



ICA Newsletter

INSTITUTE OF CORRECTIONAL ADMINISTRATION, CHANDIGARH

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Editorial

The global impact of the coronavirus disease 2019 (COVID-19) is unprecedented. This has so far affected more than 10 million (end of June) in more than 210 countries. This pandemic has brought into focus the insurmountable challenges facing the health system throughout the world. The World Health Organisation (WHO) has warned that prisons around the world may expect a huge mortality rate from the corona virus unless they take immediate action. Prison systems globally have responded in various ways. Early in March, the Supreme Court of India took cognisance of this health risk. In a suo moto writ petition titled, 'Contagion of Covid-19 virus in prisons', the apex court directed the states to take measures to prevent the outbreak of the novel corona virus, and to achieve social distancing. It directed the states to respond to this challenge and reduce the prison population of overcrowded jails.

High-powered committees were set up in each state to implement the directions issued by the apex court on March 23. The newsletter covers this judgement. The judiciary in the country has no doubt acted with speed, and quite early on to help prevent this pandemic. Convicted prisoners as per the eligibility have been released on parole and furlough. Undertrials have been granted interim bail. The time periods of parole and interim bails have also been extended.

On behalf of the Institute of Correctional Administration, Chandigarh, I would like to convey our thanks and appreciation to all the frontline officers, health care workers and all the prison staff who risk their health on daily basis to care for persons under their supervision and keeping us and our society safer. The Institute of Correctional Administration (ICA), Chandigarh has joined the global campaign **#WeApplaud** along with other International Organizations like UNODC and ICPA to motivate the prison staff. Prison departments, which are usually neglected, have shown how good initiatives can be taken to benefit the community at large. Prisoners making masks, and also cooking food for the migrants, have helped the department to reach out to the community in a critical period. Every step counts as we fight this battle. A public health perspective needs to be developed for the corrections system.

There is a need for continued vigilance and minimising the spread of infection. The ongoing risks associated with the large numbers of infected people who remain asymptomatic is indeed challenging. The Institute is also adapting to the changing times and we are moving to online platforms for conducting training. We welcome your ideas in this regard. We wish everyone good health and stay safe.

Dy. Upneet Lalli
Deputy Director, ICA, Chd.

**Calendar of Courses / Workshops for Prison / Police Officers
during the period from January to June, 2020**

JANUARY, 2020			
1.	Course on ' Gender Sensitization in the Context of Crimes Against Women '	Prison officers HP & Chd.	07-10 January, 2020
2.	Three day Awareness and Capacity Building Programme on ' Drug Abuse ' in collaboration with the National Institute of Social Defence (NISD) Delhi	Prison officers	20-22, January, 2020
FEBRUARY, 2020			
1.	One-day Training Programme on ' Human Rights in Criminal Justice System ' in collaboration with the NHRC, New Delhi	Police/Prison Officers	12th February, 2020
2.	Course on ' Counselling Skills for Effective Policing '	Police Officers	25-28 February, 2020
MARCH, 2020			
1.	One-day Workshop on ' Gender Sensitization for Realizing Women's Rights '	Prison Officers and students	2nd March, 2020
MAY, 2020			
1.	Three On-line training sessions on ' Covid-19 Pandemic & Prison Management '	Prison Officers of Punjab, Delhi & Haryana	26 th , 27 th & 29 th May, 2020

**Courses / Workshops organized by the Institute of Correctional Administration, Chandigarh
for the period from 01.01.2020 to 30.06.2020**

Sr. No.	Name of Courses / Workshops	Course for	Dates	No. of Officers
1.	Course on ' Gender Sensitization in the Context of Crimes Against Women '	Police Officers	07-10 January, 2020	23
2.	Three-day Awareness and Capacity Building training programme on ' Drug Abuse '	Prison Officers	20-22 January, 2020	40
3.	One-day Training programme on ' Human Rights in Criminal Justice System ' for Police and Prison Officers in collaboration with NHRC, New Delhi.	Police & Prison Officers & Interns	12th February, 2020	45
4.	Training programme on ' Counselling Skills for Effective Policing '	Police Officers	25-28 February, 2020	17
5.	One-day Workshop on ' Gender Sensitization for Realizing Women's Rights '	Prison Officers & students	2nd March, 2020	24
6.	Three On-line training sessions on ' Covid-19 Pandemic & Prison Management ' through WebEx and Google Meet	Prison Officers of Punjab, Delhi & Haryana	26th May, 2020 27th May, 2020 29th May, 2020	26 20 25

