

Chotanagpur Rural Police Act, 1914

1 of 1914

[11 March 1914]

CONTENTS

CHAPTER 1 :- Preliminary

1. Short Title And Local Extent
2. Definitions

CHAPTER 2 :- Village-Police

3. Determination Of Units And Numbers Of Village-Policemen And Appointment Of Units-Tahsildars
4. Determination Of Salaries Of Village-Policemen
5. Liability Of Certain Proprietors And Tenure-Holders To Pay The Amount Of The Salaries Of Village-Policemen
6. Assessment In Other Cases, To Raise The Amount Required For Salaries And Equipment Of Village-Policemen
7. Fixing Of Such Assessment
8. Amount Of Assessment And Exemptions From Assessment
9. Alteration Of Assessment
10. Revision Or Confirmation Of Assessment
11. Dues When Payable
12. Collection And Custody Of Sums Assessed
13. Payment Of Village-Policeman
14. List Of Defaulters, And Application For Distraint
15. Decision Of Objections To List, Of Defaulters
16. Distress Warrants
17. Seizure And Custody Of Property, And Proclamation Of Sale
18. Sale Of Property And Application Of Proceeds
19. No Distraint After Three Months From Close Of The Year
20. Irregularities Not To Avoid Distress
21. Duties Of Village Police-Man
22. Procedure On Arrest By Village Police-Man
- 22A. Employment Of Police Enrolled Under Police Act 1861
- 22B. Crediting Of Sums Assessed To Provincial Revenues

CHAPTER 3 :- Road-partols

23. List Of Proprietors And Tenure Holders Liable For Maintenance Of Road-Patrols And Fixing Of Number And Salary Of Patrols
24. Copies Of Entries To Be Given To Proprietors And Tenure-

Holders

25. Appeal From Entries In List

26. Proprietors And Tenure-Holders Entitled To Receive Rent For Land Held By Patrol In Lieu Of Or In Addition To, His Salary

27. Payments Of Salaries To Road-Patrols

28. Recovery Of Sums Due For Such Salaries

29. Duties Of Road-Patrol

CHAPTER 4 :- Miscellaneous

30. Power To Appoint And Dismiss Village Policeman Or Road-Patrol

31. Penalty On Village Policeman Or Road Patrol For Certain Offences

32. Power Of Superintendent Of Police To Fine Village Policeman Or Road-Patrol

33. Limitation Of Suits

34. Control By Commissioner, And Delegation Of Powers And Functions

35. Service Of Notice

36. Saving Of Liability Of Proprietor Or Tenure-Holder To Report Crimes

37. Power To Make Rules

38. Repeal

Chotanagpur Rural Police Act, 1914

1 of 1914

[11 March 1914]

An Act to amend the law relating to the regulation of the Rural Police in the Chota Nagpur Division Whereas it is expedient to amend the law relating to the appointment, dismissal, maintenance and duties of village policemen and road patrols in the Chota Nagpur Division: It is hereby enacted as follows:- 1. For Statement of Objects and Reasons, see the Bihar and Orissa Gazette, 1913 Pt. II, pp 450-452; for Report of the Select Committee, see *ibid*, Pt., VIII, pp. 3 and; for proceedings in council, see *ibid*, 1914, Pt, pp. 38 and 39. Local extent.--See Section 1 (2) above. The whole of the Chota Nagpur Division was a partially excluded area within the meaning of Section 91 of the Government of India Act, 1935. The President, by an order under paragraph 6 (1) of the Fifth Schedule to the Constitution of India, has declared only a part of Chota Nagpur Division viz. the Ranchi district, the Singhbhum district (excluding the Dhalbhum Sub-division) and the Latehar Sub-division of the district of Palamau to be the Scheduled Areas.

CHAPTER 1

Preliminary

1. Short Title And Local Extent :-

(1) This Act may be called the Chota Nagpur Rural Police Act, 1914:
(2) (a) The whole Act extends to the districts of Hazaribagh, Ranchi and Palamau (b) Parts I, II, and IV extend to the district of Singhbhum except the Kolhan Government Estate and the district of 1[Dhanbad]. 2[(c) Part III extends to the following Parganas of the Dhanbad district:--Domarkonda, Nagarkhari, Jainagar, Nawagarh, Katras and Pandra]. (3) the 3[State] Government may, by notification published in the 4[Official Gazette], extend the Act, or any portion thereof, to any district in the Chota Nagpur Division, or to any specified part of a district, from a date to be mentioned in such notification; and may by like notification, withdraw any district or any specified part of a district from the operation of this Act, or any portion thereof, from a date to be mentioned in such notification. 1. Substituted for "Manbhum" by A.L.O. 2. Substituted by ibid., for original clause. 3. Substituted by the A.L.O. 4. Substituted by the A.O. for "Bihar and Orissa Gazette".

