No. 17013/37/2021-PR Government of India Ministry of Home Affairs

> Women Safety Division, 2<sup>nd</sup> Floor Major Dhyan Chand National Stadium India Gate, New Delhi-110001

> > June 10, 2022

To

1. The Principal Secretary (Home) of all States and UTs

2. The DG/IG Prisons of all States and UTs

Sub: Grant of Special Remission to Prisoners as part of celebrations of Azadi Ka Amrit Mahotsav – addition of a new 'Special Remission' Module in ePrisons.

Sir,

As you are aware, the Government of India has decided to celebrate the 'Azadi Ka Amrit Mahotsav' as a series of events to commemorate the 75<sup>th</sup> Anniversary of India's Independence. As part of the celebrations, it is proposed to give special remission to certain categories of prisoners and release them in three phases – 15<sup>th</sup> August, 2022 (75<sup>th</sup> anniversary of Independence), 26<sup>th</sup> January 2023 (Republic Day) and again on 15<sup>th</sup> August, 2023.

- 2. The Hon'ble Home Minister has written to the Hon'ble Chief Ministers/Lt. Governors/Administrators of all States and UTs on April 21, 2022 and has requested them to take appropriate action in the matter. This was followed by a letter from the Union Home Secretary to the Chief Secretaries/ Administrators of all States and UTs, inter-alia, requesting them to take appropriate action in this regard. A copy of the Guidelines and Timelines, which are to be followed for granting Special Remission to Prisoners on 15<sup>th</sup> August, 2022 (75<sup>th</sup> anniversary of Independence), 26<sup>th</sup> January 2023 (Republic Day) and again on 15<sup>th</sup> August, 2023 are again forwarded herewith for your attention and appropriate action.
- 3. To facilitate the process of identification/shortlisting of inmates eligible for the Special Remission scheme and to periodically update the status of various steps involved in the process, a new 'Special Remission' module has been added to the ePrisons software. Prison Officials can access the ePrisons software application at the URL (<a href="https://eprisons.nic.in">https://eprisons.nic.in</a>) with the existing credentials (user id / password) as already provided to them. A step by step guide (User Manual) for using this module, which includes, Special Remission Module Dashboard, Computation of sentence of convicted prisoners, Generation of draft list of eligible prisoners, Forwarding of list to State Level Screening Committee and further updation of records on receiving approval of the State Government and Hon'ble Governor, etc. has been prepared and is forwarded herewith.

- 4. The NIC ePrisons team will hold video conference with all Prison authorities and will facilitate and guide them in making use of this special module. For any technical issues with the module, the Prison authorities can contact the NIC officials through phone and email id indicated at the bottom of the attached User Manual.
- 5. It is felt that this online interoperable Special Remission Module on the ePrisons suite will assist the State/UT Prison authorities in processing the cases of inmates eligible for special remission in a speedy and accurate manner and the States and UTs will be in a better position to process the cases in accordance with the timelines indicated for the Special Remission scheme.

Yours sincerely,

(Arun Sobti)

Deputy Secretary (PR & ATC)

Tele: 23075297

Email: dspr.atc@mha.gov.in

Guidelines for granting Special Remission to Prisoners on 15<sup>th</sup> August, 2022 (75<sup>th</sup> anniversary of Independence), 26<sup>th</sup> January 2023 (Republic Day) and again on 15<sup>th</sup> August, 2023

As part of the celebrations of 'Azadi Ka Amrit Mahotsav' and to commemorate the 75<sup>th</sup> Anniversary of India's Independence, the Government of India had decided to grant special remission to specific categories of convicted prisoners who have consistently maintained good conduct during their term in prisons and to release them in three phases - [Phase-I] - 15<sup>th</sup> August, 2022 (75<sup>th</sup> anniversary of Independence), [Phase-II] 26<sup>th</sup> January 2023 (Republic Day) and [Phase-III] on 15<sup>th</sup> August, 2023.

