

## Prisons in India- a Snapshot

**Prisons** is a State subject under List-II of the Seventh Schedule to the Constitution of India. Under the Federal system of Indian Government there are 28 States and 7 Union Territories (UTs). The management and administration of Prisons falls exclusively in the domain of the State Governments/UT Administrations, and is governed by the Prisons Act, 1894 and the Prison Manuals of the respective State Governments. Thus, States/UTs have the primary role, responsibility and authority to change the current prison laws, rules and regulations. And Central government providing assistance to the States/UTs to improve security in prisons, repair and renovation of old prisons, medical facilities, development of borstal schools, facilities to women offenders, vocational training, modernization of prison industries, training to prison personnel, and for the creation of high security enclosure.

In its judgments on various aspects of prison administration, the Supreme Court of India has laid down **three broad principles regarding imprisonment** and custody. **Firstly**, a person in prison does not become a non-person; **secondly**, a person in prison is entitled to all human rights within the limitations of imprisonment; and, **lastly** there is no justification for Aggravating the suffering already inherent in the process of incarceration.

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*Correction-Transformation-Re-integration*

# S N A P S H O T S - 2011

## ❖ Total Number of Jails in the country : **1,382**

Central Jails : 123	Open Jails : 44
District Jails : 333	Borstal Schools : 21
Sub Jails : 809	Special Jails : 30
Women Jails : 19	Other Jails : 3

## ❖ Total Capacity of Jails in the country : **3,32,782**

Central Jails : 1,37,249 (41.2%)	Open Jails : 3,766 (1.1%)
District Jails : 1,24,768 (37.5%)	Borstal Schools : 2,218 (0.7%)
Sub Jails : 50,908 (15.3%)	Special Jails : 9,279 (2.8%)
Women Jails : 4,271 (1.3%)	Other Jails : 323 (0.1%)

## ❖ Total Number of Jail Inmates as on 31.12.2011 : **3,72,926**

Male : 3,56,902 (95.7%)	Female : 16,024 (4.3%)
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## ❖ Occupancy Rate

2009 – 122.8%	2010 – 115.1%	2011 – 112.1%
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<b>Convicts : 1,28,592 (34.5% of total inmates)</b> Male : 1,23,633 (96.1% of total convicts) Female : 4,959 (3.9% of total convicts)	<b>Undertrials: 2,41,200 (64.7% of total inmates)</b> Male : 2,30,266 (95.5% of total undertrials) Female : 10,934 (4.5% of total undertrials)
<b>Detenues : 2,450 (0.7% of total inmates)</b> Male : 2,363 (96.4% of total detenues) Female : 87 (3.6% of total detenues)	<b>Others : 684 (0.2% of total inmates)</b> Male : 640 (93.6% of total others) Female : 44 (6.4% of total others)

## Foreigners

<b>Convicts : 2,020</b>	<b>Undertrials : 3,601</b>	<b>Detenues : 137</b>
(Male : 1,858, Female : 162)	(Male : 3,230, Female : 371)	(Male : 133, Female : 4)

- ❖ No Borstal School, Open Jail and Other Jail existed in any of the UTs at the end of 2011.
- ❖ The highest number of 82,383 inmates (79,244 male : 3,139 female) were reported from Uttar Pradesh (22.1%) followed by Madhya Pradesh 32,916 (31,831 male : 1,085 female), Bihar 28,032 (27,151 male : 881 female) at the end of the year 2011.
- ❖ Lakshadweep reported the highest overcrowding in prisons (500.0%) followed by A & N Islands (362.1%).
- ❖ 383 Women Convicts with their 440 children and 1,177 Women undertrials with their 1,289 children were reported to be in prisons in the country at the end of 2011.
- ❖ 154 inmates were reported escaped from inside prison during 2011.
- ❖ Maximum number of 28,051 (27,146 male : 905 female) Convicts were reported from Uttar Pradesh (21.8% of total Convicts in the Country) followed by Madhya Pradesh 15,956 (15,502 male : 454 female) accounting for 12.4% of the total convicts in the country at the end of the year 2011.

- ❖ Murder alone accounted for 58.0% (64,954 out of 1,11,987) of the total Convicts under IPC Crimes. The highest percentage of Murder Convicts was reported from Uttar Pradesh (18.3%) followed by Madhya Pradesh (16.1%) of the total Murder convicts at the end of the year 2011.
- ❖ 25.3% (1,777 out of 7,027) of conviction relates to rape cases reported from Uttar Pradesh.
- ❖ The highest percentage (26.9%) (51,695 out of 1,91,990) of undertrials were charged with Murder. Uttar Pradesh reported the highest number (8,595) of such Undertrials (16.6%) followed by Madhya Pradesh 4,776 (9.2%).

### **Period of Detention**

- ❖ Maximum number of undertrials was detained for up to 3 months (40.1%)
- ❖ 1,486 Undertrials (0.6% of total undertrials) were detained in jails for more than 5 years at the end of the year 2011. Uttar Pradesh had the highest number of such undertrials (340) followed by Bihar (252).
- ❖ 13,73,823 undertrials were released during the year 2011.
- ❖ 477 Convicts including 12 females lodged in different jails of the country at the end of the year 2011 were awarded capital punishment.
- ❖ 68,935 Convicts including 2,736 women accounting for 53.6% of total Convicts in the country were undergoing sentences for Life Imprisonment at the end of the year 2011 followed by sentence for 10-13 years (11.7%) at the end of the year 2011.
- ❖ 117 prisoners were awarded death sentence during 2011 while 42 death sentence were commuted to Life Imprisonment. However, no execution took place during the year 2011.
- ❖ A total of 2,17,818 convicts were released during the year 2011.
- ❖ 10,542 Convicts were repeat/recidivists which accounted for 4.7% of total convicts admitted during the year.

