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Do you think that Supreme Court needs to lay down norms for release of convicts on remission? Comment.

The release of 11 convicts of Bilkis Banu case has created a furor on the remission rules of state governments. Remission is release of a convict before completing the sentence. It is granted by President under Article (72) and Governor under Article 161.

The Supreme Court needs to lay down norms to eliminate the arbitrary remission norms by state governments.

Norms for Remission

① The state governments can grant remission under C+PC 432 to convicts. The latest remission norms says prisoners sentenced to life imprisonment and rape convicts must not granted remission. This must be stressed by supreme court.

② The term "appropriate government" must be properly defined. The CrPC 432(2) defines appropriate government as government in which order is passed. The same is reiterated in V. Sriharan case and Ratan Singh case. This was not followed in this remission, it went to Gujarat instead of Maharashtra.

③ As per section 435 of CrPC concurrence of central government is needed when CBI investigates the cases for remission.

④ Reconsider remission policy obtaining on date of conviction rather which is in force.

⑤ The Prison manuals to renew remissions must be made binding by the supreme court.

Remission is a crucial aspect of reformation in the criminal justice system. It must be applied objectively and not selectively.