

MINUTES OF THE 8th MEETING OF THE HIGH POWERED COMMITTEE CONSTITUTED IN TERMS OF ORDER DATED 23/03/2020 OF THE HON'BLE SUPREME COURT IN SUO MOTU WRIT PETITION (C) NO. 1/2020 HELD ON 24/05/2021 AT 1:00 PM THROUGH VIDEO CONFERENCING.

The High Powered Committee comprising of the following met on 24/05/2021 at 1:00 pm (by Video Conferencing):

- (i) Justice M. S. Sonak, Hon'ble 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. The Committee was briefed about the Statistics on prisoners admitted at Central Jail, Colvale which is tabulated hereunder :-

Sr.No.	Particulars	Population details
1.	Total capacity of Central Jail, Colvale	625 inmates
2.	Present occupancy (as on 24/05/2021)	474
3.	Inmates (Male)	457 [convicts - 56] [undertrials - 401]
4.	Inmates (Female)	17 [convicts - 03] [undertrials - 14]
5.	Inmates presently released on Parole	50
6.	Inmates presently released on Furlough	06

7.	Inmates awaiting release on parole from prison inspite of order issued by Department	08 family members of these prisoners have not yet received these prisoners (curfew/transportation related problems/completion of procedure)
8.	Male Convicts (Foreign Nationals)	04
9.	Female Convicts (Foreign Nationals)	02
10.	Male Undertrials (Foreign Nationals)	48
11.	Female Undertrials (Foreign Nationals)	02
12.	Applications Rejected	01 (violation of parole conditions during last release etc).
13.	Applications pending (Parole)	Nil
14.	Applications pending (Furlough)	Nil

2. The Committee was further informed about the status of 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 (as on 24/05/2021)

Sr. No.	Number inmates tested	COVID 19 Positive	Reports Awaited	Recovered
1.	583 (All)	01	2	31

(b) Details of COVID 19 status of Jail staff (as on 24/05/2021)

Sr. No	Staff CJC	Strength	COVID 19 Positive	Recovered	Vaccination
1.	Jail	174	03	13	78 taken both dose and 51 single dose
2.	Indian Reserve Battalion (IRBn)	113	5	10	27 taken both dose and 63 taken single dose
3.	Goa Human Resource Development Corporation GHRDC	30	2	1	Not taken

3. The Committee was briefed about the compliance on the decisions taken by the High Powered Committee in its 7th meeting held on 10/05/2021 :

Sr. No.	Particulars of decisions	Compliance status
1.	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	- As on 24/05/2021, 08 prisoners are granted parole for an initial period of 30 days under this category.
2.	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.	- Minutes of Meeting are circulated amongst the Sessions Courts (North & South) and GSLSA on 13/05/2021.

3.	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 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.	- As on 24/05/2021, 42 prisoners are granted parole for an initial period of 30 days under this category.
4.	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	- All the prisoners who were earlier on parole/furlough are being given an extension for the period of 30 days in the first instance case by case.
5.	The Committee decided that no convicts including foreigners and/or convicted in heinous crimes should be released on parole	- None such prisoners have been released on parole.
6.	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.	- None such prisoners have been released on parole.
7.	Updation of prison occupancy on website	- Prison occupancy is uploaded regularly on website goa.gov.in and goaprison.gov.in . The last updation was done on 24/05/2021.

4. The Committee was also apprised about one death case of undertrial prisoner reported on 16/05/2021. The said undertrial prisoner No.611/2020 (Mr. Yellappa Karbal, r/o Bagalkot, Karnataka) was admitted to Judicial custody on 13/10/2020 as per the remand warrant issued by the J.M.F.C. Margao in Criminal No.201/2020 u/s 302 IPC of Margao Town Police Station and was presently facing trial before the Sessions Judge, District & Sessions Court, Margao in the Sessions Case No.01/2021 suddenly collapsed at around 7:20 p.m. inside the Jail. Further that, immediately, he was taken to District Hospital, Mapusa in the ambulance available with Central Jail Colvale. He was declared dead by the Doctor who attended to him at District Hospital, Mapusa. As required under section 176(1A) of the Criminal Procedure Code, 1973, the incident of death of this prisoner is reported to the District Magistrate (North) and Chief Judicial Magistrate for further action in the matter. On 18/05/2021, the CJM, Panaji has directed the JMFC, 'A' Court, Mapusa to conduct Magisterial Inquiry into the matter and submit the report as per the procedure. The inquest panchanama (by Sub Divisional Magistrate, Sattari) and post mortem (in camera) is conducted at Goa Medical College & Hospital, Bambolim on 20/05/2021 as per the prescribed procedure. The exact cause of death could be ascertained only after further inquiry into the matter.

