

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) (PIL) No. 6610 of 2006

&

W.P.(C) (PIL) No. 3368 of 2014

Krushna Prasad Sahoo

....

Petitioner

Mr. Gautam Mishra, Senior Advocate
(Amicus Curiae)

-versus-

State of Odisha & Others

....

Opposite Parties

Mr. Debakanta Mohanty, Additional Government Advocate
Mr. Iswar Mohanty, Additional Standing Counsel
Mr. Manoj Kumar Chhbhra, D.G. of Prisons & DCS, Odisha

**CORAM:
THE CHIEF JUSTICE
JUSTICE M. S. RAMAN**

सत्यमेव जयते

**ORDER
10.11.2022**

Order No.

43. 1. This Court has perused the affidavit dated 7th November, 2022 filed by the Deputy Inspector General of Prisons as well as convenience note submitted by Mr. Gautam Mishra, learned Senior Advocate and Amicus Curiae (AC).

Uploading of data

2. As regards uploading of data by the Prison Department in terms of the order dated 7th May, 2021 passed by the Supreme Court in *Suo Moto* W.P.(C) No.1 of 2020, Mr. Manoj Kumar Chhabra, Director

General of Prisons & DCS, Odisha who is present in virtual mode assures the Court that the data after August, 2022 will be updated in a short while with the assistance of National Informatics Centre (NIC).

Overcrowding in jails

3. On the issue of overcrowding, it is noticed that in the Sub-Jail, Jajpur and the Special Sub-Jail, Bhadrak, the percentage of excess population is 71% & 50% respectively. Further, there are as many 17 jails where the excess population is in the range of 20-40%.

4. The affidavit outlines the steps taken to increase the capacity of Jails generally and refers to the ongoing projects to achieve their target. Also enclosed to the affidavit a chart indicating the timeline projected by the Odisha Police Housing and Welfare Corporation (OPHWC), Bhubaneswar for completion of the different prison projects. It is seen that there are as many as 21 projects with been revised timelines indicating that they are supposed to be completed by the end of this year.

5. The Court would like the Chairman and Managing Director (CMD) of OPHWC to remain present in the virtual mode on the next date to explain to what extent the revised time targets as indicated in the said chart have been able to be achieved.

Mental healthcare

6. One area which is still a cause for concern is the non-availability of the Psychiatrists and Psychologists to cater to the mental health

needs of the inmate population in the jails in Odisha. Mr. Chhabra, DG of Prisons, refers to the affidavit dated 7th November, 2022 where it is stated that the process of empanelment of consultant Psychiatrists and psychologists is underway. He expects that by the next date a greater number of mental health professionals would be available to cater to the mental health needs of the prisoners.

7. The Additional Chief Secretary (Health) is requested to remain present in virtual mode on the next date to inform the Court of the progress made in regard to the above issue.

8. A further affidavit updating the status of progress on each of the issues noted in paras 2 to 7 above be filed before the next date by the Prisons Department.

9. List on 9th January, 2023.

10. Copies of this order be communicated forthwith by the Registry to the CMD, OPHWC as well as the Additional Chief Secretary (Health).

(Dr. S. Muralidhar)
Chief Justice

(M. S. Raman)
Judge