Baba Saheb Ambedkar Open University (BAOU) to educate illiterate prisoners. Prisoners can appear for 10th and 12th examinations from inside jail premises through the Gujarat Secondary Education Board (GSEB) & Gujarat Secondary & Higher Secondary Education Board (GHSEB).
- v. Madhya Pradesh: In the year 2022, total of 1,155 prisoners were encouraged and given the facility to study in different classes such as 463 primary school education, 92 middle school education, 243 higher secondary school education 300 graduates and 57 post graduates.
- vi. Odisha: Prisoners are allowed to pursue higher studies through distance mode under Board of Secondary Education, IGNOU, and National Institution of Open Schooling (NIOS), Odisha State Open University (OSOU), National Law University (NLU) etc. Newspapers, library books etc are provided for managing their idle time engaging them in reading and gaining knowledge.
- vii. Rajasthan: IGNOU centres are operational in 17 prisons in the State. They have benefitted 3,065 prisoners in the last 3 years.
- viii. Tamil Nadu: A scheme called ‘Seerthirutha Siragugal’ is implemented in the State to convert the prisons into reform centres with a holistic approach.
- ix. Telangana: Basic education to approximately 1,20,000 of illiterate prisoners were given during period from 2014-2023. Dr. B. R. Ambedkar Open University study centre and a M.Sc. (Psychology) centre with lab facility are established at established in Central Prison, Cherlapalli.
- x. Uttar Pradesh: Prisoners are encouraged to enrol for IGNOU courses, opportunities to appear in high school and intermediate exams of Uttar Pradesh Board are provided and teachers are deployed to teach illiterate inmates.

4.6.3 As per NCRB’s PSI, 2021 report, the details regarding the education profile of different type of prisoners is as given below

TYPE OF PRISONER	ILLITERATE	BELOW CLASS X	ABOVE CLASS X & BELOW GRADUATION	GRADUATION AND ABOVE	TOTAL
Education Profile of Convicts	30894	52542	27040	12376	122852
Education Profile of Undertrials	107946	168420	104958	45841	427165
Education Profile of Detunes	667	1360	1000	443	3470
Education Profile of Other Prisons	184	191	133	39	547
TOTAL	139691 (25.21%)	222513 (40.16%)	133131 (24.02%)	58699 (10.59%)	554034 (100%)

NO. OF PRISONERS BENEFITTED BY				
ELEMENTARY EDUCATION (ALL INDIA)	ADULT EDUCATION (ALL INDIA)	HIGHER EDUCATION (ALL INDIA)	COMPUTER COURSE (ALL INDIA)	TOTAL (ALL INDIA) NO. OF PRISONERS THAT HAVE TAKEN UP ANY KIND OF EDUCATION
38784	32544	14083	4350	89761

4.6.4 From the above tables, the picture is clear that out of the total 5,54,034 prisoners in the country, there are 25.21% (1,39,691) of prisoners are illiterates; 40.16% (2,22,513) are having educational levels below class 10th; 10.59% (58,699) are having educational levels equal to graduation and above. However, only 89,761 (16.2%) prisoners have been provided with any kind of educational opportunity in the country. It can also be extrapolated from the tables that higher the educational levels lower is the chance of committing a crime.

Recommendation/Observation

4.6.5 The statistical table above shows that about 65% of the prisoners in the jails across the country are illiterate or who got education below class 10th. About 10% of the prisoners are having educational levels above graduation. From these statistical data/facts it may be presumed that the tendencies of committing a crime are higher in case of a person with lower educational levels. In this regard, the Committee suggests that all the States need to increase their expenditure on enhancing the educational levels of the prisoners. The prison administrations in the country should focus more on the prisoner's education by starting more schemes/programmes in that direction. The Committee appreciates the efforts of States like Chhattisgarh which are making use of educated inmates to teach other prisoners who are illiterate. Similar arrangements may be made by other State Governments also.

4.6.6 The Committee notes that one of the biggest challenges for ex-prisoners is finding employment upon release. Education equips them with relevant skills and qualifications, significantly improving their job prospects. When prisoners participate in educational programs and successfully reintegrate into society, it has a positive ripple effect on their families and communities. While providing educational opportunities to prisoners involves some initial investment, it can ultimately result in cost savings for society. Lower recidivism rates mean reduced expenses related to law enforcement, courts, and incarceration, as well as increased tax revenue from productive, employed citizens. The Committee also noted that IGNOU study centres are functional in many of the prisons of various States. The Committee recommends that IGNOU study centres may be established as far as possible in all the major prisons of the country.

4.6.7 The Committee observes that legal literacy is extremely important for prisoners, as it empowers them to understand their rights, navigate the legal system, and advocate for themselves effectively. Prisoners have rights that are protected by law. Legal literacy helps them understand their rights related to conditions of confinement, access to medical care, protection from abuse, and more. Legal literacy allows prisoners to access the legal system to challenge their convictions, seek redress for mistreatment, and file complaints against violations of their rights. Without proper knowledge, they might struggle to effectively communicate with lawyers, understand court processes, or draft legal documents.

4.6.8 Being aware of legal rights and remedies empowers prisoners to demand fair treatment and hold correctional staff accountable for any abuses or misconduct. Legal literacy can act as a deterrent against mistreatment and ensure that prisoners are treated in accordance with the law. Prisoners with legal literacy can advocate for systemic changes within the criminal justice system. They can identify flaws, inefficiencies, injustices, and work to bring about positive reforms.

Recommendation/Observation

4.6.9 The Committee appreciates the Email My Case Status (EMCS) system implemented in Gujarat prisons to enable the inmates to observe the procedure of Hon'ble High Court through its You Tube Channel. The Committee also recommends that such systems should be replicated in the prisons of other States also as it is a best practice and it helps in imparting legal knowledge to the prisoners.

4.6.10 The Committee recommends that more and more inmates should be motivated/encouraged to take up training as Para Legal Volunteers (PLVs) for assisting the Legal Aid Clinics established at prisons. This shall help in the spread of legal knowledge among the prisoners. This shall also empower the prisoners to be aware of their legal rights in the prisons which in turn would facilitate in making the quality of prison administration better. The Governments should strive to impart legal literacy to all the educated prisoners.

4.6.11 The Committee also recommends that the statistical data regarding the number of prisoners trained as PLVs may be obtained by the NCRB from all the State/UT Governments and to be included in the subsequent reports of the 'Prison Statistics India'. Such data shall be of usage to the stakeholders in addressing the

issue of lack of legal literacy among the prisoners by devising specific schemes/programmes.

4.7 Age-group wise percentage of prisoners

4.7.1 As per PSI, 2021 report, a majority of the convicted prisoners are in the age group of 30-50 years (62,868 convicts accounting to 51.2%) followed by the age group 18-30 years (34,930 convicts accounting to 28.4%). When it comes to the undertrial prisoners, majority of them are in the age-group of 18-30 years (2,04,637 accounting to 47.9%) followed by the age group 30-50 years (1,75,182 undertrial prisoners accounting to 41%). The number of convicts and undertrials above the age of 50 years as a percentage of total convicts and total undertrials are 20.4% (25,047 convicts) and 11.1% (47,346 undertrials) respectively.

