
(1989) 07 KL CK 0015
In the High Court Of Kerala

Soman

APPELLANT

Vs

State of Kerala

RESPONDENT

Date of Decision : 26-07-1989

Acts Referred:

Citation : (1989) CriLJ 2484

Hon'ble Judges : K. Sreedharan, J

Bench : Single Bench

Judgement

K. Sreedharan, J.—Petitioner is convict No. 1015 detained in the Open Prison, Nettukaithiri. he is undergoing imprisonment for life. He went on parole in 1988. At that time he took with him all the money earned by him by way of wages. Therefore he could not purchase remission during 1988. After return he wants to purchase remission of the eligible days of 1988 with the earnings of 1989. This prayer of the petitioner was not conceded by the jail authorities. So he has sent a petition to this Court seeking redress of his grievance.

2. Rule relating to remission in lieu of wages is contained in Kerala Prisons Rules 1958. Rule 384-A dealing with the same is in the following terms:

If a prisoner wishes to have remission of sentence in lieu of wages, he may purchase the remission at the rate of 25 np. per day subject to the condition that not more than 30 days special remission by the Superintendent of the jail and 60 days by the Inspector-General of Prisons shall be so granted to any one convict in a year.

As per this Rule a prisoner who wishes to have remission of sentence in lieu of wages should purchase remission for the days mentioned therein in the year to which that remission relates. In a particular year prisoner can purchase remission for 30 days from the Superintendent of the jail and for 60 days from the Inspector General of Prisons. This right of the prisoner is not to be carried forward to the succeeding year. In case prisoner fails to purchase the remission to which he is legally entitled to during the year that right will be lost once for

all. In the instant case, since the petitioner had not purchased the remission in lieu of wages in the year 1988, he will not be entitled to purchase a remission for that year with the earnings of 1989. Viewed in this manner, I find no merit in this petition. It is accordingly dismissed.