

GOVERNMENT OF INDIA  
MINISTRY OF LAW AND JUSTICE  
DEPARTMENT OF JUSTICE

**RAJYA SABHA**  
**UNSTARRED QUESTION NO-417**  
ANSWERED ON 25/07/2024

**UNDER-TRIALS LANGUISHING IN DIFFERENT JAILS ACROSS THE COUNTRY**

417. SHRI C. VE. SHANMUGAM:

Will the Minister of Law and Justice be pleased to state:

- (a) whether it is a fact that there are a large number of under-trials languishing in different jails in various parts of the country, if so, the details thereof;
- (b) whether Government has any proposal to set up fast track courts for delivering speedy justice to such undertrials, if so, the details thereof;
- (c) whether Government has received any suggestions/proposals in this regard, if so, the details thereof; and
- (d) the details of the action taken/proposed to be taken by Government in this regard?

**ANSWER**

**MINISTER OF STATE (INDEPENDENT CHARGE) OF THE MINISTRY OF LAW AND JUSTICE; AND MINISTER OF STATE IN THE MINISTRY OF PARLIAMENTARY AFFAIRS**

**(SHRI ARJUN RAM MEGHWAL)**

- (a) As per Prison Statistics India-2022, released by National Crime Records Bureau on 01.12.2023, there are 4,34,302 undertrial prisoners in the Country as on 31.12.2022.
- (b) to (d) No separate suggestions/proposals have been received in Department of Justice in respect of setting up Fast Track Courts, for undertrial prisoners. However, the Government of India, in the light of the Budget announcement during presentation of Budget 2023-24, has formulated the 'Support to Poor Prisoners Scheme' for providing financial assistance to indigent prisoners to pay fine and obtain remission' through the State Governments with a budget provision of Rs 20 crore every year.

In addition, Section 436-A which was added to then Code of Criminal Procedure (CrPC), provides for release of an undertrial prisoner on bail after serving half of the maximum period of imprisonment prescribed for an offense under any law. The concept of “Plea Bargaining” was also introduced by inserting “Chapter XXIA” in the then CrPC, which facilitates pre-trial negotiations between the defendant and the prosecution. Section 436-A and Chapter XXIA in the then CrPC has now been replaced with Section 479 and Chapter XXIII respectively in the Bharatiya Nagarik Suraksha Sanhita, 2023.

Further, in order to facilitate early release of undertrial prisoners, a “Prison Management Application” (e-Prison Software) integrated with “Inter-Operable Criminal Justice System” has been introduced which facilitates State Prison Authorities to capture data of prisoners and identify those prisoners in a quick and efficient manner. It also helps to identify pending cases for consideration by the “Undertrial Prisoner Review Committee (UTRCs)”. The district level UTRCs, established in all the districts, are required to conduct quarterly meetings. During the period from 1<sup>st</sup> January 2020 to 31<sup>st</sup> March, 2024, National Legal Services Authority (NALSA) through State Legal Services Authorities (SLSAs) and District Legal Services Authorities (DLSAs) organized 39,968 UTRC meetings after which 1,04,577 inmates were released.

The SLSAs have also set up Legal Services Clinics in prisons, which provide free legal aid to needy persons. These Legal Services Clinics are managed by empanelled Legal Services Advocates and trained para-legal volunteers. Such clinics have been set up in jails to ensure that all prisoners have access to advocates to represent them and to provide them with legal aid and advice. About 3.87 lakh persons were provided legal assistance in the said clinics during April, 2023 to May, 2024. NALSA also organizes awareness camps in prisons to create awareness about the legal rights of prisoners, including the availability of free legal aid, plea bargaining, Lok Adalats and their right to bail.

\*\*\*\*\*