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Parole: General Aspects
PAROLE: GENERAL ASPECTS

Parole which occupies a prime place in handling adult delinquency and also known as ticket-of-leave first in England is in fact the result of unsatisfactory consequence of the penal system. The idea was suggested by Mirabeau in 1791 who emphasized that prisons should be founded on principle of labour, separation, rewards, conditional license and aid on discharge. The therapeutic technique may produce good results in reformatory and rehabilitative environment. The techniques should also not disturb the balance occurring between the liberty of the individual and the security of the society. Prison reforms, parole, probation, furlough, indeterminate sentence, premature release, annual leave etc., have been developed to mitigate the evil effects of incarceration and to achieve the objects of reformation and rehabilitation of the criminals.

Among all other correctional processes utilized for the transformation of the hard core criminals, parole has a significant place. Parole plays a vital role in the life of people who at a certain point of time committed crimes but later wish to change themselves and lives in a society like normal human beings. Parole gives such criminals a chance to understand the world they live in, and lets them develop social interaction by free mixing with other individuals. Thus, parole should not be seen as

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a measure of leniency but as a therapeutic technique developed to achieve certain social objectives. This Chapter takes stock of parole philosophy and its origin and development. It examines issues, such as nature and definition of parole, principles of parole, history, international developments etc.

2.1 THERAPEUTIC TECHNIQUE

The life in prison is so rigid and dull that it provides no opportunity to offender to rehabilitate himself. It is, therefore, desirable that in suitable cases the prisoner be released under proper supervision after serving a part of their sentence. This may be helpful in their rehabilitation in society. The object is accomplished by the system of parole which aims at restoring the inmate to society as normal law abiding citizens. Parole is a device which seeks to protect society and assist the ex-prisoner in readjusting himself to a normal free life in the community which otherwise is very difficult. Thus, it serves two purposes namely, protecting the society and reformation and rehabilitation of the offender.

Where a convict after serving the sentence is released, it is difficult for society to accept him back as free and non-criminal person. The societal attitude is to treat him criminal forever although legally and conceptually, he becomes as pure as he was prior to the commission of offence. Naturally in case of non-acceptance in society, he goes to law violating group where he has acceptance. This frustrates the purpose of punishment.
Therefore, release during the period of imprisonment enhances the chance of his correction, reformation and rehabilitation in the society.

Historically, parole is a concept known to military law. It means release of prisoner of war on promise to return. However, now it has become an integral part of the criminal justice system. Various techniques of treatment have been developed on this basis that all offenders are not of the same kind. They differ not only from each other in the sense of having committed different crimes but also that the persons committing even the same crime may not be treated in the same manner owing to personnel traits, motivations and the likelihood or otherwise of committing crimes in future. The recognition of the difference between the various kinds of offenders germinate the perception that flexibility is desirable in the various sanctions available to Courts, prison administrators and other agencies to deal with offenders. The desired flexibility is achieved through techniques like parole, probation, furlough, pardon and suspended sentence and indeterminate sentence.

Probation, parole etc. have emerged as flexible techniques to mitigate the consequences of severe punishment in view of the fact that imprisonment became the more common mode of penal sanction in place of transportation and capital punishment. In

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parole, the convict is released after serving some part of his sentence and the release is not the result of any judicial decision. The object of the parole is that the prisoner may maintain social life outside the prison. An opportunity is also provided to the prisoner to make financial contribution to the family by his earning outside the jail. Thus, parole keeps prisoners in contact with society in general and his family in particular, which would not be possible in case of long imprisonment. Thus, parole is a flexible technique for rehabilitation of offenders. It promotes his social integration.4

Thus, correction administration and flexible techniques, such as, parole furlough etc., aim at correcting the criminal behavior rather than punishing the criminal. It is in consonance with the concept of Welfare State.

2.2 CONCEPT OF PAROLE

Parole as a technique of reformation and rehabilitation of the criminal hardly has a history of more than 150 years. In India, it is comparatively a new development. Thus, conceptualization of parole becomes necessary.

2.2.1 Definition and Nature of Parole

Parole is a release procedure. The offender, after having served a part of his sentence in a correctional institution, is

4 Id. at 245.
released according to law from the prison or reformatory.\(^5\) Thus, the simple meaning of the term 'parole' is a conditional release from prison.

**According to the Encyclopedia of Criminology,** Parole is a method of conditional release of persons sentenced or committed to penal or correctional institutions after serving a portion of the sentence or term imposed by the Court.\(^6\)

**According to Encyclopedia Americana,** Parole, Pà-ral, a term with several applications, all of which bear some relation to the meaning of the French term parole (spoken word). In criminology, a parole is the release of a prisoner before he has served his full sentence, conditioned on his good behavior and his regular reports to a so called parole officer for the balance of the term of his sentence.\(^7\)

In Law, the term most often appears without 'e' in the phrase 'by Parol' (unwritten) as in a verbal agreement or an oral contract. At one time a prisoner of war could be released from captivity on his signing a written pledge not to bear arms against the detaining power for the remainder of the war, or until properly exchanged Rules governing parole procedure, substantially, those formulated by International agreement in 1907, appeared as late as 1940 in the United States War Department Field

\(^7\) *Encyclopedia Americana*, 342, (1964).
Manual 27-10, Rules of Land Warfare. One of its provisions forbade the acceptance of parole from the enemy.\(^8\)

A parole, thus, is the conditional release of a convict before the expiration of his or her term, to remain subject, during the remainder thereof, to supervision by the public authority and to return to imprisonment on violation of the condition of the parole.\(^9\)

**Dermot Walsh & Andrian Poole observes:**

Short term temporary leave from a custodial establishment on compassionate grounds (e.g. for funeral or weddings) although called parole is to be distinguished from selective early release from prison followed by supervisions.\(^10\)

**According to Encyclopedia Britannica,** the term 'parole' is a form of supervised conditional liberty from prison granted prior to the expiration of sentence. The term was derived from French 'Parole d' honneur'; 'word of honour' and came to mean especially the pledge by a prisoner of war, in return for partial or conditional freedom, not to try to escape and not to bear arms against his captors. As a correctional treatment, parole is designed to enhance the protection of the community through the supervision and rehabilitation of selected offenders following their

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\(^8\) Ibid.
release from prison. Prof. Sutherland explains parole in the following words:

Parole is the act of releasing or the status of being released from a penal or reformatory institution in which one has served a part of his maximum sentence, on condition of maintaining good behavior and remaining in the custody and under the guidance of the institution or some other agency approved by the State until a final discharge is granted.

