

PROCEEDINGS OF THE MEETING OF THE HIGH POWERED COMMITTEE HELD ON FRIDAY, THE 3rd DAY OF APRIL, 2020 AT 12.00 NOON. AT HIGH COURT OF KARNATAKA, BENGALURU.

PRESENT:

Hon'ble Shri. Justice Aravind Kumar, Judge, High Court of Karnataka & Executive Chairman, Karnataka State Legal Services Authority.

Members Present:

1. Sri. Umesh Kumar, The Principal Secretary (PCAS), Government of Karnataka
2. Sri. Alok Mohan, The Director General (Prisons & Correctional Services)

Special Invitee:

1. Sri Rajendra M. Badamkar, Registrar General, High Court of Karnataka
2. Sri. G Basavaraja, Member Secretary, Karnataka State Legal Services Authority, Bengaluru.
3. Sri Jayaprakash A, Deputy Secretary, Karnataka State Legal Services Authority, Bengaluru.

AGENDA

Effective implementation of the directions issued by Hon'ble Supreme Court of India on 23-03-2020 in Suo Motu Writ Petition (Civil) No. 1/2020 - In Re: Contagion of COVID-19.

In continuation of the meetings of the High Powered Committee held on 26th, 27th and 30th March, 2020 following action taken reports are placed on record.

I (a) Re: Release of Under Trial Prisoners (UTPs): In the light of guidelines issued by this Committee determining the class of prisoners who can be released on interim bail, UTPs in various Districts of the State have been released. Details thereof are as under:

Sl. No.	DISTRICT	UTPs
1	Bangalore Urban	100
2	Bangalore Rural	10
3	Bagalkote	21
4	Bellari	18
5	Belagavi	64
6	Bidar	7
7	Chamarajnagar	18
8	Chikkaballapur	25
9	Chikmagalore	5
10	Chitradurga	8
11	Mangalore	13
12	Davangere	8
13	Dharwad	22
14	Gadag	5
15	Hassan	20
16	Haveri	23
17	Kalaburgi	25
18	Kodagu	11
19	Kolar	13
20	Koppal	14
21	Mandya	14
22	Mysore	70
23	Raichur	2
24	Ramnagaram	30
25	Shivamogga	18
26	Tumkuru	7
27	Udupi	7
28	Karwar	10
29	Vijayapura	16
30	Yadgir	2
	Total	606

(b) Re: Release of convicts on parole: In the light of decision taken in the meetings of this committee held on 26th, 27th and 30th March 2020, the State in exercise of the powers vested under the Karnataka Prisons Act, 1963 and the rules made thereunder, has started the process for release of the prisoners on parole in various districts. The recommendations of the committee-DLC for release of the convicts on parole has also been taken into consideration by the State for exercise of the powers vested in it under the Act. The details of the convicts who have been recommended by the DLC's to be released on parole are as under:

Sl. No.	DISTRICT	CONVICTS
1	Bangalore Urban	NIL
2	Bangalore Rural	NIL
3	Bagalkote	NIL
4	Bellari	28
5	Belagavi	18
6	Bidar	NIL
7	Chamarajnagar	1
8	Chikkaballapur	NIL
9	Chikmagalore	2
10	Chitradurga	NIL
11	Mangalore	4
12	Davangere	NIL
13	Dharwad	13
14	Gadag	NIL
15	Hassan	2
16	Haveri	NIL
17	Kalaburgi	36
18	Kodagu	1
19	Kolar	NIL
20	Koppal	NIL
21	Mandya	2
22	Mysore	101
23	Raichur	NIL
24	Ramnagaram	NIL
25	Shivamogga	7
26	Tumkuru	NIL
27	Udupi	1
28	Karwar	NIL
29	Vijayapura	14
30	Yadgir	NIL
	Total	230

II. The Director General of Prisons has placed on record the fax message dated 02.04.2020 addressed to:

- (i) Inspector General of Police, Northern Range, Belagavi.
- (ii) Deputy Commissioner, Vijayapura District.
- (iii) Commissioner of Police, Bengaluru City.
- (iv) Superintendent of Police, Vijayapura, Bagalkot and Belagavi.
- (v) DIG, Prisons, Northern Range, Belagavi
- (vi) Chief Superintendents/Superintendent-Central Prison- Belagavi, Vijayapura, Bagalkot and Sub-Jail, Jamkhandi

whereunder, UTPs who are 175 in number and lodged in Central Jail, Vijayapura has been ordered to be shifted to various prisons in the State as indicated herein below:

From	To
175 UTPs from Central Prison, Vijayapura	1) 100 UTPs to Central Prison, Belagavi. 2) 50 UTPs to District Prison, Bagalkot 3) 25 UTPs to Sub-Jail, Jamakhandi (Bagalkot).

Likewise, UTPs who are 50 in number, in Central Prison, Mysore have been ordered to be shifted as indicated herein below:

From	To
50 UTPs from Central Prison, Mysore	1) 25 UTPs to District Prison, Tumkur. 2) 25 UTPs to Sub-Jail, K.R.Nagar, Mysore District.

These measures have been taken by the State authorities to decongest the over-crowded prisons and as a preventive step towards spread of corona virus in the prisons.

