



THE BALOCHISTAN PROBATION AND PAROLE ACT, 2026

GOVERNMENT OF BALOCHISTAN
LAW & PARLIAMENTARY AFFAIRS DEPARTMENT
(CODIFICATION SECTION)
(BALOCHISTAN – QUETTA)

**THE BALOCHISTAN PROBATION AND
PAROLE ACT, 2026**

(BALN. ACT NO. IX OF 2026)

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SCHEDULE

**¹THE BALOCHISTAN PROBATION AND
PAROLE ACT, 2026
(BALN. ACT NO. IX OF 2026)**

[28th April, 2026]

AN ACT to establish and implement an effective system for the regulation of probation of convicts, their rehabilitation and reintegration, and matters relating to parole in the Balochistan Province, along with an administrative and enforcement mechanism aimed at ensuring good governance and improved service delivery.

Preamble.

WHEREAS, it is expedient to regulate the probation and parole of convicts, including their conditional release, rehabilitation, and reintegration, in order to enable them to live purposeful and peaceful lives in society;

AND WHEREAS, it is necessary to establish an effective administrative and enforcement framework for ensuring good governance, improved service delivery, the protection of public interest, and the maintenance of public order in the Balochistan Province;

AND WHEREAS, it is imperative to create opportunities for the reformation and rehabilitation of offenders, while safeguarding public safety and upholding the rule of law through impartial, accountable, and transparent mechanisms under the oversight of Government through Home Department;

AND WHEREAS, it is expedient to strengthen and regulate the parole and probation system to make it responsible, service-oriented, and responsive, so as to effectively uphold and enforce the law, protect lives and property, and promote community participation through modern approaches;

It is hereby enacted by the Provincial Assembly of Balochistan as follows:

**PART – I
PRELIMINARY**

¹ This Act was passed by the Provincial Assembly of Balochistan on 16th April 2026, and assented to by the Governor Balochistan on 27th April 2026.

**Short title,
application, extent
and
commencement.**

1. (1) This Act may be called the Balochistan Probation and Parole Act, 2026.

(2) It shall extend to the whole of the Balochistan.

(3) It shall come into force at once.

Definitions.

2. (1) In this Act, unless there is anything repugnant in the subject or context, —

- (a) **“Act”** means the Balochistan Probation and Parole Act, 2026;
- (b) **“Additional Chief Secretary”** means the Additional Chief Secretary, Home Department, Government of Balochistan;
- (c) **“Department”** means the Home Department, Government of Balochistan;
- (d) **“Code”** means the Code of Criminal Procedure, 1898 (Act V of 1898);
- (e) **“Community Service”** means any unpaid work or service for the benefit of the community, ordered by a Court or Parole Board and carried out by a probationer or parolee during the probation or parole period, in such manner as may be prescribed;
- (f) **“Conditional Release Order”** means a conditional release order made under Section 21 of this Act;
- (g) **“Convict”** means a person who has been found guilty of an offence by a court of competent jurisdiction;
- (h) **“Court”** means the court of the Magistrate of First Class as specified in Section 3 of this Act, empowered to exercise powers under this Act;
- (i) **“Director General”** means the Director General of the Balochistan

Probation and Parole;

- (j) **“Directorate”** means the Directorate of Probation and Parole, Balochistan at Quetta;
- (k) **“Employer”** means any company, firm, industry, organization, or person, whether public or private, registered with the Directorate;
- (l) **“Entitled Victims”** means persons entitled to receive compensation of Diyat, Arsh, or Daman in accordance with law;
- (m) **“Government”** means the Government of Balochistan;
- (n) **“License”** means the license for parole granted to an offender under Section 21 of this Act;
- (o) **“Management Plan”** means a plan prepared to manage an offender placed on probation or parole for the purposes of reformation, rehabilitation, and reintegration;
- (p) **“Minor Violation”** means the violation of the conditions of a probation or parole order by a probationer or parolee, including
 - (i) failure to observe the directions of the probation or parole officer;
 - (ii) failure to inform the probation or parole officer about a change in residence;
 - (iii) leaving the district without permission;
 - (iv) taking intoxicants; or
 - (v) associating with persons of bad character or leading a dissolute life;
- (q) **“Parole”** means the conditional

release of an offender from prison, under the supervision of a Parole Officer, before the full sentence has been served, in accordance with the provisions of this Act;

- (r) **“Parole Board”** means the Board or Committee established under Section 19 of this Act;
- (s) **“Parole Committee”** means the Committee established under Section 22 of this Act;
- (t) **“Parolee”** means a prisoner or offender released on parole under this Act;
- (u) **“Pre-Sentence Report”** means a report prepared by a Probation Officer under sub-section (3) of Section 5 of this Act;
- (v) **“Prescribed”** means prescribed by the rules or regulations made under this Act;
- (w) **“Probation”** means a court-ordered non-custodial sentence placing a convicted person under the supervision of a Probation Officer in the community, as an alternative to imprisonment, for purposes of reformation, rehabilitation, and reintegration, in accordance with the provisions of this Act;
- (x) **“Probationer”** means an offender or prisoner placed under Probation pursuant to a Probation Order;
- (y) **“Probation Officer”** means a Probation Officer of the Directorate;
- (z) **“Probation Order”** means an order made by a court under Section 5 of this Act;
- (aa) **“Regulations”** means the regulations made under this Act;

- (bb) **“Revocation of License”** means the cancellation of a license under which an offender or prisoner was released on parole;
- (cc) **“Rules”** means the rules made under this Act;
- (dd) **“Schedule”** means the Schedule appended to this Act;
- (ee) **“Sentence”** means a sentence of imprisonment, including imprisonment in default of payment of fine or for failure to furnish security under Chapter-VIII of the Code of Criminal Procedure, 1898;
- (ff) **“Superintendent”** means the Superintendent of a prison in which any prisoner eligible for release under this Act is confined, or any other officer specially authorized in this behalf by the Government;
- (gg) **“Supervision Report”** means a report prepared under Section 50 of this Act; and
- (hh) **“Warrant of Commitment”** means a warrant or order of commitment issued by a Court of competent jurisdiction under Section 383 of the Code.

