



GOVERNMENT OF TRIPURA
JAIL DEPARTMENT

**THE PRISONERS (Release on Parole)
RULES, 1998**

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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 satisfied, 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 :

Restrictions on release.

Bond.

Supervision on parole.

- 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 depravity.

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)

- 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.

Bond.

CHAPTER--VI.

(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.

Supervision 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 criminal 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)

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.

Manner of Service of cancellation Order.

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

Procedure for bringing back the prisoner.

CHAPTER—IX

(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.

Surrendering.

(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.

Joining time.

(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.

Arrest of Prisoner.

Travelling Allowance.

Power of State Govt. to issue direction.

Removal of difficulties if any, by the Govt.

