

Maharashtra Borstal Schools Rules, 1965

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Maharashtra Borstal Schools Rules, 1965

In exercise of the powers conferred by sub-section (1) and clauses (a), (b), (c), (d), (e), (f), (i), (k) and (m) of subsection (2) of section 19 of the Bombay Borstal Schools Act, 1929 (Bom. XVIII of 1929), and of all other powers enabling it in that behalf, the Government of Maharashtra hereby makes the following rules, the same having been previously published as required by sub-section (3) of the said section 19, namely:-

1. Short title :-

These rules may be called the Maharashtra Borstal Schools Rules, 1965.

2. Definitions :-

In these rules unless the context otherwise requires -

- (a) "Act" means the Bombay Borstal Schools Act, 1929;
- (b) "inmate" means a young offender detained in a Borstal School under the Act or any law corresponding thereto in force in any other State in India .;
- (c) "Medical Officer" includes the Assistant Medical Officer in charge of the Borstal School Hospital ;
- (d) "Principal" means the Principal of a Borstal School ;
- (e) "Probation Officer "means a probation officer appointed or recognised as such by the State Government under the Bombay Children Act, 1948 ;
- (f). "School" means a Borstal School ;
- (e) "Section" means a section of the Act.

2A. Certain offenders not to be detained in Borstal School :-

The following classes of persons shall not be ordered to be detained in a Borstal School that is to say, -

- (a) offenders who cannot take and follow instructions in Marathi for purposes of training in a Borstal School in this State, and
- (b) female offenders so long as a Borstal School for females is not established by the State Government.

3. Control and management of Borstal School :-

Subject to the orders of the Inspector General of Prisons, the control and management of a Borstal School shall vest in the Principal.

4. Appointments and transfers, etc., of officer :-

(1) For the purpose of control and management of a Borstal School, the State Government shall appoint in addition to the Principal, a Medical Officer and such other officers as it thinks necessary.

(2) The Principal and officers so appointed shall be liable to be transferred for

service in connection with any prison in the State and vice versa.

(3).The Principal, the Medical Officer and the officers so appointed shall, during the term of their office in the Borstal School, also be subject to the rules made under the Prisons Act, 1894, except in so far as rules made there under are inconsistent with the Act and these rules.

5. Duties of Principal :-

The Principal shall -

- (a) exercise close and constant personal supervision ;
- (b) daily visit and inspect the school premises where inmates work or live ;
- (c) give special attention to every inmate who is a hospital patient ;
- (d) atleast once a fortnight, visit the school during the night and satisfy himself that every thing is in order ;
- (e) carry out all the duties specifically imposed upon him under these rules.

6. Constitution of Visiting Committee :-

(1) A Visiting Committee referred to in sub-section (2) of section 4 shall consist of eleven members. Of these, seven shall be officials and four shall be non-officials .

(2)

(a) The official members shall be -

(i) the District Magistrate (who shall be the Chairman).

(ii) the Chief Inspector of Certified Schools, State of Maharashtra or his nominee,

(iii) the District Judge,

(iv) the Civil Surgeon,

(v) the Principal of the School,

(vi) the Zilla Parishad Educational Inspector, and

(vii) the Superintendent of Police.

(b) Out of the four non-official members, two shall be nominated by the State Government from amongst the members of the State Legislature and two from social workers .

(c) In the absence of the District Magistrate the senior most official member present shall act as the Chairman .

7. Term of office of non-official members of Visiting Committee :-

(a) The non-official members of the Visiting Committee shall hold office for a

period of three years from the date of their appointment or for such further period as the State Government may, by general or special order direct.

7A. Travelling allowance, etc, to the non-official members :-

(a) the non-official members of a Visiting Committee shall be eligible for such travelling allowance, daily allowance or conveyance charges as may be admissible according to Appendix XLII-A of the Bombay Civil Services Rules, 1959, Volume II] re-nomination.

(a) The non-official members shall be eligible for re-nomination on the expiry of the term of their office.