- 2. For grant of remission on the above dates, the State Governments and Union Territory Administrations shall follow the following guidelines:
- 3. The following categories of prisoners, who have consistently maintained overall good conduct, especially those with no punishment during the convict period in the last three years, may be eligible for special remission:
- (i) Women convicts of 50 years of age and above, who have completed 50% of their total sentence period (without counting the period of general remission earned).
- (ii) Transgender convicts of 50 years of age and above, who have completed 50% of their total sentence period (without counting the period of general remission earned).
- (iii) Male convicts of 60 years of age and above, who have completed 50% of their total sentence period (without counting the period of general remission earned).
- (iv) Physically challenged/disabled convicts with 70% disability and more (duly certified by a Medical Board) who have completed 50% of their total sentence period (without counting the period of general remission earned).
- (v) Terminally ill convicts (duly certified by a Medical Board).
- (vi) Convicted prisoners who have completed two-third (66%) of their total sentence period (without counting the period of general remission earned).
- (vii) Poor or indigent prisoners who have completed their sentence but are still in jail due to non-payment of fine imposed on them by waiving off the fine. (Note: The State Government shall satisfy itself about the legitimacy of the indigent and economic condition of such prisoners, by following appropriate measures/procedure, to ensure that only legitimate persons get benefit of this relief).
- (viii) Persons who committed an offence at a young age i.e. between 18-21 years and with no other criminal involvement/case against them, who have completed 50% of their sentence period (without counting the period of general remission earned).

- 4. The age of convicts shall be determined according to matriculation certificate or birth certificate. In the absence of both, age given in judgement of the trial Court may be taken. The Superintendent of the Jail shall ensure the correctness of the age of convicts.
- 5. Special remission is **NOT** to be granted to the following categories of convicts:
- (i) Persons convicted with death sentence or where death sentence has been commuted to life imprisonment or persons convicted for an offence for which punishment of death has been specified as one of the punishments.
- (ii) Persons convicted with sentence of life imprisonment.
- (iii) Convicts involved in terrorist activities or persons convicted under Terrorist and Disruptive Activities (Prevention) Act, 1985 (TADA), The Prevention of Terrorism Act, 2002 (POTA), Unlawful Activities (Prevention) Act, 1967 (UAPA), The Explosive Substances Act, 1908, The National Security Act, 1982 (NSA), Official Secrets Act, 1923, Anti-Hijacking Act, 2016;
- (iv) Prisoners convicted for Dowry death;
- (v) Prisoners convicted for counterfeiting currency notes (FICN) cases under section 489 (A to E) of Indian Penal Code:
- (vi) Prisoners convicted for the offence of Rape, human trafficking and the Protection of Children from Sexual Offences Act, 2012 (POCSO), Immoral Traffic (Prevention) Act, 1956;
- (vii) Prisoners convicted under Prevention of Money Laundering Act, 2002, Foreign Exchange Management Act, 1999 (FEMA), Black Money (Undisclosed Foreign Income and Assets) and Imposition of Tax Act, 2015;
- (viii) Prisoners convicted under the Narcotic Drugs and Psychotropic Substances Act, 1985 (NDPS);
- (ix) Prisoners convicted under the Weapons of Mass Destruction and their Delivery Systems (Prohibition of Unlawful Activities), Act, 2005;
- (x) Prisoners convicted under the Prevention of Corruption Act, 1988;
- (xi) Prisoners convicted for offences against the State (Chapter-VI of IPC); and
- (xii) Prisoners convicted under any other law which the State Government/ UT Administrations consider appropriate to exclude.
- 6. 'Prisons' and 'persons detained therein' are 'State-List' subjects as per the Constitution of India. The State Governments/UTs are, therefore, advised to constitute a State Level Screening Committee, with the following composition, to examine cases of eligible prisoners satisfying/fulfilling conditions mentioned above:
- i) Additional Chief Secretary/Principal Secretary/Secretary In-charge of Home Department of State/UT Chairperson
- ii) Additional Chief Secretary/Principal Secretary/Secretary In-charge of the Department of Law and Justice of State/UT Member
- iii) DG/IG Prisons of State/UT Member Secretary

