

GOVERNMENT OF TRIPURA
HOME (JAIL) DEPARTMENT

NO.IV-942/IGP/2018/271-81

Dated, Agartala 24 January 2019

NOTIFICATION

In exercise of the powers conferred by Section 31D of the Prisoners Act, 1900, as applied to the state of Tripura, the State Government hereby makes the following Rules further to amend the Prisoners (Release on Parole) Rules, 1998:-

Short title & commencement:

1. (1) These Rules may be called "The Prisoners (Release on Parole) (Second Amendment) Rules, 2020.
(2) They shall come into force on and from the date of publication in the Tripura Gazette.
2. Rule 4 of the Prisoners (Release on Parole) Rules, 1998 shall be substituted by the following:-
"A prisoner may be released on parole under the provisions of section 31A of the Prisoners Act, 1900, as applied to the state of Tripura, if he fulfils the following conditions in addition to those prescribed under section 31A of the Act:-
 - a) He is not a habitual offender;
 - b) He has no other criminal case pending against him in any court of law;
 - c) His conduct, in the opinion of the Inspector General of Prisons, is uniformly good; and,
 - d) The offence for which he has been convicted does not in the opinion of the State Government involve gross moral turpitude or mental depravity."
3. In Rule 4A of the Prisoners (Release on Parole) Rules, 1998, the words "ten hours, excluding the period required for journeys from and to the Prison / Sansodhanagar" shall be substituted by "thirty-six hours".
4. (1) In Sub-Rule (1) of Rule 6 of the Prisoners (Release on Parole) Rules, 1998, the words "or without" shall be deleted.
(2) In Sub-Rule (1) of Rule 6 of the Prisoners (Release on Parole) Rules, 1998 after the word "bond" the following shall be inserted: " for an amount of rupees fifty thousand only".
(3) In Sub-Rule (2) of Rule 6, after the word "bond" the following shall be inserted, "for an amount of rupees fifty thousand only".

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5. The entire chapter IX and chapter X comprising Rules 10 and 11 of Tripura Prisons (Release on Parole) Rules, 1998 shall be deleted.
6. At the end of Rule 12 of Tripura Prisoners (Release on Parole) Rules, 1998, the following shall be inserted "including on period after which prisoners can seek parole after returning from parole".

By order of the Governor-

Barun K. Sahu
(Barun Kumar Sahu) 11/20
Principal Secretary

Copy to:-

1. Inspector General of Prisons, Tripura, Agartala
2. All D M & Collectors _____
3. Manager, Government Press, Agartala for publication in the next issue of Tripura Gazette.

Copy also to:-

Additional Chief Secretary to the Hon'ble Chief Minister, Tripura, Agartala.

Barun K. Sahu
(Barun Kumar Sahu) 11/20
Principal Secretary

THE TRIPURA ACT NO. 10 OF 2019.

**THE PRISONERS (TRIPURA SECOND
AMENDMENT) ACT, 2019.**

**PUBLISHED IN THE EXTRAORDINARY ISSUE OF THE
TRIPURA GAZETTE AGARTALA**

Agartala, Friday, October 4, 2019 A. D., Asvina 12, 1941 S. E.

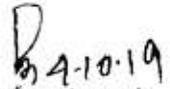
**GOVERNMENT OF TRIPURA
LAW DEPARTMENT
SECRETARIAT : AGARTALA**

No. F.8(9)-Law/Leg-I/2019/9791-92

Dated, Agartala, the 4th October, 2019.

NOTIFICATION

The following Act of the Tripura Legislative Assembly received the assent of the Governor of Tripura on the 1st October, 2019 and is hereby published for General information.


Goutam Debnath
L.R. & Secretary, Law
Government of Tripura

THE PRISONERS (TRIPURA SECOND AMENDMENT) ACT, 2019

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ACT

to further amend the Prisoners Act, 1900 (Central Act No. 3 of 1900) (as was amended by the Tripura Act No.20 of 1979), in its application to the State of Tripura.

BE it enacted by the Tripura Legislative Assembly in the seventieth year of the Republic of India, as follows:

1. Short title and commencement:

- (1) This may be called the 'Prisoners (Tripura Second Amendment) Act, 2019';
- (2) It shall come into force on and from the date of its publication in the Tripura Gazette.

2. Amendment of Section 2:

In the definition of 'prison' under clause (b) of Section 2 of the Prisoners Act, 1900 (as was amended by the Tripura Act No 20 of 1979) (hereinafter referred to as the Principal Act), after the expression 'subsidiary jail', the following expression shall be added-

“, and shall include central jail, district jail, women jail and a Sanshodhanagar or a Correctional Home”.

3. Amendment of Section 31A:

- (1) In sub-section (1) of Section 31A of the Principal Act, the expression '**excluding the time required for journey from and to the prison**', shall be deleted;
- (2) In the proviso to sub-section (1) of section 31A of the Principal Act, the expression '**or without**' shall be deleted;
- (3) In sub-section (1) of section 31A, before the Explanation, the following two new Provisos shall be inserted as follows-

“Provided secondly that a convict convicted with capital punishment shall not be released on parole unless the punishment has been commuted or the capital punishment has been set aside;

Provided thirdly that a foreigner or of disputed nationality shall not be released on parole;

Provided fourthly that wherever the concurrence of Government of India is required under section 435 of Code of Criminal Procedure, stipulations prescribed by Government of India on the parole shall prevail.”

- (4) In the Explanation given under sub-section (1) of Section 31A, in between the expressions ‘Indian Penal Code, 1860’ and ‘or classified as a habitual criminal’, the following expression shall be inserted-

“and those who are convicted under Terrorist and Disruptive Activities (Prevention) Act (TADA), Prevention of Terrorism Act, 2002 (POTA), Unlawful Activities (Prevention) Act, 1967 (UAPA), Explosive Substances Act, 1908, National Security Act, Anti-Hijacking Act, 2016, Protection of Children from Sexual Offences Act, 2012 (POCSO), Immoral Traffic (Prevention) Act, 1956, Narcotic Drugs and Psychotropic Substances Act, 1985 (NDPS), Weapons of Mass Destruction and their Delivery Systems (Prohibition of Unlawful Activities) Act, 2005, Black Money (Undisclosed Foreign Income and Assets) and Imposition of Tax Act, 2015, and offences relating to Fake Indian Currency Notes (sections 489A to 489E of Indian Penal Code)” :

- (5) In sub-section (3) of section 31A, the word “**Tripura**” shall be substituted by “**India**”.
- (6) In sub-section (4) of Section 31A, after the expression ‘bonds executed, with’ and before the expression ‘sureties’, the expression ‘**or without**’ shall be deleted;
- (7) After sub-section (6) of Section 31A, a new sub-section shall be inserted as follows-

“(7) It shall be lawful for the authorities, making the order of release, to ask for the reason for such release.”

4. Amendment of Section 31B:

Section 31B of the Principal Act shall be deleted.

5. Amendment of Section 31C:

In sub-section (1) of section 31C of the Principal Act, the expression "or under section 31B" shall be deleted.

6. Amendment of Section 31D:

(1) In clause (a) of sub-section (2) of section 31D, the expression "or under section 31B" shall be deleted.

(2) In clause (b) of sub-section (2) of section 31D, the expression "or as the case may be of extension of release under section 31B" shall be deleted.

(3) In clause (c) of sub-section (2) of section 31D, the expression "or section 31B" shall be deleted.

(4) In clause (d) of sub-section (2) of section 31D the expression "or section 31B" shall be deleted.

Goutam Debnath
LR & Secretary, Law
Government of Tripura.