

Rajasthan Probation of Offenders Rules, 1962

RAJASTHAN

India

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Rule RAJASTHAN-PROBATION-OF-OFFENDERS-RULES-1962 of 1962

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Rajasthan Probation of Offenders Rules, 1962Published vide Notification No. F.12(13) S.W-61, dated 1.10.1962 (Published in Rajasthan Rajpatra, Part-4(C), dated 25.10.1962 at page 537).[Jaipur, 1 October, 1962]In exercise of the powers conferred by Section 17 of the Probation of Offenders Act, 1958 (Central Act 20 of 1958), the State Government hereby makes the following rules and approved by the Central Government as required by sub-section (1) of section 17 of the said Act, namely:-I. Preliminary

1. Short title.

- These rules may be called the Rajasthan Probation of Offenders Rules, 1962.

2. Definitions.

- In these rules, unless the context otherwise requires:-(a)"Act" means the Probation of Offenders Act, 1958 (Central Act 20 of 1958);(b)"Chief Controlling Authority" means the officer appointed under rule 4;(c)"Chief Probation Officer" means an officer appointed by State Government under rule 3(3);(d)"Form" means a form appended to these rules;(e)"Part time Probation Officer" means a Probation Officer, other than a Salaried Probation Officer, recognized by the State Government under Sec. 13(1)(a) of the Act or provided by a society under Section 13(I)(b) of the Act, who is remunerated by fees of honorarium and not by salary or who works without remuneration.(f)"Probation district" means a district or a bigger or a smaller area as specified by the State Government.(g)"Probationer" means any offender in respect of whom a supervision order is in force.(h)"Salaried Probation Officer" means a whole time Probation Officer appointed or recognized by the State Government under Section 13(1)(a) of the Act or provided by a society under Section 13(1)(b) 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 Section 13(1)(c) of the Act; and(j)"Supervision order" means an order passed under Section 4 of the Act.II. Departmental

Control of Probation Officers

3. Probation Officers and their control.

(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 this Act.(2)All Probation Officers (whether appointed or recognized by the State Government in each probation district) shall be under the control of the Probation Officer specified by the State Government in this behalf and designated as District Probation Officer.(3)All such Probation Officers in the State shall be under the control of the Chief Probation Officer to be appointed by the State Government.

4. Chief Controlling Authority.

- The State Government may appoint one of its officers to be the Chief Controlling Authority for the purpose of these rules, who shall exercise administrative control over all the Probation Officers, District Probation Officers and Chief Probation Officer and shall perform such other functions as may, from time to time, be assigned to him by the State Government.

5. Chief Probation Officer.

- 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 as required 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.

(1)The headquarters of a District Probation Officer shall be the head-quarters 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 area within his jurisdiction;(b)control, guide and supervise the work of the Probation Officers in the District;(c)submit to the Chief Probation Officer periodical reports on the conduct and progress of all probationers in his jurisdiction, and reports of cases dealt with under Section 9 of the Act;(d)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 of the Chief Controlling Authority or the State Government;(e)perform such other functions as may be assigned to him by the Chief Probation Officer or the Chief Controlling Authority.III. Probation Officer Qualifications for Appointment and Conditions of Service.

7. Leave.

- Casual leave may be granted :-(a)to Probation Officers employed by the State Government at her headquarters of the State and to District Probation Officers by the Chief Probation Officers, and(b)to any Probation Officer in district by the District Probation Officer. (2) All other leave shall be granted to the Probation Officers by the Chief Controlling Authority.

8. General attributes of Probation Officer.

- While appointing Probation Officers due regard shall be had to the followings 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;(d)aptitude, zeal and calling for probation work.

9. Qualifications of salaried Probation Officer.

(a)A salaried Probation Officer appointed by the State Government shall possess such qualifications as may be prescribed by the State Government.(b)Every Salaried Probation Officer, before being entrusted with supervision of a Probationer, shall have received adequate training.

