### MINUTES OF THE MEETING OF THE HIGH POWERED COMMITTEE HELD ON 24<sup>TH</sup> NOVEMBER, 2021

- **1.**(a) Pursuant to the resolutions taken during the Meeting of the High Powered Committee held on 25<sup>th</sup> September, 2021, at 3.00 p.m., chaired by Hon'ble Justice Meenakshi Madan Rai, Judge, High Court of Sikkim and Executive Chairperson, Sikkim State Legal Services Authority, via Video Conferencing (VC), a Meeting of the same Committee was held today on 24<sup>th</sup> November, 2021, at 2.00 p.m.
- (b) The Meeting was chaired by Hon'ble Justice Meenakshi Madan Rai and attended by Mr. Ravindra Telang, IAS, Principal Secretary, Home Department, Government of Sikkim/Member, High Powered Committee; Mr. Sharab Tonyot, Deputy Inspector General of Police (Prison)/Member, High Powered Committee; Mr. K. L. Tenzing, Senior Superintendent of Police, District Prison, Namchi/Member, High Powered Committee; Mrs. Cheden P. Ladingpa, Special Secretary, Home Department/Member Secretary, High Powered Committee.
- (c) Also in attendance at the Meeting were Shri S. P. Bhutia, Member Secretary, Sikkim State Legal Services Authority (SSLSA); Mr. Yadav Krishna Sharma, Joint Director (Confidential), Home Department, Government of Sikkim; Mr. Renu Raj Chettri, Additional Superintendent of Police (Prison), State Central Prison, Rongyek, East Sikkim and Mr. Bijoy Subba, Assistant Superintendent of Police, District Prison, Boomtar, South Sikkim.

- 2. The meeting considered the following agenda items;
- A. Item Agenda No.1: Confirmation of the Minutes of the Meeting of the High Powered Committee held via Video Conference on 25<sup>th</sup> September, 2021.

The minutes of the meeting held on 25<sup>th</sup> September, 2021, was approved and confirmed.

#### B. Item Agenda No.2: DECONGESTION OF JAILS

To consider list of Undertrial Prisoners (UTPs)/Convicts eligible for consideration on Bail;

- (a) To consider Convicts who have undergone their sentence or are entitled to remission/suspension/commutation of sentence under Sections 432 and 432A of the Code of Criminal Procedure, 1973 (for short, "Cr.P.C.") and Furlough in terms of the Sikkim Prison Manual;
  - (I) The State Central Prison, Rongyek, East Sikkim: NIL
  - (II) The District Prison, Boomtar, Namchi, South Sikkim: NIL

### (b) To consider UTPs released on Bail by the Court, but unable to furnish sureties;

(i) The Jail Authorities have informed that out of 22 (twenty-two) UTPs recommended for release on bail by the High Powered Committee, as per the resolution dated 25<sup>th</sup> September, 2021, 11 (eleven) UTPs have been released on bail. However, 5 (five) UTPs were not released on account of non-furnishing of surety and the remaining 6 (six) were not released on account of commercial quantities of controlled substances recovered from their possession. The details of the above are enclosed hereunder;

