

BOMBAY BORSTAL SCHOOLS ACT, 1929

series No. xxn--.,25 : Bom. THE BOMBAY BONTAL AM', 1929. Szcmom. 1751 I. 2. 3. 4. 5. 6. 7. 8. 9. 10. 11

13. Short title. Extent and commencement. Definitions. Establishment of Borstal Schools. Application of the Prisons Act, 1894, and the Prisoners Act, 1900. may put order for detention in a Borstal School. Power of State Government to exempt. Courts empowered to pass order for detention. •Præmure when Maøstrate is not empowered to pass an order under Limitation on powers conferred by section 6. Transfer from prison to Borstal School or via wrsø. Transfer of incorrigibles, etc., to State Government to the Borstal in shall be detained and may order removal. 14. 15. 16. 17. 17A. 18. 19. 20. 21. 22. 13Æ Power to order detention in, or removal of offenders to, a &hcnl in another State. Power to accept transfers of 'offenders from another State. to a Borstal School in the Presidency. 13B. Removal. of person detained to- civil hospital in for medical treatment. Power to release on licence. Suspension or revocation of licence. Subsequent supervision. Period of detention. Discharge from Borstal 17B. [DeZüd.] Arrest of offender escaping from Borstal Schools cooping from supevisim. Rulæ. Removal of disqualification. Appeal or revision. Repeal of C. P. and Berar IX of 1928 and Hyd. XV of 1956 and saving- Replacement Series No. LXI—p. 38 BOMBAY ACT No. OF 1929.1 BOMBAY BORSTAL SCHOOLS ACT. 1929.1:::• [25th November 1929 | Amended by Bom. IO of 1932. 3 of 1934. 18 of 1935. 2 of 1936. Adapted and modified by the Adaptation of Indian Laws Order in Council. Amended by Bom. 3 of 1948. Adapted and modified by the Adaptation of Laws Order, 1950. Amended by Bom. 23 of 1951. Adapted and modified by the Bombay Adaptation of Laws (State and (.Noncurrent Subjects) Order, 1956. Adapted and modified by the Māharashtra Adaptation of Laws (State and Concurrent Subjects) Order, 1960. Amended by Mah. 21 of 1960. 57 of 1975. (19-12-1975)i. An Act to provide for the establishment of Borstal Schools in the 2[State of Maharashtra]. WHEREAS it is expedient to provide for the establishment of in the 2[State of Maharashtra] • 3* * It is hereby' enacted as follows 1. This Act may be called the Bombay Borstal Schools Act, 1929

2. It extends to Lhe whole or the State of Maharashtra.] (2) rt shall come into operation 5[in the pie-ReorganisationPState_ of Bombay] on such date as the Governmelil] may, by notificati(h •in the 8[Omcial Mah. Gazette], appoint' 9[in this behalf ; and in the Vidarbha and Hyderabad areas of XXI the State of Maharashtra. it shall come into operatiOh on the kommencement or Of the Bombay Borstal Schools (Extension and . Amendment) 1960.] 190. For Statenlent of Objects and Rea-sons, see Bombay Goeern»æzt Gazelte929, Part V, p. 129 for Report of the Select Committee, see ibid. , 1929, Part Vi p.-143: and for Proceedings in Council, see Bombay Legislative Council Debates, 1929, Vols. XXVI it-nd XXVII. • 2 These words were substituted for the words " Presidency of " by Mah. 21 of 1960, ss.- 3 and 4. 3 The portion beginning-with and whereas and ending with* • passing of this Act 't was deleted, ibid., s. 4(.2). Sub-section (l) was substiituted for the original, 'ihid., • s. 5 These words were inserted, idid., s.. 5(g). 6 The words " Provincial Government " were-substituted for " Governor in Council by the Adaptation of Indian Laws Order in Council. 7 This word was substituted for the word Provincial by Adaptation of Laws Order, 1950, 8 The words " Official Gazette " were substituted for the words Bombay Governmen Gazette by the Adaptation of Indian Laws Order in Council. 9 This portion was substituted for the words " in this behalf by Mah. 21 of 1960, s. 5(2). * This Act was extended to, and shall, by virtue of such extension, be in force in that part of the State of Maharashtra to which, immediately before the commencement of Mah. 21 of 1960, it did' not extend (vide Mah. 21 of 1960, s. 2). T This indicates the date of commencement tof Act. Extent and Bombay Borstal Schools Act 1929 [1929 : Bom. xnn Definitions. Establish- 3. In thi Act, unless there is anything repugnant in the subject or context,— (a) " B stal school " means a place in Which young offenders, whilst detained in pursua e of this Act, are given such industrial training and other instruction and are s jected to such disciplinary and *moral influences as will condüce to Lheir refor ation and the prevention of crime ; fn pector-General " means the Inspector-General Of Prisons and includes [a Deput Inspector-General of Prisons to whom the Inspector General may delegate al or any of his duties under this +xct, with the prior approval of the State Gcv rnment, and also] any omcera ointed by the Government] to perfor all or any of the duties imposed y this Act on the Inspector-Geenral ; (c) " Pr scribed " means prescribed by rules made under this Act. 4. (l) F the purposes of this Act the Government]