10. Qualifications of part-time Probation Officer.

- A part-time Probation Officer appointed in a district shall be:-(a)a graduate;(b)not less than 30 years of age;(c)a resident of the district;(d)in a position to devote adequate time to supervision of Probationers;(e)a person having sufficient practical experience in Social Welfare work or in teaching or in moulding of character; and(f)fully conversant with Act and these Rules.

11. Appointment and registration of Probation Officer.

(1)The Procedure relating to the appointment of Probation Officer by the State Government shall be in accordance with general rules relating to recruitment of such Officers.(2)Names of individuals of different localities for recognition as part-time Probation Officer submitted by a society or by the District Magistrate or the Chief Probation Officer may be considered by the State Government.(3)(a)The names of all Probation Officers recognised by the State Government with their address 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 the Societies and (iii) Part time Probation Officers, for services in the district or in specified areas of the district or allocated to specified courts in the district, shall be kept by the District Probation Officer and made available to the court whenever necessary.

12. Special Probation Officer.

(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 lists referred to in Rule 11(3)(b) is available or is considered suitable enough to attend to the case. A Court or District Magistrate may also appoint a Special Probation Officer under Section 13(2) of the Act.(2)In deciding whether a person is suitable for appointment as a 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-(a)the general attributes specified in Rule 8 and the provisions of Rule 13,(b)his age, position, character and attainments and relationship to the officer, and(c)his ability to follow these rules and to discharge the duties of Probation Officers.

13. Choice of Probation Officer (Precautions).

(1)Female Probationers should not ordinarily be placed under the supervision or control of male Probation Officers.(2)Religious persuasions of the Probationer and the Probation Officer should be taken into consideration.(3)While choosing a Probation Officer for supervision in particular case, the court may, where necessary, consult the District Probation officer.

14. Terms and Conditions of service.

(1)(a)Subject to the provisions of these rules, the general terms and conditions of service applicable to Probation Officers appointed by the State Government shall be the- same as those prescribed for other officers of the State Government of similar status and responsibility.(b)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 23(3)(b).(c)A part time Probation Officer may be paid (i) a fixed remuneration with due regard to the nature and extend of the duties he is required to perform or (ii) an honorarium; or he may work without accepting any remuneration.(d)A Special Probation Officer may be paid, if the Court so directs, remuneration or allowances for supervision of probationers at rate similar to those prescribed for part time Probation Officers.(2)(a)Every Probation Officer shall 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.(b)Probation Officer shall not wear any uniform or badge.IV. Probation Officers - Duties and Responsibilities

15. Departmental responsibilities.

- (1) Every Probation Officer shall carry out the directions of the Chief Probation Officer and the Chief Controlling Authority.(2)Every Probation Officer shall inform the District Probation Officer, as soon as a probationer is placed under his supervision of that fact and of the particulars with such other facts as may be prescribed by the Chief Probation Officer.(3)Every probation Officer shall submit:-(a)to the District Probation Officer a monthly report on the progress of each Probationer

placed under his supervision (in Form VII) and copies of pre-sentence report and of other reports submitted to a court or District Magistrate; and (b) to the Chief Probation Officer and the District Probation Officer such periodical reports and statistics as may be required.

16. Presentence Report.

(1) For the purpose of Section 14(a) of the Act, the Probation Officer, shall, after making discreet inquiries regarding the Offenders character and antecedents, his social environmental conditions, the financial and other circumstances of his family, the circumstances in which the alleged offence was committed and any other fact 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 of the case shall include an objective statement of facts along with the Probation Officers 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 should be enclosed in a sealed cover, if sent to the court or delivered on a date prior to the date of delivery of judgment.

17. Supervision of Probationers.

(1) The Probation Officer shall act as a friend and guide of the Probationer. For this purpose, he shall subject to any provision 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 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 surrounding 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 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 or tutor or head of the institution regarding his attendance, conduct and progress, without prejudicing the probationers interest in any way. (4) The frequency of the meeting including visits 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 should be, unless the court direct 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.

