



The Arunachal Pradesh Armed Police Act, 1993

Act 5 of 1993

Keyword(s):

Active Duty, Armed Police, Close Arrest, Open Arrest

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THE ARUNACHAL ARMED POLICE ACT, 1993

(Act No. 5 of 1993)

Received the assent of the Governor on 17th June, 1993.

AN
ACT

*to provide for the constitution and regulation of the
Arunachal Pradesh Armed Police*

Be it enacted by the Legislative Assembly of
Arunachal Pradesh in the Forty-fourth Year of the
Republic of India as follows :—

CHAPTER—I

PRELIMINARY

1. Short title, extent and commencement—

(1) This Act may be called the Arunachal Armed Police Act, 1993.

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

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

2. Application of the Act.—This Act shall apply to all members of the Arunachal Armed Police, wherever they may be serving.

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

(a) "active duty" means—

- (i) the duty to restore and preserve order in any area in the event of any disturbance therein ;
- (ii) the duty at guards picquet, patrol, escorts to protect life and property including arms, ammunition, cash and valuables in any area in the event of any disturbance therein ;
- (iii) the duty at outposts, detachments or in the field against extremists, hostiles, enemy or other persons ; and

- (iv) such other duty as may be specified to be active duty by the State Government or the Inspector-General ;

and the same shall be deemed to have commenced on and from the moment of receipt by a member of the Arunachal Armed Police of the order of any superior officer to render such duty or on receipt of any information from other sources about loot, arson or raid by extremists, hostiles, enemy or other persons ;

- (b) "Armed Police" means the Arunachal Armed Police ;
- (c) "Assistant Commandant" means a person appointed by the State Government to be an Assistant Commandant of a Battalion of Armed Police who may be assigned with the duties of an Adjutant, Quarter-master or Company Commander by the Commandant ;
- (d) "Close arrest" means confinement within the Armed Police or a detachment or a post or quarter guard building or tent under charge of a guard ;
- (e) "Commandant" means a person appointed by the State Government to be a Commandant of a Battalion of the Armed Police ;
- (f) "Constable" means a person appointed as Constable by the Commandant and includes a Havildar, Naik and Lance-Naik ;
- (g) "Deputy Commandant" means a person appointed by the State Government to be the Second-in-Command of a Battalion of the Arunachal Armed Police ;
- (h) "Deputy Inspector General" means a Deputy Inspector General of Police, Arunachal Pradesh who has been empowered by the State Government to do the duties relating to regulation of the Armed Police and to exercise powers and functions under this Act ;

- (i) "Enrolled Follower" means any person appointed to do the work of a cook, masalchi, water-carrier, mess-servant, ward-boy, washerman, cobbler, barber, sweeper, helper or cleaner ;
- (j) "Inspector-General" means the Inspector-General of Police, Arunachal Pradesh ;
- (k) "Inspector" means a person appointed by the Inspector-General to be a Subedar who may be assigned with the duties of the Second-in-Command of a Company or with such other duties as may be specified by the Inspector-General from time to time and includes a person who may be transferred by the Inspector-General to fill a post of Subedar on deputation from amongst the Inspectors of Police, Arunachal Pradesh ;
- (l) "Member of the Armed Police" means a person who has been appointed to the Armed police by the Inspector-General or, as the case may be, by the Commandant and includes a subordinate officer, a Constable, an Enrolled Follower and a person appointed in subordinate rank under the Police Act, 1861 or in Defence Service or a Para-military personnel, posted to the Armed Police on deputation in such ranks ;
- (m) "Open arrest" means confinement within the precincts of any barracks, lines or camp for the time being occupied by any part of the Arunachal Armed Police ;
- (n) "Prescribed" means prescribed by rules made under this Act ;
- (o) "Quarter Guard" means a building or tent under guard within the precinct of the headquarters of a Battalion, Company or Platoon of the Armed Police used permanently or temporarily for the safe custody of arms, ammunition, munitions and cash or for the imprisonment, detention or custody of the members of the Armed Police accused of or convicted for any offence under this Act or other Acts ;