2. Definitions :-

In this Act, unless there is anything repugnant in the subject or context,-- (a) "road-patrol" includes a ghatwan, a digwar, and any other person, by whatever name he may be called who is engaged in the performance of the duties assigned by this Act to road-patrols ; (b) "Proprietor" and "tenure" have the meaning respectively assigned to those expressions by the Chota Nagpur Tenancy Act, 1908 ; (c) "village" includes group of villages ; (d) "village-policemen" includes a chaukidar a gorait and kotwar.

CHAPTER 2

Village-Police

3. Determination Of Units And Numbers Of Village-Policemen And Appointment Of Units-Tahsildars :-

1[The Deputy Commissioner shall determine - (a) the number of units into which his district shall be divided for the purposes of this Act (b) the respective limits of such units and (c) the number of village-policemen to be appointed for each village within each units : and 2[a unit-tahsildar shall be appointed by the 3[State] Government) for each unit: 4[Provided as follows : -- (i) there shall not be more than one village-policemen for every seventy-five houses ; and (ii) the Deputy Commissioner may, and, on the application of two-thirds of adult inhabitants of any village, shall appoint in place of the Unit-tahsildar a panchayat consisting of not

less than three nor more than five persons ; and such panchayat shall as far as such village is concerned perform the duties of a Unit- tahsildar under this Act). 1. Sections 3 to 22 are repealed in unions in which the provisions of Part III of the Bihar and Orissa Village Administration Act, 1922 are in force, vide B. & O. Act 3 of 1922, Sec. 2 [2] and Sch. II. 2. Substituted by the A.O. for "shall appoint a Unit-tahsildar". 3. Substituted by the A.L.O. 4. Substituted by Sec. 2 of Bihar Act 20 of 1952, for the original proviso.

4. Determination Of Salaries Of Village-Policemen :-

1[The Deputy Commissioner shall from time to time determine the monthly salaries of the village-policemen : Provided as follows : -- (a) such salaries shall not be less than two, or 1[* * *] more than four, rupees per mensem for each village-policeman ; and (b) in determining such salaries the Deputy Commissioner shall take into consideration the village of the chakran lands (if any) held by a village-policeman. 1. Sections 3 to 22 are repealed in unions in which the provisions of Part III of the Bihar and Orissa Village Administration Act, 1922 are in force, vide B. & O. Act 3 of 1922, Sec. 2 [2] and Sch. II.

5. Liability Of Certain Proprietors And Tenure-Holders To Pay The Amount Of The Salaries Of Village-Policemen :-

1[Whenever any proprietor or tenure-holder holds subject to the condition expressed or implied, of maintaining the village police within his estate or tenure, he shall be liable to pay the amount of the salaries determined by the Deputy Commissioner under Section 4. 1. Sections 3 to 22 are repealed in unions in which the provisions of Part III of the Bihar and Orissa Village Administration Act, 1922 are in force, vide B. & O. Act 3 of 1922, Sec. 2 [2] and Sch. II.

6. Assessment In Other Cases, To Raise The Amount Required For Salaries And Equipment Of Village-Policemen :-

1[(1) In cases other than those referred to in Section 5, the amount required for the salaries and equipment of the village-policemen within any unit, together with a sum, not exceeding three-and-a-half annas in the rupee of such amount, to provide for payment of- (a) the expenses of collection and of management, (b) rewards to village-policemen, and (c) losses from the non-realization of sums from defaulters shall be assessed on each unit. (2) Every occupier of a house and every occupier of a vacant house

in any village in a unit and every proprietor or tenure-holder who has a bhandar or cutcherri for the collection of rent, or khas cultivation, within any village in a unit, shall be liable to assessment under sub-section (1). 2(3) For the purposes of sub-section (2) an owner, or manager of a mine or factory who maintains any house in any village in a unit for the accommodation of persons employed by him shall be deemed to be the occupier of such house]. 1. Sections 3 to 22 are repealed in unions in which the provisions of part III of the Bihar and Orissa Village Administration Act, 1922 are in force, vide B. & O. Act 3 1922, Section 2 [2] and Sch. II. 2. "Without the sanction of the Commissioner" rep. by Sec. 3 of Act 20 of 1952.

