

111

**OFFICE OF THE DIRECTOR GENERAL (PRISONS)
PRISON HEADQUARTERS : TIHAR : NEW DELHI**

F.10(7832)/CJ/Legal/2012/ 2315

Dated : 14/5/2012

STANDING ORDER NO-36

Sub.: Transfer of Juvenile prisoners.

There have been instances when prisoners who apparently appeared below 18 years of age have been kept in jail without getting their age verified, as a result of which juveniles are being kept in jails which is strictly prohibited under the Juvenile Justice (Care and Protection of Children) Act, 2000 and Delhi Jail Manual. Recently some prisoners who were sent for medical examination on the directions of Hon'ble Delhi High Court were found to be juvenile and were later shifted to juvenile homes. This reflects adversely on the Prison Administration.

There is a specific provision in Rule 24 of Delhi Prisons (Admission, Classification, Separation,.....of Prisoners) Rules, 1988 of Delhi Jail Manual which states that if any prisoner appears to be less than 18 years of age he should be referred to the concerned Court with Medical evidence for his transfer to Juvenile Homes. This rule speaks as under:-

"If a prisoner appears to be less than 18 years of age at the time of his admission in the jail, the Superintendent shall have the prisoner immediately examined medically and if the prisoner's age is confirmed to be less than 18 years, then prisoner's case will be referred to the concerned trial Court for his detention in a juvenile home."

The detection of juveniles is possible if the Medical Officer conducting the medical mulahiza is alert and conscious of this duty and informs the superintendent if he suspects an inmate to be of a tender age.