

SINDH GOVERNMENT GAZETTE

DATED 28TH APRIL, 2011.

GOVERNMENT OF SINDH
HOME DEPARTMENT
Karachi dated the 15TH March, 2011.

NOTIFICATION

NO.HD(PRS-1)/1-3/10.:- In exercise of the powers conferred by section 109 of the Sind Children Act, 1955, the Government of Sindh are pleased to make the following rules:-

1. Short title and commencement,-

- (1) These rules may be called the Sindh Remand Home Rules, 2011.
- (2) They shall come into force at once.
- (3) They shall extend to the whole of the Province of Sindh.

2. Definitions.-

- (1) In these rules, unless there is anything repugnant in the subject or context-
 - (a) “Act” means the Sind Children Act, 1955;
 - (b) “Director” means the Director Reclamation and Probation Home Department, Government of Sindh;
 - (c) “Government” means the Government of Sindh;
 - (d) “In-charge” means the Superintendent appointed by Government to deal with the affairs of the Remand Home;
 - (e) “intmate” means a child admitted to and detained in a Remand Home;
 - (f) “Remand Home” means a particular place declared by Government under section 26 of the Act, as a place of safety to receive temporarily a inmate for custody, care, protection, observation and treatment
- (2) The words expressions used but not defined herein shall have the same meanings as assigned to them in the Act.

3. Government to declare a Remand Home.-

(1) Government may, by notification in the official Gazette, declare any particular place as a Remand Home for the purposes of the Act.

(2) Government shall declare at least one Remand Home in every District of the Province for the custody, care, protection, observation and treatment of children.

4. Section of a Remand Home.- There shall be two sections of Remand Home-

(a) for the detention of children who are involved in commission of any offence;

(b) for the custody of children in need of care and protection.

5. Superintendent of Remand Home.- Superintendent of Remand Home means –

(i) The Superintendent appointed by Government, not be below the rank of BS-17 and shall possess Master's degree of social Science.

(ii) The Deputy Superintendent, not below the rank of BS-16, who shall act as Incharge in absence of Superintendent.

6. Accommodation of Superintendent.- The Superintendent and Deputy Superintendent shall have official residence within the premises of Remand Home, so as to have superintendence of Remand Home for 24 hours.

7. Accommodation for children.- Every Remand Home shall provide proper accommodation to the inmates including such as separate bed, sanitary, toilets and bathrooms.

8. **Children to be admitted in Remand Home.**- (1) No child shall be admitted into a Remand Home, except under a lawful order issued by a Juvenile Court, addressed to the Incharge of Remand Home to admit such child in the Remand Home.

(2) Any police officer, not below the rank of Assistant Sub-Inspector, or a police officer or a person authorized by Government may take to a Remand Home any child in respect of whom there is reason to believe that an offense has been, or is likely to be committed.

(3) A child so taken to a Remand Home and also any child, who seeks refuge in a place of safety may be detained, or as the case may be, kept in Remand Home until he can be brought before the Court:

Provided that such detention shall not in the absence of a special order of the Court exceeds twenty fore hours exclusive of the time necessary for the journey from the place of detention to the Court.

(4) On admission to a Remand Home, the Incharge, shall be responsible to receive the child, and shall maintain a register and record all requisite informations about each inmate.

(5) On admission to a Remand Home, every child shall be bathed, weighed and photographed.

(6) On admission to a Remand Home, every child shall surrender his or her property, which shall be kept in safe custody and shall be returned to child on his or her release or discharge.

(7) On admission to a Remand Home, every child shall be examined by the District Health Officer regarding his age, weight, height, identification mark and shall get his or her medical test for diagnostic purpose whether suffering from any disease and Superintendent of Remand Home shall maintain the health report including diagnostic report of every inmate.

(8) The District Health Officer shall take appropriate steps for treatment of sick inmates for the purposes of any present and future disease.

(9) On admission to Remand Home, a female child shall be dealt by only female staff in all related matters.

9. **Detention of female children.**- (1) Female children shall be detained in separate enclosure of the Remand Home exclusively established for this purpose.

(2) In case there is no such enclosure, they shall be immediately transferred to any care home as ordered by the court.

(3) Female inmates shall in no case be kept in a police lockup or prison.

10. **Health, Hygiene and Medical Care.**- (1) A medical file of every inmate shall be maintained in the Remand Home alongwith previous medical history, if any.

(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 tests of an inmate shall be arranged inside the Remand Home and if the arrangements do not exist in the Remand Home, the tests shall be carried out from the Hospital of Health Unit approved by Government.

(4) The specialized or emergency treatment on the advice of the be provided to an inmate at the Hospital or Health Unit, shall be provided to an inmate at 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.

11. **Facility of Meeting with inmates.**- During detenttion in a Remand Home every inmate shall have a right to meet with his or her legal adviser, relatives or family members twice a week for not more than two hours on the day and time as may be notified by the Director.

12. **Discharge and transfer of an Inmate.**- On receipt of written order from the Competent Court, the inmate shall immediately be discharged from the custody or transferred to a certified school or industrial school or any other institution as directed by the Court after due verification of the validity of the orders.

13. **Death or serious illness to be reported.**- The Superintendent shall at once report the death or serious illness of any inmate to the Director, the Police, concerned Court and parent or guardian of the inmate.

14. **Powers and duties of Superintendent or Incharge.**- (1) In case of emergency Superintendent or Incharge is empowered to transfer or admit child to hospital with the help of nearest police station.

(2) Every Station House Officer of the Nearest Police Station is duty bound to help the Superintendent of Remand Home on his request.

15. **Inspection and complaints.**- (1) Trained Inspectors or other duly constituted authority, who do not belong to the administration of the Remand Home shall be empowered to conduct inspections on a regular basis and to undertake surprise inspections on their own initiative.

(2) Every inmate shall have an opportunity to make a request or complaint to an independent and impartial authority without censorship as to substance.

16. **Sports and Recreation.**- The inmates shall be provided with recreational facilities and with the provision of indoor and outdoor games during their stay at Remand Home.

17. **Facility of food for Inmates.**- (1) Every inmate shall be provided by the Incharge of Remand Home at usual hours with food of nutritional value, adequate for health and strength of wholesome quality and well prepared.

(2) Clean drinking water shall be available to every inmate.

18. **Production before court.** (1) The production of inmates before the competent court be arranged by the Incharge for the date fixed for the production of the child or for the inquiry or on any subsequent date to which the proceedings may be adjourned through police escort arranged from local police headquarters.

(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 arranged but for any security reasons male police escort shall be arranged on the request of Superintendent Remand Home.

19. **Probation and Parole facility**--- (1) The Probation Officer shall be available at Remand Home.

(2) In case of any emergency or provisions as defined in parole laws, inmate may be given benefit of these laws.

20. **No stigmatization, labour, corporal punishment.**- No inmate shall be –

- (a) stigmatized in any matter relating to arrest, inquiry, court proceedings, prosecution and conviction.
- (b) Ordered to labour during the time spent in Remand Home; and
- (c) Handcuffed, put on fetters or given any corporal punishment at any time while in custody.

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