

Government of Punjab
Department of Jails
(Home-7 Branch)

To

- 1 All District & Sessions Judges in Punjab
- 2 All Deputy Commissioners of Districts in Punjab
- 3 All CPs/ SSPs of Punjab
- 4 All CMOs In Punjab
- 5 All Superintendents of Jails in Punjab.

Memo no. 12/16/2020-2H7/439-443

Dated Chandigarh : 27/04/2021.

Respected Sir/Ma'am

Sub: Minutes of meeting of the 7th Meeting of High Powered Committee held under the Chairmanship of Hon'ble Justice Mr. Ajay Tewari, Judge, Punjab and Haryana High Court, Chandigarh and Executive Chairman, Punjab State Legal Services Authority, Chandigarh, at 1200 hrs on 23-04-2021.

Kindly refer to Govt. of Punjab memo no. 12/16/2020-2H7/708-719 dated 26-3-2020, 2-5-2020, 7-8-2020, 20-11-2020, 27-11-2020 and dated 10-02-2021.

2. A meeting of the High Powered Committee constituted in pursuance of the directions of the Hon'ble Supreme Court of India in SMWP (C) no. 1/2020 (RE: Contagion of COVID -19), was held on 23.04.2021. The objective of the meeting was to review the implementation of the recommendations of the previous meetings and to consider steps to be taken for safety of jails and jail inmates in the present situation of COVID-19.
3. The minutes of the meeting are hereby forwarded to the all concerned for strict compliance of the recommendations contained therein.

Encls: As above.

Jagtar Singh
Superintendent 27.4.2021

Endst No. 12/16/2020-2H7/444-451

Dated Chandigarh 27/04/2021

A copy of the minutes of meeting is forwarded to the following for information and further necessary action

- 1 Chief Secretary, Government of Punjab
- 2 Additional Chief Secretary, Home Affairs and Justice, Government of Punjab
- 3 Principal Secretary Health and family welfare, Government of Punjab
- 4 Director General of Police, Punjab
- 5 Additional Director General of Police, Prisons, Punjab
- 6 Registrar General Punjab and Haryana High Court, Chandigarh
- 7 Member Secretary, PULSA for information of Hon'ble Executive Chairperson PULSA
- 8 Superintendent, Jail Branch

Encls: As above

Jagtar Singh
Superintendent 27.4.2021

Minutes-of-meeting of the 7th meeting of High Powered Committee held under the Chairmanship of Hon'ble Justice Mr. Ajay Tewari, Judge, Punjab and Haryana High Court, Chandigarh and Executive Chairman, Punjab State Legal Services Authority, Chandigarh, at 1200 hrs. on 23.04.2021.

The meeting was attended by the following officers/members of the High Powered Committee:

1. Mr. D. K. Tiwari, IAS, Principal Secretary to Government of Punjab, Department of Jails, Punjab.
 2. Mr. Praveen K. Sinha, IPS, Additional Director General of Police, Prisons, Punjab.
 3. Mr. R. K. Arora, Inspector General of Prisons, Punjab.
 4. Mr. Arun Gupta, Member Secretary, PULSA.
2. PS, Jails and ADGP, Prisons apprised the Chair regarding the action taken in compliance of the recommendations of the High Powered Committee's 6th meeting held earlier.

PROCEEDINGS OF THE HIGH POWERED COMMITTEE:

3. The issues discussed in the 7th meeting of the HPC and the decisions taken are detailed in the following para.

4. **Return of under-trial prisoners released on interim-bail:** ADGP, Prisons briefed the members about the current occupancy position of prisons and mentioned that prisons have around 95% occupancy. He mentioned that at present 75.50% prisoners are undertrials, and that it was around 87% at the time of last HPC meeting.

Decision: After due deliberations, the Committee recommends that the interim-bail of prisoners released on bail be extended till the next meeting of HPC or till the notification under the Epidemic Diseases Act, 1897 is inforce, whichever is earlier.

(Action: All DSJs and Concerned Judicial Magistrates)

5. **Initiation of legal proceedings against parole absconders:** ADGP, Prisons stated that out of 3180 prisoners who were due to surrender at designated jails in first seven (7) batches (till 21.04.2021), 301 prisoners have so far absconded, and all concerned Police stations have been informed to take necessary legal action against such absconding prisoners.



Decision: It was decided that the concerned police authorities, viz., the DGP/Pb. and concerned CPs & SSPs shall ensure prompt criminal action against all the absconding parolees, and ensure their timely arrest. ADGP, Prisons may take up the matter with concerned police authorities for absconding prisoners belonging to other States.

