

The Punjab Probation of Offenders Rules, 1962

HARYANA

India

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Rule THE-PUNJAB-PROBATION-OF-OFFENDERS-RULES-1962 of 1962

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The Punjab Probation of Offenders Rules, 1962Published vide Notification No. GSR 97/C.A. 20/58/S. 17/62, dated 23rd June, 1962.In exercise of the powers conferred by section 17 of the Probation of Offenders Act, 1958 (Central Act No. 20 of 1958), and with the approval of the Central Government, the Governor of Punjab is pleased to make the following rules, the draft of which was previously published, vide Punjab Government Notification No. 1145 JL-62, dated the 22nd January, 1962.I - Preliminary

1. Short title.

(1)These rules may be called the Punjab Probation Offenders Rules, 1962.(2)They shall come into force in any area on the date on which the Probation of Offenders Act, 1958, comes into force therein.

2. Definition.

- In these rules, unless the context otherwise requires, -(a)"Act" means the Probation of Offenders Act, 1958 (20 of 1958);(b)"Chief Controlling Authority" means the officer appointed under rule 4;(c)"Chief Probation Officer" means the officer appointed under sub-rule (3) of rule 3;(d)"District Probation Officer" means the Salaried Probation Officer in charge of the probation work in a probation district;(e)"Form" means a form appended to these rules;(f)"Part-time Probation Officer" means a probation officer other than a Salaried Probation Officer, recognised by the State Government under clause (a) of sub-section (1) of section 13 of the Act, or provided by a society under clause (b) of sub-section (1) of section 13 of the Act, who is remunerated by fees or honorarium and not by salary or who works without remuneration;(g)"Probation District" means a district or a bigger or smaller area as may be specified in this behalf by notification by the State Government;(h)"Salaried Probation Officer" means a whole-time probation officer appointed or recognised by the State Government under clause (a) of sub-section (1) of section 13 of the Act or

provided by a society under clause (b) of sub-section (1) of section 13 of the Act who is remunerated by salary and not by fees or honorarium;(i)"Special Probation Officer" means a probation officer appointed by the court under clause (c) of sub-section (1) of section 13 of the Act;(j)"Supervision Order" means an order passed under sub-section (3) of section 4 of the Act.II - Departmental Control of Probation Officers.

3. Probation Officers and their Control.

[Sections 13(1) and 17(1)]. - (1) The State Government may appoint for each probation district such number of persons as it thinks fit to be probation officers for the purposes of the Act.(2)All probation officers (whether appointed or recognised by the State Government) in each probation district shall be under the control of a probation officer specified by the State Government in this behalf and designated as District Probation Officer.(3)All such probation officer in the State shall be under the control of the Chief Probation Officer to be appointed by the State Government.

4. Chief Controlling Authority.

[Section 17(1)]. - (1) The Inspector-General of Prisons shall be the "Chief Controlling Authority" for the purposes of these rules.(2)The Chief Controlling Authority shall -(i)control and supervise the work of the Chief Probation Officer and all Probation Officers;(ii)exercise all financial powers of the Head of Department for incurring expenditure and for the administrative work with respect to the work of Probation in the State;(iii)deal with recognised societies;(iv)contact other associations and such members of the public as may be interested in the propagation of work relating to probation;(v)submit statistical returns and such periodical or special returns or other reports in such manner as may be required by the State Government from time to time;(vi)inspect the work and offices of the Chief Probation Officer and District Probation Officers annually and the offices of the Probation Officers and institutions and premises for the reception of probationers at such intervals as may be fixed by the State Government.

5. Chief Probation Officers.

[Section 17(2) and 2(b)]. - Subject to the control and supervision of the Chief Controlling Authority, the Chief Probation Officer shall be responsible for administering the work of probation throughout the State, and his duties and responsibilities shall include -(a)control, guidance and supervision of the work of District Probation Officers and other probation officers;(b)assisting and fostering after-care work in the State and other activities for the purpose of rehabilitation of offenders, and maintaining contact with other related associations and the public;(c)submission of statistical or other returns and reports, to the Chief Controlling Authority; and(d)such other functions as may be assigned to him by the Chief Controlling Authority or the State Government.

6. District Probation Officer.

[Section 17(1) and 2(b)]. - (1) The headquarters of a District Probation Officer shall be the

headquarters of the district or such other place as may be fixed by the Chief Controlling Authority. The jurisdiction of the District Probation Officer shall extend to the whole of the probation district in which he is posted.(2)He shall -(a)be responsible for the working of probation in the whole of the area within his jurisdiction;(b)control, guide and supervise the work of probation officers in the district;(c)be the drawing and disbursing officer in respect of all expenses connected with the probation work in the district;(d)submit to the Chief Probation Officer a half-yearly report on the conduct and progress of all probationers in his jurisdiction and reports of cases dealt with under section 9 of the Act;(e)submit to the Chief Controlling Authority, the Chief Probation Officer, the District Magistrate and the court such other reports as may be required by the Chief Probation Officer or the Chief Controlling Authority or the State Government;(f)perform such other functions as may be assigned to him by the Chief Probation Officer or the Chief Controlling Authority.III - Probation Officers - Qualifications for appointment and conditions of service.

