

GOVERNMENT OF INDIA
MINISTRY OF LAW AND JUSTICE
DEPARTMENT OF JUSTICE

RAJYA SABHA
UNSTARRED QUESTION NO. 4438
ANSWERED ON - 02/04/2026

UNDERTRIAL PRISONERS

4438. SHRI MALLIKARJUN KHARGE:

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

- (a) the number of undertrial prisoners currently lodged in jails across the country who have been awaiting trial or bail for one to two years, two to five years and more than five years, State/UT-wise;
- (b) whether aggregate data on pendency of bail applications across courts is maintained through the National Judicial Data Grid (NJDG) or any other mechanism and if so, the details of average time taken for disposal of bail applications, category-wise; and
- (c) the measures being undertaken by Government to assist courts in reducing prolonged undertrial detention?

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):** National Crime Records Bureau (NCRB) compiles prison statistics reported to it by the States and Union Territories (UTs) and publishes the same in its annual publication “Prison Statistics India”. As per the latest published data for the year 2023, State/UT wise number of undertrial prisoners confined for one to two years, two to five years and more than five years in the jails of the country as on 31.12.2023 are attached as **Annexure - A**. These data are readily available on National Crime Records Bureau website: <https://www.ncrb.gov.in/uploads/files/PSI-20231.pdf>.
- (b) and (c):** ‘Prisons and Prisoners’ is a State-list subject under Entry 4 of List II of the Seventh Schedule to the Constitution of India. Therefore, the administration and management of prisons and prisoners is the responsibility of respective State Governments. Central Government has also been supplementing the efforts of State Governments in this regard.

Government is implementing a Scheme named “Support to Poor Prisoners”. The guidelines and SOP for implementation of the Scheme, has provision for bail assistance amounting upto Rs. 1 lakh, prescribing timelines for case processing, and simplification of procedures for drawal and utilisation of funds. For implementation of the Scheme, the Ministry of Home Affairs (MHA) had provided an annual financial outlay of Rs. 20 crore for three financial years i.e. 2023-24, 2024-25 and 2025-26.

Further, National Legal Services Authority (NALSA) has taken initiatives for establishment of Under Trial Review Committees (UTRCs) in all the districts to recommend for release of eligible undertrial prisoners and convicts. Quarterly meetings are held by UTRCs across the country. The numbers of undertrial prisoners recommended by UTRCs and released during last three years are as under:

Year	No. of UTPs/ Convicts recommended for bail/ release	No. of inmates released pursuant to UTRCs recommendations
2023	73,274	34,232
2024	53,594	25,982
2025	40,434	22,523
Total	1,67,302	82,737

In addition to the above, Government has taken initiatives to operationalize bail reforms for reducing the number of undertrial prisoners in the country. Section 479 (1) of the Bharatiya Nagarik Suraksha Sanhita (BNSS) provides that *“Where a person has, during the period of investigation, inquiry or trial under this Sanhita of an offence under any law (not being an offence for which the punishment of death or life imprisonment has been specified as one of the punishments under that law) undergone detention for a period extending up to one-half of the maximum period of imprisonment specified for that offence under that law, he shall be released by the Court on bail.”*

The Proviso under Section 479 (1) of the BNSS provides further relief to first time offenders/undertrial prisoners and provides that *“where such person is a first-time offender (who has never been convicted of any offence in the past), he shall be released on bond by the Court, if he has undergone detention for the period extending up to one-third of the maximum period of imprisonment specified for such offence under that law”*.

Data on pendency of bail applications and its disposal across courts is not maintained through the National Judicial Data Grid (NJDG).

STATEMENT REFERRED TO IN REPLY TO RAJYA SABHA UNSTARRED QUESTION NO. 4438 FOR ANSWER ON 02.04.2026 REGARDING 'UNDERTRIAL PRISONERS'.

The details of State/UT wise number of Undertrial Prisoners with duration of Confinement as on 31st December, 2023				
Sl. No.	State/UT	1 to 2 Years	2 to 5 Years	Above 5 Years
1	Andman & Nicobar Islands	6	25	2
2	Andhra Pradesh	208	146	3
3	Arunachal Pradesh	25	20	3
4	Assam	682	561	147
5	Bihar	4,446	3,549	296
6	Chandigarh	112	70	9
7	Chhattisgarh	2,265	1,354	44
8	Delhi	2,503	2,442	497
9	Dadra & Nagar Haveli and Daman & Diu	23	40	10
10	Goa	99	172	22
11	Gujarat	1,712	1,870	464
12	Haryana	2,742	2,264	416
13	Himachal Pradesh	291	364	57
14	Jammu & Kashmir	827	1,388	275
15	Jharkhand	1,944	2,002	481
16	Karnataka	1,834	1,674	226
17	Kerala	248	100	8
18	Ladakh	12	7	2
19	Lakshadweep	0	0	0
20	Madhya Pradesh	3,573	2,735	115
21	Maharashtra	4,978	7,436	2,213
22	Manipur	107	37	18
23	Meghalaya	110	131	24
24	Mizoram	200	42	0
25	Nagaland	43	24	12
26	Odisha	1,963	1,961	414
27	Puducherry	43	21	0
28	Punjab	5,076	3,518	183
29	Rajasthan	2,520	3,025	464
30	Sikkim	35	21	0
31	Tamil Nadu	999	392	46
32	Telangana	141	82	9
33	Tripura	39	5	0
34	Uttar Pradesh	10,283	12,003	2,639
35	Uttarakhand	672	763	48
36	West Bengal	3,894	4,363	1,245
	Total	54,655	54,607	10,392