(2) All other words and expressions used but not defined in this Act and defined in the Code shall have the same meaning as assigned to them in the Code.

PART – II

PROBATION OF OFFENDERS

Jurisdiction of the courts.

3. (1) Where an accused is found guilty of an offence under applicable laws under this Act, any court competent to try and decide such offence, established courts, including the High court, and any other court as may be established from time to time, shall have jurisdiction under this Act to pass a sentence of

probation in the manner specified in this Act or the rules made thereunder.

(2) A court may exercise the powers under this Act whether a case comes before it for original hearing or on appeal or in revision.

Types of probation.

4. (1) Where a court, in exercise of its jurisdiction under Section 3, considers it appropriate, having regard to the circumstances of the case, to release a convict on probation, it may instead of imposing a sentence of imprisonment, pass a sentence of probation through a probation order under Section 5.

(2) A sentence of probation under sub-section (1) shall be given effect by a probation order made under Section 5.

Order of Probation by Court.

5. (1) Where a court convicts:

- (a) any male person is convicted of an offence not being an offence under Chapter VI or Chapter VII of the Pakistan Penal Code (Act XLV of 1860), or under Sections 216A, 328, 382, 386, 387, 388, 389, 392, 393, 397, 398, 399, 401, 402, 455, or 458 of that Code, or an offence punishable with death or 1 [imprisonment] for life, or
- (b) any female person is convicted of any offence other than an offence punishable with death, or
- (c) any person convicted of an offence punishable with imprisonment for which a maximum term of imprisonment shall not exceed seven years and such offence not being an offence under Anti-Terrorism Act, 1997, the Balochistan Enquiries and Anti-Corruption Act and any other Act of similar nature —

the court may, having regard to the circumstances and nature of the offence, the character of the offender, and

the pre-sentence report, make an order directing that the offender be released on probation for such period and subject to such conditions as may be specified in the order.

(2) Before making an order under sub-section (1), the Court shall call for a pre-sentence report from the Probation Officer, to be submitted within such period as the Court may specify. The report shall form part of the record and be taken into consideration by the Court; and where the Court decides contrary to the findings or recommendations contained therein, it shall record its reasons in writing.

(3) An order under this section may be made by the Court on its own motion, or upon an application made by the offender, or on the basis of a pre-sentence report submitted by the Probation Officer.

(4) The period of probation shall not be less than six months and shall not exceed three years, irrespective of the maximum sentence prescribed for the offence:

Provided that no repeated offender shall be placed on probation.

Explanation: - For the purposes of this section, “repeated offender” means a person who has previously been convicted of an offence involving moral turpitude or who has been convicted on more than one time.

(5) A probation order may, in addition, require the offender to comply, during the whole or any part of the probation period, with such conditions as the Court may consider necessary for securing the good conduct of the offender and preventing recidivism, including, but not limited to:

- (a) residing at such place and remaining within such area as the Court may specify, and not leaving the jurisdiction without prior permission of the Probation Officer or the Court;
- (b) reporting to the Probation Officer at such times and at such intervals and in such manner as may be specified in the order;

- (c) performing community service under the supervision of the Probation Officer, specifying the nature, place, and number of hours thereof; and
- (d) undergoing medical, psychiatric, psychological, or rehabilitative treatment, including de-addiction treatment, as required where so directed by the Court:

Provided that the minimum conditions specified in the Schedule shall be deemed to form an integral part of every probation order and shall be complied with in all cases.

(6) No probation order shall be made unless the Court is satisfied that:

- (a) the offender executes a bond, with or without sureties, binding himself to be of good behaviour during the probation period, not to commit any offence, and to appear and receive sentence when called upon by the Court; and
- (b) the offender, or at least one surety, has a fixed place of residence or regular occupation within the local limits of the jurisdiction of the Court, and there is reasonable likelihood of such residence or occupation continuing during the probation period.

(7) An offender placed on probation shall be placed under the supervision and control of a Probation Officer, and where the offender is a female, she shall be placed under the supervision of a female Probation Officer.

(8) Where a Probation Officer is not present in Court at the time a probation order is made, the Court shall issue notice requiring the Probation Officer to appear before the Court on a specified date to assume supervision of the offender. Pending such appearance,

the Court may, for reasons to be recorded, either remand the offender to custody or release him on bail, as it may deem appropriate.

(9) Where an offender is subsequently sentenced to imprisonment or otherwise punished for the offence in respect of which a probation order was made, such probation order shall, unless otherwise directed by the Court, cease to have effect.

Pre-sentencing report.

6. A Probation Officer shall, when directed by the court, prepare a pre-sentencing report, which shall be placed on the judicial file for consideration of the court. The pre-sentencing report shall provide a complete profile of the offender and shall, include:

- (a) the offender's character, background, residence, and surroundings;
- (b) the offender's psychological, sociological, family, and employment background;
- (c) the risk of re-offending or commission of any other offence;
- (d) the potential harm to the victim or the community;
- (e) the proposed period of probation;
- (f) a management plan for the offender, including rehabilitative and supervisory measures;
- (g) whether community service is recommended, based on the mental and physical condition of the offender and his suitability for such service; *and*
- (h) any other relevant circumstances.

Duties of the probation officer.

7. (1) A Probation Officer shall, subject to the rules made under this Act or any other law on probation for the time being in force, perform the following functions: -

- (a) to prepare pre-sentencing report concerning the offenders;
- (b) to prepare Management Plans for the offenders on probation;

- (c) to take steps for the rehabilitation of probationers according to their respective Management Plan;
- (d) to visit or receive visits from the probationer at such reasonable intervals as may be specified in the Probation Order or, subject thereto, as the Director General may direct in this behalf;
- (e) to supervise, monitor and ensure that the probationer observes the conditions of the Probation Order;
- (f) to report to the Director General, about the conduct and activities of the probationer;
- (g) to advise, assist and be friend with the probationer and, when necessary, endeavor to find him suitable employment;
- (h) to engage with the persons that suffered loss or injury caused by the probationer for the safeguard of their interests and submit report in this regard to the Director General;
- (i) to submit the quarterly supervision report of probationers placed under his supervision to the concerned Courts or as directed by the Court;
and
- (j) to perform any other function directed by the Director General.