7. General attributes of a probation officer.

[Sections 13 (1), 17(1) & 17(2) (a)]. - While appointing Probation Officers, due regard shall be had to the following general attributes of a Probation Officer -(a)adequate educational attainments;(b)good character and personality, suitable for influencing persons placed under his supervision in two essential respects, viz., (a) conforming to law during the period of probation, and (b) reformation of character and attitude to social behaviour, so as not to revert to crime;(c)maturity of age and experience;Explanation - A probation officer in order to have independent charge of a probationer shall not be less than 30 years of age.(d)aptitude, zeal and a "calling" for probation work.

8. Qualifications of part-time Probation Officer.

[Sections 17(1) and 17(2)(a)]. - A part-time Probation Officer appointed in district shall be -(a)not less than 30 years of age;(b)a resident of the district;(c)in a position to devote adequate time to the supervision of probationers;(d)a person having sufficient practical experience in social welfare work or in teaching or in moulding of character; and(e)fully conversant with the provisions of the Act and the Rules.

9. Appointment and registration of Probation Officers.

[Sections 13(1), 17(1) and 17(2)(a)]. - (1) The procedure relating to the appointment of Probation Officers by the State Government shall be in accordance with general rules relating to recruitment of officers to posts of similar status and responsibility.(2)(a)The names of all probation officers with their addresses shall be entered in a register kept by the Chief Probation Officer.(b)Lists containing the names of -(i)probation officers appointed by the State Government;(ii)salaried probation officers provided by Societies; and(iii)part-time probation officers for service in the district or in specified areas of the district or allocated courts in the district, shall be kept by the District Probation Officer and made available to the courts, whenever necessary.

10. Special Probation Officer.

(1)The Court may appoint a Special Probation Officer under clause (c) of sub-section (1) of section 13 of the Act in view of the special circumstances of a particular case, when no probation officer on the lists referred to in clause (b) of sub-rule (2) of rule 9 is available or is considered suitable enough to attend to the case. A Court or a District Magistrate may also appoint a Special Probation Officer under sub-section (2) of Section 13 of the Act.(2)In deciding whether a person is suitable for appointment as a Probation Officer in a particular case, under clause (c) of sub-section (1) or sub-section (2) of Section 13 of the Act, the Court or the District Magistrate may take into consideration -(a)the general attributes specified in rule 7 and the provisions of rule 11 (b), his age, position, character and attainments and relationship to the offender, and (c) his ability to follow these rules and to discharge the duties of probation officers.

11. Choice of Probation Officer, precautions.

[Section 14]. - (1) Female probationers shall not ordinarily be placed under the supervision or control of male probation officers.(2)While choosing a probation officer for supervision in a particular case, the Court may, where necessary, consult the District Probation Officer.

12. Terms and conditions of service.

(1)(a)Salaries, allowances and other terms and conditions of service applicable to Salaried Probation Officers appointed by a Society shall be prescribed by the Society in accordance with these rules and the instructions issued by the Chief Controlling Authority or the [State Government under rule 21(3)(b)] [Substituted by GSR 6/CA-20-58-518 Amd. (1) 64, dated the 20th December, 1963.].(b)A part-time probation officer may be paid (i) a fixed remuneration with due regard to the nature and extent of the duties he is required to perform, or (ii) an honorarium, or he may work without accepting any remuneration.(c)A Special Probation Officer may be paid, if the court so directs, remuneration or allowances for supervision of probationers at rates similar to those prescribed for part-time probation officers.(2)(a)Every Probation officer shall be furnished with an Identity Card in Form I which shall be used only when necessary and shall be returned to the Chief Probation Officer on suspension or termination of his appointment.(b)Probation Officers shall not wear any uniform or badge.IV - Probation Officers - Duties and Responsibilities

13. Departmental responsibility.

[Section 17(2)(b)]. - (1) Every probation officer shall carry out the directions of the Chief Probation Officer and the Chief Controlling Authority.(2)Every probation officer shall submit -(a)to the District Probation Officer, a monthly report in Form II on the progress of each probationer placed under his supervision and copies of pre-sentence report and of other reports submitted to a Court or the District Magistrate, and(b)to the Chief Probation Officer and the District Probation Officer such periodical reports and statistics as may be required.

