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21 (6) PRAP 6.5 (H)

2018

**PROBATION AND PAROLE**

Paper : 6.5 H<sub>4</sub>

Full Marks : 80

Time : Three hours

**The figures in the margin indicate full marks for the questions.**

1. Choose the correct answer :  $1 \times 10 = 10$ 
  - (a) The Origin of Probation has come into world by \_\_\_\_\_.  
[John Augustus/Homer Cummings]
  - (b) The Probation Offenders Act was enacted in \_\_\_\_\_. [1958/1858]
  - (c) In USA, Probation law was formally enacted for the first time in \_\_\_\_\_.  
[1878/1887]
  - (d) U/s 13 of the Probation of Offenders Act a Probation Officer is appointed by \_\_\_\_\_. [State Government/High Court]

Contd.

(e) The \_\_\_\_\_ takes administrative decision on Paroling out Prisoners.

[Parole Board/Court]

(f) In which legislation the first attempt to introduce Probation of offenders was made? \_\_\_\_\_. [Constitution Law/I.P.C]

(g) Probation is a \_\_\_\_\_ release of the offender for maintaining good behaviour during the period of probation.

[Final/Conditional/Preparatory]

(h) The Parole Board consists of \_\_\_\_\_ agencies. [two/three]

(i) A Prisoner can be released on \_\_\_\_\_ after he has already served a Part of his sentence in Prison.

[Parole/Probation]

(j) In U.K. the system of Probation received statutory recognition in \_\_\_\_\_.

[1907/1908/1909]

2. Answer the following questions: 2×5=10

(a) Who is Probation Officer?.....

(b) Condition of Parole.

(c) Parole Violation.

(d) What do you mean by "Probation of Offenders" ?

(e) Probation in U.S.A.

3. Explain exhaustively the concept and definition of Probation. Discuss in details the legislative history of Probation Law in India. 12

**Or**

Discuss the law on Probation in India. How far has its objects been achieved? 12

4. Write an exhaustive note on the different Provisions on Probation under CrPC and Juvenile Justice (Care and Protection) Act. 12

**Or**

"The Probation of offenders Act" is an welfare measure to reduce criminality. Discuss the impact of Probation Laws in that respect. 12

5. What do you mean by "Parole" ? Discuss the essential elements of Parole with its advantages and disadvantages. 12

**Or**

Discuss in details the Judicial trends of Parole in India. Support your answer with recent Judgements if *any*. 12

6. Write exhaustive notes on : 6+6=12

(a) The Power of the Court to release certain offenders on Probation of Good Conduct.

(b) The Power of the Court in case of offender failing to observe conditions of bond.

**Or**

What are the differences between :

6+6=12

(a) Probation and Parole

(b) Parole and Indeterminate Sentence.

7. Discuss the Constitution, Power and Function of Parole Board. 12

**Or**

Write an exhaustive note on the Parole system in U.S.A. and U.K. 6+6=12