(2) A Probation Officer may, in any matter concerning the Probation Order where a direction of the Court is required, make an application, with the approval of the Director General, to the Court; and the Court may, after giving reasonable opportunity of hearing to the concerned persons, issue such directions as it may deem fit in the circumstances.

Appointment of probation officer.

8. The Department shall appoint such persons as Probation / Parole Officer, who shall possess such

qualifications as may be prescribed.

**Order of payment
of compensation
and damages.**

9. (1) While making a probation order under Section 5, the court may, subject to law, direct the probationer to pay compensation for personal injury or for the loss or damage of property caused to any person by the offence, and may further order payment of such costs of the proceedings as it considers reasonable:

Provided that the total amount of compensation, damages, and costs so awarded shall not exceed the amount of fine which the court might have imposed in respect of the offence.

(2) Any amount ordered to be paid under sub-section (1) may be recovered as a fine in accordance with Sections 386 and 387 of the Code.

(3) In any subsequent civil suit or proceeding relating to the same offence, the Court hearing such suit or proceeding shall take into account any sum already paid or recovered under sub-section (1) while awarding compensation or damages.

**Appeal and
revision.**

10. Where an appeal or an application for revision is made against the conviction of an offence in respect of which a probation order under Section 5 has been made, the appellate court or the court exercising revisional jurisdiction may pass such order as it could have passed under the Code, or may set aside or amend the probation order and, in lieu thereof, pass such sentence as is authorized by law.

**Conditions for
grant of probation.**

11. (1) The court may, in accordance with the sentencing guidelines, if any, and after conviction but before sentencing, pass a probation order having regard to: -

- (a) the age and gender of the convict;
- (b) the psychological and physical condition of the convict;
- (c) the place of temporary or permanent residence of the convict;
- (d) the pre-sentencing report submitted by the Probation Officer;

- (e) the nature and circumstances of the offence committed; *and*
- (f) any other relevant matter, including any past conviction of the convict.

(2) Upon making a probation order, the Court shall impose the following mandatory conditions on the probationer: -

- (a) that the probationer shall enter into a bond, with or without sureties, undertaking to commit no offence, to keep the peace, to maintain good behavior during the probation period, and to appear and receive sentence if called upon to do so during that period;
- (b) that the probationer shall be placed under the supervision of a Probation Officer; *and*
- (c) that biometric registration of the probationer shall be conducted at the time of release on probation.

(3) In addition to the conditions specified in sub-section 2, the Court may, after considering the recommendations of the pre-sentencing report, impose such other conditions as it deems fit, including: -

- (a) requiring the probationer to perform a specified number of hours of community service, subject to Section 14;
- (b) requiring the probationer to undergo a course of vocational training in a specified field, subject to Section 15;
- (c) requiring a probationer who is a drug addict to complete a drug rehabilitation program at a facility operated by the Government or any registered non-governmental organization, provided that placement is available;
- (d) requiring a probationer pursuing

academic studies or training to maintain a specified level of attendance, to be verified by the Probation Officer with the institution concerned; *and*

- (e) any other condition as the Court may determine to be necessary in the interests of justice, rehabilitation, or public safety.

(4) Before making a probation order, the Court shall explain to the convict, in a language understood by him, the effect of the order and bond, and the consequences of breaching any of the conditions imposed during the probation period.

(5) No convict shall be released on probation in a community where his life is reasonably believed to be under threat.

(6) The Court shall forward a copy of every probation order, free of cost, to the concerned Probation Officer, who shall acknowledge its receipt.

Failure to observe conditions of the probation order.

12. (1) Where a Court, either on its own motion or on the application or report of a Probation Officer, has reason to believe that a probationer has failed to observe any condition or requirement of the probation order, it may: -

- (a) issue a warrant for his arrest; or
- (b) issue summons requiring the probationer and his sureties, if any, to appear before the Court on a date and time specified therein.

(2) The court before which a probationer is brought or appears under subsection (1) may either remand him to judicial custody until the case is heard, or admit him to bail, with or without sureties, to appear on the date of hearing.

(3) The court shall give the probationer a reasonable opportunity of being heard, and the Probation Officer shall place before the Court all relevant material and evidence to establish the alleged breach or violation.

(4) If, after hearing the case, the court is satisfied that the probationer has committed a grave breach of the conditions of probation, it shall revoke the probation order and sentence the offender to the punishment prescribed for the original offence.

(5) Where the court is of the opinion that the violation of conditions is of a minor nature:

- (a) the probationer may be issued a warning upon the first violation;
- (b) in the second instance, the sureties of the probationer, if any, shall be summoned personally and warned of the consequences of further violations; *and*
- (c) upon a third violation, the court may, on the recommendation of the Probation Officer, revoke the probation order and sentence the offender to the original punishment prescribed for the offence, and may further impose a fine not exceeding ten thousand rupees.

(6) Where the violation is not grave but material, the court may, without prejudice to the continuance in force of the probation order, impose upon the probationer a fine not exceeding thirty thousand rupees:

Provided that the court imposing such fine shall take into account any compensation, damages, or costs already ordered to be paid under Section 9. (7) If any fine imposed under this Section is not paid within the period fixed by the Court, the Court may revoke the probation order and sentence the offender to the punishment prescribed for the original offence.

Modification or variation of conditions of probation order.

13. (1) The Court which made a probation order under Section 5 may, at any time, on its own motion or upon the application of the probationer or the Probation Officer, vary the terms and conditions of the probation order or the bond by:

- (a) extending or reducing the duration

thereof;

- (b) altering any of its terms and conditions; or
- (c) inserting additional conditions therein:

Provided that in no case shall the duration of the bond be less than six months or more than three years from the date of the original order.

(2) Before modifying or varying the conditions of probation, the Court shall summon the probationer and provide him a reasonable opportunity of showing cause why the conditions should not be varied:

Provided that where the bond is with surety or sureties, no variation shall be made without the consent of such surety or sureties; and if such consent is not given, the Court shall require the probationer to execute a fresh bond, with or without sureties.

(3) Where the court modifies the conditions of probation contrary to the findings of the supervision report, it shall record its reasons in writing.

(4) The court may, if satisfied on the application of the probationer, the Probation Officer, or on its own motion, that the conduct of the probationer has been satisfactory so as to render further supervision unnecessary, discharge the probation order and the bond.