### Details of UTPs whose bail has been granted by the Learned Courts

| State Central Prison, Rongyek, East Sikkim |  |  |                        |  |   |  |  |
|--|--|--|------------------------|--|---|--|--|
| Sl. No.                                    | Details of the prisoner                                  | Details of the case                    | Date of<br>Institution | Charges framed by the<br>Court   | Status of Bail  |  |  |
| 1.   | State of Sikkim Vs.<br>Anil Pradhan<br>37/M              | S.T. (POCSO)<br>Case No. 26 of<br>2021 | 30.07.2021             | u/S. 9(n)(10),9(l)<br>(10) of the POCSO Act,<br>2012 and Section 354 of the<br>IPC, 1860   | Bail granted on 08.10.2021<br>and has been released on<br>furnishing surety   |  |  |
| 2.   | State of Sikkim Vs.<br>Ganapati Dhakal<br>42/M           | S.T. (POCSO)<br>Case No. 11 of<br>2020 | 01.02.2020             | u/S. 5(g)/6 of the POCSO<br>Act, 2012 and under<br>Section 376D of the IPC,<br>1860  | Bail granted on 12.10.2021<br>and has been released on<br>furnishing surety   |  |  |
| 3.   | State of Sikkim Vs.<br>Anmol Kumar<br>Balmiki<br>30/M    | S.T. (POCSO)<br>Case No. 02 of<br>2020 | 01.02.2020             | u/S. 5(g)/6 of the POCSO<br>Act, 2012 and under<br>Section 376D of the IPC,<br>1860  | Bail granted on 28.10.2021<br>and has been released on<br>furnishing surety   |  |  |
| 4.   | State of Sikkim Vs. Sushan Darjee (Hingmang)  19/M       | S.T. (POCSO)<br>Case No. 24 of<br>2021 | 29.07.2021             | Charge not yet framed, however, charge-sheet has been filed under Sections 363/376 of the IPC, 1860 r/w Section 4 of the POCSO Act, 2012 | Interim Bail granted on 23.10.2021 (until receipt of DNA report) and has been released on furnishing surety   |  |  |
| 5.   | State of Sikkim Vs.<br>Amrit Kumar Sharma<br>31/M        | S.T. (POCSO)<br>Case No. 38 of<br>2019 | 27.11.2019             | u/S.3(a)/4,5(j)(ii)/6 of the POCSO Act, 2012 and under Section 376(1) of the IPC, 1860   | Interim Bail granted on 28.10.2021 (until 15.12.2021) and has been released on furnishing surety  |  |  |
| 6.   | State of Sikkim Vs.<br>Binay Khati<br>26/M               | S.T. (POCSO)<br>Case No. 35 of<br>2018 | 14.11.2018             | u/S. 5(g)/6, 5(1)/6 of the POCSO Act, 2012 and under Sections 366/368/339/340/376 D/376(2)(n) r/w Section 34 of the IPC, 1860            | Case decided on<br>30.10.2021 and has been<br>acquitted and released<br>from custody  |  |  |
| 7.   | State of Sikkim Vs.<br>Narendra Limboo<br>31/M           | ST (SADA) Case<br>No. 56 of 2019       | 21.12.2019             | u/S9(1)(b)/9(4) of SADA,<br>2006   | Interim bail was granted on 07.10.2021 for a period of two months till 07.12.2021 and the accused was discharged from Judicial Custody on furnishing personal bond and surety bond on the same day of the Order |  |  |
| 8.   | State of Sikkim Vs.<br>Prem Pradhan @<br>Shekhar<br>39/M | ST (SADA) Case<br>No. 08 of 2020       | 18.02.2020             | u/S. 9(1)(a)(b) of SADA,<br>2006   | Bail granted on 01.11.2021.Accused was discharged from the Judicial Custody on furnishing Personal Bond and Surety Bond on the same day of the Order.   |  |  |
| 9.   | State of Sikkim Vs.<br>Keshar Gurung<br>41/M             | ST (NDPS) Case<br>No. 02 of 2019       | 23.10.2019             | u/S. 8(c) and 18(c) r/w<br>Section 21 (b) of NDPS Act,<br>1985   | Bail allowed vide Order dated 30.10.2021 on furnishing personal bond and surety and the accused was discharged from Judicial Custody on 30.10.2021.   |  |  |

|         | District Prison, Boomtar, South Sikkim        |                                 |                        |   |   |  |  |
|---------|---|---------------------------------|------------------------|---|---|--|--|
| Sl. No. | Details of the prisoner                       | Details of the case             | Date of<br>Institution | Charges framed by the<br>Court                                | Status of Bail                                |  |  |
| 10.     | State of Sikkim Vs.<br>Apneel Rai<br>29/M     | S.T. (SADA) Case<br>No. 05/2021 | 18.10.2020             | u/S. 9(1)(a) of Sikkim Anti<br>Drugs (Amendment) Act,<br>2017 | UTP released on Regular<br>Bail on 28.10.2021 |  |  |
| 11.     | State of Sikkim Vs.<br>Ganesh Chettri<br>29/M | S.T. (SADA) Case<br>No. 08/2021 | 24.12.2020             | u/S. 9(1)(b) of Sikkim Anti<br>Drugs (Amendment) Act,<br>2017 | UTP released on Regular<br>Bail on 28.10.2021 |  |  |

