

Borstal School Act, 1963

Section 11 - Transfer of Incurrigibles, Etc., to Prisons

(1) Where an offender detained in a Borstal School escapes or is reported to the State Government by the Inspector-General to be incorrigible or to exercise or to be likely to exercise a bad influence on the other inmates of the School or to be more than twenty-one years of age, or where a licence granted under section 15, is revoked by the State Government under clause (ii) of the proviso to sub-section (1) of section 16 or is, in the opinion of the State Government, otherwise unsuitable for training in a Borstal School, the State Government may commute the unexpired residue of the term of detention to such term of imprisonment of either description as it may determine, but in no case exceeding the shortest of the following three periods, namely:"

(a)the unexpired residue of the term of detention; or

(b)the maximum period of imprisonment provided by law for the offence of which the offender was found guilty or for the failure to give security, as the case may be, in consequence of which the offender was ordered to be detained in a Borstal School or ordered to be transferred to and detained in such School by the State Government; or

(c)the maximum period of imprisonment, which the Court that tried him had authority to award under the Code.

(2) Such offender may be confined in any prison in the¹[State of Karnataka] by warrant under the hand of a Secretary to Government, and effect shall be given to such warrant and the sentence of imprisonment passed upon such offender shall be executed in the same manner as if such person had been sentenced by a competent Court of criminal jurisdiction.

1. Adapted by the Karnataka Adapatations of Laws Order. 1973 w.e.f. 01.11.1973.
