

The Orissa Probation of Offenders Rules, 1962

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

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The Orissa Probation of Offenders Rules, 1962 Published vide Notification No. 27943-Jle, dated 30th November, 1962 Notification No. 27943-Jle, dated 30th November, 1962. - In exercise of the powers conferred by Section 17 of Probation of Offenders Act, 1958 (20 of 1958), the State Government with the approval of the Central Government do hereby make the following rules the same having been previously published as required by Sub-section (3) of the said section of the said Act, namely :I. Preliminary

1. Short title.

- These rules may be called "the Orissa Probation of Offenders Rules, 1962." They shall come into force from such date as may be fixed and notified by the State Government.

2. Definitions.

- In these rules unless the context otherwise requires-(a)"Act" means Probation of Offenders Act, 1958 (20 of 1958);(b)"District Magistrate" means District Magistrate of the district in which provisions of Sections 2 to 17 of the Act have been in force;(c)"District Probation Officer" means a Probation Officer appointed by the Inspector-General and stationed at a probation district, who is remunerated by salary and not by fees or honorarium;(d)"Form" means a Form appended to these rules;(e)"Honorary Probation Officer" means a Probation Officer who is remunerated by fees if necessary or who works without remuneration;(f)"Inspector-General" means the Inspector-General of Prisons, Orissa;(g)"probation district" means the district in which the provisions of Sections 2 to 17 of the Act have been enforced;(h)"probation hostel" means an institution established or licensed by the State Government for the reception of probationers under a supervision order;(i)"probationer" means any offender in respect of whom a supervision order is in force;(j)"society" means a society recognised by the State Government under Section 13 (1) of the Act;(k)"Special Probation Officer" means a Probation Officer appointed under Section 13 (1) (c) and

13 (2) of the Act;(l)"supervision order" means an order passed under Section 4 (3) of the Act.II.
Departmental control of Probation Officers

3. Probation Officers and their control.

- (i) The Inspector General shall appoint for each probation district, a Probation Officer who will be designated as District Probation Officer. The Inspector-General may appoint Honorary Probation Officers where necessary.(ii)All Probation Officers shall be under the control of the Chief Probation Officer and Regional Probation Officers.

4. Chief Controlling Officer-Inspector-General-Powers and duties.

(1)The Inspector-General shall exercise throughout the State, general supervision over the administration of probation.The Chief Probation Officer, the Regional Probation Officers and the Probation Officers shall be under his administrative control.(2)The Inspector-General shall prepare and submit an annual report to the State Government on the working of the system of probation. This report shall be embodied in the Inspector-General's annual administrative report of the Department for the year ending the 31st December immediately preceding the date of the report and shall among other particulars contain, the following namely :(a)Number of Probation Officers employed in each district.(b)Salary, honorarium and other expenses paid to Probation Officers.(c)Subsidy granted to the society with number and particulars of such societies.(d)Number of probationers placed under the supervision of Probation Officers.(e)Number of cases in which conditions of probation order has been invoked.(f)Duties other than the work of probation performed by the Probation Officers.(g)Number and particulars of probation hostels working in the State with average number of admission of probationers thereto.(h)Accounts of expenses incurred in connection with the working of the system.(3)The Inspector-General shall submit to the State Government such other particulars and returns as may be directed by the State Government from time to time.(4)The Inspector-General shall exercise all financial powers of a Head of Department and shall have full control over all expenditure and other establishment matters with respect to working of probation in the State.

5. Chief Probation Officer.

(1)Subject to the control and supervision of the Inspector-General the Chief Probation Officer shall administer the work of probation throughout the State and shall direct, supervise and be responsible for the proper performance of the work of Probation Officers and Regional Probation Officers.(i)The Chief Probation Officer shall submit to the Inspector-General half-yearly report in the months of July and January every year on the work and conduct of Probation Officer during the half year immediately preceding the date of the report and such other reports and particulars as may be called for by the Inspector-General from time to time.(ii)The Chief Probation Officer shall meet every Probation Officer periodically and shall examine the case records of all important cases. In particular, he shall pay attention to the manner in which the Probationer has been looked after, the number of times he has been met and visited at home, or place of residence, in office or in his place of employment, the nature of the vacation selected for the probationer, the job fixed for him, the