5. The Committee was also apprised about the COVID-19 care initiatives taken at Central Jail, Colvale which inter-alia includes :

- (a) Sanitation and health care measures which were placed before the High Powered Committee during its 7th Meeting held on 10/05/2021 are continued and regularly monitored.

- (b) 5 oxygen concentrators are installed in 15 bedded Hospital of Central Jail, Colvale.
- (c) 2 oxygen cylinders are procured and installed in the Hospital of Central Jail, Colvale.
- (d) Vaccination programme: Administering the vaccine for inmates is considered in terms of SoPs released by the Ministry of Health & Family Welfare, Govt. of India for the persons without prescribed Identity cards through CoWIN Portal. The vaccination drive is successfully carried out on 21st May' 2021 (*68 prisoners in the age group of 45+ age out of 82 prisoners. Whereas, 14 prisoners have refused to administer vaccine*). The vaccination drive for the balance inmates in the age group of 18 to 44 years and to balance prisoners who may consent to be vaccinated shortly in coordination with the Directorate of Health Services, Government of Goa.

6. The Goa State legal Services Authority has forwarded the copy of the Order dated 07/05/2021 of the Hon'ble Supreme Court in Suo Motu Writ Petition (C) No. 01/2020 to the Principal District and Sessions Judges, North and South Goa, as well as to the Secretaries, District Legal Services Authority, North and South Goa for necessary action.

7. The copy of the Order dated 07/05/2021 of the Hon'ble Supreme Court in Suo Motu Writ Petition (C) No. 01/2020 and copy of the Minutes of the High Powered Committee meeting dated 10/05/2021 was also forwarded to the Registrar (Adm.) High Court of Bombay at Goa, for compliance. The Goa State legal Services Authority has also published the decision of the High Powered Committee meeting held on 10/05/2021 on its website.

8. The Committee noted the aforestated compliances and after detailed deliberations following decisions are taken :-

DECISIONS OF THE COMMITTEE

- (1) Those inmates who were granted parole, pursuant to the Hon'ble Supreme Court Order dated 23/03/2020 should be granted parole for a period of 90 days instead of 30 days parole period as recorded in the Minutes of the 7th Meeting of the High Powered Committee held on 10/05/2020 (Para 12 of the Order dated 07/05/2021 of the Hon'ble Supreme Court of India).
- (2) The Under Trial Review Committee (North/South) be requested to apprise to the High Powered Committee ^{of} the decisions taken by them in pursuant to compliance of the directions contained in Order dated 23/03/2020 and 07/05/2021 of the Hon'ble Supreme Court.
- (3) The Standard Operating Procedure (SOP) formulated by the National Legal Services Authority for Undertrial Review Committees is already forwarded to the Secretaries, District Legal Services Authority, North and South Goa for the consideration of the Undertrial Review Committees (North/South).
- (4) In terms of Para 14 of the Order dated 07/05/2021 of the Hon'ble Supreme Court of India, the office of Inspector General of Prisons and Superintendent of Central Jail, Colvale shall consider to provide appropriate transportation facilities for the released inmates of the Colvale Central Jail, who may face issues of transportation due to curfews and lockdown restrictions.
- (5) One undertrial prisoner-Mr. Anand Gautam @ Basu lodged at Central Jail, Colvale has made representation dated 'nil' addressed

to the Committee Members and Goa State Legal Services Authority for release on emergency parole and release for a temporary period contemplated by the Order in the nature of a special privilege conferred by the Hon'ble Supreme Court of India amid the pandemic crisis. His application to be forwarded to the Undertrial Review Committee for appropriate action.

- (6) The situation of the COVID cases in the prison at Central Jail Colvale was taken note of.



Chairman



Member



Member Secretary

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

Date: 24th May, 2021.