**List of Prison, Police and Other Officers who participated in Training Courses
during the period from 01.01.2020 to 30.06.2020**

Total police officers trained	: 65	Total courses / workshops for prison officers	: 02
Total prison officers trained	: 134	Total courses / workshops for police officers	: 02
Others officers trained	: 00	Joint courses/workshop for Police and Prison	: 01
Interns	: 21	Online Training Sessions	: 03
Total officers trained	: 220	Total courses organized	: 08

Activities in the Institute from January to June 2020

Course on "Gender Sensitization in the Context of Crimes Against Women" for Police Officers

A four-days training programme on "Gender Sensitization in the Context of Crimes Against Women" for Police Officers of Himachal Pradesh and Chandigarh was organized from 07.01.2020 to 10.01.2020 in which 23 police officers of the rank of Inspector of Police to Sub Inspector of Police participated. The main objectives of the course were to sensitize the participants to the problem of gender inequalities and to inspire them to be just and fair in their dealings with women; criminal law amendments and laws and judgments related to crimes against women.

National wide Stakeholder Consultation on Safety of Women & Children on 9th & 10th January 2020

India Police Foundation in collaboration with BPR&D and Haryana Prisons organized two-day



Police Officers of HP & Chandigarh participating in a course on 'Gender Sensitization'

stakeholder consultation programme to discuss measures to improve women and children's safety. Dr. Upneet Lalli and her team including research fellow of ICA gave recommendations to address the challenge of sexual harassment at workplace.

Course on 'Drug Abuse' for Prison Officers

A three day sensitization training programme on the theme of 'Drug Abuse' was successfully organized by the Institute of Correctional

organized by the Institute of Correctional Administration, Chandigarh in collaboration with the National Institute of Social Defence, New Delhi for Prison Officers from 20.01.2020 to 22.01.2020 in the ICA, Chandigarh in which 40 prison officers were imparted training. The main objectives of this three day sensitization training program were : to provide basic knowledge about alcohol and drug abuse to the prison and correctional officers, its effect on individuals especially among prisoners; and to sensitize them

about treatment programmes for substance user. Sh. R.C. Nayyar, IAS, Advisor, Mahatma Gandhi State Institute of Public Administration, Chandigarh was invited as a Chief Guest for the Valedictory function.

Meeting of the Advisory Committee of the ICA, Chandigarh held on 10th February, 2020

A meeting of the Advisory Committee of the Institute of h was held under the



Nationwide Stakeholder Consultation on 'Safety of Women & Children' organized by the Haryana Police Department on 9th & 10th January 2020



Prison Officers attending the training programme on 'Drug Abuse'

Human Rights Commission, New Delhi organized a one-day Training Programme on 'Human Rights in Criminal Justice System' on 12th February, 2020 in the Institute. Total 45 Police and Prison Officers from the States of Punjab, Haryana, Himachal Pradesh and Chandigarh participated in this training programme. Law Interns from the Department of UIILS, Panjab University, Chandigarh also participated in the training programme. The main objectives of the training programme were to expose the participants to human rights provisions in UN

Instruments, Indian Legislation and various Supreme Court Judgments related to human rights; and to sensitize the officers about rights of women, children and other vulnerable groups. Prof. (Dr.) P.S. Jaswal, Vice Chancellor, Rajiv Gandhi National University of Law, Patiala was the Chief Guest who inaugurated the training programme. Hon'ble Justice Mr. S.N. Aggarwal, Former Judge Punjab Haryana High Court Chandigarh, was the Chief Guest for the Valedictory Session.

Course on 'Counselling Skills for Effective Policing' for Chandigarh Police Officers

A course on 'Counselling .2020 for the Police Officers of

Correctional Administration, Chandigarh was held under the Chairmanship of Sh. Arun Kumar Gupta, IAS, Principal Secretary Home-cum-Director, ICA on 10th February, 2020 at 3.30 PM in the Committee Room of the Institute to review and update curriculum for training; and evaluation of training programmes conducted by the Institute; to review Training Manual for Prison and Police Staff on 'Drugs and Substance Abuse; and to Strengthen the research activities in the Institute. The following members of the Advisory Committee were present :-

1. Prof. (Dr.) P.S. Jaswal, Vice Chancellor, Rajiv Gandhi National University of Law, Punjab.
2. Prof. (Dr.) Nishtha Jaswal, Vice Chancellor, Himachal Pradesh National Law University, Shimla.
3. Dr. K.P. Singh, IPS, Director General, State Vigilance Bureau, Haryana.
4. Sh. K. Selvaraj, IPS, Director General of Prisons, Haryana, Panchkula.
5. Praveen Kumar Sinha, Addl. Director General of Prisons, Punjab.

6. Sh. Rohit Malpani, IPS, Superintendent of Police, District Solan, H.P.
7. Sh. Rajesh Chopra, Dy. Inspector General of Prisons, Tihar, New Delhi
8. Sh. Virat, Asstt. Inspector General of Prisons, U.T., Chandigarh.
9. Dr. Upneet Lalli, Deputy Director, Institute of Correctional Administration, Chandigarh.

Course on 'Human Rights in Criminal Justice System' for Police and Prison Officers

The Institute of Correctional Administration, Chandigarh in collaboration with the National . (Dr.)



Sh. Arun Kumar Gupta, IAS, Director, ICA, Chairing the meeting of the 'Advisory Committee' of ICA, Chandigarh

'Skills for Effective Policing' was organized from 25.02.2020 to 28.02.2020 for the Police Officers of Chandigarh Administration. The course was attended by 17 police officers of the rank of Assistant Sub Inspector of Police to Sub Inspector of Police. The course was designed to initiate the police trainees in counselling techniques so that they can cope with the challenges of people friendly policing in an effective way. Sh. Sanjay Baniwal, IPS Director General of Police Chandigarh inaugurated the training programme. In his inspiring inaugural address, he shared his own experience as a Police Officer.

One Day Workshop on "Gender Sensitization for Realizing Women's Rights" for Prison Officers in collaboration with HPNLU, on 2nd March 2020.

To celebrate Women's Day, the Institute of Correctional Administration, Chandigarh in collaboration with the Himachal Pradesh National Law University has organised one-day workshop on the theme of "Gender Sensitization for Realizing Women's Rights" for prison officers on 2nd March, 2020. The objective of the workshop was to



Prof. P.S. Jaswal, V.C., RGNUL alongwith Police & Prison Officers in the training programme on 'Human Rights in Criminal Justice System'

objective of the workshop was to make prison officers aware of women's issues, challenges that they face at different stages of life, and how present scenario of women's situation at home, workplace and in society can be improved. Precisely, it was aimed to make prison officers sensitized about gender equality and realization of women's rights.

Online Training Program Conducted by ICA for Prison Staff on 'Covid-19 and Prison Management'

The Institute of Correctional Administration, Chandigarh conducted three on line training programmes on 'COVID-19 Pandemic

programmes on 'COVID-19 Pandemic and Prison Management' for the prison staff. The training was held with Punjab, Haryana and Delhi Prison Departments. The main focus of these online training programmes was to make prison staff familiar with signs and symptoms of COVID-19, precautions to be taken and to make them aware prevention strategies and ways to control Corona spread in the prisons. Further, prison officers were informed about measures to be taken to protect detainees, visitors, and prison staff from corona virus. Dr. Upneet Lalli informed about national and international scenario of prisons amid Covid-19. She explained how prisons could be managed to control spread of Corona virus inside prisons.

Dr. Prakriti, who is having an experience of working in isolation ward clarified queries of prison officers to mange isolation ward made in prisons. Further, she enlightened participants how to remove PPE, use masks, gloves type of clothing and other precautions. She also shed light on general mis-conceptions of participants regarding Corona virus.



