



**Functioning of the Under Trial Review Committees**

**October to December 2024**

**&**

**During the year 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.

This report documents the functioning of the UTRCs during the October to December Quarter. A quarterly meeting of the UTRCs was held across all districts in India on **16<sup>th</sup> October, 2024**. In this quarter, **16,415 prisoners** i.e **3.2%** of the total prisoner population were identified for review, resulting in the release of **6,071** prisoners across the country, with highest number of releases in Uttar Pradesh (**799**) and highest percentage of prisoners released in Arunachal Pradesh (**19.7%**). The number of prisoners released are approximately **1.2%** of the total prison population (**5,05,870**).

Annual figures for the year 2024 indicate that the quarterly meetings of the UTRCs led to the **identification** of **78,492** prisoners, **recommendation** of release for **53,594** prisoners, filing of **39,744 applications**, resulting in the **release of 25,982 prisoners**. This constitutes approximately **5.0 %** of the total prisoner population.

## **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.

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 October 2024. This report documents the key aspects and processes of the same.

### **Schedule of Quarterly UTRC Meetings for July Quarter**

<b><i>1<sup>st</sup> October, 2024</i></b>	Member Secretary, NALSA to chair a meeting with the Member Secretary, SLSAs on strengthening the functioning of UTRCs.
<b><i>4<sup>th</sup> October, 2024</i></b>	Secretary, DLSA to brief members of the UTRC regarding schedule & process. Secretary, DLSA to conduct orientation sessions for Jail Visiting Lawyers and PLVs.
<b><i>7<sup>th</sup> October, 2024</i></b>	Officer-in-Charge of Prisons to send the complete list of all prisoners as per prescribed format to Secretary DLSA.
<b><i>14<sup>th</sup> October, 2024</i></b>	SLSA to conduct the pre-review meeting with the DLSAs.
<b><i>16<sup>th</sup> October, 2024</i></b>	<b>Meeting of the UTRC.</b>

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<b>23<sup>rd</sup> October, 2024</b>	Secretary DLSA to send Minutes of the UTRC meeting to all members as per the prescribed formats.
<b>24<sup>th</sup> October, 2024</b>	SLSA to conduct the post-review meeting with the DLSAs.
<b>18<sup>th</sup> November, 2024</b>	DLSA to send data on the functioning of UTRC to SLSA as per the prescribed format.
<b>29<sup>th</sup> November, 2024</b>	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 OCTOBER 2024

### 1. Number of UTRC Meetings held:

Of the 705 DLSAs, the UTRC meeting scheduled to be held on 16<sup>th</sup> July 2024, was not held in 1 district, namely Mumbai Suburban in Maharashtra as ‘no criminal falls within the jurisdiction’.

#### ANALYSIS:

- a. From data reported in the previous quarter, there is an increase of one DLSA, from 704 to 705 DLSAs.
- b. As per mandate, meetings were conducted in 704 of the 705 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.

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### 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), Mizoram and Daman & Diu conducted only 1 meeting, whereas Uttar Pradesh conducted 6 meetings.

**TABLE A**  
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	2
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	6
27	Uttarakhand	2

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28	West Bengal	2
29	A&N Islands	
30	Chandigarh	2
31	Dadra & Nagar Haveli	3
32	Daman & Diu	1
33	Delhi	2
34	Jammu & Kashmir	2
35	Ladakh	2
36	Lakshadweep	
37	Puducherry	2
	<b>Total</b>	<b>76</b>

### 3. Prisoner Population in India:

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

S.No.	State/UTs	Total no. of prisoners in the State/UT as of October 2024	Total no. of UTPs	% of Under Trial Prisoners
1	Andhra Pradesh	6742	4641	68.8
2	Arunachal Pradesh	249	94	37.8
3	Assam	13964	10427	74.7
4	Bihar	48834	42183	86.4
5	Chhattisgarh	19151	12894	67.3
6	Goa	637	524	82.3
7	Gujarat	22298	16028	71.9
8	Haryana	26360	20381	77.3
9	Himachal Pradesh	2339	1653	70.7
10	Jharkhand	16753	11750	70.1
11	Karnataka	13826	10818	78.2
12	Kerala	9210	5103	55.4
13	Madhya Pradesh	42775	22755	53.2
14	Maharashtra	37635	30885	82.1
15	Manipur	455	333	73.2
16	Meghalaya	1530	1067	69.7
17	Mizoram	1643	1027	62.5
18	Nagaland	692	517	74.7
19	Odisha	17351	13782	79.4
20	Punjab	30832	24474	79.4

