

Thirteenth Kerala Legislative Assembly
Bill No. 332

**THE KERALA PRISONS AND CORRECTIONAL SERVICES
(MANAGEMENT) AMENDMENT BILL, 2015**

[Translation in English of “2015-ലെ കേരള പ്രിസണുകളും സംശുദ്ധീകരണ സാമാർത്ഥ്യകരണ സേവനങ്ങളും (നിർവ്വഹണം) ഭേദഗതി ബിൽ” published under the authority of the Governor.]

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(MANAGEMENT) AMENDMENT BILL, 2015

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BILL

to amend the Kerala Prisons and Correctional Services (Management) Act, 2010.

Preamble.—WHEREAS, it is expedient to amend the Kerala Prisons and Correctional Services (Management) Act, 2010 for the purposes hereinafter appearing;

BE it enacted in the Sixty-fifth Year of the Republic of India as follows:—

1. *Short title and commencement.*—(1) This Act may be called the Kerala Prisons and Correctional Services (Management) Amendment Act, 2015.

(2) It shall come into force at once.

2. *Amendment of section 78.*—For sub-section (2) of section 78 of the Kerala Prisons and Correctional Services (Management) Act, 2010 (9 of 2010), the following sub-section shall be substituted, namely:—

“(2) All kinds of remission that may be granted to the prisoners shall in no case exceed one third of the sentence.”.

STATEMENT OF OBJECTS AND REASONS

In sub-section (2) of section 78 of the Kerala Prisons and Correctional Services (Management) Act, 2010 it has been provided that all kinds of parole, remission and leave granted to the prisoners shall in no case exceed one third of the sentence. But, as per the existing rules, when the remissions and leave available to the prisoners, who follow the prison laws properly and correctly, add together, it often exceed one third of the sentence. As the provisions of the existing sub-section (2) of section 78 would make serious reactions on the

benefits being enjoyed by them, the Jail D.G.P. has recommended either to omit the words 'parole' and 'leave' from the said sub-section or to modify 'one third' in the said sub-section, as 'two third' or 'one half'. The Government have accepted the proposal to amend sub-section (2) of section 78 of the said Act so as to provide that all kinds of remissions that may be granted to the prisoners who correctly follow the prison laws as per the existing rules shall in no case exceed one third of the sentence. For this purpose, the Government have decided to amend the said Act.

2. The Bill is intended to achieve the above object.

FINANCIAL MEMORANDUM

The Bill, if enacted and brought into operation, would not involve any additional expenditure from the Consolidated Fund of the State.

RAMESH CHENNITHALA

EXTRACT FROM THE KERALA PRISONS AND CORRECTIONAL
SERVICES (MANAGEMENT) ACT, 2010

(9 OF 2010)

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78. *Leave.*—(1) Leave may be granted to well behaved, eligible, convicted prisoners with the objective of their better rehabilitation and re-socialisation as an incentive for good behaviour and responsiveness to correctional treatment in such manner and subject to such conditions as may be prescribed.

(2) All kinds of parole, remission and leave granted to the prisoners shall in no case exceed one third of the sentence.

(3) Kind of leave and matters related thereto shall be, such as may prescribed.

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