DGP Prisons has also placed on record the fax message forwarded to the Chief Superintendents/Superintendents-Bengaluru, Mysore, Belagavi, Kalaburagi, Shimogga, Bellary, Vijayapura and Dharwad intimating the jail authorities that while sending proposals for parole sanction to the Head Office, they should strictly forward the applications after scrutinizing the same strictly as per the provisions of The Karnataka Prisons Act and Rules, 2000 and amendments thereto. It is also intimated thereunder that prisoners undergoing imprisonment for the offences described thereunder which is also referred to by us in the proceedings of the meeting held on 30th March, 2020 shall not be considered for grant of parole and further instructions thereunder are to be scrupulously followed. Said fax message is placed on record.

III. DGP Prisons has stated that in 9 Central Prisons, 21 District Prisons and 15 Taluk/Revenue Prisons in the State, Medical Staff which has been sanctioned is not filled and as such, has requested the State authorities should be directed to fill up the posts immediately in order to ensure that all reasonable steps can be taken by the Prison authorities to check and prevent COVID-19 in the prisons.

Hence, Committee recommends to the State authorities to take immediate steps for appointment of the posts which have remained vacant by taking all reasonable steps in the light of prevailing situation in the State.

IV. Director General (Prisons and Correctional Services) has also placed on record the circular dated 02.04.2020 whereunder Nodal Medical Institutions have been identified for shifting of prison inmates in case of any possibility of COVID-19 infection being detected in any of the prisoners, in compliance of direction/observation of Hon'ble Apex Court in Suo Motu Writ Petition (Civil) 1/2020 dated 23.03.2020 whereunder Hon'ble Apex Court has observed:

“there should not be any delay of shifting sick person to a nodal medical institution in case of any possibility of any infection is seen.”

Said circular is placed on record as part of these proceedings. Health and Family Welfare Department should ensure that immediate steps are taken in this regard immediately as and when brought to its notice by the prison authorities. State Administration shall ensure that in respect of those prisons where there is no Medical Officer available as on date, a Doctor is deputed from the respective District to visit the prison atleast once in a day for conducting routine medical check up of inmates of the prison until further directions.

V. The Executive Chairman, KSLSA has consulted, interacted and under the guidance of Hon'ble Mr. Justice Mohan Shantanagoudar, Judge, Supreme Court of India who has been nominated by the then Chairman of NALSA as the guardian to look after the implementation of the Legal Services Programme in the State of Karnataka and following steps have been taken on health issues arising out of Corona Virus (COVID-19).

(a) Health Check up of all prisoners (UTPs and convicts) have been undertaken in all the prisons of the State with the monitoring by respective Chairman and Member Secretary, DLSA and TLSC.

(b) Face masks manufactured in all the Central Prisons in Karnataka are being supplied to the District Prisons and Taluk prisons to both personal staff and prisoners as a preventive measure is being monitored by respective DLSA and TLSC.

(c) Respective DLSA and TLSC across the State are coordinating with the State authorities for ensuring proper and timely supply of food or food grains to the workers-labourers who are stationed in schools, colleges and choultries by the State administration on temporary basis and same is being monitored.

(d) In all the Taluks, Para Legal Volunteers have undertaken creating awareness about Corona Virus (COVID-19) both preventive and steps to be taken in case of suspected patients by moving in an autorickshaw with loud speaker wherein recorded messages are being intimated.

(e) DLSA & TLSCs are also undertaking distribution of food grains to the needy through permitted transport vehicles.

(f) At village level, Tom Tom services is being implemented highlighting imminent necessity of norms for lock down being followed strictly.

(g) Posters depicting details of preventive measures of spreading of COVID-19, social distancing etc. are being publicized by affixing said posters at village Chavadi and at conspicuous places.

(h) Whatsapp messages of these posters have been forwarded to Para Legal Volunteers and panel advocates for being further forwarded to such of those groups with whom they are in contact.

(i) Member Secretary, DLSA and TLSC with the co-ordination of State administration, are taking following steps:

(i) Ensuring immediate assistance is extended to the victims of Corona Virus.

(ii) To co-ordinate the activities of different departments of the Government and the NGOs for bringing immediate relief.

(iii) To supervise the distribution of relief materials such as hand sanitizers, masks, hand gloves etc.

(iv) To ensure providing of food and water to the stranded workers and labourers.

(v) To ensure proper treatment is being extended to the victims and to co-ordinate with the District authorities.

(vi) To supervise Health care, Sanitation and take steps for preventing spread of epidemic.

(j) At the request made by ISKCON through Chair Person, Karnataka State Human Rights Commission, about 50 Para Legal Volunteers have been deployed for packing of grocery materials for being distributed to the needy.

(k) KSLSA has opened up 24 x 7 Help Line Service for the needy of COVID-19 and in the District of Tumkur, Help Line services are being provided in the entire district.

Sd/-

(Hon'ble Sri. Justice Aravind Kumar)

Sd/-

(Umesh Kumar)

Sd/-

(Alok Mohan)

Sd/-

(Rajendra M. Badamikar)

Sd/-

(G Basavaraja)

Sd/-

(Jayaprakash A)