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21	Rajasthan	26698	21984	82.3
22	Sikkim	327	178	54.4
23	Tamil Nadu	15843	10221	64.5
24	Telangana	6201	4619	74.5
25	Tripura	1659	1296	78.1
26	Uttar Pradesh	87121	62535	71.8
27	Uttarakhand	6188	3839	62.0
28	West Bengal	23398	18872	80.7
29	A&N Islands	0	0	-
30	Chandigarh	979	635	64.9
31	Dadra & Nagar Haveli	88	88	100.0
32	Daman & Diu	67	65	97.0
33	Delhi	18691	16541	88.5
34	Jammu & Kashmir	4923	4802	97.5
35	Ladakh	51	46	90.2
36	Lakshadweep	0	0	-
37	Puducherry	360	253	70.3
	<b>Total</b>	<b>505870</b>	<b>377310</b>	<b>74.6</b>

### ANALYSIS:

- a. As of **October 2024**, there were a total of **5,05,870** prisoners in India. Nearly **3.77 lakh prisoners** were undertrials comprising **74.6%** of total prison population.
- b. There is a slight **increase** in the number of **total prisoners** as reported in NALSA's Report on the Functioning of the UTRCs: July to September 2024 from **5,00,221** as of **July 2024** to **5,05,870** as of **October 2024**.
- c. Similarly, there is a slight increase in the number of **undertrial** prisoners, from **3,75,395** prisoners as of **July 2024** to **3,77,310** as of **October 2024**. However, there is a slight decrease in proportion of undertrial prisoners from **75%** to **74.6%**.
- d. High proportion of undertrial prisoners were reported in **Jammu & Kashmir (97.5%)**, **Delhi (88.5%)** and **Bihar (86.4%)**.

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

**TABLE C**

Percentage of Prisoners' Identified out of the Total Prison Population

S.No.	Name of the SLSA	Total No. of Prisoners (October 2024)	Persons identified in the State/UT	Percentage of Prisoners Identified out of the Total Prisoner Population
	<b>A</b>	<b>B</b>	<b>C</b>	<b>D = C/B x 100</b>
1	Andhra Pradesh	6742	532	7.9
2	Arunachal Pradesh	249	185	74.3
3	Assam	13964	1085	7.8
4	Bihar	48834	1071	2.2
5	Chhattisgarh	19151	349	1.8
6	Goa	637	45	7.1
7	Gujarat	22298	724	3.2
8	Haryana	26360	655	2.5
9	Himachal Pradesh	2339	70	3.0
10	Jharkhand	16753	647	3.9
11	Karnataka	13826	294	2.1
12	Kerala	9210	1298	14.1
13	Madhya Pradesh	42775	707	1.7
14	Maharashtra	37635	1810	4.8
15	Manipur	455	73	16.0
16	Meghalaya	1530	78	5.1
17	Mizoram	1643	0	0.0
18	Nagaland	692	59	8.5
19	Odisha	17351	570	3.3
20	Punjab	30832	912	3.0
21	Rajasthan	26698	528	2.0
22	Sikkim	327	34	10.4
23	Tamil Nadu	15843	651	4.1
24	Telangana	6201	632	10.2
25	Tripura	1659	212	12.8
26	Uttar Pradesh	87121	1260	1.4
27	Uttarakhand	6188	428	6.9
28	West Bengal	23398	980	4.2
29	A&N Islands	0	0	#DIV/0!
30	Chandigarh	979	46	4.7
31	Dadra & Nagar Haveli	88	3	3.4
32	Daman & Diu	67	1	1.5
33	Delhi	18691	287	1.5
34	Jammu & Kashmir	4923	170	3.5
35	Ladakh	51	1	2.0
36	Lakshadweep	0	0	0.0
37	Puducherry	360	18	5.0
	<b>Total</b>	<b>505870</b>	<b>16415</b>	<b>3.2</b>

