

**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/  
Dated Chandigarh :

Respected Sir/Ma'am

Sub: Minutes of meeting of the 6<sup>th</sup> 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 1230 hrs on 05-02-2021.

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 and dated 27-11-2020.

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 5.02.2021. 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.

- Sd -  
Superintendent

Endst No. 12/16/2020-2H7/ 95-101

Dated Chandigarh 10/2/2021

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

Encls: As above

Jagtar Singh  
Superintendent 10/2/21

Minutes-of-meeting of the 6<sup>th</sup> 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 1230 hrs on 05.02.2021.

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, PUI 5A.
2. PS, Jails and ADGP, Prisons apprised the Chair regarding the actions taken in compliance of the recommendations of the High Powered Committee meetings held earlier, and also regarding the various actions taken by the Prison Department since the directions of the Hon'ble Supreme Court of India in the Suo Motu Writ Petition(Civil) no. 1/2020 in its Order dated 23-03-2020.

**PROCEEDINGS OF THE HIGH POWERED COMMITTEE:**

3. The issues discussed in the 6<sup>th</sup> meeting of the HPC and the decisions taken are detailed in the following para.

4. **Return of convicts released on parole:** ADGP, Prisons stated that at present, under-trials constitute approx. 85% of prison population with convicts making up the other 15%. The day-to-day functioning of the prisons has been negatively impacted due to low population of convicts.

4.1. The matter was discussed by the Committee and it was decided that further extension of the parole of the convicts released on parole in calendar year 2020 be discontinued and they be directed to report back to the designated prisons in a phased manner starting 17.02.2021 onwards as per schedule decided by ADGP, Prisons.

- 4.2. The return of prisoners released on parole in 2020 shall follow the following guidelines -
- (a) 'First out-first in' mechanism shall be followed - prisoners who have availed the longest period of parole would report back to the prisons first.
  - (b) Prison Dept. should prepare a schedule for return of approx. 650-700 prisoners in one batch every 9-10 days, starting from the 17<sup>th</sup> of February 2021.
  - (c) Prisoners as per above criteria shall be informed well in time to surrender at designated jails, where they shall be quarantined in the jail for 4 days (including the day of surrender), and COVID sample collected on 5<sup>th</sup> day.

- (d) All such prisoners shall be directed to report at the designated jail with a negative COVID test report (RT-PCR only) received within 3 days preceding the surrender. Those prisoners who surrender without a valid RT-PCR report shall not be returned back from jail, but shall be quarantined separately at the designated jail and tested on 5<sup>th</sup> day of quarantine.
- (e) Upon arrival of test result, prisoners who test negative shall be shifted to concerned regular jails. All COVID positive prisoners shall be shifted to Level-1 COVID Care Center at District Jail Ludhiana, or any other higher medical establishment, depending upon the severity of the case as per medical advice.
- (f) If any prisoner tests positive in the pre-admission test, s/he shall inform the Superintendent of the designated prison at the earliest possible. Such prisoners shall be asked to report on the 18<sup>th</sup> day from the date of result and in case of any prolonged medical treatment beyond this period, should carry a medical certificate from a govt. medical officer.
- (g) Parole of all the prisoners released on parole in 2020 and presently out on parole shall stand extended till the date on which they have been asked to surrender at the respective designated jails created for this purpose.
- (h) Prisoners above 60 years in age and those with chronic co-morbidities shall be taken back in the last batch of parole returnees, and shall also follow the aforementioned process of pre-admission negative report, quarantining and testing.
- 4.3 For prisoners released on parole in calendar year 2021, the following procedure shall be followed:
- (a) Prisoners released on parole in the year 2021 shall return to the respective Special Jails, as and when their parole period expires.
- (b) The parole availed by a prisoner in 1<sup>st</sup> & 2<sup>nd</sup> quarters of calendar year 2021 (even though released anytime in year 2020), shall be offset against the 8 weeks' eligibility for parole in 1<sup>st</sup> & 2<sup>nd</sup> quarters of 2021. If any prisoner returning as per schedule has availed less than 8 weeks' of parole in 1<sup>st</sup> & 2<sup>nd</sup> quarters of 2021, s/he shall be eligible for the remaining period within these quarters. However, if any prisoner has availed more than 8 weeks' parole in 1<sup>st</sup> & 2<sup>nd</sup> quarters of 2021, s/he shall be eligible for 8 weeks' parole in 3<sup>rd</sup> & 4<sup>th</sup> quarters.
- 4.4 Henceforth, all Superintendents of concerned jails shall process regular parole applications of prisoners in their custody only after successful completion of first 4 months after the conviction of those prisoners, in accordance with Proviso of Rule 3(2) of the Punjab Good Conduct Prisoners' (Temporary Release) Rules, 1963, which was kept in abeyance vide para 6(iii) of minutes of 1<sup>st</sup> meeting of HPC dated 25.03.2020.

- 4.5 All regular parole cases, henceforth, shall be processed as per the extant laws and rules, governing temporary release of prisoners read with guidelines mentioned at para 4.3 (b) above.

(Action: PS (Jails), ADGP (Prisons), Concerned District Magistrates and Jail Superintendents)

- 4.6 Prisoners released on Interim-bail: The Committee deliberated upon the question whether prisoners released on Interim-bail should also be brought back into the jails. It was decided that first the convicts released on bail should be asked to surrender and based on the experience and situation of COVID in the community outside, further decision shall be taken in next HPC meeting. In light of aforesaid, the Committee recommends the following:

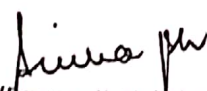
- (a) Interim bail of all under-trial prisoners released on Interim bail as per the recommendations of HPC to be extended till next meeting of HPC. The matter shall be examined in the next HPC meeting and suitable recommendation issued as per the extant situation at that point in time.
- (b) None of the previous recommendations of HPC for grant of interim bail to under-trials shall apply to any fresh case for grant of interim bail taken up by any court. This shall come into force from 12.02.2021. All applications for grant of bail may be dealt, henceforth, on merit on a case-to-case basis by all concerned courts.


(Action: All DSJs and Concerned Judicial Magistrates)


- 4.7 Resumption of physical *mulakaat*: The Committee examined the matter regarding resumption of interview/physical *mulakaat* and recommended that same shall remain suspended till next meeting of HPC with a view to gradually relax the COVID protocols. However, online *mulakaat* through ePrisons portal and Whatsapp shall continue as per the protocol established during COVID, and prison authorities should ensure that this facility is available to all prisoners in an equitable manner.

(Action: Concerned Jail Superintendent)

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