



The Prisons (Bombay Amendment) Act, 1953

Act 27 of 1953

Keyword(s):

Central Act Amendment, The Prisons Act, 1894

Amendment appended: 45 of 1959, 29 of 2000

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THE PRISONS (BOMBAY AMENDMENT) ACT, 1953.

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1. Short title.
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4. Amendment of section 47 of Act IX of 1894.
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6. Amendment of section 59 of Act IX of 1894.

BOMBAY ACT No. XXVII OF 1953.¹

[THE PRISONS (BOMBAY AMENDMENT) ACT, 1953.]

[13th May 1953]

An Act to amend the Prisons Act, 1894, in its application to the State of Bombay.

IX of 1894. WHEREAS it is expedient to amend the Prisons Act, 1894, in its application to the State of Bombay; It is hereby enacted as follows:—

1. This Act may be called the Prisons (Bombay Amendment) Act, 1953.

Short title.

IX of 1894. 2. In section 3 of the Prisons Act, 1894, hereinafter referred to as the said Act, for clause (5), the following clauses shall be substituted, namely:—

Amendment of section 3 of Act IX of 1894.

“(5) ‘remission system’ means the system of regulating the award of marks to, and the consequent shortening of sentences of, prisoners in jail in accordance with the rules for the time being in force;

(5A) ‘furlough system’ means the system of releasing prisoners in jail on furlough in accordance with the rules for the time being in force.”

3. In section 46 of the said Act, in clause (4), for the words “the remission system” the words “the remission or furlough system” shall be substituted.

Amendment of section 46 of Act IX of 1894.

4. In section 47 of the said Act, in clause (4) of sub-section (1), for the words “the remission system” the words “the remission or furlough system” shall be substituted.

Amendment of section 47 of Act IX of 1894.

5. After section 48 of the said Act, the following section shall be inserted, namely:—

Insertion of section 48A in Act IX of 1894.

“48A. If any prisoner fails without sufficient cause to observe any of the conditions on which his sentence was suspended or remitted or furlough was granted to him, he shall be deemed to have committed a prison offence and the Superintendent may, after obtaining his explanation, punish such offence by—

Punishment for breach of conditions of suspension of sentence, etc.

- (1) a formal warning as provided in clause (1) of section 46;
- (2) reduction in grade if such prisoner has been appointed an officer of prison;
- (3) loss of privileges admissible under the remission or furlough system; or
- (4) loss of such other privileges as the State Government may by a general or special order direct.”

6. In section 59 of the said Act, for clause (5), the following clause shall be substituted, namely:—

Amendment of section 59 of Act IX of 1894.

“(5) for the award of marks, granting remission or furlough, determining the conditions on which and the authority by which such remission or furlough shall be granted and the consequent shortening of the sentence.”

¹ For Statement of Objects and Reasons, see *Bombay Government Gazette*, 1953, Part V, pp. 2-3.

THE PRISONS (BOMBAY AMENDMENT) ACT, 1959.

CONTENTS.

PREAMBLE.

SECTIONS.

1. Short title.
2. Amendment of section 3 of Act IX of 1894.
3. Amendment of section 6 of Act IX of 1894.
4. Amendment of section 11 of Act IX of 1894.
5. Amendment of section 15 of Act IX of 1894.
6. Amendment of section 17 of Act IX of 1894.
7. Amendment of section 29 of Act IX of 1894.
8. Amendment of section 37 of Act IX of 1894.
9. Amendment of section 38 of Act IX of 1894.

BOMBAY ACT No. XLV OF 1959.¹

[THE PRISONS (BOMBAY AMENDMENT) ACT, 1959.]

[21st. September 1959]

An Act further to amend the Prisons Act, 1894, in its application to the State of Bombay.

IX of 1894. WHEREAS it is expedient further to amend the Prisons Act, 1894, in its application to the State of Bombay, for the purposes hereinafter appearing ; It is hereby enacted in the Tenth Year of the Republic of India as follows :—

