

**Minutes of the meeting dated 07.08.2020 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 decongestion of jails in view of spreading of Covid-19 disease, over telephonic conversation.**

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

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

I. The Member Secretary placed the following information for the period from **01.08.2020 to 07.08.2020** as received from all 30 DLSAs consequent upon the holding of Under Trial Review Committees in all districts in the aforementioned period, in view of the guidelines issued by the High-Powered Committee -

a) No. of UTPs identified for release on interim bail	: 322
b) No. of UTPs released on interim bail	: 184
c) No. of Convicts identified released on Parole/ Furlough/Special Remission	: 42/4/18
d) No. of prisoners found to be affected by COVID- 19	: 55
e) No. of prisoners kept in quarantine wards	: 1510

II. Report regarding prisoners infected by COVID-19

Sl. No.	District	Name of Jail	No. of Prisoners affected by COVID& date on which identified	Treatment	Measures taken for safety
1.	Cuttack	Circle Jail, Cuttack	1 no. On 02.08.2020	The Senior Supt, Circle Jail, Cuttack was asked to take steps in consultation with CDMO, Cuttack for shifting the UTP to the COVID Care Centre for proper treatment.	<p>i. Complete and full sanitization of the jail premises and quarantine ward.</p> <p>ii. Steps taken for contact tracing of infected prisoners.</p> <p>iii. Swab testing of all other jail inmates and warders as per govt. guidelines.</p> <p>iv. Directions are given to inform all the Courts to ensure COVID test being done of the accused at the time of forwarding of accused to the Court.</p>
2.	Ganjam	Sub-Jail, Bhanjanagar, Ganjam	1 no. On 03.08.2020	The UTP has been shifted to COVID Care Centre, Berhampur on being detected as COVID positive on 03.08.2020.	<p>i. Complete and full sanitization of the Special Sub-Jail, Bhanjanagar.</p> <p>ii. Superintendent of Special Sub-Jail, Bhanjanagar is directed to take steps for COVID test of the other inmates confined with the UTP in the quarantine ward in consultation with</p>

		Circle Jail, Berhampur	2 nos.  <b>On 07.08.2020</b>	The UTP and the convict has been detected COVID positive on 06.08.2020. The UTP has been shifted to COVID Hospital, Sitalapalli, Berhampur and the convict has been shifted to Covid Care Centre, Berhampur for the treatment.	<p>the CDMO, Ganjam by following Govt. guidelines.</p> <p>iii. Shifting of sick persons to Nodal Medical Institution without any delay in case of any possible emergency.</p> <p>i. Complete and full sanitization of the premises of Circle Jail, Berhampur and the Hon'ble Court of 3<sup>rd</sup> Addl. District &amp; Sessions Judge, Berhampur.</p> <p>ii. COVID test of other inmates in consultation with the CDMO, Ganjam following the Govt. Guidelines.</p> <p>lii. Shifting of sick persons to Nodal Medical Institution without any delay in case of any possible emergency.</p>
<b>3.</b>	<b>Sundargarh</b>	Sub- Jail, Rourkela	1 no.  <b>On 04.08.2020</b>	After the antigen test the said convict has been shifted to the COVID Hospital, Rourkela through warder escort party. After necessary treatment he has been confined in a separate cell in Special Jail, Rourkela.	<p>i. Complete sanitization of the Special Jail, Rourkela.</p> <p>ii. COVID test of the other 10 nos. of prisoners who were in direct contact with the infected UTP.</p> <p>iv. Necessary steps to be taken for COVID testing of</p>



