The Uttarakhand Prison and Correctional Services Act, 2024

Act No. 17 of 2024

Amendment appended: 4 of 2026

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Dated Dehradun, December 26, 2024

NOTIFICATION

Miscellaneous

In pursuance of the provision of Clause (3) of Article 348 of the Constitution of India, the Governor is pleased to order the publication of the following English translation of **'The Uttarakhand Prisons and Correctional Services Act, 2024' (Uttarakhand Act No.17 of 2024).**

As passed by the Uttarakhand Legislative Assembly and assented to by the Governor on **19th December, 2024.**

THE UTTARAKHAND PRISONS AND CORRECTIONAL SERVICES ACT, 2024

(Uttarakhand Act No. 17 of 2024)

An

Act

to amend the law relating to prisons and provide for the safe custody, correction, reformation and rehabilitation of prisoners as law abiding citizens and management of prisons and correctional services in the State of Uttarakhand and for matters connected therewith or incidental thereto;

It is hereby enacted by the Uttarakhand Legislature in the Seventy-fifth year of the Republic of India, as follows:-

CHAPTER-I
PRELIMINARY

Short Title, extent and commencement

1. (1) This Act may be called the Prisons and Correctional Services Act, 2024.

(2) It extends to the whole of the State of Uttarakhand.

(3) It shall come into force on such date as the State Government may, by notification in the official Gazette, appoint.

Definitions

2. In this Act, unless the context otherwise requires:

(a) "after-care service" means a service or activity aimed at the rehabilitation of the released prisoner for enabling him to lead life as a dutiful citizen;

(b) "civil prisoner" means any prisoner who is not committed to custody under a writ, warrant or order of any court or authority exercising criminal jurisdiction, or by the order of a court martial and who is not a detenue;

(c) "convict" means any prisoner under sentence of a court exercising criminal jurisdiction or court martial;

(d) "correctional service" means any service or program aimed at the reformation and rehabilitation of an inmate, and includes services related to the assessment, supervision, treatment, training, control and custody of an inmate;

(e) "court" includes an officer lawfully exercising the powers of civil, criminal or revenue jurisdiction;

(f) "Head quarters" means the headquarters of Prisons and Correctional Services of the State of Uttarakhand;

(g) "detenue" means any person detained in prison on the orders of the competent authority under any law providing for preventive detention;

(h) "family" means spouse, children, siblings, parents, grand-parents, grandchildren, and, in the context of transgender inmates, people related through socio-religious family system;

(i) "foreign prisoner" means any prisoner who is not a citizen of India;

(j) "furlough" means short leave granted to certain convicted prisoners, after undergoing prescribed period of sentence, as an incentive for maintaining good conduct.

(k) "Government" means the Government of the State of Uttarakhand;

(l) "habitual offender" means any prisoner who is committed to prison repeatedly for a crime.

(m) "Head of the headquarters of Prisons Administration and Correctional Service Department" means an officer appointed by the Government as head the headquarters of Prisons Administrative and Correctional Service Department.

(n) "high-risk prisoner" means a prisoner with high propensity towards violence, escape, self-harm, disorderly behaviour and likely to create unrest in the prison and threat to public order and also includes those engaged in organised crime and terrorist activities;

(o) "high security prison" means an independent self – sufficient prison complex with dynamic and strengthened security systems with provision for an independent court complex etc. to house convicted and under trial inmates, who need to be kept in a high security custody area, such as persons involved in terrorist activities, gangsters, dangerous prisoners, hardened criminals, habitual offenders, prisoners with high propensity of escape, have the potential of rioting and negatively influencing other inmates, etc;

(p) "history ticket" means the ticket, either in physical or electronic form, exhibiting all relevant information in respect of a prisoner.

(q) "institution" means a place where prisoners are lawfully confined.

(r) "Medical Officer" in relation to prisons, means a qualified Government medical practitioner appointed as medical officer of a prison.

(s) "medical subordinate staff" means a qualified medical assistant, such as pharmacist, nurse, lab technician, etc. deputed in a prison.

(t) "open correctional institution" means a place for confinement of eligible prisoners on such conditions, as prescribed under the rules, for giving them more liberty outside a regular prison for facilitating their rehabilitation after release.

(u) "parole" means temporary release of a convicted prisoner for short period of time for attending to familial and social obligations.

(v) "prison" means any place used permanently or temporarily under general or special orders of the Government for the detention of prisoners and includes all lands and buildings appurtenant thereto, but does not include –

(a) any place for the confinement of prisoners which is exclusively in the custody of the police;

(b) any place specially appointed by the Government under Section 457 of the Bharatiya Nagarik Suraksha Sanhita, 2023;

(c) any place which has been declared by the Government, by general or special order to be a subsidiary jail;

(w) "prison officer" means an officer belonging to the headquarters and may include officers of any other force or service deployed in the prison for assisting the prison administration for the safe custody of/providing correctional services to the prisoners;

(x) "prison staff" means an employee appointed by the headquarters, other than a prison officer, who exercises powers or performs duties or functions related to the administration of this Act or as may be assigned by the Government;

(y) "institution for young offenders" means a prison for young prisoners established to ensure their care, welfare and rehabilitation, to provide an environment of education and training conducive to their reformation;

(z) "prisoner" means any person committed to custody in prison under the writ, warrant, order or sentence of a Court or competent authority and includes convicted prisoner, civil prisoner, under trial prisoner, prisoner remanded by a court to prison custody under the orders of a competent authority who is detained lawfully in the prison and correctional institution;

(za) "prescribed" means as prescribed by the rules made under this Act;

(zb) "prohibited article (contraband) "means any item that presents a threat to the safety or security of the prisoners, prison staff, prison institution, or any object, substance, or material forbidden by the Prisons and Correctional Institutions or Government from being in a prisoner's possession, like cell phone, a communication device, drugs or anything that can be used as a weapon or to aid in an escape such as firearms, explosives, knives, wire, tools, chemicals, razor blades, alcohol, matches, lighters, etc, it means an article, the introduction or removal

of which into or out of a prison is prohibited by this Act or rules framed thereunder or by any other law or by any notification of the Government;

(zc) "recidivist" means any prisoner who is convicted for a crime more than once;

(zd) "remission" means a concession granted to an eligible convicted prisoner by the competent authority with the prospect of early release from prison by shortening of sentence, as may be prescribed by the rules;

(ze) "rule" means a rule made under this Act;

(zf) "officer-in-charge of the prison" means an officer appointed by the competent authority as in-charge of a prison;

(zg) "under trial prisoner" means a person who is not a convict and has been committed to judicial custody pending investigation by the police or trial by a court of competent jurisdiction;

(zh) "State" means the State of Uttarakhand;

(zi) "wireless communication device" means mobile phone, computer, tablet, laptop, palmtop or any other electronic device used for unauthorized communication using any cellular or satellite network or any other device notified by the competent authority;

(zj) "young offender" means a prisoner who has attained the age of 18 years and has not attained the age of 21 years.