14. Pre-sentence report.

[Section 14]. - (1) For the purpose of section 14(a) of the Act, the probation officer shall after making discreet inquiries regarding the offender's character and antecedents, his social and environmental conditions, the financial and other circumstances of his family, the circumstances in which the alleged offence was committed and any other facts which the Court has directed him to enquire into, put down the relevant facts fully and faithfully in the report, as nearly as may be in Form III. (2) The summary required to be given in Form III shall include an objective statement of facts along with the probation officer's assessment of the case, so as to help the Court in determining the most suitable method of dealing with the offender after he is found guilty. (3) The report shall be treated as "confidential" and delivered to the Court on the date specified by it. It shall be enclosed in a sealed cover, if sent to the Court or delivered on a date prior to the date of delivery of judgment.

15. Supervision of probationers.

[Section 17(2)(b)]. - (1) The Probation Officer shall act as a friend and guide of the probationer. For this purpose, he shall, subject to the provisions of the supervision order, require the probationer to report to him at stated intervals, meet him frequently and keep in close touch with him. (2) At the first time meeting the probation officer shall - (a) explain to the probationer the conditions of the supervision order; (b) advise him as to how he should conduct himself; and (c) specify the days on which he should report to the officer, the time and place of reporting being so arranged as to avoid unnecessary hardship to the probationer and to secure proper privacy: and inform the probationer that any omission on his part in so reporting will have to be satisfactorily accounted for. (3) The Probation Officer shall visit the probationer periodically in his home surroundings and where appropriate, his occupational environment, in order to see the progress made by the probationer and the difficulties, if any, met with by him: Provided that in the case of young offenders attending school or college, the probation officer shall not visit the probationer in the institution, but may make discreet enquiries of the teacher, tutor or head of the institution regarding his attendance, conduct and progress, without prejudicing the probationer's interest in any way. (4) The frequency of the meetings, including visit by the officer should depend upon the conduct and mode of life of the probationer and upon the progress he is making. But the number of meetings shall be, unless the Court directs otherwise, not less than - (a) once a week during the first month; (b) once a fortnight during the rest of the first-half of the period of probation; and (c) once a month during the remaining period. (5) The probation officer shall endeavour by example, advice, persuasion and assistance, and, where necessary, by warning, to ensure that (a) the probationer does not violate the conditions of the supervision, order or commit any further offence and behaves in conformity with law; and (b) his behaviour, attitude to society, habits, character and morals improve so that he may not revert to crime. (6) The probation officer shall also take such action as he deems necessary for better regulation of the conduct and mode of life of the probationer or for closer supervision over him.

16. Duties in relation to Courts.

[Section 17(2)(b)]. - (1) The probation officer may move the Court before which the probationer is bound, to vary the conditions of the bond by way of tightening or relaxing them, as may be required

by the conduct of the probationer.(2)If the probation officer considers that the probationer has made sufficient progress and further supervision is not necessary, he shall make an application to the court for discharging the bond under sub-section (3) of Section 8 of the Act.(3)If a probationer fails to observe any of the conditions of the bond or behaves in a manner indicating that he is not likely to fulfil the purpose of the supervision order, the probation officer shall report the fact to the Court of District Magistrate for such action as may be considered necessary.(4)The probation officer shall consult the District Probation Officer with regard to an appeal or revision under section 11 of the Act.

17. Responsibilities in relation to District Magistrate.

[Section 17(2)(b)]. - The probation officer shall -(1)carry out any directions that the District Magistrate or other officer not below the rank of Sub-Divisional Magistrate duly authorised by him to act on his behalf may give regarding supervision of a probationer;(2)submit such reports to the District Magistrate on the progress of probationers as may be required as nearly as may be in Form VII;(3)report to the District Magistrate -(a)cases where conditions of the supervision, order or bond are not adhered to, which would include inter alia -(i)the probationer changing his residence;(ii)any fresh offence committed by the probationer;(iii)any serious violation of the conditions of the supervision order; and(b)any attempt by any person to aid or abet the probationer in commission of a crime or otherwise influence him so as to adversely affect his conduct and reformation; and(c)the factors, if any, obstructing the rehabilitation of the probationer.

18. Rehabilitation and after-care of probationer.

[Section 17(2)(b)]. - (1) The probation officer shall assist the probationer's rehabilitation in society, so that he does not revert to crime. For the purpose the probation officer shall endeavour to secure for the probationer -(a)training facilities,(b)employment opportunities,(c)any necessary financial aid, and(d)contacts any associations with normal individuals and congenial organisations like Boy Scouts and Girl Guides, Youth Organisations and Community Projects.(2)The Probation Officer shall try to maintain constant touch with discharged probationers to follow up the progress made by them towards their rehabilitation for such period as may be prescribed by the Chief Probation Officer.(3)The Probation Officer shall participate, whenever possible, in aftercare schemes and organisations.

