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Government of Kerala
കേരള സർക്കാർ
2013



Regn. No. KERBIL/2012/45073
dated 5-9-2012 with RNI

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KL/TV(N)/634/2012-14

KERALA GAZETTE

കേരള ഗസറ്റ്

EXTRAORDINARY

അസാധാരണം

PUBLISHED BY AUTHORITY

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GOVERNMENT OF KERALA

Abstract

HOME DEPARTMENT—PRISONS—RIGHT TO SERVICE ACT-2012—SERVICES UNDER
PRISON DEPARTMENT—ORDERS ISSUED

HOME (B) DEPARTMENT

G. O. (Ms.) No. 117/2013/Home. Dated, Thiruvananthapuram, 30th April, 2013.

*Read:—*Letter No. E1-17762/12 dated 19-11-2012 from the Director General
of Prisons and Correctional Services, Thiruvananthapuram.

ORDER

Government are pleased to declare the following 17 services
relating to the Prisons Department under the purview of the Right to Service
Act, 2012.

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33/2183/2013/DTP.

RIGHT TO SERVICE ACT—PRISONS DEPARTMENT

Sl. No.	Name of Activity	Present Procedure	Time Limit (in days)	Designated Officer	First Appellate Authority	Second Appellate Authority
(1)	(2)	(3)	(4)	(5)	(6)	(7)
1	Emergency Leave		1 week	Jail Superintendent	Deputy Inspector General of Prisons of that Zone	Director General of Prisons and Correctional Services
	(a) Police Report	The application for Emergency Leave shall be submitted to the Superintendent of the Jail by the Prisoner or by a relative of the prisoner with the certificate in proof of the ground on which the Emergency Leave is applied for. The Superintendent shall obtain Police Report and verify the genuineness of the application. The Superintendent is competent to grant Emergency Leave for 7 days. The extension of the above 7 days up to 10 days can be ordered by Director General of Prisons and Correctional Services and further extensions can only be granted by Government.	(a) 12 Hrs.	(a) Sub Inspector of Police	Circle Inspector of Police	Director of Social Welfare
	(b) Probation Report		(b) 12 Hrs.	(b) District Probation Officer	District Social Welfare Officer	Director of Health Services
	(c) Certificate from a medical officer		(c) 3 Hrs.	Medical Officer not less than rank of a Civil Surgeon Gr. II	District Medical Officer	District Police Chief
	After getting the above (a) (b) (c) items Leave may be granted					
2	Ordinary leave		10 days	Superintendent	Deputy Inspector General of Prisons	Director General of Prisons and Correctional Services
	(a) Police Report	The application for Ordinary leave shall be addressed to Director General of Prisons and Correctional Services and submitted to the Superintendent by the Prisoner or by a relative.	1 week			
	(b) Probation Report	The Superintendent shall obtain report of the Sub Inspector of Police and Probation Officer concerned and submit the application for leave with above reports for orders of Director General of Prisons and Correctional Services. Director General of Prisons and Correctional Services is competent to grant Ordinary Leave for 30 days	1 week			
	After getting the above (a) (b) items Leave may be granted		(A) 24 Hrs.			
3	Home Leave		7 days	Superintendent, Open prisons	Deputy Inspector General of Prisons of that Zone	Director General of Prisons and Correctional Services

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(1)	(2)	(3)	(4)	(5)	(6)	(7)
	After getting Probation Report Home Leave may be granted	The application for Home Leave shall be addressed to the Director General of Prisons and Correctional Services through the Superintendent of the Jail by the prisoner or by the relative of the such prisoner direct. The superintendent shall obtain report of the Probation Officer and submit the application with the report of the Probation Officer for orders of the Director General of Prisons and Correctional Services				
4	Allowing prisoner to interview with visitors	The application shall submit to the Superintendent by the visitors	3 Hrs.	Welfare Officer or Superintendent	Regional Welfare Officer	Deputy Inspector General of Prisons of that Zone
5	Remission	No application is required for granting ordinary remission. Ordinary remission has to be entered in remission sheet of a prisoner in every quarter of the year. Application is required for granting remission in lieu of wages. The superintendent shall forward statement containing the details of such prisoners to Director General of Prisons and Correctional Services for orders	12 Hrs.	Jailor (General), Central Prison District Jail Superintendent	Superintendent	Deputy Inspector General of Prisons of that Zone
				Special Sub jail Superintendent		
6	Release	No application is required. As per rule 545 of Kerala Prisons Rules eligible prisoners shall be placed before the Advisory Board. According to Rule 544 Kerala Prisons Rule Advisory Board shall meet at least once in 6 months. The Superintendent shall obtain Police, probation officer's reports and judgement of the prisoners	6 Months	Welfare Officer	Regional Welfare Officer	Chief Welfare Officer
	(a) Advisory Board Meeting (Once in six months)					

