

IN THE SUPREME COURT OF INDIA  
CIVIL ORIGINAL JURISDICTION  
SUO MOTU WRIT PETITION (CRIMINAL) NO. 1 OF 2020

**IN THE MATTER OF :-**

IN RE : CONTAGION OF COVID 19 VIRUS IN PRISONS  
**REPLY AFFIDAVIT ON BEHALF OF THE STATE OF JHARKHAND**

PAPER – BOOK  
(FOR INDEX PLEASE SEE INSIDE)

ADVOCATE FOR THE RESPONDENT : TAPESH KUMAR SINGH

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IN THE SUPREME COURT OF INDIA

CIVIL ORIGINAL JURISDICTION

SUO MOTU WRIT PETITION (CRIMINAL) NO. 1 OF 2020

Pt A- 1206  
Amexm- 7012  
mtllllllll  
27/6/21

**IN THE MATTER OF :-**

IN RE : CONTAGION OF COVID-19 VIRUS IN PRISONS

**REPLY AFFIDAVIT ON BEHALF OF THE STATE OF JHARKHAND**

I, Tushar Ranjan Gupta, son of Late S.N. Sahu resident of Jharkhand, Ranchi P.O.- Doranda, P.s.- Doranda, District- Ranchi and presently at Ranchi do hereby solemnly affirm and state as under:-

1. That I am presently posted as Assistant Inspector General of Prisons, Jharkhand and have been duly authorized by the competent authority to affirm the instant affidavit on behalf of the State of Jharkhand. That, in my official capacity I am well acquainted with the facts and circumstances of the case and thereof, competent to affirm the instant affidavit.
2. That, while every effort has been made to answer all the issues raised in the above captioned Writ Petition, the facts which have not been specifically denied may not be deemed to be admitted.

✓

However, the deponent craves liberty of this Hon'ble Court to file a detailed reply at a later stage, if so directed or required.

3. That, the instant affidavit is being filed in terms of the order dated 01.06.2021 passed by this Hon'ble Court in the above captioned matter. vide the aforesaid order dated 01.06.2021 this Hon'ble Court was pleased to direct the Chief Secretaries/ Administrators, Home Secretaries, Directors General of all the prisons and the Department of Social Welfare of all the States and Union Territories, to show cause why directions should not be issued for dealing with the present health crisis arising out of Corona Virus (COVID-19) in the country, and further to suggest immediate measures to be adopted for the medical assistance to the prisoners in the jails and the juveniles lodged in the Remand Homes and for protection their health and welfare.
4. That in the light of direction of Hon'ble Supreme Court of India in Suo Moto Writ Petition (C) No. 01/2020 in Re: Contagion of Covid-19 Virus in Prison vide Order dated 23.03.2020 total no. of prisoners released (interim/ regular bail etc.) since dated 23.03.2020 to

16.05.2021 is 29,478 out of which 105 prisoners are returned, and total number of convict prisoners released on parole is 146.

List of released prisoner on Interim/ regular Bail and parole annexed as Annexure - 'A'

5. That in the light of direction of Hon'ble Supreme Court of India in Suo Moto Writ Petition (C) No. 01/2020 in Re: Contagion of Covid-19 Virus in Prison vide Order dated 07.05.2021 & High Powered Committee meeting held on 17.05.2021, it is submitted that from 17.05.2021 to 15.06.2021 total number of prisoners released on bail is 961 & interim bail is 207 and the total number of prisoners released on Parole is 121 from the Jails of Jharkhand State.

Copy of Statistical Report for Released Prisoner on Interim Bail/Bail and Parole in Jharkhand Jails (From 17.05.2021 to 15.06.2021).

Copy of Statistical Report for Released Prisoners on Interim Bail/ Bail and Parole in Jharkhand Jails annexed as Annexure- 'B'

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6. That in the light of Hon'ble Court's order it is submitted that the total number of prisoners' death due to Covid-19 pandemic is 02 in the prisons of Jharkhand State.

