

**MINUTES OF THE HIGH POWERED COMMITTEE IN RESPECT OF
GRANTING PAROLE/INTERIM BAIL TO PRISONERS OF PRISONS IN
THE STATE OF ARUNACHAL PRADESH**

In pursuance of the order of 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, the High Powered Committee (HPC) meeting held via Video Conference on 09.06.2021 at 04:00 PM.

The Committee has gone through the details report of prisoners'(convict/UTP), furnished by the jail authority to consider their release on parole or interim bail in terms of the order under reference. Also taken note of new SOP laid down by NALSA for release of prisoners. Subsequent letter received from Member Secretary, NALSA, dated 10.05.2021, whereby new SOP, regarding EARLY ACCESS TO JUSTICE at Pre-arrest, arrest, remand stage, and SOP for UTRC [with reference to WP(C) No. 406/2013 in RE-Inhuman conditions in 1382 prisons] have been provided.

The report furnished by the jail authority does not reflect the prison-specific population to assess about the overcrowding in jail premises, which may warrant decongestion. Further, as the UTRC is already in place to examine the prisoners entitled for release on bail, in terms of the 14 categories as mandated in the SOP, so, this Committee is to examine the report of UTRC in this regard.

The reporting format for monitoring of COVID-19 in prisons, received from Commonwealth Human Rights Initiative (CHRI), to assist the High Powered Committee, appeared to be proper to include all the information regarding the prisons. Appreciating the report made by the CHRI, this Committee also resolved to collect all the relevant data as given in the format-(i) to (vii), which will help this Committee to address the issue effectively.

The Committee after threadbare discussion, overall the issues of prevailing situation under pandemic, and population in the respective jails, sub-jails and other criteria of medical facilities, following resolutions were made.

RESOLUTION

1. Furnishing of data as per Commonwealth Human Rights Initiative (CHRI) format:

Jail authority will furnish compiled status of prisoners upto 1st week of June 2021, as per Commonwealth Human Rights Initiative (CHRI)

format on or before 15.06.2021 to be placed before the High Powered Committee (HPC) on 18.06.2021.

2. Avoid unnecessary arrest & remand:

With a view to control and limit the authorities from arresting the accused, the Director General of Police of the State is hereby directed to instruct all the Police officials not to automatically arrest persons, and to ensure strict compliance of the Supreme Court order in *Armesh Kumar -Vs- State of Bihar*; (2014) 8 SCC 273, so as to avoid unnecessary arrest and detention.

The Home Department, Govt. of Arunachal Pradesh shall write letter to the Director General of Police (DGP) in this regard.

3. Compiled report of Under-Trial Review Committee (UTRC) meeting till 1st week of June be furnished to the High Powered Committee at next meeting:

The Member Secretary, Arunachal Pradesh, State Legal Services Authority (APSLSA), shall give necessary direction in this regard to all the District Legal Services Authority (DLSA), to conduct Under-trial Review Committee (UTRC) meeting within this week and submit the compiled report to the High Powered Committee, prior to next meeting to be held on 18.06.2021.

4. Compliance of the National Legal Services Authority (NALSA) SOP by Under-trial Review Committee (UTRC):

- i) Functioning of UTRC is to be conducted in strict compliance of the procedure mandated in the SOP and compilation of all reports be placed before the HPC, prior to next meeting.
- ii) The UTRC will consider the release of vulnerable and old-aged prisoners, women including pregnant women and the prisoners suffering from co-morbidities and all other 14 categories laid down by the Hon'ble Supreme Court.
- iii) From the list of UTPs in District Jail, Jolly, Itanagar, it reveals that certain prisoners were admitted in prison far back in 2014 to 2019 and trial has not begun despite charge sheets laid. For instance, NLG PS Case No.