The Uttar Pradesh Shanti Suraksha Bal Act, 1994
Act 14 of 1994

Keyword(s):
Close Arrest, Commandant, force, Open Arrest, Subordinate Officer, Superior Officer, Criminal force and Assault

Amendment appended: 28 of 1999
THE UTTAR PRADESH SHANTI SURAKSHA BAL ACT, 1994

[U. P. Act No. 14 of 1994]
(As passed by the U. P. Legislature)

AN ACT

for the constitution and regulation of the Uttar Pradesh Shanti Suraksha Bal.

WHEREAS the State Government has requisition Central secret forces from time to time to deal with emergent law and order problems in the State;

AND, WHEREAS, sometimes in case of such requisition timely assistance is not available because of procedural delays and such requisition is also expensive;

AND, WHEREAS, constitution of a duly trained force equipped with modern equipments is needed in the State to deal with the incidents relating to breach of peace and also to meet the exigencies of natural calamities;

AND, WHEREAS, it is expedient to provide for the constitution and regulation of a force known as the Uttar Pradesh Shanti Suraksha Bal Adhiniyam, 1994.

1. (1) This Act may be called the Uttar Pradesh Shanti Suraksha Bal Adhiniyam, 1994.

(2) It extends to the whole of the Uttar Pradesh.

2. In this Act, unless there is anything repugnant in the subject or context,—

(a) “close arrest” means confinement within the Force or detachment of the Force or a Post quarter-guard building or under charge of a guard;

(b) “Commandant”, “Assistant Commandant” and “Adjutant” means persons appointed by the State Government to the offices of the Force;

(c) “Force” means the Uttar Pradesh Shanti Suraksha Bal constituted under section 3;

(d) “Officer of the Force” means a person appointed to the Force under this Act, who has, in accordance with the provisions of this Act, signed a statement in the form given in the Schedule;

(e) “open arrest” means confinement within the precincts of any barracks, lines or camp for the time being occupied by any part of the Force;

(f) “subordinate officer” means a member of the Force of the rank of Subedar-Major, Subedar, Platoon Commander or Sub Inspector;

(g) “superior officer” in relation to an officer of the Force, means any officer of as prescribed is higher than that of
(h) The expressions "criminal force" and "assault", shall have the meanings respectively assigned to them in the Indian Penal Code.

3. (1) There shall be raised and maintained by the State Government a force to be called the Uttar Pradesh Shanti Sagar Bal and it shall be constituted in such manner and for such period as may be prescribed.

(2) The Force shall function under the general control of the Director General of Police, Uttar Pradesh.

4. Before any person, whether already enrolled in Uttar Pradesh Police Force under Police Act, 1861, or not so enrolled, is appointed to be an officer of the Force, the statement in the Schedule shall be read, and if necessary, explained to him by a Magistrate, Commandant or Assistant Commandant, and shall be signed by him in acknowledgement of its having been so read and explained to him and shall be attested by the Magistrate, Commandant or Assistant Commandant, as the case may be.

5. Subject to the provisions of sections 6, 7 and 8 every member of the Force shall, upon his appointment and as long as he continues to be a member thereof, be deemed to be a police officer and, subject to any terms, conditions and restrictions, as may be prescribed, shall have and be subject to, in so far as they are not inconsistent with this Act or any rules made thereunder, all the powers, privileges, liabilities, penalties, punishments and protection as a police officer duly enrolled has or is subject to by virtue of the Police Act, 1861, or any other law for the time being in force, or any rules or regulations made thereunder.

