

**GOVERNMENT OF INDIA  
MINISTRY OF HOME AFFAIRS**

**LOK SABHA  
UNSTARRED QUESTION NO. 1085**

**TO BE ANSWERED ON THE 13<sup>th</sup> DECEMBER, 2022/ AGRAHAYANA 22, 1944  
(SAKA)**

**FAST TRACK TRIAL OF PRISONERS**

**1085. SHRI SHYAM SINGH YADAV:**

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

**(a) whether the Government is aware that around 76 percent of prisoners in jails are awaiting trial which is more than the global average of 34 percent, if so, the details thereof and the reasons therefor;**

**(b) the number of prisoners awaiting trials belonging to the SC, ST and OBC community in the State of Uttar Pradesh, district-wise;**

**(c) whether the Government is aware that there has been an increase in the number of arrests post lockdown period which has led to the overcrowding of jails and spreading of communicable diseases therein and if so, the details thereof and the steps taken to address this issue; and**

**(d) the details of steps taken to reduce these numbers by following the fast-track procedures to ensure that the pre-trial prisoners reach the trial stage?**

**ANSWER**

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

**(a): 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. As on 31<sup>st</sup> December, 2021, there were 5,54,034 prisoners lodged in the prisons of the country, out of**

which 4,27,165 were undertrial prisoners. The undertrial inmates are detained in prisons on the orders of the Court by following the due process of law.

(b): As on 31<sup>st</sup> December, 2021, there were 90,606 undertrial prisoners in the State of Uttar Pradesh. Out of these, 21,942 belonged to Scheduled Caste (SC) community, 4,657 belonged to Scheduled Tribe (ST) community and 41,678 belonged to Other Backward Class (OBC). District-wise data of undertrial prisoners belonging to SC, ST and OBC community is not maintained centrally.

(c): Specific information in this regard is not available with NCRB.

(d): Prisons/persons detained therein, Police and Public Order are “State List” subjects under List II of the Seventh Schedule to the Constitution of India. Therefore, it is the responsibility of respective State Governments to take necessary steps and measures for facilitating the fast-tracking of the cases of undertrial prisoners in their respective jurisdictions. However, the Ministry of Home Affairs (MHA) has also taken various initiatives to supplement the efforts of the State Governments in addressing the issues of undertrial prisoners. MHA has issued several advisories to the States and UTs in this matter from time to time. The Model Prison Manual 2016 circulated to all States and UTs also has specific chapters on “Legal Aid” and “Undertrial Prisoners”, which provide the details of facilities which

**may be provided to undertrial inmates, namely legal defence, interview with lawyers, application to Courts for legal aid at Government cost etc. 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 undertrial inmates in a quick and efficient manner, which helps them in identifying undertrial inmates whose cases are due for consideration by the Under Trial Review Committees, etc. The State Legal Services Authorities run Legal Service Clinics in the jails of the country, which provide free legal assistance to persons in need. Video Conferencing facilities have also been enabled in the court complexes and jails for conducting trials in a seamless manner.**

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