



Corruption Free India

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To,

Dated : 4th April 2020

The Hon'ble Chief Justice of India Mr S.A. Bobde
The Hon'ble Chief Justice of India & Patron in Chief NALSA
Supreme Court of India,
Tilak Marg, New Delhi-110001
NATIONAL LEGAL SERVICES AUTHORITY
12/11, Jamnagar House, Shahjahan Road,
New Delhi-110011
Residence : 5, Krishna Menon Marg, New Delhi

**Sub.: Request to Consider Certain True Facts while hearing SUD MOTU WRIT
PETITION (C) NO. 1/2020**

IN RE : CONTAGION OF COVID 19 VIRUS IN PRISONS on the 17th April 2020

Respected Honorable Sir,

Please review the below mentioned Screenshot
which shows the Current Cases of Corona Virus (Covid-19) Positive Cases
and Deaths happened till date in India it has resulted in Over Global



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Coronavirus Cases has reached : 11,53,144 and Deaths have crossed Over : 61,657 Globally Source : <https://www.worldometers.info/coronavirus/>

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Coronavirus updates

India now has 3,702 cases, with 75 casualties; Global deaths cross 60,000

Source : Economic Times

This is in reference to Bring this to your notice certain facts Nearly 700 people became positive in India today on an average 500-700 people are getting positive on daily basis the Lives of Prisoner's are at Stake by not releasing them till date despite of the Current Situation is Violating the Article 21 in "The Constitution Of India 1949

21. Protection of life and personal liberty No person shall be deprived of his life or personal liberty except according to procedure established by law" the States have put lives at Risk of Prisoner's across India by being Judgmental/Detrimental on who all should be released and who should remain inside the Prisons the Constitution has Given Equivalent Rights to Every Citizen of India and If an Citizen is Accused of any Crime doesn't means his Rights can be Curtailed so the Hon'ble Chief Justice of India should take this on account and Release all Prisoner's across the country



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instead of leaving the Decision Making with the High Level Committee since the High Level Committee's have made a mockery of the lives of People who would be punished with Death Sentences due to the Global Outbreak & Impact of the Covid-19 (Corona Virus) on the lives of our Citizens languishing in Prisons.

It is Prayed that a Direction should be Given to the Director General Prisons/Superintendent's/Deputy Superintendent's of all Prisons across India and No Decision Making powers should be given to the High Level Committee's since these Committee's Credibility is Questionable in the Case of State of Rajasthan the List of 1328 Prisoner's was made with the Most Powerful and Richest Prisoner's of the State their names were inserted under Political Pressures and Result of Corrupted Activities by these High Level Committee's and in the Case of Maharashtra they've classified certain Prisoner's under sections with punishment upto 7 years should not be included "The above said directions shall not apply to the under trial prisoners who are booked for serious economic offences/bank scams and offences under Special Acts (other than IPC) like MCOC, PMLA, MPID, NDPS, UAPA etc, (which provide for additional restriction on grant of bail in addition to those under Crpc) AND also presently to foreign nationals and under trial prisoners having their place of residence out of the Maharashtra" this Order is Biased and the order to release Prisoners by the Bench of the Hon'ble Chief Justice of India (Supreme Court of India) was in the Interest to Safeguard Lives as per the Provisions of Rights of Citizen's of India under the Article 21 whereas the States have Interpreted the Order and has misused their Power's by Violating the Law of the Land, Our Constitution and also Proceedings of



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Contempt shall be Initiated Against the States and Members of these High Level Committee's in there Interest of Justice to the Citizen's of India Languishing in Prisons across the Country.

