

NOMINAL ROLL OF PRISONER

- Muskan Tyagi, Intern

The Nominal Roll of a prisoner is a comprehensive record that details the prisoner's previous releases and the list of misdemeanours committed during their time in imprisonment. It functions as a record of the prisoner's past involvement with the correctional system.

The Nominal Roll comprises identifying information such as the prisoner's name, identification number, and date of birth. In addition, it documents the dates and reasons for each of the prisoner's previous releases from detention, such as parole, temporary release, and completion of sentence.

Furthermore, The Nominal Roll of a prisoner under the **Goa Prison Rules 2006** includes essential details such as the prisoner's register number, name, occupation, and residence. It also records the specific crime and corresponding section of the Indian Penal Code (IPC) under which the prisoner was convicted, along with the sentence and date of sentence. The Nominal Roll further mentions the adjudicating court and, if applicable, the appellate court and the outcome of the appeal.

The Nominal Roll of a prisoner under the Goa Prison Rules 2006 includes essential details such as the prisoner's register number, name, occupation, and residence. It also records the specific crime and corresponding section of the Indian Penal Code (IPC) under which the prisoner was convicted, along with the sentence and date of sentence. The Nominal Roll further mentions the adjudicating court and, if applicable, the appellate court and the outcome of the appeal.

The Nominal Roll, in addition to capturing personal and sentencing details, also records any misdemeanours and disciplinary actions committed by the prisoner while in jail. This includes violations of prison rules, misconduct, or offenses within the correctional facility. The Nominal Roll serves the crucial purpose of evaluating the prisoner's credibility and conduct, taking into account their adherence to laws and regulations during their incarceration.

In the case of **Riyaz Khan v. State**¹, the Court held that a prisoner's conduct, as reflected in the Nominal Roll, plays a significant role in the court's decision-making. When a convict's record shows a history of multiple acts of violence and indiscipline while in prison, it becomes a valid ground for the court to refuse to exercise its writ jurisdiction. The court reserves its intervention for those who approach with "clean hands and good conduct," emphasizing the importance of assessing a prisoner's behaviour as recorded in the Nominal Roll.

This document is crucial for determining whether inmates are eligible for certain privileges, programmes, or early release options. It assists prison officials and parole committees in making informed decisions based on a prisoner's behaviour and past. By maintaining an accurate and up-to-date Nominal Roll, correctional institutions can effectively manage the custody and rehabilitation of offenders and ensure that those who exhibit positive behaviour and rehabilitation efforts receive the proper consideration.

¹ Judgment dated 21.08.2019 in W.P. (CrI.) 1709/2019 (DB)

The preparation of the nominal roll is governed by specific provisions within the Code of Criminal Procedure (CrPC) of 1973. Section 432 of the CrPC states that when a person has been sentenced to punishment for an offence, the appropriate government may, at any time, suspend the execution of his sentence or remit all or a portion of the punishment he was sentenced to..

Section 433A of the CrPC imposes certain restrictions on the release of prisoners sentenced to imprisonment for offenses specified under this section. It States that “ *Notwithstanding anything contained in section 432, where a sentence of imprisonment for life is imposed on conviction of a person for an offence for which death is one of the punishments provided by laws or where a sentence of death imposed on a person has been commuted under section 433 into one of imprisonment for life, such person shall not be released from prison unless he had served at least fourteen years of imprisonment.*”

The preparation of the nominal roll of prisoners is directly linked to these provisions.² By referring to Section 432 read with Section 433A of the Code of Criminal Procedure 1973, it implies that the preparation of the nominal roll of prisoners must adhere to the guidelines and restrictions outlined in these sections. These provisions ensure that the release and management of prisoners are carried out in accordance with the law and take into account the seriousness of the offenses committed.

² Rajkumar versus The State of Uttar Pradesh, MISCELLANEOUS APPLICATION NO 2169 OF 2022 IN WRIT PETITION (CRIMINAL) NO 36 OF 2022