CHHATTISGARH PRISONERS RELEASE ON PROBATION ACT, 1954

CHAPTER V] JAILMANUAL SECTION 111 415 THE MADHYA PRADESH PRISONERS' RELEASE ON PROBATION ACT, 1954 Act No. 15 of 1954 An Act to provide for the release of certain prisoners on conditions imposed by the Madhya Pradesh Government CONTENTS Sections 1. 2. 3. 4. 5. 6. 7. 8

9. Title, extent and comnencement.power of Government to release by licence on condi- tions imposed by it. Period -for which licence is to be in force. • petiod of release to be reckoned as imprisonment for computing period of sentence served. Form of licence. Power to revoke licence. Released absconder who escapesfrom supervision to be pun ishable. Power of Government to remit sentence. Power to make rules. IO. Repeal, 416 JAIL MANUAL [CHAPTER THE MADHYA PRADESH PRISONERS' RELEASE ON pROBATION ACT, 1954 *Act No. 15 of 1954 An Act to provide for the release of certain prisoners on conditions imposed by the (Madhya Pradesh) Government Be it enacted as follows Title, extent and l. (l) This Act may be called , The Madhya Pradesh commencement. prisdners' Release on Probation Act, 1954". t(2) It extends to the whole of Madhya Pradesh.c. (3) It shall be in force in all such areas of Madhya Pradesh in which it was in force immadiately before the .commence— ment of the Madhya Pradesh Secord Extension of Laws Act, 1961 (40 of 1961), and shall come into force in other areas on such date as the State 'Government may, by notification appoint

2. Notwithstanding anythirg contained in section 401 of Power Of Govern- mentto release by the Code of Criminal Procedure, 1898 Where a person is cone licence on condi fined in a prison under a sentence of imprisorment, ard it t ion simposed by it.appears to the Government from his antecedents and his con- ductin the prison that he is likely to abstain from crime and lead a peaceable life, ifhe is released from prison, the Govern— ment may by licence permit him to be released on Condition that he be placed under the supervision or authority of a Government Officer or ofa person professing the same religion as the pdsoner or such institution or society as may be reccg- nised by the Governmcrt for the purpose, provided such other person, institution or society is willing to take charge of him. For Statement of Objects and Reasons See Suppl—ment to "Madhya Bharat Gazette" Extraoidinary, dated the 13th February 1954. For proce- dings in Assembly, see Madhya Bharat Legislative Assembly Proceedings dated the 26th February 1954. Pages 90 to 98. *The Act was extended to the whole of Madhya Pradesh by section 3 (I) of the Madhya Pradesh Second Extension of Laws Act. 1961 (40 of 1961) vide item 17 of part B of the First Schedule to the said Act. The said Act came into force with effect from 1st February 1962, vide Government of Madhya Pradesh, Law Department Notificaron No. 3191- XXI/A (Dr.), dated the 25th January, 1962, published on pgge 27 of the "Madhya Pradesh Gazette", extraordinary, dated the 27 January, 1962. tSubstituted by the Madhya Pradesh Second Extension of Laws Act, 1961 (40 of 1961. cmpTER V JAIL MANUAL 417 •expression "Sentence of imprison- ment" in this section shall include imprisonment in default of payment of fine and imprisonment for failure to furnish security under Chapter 8 of the Code of Criminal procedure

3. A licence granted under the provisions of section 2 Period for whieh licence is to be in shall be in force until the date on which the person released force.would in the execution of the order of warrant authorisirg bis imprisonment have been discharged from prison had he not been released on licence, or until the licence is revoked, whichever is earlier

4. The period during which a person is absentfrom prison Period Of release to be reckoned as under the provisions of this Act on a licence which is in imprisonment, for force shall be reckoned as part of the perrod of imprison- computing period of sentence served.ment to which he was sentenced, for the purpose ofcomputing the period of his sentence and for the purpose of comput- ing the amount of remission of sentence which might be awarded to him under any rules in force relating to such remissions