**Community service
by probationers
and parolees.**

14. (1) A probationer may be required to perform community service in accordance with the conditions specified in the Probation Order issued by the court, on the basis of an assessment made by the Probation Officer, in such manner as may be prescribed by the rules made under this Act.

(2) Community service shall not be imposed unless the Court, after considering the recommendations of the Probation Officer, is satisfied that:

- (a) the probationer is capable of performing community service;

- (b) such community service will contribute to the probationer's rehabilitation, reintegration into society, and benefit to the community; *and*
- (c) the probationer has consented to the feasibility of performing community service.

(3) Where the court imposes community service, it shall explain to the probationer, in a language that he understands: -

- (a) the purpose of the community service;
- (b) the consequences of breaching the terms and conditions thereof; *and*
- (c) that the court may, on the recommendation of the Probation Officer, set aside, modify, or review such conditions.

(4) A probationer shall perform community service during the probation period and shall not be required to perform any service which conflicts with his religious beliefs.

(5) The Probation Officer shall, as far as practicable, arrange community service in a manner that does not interfere with the probationer's employment or education.

(6) A probationer who fails to comply with the conditions of community service shall be deemed to have failed to observe the conditions of probation under this Act.

(7) The Court may, for reasons to be recorded in writing, order a convict to perform community service under its own supervision instead of placing him under the supervision of a Probation Officer.

(8) A parolee may be required to perform community service on the recommendation of the Parole Officer, with the prior approval of the Administrative Department, the Director General, or any officer duly authorized by him, in such manner as

may be prescribed by the rules made under this Act.

Vocational training.

15. (1) A vocational training condition under Section 11 shall not be imposed unless the Court, after considering the recommendations of the Probation Officer, is satisfied that:

- (a) arrangements are in place to enable the probationer to undergo training suited to his age, gender, culture, and any disability;
- (b) the probationer is fit and suitable to undertake such training; *and*
- (c) the vocational training will contribute to the probationer's rehabilitation and reintegration into society and benefit the community:

Provided that where a vocational training condition is imposed, the probation period may be reduced to not less than six months.

(2) Before imposing a vocational training condition, the Court shall explain to the probationer, in a language that he understands: -

- (a) the purpose of the vocational training;
- (b) the benefits of such vocational training for his rehabilitation and reintegration;
- (c) the consequences of breaching the vocational training condition; *and*
- (d) that the court may, on the recommendation of the Probation Officer, set aside, modify, or review the vocational training condition.

(3) The duration of any vocational training condition shall not exceed the period of probation.

(4) A probationer who fails to comply with the terms of a vocational training condition shall be deemed to have failed to observe the conditions of

probation under this Act.

Final release order. 16. (1) Upon successful completion of the probation period, the Probation Officer shall submit a report to the concerned court in prescribed manner recommending the final release of the probationer.

(2) If the court, after considering the report and being satisfied with the conduct of the probationer during the probation period, accepts the recommendation, it shall issue a final release order.

(3) A copy of the final release order shall be forwarded to the Directorate for record and necessary action.

Effects of probation order. 17. (1) A conviction in respect of which a probation order under Section 5 has been made, or where a probationer has been conditionally discharged or placed on probation, shall not be deemed to be a conviction for any purpose other than:

- (a) the proceedings in which such order is made; *and*
- (b) any subsequent proceedings which may be taken against the offender under this Act:

Provided that where an offender in respect of whom a probation order has been made is subsequently sentenced under this Act for the same offence, the provisions of this sub-section shall cease to apply to such conviction.

(2) Upon successful completion of the probation period, community service, or vocational training, as the case may be, the conviction of the probationer shall be disregarded for the purposes of any law which imposes, or authorizes or requires the imposition of, any disqualification or disability upon convicted persons.

(3) Nothing contained in this Section shall affect:

- (a) the right of the probationer to appeal against his conviction, or to rely

upon such conviction in bar of subsequent proceedings for the same offence; or

- (b) the revesting or restoration of any property in consequence of the conviction of the probationer.

Order of Sureties and Bond.

18. The provisions of Sections 122, 406-A, 514, 514-A and 515 of the Code shall, as nearly as may be practicable, apply in the case of execution of surety and bonds under this Act.

PART – III

PAROLE OF OFFENDERS

Constitution of Parole Board.

19. (1) With the approval of the Government, the Department shall, by notification in the official Gazette, constitute a Parole Board for the Province of Balochistan.

(2) The Parole Board shall comprise the following members: -

- (i) Additional Chief Secretary, Home Department, Government of Balochistan. **(Chairperson);**
- (ii) Additional Secretary (concerned), Home Department, Government of Balochistan. **(Member);**
- (iii) Director General, Probation and Parole Balochistan. **(Member);**
- (iv) Representative of the Inspector General of Prisons, Balochistan, not below the rank of Deputy Inspector General. **(Member);**
- (v) Representative of the Prosecutor General, Balochistan, not below the rank of Additional Prosecutor General. **(Member);**
- (vi) Two persons from civil society, to be nominated by the Government. **(Members);**
- (vii) Any other member(s) co-opted by the

Chairperson, as deemed necessary.
(Member(s); and

(viii) Director (Parole), Balochistan
Probation and Parole Directorate.
(Member/Secretary).

(3) The Parole Board shall convene at least once in a quarter or more frequently to consider cases for release on parole and may decide upon the recommendations of the parole sub-committees constituted under this Act.

(4) Where the recommendations of a parole sub-committee are not accepted, the Parole Board may record its reasons for doing so in writing.

(5) The Parole Board may also, on its own knowledge or motion, take up cases for parole consideration.

**Functions and
proceedings of the
Parole Board.**

20. (1) The Parole Board shall be responsible for the following functions, namely: -

- (a) to consider and decide cases for the release of offenders on parole;
- (b) to determine the conditions of release for offenders approved for parole;
- (c) to consider and decide applications of parolees for amendment or discharge of conditions of parole;
- (d) to impose any general or special conditions applicable to one or more parolees;
- (e) to communicate its decisions to the Superintendent of the concerned prison and to the prisoner; *and*
- (f) to perform any other function as may be prescribed.