8. Powers and duties of Visiting Committee :-

(1) The Visiting Committee shall -

(a) visit the Borstal School on such occasion as may be fixed by the regulations in that behalf for the purpose of ensuring that the provisions of the Act are duly given effect to ; provided that it shall be lawful to individual members of the Committee to visit the School on like occasions;

(b) make such suggestions for the improvement in the training imparted to the inmates as is considered necessary and to report to the Inspector General from time to time any matter which in its opinion should receive his attention ;

(c) consider all cases of release on licence under section 14 as may be placed before it by the Principal ;

(d) consider such action as may be necessary in regard to the inmates whose term of detention is about to expire ;

(e) consider cases recommended by the Principal for release after being satisfied that there is a reasonable probability that the objects of training have been achieved ;

(f) consider causes of inmates who, owing to a mental deficiency or other reasonable case, are unfit for Borstal training ;

(g) inspect all parts of the Borstal School and see every inmate detained therein;

(h) satisfy itself that the necessary disciplinary and reformatory measures are being carried out ;

(i) give every inmate an opportunity for making an application or a complaint to the Committee and inquire into the same ;

(j) inquire into the details of the past history, the nature of the offence committed, the conduct and character in the Borstal School and the future intentions and prospects of every inmate whose case may be placed before it for consideration by the Principal and if it thinks fit, to recommend him to the Inspector General for discharge on licence.

(2) A member of the Visiting Committee or any of the inmate's dependants shall not have any interest in any contract made in respect of the Borstal School.

9. Meetings of Visiting Committee :-

(1) The Visiting Committee shall meet once in every two months. The Principal shall send a notice fixing date, time and place of the meeting to all the members at least seven days before the date fixed for the meeting together with a statement of the business to be transacted thereat.

(2) Five members shall form a quorum.

(3) Where at any meeting there is no quorum, the Chairman shall adjourn the meeting to such hour on the following day or on some other future date as he may reasonably fix. A notice of such adjournment shall be issued to every member of the Committee, and put up at the office of the Principal. The business which would have been brought before the original meeting, had there been a quorum thereat shall be brought before the adjourned meeting and may be disposed of at such meeting or at any subsequent adjournment thereof whether there be quorum present or not.

(4) The proceedings of each meeting of the Visiting Committee shall be recorded in a book kept for the purpose, a copy whereof shall be sent to the Inspector General for his information and orders.

10. Holidays :-

The Borstal School shall observe all Sundays and such other holidays as the Inspector General may in this behalf direct. A special cultural and recreational programme should, as far as possible, be organised on these days by the Principal.

11. House System :-

(1) The inmates in a Borstal school shall be classified and segregated into dormitories or Houses, -

(a) according to age groups (i.e., those between 15 to 18 years of age ; those above 18 years but less than 20 years and those above 20 years of age); and

(b) on the basis of institutional treatment (i.e., those having previous institutional experience and those having no previous institutional experience).

(2) Each House shall have a House Master, who shall be responsible to the Principal for-

(a) the tone and general behaviour of the inmates in the House .

(b) the training of each inmate therein,

(c) the cleanliness of the yards, rooms, clothing, bedding and utensils.

(3) The House Master shall be present in the common dining hall at the time of the distribution of food .He shall ensure that the food served is wholesome and according to the prescribed scale and the inmates take their food in a congenial and healthy atmosphere and in an orderly manner. Monitor.

(4) A group of 10 inmates shall be under a Monitor selected by the House Master from amongst the inmates in the group. The Monitor shall wear a distinguishing mark.

(5) The Principal shall select from amongst the Monitors a Head Monitor for each House who shall wear a special mark distinguishing his rank.

(6) Each House, shall be known by a "Name " and be distinguished by its "House Colour".

(7) The inmates of the House shall wear a band of cloth having the "House Colour "on the sleeve of the left arm .

12. Daily routine and programme of inmates :-

The programme of daily routine of the inmates in a Borstal school shall be as follows :-

(A) Early Morning -

(i) Toilet ;

(ii) Meditation ;

(iii) Preparation for opening ;

(iv) Unlocking at day-break according to conditions of visibility ;

(v) Counting ;

(vi) Search ;

(vii) Leaving the House.

(B) Morning-

(i) Toilet ;

(ii) Prayers in Groups ;

(iii) Morning conjee ;

(iv) Physical Training, drill, individual and group exercises, light yogasnas ;

(v) Educational classes (two hours) ;

(vi) Vocational training (two hours) ;

(vii) Bath ;

(viii) Meal and rest.

(C) Afternoon-

- (i) Work and School ;
- (ii) Outdoor games or Gymnastics upto 5:30 p.m.;
- (iii) Toilet.
- (D) Early Evening-
- (i) Wash ;
- (ii) Evening meal ;
- (iii) Evening prayers ;
- (iv) House Master's talk to the offenders in the House followed by lock up ;
- (v) Reading in Houses, listening into radio on loudspeaker, or other hobbies as may be allowed by the Principal ;
- (vi) Lights out at 9 p. m.