may establish ment of one or more Borstal schools. Borstal For every Borstal School, there shall be a Principal and such other officers schools. and servant as the State Government thinks necessary.] (2) For every Borstal school, a visiting committee shall be appointed in such manner as may be prescribed. Application 5. Subject to any alterations, adaptations, and exceptions made by this Act Of the Prisons and the rule framed under it, the Prisons Act, 1894, and the Prisoners Act, 1900 and the rules framed thereunder shall apply in the case of every. Borstal school Act, 1894, and Prisoners established under this Act as if it were a prison [the inmates prisoners and the, Act, 1900]. Principal Superintendent. Court may 6. When an offender is found guilty of an offence for which he is liable to be sentenced to transportation or imprisonment, or is liable to imprisonment. pass order in a Borstal failure to furnish security under Chapter VIIA of the Code Of Criminal Procedure, 1898, whether any previous conviction is proved against him or not, and it appears to the Court (a) that the offender is not less than sixteen or, in any district or place in which Bom. 7 [the Bombay Children Act 1948, the Central Provinces and Berar Children Act, LXXI 1928 or the Hyderabad Children Act, 1951, is not in operation less than fifteen, Of 1948. nor more than twenty-one years of age, and (b) that by reason of his criminal tendencies or association with and persons of bad character it is expedient that he should be subject to detention of for such term under such instruction and discipline as appears most conducive to his reformation, it shall be lawful for the Court, if empowered in this behalf, to pass, in lieu of a sentence of transportation or imprisonment or of an order of imprisonment under section 123 of the Code of Criminal Procedure, 1898, an order for the detention of him of 1898. 1 This portion was by Mah. 21 of 190, s' 6. The words " Provincial Government were substituted for the words 'in Council' " by the Adaptation of Indian Laws Order in Council for the word " Provincial " by the Adaptation of laws Order, 1950. • This word Subsection (IA) was inserted by Mah. 21 of 190, s. 7. 5 See Centr Acts. The words were substituted for the words " and the inmates prisoners " by Mah. 21 of 190, This portion was substituted for the words and " the Bombay Children Act, 1924 ", ibid., Republished Series No. LXI—p. 39 the offender in a Borstal school (established under this Act or subject to the provisions of section 13-A, in a Borstal school in any other 2 [State] in 8 *India] for such term, not being less than 4 [three] years nor more than five years, as the Court subject to rules made under this Act, thinks fit : Provided that before passing such an order the Court shall give an opportunity to the parents or guardians of the said offender to be heard and shall consider any report or representation which may be made to it as to the suitability of the case for treatment in 5 [such Borstal school], and shall be satisfied that the character, state of health and mental condition of the offender and the other circumstances of the case, are such that the offender is likely to profit by such instruction and discipline as aforesaid. 7, The Government] may, by rules made under this Act, direct Power of that any class or classes of persons specified in such rules shall not be ordered to '[State] be detained in a Borstal school. Government to exempt 8. The powers conferred on Courts by this Act shall be exercised only by the Courts High Court, a Court of Session, 8 * empowered to. a salaried Presidency Magistrate, or a Magistrate of the first class and may be exercised by such Courts whether the case comes before them originally, or on an appeal or in revision. 9, (i) When any Magistrate not empowered to pass an order for detention under this Act is of the opinion that an offender who has been found guilty by him or who Magistrate has failed to furnish the security which the Magistrate has ordered him to furnish to him is under Chapter VII of the Code of Criminal Procedure, 1898, is a proper person to be detained in a Borstal school, he may, without passing any order, record his opinion and submit his proceedings and forward the offender to the 9 [Magistrate of this the first class] or the Chief Presidency Magistrate, as the case may be, to whom he is subordinate. (2) The 9 [Magistrate of the first class] or Chief Presidency Magistrate- to whom the proceedings are so submitted may transfer the proceedings to a subordinate to him competent to pass an order under this Act, or, as the case may be, to a salaried Presidency Magistrate. (3) The 9 [Magistrate of the first class] or Chief Presidency Magistrate to whom the proceedings are so submitted or any Magistrate to whom the proceedings are so transferred may make such further enquiry (if any) as he may think fit and may pass such order for the detention of the offender in a Borstal school, or such other sentence or order, as he might have passed if such offender had originally been brought before or tried by him, 10. Any offender detained in a Borstal school for failure to furnish security when Limited on powers of order to do so under section 106 or section 118 of the Code of Criminal Procedure, 1898, shall be released on furnishing such security or on the passing of an order under section 6. under section 124 of the said Code, These words, figures and letter were