(Action: DGP, Punjab and Concerned CPs/SSPs)

6. **Waiving off condition regarding availing of parole on quarterly basis:** ADGP, Prisons apprised the Chair that during the process of phase-wise surrendering of prisoners from parole, most of the prisoners have exhausted the 8 weeks of parole, for which they were eligible in the first six (6) months of 2021. Hence, it is likely that a large number of prisoners would be applying for availing parole in the months of July-August 2021, which may create logistical issues while releasing and taking back a huge number of prisoners together.

Decision: The following decisions were taken regarding release of prisoners on regular parole in 2021:

(a) Government may issue a notification for waiving off the condition of availing parole on quarterly basis as was done last year (2020).

(Action: PS, Jails)

(b) To ensure even spread of release of prisoners on parole over the remaining months of the current year, Jail Superintendents shall seek preferred dates for availing remaining parole from all prisoners by 10th of May 2021. Once the data is available, it shall be examined whether during any particular period, more than 30% of prisoners have sought parole. In case more than 30% prisoners seek parole during any period, preference shall be given to prisoners who have returned earlier from last parole. It shall be ensured by all Superintendents of Jails that not more than 30% convict prisoners be released on parole at particular any time, and the system of grant of parole should be absolutely transparent.

(Action: All Superintendents of Jails)

(c) In case prisoners have already availed parole for eight (8) or more weeks in first six months of 2021 before surrender, such prisoners shall be eligible only for 8 more weeks of parole in current year. In case a prisoner has availed less than 8 weeks' parole in current year before surrender, he shall be eligible to

avail the remaining period in the first six months of the current year and remaining 8 weeks in rest of the year.

(Action: All Superintendents of Jails)

7. **Return of prisoners from parole:** ADGP, Prisons apprised the Chair that the return plan of parolees had been divided into ten (10) rounds, out of which seven (7) rounds have been completed, and remaining three rounds are scheduled for 28.04.2021, 08.05.2021 and 18.05.2021. The last round which is scheduled for 18.05.2021, will constitute of those prisoners who are above 60 years of age and/or are suffering from co-morbidities.

Decision: It was decided that prisoners released on parole who are scheduled to surrender on 28-04-2021 and 08-05-2021 (8th and 9th batch) shall be admitted as per schedule. However, in view of prevailing conditions, parole of prisoners above 60 years of age and/or those suffering from co-morbidities shall be extended till next meeting of HPC or till notification under Epidemic Disaster Act, 1897 is in force, whichever being earlier.

(Action: All Superintendents of Jails)

8. **Regarding physical *peshi* (court hearings) of prisoners in Courts:** ADGP, Prisons apprised the Chair that many of the prisoners who have been found COVID positive in prisons seem to have contracted infection during court hearings. Hence, it would be desirable to keep physical *peshis* (court hearings) in abeyance till the situation normalizes and court hearings, if any, may be conducted through video conference.

Decision: It was decided that the Superintendents of Jails shall take up the matter with concerned District and Sessions Judges and apprise them of the risk of conducting physical appearances of prisoners. District and Sessions Judges may take suitable decisions at their level after examining the local prevailing conditions.

(Action: All DSJs and all Superintendents of Jails)

9. **Steps towards decreasing unrest in under-trial prisoners:** In the Minutes-of-Meeting of 3rd meeting of High Powered Committee held on 31-07-2020, at point no. 9 (Steps towards decreasing unrest in under-trial prisoners), sub-point 9.1 (a), DLSA of the concerned district where the jail is situated was asked to physically visit the jail every week and listen to the grievances of particularly the under-trial prisoners.

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Decision:

- (i) Keeping in view high risk of members of DLSAs becoming vectors for COVID, it was decided that instead of weekly physical visit, the members of DLSAs may conduct physical visit every alternate week and may conduct meeting over VC in the interim week.
- (ii) Also, Secretary DLSAs may ensure that all members are vaccinated at the earliest.

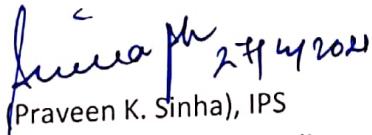
(Action: All DLSAs)


10. **Vaccination of jail officials and prisoners:** The Committee felt that vaccination of 100% prisoners and prison officials is critical in keeping the prisoners and prison staff safe. The pace of vaccination needs to show more urgency and speed.


Decision: The Committee directed all superintendents of jails to ensure 100% vaccination of prison officers/officials and of prisoners in the shortest possible time. A system of vaccinating new admission prisoners also needs to be put in place.

(Action: All Superintendents of Jails)

The meeting ended with thanks to the Chair.


(Praveen K. Sinha), IPS
Addl. Director General of Police,
Prisons, Punjab, Chandigarh.


(D. K. Tiwari), IAS
Principal Secretary,
Jails, Punjab, Chandigarh.


(Justice Ajay Tewari)
Chairperson,
State legal Services Authority
27/4/21