

JHALSA

(Effective Intervention for Assistance to the people during the pandemic Covid-19) Scheme 2020

Prepared by :
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JHALSA (EFFECTIVE INTERVENTION FOR ASSISTANCE TO THE PEOPLE DURING THE PANDEMIC COVID- 19) SCHEME 2020

1. *Name of the Scheme :*

The Scheme shall be called the **JHALSA (Effective Intervention for Assisting to the people during the pandemic Covid-19) 2020.**

It shall be effective in the State of Jharkhand and shall guide the legal Services institutions of JHALSA and the DLSAs in their action on the subject.

2. *Statement of Object and Reason*

Whereas the Country is reeling under the ill-effects of the pandemic Covid -19. More than one lac persons have been tested and confirmed as Corona positive. More than 3000 persons have died. Globally more than forty seven lacs persons have been tested and confirmed as corona positive and more than three lacs persons have died. Economy of our Country as well as other Nations have suffered very badly.

Our country is home to every fifth person of the Earth. Only a fraction of our total work force are in the Organised Sector. Vast majority of same are in the Unorganized Sector. Many of them are migrant labourers.

Our Country is under continuous Lockdown since March 25th, 2020 and a number of unforeseen difficulties have come in the life of our people and the Nation.

It is the duty of one and all to stand up to the occasion and do their bit in right earnestness.

State of Jharkhand is a tribal State with majority of people belonging to the Scheduled Castes and Scheduled Tribe Communities. A number of Primitive Tribal Communities (PVTG) live in the remote forests. The state of Jharkhand is source State for cheap skilled as well as unskilled labour.

Lacs of people of the State of Jharkhand work in other States in unorganised sector as domestic helps, farm workers, construction workers, auto rickshaw drivers etc. They are experiencing a lot of survival issues. Basic necessities such as food, medicine etc – have become scarce.

Hon'ble Supreme Court of India, Hon'ble Jharkhand High Court and the other High Courts of India have issued a number of directions for the society and well being of the people during the pandemic Covid – 19 .

The High Powered Committee of the State of Jharkhand constituted pursuant to the order of Hon'ble Supreme Court of India in Suo Moto Case No- 1 / 2020

(comprising of Honble Executive Chairman, JHALSA as its Chairman, and Addl Chief Secretary, Department of Home, jail & Disaster Management along with the Jail I.G., Jharkhand as its Members) has issued a number of directions for the safety and well being of the inmates of various Jharkhand Jails as well as the different Homes established under the J.J. Act, 2015 and the Member Secretary, JHALSA has been directed to take up the follow up actions for implementing those directions.

Further, the Hon'ble Executive Chairman, JHALSA has issued letter to the Chief Secretary, Govt of Jharkhand offering services of 2746 Para Legal Volunteers to assist the District Administration in its efforts to contain the pandemic. His Lordship has further approved for utilization of cost funds to provide food and medicine to poor and needy.

In view of above, there is urgent need to formulate a Scheme to work in a coherent manner, so that, all the stake holders may understand their role and responsibilities.

3. Legal Basis

Sub clause (e) of Section 12 Legal Services Authorities Act, 1987 makes the victims of disasters, who are under circumstances of undeserved want as a result of such disaster, eligible for free legal services. But, in a disaster of catastrophic nature, whether it is natural or manmade, the victims are often taken unaware and are subjected to face the grim situation of loss of life, becoming homeless, destruction of property or damage to or degradation of environment and subject to human sufferings and damage beyond the coping capacity of the community of the affected area. In such a situation, a duty is cast on the Legal Services Authority to provide all possible help to the victims of disaster.

Govt of India has declared the pandemic as the disaster. Even though it is the duty of the Government and the Administration of the locality to come to the help of the victims, Legal Services Authorities, by virtue of sub-clause (e) of Section 12, can play an effective role by coordinating the activities of the State Administration in the disaster management by way of strategic plan and actions in an integrated and sustainable manner, reducing the gravity of the crisis and to help the poor and needy people. The Legal Services Authorities shall endeavour to help the victims and the administration for reducing risk and assisting them to adopt disaster mitigation policies and strategies, reducing the vulnerabilities of the geographical and social situation and strengthening their capacities for managing man made or natural disasters at all levels.

