

The Punjab Children Rules, 1960

HARYANA

India

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Rule THE-PUNJAB-CHILDREN-RULES-1960 of 1960

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1. Short title.

- These rules may be called the Punjab Children Rules, 1960.

2. Interpretation.

- In these rules, unless there is anything repugnant in the subject or context, -(1)"Act" means the East Punjab Children Act, 1949;(2)"Section" means a section of the Act; and(3)"Schedule" means a schedule to these Rules.

3. Certification of institutions.

- [Section 46(2), 55 and 74(2) (a)] - If the managers of any institution not certified under sub-section (2) of section 46 or under section 55, as the case may be desire that the institution should be so certified, they shall make a written application in this behalf to the Chief Inspector who shall cause the institution to be inspected and shall make a report to the State Government regarding to the provision made in the institution for the boarding, lodging and general health of the inmates, and the quality of the literary or industrial training made available.

4. Registers to be maintained by certified Schools.

- [Section 74(2) (a)] - The Chief Inspector shall, subject to the general control of the State Government, prescribe the registers and records to be maintained by the managers of a certified school in respect of children committed to such school.

5. Inspection by the Chief Inspector.

- [Sections 48(2), 49 and 74(2), (d)] - The Chief Inspector may visit any certified school at any time, hear any complaints of the inmates and make suggestions to the managers thereof.

6. Duties of the inspecting staff.

- [Sections 48(2), 49 and 74(2), (d)] - (1) Every Chief Inspector, Inspector and Assistant Inspector shall, during his inspection of certified school, give every child committed to its care an opportunity to make any complaint or application to him which such child may wish to make. (2) Every such Inspector shall at the conclusion of his inspection note in the visiting book of the certified school the fact that he has inspected it on particular date. (3) The Inspector and the Assistant Inspector shall submit to the Chief Inspector a detailed report of his inspection. (4) The Chief Inspector shall communicate to the certified school inspected by him any suggestions he has to make or such suggestions as he may deem fit and necessary to communicate after receiving the report of the Inspector or the Assistant Inspector.

7. Scale of diet and clothing.

- [Section 74(2) (e)]. - The scale of diet, clothing and bedding for inmates of certified schools will be as follows:-(1) Scale of diet per day

Wheat or rice	... 7 chhataks
Dalia	... 1 chhatak
Dal	... 1 chhatak
Vegetables(Leafly or otherwise)	... 5 chhataks
Meat for non-vegetarians	... 2 chhataks
Milk for curd for vegetarians when meat is cooked	... 2½ chhataks
Extra Dal or ground-nuts for vegetarians in place of extramilk for curd	... ½ chhatak
Salt	... ¼ chhatak
Milk or milk products of equal value	... 4 chhataks
Sugar (inclusive of Dalia)	... ½ chhatak
Vegetable Ghee of such quality as may from time to time bespecified by the State Government	... ½ Chattak
Sarson oil	... ¼ chhatak
Gur	... 1 chhatak
Tamarind	... 1/6 chhatak
Dattan	... 1 each
Condiments mixed	... 1/16 chhatak
Extra Condiments for meat	... 1/6 chhatak

The Condiment shall consist of articles in the proportion stated below :-

Turmeric	... 4/128 chhatak
Chillies	3/128 chhatak
Garlic	6/128 chhatak
Corriander	3/128 chhatak

(During summer from 1st April to the end of September)

Note :- A part of the vegetables is to be used in raw state for raita or chatni. If preferred, meat may be given 4 times a week.(2)Bedding and clothing

Dasuti Trousers	4 for a year
Dasuti Kurtas	4 for a year
Dasuti Caps	2 for a year
Pagri for Sikhs	2 for a year
Langota	2 for a year
Jursey or Pullover or Jawahar Jacket or Blanket coat	1 for 3 years
Pair of shoes	1 for six months
Duree	1 for 5 years
Blankets	4 for 3 years
Charpoy	1
Cotton Sheet	2 for 2 years
Kachha	3 for a year
Towel	2 for a year
Pillow	1 for 3 years
Pillow cover	4 for 4 years

In addition to above a set of uniform consisting of the following articles shall be supplied to each Club and Scout once a year :-

1. Turban One
2. Shirt One
3. Shorts One
4. Scarf One
5. Whistle with cord One
6. Belt One
7. Knife One
8. Woggle One
9. Shoulder Knot One
10. Life Line One
11. Staff One

The following uniform will be supplied for the physical training of the boys of certified schools :-