## <u>Details of the UTPs whose bail had been granted by the Learned Courts but are still in custody on account of non-furnishing of surety</u>

| State Central Prison, Rongyek, East Sikkim |  |  |                        |   |   |  |  |
|--|--|--|------------------------|---|---|--|--|
| Sl. No.                                    | Details of the prisoner                                      | Details of the case  | Date of<br>Institution | Charges framed by the<br>Court                                    | Status of Bail  |  |  |
| 1.   | State of Sikkim Vs. Bidhan Chettri 36/M                      | ST (SADA) Case<br>No. 12 of 2020                                     | 21.05.2020             | u/S.9(1)(a)(b)(4) of SADA,<br>2006 r/w Section 34 of IPC,<br>1860 | Bail granted on 03.11.2021.<br>However, the accused did<br>not furnish Personal Bond<br>and Surety Bond.  |  |  |
| 2.   | State of Sikkim Vs.<br>Azad Khan @ Ashish<br>Das             | Session Trial No. 21/2018  | 16.11.2018             | u/S.307/395/120B of IPC,<br>1860                                  | Bail application was<br>allowed on 02.11.2021.<br>However, the accused has<br>not been able to furnish<br>Personal Bond and Surety<br>Bond till date.   |  |  |
| 3.   | State of Sikkim Vs.<br>Pratima Kachhua<br>40/F               | Session Trial No. 21/2018  | 16.11.2018             | u/S.307/395/120B of IPC,<br>1860                                  | Bail application allowed<br>from the Court of Learned<br>Sessions Judge, East on<br>14.03.2019, however, the<br>accused has not been able<br>to furnish surety before<br>the Court till date. |  |  |
| 4.   | State of Sikkim Vs. Da<br>Tengee @ Dawa @<br>Gyamtso<br>19/M | G.R. Case No. 202<br>of 2021<br>U/Sec. 380, 457 &<br>34 of IPC, 1860 | 26.08.2021             | u/S. 380, 457 & 34 of IPC, 1860                                   | Bail granted vide Order dated 28.10.2021 passed in Criminal Misc. Case Bail No. 114 of 2021, however, personal bond and surety bond has not been furnished before the Court till date.        |  |  |
| 5.   | State of Sikkim Vs.<br>Karma Utpal Chettri<br>20/M           | G.R. Case No. 202<br>of 2021<br>U/Sec. 380, 457 &<br>34 of IPC, 1860 | 26.08.2021             | u/S. 380, 457 & 34 of IPC, 1860                                   | Bail granted vide Order dated 28.10.2021 passed in Criminal Misc. Case Bail No. 114 of 2021, however, personal bond and surety bond has not been furnished before the Court till date.        |  |  |

# Details of the UTPs whose bail had been rejected by the Learned Courts on account of commercial quantities of controlled substances recovered from their possession

| State Central Prison, Rongyek, East Sikkim |   |                                  |                        |   |  |  |
|--|---|----------------------------------|------------------------|---|--|--|
| Sl. No.                                    | Details of the prisoner                                 | Details of the case              | Date of<br>Institution | Charges framed by the<br>Court                                  | Status of Bail   |  |
| 1.   | State of Sikkim Vs.<br>Ramesh Saha & Anr.<br>28/M       | ST (SADA) Case<br>No. 17 of 2019 | 23.04.2019             | u/S.9(1)(c)/9(1)(a) of<br>SADA, 2006 r/w S.34 IPC,<br>1860      | Bail rejected vide Order<br>passed on 02.11.2021         |  |
| 2.   | State of Sikkim Vs.<br>Sonam Tamang<br>24/M             | ST (SADA) Case<br>No. 39 of 2019 | 28.08.2019             | u/S.9(1)(b) of SADA, 2006                                       | Bail rejected vide Order<br>passed on 01.11.2021         |  |
| 3.   | State of Sikkim Vs.<br>Wangdi Sherpa &<br>Ors.<br>31/M  | ST (SADA) Case<br>No. 41 of 2019 | 21.09.2019             | u/S.9(1)(c)/9(4) of SADA,<br>2006 r/w S.34 IPC                  | Bail rejected vide Order<br>passed on 03.11.2021         |  |
| 4.   | State of Sikkim Vs.<br>Ugen Tamang & Anr.<br>23/M       | ST (SADA) Case<br>No. 47 of 2019 | 24.10.2019             | u/S.9(1)(c)/7(a)/14 of<br>SADA, 2006 r/w S.34 IPC               | Bail rejected vide Order<br>dated 30.10.2021             |  |
| 5.   | State of Sikkim Vs.<br>Lakpa Sherpa<br>24/M             | ST (SADA) Case<br>No. 51 of 2019 | 21.11.2019             | u/S.9(1)(c)/9(4) of SADA,<br>2006                               | Bail rejected vide Order<br>passed on 02.11.2021         |  |
| 6.   | State of Sikkim Vs.<br>Ganesh Sharma<br>(Gelal)<br>36/M | ST (SADA) Case<br>No. 22 of 2020 | 20.08.2020             | u/S.9(1)(c)<br>(4) of SADA, 2006 r/w<br>Section 34 of IPC, 1860 | Bail application was filed<br>and rejected on 12.10.2021 |  |

