

GOVERNMENT OF ORISSA  
LAW DEPARTMENT

**RESOLUTION**

Dated, Bhubaneswar the 18/5/11

No.IVJ-29/2010 4805 L.- Whereas in order to make uniform standards and criteria for determining the eligibility of prisoners undergoing life sentence for their premature release with other States of India, the State Government have already constituted the State Sentence Review Board as per guidelines furnished by National Human Rights Commission with a view to review of sentence awarded to a prisoner and for recommending his/her premature release in this Department Resolution No.12019 dated 26.9.2000 and subsequently modified by this Department Resolution No.7496 dated 25.5.2005.

And whereas it is considered expedient to constitute a Committee for placing appropriate case before His Excellency the Governor to exercise the power under Article 161 of the Constitution of India to grant pardon, reprieve, respite or remission of punishment or to suspend, remit or commute the sentence of any person convicted of any offence against any law relating to a matter to which the executive power of the State extends.

Now therefore the State Government constitute a Committee which shall be a permanent body under the administrative control of the Law Department.

The Committee shall consist of the following members:-

- ✓ 1. The Principal Secretary to Government, Home Department **Chairman**
2. The Principal Secretary to Government, Law Department **Member**  
(to act as Chairman in absence of Principal Secretary to Government, Home Department)
3. Director of Health Services, Orissa or his nominee not below the rank of Joint Director of Health Services, Orissa. **Member**
4. Additional D.G./I.G. of Prisons, Orissa **Member Secretary**
5. Additional D.G./I.G. of Police to be nominated by D.G. of Police. **Member**

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The following guidelines are indicated for working procedure of the Committee namely: -

**1. QUORUM OF THE MEETING**

The Recommendation of the Committee shall not be invalid merely by reason of any vacancy in the committee or the inability of any member to attend the Committee meeting. The meeting of the Committee shall not however be held if the quorum is less than three members including the Chairman.

**2. PERIODICITY OF THE COMMITTEE MEETING**

The Committee shall meet at least once in a year at Bhubaneswar on date to be notified to the members at least ten days in advance with complete agenda papers.

**3. FUNCTIONS OF THE COMMITTEE**

The functions of the Committee shall be to review the sentence awarded to a prisoner, convicted of any offence against any law relating to a matter to which the executive power of the State extends, on ground of mercy and recommending his/her name for suspension, remission or commutation of the sentence under section 432 Cr. P.C.

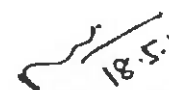
It shall be the duty of the Committee to examine all relevant factors leading to the filing of petition for mercy and to report as regards the fitness of the case before the Government to be placed before His Excellency the Governor to exercise the power under Article 161 of the Constitution of India.

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Principal Secretary to Government

Memo No. 4806 /L., Date 18/5/11

Copy forwarded to the Assistant Director, Secretariat Branch Press, Unit-III, Bhubaneswar with a request to publish the aforesaid Resolution in the next issue of Orissa Gazette and supply 100 copies to this Department early.

  
18.5.11

Deputy Secretary to Government

Memo No. 4807 /L., Date 18/5/11

Copy forwarded to the Registrar General, Orissa High Court, Cuttack/ D.G. & I.G. of Police, Orissa, Cuttack/ Principal Secretary to Government, Home Department/ Director of Health Services/ Additional D.G./I.G. of Prisons, Orissa, Orissa for information and necessary action.

18.5.11

Memo No. 4808 /L., Date 18/5/11 Deputy Secretary to Government

Copy forwarded to the Secretary to Governor, Orissa/ Secretary to Chief Minister, Orissa/ P.S. to Minister, R.D. & Law, Orissa/ Sr. P.S. to the Principal Secretary to Government, Law Department for kind information of His Excellency Governor of Orissa/ Chief Minister, Minister, R.D. & Law and Principal Secretary to Government Law Department.

18.5.11

Deputy Secretary to Government

Memo No. 4809 /L., Date 18/5/11

Copy forwarded to the All District Magistrate/ Superintendent of Police/ Superintendent of Jails for information and necessary action.

18.5.11

Deputy Secretary to Government

Memo No. 4810 /L., Date 18/5/11

Copy forwarded to the Registrar, Orissa Human Rights Commission, Bhubaneswar for information and necessary action.

18.5.11

Deputy Secretary to Government

Memo No. 4811 /L., Date 18/5/11

Copy forwarded to Judicial Section -I Guard File with 10 spare copies for information and necessary action.

18.5.11

Deputy Secretary to Government