1. Canvas shoes ... One pair for six months
2. Vest ... One for six months
3. Cotton socks ...

8. Detention of juveniles not released on bail after arrest.

- [Section 25] - When a child is arrested and is not released on bail under the provisions of section 24 of the Act or otherwise, he shall be detained in a certified school or place of safety. If no certified school or place of safety is available, such child may be detained at a police station, but in any case apart from adult prisoners: Provided that, if the child be a girl, she may be forwarded with the least possible delay to a court empowered under section 6. The fact of the arrest and detention shall be forthwith communicated to the parent or guardian of the child and also to the Probation Officer of the Court exercising Juvenile Court jurisdiction in the area of the police station. No girl child shall be detained in a police station.

9. Remand or committal juveniles custody.

- [Section 74(2) (k).] - (1) When a child is remanded or committed for trial, he shall, unless the charge be one of culpable homicide or any other offence punishable with death or imprisonment for life, be detained in a certified school or place of safety. Where no certified school or place of safety is available, the child may be detained in jail or sub-jail, but apart from adult prisoners. (2) If the charge be one culpable homicide or any other offence punishable with death or imprisonment for life, such child instead of being detained in the manner prescribed in sub-rule (1) shall be confined in a Juvenile Jail wherever it is situated.

10. Application for recognition of Societies for appointment of Probation Officers.

- [Section 31(1) (b)]. - Any society desiring to be recognised under clause (b) of sub-section (1) of section 31 may apply to the State Government in writing through the Chief Inspector.

11. Duties of Probation Officer.

- [Section 32.] - (1) A Probation Officer shall carry out all directions given to him by the court of the District Magistrate and perform inter alia the following duties: (i) to make initial inquiries regarding the home and school conditions and the conduct, character and health of the children under his supervision; (ii) to attend regularly the court and submit report; (iii) to keep diary, case files, and registers; (iv) to visit regularly children place under probation or supervision and also places of employment or school attended by such children and to submit regular monthly reports; (v) to take children, wherever possible, from court or place of safety to certified schools or fit person institution; (vi) to bring before the court immediately children who have not been of good behaviour during the period of supervision; (vii) to run recreation clubs; and (viii) to perform any other duty which may be specified by the court or any releasing authority in respect of children under his supervision. (2) A Probation Officer shall not employ a child or youthful offender, placed under his

supervision, for his own private purposes or take any private service from him.

12. Medical opinion regarding age and physical and mental condition of children.

- [Sections 63(1) and 74(1).] - In every case concerning a child, the court may, before recording a finding under sub-section (1) section 63, obtain medical opinion regarding his age and his physical and mental condition.

13. Supply of information regarding children by court.

- [Sections 73(2) (1) and (v).] - Whenever a court orders a child to be detained in a certified school or a fit person institution, it shall forward to the managers of such school or institution, as the case may be, a copy of its judgment, if any, or orders together with information regarding the age and address of the child, if known, and any particulars of his home and previous records that may have been discovered.

14. Contribution of parent or other person.

- [Sections 38(1) and 74(2) (i).] - The Court making an order under sub-section (1) of section 38 may direct the parent, or other person liable to maintain the child or youthful offender, to pay in court, in advance, in the beginning of each month such sum of money as the court may think fit not exceeding Rs. 50 in the whole per mensem, towards the maintenance of such child or youthful offender.

15. Manner in which a child or youthful offender may be committed to the care of a parent, guardian, relative or other fit person.

- [Sections 21(2), 21(3) and 31(3) (1) (b)] - The court making an order committing a child or youthful offender to the care of, or allowing a child to remain in the custody of, a parent, guardian, relative or other fit person under the provisions of sub-section (2) of section 21, or the provision to sub-section (3) of the aforesaid section or clause (b) of sub-section (1) of section 30, as the case may be, may direct such parent, guardian, relative or person to enter into a bond in the form in Schedule A, with or without sureties, and in such sum of money as the court may think fit, to keep him under proper care and control, and to be responsible for his good behaviour. In addition to the conditions prescribed in the form in Schedule A, the court may impose such other conditions as it may think fit for securing that the child or youthful offender, as the case may be, may lead an honest and industrious life.

16. Authorization to act under sub-section (1) of section 8 and sub-section (1) of section 20.

- [Sections 8(1), 20(1) and 72(2) m] - The District Magistrate may authorise such person as he may think fit to take action under sub-section (1) of section 8 or under sub-section (1) of section 20.

