

ANDHRA PRADESH BORSTAL SCHOOLS RULES

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ANDHRA PRADESH BORSTAL SCHOOLS RULES

In exercise of the powers conferred by Section 4 of the Madras Borstal Schools Act, 1925 (Madras Act V of 1926), the Government of Madras are hereby pleased to make the following rules

1. . :-

In these rules, unless there is anything repugnant in the subject or context:-

(a) "the Act" means the Andhra Pradesh Borstal Schools Act, 1925 (Andhra Pradesh Act V of 1926);

(b) "Inspector General" means the Inspector-General of Prisons, Andhra Pradesh; and

(c) "Superintendent" means the Superintendent of the Schools concerned. Medical Examinations of inmates.

2. . :-

The Superintendent shall conduct the psychological examination of every inmate and record his findings in the Borstal Individual Record, Jail II, Form No.25 A.

3. . :-

The Medical Officer shall, as soon as possible, after admission and thereafter at intervals of not more than one month, subject every

inmate of the school to a detailed medical examination and record his findings in such form, as may be, directed by the Inspector-General, from time to time, and shall without delay bring to the notice of Superintendent any matter of importance affecting the health of the inmate for such action as may be seem called for.

4. . :-

The Superintendent shall, without delay , report to the Inspector-General of Prisons the case if any inmate who, in the opinion of the Medical Officer, is unfit for Borstal Training. Classification and treatment of Inmates.

5. . :-

Every school shall be divided into houses, each of which shall contain approximately the same number of inmates, care being taken to ensure that neither the best nor the worst inmates are concentrated in one house. Each house shall have a house- master, who shall be selected by the Superintendent from the teachers and instructors of the school. A petty officer shall be appointed to assist each house-master.

6. . :-

The house-master and his assistant shall be responsible to the superintendent for--

- (a) the tone and general behaviour of their house;
- (b) the training of each inmate therein;
- (c) the cleanliness of the wards, rooms, clothing and bedding and their being kept in good order and repair; and
- (d) the proper distribution of food among the inmates.

7. . :-

Each house shall be divided into groups, care being taken to ensure that neither the best nor the worst inmates are concentrated in one group. Each group will be under a monitor who has been selected by the house-master from the ranks of each group and may wear distinguishing marks.

8. . :-

The Superintendent shall select from the monitors a head monitor for each house. The head-monitor shall be in addition to the group monitors and shall wear a special badge on the left breast.

9. The inmates will be divided into four grades, namely. :-

- (1) The penal grade;
- (2) the ordinary grade;
- (3) the Star grade;
- (4) the Special Star grade.

10. . :-

Every inmate shall remain in the ordinary grade in which he is placed on reception in the school, for at least three months. He shall during that period, be employed on domestic service, gardening or farming, be carefully observed by the staff with special reference to his character, mental disposition and fitness for a special training and subject to good behaviour, be permitted to take part in games on Saturdays.

11. . :-

Promotion to the Star grade shall be made by selection by the Superintendent an inmate so promoted being placed in a grade suitable to his individual taste and capacity. While in this grade an inmate shall be permitted by exemplary conduct to earn badge money of one rupee, five annas and four pies per mensem.

12. . :-

An inmate in the Star grade may be promoted to the Special Star grade if the Superintendent is satisfied after close observation of the inmate's general demeanour and efficiency that he may safely be placed in a position of special trust. Inmates in the Special Star grade shall wear a distinctive dress, may act as monitors, and may be placed in authority over other inmates on parade, in the workshops or recreation rooms. They may perform sentry duties at night and other duties in which they can assist the administration. They may sleep in association wards and by exemplary conduct earn badge money of Re.1 (Rupee One only) permensem. They may be allowed to go out unattended subject to reasonable limits of time and distance and need not be locked up at night. Notes to Rules 11 and 12 above:-

- (1) Inmates promoted from the lower to a higher grade shall be permitted to earn the extra badge money from the first of the month following the date of promotion.
- (2) Badge money shall not be given to an inmate for from the

month in which his conduct does not continue to be exemplary.