4. Definitions

- 1) In this Chapter, unless the context otherwise requires:—
 - (a) “Act” means the Legal Services Authorities Act, 1987 (39 of 1987);
 - (b) “Schedule” means a Schedule annexed to the Scheme;
 - (c) “Front Office” means a room in the Legal Services Institution where legal services are made available;
 - (d) “Legal Practitioner” shall have the meaning assigned to it in clause (i) of section 2 of the Advocates Act, 1961 (25 of 1961);
 - (e) “Legal Services Institution” means the Supreme Court Legal Services Committee, a State Legal Services Authority, the High Court Legal Services Committee, District Legal Services Authority or the Sub-divisional Legal Services Committee, as the case may be;
 - (f) “Panel Lawyer” means a legal practitioner empanelled as a Panel lawyer under regulation 8 of the NALSA (Free & Competent Legal Services) Regulations 2010;
 - (g) “Para-Legal Volunteer” means a para-legal volunteer trained under the ‘National Legal Services Authority Scheme for Para Legal Volunteers’ and empanelled by a Legal Services Institution;
 - (h) “Secretary” means the Secretary of the Legal Services Institution;
 - (l) ‘Victim’ means the persons who have come across unforeseen difficulties due to the Pandemic or the resultantly Lock down and shut down of Economical activities; such as
 - who have lost their job.
 - who are stranded in another State.
 - who have no food/medicine due to National Lock down.
 - who have suffered mental agony due to Pandemic Covid-19 or the Lock down.
 - parents, children or siblings of the person infected with the Virus -SARS-CoV-2.
 - who are struck in the way in their endeavour to return home.
 - who have suffered an accident in the way to return home.

Note: The list is only inclusive and not exhaustive.

- (j) High Powered Committee means the Committee constituted in the light of the direction dated 23-3-2020 of the Hon’ble Supreme Court of India in Suo Motu Case No 1/2020.

5. Guiding Principles

- Miseries hit the poor hard.
- Children, women and elderly people are always most vulnerable in crisis.
- No Person can be allowed to starve .
- No Person should be allowed to die for want of medicine.
- In Disaster time, Legal Services Authority has solemn duty to work in close coordination with the Civil Administration to help the victims.

6. Plan of Action

- Prevention : of spread of Covid- 19
- Awareness : as to personal hygiene, use of mask, gloves, sanitizers and physical distancing.
- Providing : food grains/ medicine to the person in acute need of same from out of cost fund.
- Arranging : for Mobile Toilets at such Quarantine Centres where this facility is inadequate.
- Assistance : to Administration in conduct and management of Quarantine Centres.
- Assistance : to Administration in identification of persons in acute need of immediate relief measures.
- Assistance : to administration in distribution of food grains/ mask/ sanitizers/ medicine.
- Assistance : to the People of Jharkhand stranded in other States in their return to Jharkhand.
- Assistance : to the people of other States stranded in Jharkhand in their return to their respective State.
- Assistance : to the migrant labourers in getting benefit (free food grains/ money) from Govt. of Jharkhand.
- Assistance : to the people in getting the benefit arising out of Govt of India Policy/ Relief measure.
- Assistance : to the migrant labourers in getting proper opportunities of employment.

7. Core Committees

There shall be a Core Committee at State and District level for monitoring and mentoring purposes. Its primary duty would be to bring about coherence and

cooperation amongst the various departments and functionaries for optimal result. It shall meet virtually or otherwise at such interval as fixed by the Chairperson of the State or District Level Core Committee.

State Level Core Committee shall comprise of the Member Secretary, JHALSA as its Chairperson and Joint Secretary level officers of Home, Jail & Disaster Management Department, Health Department, Labour Department, Deptt. of Law (Judicial) and the WCD & Social Security Department as its Members. Dy. Secretary, JHALSA shall be the Secretary of the State Level Core Committee . He shall assist the Committee as per the directions of its Chairperson.

District Level Core Committee shall comprise of the Chairman, DLSA as its Chairperson, Vice Chairperson of the DLSA (D.C.) as its Vice Chairperson, Executive Member of the DLSA (S.P.) as its Executive Member and Civil Surgeon of the District as its Member. The Secretary, DLSA shall be the Secretary of the District Level Core Committee. He shall assist the Committee as per the directions of its Chairperson.

State Level Core Committee shall present progress report at least once on fortnightly basis before the Hon'ble Executive Chairman, JHALSA for His Lordship's kind perusal and necessary directions.

District Level Core Committee shall present progress report at least once on fortnightly basis before the JHALSA for placing before the State Level Core Committee for further needful.

8. *Training programme/Workshop for the Para Legal Volunteers*

JHALSA shall coordinate with the State Disaster Management Authority for virtual training of Para Legal Volunteers at District level. The services of Para Legal Volunteers may be utilized by the State or the District Disaster Management Authorities as per their requirement. The honorarium as fixed by JHALSA shall be paid to the PLVs by the DLSA .

9. *Court based Legal Services*

- Since movement is restricted during the lock down, the legal aid seekers are not supposed to come to Taluk Legal Services Committee/ DLSA/SLSA for legal aid, therefore, their Legal aid request should be obtained online by sending bulk SMSes to all the mobile users in the locality and giving them the helpline numbers.
- Request for help may be sent to the Secretary of the DLSA/HCLSC/Member Secretary on their whatsapp number.

- Pre-litigation stage counselling or Mediation may be continued to be conducted virtually via technological tools.
- PLVs who have been provided with the 4G Mobile Phones by JHALSA shall help the people in need of legal aid to interact with the Secretary of the DLSA/HCLSC or the Member Secretary, JHALSA.

