

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

UNSTARRED QUESTION NO:1071

ANSWERED ON:29.11.2012

NATIONAL CRIME RECORDS BUREAU

Bapurao Shri Khatgaonkar Patil Bhaskarrao;Chitthan Shri N.S.V.;Gaikwad Shri Eknath Mahadeo;Ganeshamurthi Shri A.;Paranjpe Shri Anand Prakash

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

(a) the total number of under trials in the country till the end of 2011 as per National Crime records Bureau, State-wise and the reason for the backlog of under trials awaiting verdict;

(b) whether the Government proposes to bring out judicial reform in this connection; and

(c) if so, the details thereof?

Answer

MINISTER OF LAW & JUSTICE (DR. ASHWANI KUMAR)

(a)to(c) The number of under trials in the country till the end of 2011 as per National Crime Records Bureau, State-wise, is at Annex. The undertrial prisoners are generally illiterate and unaware of their rights. They are not aware of the charges they face nor are they able to access the documents relating to the case. Adequate provisions have been made in the Criminal Procedure Code in this regard. Section-436 provides for release of an indigent person on personal bond, Section-436 (A) provides for a right to the under-trial to seek bail once he/she has served one half of the maximum sentence and Section-167 provides for the release of the under-trial on bail in cÂ»se the investigation is not completed within the stipulated time. What is required is the need to take steps to generate awareness among the under-trials about their rights. There is also a need to ensure that the statutory provisions are followed by judiciary and the police for compliance so that the under-trials do not languish in jails. The Ministry of Law & Justice has requested Chief Justices of all the High Courts as well as the Chief Ministers to devise their own strategies and undertake a programme in Mission Mode for reducing the number of undertrials cases and to ease congestion in jails.