CHAPTER-II

FUNCTIONS OF PRISON ADMINISTRATIVE AND CORRECTIONAL SERVICE DEPARTMENT

Functions of Prisons Administrative and Correctional Service Department

3. The functions of prisons shall be as follows:

(1) to keep in safe custody, a prisoner committed to it under any writ, warrant or by the order of any court or any other competent authority;

(2) to take suitable measures for the safety and security of prisoners;

(3) to provide the prisoners with food, clothing, accommodation, other necessities and medical treatment;

(4) to provide correctional treatment to the prisoners for rehabilitating them in the society as law abiding citizens;

(5) to maintain discipline in the prison in accordance with the provisions of this Act and the rules made thereunder.

CHAPTER-III
PRISON ACCOMMODATION

Accommodation for Prisoners

4. The Government shall provide sufficient number of prisons administration and correctional service institutions in the State for accommodating the prisoners, which may be constructed and maintained in such manner so as to comply with the requirements of this Act.

Prison architecture and institutional pattern

5. (1) The pattern of construction of a prison, ground space, air space and ventilation of cells, barracks, bathing places, kitchen, work-sheds, hospitals etc. shall conform to such standards and requirements, as may be prescribed by the rules.

(2) The standards of security for each prison shall be such as may be prescribed by the rules.

(3) Prisons may be designed in such a manner so as to facilitate segregation of various categories of prisoners and for attending to special needs of prisoners, such as women/transgender/ drug addicts/ persons with disabilities/persons suffering from contagious disease or mental illness or /old and infirm prisoners, under trial prisoners, convicted prisoners, high security prisoners, habitual/recidivist prisoners, young offenders, civil prisoners, detenues etc, as may be prescribed by the rules.

(4) The setup of prisons administration and correctional service institutions may include accommodation and other facilities for the prison officers and staff as per functional requirement.

(5) Wherever there is no provision of a stand-alone High Security Prison in the State, high risk

offenders, hardened criminals and habitual offenders shall be segregated and lodged in separate barracks or cells of the prison, which shall have a provision of keeping them away from mingling with other prison inmates, *young offenders, first time offenders, etc.*

(6) Such separate accommodation as referred to in sub-section (5) shall have appropriate advanced architecture, design and institutional pattern, as prescribed by the rules, for keeping inmates in safe and secure custody.

Categories of Prison Administration and Correctional Service Institutions

6. (1) The Government may establish various categories of Prison Administration and Correctional Service Institutions, such as:

(i) Central Prisons
(ii) District Prisons
(iii) Sub Prisons
(iv) Open Correctional Institutions
(v) High Security Prisons
(vi) Exclusive Women Prisons
(vii) Institution for Young Offenders

Note: The Government may make rules for the categorization of prisoners to be detained in these prison institutions, from time to time.

(2) The Government may determine the number of prisons administration and correctional service institutions of any category and the place at which these may be established.

(3) Each Central Prison/ District Prison shall have provision for a separate Ward for High Risk Prisoners/hardened criminals/ recidivists/habitual offenders, where they may be lodged separately in cells without the scope of mingling with other inmates so as to protect other prisoners from negative influence and radicalised thought process.

(4) Appropriate and advanced security infrastructure and procedures shall be in place for High Risk Prisoner Ward in all Central / District Prisons. Such prisons

shall also have appropriate provisions for an independent Court complex for holding court hearings/trial.

Temporary accommodation for prisoners

7. Whenever it appears to the Government that -

(1) the number of prisoners in any prison is greater than that can conveniently or safely be kept therein, and it is not convenient to transfer the excess number to some other prison, or

(2) whenever due to the outbreak of any disease in any prison, or for any other reason, it is desirable to provide for temporary shelter and for the safe custody of prisoners, appropriate provision may be made, in such manner as the Government may direct, for the shelter and safe custody in temporary prisons of as many prisoners that cannot be conveniently or safely kept in a prison.

CHAPTER-IV
ORGANISATIONAL SET UP

Headquarters of Prisons and Correctional Services

8. (1) There may be a headquarters of Prisons administration and Correctional Services in the State, which shall be responsible for implementing the prison policies laid down by the State Government, and will plan, organise, direct, coordinate and control various prison administrative and correctional services and matters connected therewith and incidental thereto. The headquarter shall consist of such number of officers and staff as may be prescribed by the Government from time to time.

(2) The institutional set-up may be decided in accordance with the need and requirement of accommodating the prisoners, the inmate population, workload of prison officers and staff, and the workforce may include executive, ministerial, guarding staff, correctional officers and staff, medical personnel, etc., as may be prescribed by the rules.

Head of Prison Administration & Correctional Services

9. (1) For administration of the Prison Administrative and Correctional Services, the Government shall appoint the Head of Prisons & Correctional Services (of appropriate rank, as the Government may deem fit), subject to the provisions of the Act and the rules made thereunder.

(2) The Head of Prisons Administration & Correctional Services shall exercise powers and perform duties under this Act, and other officers and staff shall work under the general supervision, control and direction of the Head of Prison Administration & Correctional Services.

(3) The Head of Prison Administration & Correctional Services shall exercise such administrative, financial and disciplinary powers as may be exercised by a Head of Department and such other powers specifically conferred upon him by the Government from time to time, as prescribed by the rules.

Other officers of prisons

10. (1) The Government may appoint as many officers as may be necessary to assist the Head of the headquarters of Prisons & Correctional Services for performing such duties as may be prescribed under the Act and the rules.

(2) For every Prison, there shall be an officer-in-charge, who may be a Superintendent, Jailor, Deputy Jailor or any other officer of the Prisons and Correctional Services, as prescribed by the rules.

(3) The general administrative control and management of a prison shall vest with the officer-in-charge and other officers and staff shall exercise or perform such duties and functions under his direction, as may be prescribed by the rules.

Recruitment and Training

11. (1) The qualifications, recruitment, appointment and training of the officers and staff of the Prisons shall be such as may be prescribed by the rules.

(2) Salaries and other benefits of officers and staff members may be commensurate with the work

performed in a modern prisons and correctional system, as may be prescribed by the rules.