- 7. The State Level Screening Committee shall review the records of all prisoners and identify the eligible prisoners who satisfy the prescribed conditions for remission and make its recommendations to the State Government after examining each case in detail and taking into account all relevant factors, and take a considered decision to provide the benefit of special remission scheme to entitled convicts.
- 8. On receiving the recommendations of Screening Committee, the State Government will examine the recommendations thoroughly while ensuring that hardened criminals, repeat offenders and those who fall in prohibited categories are **not considered** for special remission with a view to ensure public peace and well being of the society. The State Government will place its recommendations before the Governor for consideration and approval in exercise of powers under Article 161 of the Constitution of India.
- 9. Cases where approval of the Central Government is required as per law are to be sent to the Ministry of Home Affairs for seeking its concurrence and approval.
- 10. The foreign national convicts shall be released only with the specific consent of the Ministry of External Affairs. Cases of foreign nationals are to be sent to the Ministry of Home Affairs sufficiently in advance before submitting the recommendations to Governor for obtaining the consent/clearance of the Ministry of External Affairs.
- 11. Prior to the release of prisoners, counselling sessions may be held for the prisoner and his/her family members to facilitate their rehabilitation in the society. Orientation/lecture sessions may also be organised in the jail before their release where the prisoner being released may sensitise and encourage other prison inmates about their social contribution after release.
- 12. States and UTs will intimate the number of prisoners benefitted from the scheme of special remission on each occasion to the Ministry of Home Affairs.

Timelines

(Cutoff date for [Phase-I] - 14<sup>th</sup> August, 2022, [Phase-II] - 25<sup>th</sup> January 2023 and [Phase-III] - 14<sup>th</sup> August, 2023)

	Action to be Taken	Phase-I	Phase-II	Phase-III
1	Prison authorities to identify eligible	10th	25th	10th
	prisoners as per the guidelines as on the	June	October	June
	cut-off date and submit details to the			
2	State level Screening Committee State Level Screening Committee to hold	20 <sup>th</sup>	5 <sup>th</sup>	20 <sup>th</sup> June
2	meeting(s) and examine the cases in	June	November	20 00110
	detail according to laid down			
	parameters.			
3	State Level Screening Committee to	5 <sup>th</sup>	15th	5 <sup>th</sup>
	finalise its recommendations after	July	November	July
	necessary due diligence its			
	recommendations and make its recommendations to the State/UT			
	Government			,
		th	fh	a — th
4	(i) State/UT Government to examine the	15 <sup>th</sup> July	25 <sup>th</sup> November	15 <sup>th</sup> July
	recommendations of the Screening Committee		November	
	Committee			
	(ii) States/UTs to forward the cases to			
	MHA where specific approval/			
	concurrence of Central Government is			
	required/in the case of foreign nationals			
	covered under the scheme.	oeth i i	P.11_	25 <sup>th</sup> July
5	Submission of recommendations by the	25 <sup>th</sup> July	5th December	25" July
	State/UT Government to Governor for approval		December	
6	Completion of approval process by the	5 <sup>th</sup>	15 <sup>th</sup>	5 <sup>th</sup>
	Governor and finalization of release	August	January	August
	formalities/process			
7	Release of prisoners	15 <sup>th</sup>	26 <sup>th</sup>	15 <sup>th</sup>
'	Treicuse of prisoners	August	January	August
		2022	2023	2023

# **Special Remission**

# Azadi Ka Amrit Mahotsav (AKAM)

(Module in ePrisons)



Ministry of Home Affairs



National Informatics Centre

Ministry of Electronics & Information Technology
Government of India
A Block, CGO Complex, New Delhi.

# Steps to be followed by the Prisons:

### **Access to ePrisons**

The Prison Officials can access the ePrison application of their Jails at the URL (<a href="https://eprisons.nic.in">https://eprisons.nic.in</a>) with the existing credentials (user id/password) as already provided to them.



### **Select the Special Remission Module**

After successful login, the users can select the button 'Special Remission' on the landing page of the application. This module is also marked as 'NEW'. On clicking the icon shown on the screen, the 'Special Remission Module' will open up.



एनआईसी National Informatics Centre

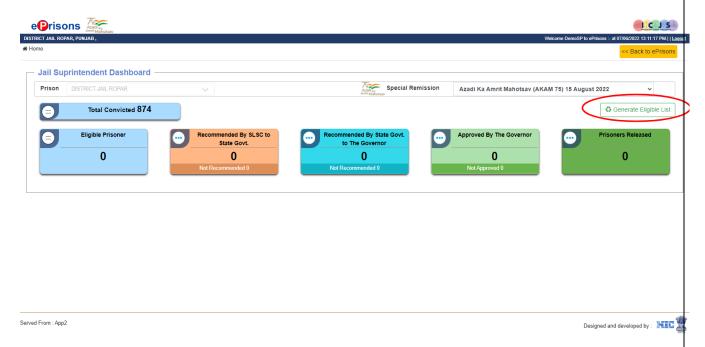
Date: 08-06-2022 2 | Page

### **Special Remission Module Dashboard:**

The module will display the current statistics of '**Total Convicted**' inmates and the screen will be displayed as follows:



User can generate eligible list of Prisoner for special remission as shown below:

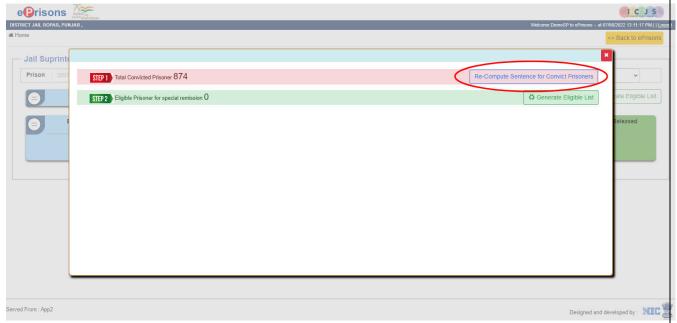


### **Compute Sentence of Convicted Prisoners**

This is the first step for processing the data of convicts eligible under 'Special Remission' scheme. This computation will calculate the Period Undergone along with maximum sentence. It may take a few seconds to compute the same depending upon the number of convicts in a jail. It may be noted that from the screen above that the number of Total convicted inmates was earlier showing as **868** but in the screen below this count is now shown as **874** after pressing the sentence computation button.

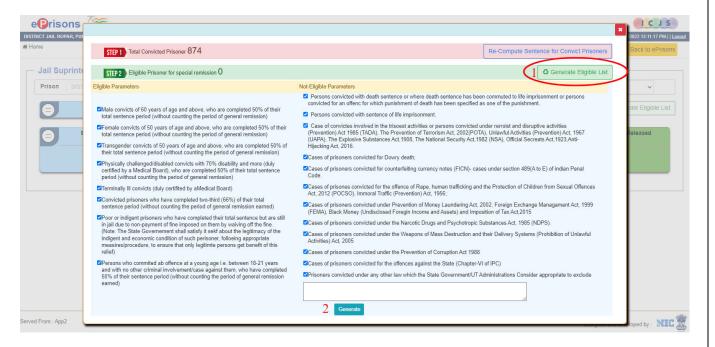


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### **Generation of Draft List**

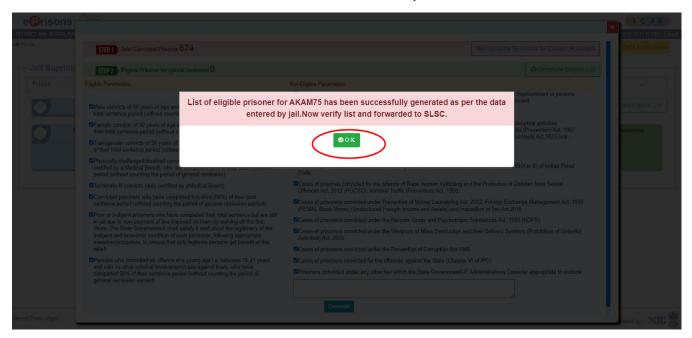
Once the period undergone is computed, users can generate the draft list of eligible inmates under the prescribed filters by clicking the 'Generate Eligible List' button.



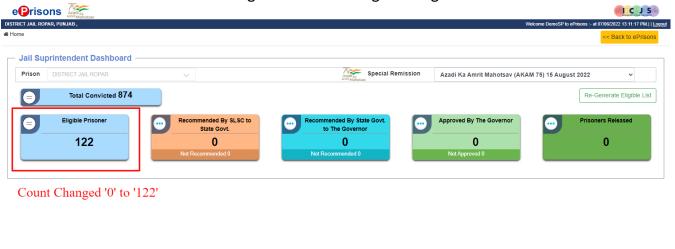
List of eligible prisoners will be generated by the system as per data entered/available in the system.



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Once, the list is generated, it may be seen from the screen below that the count of Eligible Prisoners which was earlier showing 0 is now showing 122 eligible inmates.