18. Duties in relation to court.

(1)The Probation Officer may move the court before which the probationer is bounded 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 through the Chief Probation Officer an application to the court for discharging the bond under Section 8(3) of the Act.(3)If a probationer fails to observe any of the conditions of the bond or behaves in 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 or the District Magistrate for such action as may be considered necessary.(4)The Probation Officer shall consult the District Probation Officer with regard to appeal or revision under Section 11 of the Act.

19. Responsibilities in relation to District Magistrate.

- The Probation Officer shall:-(1)carry out any directions that the District Magistrate, or other officer not below the rank of a Sub-Divisional Officer 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 in Form VII;(3)reports 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(iv)any plan of the 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 effect his conduct and reformation; and(c)the factors, if any obstructing the rehabilitation of the probationer.

20. Rehabilitation and after care of Probationer.

(1)The Probation Officer shall assist the probationers rehabilitation in society, so that he does not revert to crime. For this propose the Probation Officer shall endeavour to secure for the Probationer:-(a)training facilities,(b)employment opportunities,(c)any necessary financial aid, and(d)contacts and associations with naval 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, wherever possible in after-care scheme and organisations.

21. Other duties of Probation Officer.

- 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 incharge of any institution or other premises referred to in rule 31

that may be assigned;(4)any other duties of a cognate nature which may be assigned by order of the State Government.

22. Probation Officer not to divulge information.

- A Probation Officer shall not divulge information concerning his inquiries or work of probation to any person other 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.

23. Recognition of Society.

(1)A society primarily devoted to any of the following kinds of work for a period of not less than 7 years 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 of its rules bye-laws, articles of association, list of its members and office bearers and 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 condition of the society, and satisfying itself that the Society possesses sufficient financial means and necessary experience 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 followed by the Probation Officer and the personnel of any institution or other premises referred to in rule 31 under it; and(c)furnish to the State Government, wherever required a statement of its financial position including the balance sheet and audited report, if any(d)the State Government may withdraw 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.

24. Subsidy to Society.

(1)A recognised society requiring a subsidy form the State Government in aid to its activities relating to Probation shall got forwarded 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 Officer and its rules regarding the management of institutions or other premises referred to in rule 31, 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 31, if any, under it to the satisfaction of the Chief Controlling Authority; and(iii)provide all facilities for inspection by the officers concerned.

25. Control of Probation Officers.

(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 that 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 and shall investigate every such complaint which in its opinion calls for investigation, and take further disciplinary action, wherever necessary.(2)The work of Probation Officer 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.VI. Procedure for courts and district magistrateA- Court procedure

26.

(1)The Court may direct a Probation Officer (as nearly as may be in Form-II) to enquire into the character and antecedents of the accused, the circumstances in which 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 purpose 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 section 3, 4, 5, 6 and 7 of the Act.

27.

The following forms may be used for the purposes noted against each.-(a)Form IV - Bond of good behaviour under Section 4(1) of the Act.(b)Form V - Supervision order under Section 4(3) of the Act.(c)Form VI - Undertaking by probationer under Section 4(4) of the Act.

28.

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.

29.

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. B - Functions of District Magistrate

30.

The District Magistrate or any other officer not below the rank of Sub-Divisional Magistrate duly authorised by him may-(a)inspect the work and record in the office of any Probation Officer working within his jurisdiction;(b)give any directions Probation Officer he considers to be immediately required for the due performance of their work relating to supervision; and(c)send his observations or report on the forgoing or other facts the District Probation Officer and the Chief Probation Officer. VII. Residence of Probationers

31. Institutions or other premises for reception of Probationers.

(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 require to reside therein by a supervision order.(2)Any such institution or other premises shall be maintained, managed and inspected in accordance with such institution as may be issued by the State Government from time to time.

32. Residence of Probationer in such institutions or other premises.

(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 31 on the ground that the probationers has not fixed abode or not abode suitable for due supervision, or that his home surroundings are no 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.