The Whatsapp numbers of the Secretary of the DLSA/HCLSC are as follows :

Member Secretary, JHALSA- 8986601912

Dy. Secretary, JHALSA - 9431387340

Secretary, HCLSC - 9431300488

Name of District	DLSA Chairman Contact	DLSA Secretary Contact
BOKARO	L.L.- 06542- 222488 M : 9431126828	9431350935
CHAIBASA	LL-06582-258600 Mob: 9431163108	9431162084
CHATRA	LL- 06541-222036 Mob: 9431140331	9430734303
DEOGHAR	06432-231066, 9431137885	7294181381
DHANBAD	LL-03262311790, Mob : 9431126026	9471725596
DUMKA	LL-064-34236062, 9431130451	7091622651
GARHWA	LL-06561223448, Mob: 9431775680	9955684686
GIRIDIH	LL-06532-222171	7319853377
GODDA	LL-06422-222005 Mob: 9431516559	9472788462
GUMLA	LL-06524223149, 9431116939	9472758172
HAZARIBAGH	LL-06546266354, 943114040946	9939201624
JAMSHEDPUR	9431133881	9430780325
JAMTARA	LL: 06433222003 Mob: 9431130967	9934373894

KHUNTI	LL:06528220671 Mob: 9431302696	9771391585
KODERMA	LL: 06534252515, 8986868813	8789304361
LATEHAR	9431135500	8987736366
LOHARDAGA	LL: 06526222264 Mob: 9431391606	9431318932
PAKUR	LL: 06435220406 Mob: 94313137409	9470314478
PALAMU	LL:06562225004 Mob: 9431136805	8757269596
RAMGARH	LL: 06553261593 Mob: 9472746268	8987464765
RANCHI	LL: 06512202414 Mob: 9431391484	9431319907
SAHIBGANJ	LL: 06436223095 Fax: 06436222215 Mob: 9431139308	9471521725
SARAIKELA	LL: 06597234201 Mob: 9431522180	8987597517
SIMDEGA	LL: 06525225710 Mob: 9431391489	8987608228
SDLSC Madhupur	9431137885	9835928066
SDLSC Ghatshila	9431133881	8210688218
SDLSC Rajmahal	9431139308	9546459225
SDLSC Tenughat	9431126825	9279710950

10. Strategic Intervention by the Jharkhand State Legal Services Authority

The strategy for intervention by the Jharkhand State Legal Services Authority for helping the victims of the Pandemic shall be on the following lines:

1. Ensuring immediate help including Medical Help in close coordination with the District Administration and the Civil Surgeon.
2. Coordinating the activities of different DLSAs and the NGOs for bringing immediate relief.
3. Supervising the distribution of relief materials.

4. Assisting the victims in getting temporary shelter or transporting the victims to a safer place.
5. Effecting the reunion of families.
6. Ensuring the health care and sanitation of the victims and preventing the spread of epidemic.
7. Supervising the needs of women and children.
8. Ensuring the availability of food, medicine and drinking water.
9. Keeping Pamphlets in the Relief Camps or Quarantine Centre on the beneficial schemes for the victims.
10. Opening Temporary Legal Aid Clinics in the affected areas for assisting the migrant labourers/ other needy persons in documentation for availing benefits/reliefs
11. Assisting in the rehabilitation, care and future education of orphaned children.
12. Taking steps for appropriate debt relief measures for the victims.
13. Assisting rehabilitation of the old and disabled who lost their supporting families.
14. Assisting in the resolution of problems relating to Insurance Policies.
15. Arranging Bank Loans for restarting the lost business and avocations.
16. Arranging for psychiatrist's help / counselling to the victims who are subjected to physiological shock and depression on account of the disaster.
17. Arranging for treatment and, if necessary, for hospitalization of the victims.

11. Machinery for Legal Services

Jharkhand State Legal Services Authority has established a Core Group in all Districts under the control of the District Legal Services Authorities to spring into action in the event of a disaster, whether manmade or natural.

The District Core Group of the DLSA shall be responsible to coordinate the efforts as per the Scheme and utilize the infrastructure of the JHALSA in the District to carry out the objectives of this Scheme.

District Legal Services Authority shall collect daily reports from the Core Group working at the location of the disaster. Copies of such reports shall be sent to this Authority. This Authority shall consolidate the reports and send a comprehensive report to the National Legal Services Authority and copies thereof shall also be sent to the Disaster Management Authorities of the State and District.

12. Mode of Assistance

Circumstances of undeserved want	Provisions by JHALSA/DLSA
Without food	Food grains
Without shelter	Shelter in Rain Baseras Temporary arrangements in tents, if no rain basera arrangement of mobile toilets and water tankers
Without medical assistance	Medicine distribution and if necessary, hospitalization
Without another pair of clothes	Clothes
Victim of violence	Court based legal aid along with compensation and if necessary hospitalization
Stranded in another State	Arrangement of food/medicine/ shelter as well as their return in coordination with the host SLSA
Jail Inmates	Coordinating with the Jail Inspectorate in implementation of the decisions of the High Powered Committee
Inmates of Children Home/ Observation Home/Shelter Home etc	Coordinating with the WCD & Social Security Department in ensuring medical facility, fumigation, sanitization and arranging for counselling and if necessary - hospitalization and implementation of the decision of the High Powered Committee
Migrant Labourers returning Jharkhand	Coordinating with the District Administration in ensuring benefits of the Scheme relating to food/ work/shelter/education/ monetary benefits etc

13. Maintenance of Records

It shall be the duty of the Secretary, DLSA to maintain the records of the :

- Victims assisted
- kind of assistance

- how the DLSA or the Victim reached the other

Such record is highly helpful in evolving the best practices for JHALSA and also for the guidance of future generations.

