

GOVERNMENT OF INDIA
MINISTRY OF LAW AND JUSTICE
DEPARTMENT OF JUSTICE

RAJYA SABHA
STARRED QUESTION NO. 281
ANSWERED ON – 13/08/2026

LEGAL AID FOR UNDERTRIAL PRISONERS

***281 SHRI A. A. RAHIM:**

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

- (a) the number and percentage of undertrial prisoners in the country during the last three years, year-wise and State-wise;
- (b) the number and percentage of undertrial prisoners who have availed free legal aid during the same period, State-wise;
- (c) whether Government maintains data on undertrial prisoners disaggregated by SC, ST, OBC and minority categories and if so, the details thereof;
- (d) if not, whether Government proposes to collect and publish it to assess disparities in access to justice; and
- (e) the specific measures taken to ensure timely legal representation and prevent prolonged detention of undertrial prisoners?

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) to (e): A statement is laid on the Table of the House.

STATEMENT REFERRED TO IN REPLY TO PARTS (A) TO (E) IN RESPECT OF RAJYA SABHA STARRED QUESTION NO. 281 FOR REPLY ON 13.08.2026 REGARDING 'LEGAL AID FOR UNDERTRIAL PRISONERS' ASKED BY SHRI A.A. RAHIM.

(a) to (e): As per the latest data (as on 31.12.2024) provided by National Crime Records Bureau (NCRB), Ministry of Home Affairs, the number and percentage of undertrial prisoners State-wise for the last three years is at **Annexure-A**. As per information provided by National Legal Services Authority (NALSA), all persons in custody are entitled to get free legal aid under Section 12 of Legal Services Authorities (LSA) Act, 1987. The number of persons in custody who availed free legal aid during the last three financial years, State-wise, is at **Annexure-B**. As per the latest data (as on 31.12.2024) provided by NCRB, Ministry of Home Affairs, the details of undertrial prisoners category-wise (SC, ST, OBC and others) is at **Annexure-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 supplements the efforts of State Governments in this regard. Several initiatives are undertaken by the Central Government to operationalize bail reforms. 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." Further, technology based alerts are generated through the ePrisons portal under Inter-Operable Criminal Justice System (ICJS) and are sent to concerned officials for taking appropriate action for timely release of undertrial prisoners.

With the objective of providing financial assistance to poor prisoners, who are unable to pay the fine imposed on them or are unable to secure bail due to financial constraints, the 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. 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.

Statement referred to in reply to Rajya Sabha Starred Question No. 281 for answer on 13.08.2026 regarding 'Legal aid for undertrial prisoners'.

State/UT-wise Undertrials Prisoners and percentage of share in total Prison Inmates							
Sl. No.	Name of the State/UT	2022		2023		2024	
		Undertrials	% Share	Undertrials	% Share	Undertrials	% Share
1.	A & N Islands	173	67.1	168	45.0	168	42.5
2.	Andhra Pradesh	5,123	70.6	5,568	70.6	5,705	72.6
3.	Arunachal Pradesh	184	54.9	188	52.2	242	51.7
4.	Assam	8,608	74.3	7,546	70.8	8,144	69.8
5.	Bihar	57,537	88.6	46,529	87.7	45,339	87.2
6.	Chandigarh	832	69.6	718	67.2	610	65.0
7.	Chhattisgarh	12,820	62.7	11,520	62.5	12,478	66.4
8.	Dadar and Nagar Haveli, Daman & Diu	162	92.0	134	92.4	111	97.4
9.	Delhi	16,759	90.6	17,834	88.8	17,178	88.0
10.	Goa	572	84.0	476	83.8	519	84.4
11.	Gujarat	11,129	67.0	11,549	66.9	12,286	69.2
12.	Haryana	19,279	75.7	19,292	74.7	19,015	76.8
13.	Himachal Pradesh	1,926	66.9	1,827	64.9	1,942	65.1
14.	Jammu & Kashmir	4,587	86.3	4,568	84.6	4,552	84.6
15.	Jharkhand	14,786	75.4	13,584	72.0	11,232	69.3
16.	Karnataka	12,605	77.8	11,723	76.9	10,908	75.5
17.	Kerala	5,610	63.2	6,064	61.1	6,148	59.6
18.	Ladakh	26	86.7	42	91.3	41	80.4
19.	Lakshadweep	6	100.0	3	100.0	5	100.0
20.	Madhya Pradesh	26,877	55.0	22,964	50.4	23,132	51.3
21.	Maharashtra	32,883	80.1	32,438	79.5	31,523	80.8
22.	Manipur	592	69.2	416	77.8	326	72.4
23.	Meghalaya	829	72.9	881	68.7	918	65.3
24.	Mizoram	1,049	66.4	1,247	63.7	917	58.9
25.	Nagaland	302	64.4	432	73.1	363	70.6
26.	Odisha	16,058	84.7	14,778	81.3	12,879	77.5
27.	Puducherry	210	65.0	304	71.4	229	68.8
28.	Punjab	24,198	78.6	24,503	77.7	23,922	78.0
29.	Rajasthan	19,233	78.0	17,263	75.9	18,176	74.8
30.	Sikkim	268	69.3	171	53.8	151	50.0
31.	Tamil Nadu	11,564	61.5	12,351	62.6	13,274	65.1
32.	Telangana	4,221	65.0	3,799	64.9	5,002	73.8
33.	Tripura	735	61.6	847	63.7	1,261	71.6
34.	Uttar Pradesh	94,131	77.4	73,491	74.3	59,194	68.2
35.	Uttarakhand	4,722	68.9	4,398	63.9	3,256	58.7
36.	West Bengal #	23,706	82.3	20,294	78.7	20,294	78.7
	Total	4,34,302	75.8	3,89,910	73.5	3,71,440	72.6
* As per data provided by States/UTs.							
# Due to non-receipt of data from West Bengal for 2024, data furnished for 2023 has been used.							

