

Rules for Grant of Financial Aid to Probationers

RAJASTHAN

India

Rules for Grant of Financial Aid to Probationers

Rule

RULES-FOR-GRANT-OF-FINANCIAL-AID-TO-PROBATIONERS of 1966

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Rules for Grant of Financial Aid to Probationers Published vide Notification No. F. 20(4) SW/66/51430, dated 17-10-1966; Published in Rajasthan Gazette part 4-C, Ord., dated 13-4-1967. The Government are hereby pleased to frame the following rules, namely, the Rules for Grant of Financial Aid to Probationers which shall come into force with immediate effect. Whereas in the exercise of proper supervision of the conduct and mode of life of the probationer, the frequency of meetings at stated intervals during the period of supervision as laid down in Rule 17(4) of the Rajasthan Probation of Offenders Rules, 1962 is prescribed: And whereas the State Government consider it necessary to help the rehabilitation of the probationers during or after supervision period: And whereas the probationer by reason of his poverty and lack of resources often experience undue hardship in defraying the expenses of journey from his abode to the office of the Probation Officer to comply with supervision requirements: And whereas to mitigate this unhappy aspect and make efforts for their education and rehabilitation so that they may not revert to crime, the State Government under Rule 20 of the Rajasthan Probation of Offenders Rules, 1962 have kept a provision to assist the probationer by necessary financial aid; Now, therefore, the Government of Rajasthan hereby make the following rules for providing necessary financial aid to such probationers.

1. Definition.

- (i) "Government" shall mean Government of Rajasthan. (ii) "Department" shall mean the Social Welfare Department. (iii) "Chief Controlling Authority" shall mean the Director of Social Welfare Department, Rajasthan, Jaipur. (iv) "Chief Probation Officer" shall mean the Chief Probation Officer of the Social Welfare Department appointed under Probation of Offenders Act, 1958. (v) "District Probation Officer" shall mean the Probation Officer of Social Welfare Department as defined under Rule 3(2) of the Rajasthan Probation of Offenders Rules, 1962. (vi) "Probationer" shall mean the

probationer declared as such under section 4(3) of the Probation of Offenders Act, 1958.(vii)"Act" shall mean the Probation of Offenders Act, 1958, and(viii)"Rules" shall mean the Rajasthan Probation of Offenders Rules, 1962.(ix)["Gainful Employment" mentioned hereinafter shall mean any employment the total remuneration for which exceeds Rs. 200/- p.m.] [Notification N. GSR 52/F. 8(1) 38/67/SW/70/60341-427, dated 16-10-1970; Published in Rajasthan Gazette Part 4-C(I), rd., dated 8-5-1975]

2.

The application from the probationer for grant of financial aid shall be in the Form prescribed under these Rules and shall be accompanied with the certificate of income from any of the following:-(i)Sarpanch/Chairman of Municipal Council or Board: or(ii)Tehsildar/Magistrate.

3.

On receipt of the application, the District Probation Officer shall have the authority to sanction the following grants to the probationer:-(i)Aid to meet actual expenses incurred in travelling from the residence of the probationer to the place of meeting with the Probation Officer or at his Headquarter, and back to his place. The grant of aid will be subject to the following conditions:-(a)that the probationer is a person of poor means not having an average monthly income exceeding Rs. 100/-:(b)that having due regard to the home visits already made and to be made further by the District Probation Officer, the reporting of the probationer in the office of the District Probation Officer has become essential for the exercise of effective supervision;(c)that the probationer has no property in his own right nor he is entitled to a share in any such property from which an income accrues to him beyond the average monthly income referred to in 3 (i)(a);(d)that the expenses involved in the journeys (outward and return) for reporting to the District Probation Officer tends to cause financial hardship;(e)that expenses of journey undertaken within 15 K.M. of radius from the place of reporting shall not be admissible;(f)that total number of journeys including outward and return shall normally not exceed 5 in number for claiming financial aid under these rules during the supervision period of one year; and(g)that the actual charges shall be admissible only for the shortest route and lowest class of rail/bus.(ii)an amount to the extent of Rs. 50/-for the purchase of tools and equipments etc., for rehabilitation, during the whole period of probation and aftercare. In disposing such application, the district Probation Officer shall consider the following points:-(a)that the probationer could neither keep nor secure an employment since his conviction [during the period of probation of good conduct fixed by the court of the period of follow-up fixed by the Chief Probation Officer under Rule 20(2) of Rajasthan Probation of Offenders Rules. 1962] [Notification N. GSR 52/F. 8(1) 38/67/SW/70/60341-427, dated 16-10-1970; Published in Rajasthan Gazette Part 4-C(I), rd., dated 8-5-1975],(b)that he has neither a vocation nor any other means of livelihood to fall back upon and has the capacity to undertake a craft or trade which will suit his aptitude and earn him a living wage;(c)that the probationer has acquired the working knowledge to pursue the craft or trade for which he has applied to seek financial aid for the purchase of tools and equipments:(d)that the probationer undertakes to execute a personal bond of double the amount of aid and furnish a surety of the like amount in token of guarantee to utilize the amount or purchase of tools and equipments etc. for starting and/or pursuing the trade or occupation for