14. Capacity Building of the work force

Past norms and practices have come to stand still for a prolonged time. We shall not be able to allow large gatherings in near future. Legal aid seekers will have to be attended at their place of abode or through online modes. They must get legal services without any need to visit Legal Services Institutions. Therefore, digitisation is the only way to remain relevant.

JHALSA shall commence e-learning programme for the PLVs, Panel Lawyers and Mediators for making them future ready.

JHALSA shall arrange for Para Medical Training for the Para Legal Volunteers, so that, their help may be taken by the Administration wherever needed.

15. How to contact

Any person in need of assistance may contact :

- Member Secretary, JHALSA on his mobile no. 8986601912 (this is whatsapp no. as well) or n email- jhalsaranchi@gmail.com
- DLSAs on the Mobile No of the Secretary as mentioned in Para-9 earlier or on the email id as follows :

dlsa bokaro <dlsabokaro@gmail.com>,

DLSA Chaibasa <dlsachaibasa@gmail.com>,

dlsa chatra <dlsachatra@gmail.com>,

Dlsa Deoghar <deoghardlsa@gmail.com>,

dlsa.dhanbad <dlsa.dhanbad@gmail.com>,

DLSA Dumka <dlsadumka@gmail.com>,

DLSA Garhwa <dlsagarhwa@gmail.com>,

DLSA Giridih <dlsagiridih@gmail.com>,

DLSA Godda <dalsagodda@gmail.com>,

DLSA Gumla <dlsagml38@gmail.com>,

DLSA Hazaribag <dlsahazaribag@gmail.com>,

DLSA JAMSHEDPUR <jamshedpurdlsa@gmail.com>,

DLSA JAMTARA <dlsajamtara@gmail.com>,

DLSA Khunti <khuntidlsa@gmail.com>,

*DLSA KODERMA <dlsakoderma@gmail.com>,
DLSA LATEHAR <dlsalatehar@gmail.com>,
DLSA LOHARDAGA <dlsalohardaga@gmail.com>,
DLSA Pakur <dlsapakur@gmail.com>,
DLSa Palamau <dlsapalamu123@gmail.com>,
DLSA Ramgarh <secretarydlsaramgarh.court@gmail.com>,
DLSA RANCHI <dlsaranchi@gmail.com>,
DLSA Sahibganj <dlsasahibganj@gmail.com>,
dlsa seraikella <dlsaseraikellakharwan@gmail.com>,
DLSA SIMDEGA <dlsasimdega@gmail.com>*

16. Awareness / Propagation about the Scheme

JHALSA shall propagate the Scheme through the Print and Electronic Medium including the Kanoon ki Baat programme on Doordarshan and All India Radio.

DLSA shall take every endeavour for wide publicity of this Scheme so that no person in need of the benefit under the Scheme may remain unaware and unattended.

17. Motivational

The Pandemic had catastrophic effect on well being of the People and Nations. Such situation comes once in several hundred years. We take this unfortunate situation as a challenge to work with increased dedication for saving lives and serving the human beings.

Anything that is done in furtherance of this scheme shall save human lives, therefore, our workforce have to work very hard round the clock.

Presently, nothing matters more than ameliorate sufferings of poor people and save their lives.



SCHEDULES

SCHEDULE - 1

Letter of Hon'ble Executive Chairman, JHALSA to the Chief Secretary, Jharkhand

Letter No. JHALSA/517

Ranchi, 20th March, 2020

As we all are one and united in combating the pandemic Covid-19, I want to apprise you that we have a force of 2745 Para Legal Volunteers (PLVs) across the State of Jharkhand. The PLVs are our workforce at grass root level to render services to the people of the State with a view to achieve the aims and objectives of National Legal Services Authority, which include the services of people in the event of disaster or natural calamities.

In this state of emergency due to pandemic Covid-19, if the District Administration throughout the State of Jharkhand need any help of manpower for creating awareness amongst the people of Jharkhand at Taluka or Village levels for combating the threat of Covid-19, the services of our PLVs may be utilised for that purpose.

Their services may also be utilised for helping the medical team in case of emergency, provided necessary precautionary/security measures are made available to them by the medical team for their personal safety.

For the purpose of utilising their services, the Principal District Judge of the District who is the Chairman of District Legal Services Authority (DLSA) or the Secretary, DLSA may be requested by the concerned District Administration.