33. Change of residence.

(1)Where a probationer under supervision, consistent with the conditions of the supervision order changes or proposed to change his place of residence and 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 District Magistrate on the recommendation of the Probation Officer, if such period exceed 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 having jurisdiction in the changed place of residence on or before a specified date.(3)The Probation Officer in the changed place or residence shall send to the original Probation Officer a report of the 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 or District Magistrates concerned 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 Section 13(2) of the Act by the District Magistrate having jurisdiction over the changed place of residence or by the Court.VIII. Records

34. Records to be maintained by Probation Officer.

(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 31, a copy of the diary being submitted every week to the District Probation Officer;(b)a file containing copies of all reports of preliminary enquiries 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)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 environment 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, order of court, bonds or undertaking 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)Register of payments made on account of probationer showing-(i)Payments to institutions or premises referred to in rule 31 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; and(g)Such other records as may be prescribed 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 record mentioned in clauses (a) and (d) of sub-rule (1) and send other information to the District Probation Officer and the Chief Controlling Authority as prescribed by the State Government from time to time.

35. Preservation of records.

(1)Each probationer's case file with the Probation Officer shall be preserved 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 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 should be preserved for at least ten years more after the destruction of the history sheets to which they relate.

36. Inspection Book.

- 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 District Probation Officer's office. 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 Officer 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.

37. Records to be maintained by District Probation Officers.

- The District Probation Officer shall maintain in his office in such manner as may be prescribed by the Chief Controlling Authority:- (1) lists of Probation Officers in the District or area under his jurisdiction; (2) lists of institutions or premises referred to in rule 31, 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 Officer; (4) register of probationers in the district (as nearly as may be in Form VII) received from Probation Officers; (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 probations staying in institutions or premises referred to in rule 31, in the District; (7) register of payments to probationers in the District; (8) register of payments to societies in the District; (9) such other records as may be directed to be maintained by the Chief Controlling Authority.

IX. Miscellaneous

38. Probationers not to be employed on private work of Probationer Officer.

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

39. Submission of statistics.

- 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 those statistics for the Probation Officer 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 after admonition under Section 3 of the Act; (b) released under Section 4(1) of the Act without supervision; (c) sentenced to imprisonment though under 21 years of age. The statistics mentioned above should be shown separately according to sex; age (over 21, between 21 and 16, below 16); nature of offender (i.e. first offender, second offender, habitual offender); and gravity of crime : Provided that in the case of part-time Probation Officer the statistics mentioned in this rule shall be collected and maintained by the District Probation Officer.

Form I [See rule 14(2)(a)] Front Cover Government of Rajasthan Probation

Department Identity Card Back Cover

- 1. This Card is meant for establishing the identity of the holder as a District Probation Officer/Salaried Probation Officer/Associate Probation Officer.**
- 2. The holder shall keep the card in the 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 Chief Controlling Authority.**
- 3. This card shall be returned to the Chief Controlling Authority 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) Designation of post held (in BLOCK LETTERS) Full signature of the holder Date Signature Chief Probation Officer Date

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Photograph of Holder

[] Form II [See rule 26(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 (Act 20 of 1958) or under the provision of..... is required for dealing with (name)..... S/o-D/o..... 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..... Seal of the Court Magistrate in Court of Session Form III [See rule 16(1)] Report on Preliminary Enquiries under the Probation of Offenders Act, 1958 S.No. In the Court of the..... Magistrate..... (Place)..... (District)..... C.C.No.,..... 20..... Date of hearing. * Offence State..... (Police Station)..... Crime No...../20..... Name of Offender ** Address (Place of residence) Age Sex and religion * Give section and brief description ** In Block letters 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.) 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 conditions of the family Any social agencies institutions or individual interested in a family. Report of parents and relations. Attitude of family towards offender and extent of its influence on him/her. Report of neighbours. Home surroundings and general out look. Is poverty or 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. Offenders own reaction to the offence and his attitude towards possible punishments. Any special information required by the Court.

