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letter
(To be substituted/bearing same number and date)

From

The Financial Commissioner & Secy. to Govt.,
Haryana, Jails Department.

To

The Addl. Director General of Prisons,
Haryana, Manimajra, Chandigarh.

Memo.No. 36/135/91-1JJ(TI)
Dated Chandigarh, the 19th Nov. 1991.

Subject: Policy regarding premature release of life convicts.

Reference Haryana Government memo.No. 36/11/86-JJ(2),
dated 28-9-1988 on the subject noted above.

2. The matter regarding premature release of life convicts
has further been considered by the Government and in supersession of
all previous instructions, the following policy is laid down on the
subject:-

- a) Convicts whose death sentence has been commuted to life imprisonment and convicts who have been imprisoned for life for having committed a heinous crime, such as, murder with wrongful confinement, for extortion/robbery, murder with rape, murder while undergoing life sentence, murder with dacoity, murder under T.D Act, 1987, murder with Untouchability (Offences) Act, 1955, murder in connection with dowry, bride burning, murder of a child under the age of 14 years, murder of handicapped or pregnant woman or murder after abduction or kidnapping, murder on professional/hired basis, murder exhibiting brutality such as cutting the body into pieces or burning/ dragging the body as evident from judgement of sentence, persistent bad conduct in the prison and those who can not for some definite reasons be prematurely released without danger to public safety, or convicts who have been imprisoned for life under section 120-B of IPC or life convicts who have been awarded life imprisonment a second time under N.D.P.S Act or life convicts who have been imprisoned for life second time under any offence.
- Their cases may be considered after completion of 14 years actual sentence including under-trial period and after earning at least 6 years remission.

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Their cases may be considered after completion of 10 years of actual sentence including under trial period, provided that the total period of such sentence including remission is not less than 14 years.

Their cases may be considered after completion of actual sentence of 8 years including under trial period, provided that the total period of such sentence including remission is not less than 10 years.

These prisoners may be considered for release on the report of Medical Board designated by the Govt. Medical re-examination of the convicts should be done 3 months after such release for the confirmation of the disease. Conditions of release should contain a provision regarding periodic medical re-examination and re-admission to the prison if the patient is not found to be suffering from such a disease any longer or is on the road to recovery.

If the handicap existed before the crime, no special consideration will be given. In case a handicap develops after the sentence, the release may be considered after the convict has undergone detention of 6 years, provided the handicap is of such a nature as to render him totally incapable of committing any offence and further renders him incapable of looking after himself in the prison.

3. As in the past, the cases for signature release will be reviewed by the State Level Committee comprising of the following:-

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| 1. Minister for Jails | Chairman |
| 2. Financial Commissioner
& Secy. to Govt.,
Haryana, Jails Deptt. | Member. |
| 3. Dep. of Rememberance,
Haryana. | Member. |
| 4. Addl. Director General
of Prisons, Haryana, | Member Secretary. |

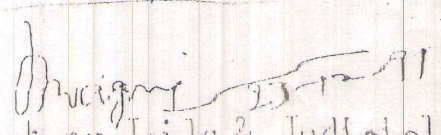
The Superintendents of the Jails concerned shall submit

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cases of life convicts 2 months before they complete the sentence mentioned above alongwith their comments to the Addl. Director General/Inspector General of Prisons, Haryana, who will put up all such cases alongwith his recommendations for consideration before the State Level Committee. In the case of category (d) and (e) above, it shall be the responsibility of the Superintendent of the Jail to arrange for medical examination by the Medical Board designated by the Govt. well in time and forward the medical report to the Addl. Director General/Inspector General of Prisons, Haryana, who will place the matter before the State Level Committee alongwith his comments for consideration. He will very clearly indicate the category under which each case is covered. The Committee will meet once in 3 months according to the convenience of the Minister of Jails, Haryana so that cases of review under this policy are not delayed. The Addl. Director General/Inspector General of Prisons, Haryana, will forward a copy of the decision taken by the State Level Committee alongwith the roll of each of the life convicts to the Government within one week for further action.

5. Such cases will be put up to the Governor through the Minister for Jails and the Chief Minister, with full background of the Prisoner, and recommendations of the State Level Committee, alongwith the copy of judgement etc, for orders under article 161 of the Constitution of India.


Deputy Secretary Jails & Judicial,
for Financial Commissioner & Secy. to Govt.,
Haryana, Jails Department.

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