

Minutes of Meeting dated 14th January, 2021 at 5:00 p.m. through Video Conferencing (Cisco Webex) under the Chairpersonship of Hon'ble Mr. Justice Vipin Sanghi, Judge, High Court of Delhi & Executive Chairperson, Delhi State Legal Services Authority

The Meeting was attended by following Officers /Members of High Powered Committee through Video Conferencing:

1. Shri B.S. Bhalla, Principal Secretary (Home), Govt. of NCT of Delhi
.....**Member**
2. Shri Sandeep Goel, Director General (Prisons), Delhi**Member**
3. Shri Kanwal Jeet Arora, Member Secretary, Delhi State Legal Services Authority (DSLISA).

The meeting commenced with formal welcome of Hon'ble Mr. Justice Vipin Sanghi, Judge, High Court of Delhi & Executive Chairperson, Delhi State Legal Services Authority. The members of the committee introduced themselves to the Hon'ble Executive Chairperson, DSLISA; and also briefed Executive Chairperson about the various aspects and their respective roles in implementation of the suggestions and recommendations of the HPC from time to time.

Agenda: Effective implementation of the directions issued by Hon'ble Supreme Court of India in Suo Motu Petition (Civil) No.1/2020 - In Re: Contagion of COVID-19 vide its orders dated 23.03.2020 and 13.04.2020

ITEM NO.1:- FOLLOW UP OF RESOLUTION ADOPTED EARLIER WITH RESPECT TO PREVENTION, SCREENING, IDENTIFICATION & TREATMENT OF PRISONERS AND JAILSTAFF

At the outset, **Sh. Sandeep Goel, D.G. (Prisons)** formally introduced himself and apprised the Hon'ble Chair, in detail, about concerted efforts of officers and officials of Jail Administration being made in following and complying with the **guidelines, instructions and resolutions** passed by this Committee in its earlier meetings. He further informed that by scrupulously complying with the resolutions adopted earlier they have been successful in keeping a check on the increase of cases of COVID-19, and have also been

successful in bringing down the number of active cases of **COVID-19 (Novel Corona Virus)** inside the jail premises.

D.G. (Prisons) informed the committee through his letter **No.PS/DG(P)/2020/17-22 dated 04.01.2021** that, as on 04.01.2021, the cumulative figure of **COVID -19** Positive cases in Delhi Prisons is as under:

<i>Prison Inmates</i>	:	115 (113 recovered, 02 expired, NIL Active case)
<i>Prison Staff</i>	:	290 (288 recovered, 02 Active cases)

However, D.G. (Prisons) during the course of meeting brought it to the knowledge of the Committee that **one inmate** of Jail No.13, Mandoli before being produced in court for physical hearing, was tested for **COVID-19** and found **positive**. He further submitted that "*contact tracing*" was done and **26 other inmates** of his barrack were also tested through "*rapid antigen test*". During this test, one more inmate was found **COVID-19 positive**. Both these inmates have been separately quarantined.

Hon'ble Chairperson directed D.G. (Prisons) to get RTPCR tests of these inmates conducted at the earliest and till then they be not allowed to mingle with other inmates of jail. DG (Prisons) has **assured** to do the needful.

D.G. (Prisons) also informed the Committee that in terms of the resolution adopted vide meeting dated **20.06.2020** as well as in subsequent meetings, Jail Administration is taking extra precautions with respect to inmates who are more than **55 years** of age, so that they are not '**immuno-compromised**'. D.G. (Prisons) has further assured the Committee that they shall continue doing the needful.

The Members of the Committee also deliberated upon the possible ways through which **COVID-19 (Novel Corona Virus)** can enter the jail premises. Deliberations were made for taking possible steps to prevent the spread of **COVID-19 (Novel Corona Virus)** through:

- (a) New entrants including the one's coming back to surrender after expiry of period of interim bail/emergency parole/furlough
- (b) Jail Staff, Paramilitary Staff, Medical Staff

- (c) Other persons entering the Jail premises for delivery of ration and other essential items.

Precautionary Measures for Jail Staff etc.

