

**GOVERNMENT OF INDIA
MINISTRY OF LAW AND JUSTICE
DEPARTMENT OF LEGAL AFFAIRS**

**LOK SABHA
UNSTARRED QUESTION NO.540**

TO BE ANSWERED ON FRIDAY, THE 4th February, 2022

Wrongful Prosecution and Compensation

540. SHRI HIBI EDEN:

Will the Minister of LAW AND JUSTICE be pleased to state:

- (a) whether the Ministry maintains any record of the number of wrongfully prosecuted persons across the country, if so, the number of wrongfully prosecuted people in the country during last five years;
- (b) whether the Government plans to enact a separate legislation on 'wrongful prosecution and compensation' or to incorporate a provision for compensation to wrongfully prosecuted persons under CrPC in accordance with the Law Commission's suggestion;
- (c) if so, the roadmap for its introduction and provisions under the same; and
- (d) if not, the reasons thereof?

ANSWER

MINISTER OF LAW AND JUSTICE

(SHRI KIREN RIJJU)

(a): No such information is maintained by National Crime Records Bureau.

(b) to (d): The Law Commission of India gave its 277th Report (Wrongful Prosecution (Miscarriage of Justice): Legal Remedies) in August 2018 and it was received in the Ministry of Home Affairs in September, 2018. As the Criminal Laws and Criminal Procedure are in the Concurrent List in Seventh Schedule to the Constitution of India, this Report was forwarded to all the State Governments/ Union Territory Administrations for their views / comments. The Department-related Parliamentary Standing Committee on Home Affairs, in its 146th Report dated 23.06.2010, had recommended that there is a need for a comprehensive review of the Criminal Justice System of the country. Earlier, the Parliamentary Standing Committee in its 111th and 128th Reports had also stressed upon the need to reform and rationalize the criminal law of the country by introducing a comprehensive legislation in Parliament rather than bringing about piecemeal amendments in respective Acts.