According to J.L. Gillin, "Parole is the release from a penal or reformative institution, of an offender who remains under the control of correctional authorities, in an attempt to find out whether he is fit to live in the free society without supervision.

Thus, parole denotes conditional release from a penal and correctional institution after the prisoner has served a part of his sentence. It provides incentive for the prisoner to reform. It offers the prisoner a free social life but retains some effective control over him. Parole is essentially an individualized method of treatment of offenders and envisages a final stage of adjustment of the prisoner to the community. It is deemed to be part of the imprisonment. Release on parole is a part of reformative process. But parole is a matter of grace not a matter of right.

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13 Id. at 504-505.
prisoner may be released on condition that he abides by the promise. Parole is thus, a grant of partial liberty or lessening of restrictions to a convict prisoner.

Parole has not been defined under any law. But Section 2(p) of the Delhi Prisons Act, 2000, defines Parole System. According to Section 2(p), Parole system means the system of releasing prisoner from prison on parole by supervision of their sentences in accordance with the rules.  

Parole is a form of conditional release granted to the prisoners after they have served a portion of their sentences. The conditional release involves a service which includes the control, assistance and guidance the offenders need as they serve the remainder of their sentences within the free community.

Thus, the grant of parole limits, the ill effects of incarceration and provide an acceptable means of reducing the burden of actual period of incarceration. It offers an opportunity to test the rehabilitation programmes prior to the expiry of sentence. It allows him to maintain maximum physical contact outside the world. The possibility of parole allows prisoner to behave well in the prison. Parole provides a means of protection to society from criminal activities (recidivism), on the part of the released offender. Prof. Goswami observes:

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15 Section 2(p), The Delhi Prisons Act, 2000.
Parole along with the companion service of probation, has demonstrated the efficacy of non-institutional treatment of offenders.\(^\text{17}\)

Therefore, the release on parole is a wing of reformatory process and is expected to give the prisoner an opportunity to transform himself into the useful citizen.\(^\text{18}\)

### 2.2.2 Essential Elements of Parole

Parole is the best form of release from prison but to be completely effective, parole must contain the following elements\(^\text{19}\):

#### 2.2.2.1 Flexibility in the Sentencing and Parole Laws

There must be sufficient flexibility in the cause governing sentence and parole to permit the offender at the time when his release under the supervision of a social worker is in the best interest of society.

#### 2.2.2.2 Qualified Parole Board

The parole board must be composed of members qualified by character, intelligence, training and experience to understand the complex problem of human behavior involved in parole decisions and have the knowledge, patience and integrity required to render wise and just decisions.

\(^{17}\) B.K. Goswami, *Criminology & Penology*, 172-173 (\(^{1}\text{st}\) Imp., 1987).

\(^{18}\) Poonam Lata V. M.C. Wadhawan, *AIR 1987 SC 1383*.

2.2.2.3 Qualified Parole Staff

It is essential that the parole services be composed of persons selected in accordance with high standards of ability, character, training and experience and appointed on career-service basis. It is necessary that the administrative structure provide an adequate number of administrative and supervisory personnel, field and institutional parole officers, employment training and research and other specialists and stenographic and clerical staff, to perform the work of the parole system.

2.2.2.4 Freedom from Political or Improper Influence

There should be complete freedom from political or improper influence. It is the status of the person who is released from penal institution. Thus, complete freedom from improper control or influence, political or otherwise is imperative.

2.2.2.5 Proper Parole Procedure

A parole procedure should be proper which makes provisions for the release of prisoners on parole, preparation for parole Board of all data pertinent to the case, a parole hearing based upon careful study of such data formulation and investigation of a satisfactory parole plan, release under adequate supervision and return to the institution of those who are unable to readjust satisfactorily under supervision.
2.2.2.6 Pre-release Preparation within the Institutional Programme

Operation within the institution of a programme which aims at utilizing the period of confinement for preparing the inmates physically, vocationally, mentally and spiritually, for his return to the society, and puts forth intensive effort, at the close of the term, towards effecting his release under optimum conditions as far as he, his dependents and the community are concerned.

2.2.2.7 Parole Research

There should be a system of gathering, presenting and interpreting data concerning the practical operations of the parole system and its effectiveness. Such a system should be kept up to date and be used as a guide for the evaluation of the operations and decisions of the parole board.

Thus, parole is terminal form of correctional treatment. Parole must provide an integrated system of treatment all the way from arrest, detention, institutionalization, to final discharge. There are two important connections that the field service of parole and the parole work by social workers need to maintain with the imprisonment phases of treatment and custody. In the first place, prison needs to prepare the inmate for release. In the second place, the summary of the total case history and the institutional progress and adjustment should be available not only
to the correctional social worker but to the field worker who would supervise the parole.  

2.3 ORIGIN AND HISTORY

The origin of parole became possible because of excessive faith in the theories of reformation and rehabilitation. Under the influence of reformation and rehabilitation objects and contents of prison life have changed. A number of prison reforms have been introduced from time to time. The therapeutic approaches on penological spectrum do not enjoy a long chequered history, but in fact of recent origin. In India, it is in rudimentary form or nascent stage. Before the advent of British rule in India, Mohammedan Criminal Law regulated the administration of criminal justice and Mohammedan Criminal Law was cruel and inhuman and treated criminals incorrigible.  

It did not have slightest faith in the reformation of criminals. During the British period, criminal law became milder but the punitive techniques continued to be the basis of criminal law. It is particularly in the last three decades, a shift from punitive to therapeutic technique is being witnessed. The change favouring corrective technique is result of western liberal development taking place in the United States of America and United Kingdom.

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20 Id. at 158.

The origin of parole, in the United States, may be traced to two movements in prison reform. One movement was fostered by the view that good conduct in prison should be rewarded by shortening of the sentence. The second step in this movement was that release should be made conditional, not only upon conduct in prison, but upon continued good conduct on the outside, with final discontinuance of custody after a period of time. The principle of conditional release was used in the prison colonies of Australia as early as 1790. In Australia the first “good time” law, designed to shorten sentences as reward for good conduct in prison was passed in the State of New York in 1817. Later, as leading penologists felt the need for a more flexible sentence to permit greater individualization of treatment, the indeterminate sentence idea gained around. The first indeterminate sentence law was enacted in New York in 1869, when the Elmira Reformatory was established.  