manner in which his family and other difficulties have been handled, how he spends his leisure, who his associates are and what his earning and savings are.(iii)In carrying out his duties, the Chief Probation Officer shall have regard to the following matters, namely :He shall see that the Probation Officers work properly and exercise their influence for the rehabilitation of probationers. He shall also issue necessary orders to the same and ensure that his orders are carried out. He shall endeavour to make his inspection helpful and shall not merely look for faults and defects but shall try to help the probationers by giving them the benefit of his greater experience and wider view of life.(iv)He shall assist and foster aftercare work in the State and other activities for the purpose of rehabilitation of offenders and maintain contact with other related associations and the public.(2)The Regional Probation Officer shall assist the Chief Probation Officer and perform such other duty as may be assigned to him.(3)The procedure relating to appointment of Chief Probation Officer and Regional Probation officers, their salary and other conditions of service, etc., shall be fixed by the State Government.

6. District Probation Officers.

- The headquarters of a District Probation Officer shall ordinarily be the headquarters of the district, but the Inspector-General may in consultation with the District Magistrate concerned fix any other place as the headquarters of the District Probation Officer. The jurisdiction of the District Probation Officer shall extend to the whole of the probation district in which he is posted.In addition to the duties of the Probation Officers elsewhere prescribed in these rules, the District Probation Officer shall-(a)be responsible for the working of probation in the whole area within his jurisdiction;(b)control, guide and supervise the work of Honorary or Special 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)remain in overall charge of the probation hostel established by the State Government in the district;(e)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 which shall among other particulars contain the following :(i)number of probationers at the beginning of the half year;(ii)number of offenders placed on probation during the shall year;(iii)number of probationers whose probation terminated during the half year;(iv)number of probationers who reverted to crime during the half year;(v)general remarks on the psychological charges of the probationer's employment secured, educational and other activities towards reclamation during the half year;(vi)number of probationers at the end of the half year.(f)submit to the Inspector-General, the Chief Probation Officer, the District Magistrate and the Court such other reports as may be required by the Chief Probation Officer, Regional Probation Officer or the Inspector-General of the State Government;(g)perform such other functions as may be assigned to him by the Chief Probation Officer, Regional Probation Officer or the Inspector-General.III. Probation Officer-Qualifications for appointment and condition of service

7. Qualification for District Probation Officers.

- A District Probation Officer shall be-(i)graduate of a recognised University;(ii)not less than 25 and not more than 35 years; provided that the lower age-limit may be relaxed to the extent of 2 years if highly trained candidates with specialisation offer themselves for appointment;(iii)possess other

qualifications prescribed by the State Government for posts of similar status and responsibility;(iv)a person of good character and competent by his personality and training to bring about moral development of the probationers to be placed under his supervision;(v)fully conversant with the Act and these rules and experience in correctional service will be considered as additional qualification for the post; preference for appointments should be given to these candidates.

8. Qualification of honorary Probation Officer.

- An honorary Probation Officer appointed in a district shall be-(i)not less than 30 years of age and more than 40;(ii)in a position to devote adequate time for supervision of probationers;(iii)a person of good character, social standing, possessing sufficient experience in social welfare work or in teaching or in moulding of characters;(iv)fully conversant with the Act and these rules;(v)preferably a resident of the district.

9. Appointment and registration of Probation Officers.

(1)The procedure relating to the appointment of District Probation Officers by the Inspector-General shall be in accordance with general rules relating to the recruitment of officers to posts of similar status and responsibility.(2)Names of individuals in different localities for recognition as Honorary Probation Officers submitted by a society or by the District Magistrate or the Chief Probation Officer, may be considered by the Inspector-General.(3)The names of all Honorary Probation Officers recognised by the Inspector General with their addresses shall be entered in a register kept by the Chief Probation Officer. Likewise a list showing the names and other particulars of such officers shall be kept by the District Probation Officers and be made available to the Courts whenever necessary.

