

**National Legal Services Authority**



## **Functioning of the Under Trial Review Committees**

**July to September 2024**

## **REPORT**

**NATIONAL LEGAL SERVICES AUTHORITY**  
JAISALMER HOUSE, NEW DELHI

## SUMMARY

The Under Trial Review Committees (UTRCs) are district level committees headed by the District & Sessions Judge, with the District Magistrate, Superintendent of Police, Secretary, District Legal Services Authority and Officer-in-charge of Prisons as members. The UTRCs are setup in all districts vide a 2015 directive of the Hon'ble Supreme Court. In April 2024, the Hon'ble, Executive Chairman, NALSA formally released a framework and schedule for quarterly meetings of Under Trial Review Committees for the year 2024 to address gaps in the functioning of the UTRCs. Pursuant to the schedule, in the quarterly meeting of the UTRCs held in April 2024, 24,100 prisoners were identified for review, resulting in the release of 7,421 prisoners across the country.

This report documents the functioning of the UTRCs during the July quarter. A quarterly meeting of the UTRCs was held across all districts in India on **15<sup>th</sup> July, 2024**. In this quarter, **20,103 prisoners** i.e **4.0%** of the total prisoner population were identified for review, resulting in the release of **7,366** prisoners across the country, with highest number of releases in Uttar Pradesh (**915**) and highest percentage of prisoners released in Arunachal Pradesh (**10.9%**). The number of prisoners released are approximately **1.5%** of the total prison population (**5,00,221**).

## **I. INTRODUCTION**

The Under Trial Review Committee (UTRC) is a district-level committee headed by the District & Sessions Judge, with the District Magistrate, Superintendent of Police, Secretary, District Legal Services Authority and Officer-in-charge of Prisons as members. NALSA was directed to prepare a Standard Operating Procedure for smooth functioning of the UTRC vide a Supreme Court order dated 31.10.2017 in *In Re Inhuman Conditions in 1382 Prisons* (WP Civil 406/2013). Subsequently, in December 2018, NALSA submitted 'Standard Operating Procedures for Under Trial Review Committees' to the Hon'ble Supreme Court, which were taken on record, and directions issued to UTRCs to adhere to these guidelines. The table below provides year-wise figures pertaining to the number of UTRC meetings conducted, prisoners recommended for release and prisoners released pursuant to the UTRC recommendations.

**TABLE A**  
Data on persons recommended and released by the UTRCs  
from 2019 – till date and during campaigns in 2022 & 2023

<b>Year</b>	<b>No. of meetings held by UTRCs</b>	<b>No. of inmates recommended for release</b>	<b>No. of inmates released pursuant to UTRC recommendations</b>
<b>2019</b>	<b>3626</b>	<b>37309</b>	<b>12478</b>
<b>2020</b>	<b>9507</b>	<b>28357</b>	<b>15273</b>
<b>2021</b>	<b>9834</b>	<b>36983</b>	<b>17020</b>
<b>2022*</b>	<b>10321</b>	<b>70780</b>	<b>35480</b>
<b>Campaign 2022**</b>	<b>Information not recorded</b>	<b>47618</b>	<b>24789</b>
<b>2023</b>	<b>7246</b>	<b>50669</b>	<b>26226</b>
<b>Campaign 2023</b>	<b>3360</b>	<b>42172</b>	<b>21304</b>
<b>2024 (Jan to March)</b>	<b>1651</b>	<b>12263</b>	<b>5124</b>
<b>2024 (April to June)</b>	<b>700</b>	<b>15777</b>	<b>7421</b>

\* The data for the year 2022 is higher as it also includes Campaign data of this year i.e. 2022.

\*\* The 2022 Campaign included three additional categories of UTPs as eligible for review under the campaign.

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In April 2024, the National Legal Services Authority, India (NALSA) a fixed schedule for the conduct of meetings of the Under Trial Review Committees was launched. As per the schedule a quarterly meeting of the UTRC was conducted in July 2024. This report documents the key aspects and processes of the same.

### Schedule of Quarterly UTRC Meetings for July Quarter

<i>5<sup>th</sup> July, 2024</i>	Member Secretary, NALSA to chair a meeting with the Member Secretary, SLSAs on strengthening the functioning of UTRCs.
<i>5<sup>th</sup> July, 2024</i>	Secretary, DLSA to brief members of the UTRC regarding schedule & process. Secretary, DLSA to conduct orientation sessions for Jail Visiting Lawyers and PLVs.
<i>8<sup>th</sup> July, 2024</i>	Officer-in-Charge of Prisons to send the complete list of all prisoners as per prescribed format to Secretary DLSA.
<i>11<sup>th</sup> July, 2024</i>	SLSA to conduct the pre-review meeting with the DLSAs.
<i>15<sup>th</sup> July, 2024</i>	<b>Meeting of the UTRC.</b>
<i>22<sup>nd</sup> July, 2024</i>	Secretary DLSA to send Minutes of the UTRC meeting to all members as per the prescribed formats.
<i>24<sup>th</sup> July, 2024</i>	SLSA to conduct the post-review meeting with the DLSAs.
<i>19<sup>th</sup> August, 2024</i>	DLSA to send data on the functioning of UTRC to SLSA as per the prescribed format.
<i>30<sup>th</sup> August, 2024</i>	SLSA to send consolidated data on the functioning of UTRC to NALSA as per the prescribed format.