(3) Every member of the prisons officers and staff in the Prison shall be provided basic induction training and periodic in-service training, to enable them to perform their duties efficiently and professionally.

CHAPTER-V

DUTIES OF PRISON OFFICERS AND STAFF

Functions and duties of officer-in-charge

12. (1) Subject to the provisions of the Act and the rules made thereunder or under orders and directions of the Head of Prison Administration and Correctional Services, the officer-in-charge of a prison shall manage the prison in all matters including admission of prisoners, security of the prison, correctional programs, allowing visitors inside the prison, expenditure, discipline, punishment and control and release of prisoners, with the aid and assistance of other subordinate officers and staff.

(2) The officer-in-charge shall be responsible for the proper upkeep of the prison and all equipments and machinery, etc. of the prison under his charge.

(3) The officer-in-charge shall be responsible for the safe custody of all documents/records, including records in electronic format, in his care, and for the money and other articles taken from prisoners, and perform such other duties and discharge such other functions as may be prescribed by the rules.

(4) Officer-in-charge of a prison shall exercise such disciplinary powers as assigned to him under the Act or as prescribed under the rules for regulation of prisoners, maintaining prison discipline and proper management of the prison, including high security Wards.

Medical Officer

13. There may be a medical officer for every prison. If the post of the medical officer is vacant, then the medical officer or the doctor in-charge of the Government Hospital or the resident medical officer of the District

Civil Hospital may act as the medical officer of the Sub-Jail the District or Central Prison, as the case may be.

Duties of other prison officers and staff

14. All other prison staff shall discharge their duties based on the functions and responsibilities assigned for various categories of prison officers and staff as may be prescribed by the rules.

Exercise of powers of officer-in-charge and Medical Officer in their absence

15. All or any of the powers and duties of an officer-in-charge or a medical officer may, in his absence, be exercised and performed by such other officer(s), as the competent authority may prescribe, either by name or by official designation.

Prison officers and staff not to have business dealings with prisoners and interest in prison contracts

16. No prison officer or staff shall enter into, or allow any of his person in trust or employed by him to have any business dealings with any prisoner or any relative or friend of any prisoner, directly or indirectly, nor shall he have any business dealings with any prison/jail institution or have any interest, direct or indirect, in any contract for supply of provisions or any other article to the prison nor shall he derive any benefit, directly or indirectly, from the sale or purchase of any such provisions or articles. He shall be bound by the service conduct rules as may be prescribed.

Staff Welfare

17. The Head of Prison Administration & Correctional Services may establish a staff welfare wing to aid and advise the Government in the implementation of welfare measures for prison officers and staff.

CHAPTER-VI
USE OF TECHNOLOGY IN PRISON ADMINISTRATION

Use of Technology in prison administration

18. (1) The State shall ensure integration and embedding of appropriate technology, for the effective management and superintendence of prisons and for the safety and security of prisons and the inmates, including biometrics, CCTV system, scanning and detection devices, RFID, video conference facilities, etc. in

every prison for prisoners to attend trials and biometric access for movement of inmates.

(2) The State shall computerize the entire prison administration and integrate the database with the Interoperable Criminal Justice System. The State shall also develop suitable interfaces for seamless sharing of information and facilitate the Prison & Prisoner Management System.

(3) The State shall use advanced cellular jamming and cellular detection solutions in the jails to prohibit unauthorised use of cell phones by the inmates. Latest technological interventions shall be used to detect and prohibit use of cell phones and other electronic devices in prisons and its use by inmates.

(4) The State may use electronic monitoring technology on prisoners under temporary release /leave from prison, by making use of GPS tracking devices/ ankle bracelet, etc.

CHAPTER-VII
ADMISSION, TRANSFER AND DISCHARGE OF PRISONERS

Admission of prisoners

19. (1) The officer in-charge of a prison shall receive and detain a person duly committed to his custody, under this Act or otherwise, by any Court or any competent authority, according to the exigency of any writ, warrant or order by which such person has been committed to the prison or until such person is discharged or removed in due course of law.

(2) The officer incharge of the prisoner shall, after the execution of such a writ, warrant or order or after the release of the detained person, return it to the Court by which it was issued along with a valid signed certificate showing how it has been executed or why the detained person is released from custody before its execution.

(3) The officer incharge of the prison shall take action to give effect to any sentence or order passed or issued

or a warrant issued for custody of any person, by any Court or any competent authority.

(4) Where officer incharge of a prison has any doubt as to the validity of a warrant or order sent for execution, he shall refer the matter to the concerned Court for confirmation.

(5) Pending a reference made under sub section (4), the prisoner may be taken into custody in such manner and with such restriction as may be specified in the warrant or order.

(6) No person shall be admitted into a prison for detention otherwise than under the production of a lawful warrant or under any order of commitment addressed to the officer-in-charge of a prison by a Court or any other competent authority.

Transfer of a prisoner to other State

20. (1) Where any person is confined in a prison in a State under a sentence of imprisonment or under sentence of death or in default of payment of a fine or in default of giving security for keeping the peace or for maintaining good behavior, the Government of that State may, with the consent of the Government of any other State, by order, provide for the transfer of the prisoner from that prison to any prison in the other State.

(2) The transfer of any undertrial prisoner from State to another may be done with the consent of the trial Court.

Prisoners to be searched and examined on admission, exit and re-entry

21. (1) Whenever a prisoner is admitted into a prison, he shall be searched and all cash, jewelry, weapons and prohibited articles or any other article which a prisoner cannot retain with him shall be taken from him and retained in safe custody of the officer-in-charge of the prison or an officer authorized by him:

Provided that a woman prisoner or a transgender prisoner shall be searched in an appropriate manner as may be prescribed by the rules.

(2) Every inmate received in a prison shall undergo such physical and biometric identification measurements in accordance with the provisions of the Criminal Procedure (Identification) Act, 2022 and any other law in force.

(3) Every such prisoner shall be examined, on the same day or not later than 24 hours, by the medical officer; who shall enter in a record, the health status of the prisoner, including any illness, present or past.

(4) Every prisoner who leaves a prison or re-enters a prison shall also undergo search and physical and biometric identification upon each such exit from or entry into Prison.

Search of Prisoners

22. Any prisoner shall be liable to be searched at any time for detection of any prohibited article, etc.

Articles of prisoners

23. All valuable articles of a prisoner, in respect whereof no order of a competent court has been made, and which, under the rules may, be brought into a prison by any prisoner or sent to the prison for the inmate's his use, shall be placed in the custody of the officer authorized by the officer-in-charge in this behalf.

