

**GOVERNMENT OF INDIA
MINISTRY OF HOME AFFAIRS**

**LOK SABHA
UNSTARRED QUESTION NO. 2006**

TO BE ANSWERED ON THE 1ST AUGUST, 2023/ SRAVANA 10, 1945 (SAKA)

UNDERTRIAL PRISONERS

**†2006. SHRI OMPRAKASH BHUPALSINH ALIAS PAWAN RAJENIMBALKAR:
SHRI ARVIND GANPAT SAWANT:**

Will the Minister of HOME AFFAIRS be pleased to state:

- (a) the total number of prisoners who are under trials and whose trials have not started in the country and the reasons for pendency of such cases;**
- (b) the total number of such prisoners who are from marginalized group;**
- (c) the details and number of such prisoners who are ordinary citizens without having any classification like celebrities;**
- (d) whether there is any criteria for speedy trials of cases in the country and if so, the details thereof; and**
- (e) the status of undertrials affects the speed of justice in the country?**

ANSWER

**MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS
(SHRI AJAY KUMAR MISHRA)**

(a) to (c): 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 annual publication “Prison Statistics India”. The latest published report is of the year 2021. A total of 4,27,165 undertrial

prisoners were lodged in the jails of the country as on 31.12.2021. Specific data on the number of prisoners whose trial has not started and prisoners who are from marginalized section, etc. is not maintained by NCRB.

(d) & (e): There are various provisions in the Code of Criminal Procedure (CrPC), 1973 for ensuring speedy trial in certain cases like time-bound completion of trial in rape, sexual offences against children, etc. There is also a provision of setting up Exclusive Special Courts in the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989, Protection of Children from Sexual Offences Act, etc. The Central Government has implemented a Centrally Sponsored Scheme for setting up Fast Track Special Courts for speedy disposal of cases related to rape and Protection of Children from Sexual Offences, Act.

‘Police’, ‘Public Order’, ‘Prisons’ and ‘persons detained therein’ are State subjects under List II of the Seventh Schedule to the Constitution of India. Addressing the issue of undertrials, facilitating speedy trial of cases, etc is therefore the responsibility of respective State Governments in whose jurisdiction a person is arrested. However, the Ministry of Home Affairs has taken various steps and initiatives to address the issues relating to undertrial prisoners.

E-prisons Software, which is a Prison Management Application integrated with Interoperable Criminal Justice System provides facility to State Jail authorities to access the data of inmates in a quick and easy manner and helps them in identifying inmates whose cases are due for consideration by the Under Trial Review Committee. State Legal Services Authorities have established Legal Service Clinics in Jails and have deployed Para Legal Volunteers with a view to provide free legal assistance to persons in need.

The Ministry of Home Affairs has also issued various advisories to States & UTs to adopt various measures for addressing the issue of undertrials. These advisories are available on MHA's website:

<https://mha.gov.in/>
