

**(The rules concerning the Reformatory School)**

**No. 18**

**The 31st January 1916.**

**[ Amendment : 18.06.1989 ]**

No. 18. - In exercise of the powers conferred by section 26, sub- section (2), of the Reformatory Schools Act, 1897, and in supersession of this department Notification No.78, dated the 17th May 1913, the Lieutenant-Governor is pleased to make the following rules concerning the Reformatory School at Insein and its management:-

**RULES FOR MANAGEMENT.**

**(a) The conduct of business by the Committee of Visitors.**

1. The control and management of the school shall be vested in the Superintendent and the Committee of Visitors under the general supervision of the Inspector-General.\*
2. A general meeting of the Committee of Visitors shall be held every month at the school on such day as the Committee may by resolution fix and at such other time as the Committee may think necessary. Three members shall form a quorum.
3. The Superintendent shall be present at every meeting of the Committee and shall act as its Secretary.
4. In addition to fulfilling the requirements of sections 13 (1) and section 23 (1) of the Act the Committee shall at each monthly meeting:-
  - (a) Examine and pass orders on all detention orders of inmates received into the school since the last meeting and all inmates due for release before the next meeting of the Committee and on all applications for the issue of licenses under section 18 (1) or apprenticeship under section 22 (2).
  - (b) Scrutinize and record such observations as they may consider fit on the register of marks, the punishment book, the report book, the monthly accounts and the annual budget.
5. The Committee shall report to the Local Government the failure of any member of the Committee to attend a meeting during the period of six consecutive months.
6. All reports by the Committee to the Local Government shall be sent through the Inspector-General.

7. Minutes of the proceedings of each meeting shall be recorded in a minute book and they shall be confirmed (after correction if necessary) at the following meeting. The proceedings of each meeting shall be published in the Myanmar Gazette and a copy shall be sent to the Inspector-General.

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8. Every member shall have access to the school at all times and the notes recorded by him on the occasion of his visit shall be entered in the report book and laid before the Committee at the next monthly meeting. Copies of such notes shall be sent to the Inspector-General.

**(b) The management of the school.**

9. The Superintendent shall be directly responsible to the Inspector-General for the management of the school and for the maintenance of discipline therein in accordance with the Act and rules.

10. The staff of the school shall be under control of the Superintendent and shall be on the scale sanctioned from time to time by the Local Government. The warders and menials shall be appointed by the Superintendent: other members of the staff shall be appointed by the Inspector-General.

11. The Superintendent and all the members of the staff shall live in quarters provided for them. The Superintendent shall not absent himself from his quarters for the whole of any night unless for exceptional reasons which he shall record in the report book and then only if the Assistant Superintendent is on duty.

Sanction for a temporary absence from their quarters at night may be given by the Superintendent to the other members of the staff.

12. The Superintendent shall maintain a report book and shall record in his own hand-writing all important matters connected with the school. Copies of entries in the report book shall be submitted weekly to the Inspector-General and the book shall be laid before the Committee at each meeting. The Superintendent shall also maintain a register of admissions, of releases, of licenses, of punishments and of marks, and such accounts as may be prescribed from time to time by the Inspector-General.

13. Either the Superintendent or the Assistant Superintendent shall be present when the dormitories are locked for the night and when they are unlocked in the morning.

14. The dormitories shall be unlocked at daylight. The precise time for locking up the dormitories will be left to the discretion of the Superintendent provided it is not before 7 p.m in the cold weather and 8 p.m in the not weather.

15. During the night the keys of the dormitories shall be kept by the peon at the entrance gate and the dormitories shall not be opened without the permission of the Superintendent save in the case of fire or any other emergency.

16. A peon shall be on duty at the entrance gate at all hours during the night and day and another peon shall patrol within the enclosure during the night-time.

17. No work except such as is required to keep the premises clean and in order will be done on Sundays and gazetted holidays: Provided that not more than five days' holidays shall be given at any one time; an additional holiday or half holiday may be given by the Superintendent at his discretion for any special reasons he considers appropriate, e.g., for the encouragement of sports, or to a class that has been distinguished for exemplary good conduct.

18. The school shall be under the medical supervision of the Superintendent of the Insein Central Jail. Any remarks he may make as to the sanitary condition of the school or as to cases of serious illness shall be recorded by him in the Superintendent's report book.

19. The infirmary shall be in charge of one of the Sub-Assistant Surgeons attached to the Insein Central Jail who shall keep such registers and returns as may be prescribed by the Inspector-General for the purpose.

