

**CHRI 2015**

**UNDERTRIAL  
REVIEW  
COMMITTEES:  
SETUP &  
FUNCTIONING IN  
WEST BENGAL**



**CHRI**

Commonwealth Human Rights Initiative  
working for the practical realisation of human rights in  
the countries of the Commonwealth

*A Joint Study by:*

**The Commonwealth Human Rights Initiative &  
The Directorate of Correctional Services, West Bengal**



# Commonwealth Human Rights Initiative |

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ISBN: ISBN 878-93-81241-29-5

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# **UNDERTRIAL REVIEW COMMITTEES: SETUP & FUNCTIONING IN WEST BENGAL**

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## ACKNOWLEDGEMENTS |

The Commonwealth Human Rights Initiative wishes to thank all individuals who enriched this study with their knowledge and experience.

We extend our gratitude to Shri Adhir Sharma, Additional Director General of Correctional Services, West Bengal for affording us the opportunity to conduct this study and to enable us to obtain relevant information from all correctional homes in the state. We also thank him for expressing his thoughts in the Foreword of the study. His support and guidance throughout the study has been immense, without which this study could not have been completed.

We are grateful to all correctional home officers who provided relevant information in a timely manner and also to those who compiled the information.

We thank Ms Maja Daruwala and Ms Sana Das for their invaluable editorial support, as well as all the team members of the Prison Reforms Programme whose support has been instrumental in the completion of this report.

Last but not the least, CHRI is grateful to Oak Foundation for their generous grant to help us conduct this study.

# FOREWORD |



**ADHIR SHARMA, IPS**  
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**Memo. No. 590(A)/ADG/15**

**Dated 13 October 2015**

The Indian Constitution upholds the paramount importance of liberty for its citizens, with reasonable restrictions under certain conditions. India is a signatory to the United Nations Standard Minimum Rules for Treatment of Offenders and the International Covenant on Civil and Political Rights. This means that all stakeholders in the criminal justice system have a moral duty to accord protection and relevant privileges to prisoners in line with these international covenants. The legal system in India recognises the presumption of innocence as an essential prerequisite of a fair trial. Thus, it is of utmost importance that no person be denied their liberty unless it is the last resort and is set within the due process requirements of the legal framework.

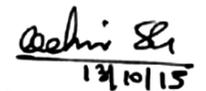
Recent amendments in the Code of Criminal Procedure, 1973 have inserted statutory framework, placing restrictions on the police and other law enforcement agencies on arbitrary arrests which often lead to long periods of detention under judicial custody. However, there are no safeguards for undertrials who fail to get bail, or for cases where the investigation of detained persons take years to complete and trials do not conclude within a reasonable time period. As a corollary, it follows that custodial institutions, in particular prisons, should not be used to detain accused persons for prolonged periods of time. This is particularly so, when undertrials don't have much scope of case review, while they await the completion of the investigation, framing of charges and commencement and completion of their trial without any time frame.

One could argue that bail provisions provide a pre-trial detainee with the opportunity to seek release from custody. However, a large proportion of the prison population is illiterate and indigent. As such, there is no assurance that every prisoner has an equal opportunity to engage a competent lawyer in order to seek bail. The importance of the undertrial review committees (URCs) can be seen from this perspective. These are crucial monitoring agencies which can ensure that incarceration of each pre-trial detainee is lawful and not a result of lack of oversight, callousness or negligence on the part of any agency of the criminal justice system.

Since 2011, the Directorate of Correctional Services, West Bengal has pursued the government to set up undertrial review committees in each district in compliance with the advisory issued by the Ministry of Home Affairs, Government of India vide No. 17011/2/2010-PR, dated 9 May 2011. The Honourable High Court of Calcutta gave its concurrence to set up undertrial review committees (URCs) in June 2013 on a reference from the Judicial Department of the Government of West Bengal in the month of May of the same year. However, during a survey undertaken, it appeared that either these URCs were not set up in all districts or they were not functional. As such, the Supreme Court directives issued in 2014 in the *Bhim Singh* case and in 2015 in the *Re Inhuman Conditions in 1382 Prisons* case are welcome reinforcements of the same Court's directives issued way back in 1986 in a matter concerning Andhra Pradesh. It is hoped that with regular monitoring by the Supreme Court in the *Re Inhuman Conditions* case, an institutional framework would finally evolve in ensuring the no person is detained unnecessarily or illegally in the prisons and correctional homes of West Bengal. Regular reviews by competent courts and the district and state legal services authorities are expected to ensure reduction in overcrowding, help in speedy disposal of cases and prevent arbitrary infringement of people's liberty without just and reasonable cause.

This study was commissioned for the Commonwealth Human Rights Initiative (CHRI) to study the correctional homes in West Bengal, review the status of the implementation of the Supreme Court directives and get a correctional home-wise report on the set up and functioning of URCs in West Bengal. Detailed questionnaires were framed by CHRI, which were circulated. Feedback was taken and the data was painstakingly compiled and analysed. It is a pioneering effort and aims at giving an 'as is' report on the working of URCs on the ground. It also aims to assist those engaged with the set up and functioning of the committees to review shortcomings in their functioning and make them more effective to ensure the widest possible coverage of all categories of prisoners.

The recommendations made at the end of the study are practical and can be achieved if sincere efforts are made by all stakeholders.

  
 13/10/15

(ADHIR SHARMA)  
 ADG & IG, Correctional Services  
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**PART - I**  
**EVALUATION & ANALYSIS**

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# INTRODUCTION :

This report documents the setup and functioning of undertrial review committees in West Bengal. In order to gather this information, the report looks into the compliance of recent Supreme Court directives seeking the setup of undertrial review committees in every district of West Bengal. The study is based on information received from the High Court of Calcutta and correctional homes of West Bengal with respect to the implementation of Section 436A of the Code of Criminal Procedure, 1973, setup of undertrial review committees, review committee meetings, and other related issues. However, before one embarks on that journey, it is important to first understand the necessity of having undertrial review committees.

Overcrowding is a major strain on prison resources and infrastructure and one of the main reasons for the abhorrent prison conditions in our country.<sup>1</sup> An analysis of the available data on prisons makes it evident that the root of this severe overcrowding lies in the high percentage of undertrials. In 2014,<sup>2</sup> undertrials constituted 67.6% of the total prison population with the period of detention varying from 3 months to over 5 years. Astonishingly, in 2014, as many as 3,540 undertrials were reported as spending 5 years or more in jails in different parts of the country.

The executive has periodically introduced plans to remedy this situation, yet no radical change has been perceived.<sup>3</sup> The Supreme Court too has periodically issued directions for the release of undertrials,<sup>4</sup> and liberal use of bail provisions,<sup>5</sup> but this has not led to any change in the high percentage of undertrials lodged in prisons. However, in the last two years, there were two such decisions of the Supreme Court which are of prime importance in this regard viz. *Bhim Singh v Union of India*<sup>6</sup> and *Re Inhuman Conditions in 1382 Prisons*.<sup>7</sup>

In the *Bhim Singh* case the court emphasised the implementation of Section 436A<sup>8</sup> of the Code of Criminal Procedure, 1973 (CrPC) and fast-tracking of courts, to ensure that no undertrial remains in prison beyond half of their maximum sentence. It directed the concerned magistrates to visit the prisons in their district, and hold one sitting every week in prisons for two months, commencing from 1 October 2014. In the meetings, the judicial officers were to identify undertrial prisoners who had spent half of their maximum sentences in jail and provide an order for their release. The court further directed the report of each sitting to be forwarded to the Registrar General of the High Court, and at the end of two months, the Registrar General should submit the report to the Secretary General of the Court without delay. A copy of this order was to be sent to the Registrar General of each High Court, who in turn was to communicate a copy of the order to all sessions judges within the state for necessary compliance.

This order introduced the concept of reviews of undertrial cases, by way of judicial pronouncement, into the criminal justice system for the first time. The concept of undertrial review committees is not new; they have been under discussion since April 1979 when a conference of Chief Secretaries, for the first time, recommended the constitution of district and state level review committees. The All India Jail Reforms Committee of 1980-83, popularly known as the Mulla Committee, had also recommended a regular, effective review mechanism at the district level and the state level. In 2013, the Home Minister too sent a letter to all state governments to set up state-level multi-disciplinary committees to review undertrial incarceration.<sup>9</sup> However, till date, the Apex Court had not directed conducting such reviews on a pan-India basis.

Since the order passed in the *Bhim Singh* case was for a two-month period only, while considering the issue of overcrowding in Indian jails, in April 2015, the Supreme Court in *Re Inhuman Conditions in 1382 Prisons*,<sup>10</sup> further directed the Member Secretary, National Legal Aid Services Authority (NALSA) to coordinate with the State Legal Services Authorities (SLSAs) and the Ministry of Home Affairs to

1 Monika Saroha, "Amendments in CrPC", (2006) 2 SCC (Cri) J-9.

2 Prison Statistics Report 2014: <<http://ncrb.nic.in>>.

3 On 26 January 2010, the Ministry of Law & Justice, Government of India, introduced the "Mission Mode Programme for Delivery of Justice & Legal Reforms – Undertrial Programme" to reduce two-thirds of the undertrial cases and to ease congestion in jails by 31 July, 2010.

4 See *Hussainara Khatoon v State of Bihar* AIR 1979 SC 1360; *Common Cause v Union of India etc.* AIR 1997 SC 1539, *Bhim Singh v Union of India & Or* WP (Crim) 310 of 2005, Order dated 5 September 2014.

5 *Motiram & Ors v. State of Madhya Pradesh* AIR 1978 SC 1594.

6 WP (Criminal) No. 310/2005.

7 Writ Petition(s)(Civil) No(s).406/2013.

8 Section 436A of the CrPC proscribes the detention of undertrials beyond the maximum term of sentence. It also provides an undertrial the right to apply for bail once s/he has served one half of the maximum term of sentence s/he would have served had s/he been convicted.

9 May 2011, Ministry of Home Affairs' Advisory, vide No. 17011/2/2010-PR, January 2013, Ministry of Home Affairs Advisory, vide No. V-13013/70/2012-IS(VI).

10 WP (Civil) No(s). 406/2013.

implement Section 436A of the CrPC, and set up an undertrial review committee in every district. The undertrial review committee was to be composed of the district judge as Chairperson, the District Magistrate, the District Superintendent of Police and the Secretary, District Legal Services Authority<sup>11</sup> as members. The Court further directed the Member Secretary of NALSA to issue directions to all SLSAs to urgently instruct the panel lawyers to take up cases of prisoners unable to furnish bail as this was against the spirit of the law and poverty cannot be a ground for incarcerating a person. It added that the Member Secretary must take urgent steps through panel lawyers for prisoners whose offences could be compounded, and where offences could not be compounded immediate steps to expedite the disposal of those cases at the earliest. Undertrial review committees were to be established in every district within one month and a meeting to commence on or about 30 June 2015. In effect, this institutionalised the concept of undertrial review in the Indian criminal justice system.

However, there was a link between both cases, in as much as, within a month of issuance of the directives in the *Bhim Singh* case, on 27 September 2014, the Ministry of Home Affairs had issued guidelines for calculating the half-terms of sentences in accordance with Section 436A of the CrPC.<sup>12</sup> The letter advised all states/UTs to follow these guidelines:

- a) Undertrials arrested for only one offence: The period of detention in prison during investigation, enquiry or trial is to be considered for the purpose of reckoning half-term. He would be eligible for bail under Section 436A of the CrPC if he has been detained in prison for half the maximum term of punishment prescribed for the offence.
- b) Undertrials arrested for more than one offence in the same case: Where each of those offences attracts separate sentences of differing lengths, the half-term would be reckoned from the date of detention for each and even if the undertrial has completed half-term for the lesser offences, he would not be eligible under Section 436A of the CrPC unless he completes the half-term of the punishment prescribed for the graver offence.
- c) Undertrials arrested in more than one offence in different cases: Where each of those offences attracts separate sentences of differing lengths, the periods of detention for both cases would be reckoned separately from the date of arrest as separate. In such cases, while the undertrial may be eligible for bail under Section 436A of the CrPC in one case, he shall not be released unless he is granted bail under both cases individually.
- d) Undertrials charged with offences punishable with life imprisonment: In all such cases, under Section 57, IPC, life imprisonment should be considered as 20 years imprisonment for which the half-term would be 10 years under Section 436A of the CrPC.

The guidelines further stated that a permanent mechanism should be put in place for such scrutiny and short-listing of eligible undertrial prisoners to provide them relief and to reduce overcrowding in prisons.

These guidelines were taken into consideration by the Supreme Court, during deliberations in the *Re Inhuman case*. After much consideration, the Court stated that Section 436A of the CrPC should not be construed to mean that a person has to remain in custody for any minimum term of imprisonment merely because their trial has not been completed in time. It stated that:

*“The Ministry of Home Affairs has indicated that in case of multiple offences having different periods of incarceration, a prisoner should be released after half the period of incarceration is undergone for the offence with the greater punishment. In our opinion, while this may be the requirement of Section 436A of the Code, it will be appropriate, if in a case of multiple offences, a review is conducted after half the sentence of the lesser offence is completed by the undertrial prisoner. It is not necessary or compulsory that an undertrial prisoner must remain in custody for at least half the period of his maximum sentence only because the trial has not been completed in time.”*

In order to reflect the directives passed by the Supreme Court, the Ministry of Home Affairs issued another advisory on 19 June 2015.<sup>13</sup> The advisory reiterated the need to conduct a review in cases of multiple offences after half the sentence of the lesser offence is completed by the undertrial prisoner. It stated that it was not necessary or compulsory for an undertrial prisoner to remain in custody for at least half the period of the maximum sentence only because the trial was not completed in time.

<sup>11</sup> The Secretary, District Legal Services Authority was included as a member as per order dated 7 August 2015.

<sup>12</sup> No. V-17013/24/2013-PR, Ministry of Home Affairs (CS Division), Government of India, dated 27 September 2014, addressed to all Additional Chief Secretaries (Home)/Principal Secretaries (Home Department)/Principle Secretaries (Prisons) & DG(Prisons) of all states/UTs <<http://mha1.nic.in/PrisonReforms/guidelines.html>.

<sup>13</sup> No. VII – 17014/4/2013 – PR DT. 19 June 2015, Joint Secretary to the Government of India, Ministry of Home Affairs.

However, the order passed by the court and the advisory issued by the Ministry of Home Affairs led to some confusion, which was then clarified by the Supreme Court in its order dated 18 September 2015:

*“We make it clear that there is no mandate that a person who has completed half the period of his sentence, in the case of multiple offences, should be released. This is entirely for the undertrial review committee and the competent authority to decide and there is absolutely no direction given by this Court for release of such undertrials. Their case will have to be considered by the undertrial review committee and the competent authority in accordance with law.”*

On perusal of the orders passed, letters and advisories issued, one can thus conclude that the stage for creating undertrial review committees was well and truly set by all necessary authorities.

Based on this mandate for the setup of undertrial review committees in each district, CHRI embarked on this study in collaboration with the Directorate of Correctional Services, West Bengal to document the extent of compliance of the Supreme Court directives in both the *Bhim Singh* case and *Re Inhuman Conditions* case. In order to gather data on the implementation of the *Bhim Singh* case, an application was filed under the Right to Information Act, 2005 with the Calcutta High Court for the period October-December 2014.<sup>14</sup> Similarly, to follow the implementation of the directives passed in the *Re Inhuman Conditions* case, a questionnaire was circulated to all correctional homes via the Directorate of Correctional Services, West Bengal in July 2015, seeking information on setup of undertrial review committees.<sup>15</sup>

This study is a compilation of all circulars, advisories and guidelines issued by various stakeholders seeking compliance of the Supreme Court directives in West Bengal. It refers to the compliance reports on the *Bhim Singh* case received from all districts of the Calcutta High Court and the data received from all 58 correctional homes to depict the status of implementation of both Supreme Court directives in West Bengal.

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<sup>14</sup> Annexure A.

<sup>15</sup> Annexure B.

# CURRENT STATUS OF IMPLEMENTATION |

## Undertrials: Statistics & Trends in West Bengal

As is the situation across India, overstays, unnecessary detentions and overcrowding are common features in correctional homes in West Bengal. At the beginning of July 2015, West Bengal correctional homes housed 22,981 inmates with undertrials constituting 70.46% of the total prison population (Table 4). With pendency of criminal cases alarmingly high at 84.8% (Table 3), the current scenario is far from ideal. The occupancy rate in West Bengal is 109.9%, while 3,229 prisoners were detained in correctional homes for more than a year (Table 1). What is even more disturbing is that in 2014, in 2,169 cases, it took more than 10 years for completion of trials (Table 2). With a conviction rate of merely 45.1%, the travesty of justice is evident.

In the last 5 years there have been several instances of hunger strikes by prisoners demanding speedy trials. Even though the strikes ended with an assurance from the state government to set up committees to ensure speedy trials, no such mechanisms were set up. One proposal to set up such committees was sent from the Directorate of Correctional Services, West Bengal in 2011 for consideration by the state government wide letter no 2718/IG/11 dated 07.12.11. Again in May 2013 the Judicial Department of West Bengal sent a letter to the Registrar General, Calcutta High Court seeking the opinion of the court regarding the formation of undertrial review committees as per advisory issued by the National Human Rights Commission in 1999. The Registrar General responded to the letter in June 2013 stating that the court is pleased to adopt the views expressed and opines that steps to that effect be taken by the government. The letter further stated that all the district judges shall be informed accordingly. Pursuant to this, in July 2013, the District Judge of Jalpaiguri had formed an Undertrial Review Committee for the district comprising the District Judge, Superintendent of Police and the Superintendent of Jalpaiguri CCH.<sup>16</sup>

However a study conducted by CHRI in 2014 indicated that the undertrial review committees had not been setup in any of the other districts, with three correctional homes viz. Balurghat DCH, Midnapore CCH & Hooghly DCH, having stated that while there has been discussion on the setup of such a committee, they have not been setup.<sup>17</sup> Thus, till the pan-India directives were issued in the *Re inhuman* case by the Supreme Court, it appears that no such committees were established in West Bengal,

Table 1: Number of Undertrial Prisoners by Period of Detention at the end of 2014 in West Bengal<sup>18</sup>

Up to 3 Months	3–6 Months	6–12 Months	1–2 Years	2–3 Years	3–5 Years	Over 5 Years	Total
7,047	2,297	1,477	1,393	989	633	214	14,050

Table 2: Duration of Completion of Trial in 2014: All Courts in West Bengal<sup>19</sup>

Less Than 6 Months	6–12 Months	1–3 Years	3–5 Years	5–10 Years	Over 10 Years	Total
6,756	4,555	11,910	7,232	6,222	2,169	38,844

<sup>16</sup> Annexed collectively as Annexure C.

<sup>17</sup> Madhurima Dhanuka, Undertrial Review Mechanisms, West Bengal, 2014, available at [www.humanrightsinitiative.org](http://www.humanrightsinitiative.org).

<sup>18</sup> Prison Statistics 2014, Table 6.1: <[www.ncrb.nic.in](http://www.ncrb.nic.in)>.

<sup>19</sup> Crime in India, 2014, Table 4.9: <[www.ncrb.nic.in](http://www.ncrb.nic.in)>.

Table 3: Disposal of IPC Criminal Cases by Courts in West Bengal

Total No. of Cases Pending for Trial (Including those from Earlier Years)	Cases Compounded Or Withdrawn	Trial Completed	Trial Remained Pending at the End of 2014	Case Conviction Rate	Pendency Percentage	Percentage Of Pendency To All-India Total
990,221	868	38,844	950,509	45.1%	84.8%	11.23%

Table 4: Inmate Population as on 1 July 2015

CORRECTIONAL HOME POPULATION AS ON 1 July 2015								
S. No	RANGE	NAME OF THE CH	CAPACITY		UTP		TOTAL PRISONER POPULATION	RANGE WISE TOTAL
			M	F	M	F		
1	JALPAIGURI RANGE	Jalpaiguri CCH	832	7	679	48	1,360	3032
2		Siliguri SpCH	150	50	289	7	330	
3		Alipurduar SpCH	350	25	230	13	270	
4		Cooch Behar DCH	186	33	149	11	278	
5		Raiganj DCH	101	12	228	13	302	
6		Darjeeling DCH	117	10	106	4	115	
7		Dinhata SCH	24	3	58	4	67	
8		Mathabhanga SCH	20	4	35	3	38	
9		Mekhligang SCH	24	6	38	0	38	
10		Tufanganj SCH	27	10	21	1	22	
11		Islampore SCH	44	6	147	2	159	
12		Kurseong SCH	22	2	20	1	21	
13		Kalimpong SCH	26	2	29	3	32	
14	BERHAMPORE RANGE	Berhampore CCH	2,000	22	857	40	2,088	4591
15		Malda DCH	230	42	575	21	634	
16		Balurghat DCH	585	30	518	54	849	
17		Suri DCH	656	18	216	6	324	
18		Lalgola OACH	90	0	0	0	121	
19		Lalbagh SCH	40	10	153	3	173	
20		Kandi SCH	17	2	58	3	63	
21		Jangipur SCH	20	3	153	0	159	
22		Rampurhat SCH	50	3	90	0	90	
23		Bolpur SCH	50	50	85	2	90	

24	MIDNAPORE RANGE	Midnapore CCH	1,988	30	468	90	1,293	2574
25		Purulia DCH	828	0	203	0	229	
26		Bankura DCH	202	15	195	16	226	
27		Purulia WCH	0	100	0	15	32	
28		Raghunathpur SCH	50	0	61	0	61	
29		Bishnupur SCH	45	5	54	10	66	
30		Jhargram SCH	94	6	86	2	88	
31		Ghatal SCH	20	2	52	4	56	
32		Haldia SCH	62	29	147	18	170	
33		Contai SCH	37	2	170	24	197	
34	Tamluk SCH	147	5	138	16	156		
35	DUM DUM RANGE	Dum Dum CCH	2,509	101	1,616	210	3,545	6198
36		Krishnagar DCH	486	12	767	74	930	
37		Kalyani SCH	120	30	102	0	102	
38		Barrackpore SCH	135	25	380	4	396	
39		Tehatta SCH	70	20	76	0	76	
40		Bongaon SCH	87	3	421	74	497	
41		Basirhat SCH	59	0	434	71	508	
42		Ranaghat SCH	59	2	143	0	144	
43	PRESIDENCY RANGE	Presidency CH	2,140	0	1,408	0	1,969	3998
44		Uluberia SCH	53	0	158	0	170	
45		Chandannagore SCH	100	45	93	5	99	
46		Hooghly DCH	796	23	291	25	332	
47		Howrah DCH	400	60	550	0	646	
48		Alipore WCH	0	300	0	285	518	
49		Arambagh SCH	12	3	76	4	82	
50		Serampore SCH	98	8	167	15	182	
51	ALIPORE RANGE	Alipore CCH	1,671	0	1,050	0	1,560	2596
52		Burdwan DCH	700	300	350	15	398	
53		Asansol SPL CH	522	20	158	16	180	
54		Durgapur OACH	35	0	0	0	33	
55		Durgapur SCH	50	0	99	0	103	
56		Kalna SCH	48	4	71	7	78	
57		Katwa SCH	50	20	57	0	61	
58		Diamond Harbour SCH	59	3	170	13	183	
<b>TOTAL</b>			19,393	1,523	14,947	1,252	22,989	
<b>GRANDTOTAL</b>			<b>20,916</b>		<b>16,199</b>		<b>22,989</b>	
<b>GRANDTOTAL</b>			<b>20,916</b>		<b>16,199</b>		<b>22,989</b>	

KEY: CCH=Central Correctional Home DCH = District Correctional Home SCH = Subsidiary Correctional Home SpCH = Special Correctional Home OACH = Open Air Correctional Home WCH = Women Correctional Home

## Administrative Setup

West Bengal is divided into 20 districts,<sup>20</sup> with each district being further divided into sub-divisions and blocks. Each district is governed by a district magistrate and each sub-division by a sub-divisional officer. The Calcutta High Court is situated in Kolkata and has a circuit bench in Port Blair. Each district has a district court, which administers justice at the district level, and each district court is headed by a district & sessions judge. These courts are under the administrative and judicial control of the Calcutta High Court.

There are two police forces in West Bengal, the West Bengal Police and the Kolkata Police. The West Bengal Police has jurisdiction concurrent with the 19 revenue districts of the state (excluding the metropolitan city of Kolkata), while Kolkata Police has jurisdiction over the major portions of the metropolitan area of Kolkata. Each district police organisation is headed by the Superintendent of Police, and each subdivision is headed by an assistant/deputy Superintendent of Police. Under each sub-division, there are police circles comprising police stations headed by an Inspector of Police. Additionally since 2011, police commissionerates have also been established within some districts. Section 3 of the West Bengal Correctional Services Act, 1992 prescribes for the establishment for four categories of correctional homes in West Bengal: central, district, subsidiary and special correctional homes.<sup>21</sup> For administrative purposes, the correctional homes have been divided into six ranges: Jalpaiguri, Berhampore, Presidency, Alipore, Dum Dum and Midnapore. There are a total of 58 correctional homes in West Bengal including 6 central (CCH), 33 subsidiary (SCH), 12 district (DCH), 3 special (SpCH), 2 women (WCH) and 2 open air (OACH).<sup>22</sup> Undertrials constitute 98% of prisoner population in the subsidiary correctional homes whereas central correctional homes account for 61% of undertrial population.

