

THE SINDH JUVENILE JUSTICE RULES,2002.

Cotents

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Karachi, dated 27.5.2002

NOTIFICATION

NO.VIII(7)SOJ/2000:- In exercise of the powers conferred by section 15 of the Juvenile Justice System Ordinance, 2000, the Government of Sindh are pleased to make the following rules.

PART-I
PREIMINARY

1. (1) These rules may be called the Sindh Juvenile Justice Rules, 2002. **Short title and commencement.**
 - (2) They shall come into force at once.
 - (3) They shall extend to the whole of the Province of Sindh.

2. (1) In these rules, unless there is anything repugnant in the subject or context- **Definitions.**
 - (a) "Government" means the Government of Sindh;
 - (b) "Incharge" means the person appointed as Incharge of an institution;;
 - (c) "Inmate" means a child admitted to and detained in an borstal institution;
 - (d) "Ordinance" means the Juvenile Justice System Ordinance, 2000;
 - (e) "Section" means a Section of the Ordinance;
 - (2) "Words and expressions" used but not defined herein shall have the same meanings as assigned to them in the Ordinance.

3. (1) Where it appears to a juvenile court that a legal practitioner appointed under section-3 is not competent or is not providing legal assistance properly, the court may direct to engage another legal practitioner in his place. **Legal Assistance.**

(2) A panel of legal practitioners shall be constituted by the Sessions Judge for providing legal assistance to the child offender but no legal practitioner shall be appointed for more than two cases at a time.

(3) The legal practitioner shall be entitled to receive such fee as may be determined by the Sessions Judge but such fee shall not be less than five thousand rupees and more than ten thousand rupees.

PART-II **INSTITUTIONAL TREATMENT**

4. (1) Government shall establish and maintain at least one borstal institution in every district. **Establishment of borstal Institution.**
- (2) The necessary arrangements for providing education and training to the inmates for their mental, moral and psychological development shall be made in every borstal institution.
5. Every borstal institution shall provide preferably, cellular accommodation to the inmates with facilities such as sanitary, toilets and bathrooms. **Accommodation for Juveniles.**
6. (1) No child offender shall be admitted to a borstal institution except under the order of a juvenile court. **Juveniles to be admitted in borstal institution.**
- (2) The Incharge, responsible to receive the child offender shall record all information about him such as name, parentage, complete address, education, details of first information report with police station, address of the court concerned, date of production in court, if any.
- (3) On admission, every child offender shall be searched and the record of the articles received from him shall be properly maintained.
- (4) No person shall keep in a borstal institution any type of tobacco, cigarettes, gutka, supari, pan mixed with narcotics material, naswar, lighter, match boxes, bettle leaves including any chewable material and herbs causing unconsciousness or as otherwise detrimental to the health of the inmates.
7. (1) A female child of offender shall be detained in a separate enclosure of the borstal institution exclusively established for the purpose and where there is no such enclosure the matter shall be **Detention of female Juvenile.**

reported to the concerned court for transfer of such child offender to any care home.

(2) No female child offender shall be kept in a police lock up or prison.

8. (1) Every inmate shall be examined by the Chief Medical Officer or Medical Officer of the borstal institution who shall record age, weight, height, identification marks and health report of every inmate. **Medical record of the inmate.**

(2) The Medical Superintendent or the Civil Surgeon of the District Headquarters Hospital shall be visiting the borstal institution at least once in a month for supervising the health condition and the medical record of the inmates and take appropriate steps for treatment of sick inmates.

(3) A female inmate shall be treated by the female Medical Officer and female staff in all related matters.

9. (1) A Medical file of every inmate shall be maintained in the borstal institution alongwith its previous medical history, if any. **Health, Hygiene and Medical care.**

(2) There shall be regular medical check up of the inmates after every three months and the inmates shall be advised to maintain proper health and hygiene by the Medical Superintendent or Civil Surgeon of the District Headquarters Hospital.

(3) All medical test of an inmate shall be arranged inside the borstal institution and if the arrangements do not exist in the borstal institution test shall be got carried out from the Hospital or Health Unit approved by the government.

(4) The specialized or emergency treatment on the advice of the medical consultant/specialist of the District Headquarters Hospital approved or Health Unit shall be provided to an inmate the Hospital or Health Unit where such treatment, investigations and expert consultancy is available.