## II. PROCESSES & OUTCOMES OF THE UTRC MEETINGS CONDUCTED IN JULY 2024

### 1. Number of UTRC Meetings held:

Of the 704 DLSAs, the UTRC meeting scheduled to be held on 15<sup>th</sup> July 2024, was not held in 2 districts, namely Anantnag in Jammu and Kashmir and Mumbai Suburban in Maharashtra. The reason for non-conduct of meeting is not known for Anantnag, whereas for Mumbai Suburban it was reported that ‘no criminal falls within the jurisdiction’ thus meeting was not held.

#### ANALYSIS:

- a. From data reported in the previous quarter, there is an increase of one DLSA, from 703 to 704 DLSAs.
- b. As per mandate, meetings were conducted in 702 of the 704 DLSAs, thus indicating diligence on the part of DLSAs and SLSAs in conducting the UTRC meetings.

### 2. Number of Pre & Post Review Meetings conducted with DLSAs by the SLSA:

As per the NALSA Framework and Schedule on the UTRCs, it is mandated that the SLSA conducts pre-review and post-review meetings with the DLSAs. Therefore, every SLSA must conduct at least 2 meetings i.e. one pre-review and one post-review meeting. As per the data reported by the SLSAs, a total of 76 pre and post review meetings were conducted.

#### ANALYSIS:

- a. Among the 37 SLSAs, a total of **76 pre & post meetings** were conducted with the DLSAs by the SLSA.
- b. Of the mandated minimum of 2 meetings (1 pre-review and 1 post-review meeting), Haryana, Mizoram, Dadra & Nagar Haveli and Daman & Diu

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conducted only 1 meeting, whereas Uttar Pradesh conducted 7 meetings and Ladakh conducted 4 meetings.

**TABLE B**

Number of Pre and Post Review Meetings conducted by the SLSAs

S. No.	State/Uts	Total number of Pre & Post Review meetings conducted with DLSAs by the SLSA
1	Andhra Pradesh	2
2	Arunachal Pradesh	2
3	Assam	2
4	Bihar	3
5	Chhattisgarh	2
6	Goa	2
7	Gujarat	2
8	Haryana	1
9	Himachal Pradesh	2
10	Jharkhand	2
11	Karnataka	2
12	Kerala	3
13	Madhya Pradesh	2
14	Maharashtra	3
15	Manipur	2
16	Meghalaya	2
17	Mizoram	1
18	Nagaland	2
19	Odisha	2
20	Punjab	2
21	Rajasthan	2
22	Sikkim	2
23	Tamil Nadu	2
24	Telangana	2
25	Tripura	2
26	Uttar Pradesh	7
27	Uttarakhand	2
28	West Bengal	2
29	A&N Islands	
30	Chandigarh	2
31	Dadra & Nagar Haveli	1
32	Daman & Diu	1
33	Delhi	2

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34	Jammu & Kashmir	2
35	Ladakh	4
36	Lakshadweep	0
37	Puducherry	2
	<b>Total</b>	<b>76</b>

### 3. Prisoner Population in India:

**TABLE C**  
Total Number of Prisoners in each State/UT

S.No.	State/UTs	Total no. of prisoners in the State/UT as of July 2024	Total no. of UTPs	% of Under Trial Prisoners
1	Andhra Pradesh	6198	4112	66.3
2	Arunachal Pradesh	460	300	65.2
3	Assam	11274	8012	71.1
4	Bihar	44717	38092	85.2
5	Chhattisgarh	19393	12601	65.0
6	Goa	603	500	82.9
7	Gujarat	22052	16822	76.3
8	Haryana	24635	18921	76.8
9	Himachal Pradesh	2890	1835	63.5
10	Jharkhand	17423	12104	69.5
11	Karnataka	13873	10867	78.3
12	Kerala	7844	4622	58.9
13	Madhya Pradesh	45378	23968	52.8
14	Maharashtra	45918	38805	84.5
15	Manipur	479	358	74.7
16	Meghalaya	1128	798	70.7
17	Mizoram	1800	1207	67.1
18	Nagaland	581	458	78.8
19	Odisha	17515	14023	80.1
20	Punjab	31671	25330	80.0
21	Rajasthan	25961	20786	80.1
22	Sikkim	338	185	54.7
23	Tamil Nadu	14460	9917	68.6
24	Telangana	6587	5025	76.3
25	Tripura	1414	1046	74.0
26	Uttar Pradesh	77918	57236	73.5

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27	Uttarakhand	6076	3708	61.0
28	West Bengal	25385	21212	83.6
29	A&N Islands	393	165	42.0
30	Chandigarh	1118	769	68.8
31	Dadra & Nagar Haveli	62	62	100.0
32	Daman & Diu	71	69	97.2
33	Delhi	19522	16706	85.6
34	Jammu & Kashmir	4649	4467	96.1
35	Ladakh	43	39	90.7
36	Lakshadweep	2	2	100.0
37	Puducherry	390	266	68.2
	<b>Total</b>	<b>500221</b>	<b>375395</b>	<b>75.0</b>

### ANALYSIS:

- a. As of **July 2024**, there were a total of **5,00,221** prisoners in India. **Nearly 3.75 lakh prisoners** were undertrials comprising **75%** of total prison population.
- b. There is a further **decrease** in the number of **total prisoners** as reported in NALSA's Report on the Functioning of the UTRCs: April to June 2024 from **5,28,728** as of **April 2024** to **5,00,221** as of **July 2024**.
- c. Similarly, there is a decrease in the number of **undertrial** prisoners, from **3,94,413** as of **April 2024** to **3,75,395** undertrial prisoners as of **July 2024**. However, there is a slight increase in proportion of undertrial prisoners from **74.6%** to **75%**.
- d. High proportion of undertrial prisoners were reported in **Jammu & Kashmir (96.1%)**, **Delhi (85.6%)** and **Bihar (85.2%)**.