6. An officer of the Force who,—

(a) begins, excites, causes or joins in any mutiny or sedition, or being present at any mutiny or sedition does not use his utmost endeavours to suppress it, or, knowing, or having reason to believe in the existence of any mutiny, or of any intention to mutiny does not without delay give information thereof to his superior officer; or

(b) uses or attempts to use criminal force against or commits an assault on his superior officer, whether on or off duty; or

(c) abandons or delivers up any post or guard which is committed to his charge or on which it is his duty to defend; or

(d) directly or indirectly holds correspondence with or assists or, relieves any person in arms against or hostile to the State or omits to disclose immediately to his superior officer any such correspondence coming to his knowledge; or

(e) deserts the Force; or

(f) uses criminal force to, or commits an assault on any person bringing provisions or other necessaries to camp or quarters, or forces a safeguard or plunders, destroys or damages property of any kind;

shall, on conviction, be punishable with imprisonment for life or with imprisonment for a term which may extend to fourteen years and shall also be liable to fine;
7. An officer of the Force who:

(a) strikes or assaults any sentry; or

(b) disobeys the lawful command of his superior officer; or

(c) being a sentry, sleeps upon his post or quits it without being regularly relieved or without leave; or

(d) leaves his commanding officer, or his post or party to

in search of plunder; or

(e) breaks into any house or other place for plunder; or

(f) quits his post, guard, picket, party or patrol without being regularly relieved or without leave; or

(g) intentionally causes or spreads a false alarm in action in camp, garrison or quarters; or

(h) displays cowardice in the execution of his duty;

(i) being under arrest or in confinement, escapes from arrest or confinement; or

(j) is grossly in subordinate or insolvent to his superior officer in the execution of his duty; or

(k) strikes or maliciously ill-treats any officer of the Force subordinate to him in rank or position; or

(l) malingers or feigns or produces disease or infirmity in himself, or intentionally delays his cure, or aggravates his disease or infirmity; or

(m) is in a state of intoxication when on, or after having been, for the warned for, any duty or on parade or on the line of march; or

(n) being in command of a guard, picket or patrol refuses or neglects to receive any prisoner or person duly committed to his charge, or without proper authority releases any person or prisoner placed under his charge or negligently suffers any such person or prisoner to escape;

shall, on conviction, be punished with imprisonment for a term which may extend to seven years or with fine or with both.

8. (1) The Commandant or any other authority or officer as may be prescribed, may, subject to any rules made under this Act, award in lieu of, or in addition to, suspension or dismissal any one or more of the following punishments to any member of the Force whom he considers to be guilty of disobedience, neglect of duty or remissness in the discharge of any duty or of other misconduct in his capacity as a member of the Force, that is to say,—

(a) reduction in rank;

(b) fine of any amount not exceeding one month's pay and allowances;

(c) confinement to quarters or camp for a term not exceeding one month;

(d) confinement, in the quarter-guard for not more than twenty-eight days, with or without punishment drill or extra guard, fatigue or other duty; and
(e) removal from any office of distinction or special emolument in the Force.

(2) Any punishment specified in clause (c) or clause (d) of sub-section (1) may be awarded by any gazetted officer when in command of any detachment of the Force away from headquarters, provided he is specially authorised in this behalf by the Commandant.

(3) The Assistant Commandant, a Company Officer or a subordinate officer, not below the rank of Subedar or Inspector, commanding a separate detachment or an outpost or in temporary command of the headquarters of the Force may, without a formal trial, award to any member of the Force who is for the time being subject to his authority any one or more of the following punishments for the commission of any petty offence against discipline which is not otherwise provided for in this Act, or which is not of a sufficiently serious nature to require prosecution before a criminal court, that is to say,—

(a) confinement for not more than seven days in the quarter-guard or such other place as may be considered suitable with forfeiture of all pay and allowances during its continuance;

(b) punishment drill, or extra guard fatigue or other duty, for not more than thirty days, with or without confinement to quarters, lines or camp;

(c) censure or severe censure; provided that this punishment may be awarded to a subordinate officer only by the Commandant.

(4) A Platoon Commander or a Sub-Inspector who is temporarily in command of a detachment or an outpost may, in like manner and for the commission of any like offence, award to any member of the Force for the time being subject to his authority any of the punishments specified in clause (b) of sub-section (3) for not more than fifteen days.