(2) The proceedings of the Parole Board shall be conducted in such manner as may be prescribed.

(3) No proceeding of the Parole Board shall be invalid merely by reason of any vacancy or defect in its

constitution.

(4) The Parole Board shall meet at least once in every quarter, or more frequently as may be required.

(5) The Parole Board shall be competent to constitute sub-committees and to delegate any of its functions thereto, subject to such conditions as it may determine.

(6) In continuation of sub-section (5), the Parole Board shall constitute a Parole Committee, headed by the Director General of the Directorate, competent to evaluate and decide cases of eligible offenders having up to two years of the remaining sentence of imprisonment, and to submit its recommendations for approval to the Board.

(7) Cases of eligible offenders with more than two years of the remaining sentence of imprisonment shall be submitted to the Parole Board itself for decision.

(8) The Parole Board shall nominate the members of the Parole Committee and define such other functions and procedures as may be necessary for its effective and timely working, in such manner as may be prescribed.

Power of the Parole Board to release by license on conditions.

21. Notwithstanding anything contained in Section 401 of the Code of Criminal Procedure, 1898, where a person is confined in prison under a sentence of imprisonment, and it appears to the Parole Board, from his antecedents or conduct in prison, that he is likely to abstain from crime and lead a useful and industrious life if released, the Parole Board may, by license, permit such person to be released on the condition that he shall be placed under the supervision or authority of:

- (a) a servant of the State;
- (b) a secular institution; or
- (c) a person or society professing the same religion as the prisoner, named in the license and willing to take charge of him.

Explanation. - For the purposes of this Section, the

expression “sentence of imprisonment” shall include imprisonment in default of payment of fine and imprisonment for failure to furnish security under Chapter -VIII of the Code.

Constitution of Parole Committees at district level.

22. (1) The Department shall by notification constitute a Parole Committee at each Prison, which shall consist of the following members: -

- (a) Deputy Commissioner of the concerned District. **(Chairperson);**
- (b) Superintendent of the respective Prison. **(Member);**
- (c) District Police Officer (or Head of the concerned District Police) **(Member);**
- (d) District Probation and Parole Officer **(Member);**
- (e) Public Prosecutor of the concerned District **(Member); and**
- (f) Two persons from civil society, one male and one female, to be nominated by the Department, **(Members).**

(2) The Parole Committee shall consider cases in accordance with the provisions of this Act, the rules made thereunder, and the policy guidelines issued by the Government or the Parole Board.

(3) The recommendations of the Parole Committee shall be forwarded to the Parole Board for final decision.

(4) The District Parole Committee shall convene a meeting at least once in a month.

Functions of the District Parole Committee.

23. (1) The District Parole Committee shall convene immediately upon completion of the minimum term of imprisonment of convicts eligible for parole to consider their cases. Where parole is deferred, the Parole Sub-Committee shall record its reasons in writing and shall specify the time period after which the case shall be reconsidered. The Sub-Committee shall submit its recommendations to the Parole Committee.

(2) The District Parole Committee shall have the power to recommend to the Parole Committee the

revocation of a parolee's conditional release. An order of revocation issued by the Parole Committee shall state the reasons for revocation, the date from which the conditional release shall cease to be in force, and such order shall be served upon the parolee in the manner prescribed.

Form of license

24. A license granted under Section 21 of this Act shall be in such form as may be prescribed and shall contain such conditions as the Parole Board may approve or direct.

Eligibility for parole.

25. The Department shall, by rules, prescribe the classes of the offender eligible for release on parole and may further classify the eligibility criteria for different classes of offenders, and specify the conditions subject to which parole may be granted, as may be prescribed.

Referral for parole.

26. (1) The officer in charge of a prison, in consultation with the Directorate, shall refer the cases of offenders eligible for release on parole to the Director General within fifteen days of such offenders becoming eligible, in such form and manner as may be prescribed.

(2) The Director General may, on his own motion, call upon the officer in charge of the prison to refer the case of one or more offenders who are eligible for release on parole under Section 25.

Report of parole officer.

27. A Parole Officer shall prepare a report containing all relevant information concerning eligible offenders, which shall, include:

- (a) the nature and circumstances of the offence committed;
- (b) the antecedents and conduct of the offender in prison;
- (c) the risk of re-offending or commission of any other offence;
- (d) any potential harm to the victim or community;
- (e) whether community service is recommended, having regard to the mental and physical condition of the offender and

his suitability for such service; *and*

(f) any other relevant information.

Appointment of parole officer.

28. A Parole Officer shall be any person appointed as such by the Department, possessing such qualifications as may be prescribed by the rules made under this Act.

Procedure for release on parole.

29. (1) The Director General shall submit cases of all referred eligible prisoners to the Parole Board or Parole Committee, as the case may be and as soon as possible and, in any case, within sixty days of referral, together with the requisite information in such form and manner as may be prescribed.

(2) The Parole Board, or Parole Committee, as the case may be, shall convene within thirty days, and not later than sixty days, to consider and decide on the release of an eligible prisoner on parole.

(3) Where the Parole Board is of the opinion that an eligible offender may be released on parole, it shall, by order:

(a) approve such release, subject to the supervision of a Parole Officer; *and*

(b) specify the conditions for such release, taking into account the report of the Parole Officer and the needs of the offender.

(4) Where the Parole Board approves the release of a prisoner on parole, it shall communicate its decision and the conditions of release to the Director General, who shall prepare the license for release in the prescribed manner.

(5) Where the Parole Board does not approve release on parole, it shall communicate its decision, along with a summary of reasons, to the prisoner through the Superintendent of the concerned prison.

Review of Parole Decisions.

30. An offender aggrieved by a decision of the Parole Board or Parole Committee may, within thirty days of such decision, apply to the Parole Board or Parole Committee for review of its decision.

(1) A review under sub-section (1) may only be

filed on the following grounds: -

- (a) that the decision was based on incorrect or incomplete information;
- (b) that the assessment of the risk of re-offending was conducted in a mechanical or arbitrary manner; or
- (c) that the decision was not made in accordance with law.

(2) The Parole Board shall consider the application and, where it finds the contentions of the applicant to be correct, it shall decide the matter afresh.

