

Minutes of the meeting dated 04.06.2021 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 Sixty-first 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 **27.05.2021 to 02.06.2021** as received from all the DLSAs (except DLSA, Angul) consequent upon holding of Under Trial Review Committees in the districts for the aforementioned period, in view of the guidelines issued by the High-Powered Committee –

- a) **No. of UTPs identified for release on Interim Bail : 356**
- b) **No. of UTPs released on interim bail : 120**
- c) **No. of convicts identified for release on parole/
furlough : 41**
- d) **No. of Convicts released on Parole/Furlough/
Special Remission : 4/11/0**
- e) **No. of prisoners found infected by COVID- 19 : 288**
- f) **No. of prisoners recovered from COVID-19 : 349**
- g) **No. of prisoners succumbed to COVID-19 : 0**
- h) **No. of prisoners kept in quarantine wards : 1516**

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.	Deogarh	Special Sub-Jail, Deogarh	21 nos. On dated 02.06.2021	The said inmates have been kept in quarantine ward.	<p>i. Fire Brigade has sanitized the jail premises.</p> <p>ii. The UTRC instructs the Superintendent of Spl. Sub-Jail, Deogarh to sanitize the jail premises in regular interval in order to contain the spread of virus inside the jail.</p> <p>iii. The UTRC apprises the District Administration to take all necessary steps as per Govt. norms for safety of the inmates.</p>
2.	Dhenkanal	Dist. Jail, Dhenkanal	8 nos. On dated 01.06.2021	The Superintendent of Dist. Jail, Dhenkanal has been directed to take effective steps in consultation with CDMO, Dhenkanal for shifting of COVID affected inmates to the COVID Care Centre for proper treatment.	The Superintendent, Dist. Jail, Dhenkanal has been directed to take appropriate steps for complete sanitization of the entire premises of the jail as well as quarantine ward/isolation wards.

3.	Balangir	Dist. Jail, Balangir	5 nos. On dated 02.06.2021	The infected inmates are being treated inside the jail premises in isolation ward.	<p>i. The UTRC advised the Collector-cum-Dist. Magistrate, Balangir to provide necessary medical assistance to active COVID- 19 positive jail inmates in Dist. Jail, Balangir.</p> <p>ii. Steps to sanitize the entire jail premises (inside and outside) of Dist. Jail, Balangir.</p> <p>iii. In case of detection of emergency health situation due to COVID-19, the concerned inmates may be referred to Govt. Hospital for their better treatment.</p> <p>iv. The Jail authorities have been instructed to provide immediate medical facilities regularly to the sick prisoners and the UTPs/Convicts.</p>
4.	Khurda	Special Jail, Bhubaneswar	175 nos. On dated 02.06.2021	After ascertaining the UTPs to be infected with COVID, the said UTPs have been shifted to quarantine ward inside the Jail premises and their treatment is being carried out on regular basis by the medical team	<p>i. Sanitization of entire jail premises.</p> <p>ii. To take immediate steps for admission of prisoner in hospital in case any prisoner is found to be serious due to COVID- 19 or any</p>

				deputed by CDMO, Khurda.	other disease by following protocol. ii. To increase number of quarantine wards as per requirement. iii. To take immediate steps for conducting RTPCR test of newly admitted prisoners in case of any of them are found symptomatic as well as for the staff who are found symptomatic.
5.	Jagatsinghpur	Sub-Jail, Jagatsinghpur	1 no. On dated 30.05.2021	After being found COVID positive, the UTP has been sent immediately to the Covid Care Centre (Isolation Ward) at District Headquarter Hospital, Jagatsinghpur for his medical treatment.	i. Sanitization of the entire Sub- Jail, Jagatsinghpur. ii. To ensure collection of swab of rest of the inmates and jail officials immediately if any symptom found. iii. The District Administration through the Collector is also to take necessary steps in this regard for making the said area (in which the jail is situated) secluded from the visit of other persons in order to protect others from the possible contamination of corona virus.

6.	Rayagada	Sub-Jail, Gunupur	2 nos. On dated 28.05.2021 & 29.05.2021	One UTP namely Md. Rashid is now undergoing treatment at Tadama Covid Care Centre, Rayagada. The health condition of the said UTP is now stable. Another UTP namely Palka Monajhi has been kept in the isolation ward. Medical team from RRT, Gunupur visited the jail and gave medicines to the said UTP. The health condition of the said UTP is normal and he will stay in the isolation ward for 17 days.	i. Sanitization of the premises of the jail and residential jail colony has already been undertaken by the Odisha Fire Service immediately. ii. To undertake the Covid- 19 tests of the staff and inmates of the Sub-Jail, Gunupur. iii. The Superintendent, Sub-Jail, Gunupur has been directed to segregate the new entrants to the jail from rest of the inmates and to keep them safe in isolation.
			70 nos. On dated 01.06.2021	After the RT-PCR Covid test, the prisoners were found to be asymptomatic positive and all of them have been kept in isolation. Medical team from RRT, Gunupur visited the jail for their medical checkup.	
7.	Balasore	District Jail, Balasore	1 no. On dated 28.05.2021	The UTP has been kept in separate cell inside Jail premises in isolation. As per the report of the Superintendent, District Jail, Balasore the said UTP is asymptomatic.	i. Sanitization of the entire jail premises and to take pre-emptive steps for spreading the deadly virus. ii. The Superintendent, Dist. Jail, Balasore is impressed upon