		Special Jail, Rourkela	17 nos. <b>On 06.08.2020</b>	The 17 number of inmates has been found positive on 06.08.2020 and they are kept in the upper cell being isolated from other inmates.	<p>the respective staffs that were in contact with the UTP in consultation with the CDMO, Sundargarh following Govt. guidelines.</p> <p>i. Complete sanitization of the entire premises of Special Jail, Rourkela.</p> <p>ii. The CDMO, Sundargarh is requested for taking necessary steps for treatment of the positive inmates.</p> <p>iii. COVID test of all the staffs and inmates who were in contact with the positive inmates in consultation with the CDMO, Sundargarh by following Govt. guidelines.</p>
4.	Khordha	Sub-Jail, Banpur	1 no. <b>On 05.08.2020</b>	On a Rapid Antigen Test conducted on 20.07.2020 the said prisoner was not found to have any symptoms of COVID-19 but subsequently he suffered from fever for which a second Rapid Antigen Test was done on 05.08.2020 resulting which the prisoner was found	<p>i. As per the direction of the Committee, the prisoner has been kept in isolation so as to restrain him from coming in contact with other inmates of the jail till he is shifted to COVID hospital.</p> <p>ii. Steps to be taken for Rapid Antigen Test of the other 14</p>

				to be COVID positive.	<p>prisoners detained with the Convict.</p> <p>iii. The Superintendent has already made a requisition to SP, Khurda to provide escort during shifting of the prisoners as well as to provide Police personnel to guard the prisoner during his treatment at the Hospital.</p> <p>iv. Requisition has been made to the Executive Officer, NAC, Banpur for sanitization of the jail premises.</p>
5.	Phulbani	Sub- Jail, G. Udayagiri	<p>3 nos.</p> <p><b>On 30.07.2020</b> (intimated to OSLSA on 05.08.2020)</p> <p>8 nos.</p> <p><b>On 04.08.2020</b></p>	Proper treatment is being given by the District Administration as well as by the Jail Medical Officer.	<p>i. Adequate steps being taken for sanitization of the Sub- Jail, G. Udayagiri building.</p> <p>ii. Medical examination of all other inmates in consultation with the CDMO as per the Govt. guidelines.</p> <p>iii. Superintendent of Sub-Jail, G. Udayagiri is to ensure adherence of social distancing norms inside the jail premises and all the inmates should be aware to maintain at least 2 meter distance from</p>

		Sub-Jail, G.Udayagiri	8 nos. <b>On 05.08.2020</b>	The convicts are under treatment inside the jail hospital by the Jail Medical Officer.	each other inside the jail.  i. Sanitization of the Sub-Jail, G. Udayagiri  ii. Medical examination of all other inmates of Sub-Jail, G. Udayagiri in consultation with the CDMO, Kandhamal, Phulbani by following Govt. guidelines.  iii. Directions have been given to ensure adherence of social distancing norms and to maintain at least 2 meter distance from each other inside the jail.
6.	<b>Malkangiri</b>	Sub- Jail, Malkangiri	1 no. <b>On 03.08.2020</b>	The UTP was admitted and kept in a segregated ward. At the time of admission, the UTP had no COVID symptoms accompanying with a proof of medical certificate. But on 02.08.2020, the UTP developed some symptoms of COVID-19 infection for which he was sent to DHH, Malkangiri for test. The testing physician gave information regarding the UTP	i. Requisition has been made to the Executive Officer, Municipality for sanitizing the entire premises of the jail.  ii. Keeping the rest UTPs/Convict who had come in contact with the UTP in isolation so as to restrain them from coming in contact with other inmates.  iii. CDMO, Malkangiri is requested to take steps for collection



				<p>being positive. Subsequently the UTP has been shifted to COVID Care Centre for treatment.</p>	<p>of the swab of the prisoners for the COVID test.</p> <p>iv. Shifting of prisoners found positive to COVID hospital/COVID care centre/any other temporary isolation or quarantine centre to prevent the spread of infection.</p> <p>v. Instructions has been given to CDMO, Malkangiri to depute one doctor to the sub-jail, Malkangiri on daily basis to detect any possible symptomatic prisoners.</p> <p>vi. Sanitation of the premises of the sub-jail.</p> <p>vii. Instructions has been given to provide two nos. of face mask to each prisoner on a monthly basis.</p>
7.	Jagatsinghpur	Sub- Jail, Jagatsinghpur	<p>2 nos.</p> <p><b>On 07.08.2020</b></p>	<p>Both the COVID asymptomatic inmates were immediately isolated and kept in a separate room and were treated on 07.08.2020. After being detected COVID positive the concerned officials has been requested to take steps for shifting of those</p>	<p>i. Sanitization of the entire Sub-Jail, Jagatsinghpur.</p> <p>ii. Immediate steps/measures to be taken if any other inmates are found COVID positive.</p> <p>iii. Immediate swab test of other inmates and jail</p>

