

**Minutes of the meeting of the High-Powered Committee held
on 26.10.2021 through virtual mode with regard to
decongestion of jails in compliance to the directions of
Hon'ble Supreme Court in Suo Motu W.P.(C) No. 01/2020**

**Present:-Hon'ble Shri Justice Jaswant Singh, Executive Chairman,
OSLSA**

The Seventieth meeting of HPC is convened through video conferencing mode under the Chairmanship of the Hon'ble Executive Chairman in presence of the following members:

- a. **Shri Sanjeev Chopra, IAS, Additional Chief Secretary, Home Department, Govt. of Odisha.**
 - b. **Shri Santosh Kumar Upadhyay, IPS, Director General of Prisons, Odisha.**
- I. At the outset of the meeting, the Member Secretary (I/c) placed the following information for the period from **24.09.2021 to 21.10.2021** as received from all the DLSAs consequent upon holding of Under Trial Review Committee meetings in the districts for the aforementioned period, in view of the guidelines issued by the High-Powered Committee –

24.09.2021 to 30.09.2021

- | | | |
|----|---|----------------|
| a) | No. of UTPs identified for release on Interim Bail | : 338 |
| b) | No. of UTPs released on interim bail | : 190 |
| c) | No. of convicts identified for release on parole/
furlough | : 3 |
| d) | No. of convicts released on Parole/Furlough/
Special Remission | : 0/0/0 |
| e) | No. of prisoners found infected by COVID- 19 | : 0 |
| f) | No. of prisoners recovered from COVID-19 | : 172 |
| g) | No. of prisoners succumbed to COVID-19 | : 0 |
| h) | No. of prisoners kept in quarantine wards | : 1545 |

01.10.2021 to 07.10.2021

a)	No. of UTPs identified for release on Interim Bail	: 301
b)	No. of UTPs released on interim bail	: 131
c)	No. of convicts identified for release on parole/ furlough	: 5
d)	No. of convicts released on Parole/Furlough/ Special Remission	: 0/0/0
e)	No. of prisoners found infected by COVID- 19	: 0
f)	No. of prisoners recovered from COVID-19	: 172
g)	No. of prisoners succumbed to COVID-19	: 0
h)	No. of prisoners kept in quarantine wards	: 1381

08.10.2021 to 14.10.2021

a)	No. of UTPs identified for release on Interim Bail	: 206
b)	No. of UTPs released on interim bail	: 136
c)	No. of convicts identified for release on parole/ furlough	: 5
d)	No. of convicts released on Parole/Furlough/ Special Remission	: 0/0/0
e)	No. of prisoners found infected by COVID- 19	: 0
f)	No. of prisoners recovered from COVID-19	: 173
g)	No. of prisoners succumbed to COVID-19	: 0
h)	No. of prisoners kept in quarantine wards	: 1156

15.10.2021 to 21.10.2021

a)	No. of UTPs identified for release on Interim Bail	: 274
b)	No. of UTPs released on interim bail	: 51
c)	No. of convicts identified for release on parole/ furlough	: 5
d)	No. of convicts released on Parole/Furlough/ Special Remission	: 0/0/0
e)	No. of prisoners found infected by COVID- 19	: 0
f)	No. of prisoners recovered from COVID-19	: 173
g)	No. of prisoners succumbed to COVID-19	: 0
h)	No. of prisoners kept in quarantine wards	: 1134

II. Compliance Report by Directorate of Prisons and Correctional Services, Odisha to the previous directions of HPC

The DIG of Prisons (Hdqrs.), Odisha vide memo No. 17620 dated 01.10.2021 has intimated the Member Secretary, OSLSA that in pursuance of Order dated 16.07.2021 passed by the Hon'ble Supreme Court of India in Suo Motu W.P.(C) No. 01/2020 and as per the recommendation of the HPC dated 28.09.2021, communication has been done to the Superintendent of different Jails of Odisha stating therein that the DG of Prisons & DCS, Odisha has been pleased to extend the period of Special Furlough for the prisoners who have already been released from jails for a period of 150 days to a period of 180 days by extending the relief period by another 30 days.

1. Measures for implementation of the directions issued by Hon'ble Supreme Court in Suo Motu W.P.(C) No. 01/2020

- In view of the order of Hon'ble Supreme Court dated 16.07.2021 passed in Suo Motu W.P.(C) No. 01/2020, the DG Prisons is requested to take steps for extending the period of parole/furlough for the prisoners who have already been released from jails for a period of 180 days to a period of 210 days by extending the relief period by another 30 days.
- It is reiterated to follow the directions 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.
- The Chairman, HPC further reiterates to scrupulously follow the directions contained in **Arnesh Kumar vs. State of Bihar, (2014) 8 SCC 273** in its letter and spirit so as to avoid fresh crowding of jails during the pandemic by the

police (arresting officer) while making arrest in cases where the offences are punishable with less than 7 years imprisonment and by the concerned Courts during remand in such cases.

- It is also resolved by the committee that the Superintendent of respective jails shall obtain the bail applications of desirous Under Trial Prisoners covered by the SOPs issued by NALSA in December 2018 for grant of interim bail and forward the same to the trial Court who shall take up such application and dispose of expeditiously on merit preferably within 7 days after taking into consideration of their suitability for release on interim bail for a period of 90 days by imposing appropriate conditions. The DLSAs and TLSCs may render necessary legal assistance in this regard if required. (The above SOP of NALSA is available in the official website of NALSA/OSLSA).

2. Discussion on the direction issued by the Hon'ble High Court of Orissa in W.P.(c) No. 6610 of 2006

The members of the Committee thoroughly discussed the kind direction issued by the Hon'ble High Court of Orissa in W.P.(c) No. 6610 of 2006 in the case of Krushna Prasad Sahoo & others. As per the minutes dated 21.09.2021, it was decided to hold jail adalat on 4th Saturday of each month and accordingly the jail adalat was held on 06.10.2021 and 10.10.2021 by the respective districts at the first instance. And as per the earlier directions, the Member Secretary, OSLSA has filed the affidavit regarding the steps taken to conduct the jail adalat before the Hon'ble High Court of Orissa. Further, the DG Prisons & DCS, Odisha has sent an abstract showing circle-wise data with regard to 1770 nos. of UTPs who are now confined in Jails of State in cases below 7 years & 3 years as well as compoundable offences vide memo No. 18676 dated 26.10.2021 in compliance to information sought

under W.P (C) No. 6610/2006 and W.P (C) No. 3368/2014
filed by Krushna Prasad Sahoo Vs. State & others.

***Taking note of the above facts, the HPC directs
all the stakeholders to submit compliance report
regarding the above-mentioned directions issued by the
HPC to be placed in its next meeting.***

Sd/-

**Jaswant Singh J.
(Judge, Orissa High Court
&
Executive Chairman, OSLSA)**