- (p) "State Government" means the Government of Arunachal Pradesh ;
- (q) "Sub-Inspector" means a person appointed by the Commandant to be a Sub-Inspector who may be assigned with the duties of the Platoon Commander or with such other duties as may be specified by the Commandant from time to time ;
- (r) "Subordinate Officer" means a member of the Armed Police who is of the rank of Inspector or Sub-Inspector ;
- (s) "Superior Officer" in relation to any member of the Armed Police, means—
 - (i) any officer of a rank which is higher than that of such member ; and
 - (ii) a Commandant, Deputy Commandant or Assistant Commandant ;
- (t) the expression "assault", "Criminal force", "fraudulently", "reason to believe" and "Voluntarily causing hurt" shall have the same meanings as assigned to them respectively in the Indian Penal Code (Act XLV of 1860) ;
- (u) All words and expressions used and not defined in this Act but defined in the Indian Penal Code shall have the

CHAPTER—II

CONSTITUTION OF THE ARMED POLICE AND GENERAL DUTIES OF THE MEMBERS OF THE ARMED POLICE

4. Constitution of the Armed Police :—

- (1) There shall be a force raised and maintained by the State Government and called the Arunachal Armed Police.

(2) The State Government, the Inspector-General or the Deputy Inspector General specially empowered by the State Government in this behalf, may —

- (a) divide the Armed Police into Battalion, each Battalion into companies, each company into platoons and each platoon into section, groups and detachments ;
- (b) post any Battalion, Company or Platoon at such places as the state Government, the Inspector-General, the Deputy Inspector-General or the Commandant may deem fit.

(3) The members of the Armed Police shall receive such pay, pension and other remuneration as may be prescribed.

5. Appointment and powers of Superior Officers :— (1) The State Government may appoint to the Armed Police a Commandant and such other persons as it thinks fit to be Deputy Commandants and Assistant Commandants.

(2) The Commandant, Deputy Commandant or Assistant Commandant shall have, and may exercise, such powers and authority as may be provided by or under this Act.

(3) The Inspector-General may appoint Inspectors :

Provided that the Inspectors of Police, Arunachal Pradesh may also be deputed to the Armed Police as Inspectors by the Inspector-General.

(4) The Commandant may appoint subordinate officers (other than Inspectors) constables and Enrolled Followers.

6. Enrolment.— Before a person is appointed to be a member of the Armed Police, the Statement contained in the Schedule to this Act shall be read out and, if necessary, explained to him in the presence of an officer appointed under sub-section (1) of Section 5 and shall be signed by such person in acknowledgment of its having been read out to him :

Provided that any person who has, for a period of six months, served with the Armed Police shall, on appointment to the Armed Police thereafter, be deemed to be a member of the Armed Police, notwithstanding that the provisions of this section have not been complied with in his case.

7. Resignation and withdrawal from the Armed Police.—No member of the Armed Police shall be at liberty to :—

- (a) resign his appointment during the term of his engagement except before the expiration to the first three months of his service ; or
- (b) withdraw himself from all or any of the duties of his appointment, without the previous permission in writing of the Commandant or Deputy Commandant or any other officer authorised by the Commandant to grant such permission.

8. General duties of members of the Armed Police.—It shall be the duty of every member of the Armed Police promptly—

- (a) to obey and to execute all orders and warrants lawfully issued to him by any competent authority, to detect and bring offenders to justice and to apprehend all persons whom he is legally authorised to apprehend and for whose apprehension sufficient grounds exist ; and
- (b) to take all adequate measures for extinguishing of fires or to prevent damage to person or property on the occasion of such occurrences as fires, floods, earthquakes, cyclones, enemy action or riots.

(2) Every member of the Armed Police shall be liable to serve without and beyond as well as anywhere within the territory of India.

CHAPTER—III

SUPERINTENDENCE CONTROL AND ADMINISTRATION OF THE ARMED POLICE

9. Superintendence, Control and Administration of the Armed Police.—(1) The Superintendence of and control over, the Armed Police shall vest in the State Government and the Armed Police shall be administered by the State government in accordance with the provisions of the Act and of any rules made thereunder through the Inspector General, or such Deputy Inspector General and other officers as the State Government may from time to time direct in this behalf.

(2) The Headquarters of the Armed Police shall be at such place as may from time to time be specified by the State government.

