

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

**LOK SABHA
UNSTARRED QUESTION NO.4862
TO BE ANSWERED ON FRIDAY, THE 31stMARCH, 2023**

Undertrial Review Committees

**4862.SHRI L.S. TEJASVI SURYA:
DR. UMESH G. JADHAV:
SHRI B.Y. RAGHAVENDRA:
SHRI SANGANNA AMARAPPA:
SHRIMATI APARAJITA SARANGI:**

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

- (a) the number of Undertrial Review Committees (UTRCs) set up in the country, State-wise;
- (b) whether all prisons have an UTRC to monitor the conditions of the Undertrial Prisoners and if so, the details thereof;
- (c) the details of the prisons which are yet to constitute an UTRC;
- (d) whether the UTRCs have been able to reduce the number of undertrial prisoners and reduce the time spent by them in prisons in the country and if so, the details thereof;
- (e) the undertrial prisoners who currently fall in the purview of the UTRC; and
- (f) whether the Government intends to add more categories of undertrial prisoners in the UTRC's purview and if so, the details thereof?

ANSWER

**MINISTER OF LAW & JUSTICE
(SHRI KIREN RIJJU)**

- (a) to (c)** The details regarding number of Under Trial Review Committees (UTRCs) working in States/UTs as on 15.12.2022 is at Annexure – A. 'Prisons' / 'Persons detained therein' is a "State List" subject under Entry 4 of List II of the Seventh Schedule to the Constitution of India. Prison-wise details of UTRC is therefore, not maintained centrally.

(d) to (e) During the year 2021 and 2022, a total of 17,020 and 35,480 inmates /Undertrial Prisoners (UTPs) were released pursuant to recommendations of the UTRCs. The UTRCs review a total of 14 categories of cases of prisoners for recommending release. They include :-

- (i) UTPs covered under Section 436A Cr.P.C.
- (ii) UTPs released on bail by the court, but have not been able to furnish sureties.
- (iii) UTPs accused of compoundable offences.
- (iv) UTPs eligible under Section 436 of Cr.P.C.
- (v) 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.
- (vi) Convicts who have undergone their sentence or are entitled to release because of remission granted to them.
- (vii) UTPs become eligible to be released on bail u/s 167(2)(a)(i) & (ii) of the Code of Criminal Procedure read with 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 quantity) and where investigation is not completed in 60/90/180 days.
- (viii) UTPs who are imprisoned for offences which carry a maximum punishment of 2 years.
- (ix) 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.
- (x) UTPs who are sick or infirm and require specialized medical treatment.
- (xi) UTPs women offenders

- (xii) 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.
 - (xiii) UTPs who are of unsound mind and must be dealt with Chapter XXV of the Code.
 - (xiv) 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.
- (f) Campaign namely “Release_UTRC@75” for release of prisoners by the UTRC to commemorate the 75th Independence Day in India, was conducted from 16th July, 2022 to 13th August, 2022 wherein following additional categories of cases of undertrials were identified for consideration by the UTRCs:
- (i) Those undertrials who were granted interim bail by the court during the pandemic and they have adhered to all the conditions of the bond and have either returned to the prison on the stipulated date set out by the court/HPC or have regularly attended court on due hearings. The UTRC must recommend such cases to the concerned court with the recommendation of granting bail (not interim but regular bail) to the undertrial.
 - (ii) Those undertrials who are accused of or charged with the offences for which the maximum imprisonment up to 7 years or less.
 - (iii) Those undertrials who are above 65 years of age.

Annexure-A

Statement as referred to in reply to Lok Sabha Unstarred Question No. 4862 for answering on 31.03.2023 raised by Shri L.S. Tejasvi Surya, Dr. Umesh G. Jadhav, Shri B.Y. Raghavendra, Shri Sanganna Amarappa, Shrimati Aparajita Sarangi, MPs - Undertrial Review Committees.

Statement showing number of Under Trial Review Committees (UTRCs) working in States/UTs as on 15.12.2022		
S. No.	STATE/UT	No. of UTRCs
1.	ANDHRA PRADESH	13
2.	ARUNACHAL PRADESH	18
3.	ASSAM	33
4.	BIHAR	37
5.	CHHATISGARH	23
6.	GOA	02
7.	GUJARAT	33
8.	HARYANA	22
9.	HIMACHAL PRADESH	11
10.	JAMMU & KASHMIR	20
11.	JHARKHAND	24
12.	KARNATAKA	30
13.	KERALA	14
14.	MADHYA PRADESH	50
15.	MAHARASHTRA	33
16.	MANIPUR	16
17.	MEGHALAYA	11
18.	MIZORAM	08
19.	NAGALAND	11
20.	ODISHA	30
21.	PUNJAB	22
22.	RAJASTHAN	36
23.	SIKKIM	04
24.	TELANGANA	10
25.	TAMIL NADU	32
26.	TRIPURA	08
27.	UTTAR PRADESH	71
28.	UTTARAKHAND	13
29.	WEST BENGAL	22
30.	ANDAMAN & NICOBAR ISLANDS	01
31.	CHANDIGARH	01
32.	DADRA & NAGAR HAVELI	01
33.	DAMAN & DIU	01
34.	DELHI	11
35.	LAKSHADWEEP	01
36.	PUDUCHERRY	02
37.	LADAKH	02
TOTAL		677