

**MINUTES OF THE 11<sup>th</sup> MEETING OF THE HIGH POWERED COMMITTEE FOR THE RELEASE OF PRISONERS ON BAIL/ PAROLE CHAIRED BY HIS LORDSHIP HON'BLE EXECUTIVE CHAIRMAN, MASLSA HELD ON 26<sup>th</sup> APRIL, 2021 AT 3.00 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 ten 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 respectively.

As requested by the Home Department & Jail Authority, the 11<sup>th</sup> Meeting of the High Powered Committee is being convened on 26<sup>th</sup> April, 2021 at 3.00 PM through video conferencing with His Lordship Hon'ble Mr. Justice Kh. Nobin Singh, Executive Chairman, Manipur State Legal Services Authority in the chair to discuss the following agendas:

*No. 1: Steps taken by the Home Department & Jail Authority to prevent the spread of second wave of COVID19 inside the jails.*

*No. 2: Present situation of UTPs/ Convicts with regard to the capacity & occupancy in both the jails.*

*No. 3: To consider the cases of **59 UTPs** and **4 convicts** as to whether their interim bail/ parole is to be extended beyond 30<sup>th</sup> April, 2021.*

*No. 4: Existing facility of video conferencing in the Jails and ensuring communication between the prisoners with their families & Advocate.*

*No. 5: Request made by the Chairman, Ideal Teacher Training Academy, ITTA, Sajiwa, Imphal East for withdrawal of security personnel from the Institute.*

The following are present in the meeting:

1. Shri P. Doungel, Director General of Prisons , Manipur
2. Smt. Golmei Gaiphulshillu, Member Secretary, MASLSA.
3. Shri H. Gyan Prakash, Special Secretary (Home), Govt. of Manipur
4. Dr. Th. Charanjeet Singh, Deputy Secretary (Home), Govt. of Manipur.
5. Shri Sorokhaibam Sadananda, Deputy Member Secretary, MASLSA.

In view of the increasing cases due to second wave of COVID-19, the Hon'ble Chairman, HPC directed to apprise the steps taken by the Home Department & Jail Authority to prevent the spread of second wave of COVID19 inside the jails.

DGP (Prisons), Manipur placed before the Committee that following steps are taken to prevent the spread of 2<sup>nd</sup> wave of COVID19 inside the jails:

- (i) As a precautionary measure, only the screened accused persons who have been tested RT-PCR are accepted in the jails.
- (ii) The staff who are free from cough and fever are called for duty inside the jails and those staff who go out for checkups/collecting medicines/court appearance are kept in isolation.
- (iii) Proper maintaining of hygiene and sanitization for the inmates and the campus
- (iv) Interview of the inmates reduced from thrice a week to only once a week except for legal consultation/family emergencies.
- (v) Proper screening of visitors before interview and communication through telephone is also allowed through authorized person, so that both the accused and the visitor are separated by an intimate distance.

DGP (Prisons), Manipur further placed before the Committee that the capacity of Manipur Central Jail, Sajiwa is 845 and presently (as on 25.04.2021) there are 607 UTPs in the jail and 51 prisoners are kept in isolation. For Central Jail, Imphal, the

capacity is 250 and presently there are 51 prisoners in the jail and 6 prisoners are kept in isolation.

Further, the Committee discussed in detail about the cases of 59 UTPs and 4 convicts whose interim bail/parole are to expire on 30.04.2021.

From the reports submitted by the concerned Courts, it is found that out of the 59 UTPs, the interim bails of 24 UTPs have been made absolute by the Courts. Another 5 UTPs have been found to be released by the Courts on the completion of statutory period under section 167 Cr. P.C. and on P.R. bond at first instance. As such the Committee will discuss only the cases of those UTPs whose interim bail has not been made absolute. Their details are highlighted as follows:

Sl. No.	Category of UTPs	Appearing	Not appearing	Dispensed	W/A issued or not found	Others	Total
1	Not absolute	6	18	Nil	6	Nil	30

The Committee discussed in length as to whether the interim bail period of these accused are to be extended or not. It has been suggested that those accused who are not appearing before the courts may be cancelled. However, in the wake of the second wave of the covid 19 pandemic, the interim bail period of those accused who are appearing before the courts may be extended.