### Forwarding the List of Prisoners to State Level Screening Committee (SLSC)

Once the list is verified with physical records by the Prison authority, Modify/ Delete on the Right of the screen with nominated Category of the convict prisoner may be modified or deleted from eligible prisoner list. Once all PIDs are checked ( $\checkmark\Box$ ) and list is prepared, the list can be forwarded to the SLSC by pressing the button 'Forward to SLSC' at the bottom of the list.



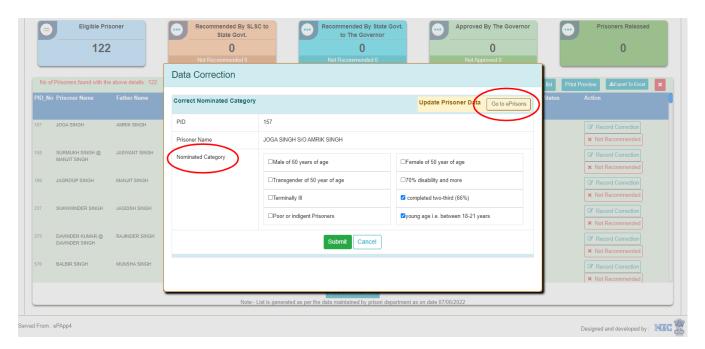
Served From : App2

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Designed and developed by :



A. Modify Category: User can modify the eligible category and has an option to update eprison data.



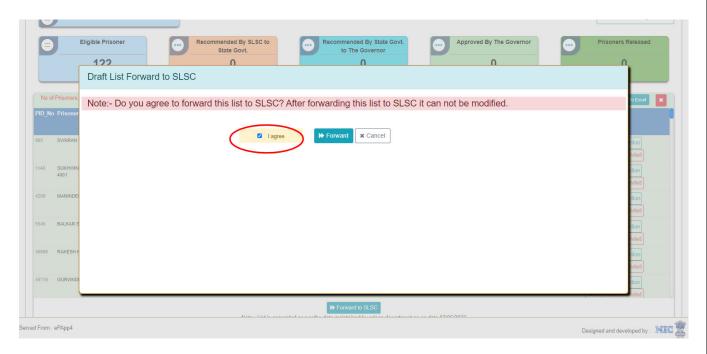
B. Not Recommended: User can enter the reason for not recommending a case as displayed in the picture and reason for not recommending can also be recorded.



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A confirmation message will be displayed as shown below:



The list is successfully forwarded and print-out of the same can be taken and sent physically to the SLSC for their consideration. The list consists of 2 parts:

1. Recommended by the Prison to SLSC for Special Remission and

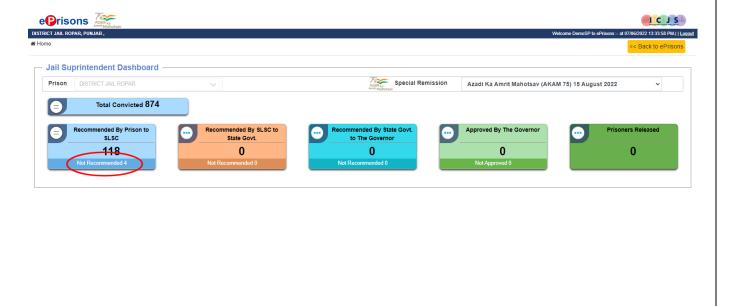


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Designed and developed by : NIC



2. List of eligible candidates who are eligible but not forwarded to SLSC with the recorded comments.



This information can also be viewed by the Prison Headquarters by clicking on the following options:

- a. Recommended by Prisons to SLSC
- b. Recommended by SLSC to State/UT Government
- c. Recommended by State/UT Government to Governor
- d. Approved by the Governor

### **Resetting of Data**

Served From : ePApp4

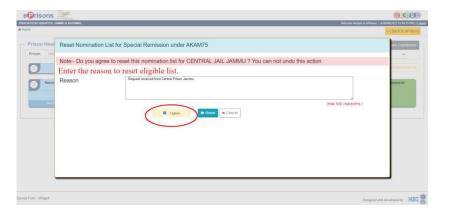
Prison HQ have the facility to 'reset' the data of eligible priosners in case they feel that there has been any error in processing the data by clicking the 'Reset Reccommonded List' button. The data can be reset as shown in the picture below.