D.G. (Prisons) had informed that in view of resolutions passed by this Committee in the last meeting, they are **carrying out 'Rapid Tests'** of jail staff, para military staff and others, as per ICMR guidelines. He further informed that '**thermal screening**' of the jail staff is also being conducted before letting them enter the jail premises. He informed that jail staff are cautioned to wear **Mask** and to **maintain social distance**, while interacting with each other as well as with inmates. They are also cautioned to wear **Personal Protective Equipment Kit** as per need. DG (Prisons) has further informed that as suggested by the Chair, the jail staff is taking **two layer protection**, i.e. in addition to using face Mask they have also been provided with visor's, which they are using regularly.

He also informed that **till 04.01.2021**, a total number of **290 Jail Staff** were found **COVID-19 Positive**, out of which **288** have already recovered. He also apprised the Chair that at present there are only **02** active cases of jail staff, who are home quarantined.

D.G. (Prisons) further informed that as and when any jail staff is tested **COVID-19 Positive**, he/she is relieved from their respective duties and is asked to remain home quarantined. D.G.(Prisons) further informed that contact tracing is being done in such cases and all those who had come in contact with these Jail Staff, are being medically screened and tested. D.G. (Prisons) further informed that they have minimized the contact of jail staff, para military staff and others with the inmates, so as to prevent spread of **COVID-19** inside the jail premises.

Precautionary Measures qua New Entrants including the one's coming back to surrender after expiry of period of interim bail/emergency parole/furlough

Members of the Committee after deliberations, **reiterated** that in terms of the resolution adopted in the earlier meeting, **new entrants** should be kept in "**Isolation Cells**" so as to prevent their **intermingling** with other inmates who are already inside the jail.

In the earlier meetings of this Committee, it was resolved to create "**Isolation Cells**" in Jail No.1, Jail No.2, Jail No.4, Jail No.7, and Jail No.8/9 at Tihar and Jail No.15 at Mandoli comprising of **248** individual cells (with attached toilets) for the new male entrants who are above 21 years of age; and in Jail No.5 at Tihar for fresh inmates who are between 18-21 years of age. Whereas separate "**Isolation Cells**" were resolved to be created in Jail No.6 at Tihar for fresh women inmates.

Considering the fact that these "**Isolation Cells**" so carved out, may become fully occupied, therefore, it was resolved in the earlier meeting that requisition be made to Govt. of NCT of Delhi for allocation of Police Quarters, Mandoli situated adjacent to Mandoli Jail, for converting the said flats/quarters into a "**Temporary Jail**". It was resolved that these flats after allocation can be put to use for creation of "**Isolation Cells**", to keep the **new entrants** who are above 21 years of age, for initial period of 14 days, from the date of their entry.

Temporary Jail : Additional accommodation in Jail

Principal Secretary (Home) as well as D.G. (Prisons) informed the Chair that, for the creation of "**Temporary Jail**", to be used as "**Isolation Cells**", they have made **concerted efforts** for getting allocation of **12 towers**, each having **30 flats** from the Govt. of NCT of Delhi.

Principal Secretary (Home) informed the Committee that Govt. of NCT of Delhi vide Notification bearing **No.9/70/2020/HG/2427-2441 dated 31.07.2020** has been pleased to declare Police quarters in the Police Housing Complex adjoining Mandoli Jail, Delhi as "**Temporary Jail**", till further order, in view of **COVID-19** pandemic.

DG (Prisons) has also informed the Chair that Police Housing Complex, Mandoli consists of **12 Towers**, each having **30 flats**. With respect to their use as Temporary Jails, today DG (Prisons) has submitted that, now 06 towers out of 12 towers viz. B, C, D, E, I & J are **fully functional as "Temporary Jails"**. It is also submitted that at present they have housed **340 inmates** in these towers, which have been converted into "**Temporary Jail**". He has submitted that Towers G, H, K & L are also ready for housing the inmates,

and shall be made fully functional at the earliest. He also submitted that the two towers i.e. A & F have been kept reserved for accommodating outside security forces, so that their intermingling with jail staff is minimized.

Upon being apprised about the fact that **inmates** have been presently housed in the "Temporary Jail", and others are likely to be housed on their surrender, the Chair enquired about the **security measures** put in place by the Prison Authorities, in the said "Temporary Jail" for ensuring safety and security of the inmates; and for also ensuring that no untoward incident takes place while the inmates are housed in "Temporary Jail".

