

# The Assam Disturbed Areas Act, 1955

ASSAM

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### Act 19 of 1955

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The Assam Disturbed Areas Act, 1955Assam Act 19 of 1955Last Updated 11th February, 2020(Passed by the Assembly)Published in the Assam Gazette, dated the 21st December, 1955.Adapted by Meghalaya and Nagaland.[Received the assent of the Governor of Assam on the 14th December, 1955]An Act to make better provision for the suppression of disorder and for the restoration and maintenance of public order in disturbed areas in AssamPreamble. - Whereas it is necessary to make better provisions for the suppression of disorder and for the restoration and maintenance of public order, in the disturbed areas in Assam;It is hereby enacted in the Sixth Year of the Republic of India as follows:

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

(1)This Act may be called the Assam Disturbed Areas Act, 1955.(2)It extends to the whole of Assam subject to the provisions of Section 3 below.(3)It shall come into force at once.

### 2. Definition.

- In this Act "disturbed area" means an area which is for the time being declared by notification under Section 3 to be a disturbed area.

### 3. Power to declare areas to be disturbed area.

- The State Government may, by notification in the official Gazette, declare that the whole or any part of any district of Assam as may be specified in the notification is a disturbed area.

### 4. Power to fire upon person contravening certain orders.

- Any Magistrate or Police Officer not below the rank of a Sub-Inspector or Havildar in case of the Armed Branch of the Police or any officer of the Assam Rifles not below the rank of Havildar, may, if

in his opinion, it is necessary so to do for the maintenance of public order, after giving such warning, if any, as he may consider necessary, fire upon, or otherwise use force even to the causing of death, against any person who is acting in contravention of any law or order for the time being in force in a disturbed area, prohibiting the assembly of five or more persons or the carrying of weapons or things capable of being used as weapons or fire-arms, ammunition and explosive substances.

## **5. Power to destroy arms, fortified positions, etc.**

- Any Magistrate or Police Officer not below the rank of Sub-Inspector or any officer of the Assam Rifles not below the rank of Jamadar may, if in his opinion, it is necessary so to do, destroy any arms, dump prepared, or fortified positions or shelters from which armed attacks are made or attempted, structures used as training camps for armed volunteers or utilised as hideouts or shelters by armed gangs or absconders wanted for offences in connection with the disturbances.

## **6. Protection of persons acting under Sections 4 and 5.**

- No suit, prosecution or other legal proceeding shall be instituted except with the previous sanction of the State Government against any person in respect of anything done or purporting to be done in exercise of the powers conferred by Sections 4 and 5.

## **7. Repeal of Ordinance 5 of 1955.**

(1)The Assam Disturbed Areas Ordinance, 1955 (5 of 1955), is hereby repealed.(2)Notwithstanding such repeal any notification issued, anything done or any action taken in exercise of the powers conferred by or under the said Ordinance shall be deemed to have been done or taken in the exercise of the powers conferred by or under this Act, as if this Act were in force on the day on which such notification was issued, such thing was done or action was taken. Notifications No. PLB 124/75/37, dated the 31st May, 1976. - Whereas armed gangs of hostiles are moving in the areas mentioned in the Schedule below to create disorder and to disturb the peace and tranquillity in the areas; And whereas the Governor of Assam after careful consideration of all facts and circumstances is satisfied that in order to make adequate provisions for suppression of the disorder and maintenance of the public order and communications in the disturbed areas and for the protection of life and property of the loyal citizens therein, it is necessary to declare those areas disturbed areas; Now, therefore, in exercise of the powers conferred by Section 3 of the Assam Disturbed Areas Act, 1955 (Act No. 19 of 1955), the Governor of Assam is pleased to declare the areas mentioned in the Schedule below disturbed areas under the said Act for a further period of six months, with effect from 1st June, 1976, in continuation of this Department's Notification No. PLB 124/75/32, dated 28th November, 1975:

## **Schedule**

**1. The whole of Cachar District.**

**2. The whole of Mikir and North Cachar Hills Districts.**

**3. The following Reserve Forests in the Sibsagar District:**

(a)Dipue Reserve Forest.(b)Nambar Reserve Forest.(c)Rengama Reserve Forest.(d)Dayang Reserve Forest.(e)Kakodanga Reserve Forest.(f)Disai Valley Reserve Forest.(g)Disai Reserve Forest.(h)Tiru Hills Reserve Forest.(i)Geleki Reserve Forest.(j)Abhayapur Reserve Forest.(k)Dilli Reserve Forest.

**4. The following further areas in the Sibsagar District falling outside the Reserve Forest mentioned above:**

(a)The areas within the jurisdiction of the Golaghat and Sarupathar Police Stations, lying between an imaginary line running parallel to the North-East Frontier Railway line, two miles to the West of the Railway line and the Assam-Nagaland Boundary on the East.(b)The areas within the jurisdiction of the Titabar, Mariani, Teok, Amguri, Nazira and Sonari Police Stations lying between an imaginary line running parallel to the North-East Frontier Railway Line, two miles to the North of the Railway line, and the Assam-Nagaland boundary on the South.No. PLB 124/75/38. - Whereas the Governor of Assam after careful consideration of all facts and circumstances is of opinion that owing to the depredations of armed gangs of hostiles the areas mentioned in the Schedule below are in such disturbed and dangerous conditions that the use of Armed Force in aid of civil power is necessary;Now, therefore, in exercise of the powers conferred by Section 3 of the Armed Forces (Special Powers) Act, 1958, as amended, the Governor of Assam is pleased to declare the areas mentioned in the Schedule below "disturbed areas" within the meaning and for the purpose of the said Act, for a further period of six months, with effect from 1st June, 1976, in continuation of this Department's Notification No. PLB 124/ 75/32, dated 28th November, 1975:

**Schedule 2**

**1. The whole of Cachar District.**

**2. The whole of Mikir and North Cachar Hills Districts.**

**3. The following Reserve Forests in the District of Sibsagar:**

(a)Dipue Reserve Forest.(b)Nambar Reserve Forest.(c)Rengama Reserve Forest.(d)Dayang Reserve Forest.(e)Kakodanga Reserve Forest.(j)Disai Valley Reserve Forest.(g)Disai Reserve Forest.(h)Tiru Hills Reserve Forest.(i)Geleki Reserve Forest.(j)Abhayapur Reserve Forest.(k)Dilli Reserve Forest.

**4. The following further areas in the Sibsagar District falling outside the Reserve Forests mentioned above:**

(a) The areas within the jurisdiction of the Golaghat and Sarupathar Police Stations, lying between an imaginary line running parallel to the North-East Frontier Railway line, two miles to the West of the Railway line, and the Assam-Nagaland Boundary on the East. (b) The areas within the jurisdiction of the Titabar, Mariani, Teok, Amguri, Nazira and Sonari Police Stations lying between an imaginary line running parallel to the North-East Frontier Railway Line, two miles to the North of the Railway line, and the Assam-Nagaland boundary, on the South.