**ANALYSIS:**



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- a. A total of **16,415 prisoners** were **identified for review** under the 14 categories of cases by the UTRCs across the country.
- b. An analysis of these figures indicates that, the **highest number of prisoners** identified were in **Maharashtra (1810), Kerala (1298) and Uttar Pradesh (1260)**.
- c. Of the total prison population of 5,05,870, nearly **3.2%** prisoners were **identified** for review. [See Table C]

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

**TABLE D**  
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
	A	B	C	D = C/B x 100
1	Andhra Pradesh	532	480	90.2
2	Arunachal Pradesh	185	79	42.7
3	Assam	1085	753	69.4
4	Bihar	1071	807	75.4
5	Chhattisgarh	349	258	73.9
6	Goa	45	7	15.6
7	Gujarat	724	398	55.0
8	Haryana	655	464	70.8
9	Himachal Pradesh	70	54	77.1
10	Jharkhand	647	446	68.9
11	Karnataka	294	102	34.7
12	Kerala	1298	1038	80.0
13	Madhya Pradesh	707	563	79.6
14	Maharashtra	1810	1620	89.5
15	Manipur	73	38	52.1
16	Meghalaya	78	71	91.0
17	Mizoram	0	0	-
18	Nagaland	59	42	71.2
19	Odisha	570	282	49.5
20	Punjab	912	457	50.1
21	Rajasthan	528	417	79.0
22	Sikkim	34	11	32.4
23	Tamil Nadu	651	506	77.7
24	Telangana	632	509	80.5
25	Tripura	212	43	20.3

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26	Uttar Pradesh	1260	852	<b>67.6</b>
27	Uttarakhand	428	275	<b>64.3</b>
28	West Bengal	980	494	<b>50.4</b>
29	A&N Islands	0	0	<b>0.0</b>
30	Chandigarh	46	46	<b>100.0</b>
31	Dadra & Nagar Haveli	3	3	<b>100.0</b>
32	Daman & Diu	1	0	<b>0.0</b>
33	Delhi	287	284	<b>99.0</b>
34	Jammu & Kashmir	170	89	<b>52.4</b>
35	Ladakh	1	0	<b>0.0</b>
36	Lakshadweep	0	0	<b>0.0</b>
37	Puducherry	18	18	<b>100.0</b>
	<b>Total</b>	<b>16415</b>	<b>11506</b>	<b>70.1</b>

### ANALYSIS:

- a. Of the total of **16,415** cases identified, **70.1%** (**11,506**) were recommended for release by the UTRC.
- b. The highest number of cases were recommended for release in **Maharashtra (1620), Kerala (1038)** and **Uttar Pradesh (852)**.
- c. The highest percentage of cases recommended from the cases identified was in **Chandigarh, Dadra & Nagar Haveli** and **Puducherry (100%)**, followed by **Delhi (99%)** and **Meghalaya (91%)**. [See Table D]

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

**TABLE E**

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	480	387	89	0	<b>0</b>
2	Arunachal Pradesh	79	6	30	1	<b>1.26</b>
3	Assam	753	237	516	0	<b>0</b>
4	Bihar	807	697	112	2	<b>0.25</b>
5	Chhattisgarh	258	197	61	0	<b>0.00</b>
6	Goa	7	33	12	0	<b>0.00</b>
7	Gujarat	398	248	148	2	<b>0.50</b>

