

PUNJAB VIDHAN SABHA

BILL NO. 9-PLA-2025

THE TRANSFER OF PRISONERS (PUNJAB AMENDMENT) BILL, 2025

A

BILL

further to amend the Transfer of Prisoners Act, 1950, in its application to the State of Punjab.

Be it enacted by the Legislature of the State of Punjab in the Seventy-sixth Year of the Republic of India as follow:-

Short title and commencement 1. (1) This Act may be called the Transfer of Prisoners (Punjab Amendment) Act, 2025.

(2) It shall come into force on and with effect from the date of its publication in the Official Gazette.

Amendment in section 3 of Central Act 29 of 1950. 2. In the Transfer of Prisoners Act, 1950, in its application to the State of Punjab, in section 3,-
(i) after sub-section (1), the following sub-section shall be inserted, namely:-

“(I-A) In the interest of security of the State, maintenance of law and order, or public interest, the transfer of under-trial prisoners from one State to another shall be carried out with the consent of both the States, where the under-trial prisoners are currently lodged and the State to which they are to be transferred, and, the approval of the trial court shall be obtained. Judicial proceedings, if required, may be conducted in accordance with the provisions of the Bharatiya Nagrik Suraksha Sanhita, 2023 (Central Act No 46 of 2023)”; and

(ii) in sub-section (2) for the words, figure, sign and brackets “under sub-section (1)”, the words, figures, signs and brackets “under sub-sections(1) or (1-A)” shall be substituted.

STATEMENT OF OBJECTS AND REASONS

An amendment in The Transfer of Prisoners Act, 1950 to provide for transfer of under trial prisoners from one State to another State. Punjab is a Border State facing serious internal security challenges on multiple fronts viz. anti-national activities of international agencies, terrorists, A-category gangsters, smugglers and notorious criminals, with high risk prisoners lodged in various prisons of Punjab who persistently try to continue their criminal networks from within prisons through nefarious designs. There is no provision in the Transfer of Prisoners Act, 1950 for transfer of under trial prisoners lodged in jails of Punjab from the State to other States, therefore, due to threat to law and order and security of the State and for the smooth functioning of the prison system, it is imperative to amend the Transfer of Prisoners Act, 1950 to allow transfer of the under trial prisoners from the State to other States. This bill is intended to provide, legal sanction to such transfer.

Laljit Singh Bhullar

Minister for Jails

CHANDIGARH:
THE 27TH MARCH, 2025

RAM LOK KHATANA,
SECRETARY.

N.B. – The above Bill published in the Punjab Government Gazette (Extraordinary), dated the 27th March, 2025 under the proviso to rule 121 of the Rules of Procedure and Conduct of Business in the Punjab Vidhan Sabha (Punjab Legislative Assembly).