5. A licence granted under the provisions of section 2 Form Of licence.shall be in such form and shall contain such conditions as the Government may by general or special order or by rules made in this behalf direct. 6. (1) The Government may at.any time for reasons to be recorded in writing a licence granted undev the licence provisions of section 2 : Provided that no licence Shail be revoked on the ground Of a breach of a condition of the licence without giving an opportunity to the person concerned to present his

case before the District Magistrate of the Districtin which heis residing at the time. (2) An order of revocation passed under the provision of sub-section (1) shallspecify the date with effect from which the licence shall cease to be in force, and shall be served in such manner as the Government may by rule prescribe, upon the person whose licence has been revoked. 7. (I) Ifany person escapesfromthesupervisionorautho- rity ofa Government Officer or Institution or Society ot pet- son in whose charge he has been plgced under the provisions of section 2, or if any person whose licence has been revoked under the provisions of section 6, fails without lawful excuse the burden of proving which shall be upon him, Power to revoke conder who escapes from supervision to be punishable. 418 Power Of Govern- ment to remit sentence. Power to make rules. JAIL MANUAL t CHAPI'ER v -to return to die prison from which hé was released, on •or before the date specified in the order of revocati- on, such person shall on convicticr by a Mtgistrac be lit _ ble to serve the unexpired portion ofhis original sentence and shall also be punishable with imprisonment for a further term which may exterd to two years or with fine not exceedirg Rs. 200 or with both. (2) An offence punishable under sub-section (1) shall be deemed to be a cognizable offence within the meaning of clause (f) of *tsub section (1)) of secticn 4 of the ' 'Ccde of Criminal Procedure, 1898." -8. (1) The Government may remit the whole or patt of •the sentence of a person sentenced to imprisorment for an •offence under any Act, on such person enterirg into a bond — with one or more sureties, in such amount and for such period as the Government may direct, to be of good behaviour•and to observe such condition as to residence or otherwise, as the Government may impose. (2) The provisions of sections 126, 126-A, 514, 514-A, 514-B and 515 of the 'CCOde of Crimiral Procedure, 1898" shall; so far as may be, apply in the case of sureties offered and bonds given under this section as if they had been offered and given under Chapter VIII of the said Code : provided that if any person required under section 126-A or 514-A of the said Ccde to furnish fresh securities, fails to furnish the same, the Government may cancel the order passed urder sub-section (1) and order that such person shall serve the whole or so much of his unexpired sentence as the Goverr- men t may d irect. (3) If any person released urder sub-secticn (1) fails to observe the cord itiors of his bond, the Government may direct that he be re-arrested ard sent to prison to serve the whole or such part of his unexpired sentence as it may direct, in addi- tion to any proceedirgs that may be tøken zgair,st or his surety or sureties in respect pfsuch bord under the Stid Cede

9. The Government may make rules consistent with this Act (I) for the form and corditions of licence on which pri- soners may be released ; • Substituted for "Sub-Section (i)" by the Madhya• Pradesh Second Extension of Laws Act, 1961 (40 of 1961).CHAPTER v I JAIL MANUAL 419 (2)'for the appointment of Government Offcer, ihé re' cogaition of Institutiory Societies- and persons referred to in section 2 ; (3) for defining the powers and duties of Government Officer, Institutions, or persons, under whose authority ot supervision •conditionally released prisoners may be kept ; (4) for defining .the classes of offenders who may be conditionally released, and the periods of imprison- ment after which they may be so released ; (5) for prescribing the manner in which an order of revocation of a licence shall be served on the per- -son whose licence is revoked (6) for delegation of all or any of its powers to any offcet or person authorised in this behalf ; (7) generally for carrying into effect all the purposes of this Act. IO. On the 'enforcement of this Act the Madhya Bharat Repeal• Prisoner's Release on Probation Act, Samvat 2008, and all laws, rules, regulations and other provisions havirg the force of law relatfrg to the release of prisoners on• probation, in force in Madhya Bharat, shall stand !epealed • Provided that all actions taken or orders given under them shall be deemed to have been taken ot given, es the case may be under this Act. JAIL [CHAPTER V Short Title. Definitions. Classes risoners not e released. of to Madhya Pradesh Jail Department Notification No. 2374-1294-111+1, dated 23-9-1964 Rules I. These •Rules may be called the Madhya Pradesh •risoner's•ReIease on Probation Rules 1964

2. Tn these Rules, unless the context otherwise requires:—(I) "Act" means the Madhya Pradesh Prisoner's Release on Probation Act, 1954 ; (2) "Board" means the Board constituted undet sub— rule (5) of rule 6 ; (3) "Form " means a form appended to these rules:— (4) "Guardian" means a Probation Offcer appointed by the Government or such other Goverrment Offcer Who may be appointed for the purpose or a per— son professing the same religion as the prisoner, or a secular institutions, or a society belongirg to the same religion as the prisoner, under whose sopervision or authority the prisoner released under section 2 of the Act is placed by the Government ; (5) "Superintendent" means the Superinterdent of a prison in which the convict to be released under the Act is confined

