

TRIPURA STATE RIFLES ACT, 1983

(As amended up to date)

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Tripura Act No. 4 of 1984.

TRIPURA STATE RIFLES ACT, 1983

AN

ACT

to provide for the Constitution and regulation of the Tripura State Rifles.

WHEREAS it is expedient to provide for the constitution and regulation of the Tripura State Rifles :

BE it enacted by the Tripura Legislative Assembly in the Thirty 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 Tripura State Rifles Act, 1983.

(2) It extends to the whole of Tripura.

(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 Rifles, 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 Rifles 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) "Assistant Commandant" means a person appointed by the State Government to be an Assistant Commandant of a Battalion of the Rifles, who may be assigned with the duties of an Adjutant, Quartermaster or Company Commander by the Commandant ;
- (c) "Close arrest" means confinement within the Lines or a detachment or a post or quarter guard building or tent under charge of a guard ;
- (d) "Commandant" means a person appointed by the State Government to be a Commandant of a Battalion of the Rifles ;
- (e) "Deputy Commandant" means a person appointed by the State Government to be the Second-in-Command of a Battalion of the Rifles ;
- (f) "Deputy Inspector-General" means a Deputy Inspector-General of Police, Tripura, who has been empowered by the State Government to do the duties relating to regulation of the Rifles and to exercise powers and functions under this Act ;
- (g) "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 ;
- (h) "Inspector-General" means the Inspector-General of Police, Tripura ;
- (i) "Member of the Rifles" means a person who has been appointed to the Rifles by the Inspector-General or, as the case may be, by the Commandant and includes a subordinate Officer, a Rifleman, an Enrolled Follower and a person appointed in subordinate rank under the Police Act, 1861 or in Defence Service or a paramilitary personnel, posted to the Rifles on deputation in such ranks ;
- (j) "Naib Subedar" means a person appointed by the Commandant to be a Naib Subedar 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 ;
- (k) "Open arrest" means confinement within the precincts of any barracks, lines or camp for the time being occupied by any part of the Rifles ;
- (l) "Prescribed" means prescribed by rules made under this Act ;

- (m) "Quarter Guard" means a building or tent under guard within the precinct of the Headquarters of a Battalion, Company or Platoon of the Rifles 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 Rifles accused of or convicted for any offence under this Act or other Acts;
- (n) "Rifleman" means a person appointed as Rifleman by the Commandant and includes a Havildar, Naik and Lance-Naik;
- (o) "State Government" means the Government of Tripura.
- (p) "Subordinate Officer" means a member of the Rifles who is of the rank of Subedar or Naib Subedar;
- (q) "Subedar" 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, Tripura;
- (r) "Superior Officer" in relation to any member of the Rifles, means-
- (i) any officer of a rank which is higher than that of such member; and
 - (ii) a Commandant, Deputy Commandant or Assistant Commandant;
- (s) "the Rifles" means the Tripura State Rifles;
- (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 meaning assigned to them in that code.

CHAPTER—II

CONSTITUTION OF THE RIFLES AND GENERAL DUTIES OF THE MEMBERS OF THE RIFLES

4. Constitution of the Rifles—(1) There shall be a force raised and maintained by the State Government and called the Tripura State Rifles.

(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 Rifles into Battalion, each Battalion into companies, each company into platoons and each platoon into Sections, 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 Rifles 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 Rifles 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 Subedars.

Provided that the Inspectors of Police, Tripura, may also be deputed to the Rifles as Subedars by the Inspector-General.

(4) The Commandant may appoint Subordinate officers (other than Subedars), Rifleman and Enrolled Followers.

6. Enrolment.—Before a person is appointed to be a member of the Rifles, 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 acknowledgement of its having been read out to him;

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

7. Resignation and Withdrawal from the Rifles.—No member of the Rifles shall be at liberty:—

- (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 Rifles.—It shall be the duty of every member of the Rifles 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 Rifles 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 RIFLES

9. Superintendence Control and Administration of the Rifles.—

(1) The Superintendence of, and control over, the Rifles shall vest in the State Government and the Rifles shall be administered by the State Government in accordance with the provisions of this 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 Rifles 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 Rifles 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 member of the Rifles 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 assists 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 Rifles; 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 extend to fourteen years or with fine which may extend to three months' pay or with both".