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8	Haryana	464	172	292	0	<b>0.00</b>
9	Himachal Pradesh	54	33	21	0	<b>0.00</b>
10	Jharkhand	446	316	130	0	<b>0.00</b>
11	Karnataka	102	68	34	0	<b>0.00</b>
12	Kerala	1038	513	374	10	<b>0.96</b>
13	Madhya Pradesh	563	359	201	0	<b>0.00</b>
14	Maharashtra	1620	1146	358	63	<b>3.89</b>
15	Manipur	38	7	27	4	<b>10.53</b>
16	Meghalaya	71	12	63	0	<b>0.00</b>
17	Mizoram	0	0	0	0	<b>#DIV/0!</b>
18	Nagaland	42	3	39	0	<b>0.00</b>
19	Odisha	282	221	61	0	<b>0.00</b>
20	Punjab	457	133	324	0	<b>0.00</b>
21	Rajasthan	417	323	82	6	<b>1.44</b>
22	Sikkim	11	2	9	0	<b>0.00</b>
23	Tamil Nadu	506	307	198	1	<b>0.20</b>
24	Telangana	509	135	345	29	<b>5.70</b>
25	Tripura	43	15	28	0	<b>0.00</b>
26	Uttar Pradesh	852	214	638	0	<b>0.00</b>
27	Uttarakhand	275	190	164	0	<b>0.00</b>
28	West Bengal	494	298	195	0	<b>0.00</b>
29	A&N Islands	0	0	0	0	<b>0.00</b>
30	Chandigarh	46	11	35	0	<b>0.00</b>
31	Dadra & Nagar Haveli	3	0	0	0	<b>0.00</b>
32	Daman & Diu	0	0	0	0	<b>0.00</b>
33	Delhi	284	30	245	0	<b>0.00</b>
34	Jammu & Kashmir	89	26	63	0	<b>0.00</b>
35	Ladakh	0	0	0	0	<b>0.00</b>
36	Lakshadweep	0	0	0	0	<b>0.00</b>
37	Puducherry	18	18	0	0	<b>0.00</b>
	<b>Total</b>	<b>11506</b>	<b>6357</b>	<b>4894</b>	<b>118</b>	<b>1.03</b>

### ANALYSIS:

- a. Of the **11,506 prisoners recommended**, **55% (6,357)** prisoners were represented by private lawyers, **42.5% (4,894)** prisoners were represented by legal aid lawyers.

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- b. In comparison to the data from April to June Quarter, and the July to October Quarter, the number of prisoners reported to have no legal representation **decreased** from **422** prisoners to **123** prisoners to **118** prisoners. [See Table E]

### 7. Number of bail applications filed:

**TABLE F**  
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	480	311	64.8
2	Arunachal Pradesh	79	61	77.2
3	Assam	753	638	84.7
4	Bihar	807	649	80.4
5	Chhattisgarh	258	245	95.0
6	Goa	7	7	100.0
7	Gujarat	398	369	92.7
8	Haryana	464	412	88.8
9	Himachal Pradesh	54	49	90.7
10	Jharkhand	446	431	96.6
11	Karnataka	102	98	96.1
12	Kerala	1038	700	67.4
13	Madhya Pradesh	563	538	95.6
14	Maharashtra	1620	811	50.1
15	Manipur	38	15	39.5
16	Meghalaya	71	8	11.3
17	Mizoram	0	0	-
18	Nagaland	42	42	100.0
19	Odisha	282	150	53.2
20	Punjab	457	446	97.6
21	Rajasthan	417	277	66.4
22	Sikkim	11	8	72.7
23	Tamil Nadu	506	419	82.8
24	Telangana	509	240	47.2
25	Tripura	43	36	83.7
26	Uttar Pradesh	852	852	100.0
27	Uttarakhand	275	209	76.0
28	West Bengal	494	436	88.3
29	A&N Islands	0	0	0.0
30	Chandigarh	46	46	100.0

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31	Dadra & Nagar Haveli	3	3	<b>100.0</b>
32	Daman & Diu	0	0	<b>0.0</b>
33	Delhi	284	244	<b>85.9</b>
34	Jammu & Kashmir	89	82	<b>92.1</b>
35	Ladakh	0	0	<b>0.0</b>
36	Lakshadweep	0	0	<b>0.0</b>
37	Puducherry	18	0	<b>0.0</b>
	<b>Total</b>	<b>11506</b>	<b>8832</b>	<b>76.8</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 8,832 bail or other appropriate applications** were **filed** by lawyers.
- c. Thus, bail applications were moved for **76.8 %** of the of the **total** number of **cases recommended** by the UTRCs. This indicates a **decrease** over the applications filed in 81.4% of the cases recommended in the July to September Quarter, and the 78.6% filed in April to June Quarter.
- d. Further analysis reveals that the **highest number of applications were filed in Uttar Pradesh (852)** followed by **Maharashtra (811)** and five State/UTs (Goa, Nagaland, Uttar Pradesh, Chandigarh and Dadra and Nagar Haveli) ensured that applications were filed in all cases recommended. [See Table F]