13. Programme for Sundays and Holidays :-

The programme for Sundays and holidays shall be as follows :-

(A) Early Morning -

- (i) Toilet ;
- (ii) Meditation ;
- (iii) Preparation for opening ;
- (iv) Unlocking at day break according to conditions of visibility
- (v) Counting ;
- (vi) Search ;
- (vii) Leaving the House.

(B) Morning-

- (i) Toilet ;
- (ii) Prayers in groups ;
- (iii) General cleaning of houses, open spaces, etc.;
- (iv) Cleaning of equipment ;
- (v) Washing of clothes ;
- (vi) Bath ;
- (vii) Inspection of equipment ;
- (viii) Meal and rest.

(C) Afternoon-

(i) Cultural or social programme ;

(ii) Newspapers, books, radio ;

(iii) Toilet ;

(iv) Games.

(D)Early evening-

(i) Wash ;

(ii) Evening meal followed by prayers, etc.;

(iii) Preparation for lock-up.

14. Searches of new inmates :-

(1) Every new inmate before he is received in a Borstal School shall be searched thoroughly and carefully at the gate of the School.

(2) Every, article (including private clothing, money and jewellery) shall be entered in the Property Register and deposited in the store room. Tobacco in any form, if found with an offender on admission, shall on no account be allowed to remain with him. It shall be disposed of in a suitable manner as may be decided by the Principal.

(3) Jewellery and other valuable articles shall be preserved in the manner detailed in Form A.

15. Wash on admission of new inmates :-

Every new inmate shall be made to wash himself thoroughly immediately, after his admission and where such admission is given late after lockup, early next morning .For this purpose, every inmate shall be issued carbolic soap lotion at the scale of 57 MI of lotion. The private clothing of every such inmate shall also be washed and disinfected, before it is stored in the store room.

16. Medical Examination of new inmates :-

(1) The Principal shall be responsible to see that every newly admitted inmate is brought on the day or the day following his admission into a Borstal School for examination according to rules before the Maharashtra Medical Service Officer, who shall examine him thoroughly and record in the Health Register in Form B, the following details ;that is to say, -

(a) Weight (both actual and physical equivalent).

(b) Height.

(c) State of health.

(d) Class of labour for which the inmate is fit.

(e) Whether the inmate has been vaccinated or has/had small pox.

(f) Any other remarks.

(2) If an inmate is not in a state of good health or is not fit for hard labour, reasons, therefore, shall be recorded in the Register referred to in sub-rule(1) and also in the Personal Record Sheet of the inmate.

(3) The Maharashtra Medical Service Officers shall admit any sick inmate to the hospital for treatment.

(4) Every offender shall, on his admission to a Borstal School, be kept in quarantine for such period, not being less than ten days as the Medical Officer may consider necessary.

(5) Where any epidemic disease is prevalent and accommodation for new admission has been provided outside the Borstal School, then offenders shall not be admitted within such School except in accordance with the orders of the Medical Officer or, in his absence, by the Maharashtra Service Officer.

(6) Offenders shall, on admission into a Borstal School, be provided with clothing and other equipment.

17. Principal to submit nominal roll to Inspector General :-

The Principal of every Borstal School shall on each Friday submit to the Inspector General, a nominal roll of all inmates admitted to the School during the week together with full details of the delinquency and the detention period of such inmates.

18. Principal to report cases of incorrigibles, etc., to the Inspector General :-

Where the Principal considers, whether on a report of the Medical Officer or otherwise, that any inmate detained in the Borstal School is unsuitable for training in a Borstal School, he shall immediately make a report to that effect to the Inspector General. The Inspector General shall decide whether the inmate should be transferred to a prison after obtaining the requisite orders of Government under section 12 of the Act.

19. Grades :-

(1) The inmates of a School shall be divided by the Principal into the following grades :-

(a) Grade I

(b) Grade II

(c) Grade III

(2)

(a) All inmates, on their admission into a Borstal School, shall be placed in Grade III and promotion shall be regulated in the manner hereinafter specified by close personal observation of the inmates, attention being

specially paid to their general behaviour, their amenability to instructions, both literary and industrial.