Table 5. Capacity and Population of Inmates in each category of Correctional Home

Sl.No.	Type	No. of CHs	Total Capacity of Inmates			Population as on 1 July 2015			Percentage Share of Undertrials
			M	F	T	M	F	T	
01	Central Correctional Home (CCH)	06	11,140	160	11,300	11,058	757	11,815	61%
02	District Correctional Home (DCH)	12	5,287	555	5,842	4,990	265	5,255	83%
03	Subsidiary Correctional Home (SCH)	33	1,819	313	2,132	4,133	294	4,427	98%
04	Women's Correctional Home (WCH)	02	0	400	400	0	550	550	55%
05	Open Air Correctional Home (OACH)	02	125	0	125	154	0	154	0%
06	Special Correctional Home (SpCH)	03	1,022	95	1,117	737	43	780	91%
	<b>Total</b>	<b>58</b>	<b>19,393</b>	<b>1,523</b>	<b>2,0916</b>	<b>21,072</b>	<b>1,909</b>	<b>22,981</b>	

### I. Compliance of Directives in the *Bhim Singh* Case

A circular seeking effective implementation of directives was also circulated by the Additional Director General, Directorate of Correctional Services on **13 September 2014** to all correctional homes in West Bengal. In addition to other directions, the circular directed that all necessary infrastructural arrangements and other facilities should be kept ready at the correctional home premises for the review meetings by judicial officers and for the preparation of an exhaustive list of eligible prisoners by 30 September 2014.<sup>23</sup>

On **24 September 2014** the Registrar General, Calcutta High Court wrote to every district & sessions judge, directing compliance with the directives in the *Bhim Singh* case. The letter also asked for the

<sup>20</sup> Alipurduar became West Bengal's 20th district on 25 June 2014.

<sup>21</sup> See Annexure M for the district-wise list of courts, police divisions, correctional homes and legal services authorities.

<sup>22</sup> On 2 November 2015, Burdwan District Correctional Home was converted into a Central Correctional Home and Alipurduar Special Correctional Home was converted into a District Correctional Home.

<sup>23</sup> Annexure E.

submission of compliance reports in accordance with the Supreme Court order. On 7 November 2014, he sent another letter mentioning that apart from Andaman & Nicobar Islands, all other districts in West Bengal were lagging behind in compliance and once again directed that compliance reports be submitted at the earliest.<sup>24</sup>

A little over three months later, on **13 February 2015**, the Registrar General, Calcutta High Court sent his compliance report to the Secretary General, Supreme Court of India stating:stating:

*“....the said direction of the Hon’ble Supreme Court of India have been complied with and proposed sittings were periodically held by the concerned magistrates at the respective District / Sub-Divisional/Special Correctional Homes. The concerned magistrates had examined the records of all the undertrial prisoners confined in the correctional homes and have released prisoners on PR Bond invoking Section 436A of the CrPC wherever found applicable.”<sup>25</sup>*

The letter stated that there were reports of releases from Uttar Dinajpur, Daksin Dinajpur, Malda, Murshidabad, Birbhum, Bankura, Purulia, Nadia, Hooghly, Howrah, Paschim Midnapore, Purba Midnapore, Andaman & Nicobar Islands and City Sessions, Kolkata. The letter further stated that in South 24 Parganas, Burdwan and North 24 Parganas, Asansol releases could not be made because the accused were involved in other cases or were of unsound mind. (Table 6).<sup>26</sup>

**Table 6: Compliance of Bhim Singh Order: District wise details**

S. No.	District	Meetings that took place/Total no. of meetings that should have taken Place	Date of Meetings	No. of Cases Considered
1	Andaman & Nicobar Islands	6/8	22, 24, 30 Oct; 7, 13 Nov 2014	No cases considered
2	Bankura	No information available as to number of meetings	Months of Oct & Nov indicated	No cases considered
3	Birbhum	7/8	28 Oct; 15, 21, 25, 2 Nov; 1, 15 Dec 2014	No cases considered
4	Burdwan	6/8	10 Sep; 19, 28 Nov; 3, 30 Dec 2014	No cases considered. [Lists of UTPs have been shared]
5	Cooch Behar	3/8	4, 8 Dec 2014; 6 Jan 2015	1 Case
6	Dakshin Dinajpur	2/8	27 Nov 2014; 9 Jan 2015	No cases considered.
7	Darjeeling	2/8	30 Jan, 6 Feb 2015	No cases considered.
8	Hooghly	5/8	5, 21, 28 Nov; 6 Dec 2014	No cases considered.
9	Howrah	No indication that any meetings actually took place.	-	No cases considered. [List of inmates shared]

24. Both letters annexed as Annexure D.

25 Annexure F.

26 For further details see Annexure J.

S. No.	District	Meetings that took place/Total no. of meetings that should have taken Place	Date of Meetings	No. of Cases Considered
10	Jalpaiguri	No information available as to number of meetings	-	1 caseq
11	Malda	5/8	30 October, 5, 13, 21, 26 November 2014	No cases considered.
12	Murshidabad	6/8	1, 11, 12, 13, 20, 28 Nov; 6, 12, 20, 26 Dec 2014; 3 Jan 2015	8 cases
13	Nadia	2/8	12, 14 Nov 2014	No cases considered. [Status of UTPs in prison for October 2014 is submitted; List of inmates from 2004 -2012 shared.]
14	North 24 Parganas	4/8	15, 19 Jan 2015	1 case
15	Paschim Midnapore	5/8	13, 14, 15, 19 Nov 2014	No cases considered.
16	Purba Midnapore	3/8	12, 20, 28 Nov 2014	3 cases considered
17	Purulia	5/8	periods mentioned, date of meetings not mentioned	No cases considered.
18	South 24 Parganas	1/8	30 Oct 2014	12 cases considered; guidelines applied for 10 cases.
19	Uttar Dinajpur	6/8	5 Sep; 17, 20, 21 Nov 2014	2 cases considered
20	City Sessions Court, Kolkata	4/8	9, 17 Oct; 21 Nov 2014	10 cases identified; 9 cases dismissed; guideline applied for 1 case.

## II. Compliance of Directives in *Re Inhuman Case*

Initiatives to reduce the number of undertrials continued even after the stipulated period mentioned in the *Bhim Singh* case. On **16 April 2015**, a letter was sent by the Under Secretary to the Government of India, Ministry of Home Affairs<sup>27</sup> to the heads of prisons, seeking information in connection with the affidavit to be filed before the Supreme Court regarding release of undertrial prisoners under Section 436A of the CrPC. The letter requisitioned information for the periods October to November 2014 and December 2014 to March 2015 under three heads: total number of undertrials in the consideration zone under Section 436A of the CrPC; total number of undertrials released under Section 436A of the CrPC; and total number of undertrials not released out of eligible undertrials with reasons.

On **2 May 2015**, a response to the letter was sent from the Directorate of Correctional Services, West Bengal and stated that during October to November 2015, 50 undertrials were eligible under Section 436A of the CrPC; 21 were released and 29 were not released. The response also stated that during December 2014 to March 2015, 13 people were eligible, but none were released. For both sets of data, in the column marked reasons for not release, it was mentioned that the concerned cases have been brought to the notice of the chief judicial magistrates during visits to correctional homes.

<sup>27</sup> No. 17014/3/2013-PR, Ministry of Home Affairs (CS Division), Government of India dated 16.4.2015.

Table 6. Details of CH where UTP Cases were Considered

Name of Correctional Home	Undertrials Eligible u/s 436A, CrPC	Undertrials Released u/s 436A, CrPC	Undertrials Not Released
Jalpaiguri CCH	1	0	1
Cooch Behar DCH	1	0	1
Berhampore CCH	1	0	1
Dum Dum CCH	1	1	0
Presidency CH	35	16	19
Hooghly DCH	1	1	0
Alipore DCH	10	3	7
<b>TOTAL</b>	<b>50</b>	<b>21</b>	<b>29</b>

On **7 May 2015**, the Member Secretary, National Legal Services Authority, circulated a letter to all member secretaries, state legal services authorities across India seeking compliance of the Supreme Court directives and submission of compliance reports by 31 May 2015.<sup>28</sup> In turn, member secretaries of the state legal services authorities, issued circulars to all chairmen, district legal services authorities for compliance and reports to be submitted by 26 May 2015.<sup>29</sup>

On **1 July 2015**, a memorandum was circulated by the Additional Director General, Directorate of Correctional Services, West Bengal to all correctional homes to ensure implementation of the Supreme Court directives.<sup>30</sup> The memorandum included detailed instructions on the preparation of lists of eligible undertrial prisoners and the criteria for their preparation. It further directed the concerned officers to prepare the lists and submit a copy of the same to the directorate.

The Additional Director General, Directorate of Correctional Services, West Bengal issued another circular on **2 July 2015**, seeking information on the status of legal aid services as well as the implementation of various directives of the Supreme Court.<sup>31</sup> Performas for providing information were annexed with the circular,<sup>32</sup> with a directive to furnish the required information to the directorate by 20 July 2015.

In response to the circular, all 58 correctional homes provided answers to the queries made to them. The information, provided for the period 31 March 2015 to 30 June 2015, indicates (See Table 7):

### 1. Setup of Undertrial Review Committee

a. Only 11 correctional homes reported that the undertrial review committees had been set up in their districts:

- o Alipore DCH
- o Arambagh SCH
- o Bankura DCH
- o Bolpur SCH
- o Burdwan DCH
- o Hooghly DCH
- o Howrah DCH
- o Jalpaiguri CCH
- o Presidency CH
- o Raghunathpur SCH
- o Serampore SCH

<sup>28</sup> Annexure G.

<sup>29</sup> Annexure H

<sup>30</sup> Annexure I.

<sup>31</sup> Circular No: 2514/SR - 11/2015 dated 02.07.2015.

<sup>32</sup> Annexure B.

- b. Lalbagh Sub-Correctional Home reported that while the undertrial review committee had not been set up, panel lawyers were conducting reviews on a weekly basis.
- c. Jangipur Sub-Correctional Home reported that while no undertrial review committee was set up, monthly reports were being sent to the sessions judge and monthly reviews were being conducted by the judicial officers on a regular basis.
- d. Berhampore Central Correctional Home reported that while the superintendent had communicated to the chief judicial magistrate of the concerned court to set up an undertrial review committee, no meetings had been held during this period.
- e. Balurghat District Correctional Home stated that while no committee was set up, monthly reports were sent to the concerned court for their perusal and necessary action.
- f. Dum Dum Central Correctional Home reported that monthly data on the correctional home management software was checked for eligible prisoners under Section 436A of the CrPC and the same was submitted to the DLSA on a regular basis.
- g. Purulia Women Correctional Home, Purulia District Correctional Home, Uluberia Sub-Correctional Home and Tehatta Sub-Correctional Home reported that while review committee had not been set up, close supervision by correctional home officers and judicial officers were maintained.

**2. Releases under Section 436A of the CrPC**

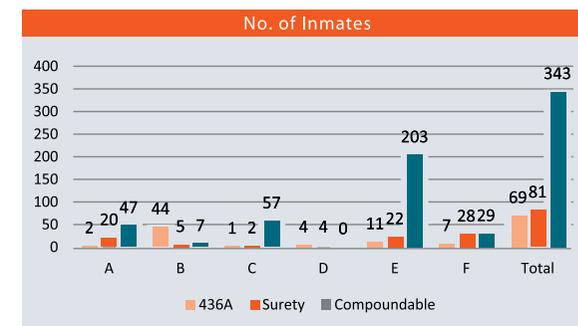
The total number of undertrials whose cases were eligible under Section 436A of the CrPC was 63,<sup>33</sup> of which only 2 inmates were released. However, as on 1 August 2015, the number of undertrials eligible to be released under Section 436A of the CrPC was 69 and of these, 8 inmates had been released. Of the 58 correctional homes, 44 reported that there were no cases of eligible prisoners under Section 436A of the CrPC, majority of them being Sub-Correctional Homes.

**3. Undertrials Detained due to Inability to Provide Surety**

There were 81 undertrials who remained in custody due to their inability to furnish surety during this period. These cases must be taken up by the panel lawyers as per the directives of the Supreme Court immediately. In such cases, the concerned court may waive the surety amount completely or reduce it to an amount that the undertrial can pay.

**4. Compoundable Offences**

There were 343 inmates detained in correctional homes who were charged with compoundable offences. However, no data was provided which indicates that their cases were disposed of under relevant provisions or that any action was taken to compound the offences. On the contrary, concern was raised that as most of such undertrials have private lawyers, the panel lawyers found it difficult to take up such cases. Therefore, some other method must be chalked out to dispose of such cases in a speedy manner.



Note: A-F denotes each range of correctional home

<sup>33</sup> In addition, Alipore CCH also provided data on 72 prisoners who were eligible for release u/s 436A after considering half of lesser offence as per MHA Guidelines issued on 27 September 2014 – No. V-17013/24/2013 – PR.

## CONCLUSION :

The need to set up an undertrial review committee in every district is evident. With every agency of the criminal justice system being overburdened with their own work, all attempts to reduce the number of undertrials, ensure speedy trials and prevent prolonged pre-trial detention are bound to fail if no specific bodies/mechanisms such as undertrial review committees, which can review cases of undertrial prisoners on a regular basis and recommend for their timely release, are set in place.

Undertrial review committees (URC) are an excellent inter-agency coordinating body that allows for all relevant persons to come together to assist the courts to ensure that there is no unjustifiable infringement of the right to liberty to which we are all entitled. The aim of creating URCs is to safeguard individual liberty and to guarantee fair trial rights, especially to the unrepresented and unfortunate. The mandate of such review committees is very clear – to frequently review the cases of every prisoner awaiting trial and apply appropriate correctives to ensure that no undertrial is held for unjustifiably long periods in detention or is simply lost in the files.<sup>34</sup>

The data received from correctional homes of West Bengal indicates that the URCs are yet to be set up in most districts, and in places where they have been set up, case review, consideration for release and subsequent release on bail/personal bond has not been prompt. Feedback from correctional home staff indicates that a number of review meetings were fruitless as the court records were not available or that at most places the superintendent/representative of the correctional home is not part of the review committee meetings. This makes it difficult to provide information or subsequently follow up on the reviews.

There is lack of uniformity in conducting reviews in all the CHs. Data reveals that different patterns of review are carried out. In some correctional homes, especially the central correctional homes, inmates from more than one district are detained. In these cases, undertrial review committees should have been set up for each district. The data is not indicative of such a setup.

Further, the powers of the committees have not been identified anywhere. Can the committee only give recommendations and if yes, how can they ensure that their recommendations are acted upon?

One other concern that emerges is that in a large number of correctional homes the number of prisoners eligible for release under Section 436A of the CrPC is nil. This may lead one to believe that the non-eligibility of inmates under Section 436A negates the purpose of setting up URCs. However this argument can and must be countered with the argument that inmate population is not stagnant, with inmates being admitted and released from correctional homes at a random pace. Thus, even if in a certain month only one person was eligible under Section 436A, it does not necessarily mean that in the next few months 20 others will not be eligible. And herein lies the reason why there is need for monthly review of cases.

It is imperative to note here that all the attention in relation to URCs seems to be based on the review of three types of cases: cases under Section 436A of the CrPC; cases where inmates are unable to furnish bail; and compoundable offences, at this juncture. However, one must be reminded that review of cases need not be restricted to only these categories. In order to ensure that no undertrial prisoners is detained in prison unnecessarily, there is a need to expand the mandate of the URCs to review all other cases as well. While the court has not expressly stated what kind of cases are to be considered, the implementing authorities must chalk out a criteria based on which a review of all undertrials can be considered.

In addition, the Supreme Court directives are silent on the procedure to be followed while conducting the reviews. In the absence of such directives, the procedures vary from district to district. For instance, in some districts the URCs invite the superintendent of the concerned correctional home to be a part of the meeting, while in other districts, correctional home officers have no clue about the existence of such committees or their functioning. This leads to gaps and lacunae in the system, which in the long run, is detrimental to the criminal justice system. Thus, there is a strong need to frame procedural guidelines for reviewing prisoner's cases.

<sup>34</sup> "Undertrial and Error", Sugandha Mathur & Madhurima Dhanuka, Governance Now, May 1-15, 2014, p. 48.

Other issues that have been raised by correctional home officers is that they do not get information on cases where bail has been granted but the inmate cannot provide surety. They state that information pertaining to granting of bail to inmates is not sent to the correctional homes. Thus it is difficult to ascertain if an inmate remains behind bars due to inability to furnish surety. They only discover this if the inmate informs the authorities, after which, they can take action.

Similarly, a concern has been voiced by panel lawyers that in compoundable cases, the inmates often have private lawyers. Thus the panel lawyers are unable to proceed with such cases as that may lead to conflict with the lawyers. This issue requires guidelines from the SLSA on how to proceed with such cases.

One other aspect that can be highlighted here is the need to use technology/computers in order to monitor the setup and functioning of the review committees. Initiatives must be undertaken to create a platform which facilitates NALSA and SLSA to monitor the review committees and ensure accountability. Another aspect where technology could be used, is in the preparation of lists. While all the correctional homes in West Bengal have “E-Suites”, a prisoner-management software, it is yet to integrate components which would assist in the preparation of lists of undertrial prisoners who are eligible under different provisions for release or review. CHRI has prepared a tool which is assistive here. “*EPIC: Evaluation of Prisoner Information and Cases*” is a simple tool to analyse data on undertrial prisoners. It computes the eligibility of undertrial prisoners under Sections 167/436/436A of the CrPC. It evaluates whether cases fall under “petty offences”, “eligible under plea bargaining”, “compoundable cases” and “non compoundable cases”. It can thus assist in prevention of illegal and unnecessary detention of undertrial prisoners. Use of this tool can also facilitate the speedy preparation of accurate lists as EPIC provides a database of offences. Once the basic information of an undertrial is entered, it automatically evaluates the data and analyses it with ease.<sup>35</sup>

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<sup>35</sup> For more information on EPIC, or to request a copy of the software please email [madhurima@humanrightsinitiative.org](mailto:madhurima@humanrightsinitiative.org).

# RECOMMENDATIONS |

The following recommendations are made for effectively setting up undertrial review committees and their smooth functioning:

## A. CRITERIA FOR REVIEW OF CASES

The primary purpose of review committees is to ensure that no undertrial is held for unjustifiably long periods in detention or simply gets lost in the system without being given a chance to knock on the doors of justice. Thus, attention should be given to persons who become eligible to be released on bail, have already served one-half or the maximum jail term for their offence, do not have access to counsel, are vulnerable due to mental and physical disability, are accused of serious offences and have been under trial for a long period of time, or have committed such petty offences that there is no need to keep them in judicial custody.<sup>36</sup> Emphasis should be on reviewing all cases of persons detained beyond three months, especially the following categories:

1. Persons who are eligible for release on bail under Section 167(2)(a)(i) of the CrPC, where investigation is not completed in 90 days.
2. Undertrials who are eligible for release on bail under Section 167(2)(a)(ii) of the CrPC where investigation is not completed in 60 days.
3. Persons eligible for release on bail under Section 167(2) of the CrPC read with Section 36A of the Narcotic Drugs and Psychotropic Substances Act, 1985. Where they are accused under Sections 19, 24 or 27A or for offences involving commercial quantities, have completed 180 days in custody but the charge sheet has not been filed in the case.
4. Undertrials detained under bailable offences for more than seven days. They can thus be declared indigent and be released on personal bond under Section 436 of the CrPC.
5. Petty offenders who are accused of or charged for offences for which the prescribed imprisonment is up to two years.
6. Juveniles or those in the age-group 18-21 as they might actually be juvenile. Juveniles are sometimes mistaken as adults and often end up in prison, but by the time age determination is completed, the damage has already been done. The Committee, therefore, should also review cases where the person falls within the age-group of 18-21 years or who merely appear to be juveniles.
7. Persons of unsound mind who must be dealt under Chapter XXV of the CrPC. In particular, mentally ill prisoners whose trial has been suspended and their family members are willing to take them in their care, can be released on bail under Section 330 of the CrPC.
8. Ill or infirm persons (Section 437 of the Cr.P.C).
9. Undertrials who do not have a lawyer and are eligible for legal aid. Right to counsel being a constitutional right, which unfortunately is not enforced properly in India, the Committee may be directed to conduct a review to ascertain that no prisoner goes unrepresented in their cases.
10. Persons who may be released under the Probation of Offenders Act, 1958, which allows releasing the person on mere admonition (Section 3) in cases where the offence committed is petty or releasing the person under the supervision of a probation officer under Section 4 or 6 of the Act.
11. Persons detained under Chapter VII of the CrPC under Sections 107, 108, 109 or 151 as preventive detention cases.
12. Undertrials who have not been physically produced in the court for the last two consecutive hearings. Production before magistrate is both a constitutional and statutory mandate, but which is often not followed in most states due to shortage of police escorts or other infrastructural issues.

<sup>36</sup> "Undertrial and Error", Sugandha Mathur & Madhurima Dhanuka, Governance Now, May 1-15, 2014, p. 48.

13. Those who wish to plead guilty or are eligible for plea bargaining.
14. Those who are eligible for release under Section 437(6) of the 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 sixty days from the first date fixed for taking evidence in the case.
15. Those who are charged with offences punishable with death sentence, and thus are beyond the purview of section 436A. Review be directed to be made to ensure that their trials are also complete within a reasonable period. The Committee be directed to look into the reasons for delay in trial and recommend for prompt disposal of their cases.

## **B. PROCEDURES AND REPORTING**

### *1. Composition of Review Committees*

The superintendent/controller of correctional homes falling within the jurisdiction of the review committee should be included as members of the committee. The committee may also consider the presence of the panel lawyer/jail visiting lawyer so that they can file the relevant applications in the concerned courts without delay.

### *2. Periodicity*

Members of the review committee should meet every month to review individual cases of prisoners and take necessary action towards recommending their release on bail, effective production before the court, appointment of legal aid lawyers, or any other action as required. The district & sessions judge or the head of the committee may fix a particular day in the month to be assured of regularity; for example, the second Saturday of every month. A letter in this regard can be sent from the office of the district & sessions judge to all the members of the committee to ensure regularity and attendance. If the district & sessions judge or head of the committee is unable to convene the meeting owing to unavoidable circumstances, then another officer may be assigned the responsibility and must convene the meeting. The committee meeting must be convened and cannot be delayed under any circumstances.

### *3. Place of convening*

As far as possible, the committee meeting may take place within the premises of the correctional homes as the records and documents pertaining to undertrials' detention are easily accessible, and it will also make it possible for the committee to interact with the undertrial before recommending the case or taking any action.

### *4. Jurisdiction*

While the directive specifies that the committee be setup for each district, it is important that each committee so constituted should review cases in all prisons falling within its jurisdiction, as well as prisoners whose cases are pending in their districts. It has been observed that at times, where prisoners are transferred for administrative or other purposes, they tend to get forgotten as their cases are going on in courts in another district.

### *5. Preparation of Lists*

The district & sessions judge or head of the committee may direct the respective correctional homes of their district, to prepare a list of undertrials before each meeting. In order to do this in a systematic manner, the superintendent/welfare officer of the concerned correctional home can prepare the lists of such prisoners before every meeting (See sample format).<sup>37</sup>

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<sup>37</sup> See Annexure K.

## 6. Reporting:

- a. The committee may use a standardised format for recording minutes of the meetings and action taken reports.<sup>38</sup>
- b. The minutes of the meeting may be prepared by the welfare officer/superintendent of the correctional home and sent within four working days from the day of the meeting to all the concerned courts for relevant action.
- c. The district & sessions judge or head of the committee may direct all the district courts to send “Action Taken Reports” on the reviewed cases to the committee before the next meeting.
- d. In case, the “Action Taken Report” does not reach the committee before the next meeting, the district & sessions judge or head of the committee may seek an explanation from the particular court/s.
- e. Based on the “Action Taken Reports” received from the various courts, the committee may ensure that the undertrials who were discussed during the last meeting are either released from the correctional home, they are informed of the progress made in their cases or they are given an opportunity to appear before the committee in case of any bottleneck in their case.
- f. A bi-monthly report on review committees meetings held can be prepared by the superintendent/welfare officer and be sent to all members of the committee, the Registrar General, Calcutta High Court, the Member Secretary, SLSA & the ADG, Correctional Services.

<sup>38</sup> See sample format – Annexure L.

