NOTIFICATION

Home Department,
Mantralaya, Bombay-400032,
Dated the 31st January 1990.

Prisons Act, 1894.

No.MIS 1087/53(122)/PRS-2.- In exercise of the powers conferred by clause (28) of section 59 of the Prisons Act, 1894 (IX of 1894) and of all other powers enabling it in that behalf the Government of Maharashtra hereby makes the following rules further to amend the Maharashtra Prisons (Prisoners' Property and Documents) Rules, 1964 namely :-

1. These rules may be called the Maharashtra Prisons (Prisoners' property and Documents)(Amendment) Rules, 1990.

2. Rule 18 of the Maharashtra Prisons (Prisoners' Property and Documents) Rules, 1964 (hereinafter referred to as "the principal rules") shall be renumbered as sub rule (1) of the rule and , -

(a) in sub-rule (1) so renumbered, for the portion beginning with the words "If the property of a prisoner" and ending with the words and figures "the Bombay Police Act, 1951", the following shall be substituted, namely :-

"If the private cash or wages or both, of a prisoner including an undertrial prisoner who is released, discharged or acquitted or who dies in a prison, is not claimed by or on behalf of the prisoner within the period mentioned in column 2 of the Table below from the date of such release, discharge, acquittal or, as the case may be, death, it shall be credited to the Prisoners'

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Welfare Fund (hereinafter referred to as "the said fund") constituted by Government Resolution, Home Department, No.AFP 2056/1067-IV dated the 17th May 1962".

T A B L E

Unclaimed amount	Period
(a) Upto Rs. 100	6 months.
(b) Over Rs. 100 and upto Rs.1000/-	1 year.
(c) Over Rs. 1000/-	3 years.

(b) after sub rule (1) so renumbered, the following new sub rule shall be added, namely :-

"(2) If any property other than cash of the prisoners mentioned in sub rule (1), is not claimed by or on behalf of them within a period of 12 months from the date of such prisoners' release, discharge, acquittal or, as the case may be, death, it shall be sold by auction at the Mamlatdar's court and the money received shall be credited to the fund mentioned in the sub rule (1)."

(3) For rule 19 of the principal rules, the following shall be substituted, namely :-

"19(1) The private cash or wages or both, of a prisoner including an undertrial prisoner who has escaped from a prison shall, after the expiry of a period of one year from the date of escape, be credited to the fund mentioned in rule 18 unless such prisoner is recaptured within such period.

(2) Any property other than cash of the prisoners mentioned in sub rule (1) shall, after the expiry of a period of one year from the date of escape, be sold by auction at the Mamlatdar's court and the money received shall be credited to the Fund mentioned in rule 18."

By order and in the name of the Governor of Maharashtra,

U. J. Nanavati
Deputy Secretary to Government.