			3 nos. On dated 24.05.2021 (communicated to OSLSA on 02.06.2021)	As the said UTPs are asymptomatic, they have been kept in separate cell inside jail premises in isolation.	to put the inmates in quarantine ward inside the jail, who were in close contact with the said UTPs. iii. Immediate treatment to the inmates is anybody complaining of cold and fever.
8.	Koraput	Circle Jail, Koraput	1 no. On dated 01.06.2021	The Jail authorities reported that the said prisoner is being treated in the Covid Care Centre, Koraput.	The UTRC has instructed that such cases should be given priority for their immediate medical treatment and should be shifted to hospitals whenever required. It is also reported by the jail authorities that all prisoners have been given medical tests/treatments in the wake of Covid- 19 as a measure of precaution.
9.	Phulbani	Sub-Jail, Balliguda	1 no. On dated 26.05.2021 (Communicated to OSLSA on 02.06.2021)	The UTP has been kept in isolation ward and is being treated by the Medical Team of S.D.H, Balliguda.	Jail premises have been fully sanitized and all the precautionary measures have been taken.

In view of the rapid rise of COVID-19 infection in the community at present and also basing on the report of UTRC, Khurda and UTRC, Rayagada regarding 175 prisoners and 72 prisoners respectively being found COVID positive, the HPC directs the UTRC, Khurda and UTRC, Rayagada to remain more vigilant and to take steps for scaling down the rapid surge in infection in jails, ensure proper testing, treatment facilities for COVID positive prisoners, carry out sanitization on regular intervals and monitor the health of all the prisoners/staff who were exposed.

III. Report submitted by Directorate of Prisons and Correctional Services, Odisha

- i. The DG of Prisons & DCS, Odisha in his letter vide No. 10158 dated 03.06.2021 addressed to the Member Secretary, OSLSA referred to the order dated 31.05.2021 of the Hon'ble High Court of Orissa in W.P.(C) No. 6610/2006 (Krushna Prasad Sahoo-vrs-State & Others) in which the Hon'ble Court has expressed their concern about overcrowding in six Jails which includes District Jail, Phulbani, Special Sub-Jail, Bhadrak, Sub-Jail, Jajpur, Sub-Jail, Nayagarh, Sub-Jail, Parlakhemundi and Sub-Jail, Malkangiri during time of COVID- 19 pandemic which can pose a serious risk to the health and safety of the prisoners as well as the Jail staff. He has also brought to the notice of this Authority that, as on 31.05.2021, total 845 UTPs are lodged in different Jails of the state for the offences whose maximum prescribed punishment is imprisonment upto 7 years.
- ii. The IG of Prisons & CS, Odisha vide memo No. 10124 dated 03.06.2021 has intimated OSLSA that in compliance of the order dated 31.05.2021 of the Hon'ble High Court of Orissa in W.P.(C) No. 6610/2006 and W.P.(C) No. 3368/2014 the Superintendent of six Jails i.e. Parlakhemundi, Bhadrak, Nayagarh, Malkangiri, Phulbani and Jajpur where there is overcrowding have been requested to explore accommodating the prisoners from their jails at suitable government buildings with adequate security, secured boundary walls and to submit feasibility report.

Taking serious concern about overcrowding in six Jails i.e., District Jail, Phulbani, Special Sub-Jail, Bhadrak, Sub-Jail, Jajpur, Sub-Jail, Nayagarh, Sub-Jail, Parlakhemundi and Sub-Jail, Malkangiri, the Chairman, HPC directs the UTRCs Phulbani, Bhadrak, Jajpur, Nayagarh, Gajapati and Malkangiri to take urgent steps for decongestion of the Jails adhering to earlier directions of the HPC. The Chairman, HPC also instructs the D.G. Prisons to intimate regarding steps taken at their end for shifting of the prisoners from the overcrowded jails to some other Jails or to any other safe and secure premises. Till then, the concerned Jail authorities are to look after the health condition of all the prisoners so as to avoid the spread of COVID infection in the aforementioned Jails.

So far as lodging of 845 UTPs in different Jails of the state for the offences whose maximum prescribed punishment is imprisonment upto 7 years as intimated by the D.G. Prisons is concerned, the Chairman, HPC reiterates that the directives issued by the HPC on 21.05.2021 in its fifty-ninth meeting for release of prisoners by executing P.R. bond before the concerned Courts in appropriate cases should be followed by the stakeholders.

Further, the Chairman, HPC taking note of the gravity of the situation which requires immediate attention, requests the Principal Secretary, Home Department, Govt. of Odisha to ensure strict implementation of the directives of the Hon'ble Apex Court in Arnesh Kumar vs. State of Bihar by the Police Authorities or the arresting officers.

By Order
Sd/-
Member Secretary (I/c)
OSLSA