

**MEGHALAYA ORDINANCE 4 OF 1971****THE MEGHALAYA SUBSIDIARY FORCE ORDINANCE, 1971**

[Promulgated by the Governor on the 4<sup>th</sup> June, 1970]

*(Published in the Gazette of Meghalaya, Extraordinary dated the 4<sup>th</sup> June, 1971)*

**An**

**Ordinance**

**to provide for constitution of a force to be known as Meghalaya Subsidiary Force**

WHEREAS it is expedience to provide for the constitution of a force in Meghalaya to be known as the “Meghalaya Subsidiary Forces”.

AND WHEREAS the legislative Assembly of Meghalaya is not in Session and the Governor is satisfied that circumstances exist which render it necessary for him to take immediate action;

NOW, THEREFORE, in exercise of the powers conferred by sub-section (1) of Section 50 of the Assam Re-organisation (Meghalaya) act, 1969, the Governor of Assam exercising his function as Governor in relation to Meghalaya is pleased to promulgate in the Twenty-second Year of the Republic of India the following Ordinance:-

Short title and commencement.

1. (1) This Ordinance may be called the Meghalaya Subsidiary Force Ordinance, 1971.
  - (2) It shall come into force at once.
2. In the Ordinance, unless there is anything repugnant in the subject or context:-
  - (a) “Force” means the Meghalaya Subsidiary Force constituted under this Ordinance;
  - (b) “Government” means “Government of Meghalaya”;
  - (c) “Prescribed” means prescribed by rules made under this Ordinance;

- (d) "Relief Camp" includes any place, locality or area as may be declared as Relief Camp by Government for the purpose of this Ordinance.

Constitution of  
Meghalaya Subsidiary  
Force.

3. (1) In Meghalaya or part thereof, the Government may raise and maintain a Force to be called Meghalaya Subsidiary Force which shall consist of such number of persons and shall be constituted in such manner as the Government may, by order, direct.

(2) The Force in Meghalaya shall for the purpose of this Ordinance be deemed to be a single, force and the members thereof be formally appointed.

(3) There shall be paid to each officer and member of the Force such monthly salary, remuneration or honorarium as may be determined by the Government from time to time.

General  
Superintendence.

4. (1) The general superintendence of the Force throughout Meghalaya shall vest in and shall be exercised by the Government through an Officer to be styled as the Director of the Subsidiary Force in such manner and to such extent as the Government of Meghalaya may deem fit.

(2) Subject to sub-section (2) of section 3, there shall be a Commandant of the Force for every district, or part thereof and such other officers subordinate to him as may be necessary.

Appointment of  
officers and members.

5. (1) The Director of Subsidiary Force and the Commandant shall be appointed by the Government in such manner as may be determined by the Government.

(2) The appointment of other officers and members shall be made in such manner and by such authority as may be determined by the Government.

Duties and function of  
the Force.

6. (1) The following shall be the duties and functions of the Force, namely:-
- (a) to assist and aid the police in the maintenance of law and order in Meghalaya;
  - (b) to report to the Deputy Commissioner in such a manner as the later may direct, all crimes, unnatural deaths or serious accidents,
  - (c) to prevent commission of any cognizable offence;
  - (d) to apprehend and deliver to the competent authority vagrant or bad and suspicious character, found within their jurisdiction;
  - (e) to collect and communicate to the Deputy Commissioner intelligence affecting law and order and any matter relating to any village or town and administration;

- (f) to protect Government and other public properties;
- (g) to obey and execute promptly or orders and warrants lawfully issued by any court;
- (h) to act under the orders of the Deputy Commissioner and to furnish such returns and information as may be called by the Deputy Commissioner and his subordinate officers;
- (i) to assist the Deputy Commissioner, and the subordinate officers in maintaining order discipline in Relief Camp;
- (j) to do other social work as may be entrusted by competent authority; and
- (k) to perform such other duties as are specified under other provisions of this Ordinance and as the Government may, from time to time, by general or special order specify in this behalf.

(2) Every officer or member shall have the power to arrest any proclaimed offender or any person who in his views commits a non-bailable and cognizable offence. Any person so arrested shall be produced before the nearest Magistrate within a period of 24 hours of such arrest excluding the time necessary for the journey from the place of arrest to the court of the Magistrate.

Duty, Training of officer and member.

- 7. (1) Subject to any rules made in this behalf, it shall be the duty of every officer and member of the Force promptly to obey and execute all orders issued to him by any competent authority.
- (2) Subject to any rules made in this behalf the officers and the members of the Force may be required to undergo such training as may be prescribed.

Uniform.

- 8. The officers and members of the Force shall wear such uniform and shall use such equipments as may be prescribed by the Government from time to time.

Bar to prosecution.

- 9. No prosecution shall be instituted against any officer or member of the Force in respect of anything done or purported to be done by him in discharge of his duties, except with the previous sanction of the Government of some officer empowered by the Government in this behalf.

Penalty

- 10. (1) Every officer or member of the Force who is guilty of any violation of duty or wilful breach or neglect of any provisions of this Ordinance or any rule or lawful order made by competent authority, or withdrawal from the duties of his office without permission or who being required to undergo training without sufficient cause neglect or refuses to obey the requirements for training, shall be punishable with imprisonment of either description for a term which may extend to three months or with fine which may extend to rupees two hundred and fifty or with both.

(2) The offence punishable under sub-section (1) shall be cognizable.

Suits, etc. against  
officers and members  
acting on good faith,

11. No suit, prosecution or legal proceeding shall lie-against any officer or member of the Force for anything done in good faith under this Ordinance.

Power to make rules.

12. (1) The Government may make rules for carrying out the purpose of this Ordinance.

(2) In particular, and without prejudice to the generally of the foregoing powers, such rules may provide for or regulate all or any of the following matters, namely:-

- (a) all matters which are required by this Ordinance to be prescribed ;
- (b) the organisation, appointment, conditions of serviced, functions, discipline, equipments, or uniform of the Force and the manner in which they may be called out for service or required to undergo training, and
- (c) any other matter.