Summary

(a) Factual background of offender and his environment and offence. (b) Diagnosis (offender's attitudes, defects in character or 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) Recommendations (if asked for by Court).

Name and address of the Probation Officer. State Date Nature of disposal of the case Date of disposal. Probation Officer.

Form IV [See rule 27(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..... Magistrate Case No..... 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 the peace; and (3) to be of good 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 Rs..... Date this..... day..... 20..... Signature Executed before Signature Magistrate I/We do hereby declare/ myself/ourselves surety/sureties for the/ to the above named: - (1) to appear and receive sentence when called upon to do so; (2) that he will not to commit a breach of the peace or do any act that may occasion a breach of the peace; and (3) that he will be of good 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 Rs..... Date this..... day..... 20..... Signature Executed before Signature Magistrate

Form V [See rule 27(b)] Supervision Order (Under sub-section (3) of Section 4 of the Probation of Offenders Act, 1958) In the Court of the Magistrate Case No..... of 20..... 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 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 character to 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..... 20..... Signature of Magistrate

Form VI [See rule 27(C)] (Under sub-section (4) of Section 4 of the Probation of Offenders Act, 1958) In the Court of the..... Magistrate Case 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 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 herein, keep the Probation Officer advised of his 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 character to lead a dissolute life;(7)That I will live honestly and peaceably and will endeavour to earn and 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 rupees.....Dated this.....day of.....20.....SignatureExecuted before meSignature of MagistrateI/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 his making default therein I/We bind myself/ourselves jointly and severally to forfeit to Government the sum of Rupees.....Dated this.....day of.....20.....SignatureExecuted before meSignature of MagistrateForm VII[See rule 15(3)(a) 19(2)]Monthly Report on Progress of Probationer

Part I – Probation Office.....for the month.....

Register No.....Court.....Probationer's name.....Case No.....date of supervision order.....Probationer's address.....period of Probation.....

Part II – Date.....

Place of Interview.....

- 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. Saving kept in the Post Office Saving 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.-

(a)Variation of conditions of bond under Section 8(1) or 9(1) of the Act.(b)Change of-residence, vide rule.Or(c)Discharge under Section 8(3) of the ActOr(d)Other matter

8. Probation period completed on.....(date).

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

10. Occupation and address after discharge.

To,

District Probationer Officer/Court Copy to chief Probation Officer. Probation Officer Date of report Address

Form VIII[See rule 34(1)(d)] Probationer's Case File A. (Front/Cover Page)

Probation Office Court

Office Regn. No. Case No.

Name of Probationer Date of Supervision Orders

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 year. 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 Probation Officer.**
- 10. Final order (with date) of the Court.**
- 11. Name and address of the surety/sureties while under supervision.**
- 12. (a) Restriction as to residence in any area, probation home or otherwise
(b) other restrictions.**
- 13. Salient point in Progress Report.**
- 14. Amendment to order, if any, under section 8 and 9 of the Act.**
- 15. Final Disposal,**

Probation OfficerC. 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.**

Probation OfficerChronological Register of ProbationersForm IX[See rule 38(1)(c)]

Name of probationer, S. No. father's name and address		Sex, age, religion, identification marks etc.	Offence (give section and brief description ofthe Offence)	Court passing the Supervision order and case No.
1	2	3	4	5

Date of supervision order and period of Supervision	Name of Probation Officer	Pre-sentence report submitted or not (if submitted give P.R. No. and date)	Whether the probationer is residing in an institution or other premises or reception of the probation of the probationers; and if so, give its name and address	Name and address of sureties, if any
6	7	8	9	10

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	Name of visits received	No. of (progress) report submitted	Result of probation and remarks of probation officer, if any
11	12	13	14	15	16

Subsequent History After Completion of Probation

First Year.

Second Yearb. Third Yearc. Fourth Yeard. Fifth
Yeare.