(3) While on active duty outside the State the Armed Police shall be subject to the general control and direction of such authority or officer as may be prescribed or as may be specially appointed by the State Government in this behalf.

OFFENCES AND PUNISHMENTS

10. More heinous offences.—Every members of the Armed Police who—

- (a) begins, excites, causes or conspires to cause or joins in any mutiny, or, being present at any mutiny, does not use his utmost endeavour to suppress it, or knowing, or having reason to believe in the existence of any mutiny or of any intention or conspiracy to mutiny or of any conspiracy against the State does not, without delay, give information thereof to his superior officer ; or
- (b) uses or attempts to use, criminal force to, or commits an assault on, his superior officer, whether on or off duty, knowing or having reason to believe him to be such ; or
- (c) shamefully abandons or delivers up any post or guard which is committed to his charge, or which it is his duty to defend ; or
- (d) directly or indirectly holds correspondence with, or assist or relieves any person in arms against the State or omits to discover immediately to his superior officer any such correspondence coming to his knowledge ; or who, while on active duty ;
- (e) disobeys the lawful command of his superior officer ; or
- (f) deserts the Armed Police ; or

- (g) being a Sentry or otherwise detailed to remain alert, sleeps upon his post or quits it without being regularly relieved or without leave ; or
- (h) leaves his commanding officer or ; his post or party without authority ; or
- (i) quits his guard, picquet, party or patrol without being regularly relieved or without leave ; or
- (j) uses criminal force to or commits an assault on any person or forces a safeguard or breaks into any house or other place for plunder or destroys or damages property of any kind ; or
- (k) intentionally causes or spreads a false alarm in action or in camp, garrison or quarters ; or
- (l) displays cowardice in the execution of his duty ; or
- (m) rapes or assaults or uses criminal force to any woman, intending to outrage or knowing it to be likely that he will thereby outrage her modesty ; shall be punishable with imprisonment for life or with imprisonment of either description for a term which may be extended to fourteen years or with fine which may extend to three months pay or with both.

11. Less heinous offences.—Every member of the Armed Police who—

- (a) is in a State of intoxication when on, or after having been warned for, any duty or on parade or on the line or march ; or
- (b) strikes or attempts to force any sentry ; or
- (c) being in command or being a member of a guard, picquet or patrol, refuses 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 prisoner or person to escape ; or

- (d) being under arrest or in confinement, leaves his arrest or confinement, before he is set at liberty by lawful authority ; or
- (e) is grossly in subordinate or insolent to his superior officer in the execution of his office ; or
- (f) refuses to superintendent or assist in the making of any field work or other work of any description ordered to be made either in quarters or in the field ; or
- (g) strikes or otherwise ill-uses any member of the Armed Police subordinate to him in rank or position ; or
- (h) designedly or through neglect injures or losses or fraudulently disposes of his arms, clothes, tools, equipments, ammunition or accountrements, or any such articles entrusted to him or belonging to any other person ; or
- (i) malingers or feigns or produces disease or infirmity in himself or intentionally delays his cure, or aggravates his disease or infirmity ; or
- (j) with intent to render himself or any other person unfit for service voluntarily causes hurt to himself or any other person ; or
- (k) does not, when called upon by his superior officer so to do or upon ceasing to be a member of the Armed Police forthwith deliver up or duly account for, all or any arms ammunition, stores, accountrements or other property issued or supplied to him or in his custody or possession as such member ; or
- (l) knowingly furnishes a false return or report of the member or a state of any men under his command or charge or of any money, arms, ammunition, clothings, equipments, stores or other property in his charge, whether belonging to such men or to the Government or to any member of, or any person attached to, the Armed Police, or who through design or culpable neglect, omits or refuses to make or send any return or report of the matters aforesaid ; or

- (m) absents himself without leave, or without sufficient cause overstays leave granted to him ; or
- (n) is guilty of any act or omission which, though not specified in this Act, is prejudicial to good order and discipline ; or
- (o) contravenes any provision of this Act for which no punishment is expressly provided ; or

Who while not on active duty—

- (p) commits any of the offences specified in clause (c) to (1) (both inclusive) of section 10.