The other important movement was the establishment of philanthropic societies, both in America and abroad, whose interest was to aid criminals both in institutions and after release. These societies were established in Philadelphia in 1776 as is still in existence under the name of the Pennsylvania Prison Societies. As early as 1882 this society, then known as the Philadelphia Society for Alleviating the Miseries of Public Prisons, recognized the importance of the problem of care for

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22 Supra note 6 at 285.
discharged prisoners and considered the opening of an "asylum" for those not in position to obtain work upon release in 1851, the society was able to appoint an agent to work with and for discharged prisoners and in 1871, the society succeeded in obtaining an annual appropriation from the State Legislature for the care of discharged prisoners. But as the appropriation was insufficient, the proposal of opening a home for discharged prisoners was revised and an "Industrial Home" was opened in 1889 which has continued to this day, although this is now no longer connected with the society. 23

The work of the Pennsylvania Prison Society was closely emulated by such other organizations as the Boston Prison Society, founded in 1826 and the New York Prison Association, organized in 1845. The Interest of these organizations in the care of released prisoners supplemented the movement for shortening of sentences by "good time" allowances and for conditional release and gave the basic elements of parole as is known today.

A series of statutes enacted by New York in the United States and culminating in the opening of Elmira Reformatory in 1876 marked the earliest significant development of an establishment of parole system embodying indefinite sentence and parole with parole supervision and a return to custody for violation of parole rules. 24

23 Ibid.
24 Supra note 11 at 401.
The first parole law in the United States was enacted to implement the Elmira Reformatory system in New York around 1877. By 1900, 20 States by 1920, 32 plus Federal government and by 1922, 44 States had introduced parole laws. By the second half of the 20th century, parole had become an integral part of the penal and correctional code of every state.  

The principle of conditional liberation (parole) seems to have had its origin in the British colony of New South Wales in Australia, 1790, when Governor Phillips was given the power of conditional pardon over the criminal transported there from England. This method of release later became known as ticket-of-leave system, under which the prisoners were set free with grants of land. In 1840, Captain Alexander Maconochie introduced the ticket-of-leave system at Norfolk Island. Under Maconochie's plan tickets of leave were awarded on the basis of a system of marks earned for good conduct, instead of on the basis of time served. Alexender Machonochie was known as the father of parole. Maconochies system was adopted later in England and continued by Sir Walter Crofton.

Sir Walter Crofton has introduced the provision that, in case of violation of release, the parole was subject to re-incarceration. The ticket-of-leave system was legally sanctioned in the English Penal Servitude Acts of 1853 and 1857. In 1853, Sir Walter

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25 Supra note 5 at 559.
26 Supra note 7 at 285; See also Barnes and Teeters, New Horizons in criminology, 576, (3rd ed. 1966); see also Elmer H. Johnson, Crime, Correction and Society, 375-378 (4th ed. 1978).
Crofton initiated in Ireland an Indeterminate Sentence under which prisoners could earn conditional liberty. Crofton's system which he called the 'Intermediate System' was noteworthy because the community was involved and an actual parole officer supervised the prison releases. The parole officer was James P. Organ, and his official title was Inspector of released prisoners. He supervised his charges, helped him adjust to the community and helped them to find jobs. 27

Various forms of parole were also introduced in France in 1885, in Netherlands in 1886 and in 1953, the Federal Republic of Germany through a series of criminal law amendments introduced parole. In Denmark, parole is widely used. 28

Parole or indeterminate sentence introduced in some other advance countries that release of prisoners for good conduct Acts 29 were also passed in some of the States in India. In India, prison reforms were not the result of any social movement but were necessarily an outcome of the worst conditions of treatment faced by the political sufferers in prison during the period of their imprisonment. In meantime, the reformatory trend which was gaining strength in the world also accelerated correctional method of treatment of offenders in India. It was realized that the confining convicts in prisons hardly served any useful purpose. Thus, the overall effect of these changes brought about

28 Supra note 11 at 401.
significant reforms in prison administration in India during the latter half of twentieth century. Parole is fully in conforming to the existing Indian penal laws. The post-independence era in India brought in its wake a growing realization of the need of change in attitude towards the treatment of offenders. Parole occupies a significant place in the correctional treatment of offenders in as much as it is directed towards narrowing down the gap between the prison life and the free life of the outside world.  

2.4 CONDITIONS OF PAROLE

While releasing a prisoner on parole, the parole board or competent body impose conditions. Such conditions must not be unlawful, immoral, or impossible of performance upon the grant of parole. Parole conditions must be reasonable and aims towards rehabilitation. The conditions attached to the grant of parole should be established at the time of grant of parole and should be communicated to the parolee. Thus, parole is 'Conditional Liberation', that is liberation on condition that the prisoner lives in accordance with specified rules. The conditions are sometimes fixed by law, sometimes by Parole Board, and sometimes by other agencies. According to Prof. Sutherland the conditions may include:

I Leading a law abiding life;

II Abstaining from intoxicating liquor and drugs;

30 Supra note 13 at 510-511.
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III Keeping free from bad associates;

IV Spending evening at home;

V Refraining from gambling and other various habits;

VI Supporting legal dependents;

VII Remaining in a specified territory;

VIII Not changing residence or employment without permission;

IX Attending church at least once each Sunday;

X Not marrying without permission;

XI Not becoming dependent on charity; and

XII Making reparation or restitution for the crime and making written or personal reports as required.  

According to the Criminal Justice Act, 1967, a parole agrees to five conditions:

1. He shall report to an officer indicated;  
2. He shall place himself under supervision of an officer (Correctional Social Worker) nominated for this purpose;  
3. He shall keep in touch with his officer in accordance with the officer’s instructions;  
4. He shall inform his officer at once if he changes his address or losses his job; and  
5. He shall be of good behavior and lead an industrious life.  

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31 Supra note 12 at 571. See also V.V. Devasia, Leelamma Devasia; Criminology Victomology and Corrections, 161 (1992)  
32 Id. at 161-162.
Prof. Pranjape observes that the system involved two considerations:

I Watchful control over parolee so that he could be returned to prison institution from which he was paroled out if the interest of public security so demanded; and

II Constructive help and advice to parole by securing him suitable work so as to develop self-confidence in him and finally to guard him against exploitation.  

Thus, the purpose is not leniency towards the prisoner but to seek his rehabilitation in future life. Parole is a rehabilitative therapy.