#### 4. Percentage of Prisoners' Identified for review by UTRCs:

**TABLE D**

Percentage of Prisoners' Identified out of the Total Prison Population

S.No.	Name of the SLSA	Total No. of Prisoners (July 2024)	Persons identified	Percentage of Prisoners Identified out of
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			<b>in the State/UT</b>	<b>the Total Prisoner Population</b>
	<b>A</b>	<b>B</b>	<b>C</b>	<b>D = C/B x 100</b>
1	Andhra Pradesh	6198	442	7.1
2	Arunachal Pradesh	460	195	42.4
3	Assam	11274	1051	9.3
4	Bihar	44717	1688	3.8
5	Chhattisgarh	19393	308	1.6
6	Goa	603	38	6.3
7	Gujarat	22052	748	3.4
8	Haryana	24635	1062	4.3
9	Himachal Pradesh	2890	100	3.5
10	Jharkhand	17423	753	4.3
11	Karnataka	13873	288	2.1
12	Kerala	7844	1319	16.8
13	Madhya Pradesh	45378	1009	2.2
14	Maharashtra	45918	2181	4.7
15	Manipur	479	117	24.4
16	Meghalaya	1128	128	11.3
17	Mizoram	1800	0	0.0
18	Nagaland	581	45	7.7
19	Odisha	17515	618	3.5
20	Punjab	31671	1082	3.4
21	Rajasthan	25961	745	2.9
22	Sikkim	338	13	3.8
23	Tamil Nadu	14460	979	6.8
24	Telangana	6587	675	10.2
25	Tripura	1414	224	15.8
26	Uttar Pradesh	77918	2101	2.7
27	Uttarakhand	6076	378	6.2
28	West Bengal	25385	1269	5.0
29	A&N Islands	393	0	0.0
30	Chandigarh	1118	53	4.7
31	Dadra & Nagar Haveli	62	2	3.2
32	Daman & Diu	71	1	1.4
33	Delhi	19522	277	1.4
34	Jammu & Kashmir	4649	176	3.8
35	Ladakh	43	0	0.0
36	Lakshadweep	2	0	0.0
37	Puducherry	390	38	9.7
	<b>Total</b>	<b>500221</b>	<b>20103</b>	<b>4.0</b>

### ANALYSIS:

- a. A total of **20,103 prisoners** were **identified for review** under the 14 categories of cases by the UTRCs across the country.

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- b. An analysis of these figures indicates that, the **highest number of prisoners** identified were in **Maharashtra (2181)**, **Uttar Pradesh (2101)** and **Bihar (1688)**.
- c. Of the total prison population of 5,00,221, nearly **4.0%** prisoners were **identified** for review. [See Table D]

### 5. Percentage of cases recommended for release by UTRCs vis-à-vis cases identified:

**TABLE E**  
Percentage of Recommended Prisoners vis-à-vis  
No. of Prisoners Identified for Review

S.No.	Name of the SLSA	Persons identified for review	Persons recommended for release	Percentage of Recommended Prisoners out of the total Prisoners Identified
	<b>A</b>	<b>B</b>	<b>C</b>	<b>D = C/B x 100</b>
1	Andhra Pradesh	442	335	<b>75.8</b>
2	Arunachal Pradesh	195	85	<b>43.6</b>
3	Assam	1051	710	<b>67.6</b>
4	Bihar	1688	1245	<b>73.8</b>
5	Chhattisgarh	308	199	<b>64.6</b>
6	Goa	38	5	<b>13.2</b>
7	Gujarat	748	504	<b>67.4</b>
8	Haryana	1062	821	<b>77.3</b>
9	Himachal Pradesh	100	63	<b>63.0</b>
10	Jharkhand	753	523	<b>69.5</b>
11	Karnataka	288	105	<b>36.5</b>
12	Kerala	1319	1003	<b>76.0</b>
13	Madhya Pradesh	1009	771	<b>76.4</b>
14	Maharashtra	2181	2049	<b>93.9</b>
15	Manipur	117	47	<b>40.2</b>
16	Meghalaya	128	113	<b>88.3</b>
17	Mizoram	0	0	<b>-</b>
18	Nagaland	45	18	<b>40.0</b>
19	Odisha	618	313	<b>50.6</b>
20	Punjab	1082	681	<b>62.9</b>
21	Rajasthan	745	571	<b>76.6</b>
22	Sikkim	13	6	<b>46.2</b>
23	Tamil Nadu	979	768	<b>78.4</b>
24	Telangana	675	456	<b>67.6</b>
25	Tripura	224	45	<b>20.1</b>
26	Uttar Pradesh	2101	1428	<b>68.0</b>
27	Uttarakhand	378	208	<b>55.0</b>
28	West Bengal	1269	545	<b>42.9</b>
29	A&N Islands	0	0	<b>0.0</b>

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30	Chandigarh	53	53	<b>100.0</b>
31	Dadra & Nagar Haveli	2	2	<b>100.0</b>
32	Daman & Diu	1	0	<b>0.0</b>
33	Delhi	277	272	<b>98.2</b>
34	Jammu & Kashmir	176	67	<b>38.1</b>
35	Ladakh	0	0	-
36	Lakshadweep	0	0	-
37	Puducherry	38	37	<b>97.4</b>
	<b>Total</b>	<b>20103</b>	<b>14048</b>	<b>69.9</b>

