

MINUTES OF THE MEETING OF THE UNDERTRIAL REVIEW COMMITTEE (URC) HELD ON 29TH DAY OF MARCH, 2020 AT 11.30 A.M. IN THE OFFICE CHAMBER OF THE SUPERINTENDENT, DISTRICT JAIL, 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

DR. ASHRAFUL AIMIN, ADC, GOALPARA (ON BEHALF OF DC)-MEMBER

SHRI AMITABH BASUMATARY, ADDL. SP, GOALPARA (ON BEHALF OF SP)-MEMBER

SHRI ARUP KUMAR PHUKAN, SUPERINTENDENT, DISTRICT JAIL, GOALPARA (SPECIAL INVITEE)

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: 17 UTPs, 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), are recommended for release on execution of PR bond as an interim measure. Dr. Aimin, has agreed to provide vehicle for transportation of the UTPs so released to ensure safe arrival of the UTPs at their place of stay. The list of the 17 UTPs are annexed as Annexure-A.

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 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 436A CrPC. 3 UTPs are found detained who are accused of bailable offences and they are included in the aforementioned list of 17 UTPs. Superintendent, District Jail, Goalpara is requested to furnish the list of UTPs, on the basis of records available with him, who have been granted bail but could not furnish bail bonds due to poverty.

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 may be 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 undertrial 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 UTPs are found detained in connection with alleged offences which are compoundable in nature:

1. Shri Tengiring G. Momin, Male, aged about 24 years, Dhudnoi PS Case No.19/2020 u/s 379 IPC
2. Shri Pradip Hajong, Male, aged about 60 years, Agia PS Case No. 40/2020 u/s 379/511 IPC
3. Shri Biswajit Kumar, Male, aged about 30 years, Goalpara PS Case No. 127/2020 u/s 447/379/511 IPC
4. Md. Nur Zamal Hoque, Male, aged about 25 years, Krishnai PS case No. 4/2020 u/s 379 IPC (Accused in Goalpara PS Case No.92/2020 u/s 341/392/34 IPC)

As such, the concerned court may be requested to explore the possibility of compounding of the offences and their release.

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 considered in a meeting in the next month.

Item No-6: 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: The committee has taken note of the measures taken by the jail authority including isolation wards, regular checkup of inmates by doctors for COVID-19 symptoms, sanitization of staff and visitors at the entrance etc. The committee recommends that jail authority may also provide masks to the inmates.

T.K. Bhattacharjee
Aimin

N.K. Das

Dr. A.

A. Basumatary

A.K. Phukan