

**GOVERNMENT OF INDIA
HOME AFFAIRS
LOK SABHA**

UNSTARRED QUESTION NO:3957

ANSWERED ON:18.02.2014

RELEASE OF PRISONERS

Agarwal Shri Rajendra;Karwariya Shri Kapil Muni;Mohan Shri P. C.

Will the Minister of HOME AFFAIRS be pleased to state:

- (a) whether there is any criteria/guidelines for releasing prisoners lodged in various jails before the completion of the awarded punishment;
- (b) if so, the details thereof;
- (c) the total number of persons sentenced with life imprisonment and languishing in the jails for twenty years or more;
- (d) whether the Government has any proposal to release such prisoners; and
- (e) if so, the details thereof and if not, the reasons therefor?

Answer

MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI R.P.N. SINGH)

(a) to (c): "Prisons" 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. As per data compiled by National Crime Records Bureau (NCRB) at the end of 2012, there are 69,133 convicts sentenced with life imprisonment.

The data on prisoners in jails for more than twenty years is not maintained centrally. The power of remission of sentences has been given under Article 161 of the Constitution and sections 432, 433 and 433A of the Criminal Procedure Code, 1973. An advisory has been issued by the Government of India on 1st February 2013 to regulate guidelines on remission of sentences by States/UTs and provide for a procedural check on arbitrary remissions given under section 433 A of the Cr. P.C.

(d) to (e): No, there is no such proposal. However States/UTs can take up cases for remission based on merits and the guidelines.