7. Fixing Of Such Assessment :-

1[(1) The amount payable in each unit in pursuance of Section 6 shall be fixed by the Deputy Commissioner, who shall cause a list to be prepared by the Unit- tahsildar or the Panchayat as the case may be, 2[or by some other person under his direction] showing the amount yearly by each person in each village within each unit who is liable to assessment. (2) The list prepared under sub-section (1) for a village shall, when sanctioned by the Deputy Commissioner, be published at some conspicuous place within village, and shall remain in force until altered by the Deputy Commissioner. 1. Sections 3 to 22 are repealed in unions in which the provisions of part III of the Bihar and Orissa Village Administration Act, 1922 are in force, vide B. & O. Act 3 1922, Section 2 [2] and Sch. II. 2. Added by Sec. 2 of B. & O. Act 2 of 1926.

8. Amount Of Assessment And Exemptions From Assessment :-

1[The amount at which each person is assessed under Section 7 shall be fixed according to the circumstances and the property to be protected of such person ; Provided as follows : -- (a) the amount to be assessed in the same village on any person 2[other than owner, agent or manager of mine or factory] shall not exceed one rupee per mensem in the case of a proprietor, tenure-holder or trader, or eight annas Per mensem in all other cases * *]3 ; (b) all persons who, in the opinion of the Deputy Commissioner are too poor to pay half an anna per mensem shall be exempted from assessment, 4[and] (c) the owner, agent or manager of mine or factory shall, for every seventy-five houses maintained by him for the accommodation of persons employed by him, be assessed at an

amount not exceeding the cost of maintaining one village-policeman and for any number of houses so maintained by him less than seventy-five, at an amount not exceeding half such cost]. 1. Inserted by Sec. 3 of B. & O. Act 2 of 1926. 2. Inserted by B. & O. Act 2 of 1926. 3. The word "and" rep. by Sec. 4 (ii) *ibid.* 4. The word "and" in clause (b) and the new clause (c) were added by Sec. 4 (iii) and (iv) of B. and O. Act 2 of 1926.

9. Alteration Of Assessment :-

1[The Deputy Commissioner may from time to time alter the amount assessed on any village. 1. Sections 3 to 22 are reported in unions in which the provisions of Part III of the Bihar and Orissa Village Administration Act, 1922 are in force vide B. & O. Act 3 of 1922, Sec. 2 [2] and Sch. II.

10. Revision Or Confirmation Of Assessment :-

1[Any person who is dissatisfied with the amount at which he has been assessed may apply to the Deputy Commissioner, either orally or in writing, for a revision of the assessment ; and Deputy Commissioner may amend, remit or confirm the assessment. 1. Sections 3 to 22 are reported in unions in which the provisions of Part III of the Bihar and Orissa Village Administration Act, 1922 are in force vide B. & O. Act 3 of 1922, Sec. 2 [2] and Sch. II.

11. Dues When Payable :-

1[Every sum due under Section 5, and every assessment made under section 6, shall be payable on the first day of January in each year. 1. Sections 3 to 22 are reported in unions in which the provisions of Part III of the Bihar and Orissa Village Administration Act, 1922 are in force vide B. & O. Act 3 of 1922, Sec. 2 [2] and Sch. II.

12. Collection And Custody Of Sums Assessed :-

1[The unit-tahsildar shall collect from each village in his unit the amount payable by each of the persons assessed in such village and shall grant printed receipts for the same, and shall pay amount so collected to credit of the Chaukidari Fund : 2[Provided that the amounts payable by the owners, agents or managers or mines or factories may be collected by the Deputy Commissioner in such a manner as the 3[State Government may direct.] 1. Sections 3 to 22 are reported in unions in which the provisions of Part III of the Bihar and Orissa Village Administration Act, 1922 are in force vide B. & O. Act 3 of 1922, Sec. 2 [2] and Sch. II. 2. Added by Act 2 of 1926. 3. Substituted by A.O.

13. Payment Of Village-Policeman :-

1[The Superintendent of Police shall, before the fifteenth day of each month, remit to the Sub-Inspector of Police of each thana the salaries due for the last preceding month to all village-policemen appointed under this Act for villages situated within the local area of such thana ; and Sub-Inspector of Police shall on the parade-day next following his receipt thereof handover to each village-policeman at thana the salary so due to him, and shall take a receipt for the same. 1. Sections 3 to 22 are reported in unions in which the provisions of Part III of the Bihar and Orissa Village Administration Act, 1922 are in force vide B. & O. Act 3 of 1922, Sec. 2 [2] and Sch. II.