Admission, transfer and repatriation of foreigner prisoners

24. The information of admission of a foreigner prisoner in a prison shall be sent forthwith to the Head of the headquarters of Prison Administration & Correctional Services and forwarded to the Ministry of External Affairs, Government of India, or any other agency as may be specified by the Central Government as may be prescribed by the rules.

CHAPTER-VIII
CLASSIFICATION OF PRISONERS

Composition of Classification and Security Assessment Committee

25. Rules may be made by the Government for classification and security assessment of prisoners, officers of the Prison Administration and Correctional Service Department and other officers shall be included in making rules.

Grounds of classification and categories

26. (1) The Classification and Security Assessment Committee may classify the prisoners admitted into a prison according to their age, gender, length of sentence, safety and security requirements, physical and mental health needs, correctional needs, etc, as may be prescribed by the rules.

(2) The prisoners may be classified under the following broad categories:

(a) Civil prisoners;
(b) Criminal prisoners;
(c) Convicted prisoners;
(d) Undertrial prisoners;
(e) Detenues
(f) Habitual Offenders
(g) Recidivists

(3) The prisoners classified into different categories as above may be lodged in separate barracks/enclosures/cells with a view to protect other prisoners from negative influence and radicalised thought process of the hardened/habitual/high risk prisoners.

(4) The prisoners may also be segregated gender-wise – male, female and transgender shall lodged separately.

(5) The prisoners classified in sub-section (2) above may be further classified under the following sub-categories, and lodged separately:

(a) Drug addicts and alcoholic offenders;
(b) First time offenders
(c) Foreign prisoners;
(d) Old and infirm prisoners (65+ years);
(e) Prisoners suffering from infectious/chronic diseases;
(f) Prisoners suffering from mental illness
(g) Prisoners sentenced to death;
(h) High risk prisoners;

(i) Women prisoners with children;

(j) Young Offenders

(6) Dangerous and high risk prisoners shall be accommodated in special cells or high security prisons.

(7) The officer-in-charge shall take special care and caution for ensuring safe and secure custody of high risk prisoners, as may be specified by the Government in this behalf.

CHAPTER-IX
PROTECTION OF SOCIETY FROM CRIMINAL ACTIVITIES OF HIGH RISK PRISONERS, HABITUAL OFFENDERS AND HARDENED CRIMINALS

Taking appropriate measures against criminal activities of prisoners

27. (1) It shall be the responsibility of the headquarters of Prisons & Correctional Services and the Police Department of the State to take all appropriate measures for protecting the society from the criminal activities of high risk prisoners, habitual offenders and hardened criminals.

(2) Based on the details of the crime committed by the inmate, available background record, history ticket, etc. inmates shall be suitably classified, assessed for their propensity and potential to negatively influence other inmates and be housed in separate barracks/cells, as may be appropriate.

(3) With a view to protecting the society and the victims, high risk prisoners, hardened criminals and habitual offenders shall not be entitled for parole, furlough, or any kind of prison leave in the normal course.

Special provisions for security, intelligence gathering, surveillance and rotation of prison staff on duty

28. (1) Prisons and Correctional Institutions shall ensure special watch and surveillance on such inmates for preventing organised crime and continued criminal activities while imprisoned, including gang activity, intimidating witnesses, etc.

(2) For ensuring dynamic security, preventing escapes, instances of disorder and criminal activity in prisons, appropriate provision for intelligence gathering from

prisoners, careful observation, monitoring of prisoners and analysis of the relevant information may be done by the Prison Administration and Correctional Service Department in coordination with the Intelligence Wing of the State Police Department.

(3) The State shall ensure strengthened and effective measures for periodic search and detection of contrabands, cell phones, etc. in the cells and barracks of high risk offenders and hardened criminals and deploy advanced jamming solutions in such areas, including conduct of frequent surprise checks.

(4) The prison and other security staff deployed in such sensitive barracks and cells shall be rotated at periodic intervals to prevent any nexus and complacency in security.

(5) The release of a convict/high-risk prisoner/hardened criminal/habitual offender on completion of sentence or an under-trial on bail or an inmate released temporarily on parole/furlough, etc. shall be informed to the Superintendent of Police of concerned district, who shall monitor the activities of such prisoner.

(6) The district administration shall fully secure the movement of the prisoner, in course of movement to court for judicial proceeding, to the hospital for medical treatment or any other place, as per writ, warrant or order of the competent authority, as the case may be.

Use of electronic monitoring devices on prisoners

29. Prisoners may be granted prison leave on the condition of their willingness to wear electronic monitoring devices for monitoring movement and activity of such prisoners. Any violation by the prisoner shall attract cancellation of prison leave, in addition to disqualification from any prison leave being granted in future, as may be prescribed by the rules.

CHAPTER-X

PRISON REGIMEN FOR WOMEN PRISONERS

Separate accommodation for women prisoners

30. (1) The Government may establish such number of exclusive prisons for women prisoners, time to time as it may consider necessary, to accommodate women prisoners. In a prison housing women as well as men prisoners, women prisoners shall be kept in a separate building or a separate part of the same building, with a separate entrance, in such a manner that they do not come into contact with men prisoners. All basic facilities as provided in the prison for men may also be provided to women prisoners, along with such other facilities that meet their gender specific needs.

(2) A separate female ward in the prison hospital maybe created for women prisoners.

(3) In case of exclusive women prison and women enclosure/female ward, only women prison officials and staff shall be deputed. Male prison officials and security staff can be deployed for duties outside such prison or enclosure and can be called inside by the officer-in-charge or the officer on duty, only in case of any situation of emergency or prison offence, as may be prescribed by the rules.

(4) Women prisoners may be provided access to correctional programs and activities which take into account their gender specific needs.

Pregnant Women Prisoners

31. When a women prisoner is found to be pregnant at the time of admission or later, the medical officer shall report the fact to the officer-in-charge. Necessary arrangements shall be made for providing her medical care and diet, as may be prescribed by the rules.

Women prisoners with children

32. (1) Women prisoners may keep their children inside the prison until the child attains the age of six years.

(2) A child living with his mother in prison may be provided with health-care education and such other

facilities, which are essential for the holistic development of the child, as may be prescribed by the rules.

Inquiry into complaints of sexual harassment

33. Any complaint or information of sexual harassment of a woman prisoner shall be acted upon without delay as per the provisions of law.

