

Minutes of the meeting dated 25.06.2021 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-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 **17.06.2021 to 23.06.2021** as received from all the DLSAs 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	: 308
b)	No. of UTPs released on interim bail	: 172
c)	No. of convicts identified for release on parole/ furlough	: 7
d)	No. of Convicts released on Parole/Furlough/ Special Remission	: 0/0/0
e)	No. of prisoners found infected by COVID- 19	: 79
f)	No. of prisoners recovered from COVID-19	: 185
g)	No. of prisoners succumbed to COVID-19	: 0
h)	No. of prisoners kept in quarantine wards	: 1527

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.	Ganjam	Sub-Jail, Digapahandi	3 nos. On dated 19.06.2021	The infected inmates have been kept in isolation in a separate ward.	<p>i. Complete and full sanitization of the premises of Sub-Jail, Digapahandi.</p> <p>ii. COVID- 19 test of the other inmates who have come in contact with the affected inmates.</p> <p>iii. Shifting of sick persons to a Nodal Medical Institution in case of emergency.</p>
2.	Khurda	Sub-Jail, Khurda	34 nos. On dated 17.06.2021	After requisition to the CDMO, Khurda a team of Paramedic has been visiting the said jail to provide necessary treatment to the COVID affected prisoners on regular basis.	<p>i. To ensure that no other prisoners comes in close contact with the affected prisoners till they are cured.</p> <p>ii. To take immediate steps for sanitization of the jail premises.</p> <p>iii. To take immediate steps for admission of prisoner in Hospital in case any prisoner is found serious by following govt. protocol.</p>

3.	Jajpur	Sub-Jail, Jajpur	42 nos. On dated 18.06.2021	The positive UTPs have been confined and segregated in Ward No. 9 and 10 in a separate block of Sub-Jail, Jajpur with coordination of Dist. Administration and CDM & PHO, Jajpur. Necessary treatment & medicines are been provided as per the advice of the ADMO, DHH, Jajpur.	To take immediate precautionary measures for sanitization of the jail premises and wards as per the guidelines issued by Govt. in order to prevent the spread of COVID-19 inside the jail premises.
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III. Report submitted by Directorate of Prisons & Correctional Services, Odisha

1. The Asst. Inspector General of Prisons, Odisha vide memo No. 11085 dated 23.06.2021 intimated to the Member Secretary, OSLSA that in pursuance of Order dated 07.05.2021 passed by the Hon'ble Supreme Court of India in Suo Motu W.P.(C) No. 01/2020 as well as the decision taken by the High Powered Committee on 15.05.2021, communication has been made to the Superintendent of Biju Pattnaik Open Air Ashram, Jamujhari stating therein that the DG of Prisons & DCS, Odisha has granted Special Parole/Furlough for a period of 90 days each in favour of the convicts of the said jail who are found eligible for release on Special Parole/Furlough in order to tide over the pandemic subject to condition that they have surrendered in time to jails from last leave and not adversely reported thereafter inside jails or from local police. Usual Codal Procedures or records, sureties etc. has been followed along with COVID guidelines. During return, they have been advised to obtain COVID test report for safety of other inmates.
2. The DG Prisons & DCS, Odisha vide L. No. 11129 dated 23.06.2021 intimated the Member Secretary, OSLSA regarding steps being taken for shifting of prisoners from overcrowded jails i.e., Dist Jail, Phulbani, Special Sub-Jail, Bhadrak, Sub-Jail, Jajpur, Sub-Jail, Nayagarh, Sub-Jail,

Parlakhemundi and Sub-Jail, Malkangiri to some other jails or to any other safe and secure premises as per the following arrangement:

- i. 612 nos. of UTPS have been permitted to be shifted from above jails to less populated jails subject to trying court's concurrence for the same.
- ii. Superintendents of Police and District Magistrates of Bhadrak, Malkangiri, Kandhamal (Phulbani), Gajapati (Parlakhemundi), Nayagarh and Jajpur districts have been requested to select government buildings with adequate security, secured boundary walls in order to accommodate prisoners. Feasibility reports are still awaited from above districts except Gajapati and Nayagarh.
- iii. In the meantime, necessary action plan for 2020-21 and 2021-22 has been approved by government for construction of additional wards in different jails of the State. In this way, the scheduled capacity of some of the jails will be upgraded to accommodate 2994 more prisoners. It is also submitted that the new jail building of Special Sub-jail, Bhadrak will be constructed as its proposed land measuring Ac. 20.00 with a new capacity of 460. So, in future, the problem of overcrowding will not be sustained in most of the jails including the above.
- iv. Besides, in pursuance of order dated 01.06.2021, passed by the Hon'ble Supreme Court of India in Suo Motu W.P (C) No. 1 of 2020, the Govt. in Law Department have been moved to take immediate steps for release of 106 nos. of life convicts whose cases have been recommended by the State Sentence Review Board on different dates. Accordingly, the Govt. in Law Department have issued release order on 21.06.2021 in respect of 16 Life Convicts of different jails.

In view of the above reports and in wake of spread of the pandemic in the State, Chairperson, HPC instructed the DG Prisons as well as the Chairperson of UTRCs to expedite the process of shifting of identified prisoners to less populated jails to prevent spread of COVID- 19 infections amongst the prisoners inside jails.

The Chairperson, HPC in the minutes dated 11.06.2021 had requested all the stakeholders to submit report reflecting exact data in compliance of the directives of HPC in its minutes dated 21.05.2021 and had also requested the Principal Secretary, Home Department, Govt. of Odisha to intimate regarding steps taken at their end for 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 but till now no reports have been received. Therefore, the Chairperson, HPC again instructs all concerned to submit their reports at the earliest to be placed before the HPC in the next meeting.

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