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

**TABLE G**  
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
	A	B	C	D	E	F	G

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1	Andhra Pradesh	480	311	34	9	291	168
2	Arunachal Pradesh	79	61	16	5	46	49
3	Assam	753	638	66	44	511	389
4	Bihar	807	649	138	147	348	350
5	Chhattisgarh	258	245	2	12	231	229
6	Goa	7	7	0	0	7	1
7	Gujarat	398	369	26	28	315	246
8	Haryana	464	412	19	14	379	284
9	Himachal Pradesh	54	49	6	4	37	29
10	Jharkhand	446	431	44	28	359	323
11	Karnataka	102	98	18	2	78	68
12	Kerala	1038	700	97	10	593	614
13	Madhya Pradesh	563	538	63	65	408	382
14	Maharashtra	1620	811	139	72	551	509
15	Manipur	38	15	3	0	12	10
16	Meghalaya	71	8	0	1	10	10
17	Mizoram	0	0	0	0	0	0
18	Nagaland	42	42	13	0	29	21
19	Odisha	282	150	30	4	116	152
20	Punjab	457	446	56	6	384	338
21	Rajasthan	417	277	6	44	227	154
22	Sikkim	11	8	1	0	7	8
23	Tamil Nadu	506	419	48	19	352	245
24	Telangana	509	240	24	37	200	148
25	Tripura	43	36	0	5	31	8
26	Uttar Pradesh	852	852	4	15	833	799
27	Uttarakhand	275	209	87	78	100	112
28	West Bengal	494	436	50	92	294	217
29	A&N Islands	0	0	0	0	0	0
30	Chandigarh	46	46	3	5	35	25
31	Dadra & Nagar Haveli	3	3	1	0	1	2
32	Daman & Diu	0	0	0	0	0	0
33	Delhi	284	244	63	25	158	129

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34	Jammu & Kashmir	89	82	7	2	45	45
35	Ladakh	0	0	0	0	0	0
36	Lakshadweep	0	0	0	0	0	0
37	Puducherry	18	0	0	0	0	7
	<b>Total</b>	<b>11506</b>	<b>8832</b>	<b>1064</b>	<b>773</b>	<b>6988</b>	<b>6071</b>

### ANALYSIS:

- a. Of the **8,832 applications** filed **12 %** were still pending on the date of reporting of data.
- b. The highest percentage of pending applications were in **Uttarakhand (41.6%)** and **Dadra & Nagar Haveli (33.3%)**.
- c. A total of **773 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 – theft article recovered from accused and offence not bailable, criminal antecedents, case of severe nature, bail application pending in High Court, matter listed for prosecution evidence, application withdrawn before High Court, family has not submitted affidavit in favour of bail etc.
- d. Of the **6,988 cases** where **bail** was **granted**, **releases** were effectuated in **86.9%** cases i.e. for **6,071 prisoners**. [See Table G]