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**PART II:**  
**DATA ON COMPLIANCE**

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Table 7: District wise data on setup of undertrial review committees in West Bengal

S. NO	DISTRICT	CORRECTIONAL HOMES	WHETHER URC SETUP	BEST PRACTICE
1	Alipurduar	Alipurduar DCH	No	
2	Bankura	Bankura DCH	Yes	
		Bishnupur SCH	-	
3	Birbhum	Suri DCH	Not known	List of undertrials detained for more than 3 months submitted to judicial officers during their visit to CH
		Bolpur SCH	Yes, verbal confirmation only	
		Rampurhat SCH	--	
4	Burdwan	Burdwan DCH	Yes	
		Asansol SpCH	-	
		Durgapur SCH	-	
		Durgapur OACH	No undertrials detained in OACH.	
		Katwa SCH	-	
		Kalna SCH	-	
5	Cooch Behar	Cooch Behar DCH	No	One panel lawyer and two para-legals visit the correctional home. They counsel prisoners and monitor their cases.
		Dinhata SCH	-	
		Mathabhanga SCH	-	
		Tufanganj SCH	-	
		Mekhliganj SCH	-	
6	Dakshin Dinajpur	Balurghat DCH	-	Monthly reports are sent to District & Sessions Judge for review.
7	Darjeeling	Darjeeling DCH	-	
		Siliguri SpCH	No	
		Kalimpong SCH	-	
		Kurseong SCH	-	
8	Hooghly	Hooghly DCH	Yes	
		Arambagh SCH	Yes	
		Chandannagore SCH	-	
		Serampore SCH	Yes	
9	Howrah	Howrah DCH	Yes	Regular review conducted through EPoD (computer software).
		Uluberia SCH	-	
10	Jalpaiguri	Jalpaiguri CCH	Yes	
11	Kolkata	Presidency CH	Yes	
		Alipore WCH	-	

S. NO	DISTRICT	CORRECTIONAL HOMES	WHETHER URC SETUP	BEST PRACTICE
12	Malda	Malda DCH	Not known	
13	Murshidabad	Berhampore CCH	Not known	
		Lalbagh SCH	Not known	Weekly review conducted by panel lawyers, monthly review conducted by ACJM.
		Kandi SCH	-	
		Jangipur SCH	-	Monthly reports are sent to District & Sessions Judge for review.
		Lalgola OACH	No undertrial detained in OACH	
14	Nadia	Krishnanagar DCH	-	
		Kalyani SCH	-	
		Ranaghat SCH	-	
		Tehatta SCH	-	
15	North 24 Parganas	Dum Dum CCH	-	Monthly review of undertrial cases through Correctional Home Management System is conducted. List of inmates entitled to bail u/s 436A of the CrPC is prepared and submitted to DLSA Secretary for necessary action.
		Bongaon SCH	-	
		Basirhat SCH	-	
		Barrackpore SCH	-	
16	Paschim Midnapore	Midnapore CCH	Not known	
		Jhargram SCH	-	
		Ghatal SCH	-	
17	Purba Midnapore	Tamluk SCH	-	
		Contai SCH	-	
		Haldia SCH	-	
18	South 24 Parganas	Alipore CCH	Yes	The paralegal volunteer appointed by DLSA of regularly visits CH, reviews undertrial cases eligible u/s 436A of the CrPC and renders assistance through DLSA.
		Diamond Harbour SCH	-	
19	Purulia	Purulia DCH	Not yet. DLSA has been instructed to form.	Frequent review and scrutiny of cases is conducted by the judicial officers, panel lawyers and CH officers.
		Purulia WCH	Not yet. DLSA has been instructed to form.	Frequent review and scrutiny of cases is conducted by the judicial officers, panel lawyers and CH officers.
		Raghunathpur SCH	Yes	
20	Uttar Dinajpur	Raiganj DCH	Not known	
		Islampore SCH	-	

<b>DISTRICT – ALIPURDUAR</b>	
Total Prisoner Population 270, Capacity 375, Undertrials 243	
<b>COURTS</b>	
	Sub Division Court at Alipurduar
<b>LEGAL SERVICES AUTHORITIES</b>	
	Alipurduar SDLSC
<b>CORRECTIONAL HOME</b>	
	Alipurduar DCH
<b>DISTRICT POLICE FORCE</b>	
	Sub Division at Alipurduar

## 1. ALIPURDUAR SPECIAL CORRECTIONAL HOME<sup>39</sup>

No. of UTPs eligible u/s 436A, CrPC	No. of UTPs released	No. of UTPs not released	No. of UTPs unable to provide surety	No. of UTPs under compoundable offences
0	0	0	3	20

- The undertrial review committee has not been set up in the correctional home.
- No communication is received from the district legal services authority pertaining to the subject.
- The number of undertrial prisoners for offences which are compoundable is 20 (twenty). The panel advocates stated that the accused after their release from the judicial custody on bail did not contact the panel advocate. Hence they failed to initiate action to get those cases compounded.

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Now called the Alipurduar District Correctional Home.

**DISTRICT – BANKURA**

Total Prisoner Population 277, Capacity 267, Undertrials 258

**COURTS**

District & Sessions Court, Bankura  
Sub Division Courts at Bankura Sadar,  
Bishnupur, Khatra

**LEGAL SERVICES AUTHORITIES**

Bankura DLSA,  
Bishnupur SDLSC,  
Bankura (Sadar) SDLSC,  
Khatra SDLSC

**CORRECTIONAL HOME**

Bankura DCH,  
Bishnupur SCH

**DISTRICT POLICE FORCE**

Sub Divisions at Bankura Sadar,  
Bishnupur, Khatra

## 1. BANKURA DISTRICT CORRECTIONAL HOME

No. of UTPs eligible u/s 436A, CrPC	No. of UTPs released	No. of UTPs not released	No. of UTPs unable to provide surety	No. of UTPs under compoundable offences
0	0	0	0	2

- The undertrial review committee has been set up in the correctional home.
- The review meetings are conducted by Shri K. K. Kumai, district judge of Bankura. A meeting was held in his chambers on 18 May 2015 with the district magistrate and Superintendent of Police, Bankura. They were directed to furnish the names of those undertrial prisoners who were lodged in the correctional home, the number of days detained in judicial custody and the nature of the allegations against them. They were also instructed to specify those prisoners who were unable to furnish bail due to reasons of poverty or for any other reasons. The concerned reports have already been submitted to the court. The Inspector of Police, Bankura was requested to provide necessary information regarding offering of bail to the UTPs and the matter has been brought to the attention of the district judge as the correctional home was not provided with any information in this regard.
- Periodic surveys are conducted to trace prisoners who could be considered for bail under Section 436A of the CrPC.
- The number of persons in custody who are unable to provide security/surety for bail during the period 31 March 2015 to 30 June 2015 is not known as the correctional home does not have any information on which UTP has been offered bail.

## 2. BISHNUPUR SUBSIDIARY CORRECTIONAL HOME

No. of UTPs eligible u/s 436A, CrPC	No. of UTPs released	No. of UTPs not released	No. of UTPs unable to provide surety	No. of UTPs under compoundable offences
0	0	0	0	0

- No information on setup of undertrial review committee received.

**DISTRICT – BIRBHUM**

Total Prisoner Population 504, Capacity 827, Undertrials 399

**COURTS**

District & Sessions Court, Birbhum,  
Sub Division Courts at Suri Sadar, Dubrajpur Chowki,  
Rampurhat, Bolpur

**LEGAL SERVICES AUTHORITIES**

Birbhum DLSA,  
Suri SDLSC,  
Bolpur SDLSC,  
Rampurhat SDLSC

**CORRECTIONAL HOME**

Suri DCH, Bolpur SCH,  
Rampurhat SCH

**DISTRICT POLICE FORCE**

Sub Divisions at Suri,  
Bolpur,  
Rampurhat

## 1. SURI DISTRICT CORRECTIONAL HOME

No. of UTPs eligible u/s 436A, CrPC	No. of UTPs released	No. of UTPs not released	No. of UTPs unable to provide surety	No. of UTPs under compoundable offences
28	0	0	2	0

- No information is available in the correctional home regarding the existence or functioning of any undertrial review committee in Birbhum district. A list of undertrial inmates detained for more than three months is submitted to the senior judicial officers during their visit to this correctional home.
- No review meetings have been held as such. However, the chief judicial magistrate, district & sessions judge, and the secretary, DLSA of district Birbhum visit the correctional home periodically.

Remarks regarding effective implementation of Section 436A of the CrPC:

- A review was conducted, along with panel lawyers of the DLSA of district Birbhum, as per previous guidelines. The review report was submitted before the chairman/secretary of DLSA, Birbhum.
- The total number of undertrials eligible under Section 436A of the CrPC is 28 (twenty eight). However, the number of persons released could not be ascertained since ground of release is not mentioned in the release orders passed by the courts.
- The number of persons in custody due to inability to provide security/surety during the period 31 March 2015 to 30 June 2015 was 2. However, acting on the verbal submission of two undertrial inmates, the cases were taken up. Panel lawyers of DLSA were pursued and prisoner's petitions seeking release on personal bond were submitted before the respective courts. Thereafter they were released.

## 2. RAMPURHAT SUBSIDIARY CORRECTIONAL HOME

No. of UTPs eligible u/s 436A, CrPC	No. of UTPs released	No. of UTPs not released	No. of UTPs unable to provide surety	No. of UTPs under compoundable offences
0	0	0	0	0

- No information on setup of undertrial review committee received.

## 3. BOLPUR SUBSIDIARY CORRECTIONAL HOME

No. of UTPs eligible u/s 436A, CrPC	No. of UTPs released	No. of UTPs not released	No. of UTPs unable to provide surety	No. of UTPs under compoundable offences
0	0	0	0	0

- An undertrial review committee has been set up and but no communication has been received as yet from the district legal services authority pertaining to the subject. However, it has been verbally confirmed by the secretary of the legal service authority of Bolpur.
- The total number of review conducted till 30 June 2015 was 1,093. The reviews are conducted by the additional district judge and additional chief judicial magistrate of Bolpur.

**DISTRICT – BURDWAN**

Total Prisoner Population 853, Capacity 1749, Undertrials 773

**COURTS**

District & Sessions Court, Burdwan  
Sub Division Courts at Burdwan Sadar, Asansol,  
Katwa, Durgapur, Kalna

**LEGAL SERVICES AUTHORITIES**

Burdwan DLSA,  
Burdwan (Sadar) SDLSC,  
Asansol SDLSC, Durgapur SDLSC,  
Katwa SDLSC, Kalna SDLSC

**CORRECTIONAL HOME**

Burdwan DCH,  
Asansol SpCH, Durgapur SCH,  
Durgapur OACH, Katwa SCH, Kalna SCH

**DISTRICT POLICE FORCE AND POLICE COMMISSIONERATE**

Sub Divisions at Burdwan, Katwa, Kalna and  
Asansol-Durgapur Police Commissionerate

## 1. BURDWAN DISTRICT CORRECTIONAL HOME

No. of UTPs eligible u/s 436A, CrPC	No. of UTPs released	No. of UTPs not released	No. of UTPs unable to provide surety	No. of UTPs under compoundable offences
1	0	1	0	0

- The Undertrial Review Committee has been set up in the Correctional Home.

## 2. ASANSOL SPECIAL CORRECTIONAL HOME

No. of UTPs eligible u/s 436A CrPC	No. of UTPs released	No. of UTPs not released	No. of UTPs unable to provide surety	No. of UTPs under compoundable offences
0	0	0	0	0

- No information on setup of undertrial review committee received.

## 3. DURGAPUR SUBSIDIARY CORRECTIONAL HOME

No. of UTPs eligible u/s 436A, CrPC	No. of UTPs released	No. of UTPs not released	No. of UTPs unable to provide surety	No. of UTPs under compoundable offences
0	0	0	0	0

- No information on setup of undertrial review committee received.

## 4. DURGAPUR OPEN CORRECTIONAL HOME

- No undertrial prisoners are lodged in this correctional home.

## 5. KATWA SUBSIDIARY CORRECTIONAL HOME

No. of UTPs eligible u/s 436A, CrPC	No. of UTPs released	No. of UTPs not released	No. of UTPs unable to provide surety	No. of UTPs under compoundable offences
0	0	0	0	0

- No information on setup of undertrial review committee received.

## 6. KALNA SUBSIDIARY CORRECTIONAL HOME

No. of UTPs eligible u/s 436A, CrPC	No. of UTPs released	No. of UTPs not released	No. of UTPs unable to provide surety	No. of UTPs under compoundable offences
0	0	0	0	0

- No information on setup of undertrial review committee received.

<b>DISTRICT – COOCH BEHAR</b>	
<b>Total Prisoner Population 443, Capacity 337, Undertrials 320</b>	
<b>COURTS</b>	
	<b>District &amp; Sessions Court, Cooch Behar, Sub Division Courts at Cooch Behar Sadar, Dinhata, Tufanganj, Mathabhanga, Mekhliganj</b>
<b>LEGAL SERVICES AUTHORITIES</b>	
	<b>Cooch Behar DLSA, Cooch Behar SDLSC, Dinhata SDLSC, Mathabhanga SDLSC, Tufanganj SDLSC, Mekhliganj SDLSC</b>
<b>CORRECTIONAL HOME</b>	
	<b>Cooch Behar DCH, Dinhata SCH, Mathabhanga SCH, Tufanganj SCH, Mekhliganj SCH</b>
<b>DISTRICT POLICE FORCE</b>	
	<b>Sub Divisions at Cooch Behar Sadar, Tufanganj, Dinhata, Mathabhanga, Mekhliganj</b>

## 1. COOCH BEHAR DISTRICT CORRECTIONAL HOME

No. of UTPs eligible u/s 436A, CrPC	No. of UTPs released	No. of UTPs not released	No. of UTPs unable to provide surety	No. of UTPs under compoundable offences
0	0	0	0	0

- The superintendent of the correctional home has already requested the district judge of Cooch Behar to constitute an undertrial review committee under the chairmanship of the district judge and the district magistrate of Cooch Behar and Superintendent of Police of the said district as members within one month in accordance with the directive issued by the Supreme Court in this respect.
- One panelled lawyer and 2 paralegal volunteers have been visiting the correctional home. They are counselling the prisoners regularly and monitoring the cases which requires legal aid assistance.

## 2. DINHATA SUBSIDIARY CORRECTIONAL HOME

No. of UTPs eligible u/s 436A, CrPC	No. of UTPs released	No. of UTPs not released	No. of UTPs unable to provide surety	No. of UTPs under compoundable offences
0	0	0	0	0

- No information on setup of undertrial review committee received.

## 3. MATHABHANGA SUBSIDIARY CORRECTIONAL HOME

No. of UTPs eligible u/s 436A, CrPC	No. of UTPs released	No. of UTPs not released	No. of UTPs unable to provide surety	No. of UTPs under compoundable offences
0	0	0	0	0

- No information on setup of undertrial review committee received.

## 4. MEKHLIGANJ SUBSIDIARY CORRECTIONAL HOME

No. of UTPs eligible u/s 436A, CrPC	No. of UTPs released	No. of UTPs not released	No. of UTPs unable to provide surety	No. of UTPs under compoundable offences
0	0	0	0	0

- No information on setup of undertrial review committee received.

## 5. TUFANGANJ SUBSIDIARY CORRECTIONAL HOME

No. of UTPs eligible u/s 436A, CrPC	No. of UTPs released	No. of UTPs not released	No. of UTPs unable to provide surety	No. of UTPs under compoundable offences
0	0	0	0	0

- No information on setup of undertrial review committee received.

<b>DISTRICT – DAKSHIN DINAJPUR</b>	
Total Prisoner Population 849, Capacity 615, Undertrials 572	
<b>COURTS</b>	
	District & Sessions Court, Dakshin Dinajpur, Sub Division Courts at Balurghat & Buniadpur
<b>LEGAL SERVICES AUTHORITIES</b>	
	Dakshin Dinajpur DLSA, Balurghat SDLSC, Gangarampur SDLSC
<b>CORRECTIONAL HOME</b>	
	Balurghat DCH
<b>DISTRICT POLICE FORCE</b>	
	Sub Divisions at Balurghat, Gangarampur

### 1. BALURGHAT DISTRICT CORRECTIONAL HOME

No. of UTPs eligible u/s 436A, CrPC	No. of UTPs released	No. of UTPs not released	No. of UTPs unable to provide surety	No. of UTPs under compoundable offences
0	0	0	0	0

- No information on setup of undertrial review committee received.

**DISTRICT – DARJEELING**

Total Prisoner Population 498, Capacity 379, Undertrials 459

**COURTS**

District & Sessions Court, Darjeeling,  
Sub Division Courts at Darjeeling Sadar, Siliguri,  
Kurseong, Mirik, Mungpoo, Gorubathan

**LEGAL SERVICES AUTHORITIES**

Darjeeling DLSA,  
Darjeeling (Sadar) SDLSC,  
Kalimpong SDLSC, Kurseong SDLSC,  
Siliguri SDLSC

**CORRECTIONAL HOME**

Darjeeling DCH, Kalimpong SCH,  
Kurseong SCH, Siliguri SpCH

**DISTRICT POLICE FORCE & POLICE COMMISSIONERATE**

Sub Divisions at Darjeeling,  
Kurseong, Kalimpong and  
Siliguri Police Commissionerate

## 1. DARJEELING DISTRICT CORRECTIONAL HOME

No. of UTPs eligible u/s 436A, CrPC	No. of UTPs released	No. of UTPs not released	No. of UTPs unable to provide surety	No. of UTPs under compoundable offences
0	0	0	0	0

- No information on setup of undertrial review committee received.

## 2. SILIGURI SPECIAL CORRECTIONAL HOME

No. of UTPs eligible u/s 436A, CrPC	No. of UTPs released	No. of UTPs not released	No. of UTPs unable to provide surety	No. of UTPs under compoundable offences
1	0	1	12	0

- The undertrial review committee has not been set up in the correctional home.
- No communication is received from district legal services authority pertaining to the subject.
- Details of undertrial in consideration zone under Section 436A of the CrPC during the period 31 March 2015 to 30 June 2015: Suklal Pahan S/o Batrish Pahan; admission to this correctional home on 5 February 2012 in c/w Sessions Case No. 38(S)08, U/S-341/332/333/353 IPC, additional district & sessions judge, fast track court of Siliguri.

## 3. KURSEONG SUBSIDIARY CORRECTIONAL HOME

No. of UTPs eligible u/s 436A, CrPC	No. of UTPs released	No. of UTPs not released	No. of UTPs unable to provide surety	No. of UTPs under compoundable offences
0	0	0	0	0

- No information on setup of undertrial review committee received.

## 4. KALIMPONG SUBSIDIARY CORRECTIONAL HOME

No. of UTPs eligible u/s 436A, CrPC	No. of UTPs released	No. of UTPs not released	No. of UTPs unable to provide surety	No. of UTPs under compoundable offences
0	0	0	0	-

- No information on setup of undertrial review committee received.

**DISTRICT – HOOGHLY**

Total Prisoner Population 695, Capacity 1085, Undertrials 676

**COURTS**

District & Sessions Court, Hooghly (Chinsurah),  
Sub Division Courts at Hooghly Sadar  
Chandannagore, Serampore, Arambagh

**LEGAL SERVICES AUTHORITIES**

Hooghly DLSA,  
Hooghly Sadar SDLSC,  
Arambagh SDLSC,  
Chandannagore SDLSC,  
Serampore SDLSC

**CORRECTIONAL HOME**

Hooghly DCH, Arambagh SCH,  
Chandannagore SCH, Serampore SCH

**DISTRICT POLICE FORCE**

Sub Divisions at Hooghly,  
Chandennagore,  
Serampore, Arambagh

## 1. HOOGHLY DISTRICT CORRECTIONAL HOME

No. of UTPs eligible u/s 436A, CrPC	No. of UTPs released	No. of UTPs not released	No. of UTPs unable to provide surety	No. of UTPs under compoundable offences
0	0	0	6	5

- The undertrial review committee has been set up in the correctional home.

## 2. CHANDANNAGORE SUBSIDIARY CORRECTIONAL HOME

No. of UTPs eligible u/s 436A, CrPC	No. of UTPs released	No. of UTPs not released	No. of UTPs unable to provide surety	No. of UTPs under compoundable offences
0	0	0	0	0

- No information on setup of undertrial review committee received.

## 3. ARAMBAGH SUBSIDIARY CORRECTIONAL HOME

No. of UTPs eligible u/s 436A, CrPC	No. of UTPs released	No. of UTPs not released	No. of UTPs unable to provide surety	No. of UTPs under compoundable offences
0	0	0	0	0

- The undertrial review committee has been set up in the correctional home.

## 4. SERAMPORE SUBSIDIARY CORRECTIONAL HOME

No. of UTPs eligible u/s 436A, CrPC	No. of UTPs released	No. of UTPs not released	No. of UTPs unable to provide surety	No. of UTPs under compoundable offences
0	0	0	0	0

- The undertrial review committee has been set up in the correctional home.

**DISTRICT – HOWRAH**

Total Prisoner Population 816, Capacity 513, Undertrials 708

**COURTS**

District & Sessions Court, Howrah,  
Sub Division Courts at Howrah Sadar, Uluberia

**LEGAL SERVICES AUTHORITIES**

Howrah DLSA,  
Howrah (Sadar) SDLSC,  
Uluberia SDLSC

**CORRECTIONAL HOME**

Howrah DCH,  
Uluberia SCH

**DISTRICT POLICE FORCE & POLICE COMMISSIONERATE**

Sub Division at Howrah Sadar, Uluberia and  
Howrah Police Commissionerate

## 1. HOWRAH DISTRICT CORRECTIONAL HOME

No. of UTPs eligible u/s 436A, CrPC	No. of UTPs released	No. of UTPs not released	No. of UTPs unable to provide surety	No. of UTPs under compoundable offences
0	0	0	0	28

- The undertrial review committee has been set up in the correctional home.
- No prisoner was found eligible under Section 436A of the CrPC in the review committee meeting held on 24 June 2015 in the chambers of the district judge of Howrah. It was decided that a regular review would be done if such cases are found and immediate action be taken accordingly.
- Regular update of prisoner's data is conducted using computer software "EPOD", a tool which assists in assessing eligibility of prisoners under Section 436A of the CrPC.

## 2. ULUBERIA SUBSIDIARY CORRECTIONAL HOME

No. of UTPs eligible u/s 436A, CrPC	No. of UTPs released	No. of UTPs not released	No. of UTPs unable to provide surety	No. of UTPs under compoundable offences
0	0	0	0	4

- No information on setup of undertrial review committee received.
- Surveys in are made periodically.

## DISTRICT – JALPAIGURI

Total Prisoner Population 1360, Capacity 839, Undertrials 727



### COURTS

District & Sessions Court, Jalpaiguri,  
Sub Division Courts at Jalpaiguri Sadar, Malbazar,  
NJP Railway Court



### LEGAL SERVICES AUTHORITIES

Jalpaiguri DLSA,  
Jalpaiguri (Sadar) SDLSC,  
Mal SDLSC



### CORRECTIONAL HOME

Jalpaiguri CCH



### DISTRICT POLICE FORCE

Sub Divisions at Sadar, Malbazar

## 1. JALPAIGURI CENTRAL CORRECTIONAL HOME

No. of UTPs eligible u/s 436A, CrPC	No. of UTPs released	No. of UTPs not released	No. of UTPs unable to provide surety	No. of UTPs under compoundable offences
1	0	1	5	27

- The undertrial review committee has been set up in the correctional home.
- No communication is received from the district legal services authority pertaining to the subject.
- The need for implementation of Section 436A of the CrPC has already been brought to the notice of the chief judicial magistrate of Jalpaiguri & the chairman of the DLSA of Jalpaiguri for information and taking necessary action.
- DLSA has been informed by the correctional home authorities regarding the inmates who have been granted bail and are unable to provide surety.
- The total number of reviews conducted till 30 June 2015 is two; on 12 May 2015 and 12 June 2015.
- The Hon`ble Chief Judicial Magistrate of Jalpaiguri, Sri Santanu Dutta, personally reviewed these cases in order to take necessary action and prepare the reports from his end.

**DISTRICT – KOLKATA**

Total Prisoner Population 2487, Capacity 2440, Undertrials 1693

	<p><b>COURTS</b></p> <p>City Sessions Court, Kolkata, Metropolitan Magistrate’s Court</p>
	<p><b>LEGAL SERVICES AUTHORITIES</b></p> <p>Kolkata DLSA</p>
	<p><b>CORRECTIONAL HOME</b></p> <p>Presidency CH, Alipore WCH</p>
	<p><b>POLICE DIVISIONS: KOLKATA POLICE</b></p> <p>North, Central, Eastern Suburban, South, Port, South East, South Suburban, South West</p>

## 1. PRESIDENCY CORRECTIONAL HOME:

No. of UTPs eligible u/s 436A, CrPC	No. of UTPs released	No. of UTPs not released	No. of UTPs unable to provide surety	No. of UTPs under compoundable offences
8	7	1	15	166

- The undertrial review committee has been set up in the correctional home.
- Regular surveys are conducted and orientation provided regarding the guidelines pertaining to Section 436A of the CrPC.

## 2. ALIPORE WOMEN CORRECTIONAL HOME

No. of UTPs eligible u/s 436A, CrPC	No. of UTPs released	No. of UTPs not released	No. of UTPs unable to provide surety	No. of UTPs under compoundable offences
3	0	3	0	0

- No information on setup of undertrial review committee received.

<b>DISTRICT – MALDA</b>	
Total Prisoner Population 634, Capacity 242, Undertrials 596	
<b>COURTS</b>	
	District & Sessions Court, Malda Sub Division Court at Malda Sadar
<b>LEGAL SERVICES AUTHORITIES</b>	
	Malda DLSA, Malda (Sadar) SDLSC
<b>CORRECTIONAL HOME</b>	
	Malda DCH
<b>DISTRICT POLICE FORCE</b>	
	Sub Division at Malda, Chanchal

## 1. MALDA DISTRICT CORRECTIONAL HOME

No. of UTPs eligible u/s 436A, CrPC	No. of UTPs released	No. of UTPs not released	No. of UTPs unable to provide surety	No. of UTPs under compoundable offences
4	0	4	-	0

- No information received on setup of Undertrial Review Committee

<b>DISTRICT – MURSHIDABAD</b>	
Total Prisoner Population 2604, Capacity 2204, Undertrials 1267	
<b>COURTS</b>	
	District & Sessions Court, Murshidabad, Sub Division Courts at Berhampore (Sadar), Kandi, Lalbagh, Jangipur
<b>LEGAL SERVICES AUTHORITIES</b>	
	Murshidabad DLSA, Berhampore SDLSC, Lalbagh SDLSC, Kandi SDLSC, Jangipur SDLSC
<b>CORRECTIONAL HOME</b>	
	Berhampore CCH, Lalbagh SCH, Kandi SCH, Jangipur SCH, Lalgola OACH
<b>DISTRICT POLICE FORCE</b>	
	Sub Divisions at Murshidabad, Kandi, Lalbagh, Domkal, Jangipur

## 1. BERHAMPORE CENTRAL CORRECTIONAL HOME

No. of UTPs eligible u/s 436A, CrPC	No. of UTPs released	No. of UTPs not released	No. of UTPs unable to provide surety	No. of UTPs under compoundable offences
12	0	12	2	6

- No information received on setup of Undertrial Review Committee
- The matter has already been communicated with the Chief Judicial Magistrate of Murshidabad District & Chief Judicial Magistrate visited several times regarding the issue during the period of 01.02.2014 to 31.03.2015

## 2. LALGOLA OPEN AIR CORRECTIONAL HOME

- No undertrial prisoners are lodged in this correctional home.