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(1)	(2)	(3)	(4)	(5)	(6)	(7)
(b) Premature Release	On receipt of a representation for premature release. The Superintendent shall furnish a detailed report related to the prisoner with judgement and submit to Director General of Prisons and Correctional Services for forwarding it to Government	2 weeks	Jailor (General)	Regional Welfare Officer	Chief Welfare Officer	
7 Issue of Certificate of imprisonment to freedom fighters	On receipt of the application Superintendent shall verify the relevant records and issue the certificate. If records are not available the Superintendent shall issue non-availability certificate	30 days	Superintendent	Deputy Inspector General of Prisons of that Zone	Director General of Prisons and Correctional Services	
8 Transfer application of Prisoners	Superintendent shall verify the genuineness of the application and submit orders of Director General of Prisons and Correctional Services with his specific remarks on the petition	7 days	Deputy Inspector General of Prisons of that Zone	Director General of Prisons & Correctional Services	Nil	
(a) Remand Prisoners within state (granting or rejecting application within the state)	do.	30 days	Chief Welfare Officer	Deputy Inspector General of Prisons of that Zone	Director General of Prisons and Correctional Services	
(b) Convict Prisoners (within State)	do.					
(c) Reciprocal Transfer of Prisoners between states of Indian Union and among nations	The Superintendent shall verify the address of the prisoner through police authority and submit the application to Director General of Prisons & Correctional Services. The State Police Chief shall address the Director General of Prisons & Correctional Services of the State to which the prisoner desires his transfer for his approval. In the case of prisoners of other state requests transfer to Kerala, the same procedure shall be followed.	60 days to complete formality within the Department	Director General of Prisons and Correctional Services	Principal Secretary (Home)	Chief Secretary	
9 Request for Research Studies interview of Prisoners (sanctioned by Government)	Application shall be examined at Prisons Headquarters and submit to Govt. with specific remarks of the Director General of Prisons and Correctional Services, for orders	7 days	Chief Welfare Officer	Deputy Inspector General of Prisons of that Zone	Director General of Prisons and Correctional Services	7
10 Television and Newspaper Programmes—without interview (sanctioned by Director General of Prisons and Correctional Services) (Documentary. Cinema)	The genuineness of the application shall be examined at Prisons headquarters and issue orders	5 days	Welfare Officer	Deputy Inspector General of Prisons of that Zone	Director General of Prisons and Correctional Services	

11	Application for moral class	Verify the credibility and antecedents, of the applicant/ organization through police authority and issue orders from Prison Headquarters	30 days to get clearance from Additional Director General of Police (intelligence)	Welfare Officer	Deputy Inspector General of Prisons of that Zone	Director General of Prisons and Correctional services
(a)	Application for extension (same party)	Verify the application at Prisons Headquarters and issue orders	7 days			∞
12	Sending prisoners wages to Home	The Superintendent shall verify the address to which the wages amount to be sent and the amount in the account of the prisoners concerned and send the amount in the account of the Prisoners concerned and send the amount by Money Order.	2 days	Welfare Officer	Superintendent	Deputy Inspector General of Prisons of that Zone
13	Appeal (High Court, Supreme Court, Kerala Legal Services Authority)	The Superintendent shall verify the records and send the appeal petition with the relevant records to the secretary of legal Services Authority.	3 days	Welfare Officer	Superintendent	Deputy Inspector General of Prisons of that Zone
14	Complaints of Prisoners and their relatives	Superintendent/Deputy Inspector General of Prisons, Director General of Prisons and Correctional Services, shall examine the contention of the petitioner. (If enquiry is necessary it shall be conducted) and if the grievance is found genuine proper action shall be taken for redressal of the same.	30 days	Superintendent	Deputy Inspector General of Prisons of that Zone	Director General of Prisons and Correctional services
15	Miscellaneous application including suppliers and contractors	Superintendent shall examine the merit of the application and submit to Deputy Inspector General of Prisons/Director General of Prisons and Correctional Services, with a detailed remarks on the matter and his specific remarks for orders of Deputy Inspector General of Prisons/Director General of Prisons and Correctional Services	60 days for the Superintendent to send the application to Deputy Inspector General of Prisons Office or Prison Head Quarters	Superintendent of that Jail	Deputy Inspector General of Prisons of that Zone	Director General of Prisons and Correctional services

(1)	(2)	(3)	(4)	(5)	(6)	(7)
16	Audit (Office Audit fixing Liability)	Inspection team visit Jails and after verification of documents fix the liability of incumbent	120 days after retirement	Chief Audit Officer	Deputy Inspector General of Prisons (Headquarters)	Director General of Prisons and Correctional Services
17	Complaints regarding Fund	Fund distribution is based on fund allotment/availability	If fund available 1 month	Accounts Officer	Senior Finance Officer	Director General of Prisons and Correctional Services

By order of the Governor,

N. PUSHKARAN,

Additional

To

Director General of Prisons and Correctional Services
Thiruvananthapuram.

The State Police Chief.

The Director, Social Justice Department, Thiruvananthapuram.

The Director, Health Services Department, Thiruvananthapuram.

The P & ARD.

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