1. This Act may be called the Prisons (Bombay Amendment) Act, 1959. Short title.
- IX of 1894.** 2. In the Prisons Act, 1894 (hereinafter referred to as " the principal Act "), in section 3, clause (8) shall be deleted. Amendment of section 3 of Act IX of 1894.
3. (1) Section 6 of the principal Act shall be renumbered as sub-section (1) of that section. Amendment of section 6 of Act IX of 1894.
 (2) In sub-section (1) so renumbered—
 (a) after the words " a Superintendent " the brackets and words " (who may be a Deputy Inspector-General of Prisons) " shall be inserted ;
 (b) the words " a Medical Subordinate " shall be deleted ;
 (c) after the said sub-section (1), the following sub-section shall be inserted, namely :—
 " (2) Where one or more Deputy Superintendents are appointed for a prison, they shall, subject to the general or special orders of the Inspector-General, exercise, carry out or discharge all or any of the powers, duties and functions of a Superintendent under this Act, or any law for the time being in force, as the Superintendent may delegate to them."
4. In section 11 of the principal Act, in sub-section (2), the words " a central prison or " shall be deleted. Amendment of section 11 of Act IX of 1894.
5. In section 15 of the principal Act, in clause (7), the words " or Medical Subordinate " shall be deleted. Amendment of section 15 of Act IX of 1894.
6. In section 17 of the principal Act, for the words " Medical Subordinate " the words " Medical Officer " shall be substituted. Amendment of section 17 of Act IX of 1894.

¹ For Statement of Objects and Reasons, see *Bombay Government Gazette*, 1959, Part V, page 537.

Amendment
of section 29
of Act IX
of 1894.

7. In section 29 of the principal Act, for the words " or Medical Subordinate " the words " or any officer authorised by the Medical Officer in this behalf " shall be substituted.

Amendment
of section 37
of Act IX
of 1894.

8. In section 37 of the principal Act,—

(1) in sub-section (1), for the words " Medical Subordinate " the words " Medical Officer " shall be substituted ;

(2) In sub-section (2)—

(a) for the words " Medical Subordinate ", where they occur for the first time, the words " Medical Officer " shall be substituted ;

(b) the words " or Medical Subordinate " shall be deleted.

Amendment
of section 38
of Act IX
of 1894.

9. In section 38 of the principal Act,—

(1) the words " or Medical Subordinate " shall be deleted ;

(2) in the marginal note, for the word " Officers " the word " Officer " shall be substituted.

THE PRISONS (MAHARASHTRA AMENDMENT)

ACT, 2000.

CONTENTS

PREAMBLE

SECTIONS.

1. Short title.
2. Amendment of section 31 of Act IX of 1984.
3. Amendment of section 32 of Act IX of 1984.

MAHARASHTRA ACT No. XXIX OF 2000¹.

[THE PRISONS (MAHARASHTRA AMENDMENT)
ACT, 2000]

(This Act received the assent of the Governor on the 3rd May 2000; assent was first published in the *Maharashtra Government Gazette* Part IV, on the 4th May 2000.)

An Act further to amend the Prisons Act, 1894 in its application to the State of Maharashtra.

WHEREAS it is expedient further to amend the Prisons Act, 1894 in its application to the State of Maharashtra for the purposes hereinafter appearing; It is hereby enacted in the Fifty-first Year of the Republic of India as follows:—

1. This Act may be called the Prisons (Maharashtra Amendment) Act, 2000. Short title.

2. In the Prisons Act, 1894 in its application to the State of Maharashtra (hereinafter referred to as "the principal Act"), for section 31, the following shall be substituted, namely:— Amendment of section 31 of Act IX of 1894.

"31. Maintenance of certain prisoners from private source.—(1) An unconvicted criminal prisoner shall be permitted to maintain himself, and to purchase, or receive from private sources at proper hours, clothing and bedding but subject to examination and to such rules as may be approved by the Inspector General:

Provided that, if such prisoner is a *Satyagrahi*, who is remanded on account of his participation in a *Satyagraha* (non-violent public agitation), he shall be permitted to maintain himself and to purchase or receive from the private sources at proper hours food, clothing, bedding or other necessaries, subject to examination and to such rules as may be framed by the Inspector General, with the approval of the State Government.

(2) A civil prisoner shall be permitted to maintain himself and to purchase, or receive from the private sources at proper hours food, clothing, bedding or other necessaries but subject to examinations and to such rules as may be approved by the Inspector General."

¹ For Statement of Objects and Reasons, see *Maharashtra Government Gazette*, Extraordinary Part V-A, page 23, dated the 15th March 2000.

Amendment
of section
32 of Act
IX of 1894.

3. In section 32 of the principal Act, for the portion beginning with the words "food, clothing, bedding" and ending with the words "unconvicted criminal prisoner" the following shall be substituted, namely :—

"clothing and bedding belonging to any unconvicted criminal prisoner, and no part of any food, clothing, bedding or other necessaries belonging to a civil prisoner or an unconvicted criminal prisoner who is a *Satyagrahi*, who is remanded on account of his participation in a *Satyagraha* (non-violent public agitation)."
