

Time limit for keeping undertrials in jails

†730. SHRI NARESH AGRAWAL : Will the Minister of LAW AND JUSTICE be pleased to state :

(a) whether Government treats those people as criminals who are arrested on suspicion;

(b) if not, the time-limit for which they can be kept in jails without awarding any sentence; and

(c) if so, under which law along with the details thereof ?

THE MINISTER OF LAW AND JUSTICE (SHRI D. V. SADANANDA GOWDA):

(a) The persons arrested under the relevant provisions of the Criminal Procedure Code and detained under judicial remand are called undertrials as compared to persons convicted of an offence and serving a sentence of imprisonment who are called convicts.

(b) and (c) Section 436A of Criminal Procedure Code provides for the right of the under trial prisoner to apply for bail once he/she has served one half of the maximum sentence, if convicted. Further, Section 436 of Criminal Procedure Code enjoins Courts to consider as indigent any person who is unable to furnish bail within 7 days from the date of arrest, and to release him/her on personal bond without asking for any surety.

Setting up of Fast Track Courts

731. SHRIMATI AMBIKA SONI : Will the Minister of LAW AND JUSTICE be pleased to state :

(a) whether there is a proposal to set up more Fast Track Courts to expedite delivery of justice in the country, if so, the details thereof;

(b) the State-wise allocation of Fast Track Courts with the provision of Central grants; and

(c) the percentage of cases that would be referred to Fast Track Courts and to what extent it would reduce the number of pending court cases?

THE MINISTER OF LAW AND JUSTICE (SHRI D. V. SADANANDA GOWDA) : (a) and (b) The matter relating to setting up of Fast Track Courts (FTCs) was discussed in the Conference of Chief Ministers and Chief Justices held in New Delhi on 7th April, 2013. It was resolved that the State Governments shall, in consultation with the Chief Justices of the respective High Courts, take necessary steps to establish suitable number of FTCs relating to offences against women, children, differently abled persons, senior citizens and marginalized sections of the society, and provide adequate funds

†Original notice of the question was received in Hindi.