List of deaths prisoners due to  
Covid-19 pandemic in the prisons  
annexed as Annexure- 'C'

7. That it is submitted that the last meeting of the Jharkhand State sentence review board was held on 17/20.07.2020 and 4.12.2020/25.02.2021 and  $79 + 26 = 105$  life convicted prisoners were released. It is also submitted that the date of next meeting of the Jharkhand State sentence review board is in process for the purpose of premature release of Life Convicted prisoners of Jharkhand State.

List of 105 released convict  
prisoners annexed as Annexure-  
'D'.

8. That, the total capacity of Jharkhand Prisons is 17,096 out of which 22,357 prisoners are lodged at present in various prisons, so the percentage of occupancy of Jharkhand prisons at present is 130.77%.
- ✓

343 prisoners have been transferred from more overcrowded prisons to other prisons.

List of transferred prisoners from more overcrowded jail to other jail annexed as Annexure- 'E'

- 9. That, even otherwise, if this Hon'ble Court is pleased to pass any direction in this regard, the respondent State of Jharkhand being duty bound and having highest regard to the majesty of this Hon'ble Court shall comply with in its letter and spirit.
- 10. That, the documents marked as annexures to the instant affidavit are either true and typed or true and translated copies of their respective originals.
- 11. That, this affidavit is being bona-fide and in the interest of justice.

  
22.6.21  
DEPONENT



**VERIFICATION**

Verified at Ranchi on this, the 22nd Day of June, 2021 that the averments of facts stated herein above are true and correct to my knowledge and behalf and noting material has been concealed there- from.

*[Handwritten Signature]*  
22.6.2021

DEPONENT

filed on

filed by:

[ TAPESH KUMAR SINGH ]

Standing counsel for the state of Jharkhand

17424  
Solemnly affirmed before me by deponent.....  
Who is identified by..... *T.R. Gupta*  
I have satisfied myself by examining the deponent  
that he/she understands the contents of the affidavit  
which has been read and explained before me or  
deponent acknowledged the same to be correct  
High Court of Jharkhand, Ranchi  
Dated ..... *22/6/21* *[Signature]*  
Jath Commissioner *22/6/21*

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## Report for Released Prisoner on Intrim Bail/Bail and Parole in Jharkhand Jails

Sl.No.	Name of Jail	No. of Prisoners Released on Bail/Interim Bail from 23.03.2020 to 16.05.2021	No. of Prisoners Returned from given Bail/Interim Bail from 23.03.2020 to 16.05.2021	No. of Prisoners released on Parole from 23.03.2020 to 16.05.2021	Remarks
1	2	3	4	5	6
1	CJ-BIRSA MUNDA CENTRAL JAIL HOTWAR, RANCHI	2616	3	23	
2	CJ-DEOGHAR	1195	0	8	
3	CJ-DUMKA	723	1	4	
4	CJ-GHAGHIDIH, JAMSHEDPUR	1665	1	19	
5	CJ-GIRIDIH	552	0	1	
6	CJ-L. J. NARAYAN CENTRAL JAIL, HAZARIBAGH	2306	3	33	
7	CJ-MEDININAGAR, PALAMU	1947	14	33	
8	DJ-CHAIBASA	839	0	1	
9	DJ-CHAS (BOKARO)	941	2	0	
10	DJ-CHATRA	1326	22	0	
11	DJ-DHANBAD	3050	0	2	
12	DJ-GARHWA	1891	0	0	
13	DJ-GODDA	860	11	0	
14	DJ-GUMLA	936	7	0	
15	DJ-JAMTARA	569	0	0	
16	DJ-KODERMA	799	0	3	
17	DJ-LATEHAR	638	17	17	
18	DJ-LOHARDAGA	650	2	0	
19	DJ-PAKUR	464	0	0	
20	DJ-SAHIBGANJ	548	5	0	
21	DJ-SAKCHI, JAMSHEDPUR	172	0	2	
22	DJ-SARAIKELA	850	0	0	
23	DJ-SIMDEGA	366	0	0	
24	OPEN JAIL -CUM- REHABILITATION CENTRE, HAZARIBAGH	1	0	0	
25	SJ-GHATSHILA	424	0	0	
26	SJ-KHUNTI	658	0	0	
27	SJ-MADHUPUR	220	0	0	
28	SJ-RAJMAHAL	482	0	0	
29	SJ-RAMGARH	1164	5	0	
30	SJ-TENUGHAT	626	0	0	
	Total	29478	105	146	