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

**TABLE H**  
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	480	168	<b>35.0</b>

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2	Arunachal Pradesh	79	49	<b>62.0</b>
3	Assam	753	389	<b>51.7</b>
4	Bihar	807	350	<b>43.4</b>
5	Chhattisgarh	258	229	<b>88.8</b>
6	Goa	7	1	<b>14.3</b>
7	Gujarat	398	246	<b>61.8</b>
8	Haryana	464	284	<b>61.2</b>
9	Himachal Pradesh	54	29	<b>53.7</b>
10	Jharkhand	446	323	<b>72.4</b>
11	Karnataka	102	68	<b>66.7</b>
12	Kerala	1038	614	<b>59.2</b>
13	Madhya Pradesh	563	382	<b>67.9</b>
14	Maharashtra	1620	509	<b>31.4</b>
15	Manipur	38	10	<b>26.3</b>
16	Meghalaya	71	10	<b>14.1</b>
17	Mizoram	0	0	-
18	Nagaland	42	21	<b>50.0</b>
19	Odisha	282	152	<b>53.9</b>
20	Punjab	457	338	<b>74.0</b>
21	Rajasthan	417	154	<b>36.9</b>
22	Sikkim	11	8	<b>72.7</b>
23	Tamil Nadu	506	245	<b>48.4</b>
24	Telangana	509	148	<b>29.1</b>
25	Tripura	43	8	<b>18.6</b>
26	Uttar Pradesh	852	799	<b>93.8</b>
27	Uttarakhand	275	112	<b>40.7</b>
28	West Bengal	494	217	<b>43.9</b>
29	A&N Islands	0	0	-
30	Chandigarh	46	25	<b>54.3</b>
31	Dadra & Nagar Haveli	3	2	<b>66.7</b>
32	Daman & Diu	0	0	-
33	Delhi	284	129	<b>45.4</b>
34	Jammu & Kashmir	89	45	<b>50.6</b>
35	Ladakh	0	0	-
36	Lakshadweep	0	0	-
37	Puducherry	18	7	<b>38.9</b>
	<b>Total</b>	<b>11506</b>	<b>6071</b>	<b>52.8</b>

### ANALYSIS:

- a. Of the total number of cases recommended for release by the UTRCs, an average **52.8% prisoners** were released.
- b. **93.8%** of prisoners from those recommended were released in **Uttar Pradesh** and **88.8%** from **Chhattisgarh**. The lowest percentage of persons were released from **Meghalaya (14.1%)**. [See Table H]



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

**[see next page]**

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## TABLE I

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.	364	271	104	163	3	253	36	156	43	144	53.1
2.	UTPs granted bail by the court, but have not been able to furnish sureties.	5067	4196	1884	2340	11	3378	300	2955	93	2333	55.6
3.	UTPs accused of compoundable offences.	3434	2642	1648	1008	16	2142	257	1633	272	1466	55.5
4.	UTPs eligible under	170	152	81	65	1	140	13	116	5	118	77.6

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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.	1794	1424	860	485	72	1087	145	822	103	689	48.4
6	Convicts who have undergone their sentence or are entitled to release because of remission	441	226	24	2	2	6	2	7	0	135	59.7

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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	198	134	61	58	4	104	18	80	7	54	40.3

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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.	196	179	84	82	0	161	17	136	7	117	65.4
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.	460	440	283	138	1	431	11	421	0	435	98.9
10.	UTPs who are sick or infirm and require specialized medical treatment.	913	372	182	154	4	243	106	114	57	94	25.3

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11.	Women UTPs	2798	1051	924	217	1	590	117	365	118	349	33.2
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.	63	54	37	17	0	32	4	27	3	27	50.0
13.	UTPs who are of unsound mind and must be dealt under Chapter XXV of the Code.	250	145	53	74	1	74	28	29	13	24	16.6

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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.	267	220	132	91	2	191	10	127	52	86	39.1
	<b>Total</b>	<b>16415</b>	<b>11506</b>	<b>6357</b>	<b>4894</b>	<b>118</b>	<b>8832</b>	<b>1064</b>	<b>6988</b>	<b>773</b>	<b>6071</b>	52.8

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 (2,333)**, followed by those accused of **compoundable offences (1,466)**.
- 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 **(98.9 %)**.
- 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. **(16.6%)**, which is an increase over the **9.5%** released in July to September Quarter.
- 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 271 UTPs recommended for release under **Sec 436A CrPC<sup>1</sup>**, only 144 **(53.1%)** were released; of the 4,196 recommended UTPs who were **unable to furnish surety despite grant of bail**, only **2,333 (55.6%)** were released; of the **152** recommended UTPs eligible for release under **Sec 436 CrPC<sup>2</sup>** only **118 (77.6%)** were released; of the 134 recommended UTPs eligible for release **under Sec 167 CrPC**, **54 (40.3%)** 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 **372 sick and infirm UTPs** recommended, only **94 (25.3%)** were released; and of the **1,051 women UTPs** recommended, **33.2%** were released. (See Table I)

