



## The Prisons (Uttar Pradesh Amendment) Act, 2002

Act 16 of 2002

**Keyword(s):**

**Remuneration of Prisoners, Criminal Prisoner, Offence, Prison**

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No. 1767(2)/XVII-V-1-1(KA)30-2002

Dated Lucknow, September 17, 2002

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 Karagar (Uttar Pradesh Sanshodhan) Adhnyam, 2002 (Uttar Pradesh Adhnyam Sankhya 16 of 2002) as passed by the Uttar Pradesh Legislature and assented to by the Governor on September 13, 2002:-

**THE PRISONS (UTTAR PRADESH AMENDMENT) ACT, 2002**

( U. P. ACT NO. 16 OF 2002 )

[As passed by the Uttar Pradesh Legislature]

AN

ACT

*further to amend the Prisons Act, 1894 in its application to Uttar Pradesh.*

IT IS HEREBY enacted in the Fifty-third Year of the Republic of India as follows :-

Short title and extent

1. (1) This Act may be called the Prisons (Uttar Pradesh Amendment) Act, 2002.

(2) It shall extend to the whole of Uttar Pradesh.

Insertion of new section 36-A in Act no. IX of 1894

2. After section 36 of the Prisons Act, 1894, the following section shall be inserted, namely:-

“36-A(1) Every convicted criminal prisoner employed for labour in a <sup>Remuneration of Prisoners</sup> prison and working satisfactorily shall be entitled to get such remuneration as may be prescribed by the State Government:

Provided that out of the amount payable to a convicted criminal prisoner under this sub-section, an amount not exceeding 20 per cent thereof shall be deducted and be paid as compensation to the deserving victims of the offence committed by that prisoner.

(2) All deductions made under sub-section (1) shall be credited to a common fund to be created for the purpose.

(3) The creation of the fund, credit of amount therein and the operation thereof shall be regulated in such manner as may be prescribed.”

By order,  
R. B. RAO,  
Sachiv.

**STATEMENT OF OBJECTS AND REASONS**

The Hon'ble Supreme Court has in its decision dated 24.09.98 in Criminal Appeal No. 308 of 1986 State of Gujrat & Others Vs Gujrat High Court directed that the prisoners who are employed for labour shall be paid remuneration therefor and a portion of such remuneration be paid to the deserving victims of the offence committed by such prisoners and recommended that the State Government may make law in this regard. Accordingly it has been decided to amend the Prisons Act, 1894 (Act no. IX of 1894) in its application to Uttar Pradesh to provide for,-

(a) payment of remuneration to all convicted criminal prisoners employed for labour in a prison :

(b) deduction of a portion of remuneration not exceeding twenty per cent and its payment to the deserving victims as compensation :

(c) creation of a common fund for credit of amount be deducted and its operation.

The Prisons (Uttar Pradesh Amendment) Bill, 2002 is introduced accordingly.