

**MINUTES OF THE 12th MEETING OF THE HIGH POWERED COMMITTEE
CONSTITUTED AS PER DIRECTION OF HON'BLE SUPREME COURT'S
ORDER DATED 23/03/2020 IN SUO MOTU WP(C) NO. 1/2020 HELD
ON 24th MAY, 2021 AT 2.00 PM THROUGH JITSI MEET**

In pursuance of the direction of the Hon'ble Supreme Court, the High Powered Committee constituted to oversee the release of prisoners on bail/ parole as a measure to avoid congestion/ overcrowding in jails in the wake of the COVID-19 pandemic have held eleven meetings till date, i.e. on 31.03.2020, 09.04.2020, 24.04.2020, 07.07.2020, 15.09.2020, 06.10.2020, 04.12.2020, 5.01.2021, 22.01.2021, 01.03.2021 & 26.04.2021 respectively.

Keeping in view the recent directions of the Hon'ble Supreme Court of India to prevent the spread of second wave of COVID19 inside the jails, the 12th Meeting of the High Powered Committee is being convened on 24th May, 2021 at 2.00 PM through video conferencing with His Lordship Hon'ble Mr. Justice Kh. Nobin Singh, Chairman, High Powered Committee in the chair to discuss the following agendas:

Agenda No. 1: Compliance of the recent directions issued by the Hon'ble Supreme Court of India in Writ Petition(C) No. 1/2020 (In Re: Contagion of COVID 19 virus in prisons).

Agenda No. 2: Any other misc. matters with the permission of the Chair.

(i) Suggestions from Commonwealth Human Rights Initiative (CHRI) for consideration for the High Powered Committee in view of the second wave of pandemic.

(ii) Provisions of those prisoners who are tested positive for COVID19 before their admission into jails.



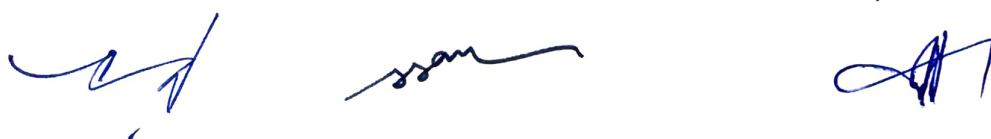
The following are present in the meeting:

1. P. DOUNGEL, Director General of Prisons , Manipur
2. Ojesh Mutum, Member Secretary, MASLSA.
3. H. Gyan Prakash, Special Secretary (Home), Govt. of Manipur
4. Dr. Th. Charanjeet Singh, Deputy Secretary (Home), Govt. of Manipur.
5. Sorokhaibam Sadananda, Deputy Member Secretary, MASLSA.

The Committee discussed in detail the directions contained in the Hon'ble Supreme Court's order dated 7th May 2021 passed in Suo Motu Writ Petition(C) No.1/2020 (In Re: Contagion of COVID 19 virus in prisons). In its order, Hon'ble Supreme Court directed to strictly control arresting accused in contravention of the guidelines laid down in Arnesh Kumar -vs- State of Bihar (AIR 2014 SC 2756) during the pandemic. Special Secretary (Home) placed before the Committee that order of the Hon'ble Supreme Court has been communicated to all the Police Stations.

The matter regarding special provisions for prisoners who are found Covid 19 positive was also discussed. DG (Prisons) placed before the Committee that for those inmates who are found Covid 19 positive, they are first shifted to quarantine prison, i.e. Ideal Teacher Training Academy, Sajiwa if their condition is stable. However, in case, their condition deteriorates, they are shifted to JNIMS Covid Care Centre. Similarly, for those accused who are remanded to judicial custody and are tested positive for Covid 19, they are straightaway kept at the quarantine prison. In case their condition deteriorates, they are shifted to JNIMS.

Suggestions from the Commonwealth Human Rights Initiative (CHRI) in view of the second wave of pandemic as communicated vide email dated 12.05.2021 is also discussed in detail by the Committee. The recommendation of CHRI to periodically monitor prison-wise occupancy



instead of state-level occupancy for determining the need for decongestion and the Reporting Format provided by CHRI is accepted by the Committee.

DG (Prisons), Manipur placed before the Committee that 9 prisoners from Central Jail, Sajiwa (all are first time offenders & mostly theft cases) may be considered for releasing them on interim bail. The Hon'ble Chairman, HPC also raised the matter regarding present occupancy rate at the jails and possibility for releasing other eligible prisoners in compliance of the directions of Hon'ble Supreme Court.

DG (Prisons), Manipur placed before the Committee that capacity of Central Jail, Sajiwa is 845 and presently 604 UTPs are lodged in the jails. Thus, the present occupancy rate is 71.48%. As regards, Central Jail, Imphal, the capacity is 250 and presently 44 prisoners are lodged in the jai. Thus, the occupancy rate is 17.6% only.

The Committee also discussed with regard to the functioning of Under Trial Review Committees (UTRCs) and effective implementation of NALSA's Standing Operating Procedure on the subject.

After, due deliberations and as agreed upon by all the members of the Committee, it is unanimously resolved that:-

- 1. It is resolved by the Committee that all the 9(nine) UTPs provided by the Jail Authority (enclosed as **Annexure-A**) are recommended for being considered for release on bail on PR bonds by the concerned court/ magistrate for an interim period upto **31st July, 2021** subject to such other conditions as may be imposed by them. It is however clarified that no prisoner shall be released without their consent. It is also clarified that in view of the lockdown and the curfew announced by the state government; the Prison Authorities, Police Department and the Home Dept are to arrange*



the logistics and transportation facilities for the released prisoners from the jails to their place of residences.

- 2. It is resolved that for those 24 UTPs whose interim bails have been cancelled by HPC in the previous meeting, the Home Dept. is to request the Police Dept. to expedite execution of summons or warrants, as the case may be, on priority basis so that their appearances can be secured before the Courts*
- 3. It is resolved that for the quarantine prison, necessary facilities as allotted to a Covid Care Centre should be provided by the Home Dept. in consultation with the Health Dept. The facilities should necessary include presence of doctor and other medical staff, medicines, regular monitoring of the oxygen levels, oxygen concentrators for emergency use etc.*
- 4. It is also resolved that Jail Authority is to submit monthly report in the format provided by CHRI, for detailing prison occupancy rate. First report for the month of May is to be submitted in 10 days. (Format of reporting is enclosed as **Annexure-B**).*
- 5. It is also resolved that the Home Dept shall, on priority basis, constitute proper UTRCs for Ukhrul and Kakching/Jiribam/ Kamjong/ Tengenoupal/ Kangpokpi/ Noney/ Pherzawl Districts in the manner as communicated by MASLSA vide letter No. 8/38/2015-MASLSA/231 dated 27.04/2021 & No. 8/38/2015-MASLSA/234 dated 27.04/2021.*




A copy of this Resolution be sent to:


1. The Chief Secretary, Government of Manipur, for information and necessary action;
2. The Director General of Police for necessary action and providing logistics and other assistance as may be prescribed;
3. The State Home Department for necessary action;
4. The concerned courts for necessary action.
5. Superintendent of Central Jail, Imphal and Central Jail, Sajiwa for information and necessary action;

Next meeting of the Committee will be held tentatively on third week of July, 2021 or in case if any urgency arises in between, the State Home Department and the jail authorities can move for convening the meeting of the HPC.


The meeting thus concluded with the permission from the chair.



(P. Doungel)
DG (Prisons)



(H. Gyan Prakash)
Special Secretary (Home)
(Representing the Chief
Secretary)



(Justice Kh. Nobin Singh)
Executive Chairman
MASLSA

