

**Minutes of the meeting dated 28.08.2020 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 twenty second 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 **22.08.2020 to 28.08.2020** 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	: 328
b) No. of UTPs released on interim bail	: 194
c) No. of Convicts identified released on Parole/ Furlough/Special Remission	: 38/0/19
d) No. of prisoners found to be affected by COVID- 19	: 445
e) No. of prisoners kept in quarantine wards	: 1676

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.	Dhenkanal	District Jail, Dhenkanal	2 nos. On dated <b>22.08.2020</b>	On ascertaining the UTP as COVID positive, the Superintendent of District Jail, Dhenkanal has been directed to take effective steps in consultation with CDMO, Dhenkanal for shifting the said UTP to the COVID Care Centre for treatment.	<p>i. Complete sanitization of the jail premises and quarantine ward/isolation wards.</p> <p>ii. Effective steps to be taken for contact tracing of the inmates found positive.</p> <p>iii. COVID-19 testing of the jail inmates as well as the staff of the District Jail, Dhenkanal in consultation with the CDMO, Dhenkanal.</p> <p>iv. All the Courts have to be informed to ensure COVID test of the accused persons before producing them before the Magistrates.</p>
		District Jail, Dhenkanal	66 nos. On dated <b>25.08.2020</b>	The Collector, Dhenkanal has been apprised to depute one Doctor	<p>i. Complete sanitization of the entire premises of the jail as well as</p>

				to District Jail, Dhenkanal in order to attend the said COVID positive prisoners for their necessary treatment.	quarantine ward/isolation ward.  ii. All the Courts have already been intimated to ensure that COVID test must be conducted in respect of the accused persons before their production before the Magistrate.
2.	<b>Khurda</b>	Sub-Jail, Khurda	1 no.  On dated <b>22.08.2020</b>	The Jail Superintendent has been directed to keep the COVID positive prisoner in isolation so as to restrain him from coming in contact with other inmates of the jail.  The Superintendent, Sub-Jail, Khurda has already made a requisition to CDMO, Khurda to depute one of their M.O to check health condition of the said UTP on daily basis.	i. The Superintendent, Sub Jail, Khurda has made a requisition to CDMO, Khurda to depute one of their M.O to check health condition of the said UTP on daily basis.  ii. The Superintendent has made a requisition to the appropriate authority for sanitization of the jail premises. Even the local authorities have been directed to sanitize.
3.	<b>Koraput</b>	Circle Jail, Koraput	32 nos.  On dated <b>18.08.2020</b>  (communicated to OSLSA on <b>24.08.2020</b> )	The infected inmates were being treated in separate wards of the jail under supervision of the CDMO, Koraput.	i. Sanitization of the Jail premises.  ii. Medical examination of all other inmates in consultation with the CDMO, as per the Govt. guidelines.

4.	Malkangiri	Sub Jail, Malkangiri	1 no. On dated <b>23.08.2020</b>	The District Magistrate-cum- Collector, Malkangiri has been requested to take immediate steps for shifting of the said UTP to COVID Care Centre/COVID Hospital/Isolation Ward or any other designated place as deemed proper for treatment. The Superintendent of Sub-Jail reported that the said UTP has been kept inside the Sub-Jail in a Single Cell Isolation Ward for the time being.	<p>i. Sanitization of the entire premises of the jail especially the quarantine ward of jail by making necessary requisition to the Executive Officer, Municipality.</p> <p>ii. To keep the rest of the UTPs/Convicts in isolation to restrain them from coming in contact with other inmates of the jail.</p> <p>iii. Shifting of sick prisoners to a Nodal Medical Institution in case anyone is found symptomatic.</p> <p>iv. Collection of swab of the prisoners for COVID- 19 test.</p>
		Sub-Jail, Malkangiri	1 no. On dated <b>21.08.2020</b> (intimated to OSLSA on <b>24.08.2020</b> )	The District Magistrate-cum- Collector, Malkangiri has been requested to take immediate steps for shifting of the said UTP to COVID Care Centre/COVID Hospital/Isolation Ward or any other designated place as deemed proper for treatment. The Superintendent of Sub-Jail reported that the said UTP has been kept	<p>i. Sanitization of the entire premises of the jail especially the quarantine ward of jail by making necessary requisition to the Executive Officer, Municipality.</p> <p>ii. To keep the rest of the UTPs/Convicts in isolation to restrain them from coming in contact with other inmates of the jail.</p>