10. Choice of Probation Officers-Precautions.

(1)The Court may appoint a Special Probation Officer under Section 13(1)(c) of the Act, in view of the special circumstances of a particular case, when no Probation Officer on the list referred to in Rule 9 (3) is available or is considered suitable enough to attend to the case. A Court or a District Magistrate may also appoint Special Probation Officer under Section 13(2) of the Act.(2)In deciding whether a person is suitable for appointment as Special Probation Officer in a particular case under Section 13(1)(c) or Section 13(2) of the Act, the Court or the District Magistrate may take into consideration the provisions of Rule 8.(3)Female probationers shall be placed under the supervision of the Female Probation Officer where the services of such officer are available. All cases where a female probationer has been placed under the supervision of a male Probation Officer, shall be reported to the District Magistrate and the Chief Probation Officer.(4)While choosing a Probation Officer in a particular case, the Court may where necessary consult the District Probation Officer.

11. Terms and conditions of service.

(a)Salaries, allowances and other conditions of service of District Probation Officer appointed by the

Inspector-General shall be the same as are applicable to Government servant of the State of a similar status.(b)An Honorary Probation Officer may be paid an honorarium or fees not exceeding Rs. 100 per month. A Special Probation Officer may be paid if the Court or the District Magistrate directs honorarium at the rate specified above.(c)An Honorary or Special Probation Officer shall give at least one month's notice to the appointing authority in writing if he wishes to resign his appointment. If he is unable, owing to ill health or other causes, to perform his duties, he shall at once report the fact to the District Probation Officer who in turn shall intimate all concerned.(d)The appointment of an Honorary Probation Officer shall ordinarily be for the duration for which a probationer will be placed in his charge.(e)The appointing authority may, for sufficient and good reasons of negligence of duty or misconduct, terminate the appointment of an Honorary or Special Probation Officer: Provided that if the Probation Officer has been provided by a society recognised by the State Government, such society shall be intimated of the negligence of duty or misconduct of the Probation Officer for taking disciplinary action.(f)Every Probation Officer shall on appointment be furnished with an Identity Card in Form I. The Identity Card shall be used only when necessary in connection with his work and shall be returned to the Chief Probation Officer on suspension or termination of his appointment.(g)Probation Officers shall not wear any uniform or badge.

12. Leave.

- The District Magistrate or Additional District Magistrate duly authorised by him may grant casual leave to the Probation Officers of the district and shall make suitable arrangement for the due discharge of the duties of all such officers as are granted casual leave provided that when a Regional Probation Officer has been stationed at a probation district he shall exercise this power. All other leave to District Probation Officer may be granted only by the Inspector-General on proper application being made to him through the Chief Probation Officer and in such case, the Inspector-General shall make necessary arrangement for relief of the officer who has been granted such leave. All kinds of leave to the Chief Probation Officer and Regional Probation Officers may be granted by the Inspector-General.

13. Departmental responsibility.

(1)Every Probation Officer shall carry out the direction of the District Probation Officer (if he is not himself the District Probation Officer), Regional Probation Officers and Chief Probation Officer and the Inspector-General.(2)Every Probation Officer shall inform the District Probation Officer as soon as a probationer is placed under his supervision, of the fact and of the particulars with such other facts as may be prescribed by the Chief Probation Officer.(3)Every Probation Officer shall submit to the District Probation Officer a monthly report on the progress of each probationer placed under his supervision in Form IV and copies of pre-sentence report and of other reports submitted to a Court or District Magistrate. He shall submit such other periodic reports and statistics to the District Magistrate and District Probation Officer and as may be prescribed by the Chief Probation Officer.

