



The Andhra Pradesh Bostal Schools (Amendment) Act, 2001

Act 3 of 2001

Keyword(s):

Adolescent Offender, Borstal School, Inspector-General

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ANDHRA PRADESH ACTS, ORDINANCES AND REGULATIONS. Etc.

The following Act of the Andhra Pradesh Legislative Assembly received the assent of the Governor on the 24th March, 2001 and the said assent is hereby first published on the 27th March, 2001 in the Andhra Pradesh Gazette for general information:-

ACT No. 3 OF 2001

AN ACT FURTHER TO AMEND THE ANDHRA PRADESH BORSTAL SCHOOLS ACT, 1925.

Be it enacted by the Legislative Assembly of the State of Andhra Pradesh in the Fifty-second Year of the Republic of India as follows:-

1. (1) This Act may be called the Andhra Pradesh Borstal Schools (Amendment) Act, 2001. Short title and Commencement.

(2) It shall come into force on such date as the State Government may, by notification, appoint.

2. In the Andhra Pradesh Borstal Schools Act, 1925, Section 10A shall be numbered as sub-section (1) of that section and after Sub-section (1) as so renumbered, the following provision shall be added as sub-section (2); namely:- Amendment of Section 10-A Act No. V of 1926.

"(2) Notwithstanding anything contained in section 8, the term of detention of an offender who is transferred to the Borstal School under sub-section (1) shall be for a minimum period of two years".

G. BHAVANI PRASAD,
Secretary to Government,
Legislative Affairs & Justice,
Law Department.

STATEMENT OF OBJECTS AND REASONS

Section 10-A of the Andhra Pradesh Borstal Schools Act, 1925, provides for transfer of convicts who are between 16 years and 21 years of age, as on the date of conviction to Borstal School subject to the provisions of the said Act, Section 8 of the said Act prescribes a minimum term in Borstal School of not less than 2 years and also that no inmate can be detained in Borstal School after attaining the age of 23 years. It is not possible to fulfill both the requirements of Section 8 in case of convicts who are just below 21 years of age on the date of conviction but who have crossed 21 years of age on the date of decision of Government to transfer them to Borstal School. After careful examination of the matter and to overcome the legal complications involved in it, the Government have considered the desirability of amending the said Act suitably by making a provision that the term of detention of such offender who is transferred to the Borstal School under Section 10-A shall be for a minimum period of two years.

This Bill seeks to give effect to the above decisions.

T. DEVENDER GOUD,
Minister for Home, Jails,
Cinematography, Fire Services,
F.D.C., N.C.C. and Sainik Welfare.