

# Chhattisgarh Vishesh Jan Surksha Rules, 2015

CHHATTISGARH

India

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### Rule CHHATTISGARH-VISHESH-JAN-SURKSHA-RULES-2015 of 2015

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F-4-126/Home-c/2014, dated 10.2.2016 Last Updated 20th September, 2019 Notification No.

F-4-126/Home-c/2014. - In exercise of the powers conferred by Section 18 of the Chhattisgarh Vishesh Jansuraksha Adhiniyam, 2005 (No. 14 of 2006), the State Government, hereby, makes the following rules relating to declaration of Notified Place, namely :-

#### 1. Short title, extent and commencement.

(1) These rules may be called the Chhattisgarh Vishesh Jan Surksha Rules, 2015. (2) It shall extend to the whole State of Chhattisgarh. (3) It shall come into force from the date of its publication in the Official Gazette.

#### 2. Definitions.

- In these rules, unless the context otherwise requires, -(a) "Act" means the Chhattisgarh Vishesh Jan Surksha Adhiniyam, 2005 (No. 14 of 2006); (b) "Notified Place" means place declared/notified by the District Magistrate in relation to sub-section (1) of Section 9 of the Act; (c) "Special Empowered Committee" means the committee constituted to determine the period of any place declared as notified place under Section 9 of the Act; (d) "Vishesh Jan Surksha" means special security steps for public to secure them from unlawful activities of any organization or person.

#### 3. Procedure for declaring any place as "Notified Place".

(1) The District Magistrate may declare any place as "Notified Place" under Section 9 of the Act, if in his opinion the place is being used for unlawful activities by the unlawful organization notified under Section 3 of the Act, in the following manners, namely :- (i) The District Magistrate, acting upon police report of suo motu or on information received from any source, may declare any place

as Notified Place.(ii)When any place is notified under sub-section (1) of Section 9 of the Act, the District Magistrate or any officer authorized in writing by him, may take possession of the Notified Place and evict therefrom any person found therein, and the District Magistrate shall report of the taking of possession to the State Government:Provided that where such place contains any apartment occupied by women or children reasonable time and facilities shall be provided for removing them with least possible inconvenience.(2)"Notified Place" shall be declared in the following manner, namely :-(i)Notice of declaration shall be affixed at conspicuous part of the place;(ii)Notice of declaration shall also be served to the office bearer of the said organization, if possible;(iii)Notice of declaration shall also be announced by beating of drums or loudspeakers in the village in which that place is situated and also in surrounding villages; and(iv)By any other procedure.(3)The special Empowered Committee shall forward a report to the State Government for determining the duration of any place to remain declared as Notified Place.(4)On the basis of report of the Special Empowered Committee the State Government shall decide that the place shall remain as Notified Place till the notification under Section 3 is in force or for any lesser period of time.

#### **4. Reference to the Special Empowered Committee.**

(1)When any report is submitted to the State Government under sub-rule (1) of Rule 3, then the report shall be forwarded to Special Empowered Committee within 15 days for consideration and disposal under sub-rule (3) of Rule 3.(2)Special Empowered Committee shall report to the State Government within 30 days from date of receipt of such report and on the basis of the said report of Special Empowered Committee, the State Government shall take decision under sub-rule (4) of Rule 3.

#### **5. Constitution and functions of Special Empowered Committee.**

(1)The State Government in order to determine place as Notified Place shall constitute Special Empowered Committee.(2)This Special Empowered Committee shall consist of two members, in which one shall be the Joint Secretary, Home Department and the other shall be Additional Director, Prosecution. The members shall be nominated by the State Government and one of them shall be appointed as Chairman.(3)The Appointment order of members and Chairman shall be published in the Official Gazette.(4)In case Notified Place is in possession of the State Government and application is received for de-notification of the Notified Place the Special Empowered Committee shall decide and report it to the State Government within thirty days.(5)Special Empowered Committee for the purpose of submitting its report may conduct inquiry and inspect the areas if it deems necessary. It may question the residents/people's representative or adopt any other appropriate and relevant step for submitting its report.