## 3. LALBAGH SUBSIDIARY CORRECTIONAL HOME

No. of UTPs eligible u/s 436A, CrPC	No. of UTPs released	No. of UTPs not released	No. of UTPs unable to provide surety	No. of UTPs under compoundable offences
0	0	0	1	1

- No information has been received on the setup of an undertrial review committee as per the Supreme Court's directives. However, weekly review of the inmates and the duration of their incarceration against their booked charges are conducted by the visiting panel advocates from DLSA, Lalbagh and a monthly review is conducted by the court of ACJM, Lalbagh.
- The total number of reviews conducted from 31 March 2015 to 30 June 2015 was 13. Ten were conducted by the visiting panel advocates Shri Rana Mahanta and Sri Anup Halder from DLSA, Lalbagh and three by the court of the additional chief judicial magistrate of Lalbagh.
- Apart from the monthly reports, the number of UTPs lodged in the CH at the end of each month along with their details are sent to the court of the additional chief judicial magistrate, Lalbagh for review.
- Comprehensive report of the thorough survey:

SL NO	DATE OF SITTING BY PANEL LAWYERS	NO. OF INMATES UNLOCKED	NO. OF INMATES ABSENT FOR COURT PRODUCTION	NO. OF CASES REVIEWED	NO. OF CASES FOUND ELIGIBLE U/S 436A, CrPC
01	17.04.2015	203 [ 198+5]	09	194	Nil
02	24.04.2015	213 [210+3]	49	164	Nil
03	08.05.2015	180 [179+1]	44	136	Nil
04	15.05.2015	203 [202+1]	5	198	Nil
05	22.05.2015	161 [160+1]	30	131	Nil
06	29.05.2015	169 [163+6]	15 [court-8, transfer to BCCH- 7]	154	Nil
07	05.06.2015	172 [164+8]	25	147	Nil
08	12.06.2015	180 [175+5]	6	174	Nil
09	19.06.2015	200 [195+5]	23	177	Nil
10	26.06.2015	186 [ 182+4]	14	172	Nil

#### Remarks regarding effective implementation of Section 436A of the CrPC:

- Abdul Amin, S/o Bajlu Rahaman was booked u/s 394/397, and his bail order was granted on 26 June 2015. However due to a delay in furnishing local surety, the accused was reported to be in custody on 30 June 2015. His details were given to the panel lawyers. He was released on 06 July 2015 after furnishing local surety.
- The number of persons in the correctional home under compoundable offences during 31 March 2015 to 30 June 2015 was one, namely Sentu Sk. @ Aftabuddin S/o Lt. Md. Hasan Ali. The panel lawyer, Shri Rana Mahanta, was informed of this issue on 26 June 2015.

## 5. KANDI SUBSIDIARY CORRECTIONAL HOME

No. of UTPs eligible u/s 436A, CrPC	No. of UTPs released	No. of UTPs not released	No. of UTPs unable to provide surety	No. of UTPs under compoundable offences
0	0	0	0	0

- No information on setup of undertrial review committee received.

## 6. JANGIPUR SUBSIDIARY CORRECTIONAL HOME

No. of UTPs eligible u/s 436A, CrPC	No. of UTPs released	No. of UTPs not released	No. of UTPs unable to provide surety	No. of UTPs under compoundable offences
0	0	0	0	0

- Monthly reports regarding persons detained in the correctional home who are eligible for release (if any) are sent to the sessions judge of South Dinajpur for necessary action.
- Reviews up to 30 June 2015 have been conducted periodically once a month on the visit of the district and sessions judge and additional chief judicial magistrate.

**DISTRICT – NADIA**

Total Prisoner Population 1252, Capacity 799, Undertrials 1162

**COURTS**

District & Sessions Court, Nadia,  
Sub Division Courts at Krishnanagar, Tehatta,  
Kalyani, Ranaghat, Nabadwip

**LEGAL SERVICES AUTHORITIES**

Nadia DLSA, Krishnanagar SDLSC,  
Kalyani SDLSC, Ranaghat SDLSC,  
Tehatta SDLSC

**CORRECTIONAL HOME**

Krishnanagar DCH, Kalyani SCH,  
Ranaghat SCH, Tehatta SCH

**DISTRICT POLICE FORCE**

Sub Divisions at Sadar, Tehatta,  
Kalyani, Ranaghat

## 1. KRISHNANAGAR DISTRICT CORRECTIONAL HOME

No. of UTPs eligible u/s 436A, CrPC	No. of UTPs released	No. of UTPs not released	No. of UTPs unable to provide surety	No. of UTPs under compoundable offences
0	0	0	0	0

- No information on setup of undertrial review committee received.

## 2. KALYANI SUBSIDIARY CORRECTIONAL HOME

No. of UTPs eligible u/s 436A, CrPC	No. of UTPs released	No. of UTPs not released	No. of UTPs unable to provide surety	No. of UTPs under compoundable offences
1	0	1	1	0

- Bail applications under Section 436A of the CrPC were sent to the executive magistrate of Kalyani in District Nadia on 29 June 2015. A report regarding detention under 110/IPC was submitted to the Chairman, DLSA Kalyani. The UTP was unable to furnish bond as per the court order of the Executive Magistrate, Kalyani.

## 3. TEHATTA SUBSIDIARY CORRECTIONAL HOME

No. of UTPs eligible u/s 436A, CrPC	No. of UTPs released	No. of UTPs not released	No. of UTPs unable to provide surety	No. of UTPs under compoundable offences
0	0	0	0	0

- There is close supervision over the admission and release of inmates. The court and the correctional home authorities can easily detect those inmates who can be considered for bail under the purview of Section 436A of the CrPC.

## 4. RANAGHAT SUBSIDIARY CORRECTIONAL HOME

No. of UTPs eligible u/s 436A, CrPC	No. of UTPs released	No. of UTPs not released	No. of UTPs unable to provide surety	No. of UTPs under compoundable offences
0	0	0	0	0

- No information on setup of undertrial review committee received.

**DISTRICT – NORTH 24 PARGANAS**

Total Prisoner Population 4946, Capacity 2919, Undertrials 3212

**COURTS**

District & Sessions Court, North 24 Parganas,  
Sub Division Courts at Barasat, Bongaon,  
Basirhat, Barrackpore, Bidhannagar

**LEGAL SERVICES AUTHORITIES**

North 24 Parganas DLSA, Barasat SDLSC,  
Bongaon SDLSC, Basirhat SDLSC,  
Barrackpore SDLSC, Bidhannagar SDLSC

**CORRECTIONAL HOME**

Dum Dum CCH, Bongaon SCH,  
Basirhat SCH, Barrackpore SC

**DISTRICT POLICE FORCE & POLICE COMMISSIONERATES**

Sub Divisions at Barasat, Bongaon, Basirhat, Barrackpore Police Commissionerate,  
Bidhannagar Police Commissionerate

## 1. DUM DUM CENTRAL CORRECTIONAL HOME:

No. of UTPs eligible u/s 436A, CrPC	No. of UTPs released	No. of UTPs not released	No. of UTPs unable to provide surety	No. of UTPs under compoundable offences
3	1	1	3	0

- Every month the data of undertrials is checked through Correctional Home Management System (CHMS). A list of inmates, eligible for bail under Section 436A is prepared and submitted to the Secretary, DLSA to take necessary action.

## 2. BARRACKPORE SUBSIDIARY CORRECTIONAL HOME

No. of UTPs eligible u/s 436A, CrPC	No. of UTPs released	No. of UTPs not released	No. of UTPs unable to provide surety	No. of UTPs under compoundable offences
0	0	0	0	0

- No information on setup of undertrial review committee received.

## 3. BONGAON SUBSIDIARY CORRECTIONAL HOME

No. of UTPs eligible u/s 436A, CrPC	No. of UTPs released	No. of UTPs not released	No. of UTPs unable to provide surety	No. of UTPs under compoundable offences
0	0	0	0	0

- No information on setup of undertrial review committee received.

## 4. BASIRHAT SUBSIDIARY CORRECTIONAL HOME

No. of UTPs eligible u/s 436A, CrPC	No. of UTPs released	No. of UTPs not released	No. of UTPs unable to provide surety	No. of UTPs under compoundable offences
0	0	0	0	0

- No information on setup of undertrial review committee received.

**DISTRICT – PASCHIM MIDNAPORE**

Total Prisoner Population 1437, Capacity 2140, Undertrials 702

**COURTS**

District & Sessions Court, Paschim Midnapore,  
Sub Division Courts at Midnapore Sadar,  
at Ghatal, Jhargram

**LEGAL SERVICES AUTHORITIES**

Paschim Midnapore DLSA,  
Midnapore (Sadar) SDLSC,  
Jhargram SDLSC, Ghatal SDLSC

**CORRECTIONAL HOME**

Midnapore CCH,  
Jhargram SCH, Ghatal SCH

**DISTRICT POLICE FORCE**

Sub Divisions at Sadar,  
Kharagpur, Jhargram

## 1. MIDNAPORE CENTRAL CORRECTIONAL HOME

No. of UTPs eligible u/s 436A, CrPC	No. of UTPs released	No. of UTPs not released	No. of UTPs unable to provide surety	No. of UTPs under compoundable offences
1	0	1	0	46

- No information has been received on the set up of an undertrial review committee.
- Reviews are performed by the correctional home officers and the petitions of particular cases are forwarded to the concerned courts for necessary action and order.
- The number of persons in custody because they are unable to provide security/surety during the period 31 March 2015 to 30 June 2015 could not be ascertained as no order sheet or record was received about the status of the cases.
- The number of persons in the correctional home under compoundable offences during the period 31.03.2015 to 30 June 2015 is 46 and 30 of them were released during the period.

## 2. JHARGRAM SUBSIDIARY CORRECTIONAL HOME

No. of UTPs eligible u/s 436A, CrPC	No. of UTPs released	No. of UTPs not released	No. of UTPs unable to provide surety	No. of UTPs under compoundable offences
0	0	0	0	0

- No information on setup of undertrial review committee received.

## 3. GHATAL SUBSIDIARY CORRECTIONAL HOME

No. of UTPs eligible u/s 436A, CrPC	No. of UTPs released	No. of UTPs not released	No. of UTPs unable to provide surety	No. of UTPs under compoundable offences
0	0	0	0	0

- No information on setup of undertrial review committee received.

## DISTRICT – PURBA MIDNAPORE

Total Prisoner Population 523, Capacity 282, Undertrials 513

	<b>COURTS</b>
	District & Sessions Court, Purba Midnapore, Sub Division Courts at Tamluk at Contai, Haldia
	<b>LEGAL SERVICES AUTHORITIES</b>
	Purba Midnapore DLSA, Tamluk SDLSC, Contai SDLSC, Haldia SDLSC
	<b>CORRECTIONAL HOME</b>
	Tamluk SCH, Contai SCH, Haldia SCH
	<b>DISTRICT POLICE FORCE</b>
	Sub Divisions at Tamluk, Haldia, Contai

## 1. HALDIA SUBSIDIARY CORRECTIONAL HOME

No. of UTPs eligible u/s 436A, CrPC	No. of UTPs released	No. of UTPs not released	No. of UTPs unable to provide surety	No. of UTPs under compoundable offences
0	0	0	0	0

- No information on setup of undertrial review committee received.

## 2. CONTAI SUBSIDIARY CORRECTIONAL HOME

No. of UTPs eligible u/s 436A, CrPC	No. of UTPs released	No. of UTPs not released	No. of UTPs unable to provide surety	No. of UTPs under compoundable offences
0	0	0	0	0

- No information on setup of undertrial review committee received.

## 3. TAMLUK SUBSIDIARY CORRECTIONAL HOME

No. of UTPs eligible u/s 436A, CrPC	No. of UTPs released	No. of UTPs not released	No. of UTPs unable to provide surety	No. of UTPs under compoundable offences
0	0	0	2	0

- No information on setup of undertrial review committee received.

<b>DISTRICT – SOUTH 24 PARGANAS</b>	
Total Prisoner Population 1743, Capacity 1733, Undertrials 1233	
<b>COURTS</b>	
	District & Sessions Court, South 24 Parganas (Alipore), Sub Division Courts at Alipore Sadar, Sealdah, Baruipur, Kakdwip, Diamond Harbour
<b>LEGAL SERVICES AUTHORITIES</b>	
	South 24 Parganas DLSA, Alipore (Sadar) SDLSC, Baruipur SDLSC, Diamond Harbour SDLSC, Kakdwip SDLSC
<b>CORRECTIONAL HOME</b>	
	Alipore CCH, Diamond Harbour SCH, Presidency CH, Alipore WCH <sup>40</sup>
<b>POLICE DIVISIONS: KOLKATA POLICE</b>	
	South, Port, South East, South Sub urban, South West, South Industrial Zone
<b>DISTRICT POLICE FORCE</b>	
	Sub Divisions at Baruipur, Diamond Harbour, Kakdwip, Canning

<sup>40</sup> Presidency CH & Alipore WCH accommodate prisoners from this district as well. For particulars see page 42. As data does not mention which district is referred to, this can be either South 24 Parganas or Kolkata.

## 1. ALIPORE CENTRAL CORRECTIONAL HOME:

No. of UTPs eligible u/s 436A, CrPC	No. of UTPs released	No. of UTPs not released	No. of UTPs unable to provide surety	No. of UTPs under compoundable offences
6	0	6	28	13

- The undertrial review committee has been set up in the correctional home.
- The paralegal volunteer appointed by DLSA of District South 24 Parganas regularly visits the correctional home to take up cases that are eligible for bail under Section 436A of the CrPC. He renders assistance through the DLSA of district South 24 Parganas to take appropriate action in such cases.
- While the number of undertrials eligible under Section 436A of the CrPC is 6, the number rises to 78, if one calculates eligibility as per the revised guideline of the MHA considering half the sentence of lesser offence. This data was only provided for this correctional home.

## 2. DIAMOND HARBOUR SUBSIDIARY CORRECTIONAL HOME

No. of UTPs eligible u/s 436A, CrPC	No. of UTPs released	No. of UTPs not released	No. of UTPs unable to provide surety	No. of UTPs under compoundable offences
0	0	0	0	0

- No information on setup of undertrial review committee received.

**DISTRICT – PURULIA**

Total Prisoner Population 322, Capacity 978, Undertrials 279

**COURTS**

District & Sessions Court, Purulia,  
Sub Division Courts at Purulia Sadar

**LEGAL SERVICES AUTHORITIES**

Purulia DLSA,  
Purulia Sadar SDLSC,  
Raghunathpur SDLSC

**CORRECTIONAL HOME**

Tamluk SCH,  
Contai SCH, Haldia SCH

**DISTRICT POLICE FORCE**

Sub Divisions at Purulia,  
Raghunathpur

## 1. PURULIA DISTRICT CORRECTIONAL HOME

No. of UTPs eligible u/s 436A, CrPC	No. of UTPs released	No. of UTPs not released	No. of UTPs unable to provide surety	No. of UTPs under compoundable offences
0	0	0	0	9

- The Chairman of DLSA, Purulia has been referred to for the formation of the undertrial review committee.
- Frequent thorough reviews and scrutiny of the cases are conducted by the correctional home executives along with the advocates appointed by the DLSA and also the visiting judicial officers.
- The review meetings were conducted by Smt. Bipasa Mandal, Chief Judicial Magistrate of Purulia and total number of such reviews held up to 30 June 2015 was twenty. No cases under Section 436A of the CrPC is pending till date.
- All nine inmates under compoundable offences, who were detained in the correctional home during the period 31 March 2015 to 30 June 2015 have been released.
- Regarding the steps taken by panel advocates to get the cases compounded, it was stated that all the inmates have their own private advocates.

## 2. PURULIA WOMEN CORRECTIONAL HOME

No. of UTPs eligible u/s 436A, CrPC	No. of UTPs released	No. of UTPs not released	No. of UTPs unable to provide surety	No. of UTPs under compoundable offences
0	0	0	0	0

- The Chairman, DLSA, Purulia has been instructed to form the undertrial review committee.
- Frequent thorough reviews and scrutiny of the cases are conducted by the correctional home executives along with the advocates appointed by the DLSA and visiting judicial officers.
- The review meetings were conducted by Smt. Bipasa Mandal, Chief Judicial Magistrate, Purulia. There were a total of 15 reviews up to 30 June 2015. There were no cases under the purview of Section 436A of the CrPC.

## 3. RAGHUNATHPUR SUBSIDIARY CORRECTIONAL HOME

No. of UTPs eligible u/s 436A, CrPC	No. of UTPs released	No. of UTPs not released	No. of UTPs unable to provide surety	No. of UTPs under compoundable offences
0	0	0	0	0

- An undertrial review committee has been set up and communication received from the Secretary of the District Legal Services Authority of Purulia, Shri Rohan Sinha pertaining to the subject as authorised by the SLSA of West Bengal.

**DISTRICT – UTTAR DINAJPUR**

Total Prisoner Population 461, Capacity 163, Undertrials 390

**COURTS**

District & Sessions Court, Uttar Dinajpur,  
Sub Division Courts at Raiganj, Islampore

**LEGAL SERVICES AUTHORITIES**

Uttar Dinajpur DLSA , Raiganj SDLSC,  
Islampore SDLSC

**CORRECTIONAL HOME**

Raiganj DCH,  
Islampore SCH

**DISTRICT POLICE FORCE**

Sub Divisions at Uttar Dinajpur,  
Islampore

## 1. RAIGANJ DISTRICT CORRECTIONAL HOME

No. of UTPs eligible u/s 436A, CrPC	No. of UTPs released	No. of UTPs not released	No. of UTPs unable to provide surety	No. of UTPs under compoundable offences
0	0	0	0	0

- No information on setup of undertrial review committee received.

## 2. ISLAMPORE SUBSIDIARY CORRECTIONAL HOME

No. of UTPs eligible u/s 436A, CrPC	No. of UTPs released	No. of UTPs not released	No. of UTPs unable to provide surety	No. of UTPs under compoundable offences
0	0	0	0	0

- No information on setup of undertrial review committee received.

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# **PART III: ANNEXURES**

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## ANNEXURE A: APPLICATION FILED UNDER RTI ACT TO THE CALCUTTA HIGH COURT |

Application sent to:

Deputy Registrar (Admin), PIO  
High Court of Calcutta  
3, Esplanade Row West  
Kolkata 700 001

From:

Madhurima Dhanuka

Particulars of the information:

- Concerned Department : Judicial Department, Government of West Bengal
- Particulars of information required
  - i. Details of information required:
    - Copy of the circulars/ notices issued by the registrar general to the sessions judge/ jurisdictional magistrates/ chief judicial magistrate regarding the review of cases of undertrial prisoners as per the order passed by the Supreme Court in case of Bhim Singh vs. Union of India, WP (Criminal) 310 of 2005 on 5 September 2014. [Also available in (2014) 5 SCC 108].
    - Total number of review meetings (including dates of each sitting, number of cases reviewed and number of undertrial prisoners released under Section 436A of the CrPC) held in each correctional home, along with copies of the report sent by the presiding judge after completing the weekly meetings over two months between October 2014 and December 2014.
    - Copy of the report sent to the Secretary General, Supreme Court of India in compliance with the abovementioned order.
  - ii. Period for which information asked for: October 2014 – December 2014

## ANNEXURE B: LIST OF QUESTIONS CIRCULATED TO CORRECTIONAL HOMES |

### COMPLIANCE OF RECENT SUPREME COURT DIRECTIVES

1. No. of undertrial prisoners eligible under Section 436A of the CrPC as on 30 June 2015

**A. For the period 31 March 2015 to 30 June 2015**

Name of CH	Total number of undertrials in the consideration zone under Section 436A of CrPC during 31 March 2015 to 30 June 2015	Total number of undertrials released under Section 436A of CrPC during 31 March 2015 to 30 June 2015	Total number of undertrials not released out of the eligible undertrials, with reasons
1	2	3	4

**B. For the period 31 March 2015 to 30 June 2015**

Name of CH	Steps taken for effective implementation of 436	No. of persons in custody due to inability to provide security/surety	No. of persons in correctional homes under compoundable offences
1	2	3	4

2. No. of undertrial prisoners who have already been granted bail but are not released and the steps taken by the SLSA in this regard.
3. No. of undertrial prisoners with offences which are compounded and steps taken by the panel advocates to get those cases compounded.
4. Total number of reviews up to 30 June 2015
5. Name and designation of judicial officers who conducted the review meeting.
6. Dates of each sitting, number of cases reviewed and number of undertrial prisoners released under Section 436A of the CrPC.
7. Comprehensive report of the thorough survey as stated in Point 6 of the revised guidelines issued by the undersigned.
8. Whether an undertrial review committee has been set up in the correctional home  
 Yes  No
9. Copies of any communication, if received from the District Legal Services Authority, pertaining to the said subject, should also be enclosed with the report or else state NO.

Sign & Seal of Superintendent

NB: It is to be ensured that the information stated above should be accurate and to be furnished within prescribed date positively.

# ANNEXURE C: LETTERS ON FORMATION OF UNDERTRIAL REVIEW COMMITTEES IN WEST BENGAL |

## I. Letter from Judicial Department to Calcutta High Court

Government of West Bengal  
Judicial Department  
Writers' Building: Kolkata-700001

No. 2266-J/JD/2P-10/12

Dated: Kolkata, 16th May 2013

From: From: Shri Tapash Mookherjee  
Secretary to the Govt. of West Bengal

To: The Registrar General  
Calcutta High Court  
High Court Buildings  
Kolkata 700001

Sub: Formation of undertrial review committees in every district.

Sir,

I am to send herewith an advisory of National Human Rights Commission on the above subject and request you to kindly offer valuable opinion of the Hon'ble High Court regarding the aforesaid matter as expeditiously as possible.

You are further requested to submit a report, to this end, on the sittings as directed by the Hon'ble Supreme Court of India.

Encl: As stated above

Yours faithfully  
Sd/-  
Secretary to the Govt of West Bengal

## II. Letter from the Registrar General to the Judicial Department

2013  
High Court, Appellate Side  
Calcutta

No. 2777/A

Dated: Calcutta, 21 June 2013

From: Mir Daro Sheko  
Registrar (Judicial Service)  
High Court, Appellate Side  
Calcutta

To: The Secretary to the Government of West Bengal  
Judicial Department.  
Writers Building  
Kolkata – 1

Sub: Formation of Undertrial Review Committee in every district

Sir,

I am directed to refer to the letter no. 2266-J dated 16.5.2013 and its enclosure on subject captioned above and to inform you that the Hon'ble Court has been pleased to adopt the views expressed in the direction of the Hon'ble Apex Court and to opine that such steps to this effect be taken by the Government following that of the Andhra Pradesh High Court.

All the District judges are being informed accordingly.

Yours faithfully,  
Sd/-  
Mir Daro Sheko,  
Registrar (Judicial Service)

# ANNEXURE D: LETTERS SENT BY THE CALCUTTA HIGH COURT FOR COMPLIANCE WITH BHIM SINGH DIRECTIVES |

## I. Letter sent by the Calcutta High Court, 24 September 2014

**Urgent**  
**2014**  
**IN THE HIGH COURT AT CALCUTTA**  
**APPELLATE SIDE**

**No. 4045G**

**Dated: Calcutta, 24 September, 2014**

**From:** Mir Dara Sheko,  
Registrar General  
High Court, Calcutta

**To:** The District & Sessions Judge, Darjeeling  
The District & Sessions Judge, Cooch Behar  
The District & Sessions Judge, Jalpaiguri  
The District & Sessions Judge, Uttar Dinajpur  
The District & Sessions Judge, Dakshin Dinajpur  
The District & Sessions Judge, Malda  
The District & Sessions Judge, Murshidabad  
The District & Sessions Judge, Burdwan  
The District & Sessions Judge, Birbhum  
The District & Sessions Judge, Bankura  
The District & Sessions Judge, Purulia  
The District & Sessions Judge, Nadia  
The District & Sessions Judge, Hooghly  
The District & Sessions Judge, Howrah  
The District & Sessions Judge, North 24 Parganas  
The District & Sessions Judge, South 24 Parganas  
The District & Sessions Judge, Paschim Midnapore  
The District & Sessions Judge, Purba Midnapore  
The District & Sessions Judge, Andaman & Nicobar Islands

The Chief Judge, City Civil Court, Calcutta  
The Chief Judge, City Sessions Court, Calcutta  
The Chief Judge, Presidency Small Cause Court, Calcutta.

**Subject: Writ Petition (Criminal) No. 310 of 2005**

**Bhim Singh  
Versus  
Union of India and Ors.**

Sir,

I am directed to forward herewith a copy of the Order dated 05/09/2014, passed by the Hon'ble Supreme Court of India in connection with the case mentioned above, for your information and necessary compliance of the directions as mentioned in the Order.

You are further requested to submit a report, to this end, on the sittings as directed by the Hon'ble Supreme Court of India.

This may be treated as urgent.

Encl: as stated

**ISSUED**

**Date:** 24-09-14

Yours faithfully,  
sd/-  
Registrar General

## II. Letter sent by the Calcutta High Court 7 November 2014

REGISTRAR GENERAL  
CALCUTTA HIGH COURT

3, Esplanade West  
Kolkata- 700 001  
Phone: (033) 2213 5472  
Tele/Fax: (033) 2248 7835  
Mobile: 98308 91262

**Reminder**

**Urgent**  
**2014**  
**IN THE HIGH COURT AT CALCUTTA**  
**APPELLATE SIDE**

**No.4331G**

**Dated: 07 November, 2014**

The District & Sessions Judge, Darjeeling  
The District & Sessions Judge, Cooch Behar  
The District & Sessions Judge, Jalpaiguri  
The District & Sessions Judge, Uttar Dinajpur  
The District & Sessions Judge, Dakshin Dinajpur  
The District & Sessions Judge, Malda  
The District & Sessions Judge, Murshidabad  
The District & Sessions Judge, Burdwan  
The District & Sessions Judge, Birbhum  
The District & Sessions Judge, Bankura  
The District & Sessions Judge, Purulia  
The District & Sessions Judge, Nadia  
The District & Sessions Judge, Hooghly  
The District & Sessions Judge, Howrah  
The District & Sessions Judge, North 24 Parganas  
The District & Sessions Judge, South 24 Parganas  
The District & Sessions Judge, Paschim Midnapore  
The District & Sessions Judge, Purba Midnapore  
The Chief Judge, City Sessions Court, Calcutta

**Ref: Letter No. 4045G dated 4th September, 2014.**

**Sub: Awaiting compliance report towards implementation of Section 436A of the CrPC**

**Bhim Singh  
Versus  
Union of India and Ors.**

Sir,

In sending the aforesaid letter accompanying a copy of the judgement of the Hon'ble the Supreme Court of India delivered in writ petition(s) (Criminal) No(s) 310 of 2005, you have been requested to direct the Jurisdictional Magistrate/Chief Judicial Magistrate/Sessions Judge to hold one sitting in a week in each jail/prison for two months commencing from 1 October, 2014, for the purpose of effective implementation of Section 436A of the Code of Criminal Procedure and, to submit report of each of such sitting to the Registrar General of the High Court, after which at the end of each of two months the Registrar General of the High Court shall submit the report to the Secretary General of the Hon'ble the Supreme Court.