### 11. Percentage of undertrials released:

**TABLE J**  
Percentage of undertrial prisoners released

S.No.	Name of the SLSA	Total No. of Prisoners (October 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	6742	480	168	2.5
2	Arunachal Pradesh	249	79	49	19.7
3	Assam	13964	753	389	2.8
4	Bihar	48834	807	350	0.7
5	Chhattisgarh	19151	258	229	1.2
6	Goa	637	7	1	0.2
7	Gujarat	22298	398	246	1.1
8	Haryana	26360	464	284	1.1
9	Himachal Pradesh	2339	54	29	1.2
10	Jharkhand	16753	446	323	1.9
11	Karnataka	13826	102	68	0.5
12	Kerala	9210	1038	614	6.7
13	Madhya Pradesh	42775	563	382	0.9
14	Maharashtra	37635	1620	509	1.4
15	Manipur	455	38	10	2.2
16	Meghalaya	1530	71	10	0.7
17	Mizoram	1643	0	0	0.0
18	Nagaland	692	42	21	3.0
19	Odisha	17351	282	152	0.9
20	Punjab	30832	457	338	1.1
21	Rajasthan	26698	417	154	0.6

<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	327	11	8	<b>2.4</b>
23	Tamil Nadu	15843	506	245	<b>1.5</b>
24	Telangana	6201	509	148	<b>2.4</b>
25	Tripura	1659	43	8	<b>0.5</b>
26	Uttar Pradesh	87121	852	799	<b>0.9</b>
27	Uttarakhand	6188	275	112	<b>1.8</b>
28	West Bengal	23398	494	217	<b>0.9</b>
29	A&N Islands	0	0	0	-
30	Chandigarh	979	46	25	<b>2.6</b>
31	Dadra & Nagar Haveli	88	3	2	<b>2.3</b>
32	Daman & Diu	67	0	0	<b>0.0</b>
33	Delhi	18691	284	129	<b>0.7</b>
34	Jammu & Kashmir	4923	89	45	<b>0.9</b>
35	Ladakh	51	0	0	<b>0.0</b>
36	Lakshadweep	0	0	0	<b>0.0</b>
37	Puducherry	360	18	7	<b>1.9</b>
	<b>Total</b>	<b>505870</b>	<b>11506</b>	<b>6071</b>	<b>1.2</b>

#### ANALYSIS:

- a. The UTRC Quarterly Meeting from October to December resulted in the release of **6,071 prisoners** across the country, with the highest number of releases in **Uttar Pradesh (799)**, **Kerala (614)** and **Maharashtra (509)**.
- 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 (19.7%)** and **Kerala (6.7%)**.
- c. The total percentage of prisoners released across India is **1.2%**, a marginal decrease from previous quarters. (See Table J)

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### 12. Statistics on the Functioning of the UTRCs for year 2024

Table K below provides quarter-wise figures pertaining to the functioning of the UTRCs in the year 2024.

**TABLE K**  
**Functioning of the UTRCs in the Year 2024**

Quarter	Total no. of prisoners in the State/ UT as of April 2024	% of Under Trial Prisoners	Total Number of Prisoners Identified	% of prisoners identified v total no. of prisoners	Total Number of Prisoners Recommended	% of Prisoners Recommended vs. prisoners identified	Total Number of Applications filed	% of Applications filed v Persons Recommended	Total Number of Applications where Bail granted	Total Number of Prisoners Released	% of Prisoners Released v Prisoners Recommended	% of prisoners released v total prison population
Jan-Mar*	-	-	17874	-	12263	-	7078	-	-	5124	-	-
Apr - June	528728	74.6	24100	4.6	15777	65.5	12395	78.6	9160	7421	47.0	1.4
July - Sept	500221	75.0	20103	4.0	14048	69.9	11439	81.4	8634	7366	64.4	1.4
Oct-Dec	505870	74.6	16415	3.2	11506	70.1	8832	76.8	6988	6071	68.7	1.2
Total/Average	511606 <sup>#</sup>	74.7 <sup>#</sup>	78492	3.9 <sup>#</sup>	53594	68.5 <sup>#</sup>	39744	78.9 <sup>#</sup>	24782	25982	60.1 <sup>#</sup>	5.0 <sup>\$</sup>
*Data for January to March Quarter was only recorded pertaining to number of cases identified, number of prisoners recommended for release, number of applications filed and number of releases made. #Average Figures \$ % of prisoners released has been calculated on the basis of total number of prisoners released across all quarters and average prisoner population												