which it was sanctioned within a period of one month from the date of receipt of the amount; and(e)that in the event of failure to utilize the amount for the purpose it was sanctioned, within the stipulated period, the surety will further guarantee to refund the entire amount to the Government through the concerned District Probation Officer.(iii)Financial aid towards payment of tuition and other fees and purchase of books etc. will be paid subject to the following considerations:-(a)that the probationers is educable and has secured admission in an educational institution recognised by the State Government;(b)that the probationer s parents/relatives are not in a position to meet his expenses of schooling, particularly the payment of tuition and other fees and purchase of books etc. [x x x] [Notification N. GSR 52/F. 8(1) 38/67/SW/70/60341-427, dated 16-10-1970; Published in Rajasthan Gazette Part 4-C(I), rd., dated 8-5-1975](c)that the probationer furnishes a letter of guarantee for admission in a school duly signed by the Head of the institution concerned; [and] [Notification N. GSR 52/F. 8(1) 38/67/SW/70/60341-427, dated 16-10-1970; Published in Rajasthan Gazette Part 4-C(I), rd., dated 8-5-1975](d)[that while deciding about amount of assistance to be sanctioned, financial aid being available to the probationer from other sources will be taken into consideration.] [Notification N. GSR 52/F. 8(1) 38/67/SW/70/60341-427, dated 16-10-1970; Published in Rajasthan Gazette Part 4-C(I), rd., dated 8-5-1975]

4.

(i)The Chief Probation Officer shall have the authority to sanction for the amount to the extent of Rs. 100/- only in cases, the amount of aid admissible under rule 3(ii) is considered to be insufficient by the District Probation Officer.(ii)The Chief Controlling Authority shall have the authority to sanction the amount to the extent of Rs. 250/-in case the amount of aid admissible under Rule 3(ii) and 4(i) is considered to be insufficient by the Chief Probation Officer.(iii)The amount of grants beyond Rs. 250/-shall only be sanctioned by the Government on the recommendations of the Chief Controlling Authority.

5.

The District Probation Officer shall be responsible to maintain the record of such grants as disbursed or sanctioned by him under these rules and shall forward a copy thereof to the Chief Probation Officer who shall send a consolidated statement to the Chief Controlling Authority every year.

6.

The District Probation Officer shall give a certificate of utilisation of the amount of aid for purposes for which it was sanctioned as required under G.F. & A.R. of the Government.

7.

The un-utilised amount of the aid, if any, shall be surrendered by the probationer to the District Probation Officer within one month of the receipt of the amount with detailed account of the

expenditure incurred out of the aid.

8.

The probationer shall have to execute a bond prior to receiving the amount of aid with a personal surety of double the amount, in the Form prescribed under these Rules stating therein that in case he gets a gainful employment, [within five years of receipt of the aid], [Notification N. GSR 52/F. 8(1) 38/67/SW/70/60341-427, dated 16-10-1970; Published in Rajasthan Gazette Part 4-C(I), rd., dated 8-5-1975] he shall repay the entire amount in each installments which shall be fixed by the Chief Probation Officer or Chief Controlling Authority and in the event of its unutilisation for the purpose other than in was sanctioned, the District Probation Officer shall take suitable steps for the recovery under Rajasthan Public Demand Recovery Act (Rajasthan Act 5 of 1952) without prejudice to any other rights and remedies of the Government. In special circumstances, the Chief Controlling Authority and the Government shall be empowered to grant exemption from such recovery from the probationer to the extent of Rs. 250/- and above Rs. 250/- respectively on the recommendation of the District Probation Officer concerned through the Chief Probation Officer. Form of Application for Grant of Financial Aid to the Probationer to Meet Expenses of Journey [See rule 3(i)]

1. Name of the Probationer

2. Father's name

3. Address:-

Village Tehsil Post District

4. Age and sex

5. Case No. and name of the court from which released on probation

6. Date of release

7. Period of probation

8. Number of office visits already made.

9. Total distance covered by

Rail Bus Foot

10. Amount of expenses incurred in a journey (outward and return) for single visit to the office of the Probation Officer.