Limitation on referral for parole.

31. Where a referral for parole has been finally rejected by the Parole Board, the case shall not be reconsidered until the expiry of:

- (a) three months from the date of the final decision of the Parole Board where the prisoner is undergoing a sentence of imprisonment not exceeding seven years; *and*
- (b) six months from the date of the final decision of the Chairman or the Parole Board where the prisoner is undergoing a sentence of imprisonment exceeding seven years.

Period of parole and license.

32. (1) A prisoner shall be entitled to consideration for release on parole upon completion of the minimum period of imprisonment as prescribed under the Code, in accordance with the sentencing guidelines, if any.

(2) The conditional release of a prisoner on parole shall remain in force until:

- (a) the date on which the prisoner, in execution of the order or warrant authorizing his imprisonment, would have been discharged from prison had he not been released on parole; or
- (b) the date on which the parole is

revoked, whichever is earlier.

(3) A license granted under Section 21 shall remain in force until:

- (a) the date on which the offender so released, in execution of the order or warrant authorizing his imprisonment, would have been discharged from prison had he not been released on license; or
- (b) the date on which the license is revoked, whichever is earlier.

PART – IV

EMPLOYMENT, MONITORING AND CONTROL

Registration of employers.

33. (1) All prospective employers seeking the placement of parolees shall submit an application to the Director General in such form and manner as may be prescribed.

(2) The Director General, or any officer of the Directorate duly authorized by him, shall assess the suitability of the employer and may, for this purpose, call for information from the District Administration or any other agency or department of the Government, as may be necessary.

(3) Upon due scrutiny, the Director General may approve or reject the registration of an employer and shall communicate the decision to the applicant in writing, along with the reasons in case of rejection.

(4) Any person or organization, whether public or private, of good reputation in society and having no criminal record, shall be eligible to be registered as a qualified employer.

Employment of parolees.

34. (1) Parolees shall preferably be placed in employment with an organization, institution, or industrial unit. Where such employment is not available, a parolee may be employed by an individual, subject to the prescribed conditions.

(2) A parolee may be permitted to reside in an area where he can arrange for his food and lodging, subject to any conditions that may be prescribed.

(3) The Director General shall convey the residential details of the parolee to the District Administration or to the Police of district concerned, as the case may be.

Monitoring of prisoners released on parole.

35. (1) The Director General shall ensure that all prisoners released on parole are effectively monitored and supervised in such manner as may be prescribed.

(2) Every prisoner released on parole shall remain under the supervision of a Parole Officer for the duration of the license granted under this Act.

(3) Where the Parole Board approves the release of a prisoner under this Act, it may impose additional conditions for the monitoring and supervision of the parolee, in such manner as may be prescribed.

Modification or variation of conditions of license.

36. (1) Where a Director or Parole Officer is of the view that the conditions of a license require variation, he shall submit a report in this behalf to the Director General in such manner as may be prescribed.

(2) Upon receipt of such report, the Director General shall review the matter and forward his recommendations to the Chairman of the Parole Board.

(3) The Parole Board may, after consideration of the recommendations, vary the conditions of release.

(4) The conditions of a license may be varied in any of the following forms: -

- (a) substituting one condition for another;
- (b) adding new conditions; or
- (c) removing one or more conditions, provided that not all conditions are removed.

Report of offence committed by a parolee.

37. Where a parolee has been arrested in connection with any other offence while serving on parole and it came in the knowledge of any person including but not limited to Deputy Commissioner, District Police Officer, or Prosecutor, shall immediately be reported to Director General or any person authorized on this

behalf.

(1) The Director General may call for any further information relevant to the case and shall refer the matter, with his recommendations, to the Board for consideration of revocation of the parolee's license.

Breach of license.

38. (1) Where a Parole Officer finds that a condition of the license has been breached by a parolee, he shall report the breach, together with his recommendations, to the Director General.

(2) The Director General, after considering the report, shall refer the case to the Additional Chief Secretary along with his recommendations for either:

- (a) variation of the conditions of the license under Section 36; or
- (b) revocation of the license under Section 42.

Arrest for breach of conditions of license.

39. Where the Director General determines to recommend the revocation of the license of a parolee due to breach of any condition thereof, he shall notify the concerned Deputy Commissioner and District Police Officer, in respect of urban and rural areas, of the particulars of the parolee and shall call upon them to arrest the parolee and transfer him, as expeditiously as possible, to the nearest prison.

Arrest for risk of escape.

40. Where a Parole Officer has reasonable grounds to believe that a parolee may abscond or escape from supervision, he may request the Station House Officer of the concerned Police Station, by forwarding a copy of the Warrant of Commitment obtain as per the prescribed procedure of the Code, to arrest the parolee and transfer him, as expeditiously as possible, to the nearest prison.

Temporary detention of parolee.

41. (1) Where the employment of a parolee comes to an end owing to illness, want of suitable employment, or other unavoidable circumstances, the Parole Officer may, with the approval of the Director General or an officer duly authorized by him, send the parolee to the nearest prison of the district for temporary detention.

(2) The Superintendent of the concerned prison shall, upon such reference, make immediate and necessary arrangements for the temporary detention of the parolee.

(3) The concerned Parole Officer shall take charge of the parolee from the prison as soon as the parolee has recovered from illness, or suitable employment has been secured, or the unavoidable circumstances necessitating detention have ceased to exist.

Revocation of license.

42. The Director General may at any time, through concerned District Parole Committee recommend any case for the revocation of license granted under Section 21 of this Act:

Provided that any case referred for revocation, the Director General may write the reason and grounds for such revocation:

Provide further that the Board may revoke such license after due consideration.

(1) An order of revocation issued under subsection (1) shall specify the date from which the license shall cease to be in force, and the parolee shall thereupon be returned to the nearest prison.

(2) The order of revocation shall be served upon the parolee by a Parole Officer or by the Superintendent of Prison, who shall also explain its contents to him:

Provided that where the parolee has absconded or escaped from supervision, the order of revocation shall be communicated by the Parole Officer to the Station House Officer of the concerned Police Station, as the case may be.

(3) Where a parolee has been recommitted to prison after revocation of his license, he shall not be reconsidered for parole before the expiry of such period as may be prescribed.

