

ACT No. XVI OF 1873.

PASSED BY THE GOVERNOR GENERAL OF INDIA IN COUNCIL.

(Received the assent of the Governor General on the 21st
November 1873).

An Act to consolidate and amend the law relating to
Village and Road Police in the North-Western
Provinces.

WHEREAS it is expedient to consolidate and amend Preamble.
the law relating to the Village and Road Police
in the North-Western Provinces of the Presidency of
Fort William in Bengal; It is hereby enacted as
follows:—

I.—Preliminary.

1. This Act may be called “The North-Western Short title.
Provinces Village and Road Police Act, 1873:”

So far as regards the repeal of Act No. III of 1869, Local extent.
this Act extends to the whole of British India: the
rest of this Act extends only to the territories for the
time being under the government of the Lieutenant-
Governor of the North-Western Provinces;

And it shall come into force on the passing thereof. Commence-
ment.

2. Act No. III of 1869 (*for the maintenance of* Repeal of en-
actments.
the Rural Police in the North-Western Provinces) and
so much of section twenty-one of Bengal Regulation
XX of 1817, and of form No. 6 of the Appendix
thereto, as relates to the Village Watchmen of the
North-Western Provinces, are hereby repealed.

II.—Appointment of Village Police.

3. The nomination to the post of Village Police- Right of
nomination
of Village
Policemen.
man shall be made by the zamindár of the village,
or, where there are more zamindárs than one, by the
lambardár as their representative, and where there
are more lambardárs than one, the opinion of the
majority (unless there is some special provision to
the

the contrary in the village administration paper) shall prevail.

Obligation to nominate.

4. Every person authorized to nominate to the office of Village Policeman shall, within fifteen days after the occurrence of a vacancy in such office, nominate a proper person to the vacant post, and communicate the nomination to the Magistrate of the District.

Discretion to appoint or reject nominee.

5. The person so nominated shall, after due enquiry into his age, character and ability, be appointed or rejected at discretion by such Magistrate, or by some officer authorized by him in that behalf.

Power to Magistrate to appoint.

6.—(a.) In default of such nomination within the said fifteen days, the Magistrate of the District shall appoint such person as he thinks fit to the vacancy.

Procedure in case of rejection of nominee.

(b.) If the nomination has been made within the said fifteen days, but the nominee is rejected, the person authorized to nominate shall, within fifteen days from the date of such rejection, nominate another person to the vacant post; and in default of such nomination, or if such nomination has been made, but the nominee is again rejected, the Magistrate of the District shall appoint such person as he thinks fit to the vacancy.

III.—*Appointment of Road Police.*

Appointment of Road Police.

7. Subject to the rules to be framed under section fourteen and for the time being in force, the Magistrate of the District may, from time to time, appoint persons to be the Road Police of his District.

IV.—*Duties of Village and Road Police.*

Duties of Village and Road Policemen.

8. Every Village Policeman and every Road Policeman shall perform the following duties:—

(a). He shall give immediate information to the officer in charge of the police-station appointed for his village or beat,

(1.) of every unnatural, suspicious, or sudden death occurring in the village of which he is Chaukidár, or within his beat;

(2.) of each of the following offences occurring in such village or on such beat, (that is to say)

say) murder, culpable homicide, rape, dacoity, theft, robbery, mischief by fire, house-breaking, counterfeiting coin, causing grievous hurt, riot, harbouring a proclaimed offender, exposure of a child, concealment of birth, administering stupefying drugs, kidnapping, lurking house-trespass, and

(3.) of all attempts and preparations to commit, and abetments of, any of the said offences.

(b.) He shall keep the Police informed of all disputes which are likely to lead to any riot or serious affray.

(c.) He shall arrest all proclaimed offenders, and all persons whom he may find in the act of committing any offence specified in paragraph (a), clause (2) of this section.

(d.) He shall observe, and from time to time report to the officer in charge of the police-station within the jurisdiction of which his village or beat may be situate, the movements of all bad characters in or on such village or beat.

(e.) He shall report to the officer in charge of such police-station the arrival of suspicious characters in the neighbourhood.

(f.) He shall supply to the best of his ability any local information which a Magistrate or any officer of Police may require, and shall promptly execute all orders issued to him by competent authority,

9. Whenever a Village Policeman or Road Policeman arrests any person, he shall take him as soon as possible to the police-station within the jurisdiction of which his village or beat is situate.

Procedure on arrest by Village or Road Policeman.

V.—Liabilities of Village and Road Police.

10. The Magistrate of the District may dismiss any Village Policeman or Road Policeman for any misconduct or neglect of duty.

Dismissal of Village or Road Policeman.

11. Every Village Policeman and every Road Policeman guilty of any wilful misconduct in his office, or of neglect of duty, such misconduct or neglect not being

Acts punishable.

being an offence within the meaning of the Indian Penal Code,

or withdrawing from the duties of his office without permission, and without having given at least two months' notice of his intention to withdraw from such duties to the persons authorized to nominate or appoint under sections three and seven (as the case may be),

or offering any unnecessary personal violence to any person in his custody,

or violating any of the rules framed under section fourteen and for the time being in force,

Penalty.

shall be liable, on conviction before a Magistrate, to a penalty not exceeding three months' pay, or to imprisonment for a period not exceeding three months, or to both.

Fines to be credited to such fund as Government appoints.

12. All fines levied under this Act on Village Policemen or Road Policemen shall be credited to such fund as the Local Government from time to time appoints.

VI.—Miscellaneous.

Orders of Magistrate of District subject to control of Commissioner.

13. All orders of, and appointments made by, the Magistrate of the District under section five, six, seven or ten shall be subject to control, revision and alteration by the Commissioner to whom he is subordinate.

Power to make subsidiary rules.

14. The Local Government may from time to time frame rules

- (a) for the discipline of the Village and Road Police,
 - (b) for regulating their numbers, location and duties,
- and
- (c) for carrying out generally the purposes of this Act.