9. The following penal deductions may be made from the pay and allowances of a member of the Force by his company officer, that is to say,—

(a) all pay and allowances for every day of absence either on desertion or without leave and for every day of imprisonment awarded by a criminal court or of confinement awarded under section 8;

(b) all pay and allowances for every day whilst he is in custody on a charge for an offence of which he is afterwards convicted;

(c) all pay and allowances for every day on which he is in hospital on account of sickness certified by the medical officer attending on him at the hospital to have been caused by an offence committed by him under this Act;

(d) all pay and allowances ordered to be forfeited under section 8; and

(e) such sum as may be ordered by the Commandant or Assistant Commandant in order to make good any expenses caused by the member of the Force, or any loss of, or damage or destruction done by him to any arms, ammunition, equipment, clothing, instrument or decorations belonging to the Force or to any buildings or property.
10. (1) Any member of the Force who commits any offence specified in section 6 or section 7 may be placed on open or close arrest by any officer of the Force.

(2) Where any subordinate officer orders an arrest under sub-section (1), he shall forthwith or at the earliest opportunity report the arrest to his company or detachment commander who shall after investigating the case order the release or the continued arrest of the member of the Force arrested.

(3) No appeal shall lie from an order passed under this section.

11. Notwithstanding anything contained in the Police Act, 1861, or in any other law for the time being in force, no officer of the Force shall be entitled to be discharged from the Force.

12. The Commandant or an Assistant Commandant may, notwithstanding anything contained in section 11, at any time revert to Uttar Pradesh Police an officer of the Force who has been seconded from the Police Force.

13. (1) A person sentenced under this Act to imprisonment for a period exceeding three months, shall notwithstanding anything contained in the Police Act, 1861, be deemed to have been dismissed from Uttar Pradesh Police Force and from the Force and shall be imprisoned in the nearest or such other jail as the State Government may by general or special order direct.

(2) A person sentenced under this Act to imprisonment for a period not exceeding three months may, if the Commandant, or subject to his control, an Assistant Commandant, so directs, be confined in the quarter-guard or such other place as the Commandant or Assistant Commandant may consider suitable.

14. Nothing in this Act shall prevent any person from being prosecuted under the Police Act, 1861, or under any order, or rule made thereunder or any other enactment for the time being in force, for any act of omission punishable thereunder or from being liable if so prosecuted, to any other or higher penalty than is provided for that act or omission by this Act:

Provided that no person shall be punished twice for the same offence:

15. Subject to such rules as the State Government may make in this behalf a Commandant or Assistant Commandant shall have with respect to Police officers, appointed to Uttar Pradesh Police Force under Police Act, 1861, who are not officers of the Force, the same disciplinary powers as a Superintendent of Police of a district has with respect to them under that Act.

16. (1) The State Government may, by notification in the Gazette, disband or reconstitute the Force or any Company thereof.

(2) Whenever the Force or any Company thereof is disbanded or reconstituted under sub-section (1) it shall notwithstanding anything
contained in this Act or any other enactment for the time being in force and subject to such conditions, as may be prescribed, be lawful for the State Government with a view to such disbandment or reconstitution, to discharge any officer from the Force and if he is enrolled under the Police Act, 1861, and has not been confirmed, from the Police Force also.

17. A candidate who has knowledge of any of the languages specified in the Eighth Schedule to the Constitution of India besides Hindi, shall, other things being equal, be given preference in the matter of recruitment to the Force.

18. Procedure for recruitment to the Force shall include a psychological test of candidates.

19. The persons recruited to the Force shall be imparted such training as may be prescribed which shall include special psychological training to ensure fair outlook.

20. Reservation for the candidates belonging to Schedule Caste, Scheduled Tribes, Backward Classes and other categories shall be made in accordance with the Uttar Pradesh enactments and the orders of the State Government for the time being in force.

21. (1) The State Government may make rules for carrying out the purposes of this Act.