19. Other duties of probation officers.

[Section 17(2)(b)]. - The Probation Officer shall also undertake the following functions :(1)educating the public and mobilising support for the probation system;(2)mobilising public assistance and co-operation in the field of Social Defence;(3)being in charge of any institution or other premises referred to in [Rule 291] [Substituted by G.S.R. 6/CA-20-58-8-18 And (1) 64 dated 20.12.1963.] that may be assigned;(4)any other duties of a cognate nature which may be assigned by order of the State Government.

20. Probation Officer not to divulge information.

[Sections 14 and 17 (1) and 17 (2)(a)]. - A Probation Officer shall not divulge information concerning his inquiries or work of probation to any other person than the authorities to whom he is required to report, except in so far as it is necessary to do so in the interest of the probationer. V - Recognition of Society.

21. Recognition of Society.

[Sections 13 (1)(a) and 17(1)]. - (1) A society primarily devoted to any of the following kinds of work will be eligible for seeking recognition under clause (b) of sub-section (1) of section 13 of the Act : (a) social defence including care, after-care or aid to offenders or discharged prisoners and protection and training of rescued or destitute women or children; (b) education or other social welfare work; and (c) religious or charitable work, with interest in aiding and rehabilitating such persons as are mentioned in clause (a). (2) Any society eligible under sub-rule (1) and desiring recognition shall make an application to the State Government, together with a copy each of its rules, by-laws, articles of association, list of its members and office-bearers and a statement showing its status and past record of social or public service. (3) The State Government may, after making such inquiry as it considers necessary into the status, past record of social or public service and present conditions of the society, and satisfying itself that the society possesses sufficient financial means to carry out its obligations, grant recognition to the society, on condition that it shall undertake to - (a) provide such Probation Officers as may be required by the State Government or the Court; (b) abide by these rules and any instructions issued by the State Government and the Chief Controlling Authority and see that the same are followed by the Probation Officers and the personnel of any institution or other premises referred to in rule 291 under it; and (c) furnish to the State Government, whenever required, a statement of its financial position including the balance-sheet and audited report, if any. (4) The State Government may withdraw the recognition to a society under sub-rule (1) after giving a notice of three months to the society. The recognised society may also get its recognition withdrawn by the State Government after giving to it a notice of three months.

22. Grant of subsidy to Society.

[Section 17(2)(b)]. - (1) A recognised society requiring a subsidy from the State Government in aid of its activities relating to probation shall forward to the Chief Controlling Authority through the Chief Probation Officer an application accompanied by a copy of - (a) its rules regarding salaries, allowances and conditions of service of probation officers and its rules regarding the management of institutions or other premises referred to in Rule 28, if any, under it; and (b) such other particulars as may be required. (2) The State Government may, in deserving cases and on the recommendation of the Chief Controlling Authority, pay to a recognised society such subsidy and for so long as it may deem fit. (3) The society which has been granted a subsidy shall - (i) submit its annual report and audited accounts and such other reports as may be called for by the Chief Controlling Authority; (ii) maintain standards of supervision work and manage institutions or other premises referred to in [rule 29] [Substituted by GSR 6/CA-20-58-S-18 Amd. (1) 64 dated the 20th

December, 1963.], if any, under it to the satisfaction of the Chief Controlling Authority; and(iii)provided all facilities for inspection by the officer concerned.

23. Control of probation officers.

[Section 17 (1)(a)]. - (1) (a) If a probation officer appointed by a society fails to observe the duties imposed on him by the Act or these rules or to abide by other orders of the Chief Probation Officer or the Chief Controlling Authority or the State Government for regulation of the work and conduct of probation officers, the Court or the District Magistrate or the District Probation Officer may report the fact to the society, and thereupon the society - shall take suitable action on the report, and inform the District Probation Officer of the action taken.(b)The society shall consider every complaint against such probation officer relating to any matter which affects his fitness for office shall investigate every such complaint which in its opinion calls for investigation; and take further disciplinary action, whenever necessary.(2)The work of probation officers provided by the society will be subject to guidance, supervision and control by the Chief Controlling Authority or any officer empowered by the State Government to act on his behalf.V - Power of Courts and District Magistrates.

24. Powers of court to call for report from probation officer for passing order under sections 3, 4, 5, 6, 7.

[Sections 3, 4 (2), 5, 6 (2) and 7]. - (1) The Court may direct a probation officer, as nearly as may be in Form IV, to enquire into the character and antecedents of the accused, the circumstances in which the offence was committed and other matters and submit a report on a prescribed date, which should ordinarily be the expected date of delivering judgment. The Court shall consult the report only after finding the accused guilty. If he is not found guilty, the report should be returned to the probation officer concerned for record for purposes of future reference.(2)The Court may direct the Probation Officer to make any further investigations and, where required, to have medical or psychiatric examination of the offender, and report to the Court for enabling it to decide action to be taken under sections 3, 4, 5, 6 and 7 of the Act.