In response to the Chair's **curiosity** for the safety and security of the inmates housed in the "Temporary Jail", D.G. (Prisons) apprised the Chair about adequate measures undertaken for '*safety*' and '*security*' of the inmates housed in the "Temporary Jail".

He assured that all necessary precautions as per the **Standard Operating Procedures (S.O.P.)** and other protocols to be followed at the Jails, for the safety and security of the inmates, have been put in place in the "Temporary Jail". He also informed that requisite support has been taken by the Prison Administration from P.W.D to **seal** the portions of the "Temporary Jail", so as to check the unnecessary movement of the inmates inside the "Temporary Jail", especially restricting their accessibility to the Balconies of the Flats/Apartments which have been converted into "Temporary Jail". As such, the chances of escape of inmates from the Temporary Jails have also been checked and necessary precautions have been taken.

D.G. (Prisons) has further informed that once all Towers are made fully functional, then this "**Temporary Jail**" can house about **2000 inmates**. The Committee after getting this information from D.G. (Prisons) is of the view that the problem of creation of "**Isolation Cells**" for the **new entrants** in jails stand solved to a considerable extent.

In an eventuality of UTPs/Convicts surrendering in Delhi jails, pursuant to any order passed by the Court of Law, the Chair suggested that all such UTPs/Convicts may be **housed** initially for a period of 14 days in the **Temporary Jail** before sending them in the concerned Jail. D.G. (Prisons) assured the Chair to comply with this suggestion.

It is made clear that fresh male inmates who are between 18 to 21 years of age and fresh women inmates shall continue to be kept in separate **"Isolation Cells"** at Jail No.5 and 6 respectively at Tihar and Jail No.16 Mandoli, in terms of the earlier resolution.

Jail Hospital

Chairperson made enquiries regarding usage of **"Oxygen Concentration Machines"** in Jail Hospital as well as regarding **"Rapid Antigen Test Facility"** for the inmates. D.G. (Prisons) has informed that they have procured **04 "Oxygen Concentration Machines"** whereafter Delhi Health Department has also supplied them **15 "Oxygen Concentration Machines"**. Thus, sufficient number of **"Oxygen Concentration Machines"** are available in the Jail Hospital at Tihar, Mandoli and Rohini Jail Complex. D.G. (Prisons) has further informed that inmates are being tested as per the ICMR guidelines with **'Rapid Antigen Test'**. D.G. (Prisons) has further informed that they have **sufficient availability** and regular supply of **essential medicines** and **equipment** including **oximeters** and **oxygen cylinders** in the Jail Hospitals.

Other Precautionary Measures

D.G. (Prisons) further informed the Chair about the other measures being taken by the Jail Staff, prisoners and other persons working in Jail so as to prevent the outbreak of **COVID-19 (Novel Corona Virus)** inside the Delhi Prisons. He apprised the Chair that the principle of **'social distancing'** is being followed **scrupulously**. It has further been informed that common areas which are frequented by the inmates like Bathing area, Kitchen Area and Jail Telephone Area are being regularly cleaned and sanitized using appropriate disinfectant. D.G.(Prisons) further informed that necessary precautions i.e. **Do's and Don'ts** are being told to the inmates through **"Public Address System"** installed in Jails.

D.G. (Prisons) has informed that regular medical checkup of Jail Staff and inmates is being done through Jail doctors who have been advised to immediately inform the Jail Superintendent if they find or suspect any symptoms of **COVID-19 (Novel Corona Virus)** in any inmate so that necessary steps in terms of the advisory/guidelines issued by ICMR and Ministry of

Health, Government of India, can be taken. He further informed the Chair regarding the necessary steps that are being taken to practice, promote and demonstrate **Positive Hygiene Behaviour** in Jails.

D.G. (Prisons) has submitted that besides the above, they have adopted a multi-pronged approach to tackle the threat of **COVID-19 (Novel Corona Virus)**, i.e.:

- a **Discontinuation of all visit** of outside agencies, including NGOs.
- b **Restriction of movements** of inmates outside the wards in Jails.
- c **Sanitization and disinfection** of the lodgment areas of the inmates and residential complexes of staff, on **regular basis**.
- d **All new inmates are pre-screened** at CPRO before lodging them in jail.
- e **Procurement and distribution** of Personal Protective Equipment (PPE) Kit, Mask, Gloves, Alcohol-based hand rubs and Soaps.
- f **Formation of Special Task Force (STF)** for Contact Tracing of suspected **COVID-19 (Novel Corona Virus)** cases in all Jails.
- g **Psychological screening** of newly admitted inmates to properly manage their mental health issues.
- h **Emphasis on Kitchen hygiene** and proper handling of vegetables and other essentials by personnel in kitchen/ canteen.

