

MINUTES OF THE MEETING OF THE HIGH POWER COMMITTEE HELD ON 07/04/2021

The High Power Committee (HPC) headed by Hon'ble Mr. Justice S. Serto & Executive Chairman, Nagaland State Legal Services Authority, with Shri. Abhijit Sinha, IAS, Principal Secretary (Home), Nagaland and Shri. Renchamo P. Kikon, IPS, Addl DG (Prison), Nagaland as members, constituted vide Govt. of Nagaland Notification No. Home/JL-3/COVID-19/2020 in pursuance of the directions of Hon'ble Supreme Court, passed in Suo-motu Writ Petition (C) 1/2020, in the wake of outbreak of pandemic Corona Virus, held its first meeting of 2021, on 7th April 2021 at 4:30 pm in the office chamber of the Hon'ble Mr. Justice and Executive Chairman, NSLSA, Kohima.

2. The HPC reviewed the existing Covid-19 situation in all the Jails in Nagaland in the wake of the rapid increase in the number of Covid-19 cases in several States in the Country. Since the State of Nagaland have also seen a spike in positive cases in the last week of March and slight increase in new Covid-19 cases in April 2021, the HPC directed that the earlier arrangements for making available sufficient beds in the isolation wards of the District Hospitals to accommodate the arrested persons testing positive for COVID-19 shall continue. In districts where isolation wards are not available in the District Hospitals or the numbers are not sufficient, some other suitable institutional facilities for isolation shall be earmarked for confinement of the arrested persons tested positive for COVID-19. In all such locations adequate security shall be provided by the Commissioner of Police/District Superintendents of Police. The HPC also reiterated that the arrangement for an attached doctor on regular basis for attending to the health issues of prisoners for the Central Jail Dimapur and District Jail Dimapur, which have comparatively higher number of prisoners shall be continued. The HPC also reiterated its earlier decision of mandatory Covid-19 testing of all arrested persons before being forwarded to judicial custody. Confirmed Covid-19 positive arrested person/s shall be evacuated to the District Hospital strictly adhering to all SOPs and guidelines under adequate security.

3. The HPC decided that physical production of the UTPs may be done as mandated by scrupulously following the Covid-19 SOPs and guidelines, sanitising the Crime Van/ vehicles used for the transportation of the UTPs, use of face mask and hand sanitizers and maintaining social distancing to the extent possible. Regarding virtual production of prisoners, the HPC revisited its decisions taken on 08.10.2020 with the BSNL to provide internet connectivity to the Central Jail and the District Jails in the State to establish and operationalize VC facilities for virtual production of the UTPs for hearing. The Chairman instructed the High Court Registry, Gauhati High Court, Kohima Bench to coordinate with BSNL, the Home Department and the Prison Directorate to expedite provisioning of connectivity to Jails by way of Lease Line, Mini Link and Radio Modem in a time bound manner and ensure submission of a

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detailed estimate by the BSNL as decided on 08.10.2020 in the meeting held through VC. The High Court Registry was also instructed to take up the proposal of Hardware requirement submitted by the Prison Department and the issue of connectivity with the e-Committee of the Supreme Court.

4. The HPC reviewed its earlier decision on Prisoners' Interview and agreed to relax the same. However, it reiterated that there should be no physical contact between the visitors and the prisoners and that the visitors should have a negative RAT (Rapid Antigen Test) certification at least 48 hours prior to the visit. All other SOPs, guidelines and Covid appropriate behaviour such as use of face mask, hand sanitizers etc shall be strictly adhered to by both the visitor/s and the prisoner/s. Prisoners' Interview shall be allowed up to a maximum of twice a week subject to further review.

5. All arrested persons who are tested negative for Covid-19 and forwarded to judicial custody shall mandatorily be isolated in Quarantine Ward/s for a period of 10 (ten) days for further observation. Thereafter, if found asymptomatic all throughout, the prisoner/s shall be shifted to the respective ward. Symptomatic prisoner/s shall be subjected to further Covid-19 tests as per protocol.

6. The HPC reviewed the issue of Inter-Jail transfer of prisoner/s and considering the need decided to permit. After due approval from competent authority for Inter-Jail transfer of prisoner/s, the concerned Jail on receiving the prisoner/s shall isolate him/ her in the Quarantine Ward for 4 (four) days. On the 5th Day, the transferred prisoner/s shall be subject to RT-PCR/ TrueNat testing and on being tested Negative for Covid-19 shall then be released from the Quarantine Ward to their respective ward. The HPC reiterated that the aforesaid protocol shall be scrupulously followed along with all the other Covid-19 SOPs and guidelines during the transfer, transit and acceptance process by concerned jail authorities.


7. On skill development courses and conduct of certificate examinations in various Jails where resource persons are required to come from outside, the HPC decided to allow resumption of such courses provided the resource persons get themselves tested for COVID-19 and produce a negative RT-PCR Covid-19 test report, with the test done not earlier than 48 hours prior to the proposed visit to the Jails. During the conduct of the courses and examinations, all Covid-19 SOPs, guidelines and Covid-19 appropriate behaviours shall be followed and for which responsibility shall rest on the jail authorities concerned.


8. Regarding the visitation of NGOs, Churches to jails, the HPC decided to relax the restriction. However, only a maximum of 2 (two) persons per NGO/ Church shall be allowed to visit the jails subject to production of negative RT-PCR Covid-19 test report, with the test done not earlier than 48 hours prior to the proposed visit to the Jails.

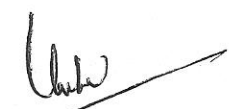
9. The Crime Vans and vehicles used for the transportation and escort of inmates/ prisoners to and from jails to hospitals and courts shall be thoroughly sanitised and all Covid-19 SOPs and guidelines shall be strictly complied during transit and production.

10. The HPC also took the considered view that the UTP Ward in all the District Hospitals should be made operational and the services restored to provide separate accommodation for UTPs requiring medical attention and during medical emergencies. Home Department shall issue necessary instructions in this regard and the concerned Jail authorities shall tie up with the District Police for adequate security.

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


Hon'ble Mr. Justice S. Serto
& Executive Chairman,
Nagaland State Legal Services Authority


Abhijit Sinha
Principal Secretary (Home)
Nagaland, Kohima


Rengchamo P. Kikon
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