

**GOVERNMENT OF INDIA  
MINISTRY OF HOME AFFAIRS**

**RAJYA SABHA  
UNSTARRED QUESTION NO. 2008**

**TO BE ANSWERED ON THE 6<sup>TH</sup> AUGUST, 2025/ SRAVANA 15, 1947 (SAKA)**

**OVERCROWDING AND UNDERTRIAL PRISONERS**

**2008        SHRI RAGHAV CHADHA:**

**Will the Minister of Home Affairs be pleased to state:**

**(a) whether Government is aware that a majority of prisons in the country are operating beyond their capacity, largely due to the high number of undertrial prisoners;**

**(b) if so, the steps taken to expedite trial processes and reduce the number of under-trials in prisons;**

**(c) whether there is a plan to modernise prison infrastructure and ensure the right to speedy justice for under-trial inmates; and**

**(d) if so, the details thereof?**

**ANSWER**

**MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS**

**(SHRI BANDI SANJAY KUMAR)**

**(a): The National Crime Records Bureau (NCRB) compiles prison statistics reported to it by the States and Union Territories and publishes the same in its annual publication "Prison Statistics India." The latest published report is of the year 2022. As on 31.12.2022, the total available capacity of all prisons in the country was 4,36,266 as against which 5,73,220 prisoners were lodged therein. Out of 5,73,220 prisoners lodged in prisons, 4,34,302 were undertrial prisoners.**

**(b): “Prisons”/“persons detained there in” is a State-List subject under Entry 4 of List II of the Seventh Schedule to the Constitution of India. Administration and management of prisons and prisoners is, therefore, the responsibility of respective State Governments, who are competent to take necessary measures for expediting the trial of undertrial prisoners.**

**The State Legal Services Authorities have established Legal Service Clinics in the jails of the country for providing free legal aid to persons in need. Such clinics have been established in jails to ensure that no prisoner remains unrepresented and legal aid and advice is provided to the prisoners. Additionally, the National Legal Services Authority (NALSA) also conducts awareness camps in the jails for generating awareness about the availability of free legal aid, plea bargaining, Lok Adalats, and the legal rights of inmates, including their right to bail.**

**Video Conferencing facility has been enabled between the court complexes and corresponding jails for expediting the trial process. As per the latest published report of NCRB, a total of 1150 jails out of 1350 jails in the country were equipped with the Video Conferencing (VC) facility as on 31.12.2022.**

**(c) & (d): “Prisons” is a State-list subject. It is, therefore, the responsibility of respective State/UT to modernise their prison infrastructure, as per their need and requirement and to ensure availability of legal aid to undertrial prisoners for speedy justice, etc.**