D.G. (Prisons) has **assured** that the jail administration shall continue following these precautions and resolutions, so as to prevent the spread of **COVID-19 (Novel Corona Virus)** in the jail premises.

Committee is **satisfied** with the above steps being taken by D.G. (Prisons) and directed him to continue doing the same.

ITEM NO.2:- STEPS TAKEN TOWARDS SCREENING OF JAIL STAFF, PARA-MILITARY AND MEDICAL STAFF

Considering the possibility of **COVID-19 (Novel Corona Virus)** entering the jail premises through Jail Staff, para-military staff and medical staff, besides others and its outbreak amongst the inmates, deliberations were made by the Committee about the additional measures to be taken.

On being asked by the Chair regarding implementation of resolutions adopted in the previous meeting, D.G. (Prisons) has informed that all the officers and officials of Jail Administration are strictly abiding by all those directions and have adopted multi-pronged strategies to tackle the spread of **COVID-19 (Novel Corona Virus)** through Jail Staff and others, to the inmates.

D.G. (Prisons) has further informed the Chair that in terms of the directions given by this Committee for conducting **“Rapid Test”** of **above referred jail staff** according to ICMR guidelines, they have started getting this test conducted of the jail staff, as per need.

D.G. (Prisons) has further informed that **wearing of Mask** by the jail staff has been made **mandatory** and they have been cautioned to **maintain social distancing** while interacting with the inmates.

Committee is **satisfied** with the above steps being taken by D.G. (Prisons) and directed them to continue following the same. It is **resolved** accordingly.

ITEM NO.3:- TAKING STOCK OF THE EFFECT OF CRITERION EARLIER ADOPTED TOWARDS DECONGESTION OF JAIL

Number of inmates released pursuant to the criteria adopted earlier in terms of the orders passed by the Division Bench of High Court of Delhi dated **23.03.2020** as well as on the basis of criteria adopted by High Powered Committee vide **meetings dated 28.03.2020, 07.04.2020, 18.04.2020, 05.05.2020, 18.05.2020, 20.06.2020, 31.07.2020, 30.08.2020, 24.10.2020 and 28.11.2020** is put up before the Committee. Besides the number of inmates released pursuant to criteria adopted earlier, Committee has further perused the number of UTPs

released on **Personal Bond**, on the basis of orders passed by Hon'ble High Court in **W.P. (Criminal) No.779/2020**. The figures are also mentioned in letter of D.G. Prisons, bearing **No.PS/ DG(P)/2021/2072-73 dated 09.01.2021**.

The same was perused by the Committee which is as under:-

UTPs released on interim bail till 09.01.2021	3499
UTPs released pursuant to modification of bail orders by Hon'ble High Court in W.P.(Criminal) No.779/2020	310
Convicts released on Emergency Parole	1184
Convicts released on remission of sentence till 09.01.2021	130
TOTAL UTPs/ CONVICTS RELEASED ON INTERIM BAIL/PAROLE/ REMISSION OF SENTENCE TILL 09.01.2021 as part of decongestion effort under the aegis of Hon'ble HPC	5123

INTERIM BAIL:

Members of the Committee, reminded themselves of the object for which it was formed by **Hon'ble Supreme Court of India** in "*Suo Motu Petition (Civil) No.1/2020 – In Re: Contagion of COVID-19*" i.e. for determining **class/category** of prisoners who can be released on **interim bail/parole** depending not only upon severity of offence, but also on nature of offence and/or any other relevant factor.

This Committee was constituted by Hon'ble Supreme Court owing to the unprecedented circumstances created due to the Pandemic, resulting into lockdown and restricted functioning of the Courts, and for decongesting the jails, so that **principle of social distancing** can be followed and spread of **COVID-19** can be prevented inside the prisons. Members of the Committee also reminded themselves of the subsequent order dated **13.04.2020** of Hon'ble Supreme Court, whereby Hon'ble Supreme Court has clarified that it has not directed the States to **compulsorily** release the prisoners.