Recommendation/Observation

4.7.2 The Committee considering the fact that the number of convicts and undertrials above the age of 50 years are very less compared with the prisoners of other age groups, recommends that a panel comprising of medical officers, officers from prison administration, NGOs, social scientists may be constituted to study the possibility of releasing the prisoners who are suffering from health issues and are above the age of 75 years as a respite measure or keep them in open prisons in cases where release is not possible.

4.8 Status of adoption of Model Prison Manual, 2016

4.8.1 The Committee has been informed by the Ministry of Home Affairs that till date 18 States and all UTs have confirmed the adoption of the Model Prison Manual, 2016. Further, MHA is pursuing the matter with the remaining State Governments by sending communications at the highest level and by engaging with the State representatives through video conference meetings.

4.8.2 As per the information contained in the background note of some of the States/UTs, the status of adoption of the Manual is as below:

- i. Andhra Pradesh: A draft Andhra Pradesh Prison Manual, 2022 has been prepared on the lines of Model Prison Manual, 2016 and the same has been submitted to the

- Government of Andhra Pradesh. The matter is under consideration of the State Government.
- ii. Assam: Steps have been taken for rehabilitation and reformation of prisoners as per the Model Prison Manual, 2016. Further, the Assam Superintendence and Management of Jails (Supplementary Provisions) Rules, 2022, has been notified wherein due regard has been given to the existing provisions of the Model Prison Manual, 2016, Assam Jail Manual and Assam Prison Act, 2013.
 - iii. Bihar: Bihar Prison Manual was adopted in the year 2012. An expert committee of specialist was constituted at BICA to study & incorporate relevant rules & chapters of Model Prison Manual, 2016. At department level, the recommendations of committee are reviewed and a first draft preparation is under progress.
 - iv. Chhattisgarh: English version of the Chhattisgarh Jail Manual with some necessary amendments in Model Prison Manual 2016 has been drafted keeping in view the infrastructure and geographical conditions of Chhattisgarh State. English version of it is being translated into Hindi. After Hindi translation, it will be implemented after approval from the State Government.
 - v. Delhi: Based on Model Prison Manual 2016, Delhi Government has notified Delhi Prison Rules 2018 and it has been implemented w.e.f. 01.01.2019.
 - vi. Gujarat: Model Prison Manual is adopted by the State Government.
 - vii. Madhya Pradesh: The present Jail Manual of Madhya Pradesh has been in operation from 1968. However, a number of amendments have been made in the manual in order to bring it on par with the latest trends in jail administration. However, a new manual based upon Model Prison Manual, 2016 circulated by Ministry of Home Affairs, Government of India has been prepared, which is in the process of approval.
 - viii. Odisha: Based on Model Prison Manual-2016, the Odisha Model Jail Manual-2020 has been approved by the State Government and implemented it on 28.09.2020.
 - ix. Rajasthan: Based on the Model Prison Manual, 2016, a New Prison Manual has been notified in December, 2022.
 - x. Tamil Nadu: A meeting was conducted by Government Home Department in connection with 'Adoption of Model prison Manual 2016 by Amending the Tamil Nadu Prison Rules 1983' on 04.03.2023. As per the instructions given by the Additional Chief Secretary, Government Home Department during the meeting, some of the Rules are being revised in the Tamil Nadu Prison Rules 1983 and it will be sent to Government shortly.
 - xi. Uttar Pradesh: Uttar Pradesh Jail Manual, 2022 has been notified in compliance with Model Prison Manual, 2016.
 - xii. West Bengal: The Model Prison Manual, 2016 contains 32 chapters, out of which 30 chapters and the subjects/ contents there in have already been in force in

Correctional Homes under the West Bengal Jail Code 1997 and West Bengal Correctional Act 1992.

Recommendation/Observation

4.8.3 Going by the information received from the State/UT Governments, the Committee notes that most of the State/UT Governments have their own Jail Manual which may be slightly different from the Model Prison Manual, 2016. The picture about adoption of Model Prison Manual, 2016 is not very clear with respect to some States. Some States have adopted the Manual, some have amended their respective Jail Manuals in accordance with the Model Prison Manual, 2016. Some of the States are in the process of adopting the Manual. In this regard, the Committee recommends that MHA may have more meetings with the State Governments to have a clear picture about its adoption. MHA may also advice the States to adopt the Manual as it will enable the States/UTs.

4.9 Major challenges in prisons

4.9.1 Some of the major challenges reported by the State/UT Governments before the Committee are as follows:

- i. Overcrowding and a large undertrial prisoner population in the prisons.
- ii. Smuggling of contraband articles into the prisons.
- iii. Lack of funds to carry out welfare activities, sanitation and construction of quarters etc.
- iv. Inadequate training resources for capacity building of prison staff.
- v. Available man power unable to keep pace with increase in prison population.
- vi. Shortage of staff accommodation. Only about 54% of the staff got accommodation facility in Madhya Pradesh.
- vii. Due to various health complications and pre-existing co-morbidity many deaths of prisoner occur during the treatment period while being in Judicial custody.
- viii. There are various types of mentally ill prisoners detained in the jails of Madhya Pradesh. Generally, the treatment facility for these prisoners is not available in jails, they are shifted to central jail in Gwalior for their treatment in Mental Hospital Gwalior. There is a need for psychological and mental assessment of targeted prisoners by professional psychiatrist and counsellors at the time of prisoner's admission into the jail and thereafter.
- ix. Reluctance of prisoners to involve in their own welfare and rehabilitation activities.

- x. Jail inmates are deprived from contact with their family and friends for an indefinite period and as such they feel isolated. Facilities for interview with family members, defence counsel must be provided to them based on their requirements.
- xi. Inmates of diverse backgrounds are admitted in jails and must opt for the available vocational courses/ training courses inside jails. It is seen that jail inmates are generally found to be interested in the kind of works they performed outside prisons and sometimes it becomes difficult for them to choose a particular course due to limited options.
- xii. Inadequate technical assistants/ Data Entry Operators (DEOs) to implement e-Prisons effectively.
- xiii. Burden of Goods Services Tax (GST) on prison products.
- xiv. Less importance for prisons in city planning. No standard design/architecture for prisons.
- xv. Drug addiction among prisoners.
- xvi. No organized programme is available for the aftercare of the inmates.
- xvii. Lack of correctional staff and very few posts of Welfare Officers

4.10 Measures to control criminal activities in prisons

4.10.1 The Committee observes that the prevalence of criminal activity within prisons poses a wide range of risks and challenges. Violence, drug trafficking and to gang-related activities in prisons not only jeopardize the safety of inmates and staff but also hinder the overall objective of rehabilitation. Prisons that are supposed to be the centres for reformation can become breeding grounds for criminal activities. Strict measures from the prison administrations in the country are required to prevent such activities.

4.10.2 The Committee has been informed about some of the measures undertaken by State/UT Governments to curb the criminal activities in the prisons. Some of them are listed below:

- i. Collection of intelligence from prisoners and staff from time-to-time and observing the behaviour of prisoners.
- ii. Having separate blocks for habitual offenders, hardened criminals etc.,
- iii. Setting up of CCTVs and video walls for round the clock surveillance of the prison premise.
- iv. Random checking of security measures is carried out and if necessary, prisoners are shifted from one ward to another.