CHAPTER-XI
TRANSGENDER PRISONERS

Prison Regimen for Transgender prisoners

34. (1) Separate enclosures/wards for transgender prisoners, both trans men and trans women, may be provided, as prescribed by the rules.

(2) Transgender prisoners maybe provided access to any specific health-care or psycho-social needs.

(3) Transgender prisoner may be provided access to correctional programs and activities.

CHAPTER-XII
CUSTODY AND SECURITY OF PRISONERS

Safe custody and security of prisoners

35. (1) The officer-in-charge of the prison shall be responsible to undertake effective measures for ensuring safe custody and security of prisoners. These measures may not be limited to but may include the following:-

Secure walls, building gates, good lighting system, central point monitoring of prisoners, watch towers, power fencing, control of prohibited articles, system for gathering intelligence information, closed circuit televisions and other advanced gadgets and devices for guarding purposes and preventing access to prohibited articles in prisons, etc.

(2) The Head of Prisons & Correctional Services shall be empowered to transfer a prisoner to any other prison in the State, as may be prescribed by the rules.

(3) On the request of the officer-in-charge, the local police authorities shall provide necessary assistance to the prison authorities, for escorting a prisoner to a

court or for visit to hospital or for custody parole, etc. and for ensuring the safe custody of any prisoner who poses a special risk, including escape from prison, rioting, arson or resorting to any violent means affecting the law and order and discipline in the prison.

(4) The manner of use of restraint and force on prisoners may be regulated as prescribed by the rules.

Visit to Prisoners

36. (1) Prisoners may communicate with their family members, relatives, friends and acquaintances through physical or virtual mode, under proper supervision of prison authorities. Visitors to inmates shall be verified/authenticated through biometric verification/identification.

(2) The name, address, photograph and biometric identification of visitors to inmates shall be entered into record as prescribed by the rules.

(3) Foreigner prisoners may communicate with their family members and consular representatives, as prescribed by the rules.

(4) Prisoners may communicate with their legal counsel, as prescribed by the rules.

Search of visitors and prison officers and staff

37. (1) All visitors to prisoners shall be searched in a manner as prescribed by the rules.

(2) In case any visitor refuses to get himself searched, he shall be denied admission to the prison and such decision shall be entered into record.

(3) Appropriate provisions for search of visitors who are women, transgender or persons with disabilities may be made, as prescribed by the rules.

(4) All prison officers and staff shall be searched, upon each entry to the prison and each exit from the prison.

CHAPTER-XIII
DISCIPLINE IN PRISONS

Discipline in Prisons

38. (1) The officer-in-charge shall have the necessary authority and be responsible for maintaining discipline in the prison and amongst the prisoners, prison officers and staff, in accordance with the provisions of this Act and rules made thereunder.

(2) The manner of enforcing discipline in the prisons shall be such as may be prescribed by the rules.

(3) It shall be the duty of every prisoner to obey the orders and instructions of a prison officer and to abide by the provisions of this Act and to comply with such other directions as may be prescribed by the rules.

Prison Offences

39. The following acts are declared as prison offences, when committed by a prisoner, namely:

(1) willful disobedience of any rule or regulation of the prison, as prescribed under this Act or under the rules made thereunder;

(2) any assault or use of force on anyone;

(3) deliberate and persistent use of insulting or threatening language;

(4) immoral or indecent or disorderly behavior;

(5) willfully disabling himself from labour;

(6) continuously refusing to work if the prisoner has been punished with rigorous imprisonment;

(7) willful idleness or negligence at work by any convict prisoner sentenced to rigorous imprisonment;

(8) willful mismanagement of work by any convict prisoner sentenced to rigorous imprisonment;

(9) wilful damage to prison property;

(10) tampering with or defacing history tickets, records or documents, maintained in physical or electronic form;

(11) receiving, possessing or transferring any prohibited article;

(12) wilfully making a false accusation against any prison official;

(13) omitting or refusing to report, as soon as it comes to his knowledge, the occurrence of any fire, any plot or conspiracy, any attempt to escape or preparation to escape or attack on any prisoner or any other person or prison official;

(14) escape or attempt to escape, conspiring to escape, or to assist in escaping;

(15) unauthorized use or possession of wireless communication devices and/or their ancillary components;

(16) trespassing in or loitering about in the prison premises where entry may not be allowed;

(17) unauthorized communication with any person outside prison;

(18) pretending to be a prison official or employee of the prison headquarters;

(19) smuggling or attempting to smuggle or to have in possession any prohibited article in the prison;

(20) intimidating fellow prisoner(s) into making false representation against the prison officials;

(21) participating in or inciting mass hunger strike or any other act of defiance or indiscipline;

(22) sexual harassment or sodomy;

(23) participating in, or organizing anti-social activities like gambling;

(24) aiding or abetting the commission of any of the aforesaid offences.

Punishment for Prison Offences

40. The officer-in-charge, after conducting an inquiry as prescribed under this Act and the rules made thereunder, may impose any of the following punishments with respect to the prison offences indicated in section 39 above, except in such cases which constitute an offence under the Bharatiya Nyaya Sanhita, 2023 or any other special or/and local laws:

(1) A formal warning, which means a warning personally

addressed to a prisoner by the officer-in-charge and recorded in the punishment book and in the prisoner's history ticket;

(2) Stoppage of recreational facilities, including canteen facility, up to a period of one month.

(3) Forfeiture of remission earned for a period upto three months.

(4) Stopping visits of all visitors (which includes family members, relatives, friends and acquaintances for a period of not more than one month (which does not include advocate).

(5) Separate confinement for a period not exceeding one month.

Punishment for possessing or using mobile phones and other contraband

41. (1) Prison inmates are forbidden from possessing or using mobile phones and other electronic communication devices in prisons. Whoever, being a prisoner or a visitor or a prison official, in contravention of any provisions of the Act or rules made thereunder, is found possessing or using such devices or introduces or removes or attempts by any means whatsoever, to introduce or remove into or from any prison or supplies or attempts to supply to any prisoner, any prohibited article, and every officer or staff of a prison who, contrary to any such rule, knowingly allows any such article to be introduced into or removed from any prison, to be possessed by any prisoner or to be supplied to any prisoner and whoever, contrary to any such rule, communicates or attempts to communicate with any prisoner, and whoever abets any offence made punishable by this section, shall, on conviction before a Magistrate, be liable to imprisonment for a term not exceeding three years, or fine not exceeding twenty five thousand rupees, or both.