Offence of escape.

43. (1) If any parolee:

- (a) escapes from the supervision or authority of a Parole Officer, or a person, or society, or institution or

an employer in whose charge he has been placed under Section 21 of this Act; or

- (b) whose license has been revoked under Section 42, fails without lawful excuse (the burden of proving which shall lie upon him), to return to prison on or before the date specified in the order of revocation;

such parolee shall, upon conviction by a court, be punishable with imprisonment for a term which may extend to two years, or with fine which may extend to thirty thousand rupees, or with both.

(2) An offence punishable under this Section shall be cognizable offence under the Code.

Registration of escape case.

44. (1) Where an offence under Section 43 is committed, the concerned Parole Officer shall lodge a written complaint with the Station House Officer of the concerned Police Station, as the case may be, for registration of a First Information Report (FIR) under the Code.

(2) The Station House Officer of the concerned Police Station, as the case may be, shall forthwith register the FIR and provide a copy thereof to the Parole Officer.

Period of release to be reckoned as imprisonment for computing period of sentence served.

45. (1) The period during which a parolee remains on release under a valid license shall be deemed to be part of the period of imprisonment to which he was sentenced, and shall:

- (a) be reckoned towards the total term of imprisonment awarded;
- (b) be computed for the purpose of determining the sentence served; *and*
- (c) be taken into account for the grant of remission under the remission system, as may be prescribed.

(2) The period during which a parolee escapes from the supervision of a Parole Officer or from the authority of an employer, and remains at large, shall

not be counted as part of the sentence served.

(3) The period of absence of a parolee from prison shall be reported by the concerned Parole Officer to the Superintendent of the prison to which the parolee is returned, whether on conviction for an offence or otherwise, after the revocation of his license.

Welfare and rehabilitation of parolees.

46. (1) A Parole Officer shall be responsible for ensuring the welfare, rehabilitation, and reintegration of parolees placed under his supervision, in such manner as may be prescribed.

(2) A Parole Officer shall visit parolees regularly and inspect their places of employment and accommodation to ensure that appropriate arrangements for their livelihood, residence, and well-being have been made, as may be prescribed.

(3) The employment of a parolee may, with the approval of the Director General or an officer duly authorized by him, be changed on the recommendation of the concerned Parole Officer.

(4) A Parole Officer may, in accordance with the rules, arrange for the physical, mental, or social rehabilitation of a parolee, including necessary medical or counseling support.

(5) The Director General through the Department may, with the prior approval of the Government, enter into collaborative or other arrangements with public sector institutions or private organizations for the welfare, health, and rehabilitation of probationers and parolees.

Effect of successful completion of parole period.

47. Upon the successful completion of the parole the conviction of an offender released on parole under this Act shall, for all legal purposes, be disregarded in relation to any law which imposes a disqualification or disability on convicted persons, or authorizes or requires the imposition of such disqualification or disability.

Failure to observe the conditions of parole.

48. If any person, released on parole, breaches the conditions imposed upon him, the probation and parole officer shall be authorized to return him to the prison where he was detained to serve the remaining

portion of his sentence.

**Supervision
reports.**

49. (1) The probation officer shall periodically prepare supervision reports of each probationer, placed under his supervision to the Court if required.

(2) The report shall include:

- (a) conduct of the probationer;
- (b) performance during community service or vocational trainings conditions, as the case may be;
- (c) progress towards and conduct during rehabilitation;
- (d) physical and mental condition of probationer;
- (e) any update on the probationer's compliance with the conditions of the probation order; *and*
- (f) any other matter connected or ancillary to the purpose of this Act.

(3) The supervision reports shall be placed in the personal record of the probationer and shall be monitored by the Directorate.

(4) The concerned probation officer shall, in case of any violation of conditions of probation, immediately initiate the process under Section 12 of this Act.

PART – V

DIRECTORATE OF PROBATION AND PAROLE

**Establishment of
Directorate General
of probation and
parole Balochistan.**

50. (1) On the commencement of this Act, the Directorate of Reclamation and Probation, Balochistan shall, by notification be renamed as the Directorate General of Probation and Parole, Balochistan. The Directorate, established by the Government, shall be responsible for the effective implementation of this Act and the rules made thereunder.

(2) The Directorate shall be headed by a Director General, appointed/posted by the Government in such manner as may be prescribed, who shall be the officer-in-charge of the Directorate and responsible for

its overall administration, strategic planning, policy implementation, coordination, and supervision of all probation, parole, and rehabilitation functions carried out under this Act and the Rules & Regulations made thereunder.

(3) The Director General shall perform his functions and discharge his duties under the general supervision of the Department, and shall be assisted by such number of officers and staff as may be determined by the Government for the performance and discharge of functions under this Act.

(4) The Director General may, with the approval of Additional Chief Secretary, in such form and manner as may be prescribed, register any person of good standing and repute as an Honorary Probation Officer or Honorary Parole Officer for the purpose of this Act.

Functions of the Directorate.

51. (1) The Directorate shall exercise the following functions:

- (a) assessing the needs of probationers and parolees;
- (b) assessing and managing the risks posed by probationers and parolees;
- (c) preparing pre-sentence reports of probationers, either on its own initiative or upon the direction of a Court;
- (d) devising management plans for the reformation and rehabilitation of probationers and parolees;
- (e) maintaining and updating records and data regarding probationers and parolees managed, supervised, or evaluated by the Directorate;
- (f) ensuring compliance with the conditions of release on probation and the terms of licenses of parole;
- (g) monitoring and facilitating the rehabilitation of probationers and parolees;

- (h) engaging with victims of crime for addressing their lawful needs and interests; *and*
- (i) any other functions as the Government may determine.

(1) The Directorate shall also be responsible for establishing and maintaining such rehabilitation facilities as may be prescribed.

(2) The Directorate may perform such other functions as may be assigned to it by the Government under this Act or the rules made thereunder.

**Superintendence,
control and policy
guidelines.**

52. (1) The superintendence and control of the Directorate shall vest in the Department.

(2) The Department may, from time to time, issue policy guidelines and determine the priorities of the Directorate for the performance of its functions and obligations under this Act.

