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असाधारण

EXTRAORDINARY

भाग II—खण्ड 3—उपखण्ड (i)

PART II—Section 3—Sub-section (i)

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इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह अलग संकलन के रूप में रखा जा सके

Separate paging is given to this Part in order that it may be filed as a separate compilation.

MINISTRY OF HOME AFFAIRS

NOTIFICATION

New Delhi, the 30th October 1970

G.S.E. 1864.—In exercise of the powers conferred by section 2 of the Union Territories (Laws) Act, 1950 (30 of 1950), the Central Government hereby extends to the Union Territory of Tripura, the Assam Disturbed Areas Act, 1955 (Assam Act 19 of 1955), as in force in the State of Assam at the date of this notification, subject to the following modifications, namely:—

Modifications

1. Throughout the Act, for the words "State Government", wherever they occur, the word "Administrator" shall be substituted.

2. In section 1, in sub-section (2), for the word "Assam", the words "the Union Territory of Tripura" shall be substituted.

3. For section 2, the following section shall be substituted, namely:—

"2. *Definitions.*—In this Act,—

(1) 'Administrator' means the Administrator of the Union Territory of Tripura appointed by the President under article 239 of the Constitution;

(2) 'disturbed area' means an area which is for the time being declared by notification under section 3 to be a disturbed area."

4. In section 3,—

(a) for the words "Official Gazette", the words "Tripura Gazette" shall be substituted;

(b) for the words "any district of Assam", the words "the Union Territory of Tripura" shall be substituted.

5. In section 4, for the words "or Police Officer not below the rank of 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", the words "or officer not below the rank of Sub-Inspector of the Tripura Police or District Armed Reserve of Tripura or a Tripura Armed Police Battalion or Central Reserve Police or Border Security Force or an Armed Police Battalion of another State stationed on duty in the Union Territory of Tripura or any officer not below the rank of a Havildar of any unit of the Assam Rifles so stationed" shall be substituted.

6. In section 5, for the words "or Police Officer not below the rank of Sub-Inspector or any officer of the Assam Rifles not below the rank of Jamadar" the words "or officer not below the rank of Sub-Inspector of the Tripura Police or District Armed Reserve of Tripura or a Tripura Armed Police Battalion or Central Reserve Police or Border Security Force or an Armed Police Battalion of another State stationed on duty in the Union Territory of Tripura or any officer not below the rank of a Jamadar of any unit of the Assam Rifles so stationed" shall be substituted.

7. Section 7 shall be omitted.

ANNEXURE

THE ASSAM DISTURBED AREAS ACT, 1955, AS EXTENDED TO THE UNION TERRITORY OF TRIPURA

(ASSAM ACT 19 OF 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 Assam.

Preamble.—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 the Union Territory of Tripura subject to the provision of section 3 below.

(3) It shall come into force at once.

2. *Definitions.*—In this Act,—

(1) "Administrator" means the administrator of the Union Territory of Tripura appointed by the President under article 239 of the Constitution;

(2) "disturbed area" means an area which is for the time being declared by notification under section 3 to be a disturbed area.

3. *Powers to declare areas to be disturbed areas.*—The Administrator may, by notification in the Tripura Gazette, declare that the whole or any part of the Union Territory of Tripura as may be specified in the notification is a disturbed area.

4. *Power to fire upon persons contravening certain orders.*—Any Magistrate or officer not below the rank of Sub-Inspector of the Tripura Police or District Armed Reserve of Tripura or a Tripura Armed Police Battalion or Central Reserve Police or Border Security Force or an Armed Police Battalion of another State stationed on duty in the Union Territory of Tripura or any officer not below the rank of a Havildar of any unit of the Assam Rifles so stationed, 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. *Powers to destroy arms dump, fortified positions, etc.*—Any Magistrate or officer not below the rank of Sub-Inspector of the Tripura Police or District Armed Reserve of Tripura or a Tripura Armed Police Battalion or Central Reserve Police or Border Security Force or an Armed Police Battalion of another State stationed on duty in the Union Territory of Tripura or any officer not below the rank of a Jamadar of any unit of the Assam Rifles so stationed 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 Administrator 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. [Omitted].

[No. F.6/8/70-UTL-(114).]

K. R. PRABHU, Jt. Secy.