It is noticed that except Andaman and Nicobar Islands all other District Judiciary in West Bengal are lagging behind in the matter of complying with the said directions of the Hon'ble the Supreme Court.

Therefore, I am directed by the Hon'ble Court to remind about the direction of the Hon'ble Supreme Court given in the judgement of the aforesaid writ petition, as already circulated, requesting to strictly comply in the matter of submission of report of each of such sitting to the Registrar General, High Court, Calcutta, within the scheduled period prescribed by the Hon'ble Apex Court so that further compliance can be done at this end.

Encl: as stated

**ISSUED**

**Date:** 07-11-14

Yours faithfully,  
sd/-  
Registrar General

## ANNEXURE E: CIRCULAR ISSUED BY ADG & IG, CORRECTIONAL SERVICES |

Government of West Bengal  
Directorate of Correctional Services  
Jessop Building, 1st Floor, 63, N.S. Road, Kolkata-1

No.1111/ADG/14

Dated.13.09.14

To,

- (i) Superintendents of all Central / District / Special / Open / Women's and Subsidiary Correctional Homes
- (ii) Principal, Training Institute, Midnapore, Paschim Midnapore
- (iii) All Range DIsG of Correctional Services, West Bengal
- (iv) All Zonal AIsG of Correctional Services, West Bengal
- (v) Director, Regional Institute of Correctional Administration, Dum Dum, Kolkata-28

**Sub: Directives regarding effective implementation of Section 436A of the CrPC as per Hon'ble Supreme Court's Orders dated 5.9.14 in Writ Petition(s)(Criminal) No(s). 310 of 2005**

You must be aware about the amendment in the Code of Criminal Procedure, 1973 regarding the maximum period for which an undertrial prisoner can be held in custody as envisaged under Section 436A of the said Code.

1. To recapitulate, as per provisions of Section 436A of the CrPC where a person has, during the period of investigation, inquiry or trial under this Code been accused or charged of committing an offence under any law (not being an offence for which the punishment of death has been specified as one of the punishments under that law) undergone detention for a period extending up to one-half of the maximum period of imprisonment specified for that offence under that law, he shall be released by the Court on his personal bond with or without sureties. It has also been provided that in no case will an undertrial prisoner be detained beyond the maximum period of imprisonment for which he can be convicted for the alleged offence.
2. Recently on 5th September 2014, through an order (copy enclosed) containing several actionable points has been passed by the Hon'ble Supreme Court of India in Writ Petition(s)(Criminal) No(s). 310 of 2005 (Bhim Singh v Union of India & Ors) in order for effective implementation of 436A of the Code of Criminal Procedure, 1973. The instructions are as follows in brief:
  - (i) That the Jurisdictional Magistrate/ Chief Judicial Magistrate/ Sessions Judge shall hold one sitting in a week in each Jail / Prison for two months commencing from 1st October, 2014 for the purposes of effective implementation of 436A of the Code of Criminal Procedure.
  - (ii) That in its sittings in jail, the above judicial officers shall identify the undertrial prisoners who have completed half period of the maximum period or maximum period of imprisonment provided for the said offence under the law;
  - (iii) That after complying with the procedure prescribed under Section 436A, the Jurisdictional Magistrate/ Chief Judicial Magistrate/ Sessions Judge pass an appropriate order in jail itself for release of such undertrial prisoners who fulfil the requirement of Section 436A for their release immediately.
  - (iv) That such jurisdictional Magistrate/Chief Judicial Magistrate/ Sessions Judge shall submit the report of each of such sitting to the Registrar General of the High Court and at the end of two months, the Registrar General of each High Court shall submit the report to the Secretary General of this Court without any delay.
  - (v) That the Jail Superintendent of each Jail / Prison are to provide all necessary facilities for holding the court sitting by the above judicial officers to facilitate the compliance of the above order.

3. You are therefore, directed to take following actions immediately:
- (i) Necessary infrastructural arrangements and other facilities should be kept ready by 30th September at your Correctional Home premises for the Jurisdictional Magistrates / Chief Judicial Magistrate / Session Judges who are instructed by the Hon'ble Apex Court for holding a sitting in a week for two months commencing from 1st October, 2014;
  - (ii) An application may be obtained from the eligible UTPs in the form enclosed herewith for placing the same along with the compiled list before the jurisdictional Magistrates / Chief Judicial Magistrate/ Session Judges visiting to Correctional Home for this purpose;
  - (iii) An exhaustive list of Undertrial Prisoners who are eligible to be considered for release under the provision of Section 436A of the CrPC (i.e. those who have already completed one-half of the maximum period of sentence or more than the maximum period of sentence of the offences for which they have been accused / charged) should be kept ready by 30th September 2014;
  - (iv) A schedule (First Schedule of the CrPC, 1973) of maximum period of sentences of offences under Indian Penal Code is enclosed for reference in preparing the list;
  - (v) A soft copy of excel sheet in the format of calculation of detention period to determine the eligible UTPs under the provision of Sections 436 and 436A of the CrPC by feeding the data in respect of the individual prisoner is also attached herewith for preparing the list;
  - (vi) An Executive Officer along with the Welfare Officer (in case of Central / District / Special / Women's CH) should be assigned for preparing the list of eligible UTPs by the stipulated time period;
  - (vii) A copy of the list prepared by the Correctional Home under your charge should be sent to the Confidential Section of the undersigned's Office by 1st October, 2014 at the e-mail id: igpcorrection@gmail.com;
  - (viii) An awareness leaflet about the provisions of 436, CrPC and 436A CrPC, prepared by this Directorate in English and Bengali should be collected in due course of time after the printing process is over for wide circulation among the Officers and Staff of West Bengal Correctional Services;
  - (ix) The Superintendent himself will supervise the entire preparation and shall be in overall charge of the process of submitting the list before the Jurisdictional Magistrate / CJM / District & Sessions Judge during its holding of Court in the Correctional Home;
4. All the Range DIsG of CS, West Bengal are advised to guide the preparation by the respective Correctional Home authorities under their jurisdiction in accordance with these instructions. The Zonal AIsG of Correctional Services, West Bengal should closely supervise about the progress in order to ensure effective implementation. A compiled list of eligible prisoners under 436A CrPC in respect of all Correctional Homes throughout the State would henceforth be maintained at the Statistics Section of Directorate of Correctional Services quarterly under supervision of Special Officer, Directorate of Correctional Services. A separate list should also be maintained by the Statistics branch of this Directorate about the release of UTPs under 436A CrPC. The Law Cell shall also be associated with this exercise. The AIG (South) of Correctional Services should monitor the whole matter and put up the status report to the undersigned every three months.
5. The copy of the Order dated 5.9.14, passed by the Hon'ble Supreme Court of India in this regard is also being sent to Regional Institute of Correctional Administration for inclusion of the guidelines laid down in the above order in curriculum of the basic I induction I refresher courses organized by the Institute time to time.

Encl. As stated above (sent through e-mail only).

Sd/-  
Adhir Sharma  
ADG & IG of Correctional Services, West Bengal

## **ANNEXURE F: COMPLIANCE REPORTS SENT BY THE CALCUTTA HIGH COURT, 13 FEBRUARY 2015 & 30 MARCH 2015 |**

2015  
IN THE HIGH COURT AT CALCUTTA  
APPELLATE SIDE

No. 659 G

Dated: Calcutta, The 13th February, 2015

From: Mir Dara Sheko,  
Registrar General  
High Court, Calcutta

To: The Secretary General.  
Supreme Court of India,  
New Delhi

**Sub: Writ Petition (CRL) No. 310 of 2005**

**Bhim Singh  
Versus  
Union of India and Ors.**

Sir,

With reference to the direction of the Hon'ble Supreme Court of India, contained in the Order dated 05.09.2014, passed in connection with the case as mentioned above, I am to state that the said Order had been forwarded to all the District/Subordinate Judiciaries along with the request to submit the necessary compliance report in this regard.

In this connection, I am to further state that the said direction of the Hon'ble Supreme Court of India has been complied with and proposed sittings were periodically held by the concerned Magistrates at the respective district/sub-divisional/special Correctional Homes. The concerned magistrates had examined the records of all the Undertrial Prisoners confined in the correctional homes and have released prisoners on PR Bond by invoking Section 436A of the CrPC, wherever found applicable.

Reports of such releases under Section 436A of the CrPC have been submitted by the District Judge, Burdwan and District Judge, North 24 Parganas. The district judge, Burdwan has further reported that some prisoners in the Asansol Special Correctional Home are in custody for more than half the period of the maximum period of imprisonment for their respective charges, but were found to be

detained in connection with some other case. Therefore, even if those prisoners were given liberty under Section 436A of the CrPC their release from the correctional home would not be possible as their detention would be necessary for other pending cases and so the provision of Section 436A of the CrPC. could not be applied to them.

The District Judge, South 24 Parganas has reported that one accused being of unsound mind, detained u/s 304 I.P.C. could not be released on personal bond as per report of the concerned officer. Another accused undertrial in connection with u/s 14 Foreigners Act, the Section 436A would not apply to the said case.

There have been no reports of release of UTPs under Section 436A of the CrPC in other districts namely, Uttar Dinajpur, Dakshin Dinajpur, Malda, Murshidabad, Birbhum, Bankura, Purulia, Nadia, Hooghly, Howrah, Paschim Midnapore, Purba Midnapore, Andaman & Nicobar Islands and City Sessions Court, Calcutta.

Delay in submission of this report may kindly be considered as compliance reports in this regard is still awaited from the district of Jalpaiguri for which persuasion is going on, but, as soon as the reports are received, a comprehensive report would be forwarded to your good self without further delay.

This report by the undersigned is for kind information of the Hon'ble Apex Court.

Yours faithfully,

Sd/-

Registrar General

Dated Calcutta, The 30th March, 2015

No. 1356 G

From: Mir Dara Sheko,  
Registrar General  
High Court, Calcutta

To: The Secretary General.  
Supreme Court of India,  
New Delhi

**Sub: Writ Petition (CRL) No. 310 of 2005**

**Bhim Singh  
Versus  
Union of India and Ors.**

Sir,

In continuation of this Hon'ble Court's previous letter dated 13th February, 2015 (copy enclosed), regarding a compliance report in connection with the direction of the Hon'ble Supreme Court of India, contained in the Order dated 05.09.2014, passed in connection with the case as mentioned above, I am to state that in the district of Darjeeling the Provision of Section 436A of the CrPC has not been violated and no UTP was found to be detained for more than half of the punishment provided for their offence in any correctional home.

However, so far as the district of Jalpaiguri is concerned, one male accused person has have been found to have already undergone imprisonment for more than half of the maximum period of sentence for the offence committed u/s 363/366 A IPC and steps are being taken for the release of the said accused person.

Therefore, as per the reports received from the subordinate/district judiciaries, it appears that undertrial prisoners have been released on PR Bond under Section 436A of the CrPC.

In this connection, it may be pertinent to mention that, certain prisoners were, in fact, found to be in custody for more than half of the period of the maximum period of imprisonment for their respective charges in certain cases where the provision of Section 436A of the CrPC could not be applied to them. Likewise the case of Burdwan, the case of unsound mind or the case under section 14 Foreigners Act.

There have been no reports of release of UTPs under Section 436A of the CrPC in other districts namely, Darjeeling, Cooch Behar, Uttar Dinajpur, Dakshin Dinajpur, Malda, Murshidabad, Birbhum, Bankura, Purulia, Nadia, Hooghly, Howrah, Paschim Midnapore, Purba Midnapore, Andaman & Nicobar Islands and City Sessions Court, Calcutta.

This report by the undersigned is for kind information of the Hon'ble Apex Court.

Encl: as stated.

Yours faithfully,  
Sd/-  
Registrar General

# ANNEXURE G: DIRECTIONS SENT BY NALSA, 7 MAY 2015 |

**NATIONAL LEGAL SERVICES AUTHORITY**  
(Constituted under the Legal Services Authority Act, 1987)

RAJESH KUMAR GOEL  
DIRECTOR

1211 Jam Nagar House  
Shahjahan Road, New Delhi 110011

No. L/10/2015-NALSA  
May 7, 2015

To  
The Member Secretary  
All the SLSAs

**Sub: W.P. (C) No. 406/2013 in the Supreme Court of India**  
**Re- Inhuman conditions in 1382 prisons**

Sir/Madam,

Please find enclosed herewith a copy of order dated 24/04/2015 of the Hon'ble Supreme Court of India in the above noted matter.

1. The Hon'ble Supreme Court referring the Advisory dated 17/01/2013 of the Ministry of Home Affairs has directed to ensure that Undertrial Review Committee is established in every District within 1 month and the next meeting of each such Committee should be held on or about 30th June, 2015. As per the Advisory dated 17/01/2013, the Undertrial Review Committee consists of the District Judge, as chairperson, the District Magistrate and the District Superintendent of Police as members.
2. The Hon'ble Supreme Court has further directed that the State Legal Services Authorities should regularly take up the cases of prisoners who are unable to furnish bail (due to poverty) and are still in custody for that reason. The State Legal Services Authorities should instruct the panel lawyers to urgently meet such prisoners, discuss the case with them and move appropriate applications before the appropriate court for release of such persons unless they are required in custody for some other purposes.
3. The Hon'ble Supreme Court has issued directions to the State Legal Services Authorities to urgently take up the issue with the panel lawyers so that wherever the offences can be compounded, immediate steps should be taken and wherever the offences cannot be compounded, efforts should be made to expedite the disposal of those cases or at least efforts should be made to have the persons in custody released there from at the earliest.
4. You are requested to take urgent steps for the compliance of directions issued by the Hon'ble Supreme Court and a compliance report furnishing the following information as on 20.05.2015 to be submitted to NALSA by 31/05/2015:
  1. Whether Undertrial Review Committee has been established in each district? If not, reasons thereof and immediate constitution of these committees under intimation to the NALSA.
  2. Number of undertrial prisoners who are entitled to the benefit of Section 436A of the Criminal Procedure Code
  3. No. of undertrial prisoners who have already been granted bail but not released and steps taken by the State Legal Services Authority in this regard
  4. No. of undertrial prisoners for the offences which are compoundable and steps taken by the panel advocates to get compounded those cases

With Regards,

Yours sincerely,  
sd/-  
(Rajesh Kumar Goel)  
Encl: As above

## ANNEXURE H: DIRECTIONS SENT BY SLSA, 7 MAY 2015 |

NATIONAL LEGAL SERVICES AUTHORITY  
(Constituted under the Legal Services Authority Act, 1987)

Abhijit Som, WBSJ  
Member Secretary  
STATE LEGAL SERVICES AUTHORITY  
WEST BENGAL



City Civil Court Building  
2&3 Kiron Shankar Roy Road  
Kolkata- 700 001, India  
Phone: 033-22483892/4234  
Email- wbstatelegal@gmail.com  
Website: www.wbslsa.org  
Call: 8564859049

No: 1200 (19) SLSA-84/2011 (II)

MOST URGENT

Dated 07.05.2015

To,  
The Chairman,  
District Legal Services Authority  
&  
The Chief Judge/District & Sessions Judge,  
Kolkata, Bankura, Birbhum, Burdwan, Cooch Behar, Dakshin Dinajpur, Darjeeling, Hooghly, Howrah, Jalpaiguri, Malda, Murshidabad, Nadia, North 24 Parganas, Paschim Midnapore, Purba Midnapore, Purulia, South 24 Parganas & Uttar Dinajpur

**Sub: W.P.(C) No. 406/2013 in the Supreme Court of India**

**Re- Subhuman conditions in 1383 Prisons**

Sir/Madam,

I am directed to forward herewith the copy of the Letter No. L/10/2015-NALSA dated 07.05.2015 of the Director, NALSA together with its enclosures, for compliance with the direction of the Hon'ble Supreme Court of India in respect of Point No. 2, 3 & 4 as referred under reference and also send a compliance report on the four requisite information of NALSA to this Authority by 26th May, 2015, for onward transmission of the same to NALSA.

With Regards,

Yours faithfully  
sd/-  
(Abhijit Som)  
Member Secretary  
State Legal Services Authority, WB

# ANNEXURE I: LETTER SENT BY ADG, CORRECTIONAL SERVICES |

**MOST IMMEDIATE**

GOVERNMENT OF WEST BENGAL  
DIRECTORATE OF CORRECTIONAL SERVICES  
63 N.S. Road, Jessop Building  
KOLKATA – 700001

MEMORANDUM

No: 2495/SR - 07/2015.

Date: 01.07.2015

To

1. The Superintendents of all Correctional Homes of the State
2. All Zonal AIsG & Range DIsG, of Correctional Services, West Bengal
3. Controller/ Assistant Controller – in – Charge of all Subsidiary Correctional Homes
4. Director, RICA, Dum Dum, Kolkata.
5. Principal, Training Institute, Midnapore.

**Subject: Revised instructions in connection with immediate furnishing of Data of undertrials in connection with the Suo Moto W.P. (Civil) No. 406 of 2013 titled 'Re : Inhuman Conditions prevailing in 1382 Prisons in India for ensuring compliance to the directions of the Hon'ble Supreme Court of India'. – regarding.**

1. The undersigned is to state that with reference to the aforesaid subject, the copy of the communication, as received from the Director (SR) of the MHA/GOI, along with the copy of the Hon'ble Supreme Court directive Dated. 24.04.2015, was circulated to all the Zonal AIsG, Range DIsG, Superintendents of all Central/Open/District/ Special/Women Correctional Homes, Controller/ Assistant Controller – in – Charge of all Subsidiary Correctional Homes by this Directorate in accordance with the Order of the undersigned vide e mail Dated. 7th of May, 2015. It is to further inform that keeping in view the importance and relevance of the subject, the said advisories were also circulated to the Director, Regional Institute of Correctional Administration, Dum Dum, Kolkata and to the Principal of the Training Institute, Midnapore for information and incorporation of the subject matter in syllabus of relevant basic/ in-service training course (s) held in respective training institution.
2. A circular was also issued in this regard vide No. 1429/SR-07/2015 Dated. 13.04.15 (please refer to the mail dated 13th of April, 2015) previously by the undersigned to all the Correctional Home Officers with the direction to furnish the Data of undertrials under Section 436A of Cr P.C. regarding steps taken for effective implementation of 436 – No. of persons in custody due to inability to provide security/surety and No. of persons in Correctional Homes under Compoundable Offences in a prescribed format for the period 01.10.2014 to 30.11.2014 and 01.12.2014 to 31.03.2015 (Separately). This was in accordance and compliance of the communication as received from the Under Secretary to the Govt. of India, MHA (CS Division)/GOI with reference to the No.V – 17014/4/2013. Based on the report, as received from different Correctional Homes on the said subject, a report pertaining to the said subject was compiled by this Directorate and sent to the MHA/GOI in accordance with the Order of the undersigned addressed to the Under Secretary to the Govt. of India, Prison Reforms, CS Division of MHA.
3. It is worth mentioning that some relevant information related to the aforesaid Writ Petition was also furnished to the Joint Secretary of the CS Division of the MHA/GOI by this Directorate with reference to the communication of the Ministry of Home Affairs vide D.O. No.V – 17014/4/2013 – PR Dated. 18.03.2015.
4. The pertinent information relating to undertrial Prisoners (if any) released under Section 436A of the CrPC for the period 01.10.2014 to 30.11.2014 and 01.12.2014 to 31.03.2015 were also

furnished by the Superintendent(s) of different Correctional Homes based on the directives regarding effective implementation of Section 436A of the CrPC as per Hon'ble Supreme Court's Order Dated.05.09.2014 in Writ Petition(s) (Criminal) No(s).310 of 2005. The said reports were collected within the stipulated time period, as per series of advisories/ guidelines issued by the undersigned. The copy of the Order referred to above were also issued to all as stated above and a soft copy of excel sheet in the format of calculation of detention period to determine the eligible UTPs under provisions of Sections 436 and 436A of the CrPC by feeding the data in respect of the individual prisoner were also issued from this end as a reference for compilation of the said data. A schedule (First Schedule of the CrPC, 1973) of maximum period of sentences of offences under Indian Penal Code was also provided for reference in preparing the list.

5. On the basis of the directives, as stated above, the National Legal Services Authority (NALSA) has recently issued instructions to the State Legal Service Authorities (SLSA), for taking necessary steps for compliance of the directions issued by the Hon'ble Supreme Court in this regard to ensure establishment of undertrial review committee in every District of the State within one month and also to take up the cases of particular prisoners who are held in Judicial custody and are unable to furnish bail amount ( due to poverty). It was also directed that the State Legal Services Authority should instruct the panel lawyers to meet such prisoners on urgent basis to discuss the cases with them and move appropriate applications before the concerned Courts for their release, unless they are required to be held in custody for some other purposes. The State Legal Services Authority was also advised to take up the pertinent issues with the panel lawyers to either take immediate steps in compounding of the offences or else expedite the disposal of the cases at the earliest. Accordingly the Member Secretary of the SLSA, of the State of West Bengal took up the matter with the Chairman of the District Legal Services Authority of all the 19(nineteen) Districts of the State along with the Chief Judge and District/ Sessions Judge of all the Districts with the request for compliance of the said directives.

#### 6. REVISED GUIDELINE:

As per communication with reference to the aforesaid subject, from the Joint Secretary to the Government of India, MHA/GOI vide No.VII – 17014/4/2013 – PR DT. 19.06.2015. It is reiterated to conduct a review in a Case of multiple offences after half the sentence of the lesser offence is completed by the undertrial Prisoner. It is stated that it is not necessary or compulsory that an undertrial Prisoner must remain in custody for at least half the period of his maximum sentence only because the trial has not been completed in time. So, in view of the observations of Hon'ble Supreme Court, the review of UTP's is to be conducted after half the sentence of the lesser offence is completed by the undertrial Prisoner. Hence, a comprehensive report, on the same, is to be submitted by all the Correctional Homes of the State of West Bengal, pertaining to the issued guidelines after conducting a thorough survey of the Cases.

In accordance with the necessity to cogitate the current status of the said matter, the undersigned issues this revised guideline to guide you on the matter of furnishing present status on the said subject immediately. Enclosed please find herewith a copy of a draft format, seeking information on the aforesaid subject which is to be filled up and furnished to this Directorate at the earliest by the competent authorities of all the Correctional Homes of the State. A soft copy of excel sheet in the revised format of calculation of detention period to determine the eligible UTPs under the provision of Sections 436 and 436A of the CrPC ( including the calculations for the compoundable offences) by feeding the data in respect of the individual prisoner is also attached herewith as reference for preparing the list.

7. The said report is advised to be sent in soft copy to the undersigned at the E-Mail id: adgcswb@gmail.com and hard copy of the report, addressed to the undersigned, duly signed by the competent authority of individual Correctional Homes must follow subsequently. The last date for sending of the report is 12th of July, 2015. The copy of any communication received from District Legal Services Authority pertaining to the said subject should also be enclosed with the report. Any kind of important information and suggestion for implementation of the said matter should also be enclosed with the report. (The authorities of individual Correctional Homes are instructed to furnish the report to the undersigned directly and a copy of the report to the Superintendent of the concerned circle, along with a copy to the Zonal AIG & Range DIG).
8. It is also highlighted that after receiving and compilation of the report, as per requirement, another advisory may be issued from this end in view of the captioned subject for further necessary action for successful implementation of the said project.

It is to be noted that failing to comply with the aforesaid instructions regarding furnishing of the report, within the said date, as referred to above would be viewed seriously and responsibility would be fixed up accordingly.

9. The Superintendents of all Central Correctional Homes are hereby directed to collect the report of their individual circles in the prescribed Performa and submit the same to this Directorate (both in soft copy through e-mail on [adgcswb@gmail.com](mailto:adgcswb@gmail.com) and hard copy addressed to the undersigned should follow subsequently) within the prescribed date positively.
10. The AIG (North) of Correctional Services, W.B. is advised to collect the report of his Zone i.e. the report of the Correctional Homes of Jalpaiguri and Berhampore Circle and send the same within the said date (both in soft copy and hard copy) positively.
11. Similarly AIG (West) of Correctional Services, W.B. shall arrange to collect the data pertaining to Midnapore Circle /Range in the prescribed proforma and arrange to submit the same to this Directorate (both in soft copy through e-mail on [adgcswb@gmail.com](mailto:adgcswb@gmail.com) and hard copy).
12. AIG (South) is advised to collect the report in respect of South Zone by compiling reports of DIG(Training) for Dum Dum Circle, DIG(W&D) for Presidency Circle & DIG(South) for Alipore Circle and submit the same to the undersigned.
13. The Superintendents of all Correctional Homes and Controller/ Assistant Controller – in – Charge of all Subsidiary Correctional Homes are directed to ensure strict compliance in this respect and also send the report of their respective Correctional Homes in the prescribed Proforma and submit the same to this Directorate also (both in soft copy through e-mail on [adgcswb@gmail.com](mailto:adgcswb@gmail.com) and hard copy positively).

An acknowledgement regarding receipt of this communication with reference to the No. cited above) should be sent at [adgcswb@gmail.com](mailto:adgcswb@gmail.com).

Encl: as stated above.