insreted by Bom. 2 of 1936, s: 2 a This word was substituted for the word " province by the Adaptation of Laws Order, 1950. The word " British " was omitted by the Adaptation of Laws Order, 1950. The word " three " was substituted for the word " two by Bom. 2 of 1935, s. - The words " such Borstal school " were substituted for the words a Borstal school by Bom. 2 of 1936, s. 2.(2). 6 The words " Provincial Government " were substituted for the words Governor in Council ' by the Adaptation of Indian Laws Order in Council. This word was substituted for the word " Provincial " by the Adaptation of Laws Order, 1950. The words " a District Magistrate, a sub-divisional Magistrate were deleted by Bom. 23 of 1951, s. 2/ Schedule-.,Part 111. These words were substituted the words District Magistrate . ibid. [1929 : Bom. Bonihav Borstal Schools Act, 1929 (1) I the Inspector-General is satisfied that a person undergoing transportation or imprisonment in consequence of a sentence [passed under any law or . v of to Borstal undergoing in prison under an order made under section 123 of the Code of 1898. Criminal Procedure, 1898. for failure to give security] being within the limits of age within which persons may be ordered to be detained in Borstal school, by reason of his criminal habits- or tendencies. (in association with persons of bad character. may be detained in a Borstal school, the Inspector- General may by order in writing direct such person to be transferred from prison to a Borstal school established under this Act or subject to the provisions of sec- 5* India] and to be detained in a Borstal school in any other State] in [or of the period in lieu of the unexpired residue of his sentence. in such case, in which he is liable to undergo (or failure to give security, as the case may be. imprisonment for. such period as together with the period of transportation or case may be. imprisonment already undergone will not exceed the maximum period for which such person could have been ordered to be detained by a Court under section 6 . Provided that the Inspector-General shall not, without the previous sanction of the Government], direct such person to be detained in a Borstal school for a period which including the period of imprisonment or transportation undergone exceeds the period of imprisonment or transportation to which such person has been sentenced (or the period of) imprisonment which he is liable to undergo for failure to give security, as the case may be. 1. (2) A person transferred to a Borstal school under sub-section (1) shall upon transfer to such school be deemed to be an offender ordered to be detained by a Court under the provisions of section 6 and the provisions of the Act shall apply to such person accordingly.] Where a person transferred to a Borstal school under this section is at any time found unsuitable for training in the school, the Inspector-General may on the recommendation of the Visiting Committee, commute the unexpired residue of the term of detention to such term; of imprisonment as he may determine- but in no case exceeding 10[the term of imprisonment in consequence of which such person was transferred to the Borstal school reduced by the period of already undergone and of the period of detention in the Borstal school] and issue a warrant for confinement of the offender in a prison and thereupon the provisions of sub-section (2) of section 12 shall apply to such offender as if he had been so ordered to be confined in the prison by warrant under the hand of a Secretary to the Government. Where any person after he has been detained in a Borstal school has been found guilty of an offence committed before his detention therein and sentenced to imprisonment mentioned in sub-section (1) by a court of law, then the Inspector- General may by order in writing commute the period of such imprisonment to that of detention in a Borstal school, and notwithstanding anything contained in this Act direct that such person be detained in the Borstal school beyond the normal period 1 This section was substituted for the original s. 1 by Bom. 3 of 1934, s. 2. 2 These words were substituted for the original by Bom. 39 of 1948, s. 2. 3 These words, figures and letter were inserted by Bom. 2 of 1936, S. 3. ' by the Adaptation of Laws Order, 1950. This word was substituted for the word " Provin The word " British was omitted by the Adaptation of Laws Order, 1950. 6 These words were inserted by Bom. 39 of 1948. S. 2. by the Provincial Government " were substituted for the word " Government The words Adaptation of Indian Laws Order in Council. by the Adaptation of Laws Order, 1950. 8 This word was substituted for the word " Provincial " Sub-section (3) was added by Mah. 21 of 1960, S. 10(1). the shorter of the two periods* These words were substituted for the words, brackets and figures referred to in sub-section (1) of section 12 by Mah. 57 of 1975, s. 2(1). Subsection (4) was added, ibid.. s. 2(2). These words were added by Mah. 21 of 1960, 10(2), Replacement Series No. 1.XI—p. 4(1) 1929 : Bom, XVIII] Bomnhay Borstal Schools Act, 1929 of detention therein [or such period as together with the period of imprisonment already undergone will not exceed the maximum period for which such person could have been ordered to be detained by a Court under section 6: Provided that no such person shall be detained in the Borstal school after he has attained the age of twenty-five

