

MINUTES OF THE MEETING OF THE UNDERTRIAL REVIEW COMMITTEE (UTRC) HELD ON 18TH DAY OF SEPTEMBER, 2020 (FRIDAY) AT 12:30 P.M. IN THE OFFICE CHAMBER OF THE SECRETARY, DISTRICT LEGAL SERVICES AUTHORITY, GOALPARA, ASSAM

P R E S E N T

SHRI TRIDIB KUMAR BHATTACHARJEE, DISTRICT & SESSIONS JUDGE, GOALPARA-CHAIRMAN

SHRI NILKAMAL DAS, SECRETARY, DLSA, GOALPARA-MEMBER

SHRI ARUP KUMAR PHUKAN, SUPERINTENDENT, DISTRICT JAIL

(Through video conference)

AGENDA

Item No-1: Consideration of release of undertrial prisoners and convicts who have undergone their sentence or are entitled to release because of remission granted to them.

Resolution: In terms of resolution no.1 of the meeting dated 26-3-2020 of the High Powered Committee (constituted in terms of order dated 23-3-2020 passed in SuoMotu Writ Petition (C) No. 1/2020 by the Hon'ble Supreme Court)the following new eligible UTPs are found on perusal of the list of UTPs as on 18-9-2020 (morning):

Sl. No	Name	Age (in years)	Case	Detained since	Court
i	Sri Amirul Islam	33	Matia PS Case No.118/20,u/s-120 (B)/406/385 IPC, R/W Sec. 66/67/67 (A) IT	30-8-2020	SDJM (S)
i	Sri Sahinur Islam	38	Do	Do	Do
i	Sri Shah Alom	31	Do	Do	Do
i	Sri Bakkar Ali	19	Do	Do	Do
v	Sri Afsar Ali	32	Do	8-9-2020	Do

v i e	Sri NazrulHoqu	21	Matia PS Case No.141/20, u/s-379/34	Do	Do
v i i m	Sri NekiburAlo	19	Do	Do	Do
v i i i	Sri Sahinur Islam	27	Memo No. SB/01/2020/7 dtd. 4-9-2020, u/s-60 (C) of AFR IPC	4-9-2020	CJM

As such, the respective court/learned Magistrate may be requested to explore the possibility of release of the said UTPs on bail or PR bond.

Item No-2: Consideration of effective implementation of Section 436 CrPC and Section 436-A CrPC so that undertrial prisoners are released at the earliest and those who cannot

- (i) Sri NekiburAlom, 19 years detained in connection with Matia P.S. Case No.141/20, u/s- 379/34 IPC, since 8-9-2020, under the order of the SDJM (S), Goalpara.

Their cases may be recommended for consideration to explore the possibility of release on bail or PR bond. Further, the possibility of compounding of the offence(s) may also be effectively explored by the respective court.

Item No-5: Consideration of issues raised in the Model Prison Manual, 2016 including regular jail visits as suggested in the said Manual.

Resolution: The issue raised in the Model Prison Manual, 2016 including the regular jail visits shall be taken up for further consideration in due course.

Item No-6(With permission of the Hon'ble Chairman): Consideration of measures to be taken/already taken for prevention of spread of COVID-19 (Corona virus) among the jail inmates of District Jail, Goalpara.

Resolution: We are intimated that as on today there is no COVID-19 positive UTPs/convicts/DFNs. The measures already taken by the jail authority for

prevention of spread of COVID-19 among the jail inmates of the District Jail, Goalpara, in terms of our previous resolutions in this regard, may be continued.

**T.K. Bhattacharjee
Phukan**

N.K. Das

A.K.

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(Through
video conference)

AGENDA

Item No-1: Consideration of release of under trial prisoners and convicts who have undergone their sentence or are entitled to release because of remission granted to them.

Resolution: In terms of resolution no.1 of the meeting dated 26-3-2020 of the High Powered Committee (constituted in terms of order dated 23-3-2020 passed in Suo Motu Writ Petition (C) No. 1/2020 by the Hon'ble Supreme Court) no eligible UTP is found on perusal of the list of UTPs as on 18-9-2020 (morning):

Item No-2: Consideration of effective implementation of Section 436 CrPC and Section 436-A CrPC so that under trial prisoners are released at the earliest and those who cannot furnish bail bonds due to their poverty are not subjected to incarceration only for that reason.

Resolution: No UTPs are found eligible for release under section 436 or section 436A CrPC.

Item No-3: Consideration of implementation of the Probation of Offenders Act, 1958 particularly with regard to first-time offenders so that they have a chance of being restored and rehabilitated in society.

Resolution: All the courts have already been requested to consider extension of benefit of the provisions of the Probation of Offenders Act, 1958, wherever possible, to first time offenders.

Item No-4: Consideration of release of under trial prisoners in compoundable offences, the effort being to effectively explore the possibility of compounding of offences rather than requiring a trial to take place.

Resolution: The following new UTPs are found for consideration:

(i) Sri Mahadul Alom, 22 years detained in connection with Dhupdhara P.S.

Case No.73/20, u/s- 120 (B)/121/121 (A)/506/ IPC, R/W Sec. 67
IT Act

since 11-9-2020, under the order of the Addl. CJM, Goalpara.

(ii) Sri Muktar Hussain, 20 years detained in connection with Goalpara P.S.

Case No.462/20, u/s- 380/411/34 IPC, since 12-9-2020, under the order
of the CJM, Goalpara.

(iii) Sri Jomiruddin, 28 years detained in connection with Agia P.S.

Case

No.99/20, u/s- 417/419/406/420 IPC, since 13-9-2020, under the order of the Munsiff No.1 –cum-JM 1st Class, Goalpara.

(ii) Sri Sukur Ali, 55 years detained in connection with Dhupdhara P.S.
Case No.79/20, u/s-379 IPC, since 14-9-2020, under the order of the Addl. CJM, Goalpara.

(iii) Sri Sahadev Hajong, years detained in connection with GR Case No.385/18, u/s- -----IPC, since-----, under the order of the -----, Goalpara.

Their cases may be recommended for consideration to explore the possibility of release on bail or PR bond. Further, the possibility of compounding of the offence(s) may also be effectively explored by the respective court.

Item No-5: Consideration of issues raised in the Model Prison Manual, 2016 including regular jail visits as suggested in the said Manual.

Resolution: The issue raised in the Model Prison Manual, 2016 including the regular jail visits shall be taken up for further consideration in due course.

Item No-6(With permission of the Hon'ble Chairman): Consideration of measures to be taken/already taken for prevention of spread of COVID-19 (Corona virus) among the jail inmates of District Jail, Goalpara.

Resolution: We are intimated that as on today there is no COVID-19 positive UTPs/convicts/DFNs. The measures already taken by the jail authority for prevention of spread of COVID-19 among the jail inmates of the District Jail, Goalpara, in terms of our previous resolutions in this regard, may be continued.

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