GOVERNMENT OF TRIPURA

JAIL DEPARTMENT

THE PRISONERS (Release on Parole) RULES, 1998

As Amended upto dt. 02-04-2016

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GOVERNMENT OF TRIPURA
JAIL DEPARTMENT

No. F. XVII-12/CJ/96 Dated, Agartala, the 2nd September, 1998.

NOTIFICATION

In exercise of the powers conferred by Section 31 D of the prisoners (Tripura Amendment) Act, 1979 the State Government hereby makes the following rules, namely :—

CHAPTER--I

Preliminary.

Short title & Commencement

1. (i) These Rules may be called "The prisoners (Release on Parole) Rules, 1998"

(ii) They shall come into force at once.

Defination.

2. In these rules unless the context other-wise requires :—

(a) 'Act' means The prisoners (Tripura Amendment') Act, 1979 (Tripura Act No. 20 of 1979)

(b) 'Bond' means the bond annexed with the rules.

(c) 'Competent Authority' means the Authority in the Jail Department of the Govt. of Tripura.

(d) 'Form' means Form appended to these rules.

(e) 'Government' means the Govt. of Tripura.

(f) 'Parole' means leave earned by the convict after completion of a specified period of sentence as provided by the Act and includes the period of release allowed by the State Govt. in the Jail Deptt. under section 31 A (1) & 31B (1) of the Act.

(g) 'Prisoner' means any person convicted (for not less than a year) by any court for any offence under any law and ordered by the competent Court for completion of sentence in any jail in Tripura.

(h) 'Probation Officer' means the Probation Officer of the Jail Department.

CHAPTER-II

Proceedings.

Procedure to be followed for release of prisoners under section 31A(1) & 31B(1) of the Act.

3. (1) Prisoner may apply for release on parole in prescribed form I to the Inspector General of Prisons, Tripura, Agartala through the Superintendent of the respective Jail.

(2) The Superintendent of the respective Jail shall forward the petition to the Inspector General of Prisons, Tripura, Agartala along with the descriptive roll under Tripura Jail Form 11.

(3) On receipt of the application with descriptive roll, if the Inspector General of Prisons is statisfied, he shall obtain a report from the District Magistrate of the respective District about the antecedents, family conditions of the prisoners and other information as he may think proper for consideration.

(4) After obtaining the report from the District Magistrate of the concerned District, the Inspector General of prisons shall forward the application to the Secretary, Jail Deptt., Govt. of Tripura for consideration of the Govt. for approval.

(5) The Competent Authority may cause further inquiry on any matter through any agency as he thinks necessary for his satisfaction and thereafter may accord approval for releasing the convict on parole.

(6) The release order shall be issued by the Secretary of the Jail Department, Government of Tripura.

CHAPTER-III (General condition of release)

Condition of release.

4. A prisoner may be released on parole under section 31A & 31B of the prisoners (Tripura Amendment) Act, 1979 if he fulfils the following conditions

(a) he is a Citizen of India ;

(b) he has a family consisting all or anyone of the following members :

(a) Father (b) Mother (c) Minor Brother (d) Un-Married Sister (e) Wife (f) Son (g) Un-Married Daughter ;

c) he has a Residential House either of his own or of any member of his family in anywhere in India ;

(d) he is not a Habitual Offender ;

(e) he has not suffered imprisonment earlier in connection with any case ;

(f) he has no other Criminal Case pending against him in any Court of Law :

g) his conduct, in the opinion of the Inspector General of prisons, is uniformly good ;

(h) the offence for which he has been convicted does not in the opinion of the State Govt. involve gross moral turpitude or mental deprivity.

Restrictions on release.

CHAPTER---IV.

(Restrictions on release)

5. The Authority may impose the following restrictions while releasing any prisoner on parole.

(a) He must not leave his respective Sub-Division without prior permission of the Officer-in-charge of the respective police Station and without giving information to the probation Officer.

PROVIDED that in case of emergency, such as illness of his own or any member of his family, he may leave the respective Sub-Division without prior permission of the Officer-in-Charge of the police Station but he must inform the Officer-in-Charge of the respective Police Station within 48 hours from the time of his leaving.

CHAPTER---V.

(Bond to be executed)

Bond.

6. (1) The Govt. while directing the release on parole of any prisoner under section 31A & 31B of the Act may require him to enter into a bond in form III with or without surety for the due observance of the conditions specified in the directions and the provisions of sections 446, 447, 448 & 449 of the Code of Criminal procedure, 1973, shall, as far as may be, apply in respect of execution of the bond under this rule.

(2) The surety bond shall be entered into in Form IV.