2.5 OBJECT

Parole is a penal device which seeks to humanize prison Justice. It enables the prisoner to return the outside world on certain conditions. The purpose of parole is reformatory rather than punitive. The object of the parole is to adjudge the adjustability of responsive inmates to normal society by offering them suitable opportunity to associate themselves with outside world. The purpose of the parole is also to keep the prisoner in contact with society in general and his family in particular which would not otherwise be possible in case of long term imprisonment. An opportunity is also provided to the prisoner to

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33 Supra note 13 at 511-512.
The main objectives of parole are:

I To enable the inmate to maintain certainty with his family life and deal with family matters;

II To save the inmates from the evil effects of continuous prison life;

III To enable the inmate to retain self-confidence and active interest in life. 35

Thus, it would be seen that the system of parole works in two ways; firstly, parole is deterred from repeating crime due to threat of his return to prison or similar intuition if he violates parole conditions, secondly, it affords a series of opportunities to the parolee to prepare himself for an upright life in society. It facilitates offenders' reintegration in the society by the time his or her sentence expires.

2.6 ADVANTAGES OF PAROLE

The advantages of parole are as follows:

I It avoids the evil consequences of long term imprisonment.

II It makes reformation and rehabilitation of offender possible.

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34 Supra note 3 at 244.
III It avoids overcrowding in prisons and also reduces financial burden on state.

IV The technique is in consonance with welfare state.

V It includes punishment as well as treatment. Thus, deterrent element is also present.

VI Parole provides an opportunity for the offenders to attempt adjustment to the community under the guidance of the parole officer. He is expected to obey certain rules that restrict his activities and associates, to seek and retain employment and to secure the advise of his parole officer. The community is partially protected from further criminal activities during the parole period as the offender may be immediately returned to prison without a trial until the expiration of his original sentence, if he commits another crime or breaks any of the rules imposed upon him by the conditions.

VII Parole relieves the state and other agencies of certain financial burdens. Parole is less expensive to the state than imprisonment; also during the period of parole the offender may support any dependents who otherwise might be forced to seek public relief.

VIII It checks recidivism.\(^36\)

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Thus, parole is significant to society as a release method which retains some control over prisoner, yet permits them more normal social relationship in the community and provides constructive aid at the time when they must need it. Parole is the last and in many ways most difficult stage in correctional treatment.

2.7 DISADVANTAGES OF PAROLE

Parole serves dual purpose, namely, public safety and reformation of prisoner. It suffers from certain drawbacks.

I If selection is not proper, the purpose of parole is defeated.

II If Parole Board does not have man of character and integrity, the technique fails.

III If supervision is not effective, its violation becomes difficult to detect.

The disadvantages of parole lie chiefly in the present system of administration. Casual release of prisoners on common sense basis, because of the pressure of family or political party, or to relieve overcrowded conditions in prison is not conducive to effective readjustment of the parolee.

When the prisoner is released before the expiration of his term without personal supervision, the effect of parole is merely to shorten the sentence. Again, the operation of the system may be criticized when parole officers are untrained in social work or
when they have such heavy caseloads under their supervision that frequent individual attention does not seem possible.

The conditions of parole need revision since in some respects they run counter to community modes, so that the parolee who follows them finds himself unable to participate in normal activities. If officers are better trained and in close touch with parolees they would be able to help them to plan a constructive course avoiding formal restrictions. 37

2.8 ALTERNATIVES TO IMPRISONMENT

Section 53 of the Indian Penal Code deals with kinds of punishment. It prescribes five kinds of punishment namely, death, life imprisonment, imprisonment, which may be rigorous or simple, forfeiture of property and fine. 38 Kind of punishment is based on the theories of punishment. Theories of Punishment are such as deterrent theory, retributive theory, preventive theory and reformative and rehabilitative theory.

Social reconstruction and rehabilitation as objectives of punishment attain paramount importance in a welfare state. The supreme aim of punishment shall be the protection of society, through the rehabilitation of offenders. In the words of George Bernard Shaw:

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37 Id. at 549.
38 See Sec. 53, The Indian Penal Code, 1860.
If you are to punish man retributively, you must injure him, if you are to reform him, you must improve him and men are not improved by injuries. 39

Thus, the alternatives to imprisonment can repair harms suffered by victims, provide benefits to the community and rehabilitate the offenders. Alternatives can also reduce prison costs, overcrowding and prevent additional crimes in the future. Some of the most frequently used alternatives to imprisonment are:

2.8.1 Fines

Fines as an additional or alternative form of punishment have been increasingly favoured by the law as well as judicial authorities. They are very frequently imposed in relation to property crimes like embezzlement, fraud, theft, violation of lottery and gambling laws and minor offences like loitering and disorderly conduct. 40

The imposition of fines may be made in four different ways as provided in the Indian Penal Code, 1860. It is the sole punishment for certain offences and the limit of maximum fine has been laid down. In certain offences it is an alternative punishment

39 Maru Ram V. UOI, AIR 1980 SC 2147 (2164).
40 Supra note 3 at 138.
but amount is limited. In certain offences it is imperative to impose fine in addition to some other punishment. Some offences it is obligatory to impose fine but no particular pecuniary limit is laid down. 41

The real problem involved in imposition of financial penalties is the quantum of fine or costs and enforcement of its payment. The provisions relating to recovery of fines are contained in Section 421 of the Code of Criminal Procedure 1973. 42 Section 357 of the Code, 1973 also provides that when a court imposes a sentence of fine or a sentence of which fine forms a part, it may direct that whole or part of the fine may be paid as a compensation to the victim for the loss or injury caused to him on account of the crime. 43

While awarding the sentence of fine, the court must keep in mind the gravity of offence and the financial capacity of the offender to pay the amount of fine. In case of default in payment of fine leading to imprisonment of the accused, the ideal policy is to convert unpaid fine into imprisonment not automatically but by a court decision in each individual case. 44

2.8.2 House Arrest

Where a person is confined by the authorities to his/her residence under constant surveillance of police, is known a house

41 Id. at 139.
43 Id. Section 357.
44 Supra note 13 at 267.
arrest. It is a lenient alternative to incarceration in prison and is usually used by the Government against political dissidents. The house arrestees generally do not have access to means of communication (Telephone, Mobile etc.) and electronic communication is allowed. It will be taped or censored by the authorities.  

