OFFICE OF THE
DISTRICT LEGAL SERVICES AUTHORITY ::::::::::BONGAIGAON
জিলা আইন সেৱা প্ৰাধিকৰণৰ কাৰ্য্যালয়::::::::::::বঙাইগাঁও
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No. DLSA/BGN 17/2017-21/ 2730 Dated: 9th July, 2021

From: Shri Tarun Dey, AJS,
Secretary,
District Legal Services Authority,
Bongaigaon.

To,

The Hon'ble Member Secretary,
Assam State Legal Services Authority,
Adjacent to Gauhati High Court, New Block,
Guwahati-01.

Sub.: Minutes of Fortnightly UTRC meeting held on 03-08-2021.

Ref.: As per resolution of High Powered Committee.

Sir,-

With reference to the subject cited above, I have the honour to send herewith the copy of Minutes of Fortnightly Under Trial Review Committee (UTRC) meeting held on 03-08-2021, for your kind information and necessary action.

Enclo.: Copy of Minutes.

Yours sincerely

9.8.21

(Shri Tarun Dey, AJS)
Secretary
District Legal Services Authority
Bongaigaon

09.8.21

Memo No. DLSA/BGN 17/2017-21/ 2731 Dated: 9th July, 2021

Copy to:-

1. The Superintendent of District Jail, Abhayapuri, for information and necessary action.
2. The Systems Officer, O/o the District & Sessions Judge, Bongaigaon. *He is asked to upload the minutes of the UTRC meeting in the official website immediately.*
3. Office file.

9.8.21

(Shri Tarun Dey, AJS)
Secretary
District Legal Services Authority
Bongaigaon

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Secretary
District Legal Services Authority
Bongaigaon

09.8.21

MINUTES

UNDER TRIAL REVIEW COMMITTEE MEETING OF BONGAIGAON DISTRICT

The fortnightly Under Trial Review Committee meeting as per direction of High Powered Committeeformed by the Assam Government in compliance of the guidelines of Hon'ble Supreme Court of India, is convened today, i.e. on 03.08.2021 through video conferencing. The following members are present:

Sri Satya Nath Sarma, AJS (Chairman)	:	District and Sessions Judge -cum-Chairman, DLSA, Bongaigaon.
Sri Tarun Dey, AJS (Member)	:	Secretary, DLSA, Bongaigaon.
Sri Faroque Sayedul Haque (Member)	:	Jail Superintendent, District Jail, Abhayapuri, Bongaigaon. (through video conferencing)

In the meeting, the following matters were taken up as per the S.O.P. issued by the N.A.L.S.A. sent by Email dated 17.12.2018 in compliance with the directions of the Hon'ble Supreme Court in W.P.(C) No. 406/2013 in Re-Inhuman Conditions in 1382 Prisons. The Secretary, DLSA placed before the committee the list of UTPs under the various categories to be taken up by the committee for consideration under the respective heads. The committee deliberated upon the list and the matters raised by all concerned and after due discussions took up the resolutions.

1. U.T.Ps covered under Sec 436A of the CrPC

The committee perused the list of UTPs in detail and found no such case which required application of section.

2. U.T.Ps released on bail by Court but have not been able to furnish sureties:

Sl. No	Name of UTP	Case no.	Section	Concerned Court	Date of admission	Remarks
1.	Sanu Dey	Bongaigaon PS 157/21	457/380	CJM, Bongaigaon	25-03-21	
2.	Binod Rabha	Bongaigaon PS 413/21	448/380	CJM, Bongaigaon	03-05-21	
3.	Saddam Hussain	Bongaigaon PS 487/21	379	CJM, Bongaigaon	05-06-21	
4.	Tushar Kanti Nath	GR 299-16	420/468/472	Addl. CJM, Bongaigaon	02-03-21	
5.	Amit Basak	Abhayapuri PS 358/21	341/326	S.D.J.M.(M) Abhayapuri	20-04-21	

3. U.T.Ps accused of compoundable offences:

(as per order of Hon'ble Supreme Court dated 24th April, 2015)

The committee perused the list of UTPs in detail and found a few casesin theabove such category.

Sl. No.	Name of UTP	Case no.	Section	Concerned Court	Date of admission	Remarks
1.	Binod Rabha	Bongaigaon PS 413/21	448/380	CJM, Bongaigaon	05-03-21	
2.	Saddam Hussain	Bongaigaon PS 487/21	379	CJM, Bongaigaon	06-05-21	
3	Raja Baishya	Bongaigaon PS 518/21	380/411	CJM, Bongaigaon	01-07-21	

4. U.T.Ps eligible under Section 436 CrPC:

(as per order of Hon'ble Supreme Court dated 5th February,2016)

The committee perused the list of UTPs in detail and found no such cases in the above category.