It is also Required with a Heavy Heart to Bring in to your notice that despite of the Order Passed on the 23rd March 2020 by your Honorable's Bench majority of the states have not released the Prisoner's Across the Country according to which a case of Contempt of the Hon'ble Supreme Court should be Initiated by the Hon'ble Chief Justice of India so that these So called High Level Committee's and Prison Officials should be taught a lesson that they have been Violating the Law and this is a major Human Rights Concern as well. "Justice Delayed is Justice Denied" this should have been kept in mind but the case is different in the Case of Mr. N.R.K Reddy (Director General of Prisons - Rajasthan) who has quoted to a Newspaper in Rajasthan that "Prisoners are More Safer in Prisons since the Jail Administration is Giving them Food and Medical Facilities & If they are released then how will they go to their homes during the Lock Down"

It is Prayed that if that is the Mindset of a Member of the High Level Committee of Rajasthan to Determine the Class of Prisoner's to be released as per the Hon'ble Supreme Court's Order Dated 23rd March 2020 then the Lives of Prisoners in Rajasthan is at stake an Affidavit should be filed by the states to Ensure that the Responsibility of Lives are of the Jail Administration and If any Deaths Occur due to their Negligence or Lack of Medical Facilities and Lack of Immunity Rich Food which they can only get in their own homes and specially the Jails are Finishing with their Ration Stocks and they have started requesting the Inmates to Have 2 Roti's Lesser



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and Have Dal since their Subzi Stocks are Finishing and they want to feed this food to the Poor's outside" Immunity is the Best way to Defend COVID-19 and it is mentioned that Chloroquine (Medicine for Malaria) & Vitamin C is tested as a Treatment to Cure COVID-19 as per several doctor's in the United States and Article mentioned as Source :

<https://www.businessinsider.com/malaria-pill-chloroquine-tested-as-coronavirus-treatment-2020-3>

In the Prisons Black Pepper is being distributed to Prisoners in Rajasthan which is no certified treatment for COVID-19 so it is requested to Hon'ble CJI that the Lives & Medical Procedures Adapted in Prisons by the prison doctor's and Unhygienic Masks being Produced and Distributed in Prisons should be refrained since they do not pass Global Health Standards and the prisons in Rajasthan are Just making a Mockery of Prisoners by putting their lives at Risk therefore Violating the Article 21 & the Fundamental Rights of the Prisoners. It is witnesses in various Cases where Bails have been Granted in Various Judgements due to Lack of Medical Facilities in Prisons and Negligence by the Prison Doctors has been reported in various petitions it is prayed that Proceedings of Intentional Contempt shall be Initiated bringing justice to the Prisoners behind the bars and they should be released with Immediate Effect an Universal Release Order should be Issued by the Hon'ble Supreme Court as per the powers vested by the Hon'ble Supreme Court of India.

This is a Time when the Judiciary, Central & State Government's have to come together to Help these Lakhs of Prisoner's to safeguard their lives and If the Prisoner's are not released then the Administration, Members of the



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High Level Committee's & State Heads should be Prosecuted as per the Indian Penal Code since their baseless decision making is risk of life ensuring possibility of Deaths in Judicial Custody.

All Prisoner's Who are Undertrials Should be Released with immediate effect except prisoners who are Convicted & Sentenced to Life Imprisonment until their last breath and Death Sentences should be kept Isolated in Prisons but everyone else should be released in order to Fight with Covid-19 and Even if the life is about to end at least they deserve their right to Die in the hands of their Family Members so a 48 Hour's Direction should be passed to Direct the Release of these inmates and all these Inmates Details can be updated on the Systems of the Immigration Authorities "Line Of Control" in order to ensure these prisoners do not flee the country and this is not a stage where the Trials of the cases can be Ran specially Court should also take into Consideration the Custody Undergone by Prisoners in Non Heinous Crimes For Example Sections 420/406/409/427/467/468/471/120B/34 IPC these are Economic Crimes and currently the risk is to the lives of People and these High Level Committee's should not have the Rights to Decide on who would live and who would Die.

Our Constitution says everyone is Equal and Equality shall be taken into Consideration not Partiality to these poor lives in fact in this Tough Situation the States would also save Fooding & Other Expenses on these Prisoners where the Global Growth Rate in India for F.Y.21 has been Forecasted at 2% which is a 30 Years Low by Fitch Ratings we should conserve the Financial Resources in order to meet Financial Requirements by the States in this Situation of Financial Massacre special where the Global Economy has come



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to an Standstill.

With Regards,

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Adv. Pramod S Tiwari

President & Trustee

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