### ANALYSIS:

- a. Of the total of **20,103 cases identified, 69.9% (14,048) were recommended for release by the UTRC.**
- b. The **highest number of cases** were recommended for release in **Maharashtra (2049), Uttar Pradesh (1,428)**, followed by **Bihar (1,245)**.
- c. The highest percentage of cases recommended from the cases identified was in **Chandigarh, Dadra & Nagar Haveli (100%)**, followed by **Delhi (98.2%)** and **Puducherry (97.4%)**. [See Table E]

## 6. Status of Legal Representation of Prisoners Recommended by the UTRC

**TABLE F**

Status of Legal Representation of Recommended Prisoners

	Name of the SLSA	Persons recommended for release	Status of Legal Representation of Recommended Prisoners			Percentage of recommended prisoners who had no lawyer
			Private Lawyer	Legal Aid	No Lawyer	
	<b>A</b>	<b>B</b>	<b>C</b>	<b>D</b>	<b>E</b>	<b>F = E/B*100</b>
1	Andhra Pradesh	335	208	74	0	<b>0</b>
2	Arunachal Pradesh	85	3	42	0	<b>0</b>
3	Assam	710	199	497	0	<b>0</b>
4	Bihar	1245	1001	204	3	<b>0.24</b>
5	Chhattisgarh	199	147	52	0	<b>0.00</b>
6	Goa	5	24	14	0	<b>0.00</b>
7	Gujarat	504	312	176	19	<b>3.77</b>
8	Haryana	821	386	428	7	<b>0.85</b>

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9	Himachal Pradesh	63	49	14	0	<b>0.00</b>
10	Jharkhand	523	446	155	0	<b>0.00</b>
11	Karnataka	105	64	36	5	<b>4.76</b>
12	Kerala	1003	457	343	6	<b>0.60</b>
13	Madhya Pradesh	771	490	268	13	<b>1.69</b>
14	Maharashtra	2049	1635	420	4	<b>0.20</b>
15	Manipur	47	5	42	0	<b>0.00</b>
16	Meghalaya	113	14	109	10	<b>8.85</b>
17	Mizoram	0	0	0	0	<b>#DIV/0!</b>
18	Nagaland	18	5	13	0	<b>0.00</b>
19	Odisha	313	249	64	0	<b>0.00</b>
20	Punjab	681	276	405	0	<b>0.00</b>
21	Rajasthan	571	465	108	3	<b>0.53</b>
22	Sikkim	6	0	6	0	<b>0.00</b>
23	Tamil Nadu	768	546	184	0	<b>0.00</b>
24	Telangana	456	190	248	49	<b>10.75</b>
25	Tripura	45	18	27	0	<b>0.00</b>
26	Uttar Pradesh	1428	661	766	0	<b>0.00</b>
27	Uttarakhand	208	136	80	1	<b>0.48</b>
28	West Bengal	545	339	200	0	<b>0.00</b>
29	A&N Islands	0	0	0	0	<b>0.00</b>
30	Chandigarh	53	12	41	0	<b>0.00</b>
31	Dadra & Nagar Haveli	2	2	0	0	<b>0.00</b>
32	Daman & Diu	0	0	0	0	<b>0.00</b>
33	Delhi	272	41	230	0	<b>0.00</b>
34	Jammu & Kashmir	67	20	44	3	<b>4.48</b>
35	Ladakh	0	0	0	0	<b>0.00</b>
36	Lakshadweep	0	0	0	0	<b>0.00</b>
37	Puducherry	37	22	15	0	<b>0.00</b>
	<b>Total</b>	<b>14048</b>	<b>8422</b>	<b>5305</b>	<b>123</b>	<b>0.88</b>

### ANALYSIS:

- a. Of the **14,048 prisoners recommended**, **60% (8,422)** prisoners were represented by private lawyers, **37.6% (5,305)** prisoners were represented by legal aid lawyers.

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- b. In comparison to the data from April to June Quarter, the number of prisoners reported to have no legal representation **decreased** from **422** prisoners to **123** prisoners. [See Table F]

### 7. Number of bail applications filed:

**TABLE G**  
Percentage of Applications filed out of Recommended Prisoners

S.No.	Name of the SLSA	Persons recommended for release	Total Number of Applications filed	Percentage of Applications filed out of the no. of Recommended Prisoners
	A	B	C	D = C/B x 100
1	Andhra Pradesh	335	198	59.1
2	Arunachal Pradesh	85	63	74.1
3	Assam	710	630	88.7
4	Bihar	1245	1159	93.1
5	Chhattisgarh	199	178	89.4
6	Goa	5	5	100.0
7	Gujarat	504	464	92.1
8	Haryana	821	553	67.4
9	Himachal Pradesh	63	51	81.0
10	Jharkhand	523	510	97.5
11	Karnataka	105	84	80.0
12	Kerala	1003	761	75.9
13	Madhya Pradesh	771	734	95.2
14	Maharashtra	2049	1408	68.7
15	Manipur	47	20	42.6
16	Meghalaya	113	42	37.2
17	Mizoram	0	0	-
18	Nagaland	18	18	100.0
19	Odisha	313	186	59.4
20	Punjab	681	648	95.2
21	Rajasthan	571	447	78.3
22	Sikkim	6	4	66.7
23	Tamil Nadu	768	563	73.3
24	Telangana	456	141	30.9
25	Tripura	45	45	100.0
26	Uttar Pradesh	1428	1451	101.6
27	Uttarakhand	208	166	79.8
28	West Bengal	545	519	95.2
29	A&N Islands	0	0	0.0
30	Chandigarh	53	50	94.3
31	Dadra & Nagar Haveli	2	1	50.0
32	Daman & Diu	0	0	0.0