(3) Inmates discharged in the ordinary course or on bail or whose sentences are suspended before the 16th of a month shall not be entitled to badge money for that month. but if they are discharged in the ordinary course or on bail, or if they shall be given half the badge money of the respective grades for that month.

(4) An inmate who is in transit from one school to another at Court, on leave, or in an hospital (whether it be the school hospital or one outside the school) shall be granted the badge money of his grade on the scale earned by him during the previous year.

13. . :-

All badge money may be spent on objects approved by the Superintendent or be invested in the local savings bank.

14. . :-

The Superintendent shall, to such extent as he considers suitable, permit inmates in the Star and Special Star grades, to take certain games, to go out to scout camps and to compete in district athletic sports and tournaments . Inmates in the Star and the Special Star grade shall be taken on route marches once a month.

15. . :-

An inmate placed in the Penal grade shall be employed on hard and laborious work.

15A. . :-

If an inmate dies before the expiry of the period of his detention, his earnings in the school shall lapse to the Crown.

16. . :-

The Superintendent may reduce for such period as considered necessary, any inmate by one or more grades for misconduct or for exercising a bad influence in the school; but no inmate shall be placed in the Penal grade for a period of more than three months without the specific sanction of the Inspector-General. The Superintendent may restore the inmate to his original grade by stages, if necessary. The Superintendent shall enter in his journal, particulars of every case of reduction of grade ordered by him, the reasons for such order and the period for which the reduction is to be in force. Leave of absence.

17. . :-

(1) The Superintendent may, at his discretion and subject to such conditions as he may deem proper, grant leave of absence to any inmate in the Star or Special Star grade for a period not exceeding ten days at any time and subject to a maximum of fifteen days in a year, if he is satisfied that the inmate will return at the end of the leave, to visit parents or relatives if the behaviour of the inmate justifies such a privilege; and in special cases to visit a parent or relative who is dangerously ill. Such period of leave of absence shall be treated as "Release on Parole".

(2) In case, where leave of absence has been granted to an inmate under sub-rule

(1) by the Superintendent for a maximum period of fifteen days, the 1[Deputy Inspector-General of Prisons having jurisdiction] may, on any subsequent occasion, in special and deserving cases and subject to such conditions as he may deem proper, grant leave of absence to the inmate for a period not exceeding ten days at a time, and subject to a maximum of fifteen days in a year.

17A. . :-

The 1[Deputy Inspector General of Prisons having jurisdiction] in special cases may grant extension in lieu of absence granted under sub-rule (1) of Rule 17 to the inmate for a period not exceeding 30 days at any time and subject to a maximum of 30 days in a year.

18. . :-

The Superintendent may. at any time cancel the leave and recall the inmate without assigning any reasons and shall recall the inmate if he is satisfied that an epidemic is prevalent in or near the place of residence of the inmate, or if in his opinion, the conditions subject to which the leave was granted are in any way infringed. If an inmate fails to return by the due date, the services of the police may be requisitioned to bring him back.

19. . :-

Every case of overstay of leave shall be reported to the Inspector General Daily routine.

20. . :-

All inmates, provided they are medically fit, shall be required to engage in drill, study and labour for eight hours every working day . The following daily routine shall be observed in the school:-

21. . :-

Literary instruction shall be given in the inmate's language and limited ordinarily to the elements of reading, writing and arithmetic. An inmate shall attend school from the date of his admission and for two hours daily. Every inmate shall be examined by the teacher at the end of every six months and the marks obtained and position in class recorded in the borstal individual record.

22. . :-

Intelligent inmates who have satisfactorily completed the borstal standard education or have studied in the middle or high school classes before admission may be given facilities to improve their education with the assistance of the staff available

23. . :-

The District Educational Officer and his assistants shall inspect the school annually and report of the examination of the classes shall be submitted to the Inspector General through the Superintendent. A certificate in Form Jail II, No.155, shall be given to every inmate discharged from the school to assist him to find suitable employment.