(2) Whoever, being a prisoner or a visitor, or a prison official, is found in possession of, or operating or using, an electronic device or a wireless

communication device or any of its ancillaries or components, or if any such person is found to be assisting or abetting or instigating in the supply thereof, or if any such person is found to be manipulating, damaging or destroying any equipment in the prison, electronic or otherwise, shall, on conviction before a Magistrate, be liable to imprisonment for a minimum period of two years which may extend to three years or with fine not exceeding twenty-five thousand rupees or with both.

(3) The prisoner shall undergo the sentence awarded under sub-section (1) or sub-section (2) above on completion of any sentence if already undergoing.

(4) The offences mentioned in sub-sections (1) and (2) above, shall be cognizable and non-bailable.

Procedure on repeated committal of a prison offence

42. If any person in the prison premises is guilty of an offence against prison discipline, which by reason of his having frequently committed such offence or otherwise, in the opinion of the officer-in-charge, is not adequately punishable by the infliction of any punishment which he has the power to inflict under this Act, the officer-in-charge may forward the case of such prisoner to the competent Magistrate having jurisdiction, together with a statement of the circumstances, and such Magistrate shall thereupon try the charge so brought against the prisoner, and, upon conviction, may sentence him to imprisonment which may extend for a period up to three years. Such term shall be in addition to any other term which such prisoner may be already undergoing.

Display of prison offences and penalties.

43. The officer-in-charge may cause to be affixed, at a conspicuous place inside the prison, a notice in English and in the vernacular language, setting forth the acts prohibited under this Act and the penalties incurred by their commission, for the information of the prisoners and prison staff.

CHAPTER-XIV
HEALTHCARE FACILITIES

Prisoners' Health Care

44. All prisoners will have access to adequate, gender-responsive health care. In emergency conditions, the facility of taking treatment from outside hospital shall be provided to the prisoners, on the advice of the medical officers of the prison.

Mental health – psychological assessment and treatment

45. (1) The Government may, by a general or special order, direct the transfer of any prisoner with mental illness from the place of detention to any mental health establishment in the State with prior permission of the Board mentioned in Sec.103 (Chapter XIII) of the Mental Healthcare Act, 2017.

(2) The method, modalities and procedure by which transfer of a prisoner under this section is to be effected shall be such as may be further prescribed by the rules.

CHAPTER-XV
WELFARE PROGRAMS FOR PRISONERS

Vocational Training, Skill Development, Education and Recreation facilities

46. (1)The prisoners may be provided appropriate opportunity for enhancing their educational qualification, including making provision for library facilities in a prison, as prescribed by the rules.

(2) Vocational training and skill development programs may be provided to prisoners as part of prison correctional programs. These programs may be diverse in nature to facilitate rehabilitation of the prisoners, as prescribed by the rules.

(3) The officer-in-charge may organize spiritual, cultural, moral and recreational programs, etc. for the prisoners, as prescribed by the rules.

(4) The Government may frame a scheme which may be called the Prisoners Welfare Fund for the welfare of the prisoners in the State.

Establishment of Canteens and Sales Outlets

47. The Government may establish Canteens and Sales Outlets for the sale of jail products to the prisoners, prison staff and the public, as may be prescribed by the rules.

CHAPTER-XVI
SENTENCE PLANNING

Individual Sentence Planning

48. (1) A sentence plan may be prepared by the officer-in-charge, which will help in the prisoner's rehabilitation and social reintegration, as may be prescribed by the rules.

(2) The individual sentence plans may be updated and recorded in the prisoner files on periodic basis

Work programme and wages

49. (1) Every prisoner, including undertrial prisoner or civil prisoner or prisoner sentenced to simple imprisonment, while in custody, may be provided the opportunity of work, if available, and be paid commensurate wages, as prescribed under the rules.

(2) The record of wages earned and spent by any inmate, particulars of deferred wages and matters incidental thereto shall be maintained by the officer-in-charge.

CHAPTER-XVII
OPEN AND SEMI OPEN CORRECTIONAL INSTITUTIONS

Open and semi open Correctional Institutions

50. (1) The Government may establish and maintain as many open and semi-open correctional institutions for prisoners, as may be required.

(2) The Government may allow such facilities or concessions in such open or semi-open correctional institution which may assist the prisoner in his rehabilitation into the society, as may be prescribed by the rules.

(3) The rules for management of open or semi-open institutions, including the procedure and eligibility of prisoners who can be transferred to such correctional institutions, dealing with prisoners who violate any condition of transfer to an open or semi open correctional institution, etc. shall be such as may be prescribed by the Government.

CHAPTER-XVIII
PRISON LEAVE, REMISSION AND PRE-MATURE RELEASE

Parole and Furlough

51. (1) Prison leave may be granted to eligible convicted prisoners as an incentive for good behaviour and responsiveness to correctional treatment with the objective of their rehabilitation, as may be prescribed by the rules.

(2) There may be the following types of prison leave, namely:-

(a) Regular Parole

(b) Emergency Parole

(c) Furlough

(3) Regular Parole may be granted to eligible convicts by the Government under such conditions and for such purposes as may be prescribed by the rules. The period spent on regular parole may not exceed thirty days at a time and may not be granted more than two times in a year. The period spent on regular parole shall not be counted as part of sentence.

(4) Emergency Parole may be granted by the competent authority to eligible convicts in emergent situations, under police protection for a period extending upto 48 hours, as prescribed by the rules. The period spent under this parole shall be counted as part of sentence.

(5) Furlough may be granted to eligible prisoners sentenced with life imprisonment by the competent authority, as an incentive for maintaining good conduct and discipline in the prison after the completion of prescribed period. The period spent on furlough shall be counted as part of sentence.

(6) For prisoners governed by any of the laws relating to the Armed Forces of the Government, the grant of leave shall be subject to the provisions of those laws.

(7) For public safety and preventing parole jumping, prisoners may be granted prison leave on the condition of their willingness to wear electronic

tracking devices for monitoring movement and activity of such prisoners. Any violation by the prisoner shall attract cancellation of prison leave, in addition to disqualification from any prison leave being granted in future, as may be prescribed by the rules.

(8) If a prisoner on parole or furlough fails to surrender on the due date, upon intimation by the officer-in-charge of the Prison, the police shall arrest the prisoner under the provisions of section 262 of the Bharatiya Nyaya Sanhita,2023 and take action as per the provisions of law.

Remission to prisoners 52. (1) Subject to the overall good behaviour and conduct of a convicted prisoner while serving the sentence, remission may be granted by the competent authority, as may be prescribed by the rules.

(2) The period and criteria of remission shall be such as may be prescribed by the rules.