### **Demographic particulars of inmates**

- ❖ Out of 1,28,592 convicted inmates 1,18,996 belong to the same State, 7,576 inmates belong to other States and 2,020 inmates belong to other countries.
- ❖ Out of 1,28,592 convicted inmates, majority of inmates are either illiterate (37,912) or education below class X (57,098).
- ❖ The highest number of Graduate (1,425) and Post Graduate (405) convicts were reported from Uttar Pradesh at the end of the year 2011.
- ❖ Out of 2,41,200 undertrials inmate, 74,203 were illiterates, 1,02,852 were educated below Class X, 48,644 having education of above Class X & below graduation, 10,698 were graduates and 3,154 were post graduates.

## Deaths in Jails

- ❖ Total of 1,332 deaths were reported (1,244 natural and 88 un-natural) during the year 2011.
- ❖ 43 deaths of female inmates were reported during 2011, out of which 8 deaths were suicidal in nature.

### Number of convicts and undertrial prisoners in different age-groups

- ❖ 46,480 (36.0%) convicted prisoners were in the age group of 18 - 30 years, 61,133 (47.6%) convicts were in the age-group of 30 - 50 years and 20,979 (16.4%) convicts were 50 years or more. No convicted prisoner was in the age group of 16-18 years in any jails of the country.
- ❖ 65 (0.0%) undertrial prisoners were in the age group of 16-18 years, 1,16,307 (48.2%) in the age group of 18 - 30 years, 98,609 (40.9%) undertrials were in the age-group of 30 - 50 years and 26,219 (10.9%) undertrials were 50 years or more.
- ❖ Only 12 States/UTs have reported lodging a small number of civil prisoners. 123 convicted and 554 under-trial civil prisoners were reported from 7 and 9 States/UTs respectively.

### Rate of change in number of Convicts

- ❖ The number of convicted prisoners have increased marginally by 2.2% in 2011 (1,28,592) over 2010 (1,25,789).
- ❖ Number of persons convicted under Murder charges increased by 2.9% in 2010 and decreased by 2.3% in 2011 over respective previous year.
- ❖ Number of persons convicted under Attempt to Murder decreased by 5.0% in 2010 and increased sharply by 23.2% in 2011 over respective previous year.
- ❖ Number of persons convicted under Rape charges decreased by 5.1% in 2010 and increased by 2.6% in 2011 over respective previous year.

### Training

- ❖ Total of 43,317 out of 3,72,926 inmates were trained during the year 2011.
- ❖ Maximum number of training (4,427) was imparted in Weaving followed by Carpentry (3,833), Tailoring (3,406), Agriculture (2,538) and Handloom (797).
- ❖ Highest number of inmates trained in Agriculture, Carpentry, Canning, Tailoring, Weaving, Soap & Phenyle making and Handloom were reported in Madhya Pradesh (1,561), Gujarat (1,808), Assam (136), Madhya Pradesh (739), Gujarat (1,396), Kerala (160) and Jharkhand (309) respectively.

### **Rate of change in number of Undertrial prisoners**

- ❖ The number of undertrial prisoners has increased by **0.5%** in 2011 (**2,41,200**) over 2010 (**2,40,098**).
- ❖ Number of undertrial prisoners under Murder charges increased by **3.1%** in 2010 and decreased by **0.3%** in 2011 over respective previous year.
- ❖ Number of undertrial prisoners under Attempt to Murder charge decreased by **2.7%** in 2010 and increased by **3.0%** in 2011 over respective previous year.

### **Prison Administration and Earning by Prison Inmates**

- ❖ 42.1% of jail inspections were done by Medical Officials.
- ❖ The highest earning by inmates trained in various vocational programmes was reported from Uttar Pradesh (**₹ 1,842.1 lakh**) followed by Bihar (**₹ 1,821.4 lakh**), and Maharashtra (**₹ 1,058.3 lakh**) during the year 2011.
- ❖ The highest earning per inmate was reported from Chandigarh (**₹ 12,044.7**) followed by Delhi (**₹ 7,821.7**), Gujarat (**₹ 7,177.0**), Bihar (**₹ 6,497.6**) and Kerala (**₹ 4,559.3**) as against All-India average of **₹ 2,453.5** during the year 2011.
- ❖ The highest annual expenditure per inmate was reported from Delhi (**₹ 70,753.9**) followed by Nagaland (**₹ 58,087.6**), D&N Haveli (**₹ 40,000.0**), Sikkim (**₹ 35,210.5**) and Uttarakhand (**₹ 34,912.6**) as against All-India average of **₹ 20,536.7** during the year 2011-12.

### **Inmate Population and Strength of Jail Officials**

- ❖ The prisons have a staff strength of **40,886** jail officials to take care of **3,72,926** inmates which amounts to 1 Jail Official per 9 inmates.
- ❖ The highest number of inmates per prison staff was reported from Bihar (**18**) followed by Jharkhand (**15**), Chhattisgarh (**14**), Uttar Pradesh (**12**) and Gujarat (**10**).

### **Miscellaneous**

- ❖ **32,142** out of **1,14,665** inmates from Tamil Nadu were taken out of jail on remand & other purpose. While maximum of **37.0%** (**2,56,939** out of **6,95,134**) inmates in Delhi were taken out of jail for Medical attendance.
- ❖ **28** incidences of Jail break and **31** clashes/group clashes were reported during the year 2011. **4** inmates were killed and **77** inmates were injured in such clashes.
- ❖ Total of **4,629** jail officials (**1,433** Officers and **3,095** Staff) had attended various training programmes during the year 2011.
- ❖ **1,532** prisoners were provided with financial assistance on release. **1,776** convicts were rehabilitated and **52,042** prisoners were provided legal aid.