2.8.3 Restorative Justice

Restorative justice is holistic sentencing process focused on repairing harm and bringing healing to all those who are impacted by a crime, including the offender. Representatives of justice system, victims, offenders and community members are involved and achieve these goals through sentencing circles, victim restitution, victim offender mediation and formalized community services programmes. Sentencing circles occur when the victim, offender, community members and criminal justice officials meet and jointly agree on a sentence that repairs the harm the offender caused. Victim offender mediation allows the offender and victim to meet and exchange apologies and forgiveness for the crime committed. Restorative justice practices can be used alone or as a condition of a sentence of probation.  

2.8.4 Probation

Probation is granted by court as an alternative to incarceration. Probation is the first stage of correctional scheme.

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45 Id. at 272.
46 www. Fannm.org/repository/files/fs/Alternativesina Nutshall 7.8.11 pdf. last accessed on 21.05.2013 at 8.55 AM
Probation is the postponement of final judgment or sentence in a criminal case, giving the offender an opportunity to improve his conduct and to readjust himself to the community on conditions imposed by the court and under the guidance and supervision of an officer of the court. Thus, probation is a treatment reaction to law-breaking and an attempt to mitigate the regours of the offender rather than making him suffer incarceration in the prison institution.\textsuperscript{47}

Sections 3 and 4 of the Probation of Offender Act, 1958 deals with the power of court to release certain offenders after admonition and power of court to release certain offenders on probation of good conduct.\textsuperscript{48}

Section 360 of the Criminal Procedure Code, 1973 deals with the order to release on probation of good conduct or after admonition.\textsuperscript{49} It provides the rational of protection, which is extended to young offenders under the Indian Law. Firstly, the section excludes certain types of offences (for which draconic punishment is provided) from the purview of the Probation of Offenders Act, 1958. Secondly, section prescribes certain age limit for offenders to be admitted for release on probation and thirdly, the section explicitly provides that the law suggests a selective application of the probation service to only those

\textsuperscript{47} Supra note 13 at 522; See also Anil Trehen, \textit{Penology \& Victomology}, 191-210 (1\textsuperscript{st} ed. 2011).

\textsuperscript{48} See Sections 3 and 4, the Probation of Offenders Act, 1958.

offenders who are likely to respond favourably to the rehabilitative process.

2.8.5 Suspended Sentence

The suspended sentence, where a sentence of imprisonment is pronounced, but its implementation is suspended for a period on a condition or conditions set by the court is ostensibly an attractive alternative to imprisonment. The threat of imprisonment is made and, it is hoped that it has a deterrent effect but ideally the sentence will not need to be imposed because the conditions have been complied with by the person under sentence. Suspended sentences create some extra administrative obligations at the implementation stage. Suspended sentences should however, not be triggered automatically, the authorities should decide in each instance whether imposition of sentence is appropriate. The system of probation is based on suspended sentence. Suspended sentence is used in Germany, France, and some of the states in the USA. In France, the use of suspended sentence is confined to offenders not previously imprisoned for crimes.  

2.8.6 Indeterminate Sentence

Correctional administrators have always preferred alternatives to definite sentencing. Indeterminate sentence is one of alternative. Indeterminate Sentence technique is not employed in India but is prevalent in the U.S. and some other European

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50 Supra note 3 at 248-249.
Countries. The Indian Penal Law, however, does not provide for indeterminate sentence for the reason that similar objective is attained by resorting to certain other correctional techniques such as probation, parole, open air Camps for prisoners. In fact, the system of parole is itself a modified form of indeterminate sentence. In indeterminate sentence, the offender is sentenced to a minimum and maximum period of sentence and after he has served the minimum term, which usually happens to be one third of the maximum prescribed, he is set at liberty with or without conditions. The congress of United States in 1958 enacted uniform laws which provided that an inmate could be released on parole any time after he had spent at least one third of the maximum sentence imposed on him. 51

2.8.7 Good time Laws and Pardon

The reduction of the length of time served in a penal institution on the basis of good conduct developed principally in the United States during the later part of the nineteenth century. It became a special form of commutation of sentence by statutory sanction. It became a right rather than pardon, or a dispensation of executive grace. The important point is that 'Good time' laws placed part of responsibility for the convicts release his own hands and thereby gave him an incentive. Good time laws theoretically fostered individualized reformation. 52 The reduction

51 Supra note 13 at 495-500.
in the terms of sentence under good time laws is invariably granted to almost all inmates as a matter of course. Its significance seems to have been lost in the present penal system. Any misconduct on the part of inmate inside the prison may entail certain reduction in his good time allowances. The system of allowing prisoners the benefits of good time allowances is prevalent in India since the British rule. It has proved a successful measure as maintenance of discipline inside the prison is concerned. The ‘Honour System’ has acted as an efficient substitute for the system of good time allowance. The provision relating to these curtailments in the term of prisoner’s sentence are contained in the Prison Act and Jail Manuals of the States.  

The term ‘Pardon’ has been defined as an act of mercy by which the offender absolved from the penalty which has been imposed on him. Thus, the grant of pardon wipes off the guilt of the accused and brings him to his original position of innocence as if he had never committed the alleged offence. Grant of pardon may be absolute or conditional under conditional pardon, the offender is let off with certain conditions, the breach of which will result in to revival of his sentence and he shall be subjected to the unexhausted portion of sentence. 

In India, power to grant pardon is conferred on the President of India and the Governors of the States under Articles

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53 Supra note 13 at 494-495.
54 Supra note 12 at 544.
72 and 161\textsuperscript{55} of the constitution. In Maruram V UOI, \textsuperscript{56} the constitution bench of the Supreme Court held that the power under Article 72 is to be exercised on the advice of the Central government and not by the President on his own, and that the advice of the Government binds the head of the Republic.

2.8.8 Furlough

Furlough is also an alternative of imprisonment. Furlough is granted to the prisoner periodically irrespective of any particular reason with a view to enable him to retain family and social ties. It is a matter of right of the prisoner. The period of furlough is treated as remission of sentence which is not the case with parole. Law regarding furlough varies from State to State.

2.8.9 Open Prison

The institution of open prison seems to be alternative to imprisonment and to reduce overcrowding in prisons. The whole trust in these open-prison institutions is to make sure that after release the prisoners may not relapse into crimes and for this purpose they are given incentives to live a normal free life, work on fields or carry of occupation of their choice and participate in games, sports or other recreational facilities. It considers regular and paid work for inmates under expert supervision as the best method of reformation of offenders. The removal of prisoners from general prison to an open prison helps in conservation of

\textsuperscript{55} Articles 72 and 161, The Constitution of India, 1950.
\textsuperscript{56} AIR 1980 SC 2147.
natural resources and widens the scope of rehabilitative process. Thus, the Open Air Prison system has come as a very modern and effective alternative to the system of closed imprisonment.  