- v. Nuisance creating prisoners and prisoners with local nexus are sent to Special Central Prisons.
- vi. All the items carried by the inmates on their entry into jail is checked through frisking under CCTV surveillance so that no contraband items can be passed inside jails.
- vii. Under Section 267 of the CrPC, prisoners with heinous criminal tendencies are prohibited from being taken out of the jail for court appearances.
- viii. Installation of cell phone jammers near high security blocks.
- ix. Intelligence-cum-Vigilance wing is functioning in prisons of Tamil Nadu to collect intelligence regarding on-going irregularities, malpractices, illegal activities and connivance on the part of prison staff and conspiracy by the prisoners. This unit keeps surveillance on prisoners and staff and passes on useful information regarding groupism, previous enmity among prisoners, radicalisation and also monitors the activities of fundamentalists and terrorists.
- x. A special team comprising of prison officials collect information from prisoners for seizing contrabands.
- xi. Intelligence is also gathered from outside world viz – Intelligence Section, Intelligence Bureau, Special Branch CID, Organised Crime Intelligence Unit, friends and relatives of prisoners.
- xii. All Officers make night rounds and surprise rounds regularly in addition to regular night duty officers' staff.
- xiii. Engagement of prisoners in different recreational and vocational activities.
- xiv. In Delhi prisons, outer gates are manned by Para-Military Forces, searching – frisking duties are assigned to Tamil Nadu Special Police or Para-Militaries and internal security is managed by Prison Staff. The high-risk wards are jointly managed by the by Tamil Nadu Special Police/Para-Military Forces and jail staff.

4.10.3 The Committee has noted that to ensure that the benefits of the Budget are extended across all intended sections of the society, one of the announcements made in the Union Budget of 2023-24 was about providing 'Support for Poor Prisoners'. It envisages provision of required financial support from the Government of India to poor persons who are in prisons and unable to afford the penalty or the bail amount. This will enable poor prisoners, majority of whom belong to socially disadvantaged or marginalized groups with lower education and income level, to get out of prison. In this regard, the Standard Operating Procedure (SOP) and guidelines for the scheme has also been shared with the State/UT Governments. Under the scheme, an Empowered Committee at the district level

comprising of District Collector, Superintendent of Police, Secretary, DLSA, Superintendent/Deputy Superintendent of Prisons, nominee of District Judge will be constituted for considering the eligible beneficiaries and providing recommendation. Additionally, an Oversight Committee at the State level comprising of Principal Secretary, Home Secretary, Law Secretary, SLSA, DG (Prisons) and High Court Registrar General will be constituted. The SOP and the guidelines given are only suggestive in nature as “Prisons” is a State Subject. The State Governments can change the SOP and guidelines to suite their requirements. Under the provisions of the scheme, the Empowered Committee has the authority to recommend financial assistance of up to ₹ 40,000 in case of undertrials and ₹ 25,000 in case of convicted prisoners. The mandate to recommend financial assistance exceeding these limits lies with the Oversight Committee.

Recommendation/Observation

4.10.4 The Committee has noted that overcrowding is one of the major challenges in the prison administration and recommends that all the State/UT Governments may take necessary actions as early as possible with regard to implementing the ‘Support to Poor Prisoners’ programme announced by the Central Government in the Union Budget 2023-24 to benefit the eligible prisoners under this scheme.

4.10.5 During its interactive sessions with various State/UT Governments, the Committee was informed that ganja and cell phones are the common contraband items that are most frequently smuggled into the prisons among others. The Tamil Nadu State Government informed that throw method using catapult is one of the common approaches employed to smuggle the contrabands into the prisons. The Committee observes that the articles like cell phones inside the prison are used by the inmates to operate criminal activities outside the prison. Possession of cell phones in the hands of the prisoners can also stir up gang wars inside jails. Usage of ganja and other narcotics in prison compromises the reformation and rehabilitation of the inmates. The Committee also observes that e-Mulakat, video conferencing etc., will also help reduce the smuggling of the contraband into the prison as prisoners can communicate with their families through such facilities. The Committee has also noted that the prison staffs are helping the prisoners to get the contraband inside the prison. Keeping in view of the negative impact the contrabands can have on reformation of prisoners, the Committee recommends that the frisking standards

should be enhanced in all the State prisons. MHA should set benchmark frisking standards to curb the entry of contraband articles and in turn prevent gang wars. All the State/UT Governments shall comply with such standards. Further, drones should be used in prisons to keep an aerial surveillance of the prison premises. Sniffer Dog Squads may also be used in detecting contrabands.

4.10.6 The Committee has observed that more than 70% of the prisoners in Indian jails are undertrials. They are not being released from the prisons for want of sureties/inability to pay fine amounts. The prison administrations are spending lot more money on keeping such prisoners inside jails than the bail money required for their release. A fund on the lines of ‘Cheyutha Nidhi’ started by Andhra Pradesh Prison Department for payment of fine amounts for poor prisoners should be created in all the States/UTs.

4.10.7 The Committee observes that motivating prison staff is crucial for maintaining a positive and effective correctional environment. Working in a prison can be challenging, and staff members often deal with high levels of stress and burnout. The Committee also appreciates the initiative of the Assam Prisons Department to presented the “Prerona Bota” award to the employees and staff of jails for their exemplary services. The Committee recommends an award program should be conducted for acknowledging the prison staff for their dedication and outstanding contributions towards maintaining secure and rehabilitative correctional environments. Various categories of awards like - exceptional performance, teamwork, innovation, and positive interactions with inmates may be given to the staff. Recognition of their work will boost their morale and job satisfaction.

4.10.8 In order to address the problem of inadequate technical assistants/ DEOs to implement e-Prisons, the Committee recommends that the respective State/UT Governments may recruit persons for such posts on regular basis or services of technical assistants/DEOs may be obtained by outsourcing the requirement or the under graduate students from courses like criminology/forensics may be taken as interns to inter alia provide such services.

4.10.9 The Committee is of the view that online availability of prison made products would create awareness among masses about the work done by prisoners and will bring about positive outcome for their reforms. In the meetings of the Committee, some States have pointed out that the prison products need to be exempted from GST. The Committee, therefore, recommends that these products should be kept out

of the purview of GST as it will give a competitive edge for the prison made products over the similar products manufactured by big business houses and help in improving their sales and profitability.

4.10.10 The Delhi Prisons Department has pointed out that less importance is given to prisons in city planning and there is no standard design/architecture for prisons. The Committee has noted these issues and recommends that MHA should issue advisories to all the State/UT Town Planning Divisions to consider providing space for prisons whenever they make town/city plans. MHA could also take steps to come up with a standard design/architecture for prisons and share it with all the State/UT Governments.

4.10.11 The Committee notes that key reforms that can be considered for addressing the drug problem in prisons are - Strengthen security protocols at entry points to prevent drugs from being smuggled into prisons; use advanced technologies such as body scanners, drug-sniffing dogs, and CCTV surveillance to detect contraband; implement thorough visitor screening procedures to ensure that visitors do not bring drugs into the prison; restrict physical contact during visits to prevent the transfer of drugs; train prison staff to recognize signs of drug use or trafficking among inmates and visitors; educate staff about the dangers of drugs and the importance of maintaining a drug-free environment; conduct regular and random searches of cells, common areas, and inmates to deter drug smuggling.