14. Collection of particulars of offenders and submission of reports to Court.

(1) Upon receiving a direction from the Court under Section 14 (a) of the Act, the Probation Officer shall make direct enquires regarding the offender's character and antecedent, 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 to enquire into. The report on enquiries shall be made as nearly as possible in Form II. (2) The report shall be treated as confidential and delivered to the Court on the date specified by it. It should be enclosed in a sealed cover if sent to the Court or delivered on a date prior to the date of delivery of judgement. (3) Probation Officer shall not divulge any information concerning his enquiries or work of probation to any person other than the authorities to whom they are required to report except in so far as it is necessary to do so in the interest of the probationer. (4) A Probation Officer shall explain to the probationer the conditions of the supervision order and shall by warning and persuasion endeavour to ensure his observance of them. (5) The Probation officer shall, subject to any direction given by the Court (whether in the probation order or otherwise) or by the Chief Probation Officer, visit the houses of the probationers and make enquiries as to their behaviour, mode of life and employment. The Probation Officer shall keep in close touch with the probationer and shall for the first month of probation meet him (unless the Court or the Chief Probation Officer otherwise directs) as frequently as is necessary. Later the number of visits of meeting shall depend on the conduct and mode of life of the probationer but shall not normally be less than once a fortnight in case of probationers below 16 years of age and in case of others once in a month. (6) In the case of young offenders attending school or college, the Probation Officer shall make enquiries regarding the boy or girl from the teacher, tutor or head of the institution as to his or her attendance and progress, without prejudicing the probationer's interest in any way but the boy or girl shall not be visited in the school premises. (7) The Probation Officer shall require the probationer to report in his office occasionally or shall visit him in his residence. The time and place be so arranged as not to cause unnecessary hardship to the probationer and to secure privacy and to avoid probationers associating with each other. (8) A Probation Officer shall advise and be friend to a probationer and where necessary to secure suitable employment or training for him so as to eliminate the chances to his reversion to crime. He shall also assist him in averting evil influence and victimisation and secure the assistance of public authorities if necessary.

15. Duties in relation to Court.

(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 Section 8(3) of the Act. (3) A Probation Officer shall report on the conduct and mode of life a probationer and generally on his progress to the Court before which the probationer is bound by his bond, in accordance with any direction given by the Court Reports shall be made, unless otherwise directed by the Court, once in every month in Form IV and they shall be marked secret and addressed to the Presiding Officer of the Court by name. They shall not be read in open Court nor published. (4) 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 matter to the Court before which the probationer is bound by his bond, for action as may be considered necessary.(5)The Probation Officer shall consult the District Probation Officer with regard to appeal or revision under Section 11 of the Act.

16. Access of Probation Officer to Court records.

- A Probation Officer may, if necessary, for due discharge of his duties, apply to the appropriate Court for having access to the records of his cases. He may also seek permission to take note of copies of recorded particulars and reports relating to his cases for use in the performance of his duties. When such permission is granted, he shall, in no circumstances, communicate the contents of the records to any person, without specific order of the Court.

17. Responsibility in relation to District Magistrate.

- The Probation Officer shall-(i)carry out any directions that the District Magistrate or other officer not below the rank of Sub-divisional Officer duly authorised by him to act on his behalf, may give regarding supervision of a probationer provided such direction is not inconsistent with the condition imposed by the Court under Section 4(3) of the Act;(ii)submit such reports to the District Magistrate on the progress of probationers as may be required, as nearly as may be in Form IV;(iii)report to the District Magistrate-(a)cases where conditions of the supervision order or bond are not adhered to which would include inter alia-(1)the probationer changing his residence;(2)any fresh offence committed by the probationer,(3)any serious violation of the conditions of the supervision order; and(4)any plan of probationer to abscond.(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. Other duties of Probation Officer.

- The Probation Officer shall perform such other duties as may be assigned to him by the order of the Inspector-General.V. Recognition of society

19. Recognition of society.

(1)A society primarily devoted to any of the following kinds of work will be eligible for seeking recognition under Clause (b) of Section (1) of Section 13 of the Act-(a)social defence including care, aftercare or aid to offenders or discharged prisoners and protection and training of rescued or destitute women or children;(b)education or other 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 through Inspector-General together with a copy of each of its rules, bye-laws, articles of association, list of its members and office bearers and a statement showing its status and past

records of social or public service.(3)The State Government may by making such enquiry as it considers necessary into the status, past record of special or social or public service and present condition of the society and satisfying itself that the society possesses sufficient financial means to carry out its obligation, grant recognition to the society on conditions that it shall undertake to-(a)provide such Honorary Probation Officer as may be required by the Inspector-General; or(b)abide by these rules and any instruction issued by the Inspector-General and see that the same are followed by the Probation Officers and the personnel of the institution referred to in Rule 27(1);(c)furnish to the Inspector-General whenever required a statement of its financial position including the balance sheet and audited report, if any.(4)The State Government may withdraw on suggestion of Inspector-General the recognition granted 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 through Inspector-General.