Shall be punishable with imprisonment for a term which may extend to one year, or with fine with fine which may extend to three months' pay or with both.

12. Attempt to or abetment of offences.—

(1) Every member of the Armed Police who abel any offence punishable under this Act, shall be punished with the punishment provided for the offence.

(2) Every member of the Armed Police who attempts to commit any offence punishable under this Act, or who causes such an offence to be committed, and in such attempt does any act towards commission of the offence shall where no express provision is made this Act, for the punishment of such attempt, be punished with the punishment provided for the offence.

13. Restrictions respecting right to form association, freedom of speech etc.—

(1) No member of the Armed Police shall, without the Express sanction of the State Government or of the prescribed authority.—

- (a) be a member of, or be associated in any way with, any trade union, labour union, political association, or with any class of trade unions, labour unions or political associations ; or
- (b) be a member of, or be associated in any way with, any other society institution, association, or organisation that is not recognised as part of the force of which he is a member or is not of a purely social, recreational or religious nature ; or

- (c) communicate with the press or publish or cause to be published any book letter or other document except where such communication or publication is in the bonafide discharge of his duties or is of a purely literary, artistic and scientific character or is of a prescribed nature.

Explanation ;— If any question arises as to whether any society, institution association or organisation is of a purely social, recreational or religious nature under clause (b) of this sub-section, the decision of the State Government thereon shall be final.

(2) No member of Armed Police shall participate in, or address any, meeting or take part in any demonstration organised by any body of persons for any political purposes or for such other purposes as may be prescribed.

14. **Penalty.** — Any person who contravenes the provisions of **section 13**, shall, without any prejudice to any other action that may be taken against him, be punishable with imprisonment for a term which may extend to two years, or with fine which may extend to two thousand rupees, or with both.

15. **Departmental punishments.**—(1) The Commandant or any other authority as may be prescribed, may subject to any rules made under this Act, impose on a member of the Armed Police one or more of the following punishments for disobedience, negligence in duty, remissness in the discharge of any duty or other misconduct which is prejudicial to good order and discipline of the Armed Police, that is to say :—

Minor punishments :

- (a) deprivation of acting or officiating 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 twentyeight days ;
- (d) confinement in quarter guard for not more than twentyeight days with or without punishment drill or extra guard or fatigue or other duty ;

- (e) removal from any office of distinction or special emolument in the Armed Police ;
- (f) censure or severe censure ;

Major punishment :

- (g) reduction in substantive rank ;
- (h) compulsory retirement ;
- (i) removal from service which shall not be a disqualification for future employment under the government ;
- (j) dismissal ;

Provided that punishment specified in clause (d)—shall not be imposed on any member of the Armed Police who is of or above the rank of a Lance Naik ;

(2) When in command of any detachment away from the headquarters, any officer, specially authorised by the Commandant in this behalf, may award any punishment specified in clause (c) or clause (d) of subsection (1) to a Constable or an Enrolled Follower.

(3) The Deputy Commandant, an Assistant Commandant or a subordinate officer not being below the rank of Inspector, Commanding a separate detachment or an outpost or in temporary command at the headquarters of a Battalion of the Armed Police, may, without a formal trial, award to any Constable or Enrolled Follower, 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 a sufficiently serious nature to require trial or 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, allowances during its continuance ;
- (b) punishment drill, extra-guard, fatigue or other duty, for not more than fourteen days, with or without confinement to quarters, lines or camp ;

(c) censure or severe censure :

Provided that the punishments specified in clause (a) and (b) shall not be awarded for a Havilder, Naik or Lance Naik.

(4) A Sub-Inspector who is temporarily in command of detachment or an outpost, may, in like manner and for the commission of any like offence, award to any Constable below the rank of Lance Naik or any Enrolled Follower, for the time being subject to his authority, any of the punishments specified in clause (b) of sub-section (3) for not more than seven days.

(5) When two or more punishments amounting to confinement within Armed Police and confinement in quarter guard are awarded to a person conjointly, whether or not he is already undergoing one or more of the said punishments, the total period of such confinement shall not exceed fortytwo days at a time.

(6) No order imposing any of the punishments specified in clauses (g) to (j) of sub-section (1) shall be made except after an inquiry held in the manner as may be prescribed.

