

GOVERNMENT OF KARNATAKA

No.HD 03 PRA 2022.

Karnataka Government Secretariat,
Vidhana Soudha,
Bengaluru, Dated: 29.04 .2022

NOTIFICATION

The draft of the following rules further to amend the Karnataka Prison (Amendment) Rules, 1974 which the Government of Karnataka proposes to make in exercise of the powers conferred by section 63 of the Karnataka Prisons Act, 1963 (Karnataka Act 33 of 1963) was published as required by sub section (1) of the section 63 of the said Act, for the information of all the persons likely to be affected thereby and notice is hereby given that the said draft will be taken into consideration after expiry of fifteen days from the date of its publication in the Official Gazette.

And whereas the said Gazette was made available to the public on 05.04.2022.

And whereas no objections and suggestions are received in respect of the said draft.

Now, therefore in exercise of the powers conferred by section 63 of the Karnataka Prison Act, 1963 (Karnataka Act 33 of 1963). the Government of Karnataka hereby makes the following rules namely:

RULES

1. Title and commencement: - 1) These Rules may be called the Karnataka Prison (Second Amendment) Rules, 2022.

2) They shall come into force from the date of their publication in the official Gazette.

2. Amendment to rule 191: - In rule 191 of the Karnataka Prison Rules, 1974 in sub -rule(2),-

- i. in clause (c) for the words“ with one satisfactory surety for a sum of Rupees one thousand or in lieu of such surety he shall deposit an amount of rupees three thousand, in cash “the words **“with two satisfactory sureties for a sum of rupees three thousand each”** shall be substituted.
- ii. in clause (g), after the words *“the Superintendent of Police”* the words **“and the Chief Metropolitan Magistrate / Chief Judicial Magistrate where the prison is located”** shall be inserted.
- iii. in clause (j) ,-
 - a. ;In sub -clause (i) after the words“ against whom cases” the words **“or bail applications”** shall be inserted and
 - b. the words and brackets *“(for offences punishable with death or imprisonment for more than 7 years)”* shall be omitted.
- iv. after clause (j), -the following shall be inserted, namely:-

“Clause (k): Failure to surrender in time: -

 - i. If a prisoner released on ordinary parole or emergency parole, fails to surrender on completion of the parole period, the concerned Superintendent of the Prison shall file a criminal case within 24 hours against the prisoner and the surety holders under the relevant provisions of law including the Karnataka Prisons Act, (Karnataka Act 33 of 1963) in the Police Station, within whose jurisdiction the prison is situated And action shall also be initiated to re-arrest the prisoner under the said Act.
 - ii. The information about the parole absconding prisoner shall be submitted by the Superintendent of the Prisons to –
 - a. the concerned Commissioner of Police / Superintendent of Police.

- b. the concerned Police Stations within whose jurisdiction the prison is situated as well as the convicted case was committed.
 - c. the concerned Police Stations in whose jurisdiction the native places of the prisoner and the sureties are located.
 - d. the concerned Court where the prisoner was convicted.
 - e. the concerned Chief Metropolitan Magistrate or Chief Judicial Magistrate where the prison is located.
 - f. the concerned District Magistrate. g. the Director General of Prisons & Correctional Services.
- iii. To update the details and latest photographs of parole absconding prisoner on e-Prisons on a real time basis which will facilitate the police authorities concerned for re-arresting of the prisoner.

Clause (l): Breach of conditions of grant of ordinary or emergency parole, by the prisoner shall be deemed to be a prison offence and the Superintendent shall debar the prisoner from ordinary or emergency parole for a period of 5 years from the date of re-arrest.”

By order and in the name of the
Governor of Karnataka

(B.S. Nagarathnamma)
Deputy Secretary to Government
Home Department
(Crimes, Prisons & Cinema)