

GOVERNMENT OF GUJARAT
HOME DEPARTMENT
No.JLK/392009/MOS-55/J
Sardar Patel Bhavan, Block No.2,
Sachivalaya, Gandhinagar.
Dated:27th September, 2012.

Read: (1) Home Department, order No.JLK/392009/MOS-55/J, Dtd.16/01/2010
(2) Home Department, order No.JLK/392009/MOS-55/Part.1/J, Dtd.25/10/2010
(3) Home Department, order No.JLK/392009/MOS-55/Part.1/J, Dtd.15/06/2011

:-Preamble:-

Government vide order dtd.16/01/2010 as referred to at No.(1) above has directed in exercise of the powers conferred by Section 268 of the Code of Criminal Procedure, 1973 (Act II of 1974), that in the general public interest, the absconding person on Parole/Furlough shall not be removed from the prison in which they are confined or detained on their arrest. Government vide order dtd.25/10/2010 as referred to at No.(2) above has added certain provisions. Thereafter, Government vide order dtd.15/06/2011 as referred to at No.(3) above has deleted provision No.(iv) of the order dtd.25/10/2010.

It has been observed that there are many cases of jumping Parole and Furlough period in which the restrictions of Section 268 of the Code of Criminal Procedure, 1973 (Act II of 1974), have been invoked in view of above orders. The reasons for jumping Parole and Furlough are various which include social, accidental, personal, medical purpose etc. Therefore, it is further observed that the purpose of provisions of Section 268 of the Code of Criminal Procedure, 1973 (Act II of 1974), is not being fulfilled.

:-Order:-

After careful consideration, Government has decided to supersede Government orders dtd.16/01/2010, 25/10/2010 and 15/06/2011 as referred to at No.(1) to (3) above and has also decided to revoke the restrictions of Section 268 of the Code of Criminal Procedure, 1973 (Act II of 1974), invoked in view of the said orders dtd.16/01/2010, 25/10/2010 and 15/06/2011 with immediate effect. Now onwards the concerned authority shall have to send separate proposal in each case with proper justifications to invoke restriction of Section 268 of the Code of Criminal Procedure, 1973 (Act II of 1974).

By order and in the name of the Governor of Gujarat


(Dilip G. Soni)

Deputy Secretary to Government
Home Department

TO,

➤ The Director General and Inspector General of Police, Gujarat State,
Police Bhavan, Gandhinagar

(P.T.0)

- Addl. Director General of Police, CID (Crime & Rlys), Gujarat State, Police Bhavan, Gandhinagar
- Inspector General of Prisons, Gujarat State, Jail Bhavan, Ahmedabad
- All Commissioners of Police
- All District Magistrates & Collectors
- All Superintendents of Police
- Superintendents, Central Prison, Ahmedabad/Vadodara/Lajpore(Surat)/Rajkot
- Superintendents, Special Jail, Bhuj(Kutch)/Porbandar
- Superintendents, District Jail, Bhavanagar/Junagadh/Jamnagar/Nadiad/Mehsana/ Palanpur/Amreli
- Superintenden of Open Jail, Ahmedabad, Amreli
- Superintendents, Sub Jails, Navasari/Bharuch/Rajpipla/Godhara/Modasa/Chhotaudepur/Himmatnagar/Morbi/Surendranagar/Gondal
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