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33	Delhi	272	236	<b>86.8</b>
34	Jammu & Kashmir	67	67	<b>100.0</b>
35	Ladakh	0	0	-
36	Lakshadweep	0	0	-
37	Puducherry	37	37	<b>100.0</b>
	<b>Total</b>	<b>14048</b>	<b>11439</b>	<b>81.4</b>

### ANALYSIS:

- a. It is important for the UTRC process that once a case is recommended for release by the UTRC, appropriate applications are moved before the competent court by the panel or private lawyers representing the accused.
- b. Data indicates that **a total of 11,439 bail or other appropriate applications** were **filed** by lawyers.
- c. Thus, bail applications were moved for **81.4%** of the of the **total** number of **cases recommended** by the UTRCs. This is slight increase over the data from April to June Quarter, wherein applications were moved in **78.6%** of cases.
- d. Further analysis reveals that the **highest number of applications were filed in Uttar Pradesh (1,451)** followed by **Maharashtra (1,408)** and five State/UTs (Goa, Nagaland, Tripura, Jammu & Kashmir and Puducherry) ensured that applications were filed in all cases recommended. [See Table G]

### 8. Status of Applications Filed & Reasons for Denial of Bail

**TABLE H**  
Status of Applications Filed

S.N o.	Name of the SLSA	Persons recommended for release	No. of Applications Filed	No. of Applications Pending	No. of Applications where Bail Not Granted	No. of Applications where Bail Granted	No. of prisoners released
	<b>A</b>	<b>B</b>	<b>C</b>	<b>D</b>	<b>E</b>	<b>F</b>	<b>G</b>
1	Andhra Pradesh	335	198	29	13	179	132

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2	Arunachal Pradesh	85	63	16	5	47	50
3	Assam	710	630	79	64	442	405
4	Bihar	1245	1159	213	238	584	528
5	Chhattisgarh	199	178	5	15	158	156
6	Goa	5	5	0	0	5	4
7	Gujarat	504	464	29	23	412	360
8	Haryana	821	553	45	43	465	295
9	Himachal Pradesh	63	51	3	6	42	34
10	Jharkhand	523	510	85	67	361	354
11	Karnataka	105	84	8	1	75	60
12	Kerala	1003	761	79	16	666	649
13	Madhya Pradesh	771	734	169	62	498	484
14	Maharashtra	2049	1408	241	68	1035	884
15	Manipur	47	20	0	0	23	15
16	Meghalaya	113	42	26	0	47	31
17	Mizoram	0	0	0	0	0	0
18	Nagaland	18	18	2	0	16	16
19	Odisha	313	186	51	12	130	209
20	Punjab	681	648	26	17	605	523
21	Rajasthan	571	447	22	75	350	231
22	Sikkim	6	4	0	0	4	4
23	Tamil Nadu	768	563	19	47	495	381
24	Telangana	456	141	13	9	119	118
25	Tripura	45	45	0	3	42	24
26	Uttar Pradesh	1428	1451	161	168	1122	915
27	Uttarakhand	208	166	62	26	104	58
28	West Bengal	545	519	35	125	359	262
29	A&N Islands	0	0	0	0	0	0
30	Chandigarh	53	50	0	0	50	17
31	Dadra & Nagar Haveli	2	1	0	0	2	1
32	Daman & Diu	0	0	0	0	0	0
33	Delhi	272	236	47	27	164	114
34	Jammu & Kashmir	67	67	30	6	6	25

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35	Ladakh	0	0	0	0	0	0
36	Lakshadweep	0	0	0	0	0	0
37	Puducherry	37	37	10	0	27	27
	<b>Total</b>	<b>14048</b>	<b>11439</b>	<b>1505</b>	<b>1136</b>	<b>8634</b>	<b>7366</b>

### ANALYSIS:

- a. Of the **11,439 applications** filed **13.2%** were still pending on the date of reporting of data.
- b. The highest percentage of pending applications were in **Meghalaya (61.9%)** and **Jammu & Kashmir (44.8%)**.
- c. A total of **1,136 applications** for bail were **not granted**. Data was also sought on the reasons for denial of bail, an analysis of this data presents a snippet of some systemic concerns in adjudication of bail applications. Reasons of bail varied from - heinous offence, offence against a woman, accused is vagabond, address not verified, stolen article recovered from accused, involved in other cases of similar nature, etc.
- d. Of the **8634 cases** where **bail** was **granted**, **releases** were effectuated only for **7,366 prisoners**. [See Table H]

### 9. Percentage of cases released from the cases recommended for release:

**TABLE I**  
Percentage of Prisoners Released from the Recommended Prisoners

S.No.	Name of the SLSA	Persons recommended for release	Persons released pursuant to UTRC recommendation	Percentage of Prisoners Released from the Recommended Prisoners
	<b>A</b>	<b>B</b>	<b>C</b>	<b>D = C/B x 100</b>
1	Andhra Pradesh	335	132	<b>39.4</b>
2	Arunachal Pradesh	85	50	<b>58.8</b>
3	Assam	710	405	<b>57.0</b>
4	Bihar	1245	528	<b>42.4</b>
5	Chhattisgarh	199	156	<b>78.4</b>
6	Goa	5	4	<b>80.0</b>



