

**GOVERNMENT OF INDIA
HOME AFFAIRS
LOK SABHA**

UNSTARRED QUESTION NO:3705
ANSWERED ON:17.08.2010
PRISON OUTINGS
Ray Shri Rudramadhab

Will the Minister of HOME AFFAIRS be pleased to state:

- (a) whether the convicts/undertrials are permitted to leave the jail premises for reasons other than regular bail during the period of their custody/sentence;
- (b) if so, the details thereof and the grounds for granting such permission alongwith the guidelines laid down in this regard;
- (c) whether any irregularity in such cases have been reported/noticed in the NCT of Delhi;
- (d) if so, the details thereof and the number of such cases reported/noticed during each of the last three years and the current year;
- (e) whether such matters have been investigated;
- (f) if so, the details thereof;
- (g) whether the connivance of police/prison officials has been identified in such matters;and
- (h) if so, the details thereof and the action taken against the erring officials?

Answer

MINISTER OF THE STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI AJAY MAKEN)

(a) & (b): `Prison` is a State subject under list II of the Seventh schedule to the Constitution of India. The responsibility of the prison administration and its management, therefore, primarily lies with the respective State Governments/ UT Administrations.

Leave/ special leave is a concession granted by the Head of the Prison Department/ Inspector General of Prisons on behalf of the State Governments/ UT Administrations as per the prescribed guidelines laid down in the Prison manuals of the respective State Governments/ UT Administrations. However, as per the Model Prison Manual prepared by the Government of India and circulated to all the State Governments/ UT Administrations, the convict prisoners are allowed leave/ special leave in the form of parole/ furlough to visit their homes. The leave is granted to them on the ground of good conduct and the quantum of sentence awarded to them. Special leave is granted in special situations such as death, serious illness or marriage of their family members etc.

(c): As per the report received from the Government of NCT Delhi, no such irregularity has been noticed/ reported to them.

(d) to (h): Does not arise.