Prison Officers of Punjab, Haryana & Delhi are attending various online training programme on 'Covid-19 & Prison Management'

BEST PRISON PRACTICES

Cases of COVID-19, pandemic is on the rise worldwide. In this regard, correctional homes/Prisons of various states have been also at the forefront to fight against COVID-19. The sharing of best prison practices continues through our newsletter. This time ICA is sharing prevalent good prison practices of various states in India related to COVID-19 pandemic.

Prison Inmates made Face -Masks, Hand Sanitizers and other Protective Gears:

Indian prisons have also joined the war against the pandemic. Facemask is one of the most effective prevention of Corona Virus, recommended by WHO. Prisons of various countries have also joined hand in prevention of Covid-19 by making facemasks and sanitizers in prisons. The 'unsung heroes' of the prison working and stitching masks to provide health care workers, police officers, prison officers etc. These masks are available at very affordable price of Rs. 10 each only. PPE Kits are also being made in certain prisons. Some highlights of the work done by prison inmates under the guidance of prison staff

are as follows:

- Kerala Prisons has made 10,00,000 Masks in three months of lockdown period and in addition to Thiruvananthapuram and Palakkad prisoners have also started making sanitizers.
- Inmates lodged in Buraail Model Jail, Chandigarh are making 700-800 masks every day.
- Tihar and Mandoli jail prisoners are producing 1500-2000 masks on a daily basis.
- Inmates of Tamil Nadu's Coimbatore Central Prison are making 3000-5000 masks in a day. Andhra Pradesh prisons are selling 200-250 masks per day.
- Uttar Pradesh prisons have set a record of making 1,24,500 protective masks in 10 days at the time of first lockdown.

Inmates making Food for Needy:

During the lockdown prisons also provided support to the district administration by providing food to the needy and migrants. Prisons inmates in Kerala, Rajasthan, Haryana, Delhi and many other states did the *seva* of cooking food

states did the *seva* of cooking food for the deprived and hungry section.

A unique Agra Prison Initiative to Limit Spread of Corona Virus in Prison

The District Jail Agra in Uttar Pradesh has installed a 'wireless panic alarm system' known as 'Panic Buttons' for Timely Medical Assistance for detainees. The panic alarm system has been installed in 32 barracks. It is one of its kind that cannot be hacked or jammed.

Miscellaneous Good Prison Practices:

In the National Consultation on 'Prison and Ensuring an Effective Response to Covid-19' organized by Madhya Pradesh Prisons and CHRI on 20th June various States prison heads shared the good practices in their respective state prisons. Some of these are common good practices, which are as follows :

- **De-congestion of Prisons:** Interim Bail for Undertrials Prisoners, Remission and Parole to Convicts.
- Quarantine wards in prisons.
- Temperature screening of all



Prisoners Stitching Facemasks in Prisons: The Unsung Heroes



Prisoners Preparing Food for the Needy at District Jail Panipat

staff and visitors

- Increased testing and screening of newly admitted prisoners.
- Restriction on family visits of inmates and suspension of most of the educational/ Work programmes for the time being.
- Monitoring and Counseling of inmates.
- Time to time reminder for personal sanitization of staff and prisoners through audio message (Madhya Pradesh).
- Separate paramedical staff for treating Covid-19 positive

cases (Madhya Pradesh).

- Separate prisons have been made to confine new entries. 5 special prisons for men and 1 for women have been made (Punjab).
- Head of the state prison dept. can declare AIF as temporary prisons (Punjab).
- Special Task Force (STF) constituted in each prison for contact tracing if any inmate is found Covid-19 positive (Delhi).
- Homeopathic Medicine: all inmates and staff are provided *Arsenicum album* in consultation with AYUSH Ministry.

- Ayurvedic *Kadha* (decoction) being given to inmates (Delhi).

International Good Prison Practices

Alternate of Physical visits- England and Wales

- Prison inmate family can drop voice message using the prison voice mail service.
- Can email using prison email service and can also write them.
- Besides a secure phone handsets shall be given to prisoners on temporary basis to contact their family.
- Secure video calling facility has also been introduced.

