

**GOVERNMENT OF INDIA  
MINISTRY OF HOME AFFAIRS**

**LOK SABHA  
UNSTARRED QUESTION NO. 2629**

**TO BE ANSWERED ON THE 16<sup>TH</sup> DECEMBER, 2025/ AGRAHAYANA 25, 1947  
(SAKA)**

**MODEL PRISON MANUAL**

**†2629. DR. SAMBIT PATRA:**

**Will the Minister of HOME AFFAIRS be pleased to state:**

**(a) the main features of the new criminal laws and the provisions made therein to ensure speedy and affordable justice;**

**(b) whether any provision has been made in the said laws for “trial in absentia”;**

**(c) whether the Model Prison Manual has been formulated in accordance with the new criminal laws;**

**(d) the manner in which the new criminal laws and the Model Prison Manual are likely to be helpful in reducing overcrowding in prisons; and**

**(e) the details of the outcomes achieved in recent years by the implementation of the new criminal laws and the Model Prison Manual?**

**ANSWER**

**MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS  
(SHRI BANDI SANJAY KUMAR)**

**(a) : The details of provisions in the Bharatiya Nyaya Sanhita (BNS), 2023, Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023 and Bharatiya Sakshya Adhiniyam (BSA), 2023 to ensure speedy and affordable justice are as follows:**

- i. Faster and Fair Resolution:** The new laws promise a faster and fair resolution of cases, instilling confidence in the legal system. Crucial stages of investigation and trial like - preliminary enquiry (to be completed in 14 days), further investigation (to be completed in 90 days), supply of document to the victim and accused (within 14 days), commitment of a case for trial (within 90 days), filing of discharge applications (within 60 days), framing of charges (within 60 days), pronouncement of judgment (within 45 days) and filing of mercy petitions (30 days before Governor and 60 days before President) - have been streamlined and to be completed within stipulated time period.
- ii. Fast-Track Investigations:** The new laws prioritize the investigations for offences against women and children, ensuring timely completion within two months of recording information.
- iii. Adjournments:** Provision of a maximum of two adjournments to avoid unnecessary delays in case hearings, ensuring timely justice delivery.
- iv. To significantly improve the speed, efficiency and transparency of the judicial process,** applications like e-Sakshya, e-Summon, and Nyaya-

**Shruti (VC) have been developed. While the e-Sakshya enables lawful, scientific and tamper-proof collection, preservation and electronic submission of digital evidence thus ensuring authenticity and reducing delays, e-Summon allow summons to be delivered through electronic means, making the process faster, time-bound and easily trackable. Nyaya-Shruti (VC) facilitates virtual appearance of accused persons, witnesses, police officials, prosecutors, scientific experts, prisoners etc. through video conferencing.**

**(b) : A new section 356 has been added in BNSS, 2023 which provides for trial in absentia for persons declared as proclaimed offenders and the Court to proceed with the trial and pronounce the verdict in the absence of the accused. This provision ensures that justice is neither delayed nor denied.**

**(c) : This Ministry had prepared the Model Prison Manual in the year 2016 whereas the new Criminal Laws have come into force with effect from 01.07.2024.**

**(d)& (e): In order to reduce overcrowding of jails, following provisions have been made in BNS, 2023 and BNSS, 2023 :**

- (i) In section 290 of BNSS, 2023, plea bargaining has been made time bound and application for plea bargaining can be made within 30 days from date of framing of charge. In a plea bargaining case, in working out a mutually satisfactory disposition of case under section 293 of BNS, 2023, where the accused is first-time offender and has not been convicted of any offence in the past, the Court may sentence such accused person to one-fourth/one-sixth of punishment prescribed for such offence.
- (ii) The maximum period for which undertrial prisoner can be detained has been prescribed in the section 479 of BNSS, 2023. It has been provided that where a person is a first-time offender (who has never been convicted of any offence in the past), he shall be released on bond by the Court, if he has undergone detention for the period extending up to one-third of the maximum period of imprisonment specified for such offence under that law. Further, it shall be the duty of the Superintendent of Jail to make an application to the Court in this regard.
- (iii) For the first time, Community Service has been introduced as one of the punishments.

**(iv) The Model Prison Manual 2016 has chapters on “Legal Aid” and “Undertrial Prisoners” which provide the details of facilities provided to undertrial inmates, namely legal defence, interview with lawyers, application to Courts for legal aid at Government cost etc., which help in reducing overcrowding in prisons.**

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