(ii) The High Powered Committee recommended that the UTPs mentioned herein-below along with the names of UTPs whose names were recommended earlier viz; Pratima Kachhua (Sessions Trial No. 21/2018), Tengee@Dawa@Gyamtso (G.R. Case No. 202 of 2021) and Karma Utpal Chettri (G.R. Case No. 202 of 2021), may be released on Personal Bond, however, consideration of the circumstances for release is left to the discretion of the concerned Learned Court.

- I. Manish Rai, male, aged 20 years, has been granted bail by the Learned Special Judge, POCSO, East Sikkim, at Gangtok, vide Order dated 12.08.2021 in Criminal Misc. Case POCSO-Bail No. 30 of 2021.
- II. Bhusan Trikhatri alias Joseph, male, aged 30 years, has been granted bail by the Learned Chief Judicial Magistrate, East Sikkim, at Gangtok, vide Order dated 09.08.2021 in Criminal Misc. Case (Bail) No. 89 of 2021.
- III. Eazak Tamang, aged 20 years, male, has been granted bail by the Learned Chief Judicial Magistrate, East Sikkim, at Gangtok, vide Order dated 06.08.2021 in Criminal Misc. Case (Bail) No. 90 of 2021.
- IV. Roshan Pradhan, aged 24 years, male, has been granted bail by the Learned Chief Judicial Magistrate, East Sikkim, at Gangtok, vide Order dated 24.07.2021 in Criminal Misc. Case (Bail) No. 85 of 2021.
- (c) To consider release of UTPs booked under compoundable offences;
  - (I) The State Central Prison, Rongyek, East Sikkim: **NIL**
  - (II) The District Prison, Boomtar, Namchi, South Sikkim: NIL

- (d) To consider release of UTPs covered under Sections 436 and 436A of the Cr.P.C.;
  - (I) The State Central Prison, Rongyek, East Sikkim: NIL
  - (II) The District Prison, Boomtar, Namchi, South Sikkim: NIL
- (e) To consider release of UTPs who may be covered under Section 3 of the Probation of Offenders Act, 1958, namely, accused of offence under Sections 379, 380, 381, 404, 420 of the Indian Penal Code or alleged to be an offence not more than 2 years imprisonment;
  - (I) The State Central Prison, Rongyek, East Sikkim: NIL
  - (II) The District Prison, Boomtar, Namchi, South Sikkim: NIL
- (f) To consider UTPs eligible to be released on bail under Section 167 of the Cr.P.C. and under Section 167(2)(a)(i) and (ii) of the Cr.P.C. read with Section 36A of the Narcotic Drugs and Psychotropic Substances Act, 1985 (where persons accused of Section 19 or Section 24 or Section 27A or for offences involving commercial quantity) where investigation is not completed in 60/90/180 days.

As informed by the Deputy Inspector General of Police (Prison) and the Additional Superintendent of Police (Prison), State Central Prison, Rongyek, one UTP, namely, Prashid Sewa, male, aged 20 years, booked under Sections 7/9/14 of the Sikkim Anti Drugs Act, 2006 read with Sections 22/27 of the Narcotics Drugs and Psychotropic Substances Act, 1985 read with 34 of the Indian Penal Code, 1860, in Judicial Custody from 08-09-2021 is eligible for bail under Section 167 of the Cr.P.C.

**RESOLVED** that the Learned Special Judge, NDPS, shall consider releasing the above-mentioned UTP in view of his eligibility under Section 167 of the Cr.P.C.