2.8.10 Remission

Remission, in which prisoner is released unconditionally before the end of the sentence, is a form of unconditional release. Remission is usually awarded automatically after the offender has served a fixed proportion of a sentence, but it may also be a fixed period that is deducted from a sentence. Sometimes remission is made dependent on good behavior in prison. It can be limited or forfeited in part or whole if the prisoner does not behave appropriately or commits a disciplinary offence. In India, Sections 432, 433 and 433 A of the Criminal Procedure Code, 1973 deals with remission and commutation of sentence.  

2.8.11 Community Service

Community service can be its own punishment or can act as a condition of probation or an alternative to paying restitution or fine. Community service is unpaid work by an offender for a civic or nonprofit organization.  

Thus, the fine, probation, parole, furlough, pardon, remission etc. are taken as alternatives to imprisonment. Such

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57 Anil Trehen, Penology & Victomology, 208-210, (1st ed. 2011).
59 www.annm.org/Repository/files/FSAnternatives in a Nutshll 7.8.11.pdf. last accessed on 21.05.2013 at 8.55 AM.
provides an opportunity to the inmates to maintain certainty with their family life and also deals with family matters and save them from the evil effects of continuous prison life. Such techniques are also beneficial to reduce the overcrowding in prisons as well as financial burden on the State. Thus, alternatives to imprisonment keep people with their families, in their neighborhoods and jobs, and allow them to earn money and contribute to their communities.

2.9 REPORTS AND RECOMMENDATIONS OF THE COMMITTEES

Up till now a number of committees have been formulated to make the rehabilitative process a success. A view of recommendatory committee is as:

2.9.1 Indian Jail Committee, (1919-1920)

It was headed by Alexender Cardew. For the first time the report of this committee identified reformation and rehabilitation as the true objective of prison administration. The committee recommended that the care of criminals should be entrusted to adequately trained staff selected after careful scrutiny it also recommended utilization of prison inmates in productive work so as to bring about their reformation. It also emphasized the need for an intensive after care programme for the released prisoners for their rehabilitation. The committee also recommended the

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appointment of parole officer who should be attached to prisons and exercise supervision over prisoner released on parole. 61

2.9.2 Pakwasa Committee, 1949

This committee accepted the system of utilizing prisoners as labour for road work without any supervision over them. It was from this time onwards that the system of payment of wages to inmates for their labour was introduced. Certain good times laws were also introduced in jails under which the inmates who behaved well during their term of imprisonment were rewarded by suitable reduction in the period of their sentence.

As suggested by Pakwasa Committee, A Model Jail was established at Lucknow in 1949 where the prisoners were made to work on handloom machines and engaged in various other home industries. 62

2.9.3 All India Jail Manual Committee, 1957.

The Government of India invited Dr. W.C. Reckless, a technical expert of the United Nations on Crime Prevention and Treatment of Offenders, to make recommendations on prisons reforms in 1951. Thereafter, Committee was appointed to prepare All India Jail Manual in 1957, on the basis of the suggestions made by Dr. W.C. Reckless. His recommendations resulted, in the setting up of the Central Bureau of Correctional Services, which was latter redesigned as the National Institute of social Defense.

62 Id. at 429 & 430.
He also recommended probation and parole as a reformatory method should be used to reduce the burden on prisons. State after care units should be set up in each state. Classification of prisoners for the purpose of their treatment was necessary. The State Jail Manual should be revised periodically.

The committee recommended that every State/Union territory should constitute one or more Review or Advisory Boards depending upon its size and review should be made on the basis of a Review file to be maintained for each eligible prisoner. The Board should examine the Review Files and may recommend deserving prisoners for premature release or order that the case should be reconsidered after specified period or recommend alternate measures of treatment in respect of individual prisoners.

The Central Advisory Board on correctional Services in its very first meeting held in March 1970 stressed the need for evolving model rules to govern premature release of prisoners. It was commented that the State Acts and rules regarding premature releases created a lot of confusion about the meaning of the word parole. The adoption of the term parole in its international usage for premature release of prisoners was recommended by the Board. Accordingly, the National Institute of

63 Ibid.
social Defense engaged itself in formulating a comprehensive framework for the prisoner's release on parole in suitable cases.  

The Director, National Institute of Social Defense, in his capacity of Prison Advisor to the Ministry of Home Affairs prepared a draft of the Prisoners' Release on Parole Bill to serve as a blueprint for enacting a standard legislation. The Bill was discussed in the Seventh Meeting of the Central Advisory Board on correctional Services on March 20, 1976. The Bill proposed to define 'parole' as a procedure where by a person undergoing a sentence of imprisonment, who is considered suitable, may be released under specified conditions, deemed appropriate by the State Government, before the expiry of his sentence so that he may secure for himself a timely rehabilitation and re-assimilation in a society.

2.9.4 All India Jail Committee, 1980

It was headed by Justice A.N. Mulla. The Mulla Committee examined all aspects of prison administration and made wide ranging recommendations. The recommendations of the Mulla Committee touched upon legislative, operational, security aspects besides matters like classification of prisoners, living conditions in prison, medical and psychiatric services, treatment programmes, vocational training for prison inmates, problem related to under trials and other unconvicted prisoners, problems

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65 Ibid.
of women prisoner's etc. This committee also recommended that besides the system of parole, there should also be the system of release of prisoners on furlough. The committee in its report also suggested various types of remission and made useful recommendations to streamline the remission system in India.  

2.9.5 The Law Commission in its 78th Report, 1979

In the report, there are some recommendations made for easing congestion in prisons. These recommendations include liberalization of conditions of release on bail, particularly release of certain categories of under-trials on bail, fine as an alternative punishment for imprisonment, release on probation and on parole, to reduce overcrowding in prison institutions.

2.9.6 All India Model Prison Manual Committee, 2000

In pursuance to the directions given by the Supreme Court in Ramamurthy V. State of Karnataka, the Government of India Constituted All India Model Prison Manual Committee in November, 2000 under the Chairmanship of Director General of BPR & D to prepare a Model Prison Manual for the Superintendence and Management of Prisons in India to maintain uniformity in the working of the prisons throughout the country.