Sd/-  
(ADHIR SHARMA)  
ADG & IG of Correctional Services  
West Bengal

## ANNEXURE J: DATA ON COMPLIANCE OF BHIM SINGH DIRECTIVES |

1. ANDAMAN AND NICOBAR ISLANDS	
CORRESPONDENCE DETAILS	PARTICULARS OF THE CORRESPONDENCE
Letter No. 1272-2014/CRT from district & sessions judge to Registrar General, HC dated 24 October 2014. [Reference to a Letter No. 17-CJM/PB/Jail Insp./2014 to district & sessions judge dated 21 October 2014.]	Compliance of directions issued by Supreme Court. CJM held meetings at District Jail, Prothrapur on 22 October 2014. No cases warrant the application of Sec 436A.
Letter No. 1273-2014/CRT from district & sessions judge to Registrar General, HC dated 24 October 2014.	Compliance of directions issued by Supreme Court. Held meetings at District Jail, Prothrapur on 22 October 2014. No cases warrant the application of Sec 436A.
Letter F. No. 47/Jail/ 2011 from Jailor (Judicial), District Jail Prothrapur to CJM, Port Blair dated 21 October 2014.	No undertrial lodged in the jail can be considered under Sec 436A.
Letter No. 1310-2014/CRT from district & sessions judge to Registrar General, HC dated 24 October 2014. [Reference to a Letter No. 21-CJM/PB/Jail Insp./2014 to district & sessions judge dated 31 October 2014.]	Compliance of directions issued by Supreme Court. CJM held meetings at District Jail, Prothrapur on 30 October 2014. No cases warrant the application of Sec 436A.
Letter F. No. 47/Jail/ 2011 from Jailor (Judicial), District Jail Prothrapur to CJM, Port Blair dated 30 October 2014.	No undertrial lodged in the jail can be considered under Sec 436A.
Letter No. 1354-2014/CRT from district & sessions judge to Registrar General, HC dated 11 November 2014. [Reference to a Letter No. 19-CJM/PB/Jail Insp./2014 to district & sessions judge dated 27 October 2014.]	Compliance of directions issued by Supreme Court. CJM held meetings at District Jail, Prothrapur on 24 October 2014. No cases warrant the application of Sec 436A.
Letter F. No. 47/Jail/ 2011 from Jailor (Judicial), District Jail Prothrapur to CJM, Port Blair dated 24 October 2014.	No undertrial lodged in the jail can be considered under Sec 436A.
Letter No. 1356-2014/CRT from district & sessions judge to Registrar General, HC dated 11 November 2014. [Reference to a Letter No. 23-CJM/PB/Jail Insp./2014 to district & sessions judge dated 10 November 2014.]	Compliance of directions issued by Supreme Court. CJM held meetings at District Jail, Prothrapur on 7 November 2014. No cases warrant the application of Sec 436A.
Letter F. No. 47/Jail/ 2011 from Jailor (Judicial), District Jail Prothrapur to CJM, Port Blair dated 7 November 2014.	No undertrial lodged in the jail can be considered under Sec 436A.
Letter No. 1399-2014/CRT from district & sessions judge to Registrar General, HC dated 17 November 2014. [Reference to a Letter No. 27-CJM/PB/Jail Insp./2014 to district & sessions judge dated 14 November 2014.]	Compliance of directions issued by Supreme Court. CJM held meetings at District Jail, Prothrapur on 13 November 2014. No cases warrant the application of Sec 436A.
Letter F. No. 47/Jail/ 2011 from Jailor (Judicial), District Jail Prothrapur to CJM, Port Blair dated 13 November 2014.	No undertrial lodged in the jail can be considered under Sec 436A.

## 2. BANKURA

CORRESPONDENCE DETAILS	PARTICULARS OF THE CORRESPONDENCE
Letter No. 765/1-1/1 from district judge to Registrar General, HC dated 1 December 2014.	Compliance of directions issued by Supreme Court. District judge along with CJM and ACJM visited the Correctional Homes in October and November 2014 and found that no undertrial requires invoking Sec 436A.

## 3. BIRBHUM

CORRESPONDENCE DETAILS	PARTICULARS OF THE CORRESPONDENCE
Letter No. 2701/VII-3/2014-E from district judge to Registrar General, HC dated 29 November 2014. [Enclosed Memo No. 317/AB dated 25 November 2014 from Controller, Bolpur Sub-Divisional Correctional Home.]	Compliance of directions issued by Supreme Court. CJM held meetings at Sub-Divisional Correctional Home, Bolpur on 25 November 2014 and ACJM held meetings at Sub-Divisional Correctional Home, Rampurhat on 28 October, 15 November and 21 November 2014. No cases warrant the application of Sec 436A.
Letter No. 2883/VII-3/2014-E from district judge to Registrar General, HC dated 19 December 2014.	Compliance of directions issued by Supreme Court. CJM held meetings at Sub-Divisional Correctional Home, Bolpur on 1 December and 15 December 2014 and ACJM held meetings at Sub-Divisional Correctional Home, Rampurhat on 26 November 2014. No cases warrant the application of Sec 436A.

## 4. BURDWAN

CORRESPONDENCE DETAILS	PARTICULARS OF THE CORRESPONDENCE
Letter No. 2667/HC from district judge to Registrar General, HC dated 11 November 2014.	Compliance of directions issued by Supreme Court was communicated to CJM, Burdwan and ACJMs of sub-divisions.
Letter No. 269/I-5(JM) from district judge to Registrar General, HC dated 29 November 2014. [Enclosed Letter No. 505 from ACJM, Durgapur dated 10 November 2014.]	ACJM held meetings at Sub-Divisional Correctional Home, Durgapur on 10 September 2014 and inspection report is enclosed. No cases warrant the application of Sec 436A.
Letter No. 270/I-5(JM) from district judge to Registrar General, HC dated 29 November 2014. [Enclosed list.]	List of undertrial inmates as on 10 November 2014.
Letter No. 278/I-5(JM) from district judge to Registrar General, HC dated 10 December 2014. [Enclosed Letters from Superintendent, Durgapur Subsidiary Correctional Home.]	Letter No. 664/AB from Superintendent, Durgapur Subsidiary Correctional Home to ACJM, Durgapur dated 17 November 2014 – visit report. Letter No. 677/AB from Superintendent, Durgapur Subsidiary Correctional Home to ACJM, Durgapur dated 24 November 2014 – visit report. List of inmates in Durgapur Sub-Correctional Home.
Letter No. 279/I-5(JM) from district judge to Registrar General, HC dated 10 December 2014. [Enclosed Letter No. 1137 from ACJM, Asansol dated 19 November 2014.]	ACJM held meetings at Sub-Divisional Correctional Home, Asansol on 19 November 2014 and inspection report was enclosed. Three undertrials identified who even though have been given bail are in custody due to sessions trials which attract harder sentences. Thus, concluding that no cases warrant the application of Sec 436A. [Details provided.]

Letter No. 280/I-5(JM) from district judge to Registrar General, HC dated 10 December 2014. [Enclosed Letter No. 784 from ACJM, Katwa dated 28 November 2014.]	ACJM held meetings at Sub-Divisional Correctional Home, Katwa on 28 November 2014. No cases warrant the application of Sec 436A.
Letter No. 08/I-5(JM) from district judge to Registrar General, HC dated 5 January 2015. [Enclosed Letter No. 843 from ACJM, Katwa dated 30 December 2014.]	ACJM held meetings at Sub-Divisional Correctional Home, Katwa on 30 December 2014. No cases warrant the application of Sec 436A.
Letter No. 10/I-5(JM) from district judge to Registrar General, HC dated 7 January 2015. [Enclosed Letter No. 1176 from ACJM, Asansol dated 29 November 2014.]	ACJM held meetings at Sub-Divisional Correctional Home, Asansol on 28 November 2014. One undertrial was detained under Sections 41/109 of the CrPC who was released on PR bond. Otherwise no cases warrant the application of Sec 436A.
Letter No. 11/I-5(JM) from district judge to Registrar General, HC dated 7 January 2015. [Enclosed Letter No. 1193 from ACJM, Asansol dated 4 December 2014.]	ACJM held meetings at Sub-Divisional Correctional Home, Katwa on 3 December 2014. No cases warrant the application of Sec 436A.

## 5. COOCH BEHAR

CORRESPONDENCE DETAILS	PARTICULARS OF THE CORRESPONDENCE
Letter No. 25/E from district judge to Registrar General, HC dated 7 January 2015.	Submission of compliance reports from the courts of CJM, Cooch Behar, ACJM, Dinhata, ACJM, Tufanganj, ACJM, Mathbhanga and ACJM, Mekhliganj.
Letter No. 38/E from CJM, Cooch Behar to Registrar General, HC dated 7 January 2015.	ACJM enclosed the name provided by the Superintendent of Cooch Behar District Correctional Home.
Letter No. 8 from ACJM, Dinhata to Registrar General, HC dated 6 January 2015.	ACJM held meetings at Dinhata Correctional Home on 4 December 2014. No cases warrant the application of Sec 436A.
Letter No. 558/AB (spl) from Controller, Tufanganj Sub-Divisional Correctional Home to ACJM Tufanganj dated 5 October 2014.	Controller states that there are no undertrials who warrant the application of Sec 436A.
Letter No. 569/AB from Controller, Tufanganj Sub-Divisional Correctional Home to ACJM Tufanganj dated 14 October 2014.	Controller states that there are no undertrials who warrant the application of Sec 436A.
Letter No. 583/AB from Controller, Tufanganj Sub-Divisional Correctional Home to ACJM Tufanganj dated 21 October 2014.	Controller states that there are no undertrials who warrant the application of Sec 436A.
Letter No. 607/AB from Controller, Tufanganj Sub-Divisional Correctional Home to ACJM Tufanganj dated 29 October 2014.	Controller states that there are no undertrials who warrant the application of Sec 436A.
Letter No. 626/AB from Controller, Tufanganj Sub-Divisional Correctional Home to ACJM Tufanganj dated 6 November 2014.	Controller states that there are no undertrials who warrant the application of Sec 436A.
Letter No. 644/AB from Controller, Tufanganj Sub-Divisional Correctional Home to ACJM Tufanganj dated 15 November 2014.	Controller states that there are no undertrials who warrant the application of Sec 436A.
Letter No. 655/AB from Controller, Tufanganj Sub-Divisional Correctional Home to ACJM Tufanganj dated 22 November 2014.	Controller states that there are no undertrials who warrant the application of Sec 436A.
Letter No. 661/AB from Controller, Tufanganj Sub-Divisional Correctional Home to ACJM Tufanganj dated 29 November 2014.	Controller states that there are no undertrials who warrant the application of Sec 436A.
Letter No. 25 from ACJM, Mathabhanga to Registrar General, HC dated 6 January 2015. [Enclosed report dated 6 January 2015.]	ACJM held meetings at Sub-Divisional Correctional Home, Mathabhanga on 8 December 2014 and inspection report was enclosed. No undertrials warrant the application of Sec 436A.
Letter No. 17 from ACJM, Mekhliganj to Registrar General, HC dated 6 January 2015. [Enclosed Letter No. 784 from ACJM, Katwa dated 28 November 2014.]	ACJM held meetings at Sub-Divisional Correctional Home, Mekhliganj on 6 January 2015. No cases warrant the application of Sec 436A.

## 6. DAKSHIN DINAJPUR

CORRESPONDENCE DETAILS	PARTICULARS OF THE CORRESPONDENCE
Letter No. 837/G from district judge to Registrar General, HC dated 27 November 2014.	No cases warrant the application of Sec 436A in Dakshin Dinajpur judgship.
Letter No. 63 (13)/G from district judge to Registrar General, HC dated 9 January 2015.	No cases warrant the application of Sec 436A in Dakshin Dinajpur judgship.

## 7. DARJEELING

CORRESPONDENCE DETAILS	PARTICULARS OF THE CORRESPONDENCE
Letter No. 249/E from district judge to Registrar General, HC dated 7 February 2015.	Reference to the letters submitted by CJM, Darjeeling during the inspections of the Correctional Homes. No cases warrant the application of Sec 436A.
Letter No. 54/CJM/Dj from CJM, Darjeeling to district judge dated 2 February 2015.	CJM held meetings at District Correctional Home, Darjeeling on 30 January 2015. No undertrials warrant the application of Sec 436A.
Letter No. 80/CJM/Dj from CJM, Darjeeling to district judge dated 6 February 2015.	ACJM, Siliguri, ACJM, Kurseong and ACJM, Kalimpong held meetings at Sub-Divisional Correctional Homes. No undertrials warrant the application of Sec 436A.

## 8. HOOGHLY

CORRESPONDENCE DETAILS	PARTICULARS OF THE CORRESPONDENCE
Letter No. 3298/I-B from district judge to Registrar General, HC dated 18 November 2014. [Enclosed Letter No. 504 dated 17 November 2014 from addl. district & sessions judge, Special Court, Hooghly.]	Compliance of directions issued by Supreme Court. Judge held meetings at District Correctional Home, Chinsurah on 5 November 2014. No cases warrant the application of Sec 436A.
Letter No. 3356/I-B from district judge to Registrar General, HC dated 25 November 2014. [Enclosed Letter No. 924 dated 21 November 2014 from addl. district & sessions judge, 3rd Court, Hooghly.]	Compliance of directions issued by Supreme Court. Judge held meetings at District Correctional Home, Hooghly on 21 November 2014. No cases warrant the application of Sec 436A.
Letter No. 3389/I-B from district judge to Registrar General, HC dated 27 November 2014. [Enclosed Letter No. 526 dated 27 November 2014 from addl. district & sessions judge, Special Court, Hooghly.]	Compliance of directions issued by Supreme Court. Judge held meetings at District Correctional Home, Chinsurah on 21 November 2014. No cases warrant the application of Sec 436A.
Letter No. 3405/I-B from district judge to Registrar General, HC dated 28 November 2014. [Enclosed Letter No. 945 dated 28 November 2014 from addl. district & sessions judge, 3rd Court, Hooghly.]	Compliance of directions issued by Supreme Court. Judge held meetings at District Correctional Home, Hooghly on 28 November 2014. No cases warrant the application of Sec 436A.
Letter No. 3495/HC -14 from district judge to Registrar General, HC dated 6 December 2014. [Enclosed Letter No. 959 dated 6 December 2014 from addl. district & sessions judge, 3rd Court, Hooghly.]	Compliance of directions issued by Supreme Court. Judge held meetings at District Correctional Home, Chinsurah on 6 December 2014. No cases warrant the application of Sec 436A.

## 9. HOWRAH

CORRESPONDENCE DETAILS	PARTICULARS OF THE CORRESPONDENCE
Letter No. 257-XIX (15) from district judge to Registrar General, HC dated 4 February 2015. [Enclosed Letters from CJM, Howrah and ACJM, Uluberia.]	Forwarded the reports sent by CJM, Howrah and ACJM, Uluberia as regards the detention of undertrial prisoners in the correctional homes who have spent more than half of the period specified for the offence.
Letter No. 41/CJM from CJM, Howrah to district & sessions judge, Howrah dated 8 January 2015. [Enclosed Letter No. 48/AB from Superintendent, Howrah District Correctional Home to CJM, Howrah dated 6 January 2015.]	Week ending on 3 January 2015, no undertrial detained at Howrah District Correctional Home warrants the application of Sec 436A.
Letter No. 86/ACJM (ULU) from ACJM, Uluberia to Registrar, Howrah dated 29 January 2015. [Enclosed Letter No. 49/AB from Superintendent, Howrah District Correctional Home to ACJM, Uluberia dated 28 January 2015.]	No undertrial detained at Howrah District Correctional Home warrants the application of Sec 436A.
Letter No. 1750/CJM from CJM, Howrah to district & sessions judge, Howrah dated 21 November 2014. [Enclosed Letter No. 4607/AB from Superintendent, Howrah District Correctional Home to CJM, Howrah dated 20 November 2014.]	Week ending on 1 November 2014, no undertrial detained at Howrah District Correctional Home warrants the application of Sec 436A. [List of information provided – 655 entries.]
Letter No. 1046/ACJM (ULU) from ACJM, Uluberia to Registrar, Howrah dated 8 December 2014. [Enclosed Letter No. 576/AB from Superintendent, Howrah District Correctional Home to ACJM, Uluberia dated 6 December 2014.]	No undertrial detained at Howrah District Correctional Home warrants the application of Sec 436A.

## 10. JALPAIGURI

CORRESPONDENCE DETAILS	PARTICULARS OF THE CORRESPONDENCE
Letter No. 500/G from district judge to Registrar General, HC dated 12 February 2015. [Enclosed Letters from Superintendent of Jalpaiguri Central Correctional Home.]	Compliance report of the directions issued by Supreme Court. One undertrial has completed more than half of the maximum period of sentence of offence committed for which trial is ongoing. It is urged in the court of the addl. district & sessions court, 1st fast track court to take appropriate steps.

## 11. MALDA

CORRESPONDENCE DETAILS	PARTICULARS OF THE CORRESPONDENCE
Letter No. 13062/G from district judge to Registrar General, HC dated 3 November 2014.	Compliance report of the directions issued by Supreme Court. DJ and CJM held meetings at District Correctional Home, Malda on 30 October 2014. No undertrial warrants the application of Sec 436A.
Report No. 488 ADJ –III from addl. district & sessions judge dated 3 November 2014.	Compliance report of the directions issued by Supreme Court. ADJ held meetings at District Correctional Home, Malda on 30 October 2014. No undertrial warrants the application of Sec 436A.
Letter No. 290/ADJ-II, Malda from addl. district & sessions judge to district judge dated 3 November 2014.	Compliance report of the directions issued by Supreme Court. ADJ held meetings at District Correctional Home, Malda on 30 October 2014. No undertrial warrants the application of Sec 436A.

Letter No. 13105/G from district judge to Registrar General, HC dated 3 November 2014. [Enclosed Letter No. 1221/CJM from CJM, Malda dated 1 November 2014.]	Compliance report of the directions issued by Supreme Court. DJ and CJM held meetings at District Correctional Home, Malda on 30 October 2014. No undertrial warrants the application of Sec 436A.
Letter No. 13350/G from district judge to Registrar General, HC dated 11 November 2014.	Compliance report of the directions issued by Supreme Court. DJ and CJM held meetings at District Correctional Home, Malda on 5 November 2014. No undertrial warrants the application of Sec 436A.
Report No. 493 ADJ –III from addl. district & sessions judge dated 10 November 2014.	Compliance report of the directions issued by Supreme Court. ADJ held meetings at District Correctional Home, Malda on 5 November 2014. No undertrial warrants the application of Sec 436A.
Letter No. 13384/G from district judge to Registrar General, HC dated 12 November 2014. [Enclosed Letter No. 1253/CJM from CJM, Malda dated 11 November 2014.]	Compliance report of the directions issued by Supreme Court. DJ and CJM held meetings at District Correctional Home, Malda on 5 November 2014. No undertrial warrants the application of Sec 436A.
Letter No. 13456/G from district judge to Registrar General, HC dated 14 November 2014.	Compliance report of the directions issued by Supreme Court. DJ and CJM held meetings at District Correctional Home, Malda on 13 November 2014. No undertrial warrants the application of Sec 436A.
Report No. 296 ADJ–II from addl. district & sessions judge dated 12 November 2014.	Compliance report of the directions issued by Supreme Court. ADJ held meetings at District Correctional Home, Malda on 11 November 2014. No undertrial warrants the application of Sec 436A.
Letter No. 13510/G from district judge to Registrar General, HC dated 14 November 2014. [Enclosed Letter No. 1290/CJM from CJM, Malda dated 13 November 2014.]	Compliance report of the directions issued by Supreme Court. DJ and CJM held meetings at District Correctional Home, Malda on 13 November 2014. No undertrial warrants the application of Sec 436A.
Letter No. 13833/G from district judge to Registrar General, HC dated 24 November 2014.	Compliance report of the directions issued by Supreme Court. DJ and CJM held meetings at District Correctional Home, Malda on 21 November 2014. No undertrial warrants the application of Sec 436A.
Report No. 508 ADJ–III from addl. district & sessions judge dated 14 November 2014	ADJ held meetings at District Correctional Home, Malda on 13 November 2014. No undertrial warrants the application of Sec 436A.
Report No. 539 ADJ–III from addl. district & sessions judge dated 21 November 2014	ADJ held meetings at District Correctional Home, Malda on 20 November 2014. No undertrial warrants the application of Sec 436A.
Letter No. 14053/G from district judge to Registrar General, HC dated 28 November 2014. [Enclosed Letter No. 1327/CJM from CJM, Malda dated 27 November 2014.]	Compliance report of the directions issued by Supreme Court. DJ and CJM held meetings at District Correctional Home, Malda on 26 November 2014. No undertrial warrants the application of Sec 436A.
Letter No. 14061/G from district judge to Registrar General, HC dated 29 November 2014.	Compliance report of the directions issued by Supreme Court. DJ and CJM held meetings at District Correctional Home, Malda on 26 November 2014. No undertrial warrants the application of Sec 436A.
Report No. 296 ADJ–II from addl. district & sessions judge dated 12 November 2014.	Compliance report of the directions issued by Supreme Court. ADJ held meetings at District Correctional Home, Malda on 26 November 2014. No undertrial warrants the application of Sec 436A.

## 12. MURSHIDABAD

CORRESPONDENCE DETAILS	PARTICULARS OF THE CORRESPONDENCE
Letter No. 172/XII-B from district judge to Registrar General, HC dated 13 January 2015.	Directions have been issued to ACJMs of three sub-divisions to hold meetings in Correctional Homes from 1 November 2014 for effective implementation of Sec 436A.
Letter No. 825 from ADJ, Berhampore to district judge dated 5 December 2014.	The undertrials in question are not eligible to be considered for Sec 436A.
Memo No. 7629/AB from Superintendent, Berhampore Central Correctional Home to district & sessions judge dated 19 November 2014.	Lists provided indicating undertrials warrant the application of Sec 436A.
Letter No. 847 from ADJ, Berhampore to district judge dated 15 December 2014.	The undertrials in question are not eligible to be considered for Sec 436A.
Letter No. 892 from CJM, Berhampore to district judge dated 14 November 2014.	Compliance report of the directions issued by Supreme Court. CJM held meetings at Central Correctional Home, Berhampore on 13 November 2014. No undertrial warrants the application of Sec 436A.
Letter No. 901 from CJM, Berhampore to district judge dated 17 November 2014. [Enclosed Letter No. 7599/AB from Superintendent, Berhampore Central Correctional Home dated 17 November 2014.]	CJM held meetings at Central Correctional Home, Berhampore on 11 and 12 November 2014. No undertrial warrants the application of Sec 436A.
Letter No. 946 from CJM, Berhampore to district judge dated 28 November 2014.	CJM held meetings at Central Correctional Home, Berhampore on 28 November 2014. No undertrial warrants the application of Sec 436A.
Letter No. 962 from CJM, Berhampore to district judge dated 2 December 2014.	CJM held meetings at Central Correctional Home, Berhampore on 28 November 2014. No undertrial warrants the application of Sec 436A.
Letter No. 983 from CJM, Berhampore to district judge dated 6 December 2014.	CJM held meetings at Central Correctional Home, Berhampore on 6 December 2014. No undertrial warrants the application of Sec 436A.
Letter No. 1017 from CJM, Berhampore to district judge dated 15 December 2014.	CJM held meetings at Central Correctional Home, Berhampore. No undertrial warrants the application of Sec 436A.
Letter No. 1052 from CJM, Berhampore to district judge dated 20 December 2014.	CJM held meetings at Central Correctional Home, Berhampore. No undertrial warrants the application of Sec 436A.
Letter No. 1087 from CJM, Berhampore to district judge dated 30 December 2014.	CJM held meetings at Central Correctional Home, Berhampore. No undertrial warrants the application of Sec 436A.
Letter No. 3600 from ADJ, Jangipur to district judge dated 17 November 2014.	ADJ held meetings at Sub-Divisional Correctional Home, Jangipur on 12 November 2014. No undertrial warrants the application of Sec 436A.
Letter No. 463 from ACJM, Jangipur to district judge dated 20 November 2014.	ACJM held meetings at Sub-Divisional Correctional Home, Jangipur on 12 November 2014. No undertrial warrants the application of Sec 436A.
Letter No. 480 from ACJM, Jangipur to district judge dated 29 November 2014.	ACJM held meetings at Sub-Divisional Correctional Home, Jangipur on 28 November 2014. No undertrial warrants the application of Sec 436A.
Letter No. 506 from ACJM, Jangipur to district judge dated 8 December 2014.	ACJM held meetings at Sub-Divisional Correctional Home, Jangipur on 6 December 2014. No undertrial warrants the application of Sec 436A.
Memo No. 731/AB from Superintendent, Jangipur Sub-Correctional Home to ACJM, Jangipur dated 5 December 2014.	Details regarding undertrials who fall under the purview of Sec 436A. No undertrial warrants the application of Sec 436A.