24. . :-

Monitors who in the opinion of the Superintendent are sufficiently educated for the purpose, may be employed in the classes to assist the teachers.

25. . :-

When an inmate fails to profit by instruction, the Superintendent may exempt such inmates from attending the class and his time shall be suitably utilised in other work.

26. . :-

Every school shall be provided with a library for the use of the inmates containing English and Vernacular books and periodicals approved by the Inspector-General. Vocational Training

27. . :-

Inmates shall not be allowed to change their work except for very special reason. Any transfer from one form of training to another must be approved by the Superintendent save in the case of unskilled labouring parties where transfers may be effected by the Deputy Superintendent.

28. . :-

In the workshops, work shall normally be done on orders received, but when these are insufficient or do not provide sufficient variety for training, the Superintendent shall utilise the amount allowed for expenditure on instructional purposes on the purchase of materials, e.g., country wood, extra yarn, metal bars and sheets.

29. . :-

Each inmate shall, for five hours daily, be given vocational instruction, which shall include at least two hours a week instruction in the theory of the subject.

30. . :-

Each teacher and instructor shall enter in the borstal individual record once in six months the progress of each inmate in his charge by the award of marks.

31. . :-

The restriction imposed by Rule 264 (2) of part 2 of the Madras Prison and Reformatory Manual, Volume II, shall not apply to boys detained for extramural work. Ambulance, First-aid and Scouting.

32. . :-

One hour a week out of the periods allotted for literary education, and one hour a week out of the periods allotted for vocational training, may be given to training in Ambulance, First aid and Scouting. Instructions in these matters may also be given on Sundays.

33. . :-

The Superintendent should select from the teachers and instructors suitable individuals to undergo a course of training in scoutcraft so as to enable them to train and lead the inmates efficiently. The persons so selected shall be provided with scout uniforms at Government cost.

34. . :-

Inmates permitted to take part in camps, scout activities, district sports etc., outside the school may be granted leave not exceeding ten days in a year for the purpose. Annual sports and prize distribution.

35. . :-

The Superintendent shall arrange for holding annual sports and for a public distribution of prizes. Religious and moral instruction.

36. . :-

As far as possible all inmates shall receive religious and moral instruction on Sundays from persons of their own religions approved by the Superintendent or from honorary instructors of their own religion approved by the Inspector - General. Holidays

37. . :-

Sundays, Christmas day, Good Friday, the King Emperor Birthday, Pongal, Deepavali, the last day of the Ramzan, New years day, Tamil New year's day, Telugu New Year's day, Ayudha Puja, Mahasivarathri, Bakrid and the Annual Sports day shall be regarded as general holidays for the school. Barawafat shall be regarded as sectional holiday for Muslim inmates and Onam and Vishu for Malyali inmates. No work shall be extracted on these holidays from the inmates to whom they apply except such work as may be necessary for the internal management and domestic economy of the school or as may be required by an emergency. Dietary

38. . :-

The diet scale for Borstal Schools inmates per head per day shall be as detailed below:-

39. . :-

The clothing and bedding of inmates shall be on the following scale:

40. . :-

An inmate, on arrival, shall be provided with two suits, one new and another part-worn, if available. No articles of clothing which has been worn by one inmate shall be issued to another unless it has been washed, and disinfected. Articles of clothing shall have stamped on them in indelible ink, date of first issue, date of return, if returned before expiry of period of wear, and date of reissue. Inmate in the band class passed as classified to perform in the school band shall be provided with the following uniform. The cost of each suit shall not exceed Rs.4-2-0. Coat, white ...With facings and trimmings and green collar, period of wear two years. Long trousers ... Cap ...

42. . :-

The following shall be the uniform of the scouts. The clothing shall be worn by the scouts while they take part in scout activities. The cost of each suit shall not exceed Rs.3/-: One khaki twill shirt One pair khaki drill shirts \ \ \Period of wear one year. Three yard khaki

mult for turban and scarf Commitment

43. . :-

An adolescent offender, committed to a Borstal School shall be sent to the Borstal School, Palamcottah, if his language is Tamil or Malayalam, and to the Borstal School, Tanjore, if his language is Telugu, Kannada, English, Hindustani or any other language.