25. Forms of Bonds under supervision order.

[Sections 4(1), 4(3) and 4(4)]. - The following forms may be used for purpose noted against each : (a)Form V - Bond for good behaviour under sub-section (1) of section 4 of the Act.(b)Form VI - Supervision order under sub-section (3) of section 4 of the Act.(c)Form VII - Bond under sub-section (4) of Section 4 of the Act.

26. Powers of court to call for report from probation officer for passing orders under sections 8 and 9.

- The Court may require a probation officer to submit a report on a stipulated date of periodical reports on the progress, conduct and mode of living of the probationer placed under his supervision

for purposes of passing orders under sections 8 and 9 of the Act.

27. Society to be furnished with a copy of supervision order.

[Sections 4(3) and 17(1)]. - Where a Court passes a supervision order under sub-section (3) of Section 4 and appoints a probation officer provided by a society, it shall forward a copy of it to the society.

28. Function of District Magistrate.

[Section 17(1)] - The District Magistrate or any other officer not below the rank of Sub Divisional Magistrate duly authorised by him may-(1)inspect the work and any record in the office of any probation officer working within his jurisdiction,(2)give any directions to probation officers that he considers to be immediately required for the due performance of their work relating to supervision; and(3)send his observations or report on the foregoing or other facts to the District Probation Officer and the Chief Probation Officer.VII - Residence of Probationers

29. Institutions and other premises for reception of probationers.

[Section 4(3) and 17(1)]. - (1) The State Government may maintain, or approve subject to such conditions (including conditions relating to management and inspection) as it may deem fit to impose, any institution or other premises for the reception of probationers who may be required to reside therein by supervision order.(2)any such institution or other premises shall be maintained, managed and inspected in accordance with such instructions as may be issued by the State Government from time to time.

30. Residence of probationer in such institutions or other premises.

[Section 14]. - (1) When a Probation Officer is of opinion that it is necessary or desirable for a probationer to reside in any institution or other premises referred to in [rule 29] [Substituted by GSR 6/CA 20-58-S/8 Amd. (1) 64, dated the 20th December, 1963.] on the ground that the probationer has no fixed abode or no abode suitable for the due supervision, or that his home surroundings are not suitable for achieving the objects of probation, or that the objects of probation would be better served by his staying in such institution or premises, the probationer may be asked to reside therein.(2)A probationer may also be required to reside in any such institution or premises in pursuance of any order of the Court which passed the supervision order, or in terms of the bond entered into by the probationer.

31. Change of Residence section 14.

(1)Where a probationer under supervision consistent with the condition of the supervision order, changes or proposes to change his place of residence and the place of such residence is outside the jurisdiction of the probation officer, he shall obtain the permission of -(a)the Probation Officer, if

the period of such stay does not exceed a fortnight:(b)the Chief Probation Officer, on the recommendation of the probation officer, if such period exceeds a fortnight but does not exceed three months; or(c)the Court, on application made through the probation officer, if such period exceeds three months.(2)Where the period of stay referred to in sub-rule (1) exceeds a fortnight, the probationer shall be required to report to a probation officer, if any, having jurisdiction in the changed place of residence on or before specified date.(3)The probation officer in the changed place of residence shall send to the original probation officer a report of arrival of the probationer and send copies of the report and such other reports as may be required by the Chief Probation Officer to the District Magistrate and to the Chief Probation Officer.(4)Where the period of stay referred to in sub-rule (1) exceeds one month, a new probation officer may be appointed under sub-section (2) of section 13 of the Act by the District Magistrate having jurisdiction over the changed place of residence or by the Court.VIII - Records

32. Records to be maintained by probation officers.

[Section 17(2)(b)]. - (1) A probation officer shall maintain the following records ;(a)a diary showing his day-to-day work, including preliminary enquiries, attendance at Courts, meetings with probationers, contacts with societies and visits to institutions and premises referred to in [rule 29] [Substituted by GSR 6/CA-20-58.S-18 Amd. (1) 64, dated the 20th December, 1963.], a copy of the diary being submitted every week to the District Probation Officer;(b)a file containing copies of all reports of preliminary inquiries submitted to the Courts ;(c)a register showing the receipt and disposal of all orders of the Courts to the probation officer for making enquiries;(d)a probationer's case-file as in Form VIII containing -(i)a front cover-page indicating the main particulars of the probationer and the case ;(ii)a summary of the probationer's antecedents, character, his family and other environments and the circumstances of the offence, further progress of supervision and all other important events during the period of Probation; and(iii)copies of pre-sentence report, orders of Court, bonds of under- takings and all other records relating to him including a history-sheet ;(e)an Index Card and Chronological Register (as nearly as may be in Form IX) of probationer;(f)a register of payments made on account of probationers showing -(i)payments to institutions or premises referred to in rule 28 for maintenance of probationers,(ii)payments to probationers for travelling expenses to such institutions or premises and back ;(iii)fares for reporting to a probation officer;(iv)other financial aid to probationers;(g)such other records as may be required by the Chief Probation Officer of the Chief Controlling Authority from time to time.(2)In the case of Part-time Probation Officer, the records mentioned in clauses (b), (c), (e) and (f) of sub-rule (1) shall be kept in the office of the District Probation Officer.(3)A Special Probation Officer shall maintain the records mentioned in clauses (a) and (b) of sub-rule (1) and send such other information to the District Probation Officer, the Chief Probation Officer and the Chief Controlling Authority as may be required by the State Government from time to time.

