

**GOVERNMENT OF INDIA
MINISTRY OF HOME AFFAIRS**

**LOK SABHA
UNSTARRED QUESTION NO. 3447**

**TO BE ANSWERED ON THE 6TH DECEMBER, 2016/ AGRAHAYANA 15, 1938
(SAKA)**

RELEASE OF UNDERTRIAL PRISONERS

**3447. DR. A. SAMPATH:
DR. PRABHAS KUMAR SINGH:
SHRI ASADUDDIN OWAISI:
MOHAMMED FAIZAL:
SHRI M. CHANDRAKASI:
SHRI HARISHCHANDRA CHAVAN:
SHRI LAXMAN GILUWA:**

Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether the Supreme Court has recently set a deadline for the release of undertrial prisoners who have completed half of the maximum term;

(b) if so, the number of such prisoners released so far by the Union Government and the State Governments, State-wise;

(c) whether it is a fact that Union Government has no data about such inmates;

(d) if so, the reasons therefor;

(e) whether the Union Government has made use of e-Prison software while the States have no such mechanism for keeping track on the number of undertrial;

(f) if so, the steps taken or being taken by the Union Government in consultation with the States to commission e-Prison software for better coordination; and

(g) whether there is no relaxation for grant of bail to undertrial prisoners who could not pay the bail amount and if so, the details thereof along with the steps taken in this regard?

ANSWER

**MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS
(SHRI HANSRAJ GANGARAM AHIR)**

(a): In pursuance of the Supreme Court's directions dated 7.09.2014 in Bhim Singh Vs. UoI and others in WP (Crl.) No. 310/2005, the Government of India issued an advisory to the Home Department & DG (Prisons) of all States/UTs on 27.9.2014 to comply with the orders of the Supreme Court. The advisory is available on the Link: http://mha.nic.in/sites/upload_files/mha_files/Guidelines_ForRreckoningHalfLife_161014pdf.

(b) to (d): As per information compiled by the National Crime Records Bureau from States/UTs at the end 2015, the number undertrial prisoners released is given in Annex.

(e) to (f): The e-Prisons Project is part of Integrated Criminal Justice System (ICJS) Project electronically linking the three systems namely, Courts, Police Stations and Prisons.

(g): This data is not maintained centrally. "Prisons" is a State subject as per Entry 4 of List II of the Seventh Schedule to the Constitution of India. The administration and management of prisons is primarily the responsibility of the State Governments. However, the Government of India has issued a comprehensive advisory on 17th July 2009 to the States/UTs on "Prison Administration", which provides for steps to be taken by the States/UTs for providing free legal aid to undertrials, setting up of Lok Adalats/ Special courts in prisons for expediting review of cases of undertrials. The same can be accessed on the website of the Ministry of Home Affairs at: [http://mha.nic.in/sites/upload_files/mha/files/Prison Advisories-1011.pdf](http://mha.nic.in/sites/upload_files/mha/files/Prison%20Advisories-1011.pdf)