CHAPTER--VI.

(Supervision on parole)

Supervision on parole.

7. (1) During the period of parole the prisoner shall remain under the supervision of the probation Officer of the concerned District or under the supervision of any authority specified in the order of release on parole.

(2) The probation Officer or the specified authority shall submit monthly report to the Inspector General of prisons, Tripura, Agartala regarding the activities of the prisoners on parole.

CHAPTER—VII.

(Cancellation of parole)

8. (1) The order of release may be cancelled by the Govt. or by any other authority making the order for any reason considered sufficient by it and shall be so cancelled if during the period of release the prisoner contravenes any of the conditions of the release or commits any crininal offence.

PROVIDED that before cancellation of the parole the prisoner concerned shall be given an opportunity of being heard by the authority concerned in person and thereafter if satisfied, the order for revocation/cancellation shall be passed.

CHAPTER—VIII

(Revocation of Parole)

Manner of Service of cancellation Order.

9. (1) The order of revocation/cancellation of Parole shall be served upon the prisoner through the Officer in-charge of the respective Police Station.

Procedure for bringing back the prisoner.

(2) The order of bringing back the prisoner to the prison shall be executed through the Officer in-charge of the respective Police Station.

CHAPTER—IX

(Surrendering)

Surrendering.

10. (1) On the expiry of the period for which a prisoner is released on parole, shall surrender himself to the Officer-in-charge of the Prison from which he was released.

Joining time.

(2) The prisoner, for the purpose of surrendering to the Officer-in-charge of the prison (on expiry of the parole period), shall be entitled to joining time to the extend of actual journey period only.

Arrest of Prisoner.

(3) If the prisoner does not surrender himself as required under sub-rule (1) above, may be arrested by the Police without a warrant and shall be remanded to undergo the remaining portion of the sentence (the period of release not being counted towards the total period of sentence) and shall be punishable under section 46 of the Prisoners Act, 1894 as if he has committed a prison offence.

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CHAPTER -X

(Travelling Allowance).

Travelling Allowance.

11. The Prisoner released on parole shall be entitled to actual Bus/Rail fare of the lowest class for both the journey from Jail to his/her home and back on production of valid document.

CHAPTER—XI

(Power to issue direction and removal of difficulties)

Power of State Govt. to issue direction.

12. The Government may issue such general or special directions as may, in it's opinion, be necessary for the purpose of giving effect to these rules.

Removal of difficulties if any, by the Govt.

13. If any difficulty arises in giving effect to the provisions of these rules the Government may by order issue instructions for the purpose of removing the difficulties.

By order of the Governor,

S. N. Chakraborty
Secretary to the
Government of Tripura.

FORM—I

PRISONER'S PETITION

(Permitted under Jail Code Rule 615)

FORM (Name, number and class)... ... ...

who was sentenced on... ... ..19 .. ..to .. ..

under Case Ref. .. .. under Section .. ..

by

To

Signature attested by Signed

on date 19 Jailor.

No... ... ...

Countersigned and forwarded

... ...Jail Superintendent

FORM—II

DESCRIPTIVE ROLL OF CONVICTED PRISONERS

Register number of Prisoners and class	Name of Prisoners with Father's or husband's name	Present age and Sex	Race Religion, caste	Residence Village, post office, Thana, District	Height description and other distinguishing marks	Crime with Section of penal code	Committing or Sentencing authority	Order of Sentence Date	Nature	Period Y.M.D.	Remission earned in days, Date of expiration of sentence after deducting remission	Unexpired Period of Sentence Y. M. D
1	2	3	4	5	6	7	8	9			10	11

Previous occupation and state of education	appealed, result and date thereof, whether Period of appeal has expired	character of Prisoner	How often Punished	Health and weight on admission and on escape.	Particulars of Previous convictions	Remarks of superintendent of Jail.
12	13	14	15	16	17	18

Date.....19

Jailer

Signature of Superintendent of the Jail.

FORM—III

BOND

Bond to be executed by the Prisoner at the time of release on parole.

Whereas I Shri ... ... S/O Late/Shri ... ... Resident of ... ... P/O ... ... P/S ... ... Tripura has been under going regorous imprisonment in connection with the case No. ... ...

And Whereas I have been allowed by the Government of Tripura release on Parole for a period of ... ... from ... ... to ... ... Vide order No. ... ... dated ... ... of the Secretary Jail, Govt. of Tripura under certain conditions as below :—

1. That, I shall surrender myself to the Prison after completion of the period of parole as granted to me.

2. That, I shall report to the Probation Officer as and when asked for by the Probation Officer.

3. That, I shall report to the Police Station... ... ... as and when Officer in-charge directs.

4. That, I shall not leave the Sub-Division ... ... without prior permission of the Officer in-charge or the Police Station.