Letter No. 514 from ACJM, Jangipur to district judge dated 15 December 2014.	ACJM held meetings at Sub-Divisional Correctional Home, Jangipur on 12 December 2014. No undertrial warrants the application of Sec 436A.
Memo No. 739/AB from Superintendent, Jangipur Sub-Correctional Home to ACJM, Jangipur dated 12 December 2014.	Details regarding undertrials who fall under the purview of Sec 436A. No undertrial warrants the application of Sec 436A.
Letter No. 524 from ACJM, Jangipur to district judge dated 20 December 2014.	ACJM held meetings at Sub-Divisional Correctional Home, Jangipur on 20 December 2014. No undertrial warrants the application of Sec 436A.
Memo No. 755/AB from Superintendent, Jangipur Sub-Correctional Home to ACJM, Jangipur dated 20 December 2014.	Details regarding undertrials who fall under the purview of Sec 436A. No undertrial warrants the application of Sec 436A.
Letter No. 544 from ACJM, Jangipur to district judge dated 29 December 2014.	ACJM held meetings at Sub-Divisional Correctional Home, Jangipur on 26 December 2014. No undertrial warrants the application of Sec 436A.
Memo No. 766/AB from Superintendent, Jangipur Sub-Correctional Home to ACJM, Jangipur dated 26 December 2014.	Details regarding undertrials who fall under the purview of Sec 436A. No undertrial warrants the application of Sec 436A.
Letter No. 333 from ACJM, Kandi to district judge dated 19 November 2014.	No undertrial warrants the application of Sec 436A.
Letter No. 335 from ACJM, Kandi to district judge dated 21 November 2014.	No undertrial warrants the application of Sec 436A between 17 November and 21 November 2014.
Letter No. 365 from ACJM, Kandi to district judge dated 5 December 2014.	No undertrial warrants the application of Sec 436A between the period 24 November to 29 November 2014.
Letter No. 367 from ACJM, Kandi to district judge dated 8 December 2014.	No undertrial warrants the application of Sec 436A between the period of 1 Dec – 6 Dec 2014.
Letter No. 386 from ACJM, Kandi to district judge dated 22 December 2014.	No undertrial warrants the application of Sec 436A between the period of 15 Dec – 20 Dec 2014.
Letter No. 398 from ACJM, Kandi to district judge dated 31 December 2014.	No undertrial warrants the application of Sec 436A between the period of 22nd Dec – 27 Dec 2014.
Memo No. 449/AB from Superintendent, Kandi Sub-Correctional Home to ACJM, Jangipur dated 31 December 2014.	Details regarding undertrials who fall under the purview of Sec 436A. No undertrial warrants the application of Sec 436A.
Letter No. 500 from ACJM, Lalbagh to district judge dated 20 November 2014.	ACJM held meetings at Sub-Divisional Correctional Home, Lalbagh on 20 November 2014. No undertrial warrants the application of Sec 436A.
Letter No. 501 from ACJM, Lalbagh to district judge dated 20 November 2014.	ACJM held meetings at Sub-Divisional Correctional Home, Lalbagh on 12 November 2014. No undertrial warrants the application of Sec 436A.
Letter No. 521/EN from ACJM, Lalbagh to district judge dated 3 December 2014.	No undertrial warrants the application of Sec 436A as on 30 November 2014.
Memo No. 855/AB from Superintendent, Lalbagh Sub-Correctional Home to ACJM, Lalbagh dated 2 December 2014.	Details regarding undertrials who fall under the purview of Sec 436A. No undertrial warrants the application of Sec 436A.
Letter No. 22/EN from ACJM, Lalbagh to district judge dated 8 January 2015.	Compliance report of the directions issued by Supreme Court. DJ and CJM held meetings at District Correctional Home, Malda on 5 November 2014. No undertrial warrants the application of Sec 436A.
ACJM held meetings at Sub-Divisional Correctional Home, Lalbagh on 6 December 2014. No undertrial warrants the application of Sec 436A.	Compliance report of the directions issued by Supreme Court. DJ and CJM held meetings at District Correctional Home, Malda on 13 November 2014. No undertrial warrants the application of Sec 436A.
Letter No. 23/EN from ACJM, Lalbagh to district judge dated 8 January 2015.	ACJM held meetings at Sub-Divisional Correctional Home, Lalbagh on 12 December 2014. No undertrial warrants the application of Sec 436A.

Letter No. 24/EN from ACJM, Lalbagh to district judge dated 8 January 2015.	ACJM held meetings at Sub-Divisional Correctional Home, Lalbagh on 20 December 2014. No undertrial warrants the application of Sec 436A.
Letter No. 25/EN from ACJM, Lalbagh to district judge dated 8 January 2015.	ACJM held meetings at Sub-Divisional Correctional Home, Lalbagh on 26 December 2014. No undertrial warrants the application of Sec 436A.
Letter No. 26/EN from ACJM, Lalbagh to district judge dated 8 January 2015.	ACJM held meetings at Sub-Divisional Correctional Home, Lalbagh on 3 January 2015. No undertrial warrants the application of Sec 436A.
Letter No. 13833/G from district judge to Registrar General, HC dated 24 November 2014.	Compliance report of the directions issued by Supreme Court. DJ and CJM held meetings at District Correctional Home, Malda on 21 November 2014. No undertrial warrants the application of Sec 436A.

## 13. NADIA

CORRESPONDENCE DETAILS	PARTICULARS OF THE CORRESPONDENCE
Letter No. 179/XII-11 from district judge to Registrar General, HC dated 22 January 2015. [Enclosed Letter No. 169 from ADJ, Ranaghat to district judge dated 19 January, 2015.]	Forwarded the present status of undertrial prisoners U/Sec 436A for the month of December as submitted by ADJ, Ranaghat which is self-explanatory.
Letter No. 169 from ADJ, Ranaghat to district judge dated 19 January, 2015.	The undertrials in question are not eligible to be considered for Sec 436A.
Letter No. 41/CJM from CJM, Howrah to district & sessions judge, Howrah dated 8 January 2015. [Enclosed details of inmates.]	Presenting the present status of undertrial prisoners U/Sec 436A for the month of December as part of the periodic monitoring.
Letter No. 2165/XII-11 from district judge to Registrar General, HC dated 21 November 2014. [Enclosed Letter No. 4607/AB from Superintendent, Howrah District Correctional Home to CJM, Howrah dated 20 November 2014.]	Forwarded the compliance report received from CJM, Nadia; ACJM, Kalyani; ADJ, FTC, Kalyani; asstt. sessions judge, Tehatta; ADJ, Tehatta; railway magistrate, Ranaghat; asstt. sessions judge, 3rd Court, Krishnanagar; asstt. sessions judge, 2nd Court, Krishnanagar; ADJ, FTC 3, Krishnanagar for perusal.
Letter No. 838 from CJM, Nadia to district judge dated 17 November 2014. [Enclosed Letter No. 491 from ACJM, Kalyani to district judge dated 15 November 2014.]	Forwarded the report submitted by ACJM, Kalyani during an inspection of the Sub-Divisional Correctional Home.
Letter No. 491 from ACJM, Kalyani to district judge dated 15 November 2014.	ACJM held meetings at the Kalyani Sub-Divisional Correctional Home on 14 November 2014. Inspection report was enclosed. No undertrial warrants the application of Sec 436A.
Letter No. 491 from ACJM, Kalyani to district judge dated 15 November 2014.	ACJM held meetings at the Kalyani Sub-Divisional Correctional Home on 14 November 2014. Inspection report was enclosed. No undertrial warrants the application of Sec 436A.
Letter No. 146 from ADJ, FTC, Kalyani to district judge dated 5 November 2014.	Filled the proforma containing details of 3 inmates were shared.
Letter No. 3412 from asstt sessions judge, Tehatta to district judge dated 31 October 2014.	No such case is pending in his court which warrants the application of Sec 436A.
Letter No. 220 from ADJ, Tehatta to district judge dated 14 November 2014.	ADJ held meetings at the Tehatta Sub-Divisional Correctional Home on 12 November 2014. No undertrial warrants the application of Sec 436A.
Letter No. 94 from railway magistrate, Ranaghat to district judge dated 10 November 2014.	Statement of the undertrials in prison during the month of October 2014 submitted.
Letter No. 125 from asstt. sessions judge, 3rd Court, Krishnanagar to district judge dated 11 November 2014.	No undertrial warrants the application of Sec 436A.
Letter No. 90 from asstt. sessions judge, 2nd Court, Krishnanagar to district judge dated 3rd November 2014.	No such case is pending in his court which warrants the application of Sec 436A.
Letter No. 134 from ADJ, FTC 3, Krishnanagar to district judge dated 3 November 2014.	Present status of undertrials in prison during the month of October, 2014 was submitted.

[List of inmates provided from 2004 to 2012 from Krishnanagar District Correctional Home]

## 14. NORTH 24 PARAGANAS

CORRESPONDENCE DETAILS	PARTICULARS OF THE CORRESPONDENCE
Letter No. 279-E (15) from district judge to Registrar General, HC dated 21 January 2015. [Enclosed Letters from CJM and ACJM, North 24 Paraganas.]	Reports from CJM and ACJM, North 24 Paraganas.
Letter No. 234 from CJM, North 24 Paraganas to district judge, North 24 Paraganas dated 17 January 2015.	CJM held meetings at Dum Dum Central Correctional Home on 15 January 2015. One undertrial was identified for the application of Sec 436A.
Letter from ACJM, Bongaon to district judge, North 24 Paraganas.	ACJM held meetings at Bongaon Sub-Divisional Correctional Home. No undertrial warrants the application of Sec 436A.
Letter No. 18 from ACJM, Barrackpore to district judge, North 24 Paraganas dated 9 January 2015.	ACJM held meetings at Bongaon Sub- Divisional Correctional Home. During the visit some of the undertrials were found languishing in custody for a long period and bail was offered by invoking Sec 436A.
Letter No. 42 from ACJM, Basirhat to district judge, North 24 Paraganas dated 16 January 2015.	ACJM held meetings at Bongaon Sub-Divisional Correctional Home. No undertrial warrants the application of Sec 436A.
Letter No. 24 from ACJM, Bidhannagar to district judge, North 24 Paraganas dated 20 January 2015.	ACJM held meetings at Bongaon Sub-Divisional Correctional Home on 19 January 2015. No undertrial warrants the application of Sec 436A. [List attached from the Superintendent, DDCH.]

## 15. PASCHIM MIDNAPORE

CORRESPONDENCE DETAILS	PARTICULARS OF THE CORRESPONDENCE
Letter No. 12665/XVII-1 from district judge to Registrar General, HC dated 26 November 2014.	No undertrial warrants the application of Sec 436A. Report from judicial officers enclosed.
Memo No. 6324(2)/AB from Superintendent, Midnapore Central Correctional Home to district judge and CJM, Paschim Midnapore dated 26 November 2014.	DJ and CJM held meetings at the Midnapore Central Correctional Home on 15 November 2014. No undertrial warrants the application of Sec 436A.
Letter No. 1019 from CJM, Paschim Midnapore to district judge dated 26 November 2014. [Enclosed Memo No. 6324(2)/AB from Superintendent, Midnapore Central Correctional Home dated 26 November 2014.]	Enclosed the memo which is self-explanatory.
Letter No. 862 from ADJ, Ghatal, Paschim Midnapore to district judge dated 20 November 2014.	ADJ held meetings at Ghatal Sub-Divisional Correctional Home on 19 November 2014. No undertrial warrants the application of Sec 436A.
Letter No. 985 from CJM, Paschim Midnapore to district judge dated 19 November 2014. [Enclosed Letter No. 413 from ACJM, Ghatal, Paschim Midnapore dated 18 November 2014.]	Enclosed Letter which is self-explanatory.
Letter No. 413 from ACJM, Ghatal, Paschim Midnapore dated 18 November 2014.	No such case is pending in his court which warrants the application of Sec 436A.
Letter No. 986 from CJM, Paschim Midnapore to district judge dated 19 November 2014. [Enclosed Letter No. 20 from ACJM 2nd Court, Jhargram, Paschim Midnapore dated 18 November 2014.]	Enclosed letter which is self-explanatory.
Letter No. 20 from ACJM 2nd Court, Jhargram, Paschim Midnapore dated 18 November 2014.	ACJM held meetings at Jhargram Sub-Divisional Correctional Home on 14 November 2014. No undertrial warrants the application of Sec 436A.

Letter No. 1157 from ADJ 1st Court, Jhargram, Paschim Midnapore dated 18 November 2014. [Enclosed Memo No. 400/AB from Superintendent, Jhargram Subsidiary Correctional Home to ADJ 1st Court, Jhargram, Paschim Midnapore dated 17 November 2014.]	ADJ held meetings at Jhargram Sub-Divisional Correctional Home on 14 November 2014. No undertrial warrants the application of Sec 436A. [List provided for inmates who are languishing for more than 3 months.]
Letter No. 987 from CJM, Paschim Midnapore to district judge dated 19 November 2014. [Enclosed Letter No. 239 from ACJM, Jhargram, Paschim Midnapore dated 18 November 2014.]	Enclosed letter.
Letter No. 239 from ACJM, Jhargram, Paschim Midnapore dated 18 November 2014. [[Enclosed Memo No. 400/AB from Superintendent, Jhargram Subsidiary Correctional Home to ADJ 1st Court, Jhargram, Paschim Midnapore dated 17 November 2014.]	ACJM held meetings at Jhargram Sub-Divisional Correctional Home on 13 November 2014. No undertrial warrants the application of Sec 436A.

## 16. PURBA MIDNAPORE

CORRESPONDENCE DETAILS	PARTICULARS OF THE CORRESPONDENCE
Letter No. 2497 from ACJM, Contai, Purba Midnapore to Registrar General, HC dated 13 November 2014. [Enclosed Memo No. 567/AB from Superintendent, Contai Subsidiary Correctional Home to ACJM, Contai, Purba Midnapore dated 12 November 2014.]	ACJM held meetings at Contai Sub-Divisional Correctional Home on 12 November 2014. No undertrial warrants the application of Sec 436A. [Lockup figure and list of inmates provided as on 12 November 2014 by Superintendent, Contai Subsidiary Correctional Home.]
Letter No. 2582 from ACJM, Contai, Purba Midnapore to Registrar General, HC dated 21 November 2014. [Enclosed Memo No. 581/AB from Superintendent, Contai Subsidiary Correctional Home to ACJM, Contai, Purba Midnapore dated 21 November 2014.]	ACJM held meetings at Contai Sub-Divisional Correctional Home on 20 November 2014. No undertrial warrants the application of Sec 436A. [Lockup figure and list of inmates provided as on 20 November 2014 by Superintendent, Contai Subsidiary Correctional Home.]
Letter No. 2678(A) from ACJM, Contai, Purba Midnapore to Registrar General, HC dated 1 December 2014. [Enclosed Memo No. 591/AB from Superintendent, Contai Subsidiary Correctional Home to ACJM, Contai, Purba Midnapore dated 28 November 2014.]	ACJM held meetings at Contai Sub-Divisional Correctional Home on 28 November 2014. No undertrial warrants the application of Sec 436A. [Lockup figure and list of inmates provided as on 28 November 2014 by Superintendent, Contai Subsidiary Correctional Home.]
Letter No. 2714/XVII-1 from district judge, Purba Midnapore to Registrar General, HC dated 4 December 2014.	Directions were issued to the magistrates to comply with the Supreme Court directions. Compliance reports were submitted by the magistrates. From the report it appears that no undertrial warrants the application of Sec 436A. Reports were enclosed.
Letter No. 2033 from CJM, Purba Midnapore to district judge dated 1 December 2014. [Enclosed Memo No. 648/AB dated 19 November 2014, Memo No. 658(3)/AB dated 25 November 2014 and Memo No. 659/AB dated 25 November 2014 from Superintendent, Tamluk Subsidiary Correctional Home to CJM, Purba Midnapore.]	Memo issued to the Superintendent, Tamluk Subsidiary Correctional Home. He submitted a report along with the particulars of three undertrials who have completed half their sentences. The reports were enclosed.
Letter No. 758 [4264/XVII-1] from ACJM, Haldia, Purba Midnapore to district judge dated 14 November 2014. [Enclosed Memo No. 436/AB from Superintendent, Haldia Subsidiary Correctional Home to ACJM, Haldia, Purba Midnapore dated 7 November 2014.]	No such case is pending in his court which warrants the application of Sec 436A. Superintendent, Haldia Subsidiary Correctional Home submitted a report which was enclosed.

## 17. PURULIA

CORRESPONDENCE DETAILS	PARTICULARS OF THE CORRESPONDENCE
Letter No. 1961 from district judge to Registrar General, HC dated 5 November 2014.	As on 31 October 2014, no undertrial warrants the application of Sec 436A.
Letter No. 1962 from district judge to Registrar General, HC dated 5 November 2014.	DJ, CJM and ACJM held meetings at Purulia District Correctional Home, Purulia Women Correctional Home and Raghunathpur Subsidiary Correctional Home. No undertrial warrants the application of Sec 436A between 1 October and 31 October 2014.
Letter No. 2037 from district judge to Registrar General, HC dated 12 November 2014.	Compliance report was submitted vide Letter No. 1962 dated 5 November 2014.
Letter No. 2039 from district judge to Registrar General, HC dated 13 November 2014.	DJ, CJM and ACJM held meetings at Purulia District Correctional Home, Purulia Women's Correctional Home and Raghunathpur Subsidiary Correctional Home during the period 3 November to 7 November 2014. No undertrial warrants the application of Sec 436A.
Letter No. 2093 from district judge to Registrar General, HC dated 20 November 2014.	DJ, CJM and ACJM held meetings at Purulia District Correctional Home, Purulia Women's Correctional Home and Raghunathpur Subsidiary Correctional Home during the period 10 November to 15 November 2014. No undertrial warrants the application of Sec 436A.
Letter No. 2135 from district judge to Registrar General, HC dated 27 November 2014.	DJ, CJM and ACJM held meetings at Purulia District Correctional Home, Purulia Women's Correctional Home and Raghunathpur Subsidiary Correctional Home during the period 17 November to 21 November 2014. No undertrial warrants the application of Sec 436A.
Letter No. 2162 from district judge to Registrar General, HC dated 2 December 2014.	DJ, CJM and ACJM held meetings at Purulia District Correctional Home, Purulia Women's Correctional Home and Raghunathpur Subsidiary Correctional Home during the period 24 November to 30 November 2014. No undertrial warrants the application of Sec 436A.

## 18. SOUTH 24 PARAGANAS

CORRESPONDENCE DETAILS	PARTICULARS OF THE CORRESPONDENCE
Letter No. 6099-E/SDR from district judge to Registrar General, HC dated 11 November 2014.	DJ held meetings in Alipore Central Correctional Home, Alipore Presidency Correctional Home and Alipore Women's Correctional Home on 30 October 2014. It was found that 10 and 2 undertrials in Alipore Central Correctional Home and Alipore Presidency Correctional Home respectively have served for more than half of the maximum period of imprisonment for their offence. Directives have been conveyed to the concerned courts and a report has been called for from the judicial officers by 14 November 2014.
Letter No. 6587-E/SDR from district judge to Registrar General, HC dated 4 December 2014.	Except for two cases identified in the earlier letter, the directives of the Supreme Court have been complied with for the rest of the cases.

## 19. UTTAR DINAJPUR

CORRESPONDENCE DETAILS	PARTICULARS OF THE CORRESPONDENCE
Letter No. 1922/G from district judge to Registrar General, HC dated 21 November 2014.	DJ held meetings at the District Correctional Home, Uttar Dinajpur on 21 November 2014. No undertrial warrants the application of Sec 436A. [List provided containing 15 names.]
Letter No. 477 from ADJ, 1st Court, Uttar Dinajpur to Registrar General, HC dated 28 November 2014.	In the month of November, no undertrial warrants the application of Sec 436A.
Letter No. 463 from ADJ, 2nd Court, Uttar Dinajpur to Registrar General, HC dated 28 November 2014.	In the month of November, no undertrial warrants the application of Sec 436A.
Letter No. 228 from ADJ, Fast Track Court 1, Uttar Dinajpur to district judge dated 25 November 2014.	ADJ held meetings at the District Correctional Home, Uttar Dinajpur on 20 November 2014. No undertrial warrants the application of Sec 436A.
Letter No. 297 from ADJ, Fast Track Court 2, Uttar Dinajpur to district judge dated 25 November 2014.	ADJ held meetings at the District Correctional Home, Uttar Dinajpur on 5 September 2014. No undertrial warrants the application of Sec 436A. [List provided containing 15 names.]
Letter No. 196 from CJ (Sr. Division), Uttar Dinajpur to district judge dated 1 December 2014.	No such case is pending in his court which warrants the application of Sec 436A.
Letter No. 1708 from CJM, Uttar Dinajpur to district judge dated 1 December 2014.	CJM held meetings at the District Correctional Home, Uttar Dinajpur on 17 November 2014. No undertrial warrants the application of Sec 436A.
Letter No. 205 from ACJM, Uttar Dinajpur to district judge dated 1 December 2014.	CJM held meetings at the District Correctional Home, Uttar Dinajpur on 17 November 2014. No undertrial warrants the application of Sec 436A.
Letter No. 293 from JM, 1st Court, Uttar Dinajpur to district judge dated 27 November 2014.	JM held meetings at the District Correctional Home, Uttar Dinajpur on 20 November 2014. Two undertrials were identified for the application of Sec 436A, but they face other charges as well for which they are in custody. [List provided containing names.]
Letter No. 146 from JM, 2nd Court, Uttar Dinajpur to district judge dated 5 November 2014.	No undertrial warrants the application of Sec 436A.
Letter No. 187 from CJ (Jr. Division), Uttar Dinajpur to district judge dated 21 November 2014.	CJ held meetings at the District Correctional Home. Two cases were identified for the application of Sec 436A, but they faced other charges as well for which they were in custody. No such case is pending in his court which warrants the application of Sec 436A.
Letter No. 2388 from ADJ, Islampore, Uttar Dinajpur to district judge dated 17 November 2014.	No undertrial warrants the application of Sec 436A.
Letter No. 357 from ADJ, Fast Track Court 1, Islampore, Uttar Dinajpur to district judge dated 15 November 2014.	No undertrial warrants the application of Sec 436A.
Letter No. 321 from ADJ, Fast Track Court 2, Islampore, Uttar Dinajpur to district judge dated 25 November 2014.	Report with respect to undertrial prisoners and present status of undertrial prisoners was sent vide Letter No. 313 dated 12 November 2014 and 315 dated 15 November 2014.
Letter No. 202 from CJ (Sr. Division), Islampore, Uttar Dinajpur to district judge dated 15 November 2014.	No such case is pending in his court which warrants the application of Sec 436A.
Letter No. 760 from ACJM, Islampore, Uttar Dinajpur to district judge dated 15 November 2014.	No such case is pending in his court which warrants the application of Sec 436A.
Letter No. 254 from JM, 1st Court, Islampore, Uttar Dinajpur to district judge dated 15 November 2014.	No such case is pending in his court which warrants the application of Sec 436A.
Letter No. 187 from JM, 2nd Court, Islampore, Uttar Dinajpur to district judge dated 5 November 2014.	No such case is pending in his court which warrants the application of Sec 436A.

## 20. CITY SESSIONS COURT, KOLKATA

CORRESPONDENCE DETAILS	PARTICULARS OF THE CORRESPONDENCE
Letter No. 3728-S from Chief Judge, City Sessions Court, Calcutta to Registrar General, HC dated 29 November 2014.	Meetings were held at Presidency Central Correctional Home to identify undertrial prisoners who have served for more than half of the term of their maximum period of imprisonment under the law. No such case is pending in his court which warrants the application of Sec 436A.
Memo No. 11448/WO from Superintendent, Presidency Correctional Home to Chief Judge, City Sessions Court, Calcutta dated 22 November 2014.	Meetings were held at Presidency Central Correctional Home to identify undertrial prisoners who have served for more than half of the term of their maximum period of imprisonment under the law on 21 November 2014. No undertrial warrants the application of Sec 436A.
Letter No. 2599 from ADJ, Bench 1, Calcutta to Chief Judge, City Sessions Court, Calcutta dated 24 November 2014.	No such case is pending in his court which warrants the application of Sec 436A.
Letter No. 2599 from ADJ, Bench 2, Calcutta to Chief Judge, City Sessions Court, Calcutta dated 26 November 2014.	No such case is pending in his court which warrants the application of Sec 436A.
Letter No. 262 from ADJ, Fast Track Court 1, Calcutta to Chief Judge, City Sessions Court, Calcutta dated 26 November 2014.	No such case is pending in his court which warrants the application of Sec 436A.
Memo No. 503/FTCII from ADJ, Fast Track Court 2, Calcutta to Chief Judge, City Sessions Court, Calcutta dated 26 November 2014.	No such case is pending in his court which warrants the application of Sec 436A.
Letter No. 4653 from CMM, Calcutta to Chief Judge, City Sessions Court, Calcutta dated 11 November 2014.	Seventeen cases were shortlisted for trial within Presidency Correctional Home on 9 and 17 October 2014. On 9 October 2014, out of 10 cases, nine were dismissed as unfit for Sec 436A and in one case the accused was released on PR bond. On 17 October 2014, out of seven cases, none were fit for application of Sec 436A as the accused had other cases pending. No such case is pending in his court which warrants the application of Sec 436A. Thus, there is no need for CMM and concerned magistrates to visit Presidency on 22 and 29 October and 7, 14, 21 and 28 November 2014. Letter of compliance vide No. 4411 dated 27 October 2014 along with Superintendent's report has already been submitted.

# ANNEXURE K: PROFORMA FOR PREPARING REPORTS |

## PROFORMAS

Name of Correctional Home

Date

Total No. of UT Prisoners

### PROFORMA 1

List of undertrials who wish to take a guilty plea or are eligible for plea bargaining/ probation of offenders act.