16 Place of imprisonment and liability to dismissal on imprisonment.—(1) Every person sentenced under this Act to imprisonment may be dismissed from the Armed Police and shall further be liable to forfeiture of pay, allowances and any other money put to him, as well as of any medals and decorations received by him.

(2) Every such person shall, if he is so dismissed, be imprisoned in the prescribed prison, but if he is not also dismissed from the Armed Police, he may, if the Court or the Commandant so directs, be confined in the quarter guard or such other place as the Court or the Commandant may consider suitable.

17. **Deductions from pay and allowance.**—The following penal deductions may be made from the pay and allowances of a member of the Armed Police by his Company Commander, 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 15 ;

- (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 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 15 ; and
- (e) such sum as may be ordered by the Commandant or Deputy Commandant in order to make good any expense caused by the member of the Armed Police, or any loss of or damage or destruction done by him to any arms, ammunition, equipment, clothing, instruments or decorations belonging to the Armed Police or to any buildings or property.

18. Collective fines.—Whenever any weapon, part of a weapon or ammunition, forming part of the equipment of a Company or other similar unit of the Armed Police is lost or stolen, the Commandant may, after making such inquiry as he thinks fit and subject to such rules as may be prescribed, impose a collective fine upon the subordinate officers and men of such unit, or upon so many of them as, in his judgement should be held responsible for loss or theft.

19. Arrest.—(1) Any member of the Armed Police who commits any offence specified in Section 10 or Section 11 may be placed on open or close arrest by any officer of the Armed Police superior in rank to the offender ;

(2) Where any subordinate officer orders and arrest under sub-section (1), he shall forthwith or at the earliest opportunity report the arrest to the Company Commander or Detachment Commander who shall, after investigating the case order the release or the continued arrest of member of the Armed Police arrested.

20. Suspension.— (1) The Inspector General Deputy Inspector-General or the Commandant may place a member of the Armed Police under suspension pending inquiry or trial of an offence under this Act or any other law for the time being in force.

(2) A Deputy commandant or an Assistant commandant, when authorised by the Commandant, may place a Constable or an Enrolled Follower under suspension pending enquiry of trial of an offence under this Act or any other law for the time being in force.

(3) Unless otherwise ordered, a member of the Armed Police under suspension shall not leave the headquarters of the Battalion, Company or Platoon as may be specified by his superior officer, and such member under suspension shall attend all the Roll Calls at such headquarters.

CHAPTER—IV

MISCELLANEOUS

21. Powers and duties conferrable and imposable on members of the Armed Police and the superior officers.—(1) All superior officers and members of the Armed Police shall be deemed to be Police Officers under the Police Act, 1861 (V of 1861).

(2) Commandant, Deputy Commandant or assistant Commandant shall be entitled to all the privileges which a Police Officers has under sections 42 and 43 of the Police Act, 1861 and section 125 of the Indian Evidence Act, 1872 and under any other enactment for the time being in force ; and shall, subject to such rules as the State Government may from time to time make on this behalf, exercise all the powers of a district Superintendent of Police within the meaning of Police Act, 1861.

(3) Notwithstanding anything contained in the Code of Criminal Procedure, 1973 (Act No. 2 of 1974) any offence committed by a member of the Armed Police and punishable under this Act, shall be enquired into or tried by Arunachal Armed Police court only which may be convened under section 22 provided that—

- (i) when the offender is on leave or absent from duty or is on active duty ; or
- (ii) when the offence is not connected with the offender's duties as a member of the Armed Police ; or

- (iii) when an offence is committed by a member of the Armed Police along with any other person who is not subject to this Act and whose identity is known ;

the offence may, if the prescribed authority, within the limits of whose jurisdiction the offence has been committed, so directs, be enquired into or tried by an ordinary criminal court having jurisdiction.

22. Armed Police courts.—(1) Notwithstanding anything contained in the Criminal Procedure Code, 1973, there shall be the following classes of Armed Police Courts, namely :—

- (i) General Armed Police Court ;
- (ii) Battalion Armed Police Court.

(2) For the purpose of the Act, a General Armed Police Court or a Battalion Armed Police Court may be convened by the State Government or the Inspector General of Police.