4.10.12 The Committee recommends that surveillance technology should be used in prison on drug detection at each and every entry point of the prison. By making all the staff, inmates, visitors, delivery items to be searched before entry into the prison, entry of contraband item in prison can be controlled to an extent. In addition, technology should also be used to address the challenges of smuggling of drugs in prisons as prison staff cannot fully contain this menace and they need the assistance of technological intervention to address this issue. The Committee also recommends that a multilayered approach such as physical search, use of X-ray scanners, other devices that can detect drugs, and rehabilitation programmes for prisoners afflicted with drug addiction should also be put in place as it can significantly reduce the entry of drugs within correctional facilities/jails. The States/UTs may consider planning programmes like Opioid Substitute Therapy (OST) as in the case of Assam to de-addict and wean away such prisoners, in the jails.

4.10.13 The Committee is of the view that sometimes out-dated technological devices fail to detect the drugs contraband in jail premises. Therefore, it recommends that considering the technological advancement, prison administration should make a provision for additional investment to procure advanced and modern equipment and make an effort to control this problem at initial stage itself.

4.10.14 The Committee has noted that there are no organized programmes available for the aftercare of the inmates. The Committee likes to point to the efforts made by the Telangana State Prison Department in making arrangements for employing the released prisoners in petrol pumps and also setting up a placement agency to provide jobs to the released prisoners. The Committee recommends that all the States/UTs may take necessary steps to set up similar such placement agencies for securing a job for the released prisoner. For this purpose, the prison departments may associate with NGOs, industries etc. Such measures will also help the prison departments to observe and study the social behaviour of the released prisoner through feedbacks from the employer.

4.11 Best practices of State/UT Prison Departments

4.11.1 Some of the best practices submitted before the Committee by various State/UT Prison Departments are as under:

- i. Digital libraries are established in all the central prisons of Andhra Pradesh to encourage the habit of reading among prisoners. Having digital libraries can save space.
- ii. Gaushalas: Operated in Madhya Pradesh, Uttar Pradesh which in addition to providing milk, also gives the opportunity to inmates to familiarise themselves in the art of cattle farming and various uses of cow dung for the purpose of energy and manure.
- iii. Construction of a new Model Green Jail at Bhubaneswar in Odisha for 5000 prisoners having all modern amenities with Net Zero Carbon Emissions is approved to cater to the future need of accommodation replacing the existing Special Jail.
- iv. Modalities and guidelines are prepared by Telangana for giving housing loans to staff members. Action has been initiated for Zero Savings bank account along with ₹ 70.00 lakhs accidental insurance coverage and ₹ 5.00 lakhs death benefit insurance coverage to all prison personnel.

- v. In Andhra Pradesh Prisons attendance of staff is marked through face recognition application. This will discipline the staff and make them punctual.
- vi. Plantation Programmes: Chief Minister's Institutional Plantation Programme was implemented in all the prisons of Assam. Central jail in Varanasi, Uttar Pradesh has adopted 'Miyawaki Method' for dense plantation and has planted 30,000 saplings.
- vii. In Delhi prisons, drug de-addiction centre is available for inmates addicted to alcohol or substance abuse. Quick Response Teams (QRTs) to ensure foolproof security of the prison complex and "Dog Squads" for sniffing prohibited items.
- viii. Telangana State Welfare Society was formed in the year 2023 with the objective to provide loans to meet the expenditure towards staff and inmates' children's marriage and education.

Recommendation/Observation

4.11.2 The Committee notes the initiatives taken by various State/UT Governments to improve the conditions and infrastructure of prisons. The Committee is of the view that the best practices followed in certain States/UTs may be shared among prison administrations of other States/UTs to reap the benefits of such practices.

OBSERVATIONS/RECOMMENDATIONS- AT A GLANCE

Overcrowding

The Committees, notes that the issue of overcrowding and delayed justice has become a pressing concern, leading to a series of consequences for both the prisoners and the criminal justice system as a whole. The Committee recommends that prisoners from overcrowded jails may be transferred to other jails with vacant cells in the same State or other States by signing MoUs to that effect. This kind of an arrangement can be mutual in nature between the States signing the MoU.

(para 2.3.4)

Women prisoners

The Committee recommends that special attention is to be given to the pregnant women on the line of the judgement of Hon'ble Supreme Court of India in the case of R.D. Upadhyaya vs. State of Andhra Pradesh wherein it was observed that a Jail must have adequate facilities for prenatal and post-natal care for female prisoners as well as their children. Gynaecological examination for female prisons shall be performed in the District Government Hospital. Proper prenatal and post-natal care shall be provided to the prisoner as per medical advice. Pregnant women in jail should be able to give birth outside the prison. Children should be given adequate care with respect to food, shelter, vaccination, education, recreational space and physical growth.

(para 2.4.3)

The Committee recommends that the babies born in the prison to be allowed to stay with mothers until the age of 12 in order to provide a nurturing environment for the children during their early years while ensuring their well-being and development. Further, as per guidelines issued from time-to-time emphasis should be given towards proper care of children relating to food, shelter, medical care, education, and physical growth. Apart from this, sports and entertainment facilities are also to be provided to these children.

(para 2.4.7)

The Committee recommends that keeping in mind, the safety, hygiene, and health of women, adequate arrangements for separate toilets and bathrooms with proper water supply and more specialist women doctors are to be provided in women jails. The Committee also notes that Ministry of Home Affairs should from time-to-time instruct all the State Governments/UTs that necessary skill development programmes to be provided to the women prisoners which indeed will help them to find employment after being released from the prison. It is also recommended that a study of on women inmates who have been released from jails to evaluate the effectiveness of rehabilitation programs, identify areas of concern and to enhance prison rehabilitation policy.

(para 2.4.8)

The Committee is of view that in spite of laws for the protection of women, it is often observed that women are subjected to discrimination in various stages of life, and if a woman is on the wrong side of law or being convicted for an offence, her miseries increased manifold. As compared to male prisoners, female prisoners face endless problems. Since the prison administration and staff have wide discretion in their hands, the Committee therefore recommends that measures should be taken that their fundamental and basic human rights are not violated and they are being provided with basic necessities and respect available to a prisoner. Women only prison and women only staff should be the motto for all the State Governments to adopt. The Central Government may formulate necessary infrastructure development programmes in that direction.

(para 2.4.9)

The Committee has been informed by the State/UT Governments that there are separate wards and prisons to house the women prisoners along with their children who are below the age of 6 years. However, it is not clear whether there are separate wards in all the jails which modelled in a children friendly manner. The Committee recommends that women prisoners with children may be housed in separate wards in all the jails which shall be modelled in a children and nursing mother friendly fashion.

(para 2.4.10)

Young offenders

The Committee has noted that the picture of young offenders is not clear across States. In view of this, the Committee recommends that a clear definition of ‘young offenders’ should be given by MHA along with a common guideline to all State/UT Governments describing the procedure to govern them shall be provided for the convenience of the State/UT Governments. State Governments may take steps for holistic development of these young offenders by providing all of them with education, skill/vocational training, nutrition. Also, the rate of recidivism among this category of inmates may be monitored regularly and a study may be conducted to understand the social background of such young offenders.

(para 2.5.3)

The Committee has noted that not all the State/UT Governments have Borstal schools in their jurisdictions. Only Tamil Nadu and 7 other States namely, Himachal Pradesh, Jharkhand, Kerala, Maharashtra, Punjab, Rajasthan & Telangana have borstal schools in their jurisdictions. Taking notice of this fact, the Committee recommends that at least 1 to 2 Borstal schools should be opened in States, where, it is non-existent, on need basis.