Name and Father's Name	Date of Arrest	Date of Admission to CH	Case No. & Name of the Court	Sections under which Standing Trial	Term of Maximum Sentence Awardable	Total Period under Detention	Number of Times Persons De-tained under the Same Offence	Remarks
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### PROFORMA 2

List of prisoners standing trial in cases punishable with death, imprisonment for life or imprisonment for a term of not less than 10 years, who have completed 90 days under custody but in whose case charge sheet has not been filed

[Related Section 167 (2) (a) (i) CrPC]

Name and Father's Name	Date of Arrest	Date of Admission to CH	Case No. & Name of the Court	Sections under which Standing Trial	Term of Maximum Sentence Awardable	Total Period under Detention	Whether Charge sheet Filed	Whether Bail Granted & Could Not Furnish Surety	Remarks
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### PROFORMA 3

List of prisoners standing trial in cases punishable with a term of less than 10 years, who have completed 60 days under custody but in whose case a charge sheet has not been filed

[Related Section 167 (2) (a) (ii) CrPC]

Name and Father's Name	Date of Arrest	Date of Admission to CH	Case No. & Name of the Court	Sections under which Standing Trial	Term of Maximum Sentence Awardable	Total Period under Detention	Whether Charge Sheet Filed	Whether Bail Granted & Could Not Furnish Surety	Remarks
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### PROFORMA 4

List of undertrials who are accused of a bailable offence and are declared indigent due to inability to furnish sureties for a week

[Related Section 436 CrPC]

Name and Father's Name	Date of Arrest	Date of Admission to CH	Case No. & Name of the Court	Sections under which Standing Trial	Term of Maximum Sentence Awardable	Total Period under Detention	Whether First Time Offender/ Repeat Offender	Remarks
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**PROFORMA 5**

List of undertrials who have completed half or more than the maximum prescribed term of punishment

**[Related Section 436A CrPC]**

Name and Father's Name	Date of Arrest	Date of Admission to CH	Case No. & Name of the Court	Sections under which Standing Trial	Term of Maximum Sentence Awardable	Total Period under Detention	Whether First Time Offender/ Repeat Offender	Whether Bail Granted & Could Not Furnish Surety	Remarks
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**PROFORMA 6**

List of undertrials that have been released on bail by the court but have not been able to furnish sureties

Name	Father's Name	Date of Admission	Case Ref No.	Trial Court	Offences Charged	Total Period of Detention	Whether Bail Granted & Could Not Furnish Surety	Date of Bail Order	Surety Amount	Remarks
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**PROFORMA 7**

List of petty offenders who are charged with offences punishable with imprisonment up to three years

**[Related Section 3, The Probation of Offenders Act, 1958]**

Name and Father's Name	Date of Arrest	Date of Admission to CH	Case No. & Name of the Court	Sections under which Standing Trial	Term of Maximum Sentence Awardable	Total Period under Detention	Whether First Time Offender/ Repeat Offender	Remarks Eg. Whether Probation Officer Met Accused
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**PROFORMA 8**

List of undertrials who are accused of a non-bailable offence but are sick or infirm

**[Related Section 437 CrPC]**

S. No	Correctional Home	Name	Father's Name	Age	Date of Admission	Case Ref No.	Trial Court	Offences Charged	Total Period of Detention	Nature of Illness/ Ailments	If any Medical Documents are Available, if yes then Specify	Remarks
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**PROFORMA 9**

List of undertrials who are in the age-group of 18-21 years / whose age is contested / juveniles

**[Related to Juvenile Justice (Care and Protection of Children Act), 2000]**

S. No	Correctional Home	Name	Father's Name	Age	Date of Admission	Case Ref No.	Trial Court	Offences Charged	Total Period of Detention	Claims/Appears to be Juvenile at Time of Commission of Offence	If any Age Proof Documents are Available, if yes then Specify	Remarks
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**PROFORMA 10**

List of undertrials who are mentally ill/persons of unsound mind

**[Related Section 328-339 CrPC]**

S. No	Correctional Home	Name & Fathers Name	Date of Admission	Case Ref No. & Offence Charged	Trial Court	Total Period of Detention	Nature of Illness/Current Status/Details of Treatment Given	Whether Trial Ongoing or Suspended	Date of Suspension of Trial Proceedings	Whether Any Member of Family Visits & Contact of the family	Eligible for Bail u/s 330 CrPC	Remarks
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**PROFORMA 11**

List of undertrials who are in need of legal aid

S. No	Correctional Home	Name	Father's Name	Date of Admission	Case Ref No.	Trial Court	Offences Charged	Total Period of Detention	Whether Represented by Lawyer	Needs Legal Aid Lawyer	Whether WO has Applied for Legal Aid	Remarks
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**PROFORMA 12**

List of undertrials who are accused/charged under preventive detention cases under Sections 107, 108, 109, 151, CrPC

S. No	Correctional Home	Name	Father's Name	Date of Admission	Case Ref No.	Concerned Court/ Executive Magistrate	Offences Charged	Total Period of Detention	Whether Detained for more than 6 Months	Whether Given Notice before being Detained as per CrPC Provisions	Remarks
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# ANNEXURE L: PERFORMAS FOR RECORDING MINUTES & ACTION TAKEN REPORTS |

## Model Style Sheet to Record the Minutes

### PART I: ADMINISTRATIVE

- Date
- Time from.....am/pm to.....am/pm
- Venue
- Members Present:

Example Table 1.1

Name of the Member	Designation
Name	

- Members absent:

Example Table 1.2

Name of the Member	Designation	Reasons for Non Attendance*
Name		
Name		

\*Explanation: The minutes must indicate if members came for part of the meeting and reasons for non attendance.

**PART II: NUMBER OF CASES TO BE REVIEWED**

- Total number of cases put up for review under each proforma (See Table 2.1)
- Total number of cases put up for review court-wise under each proforma (See Table 2.2)
- Total number of cases reviewed at the meeting (See Table 2.2)
- Total number of UTPs released
- Details of recommendations made/action taken in other cases

**Example: Table 2.1 – Total Number of Cases for Review**

Proformas	Total No. of Cases Put Up for Review
A	28
B	16
C	5
D	1
<b>Total</b>	<b>50</b>

**Example: Table 2.2 – Total Number of Cases by Court and Per Proforma**

S. No.	Name of the Court	Number of Cases as Per Proformas	Total Number of Cases Put Up for Review	Actual Cases Reviewed	No. of Releases Made	No. of Recommendations Made
1	ADJ (name of the place)	Proforma A – 6 Proforma B – 4 Proforma C – 2 Proforma D – nil	12	5	5	1
2	ADJ (name of the place)	Proforma A – 4 Proforma B – 4 Proforma C – nil Proforma D – nil	8	4	3	2
3	Judicial Magistrate No. 1	Proforma A – 8 Proforma B – 6 Proforma C – 1 Proforma D – nil	15	11	10	1
4	Judicial Magistrate No. 2	Proforma A – 10 Proforma B – 2 Proforma C – 2 Proforma D – 1	15	6	2	1
	<b>Total</b>		<b>50</b>	<b>26</b>	<b>20</b>	<b>5</b>

### PART III: ACTION-TAKEN REPORTS

Explanation: Every court that is sent a copy of the minutes of the URC for taking action regarding undertrial cases, must send a report back to the URC members for further steps in the following format:

Action Taken Report for the Month of \_\_\_\_\_

Name of the Court \_\_\_\_\_

Date of Submission of the Report \_\_\_\_\_

**Example: Table 2.2 – Total Number of Cases by Court and Per Proforma**

Name of Prisoner	Case Details – Case Number, Sections Accused/Charged of & Stage of Case	Directions from the Members of URC	Whether Action Taken by the Court	
			If Yes, Summary of the Order	If No, Reason for Non-Compliance
Ram Singh s/o Shyam Singh	24/2011 – Ram Singh is charged under S.379 of the Code and his trial is at the evidence stage.	Since Ram Singh has been in custody for more than 1.5 years, he is eligible to be released on bail under S.436A of the Code	Ram Singh was released on bail and furnished a surety of Rs. 2000.	N.A.
Kunwar Lal s/o Jyoti Lal	142/2013 – Kunwar Lal is accused under S. 323 and he has been remanded once to judicial custody as he was unable to furnish surety and has been in prison for more than 12 days.	Since Kunwar Lal is accused of a bail-able offence, he should be released on personal bond under S. 436 of the Code.		Kunwar Lal was not produced on the due date for lack of police escorts. Requesting prison to send the person to the court at the earliest.

# ANNEXURE M: DISTRICT-WISE LIST OF COURTS, POLICE, CORRECTIONAL HOMES & LEGAL SERVICES AUTHORITIES IN WEST BENGAL

**KEY:**

<b>CCH=Central Correctional Home</b>	<b>SpCH = Special Correctional Home</b>	<b>DLSA = District Legal Services Authority</b>
<b>DCH = District Correctional Home</b>	<b>OACH = Open Air Correctional Home</b>	<b>SDLSC = Sub-Divisional Legal Services Committee</b>
<b>SCH = Subsidiary Correctional Home</b>	<b>WCH = Women Correctional Home</b>	

S. No.	District	District Court	Sub-Division Courts	Police Sub-Division	Police Stations	Correctional Home	DLSA/SDLSC
1	Alipurduar	-	Alipurduar	Alipurduar	Alipurduar, Falakata, Birpara, Madarihata, Kalachini, Jaigaon, Samuktala, Kumargram	Alipurduar DCH	Alipurduar SDLSC
2	Bankura	District & Sessions Court, Bankura	Bankura Sadar, Bishnupur, Khatra	Bankura (Sadar), Bishnupur, Khatra	Bankura (Sadar), Barjora, Mejla, Onda, Gangajal Ghati, Chhatna Beliaighata, Saltora, Bankura GRPS, Bishnupur, Patrasayer, Joypur, Indus, Kotulpur, Sonamukhi, Khatra, Simlapal, Sarenga, Barikul, Ranibandh, Taldangra, Hirbandh, Raipur, Indpur	Bankura DCH, Bishnupur SCH	Bankura DLSA, Bankura (Sadar) SDLSC, Bishnupur SDLSC, Khatra SDLSC
3	Birbhum	District & Sessions Court, Birbhum	Suri Sadar, Dubrajpur Chowki, Rampurhat, Bolpur	Suri, Bolpur, Rampurhat	Suri, Sadaipur, Rajnagar, Sainthia, Md. Bazar, Kankartala, Illambazar, Paruni, Nalhati, Nanoor, Bolpur, Rampurhat, Margram, Muyureswar, Murarai, Khairasole, Labpur, Dubrajpur	Suri DCH, Bolpur SCH, Rampurhat SCH	Birbhum DLSA, Suri SDLSC, Bolpur SDLSC, Rampurhat SDLSC
4	Burdwan	District & Sessions Court, Burdwan	Burdwan Sadar, Asansol, Katwa, Durgapur, Kalna	Burdwan, Kalna, Katwa, Asansol, Durgapur Police Commissionerate	Burdwan, Aushgram, Galshi, Bhatar, Memari, Jamalpur, Raina, Khandaghosh, Madhabdihi, Kalna, Purbasthali, Monteshwar, Katwa, Ketugram, Mongalkote, Asansol South, Asansol North, Raniganj, Jamuria, New Township, Cokeoven, Faridpur, Kulti, Salanpur, Chittaranjan, Asansol Women, Durgapur Women, Durgapur, Andal, Pandebshwar, Barabani, Hirapur	Burdwan DCH, Asansol SpCH, Durgapur SCH, Durgapur OACH, Katwa SCH, Kalna SCH	Burdwan DLSA, Burdwan (Sadar) SDLSC, Asansol SDLSC, Durgapur SDLSC, Katwa SDLSC, Kalna SDLSC
5	Cooch Behar	District & Sessions Court, Cooch Behar	Cooch Behar Sadar, Dinhata Tufanganj, Mathabhanga, Mekhliganj	Cooch Behar Sadar, Tufanganj, Dinhata, Mathabhanga, Mekhliganj	Kotwali, Cooch Behar Women, Tufanganj, Baxirhat, Dinhata, Sitai, Nayarhat, Mathabhanga, Sitalkuchi, Ghoksadanga, Mekhliganj, Kuchlibari, Haldibari	Cooch Behar DCH, Dinhata SCH, Mathabhanga SCH, Tufanganj SCH, Mekhliganj SCH	Cooch Behar DLSA, Cooch Behar SDLSC, Dinhata SDLSC, Mathabhanga SDLSC, Tufanganj SDLSC, Mekhliganj SDLSC
6	Dakshin Dinajpur	District & Sessions Court, Dakshin Dinajpur	Balurghat, Buniadpur	Balurghat, Gangarampur	Balurghat, Hili, Tapan, Kumarganj, Balurghat Women, Gangarampur, Banshihari, Harirampur, Kushmandi	Balurghat District CH	Dakshin Dinajpur DLSA, Balurghat SDLSC, Gangarampur SDLSC

S. No.	District	District Court	Sub-Division Courts	Police Sub-Division	Police Stations	Correctional Home	DLSA/SDLSC
7	Darjeeling	District & Sessions Court, Darjeeling	Darjeeling Sadar, Siliguri, Kalimpong, Kurseong, Mirik, Mungpoo, Gorubathan	Darjeeling, Siliguri, Kurseong, Kalimpong, Siliguri Police Commissionerate	Sadar, Jorbunglow, Rangli Rangliot, Sukhiapokhri, Pul Bazaar, Lodhomo, Naxalbari, Khoribari, Phansidewa, Kurseong, Mirik, Kalimpong, Jaldhaka, Garubathan, Lama Reang, Siliguri, Pradhannagar, Matigara, Bagdogra	Darjeeling DCH, Kalimpong SCH, Kurseong SCH, Siliguri SpCH	Darjeeling DLSA, Darjeeling (Sadar) SDLSC, Kalimpong SDLSC, Kurseong SDLSC, Siliguri SDLSC
8	Hooghly	District & Sessions Court, Hooghly, (Chinsurah)	Hooghly Sadar, Chandannagore, Serampore, Arambagh	Hooghly, Chandanagore, Serampore, Arambagh	Chinsurah, Mogra, Balagarh, Pandua, Polba, Dadpur, Dhaniakhali, Bandel, Chinsurah Women, Gurap, Chandernagore, Bhadreswar, Singur, Haripal, Tarakeswar, Champdani, Telenipara, Serampore, Uttarpara, Chanditala, Dankuni, Jangipara, Rishra, Serampore Women, Arambagh, Pursurah, Khanakul, Goghat	Hooghly DCH, Arambagh SCH, Chandannagar SCH, Serampore SCH	Hooghly DLSA, Hooghly Sadar SDLSC, Arambagh SDLSC, Chandannagore SDLSC, Serampore SDLSC
9	Howrah	District & Sessions Court, Howrah	Howrah Sadar, Uluberia	Howrah (Rural), Howrah Police Commissionerate, Uluberia	Domjur, Bhatara, Jagatballavpur, Sankrail, Panchla, Uluberia, Bauria, Bagnan, Shyampur, Amta, Joypur, Udaynarayanpur, Bally, Liluah, Malipanchghara, Golabari, Howrah, Shibpur, Jagacha, Bantra	Howrah DCH, Uluberia SCH	Howrah DLSA, Howrah (Sadar) SDLSC, Uluberia SDLSC
10	Jalpaiguri	District & Sessions Court, Jalpaiguri	Malbazar, Jalpaiguri Sadar, NJP Railway Court	Sadar, Malbazar	Kotwali, Rajganj, Dhupguri, Maynaguri, Banarhat, Jalpaiguri Women, Mal Bazar, Nagrakata, Meteli	Jalpaiguri CCH	Jalpaiguri DLSA, Jalpaiguri (Sadar) SDLSC, Mal SDLSC
11	Kolkata	City Sessions Court, Kolkata		North, Central, Eastern, Suburban, South, Port, South East, South Suburban, South West, (For Kolkata Police, there are Divisions and not Sub-Divisions)	Shyampukur, Jorabagan, Burtolla, Amherst Street, Cossipore, Chitpur, Tala, Sinthee, Burrabazar, Posta, Jorasanko, Girish Park, Hare Street, Bowbazar, Muchipara, Taltala, New Market, Entally, Maniktala, Ultatanga, Belighata, Phoolbagan, Narkeldanga, Beniapur, Park Street, Shakespeare Sarani, Alipore, Hastings, Maidan, Bhowanipur, Kalighat, Tollygunge, Charu Market, New Alipore, Chetla, North Port, South Port, Watgunge, West Port, Garden Reach, Ekbalpur, Nadial, Rajabagan, Metiabruz, Topsia, Tangra, Ballygunge, Gariahat, Lake, Karaya, Pragati Maidan, Tiljala, Anandapur, Panchasayar Netaji Nagar, Jadavpur, Kasba, Purba Jadavpur, Regent Park, Survey Park, Bansdrone, Garfa, Patuli, Sarsuna, Taratala, Behala, Parnashree, Thakurpukur, Haridevpur	Presidency CH, Alipore CCH, Alipore WCH	Kolkata DLSA, South 24 Parganas DLSA, Alipore (Sadar) SDLSC
12	Malda	District & Sessions Court, Malda		Malda sadar, Chanchal	Malda, English Bazar, Kaliachak, Baishanabnagar Habibpur, Bamangola, Gajole, Manikchak, Ratua, Chanchal, Harischancrapur, Pukhuria, English Bazar Women	Malda DCH	Malda DLSA, Malda (Sadar) SDLSC
13	Murshidabad	District & Sessions Court, Murshidabad	Berhampore Sadar, Sadar, Kandi, Lalbagh, Jangipur,	Murshidabad, Kandi, Lalbagh, Domkal, Jangipur	Berhampore, Daulatabad, Beldanga, Rejinagar, Hariharpara, Nowda, Khagra, Cossimbazar, Sakitipur, Berhampore Women, Kandi, Burwan, Khargram, Bharatpur, Salar, Murshidabad, Nabagram, Bhagwangola, Lalgola, Ranitala, Jiaganj, Domkal, Islampur, Raninagar, Jalangi, Raghunatthganj, Sagardighi, Suti, Samsanganj, Farakka	Berhampore CCH, Lalbagh SCH, Kandi SCH, Jangipur SCH, Lalgola OACH	Murshidabad DLSA, Berhampore SDLSC, Lalbagh SDLSC, Kandi SDLSC, Jangipur SDLSC

S. No.	District	District Court	Sub-Division Courts	Police Sub-Division	Police Stations	Correctional Home	DLSA/SDLSC
14	Nadia	District & Sessions Court, Nadia	Krishnanagar, Tehatta, Kalyani, Ranaghat, Nabadwip	Sadar, Tehatta, Kalyani, Ranaghat	Santipur, Kotwali, Nabadwip, Dhubulia, Kaliganj, Nakashipara, Chapra, Krishnananj, Krishnanagar Women, Tehatta, Murutia, Thanapara, Hogoberia, Karimpur, Kalyani, Haringhata, Chakdah, Ranaghat, Gangnapur, Dhantala, Hanskhali, Taharpur	Krishnanagar DCH, Kalyani SCH, Ranaghat SCH, Tehatta SCH	Nadia DLSA, Krishnanagar SDLSC, Kalyani SDLSC, Ranaghat SDLSC, Tehatta SDLSC
15	North 24 Parganas	District & Sessions Court, North 24 Parganas	Barasat, Bongaon, Basirhat, Barrackpore, Bidhannagar	Barasat, Barrackpore Police Commissionerate, Bongaon, Basirhat, Bidhannagar Police Commissionerate	Barasat, Deganga, Ashokenagar, Amdanga, Barasat Women, Madhyamgram, Sashan, Rajarhat, Habra, Duttapukur, Bizpur, Naihati, Jagatdal, Noapara, Titagarh, Barrackpore, Khardah, Ghola, Belghoria, Baranagar, Nimta, Dum Dum, Bongaon, Bagda, Gopal Nagar, Gaighata, Basirhat, Swarupnagar, Baduria, Haroa, Minakhan, Sandeshkhali, Hingalganj, Hasnabad, Gobardanga, Ghojadanga, Bidhannagar (South), Bidhannagar (East), Bidhannagar (North) Electronic Complex PS, Lake Town, Baguihati, New Town, Airport, Netaji Subash Chandra Bose International Airport	Dum Dum CCH, Bongaon SCH, Basirhat SCH, Barrackpore SCH	North 24 Parganas DLSA, Barasat SDLSC, Bongaon SDLSC, Basirhat SDLSC, Barrackpore SDLSC, Bidhannagar SDLSC
16	Paschim Midnapore	District & Sessions Court, Paschim Midnapore	Midnapore Sadar, Ghatal, Jhargram	Sadar, Kharagpur, Jhargram	Keshpur, Garbeta, Goaltore, Salboni, Anandapur, Kharagpur (Town), Kharagpur (Local), Narayanagar, Keshiary, Sabang, Pingla, Debra, Belda, Dantan, Mohanpur, Ghatal, Daspur, Chandrakona, Binpur, Jhargram, Belibera, Belpahari, Nayagram, Sankrail, Jamboni, Lalgah, Gopiballavpur	Midnapore CCH, Jhargram SCH, Ghatal SCH	Paschim Midnapore DLSA, Midnapore (Sadar) SDLSC, Jhargram SDLSC, Ghatal SDLSC
17	Purba Midnapore	District & Sessions Court, Purba Midnapore	Tamluk, Contai, Haldia	Tamluk, Haldia, Egra, Contai	Nandakumar, Tamluk, Kolaghat, Panskura, Moyna, Chandipur, NDK, Haldia, Bhabanipur, Durgachak, Mahisadal, Nandigram, Sutahata, Egra, Bhagwanpur, Patashpur, Contai, Digha, Talpatighat Coastal, Digha Mohana Coastal, Junput Coastal, Ramnagar, Marisda, Bhupatinagar, Khejuri, Contai Women	Tamluk SCH, Contai SCH, Haldia SCH	Purba Midnapore DLSA, Tamluk SDLSC, Contai SDLSC, Haldia SDLSC
18	South 24 Parganas	District & Sessions Court, South 24 Parganas	Alipore Sadar, Sealdah, Baruipur, Kakdwip, Diamond Harbour	South, Port, South East, South Suburban, South West, South Industrial Zone, Baruipur, Diamond Harbour Kakdwip, Canning	Park Street, Shakespeare Sarani, Alipore, Hastings, Maidan, Bhowanipur, Kalighat, Tollygunge, Charu Market, New Alipore, Chetla, North Port, South Port, Watgunge, West Port, Garden Reach, Ekbalpur, Nadial, Rajabagan, Metiabruz, Topsia, Tangra, Ballygunge, Gariahat, Lake, Karaya, Pragati Maidan, Tiljala, Anandapur, Panchasayar, Netaji Nagar, Jadavpur, Kasba, Purba Jadavpur, Regent Park, Survey Park, Bansdrongi, Garfa, Patuli, Sarsuna, Taratala, Behala, Parnashree, Thakurpukur, Haridevpur, Nodakhali, Mahestala, Budge Budge, Bishnupur, Rabindranagar, Baruipur, Sonarpur, Joynagar, Kultali, Kolkata Leather Complex, Kashipur, Baruipur Women, Bhanganore, Diamond Harbour, Falta, Ramnagar, Usthi, Mandirbazar, Mograhat, Raidighi, Mathurapur, Kulpi, Dholahat, Maipith Coastal, Parulia Coastal, Diamond Harbour Women, Kakdwip, Patharpratima, Namkhana, Sagar, Frezerganj Coastal, Canning, Basanti, Gosaba, Sundarban Coastal, Jibantala	Alipur CCH, Alipur WCH, Diamond Harbour SCH, Presidency CH	South 24 Parganas DLSA, Alipore (Sadar) SDLSC, Baruipur SDLSC, Diamond Harbour SDLSC, Kakdwip SDLSC

S. No.	District	District Court	Sub-Division Courts	Police Sub-Division	Police Stations	Correctional Home	DLSA/SDLSC
19	Purulia	District & Sessions Court, Purulia	Purulia Sadar, Raghunathpur	Purulia, Raghunathpur	Arsha, Baghmundi, Balarampur, Barabazar, Bandwan, Boro, Kotshila, Purulia Women, Hura, Jhalda, Purulia Muffasil, Purulia Town, Joypur, Kenda, Manbazar, Pancha, Neturia, Raghunathpur, Kashipur, Para, Santaldih, Santuri, Adraa	Purulia DCH, Purulia WCH, Raghunathpur SCH	Purulia DLSA, Purulia Sadar SDLSC, Raghunathpur SDLSC
20	Uttar Dinajpur	District & Sessions Court, Uttar Dinajpur	Raiganj, Islampur	Uttar Dinajpur, Islampur	Raiganj, Kaliaganj, Itahar, Hemtabad, Raiganj Women, Islampur, Chopra, Goalpukhur, Karandighi, Chakulia	Raiganj DCH, Islampore SCH	Uttar Dinajpur DLSA, Raiganj SDLSC, Islampore SDLSC

# CHRI Programmes

CHRI's work is based on the belief that for human rights, genuine democracy and development to become a reality in people's lives, there must be high standards and functional mechanisms for accountability and participation within the Commonwealth and its member countries. CHRI furthers this belief through strategic initiatives and advocacy on human rights, access to justice and access to information. It does this through research, publications, workshops, information dissemination and advocacy.

## Access to Justice

**Police Reforms:** In too many countries the police are seen as an oppressive instrument of state rather than as protectors of citizens' rights, leading to widespread rights violations and denial of justice. CHRI promotes systemic reform so that the police act as upholders of the rule of law rather than as instruments of the current regime. In India, CHRI's programme aims at mobilising public support for police reform. In South Asia, CHRI works to strengthen civil society engagement on police reforms. In East Africa and Ghana, CHRI is examining police accountability issues and political interference.

**Prison Reforms:** CHRI's work is focused on increasing transparency of a traditionally closed system and exposing malpractices. A major area is focussed on highlighting failures of the legal system that result in terrible overcrowding and unconscionably long pre-trial detention and prison overstay, and engaging in interventions to ease this. Another area of concentration is aimed at reviving the prison oversight systems that have completely failed. We believe that attention to these areas will bring improvements to the administration of prisons as well as have a knock-on effect on the administration of justice overall.

## Access to Information

CHRI is acknowledged as one of the main organisations working to promote access to information across the Commonwealth. It encourages countries to pass and implement effective right to information laws. We routinely assist in the development of legislation and have been particularly successful in promoting right to information in India, Bangladesh and Ghana where we are the Secretariat for the RTI civil society coalition. We regularly critique new bills and intervene to bring best practices into governments and civil society knowledge both in the time when laws are being formulated and when they are first being implemented. Our experience of working across even in hostile environments as well as culturally varied jurisdictions allows CHRI to bring valuable insights into countries seeking to evolve and implement new laws on right to information. In Ghana, for instance we have been promoting knowledge about the value of access to information which is guaranteed by law while at the same time pushing for introduction of an effective and progressive law. In Ghana as and when the access to information law comes into being we intend to build public knowledge in parallel with monitoring the law and using it in ways which indicate impact of the law on system accountability – most particularly in the area of policing and the working of the criminal justice system.

## Strategic Initiatives Programme:

CHRI monitors member states' compliance with human rights obligations and advocates around human rights exigencies where such obligations are breached. CHRI strategically engages with regional and international bodies including the Commonwealth Ministerial Action Group, the UN and the African Commission for Human and People's Rights. Ongoing strategic initiatives include: Advocating for and monitoring the Commonwealth's reform; Reviewing Commonwealth countries' human rights promises at the UN Human Rights Council and engaging with its Universal Periodic Review; Advocating for the protection of human rights defenders and civil society space; and Monitoring the performance of National Human Rights Institutions in the Commonwealth while advocating for their strengthening.



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