11. Less heinous offences.—Every member of the Rifles 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 insubordinate or insolent to his superior officer in the execution of his office ; or
- (f) refuses to superintend 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 Rifles subordinate to him in rank or position ; or
- (h) designedly or through neglect injures or loses or fraudulently disposes of his arms, clothes, tools, equipments, ammunition or accoutrements, 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 Rifles, forthwith deliver up or duly account for, all or any arms, ammunition, stores, accoutrements 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 number or 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 Rifles, 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 (e) to (l) (both inclusive) of section 10.

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

IIA. Attempt to or abetment of offences --

- (1) Every member of the Rifles who abet any offence punishable under this Act, shall be punished with the punishment provided for the offence.
- (2) Every member of the Rifles 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 by this Act, for the punishment of such attempt, be punished with the punishment provided for the offence.

12. 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 rifles 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 Rifles, 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 twenty-eight days ;
- (d) confinement in quarter guard for not more than twenty eight 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 Rifles ;
- (f) censure or severe censure.

Major Punishments :

- (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 Rifles 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 sub-section (1) to a Rifleman or an Enrolled Follower.

(3) The Deputy Commandant, an Assistant Commandant or a subordinate officer not being below the rank of Subedar, Commanding a separate detachment or an outpost or in temporary command at the headquarters of a Battalion of the Rifles, may, without a formal trial, award to any Rifleman 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 of 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 punishment specified in clause (a) and (b) shall not be awarded to a Havildar, Naik or Lance Naik.

(4) A Naib Subedar 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 Rifleman 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 in lines 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 forty-two days at a time.

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

13. Place of imprisonment and liability to dismissal on imprisonment—

(1) Every person sentenced under this Act to imprisonment may be dismissed from the Rifles and shall further be liable to forfeiture of pay, allowances and any other money due 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 Rifles, he may, if the Court of the Commandant so directs, be confined in the quarter guard or such other place as the Court or the Commandant may consider suitable.

14. Deduction from pay and allowance.—The following penal deductions may be made from the pay and allowances of a member of the Rifles 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 12 ;
- (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 12 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 Rifles, or any loss of or damage or destruction done by him to any arms, ammunition, equipment, clothing, instruments or decorations belonging to the Rifles or to any buildings or property.

15. 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 Rifles, 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 such loss or theft.

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

(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 Rifles arrested.

17. Suspension—(1) The Inspector-General, Deputy Inspector-General or the Commandant may place a member of the Rifles 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 Rifleman or an Enrolled Follower under suspension pending enquiry or 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 Rifles 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.

18. Powers and duties conferrable and imposable on members of the Rifles, and the superior officers.—

(1) All superior officers and members of the Rifles 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 Officer has under section 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 in this behalf, exercise all the power of a District Superintendent of Police within the meaning of the 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 Rifles and punishable under this Act, shall be enquired into or tried by a Rifles' court only which may be convened under section 18A;

Provided that—

- (i) when the offender is on leave or absent from duty or is not on active duty; or
- (ii) when the offence is not connected with the offender's duties as a member of the Rifles; or
- (iii) when an offence is committed by a member of the Rifles 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.

18-A. Rifles Courts—

(1) Notwithstanding anything contained in the Criminal Procedure Code, 1943, there shall be the following classes of Rifles Courts, namely:—

- (i) General Rifles Court;
- (ii) Battalion Rifles Court

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

(3)(i) Every General Rifles 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 Rifles Court.

(iii) Two officers of the rank of a Superintendent of Police or a Commandant of the Rifles 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 Rifles Court.

(4)(i) Every Battalion Rifles 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 Rifles shall be the Presiding judge of a Battalion Rifles Court.

(iii) Two Officers not below the rank of an Assistant Commandant of the Rifles shall be the member-judge of a Battalion Rifles Court.

(5) The decision of the majority members shall be the decision of a Rifles Court in respect of every order of judgement to be passed by such court.

(6) Subject to the other provisions of this Act :—

(a) any offence under section 10 or 11A of this Act shall be tried by General Rifles Court ;

(b) any offence under section 11 or 11A of this Act shall be tried by a Battalion Rifles Court :

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

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

13-B Appointment of law officer :—

(1) Every Rifles 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 law officer for assisting such court.

(2) Every trial by a Rifles 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 a Rifles Court shall be deemed to be a Court within the meaning of Sections 345 and 346 of the Criminal Procedure Code 1973.

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

18-C. Powers of Revision.--

The State Government or the Inspector-General of Police may, on its or his own motion or otherwise, call for and examine the records of any proceedings before a General Rifles Court or a Battalion Rifles 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.

18-D. 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 a Rifles Court to be tried by an ordinary criminal court of competent jurisdiction.

18-E 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 Rifles 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 a Rifles 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 Rifles court or an ordinary criminal court shall proceed in regard to trial of such offence till the decision of the State Government.