(2) Without prejudice to the generality of the foregoing powers, the rules may provide for the following matters, that is to say,—

(i) the number of companies to be constituted;

(ii) the regulation of the classes and grades of, and the pay, pension and other remuneration of members of the Force, and their conditions of service in the Force;

(iii) the manner in which and the persons who may be recruited and appointed to the Force;

(iv) the regulation of the powers and duties of officers authorised to exercise any function by or under this Act;

(v) the regulation of the period of service for the members of the Force;

(vi) the regulation of the award of minor punishment under section 8 and provision for appeals from, or the revision of orders under that section and the remission of fines imposed under that section, and the remission of deduction made under section 9;

(vii) the manner of disposal of criminal cases arising under this Act;

(viii) any other matter which is to be or may be prescribed.
SCHEDULE STATEMENT

(See sections 2 and 4)

At no time during the period of your service in the Uttar Pradesh Shanti Suraksha Bal you will be entitled to obtain your discharge at your own request. On the liquidation of the Force or of the company in which you may, for the time being, be posted you will be discharged from the Force unless you were already a confirmed member of Uttar Pradesh Police Force before joining the Force from Uttar Pradesh Police also. You will however, be eligible for re-enlistment in Uttar Pradesh Police. In the event of your continuing in Uttar Pradesh Police or your re-enlistment therein, your services in the Force will count for promotion and pension in Uttar Pradesh Police.

Signature of Police officer in acknowledgement of the above having been read over to him.

Signed in my presence, after I had ascertained that ......................

......................... understood the purport of what he signed

Magistrate, Commandant or Assistant Commandant ......................

By order,

N. K. NARANG,
Sachiv.
शर्करारी गजट, उत्तर प्रदेश उत्तर प्रदेशीय सरकार द्वारा प्रकाशित

असाधारण

विधायी परिषिष्ट
भाग—1, खंड (क)
(उत्तर प्रदेश विधिनियम)

लखनऊ, सोमवार, 2 मई, 1994
बैशाख 12, 1916 शक सम्बत

उत्तर प्रदेश सरकार
विधायी अनुपालन—1

संख्या 813/संख्या—1-1(क) 22-1994
लखनऊ, 2 मई, 1994

अध्ययन

"भारत का संविधान" के प्रनुम्बर 200 के संपर्क में, संविधान समिति ने उत्तर प्रदेश स्वायत्त समूह के उत्तर प्रदेश विधान सभा का प्रतिबंधित उत्तर प्रदेश डाक्टर भीमराव अम्बेडकर विश्वविद्यालय (निर्माण) विषयक, 1994 अधिनियम, 1994 दिवाना 30 अप्रैल, 1994 को अनुसार मान्य की और वह उत्तर प्रदेश अधिनियम संख्या 15 सन् 1994 के रूप में संस्कारार्थ की सुनियोजन इस अधिनियम द्वारा प्रकाशित किया जाता है।

उत्तर प्रदेश डाक्टर भीमराव अम्बेडकर विश्वविद्यालय (निर्माण) अधिनियम, 1994
(उत्तर प्रदेश अधिनियम संख्या 15 सन् 1994)

[बैशाख उत्तर प्रदेश विधान सभा द्वारा पारित हुआ]
उत्तर प्रदेश डाक्टर भीमराव अम्बेडकर विश्वविद्यालय अधिनियम, 1989 के निर्माण के लिए अधिनियम

भारत का संविधान के प्रनुम्बर 200 के संपर्क में, संविधान समिति ने उत्तर प्रदेश स्वायत्त समूह के उत्तर प्रदेश विधान सभा का प्रतिबंधित उत्तर प्रदेश डाक्टर भीमराव अम्बेडकर विश्वविद्यालय (निर्माण) अधिनियम, 1994 अधिनियम, 1989 दिवाना 30 अप्रैल, 1989 को अनुसार मान्य की और वह उत्तर प्रदेश अधिनियम संख्या 15 सन् 1989 के रूप में संस्कारार्थ की सुनियोजन इस अधिनियम द्वारा प्रकाशित किया जाता है।