(para 2.5.4)

Transgenders in the prison

Transgender prisoners are to be provided the same standards of health care available to other inmates and should have access to necessary health-care services without discrimination on the grounds of their gender identity. The Committee recommends that a doctor of their choice, rather than the prison officials, should examine them before lodging them in appropriate prison so that they may not be misgendered. There should be provisions made in prisons to have medical and health care experts to provide appropriate care to transgender inmates, if it is not feasible to have in house health experts, they may be referred to doctors/ professionals who specialize in this area of health care.

(para 2.6.3)

The Committee recommends there should be separate infrastructure facilities

for transgender prisoners. Separate barracks or ward may be ensured for transmen and transwomen. To preserve their right to privacy and dignity, there should also be provision for separate toilets and bathing facilities for such prisoners.

(para 2.6.4)

Prison staff

The Committee has noted that across all categories of jail staff like - jail cadre staff, warders, correctional staff and medical officers etc., the percentage of vacancies are very high. It has become the most neglected part of the prison administration and it makes the management of the prisons very difficult. Having limited staff and making ad hoc arrangements to address staff shortage will compromise the security. A critical role is played by the Resident Medical Officers, Correctional Staff and Warders in the upkeep of the health conditions of the inmates, reformation and rehabilitation of the inmates and safety and security of the prison and prisoners. The Committee recommends that all posts need to be filled up immediately and no post should remain vacant for more than 3 months.

(para 2.7.3)

The Committee observes that there are likely chances of jail staff colluding with the inmates in passing contraband articles into the prisons. Such corrupt practices in prison administration compromise the security and discipline in the prison. In order to curb such unholy nexus between the jail staff and inmates, the Committee recommends that strict penalties/disciplinary measures should be set in their conditions of service.

(para 2.7.4)

Women staff strength

The Committee has noted that the States that house most of the prisoners are still below the benchmark standard set by BPR&D in the Model Prison Manual, 2016 in respect of staff to inmate ratio (1:6). Keeping this in view, the Committee recommends that all the State prison Departments should comply with the benchmark standards for the staff to inmate ratio as mentioned in the Model Prison manual, 2016. Non-compliance may lead to the compromise of the safety and security of the prison and the prisoners.

(para 2.8.4)

The Committee has noted that the representation of women in prison related jobs is generally low and recommends that advisories may be issued to State Governments to enhance their representation especially in the Correctional Staff category which suites their natural role as care givers.

(para 2.8.5)

The Committee was informed that Ministry of Home Affairs regularly provides guidance and support to the States and Union Territories on diverse issues relating to prison administration, including measures for effective prison management and filling up of vacancies of prison officers and staff in jails. However, the recruitment of Welfare and Law Officers in prisons in the States/UTs is very meagre. The recruitment of those officials is very much needed to improve the conditions of prisons. During the meetings of the Committee with the States, it has been noted that either those posts are not filled or some temporary arrangements are being made by the States. Considering the situations, the Committee recommends that no temporary arrangements to be made, instead the posts of Welfare Officers and Law Officers needs to be filled permanently by recruitments. After recruiting the officials proper training should be given to them in order to have a better understanding of their roles. Overcrowded prisoners may be given additional staff in accordance with the proportion of overcrowding.

(para 2.8.6)

Training given to the prison staff

The Committee observes that training of prison personnel is very essential to enable them to have a dignified approach towards the inmates and to bring about reformation in criminals. In this regard, the Committee recommends that the training programmes conducted by the State Prison Departments may be parameterised and their performance to be evaluated for providing funds.

(para 2.10.3)

The Committee also recommends that a dedicated institute common to all the North Eastern States to impart correctional training to the prison personnel may be established. Each State should endeavour to establish its own training institutions exclusively for training jail staff.

(para 2.10.4)

Rotational transfer of prison staff

The Committee recommends that the Government of India shall create an all-India Jail-Cadre of Union Territories and the jail staffs belonging to the UTs needs to be transferred rotationally from one jail of UT to the other. From the replies of the State/UT Governments, the Committee has noted that there is no exclusive transfer policy in the State Prison Departments and recommends that the Government of India may issue periodic advisories to State Governments to have an exclusive transfer policy for their respective Prison Departments which is in compliance with the Model Prison Manual 2016. Intra-State transfer of prison officials will help them to understand various ecosystems of prisons. This will also minimise nexus with local criminals.

(para 2.11.3)

Sanitation and health care in prisons

The Committee considering the fact that majority of the natural deaths in Indian prisons are attributed to heart problems, lung related ailments, Cancer, Tuberculosis, kidney problems, liver related ailments, brain haemorrhage HIV etc., feels that arrangements for providing treatment to such common ailments be made available in the prisons. The required medical experts like urologists, neurologists, oncologists etc. may be requested to visit the prisons on payment basis. A study may be conducted across the States and UTs to check whether there is an increase in the number of HIV positive patients among prisoners. It may also include how far it is on account of unsafe and unhealthy practices of drug use by prisoners since it can have alarming effects on the health of prisoners who are involved in drug abuse.

(para 2.12.5)

The Committee recommends that there should be sufficient number of toilets and that should be maintained in a clean and decent state. Both men and women prisoners shall be provided with sufficient water and toilet articles necessary for maintaining health and cleanliness. Clothing and linen provided to women should include undergarments, towels and socks in cold climates. Adequate quantity of toilet and washing soap should be provided to all the prisoners. Periodic feedbacks should

be taken from all the prisoners regarding the sanitary conditions of the prison, sanitary items provided to them.

(para 2.12.6)

Food provided to prisoners

The Committee observes that along with prison reforms availability of quality and nutrient rich diet is also essential for the well-being of prisoners. Lack of nutritious food can reduce their ability to contribute and reintegrate back into the society after their release from the prison. The Committee was informed by many of the State Governments that inmates are being involved in various agricultural activities within the prison compounds for production of good quality agricultural produce. The Committee recommends that with the availability of sufficient land, prison administration of all the States may involve inmates in the production of the food via good sustainable agricultural practices and provide for healthy nutritious diet to them.

(para 2.13.3)

The Committee further recommends that surprise checks may be conducted by teams comprising of nutritional experts, medical dieticians, officials from the Ministries, FSSAI etc., to ascertain that the quality and calorific value of food provided to the prisoners is as per the benchmark standards set in the Model Prisons Manual 2016.

(para 2.13.4)

The Committee also recommends that periodic feedbacks should be taken from all the prisoners regarding the quality of food and beverage provided to them. Necessary improvements shall be made based on the feedbacks received.

(para 2.13.5)

The State of Tamil Nadu has constituted a ‘Committee for Change of prisoners Diet’ comprising of Deputy Secretary, Home & Finance Department, Prison Officials, Nutrition Experts from Rajiv Government general Hospital. The mandate of the Committee is to compare the diet pattern of prisoners in Tamil Nadu prisons with that of other States and to review the change in scale and pattern of diet

given. The Committee has taken note of this arrangement and recommends that other States/UTs may also explore constituting such Committees to periodically review and change the diet patterns of their prisoners.