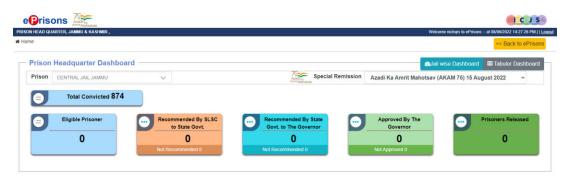
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After clicking the option for resetting the data of a jail, user is required to record the reason for this action as shown below.



This resetting of processed data can be done **only once** for each phase. The data will be set to zero processed records as shown below:





Served From : App2

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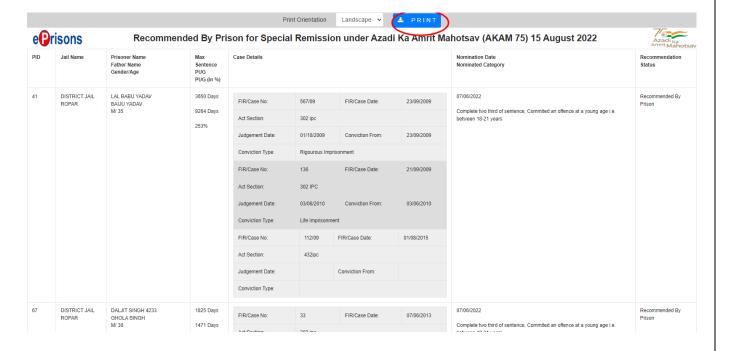
Designed and developed by : NIC

Designed and developed by :



The list to be printed is shown below:

Served From : ePApp4



## Recording of the recommendation of SLSC for Special Remission

The users can click on the option provided for recording the decision of the SLSC and forward to the State Govt. on the Dashboard by clicking on the option and selecting the inmates recommended by the authority.



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# Special Remission – Azadi ka Amrit Mahotsav 0 0 0 List of Prisoner, selected by SLSC 161% JAGROOP SINGH MANJIT SINGH 161% 07/06/2022 Complete two third of s between 18-21 years DAVINDER KUMAR @ DAVINDER SINGH 3123 BALBIR SINGH MUNSHA SINGH Male and 60 year of Age. Complete two third of sentence Complete two third of se

For example, SLSC recommends 113 prisoners out of 118, the count changes from '0' to '113', as shown in the picture below.



### Recording of the recommendation of State Government for Special Remission

The users can click on the option provided for recording the decision of the State Government and forward to the Governor in the Dashboard by clicking on the relevant option and selecting the inmates recommended by the authority.



Served From : ePApp4

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Designed and developed by :

#### mended By SLSC to Approved By The Governo 118 113 0 0 0 List of Prisoner, Selected by State Government No of Prisoners found with the above details: 113 LAL BABU YADAV BAIJU YADAV Complete two third of sentence, Committed an offence at a young age i.e. between 18-21 years RAJINDER SINGH GURJIT SINGH MALWINDER SINGH 07/06/2022 Complete two third of sentence SUNDER SINGH 121% SATINDERPAL SINGH @ BALADEV SINGH Complete two third of sentence, Committed an offence at a young age i.e. between 18-21 years Complete two third of sentence SANJEEV KUMAR yAShPAL SINGH RATTAN BHARTI

Special Remission – Azadi ka Amrit Mahotsav

Designed and developed by : NIC

For example, State Government has recommended 109 prisoners out of 113; the count changes from '0' to '109', as shown in the picture below.



### **Recording of the Approval of the Governor**

The users can click on the option provided for recording the decision of Governor in the Dashboard by clicking on the option and selecting the inmates recommended by the Governor.



Served From : ePApp4

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For example, the Governor approved 101 prisoners out of 109, the count changes from '0' to '101', as shown in the picture below.



# Glossary

ОТР	One Time Password
NIC	National Informatics Center
МНА	Ministry of Home Affairs
SP	Superintendent of Prison
HQ	Headquarters
UT	Union Territory



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SLSC	State Level Screening Committee
AKAM	Azadi ka Amrit Mahotsav

## **Technical Support Details**

Contact: For any technical issues, user can contact ePrisons support through the below

method

Phone: 011-2250103

Email: support-icjs@nic.in, support-eprisons@nic.in



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