

**GOVERNMENT OF INDIA
MINISTRY OF HOME AFFAIRS**

**RAJYA SABHA
UNSTARRED QUESTION NO. 1992**

TO BE ANSWERED ON THE 5TH AUGUST, 2026/ SRAVANA 14, 1948 (SAKA)

**UNDERTRIAL PRISONERS ELIGIBLE FOR RELEASE UNDER SECTION 479 B
NSS**

1992 SHRI VIVEK K. TANKHA:

Will the Minister of Home Affairs be pleased to state:

- (a) the total number of undertrial prisoners in jails nationally, as on date;**
- (b) the number eligible for release under Section 479 of the Bharatiya Nagarik Suraksha Sanhita (BNSS);**
- (c) the number of undertrial prisoners actually released so far; and**
- (d) the reasons for delay in release of the remaining eligible undertrials?**

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 (UTs) and publishes the same in its publication “Prison Statistics India” every year. The latest published report is of the year 2024. There were 3,71,440 undertrial prisoners in the country as on 31st December, 2024.

(b) and (c): As per the latest published data, during the year 2024, 968 undertrial prisoners were eligible for release under the provisions of Section

479 of the Bharatiya Nagarik Suraksha Sanhita (BNSS)/ Section 436A of Code of Criminal Procedure (Cr.PC), of which 627 undertrial prisoners were released.

(d): “Prisons/persons detained therein” 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, falls exclusively in the jurisdiction of respective States/UTs, who have the responsibility to take necessary action for timely release of eligible undertrial prisoners under the provisions of Section 479 of Bharatiya Nagarik Suraksha Sanhita (BNSS). No specific reasons for delay in the release of eligible undertrial prisoners under Section 479 of the BNSS have been reported by the States and Union Territories to the Ministry of Home Affairs.