Pre-mature release 53. Pre-mature release may be allowed to a prisoner by the competent authority with the objective of his rehabilitation and reintegration into the society. The Government may constitute a Sentence Review Board for considering and recommending cases for premature release of a convicted prisoner in appropriate cases under the provisions of the Bharatiya Nagarik Suraksha Sanhita, 2023, as prescribed under the rules.

CHAPTER-XIX
INSPECTION OF PRISONS

Inspection of Prisons 54. (1) There shall be a two-fold system for inspections of prisons:

(a) **Inspection conducted by senior prison officers** –The Head of Prisons & Correctional Services may have a prison inspected by an officer of appropriate rank at periodic intervals, as may be prescribed by the rules; and

(b) **Inspections conducted by the Board of Visitors** – Board of Visitors shall be headed by the District Judge and may comprise of such other official members for

carrying out such functions, as may be prescribed by the rules.

(2) Every inspection shall be followed by a written report to the officer-in-charge of the Prison and to the Head of the headquarters of Prisons & Correctional Services.

CHAPTER-XX
AFTER-CARE AND REHABILITATION SERVICES

After-Care and Rehabilitation Services

55. The Government may endeavour to provide after-care services to all needy prisoners released from a prison with a view to ensuring their rehabilitation and reintegration into the society.

CHAPTER-XXI
MISCELLANEOUS

Legal Aid

56. The Government may provide the facility of free legal aid to the prisoners in accordance with the provisions of 'the Legal Services Authorities Act, 1987' and the Standard Operating Procedure prescribed by National Legal Services Authority/State Legal Services Authority/ District Legal Services Authority or as may be prescribed by the rules.

Constitution of Under Trial Review Committee for every district

57. (1) There shall be an Under Trial Review Committee for every district, headed by the District and Sessions Judge, and comprising of such other members, as may be prescribed by the rules.

(2) The Committee shall meet in every three months and review the cases of eligible prisoners in all prisons of the district, and make appropriate recommendations.

Report on the death of a prisoner

58. On the death of any prisoner, the Medical Officer shall forthwith record all relevant details and particulars of the case, as may be prescribed by the rules, and send the report to the officer-in-charge of the prison and the Head of Prisons and Correctional Services.

Grievance Redressal Mechanism

59. There may be an appropriate mechanism for redressal of the grievances of the prisoners and prison staff, as may be prescribed by the rules.

Utilisation of services of prisoners	60.	The officer-in-charge may utilize the services of prisoners for the day-to-day administration and management of the prisons, as may be prescribed by the rules.
Prohibition of strike and agitation	61.	No prisoner, visitor or any person employed in the prison, shall have any right to strike or start or continue any agitation inside the prison for achieving any request or demand.
Emergency	62.	The officer-in-charge shall, as may be prescribed under the rules, take all appropriate measures, including the procurement of necessary equipments and preparation of a contingency plan, for preventing and controlling any emergency situation in the prisons, including ensuring availability of Quick Reaction Team, etc. and any other provision in conformity with the Disaster Management Act, 2005 or any other relevant Act and orders or instructions issued by any competent authority.
Extramural Custody, control and employment of prisoners	63.	A prisoner, when being taken to or from any prison, in which he may be lawfully confined, or to a court for production or to a hospital for medical treatment, or whenever he is working outside or is otherwise beyond the limits of any such prison in or under the lawful custody or control of a prison officer belonging to such prison, or any other officer deployed for such duty, shall be deemed to be in prison and shall be subject to all directions and discipline, as if he were actually in prison.
Prison Development Board	64.	(1) The State may set up a Prison Development Board with the objective of modernizing prison infrastructure and facilities for better prison management; correctional and reformational activities for prisoners and welfare of the prison staff. (2) The composition of such Board, its responsibilities, and manner of governance etc., shall be such as may be prescribed under the rules.
Delegation of Powers	65.	Any of the powers conferred by this Act may be exercised and performed by such officers as the Government may designate in this regard.

Accounts and Audit	66.	The accounts of every prison shall be maintained and audited in such manner as may be prescribed by the Government.
Protection of action taken in good faith	67.	No suit, prosecution or other legal proceeding shall lie against the Government or any functionary of the Government in respect of anything which is done or intended to be done in good faith in pursuance of this Act or the rules made or orders or directions issued thereunder.
Powers of the Government to make rules	68.	The Government may, by notification in the official Gazette, make rules consistent with this Act.
Repeal and Saving	69.	(1) The Prisons Act, 1894 (9 of 1894), Prisoners Act (03 of 1900) and the Transfer of Prisoners Act (29 of 1950) as applicable to the State are hereby repealed. (2) Notwithstanding such repeal, all the rules, regulations, orders, directions, notifications relating to prisons made under the said Acts which are in force immediately before the commencement of this Act shall, except where and so far, as they are not inconsistent with or not repugnant to the provisions of this Act, continue to be in force until altered, amended or repealed by rules made under this Act.
Power to remove difficulties	70.	(1) If any difficulty arises in giving effect to any of the provisions of this Act, the Government may, by order published in the Official Gazette, make such provisions or take such measures, not inconsistent with the provisions of this Act, as may appear to be necessary or expedient for removing the difficulty. (2) The Government may make an order under sub-section (1) to have effect from any date not earlier than the date of commencement of this Act.

By Order,

DHANANJAY CHATURVEDI,

Principal Secretary.

Objects and Reasons

The Ministry of Home Affairs, Government of India has finalised a comprehensive Model Prisons Act, 2023 after assimilating the relevant provisions of the Prison Act, 1894, the Prisoners Act, 1900 and the Transfer of Prisoners Act, 1950 and has expected the State Governments and Union Territory Administrations to adopt it in their jurisdictions with such modifications which they may consider necessary and repeal the existing three Acts in their jurisdictions.

In this context, this Bill is proposed to amend the law related to prisons in the State of Uttarakhand and to provide for the safe custody, correction, reformation, rehabilitation and the management of correctional services of prisoners as law abiding citizens and for matters connected therewith or incidental thereto.

Therefore, for this purpose, with the objective of custody, correction and rehabilitation of prisoners detained in the prisons, it is inevitable to repeal the Prisons Act, 1894, Prisoners Act, 1900 and the Transfer of Prisoners Act, 1950 previously applicable in the state of Uttarakhand and enforce the Uttarakhand Prisons and Correctional Services Act, 2024.

The proposed Bill fulfills the above objectives.

Pushkar Singh Dhami
Chief Minister.