		Sub-Jail, Malkangiri	1 no. On dated <b>26.08.2020</b>	<p>inside the Sub-Jail in a Single Cell Isolation Ward for the time being.</p> <p>Immediate steps has to be taken for shifting of the said UTP to COVID Care Centre/COVID Hospital/Isolation Ward or any other designated place as deemed proper for treatment. It is reported by the Superintendent of Sub-Jail that the said UTP have been kept inside the Sub-Jail in a Single Cell Isolation Ward for the time being.</p>	<p>iii. Shifting of sick prisoners to a Nodal Medical Institution in case anyone is found symptomatic.</p> <p>iv. Collection of swab of the prisoners for COVID- 19 test.</p> <p>Sanitization of the entire premises of the jail especially the quarantine ward of jail by making necessary requisition to the Executive Officer, Municipality.</p> <p>ii. To keep the rest of the UTPs/Convicts in isolation to restrain them from coming in contact with other inmates of the jail.</p> <p>iii. Shifting of sick prisoners to a Nodal Medical Institution in case anyone is found symptomatic.</p> <p>iv. Collection of swab of the prisoners for COVID- 19 test.</p>
5.	Nayagarh	Sub-Jail, Daspalla	1 no. On dated <b>23.08.2020</b>	<p>The CDMO, Nayagarh has been requested to make necessary arrangements for shifting the UTP to a COVID Hospital for treatment.</p>	<p>i. Complete and full sanitization of the premises of Sub-Jail, Nayagarh.</p> <p>ii. Steps for immediate segregation of UTPs to separate</p>

					cell/quarantine cell. iii. Shifting of sick inmates to Nodal Medical Institution in case of any further detection.
6.	Balasore	District Jail, Balasore	1 no. On dated <b>20.08.2020</b> (communicated to OSLSA on <b>26.08.2020</b> )	After being detected as COVID positive the UTP has been admitted in the Fakir Mohan Medical College Hospital and has been kept in isolation ward of the Hospital.	Sanitizing of the entire jail premises and take necessary precautionary measures to combat spreading of Corona as per the guidelines of the Govt.
7.	Jajpur	Sub-Jail, Ragadi	11 nos. On dated <b>21.08.2020</b>  101 nos. On dated <b>22.08.2020</b>  (intimated to OSLSA on <b>24.08.2020</b> )	The said prisoners were kept in 4 nos. of isolated wards inside the jail immediately after being found COVID positive.  Out of 112 nos. positive inmates, 2 nos. of positive inmates has been admitted in TATA COVID Hospital, Duburi, 17 nos. of positive inmates has been admitted in NC COVID Care Hospital Jajpur and 93 nos. of positive inmates has been advised for self home isolation at Ragadi Jail.	i. The Superintendent of Police, Jajpur has been requested to provide adequate security facility to the inmates found COVID positive during their shift to the COVID Hospital. ii. The entire jail premises has been sanitized twice on dated 21.08.2020 and 22.08.2020 with sodium hypochlorite. iii. On dated 23.08.2020, the Fire Service, Jajpur has also sanitized the entire jail premises.
8.	Jagatsinghpur	Sub-Jail, Jagatsinghpur	1 no. On dated <b>26.08.2020</b>	After ascertaining the Convict as COVID positive, the said Convict has been immediately	i. The District Administration through Collector, Jagatsinghpur as well as the CDMO & Superintendent,

				isolated and kept in COVID- 19 ward and has been put under treatment immediately inside the jail by Medical Team of DHH, Jagatsinghpur as per the advice of the CDMO, Jagatsinghpur.	Sub Jail, Jagatsinghpur is required to take immediate steps for shifting of the convict (asymptomatic) to the nearby Covid Hospital for treatment.  ii. Sanitization of the entire Sub-Jail, Jagatsinghpur.  iii. Collection of swab of rest of the inmates and jail officials.
9.	Phulbani	District Jail, Phulbani	10 nos. On dated <b>20.08.2020</b>  4 nos. On dated <b>26.08.2020</b>	The prisoners have been kept in quarantine cell. Proper treatment given by the DHH, Phulbani.	i. Proper care has been taken as per advice of treating physician.  ii. Jail premises is fully sanitized.
		Sub-Jail, Balliguda	1 no. On dated <b>22.08.2020</b>  (All the reports have been communicated to OSLSA on <b>26.08.2020</b> )	The UTP has been kept in quarantine cell. Proper treatment given by the SDH, Balliguda.	Proper care has been taken as per advice of treating physician.  ii. Jail premises is fully sanitized.
10.	Rayagada	Sub-Jail, Rayagada &  Sub- Jail, Gunupur	152 nos. & 59 nos.  On dated 28.08.2020	It is ascertained that all the positive COVID cases are asymptomatic and are not detected with any serious symptoms of COVID- 19 and all	i. COVID- 19 test of the staff and inmates of both the jails.  ii. Complete sanitization of the jail premises.

