

**GOVERNMENT OF INDIA
HOME AFFAIRS
LOK SABHA**

UNSTARRED QUESTION NO:3171

ANSWERED ON:13.12.2011

UNDERTRIALS IN JAIL

Abdulrahman Shri ;Bais Shri Ramesh;Karwariya Shri Kapil Muni;Manjhi Shri Hari;Shukla Shri Balkrishna Khanderao Balu
Shukla;Vinay Kumar Alias Vinnu Shri ;Yadav Shri Om Prakash

Will the Minister of HOME AFFAIRS be pleased to state:

- (a) the total number of undertrials languishing in various jails in the country alongwith details of facilities provided to them State-wise;
- (b) whether there are many prisoners in jails of various States in the country against whom criminal case was registered but has not been investigated for many years;
- (c) if so, the details thereof and action taken by the Government in this regard;
- (d) the measures taken by the Government to release the undertrials having served a major part of the prescribed maximum sentence and to release the prisoners immediately after the expiry of their prison term; and
- (e) the steps taken by the Government for speedy disposal of pending cases?

Answer

MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI JITENDRA SINGH)

(a)to(c): As per the data compiled by the National Crime Record Bureau (NCRB), the total number of undertrials languishing in various jails in the country at the end of 2009 was 250204. "Prison" is a State subject as per entry 4 of List II of the Seventh Schedule to the Constitution of India. Therefore, the administration and management of prisons is primarily the responsibility of the State Governments.

(d)&(e): The Government of India has undertaken various measures to reduce over crowding/undertrial population and also to reduce the trial detention period. Some of these measures include:-

- (i) Amendment in the Code of Criminal Procedure, 1973 by inserting a new section viz. 436A;
- (ii) Amendment to Section 436 (1) of the Code of Criminal Procedure, 1973;
- (iii) Setting up of Fast Track Courts for disposal of long pending cases;
- (iv) Introduction of scheme of Plea Bargaining;
- (v) Holding of Lok Adalat in jails; and
- (vi) Scheme of modernization of prisons to bring down the load of overcrowding in prisons.