5. UTPs who may be covered under Section 3 of the Probation of Offenders Act, namely accused of offence under Sec 379, 380, 381, 404, 420 IPC or alleged to be offence not more than 2 years imprisonment.

(as per order of Hon'ble Supreme Court dated 5th February, 2016)

The committee perused the list of UTPs in detail and found no such case in the above category.

6. Convicts who have undergone their sentence or are entitled to release because of remission granted to them

(as per order of Hon'ble Supreme Court dated 5th February, 2016)

The committee perused the list of UTPs in detail and found no such case in the above category.

7. UTPs become eligible to be released on bail u/s 167 (2)(a)(i) and (ii) of the Code read with Sec 36A of the NDPS Act, 1985 (where persons accused of sec 19 or Sec 24 or Sec 27A or for offences involving commercial quantity) and where investigation is not completed in 60/90/180 days.

(as per order of Hon'ble Supreme Court dated 6th May, 2016)

The committee perused the list of UTPs in detail and found no such case in the above category.

8. UTPs who are imprisoned for offences which carry a maximum punishment for two years.

(as per order of Hon'ble Supreme Court dated 6th May, 2016)

The committee perused the list of UTPs in detail and found no such case in the above category.

9. UTPs who are detained under chapter VIII of the CrPC, i.e. u/s 107, 108, 109 and 151 of CrPC.

(as per order of Hon'ble Supreme Court dated 6th May, 2016)

The committee perused the list of UTPs in detail and found no such case in the above category.

10. UTPs who are sick or infirm and require specialised medical treatment.

(as per order of Hon'ble Supreme Court dated 6th May, 2016)

There is no such UTP in this category.

11. UTPs women offenders:

(as per order of Hon'ble Supreme Court dated 6th May, 2016)

Sl. No.	Name of UTP	Case no.	Section	Concerned Court	Date of admission	Remarks
1.	Porismita Das	Manikpur PS 354/21	294/325/326	Addl. CJM, Bongaigaon	26-07-21	
2.	Kadbhanu Khatun	Jogigopa PS 242/21	120B/306	JMFC, Abhayapuri	12-07-21	
3.	Fatema Khatun	Mererchar PS 76/21	120B/498A/313/302/201/506/34	SDJM (M), Abhayapuri	31-07-21	
4	Sareha Khatun	Mererchar PS 76/21	120B/498A/313/302/201/506/34	SDJM (M), Abhayapuri	31-07-21	

12. UTPs who are first time offenders between the ages of 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.

(as per order of Hon'ble Supreme Court dated 6th May, 2016)

The committee perused the list of UTPs in detail and found no such case in the above category.

13. UTPs who are of unsound mind and must be dealt with chapter XXV of the code.

(as per order of Hon'ble Supreme Court dated 6th May, 2016)

The committee perused the list of UTPs in detail and found no such case in the above category.

14. UTPs eligible for release under Sec 437(6) CrPC, 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.

(as per order of Hon'ble Supreme Court dated 6th May, 2016)

The committee perused the list of UTPs in detail and found no such case in the above category.

The committee has made the following resolutions/recommendation in respect of above:

1. In respect of recommendation of UTP Nasir Ali, the Jail superintendent informed that the UTP has been convicted by concerned Court and he is serving sentence. When his sentence will be over, he shall be sent to detention camp in coordination with district administration.

2. It has been noticed by the committee that there are several discrepancies in dates of admission in jail against UTPs in the list of UTP as per '14 point format'. This leads to problems while recommending UTPs by this committee. So, the Jail superintendent is asked to be careful while putting dates in the format.

2. The committee also resolves that the Secretary, DLSA will prepare the minutes and send to the respective authorities for information and necessary action alongwith the necessary recommendations.

The meeting ended with a vote of thanks to all members and invitees present for making it convenient to virtually attend the meeting.

Dated 03.08.2021

Present:

1. Sri Satya Nath Sarma, AJS
District and Sessions Judge, Bongaigaon.
(Chairman)

3/8/21

2. Sri Tarun Dey, AJS (Member)
Secretary, DLSA, Bongaigaon.

3.8.21

3. Sri Faroque Sayedul Haque (Member)
Jail Superintendent, District Jail,
Abhayapuri, Bongaigaon.

VC

Dated: 03.08.2021