On the basis of directions of Hon'ble Supreme Court, the Members of the Committee reminded themselves that for fulfilling the object of its formation, it is to be kept in mind that the benefit of interim bail granted in such circumstances, **cannot** be to the detriment of **social order**.

Members of the Committee are of the opinion that this arrangement is made on **temporary basis** and was never meant to supplement the otherwise recognized 'principles of grant/refusal' of bail. Further, these measures were taken when owing to the lockdown and prevailing circumstances there was restricted functioning of the Courts. The situation however has changed considerably now, therefore, this temporary measures **cannot be extended** till perpetuity.

Keeping in mind the orders **No.40-3/2020-DM-I(A)** dated **30.09.2020** passed by Govt. of India regarding **Unlock-5** effective from **15.10.2020**, and taking into consideration consequent change in circumstances including the Office Order **No.35/RG/DHC/2021** dated **14.01.2021** of Hon'ble High Court whereby all the Courts including High Court of Delhi and Courts subordinate thereto have **resumed functioning** through physical mode/Video Conferencing mode, this Committee, has decided **not to further relax** the criteria for the purposes of recommending grant of interim bail to the UTPs.

It was also made clear in last meeting and is resolved again that benefit of the criteria adopted by this Committee in its earlier meeting, which as per the last meeting were to continue till **30.09.2020**, is **not being extended** any further.

It was **though clarified** earlier but the same is being **reiterated** again that the criteria adopted by this Committee for release of prisoners on "**Interim Bail**" in its meetings dated **28.03.2020, 07.04.2020, 18.04.2020, 05.05.2020, 18.05.2020, 20.06.2020, 31.07.2020, 30.08.2020, 24.10.2020 and 28.11.2020** shall in **no way** affect the rights of other UTPs, who **do not** stand covered under these categories, from invoking the jurisdiction of concerned courts for grant of regular/interim bail. The concerned courts on filing of applications by such UTPs may **consider** the same **on merits**, in accordance with law.

REMISSION:

On inquiry by Chairperson, it is informed by D.G. (Prisons) that **'remission to the eligible convicts'** was granted by Hon'ble Lieutenant Governor of Delhi in terms of recommendations of High Powered Committee dated **28.03.2020** vide **order No.F.9/63/2020 dated 07.04.2020**. He further informed that as per the said Office Order, benefit was initially extended to **72 convicts**, who were released on remission of sentence.

D.G. (Prisons) further informed the Committee that Hon'ble L.G. vide order No.F.9/63/2020/HG/2184 dated 21.07.2020 had directed to extend the **benefit of remission to the convicts** who would become eligible for the same upto **30th September, 2020**. It is brought to the notice of the Committee that on the basis of fresh Office Order **33 more convicts** were released on remission on sentence, taking the total to **105**.

It is further informed by the D.G. (Prisons) that again, the Govt. of NCT of Delhi has extended the orders of 07.04.2020 for grant of Special Remission upto **31.12.2020**. Accordingly, **25 more convicts** have been released. As such, as on 09.01.2021 the benefit of **remission has been extended to 130 convicts**.

Chairperson **appreciated** the efforts put in towards the implementation of resolution adopted in earlier meetings, by Govt. of NCT of Delhi, Jail Administration and DSLSA.

ITEM NO.4:- FEEDBACK REGARDING EXTENSION OF INTERIM BAIL GRANTED TO UTPs IN TERMS OF RESOLUTION ADOPTED IN THE MEETING DATED 30.08.2020

Kanwal Jeet Arora, Member Secretary, DSLSA has informed the Committee that a **letter dated 30.11.2020** was written by him to the Ld. Registrar General, High Court of Delhi in terms of directions given in the meeting of the HPC dated **28.11.2020**.

On the basis of said letter, **Hon'ble Special Bench** in "Writ Petition (Civil) 3080/2020", titled "Court on its own Motion Vs. Govt. of NCT of Delhi & Anr." vide its order dated **02.12.2020** extended the **'interim bail'** so granted to the **3499 UTPs** for a **further period of 45 days** from the date their earlier interim bail is expiring.