14. List Of Defaulters, And Application For Distraint :-

1[At the end of the first half of each year, the Unit-tahsildar [or such other person as may be authorized in this part who have failed to pay the amounts due from them, and may then apply to the Deputy Commissioner for the attachment and sale of any movable property belonging to the defaulters. 1. Sections 3 to 22 are reported in unions in which the provisions of Part III of the Bihar and Orissa Village Administration Act, 1922 are in force vide B. & O. Act 3 of 1922, Sec. 2 [2] and Sch. II.

15. Decision Of Objections To List, Of Defaulters :-

1[If any person, whose name has been included in a list of defaulters prepared under section 14, disputes his liability to pay the amount mentioned in such list, or any portion thereof, he may apply to the Deputy Commissioner, either orally or in writing, stating the grounds of his objection ; and the Deputy Commissioner, shall examine his objection and pass such order thereon as he may think proper. 1. Sections 3 to 22 are reported in unions in which the provisions of Part III of the Bihar and Orissa Village Administration Act, 1922 are in force vide B. & O. Act 3 of 1922, Sec. 2 [2] and Sch. II.

16. Distress Warrants :-

1[(1) When the Deputy Commissioner receives a list of defaulters prepared under Section 14, he shall, subject to any orders passed under Section 15, issue warrant in the form prescribed under Section 37. (2) Every warrant issued under sub-section (1) shall be signed by the Deputy Commissioner, and shall authorize the levy, by distraint and sale of a sufficient portion of the movable property of the defaulters, other than plough, cattle of the movable property

of the defaulters, other than plough, cattle and implements of trade or agriculture, of each of the amount due from and tools with a penalty, not exceeding twenty-five percent of the amount due from him, to cover the costs of the distraint and sale. 1. Sections 3 to 22 are reported in unions in which the provisions of Part III of the Bihar and Orissa Village Administration Act, 1922 are in force vide B. & O. Act 3 of 1922, Sec. 2 [2] and Sch. II.

17. Seizure And Custody Of Property, And Proclamation Of Sale :-

1[(1) The person deputed to execute such warrant shall seize such portion of the movable property of the defaulters as he may think sufficient, and shall keep the same in his own custody or in the custody of some suitable person resident in the locality, and shall make an inventory of all movable property so seized, and shall, at the same time make proclamation, by beat of drum, of the time and where the property will be sold. (2) The time of sale fixed under sub-section (1) shall be not less than five, or more than ten days from the date of the proclamations thereof. 1. Sections 3 to 22 are reported in unions in which the provisions of Part III of the Bihar and Orissa Village Administration Act, 1922 are in force vide B. & O. Act 3 of 1922, Sec. 2 [2] and Sch. II.

18. Sale Of Property And Application Of Proceeds :-

1[If any defaulter does not within the time so proclaimed pay the amount due from, together with the penalty prescribed in sub-section (2) of Section 16 the movable property distrained or a sufficient portion thereof shall be sold by public auction at the time and place so proclaimed; and the proceed shall be applied in discharge of the said amount and costs, and the surplus (if any) shall be returned to the distrained property. 1. Sections 3 to 22 are reported in unions in which the provisions of Part III of the Bihar and Orissa Village Administration Act, 1922 are in force vide B. & O. Act 3 of 1922, Sec. 2 [2] and Sch. II.

19. No Distraint After Three Months From Close Of The Year :-

1[No arrear of any assessment payable under this Act shall be levied by distress after the expiration of three months from the close of the year on account of which it is due. 1. Sections 3 to 22 are reported in unions in which the provisions of Part III of the Bihar and Orissa Village Administration Act, 1922 are in force vide B. & O. Act 3 of 1922, Sec. 2 [2] and Sch. II.

20. Irregularities Not To Avoid Distress :-

1[No distress levied under this Act shall be deemed unlawful nor shall any person making the same be deemed a trespasser, on account of any defect or want of form in any list assessment-notices, summons, power, writing inventory or other proceeding relating thereto, nor shall such person be deemed a trespasser from the commencement on account of any irregularity afterwards committed by him: But all persons aggrieved by any such irregularity may subject to the provisions of Section 33 recover in any Court of competent jurisdiction full satisfaction for any special damage sustained by them. 1. Sections 3 to 22 are reported in unions in which the provisions of Part III of the Bihar and Orissa Village Administration Act, 1922 are in force vide B. & O. Act 3 of 1922, Sec. 2 [2] and Sch. II.

