

ITEM NO.17

COURT NO.0

SECTION PIL-W

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

SMW No.1/2020

IN RE: CONTAGION OF COVID 19 VIRUS IN PRISONS

(With IA No.48215/2020 - APPLICATION FOR PERMISSION; IA No.48234/2020 - APPROPRIATE ORDERS/DIRECTIONS; IA No.48232/2020 - APPROPRIATE ORDERS/DIRECTIONS; IA No.48216/2020 - CLARIFICATION/DIRECTION; IA No.48233/2020 - INTERVENTION APPLICATION; IA No.48231/2020 - INTERVENTION APPLICATION; and, IA No.48217/2020 - MODIFICATION OF COURT ORDER)

(MR. DUSHYANT DAVE, SR. ADV.(A.C)[NAME OF SRISHTI AGNIHOTRI, ADVOCATE MAY SHOWN UNDER ITEM NO. 17]

Date : 07-04-2020 These matters were called on for hearing today.

CORAM :

HON'BLE THE CHIEF JUSTICE
HON'BLE MR. JUSTICE L. NAGESWARA RAO

Counsel for the Parties:

Mr. Dushyant Dave, Sr. Advocate
(Amicus Curiae)

Mr. K.K. Venugopal, AG

Mr. Tushar Mehta, SG

Mr. Salman Khurshid, Sr. Adv.
Ms. Srishti Agnihotri, Adv.

Ms. G. Indira, AOR

Mr. M. Yogesh Kanna, AOR

Mr. Sachin Patil, AOR

Mr. Santosh Kumar - I, AOR

Mr. Raj Bahadur Yadav, AOR

Mr. Abhimanyu Tewari, AOR

Dr. Monika Gusain, AOR

M/s. PLR Chambers & Co., AOR

Mr. G. Prakash, AOR

Ms. Astha Sharma, AOR

Mr. Nikhil Goel, AOR

Ms. Mukti Chowdhary, AOR

Mr. Narendra Kumar, AOR

M/s. Venkat Palwai Law Associates, AOR

Mr. Shuvodeep Roy, AOR

Mr. Milind Kumar, AOR

Mr. Vinod Sharma, AOR

Mr. Sumeer Sodhi, AOR

Ms. K. Enatoli Sema, AOR

Ms. Uttara Babbar, AOR

Mr. Vinay Arora, AOR

Mr. Tapeshe Kumar Singh, AOR

Mr. G. N. Reddy, AOR

Mr. M. Shoeb Alam, AOR

Ms. Garima Prashad, AOR

Mr. V. N. Raghupathy, AOR

UPON hearing the counsel the Court made the following
O R D E R

IA No.48232/2020

We have heard Mr. Dushant Dave, learned Amicus Curiae and Mr. K.K. Venugopal, learned Attorney General for India,

It is pointed out by Mr. Dave that the prisoners who have been released according to the guidelines framed by the High Powered Committees in various States are stranded because they have no means to reach their homes or their places of residence.

Mr. Venugopal, learned Attorney General submits that it is very unjust that the prisoners who are released have been left stranding and they cannot reach their homes because of lockdown in absence of any transportation.

In these circumstances, we consider it appropriate to direct that Union of India shall ensure that all the prisoners having been released by the States/Union Territories are not left stranded and they are provided transportation to reach their homes or given the option to stay in temporary shelter homes for the period of lockdown. For this purpose, the Union of India may issue appropriate directions under the Disaster Management Act, 2005 or any other law for the time being in force.

We further direct that the States/Union Territories shall ensure through Directors General of Police to provide safe transit to the prisoners who have been released so that they may reach their homes. They shall also be given an option for staying in temporary shelter homes during the period of lockdown. Ordered accordingly.

Copies of all the applications be served on learned Attorney General and learned Solicitor General.

In the meantime, copy of the Status Report(s) be served on the parties concerned.

List the applications on 13.04.2020, on top of the Board.

(CHARANJEET KAUR)
AR-cum-PS

(MUKESH NASA)
Court Master

(INDU KUMARI POKHRIYAL)
Assistant Registrar