1—(1) यह अधिनियम उत्तर प्रदेश डाक्टर भीमराव अम्बेडकर विश्वविद्यालय (निर्माण) संक्षेप नाम और प्रतिष्ठान

(2) यह एलिविंग को प्रस्तुत होना जा रहा सरकार, अधिशुन्ता द्वारा, इस निर्देश निमित्त करे।
No. 313(2)/XVII-V-1-1 (KA) 22-1994

Dated Lucknow, May 2, 1994

In pursuance of the provisions of clause (3) of Article 348 of the Constitution of India, the Governor is pleased to order the publication of the following English translation of the Uttar Pradesh Doctor Bhimrao Ambedkar Vishwavidyayalaya (Adhiniyam, 1989) (Uttar Pradesh Adhiniyam Sauchya 15 of 1994) as passed by the Uttar Pradesh Legislature and assented to by the Governor on April 30, 1994.

THE UTTAR PRADESH DOCTOR BHIMRAO AMBEDKAR UNIVERSITY (REPEAL) ACT, 1994

(U. P. Act no. 15 of 1994)

[As passed by the U. P. Legislature]

AN

ACT

to repeal the Uttar Pradesh Doctor Bhimrao Ambedkar University Act, 1989.

It is hereby enacted in the Forty-fifth Year of the Republic of India as follows:

Short title and commencement

1. (1) This Act may be called the Uttar Pradesh Doctor Bhimrao Ambedkar University (Repeal) Act, 1994.

(2) It shall come into force on such date as the State Government may, by notification, appoint in this behalf.

Repeal of U. P. Act no. 25 of 1989

2. The Uttar Pradesh Doctor Bhimrao Ambedkar University Act, 1989 is hereby repealed.

By order,

N. K. NARANG,
Sachian.
सरकारी गजट, उत्तर प्रदेश
उत्तर प्रदेशीय सरकार द्वारा प्रकाशित

अन्वायन

विधायी परिषिद्ध

शाख—1, छन्द (क)
(उत्तर प्रदेश प्रबंधन)

लखनऊ, सोमवार, 2 मई, 1994
बैशाख 12, 1916 शक सम्मत

उत्तर प्रदेश सरकार
विधायी अनुभाग-1

संख्या 814 / साब-वि-1-1 (क) 24-1994
लखनऊ, 2 मई, 1994

शासिमुख

विविध

“भारत का संविधान” के अनुसार 200 के द्वारा राज्यपाल महानिदय ने उत्तर प्रदेश विधान मंडल द्वारा बारिश उत्तर प्रदेश राज्य विधान मंडल (सदस्यों की उपलब्धियाँ और वेतन) (संशोधन) विवेक, 1994 पर विचार 30 मई, 1994 को वर्तमान प्रदेश की श्रेष्ठ उत्तर प्रदेश अंगनविम शंका 16 सन 1994 के रूप में संविधानधारी की तृतीय दूसरे शहीद पुरस्कार द्वारा प्रकाशित किया गया है।

उत्तर प्रदेश राज्य विधान मंडल (सदस्यों की उपलब्धियाँ और वेतन) (संशोधन) अंगनविम, 1994
(उत्तर प्रदेश अंगनविम संख्या 16 सन 1994)
[जैसा उत्तर प्रदेश विधान मंडल का पारित हुआ]

उत्तर प्रदेश राज्य विधान मंडल (सदस्यों की उपलब्धियाँ और वेतन) अंगनविम, 1980 का अंतराल संशोधन करने के लिए

अंगनविम

सार्वजनिक राज्य के पैराडॉक्सों के द्वारा निर्माण विधान बनाम जाता है।

1—अंगनविम उत्तर प्रदेश विधान मंडल (सदस्यों की उपलब्धियाँ और वेतन) संशोधन नाम
(संशोधन) अंगनविम, 1994 के साथ जारी
No. 814(2)/XVII-V-1—1(KA)24-1994

Dated Lucknow, May 2, 1994

In pursuance of the provisions of clause (3) of Article 348 of the Constitution of India, the Governor is pleased to order the publication of the following English translation of the Uttar Pradesh Rajya Vidhan Mandal (Sadasyon Ki Uplabdhiyan Aur Pension) (Sanshodhan) Adhiniyam, 1994 (Uttar Pradesh Adhiniyam Sankhya 16 of 1994) as passed by the Uttar Pradesh Legislature and assented to by the Governor on April 30, 1994.