20. All cases of sudden or violent death shall at once be reported to the nearest Magistrate empowered to hold inquests, with the request that he will hold an inquest and communicate his finding to the Inspector-General.

21. Every youthful offender upon admission to the school shall be given a number according to a consecutive series running from 1 to 5,000 and shall wear such distinctive clothing or dress as may be prescribed by the Inspector-General.

22. The diet scale shall be as follows:-

6 a.m.-A rice cake.

9-30 a.m.-Morning meal-

10 to 12 oz.	...	...	...	...	Rice.
4 oz.	...	...	...	...	Meat or fish or dhal.
4 oz.	...	...	...	...	Vegetables.

4 drs. ... ... ... ... Salt.

4 drs. ... ... ... ... Oil.

4 drs. ... ... ... ... Ngapi.

2 p.m.-A rice cake.

5. p.m.-Evening meal-

10 to 12 oz. ... ... ... ... Rice.

4 oz. ... ... ... ... Vegetables.

4 drs. ... ... ... ... Salt.

4 drs. ... ... ... ... Oil.

4 drs. ... ... ... ... Ngapi.

The undermentioned condiments shall be issued with each meal:

... ... ... ... ... Turmeric.

... ... ... ... ... Chillies.

1 ... ... ... ... ... Onions.

4 drs. ... ... ... ... ... Tamarind.

23. With a view to encourage good conduct and industry the Superintendent shall record weekly in the register of marks the marks allotted to each youthful offender in accordance with the report of the Assistant Masters with his own observation. At the end of each month he shall award gratuities not exceeding eight annas a month in accordance with the marks so allotted. One half of the gratuity may be spent at the with of the youthful offender on fruits, sweetmeats and other luxuries not falling within the list of forbidden articles; the balance of the gratuities not so spent shall stand at the credit of the youthful offender by whom they are earned until his discharge, when it shall be delivered to him by the Superintendent.

24. The Superintendent shall elect from the best behaved boys a number not exceeding one in every twelve to act as monitors. Each monitor shall be given a distinctive badge or uniform and the gratuity earned by him shall be double that laid down in rule 23.

25. Specially well-conducted boys during the last year of their detention may be permitted by the Superintendent to leave the school premises for short periods during the day-time under such conditions as the Superintendent may think necessary (e.g., to play a game or to visit a place of worship).

26. The Superintendent shall take care that no youthful offender is discharged from the Reformatory improperly clad. Every youthful offender on discharge, if no clothing of his own, is in store, and it none is brought by his friends, shall be provided with decent clothes, such as are usually worn by boys on the agricultural class. In the case of orphans, a blanket also may be provided. He shall also be provided with a railway or steamer ticket for so much of the journey to his home as can be performed by railway or steamer and with a subsistence allowance not exceeding four annas per diem for the number of days the journey will take.

**(c) The educational and industrial training of youthful offenders.**

27. The daily routine of the school shall be carried out in accordance with a time-table which shall be prescribed by the Inspector-General and no alteration shall be made in the time-table without his approval.

28. The following subjects shall be taught to all boys in the school:-

Reading in Myanmar. Arithmetic in Myanmar.

Writing in Myanmar. Geography in Myanmar.

Additional subjects may also be taught with the approval of the Inspector-General.

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29. Agricultural operations and gardening, and such trades as the Inspector-General may from time to time determine to introduce, shall be taught, regard being had to the probable demand for the boys' labour on their discharge from the school.

**(d) Visits to and communication with the youthful offenders.**

30. The parents and interested friends of the boys shall be allowed to visit them on Sundays or holidays and to correspond with them at reasonable times, unless this privilege is suspended or withdrawn by the

Superintendent in the case of misconduct or interference with discipline of the school. If a boy is seriously ill, or is about to be removed from the school by legal discharge, notice shall be sent to the parents.

**(e) List of “prohibited articles” and the conditions under which they may be introduced.**

31. The undermentioned articles shall be deemed to be “prohibited articles”:-

- (a) Intoxicating liquors and drugs, including opium and ganja;
- (b) Tobacco;
- (c) Money;
- (d) Gunpowder, lead, matches and firearms;
- (e) Knives, dabs and instruments for cutting or stabbing not provided for the industrial training;
- (f) Cards, dice and other instruments for lotteries or gaming; and
- (g) All articles the possession of which and the purpose whereof have not been authorized by the Superintendent.

