

Borstal School Act, 1963

Section 31 - Power to Make Rules

(1) The State Government may, by notification, after previous publication, make rules to carry out the purposes of this Act.

(2) In particular and without prejudice to the generality of the foregoing power such rules may provide for all or any of the following matters, namely:

- (a) regulation, control and management of any Borstal School established under this Act;
- (b) the appointment, powers and duties of officials in such Schools;
- (c) the constitution, power and duties of Visiting Committees;
- (d) the classification, control, discipline, training, instruction and treatment of young offenders ordered to be detained in a Borstal School and for the temporary detention of such offenders until arrangements can be made for sending them to such school;
- (e) the regulation of visits to, and communications with offenders detained in such school;
- (f) the restriction or prohibition of the supply to or possession by offenders detained in such school of any specified articles or kinds of articles;
- (g) the period for which offenders or any class or classes of offenders may, within the limits fixed by this Act, be ordered to be detained in such school;
- (h) the class or classes (if any) of offenders, who shall not be ordered to be detained in such school;
- (i) the removal of offenders to Borstal Schools in other States and the reception and detention in a Borstal School established under this Act of offenders transferred from other States in India;
- (j) the form and conditions of licences granted under section 15;
- (k) the supervision of offenders after the expiration of the term of their detention;
- (l) the transfer of incorrigible offenders from a Borstal School to a prison;
- (m) the conditions on which an offender may be discharged under section 19;
- (n) the constitution, procedure, powers and duties of Investigating Committees;
- (o) the manner of detention of an young offender under arrest or remanded or committed for trial.

(2) Every rule made under this section be laid as soon as may after it is made, before each House of the State Legislature while it is in session for a total period of thirty days, which may be comprised in one session or in two successive sessions, and if before the expiry of the session in which it is so laid or the session immediately following, both Houses agree in making any modification in the rule or both Houses agree that the rule should not be made, the rule shall thereafter have effect only in such modified form or be of no effect, as the case may be; so however, that any modification or annulment shall be without prejudice to the validity of anything previously done under that rule.