Statement referred to in reply to Rajya Sabha Starred Question No. 281 for answer on 13.08.2026 regarding 'Legal aid for undertrial prisoners'.

Number of Persons in Custody benefited through Legal Services provided under Legal Services Authorities Act, 1987				
S.No.	Name of State Legal Services Authority	2022-23	2023-24	2024-25
1	Andaman & Nicobar Islands	26	64	3
2	Andhra Pradesh	1,989	2,220	3,289
3	Arunachal Pradesh	1,582	1,440	1,330
4	Assam	9,556	17,711	25,489
5	Bihar	37,872	34,778	31,677
6	Chandigarh	654	418	780
7	Chhattisgarh	11,693	14,601	21,610
8	Dadar and Nagar Haveli, Daman & Diu	10	22	31
9	Delhi	29,370	24,794	18,630
10	Goa	281	232	314
11	Gujarat	7,882	10,184	10,862
12	Haryana	30,973	35,367	66,229
13	Himachal Pradesh	650	725	703
14	Jammu & Kashmir	722	1,184	1,299
15	Jharkhand	9,542	19,352	33,281
16	Karnataka	7,102	8,647	8,972
17	Kerala	3,961	5,653	3,473
18	Ladakh	2	0	43
19	Lakshadweep	0	0	0
20	Madhya Pradesh	53,796	58,171	93,264
21	Maharashtra	8,573	20,687	20,535
22	Manipur	1,161	282	498
23	Meghalaya	916	865	877
24	Mizoram	1,147	599	676
25	Nagaland	620	628	499
26	Odisha	4,165	4,473	11,536
27	Puducherry	135	71	100
28	Punjab	20,213	24,764	33,615
29	Rajasthan	3,528	11,000	13,064
30	Sikkim	376	218	167
31	Tamil Nadu	9,501	8,989	12,088
32	Telengana	5,283	4,258	5,635
33	Tripura	344	1,115	1,588
34	Uttar Pradesh	7,838	7,328	6,979
35	Uttarakhand	2961	14,701	19,420
36	West Bengal	15,545	18,383	24,398
	Total	2,89,969	3,53,924	4,72,954

Statement referred to in reply to Rajya Sabha Starred Question No. 281 for answer on 13.08.2026 regarding 'Legal aid for undertrial prisoners'.

State/UT and Category-wise Number of Undertrial Prisoners as on 31.12.2024						
S.No.		SC	ST	OBC	Others	Total
1.	A & N Islands	0	12	7	149	168
2.	Andhra Pradesh	984	1,138	1,791	1,792	5,705
3.	Arunachal Pradesh	-	-	-	-	242
4.	Assam	862	904	2,535	3,843	8,144
5.	Bihar	8,728	1,795	24,921	9,895	45,339
6.	Chandigarh	259	0	121	230	610
7.	Chhattisgarh	2,330	4,035	4,221	1,892	12,478
8.	Dadar and Nagar Haveli, Daman & Diu	20	15	27	49	111
9.	Delhi	-	-	-	-	17,178
10.	Goa	48	65	64	342	519
11.	Gujarat	1,329	2,130	5,548	3,279	12,286
12.	Haryana	4,958	1,112	5,548	7,397	19,015
13.	Himachal Pradesh	-	-	-	-	1,942
14.	Jammu & Kashmir	221	586	237	3,508	4,552
15.	Jharkhand	1,646	3,140	3,988	2,458	11,232
16.	Karnataka	-	-	-	-	10,908
17.	Kerala	864	206	3,672	1,406	6,148
18.	Ladakh	0	18	1	22	41
19.	Lakshadweep	0	4	0	1	5
20.	Madhya Pradesh	4,527	4,439	8,699	5,467	23,132
21.	Maharashtra	-	-	-	-	31,523
22.	Manipur	0	63	87	176	326
23.	Meghalaya	55	652	32	179	918
24.	Mizoram	52	813	7	45	917
25.	Nagaland	26	255	49	33	363
26.	Odisha	3,274	2,921	3,833	2,851	12,879
27.	Puducherry	43	0	184	2	229
28.	Punjab	5,798	1,144	3,159	13,821	23,922
29.	Rajasthan	3,412	1,698	7,199	5,867	18,176
30.	Sikkim	27	36	57	31	151
31.	Tamil Nadu	3,859	275	8,461	679	13,274
32.	Telangana	1,036	591	2,550	825	5,002
33.	Tripura	183	251	141	686	1,261
34.	Uttar Pradesh	14,777	5,016	20,613	18,788	59,194
35.	Uttarakhand	-	-	-	-	3,256
36.	West Bengal #	2,437	840	2,442	14,575	20,294
	Total	61,755	34,154	1,10,194	1,00,288	3,71,440

• As per data provided by States/UTs.

\$ States/UTs did not provide breakup.

Due to non-receipt of data from West Bengal for 2024, data furnished for 2023 has been used.