18-F. Place of Trial--

Any person subject to this Act who commits any offence may be tried and punished for such offence in any place whatsoever.

(19) Protection for acts done by the members of the Rifles.—

(1) Any member of the Rifles when arrested shall be remanded to the custody of the Quarterguard, 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 Rifles for any act done by him in pursuance of a warrant or order of a 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 Rifles 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 Rifles for any thing 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.

20. Redressal of grievances.—Members of the Rifles 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;

(3) in such other manner as may be prescribed;

21. Powers of the State Government to disband or reconstitute the Rifles.—

(1) The State Government may, by notification in the Official Gazette, disband or reconstitute the Rifles or any Battalion thereof.

(2) Whenever the Rifles 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 Rifles, and if he is enrolled under the Police Act, 1861, and has not been confined, discharge from the Police Force as well.

22. 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 Rifles, and their conditions of service in the Rifles;
- (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 Rifles,
- (d) regulating the award of departmental punishments under section 12 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 14 ;
- (e) regulating the several or collective liability of members of the Rifles in the case of the loss or theft of weapons and ammunition,
- (f) for the disposal of criminal cases arising under 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 or the sessions 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 Tripura State Rifles for 7 years, or such period as the Government of Tripura 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 the date of your application, unless your discharge would cause the vacancies in the Rifles to exceed one-tenth 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 Rifles ceases when you may make your application in the above mentioned manner :

Provided that, if you wish to withdraw from the Rifles, 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 Rifles 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 members' 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).

(NAME IN BLOCK LETTERS)

Commandant,
or other authorised enrolling
officer

Place.....

Date.....

Note : Original Act published in Tripura Gazette (Extraordinary Issue) on 27.8.84. Amending Act (Act 6 of 1985) published in Tripura Gazette Extraordinary Issue) on 28.6.85. Original Act received assent of the President of India on 4.7.84. Amending Act received assent of the President of India on 22.2.85.

Tripura Act No. 6 of 1985

**THE TRIPURA STATE RIFLES (AMENDMENT)
ACT, 1985**

Published in the
EXTRA ORDINARY ISSUE OF TRIPURA GAZETTE

Agartala, Friday, June 28, 1985 A. D.
Asadha 7, 1907 S. E.

Government of Tripura
Law Department

No. F. 2(8)-LAW/LEG/85

Dated, Agartala, the 14th June, 1985.

The following Act of the Tripura Lagislative Assembly received assent of the President on 22.2.1985 and is hereby published for general information.

By order of the Governor,
A. B. Paul
Deputy Secretary to the
Government of Tripura.

THE TRIPURA STATE RIFLES (AMENDMENT) ACT, 1984.

An

Act

to amend the Tripura State Rifles Act, 1983.

Be it enacted by the Tripura Legislative Assembly in the Thirty Fifth Year of the Republic of India as follows :—

1. Short title and commencement :—

- (1) This Act may be called the Tripura State Rifles (Amendment) Act, 1984.
- (2) It shall come into force on the same date when the Tripura State Rifles Act, 1983 (No. 4 of 1983) comes into force.

2. Amendment of section 10.—

In section 10 of the Tripura State Rifles Act, 1983 (hereinafter called as the Principal Act),

- (i) for clause (g) the following clause shall be substituted, namely :—

“(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”

- (ii) for clause (h), the following clause shall be substituted, namely :—

“(h) leaves his commanding officer or his post or party without authority ; or”.

- (iii) for clause (j), the following clause shall be substituted, namely :—

“(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” ;

- (iv) the word “or” shall be added at the end of clause (L) and after clause (L), the following new clause shall be inserted, namely :—

“(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” ;

- (v) for the concluding paragraph, the following paragraph shall be substituted, namely :—
“shall be punishable with imprisonment for life or with imprisonment of either description for a term which may extend to fourteen years or with fine which may extend to three months’ pay or with both”.

3. Amendment of section 11.—

In the principal Act, in clause (c) of section 11, after the words “being in command” and before the words “of a guard” the words “or being a member” shall be inserted.

4. Insertion of new section 11A.—

In the principal Act, after section 11, the following section shall be inserted, namely :—
“11 A. Attempt to or abetment of offences—

- (1) Every member of the Rifles who abet any offence punishable under this Act, shall be punished with the punishment provided for the offence.
- (2) Every member of the Rifles 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 by this Act, for the punishment of such attempt, be punished with the punishment provided for the offence.