33. Preservation of records.

[Section 17(1)]. - (1) Each probationer's case-file with the probation officer shall be preserved for not less than ten years from the date of expiry of the supervision order to which it relates.(2)The diary shall be closed on the 31st December of each year and thereafter be deposited as a confidential

record in the office of the Chief Probation Officer. Each volume of the diary shall be preserved for not less than ten years from the date of its closure.(3)The Index Card and the Chronological Register shall be preserved for at least ten years more after the destruction of the history-sheets to which they relate.

34. Inspection book.

[Section 17(1)]. - An Inspection Book shall be maintained at each probation officer's office; and a copy of the Inspection Book relating to a part-time probation officer shall be maintained in the office of the District Probation Officer. The Chief Controlling Authority, Chief Probation Officer, District Magistrate, District Probation Officer and such other persons as may be appointed by the Chief Controlling Authority for inspecting the work of probation officers shall record their observations in the book. The observations made therein shall be forwarded to the Chief Probation Officer along with the comments of the Probation Officer.

35. Records to be maintained by the District Probation Officers.

[Sections 17(1) and 17(2) (b)]. - The District Probation Officer shall maintain in his office in such manner as may be prescribed by the Chief Controlling Authority -(1)list of probation officers in the district or area under his jurisdiction;(2)list of institutions or premises referred to in rule 28 in that area;(3)a dossier for each probationer under supervision in the district, containing a summary of the case and duplicates of important documents in the case record with the probation officers ;(4)register of probationers in the district as nearly as may be in Form II;(5)an inspection file containing notes of inspection of offices of probation officers and copies of reports of inspection submitted to the Chief Probation Officer ;(6)register of probationers staying in institutions or premises, referred to in [rule 29] [Substituted by GSR 6/CA-20-58-S-18 Amd. (1) 64, dated the 20th December, 1963.] in the district ;(7)register of payments to probationers in the district ;(8)register of payments to societies in the district : and(9)such other records as may be directed to be maintained by Chief Controlling Authority.IX - Miscellaneous

36. Probationers not to be employed on private work of probation officer.

[Section 17(2)(a)]. - A Probation Officer shall not employ any offender placed under his supervision for his own private purpose or take any private service from him.

37. Submission of Statistics.

[Section 17(2)(b)]. - Every probation officer shall collect and submit in January and July the following statistics for the preceding half-year to the District Probation Officer concerned, who, in turn, will consolidate these statistics for the probation district and submit the same to the Chief Probation Officer-(1)the number of probationers;(2)employment of probationers;(3)the number of cases of variation of orders under section 8 of the Act and of failure to observe conditions of bond dealt with under section 9 of the Act;(4)The number of offenders in his jurisdiction, (a) discharged

2. The holder shall keep the card in his personal custody and shall be responsible for the safe custody thereof. Any loss or subsequent recovery of this card must be immediately reported to the Head of Department.

3. This card shall be returned to the Chief Probation Officer when the holder is placed under suspension or ceases to hold office.

4. Holder of the card will be liable for disciplinary action, if the card is misused in any way.

(Inside)Serial No. _____Name in full (inBlock letters

_____Designation ofthe post held. (in Block
letters)_____Full Signature of the
holder_____Date _____
Signature _____Chief Probation OfficerDate _____Form II[See
Rules 13(3) and 17(2)]Monthly Report On Progress Of Probationer

Part I – {I

|-| Probation office _____| For the month of _____|-| Register
No. _____| Court _____|-| Probationer's Name
_____| Case No. _____|-|| Date of
_____| Supervision Order _____|-| Probationer's address
_____| Period of probation _____|-| Part II |-| Place of Interview|
Date|-| _____| _____|-|
_____| _____|-|
| _____|}

1. Where the probationer is residing ?

2. Progress made in any educational/training course.

3. What work he is doing and his monthly average earnings ?

4. Savings kept in the Post Office Savings Bank Account in his name.

5. Probationer's health.

6. Remarks on his general conduct and progress.

Part III – 7. Any proceedings before Court/District Magistrate for

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(a) Variation of conditions of bond under section 8(1) or 9(1) of the Act, or (b) Change of residence, vide Rule or (c) discharge under section 8(3) of the Act; or (d) Other matters.