3. The following classes of prisoners shall not be released under Act : (a) Those convicted of offences under the Madhya Bharat Vagrants, Habitual Offenders and Crimi- nals (Restrictions and settlement) Act, 1952, or any law in force in any region of the State corres- ponding to the said Act, or the Explosive Subs- tances Act, 1908 or under the following Chapters or sections Of the Indian Penal Code, Chapters v-A, VJ and Vliønd section 216-A, 224and 225 (if it isa case of an escape from a jail), 231, 232 303, 311, 328, 361, 376, 382, 386 to 389, 392 to 402, 413, 459, 460 and 489-A" ; (b) Those convicted under section 7 of the Act or who are serving the unexpired sentence under sub-section (3) of section 8 of the Act,orwhose licence has been previously revoked on account of the breach of the conditions of the licence ; CHAPTER V JAIL MANOAL 421 (c) Those whose applications for release, other than zn applicationfor remissicnof sectcrce urder section were on a previous occasion rejected by the Government ; (d) Those convicted by a Court Martiål; (e) Those whose applicaticrs fcr timpcre.ty release under section 31-A of the prisoner's Act, 1900 or rules thereurder have been rejected; (fh Those who have been prosecuted ér.d COIivict€d for the breach of the rules under section 31 A of the Pr isonet•'s Act, 1900. Explanation.—ffhe rule in clause @ precludes a convict from himself applying a second time for release under section 2 of the Act, tut the Government may direct the Inspector-Genere! of Prisors to place any case, which has already been crce rejected, for reconsideration btfcye rhe Board

4. Save the prisoners specified in rule 3 any other prisoner whobas served ore third of his sentence of imprisormertcr a total Dericd of five years with remissions, whickevet is less may be released by the Government on licence

5. Fofthe purposes of these Rules the following principles shall be observed in computing the period of sentence of imprisonment, namely @ When a prisoner has been sentenced to Several terms of imprisonment for several offences ard the sen—tences of imprisonment have bcen ordered to run concurrently, the lorgzst single Sentence which the prisoner is undergoing shall be deemed to be the term of his imprisonment; (b) When a prisoner has been sentenced to several terms of imprisonment for several offences and the Sentences Of •imprisonment have been to run consecutively, the total period which the prisorer hasto undergo shallbe aeemcd to befre term of his imprisonment; Cej RenaiSSior,s 91reedy earned bj the OrisOcCr Shill bé Zounted as imprisonment served by him; Eligibility release. Computation sentence. for of 14 (2) (3) (4) S. 1 '-'-1-87-tFT-iff 12 gqz, 1954 (%NiT 15 1954) 9 1 964ii t, it, "qfr%Tif 'fi7T W' Jail Manual ' X. '1 (at) f'FTiT 23-6-89 79 Notrns. 422 Procedure. JAIL MANUAL CHAPTER v (d) Sentence of transportation for life or of imprisonment for life shall be reckoned ase twenty years. Explanation.—The eypression "sertcrce cf imprison- ment" in these Rules shall include impgisonmem in default of the payment of fire ard iinptison- ment for failure to furnish security under Chapter VIII of the Code of Criminat Proce- due, 1898. 6. (1) Any prisoner eligible for release urder these rules may make an application in Form A to the Superin- tendent. Svch form shall be orirted at the cost of the nment and supplied free of charge to prisonsers, to their relative and to persons offerirg themselves as their guardians. (2) On the receipt of the application the Superinterdent shall examine the application to see if the prisoner and his proposed guardian have duly filled in the columns of the applieation, meant to be filled in by them. Ifthe application is in order, the Suprentendent shall entertain it ard cause it to be entered in a register maintaircd in Form B. If the prisoner is in eligible urder rule 3 he syall reject the appli- cation and inform the prisoner of his order. If the ptison- ner is eligible for release ur der rule 4 he shall fill in the columns in the application meant to be filled in by him and forward the same as soon as may be, to the District Magistrate of the district in which the prisoner was convi- cted. If the application is not in order, the Superirten- dent shall return it to the prisoner for necessary correction or supply irg the omissions. (3) On receipt of an application ur der sub-rule (2) the District Megistrate shall immediately ccnsult the Supetic- terdert of police ard the Probation Officers, where ore is appointed ard, if necessary, the District Mtgistrate of the district in which the prisoner ordirarily resides and on receipt Of their reports fillin the entries meant to be filled in by him and shall Without delay, forward the same to the Inspector- General of prisons, Madhya Pradesh. (4) The District Magistrate shall mairt2in a register in