D.G (Prisons) has informed the Committee that period of **extended interim bail** as well as the period of interim bail granted to UTPs on the basis of criteria laid down by this Committee on 28.11.2020 (which constitute **3499 UTPs**) is going to expire w.e.f.20.01.2021 onwards.

D.G. (Prisons) brought to the notice of the Committee that if **3499 UTPs** and **1184 convicts** who have been granted '*interim bail/emergency parole*' under different criteria laid down by this Committee, are asked to surrender, then the total population of Delhi Prison is likely to **reach** more than **21,500**, which would be **unprecedented** and may become **unmanageable** owing to the present situation and circumstances.

He also informed that till date only on one occasion the maximum population of Delhi Prisons has touched **18,000**.

D.G. (Prisons) informed the Committee that Govt. of NCT of Delhi vide orders dated 08.01.2021 has already extended the period of emergency parole of 1184 convicts for further period of 4 weeks, which period shall now expire from 07.02.2021 onwards. He contended that it would be appropriate and reasonable, if the convicts granted emergency parole are made to surrender before the UTPs who have been released on interim bail.

D.G. (Prisons) further contended that considering the present prison population which is **16,396 (as on 12.01.2021)** and situation of COVID-19 in N.C.T. of Delhi, it would be appropriate, if '*interim bail*' granted to **3499 UTPs** under HPC criteria may be **extended** for a further period of **30 days**.

A letter dated 14.01.2021 written by D.G. (Prisons) to this effect is also brought to the notice of Committee.

Members of the Committee have gone through the letter dated **14.01.2021** written by D.G. (Prisons) and deliberated on the contentions raised by D.G (Prisons). Members of the Committee have also taken into consideration that the total capacity of Delhi Prison, which is as under:

S.No.	Jail Complex	No. of inmates
(a)	Tihar	5200
(b)	Rohini	1050
(c)	Mandoli	3776
Total		10026

Members of the Committee have considered that as on date against this capacity, there already are **16396 inmates**. Even if the additional accommodation of **2000 inmates** in the newly created 'temporary jail' is taken into consideration, it would be highly **inconvenient** for the jail authorities to accommodate UTPs/convicts released on '*interim bail/emergency parole*' under the criteria laid down by this Committee, if they are made to surrender simultaneously.

Considering the fact that convicts who would be surrendering after expiry of recently extended emergency parole, are required to be **kept in Isolation Cells** for a period of 14 days from their respective dates of surrender, Members of the Committee, therefore, found the contention raised by D.G. (Prisons) to be **reasonable**, that recommendation for extension of interim bail of 3499 UTPs may be made for a further period of 30 days.

Members of the Committee are of the opinion that it would be appropriate to prevent any **chaos or inconvenience** to the jail authorities, if the UTPs granted '*interim bail*' on the basis of criteria laid down by this Committee are asked to **surrender from February 2021**. As by that time the **quarantined/Isolation** period of convicts surrendering after expiry of their emergency parole, **would be over**.

Taking into account the cumulative effect of all these relevant factors, i.e. :

- (a) *Actual holding capacity of Delhi Prison,*
- (b) *Present occupancy,*
- (c) *No. of UTPs/convicts who are likely to surrender after expiry of interim bail/emergency parole.*
- (d) *Period of 14 days for keeping them in Isolation Cells before sending them to regular jail.*

Members of the Committee are of the opinion that **interim bail** granted to **3499 UTPs** under HPC criteria needs to be **extended** for a further period of **30 days** & recommended accordingly.

Member Secretary, DSLSA has further apprised the Committee that **Special Bench** so constituted by Hon'ble the Chief Justice, which had earlier extended interim bail vide order dated **02.12.2020** has listed the said matter on **18.01.2021**.

The Committee is of the opinion that in this regard, a judicial order would be required from Hon'ble High Court of Delhi and **recommends** accordingly. It is **clarified** that these **3499 UTPs** for whom recommendation is being made, are the ones who fall in any one of the criteria laid down by this Committee in its previous meetings, irrespective of the fact as to whether the application for interim bail on their behalf, was filed by **any private counsel** or by **panel lawyer of DSLSA**.

Member Secretary, DSLSA is directed to place these **recommendations** of the Committee by forwarding a copy of these minutes to Ld. Registrar General High Court of Delhi, for necessary action in this regard.