years.] 12. (1) Where an offender detained in a Borstal school escapes, or Transferred of is reported to the Government] by the Inspector-General to be incorrigible or to exercise '[or to be likely to exercise] a bad influence on the other prisoners of the school, if [or to be more than twenty years or age]. '[N the opinion of the Government, otherwise unsuitable for training in a Borstal school], the Government] may commute the unexpired residue of the term of detention -to such term of imprisonment of either description as the Government] may but in no case exceeding the shorter or the following two periods : (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 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. (2) Such offender may be confined in any prison within the State of Maharashtra] by warrant under the hand of a Secretary to the 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 or criminal jurisdiction. 13. (1) Every offender ordered to be detained in a Borstal school shall be detained in such Borstal school as the Government] may, by general or special order, or in the prescribed manner, appoint for the reception of persons. Provided that if accommodation in a Borstal school is not immediately available for such offender, he may be detained in a special ward, or such other suitable part of or in a prison as the Government] may direct until he can be sent to a Borstal school. The period of detention so undergone shall be treated as detention in a Borstal school. These words were inserted by Mall. 21 of 1960, s. 11(1). The words " Provincial Government " were substituted for the words " Government in Council by the Adaptation of Indian Laws Order in Council. This word was substituted for the word " Provincial by the Adaptation of Laws Order, 1955. These words were inserted by Bom. 39 of 1948, s. 3. 5 The words or to be more than twenty years of age ' were inserted by Bom. 10 of 1932, s.