(b) Every inmate shall remain in Grade III for at least six months after his admission to a Borstal School. During this period a suitable programme of work, vocational training and overall education shall be designed for the inmate commensurate with his physical and mental condition. The inmate shall be carefully observed by the House Master, teachers and other officials of the Borstal School, with special reference to his character, mental disposition and fitness for a special trade.

20. Facilities for inmates in Grade III :-

An inmate shall, on his admission into a Borstal School, be permitted at the cost of Government, to write one letter, and every month thereafter have one interview with his relatives and friends, and write one letter.

21. Maintenance of record of inmates in Grade III :-

(1) A record of the conduct and industry of each inmate in Grade III shall be maintained in a register to be kept for the purpose. The Principal shall record therein every day his remarks, - "Very good", "Good", "Fair" and "Bad"- against the name of each inmate. Marks on the basis of these remarks shall be awarded to every inmate as shown below :-

Very good	3 marks.
Good	2 marks.
Fair	1 mark.
Bad	Nil.

(2) The full marks for a month of 26 working days shall be 78 to which the Principal may, when he thinks fit, add 22 marks, to make up a monthly total of maximum of 100 marks.

22. Eligibility and promotion to Grade II :-

(1) An inmate in Grade III shall be required to earn at least 500 marks before he can be promoted to Grade II. A progress report in Form C shall be maintained in respect of each such inmate by the House Master under the supervision of the Principal.

(2) The progress reports so maintained shall be scrutinised by the Visiting Committee once in every two months, and indication of its approval or disapproval of the progress of the inmate in his demeanour, educational standard and daily out-turn of work, shall be given by the Visiting Committee to the House Master, who shall communicate the same in an intelligible manner to the inmate concerned so that the inmate could take it as a reward

or a warning, as the case may be, for showing better results in the future.

(3) In the first week of the seventh month from the date of admission of an inmate, the Principal shall review the progress of the inmate and his response to the institutional training .The Principal shall decide as to whether the inmate deserves promotion to Grade II immediately or after such period as the Principal thinks fit.

(4) The decision of the Principal shall be communicated to the inmate concerned .If the inmate is required to remain for more than six months in Grade III, the number of additional marks to be obtained by him for promotion shall be increased by such number, as the Principal may consider necessary depending on the merits of each case .

(5) Every inmate promoted to Grade II shall remain in that Grade at least for six months from the date of his promotion . A suitable programme consisting of work, vocational training, overall education, and recreational and cultural activities shall be designed for such inmate .

23. Facilities to inmates in Grade II :-

Every inmate, on his promotion to Grade II, shall be permitted to accompany members of the staff on route marches ; to write one letter at Government cost and one more at his own cost, and have one interview with relatives and friends, every month .

24. Promotion to Grade I :-

In the first week of the seventh month from the date of promotion of an inmate to Grade II, the Principal shall examine the case sheet, progress reports and other relevant records of the inmates and if it appears to him that any such inmate can safely be placed in a position of special trust, he may be promoted to Grade I . Every inmate so promoted to Grade I shall wear a distinctive badge .

25. Facilities to inmates in Grade I :-

(1) Every inmate on promotion to Grade I shall be given the following facilities, namely :-

(a) to play in the school matches on out-side play grounds ;

(b) to accompany members of the staff on route marches ;

(c) to write one letter at the Government's cost, and two at his own cost every month ;

(d) to have one interview with his relatives and friends every fortnight

(2) The Principal shall select from among the inmates in Grade I, Monitors not exceeding ten per cent of the total number of such inmates .

(3) A monitor shall be eligible for being released on furlough for a period of 10 days every year .The period of release shall be treated as detention in the School.

26. Penal Grade :-

(1) Where there are reasons to believe that an inmate in a School is exercising a bad influence, or is guilty of any serious misconduct, the Principal shall place him in the penal grade for such period, as he may deem necessary, in the interest of the other inmates in the School. For similar reasons an inmate in Grade I or Grade II may be placed in Grade III or penal grade, as the Principal may think necessary.

(2) While in the penal grade, an inmate shall be employed separately on hard and laborious work, and shall forfeit all privileges previously allowed to him. The Principal shall record in his Order Book particulars of every case in which he orders an offender to be placed in the penal grade, with the reasons therefor, stating the period during which he is to be so retained. This record shall be placed before the Visiting Committee at each visit. If an inmate has been placed in the penal grade, or if he is reverted to Grade HI, or Grade II, he shall not be restored to the Grade, from which he was degraded, until he has served such period in the lower grade as the Principal may determine.