(para 2.13.6)

Types of prisons

The Committee notes that adequate infrastructure can contribute to the overall functioning of the prison system and the well-being of those within it. Cells or dormitories should provide sufficient space, ventilation, and natural light for inmates. Overcrowding should be minimized to ensure the comfort and safety of inmates. Proper security measures, including secure entry and exit points, surveillance systems, and secure barriers, are essential for maintaining order and preventing escapes. Utilization of technology for communication, education, and management can enhance the efficiency and transparency of prison operations.

(para 3.2.2)

The Committee has noted that the satisfactory rate in respect of staff quarters is very low in some States. The State Prison Departments of Madhya Pradesh and Tamil Nadu have informed the Committee that only about 54% and 37% of the prison staff got Government staff accommodation in those States respectively. In view of this, the Committee recommends that all the works related to renovation of old staff quarters should be completed at the earliest. New staff quarters should be constructed wherever required. Care may be taken to make sure that the staff quarters are situated near the prison and amenities like schools, colleges and hospitals etc., are also available nearby.

(para 3.2.3)

The Committee noted that many of the representatives of the State Governments who appeared before the Committee submitted that they are undertaking construction of new buildings, barracks and new prisons to accommodate the increasing number of prisoners. However, the Committee is of the view that these are not enough to address the overcrowding of prisons. In some of the States, the prisons are overcrowded to the extent of 185% of its capacity. The Committee, therefore, recommends there is a need for the State/UT Governments to undertake a comprehensive study covering the population of the region, nature of crimes, rate of conviction, crime rate etc., and accordingly come up with a suitable plan to enhance the capacity of the prisons and/or other alternative. Adequate fund

may be allocated by the Central and State Governments for construction of new barracks, buildings and prisons as per the requirement.

(para 3.2.4)

Prison budget

From the replies given by the State and Union Territory Governments, the Committee has noted that 12 State Governments and 2 Union Territory Governments did not receive funds from their respective Prison Departments. 8 States did not receive any funds from the Central Government. The Committee also acknowledges the facts that funds are an indispensable part in carrying out any form of prison reforms and in modernising the prison infrastructure. Keeping this in mind, the Committee recommends that MHA should take steps for allocation of Central funds to the State Governments that have not received any funds during the last five years in order to enable them to carry out prison reforms and infrastructure development works. The Ministry of Home Affairs may also undertake field visits to ascertain the quality of work done for which the funds were allocated by the Government of India.

(para 3.3.5)

The Committee has noted that very low sum of money equal to 1.0% (₹ 20.50 Crores) is spent on prisoner welfare activities and hence recommends that Government of India may undertake a study on the optimum budget expenditure required per prisoner for the successful reformation and rehabilitation.

(para 3.3.6)

The Committee was informed by the State Government of Gujarat and Andhra Pradesh that there are a few colonial era jails in the country which are more than hundred years old which are in a dilapidated condition. The Committee appreciates the proposals of the Government of Gujarat to make Ahmedabad Jail Bhajiya House-cum-Restaurant-cum-historical gallery, a heritage structure depicting the “life and times” of Mahatma Gandhi, Sardar Patel, Kasturba, Bala Gangadhar Tilak, Zaverchand Meghani, who were all inmates of Sabarmati Jail. The Committee recommends that other States should also come up with similar plans/proposals to renovate the colonial era prisons to preserve their heritage and earn revenue by encouraging tourism.

(para 3.3.7)

The Committee has noted that very low sum of money is spent on prisoner welfare activities and 0.6% (₹ 13.16 Crores) on Vocational/Educational training of prisoners. The Committee recommends that the State Governments may create a Prison Development Fund. All the profits and other incomes accrued from the industrial activity undertaken by the Prison Department may go into such developmental fund. The amount in the fund may be used for the welfare activities of the prisoners which in turn minimize the dependency on the Budget allotment from the Governments.

(para 3.3.8)

The Committee noted from its interactive sessions with the State/UT Governments that the Central funds have been underutilised by some of the States and a few other States have not timely submitted the utilisation certificates with respect to the funds spent. The Committee, therefore, recommends that all the State/UT Governments should fully utilise the Central funds allotted to them and timely submit utilisation certificates in respect of the funds spent and the same should be regularly monitored by MHA.

(para 3.3.9)

Technology and modern equipment usage in prisons

The Committee has observed that the electrical equipment at the disposal of the State Prison Departments is not common across the country. To ensure better security of the prison, the Committee recommends that MHA may standardise a list of equipment to the extent possible for different categories of prisons for the ease of the State Prison Departments.

(para 3.4.7)

The Committee has noted that many State Prisons Departments have no jammers installed. Even in prisons where jammers are installed, they are capable of blocking only 2G and 3G network signals. The Committee has also been informed that mobile phones are one of the major contraband articles that is most frequently smuggled into the prisons. Mobile phones in prisons are a potential hazard for maintaining peace and order in prison. They can be used in gang activity in prisons.

With technological advancement in mobile phones, there are chances of advanced mobile phones that operate on 4G and 5G networks being smuggled into prisons. In order to curb the usage of mobile phones in prisons, the Committee recommends that technologically upgraded jammers that are able to block all signals from 2G to 5G should be installed in all prisons.

(para 3.4.8)

The Committee has observed that the percentage of interviews through VC has been low despite the facility being available through e-Mulakat. To increase the utilisation of this facility, the Committee recommends that NIC may take feedback from the prison administrations for its low utilisation and take necessary steps to further increase its utilisation.

(para 3.4.9)

The Committee notes that most of the time bail is denied on three counts i.e. the undertrial prisoner may influence or intimidate the witness(es); will try to leave country or commit another crime. The Committee in its meeting was informed about the bracelet/anklet tracker by the State Government of Odisha. The Committee is of the view that technology can be explored to produce cost effective bracelet or anklet tracker that can be worn by the prisoners who have procured bail and are out of prison on bail. Through the use of these kinds of trackers, administrative machinery or human resources staff involved in keeping track of prisoners who are out on bail can be reduced and it could be a cost-effective method for keeping track of such prisoner without the involvement of large administrative staff strength. At the same time, it must be ensured that to avoid any kind of human rights violation this scheme or method should be used on voluntary basis after procuring the consent of inmates. The Committee is of the opinion that it can also minimize the problem of overcrowding in prison to some extent.

(para 3.4.10)

e-Prisons software

Through the background notes, submissions during the meetings and replies to Questionnaire, the Committee has ascertained that all the modules under e-Prisons MIS have not been activated by all the State Government Prison Departments. In this regard, the Committee recommends that MHA may take up the issue with the State Governments for activating all the modules under e-Prisons MIS.

(para 3.5.5)

Tamil Nadu State informed the Committee in its meeting that the Crime and Criminal Tracking Network & Systems (CCTNS) and e-Courts are still not integrated with the e-Prisons. In this regard, the Committee recommends that MHA may escalate the issue with NIC for faster integration of CCTNS and e-Courts with e-Prisons which is going to benefit all the stakeholders like police, prison administration, prosecutors, law courts and forensic laboratories. MHA should issue periodic advisories to all the States to take steps to integrate all their prisons through e-Prisons software so that they can obtain the benefits of ICJS.

