

# The Meghalaya Subsidiary Force Act, 1971

MEGHALAYA

India

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### Act 8 of 1971

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The Meghalaya Subsidiary Force Act, 1971(As passed by the Assembly)[Received the assent of the Governor on the Third July, 1971](Published in the Gazette of Meghalaya, Extraordinary, dated the 6th July, 1971)An Act to provide for the constitution of a force in Meghalaya to be known as the Meghalaya Subsidiary Force. Be it enacted by the Legislature of Meghalaya in the Twenty-second Year of the Republic of India as follows:-

### 1. Short title and commencement

(1) This Act may be called Meghalaya Subsidiary Force Act, 1971. (2) It shall be deemed to have come into force on the 4th day of June, 1971.

### 2. Definitions.

In the Act, unless there is anything repugnant in the subject or context:- (a) "Force" means the Meghalaya Subsidiary Force constituted under this Act; (b) "Government" means "the Government of Meghalaya"; (c) "Prescribed" means prescribed by rules made under this Act; (d) "Relief Camp" includes any place, locality or area as may be declared as Relief Camp by Government for the purpose of this Act.

### 3. Constitution of Meghalaya Subsidiary Force.

(1) In Meghalaya or part thereof, the Government may raise and maintain a Force to be called Meghalaya Subsidiary Force which shall consist of such number of persons and shall be constituted in such manner as the Governments may, by order, direct. (2) The Force in Meghalaya shall for the purpose of this Act, be deemed to be a single force and the members thereof shall be formally appointed. (3) There shall be paid to each officer and member of the Force such monthly salary, remuneration or honorarium as may be determined by the Government from time to time.

#### **4. General superintendence**

(1)The general superintendence of the Force throughoutMeghalaya shall vest in and shall be exercised by the Government through an Officer to be styled as the Director of the Subsidiary Force in such manner and to such extent as the Government of Meghalaya may deem fit.(2)Subject to sub-section (2) of section 3, there shall be a Commandant of the Force for every district, or part thereof and such other officers subordinate to him as may be necessary.

#### **5. Appointment of officers and members.**

(1)The Director of the Subsidiary Force and the Commandantshall be appointed by the Government in such manner as may be determined by the Government.(2)The appointment of other officers and members shall be made in such manner and by such authority as may be determined by the Government.

#### **6. Duties and functions of the Force.**

(1)The following shall be the duties and functions of the Force,namely:-(a)to assist aid the police in the maintenance of law and order in Meghalaya;(b)to report to the Deputy Commissioner, in such a manner as the latter may direct, all crimes, unnatural deaths or serious accidents;(c)to prevent commission of any cognizable offence;(d)to apprehend and deliver to the competent authority vagrant or bad and suspicious character, found within their jurisdiction;(e)to collect and communicate to the Deputy Commissioner intelligence affecting law and order and any matter relating to any village or town administration.(f)to protect Government and other public properties;(g)to obey and execute promptly all orders and warrants lawfully issue by any court;(h)to act under the orders of the Deputy Commissioner and to furnish such returns and information as may be called by the Deputy Commissioner and his subordinate officers;(i)to assist the Deputy Commissioner and the subordinate officers in maintaining order and discipline in Relief Camp;(j)to do other social work as my be entrusted by competent authority; and(k)to perform such other duties as are specified under other provisions of this Act and as the Government may, from time to time, by general or special order specify in this behalf.(2)Every officer of member shall have the power to arrest any proclaimed offender or any person who in his view commits a non-bailable and cognizable offence. Any person so arrested shall without unnecessary delay be taken or caused to be taken in custody to the nearest Police Station or Magistrate. The arrested person shall be produced before the nearest Magistrate within a period of 24 hours of such arrest excluding the time necessary for the journey from the place of arrest to the court of the Magistrate.

#### **7. Duty , Training of officer and member.**

(1)Subject to any rules made in this behalf, it shall be the duty ofevery officer and member of the Force promptly to obey and execute all orders issued to him by any competent authority.(2)Subject to any rules made in this behalf the officers and members of the Force may be required to undergo such training as may be prescribed.

## **8. Uniform.**

The officers and members of the Force shall wear such uniform and shall use such equipments as may be prescribed by the Government from time to time.

## **9. Bar to prosecution.**

No prosecution shall be instituted against any officer or member of the Force in respect of anything done or purported to be done by him in the discharge of his duties, except with the previous sanction of the Government or some officer empowered by the Government in this behalf.

## **10. Penalty.**

(1) Every officer or member of the Force who is guilty of any violation of duty or wilful breach or neglect of any provision of this Act or any rule or lawful order made by competent authority, of withdrawal from the duties of his office without permission or who being required to undergo training without sufficient cause neglects or refuses to obey the requirements for training, shall be punishable with imprisonment of either description for a term which may extend to three months or with fine which may extend to rupees two hundred and fifty or with both. (2) The offence punishable under sub-section (1) shall be cognizable.

## **11. Suits, etc., against officers and members acting in good faith.**

No suit, prosecution or legal proceeding shall lie against any officer or member of the Force for anything done in good faith under this Act.

## **12. Power to make rules.**

(1) The Government may make rules for carrying out the purposes of this Act. (2) In particular, and without prejudice to the foregoing powers, such rules may provide for or regulate all or any of the following matters, namely:—(a) all matters which are required by this Act to be prescribed; (b) the organisation, appointment, conditions of service, functions, discipline, equipments, or uniform of the Force and the manner in which they may be called out for service or required to undergo training, and (c) any other matter.

## **13. Repeal of Meghalaya Ordinance 4 of 1971.**

The Meghalaya Subsidiary Force Ordinance, 1971, is hereby repealed.