

PART F.—RULES FRAMED UNDER THE PROVISIONS OF
RESTRICTION OF HABITUAL OFFENDERS (PUNJAB)
ACT, 1918.

The 29th April, 1918

No. 9853.—In exercise of the powers conferred by Section 16 of the Restriction of Habitual Offenders (Punjab) Act, 1918, the State Government is pleased to make the following rules:-

RULES.

1. In these rules the expression "Court" includes "Magistrate." Definition

2. The areas to which persons may be restricted by an order under this Act shall ordinarily be- Areas of restriction.

(a) if the person resides in a village—the area of the villages to which may be added at the discretion of the Court the areas of any contiguous villages in which the said person owns or occupies any immovable property or practises any trade or calling.,

(b) if the person resides in a town—the area of the town

But in special cases the Courts may fix a larger area.

(i) Unless the person restricted is an owner of land the Court may, if it is opinion that restriction to the aforesaid areas is inexpedient, select any other village or town, as the case may be, in the district within which the person ordinarily resides. Exceptions.

(ii) If the person restricted has been twice convicted of offences under, Chapter XVII of the Indian Penal Code, and is not an owner of land, the area of restriction may be any settlement established under section 14 of the Punjab Habitual Offenders (Control and Reform) Act, 1952. (Punjab Act XII of 1952), but the court must obtain the concurrence of the Deputy

Commissioner-in-charge of the settlement before restricting any person to such settlement.

Absence without
leave. Passes

3. No person restricted by an order of restriction under this Act shall leave or be absent from the area of restriction without having obtained a pass in accordance with these rules and except in accordance with the terms of such pass.

Proviso.—Nothing contained in this rule shall be deemed to render it illegal for any restricted person to leave the limits of the area of restriction whenever necessary for the purpose of appearing at the police station or before the 'nearest Magistrate to complain of an offence affecting himself or his family, or to present an appeal or petition of revision against the order of restriction or to obtain a pass under these rules, provided that he gives due notice of his intended departure to the headman of his village or town or to the officer-in-charge of the settlement or school proceeds straight to the police station or Court of the Magistrate and returns without unnecessary delay.

Times of
report.

4. The times at which a person is required by an order of restriction to report himself shall be such times at intervals of not less than 24 hours and not more than 7 days as the Court may fix; but such times shall not be more frequent than the Court thinks strictly necessary in each case.

Places of
report.

The place of report shall be the house of the headman or the zaildar or other officer, who in exceptional cases for reasons to be recorded in writing may be a police officer not below the rank of an officer-in-charge of a police station as the Court may direct; provided that no person shall be required to report himself at a place situated more than three miles from the place where he ordinarily resides.

Mode of
report.

Every person required to report himself by an order of restriction under this Act shall do so by attending in person and announcing his presence, unless physically incapacitated from doing so.

5. A person restricted to any area by an order of restriction under this Act may be granted a pass in Form A appended to these rules authorising him to leave the said area for one day, between sunrise and sunset-

Leave for one day.

- (a) if he is restricted to any village or group of contiguous villages or larger area—by any headman of the village in which he ordinarily resides;
- (b) if he is restricted to a town—by such officer as may be specified by the District Magistrate;
- (c) if he is restricted to a settlement or school by the officer-in-charge of the settlement or school.

6. The officer-in-charge of the police station or settlement or school within the limits of which any person is restricted by an order of restriction under this Act may on due cause being shown grant such person leave of absence for a period not exceeding 15 days and may issue a pass to him.

Leave not exceeding 15 days.

7. The District Magistrate of the district in which Long leave any person is restricted by an order of restriction under this Act, or any person only authorised by the District Magistrate in writing in this behalf, may on due cause being shown grant such person any leave of absence which he may deem reasonable and may issue a pass to him.

Long leave.

