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Daily news summary**Transfer of Prisoners Act Undertrials Inter-State Custody**

UPSC Civil Services • 24 August 2026 • Prelims and Mains

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WHY IN NEWS

- The Delhi government has proposed adopting the Transfer of Prisoners (Punjab Amendment) Act, 2025 to enable the inter-State transfer of high-risk undertrial prisoners.

WHAT IS THE EXISTING LEGAL FRAMEWORK?

- The **Transfer of Prisoners Act, 1950** governs the relocation of convicted prisoners between States.
- The 1950 Act lacks explicit provisions for shifting undertrial prisoners, whose custody remains strictly bound to regional judicial remand warrants.

PROPOSED STRUCTURAL CHANGES

- Adopts the Transfer of Prisoners (Punjab Amendment) Act, 2025 to extend inter-State relocation powers to undertrial gangsters and organized criminals.
- Requires mutual consent of involved State governments or approval from the Ministry of Home Affairs (MHA) to execute custody transfers.

WHY IT MATTERS

- Fills a regulatory lacuna in law enforcement by preventing organized crime networks from operating within localized prison systems.
- Strengthens prison administration while ensuring procedural oversight for judicial remand custody.

KEY TERMS

- **Undertrial Prisoner:** An accused person who is kept in judicial custody during the investigation or trial period prior to conviction.
- **Remand Warrant:** A formal order issued by a judicial magistrate directing the detention of an accused in prison custody.

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PRELIMS FACTS

- **Transfer of Prisoners Act, 1950** applies centrally to convicted prisoners, necessitating specific state amendments for undertrials.

MAINS DISCUSSION

- Discuss the legal and human rights implications of transferring undertrial prisoners across state jurisdictions.

KEY DATA

- **Parent Act:** **Transfer of Prisoners Act, 1950** - Central legislation governing inter-state prison transfers, historically limited to convicted inmates.
- **Applicable Legislation:** Transfer of Prisoners (Punjab Amendment) Act, 2025 - Model amendment expanding transfer powers to include high-risk undertrials.

[Official source](#)

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