				inmates to the nearby COVID hospital or any other immediate medical attention to be provided to them.	officials.
8.	Sambalpur	Circle-Jail, Sambalpur	1 no. <b>On 05.08.2020</b>	He has been shifted to COVID Hospital for treatment.	<p>i. CDMO, Sambalpur has been directed to get Antigen Test of other UTPs who were lodged together in the jail with the infected UTP.</p> <p>ii. Complete and full sanitisation of the premises of Circle Jail, Sambalpur.</p> <p>iii. All UTPs who have come in contact with the infected UTP have been segregated are kept in separate quarantine cells.</p> <p>iv. Shifting of sick persons to Nodal Medical Institution without any delay in case of any possible emergency.</p>
9.	Puri	District Jail, Puri	4 nos. <b>On 31.07.2020</b>  (communicated to OSLSA on 04.08.2020)	On identification of the UTPs being COVID positive the UTRC, Puri directed the Collector & DM, Puri and SP Puri for taking necessary steps for treatment of the said UTPs.	i. The Collector and District Magistrate, Puri, S.P. Puri & CDMO, Puri has been requested to shift the said UTPs to Special Hospital for COVID- 19 for better treatment. But the Collector, Puri suggested that since the UTPs are



					<p>asymptomatic their treatment could be done at the District Jail, Puri by keeping them in separate cell under a Special Doctor.</p> <p>ii. Complete and full sanitization of the jail premises.</p> <p>iii. COVID testing of other UTPs and staffs.</p>
10.	Bargarh	Sub-Jail, Padampur	<p>1 no. On 31.07.2020</p> <p>1 no. On 02.08.2020</p> <p>3 nos. On 05.08.2020</p>	<p>Out of the 5 UTPs, one UTP has already recovered from COVID, one is under treatment inside the jail and 3 other UTPs have been shifted to COVID Hospital, Bargarh.</p>	<p>i. Complete and full sanitization of the entire jail premises of Sub-Jail, Padampur is being carried out twice daily.</p>

The Secretary, DLSA, Malkangiri intimated to this Authority on 03.08.2020 regarding Pharmacist of Sub-Jail, Malkangiri being detected COVID positive. It has been intimated that, son of the Jail Pharmacist who had returned from outside India have been tested positive and also the jail pharmacist was on leave for 30<sup>th</sup> and 31<sup>st</sup> July due to weakness. They were advised to stay in home quarantine as per the standard operating procedure by District Administration. But on 31<sup>st</sup> July the Jail Pharmacist had visited the jail and examined 31 nos. of UTPs and had prescribed medicine to them. Due to the violation of quarantine rules the Superintendent of Sub-Jail, Malkangiri and District Administration has been requested to make proper inquiry and take appropriate steps.

### III. Compliance submitted in response to the directions given by the HPC

As per the instructions given in the HPC meeting dated 13.07.2020, the **Senior Superintendent, Circle Jail, Choudwar at Cuttack** submitted a **compliance report to OSLSA vide L. No. 8092 dated 01.08.2020** stating that-

