

**Minutes of the Meeting of the High Powered Committee held  
on 13<sup>th</sup> May, 2021 at 11:00 AM through Video Conferencing.**

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| 1. Hon'ble Mr. Justice Ravi Malimath,<br>Judge, High Court of Himachal Pradesh and<br>Executive Chairman, HP State Legal Services<br>Authority | Chairperson        |
| 2. Hon'ble Mr. Justice Tarlok Singh Chauhan,<br>Judge, High Court of Himachal Pradesh  | Special Invitee    |
| 3. Shri Manoj Kumar, ACS (Home),<br>Govt. of Himachal Pradesh  | Member             |
| 4. Shri N Venu Gopal,<br>Director General, Prisons,<br>Himachal Pradesh  | Member             |
| 5. Shri Prem Pal Ranta,<br>Member Secretary, Himachal Pradesh State<br>Legal Services Authority  | Presenting Officer |


**Agenda: Implementation of the directions passed by the  
Hon'ble Supreme Court of India, in Suo Motu Writ  
Petition (Civil) No.1/2020 – In Re: Contagion of  
COVID-19 Virus in Prisons vide orders, dated  
07.05.2021.**

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Pursuant to the directions issued by the Hon'ble Supreme Court of India, in Suo Motu Writ Petition (Civil) No. 1/2020, In Re: Contagion of COVID-19 virus in Prisons, and considering the present COVID-19 situation, the High Powered Committee, after discussions and deliberations, have unanimously resolved to issue the following directions:

1. Those convicts who are at present on parole, should be granted parole for an additional period of 90 days.
2. Those convicts who have previously availed special parole,

of interim bail/parole/furlough, may be initially kept for a period of about seven days in "Isolation Cells" created/to be created in the jail or in any other premises declared as "Temporary Jail" and thereafter be sent to the concerned jail after appropriate medical check-up and clearance, in order to prevent their intermingling with inmates, who are already in jail.

7. The Under Trial Review Committees (UTRCs) will follow the recommendations/guidelines issued by this Committee from time to time along with NALSA's Standard Operating Procedure (SOP) in their weekly meetings.
8. In Order to tide over the pandemic, the Competent Authorities shall not unduly delay the consideration of release of the inmates, under section 432 of the Code of Criminal Procedure, 1973.
9. The DLSAs in coordination with the Jail Authorities shall assist in identifying those prisoners who may be eligible for pre-mature release, but who were unable to do so for one reason or the other by providing necessary legal assistance, and the Jail Authorities shall forward their cases to the Competent Authorities on urgent basis for consideration.
10. The prison occupancy of each jail be updated on the website of the Jail Authorities.

 The Director General, Prisons, Himachal Pradesh has assured compliance by Monday i.e., 17<sup>th</sup> May, 2021 and thereafter on the 1<sup>st</sup>. of every month.

11. The inmates as well as jail staff are entitled to proper medical facilities and COVID-19 safety equipments such as masks, sanitizers, PPE Kits (whenever required) etc. as

Kumar Vs. State of Bihar” reported in (2014) 8 SCC 273.

16. The DLSAs shall conduct sensitization programs of Police Officers/IOs through the digital mode within their jurisdictions, to follow/comply with the directions and guidelines as laid down by the Hon’ble Supreme Court in the case of Arnesh Kumar Vs. State of Bihar.
17. The decisions of the High Powered Committee be published in the websites of the Himachal Pradesh State Legal Service Authority/State Government and the High Court of Himachal Pradesh in order to enable effective dissemination of information to all.
18. The Compliance report of the decisions taken in the last meeting held on 27<sup>th</sup> March, 2020 be sent to the Member Secretary, HP State Legal Services Authority by Monday i.e., 17<sup>th</sup> May, 2021 for placing the same before the High Powered Committee.
19. The Compliance report of the decisions taken in this meeting be sent to the Member Secretary, HP State Legal Services Authority, on or before 24<sup>th</sup> May, 2021 for placing the same before the next meeting of the High Powered Committee scheduled to be held on 31-5-2021.

The meeting concluded with a vote of thanks to the Chair.

Minutes of the Meeting authenticated by Member Secretary, HP State Legal Services Authority.

  
**(Prem Pal Ranta)**  
Member Secretary, HPSLSA

**Item No. 2: Release of prisoners convicted with imprisonment upto 7 years**

The Committee has unanimously resolved that the Competent Authority will expedite the applications of eligible convicts to maximize release on parole/furlough or grant of emergency furlough as per rules and procedure.

**Item No.3: Offences to be excluded:**

Resolved to exclude the convicts/under trials involved in the following offences/cases:

- (i) The cases relating to Protection of Children from Sexual Offences Act;
- (ii) The crimes relating to sexual offences committed against the women;
- (iii) The offences relating to rioting and waging war against the State;
- (iv) The crimes relating to counterfeit currency;
- (v) Crimes against children relating to kidnapping;
- (vi) Crimes relating to anti corruption matters;
- (vii) The Crimes relating to commercial and economic offences;
- (viii) The crimes relating to Gangsters Act; and
- (ix) The crimes under NDPS Act relating to the recovery of commercial quantity and less than commercial quantity but more than small quantity.

**Item No. 4 Release of convicts under section 432 of the Code of Criminal Procedure, 1973**

It was also unanimously resolved that keeping in view the emergent and urgent situation which has resulted in arisen to the health crisis due to outbreak of novel corona virus

viii. District Magistrates and Superintendents of Police may make the arrangements for transmission of such prisoners on their release from jails to their respective places. The District Magistrates and Superintendents of Police may also be directed to ensure that policies and guidelines of the Government regarding complete lockdown shall not be violated during the process of transmission and the policy of social distancing be implemented in letter and spirit.

It was informed to the Chair by the two Members of the Committee that the jail authorities are taking every precaution to prevent the spread of corona virus (COVID-19) in Jails and health authorities have visited jails in Districts and have advised the prisons authorities regarding hygiene and SOP to be observed.

Video conferencing ended with vote of thanks to the chair.


Submitted, please.

**(Justice Tarlok Singh Chauhan)**

**(Shri Manoj Kumar)**

**(Shri Somesh Goyal)**

Minutes authenticated by Member Secretary,  
H.P. State Legal Services Authority

  
**(Prem Pal Ranta)**  
27.3.2020