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#### **OFFICE MEMORANDUM**

No. C. 18015/5/99-LJC, the 21st February, 2000. Subj : Holding of courts inside jails to take up UTPs involved in petty offences.

- In pursuance of the Hon'ble Supreme Court's directives in the case of R. D. Upadhyay vs State of Andhra Pradesh & Ors vide W. P (C) No. 559 of 1994 and in consonance with the Hon'ble the Chief Justice, Gauhati High Court's order No. 99 dt. 21. 12. 99 the Deputy Commissioners/ADM(J), Govt. of Mizoram are hereby requested to hold, once in a month, courts inside jails, located within their respective jurisdiction and to take up cases of UTPs (i.e. under trial prisoner) involved in petty offences giving priority to those prisoners, who wish to confess their guilt. During their sitting in jails, the Deputy Commissioners/ADM(J)s, shall check up those cases, if any, where the undertrial prisoner is in jail for a period, which is more than what is provided as maximum punishment for the offence in connection with which the UTP stands incarcerated, and also such cases in which trial is being delayed abnormally for any reason. Such under-trial prisoners who have been inside jail for more than the maximum period provided under the law, may be released on personal Bond, even though they may like to contest the case. The Deputy Commissioners/ADM(J)s shall provide services of Legal Aids Counsels and the District Legal Services Committees, to the jail under their respective jurisdiction so that appropriate applications may be made on behalf of such UTPs. The Deputy Commissioners/ADM(J)s shall also direct the Investigating Agency concerned to expedite filing of the Police Report in case of such prisoners and thereafter, if the prisoners confess their guilt, they may be awarded appropriate punishment in accordance with law.

P. Chakraborty,  
Secretary to the Govt. of Mizoram.