44. . :-

All committing magistrates shall furnish the Superintendent of the school as early as possible with a copy of the judgment and the detailed information regarding the previous history, parentage occupation, etc., required in the list of interrogatories in the form in Appendix I.

45. . :-

An order committing an adolescent offender to a Borstal School under Section 8 of the Act shall be in the form in Appendix III. Visiting Committee

46. . :-

The rules in Chapter III of part I of the Madras Prison and Reformatory Manual, Volume II, shall not apply to Borstal School, with the exception of Rules 21, 29, 30 and 31.

47. . :-

The District Magistrate shall be the Chairman of the Visiting Committee appointed under sub-section (2) of Section 3.

48. . :-

In the absence of the Chairman, the members present at the meeting shall elect one from among themselves to be the Chairman of the meeting.

49. . :-

The Superintendent shall bring to the notice of the Inspector General, the failure, of any member to attend three consecutive meetings. Such member if he is non-official, may be removed from office.

50. . :-

Three members shall form a quorum. It shall be the duty of the members of the Visiting Committee to visit the school in rotation once a week. The Chairman shall arrange the roster for the weekly visits to the school so as to give each visitor his turn and shall send

by post card and intimation to the member whose turn it is to visit the school in the ensuing week. There shall not be a fixed day of the week for those visits, but the visitor shall be free to visit the school on any day that suits him and at any time between unlocking and lock-up. There shall also be a quarterly meeting of Visiting Committee on the last Saturday of the quarter or at such other time as the Chairman may determine. At the meeting it shall carry out the duties referred to in Section 19-B (b) to (e) of the Act and in particular shall (a) examine the punishment book, medical register, the admission and Disposal registers, and after-care reports (b) interview new admission since last meeting. (c) hear any representations that inmates may desire to make. The Chairman may convene special meetings in addition to the quarterly meetings, on such dates as he may determine. At least two clear days previous to the date of meeting a notice thereof together with an abstract of any special matters to be considered shall be furnished to the members by the Chairman of the Committee.

52. . :-

The minutes of each meeting shall be prepared by the Chairman and sent to the Superintendent who will forward them with his remarks to the Inspector-General

53. . :-

The Superintendent shall give effect to the resolutions of the Committee and intimate to the Inspector-General the fact of his having done so; Provided that if in the opinion of the Superintendent it would be inconsistent with the Act or these rules, or inexpedient, to give effect to any such resolution, he shall submit the same for the orders of the Inspector-General and intimate to the Chairman., the fact of his having done so.

54. . :-

The Superintendent may decline to furnish any information required or to produce any record, the examination of which is sought by any member of a Visiting Committee, if for reasons to be recorded in writing, the Superintendent considers that it will be undesirable to furnish such information or produce such record.

55. . :-

The Superintendent shall bring to the notice of the Visiting Committee:-

(1) the cases of all inmates who, having undergone not less than six months of detention, are in the opinion of the Superintendent fit for release on licence;

(2) all cases which fall within the scope of Section 14 of the Borstal Schools Act; and

(3) the case of all inmates who owing to mental deficiency, are unfit for borstal training. The Superintendent shall advise the Committee on the merits of each case. Notwithstanding anything contained in this rule, the Superintendent shall have discretion not to bring to the notice of the Committee, any case in which a report or recommendation of the Committee is not required by the provisions of the Act, if the matter is so urgent that it cannot wait for consideration by the Committee or if for any other reason the Superintendent considers that such case should not be referred to the Committee. Discharge or release on licence.

