

**1926: Pb. Act 10 ] GOOD CONDUCT PRISONERS PROBATIONAL RELEASE.**

**THE GOOD CONDUCT PRISONERS PROBATIONAL RELEASE ACT 1926**

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**PROBATIONAL RELEASE.**

**THE GOOD CONDUCT PRISONERS PROBATIONAL RELEASE ACT 1926**

**PUNJAB ACT 10 OT 1926.**

[Received The Assent Of The Governor Of The Punjab On The 21<sup>st</sup> July, 1926, and that of the Governor-General on the 16<sup>th</sup> August, 1926, and was first "published in the Punjab Gazette of the 27<sup>th</sup> August 1926]

1	2	3	4
Year	No.	Short	Whether repealed or otherwise affected by legislation.
1926	10	The Good Conduct Prisoner's Probation Release Act , 1926	<p>Amended in part by Government of India (Adaptation of Indian Laws) order, 1937</p> <p>Amended by the Indian Independence (Adaptation of Bengal and Punjab Acts) Order, 1948 (G.G.O 40).</p> <p>Amended by the Adaptation of Laws order, 1950.</p> <p>Amended by the Adaptation of Laws (Third Amendment) Order 1951.</p> <p>Amended by Punjab Act 33 of 1956'.</p> <p>Extended to pepsu Territory by Punjab Act 18 of 1958".</p> <p>Amended by Punjab Act 25 of 1964."</p> <p>Amended by Punjab Act 274 of 1969."</p>

" For Statement of Objects and Reasons, see Punjab Gazettee, 1926 Part I, page 543 and for Proceedings in Council, see Punjab Legislative Council Debates, Valume IX-B, Page 1109-11. It came into force on 1<sup>st</sup> May, 1927.

" See Punjab Gazettee, 1926, Part 1, Pages 808-09.

" For Statement of Objects and Reasons, See Punjab Government Gazette ( Extra-ordinary), 1956, Page 1088.

" For Statement of Objects and Reasons, See Punjab Government Gazette ( Extra-ordinary), 1958, Page 546 K.

" For Statement of Objects and Reasons, See Punjab Government Gazette ( Extra-ordinary), 1964, Page 935-937.

" For Statement of Objects and Reasons, See Punjab Government Gazette ( Extra-ordinary), 1969, Page 1067-68.

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PROBATIONAL RELEASE.

PUNJAB ACT 10 OF 1926.

An Act to Provide for the release of good Conduct Prisoners on conditions imposed by the <sup>1</sup>[State Government].

<p>Preamble</p> <p>Power of Government to release by license on conditions imposed by</p>	<p>Whereas it is expedient to provide for the conditional release from prison of good conduct prisoners in certain cases before the completion of the term of imprisonment to which they have been sentenced, and whereas the previous sanction of the Governor-General under Sub-section (3) of Section 80-A of the Government of India Act has been obtained: it is hereby enacted as follows:-</p> <p>1. (1) This act may be called the Good Conduct Prisoners' Probational Release Act, 1926.</p> <p>(2) It extends to <sup>2</sup>Punjab</p> <p>(3) It shall come into force on such <sup>3</sup>date as the <sup>4</sup>[State] Government may be notification appoint in this behalf.</p> <p>2. Notwithstanding anything contained in section 401 of the Code of Criminal Procedure, 1898, where a person is confined in prison is confined in prison under a sentence of imprisonment, and it appears to the <sup>4</sup>[State] Government from his antecedents or his conduct in the prison that he is likely to abstain from crime and lead useful and industrious life, if he is released from prison, the <sup>4</sup>[State] Government may be license permit him to be released on condition that he be placed under the supervision or authority of a <sup>5</sup>[Government officer] or a secular institution or a person or society, named in the license and willing to take charge of him.</p> <p>Explanation.- The expression " sentence of imprisonment" in this section shall include imprisonment in default of payment of fine and imprisonment for failure to furnish security under Chapter VIII of the Code of Criminal Procedure, 1898.</p>	
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<sup>1</sup>Substituted for the words " Provincial Government" by the Adaptation of Laws (Third Amendment) order, 1951.