8. Probation period completed on (date)

9. Result of probation with remarks (if any).

10. Occupation and address after discharge.

To District Probation Officer/Court. Copy to Chief Probation Officer. Probation Officer Date of Report. Address : Form III [See Rule 14(1)] Report On Preliminary Enquiries (Under the Probation of Offenders Act, 1958) Serial No. _____ In the Court of the _____ Magistrate, _____ (Place) _____ (District) _____ C.C. No _____ 19 _____ Date of hearing _____ [Offence :-] [Give section and brief description.] _____ State _____ (Police Station) _____ Crime No _____ 19 _____ [Name of Offender] [In block letters.] _____ Address (Place of Residence) _____ Age _____ Sex and religion _____ Personal History Behaviour and habits (moral, recreational etc.) _____ Temperament (outstanding character and personality traits) _____ Physical and mental history and present condition _____ Leisure time activities _____ External Influences School record and report of teachers, if available _____ Employment history _____ Present occupation and wages (give also conditions of labour' leisure. etc.)

of employer, if any

_____ Associates _____

with social and religious organisation, if any _____ Home
conditions _____ Family
history of : (a) Father _____
_____ (b) Mother _____
_____ (c) Step-father _____
_____ (d) Step-mother _____
_____ (e) Brothers _____
_____ (f) Sisters _____
_____ (g) Wife _____
_____ (h) Children _____
_____ (i) Other _____

interested relations, if any _____ Economic
condition of the family. Any social agencies, institutions or individual interested in the family
_____ Report of parents and relations _____
_____ Attitude of family towards
offender and extent of its influence on her _____ Report of neighbours _____
_____ Home surroundings _____
and general outlook. Is poverty or unsettled life the cause of offence ?
_____ Legal History Previous institutional record, if any
_____ Statement of the present offence
and circumstance in which it was committed _____ Offender's own
[reaction] [Substituted by GSR 6/CA-20-58.S-18-Amd. (1)-64, dated the 20th December, 1963.] to
the offence and his attitude towards possible punishments _____ Any special
information required by Court - Summary (a) Factual background of offender and his environment
and offence. (b) Diagnosis (offender's attitudes defects in character of family, motivations and other
factors regarded as casual factors for the offence). (c) Prognosis (Treatment considered most suitable
and estimates of chances of improvement). (d) Recommendation (if asked for by Court)
_____ Name and address of the Probation Officer
_____ Station _____ Date
_____ Nature of disposal of the case
_____ Probation Officer Date of disposal
_____ Form IV [See Rule 24(1)] Order under sub-section (2) of
section 4 of the Probation of Offenders Act, 1958 Probation Officer _____

_____ Whereas a report under
sub-section (2) of Section 4 of the Probation of Offenders Act, 1958 (Central Act 20 of 1958), or
under the provisions of _____ is required for dealing with name
_____ son of/daughter
of _____ of (full address)
_____ who has been brought
before the Court under section _____ in case No. _____
_____ you are hereby directed to collect or arrange to
collect the necessary information after making an enquiry and place the same before this Court on
_____. Signature of the Presiding Officer of the Court Seal of the Court. Form V [See

Rule 25]Bond to keep the peace and to be of good behaviour under sub-section (1) of section 4 of the Probation of Offenders Act, 1958In the Court of the _____

Magistrate.Case No _____ of 19 _____ Whereas

I, _____ inhabitant of _____ have been ordered to be released by the Court of _____ on condition of my entering into a bond to appear and receive sentence when called upon during a period of _____.I hereby bind myself -(1)to appear and receive sentence when called upon to do so;(2)not to commit a breach of the peace or to do any act that may occasion a breach of the peace; and(3)to be of good behaviour to the Government and all the citizens of India _____ during the said period. In case of my making default therein, I hereby bind myself to forfeit to Government the sum of Rupees _____

Dated this _____ day of _____ 19 _____ Executed before me.(Signature) _____ MagistrateI/We do hereby declare myself/ourselves surety/sureties for the above named, who was bound himself -(1)to appear and receive sentence when called upon to do so;(2)not to commit a breach of the peace or do any act that may occasion a breach of the peace; and(3)be of good behaviour to Government and all the citizens of India _____ during the said period.In case of his making default therein I/we bind myself/ourselves jointly and severally, to forfeit to the Government a sum of Rupees _____