(5) The cases of the inmates suffering from tuberculosis, asthma, chronic bronchitis, hepatitis B&C, HIV/AIDS+, Cancer, Epilepsy, Leprosy and any other serious disease shall be reported to the juvenile

court alongwith latest medical reports for such orders as deemed fit.

(6) The other cases may be treated in isolation or in the hospital of the borstal institution.

10. (1) Every inmate shall be allowed at least twice a week meeting with his legal adviser in connection with the Judicial proceedings against him and his friend, relatives or family. **Facility of meeting for juveniles.**
- (2) (a) Not more than six persons for one hour shall be allowed to visit an inmate under the supervision of an Assistant Superintendent.
- (b) Ordinarily interviews shall be allowed in the rooms meant for interviews but the Incharge for sufficient reasons if considered necessary may allow interviews inside office block if the conduct of the inmate is good.
- (c) In case of interview of female inmate, a matron shall be present to supervise and watch the interview.
- (d) The interviewers shall be thoroughly searched at the main gate while the inmate shall be searched before bringing him at the place of interview.
11. No inmate shall be transferred from the borstal institution to any other institution or place except with the permission of the court which had ordered his detention in the borstal institution. **Transfer of juvenile.**
12. On receipt of written release order from the juvenile court, the inmate shall be immediately released from the custody after due satisfaction of the validity of the release order. **Release of juveniles.**
13. (1) All inmates shall be given careful individual attention in order to develop their conduct, moral attitude and discipline. **Moral treatment.**
- (2) The treatment Programmes shall be arranged through religious instructions, education upto high school level and industrial/vocational/technical training under proper supervision.

(3) All muslim inmates shall be provided facility for prayers in their cells/barracks, but Zohar Asr prayers may be permitted in congregation in the mosque of the borstal institution subject to security risk for the safety of the inmates.

14. (1) An inmate shall be encouraged to pick up the industries taught in the borstal institution compatible with his profession, preference or other circumstances as far as possible.

Technical training.

(2) If the inmate shows no special inclination or aptitude, the head of the institution may decide the industry which the inmate should be taught giving full consideration to his hereditary calling and which he may follow after release to enable him to have respectable livelihood.

(3) The inmates may be admitted to the discipline architecture.

(4) An inmate shall be permitted to learn various skills and manufacture articles of approved trades by formal approval of the Incharge.

(5) The manufactured articles shall be put to sale in the market through the Incharge.

15. (1) The inmate shall be provided with physical drill, gymnastics, indoor and outdoor games and training in scouting.

Physical training
Sports &
Recreation.

(2) The inmates shall be imparted instructions in first-aid and sanitation.

(3) A spacious playground shall be provided in every borstal institution.

16. (1) All possible steps shall be taken to improve the mental caliber of the inmates and in this connection, their natural instincts and skills shall be developed and promoted.

**Improving of
Mental caliber of
their inmates
natural instincts
and skills.**

(2) No inmate shall be allowed to waste his time within the borstal institution.

(3) The inmates shall be encouraged to play their role, both individually and collectively, in the area of national reconstruction and development.

17. (1) Each and every complaint and request made by an inmate shall be properly attended by the Incharge and grievance shall as far as possible be redressed within the shortest possible time. Complaints and request by juveniles.
- (2) A false and malingering report made by an inmate shall be discouraged for the sake of maintenance of discipline.
18. (1) Discipline and order shall be maintained with firmness but with no more restriction than is necessary for safe custody and maintenance of peace and order in the borstal institution. Discipline and punishment.
- (2) The inmates on committing jail offence shall be punished with minor penalty/penalties as provided in the Pakistan Prison Rules, by the Incharge.
19. No inmate shall be stigmatized in any matter relating to arrest, inquiry, court proceedings, prosecution and conviction unless specifically authorised by the court. No stigmatization.
20. (1) An inmate shall be provided with diet on state expenses but on request he may be permitted to arrange diet at his own expenses. Diet.
- (2) The diet menu shall be as follows:-
- i) Morning Meals-
- | | |
|-------------------------|-----------|
| a) Tea (Medium quality) | 2.5 grams |
| b) Milk or Milk Powder | 60 grams |
| c) Sugar or Gur | 35 grams |
| d) Wheat Flour | 60 grams |
- ii) Mid day meals-
- | | |
|-------------------|------------|
| a) Wheat flour | 250 grams |
| b) Dal/Pulse | 40 grams |
| c) Vegetable | 60 grams |
| d) Salt | 07 grams |
| e) Vegetable Ghee | 15 grams |
| f) Chillies | 1.16 grams |
| g) Turmeric | 0.50 grams |
| h) Onions | 20 grams |
| i) Garlic | 01 gram |
| j) Tomato | 10 grams |