Form C in which all applications received from the Superin- tendent under sub-rule (2) shall be duly entered. (5) The applications received from the Districts by the Inspector-General of Ptisons shall be considered by a Board consisting of the Home Secretary to the Govergment of CHAPTER V] JAIL MANUAL Madhya pradesh in the Home Department or any other officer empowered in this behalf by the Government, the Inspector-General of prisons, Madhya pradesh or the Deputy Inspector General of Priscns as the case may be, and a non-official member to be appointed by the Government. Meeting Of the Board shall be held ordinarily once every month to make necessary recommendations. The Secretary to the Government in the Home Department ot any other offcer empowered in this behalf by the Government shall be the Chairman of the Board. A non-offcial member shall unless the State Government terminates his appointment earlier hold Office for a term of three years. (6) The Government shall, on the receipt of recommenda- tion e Board, pass such orders as it may deem proper

form D. Three copies ofsuch licence shall be prepared for each prisoner. One shall be retained by the Government another shall be sent to the Superintendent for delivery tothe guardian ofthe prisoner and the third shall be forwarded to the District Magistrate for information

8. As soon as the Superintendent receives the orders of the Government he shall commuricate the same to the prisoner concerned and in the casc of an order of release Shan, through the DistriCi Magistrate inform theguardian also of the order and callupon him to present himself to take charge of the prisoner. On the guardian presentirg himself, the Superin- tendent shall deliver tohim the copy of thelicencereceived from the Government, and place the prisoner in his charge and take his signature in the Register in Form B in token of his hgving taken charge of the prisoner. 9. (1) it shall be the duty of the guardian to see that the conditions of the licence are fulfilled. He shall look after the conduct and welfare of the licensee and generally actin LOCO PARENTIS. Ifthe licensee's conduct iS found to be bad it shall be the duty of the guardian to report.the fact to the District Magistrate. (2) In dealirg With the licensee the guardian, when he is a Probation Offcer appointed by the Government, shall be governed by the rules, if any; framed by the Government foi the guidance of Probation Offcer. Licence. Information the prisoner guardian. 423 to and Guardiln's Duty. JAIL MANUAL [CHAPTER V Revocation. (3) If on enquiry by the District Magistrate it is foUnd that the guardian has failed in his duties and does not generally act in LOCO PARENTIS the District Magistrate may propose to the Government a new guardian whose name may be sub- stituted in the licence after making necessary enquiries about his fitness to act as such. Before the Old guardian is replaced by a new one the District Magistrate shall cause a notice to be served on the guardian to show cause as to why he should not be repleaced. If the guardian presents himself then after hearing him and if Ire does not, present himself, then without hearing him, the District Magistrate shall consider and decide whether or not to recommend to the Governmenl for the repla- cement of the guardian and shall act accord ing\y. IO. (1) The District Magistrate on receiSåg infor- maticn from the guardian or any other source, ofthe brea- ch by the licensee of the conditions cf the licence, shall cause a notice to be sezveci on the licensee to show cause why his licence should not be revoked. If the licensee pre- sents himself in responsc to the notice, tEeL, after Yearir.g him and, if he does not present himself, then without hearing him, the District Magistrate Shall, consider ard decide whether cr rot to reccmmend to the Government for the revocation Of the prisoner's licence and shall act accordingly. (2) In case the District Magistrate decides to recommerd the revocation of the licence: he may, at the *ametime, if he COnsiders that thelicensee iS unfit to be allowed to remain at large under the licence, order his arrest and detention in the prison perding the receipt of theorders of the Govenr- ment. (3) The Government shall receipt of the District Magistrate's recommendation pass such orders as it may deem proper. (4) An order of revocation of licence shall be in Form E and shall be served upon the licensee if detaincd in prison by the Suoerinter.dcnt, and if not detained in prison by the offcer ir:charge of police station. (5) The order OfrevocatiOn shall be noted On thc licence and in the registers maintained •by the District Magistrate and the Superinter dent. (6) If a prisoner released on licence under the Act escapes from the supervision or of aguardian or fails to return to prison on rpyocgtion of. his licegce, the Euardian shall immediately inform the District Magistrate ezd the CHAPTER V] JAIL MANI-JAE Superintendent ard report to the nearest police station, and action shall be taken against the prisoner as in a cognizable case

11. On the release ofa prisor.er urder the Act, the Supe- rintendent shall retain the tmrrant under which the prisc— ner was committed to prison by the court which sentenced him until the period of his sentence with remissions, if any, earned by him dutirg the period of his Confinement in jail, has expired. The period during which a prisoner is ab- sert from prison under the provisions of the Act on a licence whith is in force shall be reckoned as part of the period of of imprisonment to which he was sentenced for the purpose of corn-outing the pericd of his sentence. When t} e convict releaseä on •licence has finished the sentence, the Superir— tendert shall return the warrant or warrents to the court which issued it or them

12. On the expiry of the period of licence otherwise than by revocation the guardian shall forthwith inform the licensee frat he is absolved from the observation Of condi- tions of the licence, shall make a note to the effect on the licence and shall return it to the Superintendent, 13• When a prisoner released on licence under the Act happens to be a police registered ccnvict the Suoerin- tendent of the priscn shall inform the Superinterdént cf Police oftye•district of which such convict is resident of his release on licence together with the name ard address of the guardiør end Shall at the same time, inform him of the date on which the final release of the licensee is likely to take place. On the final

release of the prisoner the oolice regi- ster slip shall be forwarded to the Superintendent of Police. 14. (I) In each case the District Magistrate shall deter— mine whether or not the proposed guardian iS fit to act as such having regard to his status, antecedents, and the deg- ree Ofcontrolthathe may exercise on the inform the Goverpment of Yis opiricr. (2) Parents or relafives cf a priscrer may be appointed guardians if the Districi Magistrate is satisfied that they are fit to act as such guardians. (3) An cficer of a prison shall in no case be eligibS to act as guardian unless the Inspector-Gererel of Prions Madhya Pradesh, sancticrs it. 425 Warrant commitment. Returning .4 Of Of licence to the Superintendent on its expiry. Police Registered convicts. Guardian. JAIL MANUAL [CHAPTER V Remission sentence. Rep saving. of 15. (I) An application for remission of senterce undet section 8 of the Act shall be made by the prisoner Or by the person offetirg himself as• his surety to the District Magis- trate of the district in which he was convicted or where he was c•nvicted in more than one district then to the District Magistrate of any such district. (2) Tae District Magistrate shall, on a consideration of the antecedents of the prisor_er. his corduct in-jail and bis enVitonments and after corsultirg t} e Probatiov, Offcer where ore is appointed and stich other- 7 as he may think prcper, within one • month of the receipt of the application forward it to the Government stating his OViniOn•whether the prisoner is likely to abstairv from crime and lead a peaceable life if released from prison. (3) The (hvernment may, on receipt of such app!icioton release the prisoner on his enterir g irto a bord with ore or more sureties for such amount and for such period as the Government may direct, to be of good beyaVicur ard to observe such cond itions; as the Governmert rn{l} impose. (4) If any prisoner released under sub-section (1) of section 8 of the Act fails •to observe the conditions of the bond, the District Magistrate or the Sub-Divisional Maglsrate, if authorised by the District Magisrate may take proceedings under section 514 of the Code of Criminal Procedure, ' 1898 and report to the Government for the cancellation of the order remitting the sentence passed under sub-section (l) of section 8 of the Act, and the Government may pass such orders in accordance witb sub-section (3) of section 8 as it may deem fit

16. The Madhya Sharat Prisoners' Release on Proba- and tion Rules, 1954, are hereby repealed; Provided that anything done or any action taken under the rules so repealed shall.unless such thing or action is inconsistent with the provisions of these rules, be deemed to have been done or taken under the corresponding provisions of these' rules, CHAPTER V] [TO be supplied to a prisoner, his relative (or his), guardian free of charge] Application by the prisoner to the Superintendent of a Prison for release under section 2 of the Madhya Pradesh Prisoners' Release on ProabtionAct, 1954. (Act Np. 15 of 1954) (TO be filled in by the prisoner and his guardian) Police District.....,,..... JAIL MANUAL FORM A [See sub-rule (l) of rule 61 427 2. 3. 4. 5. 6. 7. 8. 9

11. Jail... .... Name and No. of Prisoner Father's Name....,..... Residence—ViJlage, mohalla or town.... Police District.....,..f.... Name of the proposed guardian with his father's name Guardian's Guardian's age.... ..... Guardian's Guardian's residence—Village, mohalla or tpwm..... Is the guardian' literate . Is the guardian related to the prisoner ? If so, how Declaration by the Prisoner I hereby, declare that I Osire to be released on licence under the Madhya Pradesh Prisoners' Release on Probation Act, 1954, and shall faithfully comply with the conditions of the licence. Dated..... Signature of the Prtsoner/ Left thumb impression JAIL MANUAL CHAPTER V Declaration by the Guardian . ..Institution/Society agree to *I on behalf of.. .. undertake the supervision of.....prisoner mentioned above and shall comply with the provisions of the Madhya Pradesh Prisoners' Release on Probation Act, -1954, the rules framed thereunder and the conditions of the Dated..... .. Signature of the Guardian/ Left thumb impression (To be filled in by the Superintendent ot Jail) Casual Habitual No. of previous convicticr,s, if 1. 2. 3. 4. 5. 6• 7. 8

9. Prisoner's Name ard prisoner's age years, Sentercing Officer and Case No... Pericd of senterce..... . fine realised..... Date of sentence fine, if Pericd actually spent in jail up to the date of applica- months Remissions earned.... years ....days. Total of columns 6 and .....years..... ... .days. .months months Bisoner's date of release after ellowing probable remission ucder the IO. Physical and mental condition of the prisorcr • The rest of this line shall be scored out if the proposed guardian is not a society or an institution

CHAPTER V] JAIL MANUAL 429 *13. t14. Date.... Corduct in Jail....,... Effect of imprisonment undergone. , Is the prisoner eligible in every way ? If not, the Superintendent shall in his own hand record here the order rejecting this application with reasons.... .. Is it advisable to release the prisoner on licence ?

Entries checked with warrants..... Superintendent of fatl Jailor: Name of Jail..... (TO be fitted in by the District Magistrate) 1. 2. 4. 1. 2

3. Date of ±eceipt in the District Magistrate's offce...... Brief History of the case... Isthe proposed guardian fit to act as Having regard to the prisoner's antecedents and his conduct in prison, is he likely to abstain from crime and lead a peaceable life if released on licence ? District Magistrate, Name of District. Recommendation of the Board Recommended for release on licence... . Recommended for release on licence after... months in default of payment of fine or sooner, if fine Or portion of fine is paid. Recommended for release on licence provided a suit- able guardian is available. *These entries shouJd be in the hand Of the SuperintendeDt. tif not, please state reasons in brief. 430 4. 5. 6. 7. 8, Dated. ..... JAIL MANUAL I CHAPITR v Recommerded for release on licence after. month if prisoner's corduct is satisfactory. Postponed tn.....if prisoner's conduct is satisfactory. Postponed tilla suitable guardian •is forthcoming.... Rejected Name of guardian to be •recognised.....a..... Membe r ..19 Member Chairman ORDER OF GOVERNMENT Board's recommendation accepted. .. ...19 Secretary to Government Ednorsement on revocation Of licence .....19 Secretary to Government FORM—B [See sub-rule (2) of ru'.: 6 Jail Register Of applications for release under the Madhya Pradesh Prisoners' Release on Probation Act, 1954 Serial Date Name Prison- Whether- Whether Date cf Date of Order of Name of Date giv- Date of returned the expiry despatch the Gove- the ing the readmis- Num- of ap- ofpri- ers• applica- ber plica' son:r number tion reje- by the of licence of the ap- rnment Guardian licence Sion ot the Date if Signature Date of Remarks any of of the final the guardian in release tion (2) cted by the Superin- if plication Superin- tendent granted to rhe (3) (4) tendent to the prtSoner (5) district Magis- Irate (7) (9) (10) and prisoner delivery to the of the Jail Prisoner to the guardian (12) revoca- token of tion of the receipt of the the licence licence and delivery to him of the Prisoner (13) (14) (15) (16)

FORM—C [See sub-rule (4) of rule 6 Register of applications for release under the Madhya Pradesh Prisoners' Release on Probation Act, 1954 to be maintained in the office of the District Magistrate Name of Whether Date of Order of the Name Of Date if any Whether convicting recommended despatch Of Government Guardian of revocation action taken Serial Date of Number the receipt of application from the Superintendent (2) Name of P risoner (3) application court Of licence under section Gove rnment for xlease (5) to the Inspector- General Of prisons (7) (9) 7 of the Act (10) Rema rks (11) CHAPTER w I JAIL NHNüAL (See• rule 7)' Licence of conditional release underSection•2 oi the Madhya on probation- 1954' 1m exercise Section2 Mgdhya' Pradesh• Prisoners -Release on probaticrv ACt;. 1954;• the Government. iSpleased; subjectto •observaice of' the' cond itions€hereir aftersetfcrtb; grant d irectü:e ; tele-ete .....pofice . .. ...aged. caste..... district; ; I convict station. aeptesent confined jail and place him under the supervisicn authority Of caste.....„.v....tesident ...Son . district..... . police stations.... ....l..... „ Probatiom OmcerorSociety/IÉstituticn hereby appointed! as the guerdisn cf}thesaidtprisoner. The on the.... day of 1.19 Q , unless previOus19 revoked. Conditions Ito A'•e obser.ped • by the licemee 1. The'ligensqc shall femairw.t;ndcr the authority of theaboye-menticngdæuerdian of the licence, Heshall obey-all dian issugd to bimeither verbel.Jy or in vritinggegarding residence, employment cr conduct. 2, He shall;not.proceed.beyond the limits,oftbé places Within :which .he may be restricted by:bis guardian twithouv his pe!missiomand-shallproceed to any placeditected by thet guardiargud by the route:prescribed, gyaréianv, 3. He shall report himselfât such times ard places and to such persons as the guardian may from time to time direct. 4. himselfwith.éue industry and to the satisfacto tion of the guardian, unay direct him to employ himself

5. He shall not commit in the Indian Union any criminal offence punishable by any law for the time being inforcein Indian Union or any part thereof.JAIL MANUAL [CHA+TEQ V 6. He shall not in with persons known to be of bad character onlead •dissolute or evil life. f.,Jf in thegpinion• athe Government he is foundi to have committed a breach of the above mentioned conditicrs, the Government may, after the person concerned has been given an opportuni5v to represent his case before the District Magistrate of the d istfict in sshich he is resid ing at the •time; revoke a licence and direct his recommitment to prison to serve the rest of the sentence, subject to the provision of sec- tion 4 of the Madhya Pradesb Prisoner's Release cn Probation Act, 1954

8. On revocation of this licence, the licensee shall return to the prison named in the order of revocaticn on cr before the .date specified therein. Guardian's Duty shall be-the duty of the guardian to see that conditions of the licence are fulfilled. He shall look uafter the conduct. and welfare of the licensee and generally ect in LOCO PARENT IS, if the licensee's ccrduct be bad, it shell bethe duty of the guardian to, Feport thefactto the District Magis- trate. If a orisoner released •on licencexnder the Act escapes from the supervision or authority cf guardian or fails to return to prison on reVocaticn cf his licence the guariian shall immediately inform .the District Magistrate gtd the Superintendent and repott 10 the nearest police-station, and action shall betaken •against the prisoner -as in a cognizable case. On the expiry of the period oflicence, othrewise than by revocations the guardian shall forthwith inform the licensee that he is absolved from the observations of all conditions of the licence, shell niake a note to that effect on the licence and shall tetvrn it to the Superintendent. Secretary to Government, M. P. Home Department CHAPTER V JAIL MANUAL FORM E [Seetsub rule '(4) Of rule 435 Order of revocation of licence under section 6 of the Madhya Pradesh Prisone€s Release on Probation Act, 1954 'In exercise Of the 'powers conferred by section 6 of the Madhya Pradesh prisoner's Release on probation Act, 1954. the Government hereby revokes with effect the licence under the said Act granted son [daughter {wife resident of. .....l.....C01iViCt of Prison, under the guardianship of . resident . ..l.....son direct that he be readmitted into the prison, to serve the rest of his sentence subject to the provisions of section 4 of the said Act. (The said convict is directed to report himself to the Superintendent of the.... .....prison or before the Date. .....19 Secretary to Govennent, M. P., Home Department