In the event of passing of any such order by Hon'ble High Court of Delhi on the basis of recommendations of this Committee, it is made clear that jail administration **shall inform** such UTPs about extension of their "**interim bail**" for a further period of **30 days** from the date, the earlier period of interim bail is expiring, telephonically. D.G. (Prisons) **assures** that jail administration shall do the needful and shall inform all such UTPs about the exact date of their surrender.

It is though apparent but is still being **clarified** that interim bail was granted to UTPs under the criteria laid down by this Committee by different Courts on **different dates for a period of 45 days**. This period of interim bail was extended on recommendations made by this Committee by **Division Bench of Hon'ble High Court** in "W.P.(C) 3080/2020", titled "Court on its own Motion Vs. State", initially vide orders dated **09.05.2020** for a period of **45 days** from the date their respective interim bail were expiring and the same **were extended** from time to time on **22.06.2020, 04.08.2020, 18.09.2020** and lastly on **02.12.2020** for a further period of **45 days**. Considering that these **3499 UTPs** were granted interim bail on **different dates**, thus their interim bail shall expire in a phased manner, therefore, **no separate dates are required** to be given for their **surrender**.

Needless to add that if the situation of COVID-19 in Delhi remains the same or reveals a declining trend, **no further extension of interim bail** shall be made by this Committee on the aspect of COVID-19. All such UTPs are at **liberty** to move their respective Courts seeking **regular bail** through their **private counsel** or by **panel lawyer of DSLSA**, as the case may be, and all such Courts may consider the bail application so filed **on merits, de hors** the criteria laid down by this Committee.

ITEM NO.5:- FEEDBACK REGARDING EXTENSION OF "EMERGENCY PAROLE" GRANTED TO THE CONVICTS BY GOVT. OF N.C.T. OF DELHI

D.G. (Prisons) has informed that on the basis of the earlier recommendation made by this Committee, Govt. of NCT of Delhi had granted **"Emergency Parole"** to the convicts initially for a period of **8 weeks**, which was subsequently extended from time to time by orders of Department of Home, Govt. of NCT of Delhi.

In compliance of the resolutions adopted by this Committee in its earlier meetings and also considering the situation of pandemic in Delhi earlier, D.G. (Prisons) was directed to send a requisition to Govt. of NCT of Delhi for extension of **"Emergency Parole"** already granted to the convicts.

Govt. of NCT of Delhi vide orders No.F.18/191/2015-HG/3823-29 dated **03.12.2020** extended the period of **"Emergency Parole"** for a further period of **6 weeks** to all such convicts whose parole was going to expire **on or before 09.01.2021**.

With regards to **further** extension of 'Emergency Parole' of **1184** convicts, a letter No.F. 10 (003598848)/CJ/LEGAL/PHQ/2020/506 dated **04.01.2021** written by D.G. (Prisons) to Special Secretary (Home), has been brought to the notice of the committee.

D.G. (Prisons) submits that considering the **Prison Population**, the said letter was written in pre-emption to ensure that there is no overcrowding inside the prisons. Principal Secretary (Home) informs the Chair that Home Department of GNCT of NCT of Delhi vide its order dated **08.01.2021** has extended the 'Emergency Parole' of **1184 convicts** for further period of **4 weeks**.

After considering the same, the committee is of the view that at present, as the 'Emergency Parole' of **1184** Convicts has already stands extended for a further period of **4 weeks**, therefore, there is no occasion for this committee, to make any recommendations in this regards.

It is however made clear that these recommendations were made taking into consideration the **COVID-19** situation in Delhi. Members of the Committee have resolved that in case the situation of **COVID-19** remains the same or shows **declining trend**, then it shall not recommend further extension of emergency parole for the convicts on grounds of **COVID-19**.

Minutes of this Meeting **be implemented** by all concerned, in anticipation of the signatures of Members and Chairperson of the Committee.

Meeting ended with *Vote of Thanks* to the Chair.

Sandeep Goel
D.G (Prisons)

B.S.Bhalla,
Principal Secretary
(Home), GNCTD

Kanwal Jeet Arora
Member Secretary,
DSLSA

Hon'ble Mr. Justice Vipin Sanghi
Executive Chairperson DSLSA