We are also issuing necessary directions to the District Legal Services Authorities of the Jharkhand in this regard.

In case the services of PLVs are utilised, the necessary expenses shall be borne by the concerned DLSA.

The District Administration in the State of Jharkhand should feel free to take the help of PLVs through the Chairperson/Secretary of the respective DLSA with a view to combating the pandemic Covid-19. Necessary direction may be issued at your end to all the District Authorities of Jharkhand in this regard.

Thanking you.

(Justice H.C. Mishra)
Executive Chairman

Dr. D.K. Tiwari, IAS
Chief Secretary
Govt. of Jharkhand

SCHEDULE - 2

Hon'ble Supreme Court of India was pleased to issue direction on 23-3-2020 in SUO MOTU WRIT PETITION (C) NO. 1/2020 for constitution of the High Powered Committee in each State and U.T. of India for decongesting the prisons and preventing the outbreak of Covid-19 pandemic in the Prisons. Accordingly the Govt of Jharkhand consituted the Commitee on 26.03.2020 as follows :

**Executive Chairman, JHALSA - Chairman,
Additional Chief Secretary, Department of Home, Jail
& Disaster Management Jharkhand - Member and
I.G. Prisons, Jharkhand - Member**

A number of landmark measures were taken by the Committee in its virtual meetings on 26-3-2020, 7-4-2020, 17-4-2020 and 28-4-2020. Glimpses of those decisions are as follows :

High Powered Committee Meeting on 26.03.2020

In order the minimize the threat of the pandemic COVID-19 virus in the prisons, the following decisions were taken in the virtual meeting of the Committee:-

- Immediate Steps be taken to shift the inmates from the overcrowded jails to such nearby Jails in which the number of prisoners are less than the capacity. In this process, if practicable, the custody of the inmates shall not be transferred, only the inmates shall be shifted as ad interim measure to other jail. If necessary, the production of such inmates in Court may be ensured through Video Conferencing.
- The State Government shall also immediately work out on the feasibility of making the finished jail buildings at Chakradharpur, Barhi and Nagar Untari, as make shift prisons for the present, if these buildings are made functional as make shift prisons, the problem of overcrowding the prisons shall be solved for the present.

- All endeavours shall be made to keep the number of inmates in a jail well within the maximum capacity of the concerned jail
- All steps for proper sanitizing all the jail premises be taken as per the protocol for disinfecting the jail premises on continuous basis.
- Social distancing protocol should also be adhered to as far as practicable, and all the preventive measures such as use of masks, soap and sanitizers be undertaken as per the protocol.
- Strict vigil should be kept for any suspected case of infected prisoner, and in case of detection of such case, proper steps as per medical protocol be immediately taken.
- In the medical wards of each jail, isolation space be earmarked.
- The old jail premises of Ranchi is being developed as a Museum, If the structure of Medical ward of the old jails is still available and not demolished/reconstructed, the State Govt. should work out on the practicability of preparing it as an isolation ward and nodal treatment hospital for the prisoners infected with Covid-19 virus across the State, to keep and treat the infected inmates in isolation, in case of break of COVID-19 amongst the jail inmates.
- All the Police Stations in the State be reminded to ensure the compliance of the guidelines of the Hon'ble Apex Court in Para 11 of ArneshKumar Vs. State of Bihar, reported in (2014) 8 Sec. 273.
- The proposal for consideration of release of the inmates from the overcrowded jails on parole or interim bail shall be undertaken after assessing the necessity thereof after the reallocation of the inmates of the overcrowded jails, which is expected to take a definite shape by the next meeting of the Committee. This is also necessary due to Nation wide lockdown presently in force.
- Member Secretary, JHALSA shall coordinate with the concerned Departments of the State Govt. and the I.G. Prisons for the follow up actions of this meeting. The list of petty cases shall be obtained from jails for placing in the next meeting

High Powered Committee Meeting on 07.04.2020

In order to minimize the threat of the pandemic COVID-19 virus in the prisons, the following decisions were taken in the virtual meeting of the Committee:-

- Steps to shift the inmates by the Jail Authorities from the overcrowded jails to such nearby Jails in which the number of prisoners are less than the capacity may be expedited. In this process, the custody of the inmates shall not be transferred, only the inmates shall be shifted, as an interim measure, to other jail. The production of such inmates in Court may be ensured through Video Conferencing, as and when necessary.
- Inmates ought to be made aware of social distancing protocol and all the preventive measures such as use of masks, soap and sanitizers be undertaken as per the protocol.
- Strict vigil should be kept for any suspected case of infected prisoner/child, and if any one is detected, proper steps as per medical protocol be immediately taken.
- Necessary steps shall be taken by the Member Secretary, JHALSA to provide legal aid to the prisoners involved in offences punishable up to seven years of imprisonment, who are not involved in heinous or economic offences or the offences relating to naxal activities and have no or less criminal antecedents to move application on their behalf for their release on bail or interim bail till the threat of Covid-19 persists.
- Member Secretary, JHALSA shall intimate all the Principal District Judges cum Chairpersons of the DLSAs of Jharkhand that this Committee has resolved that the Courts be requested to consider the bail applications of the under trial prisoners involved in the offences of petty nature and the offences as mentioned in para-H above liberally and in appropriate cases grant them bail or at least interim bail for the period of 45 days for the present. In appropriate cases releasing these persons on personal bonds may also be considered by the Courts concerned. In case the bail application of any such person has been rejected by the High Court, their application shall be filed before the High Court.