As far as the 4 convicts are concerned, both the jail authority and the Home Department placed before the Committee that their period may be extended for another 3 months, as the covid situation may probably escalate.

As regards, the video conferencing facility inside the jails, DGP (Prisons), Manipur placed before the Committee that presently, video conferencing facility with courts is available with (i) CJM, IE/IW, (ii) JMFC, IW-2 (iii) Special Court ND&PS,

Bishnupur and (iv) Sessions Judge, IE. For families and Advocates, video conferencing is done by way of video calling through mobile phones and for other emergencies. For this purpose, prior communication is done by the authorized persons from the side of the accused with the designated staff of the jails. However, to maintain uniformity, it was mooted by the Chairman and the members of the HPC to issue standard SOP for this end. Further, it was also suggested by the Chairman to ensure that communication between the advocates and the accused is also allowed, vide any online means..

The Committee also discussed in detail regarding the representation filed by the Chairman, Ideal Teacher Training Academy, Sajiwa for withdrawal of security personnel from the institute. Hon'ble Chairman, HPC placed before the Committee that declaring of the College as a Quarantine Prison is a temporary arrangement and the said college cannot be considered as a permanent quarantine prison. Further, as the said Academy is a privately run institute, there must be some initiatives from the government's side to compensate any losses or to undertake such measures, lest their right to livelihood is violated. Both the Jail Authorities and the Home Department placed that in view of the present situation, the quarantine prison may be continued. However, it has been suggested that some memorandum of understanding needs to be chalk out between the institute and the government.

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

- (i) *All the precautionary measures are being taken up by the Jail Authority to prevent the spread of second wave of COVID19 inside the jails and sufficient space is also available in both the jails for accommodating new prisoners. However, in case of any unforeseen or urgent situation arises, the DGP (Prisons), Manipur may immediately inform the HPC for any review.*

- (ii) *It is resolved that the interim bail period of 6 UTPs (enclosed as Annexure – A) are recommended to be extended for 3 months, i.e. from 1<sup>st</sup> May, 2021 to 31<sup>st</sup> July, 2021. State Home Department is requested to move the concerned courts for the same.*
- (iii) *It is also resolved that the interim bail of 24 UTPs (who are not appearing before the Courts or warrant of arrest have been issued or are not found) are recommended to be cancelled by the concerned courts (enclosed as Annexure-B). Necessary steps may be taken by the courts concerned; state home department and state police department may undertake all such measures to apprehend or otherwise secure their appearance on priority basis.*
- (iv) *It is also resolved that the State Home Department may take such steps for extending the period of parole of the 4 convicts for 3 months, i.e. from 1<sup>st</sup> May, 2021 to 31<sup>st</sup> July, 2021 (Annexure C).*
- (v) *It is also resolved that the DGP (Prisons), Manipur may prepare a standard SOP for video conferencing/ video calling between the prisoners and Advocates and family members to ensure that communication is not denied to the accused and also to prevent congregation of people in jails.*
- (vi) *It is also resolved that the State Home Department shall take up necessary steps to chalk out a memorandum of agreement between the management of the Ideal Teacher Training Academy, Sajiwa and the state government so that the said Academy may be utilized further by the State Home Department. The Committee also requests the State Home Department to fully address the issues and concerns of the management committee so that their rights are also not hampered in the service of the nation.*

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 information 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.

**Sd/-**  
**(P. Doungel)**  
**DG (Prisons)**

**Sd/-**  
**(H. Gyan Prakash)**  
**Special Secretary (Home)**  
**(Representing the Chief**  
**Secretary)**

**Sd/-**  
**(Justice Kh. Nobin Singh)**  
**Executive Chairman**  
**MASLSA**