

PART D.—RESIDENCE OF RELEASED CONVICTS

In every case in which an order under section 565 of the Criminal Procedure Code is made, directing that the person sentenced to imprisonment shall notify his residence and any change of residence after release, a copy of such order should be transmitted by the Court passing the sentence and order, with the warrant of commitment issued under section 384 of the Code, to the officer-in-charge of the jail or other place in which the prisoner is, or is to be confined. Attention is also invited to the following rules: —

Copy of order under section 565, Criminal Procedure Code to be sent to jail.

NOTIFICATION

The fifth March, 1931.

No 7335.—In exercise of the powers conferred by sub-section (3) of section 565 of the Code of Criminal Procedure, 1898; Punjab Government is pleased to make the following rules regulating the notification of residence or change of or absence from, residence by released convicts in regard to whom an order has been made under sub-section (1) of section 565 of the said Code.

Punjab Government notification No. 395 (Home-Judicial), dated the 13th March, 1901, is hereby cancelled.

RULES

I. *Released convicts to observe rules.*—When, at the time of passing sentence of imprisonment on any person the Court or Magistrate also order's that his residence and any change or residence after release be notified for the term specified in such order, such person shall comply with and be subject to the rules next following. In these rules a person released subject to an order of the nature hereinbefore described is called a "released convict".

II. *Released convict to notify, at the time of release, intended place of residence to releasing officer.*—Every convict in regard to whom an order has been

made under section 565 of the Code of Criminal Procedure, 1898. shall not less than fourteen days before the date on which he is entitled to be released, notify the officer in charge of the all, or other place in which he may for the time being be confined, of the place at which he intends to reside after his release.

*III—Released convict to notify intention to change first residence at local Police Station.—*Whenever any released convict intends to change his place of residence from the place which he specified at the, time of his release as the place at which he intended to reside to any other place, he shall notify the fact of such intention and the place at which he hereafter intends to reside not less than twenty-four hours before he so changes his residence, to the officer-in-charge of the Police Station within the jurisdiction of which he resides at the time when he notifies his intention to change his residence.

*IV. Released convict to similarly notify all subsequent intention to change residence.—*Whenever any released convict intends to change his place of residence from any place at which he may at any time, be residing, under the provisions of Rules III, he shall notify any intended change of residence in the manner in that rule provided :

*V. Period to be appointed for taking up residence.—*In default the convict to notify his actual residence.—The Officer recording a notification under rule IT, rule III or rule TV: shall appoint such period as may be reasonably necessary to enable the convict to take up his residence in the place notified. If the convict does not take up his residence in such place within the period so appointed he shall, not later than the day following the expiry of such period, notify in person his actual place of residence to the officer-in-charge of the Police Station within the limits of which he is residing.

*VI. Released convict to notify the fact of his having actually taken up his residence at the place specified under preceding rules.—*Every released convict shall, within twenty-four hours of his arrival at

the place of residence notified under rule II of rule III or rule IV, notify the fact of such arrival to the officer-in-charge of the Police Station within the jurisdiction of which such place of residence is situate.

VII. Particulars of place of residence to be supplied.—In notifying places of residence under these rules released convict shall

- (a) If the place of residence is in a rural tract—specify the name of the village, hamlet, or locality of such place, and the zaif, thana, tahsil and district within the limits of which such place is situate;
- (b) If the place of residence is in a town or city—specify the name of the town or city and the street, quarter and sub-division of the town or city within the limits of which such place is situate.

VIII. Manner of notifying changes of residence.— Every notification to be made by a released convict under rules III, IV and VI, respectively, shall be made by such convict personally at the proper Police Station :

Provided that-

- (a) the District Magistrate may, by order in writing exempt any released convict from the operation of this rule and may permit such convict to make such notifications in Writing or in such order, prescribe in that behalf;
- (b) If from illness or other unavoidable cause, any released convict is prevented from making any notification required by these rules personally at the proper Police Station he may do so by written communication addressed to the officer-in-charge of the proper Police Station. Such, Communication shall state the cause of his inability to attend in person at the Police Station, and shall, before it is transmitted to the proper Police Officer, be attested by a village headman or other village officer.

Note.—These rules will also be applicable to special orders of police surveillance issued by the State Government in the cases of prisoners conditionally released before the expiry of the term of their sentence.

NOTE.—(1) Subsidiary Rules issued by the Police Department will be found in Appendix 28-39 (1) to the Punjab Police Rules, Volume II.

(2) Rules made by the Punjab Government in exercise of the powers conferred by Section 16 of the Restriction, of Habitual Offenders (Punjab) Act, 1918 (V of 1918), are published in Punjab Government Notification No. 9853, dated the 29th April, 1918.