(para 3.5.6)

Welfare activities for prisoners

The Committee appreciates the scheme ‘PATTAM’ of the Tamil Nadu Prison Department aimed at reforming the first-time young offenders through counselling and the similar scheme ‘UNNATI’ of the Telangana Prison Department. The Committee recommends that such programmes aimed at reforming the first-time offenders through the joint effort of police, prison and judiciary need to be replicated in all the States/UTs to enable the first-time offenders to correct themselves and become a responsible member of the society. Such schemes will reduce the rate of recidivism. Moreover, steps should be taken by State Prison Departments to identify the different types of trades traditionally practiced in their jurisdiction and accordingly come up with vocational/skill training courses. This will make it easy for the prisoner to pick a course of his interest.

(para 4.3.3)

The Committee has also taken note of the health-oriented programmes like – ‘Health ATMs’ of Uttar Pradesh, ‘Reformation Assistant’ of Tamil Nadu, ‘Samarth’ of Gujarat and ‘Swasthya Rakshak’ as in case of Chhattisgarh and recommends that

other States/UTs may adopt similar such schemes to benefit the prisoners in the upkeep of their physical and mental wellbeing.

(para 4.3.4)

Under the SRIJAN Initiative, the Assam Prison Department has been aiming to transform jails into correctional homes for rehabilitation of prisoners by providing financial assistance & training for post release settlement and livelihood. The Committee appreciates this initiative and recommends that all the other States/UTs may also strive to bring in such initiatives to change the prisons from being institutions of punishment into institutions of reformation and rehabilitation.

(para 4.3.5)

The Committee has noted that the jail inmates are deprived of contact with their family and friends for an indefinite period. Such separation makes them feel isolated/lonely which can be stressful for them. To address this issue, the Committee recommends implementing programmes like - ‘Ashirvad Anusthan’ of Assam where the children of convicts meet them to take blessings for their class 10th exams, ‘Sparsh’ of Delhi to provide financial assistance to prisoners with no family, ‘touch and feel’ of Tamil Nadu where the prisoners are allowed to meet and touch their family members; would enable the inmates to cope up with their loneliness and stress.

(para 4.3.6)

Vocational training and skill development programmes

The Committee has observed that only a paltry 0.6% of prison budget (all India level) is given for the vocational/educational training of prisoners and only a 7.09% of the total prisoners in the country are receiving any kind of skill training in the country. The vocational/skill training and educational has a positive impact on the prisoners, in their reformation and rehabilitation. Hence, the Committee recommends that given the positive impact it has in reforming the criminals, the Central Government may undertake a study to analyse the reasons for such a low participation of prisoners in skilling/training activities.

(para 4.4.6)

The Committee was informed by various State/UT Governments that the prisoners are earning while in prisons by way of producing bakery products, carpet weaving, soaps, incense sticks, agricultural products, etc. However, from the presentations it has been found that the wages/earnings which they are getting are very less. Hence, the Committee is of the view that it is essential to ensure that the wages paid to prisoners are fair and equitable and that prisoners are not exploited for their labour. Therefore, the Committee recommends that the wages of the prisoners needs to be increased as this will help to improve the socio-economic conditions of prisoners and reduce recidivism rates.

(para 4.4.7)

The Committee notes that almost all the prisons in various State and UTs are providing skill based vocational training to their inmates for their rehabilitation and future source of livelihood. Prisoners are being imparted training in various trades/industries like welding, masonry, furniture, leather items, garments, bakeries etc. The Committee recommends that the products made by the inmates needs to be marketed through e-marketing platform so that the products can be sold at wider scale. It feels that online selling of these products can create a larger market and give the opportunity to convicts to earn all through the year. NGOs or activists can be involved for marketing their products. At initial level, they can tie up with government offices, institutions, hospitals, schools etc. to sell their products.

(para 4.4.8)

Library and recreation

The Committee is of the view that setting up of libraries in prison can play an important role in the rehabilitation of inmates. Library is a storehouse of vast knowledge and information which can provide unlimited opportunities to prisoners not only to gain and upgrade their educational skills but also to provide free access to relevant resources which may be crucial for their personal growth and overall well-being. It can be a source of alternate and constructive recreational activity for prisoners who are fond of reading. The Committee feels that with limited fund resources, setting up a library may be a daunting task for prison administration. The Committee, therefore, recommends that the prison administration which do not have

library facilities in their jails, can start by setting up of small library by receiving second-hand books. Gradually, a small allocation of funds for upgrading their libraries may be made on regular basis to have a well stocked library. The Committee also feels the efforts taken by States like Tamil Nadu, Kerala, Rajasthan, etc. for library facilities in their prisons needs to be appreciated and other States have to follow those practices. At the same time, the Ministry may also highlight the importance and utility of library facilities by giving advisory to State/UT prison administration in this regard.

(para 4.5.4)

Educational opportunities and legal literacy

The statistical table above shows that about 65% of the prisoners in the jails across the country are illiterate or who got education below class 10th. About 10% of the prisoners are having educational levels above graduation. From these statistical data/facts it may be presumed that the tendencies of committing a crime are higher in case of a person with lower educational levels. In this regard, the Committee suggests that all the States need to increase their expenditure on enhancing the educational levels of the prisoners. The prison administrations in the country should focus more on the prisoner's education by starting more schemes/programmes in that direction. The Committee appreciates the efforts of States like Chhattisgarh which are making use of educated inmates to teach other prisoners who are illiterate. Similar arrangements may be made by other State Governments also.

(para 4.6.5)

The Committee notes that one of the biggest challenges for ex-prisoners is finding employment upon release. Education equips them with relevant skills and qualifications, significantly improving their job prospects. When prisoners participate in educational programs and successfully reintegrate into society, it has a positive ripple effect on their families and communities. While providing educational opportunities to prisoners involves some initial investment, it can ultimately result in cost savings for society. Lower recidivism rates mean reduced expenses related to law enforcement, courts, and incarceration, as well as increased tax revenue from productive, employed citizens. The Committee also noted that IGNOU study centres

are functional in many of the prisons of various States. The Committee recommends that IGNOU study centres may be established as far as possible in all the major prisons of the country.

(para 4.6.6)

The Committee appreciates the Email My Case Status (EMCS) system implemented in Gujarat prisons to enable the inmates to observe the procedure of Hon'ble High Court through its You Tube Channel. The Committee also recommends that such systems should be replicated in the prisons of other States also as it is a best practice and it helps in imparting legal knowledge to the prisoners.

(para 4.6.9)

The Committee recommends that more and more inmates should be motivated/encouraged to take up training as Para Legal Volunteers (PLVs) for assisting the Legal Aid Clinics established at prisons. This shall help in the spread of legal knowledge among the prisoners. This shall also empower the prisoners to be aware of their legal rights in the prisons which in turn would facilitate in making the quality of prison administration better. The Governments should strive to impart legal literacy to all the educated prisoners.

(para 4.6.10)

The Committee also recommends that the statistical data regarding the number of prisoners trained as PLVs may be obtained by the NCRB from all the State/UT Governments and to be included in the subsequent reports of the 'Prison Statistics India'. Such data shall be of usage to the stakeholders in addressing the issue of lack of legal literacy among the prisoners by devising specific schemes/programmes.