- (3) (i) Every General Armed Police Court shall be presided over by three members to be appointed by the State Government or the Inspector General of Police.
- (ii) An officer not below the rank of a Superintendent of Police or Commandant who has completed at least seven years service in the same, equivalent or higher rank, shall be the presiding judge of a General Armed Police Court.
- (iii) Two officers of the rank of a superintendent of Police or a Commandant of the Armed Police or an Additional Superintendent of Police or a Deputy commandant who have completed at least three years service in the same or equivalent rank shall be the member judges of a General Armed Police Court.
- (4) (i) Every Battalion Armed Police Court shall be presided over by three members to be appointed by the State Government or the Inspector General of Police.

(ii) An officer not below the rank of a Superintendent of Police or a Commandant of the Armed Police shall be the presiding judge of a Battalion Armed Police Court.

(iii) Two officers not below the rank of an assistant commandant of the Armed Police shall be the member judge of a Battalion Armed Police Court.

(5) The decision of the majority members shall be the decision of armed Police court in respect of every order or judgement to be passed by such court.

(6) Subject to the other provision of this Act—

(a) any offence under section 10 or 12 of this Act shall be tried by General Armed Police Court ;

(b) any offence under section 10 or 12 of this Act shall be tried by a Battalion Armed Police Court.

Provided that a General Armed Police Court or a Battalion Armed Police Court shall not try an offence committed by a member of the Armed Police against the person or property of a person who is not subject to this Act.

(7) A General Armed Police Court or a Battalion Armed Police Court may pass such sentence as is authorised by this Act.

23. Appointment of Law Officer.—(1) Every Armed Police Court may be attended by an officer not below the rank of an Inspector of Police appointed by the Inspector-General of Police to act as a presenting officer for assisting such Court.

(2) Every trial by Armed Police Court under the provision of this Act shall be deemed to be judicial proceeding within the meaning of sections 193 and 228 of the Indian Penal Code and Armed Court shall be deemed to be a Court within the meaning of Section 345 and 346 of the Criminal Procedure Code, 1973.

(3) An offence committed by a member of the Armed Police may be enquired into and tried even after he ceases to be a member thereof.

24. Powers of Revision.—The State Government or the Inspector-General of Police may, on its or his own motion or otherwise, call for an examine the records of any proceedings before a General Armed Police Court as a Battalion Armed Court respectively for the purpose of satisfying itself or himself as to the correctness, legality or propriety of any finding, sentence or order recorded or passed, and pass such order as it or he may think fit.

25. Power of the State Government to direct trial by ordinary criminal court.—Notwithstanding anything contained in this Act the State Government may, at any time, direct any proceeding which is to be instituted or which is pending before Armed Police Court to be tried by an ordinary criminal court of competent jurisdiction.

26. Reference to the State Government regarding jurisdiction.— (1) If any ordinary criminal court is of opinion that an offence committed by a member of the Armed Police is triable by it, such court may by a notice in writing require the Inspector-General or Deputy Inspector General or the Commandant within whose command the accused person is serving or such other officer as may be prescribed to deliver over the offender to that court for trial.

(2) In every such case, the officer as aforesaid shall either comply with the order of the court or, if he is of opinion that such offence is triable by Armed Police Court, refer the question to the State Government for decision and inform the court about such reference.

(3) The decision of the State Government as regards the court by which such offence is triable shall be final and no Armed Police court of an ordinary criminal court shall proceed in regards to trial of such offence till the decision of the State Government.

27. Place of Trial.—Any person subject to this Act who commits any offence may be tried and punished for such offence in any place whatever.

28. Protection for acts done by the members of the Armed Police.—(1) Any member of the Armed Police when arrested shall be remanded to the custody of the quartermaster, unless otherwise directed by the court or by the Commandant or Deputy Commandant or Assistant Commandant.

(2) In any suit or proceeding against any member of the Armed Police for any act done by him in pursuance of a warrant or order of competent authority, it shall be lawful for him to plead that such act was done by him under the authority of such warrant or order.

(3) Any such plea may be proved by the production of the warrant or order directing the act, and if it is so proved, the member of the Armed Police shall thereupon be discharged from liability in respect of the act so done by him. Notwithstanding any defect in the jurisdiction of the authority which issued such warrant or order.

