

**GOVERNMENT OF INDIA
MINISTRY OF HOME AFFAIRS**

**LOK SABHA
UNSTARRED QUESTION NO. 4487**

TO BE ANSWERED ON THE 8TH JANUARY, 2019/, PAUSHA 18, 1940 (SAKA)

UNDERTRIAL PRISONERS

4487. SHRI MD. BADARUDDOZA KHAN:

Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether it is a fact that most of the undertrial prisoners in the jails of the country are imprisoned in criminal cases;

(b) if so, whether fast and speedy hearings of the criminal cases would not only assure the basic rights provided by the Constitution but will also lessen the burden on the jails; and

(c) if so, the policy-related measures taken/being taken by the Government towards fast and speedy hearings of criminal cases?

ANSWER

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

(a): The undertrial prisoners are lodged in prisons on the orders of Courts.

(b): Yes, Madam.

(c): The Ministry of Home Affairs (MHA) has advised the States and UTs to constitute Review Committees in every District to review the cases of undertrials.

MHA has also advised States/UTs for providing free legal aid to undertrials and for setting up Lok Adalats/ Special Courts in prisons for expediting the review of cases of undertrials etc. Video Conferencing facilities have also been made available in various Jails of the country which are linked to Courts and can be used as an alternative method for production of an accused in court. Video-conferencing facilities enable the Courts for fast and speedy hearing of criminal cases. Further, the concept of plea bargaining has been introduced in the Code of Criminal Procedure (CrPC) in 2006 for speedy disposal of cases.

The National Legal Services Authority (NALSA) provides free legal services to all under trial prisoners and convicts through its 1126 legal service clinics running in jails. In addition, 9563 Remand Advocates are providing legal services to arrested persons in criminal courts. The National Legal Services Authority had also launched a web application on 29.6.2017 with a view to facilitating the under trial prisoners for providing them free legal services.