THE UTTAR PRADESH STATE LEGISLATURE (MEMBERS' EMOLUMENTS AND PENSION) (AMENDMENT) ACT, 1994

(U. P. ACT NO. 16 OF 1994)
[As passed by the U. P. Legislature]

AN

ACT

to further amend the Uttar Pradesh State legislature (Members' Emoluments and Pension) Act, 1980.

It is hereby enacted in the forty-fifth Year of the Republic of India as follows:

1. This act may be called the Uttar Pradesh State Legislature (Members' Emoluments and Pension) (Amendment) Act, 1994.
2. In section 5 of the Uttar Pradesh State Legislature (Members' Documents and Pension) Act, 1980, hereinafter referred to as the principal Act, for the words and figures "not exceeding forty-five thousand rupees per annum for the period from June 1, 1991 to August 15, 1991 and not exceeding fifty-four thousand rupees per annum from August 16, 1991" the words "not exceeding sixty-five thousand rupees per annum" shall be substituted.

3. Section 15 of the principal Act, shall be re-numbered as sub-section (1) thereof and—

(a) in sub-section (1) as so re-numbered,—

(i) for the words "eighty-five rupees" the words "one hundred fifty rupees" shall be substituted;

(ii) clause (V-bb) and clause (V-c) shall be omitted;

(b) after sub-section (1) the following sub-sections shall be inserted, namely—

"(2) Every member shall be entitled to daily allowance at the rate of one hundred rupees per day for the days during which he tours for the works in the service of the public and for which the allowance or incidental charges under sub-section (1) are not, or may not be, admissible.

(3) Notwithstanding anything contained in sub-section (1), daily allowance at the rate of one hundred rupees per day shall be payable to a member holding any office referred to in clause (i) of section 2 and the Leader of Opposition for each day during the whole of the term in which he holds such office, except such days for which he claims daily allowance under sub-section (1)."

4. In section 24 of the principal Act, in sub-section (1), in the Explanation-II for the words and figures "in the year 1980" the words and figures "in the year 1980 or in the year 1985" shall be substituted.

By order,

N. K. NARANG,
Sachiv.
In pursuance of the provisions of clause (3) of Article 348 of the Constitution, the Governor is pleased to order the publication of the following English translation of the Uttar Pradesh Shanti Suraksha Bal (Nirasan) Adhiniyam, 1999, (Uttar Pradesh Adhiniyam Sankhya 28 of 1999) as passed by the Uttar Pradesh Legislature assented to by the Governor on July 27, 1999.

THE UTTAR PRADESH SHANTI SURAKSHA BAL (NIRASAN) ACT, 1999

(U. P. ACT No. 28 of 1999)

[As passed by the Uttar Pradesh Legislature]

AN

ACT

to repeal the Uttar Pradesh Shanti Suraksha Bal Adhiniyam, 1994.

IT IS HEREBY enacted in the Fiftieth Year of the Republic of India as follows:

1. (1) This Act may be called the Uttar Pradesh Shanti Suraksha Bal (Nirasan) Adhiniyam, 1999.

   (2) It shall be deemed to have come into force on May 5, 1999.

2. The Uttar Pradesh Shanti Suraksha Bal Adhiniyam, 1994 is hereby repealed.

3. The Uttar Pradesh Shanti Suraksha Bal (Nirasan) Adhyadesh, 1999 is hereby repealed.

By order,

Y. R. TRIPATHI,

Pramukh Sachk.

89 - (802) - 1999 - 850 (मेक 5)