(para 4.6.11)

Age-group wise percentage of prisoners

The Committee considering the fact that the number of convicts and undertrials above the age of 50 years are very less compared with the prisoners of

other age groups, recommends that a panel comprising of medical officers, officers from prison administration, NGOs, social scientists may be constituted to study the possibility of releasing the prisoners who are suffering from health issues and are above the age of 75 years as a respite measure or keep them in open prisons in cases where release is not possible.

(para 4.7.2)

Status of adoption of Model Prison Manual, 2016

Going by the information received from the State/UT Governments, the Committee notes that most of the State/UT Governments have their own Jail Manual which may be slightly different from the Model Prison Manual, 2016. The picture about adoption of Model Prison Manual, 2016 is not very clear with respect to some States. Some States have adopted the Manual, some have amended their respective Jail Manuals in accordance with the Model Prison Manual, 2016. Some of the States are in the process of adopting the Manual. In this regard, the Committee recommends that MHA may have more meetings with the State Governments to have a clear picture about its adoption. MHA may also advice the States to adopt the Manual as it will enable the States/UTs.

(para 4.8.3)

Measures to control criminal activities in prisons

The Committee has noted that overcrowding is one of the major challenges in the prison administration and recommends that all the State/UT Governments may take necessary actions as early as possible with regard to implementing the ‘Support to Poor Prisoners’ programme announced by the Central Government in the Union Budget 2023-24 to benefit the eligible prisoners under this scheme.

(para 4.10.4)

During its interactive sessions with various State/UT Governments, the Committee was informed that ganja and cell phones are the common contraband items that are most frequently smuggled into the prisons among others. The Tamil Nadu State Government informed that throw method using catapult is one of the common approaches employed to smuggle the contrabands into the prisons. The Committee observes that the articles like cell phones inside the prison are used by the

inmates to operate criminal activities outside the prison. Possession of cell phones in the hands of the prisoners can also stir up gang wars inside jails. Usage of ganja and other narcotics in prison compromises the reformation and rehabilitation of the inmates. The Committee also observes that e-Mulakat, video conferencing etc., will also help reduce the smuggling of the contraband into the prison as prisoners can communicate with their families through such facilities. The Committee has also noted that the prison staffs are helping the prisoners to get the contraband inside the prison. Keeping in view of the negative impact the contrabands can have on reformation of prisoners, the Committee recommends that the frisking standards should be enhanced in all the State prisons. MHA should set benchmark frisking standards to curb the entry of contraband articles and in turn prevent gang wars. All the State/UT Governments shall comply with such standards. Further, drones should be used in prisons to keep an aerial surveillance of the prison premises. Sniffer Dog Squads may also be used in detecting contrabands.

(para 4.10.5)

The Committee has observed that more than 70% of the prisoners in Indian jails are undertrials. They are not being released from the prisons for want of sureties/inability to pay fine amounts. The prison administrations are spending lot more money on keeping such prisoners inside jails than the bail money required for their release. A fund on the lines of ‘Cheyutha Nidhi’ started by Andhra Pradesh Prison Department for payment of fine amounts for poor prisoners should be created in all the States/UTs.

(para 4.10.6)

The Committee observes that motivating prison staff is crucial for maintaining a positive and effective correctional environment. Working in a prison can be challenging, and staff members often deal with high levels of stress and burnout. The Committee also appreciates the initiative of the Assam Prisons Department to presented the “Prerona Bota” award to the employees and staff of jails for their exemplary services. The Committee recommends an award program should be conducted for acknowledging the prison staff for their dedication and outstanding contributions towards maintaining secure and rehabilitative correctional environments. Various categories of awards like - exceptional performance,

teamwork, innovation, and positive interactions with inmates may be given to the staff. Recognition of their work will boost their morale and job satisfaction.

(para 4.10.7)

In order to address the problem of inadequate technical assistants/ DEOs to implement e-Prisons, the Committee recommends that the respective State/UT Governments may recruit persons for such posts on regular basis or services of technical assistants/DEOs may be obtained by outsourcing the requirement or the under graduate students from courses like criminology/forensics may be taken as interns to inter alia provide such services.

(para 4.10.8)

The Committee is of the view that online availability of prison made products would create awareness among masses about the work done by prisoners and will bring about positive outcome for their reforms. In the meetings of the Committee, some States have pointed out that the prison products need to be exempted from GST. The Committee, therefore, recommends that these products should be kept out of the purview of GST as it will give a competitive edge for the prison made products over the similar products manufactured by big business houses and help in improving their sales and profitability.

(para 4.10.9)

The Delhi Prisons Department has pointed out that less importance is given to prisons in city planning and there is no standard design/architecture for prisons. The Committee has noted these issues and recommends that MHA should issue advisories to all the State/UT Town Planning Divisions to consider providing space for prisons whenever they make town/city plans. MHA could also take steps to come up with a standard design/architecture for prisons and share it with all the State/UT Governments.

(para 4.10.10)

The Committee notes that key reforms that can be considered for addressing the drug problem in prisons are - Strengthen security protocols at entry points to prevent drugs from being smuggled into prisons; use advanced technologies such as

body scanners, drug-sniffing dogs, and CCTV surveillance to detect contraband; implement thorough visitor screening procedures to ensure that visitors do not bring drugs into the prison; restrict physical contact during visits to prevent the transfer of drugs; train prison staff to recognize signs of drug use or trafficking among inmates and visitors; educate staff about the dangers of drugs and the importance of maintaining a drug-free environment; conduct regular and random searches of cells, common areas, and inmates to deter drug smuggling.

(para 4.10.11)

The Committee recommends that surveillance technology should be used in prison on drug detection at each and every entry point of the prison. By making all the staff, inmates, visitors, delivery items to be searched before entry into the prison, entry of contraband item in prison can be controlled to an extent. In addition, technology should also be used to address the challenges of smuggling of drugs in prisons as prison staff cannot fully contain this menace and they need the assistance of technological intervention to address this issue. The Committee also recommends that a multilayered approach such as physical search, use of X-ray scanners, other devices that can detect drugs, and rehabilitation programmes for prisoners afflicted with drug addiction should also be put in place as it can significantly reduce the entry of drugs within correctional facilities/jails. The States/UTs may consider planning programmes like Opioid Substitute Therapy (OST) as in the case of Assam to de-addict and wean away such prisoners, in the jails.

(para 4.10.12)

The Committee is of the view that sometimes out-dated technological devices fail to detect the drugs contraband in jail premises. Therefore, it recommends that considering the technological advancement, prison administration should make a provision for additional investment to procure advanced and modern equipment and make an effort to control this problem at initial stage itself.

(para 4.10.13)

The Committee has noted that there are no organized programmes available for the aftercare of the inmates. The Committee likes to point to the efforts made by the Telangana State Prison Department in making arrangements for employing the released prisoners in petrol pumps and also setting up a placement agency to provide jobs to the released prisoners. The Committee recommends that all the States/UTs may take necessary steps to set up similar such placement agencies for securing a job for the released prisoner. For this purpose, the prison departments may associate with NGOs, industries etc. Such measures will also help the prison departments to observe and study the social behaviour of the released prisoner through feedbacks from the employer.

(para 4.10.14)

Best practices of State/UT Prison Departments

The Committee notes the initiatives taken by various State/UT Governments to improve the conditions and infrastructure of prisons. The Committee is of the view that the best practices followed in certain States/UTs. may be shared among prison administrations of other States/UTs to reap the benefits of such practices.

(para 4.12.2)