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

Year	No. of meetings held by UTRCs	No. of inmates recommended for release	No. of inmates released pursuant to UTRC recommendations
2019	3626	37309	12478
2020	9507	28357	15273
2021	9834	36983	17020
2022*	10321	70780	35480

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<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</b>	<b>3757</b>	<b>53594</b>	<b>25982</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.*

### ANALYSIS:

- a. The total prisoner population kept fluctuating across quarters – 5.28 lakhs in April to June, 5 lakhs in July to September and 5.05 lakhs in October to December. The percentage of undertrial prisoners however remained between 74.6% to 75% during this period.
- b. The percentage of prisoners identified for review versus the total number of prisoners gradually declined across every quarter - 4.6% in April to June, 4.0% in July to September and 3.2% in October to December.
- c. There has been an increase in the percentage of prisoners recommended from the number of prisoners identified from 65.5% to 69.9% to 70.1% across quarters.
- d. The number of bail applications filed versus the number of persons recommended first increased from 78.6 to 81.4% between April and July Quarters, but then reduced to 74.8% in the October quarter.
- e. There was substantive increase in the percentage of prisoners released from the number of prisoners recommended – 47% to 64.4% to 68.7% across quarters.
- f. In 2024, a total of **25,982** prisoners were released pursuant to the **recommendations** of the UTRC, constituting approximately 5.0 % of

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the total prisoner population. This is **108% higher** than the number of prisoners released in 2019.

- g. A total of **78,492** prisoners were **identified** for review, and **53,594** prisoners were **recommended** for release by the UTRCs. The number of prisoners recommended is also **43%** higher than the number of persons recommended in 2019.

### III. KEY OBSERVATIONS & ACTION POINTS

Some key observations that have emerged from the data on the functioning of the UTRCs for the year 2024 are as follows:

1. **UTRC meetings:** Meetings were held as per the mandate during the year 2024.
2. **Monitoring & review by SLSAs:** Majority of SLSAs conducted the mandated pre and post meetings, with some SLSAs having conducted more than the mandated minimum, while some have conducted only one meeting.
3. **Prisoner Population:** The total prisoner population kept fluctuating across quarters – 5.28 lakhs in April to June, 5 lakhs in July to September and 5.05 lakhs in October to December. The percentage of undertrial prisoners however remained between 74.6% to 75% during this period.
4. **Identification for Review by UTRC:** A total of **78,492** prisoners were **identified** for review in the year 2024.
5. **Cases Recommended for release by UTRC:** **53,594** prisoners were **recommended** for release by the UTRCs, which is **43%** higher than the number of persons recommended in 2019
6. **Filing of bail applications:** The number of bail applications filed versus the number of persons recommended first **increased** from **78.6 to 81.4%** between April and July Quarters, but then **reduced to 74.8%** in the October quarter.
7. **Release of Prisoners:** A total of **25,982** prisoners were released pursuant to the **recommendations** of the UTRC, constituting approximately 5.0 % of the total prisoner population. There was substantive increase in the percentage of

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prisoners released from the number of prisoners recommended – 47% to 64.4% to 68.7% across quarters. Additionally, the number of prisoners released pursuant to the UTRC recommendations is **108% higher** than the year 2019.

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

An analysis of the information and data received pertaining to the functioning of the UTRCs is indicative of the increasing efficacy of the UTRC mechanism. However, reports from the previous quarters emphasised upon actions that need to be taken to further enhance the efficacy of the UTRCs. These include:

1. SLSAs to continue supervision and monitoring of the UTRC process through the pre and post review meetings. In larger States where the number of DLSAs is more than 10, SLSAs may consider conducting the pre and post review meetings in phases or zones, to ensure more effective monitoring of the UTRC process.
2. SLSAs to focus on reducing 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. SLSAs to 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 to hold regular orientation sessions with the UTRC members, lawyers etc. on the UTRC process and also 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.