

**Minutes of the meeting dated 12.06.2020 of the High-Powered Committee under the Chairmanship of Hon'ble Kumari Justice Sanju Panda, Judge, Orissa High Court and Executive Chairperson, Odisha State Legal Services Authority with regard to release of prisoners for de-congestions of jails in view of spreading of Covid-19 disease, over telephonic conversation.**

The meeting is convened through telephonic conversation by the following dignitaries-

1. Hon'ble Kumari Justice Sanju Panda, Judge, Orissa High Court and Executive Chairperson, Odisha State Legal Services Authority.
2. Shri Sanjeev Chopra, IAS, Principal Secretary, Home Department, Govt. of Odisha.
3. Shri Santosh Kumar Upadhyay, IPS, Director General of Prisons, Odisha.

The Member Secretary placed the following information, as received from all 30 DLSAs consequent upon the holding of Under Trial Review Committee in all districts, in view of the guidelines issued by the High-Powered Committee from 04.06.2020 to 10.06.2020.

<b>1. No. of UTPs identified for release on interim bail</b>	<b>- 176</b>
<b>2. No. of UTPs released on interim bail</b>	<b>- 151</b>
<b>3. No. of Convicts identified for released on parole/ furlough/special remission</b>	<b>- 37</b>
<b>4. No. of Convicts released on parole</b>	<b>- 1</b>
<b>5. No. of Convicts released on furlough</b>	<b>- 20</b>
<b>6. No. of Convicts released on special remission</b>	<b>- NIL</b>
<b>7. No. of prisoners found to be affected by COVID- 19</b>	<b>- 11</b>
<b>(2 cases in Circle Jail, Berhampur and 4 cases in Special, Sub-Jail Rourkela reported on 06.06.20, one more in Circle Jail, Berhampur reported on 11.06.20 &amp; 4 more in Circle Jail, Berhampur reported on 12.06.20)</b>	
<b>8. No. of prisoners kept in quarantine wards</b>	<b>- 1182</b>

1. The Chairman DLSA-cum-District & Sessions Judge, Ganjam vide L. No. 863 dtd 11.06.2020 & L. No. 873 dtd 12.06.2020 informed to this Authority that UTPs namely (i) **Ranjan Sahu**, S/o-Abhiram Sahu, At-Bhatakumaradi, Ps-Pursottampur, Dist-Ganjam remanded to Circle Jail, Berhampur on 05.06.2020 in G.R. case no. 158/2020 U/s 52 (a) of Odisha Excise Act, (ii) **D. Krushna Charan Behera**, aged 45 years, S/o-Abhimanya Behera, At- Sukunda, Ps-Berhampur Sadar, Dist-Ganjam was remanded to the jail on 06.06.2020 in 2(b)cc-1/2020 u/s-21 of O.T. Act, (iii) **Mangulu Das**, aged 35 years, S/o- Late Jagil Das, At-Golanthara (Bauri Sahi), Ps-Golanthara, Dist-Ganjam remanded to the jail on 05.06.2020 in GR-27/2020, U/s-376 (2)(n)/ 376 (3)/506/34 IPC r.w sec 6 of POCSO Act, (iv) **Bikram Pradhan @ Vicky**, aged 25 years, S/o-Surendra Pradhan, At-Kukundia, Ps-Gangapur, Dist-Ganjam remanded to the jail on 06.06.2020 in G.R. Case no. 29/2020, U/s – 341/254/354(A)/354(D)/506 IPC r.w. sec 2 of POCSO Act, and **one convict** namely (v) **Gopabandhu Badatia**, S/o-Haribandhu Badatia, aged 35 years, at= Sasanpalli, Ps-Pursottampur, Dist-Ganjam in **total five prisoners** have been detected as COVID positive and are kept in the quarantine ward inside the Circle Jail.

2. On receipt of the information, an emergency meeting was held among the members of UTRC, Ganjam over telephone. In the said meeting the Chairman, DLSA, Ganjam reported to have taken the following steps:

- i. The Collector-cum-Dist. Magistrate, Ganjam has been requested to take immediate steps for complete and full sanitization of the Premises of Circle Jail, Berhampur and court building including rooms, offices, chairs, table and furniture, door knobs, hand railing etc.

- ii. The Superintendent of Circle Jail, Berhampur has been directed to take steps for COVID-19 test of the other UTPs who were remanded to the Jail on 05.06.2020 and 06.06.2020 along with the other inmates who were kept in the quarantine ward in consultation with the CDMO, Ganjam following the Guidelines of the Government.
- iii. The Superintendent Circle Jail, Berhampur has been further directed to keep the other inmates who had come in contact with the above prisoners in isolation so as to restrain them from coming in contact with the other inmates till the period suggested by the CDMO, Ganjam and to ensure early shifting sick persons to a Nodal Medical Institution in case of any possible situation is seen.

**After considering the matter in detail, the HPC observed that all stake holders and the UTRC of Ganjam District comprising District and Sessions Judge-Cum-Chairman DLSA, Ganjam, Superintendent of Police and District Magistrate have taken all steps for the immediate treatment of the COVID-19 positive prisoners mentioned above. It is also noted that Chairman UTRC, District and Sessions Judge-cum-Chairman DLSA, Ganjam has given appropriate directions for ensuring safety of all the inmates and Court Personnel who came in contact with the infected UTPs and for sanitization of the places where the UTPs were produced and kept. It is directed that the UTRC Ganjam shall remain more vigilant and monitor health of all the prisoners/staff in the Circle Jail, Berhampur who were exposed.**

**Considering the above report placed before the HPC**

- (i) **It is further reiterated that DG Prisons should instruct all the Superintendents of Jails to scrupulously follow the instructions of HPC dt 26.3.20, 30.4.20 regarding segregation and treatment of prisoners during COVID Pandemic in conjunction with Rule 455 of Orissa Jail Manual r/w relevant**

provisions of Section III (on Infectious Diseases and Epidemics) of the Manual. All the stakeholders along with Principal Secretary, Home & Director General, Police should ensure that the directions contained in Arnesh Kumar Vrs. State of Bihar, (2014) 8 SCC 273 should be scrupulously adhered to at the time of arrest and production before Magistrate to prevent congestion.

- (ii) It has come to notice that directions issued by HPC in its meeting dated 26.03.20 regarding release of UTPs charged with offences for which prescribed punishment is up to 7 years or less are not being followed resulting in possibility of re-congestion and risk of spread of infection in jails.

Hence, it is directed that all the stakeholders must ensure directions issued by Hon'ble Apex Court in W.P.(C) No. 01/2020 and Hon'ble Orissa High Court's Order dated 05.05.2020 passed in W.P.(C) No. 9095 of 2020 and HPC must strictly adhered to in order to prevent congestion in jails.

By order

Sd/-

Member Secretary  
OSLSA