8. Any person granted leave or absence under Conditions rule 6 or rule 7 shall travel to his destination and return to his residence by the route specified in the pass. He shall have the time and date of his arrival endorsed on the pass by the headman of the village of destination and within three days of his arrival he shall report himself at the police station within the limits of which his destination is situated, and shall present his pass for endorsement.

Conditions attaching to absence on leave.

9. During such time as any person restricted to any area by an order of restriction under this Act is absent from the area of restriction, he shall report

Reports while on leave.

himself once every three days to the headman of the village in which he may happen to be, and once in every 15 days he shall unless exempted by order of the District Magistrate, report himself to, and present his pass for endorsement by the officer-in-charge of the police station.

Surrender
of passes.

10. On his return to his residence he shall deliver the pass up to the authority from whom he received it. All passes so returned shall be sent for record to the police station within whose limits the person is restricted.

Form of
passes.

11. Passes issued under rule 6 or rule 7 shall be printed and filled in Urdu in Form B, appended to these rules. They shall be drawn up in triplicate and each part shall be signed or sealed by the authority granting the pass. One part shall be retained by such authority, the second shall be given to the person granted leave, and the third part shall be sent to the officer-in-charge of the police station within the limits of which the destination of the holder of the pass lies.

Person on
leave unable
to return.

12. If any person who has been granted a pass under these rules is from any unavoidable cause prevented from returning to his residence within the period of his leave, he shall at once give information to the nearest police station. The officer-in-charge of the police station shall verify the information and shall send a report to the authority which issued the pass.

Withdrawal
of passes.

13. Any pass granted under these rules may at any time be withdrawn by the authority which granted it, or by the District Magistrate or any officer duly authorised by him in writing in this behalf.

FORM A (Rule 5).

(To be printed in Urdu)

(FOIL)

*Day pass for persons restricted under Punjab Act
I of 1918*

Serial No. _____ Dated _____
Dhoca

Name	Father's name	Tribe	Residence	LEAVE Date Day	Place to which the person will go

Note – RULE 5 is reproduced on the Form

Seal or Signature of the Headman.

Granting pass

(COUNTERFOIL FIR OERSIB GUVEN KEAVE)

*Day pass for persons restricted under Punjab Act
I of 1918*

Serial No. _____ Dated _____
Dhoca

Name	Father's name	Tribe	Residence	LEAVE Date Day	Place to which the person will go

Note – RULE 5 is reproduced on the Form

Seal of the Signature of the Headman.

Granting pass

Form B (Rule 11)

(FOIL FOR RECORD)

*pass for leave granted to persons
restricted under Punjab Act 1 of 1918*

Serial No. _____ Dated _____ Place _____

Father's name	Tribe	Residence	Leave Granted	Route prescribed

Signature of Officer granting

Note – Rules 8 to 11 are reproduced on the Form here.

(To be printed in Urdu)

*(COUNTERFOIL FOR THE POLICE
STATION TO WHICH PERSON IS GOING)*

*pass for leave granted to persons
restricted under Punjab Act 1 of 1918*

Serial No. _____ Dated _____ Place _____

Name	Father's name	Tribe	Residence	Leave Granted	Route prescribed

Signature of Officer granting leave.

Note – Rules 8 to 11 are reproduced on the Form here.

(COUNTERFOIL FOR THE PERSON GRANTED LEAVE)

*pass for leave granted to persons
restricted under Punjab Act 1 of 1918*

Serial No. _____ Dated _____ Place _____

Name	Father's name	Tribe	Residence	Leave Granted	Route prescribed

Signature of Officer granting

Note – Rules 8 to 11 are reproduced on the Form here.

ENDORSEMENTS WHILE ON LEAVE

Date of departure on leave	Signature of headman or Officer	Dates of endorsements while on leave	Signature of headman or officer	Dates of endorsement while on leave	Signature of headman or officer
Dates of endorsement while on leave	Signature of headman or officer			Dates of return to residence	Signature of headman or officer
				Date of pass reaching police station	Signature of Officer-in-charge