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Central Acts and Rules Amended and Updated

✔ U.P. Payment of Remuneration to Prisoners and Compensation to Victims Rules, 2005 (up785.htm#0)

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U.P. Payment of Remuneration to Prisoners and Compensation to Victims Rules, 2005

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up785

In exercise of the powers under Section 59 of the Prisons Act, 1894 (Act No. 9 of 1894) as amended in its application to Uttar Pradesh read with Section 36-A of the said Act the Governor is pleased to make the following rules :

1. Short title and commencement. - (1) These rules may be called the Uttar Pradesh Payment of Remuneration to Prisoners and Compensation to Victims Rules, 2005.

(2) They shall come into force with effect from the date of their publication in official Gazette.

2. Definitions. - In these rules, unless the context otherwise requires,-

- (a) "*remuneration*" means the money earned by a prisoner for the labour assigned to him in prison by an officer authorised in this behalf by the Superintendent/Senior Superintendent of the Prison;
- (b) "*Common Fund*" means the fund created of a prison from the deduction made under Section 36-A of the Prisons Act, 1894 (Act No. 9 of 1894) and the Prisons (Uttar Pradesh Amendment) Act, 2002 (U.P. Act No. 16 of 2002) from the remuneration earned by convicted criminal prisoners for the purpose of giving compensation to the deserving victims;
- (c) "*Committee*" means the Committee constituted as prescribed under Rule 6 of these rules;
- (d) "*Victim*" means a person against whom the offence was committed by a convicted criminal prisoner for which such prisoner is undergoing imprisonment and includes legal heirs of victim(s).

3. Rate of remuneration. - Every convicted criminal prisoner employed for labour in a prison and working satisfactorily shall be entitled to get remuneration at such rate as may be notified from time to time by the State Government.

4. Remuneration to be deposited in a Nationalized Bank account. - The amount of remuneration due to the prisoners in any prison, after making deductions, if any, as per Rule 5, shall be deposited in a Nationalized Bank account opened for this purpose. This Account shall be jointly operated by the Superintendent/Senior Superintendent of the Prison and the Jailor/Senior Jailor. The Superintendent/Senior Superintendent shall maintain account of the remuneration earned by prisoners in the register in Form-A appended to these rules.

5. Deduction of amount and payment thereof to the victims. - (1) An amount of 15% shall be deducted out of the remuneration earned by convicted criminal prisoner and be paid to the deserving victims of the offence committed by that prisoner.

(2) If there is no deserving victim of the offence committed by the prisoner or victim is not willing to receive the amount referred to in sub-rule (1), it shall be returned to the convicted criminal prisoner.

(3) The victims of the offences shall be identified by the District Magistrate of the District where the offence was committed.

(4) The amount shall be paid to the victims subject to the satisfaction of the Committee by Money Order and expenses of the Money Order shall be beared by the convicted criminal prisoner.

(5) A common fund shall be maintained in each prison.

(6) Details of remuneration earned by each prisoner and the deductions made shall be maintained in a register in Form B appended to these rules.

6. Committee of the determination of compensation. - A Committee consisting of the following shall be constituted to determine the amount of compensation to be paid to any victim :

- | | | | |
|----|-------------------------------|-----|--------------------------|
| 1. | The District Magistrate | ... | <i>Chairman</i> |
| 2. | Senior Superintendent/Police | ... | <i>Member</i> |
| 3. | Senior Superintendent/Jail to | ... | <i>Member-Secretary.</i> |

7. Meetings of the Committee. - The Committee shall meet at least once in a quarter and decide cases for which inquiry has been received.

8. Payment of Compensation. - The Compensation, as decided by the Committee shall be disbursed to the victim by Money Order as given in sub-rule (4) of Rule 5 within 30 days from the date of determination of the amount of compensation by the Committee constituted under Rule 6 of the concerned prison.

Appendix A

Ledger for Remuneration

Name of the Prisoner

Convict/Under Trial No.....

			<i>Credit</i>		<i>Debit</i>	
<i>Date and Month</i>	<i>Cash Book page No.</i>	<i>Total Amount</i>	<i>15% of the total wages reserved for payment to the convict at the time of release</i>	<i>Balance</i>	<i>Payment</i>	<i>Signature of Jailor/ Superintendent</i>

Appendix B

Remuneration earned by Prisoners for the month of..... Year

<i>Sl. No.</i>	<i>Name of Prisoner</i>	<i>Convict No./Under-trial No.</i>	<i>Rate of wages</i>	<i>No. of working days</i>
<i>Remuneration earned by prisoner</i>	<i>Deductions of 15% of the total wages for common fund</i>	<i>Balance Amount</i>	<i>Signature of Jailor/Superintendent</i>	

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