21. Duties Of Village Police-Man :-

1[(1) Every village-policeman appointed under this Act shall perform the following duties : -- (i) he shall give immediate information to the officer in charge of the police-station within the limits of which his village is situated, of every unnatural suspicious or sudden death which may occur and of every offence specified in the Schedule which may be committed within such village; (ii) he shall keep the police informed of all disputes which are likely to lead to any riot or serious affray; (iii) he shall arrest -- (a) all proclaimed offenders (b) all persons whom he may find in the act of committing any offence specified in the Schedule and (c) any person against whom a hue and cry has been raised of his having been concerned in any offence specified in the Schedule whether such offence has been or is being committed within or outside his village; (iv) he shall to the best of his ability prevent and may interpose for the purpose of preventing the commission of any offence specified in the Schedule; (v) he shall assist private persons in making such arrests as they may lawfully make, and shall without delay report such arrest to the officer in-charge of the police-station within the limits of which his village is situated; (vi) he shall receive into his custody persons who have been lawfully arrested ; (vii) he shall observe and from time to time report to the officer in charge of the said police-station the movements of all bad characters in his village. (viii) he shall report to the officer in charge of said police-station the arrival of suspicious characters in the neighbourhood; (ix) he shall at such intervals as the Deputy Commissioner may determine, report to the officer in charge of the

said police station the births and death (if any) which have occurred within his village; (x) he shall present himself at the said police-station at such intervals as the Deputy Commissioner may determine; (xi) he shall supply any local information which the Deputy Commissioner or any officer of police may require; and (xii) he shall obey the orders of the Deputy Commissioner in regard to keeping watch in his village and to other matters connected with his duties as village-police-man. (2) The expression "his village" as used in this section with reference to any village-policeman means village for which such village-policeman is appointed. 1. Sections 3 to 22 are reported in unions in which the provisions of Part III of the Bihar and Orissa Village Administration Act, 1922 are in force vide B. & O. Act 3 of 1922, Sec. 2 [2] and Sch. II.

22. Procedure On Arrest By Village Police-Man :-

1[Whenever in a village into his custody, any person lawfully arrested he shall forthwith take the person so arrested to the police-station within the limits of which the village for which he is appointed is situated : Provided that, if the arrest is made at night, such person shall be so taken as soon as convenient on the following morning. 1. Sections 3 to 22 are reported in unions in which the provisions of part III of the Bihar and Orissa Village Administration Act, 1922 are in force vide B. & O. Act 3 of 1922, Sec. 2[2] and Sch. II.

Part : IIA - Special Provision for Mining Areas

22A. Employment Of Police Enrolled Under Police Act 1861 :-

- The 2[State] Government may by notification direct that it is expedient to employ police enrolled under the Police Act 1861 instead of village-policemen in any mining area to be specified in such notification and may at time withdraw such notification. 1. Part II A containing new Sec. 22-A and 22-B were inserted by Sec. 7 of B and O. Act 2 of 1926. 2. Substituted by the A.L.O.

22B. Crediting Of Sums Assessed To Provincial Revenues :-

- On the issue of such a notification all amounts which may be collected under Sections 6, 7 and 8 in respect of any area included in such notification shall be credited to the general provincial revenues in such manner as the 1[State] Government may by general order direct. 1. Substituted by the A.L.O.

CHAPTER 3

Road-partols

23. List Of Proprietors And Tenure Holders Liable For Maintenance Of Road-Patrols And Fixing Of Number And

Salary Of Patrols :-

The Deputy Commissioner shall maintain a list showing what proprietors and tenure-holder, within his district hold their estates and tenures subject to a conditions expressed or implied of protecting lines of roads or passes, and shall fix the number of road-patrols to be kept up for such roads or passes, and salary to be paid monthly to each road-patrol: Provided that such salary shall in no case be less than three or more than five rupees per mensem.

24. Copies Of Entries To Be Given To Proprietors And Tenure-Holders :-

A copy of the entry in such list affecting him shall be given to each proprietor or tenure-holder.

