

DELHI STATE LEGAL SERVICES AUTHORITY

(Constituted Under the 'Legal Services Authorities Act, 1987', an Act of Parliament)

Under the Administrative Control of High Court of Delhi

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PRESS RELEASE

Pursuant to spread of Corona Virus (COVID-19) across the globe and it being declared as pandemic by WHO, Hon'ble Apex Court took the issue of over-crowding of prisons, as a matter of serious concern, by way of **Suo Motu Petition (Civil) No. 1/2020 - In Re: Contagion of COVID-19.**

Govt. of NCT of Delhi in consonance to the directions had constituted a High Powered Committee consisting of Hon'ble Ms. Justice Hima Kohli, Executive Chairperson of State Legal Services Authorities, Principal Secretary (Home) and Director General (Prisons).

On earlier directions of this Committee, as on today **2962 inmates/convicts/UTPs** have been released on "Bail/Parole" for a period of 8 weeks.

In order to further decongest the jails, High Powered Committee on 18.04.2020 further relaxed with respect to those prisoners/UTPs who are suffering from **HIV, Cancer, Chronic Kidney Dysfunction (UTPs requiring Dialysis), Hepatitis B or C, Asthma, and TB** on '*interim bail*' for a period of 45 days. Relaxed criteria is as under:

- i. Under trial prisoners (UTPs), who are suffering from above mentioned illness(es) and are in custody for three months or more, facing trial in a case which prescribes a maximum sentence of 7 years or less;
- ii. Under trial prisoners (UTPs), who are suffering from above mentioned illness(es) and are in custody for a period of six months or more, facing trial in a case which prescribes a maximum sentence of 10 years or less ;

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- iii. UTPs who are suffering from above mentioned illness(es) and are in custody for a period of six months or more and facing trial in a case which prescribes punishment of 10 years upto life imprisonment and are not involved in multiple cases.

High Powered Committee decided **to exclude the following categories of UTPs**, even if falling in the above criterion, for being considered for interim bail:

- (i) Those inmates who are undergoing trial for intermediary/ large quantity recovery under NDPS Act ;
- (ii) Those under trial prisoners who are facing trial under Section 4 & 6 of POCSO Act;
- (iii) Those under trial prisoners who are facing trial for offences under section 376, 376A, 376B, 376C, 376D and 376E and Acid Attack;
- (iv) Those UTPs who are foreign nationals ;
- (v) Those under trial prisoners who are facing trial under Prevention of Corruption Act (PC Act) / PMLA, MCOCA ;
- and
- (vi) Cases investigated by CBI/ED/NIA/Special Cell of Delhi Police, Crime Branch, SFIO, Terror related Cases, cases under Anti-National Activities and Unlawful Activities (Prevention) Act etc.

Directions were given to Delhi State Legal Services Authority to file applications of UTPs falling in this criteria for interim bail. It is expected that on the basis of the relaxed criteria, approximately **50 UTPs** suffering from various illness(es) shall be released in coming 3-4 days.

High Powered Committee taking into account the lockdown call given by Hon'ble Prime Minister as well as to uphold the **principle of social distancing** has given requisite directions to the Director General (Prisons) & Police for safe transportation of the released prisoners to their respective homes, after proper medical screening of them.

**Delhi State Legal Services Authority
Patiala House Courts, New Delhi**