पी0एस0यू0 (आर0ई0) 28 विधायी/593–2024–100+500 (कम्प्यूटर/रीजियो)।

क्रम संख्या–27

पंजीकरण संख्या–UA/DO/DDN/30/2024-2026

सरकारी गजट, उत्तराखण्ड

उत्तराखण्ड सरकार द्वारा प्रकाशित

असाधारण

विधायी परिशिष्ट

भाग–1, खण्ड (क)

(उत्तराखण्ड अधिनियम)

देहरादून, शुक्रवार, 17 अप्रैल, 2026 ई0

चैत्र 27, 1948 शक सम्वत्

उत्तराखण्ड शासन

विधायी एवं संसदीय कार्य विभाग

संख्या– 130/XXXVI (3)/2026/10(1)/2026

देहरादून, 17 अप्रैल, 2026

अधिसूचना

विविध

"भारत का सविधान" के अनुच्छेद 200 के अधीन मा0 राज्यपाल ने उत्तराखण्ड विधान सभा द्वारा पारित "उत्तराखण्ड कारागार और सुधारात्मक सेवाएं (संशोधन) विधेयक, 2026' पर दिनांक 15 अप्रैल, 2026 को अनुमति प्रदान की और वह उत्तराखण्ड का अधिनियम संख्याः 04 वर्ष, 2026 के रूप में सर्व–साधारण के सूचनार्थ इस अधिसूचना द्वारा प्रकाशित किया जाता है।

उत्तराखण्ड कारागार और सुधारात्मक सेवाएं (संशोधन) अधिनियम, 2026
(उत्तराखण्ड अधिनियम संख्या– 04, वर्ष 2026)

उत्तराखण्ड कारागार और सुधारात्मक सेवाएं अधिनियम, 2024 (उत्तराखण्ड अधिनियम संख्या 17 वर्ष 2024) में संशोधन करने के लिए,

अधिनियम

भारत गणराज्य के सतहत्तरवें वर्ष में उत्तराखण्ड राज्य विधान–मंडल द्वारा निम्नलिखित रूप में यह अधिनियमित हो :–

संक्षिप्त नाम और प्रारम्भ

1. (1) इस अधिनियम का संक्षिप्त नाम उत्तराखण्ड कारागार और सुधारात्मक सेवाएं (संशोधन) अधिनियम, 2026 है।
(2) यह तुरन्त प्रवृत्त होगा।

धारा 2 का संशोधन

2. उत्तराखण्ड कारागार और सुधारात्मक सेवाएं अधिनियम, 2024 की धारा 2 में खण्ड (ठ) के स्थान पर निम्नलिखित खण्ड प्रतिस्थापित कर दिया जायेगा, अर्थात्:–

" (ठ) अभ्यस्त अपराधी (**habitual offender**)" से ऐसा व्यक्ति अभिप्रेत है, जिसे इस अधिनियम के प्रारंभ होने से पूर्व या पश्चात् उत्तर प्रदेश अभ्यस्त अपराधी प्रतिरोध, अधिनियम, 1952 की अनुसूची में उल्लिखित (Set forth) किसी एक या अन्य अपराध के लिये कम से कम तीन पृथक–पृथक अवसरों पर मौलिक अवधि के कारावास (Substantive term of imprisonment) का दण्ड दिया गया हो और ऐसा दण्डादेश अपील अथवा पुनरीक्षण में अपास्त (Set aside) न कर दिया गया हो।

आज्ञा से,

अरविन्द कुमार,
अपर सचिव।

उद्देश्य और कारणों का कथन

मा0 सर्वोच्च न्यायालय में योजित रिट याचिका (सी0) संख्या–1404 वर्ष 2023 सुकन्या शान्था बनाम भारत संघ एवं अन्य में मा0 सर्वोच्च न्यायालय द्वारा दिनांक 03.10.2024 को पारित निर्णय के अनुपालन में उत्तराखण्ड कारागार और सुधारात्मक सेवाएं अधिनियम, 2024 की धारा 2 (ठ) में परिभाषित "आदतन अपराधी" की परिभाषा में संशोधन करने हेतु उक्त अधिनियम में संशोधन प्रस्तावित है।

2– प्रस्तावित विधेयक उपरोक्त उद्देश्यों की पूर्ति करता है।

पुष्कर सिंह धामी
मुख्यमंत्री।

No. 130/XXXVI(3)/2026/10(1)/2026
Dated Dehradun, April 17, 2026

NOTIFICATION

Miscellaneous

In pursuance of the provisions of Clause (3) of Article 348 of the Constitution of India, the Governor is pleased to order the publication of the following English translation of **'The Uttarakhand prisons and Correctional Services (Amendment) Act, 2026' (Act No. 04 of 2026).**

As passed by the Uttarakhand Legislative Assembly and assented to by the Governor on 15 April, 2026.

THE UTTARAKHAND PRISONS AND CORRECTIONAL SERVICES (AMENDMENT) ACT, 2026

[Uttarakhand Act No. 04 Of 2026]

AN

ACT

To amend the Uttarakhand Prisons and Correctional Services Act, 2024 (Uttarakhand Act no. 17 of 2024).

Be it enacted by the Uttarakhand State Legislature in the Seventy-seventh year of the Republic of India as follows : -

Short title and Commencement	1.	(1) This Act may be called the Uttarakhand Prisons and Correctional Services (Amendment) Act, 2026. (2) It shall come into force at once.
Amendment of section 2	2.	In section 2 of the Uttarakhand Prisons and Correctional Services Act, 2024, for clause (l), the following clause shall be substituted, namely:- "(l) habitual offender" means a person who before or after the commencement of this Act,

		has been sentenced to a substantive term of imprisonment, on not less than three different occasions for one or another of the offences set forth in the Schedule to The Uttar Pradesh Habitual Offenders' Restriction Act, 1952 and such sentence have not been set aside in appeal or revision.

By Order,

ARVIND KUMAR,
Additional Secretary.

STATEMENT OF OBJECTS AND REASONS

In compliance of the judgement passed by the Hon'ble Supreme Court on 03.10.2024 in Writ Petition (C) No. 1404 of 2023 Sukanya Shantha vs. Union of India & Others filed in the Hon'ble Supreme Court, to provide for amendment in the definition of habitual offender defined under section 2(l) of the Uttarakhand Prisons and Correctional Services Act, 2024, it is proposed to amend the said Act.

2- The proposed Bill fulfills the above objectives.

Pushkar Singh Dhami
Chief Minister

पी0एस0यू0 (आर0ई0) 10/विधायी/116–2026–100+500 प्रतियां (कम्प्यूटर/रीजियो)