25. Appeal From Entries In List :-

If any proprietor or tenure- holder is dissatisfied with such entry, he may within thirty days of the receipt of the copy of the entry, to the Commissioner who shall pass such order as seems to him proper.

26. Proprietors And Tenure-Holders Entitled To Receive Rent For Land Held By Patrol In Lieu Of Or In Addition To, His Salary :-

(1) When any land is held under any proprietor or tenure-holder by any road patrol in lieu of or in addition to, his salary, for the protection of any road or pass, the proprietor or tenure- holder who is responsible for the protection of such road or pass, shall, if assessed under Section 23, be entitled to receive rent for such land at the same rate as is paid for similar raiyatwari land in the vicinity.

(2) The Deputy Commissioner shall send to each such proprietor or tenure-holder an order in the form prescribed under Section 37, specifying the land for which he is entitled to receive rent at the said rate.

27. Payments Of Salaries To Road-Patrols :-

All proprietors and tenure-holders specified in the list mentioned in Section 23 shall each month pay the same to the road-patrols to whom it is due.

28. Recovery Of Sums Due For Such Salaries :-

(1) If the sum due from any proprietor or tenure-holder for any month is unpaid after the fifteenth day of the next succeeding month, the Deputy Commissioner shall issue a notice calling on the defaulter to pay the same together with the costs of serving the

notice within fifteen days from the service of the notice. (2) If the amount specified in any notice issued under sub-section (1) is not paid within fifteen days, the Deputy Commissioner may-- (a) realize the same by any process provided by any law for the time being in force for the recovery of a public demand, or (b) attach the holding of such proprietor or tenure-holder, and retain possession of the same until such amount has been recovered out of the income derivable therefrom.

29. Duties Of Road-Patrol :-

Every road-patrol appointed under this Act shall perform the following duties : -- (1) he shall patrol the roads within his beat, under instructions from the Superintendent of Police, and shall protect all travellers passing along his beat: (2) he shall arrest- (a) all proclaimed offenders, (b) all persons whom he may find in the act of committing any offence specified in the Schedule, and (c) any person against whom a hue and cry has raised of his having been concerned in any such offence. (3) he shall forthwith take all persons so arrested to the police-station within the limits of which he acts as road-patrol; (4) he shall report to the officer-in-charge of the police-station within the limits of which his beat is situated the movements of all bad or suspicious characters along his beat, as well as all unusual circumstances that come to his notice : and (5) he shall supply any local information which the Commissioner or any officer of police may require.

CHAPTER 4

Miscellaneous

30. Power To Appoint And Dismiss Village Policeman Or Road-Patrol :-

1[2[The 3[State Government] may appoint and may dismiss for misconduct or neglect of duty, any village-policeman or road-patrol. 30. Power to appoint and dismiss road-patrol- 1[2[The 3[State Government] may appoint, and may dismiss for misconduct or neglect of duty any 4 Road-Patrol. 1. Sections 30, 31 and 32 and 32 are in force in this form in areas in which the provisions of Part III of the Bihar and Orissa Village Administration. Act, 1922 are declared to be in force. See Section 2 (2) and Sch. II thereof. The difference between the two section lies in the words printed in italics. 2. Substituted by the A.O. for "Subject to the approval of the Deputy Commissioner, the Superintendent of Police." 3. Substituted by the A.L.O. 4. The words "village-policeman or" rep. by Section 2 (2) and Sch. 11 of B.& O. Act 3 of 1922 in areas in

which the provisions of Part 111 of that Act are declared to be force.

31. Penalty On Village Policeman Or Road Patrol For Certain Offences :-

1Every village policeman or road-patrol who -- 31. Penalty on road-patrol for certain offences-- 2Every * * road-patrol who - (a) withdraws him self from the duties of his office without the express permission of the Superintend of Police, or of some other duly authorized to grant such permission, or (a) withdraws himself from the duties of his office without the express permission of the Superintend of Police, or of some other duly authorized to grant such permission, or (b) resigns his office without the permission of the Superintend of Police, unless he has given to his superior officer, at least two months previously, a written notice of his intention to resign, or (b) resigns his office without the permission of the Superintend of Police, unless he has given to his superior officer, at least two months previously, a written notice of his intention to resign, or (c) is guilty of cowardice, or (c) is guilty of cowardice, or (d) offers any unwarrantable personal violence to any person in his custody, (d) offers any unwarrantable personal violence to any person in his custody, shall be liable, on conviction before a Magistrate, to a fine not exceeding three months pay, or to imprisonment for a period not exceeding three months, or to both. shall be liable, on conviction before a Magistrate, to a fine not exceeding three months pay, or to imprisonment for a period not exceeding three months, or to both. 1. Sections 30, 31 and 32 are in force in this form in areas in which the provisions of part III of the Bihar and Orissa Village Administration Act, 1922 are not in force. 2. Sections 30, 31 and 32 and 32 are in force in this form in areas in which the provisions of Part III of the Bihar and Orissa Village Administration. Act, 1922 are declared to be in force. See Section 2 (2) and Sch. II thereof. The difference between the two section lies in the words printed in italics.