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66 Supra note 60 at 50.
67 Supra note 4 at 433.
68 (1997)2 SCC 642.
The object is Modernization of Prisons and reformation & rehabilitation of the offenders.\(^{69}\)

Though the committees have made numerous valuable recommendations to bring about not only improvements and reformation in the rehabilitative system but also in the entire criminal justice system.

### 2.10 DISTINCTIONS WITH OTHER TECHNIQUES

In order to comprehend and understand fully the nature of parole, it becomes necessary to distinguish it from other analogous techniques.

#### 2.10.1 Distinction between Parole and Probation

The points of distinction between Probation and Parole are as follows:

I. The system of probation owes its origin to John Augustus of Boston (U.S.A.) who around 1841, tried to convince the Judge of the Magistrate Court that certain offenders would respond well to his supervision if committed to his care instead of being jailed. The Parole, on the other hand, came into existence much later somewhere around 1900.

II. A prisoner can be released on parole only when he has served some part of his sentence in a prison or a similar institution. But in case of Probation, no sentence is

imposed, or if imposed, it is not executed. Thus in other words, Probation is granted as substitute for punishment whereas parole is granted to a prisoner who has lived in prisons for a certain minimum period.

III. Probationer is considered under "Treatment" as he is under the threat of being punished if he violates the conditions of probation. But a parole is considered to be in 'custody' undergoing both punishment and treatment. He is under threat of more severe punishment i.e. returns to the institution from which he has released.

IV. Probation is judicial function while the parole is quasi-judicial or administrative in nature. In Probation, offender is released by the court without imprisonment subject to conditions imposed by the Court. In case of parole, a prisoner is released from prison to the community prior to the expiration of his term of sentence subject to conditions imposed by the Parole Board. Thus, the release of parolee is not in pursuance of a judicial decision.

V. Probation is the first stage of correctional scheme whereas the parole is the last stage of it.

VI. Probation and Parole also differ in respect of stigma or disqualification attached therewith. There is no stigma or disqualification attached to offender who is released on probation of Good Conduct. But a prisoner released on
parole suffers stigma as a convicted criminal in the society.\textsuperscript{70}

It is worthwhile to note that probation is a matter of discipline and treatment. If probationers are carefully chosen and supervision work is performed with care and caution it can play miracles in the field of rehabilitation.

2.10.2 Distinction between Parole and Furlough

The points of distinction between parole and furlough are as follows:

I. Furlough is a matter of right whereas the parole is not a matter of right. It is taken as an act of grace.

II. Furlough is granted to the prisoner periodically irrespective of any particular reason with a view to enable him to retain family and social ties. It avoids ill effect of continuous prison life. The period of furlough is treated as remission of sentence, but the period of parole is not treated as remission of sentence.

III. Parole is not a matter of right and may be refused to a prisoner if the competent authority is satisfied on valid grounds that release of prisoner on parole would be against the interest of society or the prison administration. Thus, it may not be contended that a prisoner released on parole

and surrendering later, is disqualified for furlough only and he is not disqualified for parole. His application for release on furlough has to be considered on merits and cannot be rejected at the threshold. 71

2.10.3 Distinction between Parole and Indeterminate Sentence

Indeterminate sentence technique is not employed in India but is prevalent in the U.S. and some other European Countries. The Indian Penal Law, however, does not provide for indeterminate sentence for the reason that similar objective is attained by resorting to certain other correctional techniques such as probation, parole, open air camps for prisoners. In fact, the system of parole is itself a modified form of indeterminate sentence. In indeterminate sentence, the offender is sentenced to a minimum and a maximum period of sentence and after he has served the minimum term, which usually happens to be one-third of the maximum described, he is set at liberty with or without conditions. The distinctions between parole and indeterminate sentence are as follows:

1. Indeterminate sentence bears uncertainty about the exact period of sentence, which in itself is a great punishment to the offender. While on the other hand, the system of parole serves a kind of pre-intimation to the parolee that he is nearing his final discharge.

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II. In case of indeterminate sentence no specific period of sentence is provided whereas the prisoner, who is released on parole, is always initially committed to certain period of sentence. While undergoing the punishment, if he is considered fit for releases on parole he is released for the remaining portion of his sentence as a parolee. 72

2.10.4 Distinction between Parole and Suspended Sentence

In the suspended sentence a sentence of imprisonment or fine is pronounced but the execution of it is suspended for a period. Suspended sentence is employed in certain countries, such as Germany, France, and some States of U.S.A. During the prescribed period of sentence, if the offender is not convicted of other offence, the conviction and sentence both disappear.73 The concept comes closer to probation but both share striking differences also.

2.10.5 Distinction between Good time Laws and Pardon

The reduction of the length of time served in a penal institution on the basis of Good conduct developed principally in the United States during the later part of the nineteenth century. It became a special form of commutation of sentence by statutory sanction. It became a right rather than a pardon, or a dispensation of executive grace. The important point is that 'Good time' laws placed part of responsibility for the convicts release in

72 Supra note 13 at 505.
73 Id. at 501.
his own hands and thereby gave him an incentive. Good time laws theoretically fostered individualized reformation. \(^{74}\)

The term ‘Pardon’ has been defined as an act of mercy by which the offender is absolved of the penalty which has been imposed on him. The grant of pardon may be absolute or conditional. The hope of being pardoned itself serves as an incentive for the convict to behave himself in the prison institution and thus helps considerably in solving the problem of prison discipline.

Those who reject pardon as an effective measure of mitigating sentence argue that the convict may secure his release from prison by exerting undue influences on the executive authority. Another evil that follows as a result of ‘pardon’ as measure of undergoing the guilt of the convict is that the prisoners invariably try to secure a ‘pardon’ rather than reforming themselves. \(^{75}\)

### 2.11 INTERNATIONAL SCENARIO

The analysis of the various International bodies and conventions made for giving the concept of rehabilitation of offenders a more humanistic and equitable is as follows:

#### 2.11.1 UNO Efforts

Keeping in view, the changing concepts in regard to the objectives of the rehabilitation of offenders, the United Nations

\(^{74}\) Id. at 494-495.  
\(^{75}\) Id. at 487.
has given considerable attention to the prevention of crimes and the treatment of offenders. United Nations adopted the Universal Declaration of Human Rights on 10th December, 1948. The Declaration provides that no one shall be subjected to torture or to cruel, inhuman, or degrading treatment or punishment and no one shall be subjected to arbitrary arrest, detention, or exile.\(^\text{76}\)

2.11.2 United Nations Standard Minimum Rules for Non-Custodial Measures

Standard Minimum Rules adopted by the General Assembly, on the recommendation of the eight congress. The International Community has always advocated use of non-custodial measures for offenders as alternatives to imprisonment both before and after the trial. One of their fundamental aim is reduction of the use of imprisonment.\(^\text{77}\) In deciding sentences, the judicial authority is to consider the rehabilitative needs of the offenders, the protection of the society and the interests of the victim.