High Powered Committee Meeting on 17.04.2020

In order to minimize the threat of the pandemic COVID-19 virus in the prisons, the following decisions were taken in the virtual meeting of the Committee:-

- Expeditious reallocation of the inmates from the overcrowded jails to such nearby Jails in which the number of prisoners are less than the capacity shall be made
- All the inmates shall be provided with the masks prepared in the Jail to be compulsorily used by them.

High Powered Committee Meeting on 28.04.2020

In order to minimize the threat of the pandemic COVID-19 virus in the prisons, the following decisions were taken in the virtual meeting of the Committee:-

- Govt should explore the possibility to house inmates in the Hazaribagh Open Jail by creating necessary infrastructure there
- All the inmates should be provided with the masks prepared in the Jail
- Govt should consider that the lock down violation of trivial nature may be fined on the spot so as not to increase the number of jail inmates

SCHEDULE - 3

To
The D.G.P.
Jharkhand, Ranchi

Ref : Direction of Hon'ble Supreme Court of India in SUO MOTU WRIT PETITION (C) NO. 1/2020 vide Order dated 23.03.2020.

Sir,

As your good self is well aware about the directions of Hon'ble Supreme Court of India in SUO MOTU WRIT PETITION (C) NO. 1/2020 (copy attached), undersigned may kindly apprise your good self that the virtual meeting of the High Powered Committee (**Hon'ble Mr. Justice H.C. Mishra, Judge, High Court of Jharkhand & Executive Chairman, JHALSA - Chairman, Sri Sukhdeo Singh ,IAS, Addl. Chief Secretary, as he then was now the Chief Secretary, Jharkhand- Member and Sri Shashi Ranjan, IAS, I.G. Prisons, Jharkhand - Member**) took place on 26-3-2020.

In the light of the directions of the Hon'ble Apex Court, a number of decisions were taken in the meeting including the decision No (H) as follows :

H) All the Police Stations in the State be reminded to ensure the compliance of the guidelines of the Hon'ble Apex Court, as enshrined in Para 11 of Arnesh Kumar Vs. State of Bihar, reported in (2014) 8 SC 273.

The Competent Authority has been pleased to direct me to request your good self to issue necessary directions for compliance of the guidelines of the Hon'ble Apex Court, as enshrined in Para 11 of Arnesh Kumar Vs. State of Bihar, reported in (2014) 8 SC 273. (copy enclosed) by all the police stations of Jharkhand.

This may kindly be given top most priority.

Thanking you,
Sincerely Yours

Arun Kumar Rai
(Principal District Judge)
Member Secretary

**To
All the Principal District Judges cum Chairpersons
District Legal Services Authorities of Jharkhand
including the Judicial Commissioner cum Chairman
District Legal Services Authority, Ranchi**

Sir,

As your good self is well aware about a number of steps being taken to decongest the Jharkhand prisons with a view to prevent outbreak of the pandemic Covid-19 in the jails, one of the measure identified is to touch those prisoners who have been granted bail by the Courts, but, are unable to arrange for bailors due to Nation wide lockdown.

His Lordship the Hon'ble Executive Chairman, JHALSA has been pleased to view that such prisoners should be provided effective legal services in the form of legal aid lawyer for filing suitable application in the concerned Court for modification in the condition of bail.

The Competent Authority has been pleased to approve the proposal for undertaking the due diligence as follows:

- the DLSAs shall compile list of such prisoners who have been granted bail during the period 18-3-2020 to 25-3-2020, but, could not furnish bail bonds due to lockdowns
- the DLSAs of Jharkhand shall seek the wish of such prisoners as to whether they want legal aid for seeking modification in the bail order and communicate the list of such cases to JHALSA which are related to the Hon'ble Court
- legal services panel lawyers shall be appointed by the DLSA/HCLSC to seek such modifications in the bail orders in such matters relating to bail granted by the Sessions Court/Magistarial Court. In such case, the legal aid lawyer shall file urgent application which may be considered in accordance with law.

As directed, your good self is requested to give effect to the directions of His Lordship in letter and spirit.

Thanking you,

Sincerely Yours

Arun Kumar Rai
Member Secretary

To,

**All the Principal District Judges-cum-Chairpersons
District Legal Services Authorities including the Principal Judicial Commissioner-cum-
Chairman
District Legal Services Authority, Ranchi
Jharkhand**

Sub : Rendering assistance to the prisoners wishing to engage lawyer on their own
Sir,

As your good self is well aware about extension of lockdown till 3-5-2020, the prisoners willing to engage their own choice lawyer have been facing great hardships. Their relatives are not able to reach out to prisoners for taking vakalatnama for engaging a lawyer of the choice.