20. Subsidy to society.

(1)A recognised society requiring a subsidy from the Government in aid of its activities relating to probation shall forward to the Inspector-General through the Chief Probation Officer an application accompanied by a copy of-(a)its rules regarding payment of remuneration to Honorary Probation Officer and its rules regarding management of institution for the reception of probationer by a supervision order;(b)such other particulars as may be required.(2)The State Government may in deserving cases and on the recommendation of the Inspector-General, pay to a recognised society such subsidy and for so long as it may deem fit.(3)The society which has been granted any subsidy shall-(i)submit its annual report and audited accounts and such other report as may be called for by the Inspector-General through the Regional and/Chief Probation Officers;(ii)maintain standard of supervision work and manage institutions referred to in Rule 27 (1) under it to the satisfaction of the Chief Probation Officer and the Inspector-General; and(iii)provide all facilities for inspection by the officers concerned.

21.

(1)(a)If an Honorary Probation Officer provided by a society fails to observe the duties imposed on him by the Act or these rules of to abide by any order of the Chief Probation Officer or the Inspector-General or the State Government for regulation of the work and conduct of Probation Officers, the Court or the District Magistrate of the District Probation Officer may report the fact to the society and thereupon the society shall take suitable action on that report and inform the District Probation Officer of the action taken.(b)The society shall consider every complaint against such Honorary Probation Officer relating to any matter which affects his fitness for office in its opinion, call for investigation and take further disciplinary action where necessary.(2)The work of Honorary Probation Officer provided by the society will be subject to guidance, supervision and control by the Chief Probation Officer and the Inspector-General or any officer empowered by the State Government to act on his behalf.VI. Procedure for Courts and District Magistrate

22. Court procedure.

- The Court may direct a Probation Officer (as nearly as may be in Form III) to enquire into the character and antecedents of the accused, the circumstances in which the offence was committed and other matter and submit a report on a prescribed date which should ordinarily be the expected date of delivering judgement. The Court shall consult the report only after finding the accused guilty. If he is not found guilty the record shall be returned to the Probation Officer concerned for purposes of Court reference.

23.

The following forms may be used for the purpose noted against each: (a) Form VII-Bond for good behaviour under Section 4 (1) of the Act. (b) Form VIII-Under Section 4 (4) of the Act. (c) Form IX-Supervision order under Section 4 (3) of the Act.

24.

The Court may require a Probation Officer to submit a report on a stipulated date or periodical reports on the progress, conduct and mode of living of the probationer placed under his supervision for purposes of Sections 8 and 9 of the Act.

25.

Where a Court passed a supervision order under Sub-section (3) of Section 4 of the Act and appoints Probation Officer provided by a society it shall forward a copy of it to the society.

26. Functions of District Magistrate.

- The District Magistrate or any other Officer not below the rank of Sub-divisional Officer duly authorised by him, may - (a) inspect the work and any record in the office of the Probation Officer working within his jurisdiction; (b) give any direction to the Probation Officer that he considers to be immediately required for the due performance of their work for supervision; (c) send his observations or report on the foregoing or other facts to the District Probation Officer and Chief Probation Officer; (d) supply such information to the Inspector-General as may be required by him on the work of the Probation Officer in their jurisdiction.

VII. Residence of probationers

27. Probation hostel or other institution for reception of probationers.

(1) The State Government may establish probation hostel or approve subject to such conditions (including conditions relating to management and inspection) as it may deem proper to impose, any institution for the reception of probationers who may be required to reside therein by a supervision order. (2) Upon any time if it is brought to the notice of the State Government that any institution approved by it under Clause (1) does not conform to any of the conditions imposed, the said

Government may revoke the approval.

28. Residence of a probationer in such institution.

(1) When a Probation Officer is of opinion that it is necessary or desirable for a probationer to reside in any institution referred to in Rule 27 (1) on the ground that the Probationer has no fixed abode or no abode suitable for achieving the objects of probation or that the objects of probation would be better served by his staying in such institution, he shall obtain the consent of the probationer for being placed in the Institution. If the probationer does not give his consent for his stay in such Institution the Probation Officer may apply to the Court before which the probationer is bound for variation of conditions of the supervision order under Section 8 of the Act, making residence in the institution. (2) A probationer may also be required to reside in any such institution in pursuance of any order of the Court which passed the supervision order or in terms of the bond entered into by the probationer; (3) Admission in probation hostel or other institution for reception of probationer - (i) A probationer staying in a probation hostel or other Institution for reception of probationers shall abide by, all the rules of the institution which are applicable to him. The authority in charge of the institution and the Probation Officer shall explain rules to him. (ii) The person in charge of the Institution should - (a) supervise the general conduct of the probationer and his observance of conditions of the supervision order while in the institution punctuality, attendance or absence from the institution, drinking or bad habits, bad company, etc., and furnish the necessary information to the Probation Officer; (b) send a report to the Court concerned and to the Probation Officer on the probationer being discharged from the institution or otherwise ceasing to stay therein.