2. This portion was inserted by Bom. 39 of 1948, s. 3. 7 The ' or where a licence granted under section 14 is revoked by the State Government under clause (ii) Of the proviso to sub-section (1) of section 15 " were deleted by Mah. 21 of 1960, s. 11(2). The words or ordered to be transferred to and detained in such school by the Inspector- General were deleted. *ibid.* S. These words were substituted for the words " State of Bombay by the Maharashtra Adaptation of Laws (State and Concurrent Subjects) Order, 1960. The words ' the Provincial Government were substituted for the word " Government ' the Adaptation of Indian Laws Order in Council, by the 758 Bombay Borstal Schools Act, 1920-1929 : Bom. 39 (2) The Inspector General may order the removal of any offender from any one Borstal school to any other Borstal school, } 2[established under this Act or to provided under] a Borstal school in any other '[State] in that the whole period of his detention in a Borstal school shall not be increased by such removal. Power to 6[13A. (1) No order for the detention in or transfer or removal to a Borstal school order shall be passed except with the sanction of the Government in, in any other State in removal of previous concurrence of the officer in charge of such Borstal school and unless the Government is satisfied that it is expedient to do so. It extends to. Government:] of the said 3[State] 9* a Borstal therein or by general or special order, has consented, or is empowered, to receive such offender in another such offender for detention in such Borstal school. 6[State] Power to .(2) The officer in charge of a Borstal school established under this Act may, subject to the rules made in this behalf, give effect to any order for the detention transfers of therein of any person passed by any authority under any enactment in force in any offenders. A person detained in such Borstal from another other 3[State] 4* India is provision shall be deemed to be an offender Ordered to be detained in a Borstal school under the provisions of section 6 and the provisions of this Act shall apply to such School in the person accordingly. Presidency. Removal of 10113B. (1 If an offender detained in a Borstal school suffering from any person illness and the Inspector-General is that it is not possible to render to him detained to civil hospital proper medical care or treatment in the school, the Inspector-General may provide in the State for the removal of such offender to any civil hospital in the State for the purpose for medical or undergoing medical treatment and for his return to the school after such treatment is undergone. (2) The period during which an offender is sent from a Borstal school under sub-section () shall, for the purposes or computing his term of detention in the school, be deemed to be part of that detention.] 14. Subject to the prescribed conditions the Inspector-General may, on the recommendation of the Visiting Committee, allow an offender to be at large after the expiration of six months from the commencement of the detention of

an, offender in a Borstal School. 'if he is satisf • t there is.a reasonable (toi\ily that th offender •will abstain -a euseful and industrious discharge im from the Borstal from Crime t*him a written licence in the N•éscribed Corm and on the prescribed school and eonditions mitting hini to live nder the andrauthority (a) 11 [Gt officer], (b) secu rlstitution, These wor substituted for the words " State Government " by Maht 57 of 1975. s

3. These word by Bom. 2 of 1936, This word s substituted for the word " Pros ince by the Adaptiön of Laws Order. 1950, The word " Briiish omitted. ibid. were omitked, ibid. The words • in an Acceding State ' Section 13 was inspiied by Bom. 2 0? t 036, s

5. The words Provincial.Government ' were substituted for the. " ,Loeul Government by the Adaptat n Of Indian Laws Order in Council. This word as substitutedfor the word " Provinci'l " by the Adaptå(ion of Laws Order, 1950. The words 'or the Goverumnt of the said Accedi g State " were on?itted by the Adaptation Of Laws Order, 19 This secti was 'inserted by Bom, 39 of 1948. s. 11 These wor s were substituted for the words " se , •ant o? the Crown Laws Order; 19 0 by the Adaptation ot se Ro. XXVI—p. 199 : Bom. XVIII] Bombay Act, 1929 (c) society, or (d) responsible person, 1759 as may be approved by the Inspector&neral. and willing to take charge of the offender. The Inspector-General may, subject to the prescribed conditions, discharge any offender who had been previously granted a licence but whose licence was gubsequently revoked under section 15 and grant him a fresh written licence and in such case the provisions of this Act shall apply as if such fresh licence, had been granted under sub-section (1).] (2) Alicence under this section shall be in force until the expiry of the term for which the offender was ordered to be detained in Borstal school, unless sooner revoked. (3) The period during which an offender is absent from a nontal school during the continuance of a licence granted to him under this section shall, for the purposes ofcomputing his term of detention in such school, be deemed to be part of that detention. (7) Subject to any general or special directions of the State Government, Sugpenzion a licence granted under section 14 . may at any time be suspended by the or of licence. Principal of the Borstal School or the Inspector-General for 8 period not exceed- ing three months or be revoked by the Inspector-General in consultation with the Visiting Committee. For the purposes of such revocation, the Inspector- General of the Visiting Committee may make such' enquiry D8 he or it deemøg necessary, either through a Probation Offcer or (2) If an offender removes himser from the supervi.Bim of the- institution, or which he was by licence permitted to live, his licence deemed to hove been revoked from the date on which he has 80 removed h.iznr. (3) When any licence is suspended or revoked or deemed to be offender shall forthwith return to the Borstal School and if he fails to d0BO hø may be arrested by any Police omcer without 8 warrant and gent baqk to tb (4) On the Buspension or revocation of a licence, the period from the dote on Thioh the .licencee is suglEnded or revoked deemed to 'be till the ute on which the omender returne to school or is arr—, is earlier, shall,' subject to the provisions of be. computing the period for which he hog been ordered to be detained. in School.] 16. (1) When the Inspector-general and the Visiting that Subsqat' the oönduot progress) of any offender detained in a Bm"al•• been that it is expedient that he shall remain under zupervi8iön for a firther priod after the end of the term of detention, the '[5tStateJ may dinot that he shall, on the expiration of the term of his detentim, -remain for a period not exceeding one year under .the supervision of sad. authority, person the Inspector•Gaeral, subject to rules thi Act, i b' •89 of 1.%8, e