- (g) To consider release of UTPs who are imprisoned for offences which carry a maximum punishment of 2 years;
  - (I) The State Central Prison, Rongyek, East Sikkim: **NIL**
  - (II) The District Prison, Boomtar, Namchi, South Sikkim: NIL
- (h) To consider release of vulnerable UTPs who are sick or infirm and require specialized medical treatment;
  - (I) The State Central Prison, Rongyek, East Sikkim: NIL
  - (II) The District Prison, Boomtar, Namchi, South Sikkim: NIL
- (i) To consider release of UTPs who are women;
  - (I) The State Central Prison, Rongyek, East Sikkim: **NIL**
  - (II) The District Prison, Boomtar, Namchi, South Sikkim: NIL

[It may be reiterated here that Pratima Kachhua, female UTP, aged 38 years, booked under Sections 307/395/120B of the IPC, is already released on bail vide Order dated 24.05.2017 in the Court of Learned Sessions Judge, East Sikkim at Gangtok, but is still in custody on her inability to furnish surety.]

(j) To consider release of UTPs who are first time offenders between the ages of 19 and 21 and in custody for offences punishable with less than 7 years of imprisonment and have suffered at least 1/4th of the maximum sentence prescribed;

The Deputy Inspector General of Police (Prison) and the Additional Superintendent of Police (Prison), State Central Prison, Rongyek, informed that although there are some UTPs in the age group of 19 and 21 who are first time offenders, however, none of them have undergone 1/4th of the maximum sentence.

The Assistant Superintendent of Police, District Prison, Boomtar, South Sikkim, has informed that there are no UTPs between the ages of 19 to 21 years who could be considered for release on Bail.

### (k) To consider release of UTPs who are of unsound mind;

Bishnu Kumar Subba, male UTP, aged 26 years, in Sessions Trial (ST) Case No.02 of 2021, in the Court of Sessions Judge, East Sikkim, at Gangtok, was sent for psychiatric evaluation. Report was submitted to the Learned Sessions Court, East Sikkim, on 03-05-2021. It is submitted by the Jail Authorities that the psychiatric evaluation found the UTP to be unsound mind.

As per the report of the Learned District & Sessions Judge, East Sikkim, the UTP is not of unsound mind.

**RESOLVED:** That in view of the above anomaly the Jail Authorities at State Central Prison, Rongyek are directed to get the psychiatric evaluation of the UTP done again and report be given to the High Powered Committee.

- (1) To consider UTPs eligible for release under Section 437(6) of the Cr.P.C, wherein in a case triable by a Magistrate, the trial of a person accused of any non-bailable offence has not been concluded within a period of 60 days from the first date fixed for taking evidence in the case.
  - (I) The State Central Prison, Rongyek, East Sikkim: NIL
  - (II) The District Prison, Boomtar, Namchi, South Sikkim: NIL
- (m) To consider release of UTPs detained under Sections 107, 108, 109, 151 of the Cr.P.C.
  - (I) The State Central Prison, Rongyek, East Sikkim: NIL
  - (II) The District Prison, Boomtar, Namchi, South Sikkim: NIL

C. Item Agenda No.3: UTPs and Convicts with Covid-19 in the State Central Prison, Rongyek, East Sikkim and District Prison, Boomtar, Namchi, South Sikkim and availability of medical facilities and treatment.

As reported by both the Jail Authorities, there are no convicts and UTP with Covid-19 in both the prisons in Sikkim. Both prisons are adequately equipped with medical facilities to deal with any prisoner who could be infected with Covid-19 virus.

D. Item Agenda No.4: Continuation of sanitization and maintenance of hygiene and cleanliness in the State Central Prison, Rongyek, East Sikkim and District Prison, Boomtar, Namchi, South Sikkim.

Both prisons are being sanitised on a fortnightly basis. Hygiene and cleanliness is maintained on a daily basis in both the prisons as reported by both the Jail Authorities.

E. Item Agenda No.5: Number of new UTPs since 25-09-2021 and the latest vaccination position of UTPs, Convicts, Officers and staff at the State Central Prison, Rongyek, East Sikkim and District Prison, Boomtar, Namchi, South Sikkim.