				of them are under treatment in the COVID CARE HOME as demarcated inside the jail premises. The urban Medical Officers have been declared as authorized medical officer for overall supervision and treatment of the infected inmates.	iii. Directions have been given to segregate the new entrants to the jail from the rest of the inmates and to keep them safely in isolation.
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- DLSA, Dhenkanal submitted a report vide L. No. 974 dated 26.08.2020 regarding 03 nos. of Part-Time Medical Officer to be found as COVID positive on 25.08.2020. The Collector, Dhenkanal has been apprised to depute one Doctor to District Jail, Dhenkanal in order to attend the jail hospital for necessary treatment.
- DLSA, Sambalpur submitted a report vide proceeding of the meeting of UTRC, Sambalpur held on 26.08.2020 stating that the Superintendent, Circle Jail, Sambalpur vide his L No. 5038 dated 26.08.2020 reported that 11 nos. of staff were found COVID- 19 positive. The Collector-cum-District Magistrate, Sambalpur is requested to take immediate steps for complete and full sanitization of the premises of Circle Jail, Sambalpur. Further, he has been instructed to keep the 11 nos. of staff in isolation so as to restrain them from coming in contact with other inmates.
- DLSA, Jagatsinghpur vide L. No. 841 dated 28.08.2020 submitted a report vide minutes of the resolution dated 28.08.2020 of UTRC, Jagatsinghpur intimated regarding detection of Chief-Warder of Sub-Jail, Jagatsinghpur, Sri Ashok Kumar Swain as COVID positive. As per the advice of the CDMO, Jagatsinghpur, he has been immediately isolated and he has been put under treatment and home isolation.

The CDM & PHO, Dhenkanal vide L. No. 2837 dated 27.08.20 to the Under Secretary to Government, Health & Family Welfare Department has communicated regarding identification of 66 nos. of inmates of District Jail, Dhenkanal as COVID positive under intimation to the Member Secretary, OSLSA.

**S.O.P on Protocol of remand by Department of Home, Govt. of Odisha**

In reply to the report called from the Principal Secretary regarding identification of large number of jail inmates being found as COVID positive, the Special Secretary to Government, Home Department, Government of Odisha placed before the Hon'ble Chairperson, High Powered Committee the communication made vide L. No. 28624/JAILS, Bhubaneswar dated 28.08.2020 to the Addl. Chief Secretary, H&FW Department/the DG & IG of Police, Odisha, Cuttack/the DG of Prisons & DCS, Odisha, Bhubaneswar regarding the standard operating procedure (SOP) for implementing the protocol of remand to be followed regarding lodging of newly arrested accused persons in jails. Accordingly, the SOP containing 8 guidelines have been placed before the HPC as follows:

- 1. Any person to be produced before Magistrate for remand by the Police/Excise/Forest/Vigilance authorities etc. shall first be screened/tested by Medical Officers for COVID- 19 along with the mandatory medical examination in a designated hospital.*
- 2. Medical Officer of the designated hospital shall conduct thorough examination of those persons proposed to be remanded to jails and shall record that the person is asymptomatic or symptomatic to COVID- 19.*
- 3. Anybody found positive in this process, should be sent to the "Dedicated Covid Care Center/Dedicated Covid Health Center/Dedicated Covid Hospital" by the concerned remanding agencies like Police, Forest, Excise or Vigilance as the case may be for treatment with the permission of remanding courts. They will be shifted to the jails after being recovered in "Dedicated Covid*

Care Center/Dedicated Covid Health Center/Dedicated Covid Hospital”.

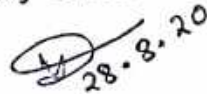
4. Only those asymptomatic accused persons (to be declared by the Medical Officer of the designated hospital), shall be remanded to jails after being tested with Rapid Antigen Test (RAT) and found “Negative”.
5. All newly remanded persons having Covid- 19 negative reports shall be kept in prisons in isolation wards/quarantine wards in concerned District Jails/Sub-Jails within same Revenue District (in case of overcrowding of any particular jail).
6. CDMOs of concerned districts will depute medical staff for random tests of prisoners at designated places (to be decided by District Administration) for which SsP/DCPs shall provide Police escort. In case any prisoner is detected as Covid positive, same prisoner shall be shifted to Dedicated Covid Care Center/Dedicated Covid Health Center/Dedicated Covid Hospital forthwith for which local police shall provide police escort.
7. To avoid infection due to physical production, technology-based virtual production from jails may be considered with concerned courts.
8. If a Covid positive patient is required to be admitted in the Covid facility, one escort shall be allowed to remain in the Covid Facility for safe custody of the prisoner as is done for non-covid prisoners. Such escort may be allowed to use PPE. After the discharge of the prisoner, the escort shall be quarantined for 14 days, either in home isolation (if separate room with attached toilet and a care giver is available) or may be kept in a Covid Care Center. Covid- 19 Test shall be done on 14<sup>th</sup> day of isolation or quarantine.

On perusal of the SOP on protocol of remand to jails regarding newly arrested accused persons issued by Department of Home, Govt. of Odisha, the HPC resolves to direct the Additional Chief

Secretary, Health & FW, Govt. of Odisha to ensure that this protocol is scrupulously followed. Further, it is directed that Member Secretary, OSLSA shall place a report on compliance of this SOP in the jails before the HPC.

As there has been a steep rise in COVID- 19 positive cases in many jails in the State, HPC also reiterates that all stakeholders make utmost efforts to arrest the spread of pandemic, before the situation assumes an alarming proportion.

By Order



Member Secretary  
OSLSA