

**GOVERNMENT OF INDIA  
LAW AND JUSTICE  
LOK SABHA**

UNSTARRED QUESTION NO:5526  
ANSWERED ON:29.04.2010  
UNDERTRIAL PRISONERS  
Kumar Shri Shailendra

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

- (a) whether there are 1 crore 74 lakh undertrials in the country;
- (b) if so, whether it is a human rights violation for having inmates in jails more than their capacity;
- (c) if so, the details thereof;
- (d) whether the slow-moving judicial system is one of the reasons for the same; and
- (e) if so, the measures proposed to be taken for its improvement?

**Answer**

MINISTER OF THE STATE IN THE MINISTRY OF LAW AND JUSTICE (DR.M.VEERAPPAMOILY)

(a) to (e): A Statement is laid on the Table of the House.

Statement referred to in reply to parts (a) to (e) of the Unstarred Question no. 5526 for answer in the Lok Sabha on 29.04.2010

As per the data compiled by the National Crime Records Bureau (NCRB) as on 31.12.2007, there were 3,76,396 prisoners in various jails of the country against the total authorized capacity of 2,77,304 prisoners. The overcrowding in the prisons was 35.7%.

Against the total prison population of 3,76,396, the number of total undertrials prisoners were 2,50,727 which constitutes 66.6% of the total population.

Section 2.1(d) of the Protection of Human Rights Act, 1993 defines 'human rights' means the rights relating to life, liberty, equality and dignity of the individual guaranteed by the Constitution or embodied in the international Covenants and enforceable by courts in India.

Fast Track Courts were set up to expedite disposal of long pending Sessions cases and the cases of undertrials prisoners. These courts are set up by the State Governments in consultation with the respective High Courts. As per the latest information received from the High Courts/State Governments, 29.08 lakh cases have been disposed off by these courts, out of 35.85 lakh transferred to these courts since inception.