

**MINUTES OF THE 7<sup>th</sup> MEETING OF THE HIGH POWERED COMMITTEE CONSTITUTED IN TERMS OF ORDERS DATED 23/03/2020 AND 07/05/2021 OF THE HON'BLE SUPREME COURT IN SUO MOTU WRIT PETITION (C) NO. 1/2020**

The High Powered Committee comprising of the following met on 10/05/2021 at 1:00 pm (by Video Conferencing):

- (i) Justice M. S. Sonak, Chairperson of the Goa State Legal Services Authority;
- (ii) Mr. Parimal Rai, Principal Secretary (Home)/Chief Secretary and
- (iii) Mr. Srinet Kothwale, Inspector General of Prisons and Member Secretary.

1. At the outset, the Committee was briefed that the capacity at the Central Jail, Colvale is 625, which is the only Jail that is functional in the State of Goa, and it has 539 inmates only. Out of this, there are 97 male convicts and 05 female convicts. The rest are undertrial prisoners. It was noted that there is no issue of overcrowding in this Jail.

2. The detailed bifurcation and status of prisoners is indicated here below:

1.	Total Capacity	625 inmates
2.	Present Occupancy	539 inmates
3.	Inmates (male)	519 (convicts -97, undertrials-422)
4.	Inmates (female)	20 (convicts-05, undertrial-15)
5.	Inmates on parole	08-(Male-08, Female-00)
6.	Inmates on furlough	06 (Male-06, Female-00)
7.	Male convict foreign nationals	04

8.	Female Convict foreign National	02
9.	Male undertrials foreign National	48
10.	Female undertrials foreign National	02
11.	Inmates tested COVID Positive	10 (placed in isolation block, all are asymptomatic, 1 is recovered)

3. The Committee was further informed about the testing of prisoners and Jail Staff carried out for COVID-19, the details of which are indicated below:

**(a) Details of COVID 19 status of Jail inmates**

Sr. No.	Number inmates tested	COVID 19 Positive	COVID 19 negative	Awaited	Recovered	Vaccination
1.	180	10	67	103	1	Will commence shortly

**(b) Details of COVID 19 status of Jail staff**

Sr. No	Staff CJC	Strength	COVID 19 Positive	Recovered	Vaccination
1.	Jail	174	08	3	45 taken both dose and 7 single dose
2.	IRBn	113	12	2	35 taken both dose and 47 taken single dose
3.	Escort	91	18		30 taken both dose and 4 single dose

4. Details of prisoners who are life convicts and undergoing sentence of above seven years but less than fourteen years, who were released on parole/furlough last year and their present status:

S r. N o.	Number of life convicts released on parole last year due to Pandemic	Number of convict who surrendered	Number of convict who did not surrender	Released by Government in view of High Court Order	Recently released on parole	Presently in Jail
1	40 +16	54	02	02	14	38

The Committee was informed that during the year-2020, 40 prisoners who were undergoing life sentence and 16 prisoners who were undergoing sentence of above 7 years were also released. Out of these 40 prisoners, 25 prisoners are presently confined in Jail, 11 prisoners are on parole/furlough, 2 prisoners are released vide Government /High Court order and 2 have jumped the parole (one prisoner has been arrested by U.P. Police and is undergoing trial, whereas in case of the other prisoner, the Jail Authority has filed an FIR). Whereas, in case of the above mentioned 16 prisoners, all have reported back to the Jail, and subsequently, 3 prisoners are on parole/furlough and 13 are confined in Jail.

5. The Committee was also apprised about the S.O.P. and COVID care initiatives taken at Central Jail, Colvale which inter-alia includes sanitation facilities made available to the inmates and Staff, hygiene and other protection measures adopted, isolation wards available at Jail, 15 bedded hospital inside the Jail and Medical Officer attached to the Jail and the supply of 5 numbers of standby oxygen concentrators to be

made available to COVID positive prisoners who may be require oxygen in case of an emergency. It was also informed to the Committee that special sanitization of entire Jail premises is carried out through the Directorate of Fire & Emergency Services, Panaji besides regular sanitization being carried out by the Jail Administration. The Committee was also informed that a special vaccination drive through Directorate of Health Services is planned to be carried out shortly for vaccination of inmates who are in the age group of 45 years and above. It was also informed that the Medical Officer of Central Jail, Colvale is taking all precautionary measures in providing necessary amenities as per the required protocol for the infected inmates.

6. The Committee was apprised that directions are issued by the Home Department to the DGP for strict compliance of directions contained at Para 9 of the Order dated 07/05/2021 passed in the Suo Motu Writ Petition (C) No.1/2020 by the Hon'ble Supreme Court of India.

7. The Committee was also informed that the details of prisons occupancy will be uploaded on Goa online portal (goaonline.gov.in)

8. Based upon the aforesaid, the High Powered Committee took the following decisions:-

#### **DECISIONS OF THE COMMITTEE**

- (A) The situation of the COVID cases in the prison at Central Jail Colvale was taken note of.
- (B) The prisoners who were earlier released in year-2020 with sentence of 7 years and less (presently only 4 prisoners are

lodged/remain in the Central Jail, Colvale) and additional 13 prisoners who are eligible during current pandemic period (total 17 prisoners) be released on parole for an initial period of 30 days and for further period after due review by the Committee, after obtaining their willingness.

- (C) It was also decided that the Under-Trial Review Committees, which are headed by Principal District Judges should take appropriate and timely decisions in the matters of grant of bail, including those who have made representations for bail.
- (D) The Committee noted that during the year-2020, 40 prisoners undergoing life sentence and 16 prisoners undergoing sentence of 7 years and above, be also released on parole on a case to case basis; after obtaining their willingness, for an initial period of 30 days and for further period after due review by the Committee.
- (E) The period of parole and furlough in respect of prisoners who are at present on parole and furlough, could be extended further for a period of 30 days at first instance, subject to obtaining their willingness and on obtaining application to that effect from the concerned prisoners, and further period subject to further review of their period by the Committee.
- (F) The Committee decided that no convicts including foreigners and/or convicted in heinous crimes should be released on parole.
- (G) The committee further decided that the convict prisoners who are convicted for serious economic offences/bank scams and offences under Special Acts (other than IPC) like PMLA, NDPS,

UAPA etc., which provide for additional restrictions for grant of concessions in addition to those considered under Cr.P.C., may not be considered for release on parole. So also, no parole to be granted in case of prisoners who have jumped the earlier parole.

(H) It was further agreed that the next meeting of the High Powered Committee be tentatively scheduled on 24/05/2021 (Monday) at 1:00 PM through video conference mode subject to prior confirmation from the Hon'ble Chairman.

sd/-

**Chairman**

sd/-

**Member**

sd/-

**Member Secretary**

**Place:** Altinho, Panaji and Secretariat, Porvorim, Goa.

**Date:** 10<sup>th</sup> May, 2021.