As informed by the Deputy Inspector General of Police (Prison) and the Additional Superintendent of Police (Prison), State Central Prison, Rongyek, East Sikkim, all convicts and UTPs are vaccinated except 4 (four) UTPs who have recently been sent to Judicial Custody and they have been given first dose of the vaccine, the details are as under;

| STATE CENTRAL PRISON, RONGYEK, EAST SIKKIM |                         |  |                                |                                 |  |  |  |  |
|--|-------------------------|--|--------------------------------|---------------------------------|--|--|--|--|
| Sl. No.                                    | Details of the UTP      | Booked u/S.  | Sent to Judicial<br>Custody on | Date of 1st dose<br>Vaccination |  |  |  |  |
| 1.   | Badal Chettri           | , ,  |                                | 09.10.2021                      |  |  |  |  |
|  | 19/M                    |  |                                |                                 |  |  |  |  |
| 2.   | Ruben Rai               | 447/380 IPC, 1860  | 06.10.2021                     | 09.10.2021                      |  |  |  |  |
|  | 21/M                    |  |                                |                                 |  |  |  |  |
| 3.   | Mani Hang Subba         | 7/9/14/ of SADA, 2006 r/w<br>Section 9(c) of Sikkim Anti | 19.10.2021                     | 16.11.2021                      |  |  |  |  |
|  | 29/M                    | Drugs Amendment Rules,<br>2017 r/w Section 34 IPC, 1860  |                                |                                 |  |  |  |  |
| 4.   | Nima Tshering<br>Gurung | 392 IPC, 1860  | 13.11.2021                     | 16.11.2021                      |  |  |  |  |
|  | 29/M                    |  |                                |                                 |  |  |  |  |

As informed by the Assistant Superintendent of Police, District Prison, Boomtar, South Sikkim, after the meeting of the High Powered Committee held on 25.09.2021, there is only 1 (one) UTP who has not been administered second dose of the vaccine. The detail is as under;

| DISTRICT PRISON, BOOMTAR, SOUTH SIKKIM |                          |                                    |                                   |                                 |   |  |  |  |
|--|--------------------------|------------------------------------|-----------------------------------|---------------------------------|---|--|--|--|
| Sl. No.                                | Details of the UTP       | Booked u/S.                        | Sent to<br>Judicial<br>Custody on | Date of 1st dose<br>Vaccination | Remarks   |  |  |  |
| 1.                                     | Burma Dev Pandit<br>26/M | Civil Case (58(a) of<br>CPC, 1908) | 26.11.2021                        | 23.07.2021                      | He failed to administer 2 <sup>nd</sup> dose in stipulated time. Hence, 2 <sup>nd</sup> dose will be administered on 29.11.2021 |  |  |  |

It is also informed to the meeting that all officers and staff including all eligible members of their families have received both doses of the Covid-19 vaccine. F. Item Agenda No.6: Present mode of production of UTPs before Courts and continuation of Video Conference for remand.

The Deputy Inspector General of Police (Prison), State Central Prison, Rongyek, has informed that all Courts have directed that UTPs be produced for remand in person. It is suggested by the Deputy Inspector General of Police (Prison) that UTPs required for purposes of trial may be furnished physically in Court. However, UTPs who are only required for remand may be directed to be produced by VC.

**RESOLVED** that all UTPs whose case is fixed for trial shall be produced physically in the Courts. However, the High Powered Committee recommended that considering that the Covid-19 Pandemic is not over presently, UTPs required for remand be produced only by VC.

The Member Secretary, Sikkim SLSA will take necessary steps in this regard.

G. Item Agenda No.7: Steps taken for and progress of counselling of UTPs and Convicts by Psychologists and Psychiatrists at the State Central Prison, Rongyek, East Sikkim and District Prison, Boomtar, Namchi, South Sikkim (UTPs, convicts under SADA and UTPs, convicts with mental illness, other UTPs and convicts in need of counselling);

The Deputy Inspector General of Police (Prison), State Central Prison, Rongyek, has informed that counselling by Psychiatrist is being done physically for UTPs and convicts who require such counselling. Counselling has not started for UTPs who are booked under Sikkim Anti Drugs Act, 2006 (SADA). Steps are being taken by the Jail Authorities for

recommending counselling of SADA UTPs and other UTPs with minor mental health issues in this context.

The Assistant Superintendent of Prison, District Prison, Boomtar, has informed that Dr. Bishnu Sharma, Psychiatrist of Namchi Hospital, is carrying out counselling for UTPs fortnightly.

H. Item Agenda No.8: Procurement of Video conference equipment by State Government for the State Central Prison, Rongyek, East Sikkim and District Prison, Boomtar, Namchi, South Sikkim: latest status.

