

**GOVERNMENT OF INDIA
MINISTRY OF LAW AND JUSTICE
DEPARTMENT OF JUSTICE**

LOK SABHA

UNSTARRED QUESTION NO. 161

TO BE ANSWERED ON WEDNESDAY, THE 18TH JULY, 2018

Functioning of the Under-Trial Monitoring Committees

161. SHRI B. SENGUTTUVAN:

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

- (a) whether the meetings of Under-Trial Monitoring Committees, as directed by the Supreme Court at the district level presided over by the District Legal Services Authority are being conducted regularly to suggest the ways and means of reducing the un-warranted detention of under-trials in the country and if so, the details thereof;
- (b) the High Court-wise statistics of the conduct by and participation of the judicial and non-judicial members of the Under-Trial Monitoring Committee meetings held at the district level across the country;
- (c) whether the proceedings of the Under-Trial Monitoring Committee meetings held at the district level are forwarded to the respective High Courts to take follow-up measures and if so, the details thereof;
- (d) whether the recommendations of Under-Trial Monitoring Committee at the district level are implemented by the subordinate judiciary

punctiliously and if so, the details thereof and if not, the reasons therefor; and

- (e) whether the review by the Under-Trial Monitoring Committee have reduced the unlawful under trial detentions in the country and if so, the details thereof?

ANSWER

MINISTER OF STATE FOR LAW & JUSTICE AND CORPORATE AFFAIRS (SHRI P.P.CHAUDHARY)

- (a): Under Trial Review Committees (UTRCs) headed by the District & Session Judges, who are also the Chairperson of the DLSAs, have been established in all the districts. The said committee holds quarterly meetings. The areas which primarily are looked into by the UTRCs includes Under-Trial Prisoners (UTPs) covered under Section 436A Cr.P.C.; UTPs released on bail by the court, but have not been able to furnish sureties; UTPs accused of compoundable offences; UTPs eligible under Section 436 of Cr.P.C.; convicts who have undergone their sentence or are entitled to release because of remission granted to them; UTPs who are imprisoned for offences which carry a maximum punishment of 2 years; UTPs who are sick or infirm and require specialized medical treatment; UTPs women offenders.

(b) to (e): A statement showing SLSA-wise number of meetings held by Under Trial Prisoners (UTPs) Review Committees and number of UTPs released, during January, 2017 to December, 2017 is attached as **Annexure**.

Further, Hon'ble Supreme Court of India vide its order dated 31.10.2017 in W.P. (Civil) No.406 of 2013 titled Re-Inhuman Conditions in 1382 prisons, directed the National Legal Services Authority (NALSA) to draft a Standard Operating Procedure (SOP) for smooth functioning of Under Trial Review Committees (UTRCs) right from the identification of Under Trials, processing the data, passing of recommendations, moving of Bail Applications of the recommended UTPs.

NALSA has prepared SOP for the UTRCs which was put on the website of NALSA and also sent to various stakeholders seeking suggestion and comments from them. In the hearing in the said case on 08.05.2018, NALSA informed the Hon'ble Supreme Court that the SOP is ready after considering the suggestions/ comments from various stakeholders. It has been submitted to the Hon'ble Supreme Court of India.

ANNEXURE

Annexure referred to in reply to the Lok Sabha Unstarred Question No. 161 for 18.07.2018 raised by Shri B. Senguttuvan regarding Functioning of the Under-Trial Monitoring Committees

Statement showing SLSA-wise number of meetings held by UTP Review Committees and number of Under Trial Prisoners (UTPs) released, during January, 2017 to December, 2017

S. No.	SLSAs	Number of meetings held by UTPs Review Committees	No. of UTPs released
1	Andhra Pradesh	52	941
2	Arunachal Pradesh	49	56
3	Assam	71	75
4	Bihar	102	79
5	Chhattisgarh	80	70
6	Goa	7	7
7	Gujarat	127	50
8	Haryana	84	34
9	Himachal	44	Nil

	Pradesh		
10	Jammu and Kashmir	4	12
11	Jharkhand	94	30
12	Karnataka	122	47
13	Kerala	4	51
14	Madhya Pradesh	220	167
15	Maharashtra	126	7
16	Manipur	12	4
17	Meghalaya	32	97
18	Mizoram	5	Nil
19	Nagaland	04	5
20	Orissa	118	85
21	Punjab	179	107
22	Rajasthan	135	112
23	Sikkim	04	18
24	Tamil Nadu	111	103
25	Telangana	40	198
26	Tripura	19	11

27	Uttar Pradesh	284	1073
28	Uttarakhand	52	204
29	West Bengal	38	62
30	Andaman & Nicobar	Every quarterly	Nil
31	Chandigarh	04	Nil
32	Dadra & Nagar Haveli	03	Nil
33	Daman & Diu	02	Nil
34	Delhi	48	208
35	Lakshadweep	01	Nil
36	Puducherry	4	Nil