27. Wages :-

Wages may be paid to the inmates for work done by them at such scales as may from time to time be determined by the State Government on condition that they complete their daily quota of work to the satisfaction of the Borstal School authorities, with a view to -

- (a) offering on incentive and stimulus for effort, work and industry;
- (b) making school work purposive and meaningful ;
- (c) developing a sense of responsibility and self-respect amongst the inmates
- (d) enabling inmates to purchase their sundry daily extra requirements from the school canteen ; and
- (e) helping inmates to effect savings for their post release rehabilitation and also for extending economic help to their family members, that is to say, father, mother, brother and sister.

28. Savings and Expenditure :-

(1) Every inmate shall be allowed to utilise not more than two-thirds of his earnings (the remainder being kept as compulsory savings for his rehabilitation needs) for the following purposes; that is to say, -

- (a) purchasing articles from the school canteen ,
- (b) purchasing post cards, envelops and the like,
- (c) remittance to family members,
- (d) purchase of approved books, and
- (e) other items as are approved by the Principal, such as purchase of National Savings Certificates.

(2) Wages earned by an inmate shall be credited in the wage account of each inmate. All wage disbursements shall be done through debit adjustments in the inmate's wage account.

(3) All matters pertaining to work and wages shall be handled by the concerned staff members.

(4) At the time of an inmate's release on parole or Furlough if the inmate so desires, the Principal may, in his discretion pay him in cash the balance or portion of his balance after reserving one-third portion of his total earnings.

29. Hours of work :-

All inmates, provided they are medically fit shall be required to labour for nine hours on every working day. The day's work shall ordinarily be divided as follows :-

30. Clothing, bedding and equipment :-

The items to be supplied at Government cost to inmates of the School shall be as follows :-

(4) Cotton or woollen chaddar and cotton sheet shall be given every two years, the loom carpet every five years and the aluminium mug, bowl and katora every three years.

(5) In addition to the clothing supplied as above, the inmates may be allowed by the Principal to receive from their relatives or friends one vest and one pair of shorts to be used for recreational purposes.

(6) Every inmate on release may be supplied with one outfit of suitable clothing at Government cost, if he has no suitable clothing of his own.

31. Diet :-

(1) The inmate in a Borstal School shall, subject to the provisions of these rules, be provided with daily food according to the scale laid down in Appendix I.

(2) The rules in the Maharashtra Prison (Diet for Prisoners) Rules, 1970 shall apply mutatis mutandis in relation to inmates in the Borstal School so far as they are not inconsistent with the Act and these rules."

32. Canteen for inmates :-

(1) There shall be a canteen in every Borstal School run on self-supporting basis.

(2) The following articles may be stocked in every such canteen, namely :-

(a) Tea, coffee, milk;

(b) such staples and articles as the Inspector -General may, from time to time, approve ;

(c) soap, oil, combs, and the like ;

(d) fruits like bananas and mangoes ;

(e) tooth paste, tooth powder, tooth brushes ; and

(f) stationery articles like pencil, exercise books and papers.

(3) No inmate other than one working in the canteen shall have access to the canteen stores . Arrangements shall be made to sell the articles therefrom to the inmates by means of trolleys kept outside the canteen at such places and during such hours as may be fixed by the Principal.

(4) The inmates shall be permitted to purchase the articles referred to in sub-rule (2) from the canteen either from the amount of wages standing to their credit or from their private cash or both.

33. Exhibition of films :-

(1) Necessary arrangements to exhibit suitable films for the benefit of the inmates shall occasionally be made by the District Publicity Officer of the State Government in consultation with the Principal.

(2) The Principal may request the District Publicity Officer to communicate to him the names and the subject matter of the films he intends to exhibit so as to enable to consider the suitability of the films for exhibition to the inmates of the School.

(3) The District Publicity Officer shall record his visit to the school in a register maintained for the purpose together with the names of the films exhibited by him and his remarks thereon, if any .

(4) The principal shall submit a monthly report to the Inspector General stating therein the number of films so exhibited with the dates and the names and subjects of the films exhibited .He shall also forward along with his report the relevant extract of the register referred to in sub-rule(3).

34. Annual sports :-

(1)The Principal shall arrange for the Borstal School annual tournaments and for distribution of prizes of an amount not exceeding Rs.75. to the first three inmates in each item of sports as under :-

First Prize of Rs. 7;

Second Prize of Rs. 5;

Third Prize of Rs. 3;

Provided that, the Principal may, with the previous sanction of the Inspector General, distribute prizes not exceeding Rs.150.