Sentencing Authorities may Dispose of Cases in the Following Way:

a) Verbal sanctions, such as admonition, warning;

b) Conditional discharge;

c) Status penalties;

d) Monetary penalties, such as fines and day fines;

e) Confiscation;

\(^{76}\) Supra note 60 at 51.

\(^{77}\) Ibid.
f) Restitution to victim or compensation order;
g) Suspended or deferred sentence;
h) Probation or Judicial Supervision;
i) A community service order;
j) House arrest; and
k) Any other mode of non-institutional measure.

Post Sentencing Disposition may Include:

a) Furlough and halfway houses;
b) Work or education release;
c) Various forms of parole;
d) Remission; and
e) Pardon.

The purpose of the supervision is to reduce re-offending and assist the offender's integration into society. ⁷⁸

2.11.3 International Covenant on Civil and Political Rights, 1966

The declaration provides that no one shall be subjected to torture or cruel inhuman or degrading treatment. ⁷⁹

For many reasons, but especially because of the fight for human rights, and more specifically still, the fight for offenders rights, over the last fifty years, there have been many improvements towards more humane and decent treatment of prisoners. Since the adoption of Minimum Standards for the

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⁷⁸ www.umn.edu/humanrts/instree/i6unsmr.htm. Last accessed on 13.08.2013 at 11 PM.
⁷⁹ Supra note 60 at 52.
treatment of offenders by United Nations, many countries are challenged and want to improve their prison systems. From survival to violations, to better treatment, there is still a lot to achieve to comply with those standards in some areas of the world. However, many countries are trying to reform their correctional systems.

Community corrections are part of the system of protection. It is a key element of public safety, an essential segment of the criminal justice system. Community corrections can play a role at different stages. At the time of sentencing with preparation and presentation of pre-sentence reports, when a judge imposes a sentence using an alternative to prison (e.g. community work, conditional sentence, probation) and during the prison sentence when it is time to review the types of release for a gradual reintegration of the offender such as temporary absences, work releases and parole or conditional release.

Parole is a community measure it is a key element of community correction. Parole is a bridge from the prison to the community. Therefore, making quality parole decisions is important. Over the course of the last twenty years the United States Federal Government, as well as sixteen states, abolished parole and their Parole Boards, which resulted in longer prison terms without parole, including life sentences with parole. The incarceration rate more than doubled. Now a new challenge has emerged. The United States is facing a scary reality. A huge
number of offenders sentenced to prison without parole are coming out. They have no support, no structure and no gradual supervised reintegration.

Many States, with the support of Federal Government, are now seeking the collaboration of all partners in the communities to help put in place re-entry programs. This is a very good initiative. "re-entry" is somehow a new form of parole. In fact, the Association of Paroling Authorities International (APAI) and existing Parole Boards in the United Sates are collaborating more and more with their partners in their respective states with the development of re-entry initiatives. Some states are also expanding their Parole Boards mandate and others are reinstating or considering reinstatement of Parole Boards.

In Canada a correctional system and a conditional release system that works together and is very elaborate. It is not perfect but it delivers good results. Every offender is eligible for a parole review at specified eligibility dates. The re-offending rate while on parole is low. In 2004-2005 for those released on day parole, 3.37 percent were revoked for non-violent crime and 0.2 percent for a violent crime. As per those released on full parole, 4.5 percent were revoked for a non-violent crime and 0.8 percent for a violent crime. Research also demonstrates that offenders released at warrant expiry are about four times more likely to be re-admitted on federal sentence than offenders that completed their sentences on parole. Parole based on case specific risk
assessment is the safest, most effective way to reintegrate offenders into the community.

International Associations and Conferences are a way learning more about parole. The Association of Paroling Authorities International is dedicated to the creation of a network for sharing and learning. In 2000, APAI held its annual conference in Ottawa, Canada. The theme was "Promoting Parole Internationally Contributing to Global Public Safety in the 21\textsuperscript{st} Century". The National Parole Board was the main organizer of the event. The interest in parole from, officials of the countries on every continent was amazing and encouraging. 440 participants from 38 countries across the world came to share and learn. APAI promotes parole as an effective tool for public safety. Although, organizations in various countries may have different correctional system with regard to parole legislation and policies.

\textit{In Europe}, there are parole systems in many countries. They differ in format and structure but they all have safe reintegration of offenders as law abiding citizens for better public safety as a main objective.

At the council of Europe, a resolution for enhanced parole systems was adopted and some steps have been taken to implement it. In the countries of Eastern Europe, correctional reforms are taking place. Many officials from those countries come to Canada to understand the system and to see how they can improve their law or build new ones.
In Africa, many countries are very active. New Laws, prison reforms and new parole systems are changing or being implemented in many countries. Community Corrections is always a key component of exchanges and sharing best practices. As partners, the national Parole Board of Canada is frequently asked to host visiting delegations and assist them with their restructuring. It has collaborated with Tanzania, Zambia, Namibia, South Africa and Cameroon and also actively collaborates with the Parole Boards of Australia and New Zealand.

It has made some contracts with several countries in Asia. In China, project with the International Centre for Criminal Law Reform and Criminal Justice Policy, in partnership with the correctional service Canada, the National Parole Board, the Canadian International Development Agency and the China Prison Society, have developed a strong component related to community corrections and more specifically to parole. The first community corrections project started in Shanghai and others are now being implemented in other provinces.  

Thus, the International trends in community corrections are progressing well and should improve even more in the future. The interrelationship of the different components of the system, as

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80 Renee Collette, International Trends in Community Corrections: What about parole?, www.icclr.law.ubc.ca, last accessed on 12.06.2013 at 10 AM.
well as with the communities, are key elements to ensure community safety.

Thus, the success of parole system depends upon a number of factors. Material and information before the Board for taking decisions, characters and integrity of the members of the Board, efficiency of the parole officers, all become important in the successful working of parole system. Parole should be liberally granted.