

Sudha DSH ~~Ind. C. Kottate~~
Karnal

The Commissioner & Secretary to Govt.
Haryana, Jails Department, Chandigarh.

The Director General of Prisons, Haryana,
SCO NO. 809, ManiMajra, UT, Chandigarh.

Memo No. 36/11/86-3044,
Dated, Chandigarh, the 23rd April, 1987.

Subject:- Premature release of life convicts-Issuance of consolidated instructions.

W W W W W W W W

Reference your Memorandum no. 1607/GI/G-3/T-19-C-
dated 28.1.1987 on the subject cited above.

2. The matter regarding the issuance of consolidated instructions regarding premature release of convicts sentenced to life imprisonment by criminal Courts has been under consideration of the State Govt. In supersession of all previous instructions on the subject, the following instructions are hereby issued. These consolidated instructions are being issued keeping in view the observations made by the Hon'ble Supreme Court of India in the case of Maru Ram Vs. Union of India (A.I.R.1980, SC 2147)

1) The promotion of cases of prisoners sentenced to life imprisonment by the criminal Court in the Haryana State except those covered under sub para-ii below, will be reviewed, State Govt. on completion of sentence stated against each category as follows:-

a) Adult male life convicts. After completion of 8¹/₂ years of substantive sentence including under/term detention period provided the total of such portion of sentence/detention including remissions less than 14 years.

b) Female & Juvenile life convicts who were below 20 years of age at the time of commission of offence.

After completion of 6 years of substantive sentence including under trial detention period provided the total of such period of sentence/detention including remissions is not less than 10 years.

c) Convicts whose death sentence has been commuted to life imprisonment by the President of India or by the Governor of Haryana State on acceptance of mercy petition.

After completion of 14 years of substantive sentence including under trial detention period.

life imprisonment by the criminal Courts in the Haryana State

Section 433-A of the Criminal Procedure Code read

with the observations of Hon'ble Supreme Court of India made in the

case of Maru Ram Vs. Union of India etc. cited above or those life

convicts on whom punishment of life imprisonment is imposed on

conviction of an offence for which death is one of the punishments

provided by law or where the sentence of death imposed on a person

had been commuted under section 433 of the Criminal Procedure Code

into imprisonment of life on or after 18.12.78 will be considered

by the State Govt. after they have undergone 14 years of substantive

sentence including undertrial detention period provided the total of such

sentence/ detention including remissions is not less than 20 years.

3- The review will be carried out by the State Level

Committee, which will comprise of the following members:-

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| i) Jails Minister | Chairman. |
| ii) Commissioner & Secretary to Jails Deptt. | Member. |
| iii) Legal Remembrancer, Haryana. | Member. |
| iv) Director General & Inspector General of Prisons, Haryana. | Member Secretary. |

The concerned Jail Superintendents shall submit cases of life convicts two months before they complete the sentence mentioned para 2 above alongwith their comments to the Director General and Inspector General of Prisons, Haryana who will put up all such

cases alongwith his recommendations, for consideration, before the State Level Committee. The Committee will meet once a month according to the convenience of the Jails Minister, Haryana. The Director General and Inspector General of Prisons, Haryana will forward a copy of the decision taken by the State Level Committee alongwith the roll of each life convict to Government within one week, for further action.

Joint Secretary Home-II
for Commissioner & Secretary to Govt.
Haryana, Jails Department, Chandigarh.

Dated, Chandigarh the 23rd April, 1987.

No. 36/11/86-JJ(2)

A copy each is forwarded for information & necessary action to:-

- (i) The Legal Remembrancer & Secretary to Govt. Haryana, Legislative Department.
- ii) The Advocate General Haryana, Chandigarh (with 5 spare copies).
- iii) The Director General of Police, Haryana, Chandigarh.
- iv) The Director General of prosecution Haryana, Panchkula (with 5 spare copies)
- v) The Commissioner of Division at Ambala/Hissar.
- vi) All the D.I.Gs of police in Haryana.
- vii) All the Deputy Commissioners in Haryana.
- viii) All the Superintendents of Police in Districts in Haryana.
- ix) All the District Attorneys in Haryana.
- x) All Superintendents of Jails in Haryana.

Under Secretary Jails & Judicial,
for Commissioner & Secretary to Government
Haryana, Jails Department, Chandigarh.

By 16 460
29/4/87

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