56. . :-

In the case of inmates whom the Superintendent proposes to recommend for release on licence under sub-section (1) of Section 15 of the Act, he shall, not less than six weeks before each meeting of the Committee forward to the District Probation officers of the districts in the mufssal and the Chief Probation Superintendent in the City of Madras the names of such inmates the particulars of the vocational training undergone by them and the kind of work suitable for them to enable them to make necessary enquiries and place the information obtained from the District Probation Officers or the Chief Probation Superintendent before the Visiting Committee. The cases recommended by the Visiting Committee shall be submitted for orders to the Inspector-General.

(i) After the inmate is released on licence the Borstal Association will provide the necessary grant required in each case according to circumstances.

(ii) In the case of inmates belonging to other provinces and Native States, the Inspector General shall be addressed for the appointment of probation officers after the question of their release on licence is considered by the Visiting Committee.

56A. . :-

(1) In the case of an inmate due for release on the expiry of the term of detention, the Superintendent shall, six months before the

anticipated date of release, send information as to the name of the inmate, the particulars of the vocational training undergone by him, and the kind of work suitable for him to the Chief Probation Superintendent who shall then direct the Probation Officer concerned to look after the inmate and shall intimate the Probation Officer's name and address to the Superintendent of the school so as to reach him at least a week before the date of release of the inmate. The inmate, on release, shall be furnished with a letter to the Probation Officer with directions to go to him for help and guidance when he reaches his native place.

(2) Every inmate discharged on the expiry of his term of detention shall, for a period of two years from the date of such discharge, be under the supervision of the Officer aforesaid. The Probation Officer shall visit and receive visits from the ex- inmate at reasonable intervals, advise, assist and befriend him, see that he makes a good use of the training given to him in the school and when necessary endeavour to find him a suitable employment. He shall during these two years report at the end of every quarter about the progress and relatives of the ex-inmate to the Superintendent of the school from which he was released and to the Chief Probation Superintendent.

(3) The Probation Officer shall send monthly reports to the Superintendent of the School and the Chief Probation Superintendent about inmates released on licence till the period of licence is over and thereafter quarterly reports for two years as in the case of inmates discharged after their full term of detention.

56B. . :-

In the case of inmates recommended for discharge under Section 21-A of the Act, the Superintendent shall, so far as is necessary and practicable in each case, follow the procedure laid down in Rule 56-A. When an inmate is recommended for discharge on medical grounds due intimation shall be given to the Probation officer concerned.

57. . :-

The inmate to be discharged under sub-sec. (1) of Section 15, shall execute a bond in the form appended (Appendix II).

58. . :-

If at any time, during the period of licence, a Probation Officer under whose care an inmate is placed, is of opinion that the inmate

has not made any efforts to show progress in his work or finds that his conduct is not satisfactory, he shall immediately report the matter to the Inspector-General. Interviews and Letters.

59. . :-

An inmate may receive a visit on reception and subsequently once a month, from his parents, relatives or friends. Special visits may also be allowed by the Superintendent at his discretion. Every facility shall be given to accredited legal advisors for interviews in connection with any appeal against the order of detention. It is within the discretion of the Superintendent to determine the length of the visit and whether the visits should be in the presence of an officer not below the rank of an Assistant Superintendent. An inmate may write to any member of his family on reception and subsequently once a month to any one approved by the Superintendent at Government cost. An inmate may receive such letters as are addressed to him, but the Superintendent has power to disallow any incoming letters for any reason. The Superintendent may, at his discretion, allow such inmates to write at their own cost and to receive letters at more frequent intervals. Letters incoming and outgoing shall be censored by the Superintendent or by such officer as may be deputed by the Superintendent for the purpose. If their address is known, parents, or if it is not possible to communicate with parents, the nearest relations whose address is known shall receive notice of the serious illness of inmates, and the Superintendent shall answer any enquiries made by them provided that postage stamps for the reply are enclosed. Reports by Superintendent.

60. . :-

The Superintendent shall submit to the Inspector - General every year in such form as the latter may, time to time direct.

(a) not later than the 15th February, a report on the administration of the school in the preceeding calendar year; and

(b) not later than the 31st March, report on the after care of inmates discharged in the preceding calendar year.