<sup>2</sup>Substituted for the words " East Punjab" (which had been inserted for words " the Punjab") by Adaptation of Laws order, 1950.

<sup>3</sup>This act came into force on 1<sup>st</sup> May, 1927- vide Punjab Government(Jails) notification No. 13272, dated 27<sup>th</sup> April, 1927.

<sup>4</sup>Substituted for the words " Provincial" by the Adaptation of Laws Order, 1950.

<sup>5</sup>Substituted for the words " Servant of the Crown" by the Adaptation of Laws (Third Amendment) order 1951.

<sup>6</sup>The words " professing the same religion as the prisoner" omitted by Punjab Act 27 of 1969, section 2.

3. A license granted under the provisions of section 2 shall be in force until the date on which the person released would, in the execution of the order or warrant authorizing his imprisonment, have been discharged from prison had he not been released on license, or until the license is revoked, whichever is sooner.

4. The period during which a person is absent from prison under the provisions of this Act on a license which is in force shall be reckoned as a part of the period of imprisonment to which he was sentenced, for the purpose of computing the period of his sentence and for the purpose of computing the amount of remission of his sentence which might be awarded to him under any rules in force relating to such remission.

5. A license granted under the provisions of section 2 shall be in such form and shall contain such conditions as the <sup>1</sup>[State] Government may, by general or special order or by rules made in this behalf direct.

6. (i) The <sup>1</sup>[State] Government may at any time revoke a license granted under the provisions of Section 2.

(2) An order of revocation passed under the provisions of subsection (i) shall specify the date with effect from which the license shall cease to be in force and shall be served in such manner as the <sup>1</sup>[State] Government may by rule prescribe, upon the person whose license has been revoked.

<sup>3</sup>(3) A Government office under whose authority or supervision the prisoner was released under section 2 of the Act, may order his arrest and detention, until the order of revocation of a license is passed, in such place and subject to such conditions as may be prescribed by the State Government]

7 (1) If any person escapes from the supervision or authority of a <sup>3</sup>[Government officer] or secular institution, or a society or person in whose charge he has been placed under the provisions of section 2, or if any person whose license has been revoked under the provisions of section 6, fails without lawful excuse, the burden of proving which shall be upon him, to return to the prison from which he was released, on or before the date specified in the order.

<sup>1</sup> Substituted for the word " Provincial " by the Adaptation of laws order, 1950.

<sup>2</sup> Added and shall always be deemed to have been added by Punjab Act 33 of 1956 section 2.

<sup>3</sup> Substituted for the words " servants of the crown" by the Adaptation of Laws (Third Amendment) order 1951.

of revocation, such person shall on conviction be punishable with imprisonment for a term which may extent to two years or with fine, or with both.

(2) An offence punishable under the provisions of sub-section (1) shall be deemed to be a cognizable offence within the meaning of clause (f) of sub-section (1) of section 4 of the code of Criminal procedure 1898.

8. The <sup>2</sup>[State] Government may make rules<sup>3</sup> consistent with this Act:-

(1) for the form and conditions of licenses on which prisoner may be released.

(2) for defining the powers and duties of Government officers, societies or persons, under whose authority or supervision conditionally released prisoners may be kept,

(3) for defining the classes of offenders who may be conditionally released and the period of imprisonment after which they may be so released,

(4) generally for carrying into effect all the purposes of this act.

Power of  
Government to  
release by  
license on  
conditions  
imposed by

<sup>1</sup>The words " by a Magistrate" omitted by Punjab Act 25 of 1964.

<sup>2</sup>Substituted for the words " Provincial " by the Adaptation of Law Order, 1950

<sup>3</sup> For rules see notification No. 13273, dated 27 the April, 1927, Punjab Gazette 1927, Part1, Pages 395-98.