7. E SecEon 15 för thi- by bh.2-1 of a. wore ingred by Bom. 39 -of 1948, 9. worda " Government Gaven« in Oonoil the of This word wee •ubaitnted for " b' of 1900, 1760 Bombay Borstal Schools Ad, 1929 (1929 : Bom. xvm Period of DiB&rgø The tatq] Government may, acon a further report by the Inspector General and t Visiting Committee or otherwise and after making such enquiry it considers necessary]. direct that the offdnder who is under supervision in accordance wit sub-section (1) Bhall— (a) again detained in a Borstal schooli for such period it may think undergo imp isonment of such description and for such period as it may direct : Provided tha the total period of supervis10L, detention and imprisonment, under this secti n shall not exceed one year. (3) The prov 8ions of sub-section (2) of section 12 shall apply when an offender is to dergo imprisonment under sub-section (2) of this section.] 17. No pers n shall be detained in a Borstal school after he has, in the opinion Of the 51 *ESta] Government'], attained the age Of twenty-three years, or, if in any particular ase the Government) so directs, after he has attained the age of tw nty-five years. 6[17A. • The Government] may 4t any time order any person detained in a orstal school to be discharged from such school, either absolutely or on such co itions as may be 17B. [Inves •gating

Committee to investigate into complaints against #ndff8 discharged on probation, etc.] Deleted by Mah. 21 of 1960, s. 14

18. Any offender who, in contravention of the provisions of this Act, has escaped Arrest of offender from a Borstal school 7 [or has escaped from a civil hospital to which he was removed "escaping from Borstal" for treatment under section 13B] or has escaped from the supervision of any school, or authority, institution, society or person under whose supervision he has been directed to remain or has been permitted to lie by licence under section 14, 8 [or has committed breach of any of the conditions imposed under section 1 TAJ may be arrested by any officer of Police without warrant and without the Order of a Magistrate and sent back to the Borstal school or to the civil hospital] or to such authority, institution, society or person, as the case may be. 1 This sub-section was substituted by Bom. 39 of 1948, s. 9. This word was for the word Provincial " the Adaptation of Order, words substituted for the words " after considering report of Committee forwa to it under section 17B " by MA. 21 of 1960, s. words " if Investigating Committee report that the conduct of the offender has been such that he is unfit for detention in Borstal school " were deleted, *ibid*, n. s The words " Government " were for word Govt by the Adaptation of Order in Section 17A inserted by Bom. 3 of 1934, s. 4. 7 These words were inserted by Bom. 89 of 1948, s