(3) The Department may, with the approval of the Government, enter into memorandum of understanding or other arrangements for the establishment and maintenance of rehabilitation centers and community-based projects, either in collaboration with State institutions, on a public-private partnership basis, or through such other means as the Government may approve.

**Certification and
training.**

53. All Probation and Parole Officers shall undergo such training and obtain such certification as may be prescribed, and until so prescribed, as may be notified by the Department.

**Reports and
statistical
information.**

54. (1) The Directorate shall, in such form and manner as may be prescribed, compile, publish, and submit:

- (a) an annual performance report at the beginning of each calendar year regarding its activities and performance during the preceding year;
- (b) monthly returns relating to probationers and parolees under its

supervision; *and*

- (c) such statistical information, including data relating to assets, performance, and budgets, as may be required by the Government or the Administrative Department from time to time.

(2) The annual performance report and statistical information, shall contain such information as the Government may specify and shall, in particular, include:

- (a) the number of offenders eligible for probation and parole;
- (b) the number of offenders granted probation and parole;
- (c) the number of assessments undertaken;
- (d) the number of violations detected;
- (e) Meetings of the Boards or Committee and their decisions;
- (f) the number of parole hearings conducted; *and*
- (g) the number of probation and parole orders revoked.

Terms & conditions and disciplinary proceedings of Directorate employees.

55. (1) Subject to the provisions of this Act, the employees of the Directorate shall be appointed and governed in accordance with the provisions of the Balochistan Civil Servants Act, 1974 (Act IX of 1974), and the rules made thereunder.

(2) The disciplinary proceedings of the employees of the Directorate shall be governed by the provisions of the Balochistan Employees Efficiency and Discipline Act, 2011 (BEEDA 2011).

Referral for rehabilitation, welfare, and health.

56. The Director General, the Department, or any officer of the Directorate duly authorized by him, may refer a probationer or parolee to any public or private body, department, institution, or organization for purposes of rehabilitation, welfare, or health, in such

manner as may be prescribed.

Official visitors of prisons.

57. The, Representative of the Board, the Director General, Director, and any other person authorized on this behalf shall be the Official Visitors of prisons.

Record keeping.

58. (1) The Directorate, shall keep and maintain the record of all probationers, which include a copy of probation order, pre-sentencing report, supervision reports, community service and vocational training conditions, etc.

(2) A probationer's record shall be confidential and shall only be made available to any concerned officer by the order of the Court.

(3) The Directorate, shall take all reasonable steps to ensure that privacy and dignity of all probationers, especially that of women and juvenile, is protected.

Complaint of probationer or parolee.

59. During the period of release, a probationer or a parolee may file any complaint with the Director General in such manner as may be prescribed.

PART – VI

MISCELLANEOUS & GENERAL PROVISIONS

Indemnity and bar on jurisdiction.

60. No suit, prosecution, or other legal proceeding(s) shall lie against any officer, employee, authority, or person in respect of anything done, or intended to be done, in good faith under this Act or the rules or regulations made thereunder.

Code of conduct.

61. (1) The Department in consultation with the Director General, shall prescribe a Code of Conduct for Probation and Parole Officers, and for other officers exercising powers or discharging functions under this Act, in order to prevent misuse of authority and to ensure due diligence, accountability, and transparency.

(2) All Probation and Parole Officers, and other officers to whom the Code of Conduct applies, shall act in accordance with it.

(3) Any deviation from the prescribed Code of Conduct shall be referred to the competent authority or

department, as may be notified, for appropriate action in accordance with the applicable laws, rules, or regulations.

Removal of difficulties.

62. Wherever any difficulty arises in giving effect to any of the provisions of this Act, the Department, with the approval of the Chief Secretary, Government of Balochistan, may, by notification in the official Gazette, make such provisions, or issue such orders or instructions, not inconsistent with the provisions of this Act, as may be necessary to remove or address such difficulty.

Power to make rules, frame regulations, and issue standard operating procedures and instructions.

63. (1) The Government may within a year, by notification in the official Gazette, make rules to carry into effect the purposes and all provisions of this Act.

(2) Subject to the provisions of this Act or rules made thereunder, the Department may, from time to time, frame regulations, issue Standard Operating Procedures and instructions to standardize different procedures required to be performed under this Act.

Overriding effect.

64. Notwithstanding anything contained in any other law, rule, or regulation for the time being in force, the provisions of this Act shall have effect, and the provisions of any such law, rule, or regulation, to the extent of their inconsistency with this Act, shall cease to have effect.

Repeal and savings.

65. (1) The Good Conduct Prisoners' Probationary Release Act, 1926 (Act No. X of 1926), and the Probation of Offenders Ordinance, 1960 (Ordinance No. XLV of 1960), are hereby repealed to the extent of their application to the Province of Balochistan.

(2) Notwithstanding the repeal under subsection (1), all acts done, orders made, powers exercised, obligations or liabilities incurred, penalties imposed, inquiries or proceedings initiated, officers appointed, persons authorized, jurisdictions or powers conferred, rules made, and notifications or orders issued under the repealed laws shall, if not inconsistent with the provisions of this Act or the rules and regulations made thereunder, continue in force

and be deemed to have been validly done, exercised, incurred, imposed, initiated, appointed, authorized, conferred, made, or issued under this Act.

SCHEDULE See Section 5(5)(d)	
Offences and Offenders	Mandatory Conditions
Offenders who have committed an offence involving violence	(a) that he shall not commit a violent offence (b) that he shall undergo counseling and treatment for his violent state
Offenders who have caused loss to another person	(a) that he shall not commit a similar offence (b) that he shall undergo the loss he has caused to the victims if the loss cannot be covered by an order under Section-
Offenders who have committed a sexual offence	(a) that the offender shall not commit a sexual or violent offence (b) that the offender shall be subject to appropriate movement restrictions
Offenders who have committed a regulatory offence	(a) that he shall not commit the same regulatory offence or a regulatory offence of a similar nature. (b) that he shall perform a community service (c) that he shall improve his understanding of the nature of the offence and the benefit of compliance to the community (d) that he shall undo the violation if it can be undone
Offenders who have consumed narcotics and/ or other prohibited substances	(a) that he shall not commit a narcotics offence (b) that he shall undergo drug treatment