17. Conditions for release under section 40.

- [Sections 40(1), (2) and 74(2) (o)] - The conditions upon which a child or youthful offender may be permitted under sub-section (1) of section 40 or upon which a youthful offender may be released under sub-section (2) of section 40 shall be the those as specified in the form of licence given in Schedule B.(2)On the release of a child or youthful offender under sub-section (1) or sub-section (2) of section 40, information shall be sent by the managers of the certified school, of the date of such release, to the court under the orders of which the child or youthful offender was being, detained in the certified school.

18. Grant of leave for short period to inmates of certified schools.

- [Sections 74(2) (g)] - The managers of a certified school may, on sufficient cause being shown to their satisfaction, grant permission in writing to an inmate to absent himself for a short period, exceeding thirty days in the aggregate in a year exclusive of the time required for going to and returning from the destination, for the purpose of visiting parents or relation:Provided that as far as possible the previous consent of the Chief Inspector shall be obtained for granting leave exceeding a week at a time.(2)The permission granted under sub-rule (1) may at any time be cancelled by an order in writing by the managers and the inmate may be recalled by them without giving any reasons therefor.(3)The Chief Inspector on the application of a parent recommended by the manager of certified school may in selected cases grant vacation leave up to six weeks, excluding the days of journey, at a time to an inmate from a certified school. Such permission may be cancelled by the Chief Inspector by an order in writing and the inmate may be recalled by him without giving any reasons therefor.(4)The time during which an inmate is absent from the certified school under sub-rule (1) or (3) shall be deemed to be part of the time of his detention in the school.(5)If any inmate fails to return to the school at the expiry of the period permitted under sub-rule (1) or (3) or when recalled under sub-rule (2) or (3), the managers shall report the matter to the Chief Inspector and any police officer may, on the application in writing of such managers or Chief Inspector, arrest the inmate without warrant and send him back to the school or institution.(6)The time which elapses after the failure of an inmate under sub-section (5) to return to the school shall be excluded in computing the time of his detention in the school.(7)Any parent of guardian contributing towards the maintenance of his child in a certified school under an order passed by a court under section 38(1) of the Act shall be exempted from the payment of such contribution for the period during which the child is absent from the school under sub-rule (1) or sub-rule (3).

19. Visits to and communications with the inmates of certified school.

- [Section 74(2) (h)] - Any person may, with the permission of the managers of the certified school, visit any inmate, but the managers may disallow a visit from a person who, in their judgment, is likely to have undesirable influence upon the inmate. Time allowed for any visit shall not ordinarily exceed one hour but may be extended by the Superintendent of the certified school at his discretion.

The visiting hours will be laid down by the Superintendent.(2)The receipt of letters by the inmates of a certified school shall not be restricted and they shall have freedom to write as many letters as they like at all reasonable times but shall be entitled to have postage stamps affixed at the cost of the management on one letter only in any one week:Provided that the Superintendent may peruse any letter written by or to an inmate, and may, for any reasons that he considers sufficient, refuse to deliver or issue the letter and may destroy the same after recording his reasons in a book maintained for the purpose.

20. Conveyance of children and youthful offenders to certified School.

- [Section 74(2) (f)] - (1) No child shall be compelled to walk to a certified school or other place of detention unless it is within an easy walking distance.(2)Conveyance charges shall be borne by the State Government unless the court dealing with the case directs that these should be met, in whole or in part, by the parents or guardian concerned.(3)No child remanded or ordered to be taken to a certified school shall be handcuffed, and the police officers conducting them shall be in plain clothes, and not in uniform.

21. Use of handcuffs or fetters.

- [Sections 74(2)(b) and (v)] - The Court shall not permit any child with an offence to be handcuffed or fettered during the proceedings in the court unless the imposition of handcuffs or fetters is necessary to prevent the child from causing physical injury to himself or any other person.

22. Punishment of offences committed by inmates of schools.

- [Section 74(2)(i)] - The inmate guilty of idleness, neglect, breach of discipline or any other misconduct may ordinarily be punished by the managers by deprivation of any of the privileges enjoyed by him. The punishment so awarded shall be recorded in a register maintained for the purpose, and shall be in addition to and not in derogation of what may be awarded by a court in respect of proceedings instituted against him.

23. Limitation for appeals under section 72.

- [Section 74(2)(w)] - Appeal under section 72 of the Act shall be filed within sixty days of the date of the order appealed against. In computing the period of limitation the time spent in obtaining a copy of the order of the court will be excluded.