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7	Gujarat	504	360	71.4
8	Haryana	821	295	35.9
9	Himachal Pradesh	63	34	54.0
10	Jharkhand	523	354	67.7
11	Karnataka	105	60	57.1
12	Kerala	1003	649	64.7
13	Madhya Pradesh	771	484	62.8
14	Maharashtra	2049	884	43.1
15	Manipur	47	15	31.9
16	Meghalaya	113	31	27.4
17	Mizoram	0	0	-
18	Nagaland	18	16	88.9
19	Odisha	313	209	66.8
20	Punjab	681	523	76.8
21	Rajasthan	571	231	40.5
22	Sikkim	6	4	66.7
23	Tamil Nadu	768	381	49.6
24	Telangana	456	118	25.9
25	Tripura	45	24	53.3
26	Uttar Pradesh	1428	915	64.1
27	Uttarakhand	208	58	27.9
28	West Bengal	545	262	48.1
29	A&N Islands	0	0	-
30	Chandigarh	53	17	32.1
31	Dadra & Nagar Haveli	2	1	50.0
32	Daman & Diu	0	0	-
33	Delhi	272	114	41.9
34	Jammu & Kashmir	67	25	37.3
35	Ladakh	0	0	-
36	Lakshadweep	0	0	-
37	Puducherry	37	27	73.0
	<b>Total</b>	<b>14048</b>	<b>7366</b>	<b>52.4</b>

### ANALYSIS:

- a. Of the total number of cases recommended for release by the UTRCs, an average **52.4% prisoners** were released, this is an increase over the **47% prisoners** released in April to June Quarter and also over those released in NALSA's UTRC Special Campaign 2023 wherein **50.5%** prisoners from those recommended were released.
- b. **88.9%** of prisoners from those recommended were released in **Nagaland**, **80%** from **Goa**. The lowest percentage of persons were released from **Telangana (25.9%)**. [See Table I]

**10. Category-wise release of prisoners:**

**[see next page]**

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## TABLE J

Category-wise prisoners identified, reviewed and released

S.No.	Category of Review	No of Prisoners Identified	No. of Prisoners Recommended	Status of Legal Representation			No. of Applications filed	No. of applications pending	No of applications where bail granted	No. of applications where bail not granted	No. of prisoners released	Percentage of Prisoners Released from Recommended
				Private	Legal Aid	No Lawyer						
1.	UTPs covered under Section 436A Cr.P.C.	466	379	196	191	0	368	32	241	92	159	42.0
2.	UTPs granted bail by the court, but have not been able to furnish sureties.	5372	4254	2135	2202	15	3500	459	2879	147	2226	52.3
3.	UTPs accused of compoundable offences.	4571	3560	2347	1205	57	3051	446	2163	339	1890	53.1
4.	UTPs eligible under	137	110	56	53	0	110	6	99	4	79	71.8

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	Section 436 of Cr.P.C.											
5.	UTPs who may be covered under Section 3 of the Probation of Offenders Act, namely accused of offence under Sections 379, 380, 381, 404, 420 IPC or alleged to be an offence not more than 2 years imprisonment.	2511	2099	1379	690	9	1827	159	1481	141	1346	64.1
6	Convicts who have undergone their sentence or are entitled to release because of remission	582	328	46	12	8	60	18	39	3	169	51.5

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	granted to them											
7.	UTPs become eligible to be released on bail u/s 167(2)(a)(i) & (ii) CrPC and Section 36A of the Narcotic Drugs and Psychotropic Substances Act, 1985 (where persons accused of Section 19 or Section 24 or Section 27A or for offences involving commercial	566	386	292	65	8	286	13	261	13	234	60.6

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	quantity) and where investigation is not completed in 60/90/180 days.											
8.	UTPs who are imprisoned for offences which carry a maximum punishment of 2 years.	274	237	126	88	8	196	8	160	23	136	57.4
9.	UTPs who are detained under Chapter VIII of the Cr.P.C. i.e. u/s 107, 108, 109 and 151 of Cr.P.C.	427	415	236	156	13	402	44	344	1	374	90.1
10.	UTPs who are sick or infirm and require specialized medical treatment.	993	420	263	161	1	327	103	160	75	111	26.4

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11.	Women UTPs	3226	1250	1021	259	0	843	138	548	179	502	40.2
12.	UTPs who are first time offenders between the ages 19 and 21 years and in custody for the offence punishable with less than 7 years of imprisonment and have suffered at least 1/4th of the maximum sentence possible.	235	97	65	31	3	80	15	54	6	32	33.0
13.	UTPs who are of unsound mind and must be dealt under Chapter XXV of the Code.	267	148	84	71	1	81	33	27	23	14	9.5

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14.	UTPs eligible for release under Section 437(6) of Cr.P.C, wherein in a case triable by a Magistrate, the trial of a person accused of any non-bailable offence has not been concluded within a period of 60 days from the first date fixed for taking evidence in the case.	476	365	176	121	0	308	31	178	90	94	25.8
	<b>Total</b>	<b>20103</b>	<b>14048</b>	<b>8422</b>	<b>5305</b>	<b>123</b>	<b>11439</b>	<b>1505</b>	<b>8634</b>	<b>1136</b>	<b>7366</b>	<b>52.4</b>



ANALYSIS:

- a. Among the 14 categories of prisoners reviewed, the highest number of prisoners were released under the category of those who had **already been granted bail** by court, but were **unable to furnish sureties (2,226)**, followed by those accused of **compoundable offences (1,890)**.
- b. Further analysis of data reveals that the highest percentage of prisoners released out of those recommended were from the category of prisoners who were detained under Chapter VII of the CrPC, i.e. u/s 107, 108, 109 and 151 CrPC **(90.1 %)**.
- c. The lowest percentage of UTPs released were from the category of UTPs who are of unsound mind and must be dealt with under Chapter XXV of the Cr.P.C. **(9.5%)**.
- d. Other concerning aspects were the non-release of UTPs who were identified and recommended for release under categories linked to statutory bail. For instance, of the 379 UTPs recommended for release under **Sec 436A CrPC<sup>1</sup>**, only 159 **(42%)** were released; of the 4,254 recommended UTPs who were **unable to furnish surety despite grant of bail**, only **2,226 (52.3%)** were released; of the **110** recommended UTPs eligible for release under **Sec 436 CrPC<sup>2</sup>** only **79 (71.8%)** were released; of the 386 recommended UTPs eligible for release **under Sec 167 CrPC**, **234 (60.6%)** were released.