35. Discipline :-

(1) The Principal shall be responsible for maintaining discipline in the Borstal School.

(2) In dealing with an inmate, no officer shall use force unnecessarily. When force has to be applied, no more force shall be used than is necessary. No Officer shall act in a manner calculated to provoke or annoy any inmate.

(3) If the Principal is satisfied that the behaviour of any inmate is such that in the interest of his own training or for the good of the other inmates, he should be temporarily removed from the normal community life, he may order the removal of the inmate from his House for a specific period, and the inmate may be accommodated in a separate room under such restrictions regarding association and privileges as the Principal may impose.

36. School offences and punishment therefor :-

(1) Every offence against School discipline shall be reported forthwith to the Principal who shall investigate in to the same as early as possible. If the offence is proved, the Principal may award one or more of the following punishments, that is to say -

(a) Minor punishment

(a) Formal warning.

(b) Change of labour.

(c) Forfeiture of wages for a period not exceeding three months.

(d) Reduction in grade for a period not exceeding three months.

(e) Extra drill.

(f) Deduction of marks upto a maximum of 50 at a time.

(g) Penal Grade not exceeding one month.

(h) Forfeiture of any of the privileges of the grade for a period not exceeding three months.

(b) Major punishment -

(a) Reduction in grade for more than three months.

(b) Combination of any of the punishments, specified in clause (a).

(c) Deduction of marks over 50 but not exceeding 100 at any one time.

(d) Penal grade exceeding one month but not exceeding three months.

(e) Forfeiture of any of the relevant privileges of the grade for a period exceeding three months, but not exceeding six months .

(2) No punishment as aforesaid shall be awarded to any inmate by any person other than the Principal or in his absence the officer exercising his functions.

(3) If the Principal is of the opinion that an inmate has committed any of the

offences specified in section 45 of the Prisons Act, 1894, he shall report the case to the Inspector General.

37. Medical Care :-

(1) In every School, there shall be provided by the State Government a hospital for the treatment of sick inmates .It shall be properly equipped and furnished .

(2) The Medical Officer in-charge of the Hospital shall have the care of the mental and physical health of every inmate .He shall visit the sick inmates every day .Every inmate who complains of illness shall be immediately brought before the Medical Officer who shall examine and decide whether the inmate should be treated in the hospital or detained therein for observation or treated in any hospital outside .

(3) The Medical Officer shall advise the Principal regarding the fitness of an inmate for games, exercise and training .

(4) All raw and cooked food shall be approved by the Medical Officer before it is used.

(5) The Medical Officer may alter the scale of diet in any deserving case on medical grounds, which shall be recorded in the Report Book.

38. Release on Licence under section 14 :-

(1) No inmate shall be eligible for release on licence under section 14 of the Act, unless he has completed a period of atleast six months in the School. The Principal shall obtain the opinion of District Probation Officer regarding the suitability for discharge on licence of an inmate and place it before the Visiting Committee. The recommendations of the Committee shall state whether any society or responsible person is willing to take charge of the inmate under its or his supervision and provide work for him and whether the inmate is willing to be placed under the authority and supervision of such society or person .Cases of release recommended by the Visiting Committee shall be submitted for orders to the Inspector General.

(2) The licence granted under section 14 of the Act shall be in the Form D appended to these rules.

(3) An inmate discharged on licence shall ordinarily be accompanied by a member of the school staff to the place of his destination.

(4) When the release of an inmate is about to fall due, the Visiting Committee shall take such measure as it thinks fit, inclusive of the following:-

(a) sending the inmate to his home,

(b) finding employment for him, or

(c) otherwise assisting him .

(5) The Visiting Committee may recommend the grant of an award not

exceeding Rs.20 to a deserving inmate at the time of his release .The amount so recommended shall be paid through the Probation Officer to such inmate if he does not go home or does not find any employment.

