

GOVERNMENT OF INDIA
MINISTRY OF LAW AND JUSTICE
DEPARTMENT OF LEGAL AFFAIRS

LOK SABHA

**UNSTARRED QUESTION NO.967
TO BE ANSWERED ON FRIDAY, THE 3rd December, 2021**

Wrongful Prosecution

967. DR. MOHAMMAD JAWED:
DR. A. CHALLAKUMAR:
SHRI K. NAVASKANI:
SHRI KUMBAKUDISUDHAKARAN:
SHRI KARTI P. CHIDAMBARAM:

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

- (a) whether the Ministry maintains a record of the number of wrongfully prosecuted persons, if so, the number of such people in the country during the last five years;
- (b) whether the Government plans to enact a separate legislation on wrongful prosecution and compensation or to incorporate a provision for compensation to wrongfully prosecuted under CrPC as recommended by the Law Commission;
- (c) if so, the roadmap for its introduction and provisions under the same; and
- (d) if not, the reasons thereof?

**ANSWER
MINISTER OF LAW AND JUSTICE
(SHRI KIRENRIJU)**

(a): No such information is maintained by National Crime Records Bureau.

(b) to (d): The Law Commission of India gave its 277th Report (Wrongful Prosecution (Miscarriage of Justice): Legal Remedies) in August 2018 and it was received in this Ministry in September, 2018. As the Criminal Laws and Criminal Procedure are in the Concurrent List in Seventh Schedule to the Constitution of India, this Report was forwarded to all the State Governments/ Union Territory Administrations for their views / comments. The Department-related Parliamentary Standing Committee on Home Affairs, in its 146th Report dated 23.06.2010, had recommended that there is a need for a comprehensive review of the Criminal Justice System of the country. Earlier, the Parliamentary Standing Committee in its 111th and 128th Reports had also stressed upon the need to reform and rationalize the criminal law of the country by introducing a comprehensive legislation in Parliament rather than bringing about piecemeal amendments in respective Acts.