(a) Actual fare of shortest route in lowest Class. (b) Other incidental expenses. To The District Probation Officer, Sir, I am the probationer in Case No. noted above. My average monthly income is Rs. and that I have no property in my own right, nor I am entitled to a share in any property from which income accrues to me, nor I have parents/relatives who can provide for my expenses on account of journey for the purpose stated above. I pray that being not in a position to meet expenses of journey to report for interview in your office, I may kindly be sanctioned a financial aid of Rs. for the purpose. A certificate under Rule 2 is, herewith filed/already submitted on. Dated: Signature of the applicant Declaration I do hereby declare that the facts stated above are true to the best of my knowledge and belief and nothing is concealed. Signature of the applicant Place: Date: Certificate Certified that Shri. S/o. Resident of. is found to be a person whose average monthly income does not exceed Rs. 100/- and that he does not own a property or have any title to share in any other property from which any income accrues to him. It is further certified that the parents/relatives of the person named above are not in a position to bear the expenses of his journey from. to. Signature of the Sarpanch, Member of the Municipal Council/Tehsildar/Magistrate. Form of Application for Grant of Financial Aid to the Probationer for the Purchase of Tools and Equipments Etc., for Rehabilitation [See rule 3 (ii)]

1. Name of the Probationer

2. Father's name

3. Address:-

Village Tehsil Post District

4. Age & Sex

5. Case No. and name of the court from which released on probation

6. Date of release

7. Period of probation

8. Present means of subsistence

9. Proposed craft or trade to be started

**10. The amount required to meet the cost of tools and equipment etc.,
(details enclosed indicating market cost).**

ToThe District Probation Officer,.....Sir,I
am the probationer in Case No. noted above, and am desirous to start the vocation (name of the
craft or trade) a working knowledge of which has already been acquired, to pursue it as a way of
earning living. As I could neither keep or secure any employment since my conviction nor I have any
other vocation or means to sustain myself, I pray that a financial aid of Rs..... (Rupees.....)
only for the purchase of tools and equipments (list enclosed) may kindly be sanctioned.A personal
bond of double the amount of aid duly executed by me alongwith a surety of the like amount is
furnished herewith in token of guarantee to utilize the same for the purpose, it is sanctioned, within
a period of one month from the date of its receipt.Signature of the ApplicationPlace:Date:Form of
Application for Grant of Financial Aid to the Probationer for the Payment of Tuition and other Fees
and Purchase of Books Etc.[See rule 3 (iii)]

1. Name of the Probationer

2. Father s name

3. Address:-

VillageTehsilPostDistrict

4. Age & Sex

5. Case No. and name of the court from which released on probation

6. Date of release

7. Period of probation

8. Name of the institution in which admission secured

9. Class

**10. The amount of fees, prescribed by the institution for the class in which
the probationer is studying**

(i)Tuition fee(ii)Other fees (give details)

11. The amount required for the purchase of books etc., (details of the books, indicating its printed price to be enclosed).

ToThe District Probation Officer,.....Sir,I am the probationer in Case No. noted above, and am desirous to prosecute studies in Class.....of the.....School. I have already secured the admission, a copy of a letter of guarantee duly signed by the Head of the institution concerned is submitted herewith.I pray that as my parents/relatives are not in a position to meet the expenses towards the payment of tuition and other fees and purchase of books etc., financial aid of Rs..... (Rupees.....) only may kindly be sanctioned for the purpose.Place:Date:Signature of the ApplicationForm of Bond[Under rule 3(ii)]Bond of agreement executed on this..... day of.....one thousand nine hundred and.....by Shri/Smt..... I (hereinafter referred to as the bounden') S/o, D/o, W/o Shri..... in favour of the Governor of Rajasthan (hereinafter called the Government) .Whereas as per the Rajasthan Rules for grant of financial aid to the probationers, 1965, the bounden had applied to the District Probation Officer,.....for financial aid.And whereas the District Probation Officer/Chief Probation Officer/Chief Controlling Authority/Government has sanctioned to the bounden the financial aid of Rs.....(Rupees.....) subject to the terms and conditions contained in the Rules and those hereinafter appearing to which the bounden has agreed.Now it is hereby agreed as follows:-

- 1. that I undertake to utilize the amount of financial aid for the purchase of tools, equipments etc., for starting and/or pursuing the craft or trade for which it was sanctioned before dated.....of the month.....of year,**
- 2. that in the event of failure to utilize the said amount for the purpose it was sanctioned, I bind myself to refund the same to the Government through the District Probation Officer,**
- 3. that I further bind myself that in the case of having secured gainful employment, I shall repay the entire amount in such installment as fixed by the Chief Probation Officer or Chief Controlling Authority or the Government as the case may be within one year from the date of sanction of the amount.**

In the presence of the guarantor.Signature of ProbationerThe applicant has signed this bond on this day.....of month..... in my presence binding himself to the facts stated above to which I undertake to guarantee that if the applicant fails to utilize any amount of the aid for the purpose it is sanctioned or commits any breach of this bond, I bind myself to repay the Government a sum of Rs..... (Rupees.....) within a period one month from the date of the receipt of notice from the authority sanctioning the amount of financial aid.Signature of the Guarantor