Annexure - B

## Statistical Report for Released Prisoners on Interim Bail/Bail and Parole in Jharkhand Jails

Sl.No.	Name of Jail	No. of Prisoners Released on Bail/Interim Bail From 17.05.2021 to 15.06.2021		No. of prisoners released * Order for Parole received from 17.05.2021 to 15.06.2021	Remarks
		Bail	Interim Bail		
1	2	3	4	5	
1	CJ-BIRSA MUNDA CENTRAL JAIL HOTWAR, RANCHI	70	24	16	
2	CJ-DEOGHAR	44	0	0	
3	CJ-DUMKA	24	29	5	
4	CJ-GHAGHIDIH, JAMSHEDPUR	114	35	14	
5	CJ-GIRIDIH	68	0	1	
6	CJ-LOK NAYAK JAIPRAKASH NARAYAN, HAZARIBAGH	57	0	50	
7	CJ-MEDININAGAR, PALAMU	55	14	28	
8	DJ-CHAIBASA	28	3	1	
9	DJ-CHAS (BOKARO)	78	0	0	
10	DJ-CHATRA	61	27	1	
11	DJ-DHANBAD	19	0	0	
12	DJ-GARHWA	39	0	0	
13	DJ-GODDA	45	9	0	
14	DJ-GUMLA	17	15	0	
15	DJ-JAMTARA	33	7	0	
16	DJ-KODERMA	25	0	0	
17	DJ-LATEHAR	8	27	0	
18	DJ-LOHARDAGA	6	2	0	
19	DJ-PAKUR	2	2	0	
20	DJ-SAHIBGANJ	50	1	0	
21	DJ-SAKCHI, JAMSHEDPUR	5	10	5	
22	DJ-SARAIKELA	22	0	0	
23	DJ-SIMDEGA	0	0	0	
24	OPEN JAIL -CUM- REHABILITATION CENTRE, HAZARIBAGH	0	0	0	
25	SJ-GHATSILA	22	2	0	
26	SJ-KHUNTI	0	0	0	
27	SJ-MADHUPUR			0	
28	SJ-RAJMAHAL	30	0	0	
29	SJ-RAMGARH	39	0	0	
30	SJ-TENUGHAT	0		0	
	Total	961	207	121	

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Annexure - 'C'

<b>Report for Covid-19 death in Prisons till 15.06.2021</b>			
Sl. No.	Name of Jail	No. of Prisoners death by Covid-19	Remarks
1	2	3	4
1	CJ-DUMKA	1	UTP Santosh Kumar Maheria send to Medical College, Dumka on 02.09.2020 for treatment and during treatment he found covid-19 (+ve) & dead on 04.09.2020 at Medical College, Dumka
2	DJ-CHAIBASA	1	UTP Vishnu Pingua send to Sadar Hospital, Chaibasa for better treatment on 17-04-2021 and during treatment he found covid-19 (+ve) and dead on 26.04.2021 at Sadar Hospital, Chaibas.