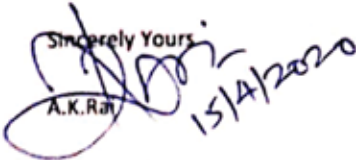
The Competent Authority has been pleased to view that the Legal Services Authorities across the State must live up to the expectations of present difficult times.

His Lordship has been pleased to approve as follows :

- The prisoner may intimate the DLSA through the Jail Authorities about his wish to engage lawyer on his own (name of the advocate). The Jail Authority shall send the executed vakalatnama to the DLSA.
- An advocate may reach out to the DLSA for obtaining Vakalatnama from a prison with an undertaking that he/she has instructions from the relative/pairvikar of the prisoner to represent the prisoner
- The DLSA shall email the vakalatnama to the prisoner through the jail authorities
- The DLSA shall provide the Vakalatnama to the concerned Advocate
- All other DLSAs except Ranchi shall email the executed vakalatnama to JHALSA , if the Advocate in question is practising in the High Court of Jharkhand
- The Chairpersons of the DLSAs of Jharkhand shall intimate the District Bar about this arrangement/ facility
- The Member Secretary, JHALSA shall intimate the Jharkhand State Bar Council and the three Associations of Lawyers at High Court level

This may kindly be given top most priority.

Thanking you,

Sincerely Yours

A.K. Rai
15/4/2020

Member Secretary
JHALSA, RANCHI
15.04.2020

To

The D.G.P.

Jharkhand, Ranchi

Ref : Direction of Hon'ble Supreme Court of India in SUO MOTU WRIT PETITION (C) NO. 1/2020 vide Order dated 13.04.2020 and resolution of State Level High Powered Committee dated 7-4-2020 .

Sir,

As your good self is well aware about the directions of Hon'ble Supreme Court of India in SUO MOTU WRIT PETITION (C) NO. 1/2020 (copy attached), undersigned may kindly apprise your good self that the 2nd virtual meeting of the High Powered Committee (**Hon'ble Mr. Justice H.C. Mishra ,Judge, High Court of Jharkhand & Executive Chairman, JHALSA - Chairman, Sri Sukhdeo Singh ,IAS, Chief Secretary, Jharkhand- Member and Sri Shashi Ranjan, IAS, I.G. Prisons, Jharkhand - Member**) took place on 7-4-2020 .

A number of measures have been taken by the High Powered Committee including parole/ interim bail.

Hon'ble Supreme Court of India has been pleased to direct for transportation facility to such released prisoners as follows :

As matter stands today, this Court has permitted the release of the prisoners after due recommendations from the High Powered Committee constituted by each State/Union Territory. Secondly, there is a direction to

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transportation of prisoners who have been released to make the release effective.

...(c) Transportation shall be done in full compliance of the Rules and Norms transportation of social distancing. For instance, no transportation shall be allowed in excess of half or one fourth capacity of the Bus as may be found appropriate to ensure that the passengers who have been found to be free of coronavirus disease are at a distance from each other.

The Competent Authority has been pleased to direct me to request your good self to issue necessary directions for ensuring transportation by the District police in compliance of the directions of the Hon'ble Apex Court, as mentioned above (copy of order enclosed) by all concerned.

This may kindly be given top most priority.

Thanking you,

Sincerely Yours


Arun Kumar Rai

(Principal District Judge)

Member Secretary

15-4-2020



NYAYA SADAN

JHARKHAND STATE LEGAL SERVICES AUTHORITY (JHALSA)
NEAR A.G. OFFICE, DORANDA, RANCHI-834002
Phone: 0651-2481520 (O), 2482392, Fax: 2482397, E-mail- jhalsaranchi@gmail.com

PATRON-IN-CHIEF

Hon'ble Chief Justice
Jharkhand High Court

Executive Chairman

Justice H.C.Mishra
Judge
Jharkhand High Court

MEMBER SECRETARY

Arun Kumar Rai
(Pr. District Judge)

RefNo: JHALSA/Nil/2020

Dated : 18-4-2020

To,

All the Principal District Judges-Cum-Chairmen
District Legal Services Authorities
State of Jharkhand, including
The Judicial Commissioner-cum-Chairman
District Legal Services Authority, Ranchi and

Sub: Regarding effective assistance to the people of
Jharkhand(labourers, students, patients etc) stuck in another
States due to lock down

Sir,

As your good self is well aware about the Nationwide Lock down since
25-3-2020, this Authority is flooded with the request of the people of Jharkhand stuck
in another State due to lock down for help. Many of them have run out of food grains,
money and medicine. All of them are in urgent need of assistance.

