

Minutes of the meeting dated 13.04.2021 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 fifty-fourth 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 **06.04.2021 to 13.04.2021** as received from all 30 DLSAs consequent upon the holding of Under Trial Review Committees in all districts for the aforementioned period, in view of the guidelines issued by the High-Powered Committee –

a) No. of UTPs released on interim bail	: 176
b) No. of Convicts released on Parole/Furlough/ Special Remission	: 0/0/0
c) No. of prisoners found infected by COVID- 19	: 19
d) No. of prisoners recovered from COVID-19	: 171
e) No. of prisoners succumbed to COVID-19	: 0
f) No. of prisoners kept in quarantine wards	: 1429

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.	Mayurbhanj at Baripada	Sub-Jail, Rairangpur	<p>16 nos. On _____ dated 09.04.2021</p> <p>1 no. On _____ dated 10.04.2021</p>	<p>The Collector, Mayurbhanj and SP, Mayurbhanj has been requested to shift the positive inmates to COVID-19 Hospital at Baripada.</p> <p>The CDMO, Mayurbhanj has been directed to make necessary arrangement for treatment of inmates inside PRM Medical at Baripada.</p> <p>As informed by the SP, Mayurbhanj regarding no separate COVID care centre functioning except at PRM Medical Hospital and since there is no separate ward exclusively for keeping prisoners. Since the inmate is asymptomatic, as per the suggestion of the Collector, Mayurbhanj, the treatment is continuing inside Sub-Jail premises.</p>	<p>i. Complete and full sanitization of Sub Jail Premises, Rairangpur.</p> <p>ii. To take necessary steps for COVID 19 test of other staffs and inmates in consultation with CDMO as per applicable government guidelines.</p> <p>To keep the said inmates in a separate cell, segregating him away from other inmates to avoid contamination and spread of infection to other inmates of the jail.</p>
2.	Gajapati at Paralakhemundi	Sub Jail, Paralakhemundi	<p>1 no. On _____ dated 01.04.2021 (Communicated to OSLSA on 13.04.2021)</p>	<p>The said inmate has been kept in an isolated ward inside the jail premises with proper treatment and</p>	<p>i. Swab test of all inmates of the jail and jail officials.</p> <p>ii. Complete</p>

				observing all COVID-19 guidelines.	sanitization of the jail premises.
3.	Koraput	Sub-Jail, Jeypore	1 no. On dated 05.04.2021 (Communicated to OSLSA on 08.04.2021)	The treatment of the said inmates is being done inside the jail premises in isolation ward.	i. The UTRC has been pleased to instruct that such cases be given priority for immediate medical treatments. ii. It is also reported by the Jail Authorities that all prisoners have been given medical treatments.

Besides, the District Judge-cum-Chairman, DLSA, Mayurbhanj vide L. No. 450 dated 06.04.2021 submitted a report regarding one staff of Sub Jail, Rairangpur being found COVID positive. The said staff has been kept in an isolation room being separated from other staffs and treatment is provided as per advice of Medical Officer, COVID Centre, SDH, Rairangpur. The safety measure has been taken to avoid further contamination.

III. **Report submitted by the Home Department, Govt. of Odisha**

The Under Secretary to Government, Home Department, Govt. of Odisha vide Memo No. 13388/Jails dated 30.03.2021 has communicated to the Member Secretary, OSLSA on 13.04.2021 that the decision of the High Powered Committee in its meeting dated 01.03.2021 and 15.03.2021 in connection to the directives of the Hon'ble Supreme Court of India in SuoMotu W.P.(C) No. 01/2020 has been sent to the Additional Chief Secretary, H&FW Department, the Addl. Chief Secretary, Forest Department, the Principal Secretary, Excise Department, the D.G. & I.G. of Police, Odisha, Cuttack, the DG of Prisons & DCS, Odisha, Bhubaneswar, the Registrar General, Orissa High Court, the Director, Vigilance, Cuttack, the Principal Chief Conservator of Forests, Bhubaneswar, all Collectors, all Superintendents of Police, all Chief District Medical Officers, all Secretaries, District Legal Services Authorities for taking immediate appropriate action for scrupulous compliance of the directions of the HPC.

IV. The Office of the Collector & District Magistrate, Gajapati vide No. 2782/Judicial/IV-15/2021 dated 30.03.2021 communicated to the Member Secretary, OSLSA on 13.04.2021 that as per guidelines issued by the High Powered Committee, the DLSA Gajapati is convening UTRC meetings at regular intervals. The DLSA, Gajapati has also opened a Help Desk at Court premises on 06.06.2020 for migrant workers/stranded labourers/Legal aid seekers during the lockdown period of COVID- 19 pandemic and the infected inmates were immediately shifted to COVID Care Centre inside Circle Jail, Berhampur for treatment.

V. **Report submitted by DG Prisons & DCS, Odisha**

DG Prisons & DCS, Odisha vide memo No. 7737 dated 08.04.2021 informed the Member Secretary, OSLSA that the Superintendent of all Jails, Odisha have been advised to go through the SOP of Government in Home Department as well as all guidelines issued during the year 2020 and take necessary appropriate steps for implementing the protocol of remand to be followed regarding lodging of newly arrested accused persons in the jails of the State.

Directorate of Prisons and Correctional Services, Odisha vide Memo. No. 7866 dated 09.04.2021 and also vide Memo No. 8158 dated 13.04.2021 has forwarded a copy of the letter addressed to the Registrar General, High Court of Orissa regarding lodging of 1163 nos. of UTPs in jails with regard to offences which prescribes punishment upto 7 years. In the said letter, the DG Prisons & DCS, Odisha has also requested the Registrar General to issue suitable instructions to the Courts and Police Authority for decongestion of jails in view of resurgence of COVID- 19 pandemic.

In light of the above report, it was noted that in second wave of spread of COVID- 19 pandemic in the State, the infected cases in the jails of the State are on the rise. Hence, Chairman HPC exhorted that efforts be continued for proper treatment of critical and symptomatic prisoners without any delay on part of concerned authorities to prevent casualties. All the stakeholders in management of COVID pandemic in prisons must continue to coordinate and ensure to contain the spread of COVID- 19 infection in second wave in the jails.

The Hon'ble Chairman, HPC further reiterates that all the stakeholders concerned with safety of prisoners during the pandemic shall adhere to the directions issued earlier as contained in case of Arnesh Kumar vs. State of Bihar (2014) 8 SCC 273.

Further, the DG Prisons and Health Department, Govt. of Odisha are requested to submit the compliance report regarding steps being taken for COVID vaccination of prisoners above 60 years of age as well as prisoners above 45 years of age (having co-morbidities) inside the jails to be placed before the Chairman HPC in its next meeting.

By Order

Sd/-

**Member Secretary
OSLSA**