32. Prohibited articles may be introduced into the school only by the order of the Superintendent.

**(f) Removal of prohibited articles.**

33. Any prohibited article introduced otherwise than under rule 32 shall be taken by any official or servant of the school to the Superintendent to be dealt with by him.

**(g) Supply of prohibited articles outside the school.**

34. No prohibited article may be supplied outside the school to any youthful offender under order of detention therein unless such youthful offender is licensed under section 18 of the Act.

35. To a youthful offender licensed under section 18 of the Act such prohibited articles may be supplied by his employer only as the Superintendent may by endorsement on the license approve.

**(h) Sanctioned possession of prohibited articles.**

36. A youthful offender may possess a prohibited article only in accordance with rule 35 or with the special sanction of the Superintendent.

**(i) The penalties for the possession of prohibited articles.**

37. Possession of prohibited articles by a youthful offender or supply of a prohibited article by one youthful offender to another except under rule 36 shall be deemed to be an act of misconduct and shall be punishable by the Superintendent with any of the penalties mentioned in rules 39 and 40 according to circumstances.

**(j) The punishment for offences committed by youthful offenders.**

38. The Superintendent is authorized to punish the misconduct of any boy detained in the school; but all such punishment shall be entered in a register which shall be kept for the purpose. See rule 4 (b).

39. The authorized punishments shall be as follows:-

- (a) Formal warning.
- (b) Loss of marks.
- (c) Degradation from monitorship.
- (d) Separate confinement for a period not exceeding one week, but of a nature that will enable the boy so punished to see the other boys and will allow him to take not less than one hour's exercise per diem and to have his meals in association with one or more other boys.
- (e) Corporal punishment with a light cane on the hands or buttocks; the number of stripes not to exceed six on the hands or twelve on the buttocks.

40. Marks should only be forfeited in particularly serious cases of misconduct and should not exceed the equivalent of one rupee in the case of ordinary youthful offenders and two rupees in the case of monitors. The equivalent amount shall be replaced in a Fine Fund and used at the discretion of the Superintendent for the benefit of youthful offenders generally, e.g., in games and in assisting youthful offenders who have no relatives or friends for the first three months after discharge from the school.

41. When the Superintendent is of opinion that the misconduct of a youthful offender is such that it cannot be dealt with by him under the provision of rule 38, and when such misconduct amounts to a criminal offence the Superintendent shall prosecute the youthful offender.

(k) **The granting of licenses for the employment of youthful offenders.**

42. No license shall be granted for the employment of any youthful offender unless such youthful offender has been detained in the school for a period of two years and his conduct during the previous twelve months at least has, in the opinion of the Committee, been entirely satisfactory.

43. Before a license is granted for the employment of any youthful offender, the Committee shall satisfy themselves that the employer is prepared to provide a suitable lodging and sufficient maintenance and clothing for such youthful offender.

44. The following form of license is prescribed:-

**License.**

Whereas at present detained in the Insein Reformatory School under a warrant signed by and dated and whereas the said has attained the age of 14 years and has conducted himself to the satisfaction of the Committee, and whereas being a trustworthy and respectable person and an employer of labour, to wit, is willing to receive and take charge of the said and to keep the said employed at the occupation of a. These presents witness that the said is hereby licensed to live under the charge of for a term of three months from this date.

Dated

Superintendent.

- (1) This license is in force for three months only, but it may be renewed from time to time for a similar period at the wish of the employers.
- (2) The license may be cancelled at the desire of the employer.
- (3) The license is moreover determined by-
  - (a) the death of the employer;
  - (b) his cessation from business;
  - (c) the expiration of the period for which the boy can be detained in the school.
- (4) The license may be cancelled by the Superintendent if it appears to him that the employer has ill-treated the boy or inadequately provided for his lodging and maintenance.
- (5) If the boy herein licensed behaves well during one or more periods of his license, the Superintendent may, with the sanction of the Committee, apprentice him under Act XIX of 1850. When he is so apprenticed, the right to detain him in the Reformatory ceases and the unexpired term of his sentence is cancelled.
- (6) If the boy herein licensed absconds the employer shall at once report the fact to the Superintendent and to the nearest police-station.

45. The original license shall be delivered to the employer and a copy may be given to the youthful offender whom it concerns. Youthful offenders licensed under these rules need not wear distinctive clothing, but shall report themselves by letter countersigned by their employer, at least once a month to the Superintendent of the School.

46. It shall be the duty of the Superintendent to give due notice to the employer-

- (1) when the boy's license is about to terminate, and
- (2) when the period for which he can be detained is about to expire.

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Myanmar Law Information System (MLIS)