MINUTES OF THE MONTHLY MEETING

(For the month of June, 2020)

(Held on 23.06.2020 at 2.00 P.M in the chamber of the District & Sessions Judge, Bongaigaon)

Members Present:	Signatures
1. Shri S. N. Sarma (District & Sessions Judge, Bongaigaon)	23.06.2020
2. Smti S. Dutta (Chief Judicial Magistrate, Bongaigaon)	23.06.20
3. Shri S. Sonowal, APS (S.P., Bongaigaon)	23.6.20
4. Shri A. Deka, ACS (ADC, Bongaigaon)	23/6/2020

In view of the Notification No. 52 dated 28/06/2013 of the Hon'ble Gauhati High Court, the monthly meeting for the month of June, 2020, is convened at the above-mentioned place and venue today at 2.00 P.M. under the chairmanship of the Hon'ble District & Sessions Judge, Bongaigaon and in presence of the members mentioned above.

The agenda put up for discussion in the meeting is "Delay in the investigation and trial of cases" and other issues pertaining to service of processes. In the meeting, the following issues are discussed:

i) It has been observed that in some cases, the original copies of the statements under Section 164 of Cr.P.C. are not available as the same were handed over to the I/O, whereas, the original copies of the 164 statement are to be kept with the case record, preferably in a sealed envelope and a copy of the same may be given to the I/O for the purpose of investigation. Special care is to be taken to ensure that the original statement remains with the case record and a direction in this regard may be given in the order itself.

ii) Certain issues as regards disposal of narcotics and psychotropic substances are also raised (cases under NDPS Act) by the Hon'ble District & Sessions Judge. It has been pointed out that in some cases, proper sampling has not been done and the inventory has not been prepared by the I/O as per the mandate of Section 52 (A) of the NDPS Act. The S.P., Bongaigaon has assured to look into the matter.

iii) The Hon'ble CJM, Bongaigaon has drawn attention of the committee towards the procedure of search and seizure under the Essential Commodities Act. It has been noted that several times the I.O. produces the seized goods in Court while as per Section 6 (C)/6 (E) of Essential Commodities Act, the same is to be made before the collector (department concerned). The S.P., Bongaigaon has taken note of the matter for necessary action.

iv) Hon'ble District & Sessions Judge has also brought to the notice of the S.P., Bongaigaon that in certain cases relating to the POCSO Act, the concerned I/O has failed to take any steps for a considerable period of time after the filing of the FIR. Even in cases in which the accused persons could not be apprehended within a reasonable time or where the accused is an absconder, the concerned I/O in a few cases has not submitted his report in the final form till date. Three such cases are identified for the perusal and necessary action of the S.P., Bongaigaon. They are-

A. Manikpur P.S. Case No- 117/2015 (U/S 366 A/ 376 IPC R/W Section-7 POCSO Act)

B. Manikpur P.S. Case No- 342/2016 (U/S 366 A IPC, R/W Section-4 POCSO Act)

C. Manikpur P.S. Case No- 5/2016 (U/S 366 A/ 376/343/506 IPC, R/W Section-4 POCSO Act)

The S.P., Bongaigaon has assured to look into the matter.

v) In view of the lockdown situation due to the COVID-19 pandemic since March 2020 and in the light of the recent directions of the Hon'ble Gauhati High Court during the present Unlock-1 phase, only remand, bail, arguments and urgent matters are being taken up in the court at Bongaigaon and therefore summons/warrants are not being issued to the accused persons/witnesses in the regular course. Hence, presently there is no such issue as regard serving of process.

The **minutes of the meeting** is to be **uploaded in the official website** of the Bongaigaon Judiciary and copies of the same is also to be **furnished to all the authorities concerned. The System Officer is to be directed to do the needful**. Copy of the same is also to be sent to the Registrar (Judicial), Hon'ble High Court, Guwahati for information.

The meeting ended with a formal vote of thanks.

The members of this meeting has further resolved to send copies of the minutes of this meeting to the Registrar (Judicial), Hon'ble Gauhati High Court, Guwahati for information and the following authorities for information and necessary action.

1. The Registrar Genenral, Gauhati High Court, Guwahati.
2. The Registrar (Judicial), Gauhati High Court, Guwahati.
3. The District & Sessions Judge, Bongaigaon.
4. The Deputy Commissioner, Bongaigaon.
5. The Chief Judicial Magistrate, Bongaigaon.
6. The Superintendent of Police, Bongaigaon.

The Meeting ended with thanks from the chair.

(Sri S. N. Sarma)
District & Sessions Judge,
Bongaigaon

Memo No. 2484-90 Dated Bongaigaon the 23rd July 2020.

Copy forwarded to:

1. The Registrar (General), Gauhati High Court, Guwahati for information.
2. The Registrar (Judicial), Gauhati High Court, Guwahati for information.
3. The District & Sessions Judge, Bongaigaon for information.
4. The Deputy Commissioner, Bongaigaon for information.
5. The Chief Judicial Magistrate, Bongaigaon for information.
6. The Superintendent of Police, Bongaigaon for information & necessary action.
7. The Secretary, DLSA, Bongaigaon for information.

23.06.20

(Smti. Sujata Dutta)
Chief Judicial Magistrate,
Bongaigaon