The Principal Secretary, Home Department informs that VC equipment, one each, has been requisitioned and made available and also installed in both the prisons. He is requested to provide one more set each to the State Central Prison, Rongyek, East Sikkim and District Prison, Boomtar, Namchi, South Sikkim.

I. Item Agenda No.9: Any other item(s) with the permission of the Chair.

#### RESOLVED

It is resolved that the following UTPs may be released on the recommendations of the High Powered Committee as per the information derived from the Prison Authorities of the State Central Prison, Rongyek, whose case did not fall under any categories contained under *Item Agenda No.2*: DECONGESTION OF JAILS

| Sl. No. | Details of the UTP                     | FIR Crime<br>No. | Particulars of<br>Court                    | Charge framed<br>under section   | Date of<br>admission<br>/arrest | Detention<br>period                 |
|---------|--|------------------|--|--|---------------------------------|-------------------------------------|
| 1.      | Lalit Ramudamu<br>@ Thulo Bhai<br>37/M | 175/18           | Learned<br>Special<br>Court,<br>POCSO East | 376AB/354/354<br>A(iii)(2)of IPC<br>1860 r/w sec.<br>6/10/12 of<br>POCSO Act, 2012 | 12.08.2018                      | 3 years 3<br>months and 11<br>days  |
| 2.      | Kishor Gurung<br>29/M                  | 28/18            | Learned<br>Special<br>Court,<br>POCSO East | 6 of POCSO<br>Act,2012   | 03.08.2018                      | 3 years 3<br>months and 20<br>days  |
| 3.      | Rakesh Darjee<br>25/M                  | 48/18            | Learned<br>Special<br>Court<br>POCSO East  | 376(2)(j)/448/506<br>IPC 1860 r/w<br>sec. 6 of POCSO<br>Act 2012                   | 06.09.2018                      | 3 years 2<br>months and 17<br>days  |
| 4.      | Suren Chettri<br>30/M                  | 45/18            | Learned<br>Special<br>Court,<br>POCSO East | 376AB/376(2)(f)/<br>376(2)(n)/506<br>IPC r/w sec. 6 of<br>POCSO                    | 15.11.2018                      | 3years and 8<br>days                |
| 5.      | Pradeep Chettri<br>32/M                | 31/18            | Learned<br>Special<br>Court,<br>POCSO East | 5(1)(m)(p) & 6 of<br>POCSO Act,2012  | 21.11.2018                      | 3 years and 2<br>days               |
| 6.      | Jeewan Baraily<br>35/M                 | 234/18           | Learned<br>Special<br>Court,<br>POCSO East | 376(2)(n)/376(2)(<br>f) IPC r/w sec. 6<br>of POCSO, 2012                           | 29.11.2018                      | 2 years 11<br>months and 24<br>days |

- 3. It was further decided that next meeting of the High Powered Committee shall be held on 18<sup>th</sup> February, 2022.
- **4.** The Meeting ended with a Vote of Thanks to the Chair, proposed by the Member Secretary, Sikkim SLSA.

Sd/-

( Justice Meenakshi Madan Rai )
Judge, High Court of Sikkim
and Executive Chairperson,
Sikkim State Legal Services Authority,
Chairperson, High Powered Committee

Sd/-

( Ravindra Telang, IAS)
Principal Secretary,
Home Department, Government of Sikkim
Member, High Powered Committee

Sd/-

(Sharab Tonyot)
Deputy Inspector General of Police,
State Central Prison, Rongyek,
Member, High Powered Committee

Sd/-

(K. L. Tenzing)
Senior Superintendent of Police,
District Prison, Boomtar,
Member, High Powered Committee

Sd/-

(Cheden P. Ladingpa)
Special Secretary,
Home Department, Government of Sikkim
Member Secretary, High Powered Committee

### Other Officers present at the Meeting

Sd/( S. P. Bhutia )
Member Secretary,
Sikkim State Legal Services Authority

Sd/( Yadav K. Sharma )
Joint Director, Home (Confidential),
Government of Sikkim

Sd/( Renu Raj Chettri )
Additional Superintendent of Prison,
State Central Prison, Rongyek, East Sikkim

Sd/(Bijoy Subba)
Assistant Superintendent of Prison,
District Prison, Boomtar, Namchi, South Sikkim.