State/UT-wise number of Undertrials Released during the year 2001-2015																
	STATE/UTs	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015
1	ANDHRA PRADESH	142801	153764	154926	135004	148569	147757	149110	150999	154301	164363	144123	151010	167897	85140	59718
2	ARUNACHAL PRADESH	*	*	*	*	*	*	*	*	26	139	227	274	303	316	355
3	ASSAM	25877	26146	22743	25792	24480	24647	22987	26799	25943	27042	26771	24901	29291	27641	29246
4	BIHAR	17095	87568	2919	73949	105937	91728	104536	87251	80742	79844	96917	99777	97946	89543	97006
5	CHHATTISGARH	29705	26013	30724	32403	32955	35405	35162	38443	38687	36563	39575	35925	40616	33297	33777
6	GOA	835	900	831	781	696	563	293	586	292	525	668	945	786	1122	327
7	GUJARAT	38492	44851	40189	41685	44164	42923	44702	36826	42777	39636	42247	40220	43303	35813	35190
8	HARYANA	55548	55065	21215	43891	66941	50449	50465	57473	53320	48192	48871	42946	53798	49723	49497
9	HIMACHAL PRADESH	299	2164	1941	2183	2183	1455	1929	2313	2138	2492	2585	2949	2945	2725	2978
10	JAMMU & KASHMIR	1915	2859	1706	3165	3581	5116	5374	4766	1966	6590	4008	7186	6042	5631	6286
11	JHARKHAND	23893	33580	35139	37528	43753	59896	53981	40531	45468	39111	39564	41844	43106	38757	38194
12	KARNATAKA	9218	30259	33961	33492	35323	34382	34463	35597	34830	36868	40462	35435	37867	41872	35670
13	KERALA	1494	1402	6724	6826	16	31717	31301	29578	39154	24245	22437	22418	7760	7760	8693
14	MADHYA PRADESH	84072	23582	108726	122410	117835	101291	108234	121097	116535	114361	104245	125337	125949	128054	110606
15	MAHARASHTRA	109404	104927	104563	109458	112262	116283	116765	121768	109743	101455	97982	93722	104413	107945	111714
16	MANIPUR	1431	1184	1205	1417	1688	1351	1119	1212	1231	1253	1722	1717	1366	1497	1218
17	MEGHALAYA	857	2590	1234	1337	1092	1538	1642	2167	769	1228	1247	1462	1956	1864	1963
18	MIZORAM	3288	203	3587	4292	1424	2871	2848	2557	3024	3501	3241	2605	3054	3172	2437
19	NAGALAND	209	124	161	26	44	39	66	252	292	109	1174	1655	1558	1619	2389
20	ODISHA	53663	43205	40971	51530	53030	52365	60518	46718	45837	45837	48584	45313	47188	47311	48415
21	PUNJAB	4985	3281	3088	3054	3025	3063	2221	2066	3523	4604	4650	47733	43986	48497	37378
22	RAJASTHAN	80437	75675	73545	78645	76817	84401	84617	88902	79415	85010	87688	81453	86266	85074	90747
23	SIKKIM	87	0	92	97	192	240	275	339	320	318	261	311	246	500	379
24	TAMILNADU	10936	11913	12114	4911	12317	12201	13231	47087	56180	65626	60277	67653	71928	73027	68032
25	TELANGANA	*	*	*	*	*	*	*	*	*	*	*	*	*	76641	57547
26	TRIPURA	157	208	237	224	631	711	4130	949	1020	1120	1287	1269	1264	1311	1432
27	UTTAR PRADESH	217217	198613	201349	180854	195912	238573	220135	260383	297728	310497	305801	314533	228383	239995	206893
28	UTTARAKHAND	8836	8536	7953	8263	10843	11828	12680	11144	13158	7508	9014	9974	7738	7738	8669
29	WEST BENGAL	79643	92990	75093	74280	57349	95934	81855	71897	72712	74068	86361	83248	85424	90710	88243
	Total (STATES)	1002394	1031602	986936	1077497	1153059	1248727	1244639	1289700	1321131	1322105	1321989	1383815	1342379	1334295	1234999
30	A & N ISLANDS	0	0	701	896	610	723	921	912	578	639	602	712	208	397	376
31	CHANDIGARH	1489	1922	2017	3556	3125	3520	3673	4046	3812	3464	3571	4471	4648	2513	2369
32	D & N HAVELI	134	150	155	132	225	140	83	56	149	209	287	325	237	156	159
33	DAMAN & DIU	22	17	51	46	62	26	25	33	15	19	8	5	13	38	47
34	DELHI	51192	57538	64479	72127	88317	85370	67830	41256	37828	37287	45469	43236	46590	56254	53201
35	LAKSHADWEEP	0	13	4	0	0	0	19	18	43	8	11	21	32	19	28
36	PUDUCHERRY	2819	2636	2636	2464	2078	2094	2044	1947	2185	1791	1886	2289	1887	1449	1178
	Total (UTS)	55656	62276	70043	79221	94417	91873	74595	48268	44610	43417	51834	51059	53615	60826	57358
	Total(ALL-INDIA)	1058050	1093878	1056979	1156718	1247476	1340600	1319234	1337968	1365741	1365522	1373823	1434874	1395994	1395121	1292357

* Jails do not exist. Source: Prison Statistics India

