

ORDER OF THE GOVERNOR OF HARYANA

On the occasion of Republic Day i.e. 26th January 2020, the Governor of Haryana in exercise of the powers conferred by Article 161 of the Constitution of India, is pleased to grant special remission to the prisoners who are undergoing sentence as a result of their conviction by the Courts of Criminal Jurisdiction in the State of Haryana. The special remission granted will be as under:-

Category of Convicts

- i) The convicts who have been sentenced to life imprisonment and are 75 years of age or above in case of male and 65 years of age or above in case of female as on 26.01.2020 and have completed eight years of actual sentence in case of male convicts and six years of actual sentence in case of female convicts including undertrial period and excluding parole period and whose conduct has remained satisfactory during confinement and who have not committed any major jail offence in the last two years be released forthwith.
- ii) The convicts who have been sentenced to imprisonment other than life imprisonment and are of 75 years of age or above in case of male and 65 years of age or above in the case of female as on 26.01.2020 and have completed 2/3rd actual sentence including undertrial period and excluding parole period and whose conduct has remained satisfactory during confinement and who have not committed any major jail offence in the last two years be released forthwith.

Note: -The age of above convicts should be calculated according to the Matriculation certificate or birth certificate and in the absence of both, it will be calculated according to the judgment of the trial Court and the Superintendent, Jail will ensure correctness/authentication of age.

2. This remission will not be granted to prisoners who have been convicted for the following offences:-

- i) Who have been sentenced to death and their sentences have been commuted to life imprisonment.
- ii) Abduction and murder of a child below the age of 14 years.
- iii) Rape.
- iv) Rape with murder.
- v) Any offence under the POCSO Act, 2012.
- vi) Acid Attack.
- vii) Trafficking of person.
- viii) Kidnapping for ransom.
- ix) Dacoity or Robbery.
- x) Where the Courts have issued any specific order regarding confinement.
- xi) Under the Terrorist and Disruptive Activities (Prevention) Act 1987, Official Secrets Act, 1923, Foreigners Act, 1948, Passport Act, 1967, Sections 2 & 3 of the Criminal Law Amendment Act, 1961 and Sections 121 to 130 of the Indian Penal Code, 1860.
- xii) The sentence of imprisonment imposed in default of payment of fine shall not be treated as substantive for the purpose of grant of this remission.
- xiii) Under the NDPS Act, 1985, in view of section 32A of the said Act.
- xiv) Detenués of any class.
- xv) Pakistani nationals.
- xvi) Under section 489 (A to E) of Indian Penal Code, 1860, for

3. This remission will not be granted to the convicts who are on bail on the day of granting this remission. However, they may be released if they fulfill the above conditions as on 26th January, 2020, after they surrender in the jails in compliance with the orders of Hon'ble Courts.

4. The benefit this remission will also be granted to all the convicts who are on parole/furlough from the jail on **Republic Day i.e. 26th January 2020**, subject to the condition that they surrender at the respective jails on the due date, after the expiry of their parole/furlough period.

5. All prisoners convicted by the Courts of Criminal Jurisdiction in Haryana but undergoing their sentence in jails outside State of Haryana shall also be entitled to get this remission.

Dated, Chandigarh
29.01.2020

Vijai Vardhan
Additional Chief Secretary to Govt., Haryana
Jails Department.

Endst. No. 36/10/2020-1JJ(II) Dated Chandigarh the

A copy each is forwarded to the Administrative Secretaries, Jails of all State Governments and Union Territory Administrations in the Indian Union for information and necessary action.

SA
Superintendent Jail & Judicial-II
for Additional Chief Secretary to Govt., Haryana,
Jails Department.

Endst. No. 36/10/2020-1JJ (II) Dated Chandigarh the

A copy each is forwarded to the Secretary to Govt. of India, Ministry of Home Affairs, New Delhi for information.

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Superintendent Jail & Judicial-II
for Additional Chief Secretary to Govt., Haryana,
Jails Department.

Endst. No. 36/10/2020-1JJ(II) Dated Chandigarh the

A copy each forwarded to the following for information and necessary action:-

1. The Advocate General, Haryana, Chandigarh
- ✓ 2. The Director General of Prisons, Haryana, Sector-14, Panchkula.
3. The Registrar, Punjab and Haryana High Court, Chandigarh.
4. The Director General, Public Relations, Haryana.
5. The Superintendents of all Centrals Jails and District Jails in Haryana.

Asin
Superintendent Jail & Judicial-II
for Additional Chief Secretary to Govt., Haryana,
Jails Department.

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<u>Category of Convicts</u>	<u>Remission</u>
1. Convicts who have been sentenced for a period of ten years and above, including life sentence.	60 days
2. Convicts who have been sentenced for a period of five years and above, but less than 10 years.	45 days
3. Convicts who have been sentenced for a period of less than 5 years.	15 days
4. The benefit this remission will also be granted to all the convicts who are on parole/furlough from the jail on Republic Day i.e. 26th January, 2020 , subject to the condition that they surrender at the respective jails on the due date after the expiry of their parole/furlough period for undergoing the un-expired portion of their sentence.	
3. The sentence of imprisonment imposed in default of payment of fine shall not be treated as substantive for the purpose of grant of this remission.	
4. All prisoners convicted by the Courts of Criminal Jurisdiction in Haryana but undergoing their sentences in jails outside State of Haryana shall also be entitled to get this remission as per the above scale.	
5. This remission will not be granted to the convicts who are on bail on the day of granting this remission.	
6. This remission will not be granted to prisoners convicted for the following offences:-	
i) Abduction and murder of a child below the age of 14 years.	
ii) Rape.	
iii) Rape with murder.	
iv) Any offence under the POCSO Act, 2012.	
v) Acid Attack.	
vi) Trafficking of person.	
vii) Kidnapping for ransom.	
viii) Dacoity or Robbery.	
ix) Under the Terrorist and Disruptive Activities (Prevention) Act, 1987, Official Secrets Act, 1923, Foreigners Act, 1948, Passport Act, 1967, Sections 2 & 3 of the Criminal Law Amendment Act, 1961, and Sections 121 to 130 of the Indian Penal Code. 1860.	

7. This remission will also not be admissible to:
- i) Detenues of any class,
 - ii) Pakistani nationals,
 - iii) Persons imprisoned for failing to give security for keeping peace for their good behaviour under sections 107/109/110 of the Criminal Procedure Code, 1973,
 - iv) The convicts who committed any major jail offence during the last two years and were punished for the same under the relevant provisions of the Punjab Jail Manual or any other Act or Rules as applicable on that day.

Dated, Chandigarh
9.01.2020

Vijai Vardhan
Additional Chief Secretary to Govt. Haryana
Jails Department.

Endst. No. 36/11/2020-1JJ (II) Dated Chandigarh the

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Superintendent Jail & Judicial-II
for Additional Chief Secretary to Govt. Haryana,
Jails Department.

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A copy each is forwarded to the Secretary to Govt. of India, Ministry of Home Affairs, New Delhi for information.


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3. The Registrar, Punjab and Haryana High Court, Chandigarh.
4. The Director General, Public Relations, Haryana.
5. The Superintendents of all Centrals Jails and District Jails in Haryana.


Superintendent Jail & Judicial-II
for Additional Chief Secretary to Govt. Haryana,
Jails Department.