(4) Notwithstanding anything contained in any other law for the time being in force, no legal proceeding (whether civil or criminal) which may lawfully be brought against any member of the Armed Police for anything done or intended to be done under the powers conferred by or in pursuance of, any provision of this Act or the rules made thereunder, shall be commenced unless a notice in writing of such proceedings and of the cause thereof has been given to the defendant and his superior officer at least one month before the commencement of such proceeding.

29. Redressal of grievances.—Members of the Armed Police are prohibited from adopting any means other than those specified below for redressal of grievances—

(1) by petition to Commandant through proper channel or by personal appearance on request in the Orderly Room of the Commandant ;

(2) in periodical meetings to be presided over by the Commandant.

30. Powers of the State Government to disband or reconstitute the Armed Police.—

(1) The State government may, by notification in the official Gazette, disband or reconstitute the Armed Police or any Battalion thereof.

(2) Whenever the Armed Police or any Battalion 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 Government, with a view to such disbandment or reconstitution, to discharge any member of the Armed Police, and if he is enrolled under the Police Act, 1861, and has not been confirmed, discharge from the Police Force as well.

31. Power to make rules.—(1) The State Government may, by notification in the official Gazette, make rules for carrying out the purpose of this Act.

(2) In particular and without prejudice to the generality of the foregoing power, such rules may provide for all or any of the following matters, namely :—

- (a) regulating the classes and grades of and the pay, pension, and other remuneration of, members of the Armed Police and their conditions of service in the Armed Police.
- (b) regulating the powers and duties of officers authorised to exercise any function by or under this Act ;
- (c) fixing the period of service for members of the Armed Police ;
- (d) regulating the award of departmental punishments under section 15 and providing for appeals from, or the revision of, orders under that section or the remission of fines imposed under that section, and the remission of deductions made under section 17 ;
- (e) regulating the several or collective liability of members of the Armed Police in the case of the loss or theft of weapons and ammunition ;

- (f) for the disposal criminal cases arising under this act this act and for specifying the prison in which a person convicted in any such case may be confined.

(3) Every rule made under this Act shall be laid as soon as may be after it is made before the Legislative Assembly while it is in session for a total period of not less than fourteen days which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session in which it is so laid of the session aforesaid the Assembly make any modification in the rule or decide that the rule shall not be made, the rule shall thereafter have effect only in such modified form or be of no effect, as the case may be, so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule.

THE SCHEDULE STATEMENT

(See section 6)

After you have served in the Arunachal Armed Police for 7 years, or such period as the Government of Arunachal Pradesh may prescribe, you may, at any time when not on active duty, apply for discharge, through the officer to whom you may be subordinate, to the Commandant, and you will be granted your discharge after two months from date of your application, unless your discharge would cause the vacancies in the Armed Police to exceed one month of the sanctioned strength in which case you shall be bound to remain until this objection waived or removed. But when on active duty, you shall have no claim to a discharge, and you shall be bound to remain to do your duty until the necessity for retaining you in the Armed Police ceases when you may make your application in the above mentioned manner :

Provided that, if you wish to withdraw from the Armed Police, you may submit your resignation at any time before the expiration of the first three months of your service, but not afterwards, until the completion of the period prescribed, as aforesaid : the Commandant may either accept your resignation forthwith or at the end of three months from the date of its receipt :

Provided, also, that the Commandant, may, if he thinks fit allow you to resign at any time on your giving three months notice of your wish to do so.

In the event of your re-enrolment after you have been discharged, you will have no claim to reckon, for pension, seniority or any other purpose, your service previous to your discharge.

NAME IN BLOCK LETTERS

(Signature of the member of the Armed Police in acknowledgement of the above having been read out to him).

Father's name :

Address :

Village :

P.S. :

Post office :

District :

State :

Photograph of the candidate duly attested by the enrolling officer.

(Space for impression of the member's Left thumb to be taken in the presence of the enrolling officer).

(Signed in my presence after I had ascertained that the candidate understood the purport of what he signed).

Place. NAME IN BLOCK LETTERS,
Commandant,

Date. or other authorised enrolling Officer.