32. Power Of Superintendent Of Police To Fine Village Policeman Or Road-Patrol :-

Every village police man or road-patrol who is guilty of any wilful misconduct in his office, or any neglect of his duty such misconduct or neglect not being an offence within the meaning of the Indian Penal Code and not being of so grave a character as, in the opinion of the Superintendent of Police, to require his dismissal from his office shall be liable, under the order of the Superintendent, to a

fine not exceeding one months salary. 32. Power of Superintendent of Police to fine road- patrol.- Every road-patrol who is guilty of any wilful misconduct in his office, or any neglect of his duty such misconduct or neglect not being an offence within the meaning of the Indian Penal Code and not being of so grave a character as, in the opinion of the Superintendent of Police, to require his dismissal from his office shall be liable, under the order of the Superintendent, to a fine not exceeding one months salary.

33. Limitation Of Suits :-

Every suit brought against the Deputy Commissioner or any of his officers, or any person acting under his direction, for anything done or purporting to be done by the defendant under this Act, shall be commenced within six months next after the accrual of the cause of action, and not afterwards.

34. Control By Commissioner, And Delegation Of Powers And Functions :-

The Commissioner shall have a general power of control over the proceedings of all officers under this Act, and may appoint any Gazetted Officer to exercise and perform all or any of the powers and functions vested in and exercisable by the Deputy Commissioner or the Superintendent of Police under this Act.

35. Service Of Notice :-

Every notice under this Act shall be served either personally on the person to whom the notice is directed or by affixing a true copy thereof on some conspicuous part of his dwelling house of principal cutcherry, within the district.

36. Saving Of Liability Of Proprietor Or Tenure-Holder To Report Crimes :-

Nothing contained in this Act shall diminish or in any way affect any liability, duty or obligation of any proprietor or tenure-holder under any law for the time being in force, to report crimes or offences occurring within his estate or tenure.

37. Power To Make Rules :-

1(1) The Commissioner, may, subject to to the Control of the 3[State] Government make rules to carry out the purposes of this Act. 2(1) The Commissioner, may subject to the control of the 3[State Government] make rules to carry out the purposes of this Act. (2) In particular, and without prejudice to the generality of the foregoing power, such rules may -- (2) 4In particular, and

without prejudic to the generality of the foregoing power, such rules may prescribe forms for use under Section. 26 (a) prescribe the manner in which the assessment under Sections 6 and 7 is to be made ; (b) regulate the alteration of assessment under Section 9;5[* * *] (d) regulate the duties and procedure of Panchayats; (e) fix the penalty to be levied under Section 16 ; (f) prescribe forms for use under Section 16 or Section 26. (3) All such rules shall be published in the 6[Official Gazette]. (3) All such rules shall be published in the 6[Official Gazette]. 1. Section 37 is in force in this form in areas in which part III of the Bihar and Orissa Administration Act, 1922 is not in force. 2. Section 37 is in force in this form in areas in which part III of the Bihar and Orissa Village Administration Act 1922 is in force. The difference between the two sections lies in the words printed in italics. 3. Substituted by the A.L.O. 4. Substituted for the original sub-section by B. & O. Act 3 of 1922, Section 2 (2), Sch. II, in areas in which the provisions of Pt. III of that Act are declared to be force. 5. This Schedule is repealed in unions in which the provisions of part MI of the Bihar and Orissa Village Administration Act. 1922 Section 2 (2) and Sch II 6. Substituted by A.O. for "Bihar and Orissa Gazette".

38. Repeal :-

- (1) The Chota Nagpur Rural Police Act, 1887, is hereby repealed.
- (2) Section 21 of the Bengal Police Regulation, 1817, shall be deemed to be repealed in any district or specified part of a district to which this Act or any portion thereof has been extended under sub-section (3) of Section 1.