A

Form of bond to be executed by a parent, guardian, relative or a fit person to whose care a child or youthful offender is committed (vide Rule 15)Whereas I,being the parent, guardian, relative of person in whose custody/to whose carehas been allowed to remain/ordered to be committed by the.....Juvenile Court/Magistrate.....have been directed by the said Juvenile

Court/Magistrate to execute a bond in the sum of Rupees(Rs.....) with one surety/two sureties, I hereby bind myself on the said.....being allowed to remain in my custody/committed to my care. I shall have the said..... properly taken care of and I do further bind myself to be responsible for the good behaviour of the saidand to observe the following conditions for a period ofyears commencing from.....(1)that I shall not change my place of residence without giving previous intimation in writing to the Court through the Probation Officer;(2)that I shall not remove the saidfrom the limits of the jurisdiction of the Court without previously obtaining the written permission of the court;(3)that I shall send the said daily to [school/to such daily work as is approved by the Court, unless prevented from so doing by circumstances beyond my control;] [To be retained in the case of child or youthful offender of school age.](4)that I shall report immediately to the Court through the Probation Officer, if the said..... misbehaves or absconds from my custody;(5)that I shall produce the said before the court whenever so required by the Court;(6)[that I shall render all necessary assistance to the Probation Officer to enable him to carry out duties of supervision] [These words should be committed if the supervision by a Probation Officer has not been ordered.]:

7. [(7) * *] [The additional conditions, if any by the Court may be entered, numbering them properly.]

(8)* *(9)* * -----(10)[in the event of my making default herein, I bind myself to forfeit to the Government for the purposes of the State sum of rupees..... (Rs.)] [To be renumbered where necessary.]Dated this theday of19Before me,(Sd)/-Signature of person executing the Bond(Where a bond with sureties is to be executed add) I/We ofin the village of in the district ofhereby declare myself surety/ourselves sureties for the aforesaidthat he shall do and perform all that he has undertaken to do and perform and in case of his making default therein, I/We hereby bind myself/ourselves jointly and severally to forfeit to the Government for the purposes of the State the sum of Rupees..... (Rs.)Dated thisday of19.....In the presence ofBefore me,(Sd)/-

Schedule 2

[Form of licence (vide rule 17(1))I/We Chief Inspector of Certified Schools, State of Punjab/Managers of Certified Schools, do by this licence permit son/daughter ofresidence number.....who was ordered to be detained in a Certified School by the Court under section.....of the East Punjab Children Act, 1949, for.....a term ofon the day of.....and who is now detained in the school at to be discharged from the said schoolon condition that he/she be placed under supervision and authority of [.....] [Here name the persons or society under whose supervision the child or youthful offender has been ordered to live.] during the remain portion of the aforesaid period of detention.The licence is granted subject to the conditions endorsed hereon, upon the breach of any of which it shall be liable to revoked.Chief Inspector of CertifiedSchools, Punjab.Manager of Certified Schools.Dated theConditions(1)The licensee shall proceed toand live under the supervision and authority of [.....] [Here name the persons or society under whose supervision the child or youthful offender has been ordered to live.] until the expiry of the period of his/her detention unless

the remission is sooner cancelled.(2)[He/She shall not, without the consent of the said [.....]
[Here name the persons or society under whose supervision the child or youthful offender has been
ordered to live.] remove himself/herself from that place or any other place which may be named by
the said](3)He/She shall obey such instructions as he/she may receive from the saidwith
regard to punctual and regular attendance at employment or otherwise.(4)He/She shall abstain
from committing any offence and shall lead a sober and industrious life to the satisfaction of the
[.....] [Here name the persons or society under whose supervision the child or youthful offender
has been ordered to live.](5)Additional conditions, if any to be imposed by the Chief Inspector, may
be inserted here.(6)In the event of his/her committing a breach of any of the above conditions, the
remission of the period of detention hereby granted shall be liable to be cancelled and on such
cancellation, he/she shall be dealt with under sub-section (4) of section 40 of East Punjab Children
Act, 1949.I hereby acknowledge that I am aware of the above conditions which have been read
over/explained to me and that I accept the same.(Signature or mark of the Licensee)Certified that
the conditions specified in the above order have been read order/explained to (name) and
that he/she has accepted them as the conditions upon which the remission of the period of
detention has been granted to him/her and that he/she has been released accordingly on the
.....Signature and designation of the Certifying Authority(i.e. Superintendent of the School)