iii) Evening meals-

a) Wheat flour	250 grams
b) Dal/Pulse	40 grams
c) Vegetable	60 grams
d) Salt	07 grams
e) Vegetable Ghee	15 grams
f) Chillies	1.16 grams
g) Turmeric	0.50 grams
h) Onions	20 grams
i) Garlic	01 gram
j) Tomato	10 grams

Note:- Dal/Pulse of same kind shall not be issued at two consecutive meals. Beef without bones at the scale of 100 grams per head per meal shall be issued twice in a week in lieu of Dal/Pulse. Beef and Vegetable shall be cooked as one dish. Potatoes instead of beef shall be issued to Hindu and Sikh inmates. On alternate Friday every prisoner shall be provided with either Plauo or Sweet Rice in lieu of Mid-day or Evening meals. The scale of times of Plauo or Sweet Rice is given below:-

PLAUO:-

a) Rice	235 grams
b) Beef	60 grams
c) Vegetable Ghee	25 grams
d) Chillies	1.5 grams
e) Onions	10 grams
f) Alaichi Kalan	1.15 grams
g) Zeera	1.15 grams
h) Darchini	1.15 grams
i) Tomato	10 gram
j) Adark	1 gram
K) Garlic	1 gram

SWEET RICE:-

a) Rice	235 grams
b) Gur or	120 grams
c) Sugar	60 grams
d) Vegetable Ghee	25 grams
e) Onions	03 grams
f) Alaichi (Small)	0.50 grams
g) Dry Coconut	1 gram
h) Dry grapes.	1 gram

Note:- (i) Meals on Eid-ul-Fittar and Eid-ul-Azha shall be the same as mentioned in the Pakistan Prison Rules.

(ii) Sick diet of patient inmates shall be prescribed by the Chief Medical Officer of the institute or the Medical Superintendent or Civil Surgeon or the Consultant of the District Headquarters Hospital or the approved Health Unit.

21. (1) The production of inmates before the competent Court in jail Complex shall be arranged by the Incharge through jail staff at any other place through police escort arranged from local police headquarters. Production before Court.

(2) The Incharge of the Police escort shall not be below the rank of A.S.I.

(3) In case of female inmates female police escort shall be detailed but for security reasons male staff shall be detailed under the charge of the female Incharge of the escort.

22. The amounts of the inmates for medical treatment and investigation in and outside jail hospital shall be governed by rules. Production in Hospitals.

**SECRETARY TO OF SINDH
HOME DEPARTMENT**

No.VIII(7)SOJ/2000 :

Karachi, dated 27th May, 2002.

A copy is forwarded to:-

1. The Secretary, Ministry of Interior, Government of Pakistan, Islamabad.
2. The Secretary, Ministry of Women Development, Government of Pakistan, Islamabad.
3. The Secretary, Home Department, Government of Punjab/N.W.F.P/Balochistan, @ Lahore/Peshawar/Quetta.
4. The Principal Secretary to Governor Sindh, Karachi,
5. All Administrative Secretaries, Government of Sindh, Karachi.
6. The Registrar, Supreme Court of Pakistan, Karachi.
7. The Registrar, High Court of Sindh, Karachi.
8. The Advocate General Sindh, Karachi.
9. The Inspector General of Police, Sindh, Karachi.
10. The Inspector General of Prisons, Sindh, Karachi.
11. The Controller Sindh Government Printing Press, Karachi for publication in the next issue of Sindh Government Gazette and 100 copies thereof may be supplied.
12. The Deputy Secretary(Staff) to Chief Secretary, Sindh, Karachi.
13. The Director, Social Welfare Department, Government of Sindh, Karachi.
14. The Director, Reclamation & probation, Government of Sindh, Karachi.

(MANZOOR ALI CHARAN)
SECTION OFFICER (JUDICIAL-I)
FOR SECRETARY TO GOVT.OF SINDH
HOME DEPARTMENT

Jalil .