

Rajasthan Prevention of Mrityu Bhoj Rules, 1961

RAJASTHAN

India

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Rule RAJASTHAN-PREVENTION-OF-MRITYU-BHOJ-RULES-1961 of 1961

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Rajasthan Prevention of Mrityu Bhoj Rules, 1961Published vide Notification No. F. 34 (82) Rev. D/60 dated 12-4-1961.Revenue D" DepartmentIn exercise of the powers conferred by section 11 of the Rajasthan Prevention of Mrityu Bhoj Act, 1960 (Rajasthan Act 1 of 1960),the State Government hereby makes the following rules, namely:-

1. Short title and commencement

(1)These rules may be called the Rajasthan Prevention of Mrityu Bhoj Rules, 1961.(2)They shall come into force at once.

2. Interpretation

- In these rules,unless there is anything repugnant in the subject or context-(i)'Act' means the Rajasthan prevention of Mrityu Bhoj Act, 1960; and(ii)'Code' means the [Code of Criminal Procedure, 1898 (Central Act 5 of 1898)] [Now see the Code of Criminal Procedure, 1973 (2 of 1974).]

3. Issue of injunctions

(1)The competent court shall issue an injunction under section 5 of the Act.(i)forthwith, where the information is received in written from a Sarpanch, Panch, Patwari or Lambardar.(ii)after examination on oath of the person giving the information, where such information given orally.(2)Such in junction shall be, so far as may be,issued in the form appended to these rules and shall be served in ordinary course through the Police who will watch and report to the court any breach or defiance of the said injunction. Where in junction is issued on receipt of a written intimation of a Sarpanch, Panch, Patwari or Lambardar, a copy of the injunction may also be sent to such Sarpanch, Panch, Patwari or Lambardar with a direction to him to report any breach or

defiance thereof.

4. Information under sub-section (i) of section 7 of the Act

- If the information received under Sub-section (1) of section 7 of the Act is not a complaint within the meaning of Cause (a) of Sub-section (1) of [section 190] [Now see the sections of Code of Criminal Procedure, 1973 (2 of 1974)] of the Code, the competent Magistrate, subject to the provisions of [section 191] [Now see the sections of Code of Criminal Procedure, 1973 (2 of 1974)] of the Code may-(i)where such information is in writing, issue process against the accused and simultaneously summon the informant and any other person, if any named therein, to give evidence; and(ii)where such information is oral, examine the person conveying the information forthwith and issue process on the basis of such examination.

5. Levy of fees and payment of expense

- No fee shall be levied on a process issued on a complaint made by a Sarpanch, Panch, Patwari or Lambardar, and the witnesses shall normally be paid travelling expenses and diet money out of the Government funds.

6. Prosecution in cases under the Act

- Cases under the Act shall be conducted by the prosecuting Sub-inspector or Inspector attached to the Court. Provided that in any case which the Court considers to be of specially complicated nature, it may with the permission of the District Magistrate, appoint a local Lawyer to conduct the case. Form [See rules 3 (2)] Order of Injunction under section 5 of the Rajasthan Prevention of Mrityu Bhoj Act, 1960 To (Name, description and address), Whereas-upon the information received by me, I am satisfied that a Mrityu Bhoj in contravention of the provisions of the Rajasthan Prevention of Mrityu Bhoj Act, 1960 has been arranged or is about to be held or given by you at..... I do hereby prohibit you from holding or giving of, such Mrityu Bhoj. Given-under my hand and seal of the court this..... day of..... 200 Seal