

The Uttarakhand (Suspension of Sentences of Prisoners) Rules, 2017

UTTARAKHAND

India

The Uttarakhand (Suspension of Sentences of Prisoners) Rules, 2017

Rule

THE-UTTARAKHAND-SUSPENSION-OF-SENTENCES-OF-PRISONERS of 2017

- Published on 4 December 2017
- Commenced on 4 December 2017
- [This is the version of this document from 4 December 2017.]
- [Note: The original publication document is not available and this content could not be verified.]

The Uttarakhand (Suspension of Sentences of Prisoners) Rules, 2017Published vide Notification No. 1209/20-412017-1(6)/2013, dated 4.12.2017. published in the Uttarakhand Gazette, Part 1, dated 30.12.2017, pp. 880-887, No. 52No. 1209/20-412017-1(6)/2013, dated 4.12.2017. published in the Uttarakhand Gazette, Part 1, dated 30.12.2017, pp. 880-887, No. 52. - In exercise of the powers conferred by sub-section (5) of Section 432 of the Code of Criminal Procedure, 1973 (Act 2 of 1974), the Governor here by makes the following general rules to give directions as to the suspension of sentences and the conditions on which Petition should be presented and dealt with, namely-

1. Short title, commencement and details.

(1)These rules shall be called the Uttarakhand (Suspension of Sentences of Prisoners) Rules, 2017.(2)They shall come into force at once.(3)They shall extend to the whole of the State of Uttarakhand.(4)These rules shall apply to the prisoners convicted by the court of Uttarakhand for such offence on which the executive power of the State extends whether they are detained within the State of Uttarakhand or outside the State under judicial custody of outside the State, but it shall not apply to:(A)The prisoners convicted for such offence to which the executive power of the State does not extend.(B)The convicted prisoners who have other criminal cases pending against them before the (sic other) court (sic courts).(C)The convicted prisoners who have been sentenced for such offence where suspension of sentence is not admissible in any law.

2. Definitions.

- In these rules, unless there is repugnant to the subject or context.(1)"Governor" means the Governor of Uttarakhand.(2)"Government" means the State Government of Uttarakhand.(3)"State" means the State of Uttarakhand.(4)"Document" means any documents attached with these rules.(5)"Prisoner" means convicted prisoner, who have been sentenced by the courts of Uttarakhand.

3. Power of suspend (sic suspended) sentences.

(1)The commissioner may suspend the sentences of a prisoner up to fifteen days on the following grounds (a)Illness of prisoner's mother, father, husband or wife, son, daughter, brother or sister, or(b)Death of anyone of the relative mentioned in sub-clause (a), or(c)Marriage of son, daughter, brother or sister, or(d)With the restriction for sowing or harvesting of agriculture on its private land, there is no other alternate arrangement for it. For this, Khatoni or Bahi in connection with his private land:Provided that the suspension of the sentence on the basis will be done only in case where punishment is imposed for imprisonment up to 3 years (with fine or without fine), or(e)In special emergency situations where the presence of prisoner is necessary, such as the collapse of a house of the prisoner or other natural disaster, which is to be confirmed by the District Magistrate, or(f)For the treatment of incurable disease like Cancer, AIDS and the transplant of body limbs as liver, Kidney and Heart etc. of the prisoner: