

## **Borstal School Act, 1963**

### **Chapter 4 - Control and Management of Borstal Schools**

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Subject to the general control and superintendence of the Inspector-General and subject to the rules made under this Act, the control and management of every Borstal School shall vest in a Superintendent appointed by the State Government.

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#### **Section 23 - Constitution, powers and duties of Visiting Committees**

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(1) Every Visiting Committee appointed under sub-section (2) of section 3 shall consist of the Sessions Judge, the District Magistrate, the District Educational Officer within whose respective jurisdictions the Borstal School is situated, and four non-official members appointed by the State Government.

(2) The non-official members shall hold office for a period of two years, but shall be eligible for reappointment on the expiry of such period.

(3) It shall be the duty of the Visiting Committee and its members,

(a) to visit the Borstal School either individually or collectively on such occasions as may be prescribed;

(b) to make such suggestions for the improvement of the training therein as are considered necessary and to report to the State Government or to the Inspector-General from time to time any matter, which, in their opinion, should receive attention and annually on the progress of the school;

(c) to interview the inmates immediately after their arrival and to make suggestions, if any, as to the special training which each should receive;

(d) to consider cases of release on licence, under sub-section (1) of section 15, placed before them by the Superintendent.

(e) to consider such action as may be necessary in regard to the inmates whose control and detention is about to expire.

(4) Every member of the Visiting Committee shall, subject to rules made in this behalf, under this Act, be entitled to call for information, from the Superintendent, to examine the records of the Borstal School and to take such action as he deems necessary for due discharge of his duties.

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#### **Section 24 - Classification of inmates**

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(1) The inmates of a Borstal School shall be divided by the Superintendent according to their industry and good conduct into four grades, namely:

(a) the penal grade,

(b) the ordinary grade,

(c) the star grade, and

(d) the special star grade.

- (2) The privileges of each grade shall be higher than those of the grade preceding, if any.
- (3) Every inmate shall, on reception in a Borstal School, be placed in the ordinary grade.
- (4) Subject to the general instructions of the Visiting Committee, the Superintendent may promote or reduce any inmate from one grade to another in accordance with the provisions of sub-section (5), and the rules, if any, made under this Act.
- (5) Promotions and reductions shall be regulated by a close personal observation of the inmates and shall depend specially on their general behaviour, amenability to discipline and attention to instruction, both literary and industrial.

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## **Section 25 - Punishment for offences**

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(1) The punishment which may be inflicted on an inmate of a Borstal School for offences specified in the 1 [Karnataka] Prisons Act, 1963, and the rules made thereunder shall be in the following forms and in no other:"

- (i) formal warning;
- (ii) extra drill;
- (iii) deprivation of any of the privileges of the grade;
- (iv) reduction in grade.

(2) No punishment shall be awarded to any inmate by an official of the Borstal School, except by the Superintendent, or in his absence, the official exercising the functions of a Superintendent.

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

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## **Section 26 - Penalty for introduction or removal of prohibited articles**

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(1) Whoever, contrary to any rule under this Act,--

- (a) introduces or removes, or attempts by any means whatever to introduce into or remove from any Borstal School, or
- (b) supplies or attempts to supply to any inmate outside the limits of such school any prohibited article, or
- (c) being an officer of a Borstal School, knowingly suffers any such article to be introduced into or removed from any Borstal School to be possessed by any inmate or to be supplied to any inmate outside the limits of the Borstal School, or
- (d) communicates or attempts to communicate with any inmate.

shall, on conviction, be punished with imprisonment for a term which may extend to six months or with fine which may extend to two hundred rupees or with both.

(2) Whoever abets any offence punishable under sub-section (1) shall, on conviction, be punished with imprisonment for a term which may extend to six months or with fine which may extend to two hundred rupees or with both.

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## **Section 27 - Limitation of hours of work**

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No inmate of Borstal School shall be made to work for more than eight hours a day:

Provided that extra drill awarded as a punishment under sub-section (1) of section 25 shall not be deemed, for the purpose of this section, to be work.

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