

**GOVERNMENT OF INDIA
MINISTRY OF HOME AFFAIRS**

**LOK SABHA
UNSTARRED QUESTION NO. 2244**

TO BE ANSWERED ON THE 15TH MARCH, 2022/ PHALGUNA 24, 1943 (SAKA)

UNDER-TRIALS IN PRISONS

2244. SHRI ASADUDDIN OWAISI:

Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether it is a fact that the number of undertrials in prisons rose sharply in 2020 and the number of convicts fell;

(b) if so, the details thereof State-wise;

(c) the number of States which have shown highest increase in under-trials during 2020 as compared to 2019 along with the reasons therefor;

(d) whether it is a fact that due to closure of courts and virtual hearing and Covid 19 are responsible for increase in under-trials in prisons; and

(e) the steps taken or being taken by the Government in consultation with States to increase court hearing in regard to these under-trials?

ANSWER

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

(a) to (c): National Crime Records Bureau (NCRB) compiles prison statistics reported to it by States and Union Territories (UTs) and publishes the same in its annual publication "Prison Statistics India". The latest published report is of the year 2020. State/UT-wise number of convicts and undertrial prisoners in the jails of the country in last three years are given in Annexure.

(d) & (e): 'Prisons'/'persons detained therein' is a State subject under Entry 4 of List II of the Seventh Schedule to the Constitution of India.

Administration and management of prisoners is the responsibility of State Governments, who are competent to take appropriate steps for providing assistance to undertrial prisoners. State Legal Services Authorities have established Legal Service Clinics in jails with a view to provide free legal assistance to persons in need. There are about 1091 Legal Service Clinics in jails which are operated by Empanelled Legal Services Advocates and trained Para-Legal Volunteers. Such clinics have been opened in jails to ensure that no prisoner remains unrepresented and legal aid and advice is provided to the prisoners. For easing and expediting the justice process, Video Conferencing facility has been enabled between 3240 court complexes and 1272 corresponding jails. 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. On directions of the Hon'ble Supreme Court of India, National Legal Services Authority (NALSA) had prepared a Standard Operating Procedure (SOP) for Under-Trial Review Committees. This SOP was also circulated by the Ministry of Home Affairs (MHA) to all States and UTs. The Ministry of Home Affairs has also issued various advisories to States & UTs to adopt various measures for addressing the issues related to the undertrials. These advisories are available on MHA's website: <https://mha.gov.in>.

**State/UT-wise Number of Convicts and Undertrial prisoners lodged in Jails as on 31st
December, 2018, 2019 and 2020**

Sl. No.	State/UT	Convicts			Undertrial prisoners		
		As on 31.12.2018	As on 31.12.2019	As on 31.12.2020	As on 31.12.2018	As on 31.12.2019	As on 31.12.2020
1	ANDHRA PRADESH	2745	2788	2360	4201	4769	5001
2	ARUNACHAL PRADESH	127	141	126	118	106	127
3	ASSAM	3196	3096	2779	5079	6130	6495
4	BIHAR	7188	8525	7741	31488	31275	44187
5	CHHATTISGARH	8337	8262	6102	10137	9829	11963
6	GOA	149	149	105	286	369	419
7	GUJARAT	4566	4592	3853	9962	9799	10195
8	HARYANA	7067	7236	3338	12176	13160	14951
9	HIMACHAL PRADESH	866	948	853	1388	1425	1574
10	JHARKHAND	4973	5871	5084	15629	12759	17103
11	KARNATAKA	3817	3997	3688	10109	10500	10577
12	KERALA	2689	3131	2426	4905	4330	3569
13	MADHYA PRADESH	18626	20253	13652	23123	24157	31712
14	MAHARASHTRA	8908	9096	5550	26898	27557	26171
15	MANIPUR	96	115	105	816	758	506
16	MEGHALAYA	119	160	178	814	861	821
17	MIZORAM	714	597	437	963	1097	609
18	NAGALAND	115	118	95	304	314	261
19	ODISHA	3833	3725	3245	12649	13803	15619
20	PUNJAB	8539	8172	2779	13904	15949	15643
21	RAJASTHAN	5614	6189	5131	14501	15378	16930
22	SIKKIM	164	145	124	223	255	328
23	TAMIL NADU	3694	4223	4161	9235	9244	8709
24	TELANGANA	2063	2088	1910	3194	4384	3946
25	TRIPURA	513	530	395	527	568	472
26	UTTAR PRADESH	28660	27612	26734	75206	73418	80557
27	UTTARAKHAND	2087	2256	2063	3224	3373	3906
28	WEST BENGAL	6421	6695	5367	17082	18907	20144
	TOTAL (STATES)	135886	140710	110381	308141	314474	352495
29	A & N ISLANDS	81	112	137	103	132	194
30	CHANDIGARH	440	404	349	595	580	619
31	D N H & DAMAN DIU +	16	16	15	82	92	138
32	DELHI	2923	3044	1470	12470	14382	14506
33	JAMMU & KASHMIR *	232	209	159	2568	3075	3717
34	LADAKH	-	-	5	-	-	21
35	LAKSHADWEEP	0	0	1	1	4	2
36	PUDUCHERRY	78	72	72	181	177	156
	TOTAL (UTs)	3770	3857	2208	16000	18442	19353
	TOTAL (ALL-INDIA)	139656	144567	112589	324141	332916	371848

⁺ combined data of erstwhile D & N Haveli UT and Daman & Diu UT for the year 2018 and 2019.

^{*} data of erstwhile Jammu & Kashmir State including Ladakh for the year 2018 and 2019.