

For early releasing those prisoners after their completing 14 years of imprisonment who /were /imposed life imprisonment punishment.

Government of Gujarat  
Home Department,  
Circular No.JLK/3390/CM/Part/2/JH  
Sachivalaya, Gandhinagar  
Date: 09/07/1992.

READ:-

- 1) Sec.432 and 403(A) of the Cr.P.C.
- 2) Circular No.JLK/3383/7449/JH dated 11/05/1994 of the Home Department.
- 3) Circular No.JLK/3385/3610/JH dated 07/08/1985 of the Home Department.

### CIRCULAR

By virtue of powers vested under Sec.432 of Cr.P.C., those convict prisoners who were imposed life imprisonment punishment on or before 18/12/1978 completes 14 years of time with exemption then taking their behavior and opinion of the A.B. Committee as well as opinion of the Inspector General of Jail in to consideration, the policy of exempting their remaining punishment was decided vide circular at above Read-2 of the Home Department.

Sec.432(A) has come into implementation with effect from 18/12/1978, according to its provisions

punishment upto 14 years, taking that provision into consideration, the authority that the State Government has got under the provisions of Sec.432 of the Cr.P.C. gets controlled to that extent. Hence, for those prisoners who have been imposed with the life imprisonment on or after 18/12/1978 after their completion of 14 years of imprisonment only the State Government can give them early release from the jail. Under the powers and authorities vested to the State Government, with regard to the early release of such convict prisoners from jail below mentioned subject police has been decided.

Those convict prisoners who have been sentenced imprisonment on or after 18/12/1978 who completes their imprisonment of 14 years with the set off and if they were having good behavior during their jail period then after examining the opinion of the Inspector General of Jail appropriate decision shall be taken for their early release from jail.

For this, the Inspector General of Jail shall adopt below mentioned procedure. Those convict prisoners who have been imposed with the life imprisonment on or after 18/12/1978 when completes

of set off then the Inspector General of Jail shall conduct the procedure for early release of such convict prisoner, for this relevant District Police Officer, District Magistrate, Jail Superintendent and opinion of A.B.Committee (advisory Board) shall be obtained and the Inspector General of Jail shall give his opinion with the copy of the nominal roll and along with a copy of the judgment passed in respect of that convict prisoner shall make a self explanatory recommendation to the government. Such recommendation shall be made to the government in such a manner that they can reach the government three months prior to the date of completion of 14 such years of imprisonment of such convict prisoner. The above policy of the government shall be brought to consideration of all the Members of the Jail Advisory committee so that at the time of making a recommendation in case of the convict prisoner who has been imposed with the punishment of life imprisonment on or after 18/125/1978, this policy shall be taken into consideration and that appropriate consistent recommendation can be made.

In the name of Governor of Gujarat and by his order.

Deputy Secretary,  
Home Department,  
Government of Gujarat  
Office of the Inspector of  
Jail, Gujarat State, 10<sup>th</sup>  
Floor, "A" Block, Multi  
storey building, Lal  
Darwaja, Ahmedabad  
Date: 23/07/1993

To,  
The Superintendent, All Jails,  
The Principal, Jail Staff Training School, Ahmedabad

To all the branches of this office,  
To,  
The Personal Secretary to  
The Inspector General of Jail,

- 2) It is requested to see that all the instructions issued by this circular are strictly followed.

(TRUE COPY)