5. That, In the occasion of my leaving the sub-division on any emergency I shall inform the Officer in-charge of the Police Station within 48 hours.

6. That, I shall not do anything which render conduct bad and affect the moral turpitide.

7. That, I shall not comit any crime.

8. That, I shall not involve myself /abet in any criminal Act.

I hereby bind myself to surrender to the prison in case of making default herein and I also myself to suffer imprisonment and to pay the fine as may be directed by the authority concerned in case of failure to abide by the above terms and conditions of my release.

Dated ... ...

Signature

Accepted.

FORM—IV

SURITY BOND.

To

The Secretary,
Jail Department,
Government of Tripura,
Agartala.

WHEREAS Shri... ... ... (Name, Description and Address of the Prisoner) has been allowed to be released on parole.

AND WHEREAS he has bound himself by a bond, to abide by the conditions of the bond, I Shri ... ... (Name, Description and Address of the Surity) do hereby bind myself to look after the above said prisoner on Perole to abide by the all Rules, Regulations and Conditions of such release and in case of failure to abide by any condition of the release order I shall be bound to pay to the Govt. a sum of Rs. ... ... which amount may be realised by the State Government from my movable or immovable property as per Section 446 of the Criminal Procedure Code on the occassion of my failure to pay the amount within the time as specified in the Notices to be Served upon me.

Signature of the Surity.

Date .. ..

Printed at the Tripura Govt. Press, Agartala.

GOVERNMENT OF TRIPURA
Home (Jail) Department

No.F.IV.850/IGP/2015/ 2232 - 51 Dated, Agartala the 02nd April, 2016.

NOTIFICATION

In exercise of power conferred by ***Section 31 D of the Prisoners (Tripura Amendment) Act, 1979,*** the State Government hereby makes the following rules further to amend the Rules of ***'The Prisoners (Release on Parole) Rules, 1998*** :-

Short title and commencement :

1. (i) These Rules may be called ' The Prisoners (Release on Parole) (Amendment) Rules, 2016' ;

(ii) They shall come into force on and from the date of their publication in the Tripura Gazettee.

2 In Chapter-III after Rule-4 of "The Tripura Prisoners (Release on Parole) Rules, 1998", the following new rule shall be inserted, namely :-

"4 A ***Emergency Parole***. (i) Notwithstanding anything contained in ***Rule-3*** and ***Rule-4*** of these Rules, the Inspector General of Prisons may, in exceptional cases, grant release of any convict prisoner on parole for the time being, not exceeding **ten hours**, excluding the period required for journeys from and to the Prison/ Sansodhanagar in case of following emergency ground:

(a) Death/ funeral of family members of convict prisoner or its follow up, in which his/her participation according to the prevalent custom is essential.

(b) Convict prisoners may also be allowed for attending serious illness of any of his/her family members, marriage of his/her son, daughter, brother or sister.

(C)They may also be allowed for attending any major damage to his/her house or major injury of any family members out of any natural calamity.

(ii) Release of a prisoner under this Rule shall be subject to proper escort by Police personnel accompanying with Jail personnel up to his/her return to Prison/Sansodhanagar.

(iii) The Superintendent of Prisons/ Sansodhanagar may place requisition for Police escort for the prisoner during the period of such release and in such case the execution of any bond or furnishing of any surety shall not be necessary.

(iv) For the purpose of this rule, family members means wife or husband, father, mother, grandfather, grandmother, legitimate children and step children, brother sister residing with the prisoner. The names of family members with details shall be authenticated as per information furnished by the prisoners at the time of admission itself".

By order of the Governor-

Bam, Kanta Sahu 1/4/16

(B. K. Sahu)
Secretary,
Home (Jail) Department,
Government of Tripura.

Copy to

1. The Inspector General of Prisons, Tripura.
2. The Superintendents of Kendriya Sansodhanagar/ District Jails & Sub jails for information & necessary action.
3. The Manager, Printing & Stationary Department. He is requested to arrange publication of above notification in the Tripura Gazettee and send 25(twenty-five) copies to the office of the Prisons Directorate, Agartala for office use.

Copy also forwarded to:-

1. PS to Hon'ble Minister, Home (Jail) Department.
2. The Principal Secretary, General Administration (Confidential & Cabinet) Department, Govt. of Tripura.
3. The Secretary, Home (Police) Department, Govt. of Tripura.
4. The L.R & Secretary, Law, Government of Tripura.
5. The Director General of Police, Govt. of Tripura.