11. These words, and letter were inserted by Bom. of 1994, J Replacement Series No, LXI—p. 41 1929 : Bom. Bombay Borstal Schools Act, 1929 19. (1) The Government] may make rules for the regulation and management of any Borstal school and for the carrying into effect of the provisions of this Act. (2) In particular, and without prejudice to the generality of the foregoing power, such rules may provide for or determine— (a) the control and management of Borstal schools established under this Act ; (b) the appointment, powers and duties of officials in such schools ; (c) the constitution, powers and duties of visiting committees and allowances to be paid to the non-official members thereof ; (d) the classification, control, discipline, training instruction and treatment of 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 communication 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 • 4[(hh) the removal of offenders to Borstal Schools in other States] in 6* India and the reception and detention in a Borstal school established under this Act of offenders transferred from other States] (i) the form and conditions of licences granted under section 14 ; (j) the supervision of offenders after the expiration of the term of their detention ; (k) the transfer of incorrigible offenders from a Borstal school prison ; the conditions on which an offender may be discharged under section 17 A;] 8[for] for the award of marks, the suspension or remission and consequent shortening of the term of detention in a Borstal School and the grant of release on parole or furlough and determining the conditions on and the authority by which the term of detention may be suspended or, remitted and the offenders may be released on parole or furlough.] were substituted for the words " Governor in Council " 1 The words " Provincial Government " by the Adaptation of Indian Laws Order in Council. by the Adaptation of Laws Order, 1950• 2 This word was substituted for the word " Provincial " 3 These words were added by Mah. 57 of 1975, s

4. Clause (hh) was inserted by Bom. 2 of 1936, s. 6. 5 This word was substituted for the word " Provinces " by the Adaptation of Laws Order, 1950. The word " British " was omitted, *ibid*. 7 Clause (l) was added by Bom. 3 of 1934, s. 6. 21 of 1960, s. 15(1). Clause (m) was substituted for the original by Mah. 1762 Bombay Borstal Schools Act, 1929 [1929 : Bom. (3) The making of rules under this section shall be subject to the condition Of previous publication. [All rules made under this section shall be laid before each House of the State Legislature as soon as may be after they are made and shall be subject to such modifications as the State Legislature may make during the session in which they are so laid or the session immediately following.] Removal of 20. The State] Government may, on the recommendation of the Inspector-General and the Visiting Committee, or otherwise remove any disqualification incurred by an offender ordered to be detained in a Borstal school on account of such detention Appeal or 21. For the purposes of appeal and revision under the Code of Criminal procedure, 18 , an order of detention under section 6 of this Act shall be deemed to be a sentence of imprisonment for the same period : 4*

Repeal of 502. Ont commencement of the Bombay Borstal Schools (Extension and C P' Aniendment) ct, 1960, the Central Provinces ahd Berar Botstal Act, 1928, in its and Berar of 1928 application to he Vidarbha region of the State of Maharashtra, and the Hydera- Of and Hyd. bad BorstalSc ools Act, 19.56, in its application tb the Hyderabad area of the State of 1960, xv of 1956 Maharashtra, hall stand repealed : and saving. Provided t t, the repeal shall not affect (a) the pr vious operation of any of the laws so repealed, or (b) any ri ht, privilege, obligation or liability acquired, accrued or incurred under any o the laws so repealed, or (c) any alty, forfeiture or punishment fincurred in respect of any offence committed a ainst any of the laws so reDealed, 01 (d) any in estigation, legal proceeding or r medy in respect of any such right, privilege. Ob igation, liability, penalty, forfei ure or punishment. as afOresaid, and . any such investigation, legal proceeding or remedy may be instituted, continued or orced, and any such- penalty, forfeiture or punishment may be and Berar IX of .1928. Hyd. XV of imposed as if t e Bombay Borstal Schools (Extdnsion and Amendment) Act, 1960 Mah• had not comm ced in the area in which the repealed law was iri force : XXI of 1960. Provided fu that, subject to the precedihg proviso, anything done or any action taken (i tuding any appointment made, : detention order passed, notifica- tion, order or irection issued, rule or form frâmed, licence or certificate granted) under any suc hwshall, in so far as it is not inconsistent with, this Act, be deemed to have been oæ:or taken -under the corresponding provisions of this Act, and shall continue o bé in force accordingly, unles\$ and until superseded by anything done or any a tion taken under this Act.] This portion rescind the rule " * The words ' by the Adaptatio a This word w 4 The proviso 6 Section 22 w for the portion beginning With " Such rules and ending with " may by Maha 21 of 1960, s. 15(2). rovincial Government " were substituted for the words " Governor in Council" of Indian Order in Council. substituted for the word " Provincial "by the Adaptation of Lawg Order, 1950. as. deleted by Bom. 39 of 1948, s. 13. added by Mah. 21 of 1960, s. 16.