29. Change of residence.

(1) Where a probationer under supervision consistent with the conditions of the supervision order change or proposes to change his place of residence and the place of 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 District Magistrate on the recommendation of the Probation Officer if such period exceeds a fortnight but does not exceed three months; (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 of fortnight, the probationer shall be required to report to a Probation Officer having jurisdiction in the changed place of residence on or before a specified date. (3) The Probation Officer in the changed place of residence shall send to the Original Probation Officer a report of the arrival of the probationer and send copies of the reports and such other reports as may be required by Chief Probation Officers, to the District Magistrate or District Magistrates concerned and to 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 Section 13 (2) of the Act by the District Magistrate having jurisdiction over the changed place of residence or by the Court. VIII. Records

30. A Probation Officer shall maintain the following records.

(a) a diary showing his day to day work including preliminary enquiries, attendance at Courts, meeting with probationers, contact made in advancement of probation work and other duties; (b) a file containing copies of all reports of preliminary enquiries submitted to the Courts; (c) probationer's case file as in Form V, containing copies of presence report, orders of the Court, bond of undertaking and all other records relating to him including a history sheet; (d) an Index Card and chronological record as nearly as possible in Form VI; (e) summary of the probationer's antecedents, character, his family and other environment and the circumstances of the offence, further progress of supervision and all other important events during the period of probation; (f) a register showing the receipt and disposal of all orders of the Court to the Probation Officer for making enquiries; (g) such other records as may be directed by the Inspector-General from time to time.

31. Preservation of records.

(1) Each probationer's case file shall be preserved in the District Probation Officer's office for not less than ten years from the date of the expiry of the supervision order to which it relates. (2) The diary shall be closed on 31st December of each year and thereafter be deposited as a confidential record in the office of the Chief Probation Officer. Each volume of diary shall be preserved for not less than ten years from the date of its closure. (3) The index card and the chronological record shall be preserved for at least ten years more after the destruction of the history sheets to which they relate.

32. Inspection Book.

- An Inspection Book shall be maintained at each Probation Officer's office and the copy of the Inspection Book relating to the Honorary or Special Probation Officer shall be maintained in the office of the District Probation Officer. The Inspector-General, Chief Probation Officer, District Magistrate, District Probation Officer, and such other person as may be appointed by the Inspector-General for inspecting the work of Probation Officers shall record their observations in the book the observation made therein be forwarded to the Chief Probation Officer through the Regional Probation Officer, if any along with comments of Probation Officer for submission to the Inspector-General.

33.

All appointment and termination of the appointment of Honorary or special Probation Officer shall be notified in the Official Gazette.

34.

A Probation Officer shall not employ any offender placed under his supervision for his own private purpose or take any private service from him.

35.

The headquarters of the Honorary or Special Probation Officers shall be in the locality in which the Courts are held, or in such places as may be prescribed by the Inspector-General in consultation with the Probation Officer and District Magistrate where necessary. Form I[See Rule 11 (f)] Identity Card(Instructions)1. This card is meant for establishing the identity of the holder as a District Probation Officer, Honorary Probation Officer and Special Probation Officer.

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

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 (in block letters) F

Designation of the post held (in block letters) O

L

D

Full Signature of the holder H

E

Date..... R

Photograph of
holder

(Signature) E

Chief Probation Officer

Date.....

Form II[Rule 14]Report of preliminary enquirySerial No.....under the Probation of Offenders Act, 1958In the Court of the.....Magistrates

(Place) (District)

C. C. No. 20..... Date of hearing

*Offence-

State

Name of offenders** (Police Station) Crime No./20..