39. Form of licence :-

Every licence granted in Form D appended to the rules shall contain following conditions ; that is to say, -

- (a) that the licensee shall proceed forthwith to the place maintained in his licence and report himself to Probation Officer ;
- (b) that he shall remain under the supervision of the Probation Officer under whose care an inmate has been placed or any other Probation Officer to whose supervision he may be transferred by the Inspector General during the period of the licence and he shall obey all the instructions of the Probation Officer issued to him either verbally or in writing regarding his residence, employment and conduct ;
- (c) that he shall not proceed beyond the limits of the places within which he may be restricted from time to time by the Probation Officer, without the permission in writing of the said officer, and that, he shall proceed to any place indicated by the Probation Officer and the route specified by him;
- (d) that he shall report himself at such time and at such places and to such persons as the Probation Officer may, from time to time, direct ;
- (e) that he shall apply himself, with due industry and to the satisfaction of the Probation Officer, to the work upon which the said officer may permit him to be employed ;
- (f) that he shall not commit any criminal offence and shall not associate with men of known bad character .;
- (g) that he shall receive such remuneration for his work as the said Probation Officer may settle ;
- (h) that the licence shall be liable to be revoked if there is a breach of any of the conditions mentioned in clauses (a) to (f)

40. General provisions regarding release on licence :-

- (1) No inmate shall be sent out from a Borstal School without his consent, and no inmate shall be licenced, unless the conditions of the licence are personally explained to him by the Principal and are accepted by him. The fact that the conditions are explained to the inmate and are accepted by him shall be certified on the licence by the Principal.
- (2) On the suspension or revocation of the licence, the licensee shall return to the Borstal School named in order of suspension or revocation or before the date specified in the said order.
- (3) If an inmate to whom a licence has been granted becomes unfit or incapacitated to leave the School, whether due to disease or otherwise, his

licence shall be cancelled by the Inspector General, unless in the opinion of the Visiting Committee, his unfitness or incapacity is of a temporary nature in which case the licence shall be kept pending with the Principal.

(4) The Principal in such cases, shall obtain the opinion of the District Probation Officer regarding the suitability for discharge on licence or parole, as well as of his surety and place it before the Inspector General.

(5) If at any time during the period of licence, a Probation Officer under whose care an inmate is placed is of the 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 Principal who shall immediately report to the Inspector General for his orders.

(6) Unless especially recommended by the Principal and the Visiting Committee, no inmate who escaped or attempted to escape from a Borstal School or from an employer shall be released on licence.

(7) Every inmate shall, for a period of one year from the date of his discharge from the School excluding the period under licence, be under the supervision of such society or person (being the Probation Officer), as may be approved by the Inspector General and while under supervision he shall be under an obligation to comply with such requirements as may be specified. Such society or person shall send a half yearly report on the conduct and work of the ex-inmate to the Principal of the Borstal School.

(8) A register of licences shall be maintained by the Principal, and shall be laid before the Visiting Committee at least once in every two months.

41. Release on parole and furlough :-

The provisions of rules 2 to 31 (both inclusive), of the Prisons (Bombay Furlough and Parole) Rules, 1959 (in Appendix H, hereto) shall mutatis mutandis apply in relation to an inmate detained in a Borstal School, as if the school were a prison, the inmates prisoners, and the Principal, Superintendent.

42. Report on death of inmate :-

On the death of any inmate, the Medical Officer shall forthwith record in a register the following particulars so far as they can be ascertained, namely:-

- (1) the day on which the deceased inmate first complained of illness or was observed to be ill,
- (2) the labour, if any, on which the inmate was engaged on that day,
- (3) the scale of diet on the day of the death of the inmate,
- (4) the day on which the inmate was admitted to hospital,
- (5) the day on which the Medical Officer was first informed of the illness,
- (6) the nature of the disease,

- (7) when the inmate was last seen before his death by the Medical Officer,
- (8) when the inmate died,
- (9) any other remarks that may in the opinion of the Medical Officer be made.

43. Temporary detention of inmates pending admission in Borstal School :-

(1) If accommodation for an adolescent offender, who has been directed by a Court to be detained in a Borstal School, is not immediately available in the Borstal School in the State, he may be sent for detention, to a juvenile section for any prison .

(2) The period so spent in the juvenile section shall be computed towards the term of detention ordered by the Court.

44. Maintenance of records, etc. :-

(1) The Principal shall be responsible for the maintenance of records and registers and for the preparation and submission of the reports and returns required under the Act and these Rules or as may be ordered, from time to time, by the State Government.

(2) Statistics shall be maintained of all inmates who are -

(a) discharged from the Borstal School and who are settled down ; and

(b) reconvicted by Courts.

45. Repeal and Saving :-

On the commencement of these rules, the rules made under the Central Provinces Borstal Act, 1928 and the Hyderabad areas of the State shall stand repealed ; except as respects things done or omitted to be done before such repeal.