- i. The e-mulakat of the inmates has already been implemented from 01.04.2020 as per the guidelines of the Govt. of India, Ministry of Home Affairs, Women Safety Division, New Delhi. For frequency of e-mulakat between inmates and their family members, the local authorities such as Panchayat Office, Tahasil Head Quarters, Block Head Quarters, Legal Service Committee have been requested and steps have been taken to collect the Whatsapp numbers of family members/relatives of the inmates who desire for e-mulakat. After collecting the same, it will be conducted soon.
- ii. Health workers from the office of the CDMO, Cuttack are visiting the jail to monitor the COVID- 19 situation. 108 swab samples have been collected from prisoners for testing.
- iii. Special emphasis has been taken to maintain at least two gauge distance among the inmates inside the prison ward and accordingly the population has been re-distributed.
- iv. All inmates of the jail have been provided with two hand-made and one three-level Mask to each prisoner and the quantity of the soap provided to each prisoner per month has been enhanced to double.
- v. On request, the office of the CDMO, Cuttack as well as the Odisha State Medical Corporation, Bhubaneswar has provided 10 ltrs. of hand sanitizers, 1000 nos. of triple layer face masks, 50 nos. of PPE Kits, and 50 nos. of Nitrile disposable gloves. Besides this, the jail has taken the preventive steps by purchasing 50 hand gloves,

200 examination gloves, 200 masks, 25 N 95 masks, 885 hand sanitizers, one Feggers machine, two battery operated sprayer machines, two KNAPSACK sprayer machines, and 100 ltrs. Sodium hypochlorite solution. Required PPE have been provided to doctors, pharmacists and staff for the purpose. Two nos. of leg operated sanitizers donated by Rotary Club, Bhubaneswar, were also received and placed at the main gate and outside gate for the said purpose. Two infrared thermometers are being used too.

- vi. Awareness has been created inside the jail at regular intervals for inmates on COVID- 19 to protect them from the threat.
- vii. The list of UTP detained in custody for the offences having maximum punishment up to 7 years has been sent to the DLSA, Cuttack and 583 nos. of prisoners (both convicts and UTPs) have been released by the Court on P.R. Bond/Interim Bail/Bail.
- viii. The Executive Engineer (R&B), Cuttack has been requested to take urgent steps for repairing the old prison wards and toilets of the jail. *The Executive Engineer, Charbatia (R&B) Division intimated to OSLSA vide L. No. 2916 dated 10.08.2020 that the Charbatia division has already intimated to the Executive Engineer GPH Division No. 1 to take up the maintenance repair work of prison ward and toilets with due consultation of the Senior Superintendent, Circle Jail, Cuttack at Choudwar at the earliest.*
- ix. The Fire officer, Cuttack has been requested to sanitize the entire jail premises twice in a month. *The Fire Officer, Central Range Cuttack vide L. No. 65/DR dated 19.07.2020 has intimated to this Authority that as per the recommendations of the HPC steps are being taken to sanitize the entire Circle Jail, Choudwar preferably every fortnight and has also mentioned that the Circle Jail has already been sanitized completely once on 16.07.2020.*



After consideration of the compliance report of Senior Supt Circle Jail Chowdwar as per observations in minutes dated 13.07.20, it is noted that many of the directions have been complied with by the Jail authorities. However it is reiterated that other authorities such as CDMO Cuttack, Executive Engineer GPH Division No. I, Bhubaneswar should cooperate with Choudwar Jail Authorities to ensure all requirements are met. Principal Secretary Home, Govt. of Odisha may take steps for compliance of point 5 of recommendations vide minutes of HPC dt 13.07.20.

In view of the rising number of cases of COVID positive prisoners, the HPC reiterates that immediate swab testing and isolation of symptomatic UTPs at time of remand should be strictly enforced by the Jail authorities and Health authorities. The social distancing amongst inmates and hygiene practices have to be constantly monitored in all Jails.

While the DG Prisons has been constantly monitoring and reporting on the health and safety of prisoners, the Additional Chief Secretary, Health & FW, Govt. of Odisha is again directed to ensure on top priority that testing in prisons is done on time. That is the only way left to avoid spread of infection amongst the prisoners. It is imperative that all stakeholders make utmost efforts as per directions of HPC to arrest the spread of the pandemic in the Jails of Odisha.

By order

Sd/-

Member-Secretary  
OSLSA