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<sup>1</sup> Section 436A Cr.P.C. states that no person shall be detained for more than the maximum period provided for the said offence, and that where a person has undergone detention for a period extending up to one-half of the maximum period of imprisonment specified for that offence under that law, he shall be released by the Court on his personal bond with or without sureties.

<sup>2</sup> Section 436 Cr.P.C. states that where a person is unable to give bail within a week of his arrest, in bailable offences, it shall be sufficient ground for the officer or the court to presume that he is an indigent person, and the court may and shall instead of taking bail from such person, discharge him on his executing a bond without sureties for his appearance.

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- e. Further, data indicates, that cases where liberal bail provisions are prescribed<sup>3</sup>, viz. for the **420 sick and infirm UTPs** recommended, only **111 (26.4%)** were released; and of the **1,250 women UTPs** recommended, **40.9%** were released. (See Table J)

### 11. Percentage of undertrials released:

**TABLE K**  
Percentage of undertrial prisoners released

S.No.	Name of the SLSA	Total No. of Prisoners (July 2024)	Persons recommended for release	Persons released pursuant to UTRC recommendation	Percentage of Released Prisoners out of total Prisoner Population
	A	B	C	D	E (D/B x 100)
1	Andhra Pradesh	6198	335	132	2.1
2	Arunachal Pradesh	460	85	50	10.9
3	Assam	11274	710	405	3.6
4	Bihar	44717	1245	528	1.2
5	Chhattisgarh	19393	199	156	0.8
6	Goa	603	5	4	0.7
7	Gujarat	22052	504	360	1.6
8	Haryana	24635	821	295	1.2
9	Himachal Pradesh	2890	63	34	1.2
10	Jharkhand	17423	523	354	2.0
11	Karnataka	13873	105	60	0.4
12	Kerala	7844	1003	649	8.3
13	Madhya Pradesh	45378	771	484	1.1
14	Maharashtra	45918	2049	884	1.9
15	Manipur	479	47	15	3.1
16	Meghalaya	1128	113	31	2.7
17	Mizoram	1800	0	0	0.0
18	Nagaland	581	18	16	2.8
19	Odisha	17515	313	209	1.2
20	Punjab	31671	681	523	1.7
21	Rajasthan	25961	571	231	0.9

<sup>3</sup> Section 437 Cr.P.C. lays down provisions for when bail may be taken in case of non-bailable offences, and includes a proviso for liberal consideration of bail for persons who are sick or infirm as well as for women, even where there are reasonable grounds for believing they are guilty of the offence punishable with death or imprisonment for life, or where the offence is cognizable and accused has been previously convicted.

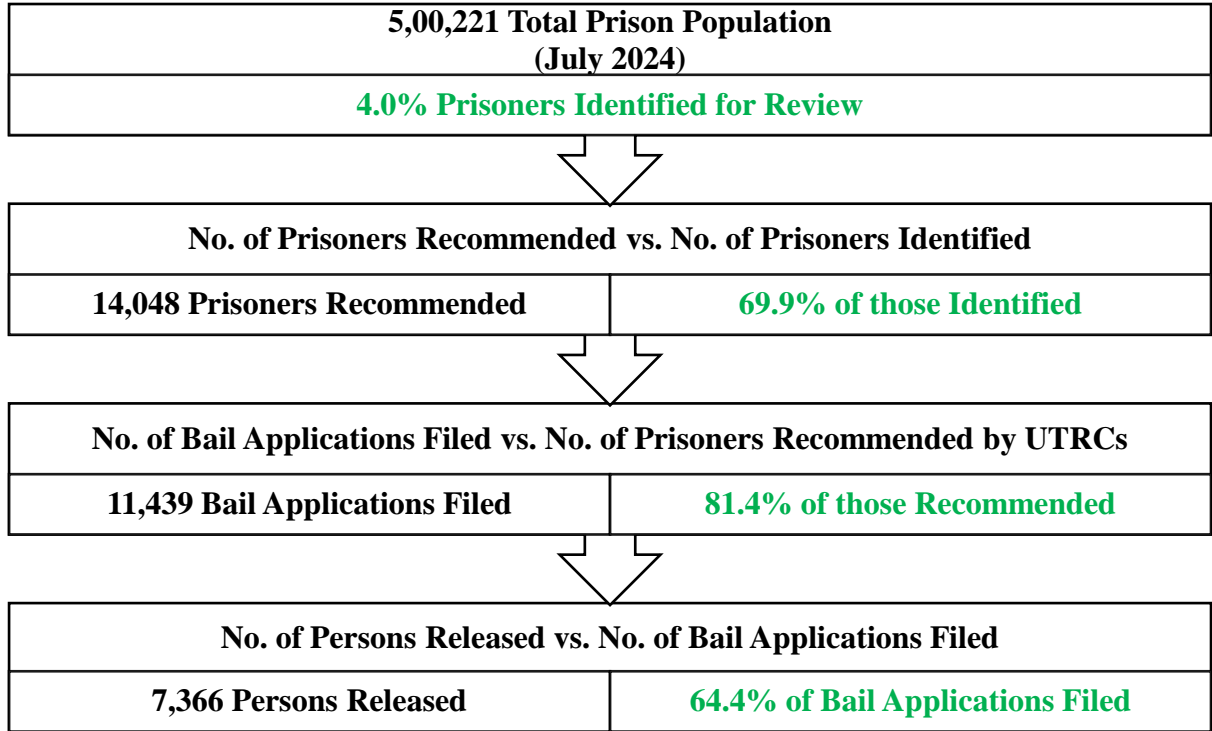
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22	Sikkim	338	6	4	<b>1.2</b>
23	Tamil Nadu	14460	768	381	<b>2.6</b>
24	Telangana	6587	456	118	<b>1.8</b>
25	Tripura	1414	45	24	<b>1.7</b>
26	Uttar Pradesh	77918	1428	915	<b>1.2</b>
27	Uttarakhand	6076	208	58	<b>1.0</b>
28	West Bengal	25385	545	262	<b>1.0</b>
29	A&N Islands	393	0	0	<b>0.0</b>
30	Chandigarh	1118	53	17	<b>1.5</b>
31	Dadra & Nagar Haveli	62	2	1	<b>1.6</b>
32	Daman & Diu	71	0	0	<b>0.0</b>
33	Delhi	19522	272	114	<b>0.6</b>
34	Jammu & Kashmir	4649	67	25	<b>0.5</b>
35	Ladakh	43	0	0	<b>0.0</b>
36	Lakshadweep	2	0	0	<b>0.0</b>
37	Puducherry	390	37	27	<b>6.9</b>
	<b>Total</b>	<b>500221</b>	<b>14048</b>	<b>7366</b>	<b>1.5</b>