Dated this _____ day of _____

19 _____ (Signature) _____ Magistrate.Executed before me.Form VI[See Rule 25]Supervision Order[Under sub-section (3) of section 4 of the Probation of Offenders Act 1958]In the Court of the _____ MagistrateCase No. _____ of 19 _____.Whereas _____ has this day been found guilty of an offence under section _____.And the Court is satisfied that it is expedient to deal with the said person by making an order placing him under supervision.It is hereby ordered that the said person be placed under supervision of _____, a Probation Officer, for a period of _____ subject to the following conditions, namely :(1)that he will present himself, within fourteen days from the date of this order, before the probation officer named herein, and will produce copies of the order and the bond executed by him;(2)that he will submit himself to the supervision of the Probation Officer or any other officer appointed in his place;(3)that he will (a) during the period specified herein, keep the Probation Officer advised of his place of residence and means of livelihood; (b) reside at _____ for a period of _____ (4)that he will not quit the district jurisdiction of _____

without the written permission of the competent authority;(5)that he will not associate with bad characters or lead a dissolute life;(6)that he will live honestly and peaceably and will endeavour to earn an honest livelihood;(7)that he will not commit any offence punishable by any law in force in India;(8)that he will abstain from taking intoxicants;(9)that he will carry out such directions as may from time to time, be given by the Probation Officer, for the due observance of the conditions mentioned above.Dated this _____ day of _____ 19 _____ Judge or

Magistrate.Form VII[See Rule 25][Under sub-section 4 of the Probation of Offenders Act, 1958]In the Court of the _____ MagistrateCase No. _____ of

19 _____ Whereas I, _____ inhabitant of _____ have been ordered to be released by the Court of _____ on condition of my entering into a bond to observe the conditions specified in the supervision order made by the Court, I hereby bind myself as follows:(1)that I will accept and fulfil the conditions specified by the Court in

such order for the period specified therein;(2)that I will present myself, within fourteen days from the date of the supervision order, before the Probation Officer named in the order and will produce copies of the order and the bond executed by me;(3)that I will submit myself to the supervision of the Probation Officer named in the supervision order or any other officer appointed in his place;(4)that I will (a) during the period specified in the order, keep the Probation Officer advised of my place of residence and means of livelihood, (b) reside at _____ for a period of _____(5)that I will not quit the said district/jurisdiction of _____ without the written permission of the competent authority;(6) that I will not associate with bad characters or lead a dissolute life;(7)that I will live honestly and peaceably and will endeavour to earn an honest livelihood;(8)that I will not commit any offence punishable by any law in force in India;(9)that I will abstain from taking intoxicants;(10)that I will carry out such directions, as may from time to time, be given to me by the Probation Officer, for the due observance of the conditions mentioned above.In case of my making default therein, I hereby bind myself to forfeit to Government the sum of Rupees _____ Dated this _____ day of _____ 19____.(Signature)_____Magistrate.Executed before me.I/We do hereby declare myself/ourselves surety/sureties for the above named that he will observe the conditions specified in the supervision order and in the bond and in case of his making default therein I/We bind myself/ourselves jointly and severally to forfeit to Government the sum of Rupees _____ Dated this _____ day of _____ 19____SignatureExecuted before me.Signature of Magistrate.

Form VIII[See rule 32(1)(d)]Probationer's Case FileA.(Front/Cover Page)Probation Officer
_____, Court _____Officer Registration No.
_____, Case No. _____Name of Probationer
_____, Date of supervision order _____Address
_____, Offence (Section)_____Occupation
_____Home Address
_____Mother tongue
_____Sex _____Age
_____Date, time and place of arrest
_____Facts of the case (in brief)
_____Previous conviction(s)
_____Referred for enquiry on
_____Enquired by
_____Enquiry report submitted on
_____Monthly progress report submitted on 1st year 2nd year
3rd yearFinal disposal and date _____B. Summary

1. Brief family history and home conditions

2. School record and employment history

3. Delinquencies

4. Health

5. Mental condition

6. Neighbourhood conditions

7. Any other outstanding feature and additional information

8. Chronological development of the case

9. Suggestions made by the P.O.

10. Final order (with date) of the Court

11. Name and address of the surety/sureties while under supervision

12. (a) Restrictions as to residence in any area/probation home/or otherwise

(b) Other restrictions _____

13. Salient points in progress reports

14. Amendments to order, if any, under sections 8 and 9 of the Act

15. Final disposal

Probationer Officer.C. Other Contents of Dossier

1. Pre-sentence Report

2. Order of the Court

3. Copy of bond/undertaking executed, if any

4. Correspondence

5. Monthly report

Form IX[See Rule 32(1)(e)]Chronological Register of Probationer

SerialNo.	Name of Probationer, father's name and address	Sex, age, religion, and identification marks etc.	Offence (give section and brief description of the offence)	Court passing the supervision order and Case No.	Date of supervision order and period of supervision	Name of the Probation Officer	Pre-sentence report submitted or not (if submitted, give P.R., No. and date)	Whether Probationer residing in institution and for the reception of probation if so, then address home
1	2	3	4	5	6	7	8	9
Occupation, if any, and wages, name and address of employer, if any	Any variation in original supervision order and the date of such variation	No. of visits paid	No. of visits received	No. of progress reports submitted	Result of probation and remarks of Probation Officer, if any	Subsequent history after completion of probation		

17

First year	Second year	Third year	Fourth year	Fifth year				
11	12	13	14	15	16	(a)	(b)	(c) (d) (e)