Address (place of residence)

Age

Sex and religion

*. Give section and brief description. **. In block letters. Personal History Behaviour and habit (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.) Report of employer, if any Associates Contact with social and religious organisations, 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, institution of individuals interested in the family Report of parents and relations Attitude of family towards offenders and extent of its influence on him/her Report of neighbours Home surroundings and general outlook Is poverty of unsettled life the cause of offence Legal History Previous Institutional record, if any Statement of the present offence and circumstances in which it was committed Offender's own reaction 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 attitude, 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..... Disposal of the case Name of Probation Officer Date of disposal Form III [Rule 22] 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 (Act 20 of 1958), or under the provisions of..... is required for dealing with (name)..... son/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 Form IV [Rule 13 (3)] Monthly report on progress of probationer Part-I {||-| Probation office| For the month of|-| Register No.| Court No.|-| Probationer's name| Case No.|-|| Date of|-|| Supervision order|-| Probationer's address| Period of probation|} Part-II {||-| Place of interview| Dates|}

1. Where the probationer is residing

2. Progress made in any educational training course

3. What work he is doing and his monthly average earning

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 the Court/District Magistrate for-(a)Variation of conditions of bond under Section 8 (1) or 9 (1) of the Act, or(b)change of residence [vide Rule 28], or(c)discharge under Section 8 (3) of the Act, or(d)other matter

8. Probation period completed on (date)

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

10. Occupation and address after discharge

ToDistrict Probation Officer/Court/District MagistrateProbation OfficerAddressDate of ReportForm V[See Rule 30 (c)]Probationer's Case FileA-Front/Cover Page

Probation Office

Court

Office Registered No.

Case No.

Name of Probationer

Date of supervision order
Offence (Section)

Address

Occupation

Home address

Mother-tongue

Sex, Age

Date, time and place of arrest

Facts of the case (in brief)

Previous convictions

Referred for enquiry on

Enquired by

Enquiry Report submitted on

Monthly progress report submitted on 1st year, 2nd year, 3rdyear

Final 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 which under supervision**
- 12. Restrictions as to residence in any area/probation home/or otherwise**
- 13. Salient points in progress reports**
- 14. Amendments to order, if any, under Sections 8 and 9 of the Act**
- 15. Final disposal**

Form VI[See Rule 30 (d)]Chronological Register of Probationer

Serial No.	Name of Probationer, father's name and address	Sex, age, religion, identification marks, etc.	Offence (give section and brief description of the offence)	Court passing the supervision order and casenumber	Date of supervision and order and period of supervision	Name of probation officer
1	2	3	4	5	6	7
Present progress report submitted/or not (if submitted	Whether the probationer is residing in a Probation Hostel	Name and address of any sureties, if any	Occupation, if any and address	Any variation in original supervision order and the	Number of visits paid	Number of visits received

give P.No. and date)	so, give the name and address of Probation Hostel or other institution for reception of probationers	of employer, if any	date of such variation			
8	9	10	11	12	13	14
Number of progress reports submitted	Result of probation and remarks of Probation Officer, if any	Subsequent history after completion of probation				
First year (a)	Second year (b)	Third year (c)	Fourth year (d)	Five year (e)		
15	16	17				

Form VII[See Rule 23 (a)]Bond to Keep the peace and to be of good behaviour (Under Sub-section (1) of Section 4 of the Probation of Offenders Act, 1958)In the Court of the.....MagistrateCase No..... of 20.....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 do any act that may occasion a breach of peace; and(3)to be of good behaviour to 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.....20....Executed before meSignatureMagistrateI/We do hereby declare/myself/ourselves/surety/sureties for the above-named (1) to appear and receive sentence when called upon to do so; (2) that he will not commit a breach of the peace or do at any occasion a breach of the peace ; and (3) that he will 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 Government a sum of rupees.....Dated this..... day of.....20SignatureExecuted before meSignatureMagistrateForm No. VIII[See Rule 23 (b)][Under Sub-section (4) of Section 4 of the Probation of Offenders Act, 1958]In the Court of the.....MagistrateCase No..... 20.....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 that 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 of any other officer appointed in his place;(4)that I will (a) during the period specified in the order, keep the Probation Officer informed 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 dissolute life;(7)that I will live 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 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 rupeesDated this..... day of.....20....Executed before meSignatureI/We do hereby declare myself/ourselves surety/sureties for the above-named that he will observe the conditions.