

State of Indian prisons

Judicial delays are among the main reasons for the overcrowding in Indian prisons, where undertrials constitute more than 60 per cent of the inmates.

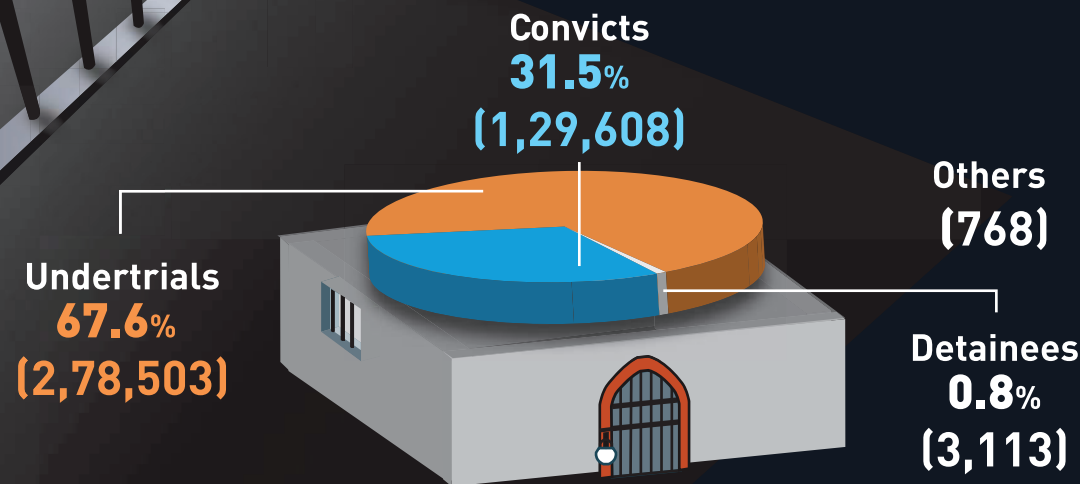
BY R.K. RADHAKRISHNAN

PRISON DATA 2013

Prison inmates lodged in various jails

Total inmates

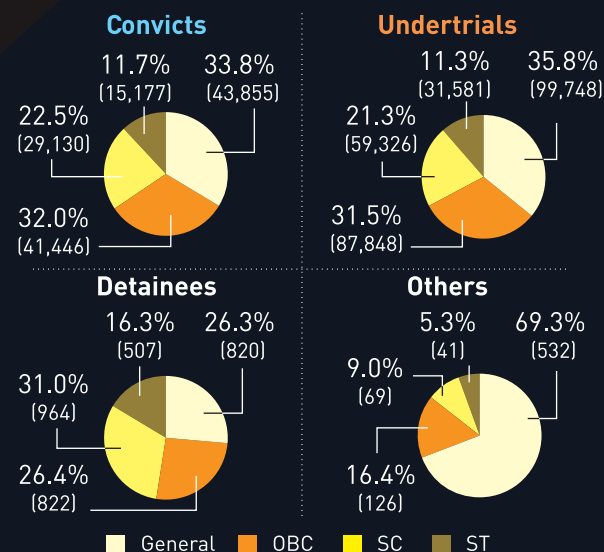
4,11,992



Mental illness
1.8% of convicted, 0.9% of undertrial and 1.4% of detainee inmates were reported as suffering from mental illness at the end of 2013. The inmates suffering from mental illness lodged in jails:

- Gujarat 633
- Odisha 577
- Andhra Pradesh 409
- Madhya Pradesh 366
- Uttar Pradesh 349
- West Bengal 306
- Kerala 296
- Karnataka 283
- Rajasthan 260
- Jharkhand 190
- Maharashtra 163
- Punjab 118

Caste-based classification



Source: Prison Statistics India, 2013; Prisonstudies.org

INDIAN prisons are overcrowded and have a disproportionately large number of Muslims and Scheduled Caste and Schedule Tribe people, and there seems to be no solution in sight for any of the immediate problems.

The occupancy rate at the all India level at the end of 2012 was 112.2 per cent, which went up to 118.4 per cent at the end of 2013, according to Prison Statistics India, 2013. The worst overcrowding was reported in district jails (134.7 per cent), followed by central jails (121.2 per cent).

There is one silver lining though. The South Asian region has, in comparison, lower incarceration rates (per 100,000 of national population) than the rest of the world. According to Prisonstudies.org, Seychelles accounts for the highest rate of 868 and the United States is second at 707. While Prison Statistics India puts the rate of incarceration in the country at 32, Prisonstudies.org puts the number at 33. In the region, Maldives has the highest incarceration rate (320), followed by Myanmar (113), Sri Lanka (105), Afghanistan (83), Nepal (52), Bangladesh (42) and Pakistan (41). China has a rate of 124.

UNDERTRIALS

Undertrial prisoners are the main reason for overcrowded prisons. It is a reflection of the unduly long process that an accused goes through before being acquitted or convicted. Apart from the delays at the level of the police, Indian courts are overloaded with cases, which will require more than the filling up of judicial vacancies to dispose of. As of end 2013, 4.4 million cases were pending in various High Courts. Subordinate courts had nearly five times that number of cases in pendency.

The percentage of undertrial and convicted prisoners in the total prisoners in various jails was reported as 67.6 and 31.5 respectively in the country in 2013. As many as 3,047 undertrials were detained in jails for five years or more. The highest number of such undertrial prisoners was reported from Uttar Pradesh (914), which accounted for 30 per cent; Bihar (464, 15.2 per cent); and Punjab (294, 9.6 per cent). A total of 9,842 undertrial prisoners were lodged beyond three years and up to five years at the end of 2013. There were 2,679 such undertrial prisoners in Uttar Pradesh followed by Bihar (1,243) and Punjab (1,023).

As many as 4,820 of the 4,11,992 persons lodged in various jails in the country were reported as mentally ill, accounting for about 1.2 per cent.

A total of 2,353 foreigners (2,192 males and 161 females) were lodged in various jails in the country as convicts. Foreigners lodged in various jails of the country as undertrial prisoners numbered 4,353 (3,905 males and 448 females).

Classification of prisoners on the basis of religion

	HINDU	MUSLIM	CHRISTIAN
Convicts	72.0% (93,273)	17.1% (22,145)	—
Undertrials	69.0% (1,92,202)	21.0% (57,936)	—
Detainees	68.9% (2,144)	19.7% (613)	7.9% (248)
Others	48.0% (368)	51.0% (392)	—

States/UTs with a high percentage of undertrials lodged in prisons

