

The minutes of the meeting of the High Powered Committee, constituted in compliance of the order dated 23.03.2020 by the Hon'ble Supreme Court of India in Suo Motu Writ Petition (C) No. 01/2020 in Re-Contagion of COVID-19 Virus in Prisons held on 22.09.2021 at 5.30 p.m. through virtual mode under the Chairmanship of Hon'ble Mr. Justice S. Talapatra, Executive Chairman of the Tripura State Legal Services Authority to discuss the following agenda:

AGENDA

1. Discussion and decision on the issue of inclusion of Medical Professionals, Medical Social Workers, Public Health Professionals, Health Department Officials and relevant Civil Society Organizations in High Power Committee to facilitate and monitor the release of prison inmates.
2. Discussion and decision on the issue of modifying the category of prisoners to be considered for release giving priority to their health status like age and sufferings from co-morbidities.
3. Discussion and decision on the issue of ensuring that the released prisoners and their families have timely access to medical care and relief measures such as food-rations and are not denied entitlements under National and State programmes.
4. Discussion and decision on the issue of increasing budget for prison health facilities, improvement of living conditions in prisons and appointment of requisite medical and other staff for protecting life, liberty and dignity of prisoners.
5. Any other matter with permission of the Chair.

Hon'ble Mr. Justice S. Talapatra, Judge, High Court of Tripura and Executive Chairman, TSLSA was in the chair.



The following Members were present:

1. Sri. Apurba Roy, IAS, Secretary, Home Department (Jail), Govt. of Tripura, Member of the High Powered Committee;
2. Ms. A. Majumder, Inspector General, Prisons, Govt. of Tripura, Member of the High Powered Committee;
3. Sri Jitendra Kr.Sinha, IAS, Principal Secretary, Social Welfare and Social Education Department, Govt. of Tripura, Invitee Member of the High Powered Committee;
4. Sri Subhasis Debbarma, Director of Health Services, Govt. of Tripura, Invitee Member of the High Powered Committee;

RESOLUTIONS

- 1. Discussion and decision on the issue of inclusion of Medical Professionals, Medical Social Workers, Public Health Professionals, Health Department Officials and relevant Civil Society Organizations in High Power Committee to facilitate and monitor the release of prison inmates.**

A District Level Committee with three members shall be constituted in each District for giving opinion to High Powered Committee about the efforts to be taken for decongestion in jails in response to the order of the Hon'ble Supreme Court of India and for giving suggestions for over all development of living conditions of the prisons. Senior Addl.District Magistrate in District HQ, Chief Medical Officer (CMO) of the District and District Secretary of District Legal Services Authority shall be the members of the committee. District Secretary of DLSA shall act as the convener of the committee. Before notifying the committee Hon'ble Executive chairman, TSLSA will discuss

with the Secretary of Revenue Department to request the concerned Addl. District Magistrate of every district to be the part of that committee. Committee shall move out and physically inspect the jails under the concerned district and submit their report by 31st Oct., 2021 to the Member Secretary, TSLSA for placing the same before the High Powered Committee .

2. **Discussion and decision on the issue of modifying the category of prisoners to be considered for release giving priority to their health status like age and sufferings from co-morbidities.**

Ms A.Majumder, IG, Prisons apprised the committee that at present age and co-morbidity factors are not considered at the time of recommendation for release of convicts in parole. Regarding the development of formation of parole committee in our State Ms Majumder pointed out that matter is discussed with the Law Department and the necessary steps be taken for formation of parole committee in our State after appropriate amendments in Act/Rules. Hon'ble Executive Chairman, TSLSA proposed that aged prisoners who are suffering from co-morbidities can be recommended at first for releasing them either on parole or on bail. Name of convict-prisoners sufferings from co-morbidities can be recommended for short term parole. List of Under Trial Prisoners (UTPs) sufferings from co-morbidities may be forwarded to the concerned court for consideration of their bail petitions along with other factors. Sri J.K.Sinha, Principal Secretary, SW & SE Department, Govt. of Tripura supported the

proposal of Hon'ble Executive Chairman. It was discussed that before making recommendation for granting parole or bail as the case may be it requires documentation in support of co-morbidities. As such IG, Prisons is requested to submit the list of prisoners sufferings from co-morbidities by one week with documentation only certified by concerned Medical Officers. The list of convict-prisoners sufferings from co-morbidities with documentation be forwarded under the seal and signature of High Powered Committee to the Government for consideration of their parole. Besides, list of UTPs sufferings from co-morbidity shall be forwarded to the concerned court for consideration of their bail.

- 3. Discussion and decision on the issue of ensuring that the released prisoners and their families have timely access to medical care and relief measures such as food-rations and are not denied entitlements under National and State programmes.**

Secretary, Food, Civil Supplies & Consumers Affairs Department, Govt. of Tripura has not joined in the meeting due to his pre-scheduled another meeting as informed. Hon'ble Executive Chairman, TSLSA expressed that bi-lateral discussion on this issue be taken up later on with the Secretary Food, Civil Supplies & Consumers Affairs Department, Govt. of Tripura. Committee discussed the issue as suggested by the Hon'ble Supreme Court of India and it was resolved that prisoners who are lodged in jails in this COVID situation their families should be looked after so that in absence of earning member, those families can be given minimum food support under different Central and State schemes after identification of families and

their financial status. Hon'ble Executive Chairman pointed out that it may not be possible to provide such benefits to all the families. But at least BPL families may be given such benefits to protect those families in this COVID situation. Sri J.K.Sinha, Principal Secretary expressed that there is possibility that all such families have already got such benefits. After thorough discussions on this issue IG ,Prisons is requested to prepare a list of convicts and UTPs along with their respective addresses who are languishing in jails and send the copy of list to the concerned Sub-Divisional Magistrate (SDM) by 3rd Oct.,2021 to confirm as to whether those families are getting benefits of Central/State Schemes of food support during this COVID situation and the financial status of those families. A copy of list shall also be forwarded to the Secretary, Food, Civil Supplies & Consumers Affairs Department, Govt. of Tripura and Director of Health Services.

4. Discussion and decision on the issue of increasing fund allocation for prison health facilities, improvement of living conditions in prisons and appointment of requisite medical and other staff for protecting life, liberty and dignity of prisoners.

IG, Prisons has submitted her report in terms of the meeting of High Powered Committee dated 10.09.2021 which includes the requirements of additional fund on this issue. Matter will be discussed after getting reports from all the District Level Committee.

5. Any other matter with permission of the Chair.

No matter.

6. The Member Secretary shall ensure compliance of this resolution.

The meeting ended with thanks to the chair.

By Authority

(S. Bhattacharjee)

Member Secretary

Tripura State Legal Services Authority