

**GOVERNMENT OF INDIA
LAW , JUSTICE AND COMPANY AFFAIRS
LOK SABHA**

UNSTARRED QUESTION NO:2822
ANSWERED ON:13.03.2000
NHRC DIRECTIVE TO CHIEF JUSTICE OF HIGH COURTS
M.V.CHANDRASHEKHARA MURTHY;SHYAMA SINGH

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

- (a) whether the NHRC recently asked all the Chief Justices of High Courts to tackle overcrowding in jails and long pendency.
- (b) if so, whether in view of overcrowding in jails,the Government propose to extend assistance to High Courts for the disposal of pending cases; and
- (c) if so, the details thereof.

Answer

THE MINISTER OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI RAM JETHMALANI) :

(a) Yes, Sir.

(b) and (c) Both Government and Judiciary are concerned with overcrowding in jails which is primarily due to the presence of a large number of undertrial prisoners. The Supreme Court of India has recently issued some directions in the case - R.D. Upadhyay Vs. State of Andhra Pradesh and Others regarding speedy disposal of cases involving undertrial prisoners.

The High Courts of Bombay, Calcutta, Gujarat, Himachal Pradesh, Jammu and Kashmir, Kerala, Madhya Pradesh, Punjab and Haryana and Sikkim have informed that necessary steps are being taken to speed up the disposal of undertrial cases. The High Court of Delhi, vide its Judgement dated 25.11.1999 in CrI. Writ 681/99, Essang Nyong and Others Vs State of New Delhi, has directed the State Legal Services Authority to explore the possibilities of holding Lok Adalats for taking up the cases of prisoners involved in petty crimes.

In pursuance of the directions of the Supreme Court of India, the Central Government has also written to all the State Governments and UT Administrations to take urgent necessary steps for expeditious disposal of cases of undertrials who are languishing in various jails in the country.