The Competent Authority has been pleased to direct as follows :

- DLSA shall reach out to the relatives of those persons referred to above living in the District to know about the kind of assistance- they need for their relatives stuck in another State / their relatives stuck in another State need.
- DLSA shall intimate the name, parentage, address in another state, , mobile no of the person to JHALSA for further needful at its level
- DLSA shall take care of food, shelter and medicinal need of the labourers/students/patients of other States in coordination with the District Administration. In appropriate cases , the cost fund may be utilized for the purpose
- The DLSA shall widely propagate through the Print and other Media about the initiative and give Contact number of DLSA and JHALSA officer (whatsapp number) for anybody to send request.
- JHALSA shall take up the matter with the concerned SLSA for effectively assisting the people of Jharkhand with food and medicine/counselling.

- J
- Member Secretary shall intimate all the SLSAs to inform as to their wish for any assistance of the kind referred to above to the people of their State stuck in Jharkhand. Those persons shall be assisted with food, shelter, Medicine, Counselling in close coordination with the Govt Authorities. **In appropriate cases , the cost fund may be utilized for the purpose**

Accordingly, your good self is requested to give effect to the directions of His Lordship in letter and spirit.

This may kindly be treated as the most urgent.

Thanking you,

Sincerely Yours
SD.
(Member Secretary)

Copy to Member Secretaries of all the SLSAs of India for information and needful.


Member Secretary

To

All the Principal District Judges cum Chairpersons

District Legal Services Authorities of Jharkhand

including the Judicial Commissioner cum Chairman

District Legal Services Authority, Ranchi

Ref : Decision of the High Powered Committee constituted in the light of the direction of Hon'ble Supreme Court of India in SUO MOTU WRIT PETITION (C) NO. 1/2020 vide Order dated 23.03.2020.

Sir,

As your good self is well aware about the directions of Hon'ble Supreme Court of India in SUO MOTU WRIT PETITION (C) NO. 1/2020 (copy attached), undersigned may kindly apprise your good self that the virtual meeting of the High Powered Committee (**Hon'ble Mr. Justice H.C. Mishra ,Judge, High Court of Jharkhand** & **Executive Chairman, JHALSA - Chairman , Sri Sukhdeo Singh, IAS, Chief Secretary, Govt of Jharkhand Member, and Sri Shashi Ranjan, IAS, I.G. Prisons, Jharkhand - Member**) took place on 7-4-2020 .

In the light of the directions of the Hon'ble Apex Court, a number of decisions were taken in the meeting including the decisions No **(H) & (I)** as follows :

(H) Necessary steps shall be taken by the Member Secretary, JHALSA to provide legal aid to the prisoners involved in offences punishable up to seven years of imprisonment, who are not involved in heinous or economic offences or the offences relating to naxal

activities and have no or less criminal antecedents to move application on their behalf for their release on bail or interim bail till the threat of Covid-19 persists.

(1) Member Secretary, JHALSA shall intimate all the Principal District Judges cum Chairpersons of the DLSAs of Jharkhand that this Committee has resolved that the Courts be requested to consider the bail applications of the under trial prisoners involved in the offences of petty nature and the offences as mentioned in para-H above liberally and in appropriate cases grant them bail or at least interim bail for the period of 45 days for the present . In appropriate cases releasing these persons on personal bonds may also be considered by the Courts concerned . In case the bail application of any such person has been rejected by the High Court, their application shall be filed before the High Court.

The Competent Authority has been pleased to direct me to request your good self to take necessary steps - i. To comply the aforesaid resolutions in letter & spirit and - ii. to inform such category of prisoners, as referred to above, as to the resolution of the High Powered Committee so that they may move an application before the Hon'ble Court . They may also be made aware of their right to free & competent legal aid to move such application through the High Court Legal Services Committee.

This may kindly be given top most priority.

Thanking you.

Sincerely Yours

Arun Kumar Rai

(Principal District Judge)

Member Secretary

Date : 6-4-2020

To

All the Principal District Judges cum Chairpersons
District Legal Services Authorities of Jharkhand
including the Judicial Commissioner cum Chairman
District Legal Services Authority, Ranchi

Sir,

As your good self is well aware about a number of hardships to the people of our Nation due to the Pandemic Covid-19, His Lordship has viewed that we have to live up to the expectations of present time and spring in to action to help the hapless poor & needy persons who are :

- without food
- without shelter
- without medical assistance
- without another pair of clothes
- victim of violence

His Lordship the Hon'ble Executive Chairman, JHALSA has been pleased to view that such persons ought to be provided with the most essential assistance to ensure their survival , such as :

- food distribution
- shelter in rain baseras
- temporary arrangements in tents, if no rain basera
- medicine distribution
- arrangement of mobile toilets and water tankers
- awareness as to safety measures and vital contact numbers
- other

His Lordship has wished the DLSAs to identify the vulnerable persons/families/areas through our robust legal aid clinics / technology to reach out aforesaid assistance in close coordination with the District Administration.

Therefore,as directed, your good self is requested to give effect to the directions of His Lordship in letter and spirit in the present difficult times . The cost-fund may be utilized to meet the expenses.

Thanking you,

Sincerely Yours

Arun Kumar Rai
Member Secretary