Following Supreme Court Judgment in the matter regarding '**Contagion of Covid-19 Virus in Prisons**', various States have released many eligible convicts and undertrials. The number of released prisoners in some states as on mid July, 2020 are as follows :

Name of State	Numbers of prisons released
Haryana	4940
Himachal Pradesh	92
Kerala	1831
Madhya Pradesh	6589
Maharashtra	8370
Punjab	11500
Rajasthan	5763
Tamil Nadu	4573
Uttar Pradesh	12055
Delhi	4129
Chandigarh	545

Source: Print Media, CHRI website and information provided by States' Prison Departments

Supreme Court Judgment

Supreme Court Judgement

Suo Motu Writ Petition
(Civil) No. 1/202

23rd March, 2020

In Re: Contagion of Covid 19 Virus in Prisons

Hon'ble Chief Justice Sharad Arvind Bobde
Hon'ble Mr. Justice L. Nageswara Rao
Hon'ble Mr. Justice M. M. Shantanagoudar

Facts:

The Hon'ble Supreme Court of India took notice of spread of Covid-19 inside prisons. Since prisons in India are overcrowded, the focus of the Supreme Court was on decongestion of prison through release of undertrials and remission to convicts.

Held: The Hon'ble Supreme Court in order dated 23.03.2020 directed the States/Union Territories to constitute High Powered Committees which could decide which prisoners may be released on interim bail or parole during the pandemic (COVID 19). The said committee would comprise of:

- (i) Chairman of the State Legal Services Committee,
- (ii) Principal Secretary (Home/Prison) by whatever designation is known as,
- (iii) Director General of Prison(s)

The purpose was to prevent the overcrowding of prisons so that in case of an outbreak of coronavirus in the prisons, the spread of the disease is manageable. The Hon'ble Apex Court made it clear that it shall be open for the High Powered Committee to determine the category of prisoners who should be released depending upon:

- a) the nature of the offence;
- b) the number of years to which he or she has been sentenced;
- c) the severity of the offence with which he/she is charged with and is facing

trial; or

- d) any other relevant factor which the Committee may consider appropriate

Similarly, the Hon'ble Supreme Court directed the Undertrial Review Committee shall meet every week and take decision in consultation with the concerned authority as per the said judgment.

The Court, further, directed,

- Develop prison specific readiness and response plans in consultation with medical experts.
- Set up of monitoring team at the state level to ensure compliance with the direction.
- Stop physical presence of all the undertrial prisoners before the Courts. Instead, opt for video conferencing for all purposes.
- No transfer of prisoners from one prison to another for routine reasons, except for decongestion reason.
- There should not be any delay in shifting sick person to a Nodal Medical Institution in case of any possibility of infection is seen.

Criteria to Release Undertrial Prisoners

Following category of UTPs to be grant of interim bail for 45 days extendable to 60 days, preferably on personal bond:

- First time offender
- Arrested or is facing trial for offence punishable up to 7 years
- Case is triable by Magistrate
- In custody for a period of 1 month or more
- In case of Women UTP, if she is in custody for a period of 15 days or more
- Besides the UTPs falling in above categories, those inmates who are undergoing Civil Imprisonment can

also be considered for 'interim bail' of 45 days.

Premature Release and Remission of Convicts

- Different criteria laid down by states for prisoners release and remission. Convicted Prisoners with few months of remaining sentence have been given remission ranging from 2 months to 6 months.

Categories of Prisoners not Applicable for Pre mature Release:

- Prisoner lodged in NDPS Act (Drug cases of commercial quantity)
- Sexual offences against women and children
- Involved in terror related cases and corruption cases
- Foreign nationals

In Re : Contagion of Covid 19 Virus in Prisons Order Dated 13.04.2020

- Supreme Court clarified that it has not directed the States/ Union Territories to compulsorily release the prisoners from their respective prisons.
- No prisoner shall be released if he/she has suffered from coronavirus disease in communicable form hereafter. For this purpose, appropriate tests will be carried out.
- If it is found that a prisoner who has been released is suffering from coronavirus after the release, necessary steps will be taken by the concerned authority by placing him/her in appropriate quarantine facility.
- Transportation shall be done in full compliance with Rules of social distancing.
- The order dated 23.03.2020 shall be applicable to correctional homes, detention centres and protection homes.

Please share your success story and best practices in corrections by writing to us at deputydir.ica@gmail.com

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