### ANALYSIS:

- a. The UTRC Quarterly Meeting from July to September resulted in the release of **7,366 prisoners** across the country, with the highest number of releases in **Uttar Pradesh (915)**, **Maharashtra (884)** and **Kerala (649)**.
- b. In terms of proportion of prisoners released vis-à-vis the total undertrial population in the State/UT concerned, highest percentage were released in **Arunachal Pradesh (10.9%)** and **Kerala (8.3%)**.
- c. The total percentage of prisoners released across India is **1.5%**, a marginal increase from the April Quarter (1.4%). (See Table K)

**UTRC QUARTERLY MEETING IN JULY**  
**OUTCOMES AT A GLANCE**



### III. KEY OBSERVATIONS & ACTION POINTS

Some key observations that have emerged from the data are as follows:

1. **UTRC meetings:** Meetings are being held diligently across all districts, with the UTRC meeting having been conducted in 702 of the 704 DLSAs.
2. **Monitoring & review by SLSAs:** Among the 37 SLSAs, a total of 76 pre & post review meetings were conducted with the DLSAs by the SLA. Not all States/UTs are conducted the mandated minimum of two meetings.
3. **Prisoner Population:** As of July 2024, there were a total of 5,00,221 prisoners in India. Nearly 3.75 lakh prisoners were undertrials comprising 75% of total prison population.
4. **Identification for Review by UTRC:** A total of 20,103 prisoners were identified for review under the 14 categories of cases by the UTRCs across the country. This constituted nearly **4.0%** of all prisoners.
5. **Cases Recommended for release by UTRC:** Of the total of 20,103 cases identified, 69.9% (14,048) were recommended for release by the UTRC.
6. **Filing of bail applications:** Data indicates that a total of 11,439 bail or other appropriate applications were filed by lawyers. Thus, bail applications were moved for 81.4% of the total number of cases recommended by the UTRCs.
7. **Pendency of bail applications:** Of the 11,439 applications filed 13.2% were still pending on the date of reporting of data.
8. **Release of Prisoners:** Of the total number of cases recommended for release by the UTRCs, an average 52.4% prisoners were released. Among the 14 categories of prisoners reviewed, the highest of number of prisoners were released under the category of those who had already been granted bail by court, but were unable to furnish sureties (2,226), followed by those accused of compoundable offences (1,890). The non-release of UTPs who were identified and recommended for release under categories linked to statutory bail, continues to be an area of concern and affirmative action.

**ACTION POINTS FOR STRENGTHENING UNDER TRIAL REVIEW  
COMMITTEES**

To further enhance the efficacy of the UTRCs, the following measures may be taken:

1. SLSAs should continue to maintain close supervision through the pre and post review meetings on the UTRC process with specific focus on the identification process and filing of bails subsequent to recommendations by the UTRC. In larger States where the number of DLSAs is more than 10, the pre and post review meetings may be conducted zone-wise, to ensure more effective monitoring of the UTRC process.
2. While there are marginal improvements over the performance of the UTRCs in the April to June Quarter, continued supervision and monitoring of the SLSAs is necessary to reduce the gaps between the number of prisoners identified, the number of prisoners recommended, the number of applications filed and the number of prisoners released.
3. The SLSAs must review and evaluate the reasons for non-release in statutory bail cases, and ensure that the gap between the number of persons recommended for release corresponds with the number of persons released.
4. SLSAs and DLSAs must continue to hold regular orientation sessions with the UTRC members, lawyers etc. on the UTRC process.
5. It is necessary for a close review of the reasons for denial of bail by the Member Secretary, SLASA and to strategize on steps to ensure that lawyers are filing bail applications in a timely and appropriate manner.
6. The SLSAs and DLSAs may conduct regular legal awareness camps in the prison to apprise prisoners of the UTRC process and display posters in local languages on the UTRC process at appropriate locations within the prisons.