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Annexure - 'D'

**NO. OF RELEASED PRISONERS THROUGH STATE SENTENCE REVIEW BOARD FROM 2020 TO TILL DATE**

Sl. No.	Year	Meeting Date	No. of Released Prisoners	Total released prisoners
1	2020	17/20.07.2020	79	79
2	2021	04.12.2020/25.02.2021	26	26
		<b>Total-</b>	<b>105</b>	<b>105</b>

## Statistical Report for Transferred Prisoners within Jharkhand Jail (As on 15.06.2021)

Sl.No.	Name of Overcrowded Jail	Nos. Transferred Prisoners /Name of Jail	
1	2	5	
1	CJ-DEOGHAR	140	Sub Jail Madhupur
2	DJ-CHATRA	14	Sun Jail Ramgarh
		13	L.N.J.P Central Jail, Hazaribagh
3	DJ-GARHWA	40	Birsa Munda Central Jail, Hotwar, Ranchi
4	DJ-GUMLA	50	District Jail Sakchi, JSR
5	DJ-LATEHAR	40	Birsa Munda Central Jail, Hotwar, Ranchi
6	SJ-RAJMAHAL	46	Central Jail Dumka
<b>Total</b>		<b>343</b>	

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Annexure - 'E'

## Summary Report for Prisoners in Jharkhand Jail

(As on 15.06.2021)

S.No.	Name of Prisons	Capacity of Prisons	Civil	Convicted	Under Trial	Total	Percentage of Occupancy
1	2	3	4	5	6	7	8
1.	BIRSA MUNDA CENTRAL JAIL HOTWAR, RANCHI	3666	0	1384	2364	3573	97.46
2.	CENTRAL JAIL DEOGHAR	335	0	82	618	729	217.61
3.	CENTRAL JAIL DUMKA	1209	0	656	653	1281	105.96
4.	CENTRAL JAIL GHAGHIDIH, JAMSHEDPUR	1680	0	935	925	1899	113.04
5.	CENTRAL JAIL GIRIDIH	554	0	81	1078	1093	197.29
6.	L.J.NARAYAN CENTRAL JAIL, HAZARIBAGH	1990	0	1099	874	2043	102.66
7.	CENTRAL JAIL MEDININAGAR, PALAMU(DALTONGANJ)	703	0	281	866	1176	167.28
8.	DISTRICT JAIL CHAIBASA	621	0	44	878	904	145.57
9.	DISTRICT JAIL CHAS, BOKARO	435	0	58	464	516	118.62
10.	DISTRICT JAIL CHATRA	209	0	4	648	669	320.10
11.	DISTRICT JAIL DHANBAD	856	0	59	988	980	114.49
12.	DISTRICT JAIL GARHWA	250	0	25	531	559	223.60
13.	DISTRICT JAIL GODDA	298	0	9	410	422	141.61
14.	DISTRICT JAIL GUMLA	231	0	7	458	699	302.60
15.	DISTRICT JAIL JAMTARA	186	0	5	258	248	133.33
16.	DISTRICT JAIL KODERMA	210	0	24	330	344	163.81
17.	DISTRICT JAIL LATEHAR	166	0	2	379	456	274.70
18.	DISTRICT JAIL LOHARDAGA	210	0	6	397	353	168.10
19.	DISTRICT JAIL PAKUR	225	0	10	255	258	114.67
20.	DISTRICT JAIL SAHIBGANJ	225	0	2	386	373	165.78
21.	DISTRICT JAIL SAKCHI, JSR	198	0	38	241	168	84.85
22.	DISTRICT JAIL SARAIKELA	298	0	7	585	584	195.97
23.	DISTRICT JAIL SIMDEGA	208	0	22	368	386	185.58
24.	OPEN JAIL -CUM-REHABILITATION CENTRE, HAZARIBAGH	100	0	7	31	37	37.00
25.	SUB JAIL GHATSHILA	325	0	7	351	288	88.62
26.	SUB JAIL KHUNTI	500	0	1	777	739	147.80
27.	SUB JAIL MADHUPUR	463	0	30	546	490	105.83
28.	SUB JAIL RAJMAHAL	120	0	3	214	259	215.83
29.	SUB JAIL RAMGARH	325	0	5	332	308	94.77
30.	SUB JAIL TENUGHAT	300	0	6	253	257	85.67
	<b>Total</b>	<b>17096</b>	<b>0</b>	<b>4899</b>	<b>17458</b>	<b>22357</b>	<b>130.77</b>

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