5. Amendment of section 12.—

In the principal Act, in section 12,—

- (i) for the words "Minor punishments" appearing at the beginning, the words "Departmental punishments" shall be substituted ;
- (ii) for sub-section (1) and the proviso thereto, the following sub-section and the proviso shall be substituted, namely :—

"(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 rifles 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 Rifles, 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 twenty eight days ;
- (d) confinement in quarters guard for not more than twenty eight 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 Rifles ;
- (f) censure or severe censure ;

Major Punishments :

- (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 Rifles who is of or above the rank of a "Lance Naik" ;

- (iii) After sub-section (5), the following sub-section shall be inserted, namely :—

"(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"

6. Amendment of section 18—

In section 18 of the principal Act, for sub-section (3), the following sub-section shall be substituted, namely :—

- "(3) Notwithstanding anything contained in the Code of Criminal procedure, 1973 (Act No. 2 of 1974) any offence committed by a member of the rifles and punishable

under this Act, shall be enquired into or tried by a Rifles' court only which may be convened under section 18 A:

Provided that

- (i) when the offender is on leave or absent from duty or is not on active duty; or
- (ii) when the offence is not connected with the offender's duties as a member of the Rifles; or
- (iii) when an offence is committed by a member of the Rifles 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.

Insertion of new Section :—

In the principal Act, after section 18, the following sections shall be inserted, namely :—

"18A. Rifles Court—

(1) Notwithstanding anything contained in the Criminal Procedure Code, 1973 there shall be the following classes of Rifles courts, namely :—

(i) General Rifles Court;

(ii) Battalion Rifles Court.

(2) For the purposes of the Act, a General Rifles court or a Battalion Rifles court may be convened by the State Government or the Inspector General of Police.

(3) (i) Every General Rifles 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 Rifles Court.

(iii) Two officers of the rank of a Superintendent of Police or a Commandant of the Rifles 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 Rifles Court.

(4) (i) Every Battalion Rifles 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 Rifles shall be the presiding judge of a Battalion Rifles Court.

(iii) Two officers not below the rank of an Assistant Commandant of the Rifles shall be the member judges of a Battalion Rifles Court.

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

(6) Subject to the other provisions of this Act,—

(a) any offence under section 10 or 11A of this Act shall be tried by General Rifles Court;

- (b) any offence under section 11 or 11A of this Act shall be tried by a Battalion Rifles Court :

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

- (1) A General Rifles Court or a Battalion Rifles Court may pass such sentence as is authorised by this Act.

18 B. Appointment of law officer.—

- (1) Every Rifles 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 law officer for assisting such court.
- (2) Every trial by a Rifles court under the provision of this Act shall be deemed to be a judicial proceeding within the meaning of sections 193 and 228 of the Indian Penal Code and Rifles Court shall be deemed to be a Court within the meaning of sections 345 and 346 of the Criminal Procedure Code, 1973.
- (3) An offence committed by a member of the Rifles may be enquired into and tried even after he ceases to be a member thereof.

18 C. Powers of Revision.—

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

18 D. 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 a Rifle Court to be tried by an ordinary criminal court of competent jurisdiction.

18 E. Reference to the State Government regarding jurisdiction.—

- (1) If an ordinary criminal court is of opinion that an offence committed by a member of the Rifles 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 a Rifles 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 Rifles court or an ordinary criminal court shall proceed in regard to trial of such offence till the decision of the State Government.

18. F. 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."

8. Amendment of section 19.—

In section 19 of the Principal Act, for sub-section (4), the following sub-section shall be substituted, namely :—

"(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 Rifles for any thing 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."

9. Amendment of section 22.—

In clause (d) of sub-section (2) of section 22 of the principal Act, for the word "minor", the word "Departmental" shall be substituted.

By Order of the Governor,
A. B. Paul
Deputy Secretary to the
Government of Tripura.

885-
THE TRIPURA ACT NO. 1 OF 2007.



**THE TRIPURA STATE RIFLES
(SECOND AMENDMENT)
ACT, 2006.**

Published in the

EXTRAORDINARY ISSUE OF TRIPURA GAZETTE

Agartala, Wednesday, February 7, 2007 A. D., Magha 18, 1928 S. E.

**Government of Tripura
Law Department.**

No.F.8(9)-Law/Leg/2006

Dated, Agartala, the 6th February, 2007.

The following Act of the Tripura Legislative Assembly received the assent of the Governor on 03-02-2007 and is hereby published for general information.

S. C. Das
Law Secretary,
Government of Tripura.

The Tripura Act No. 1 of 2007.

THE TRIPURA STATE RIFLES (SECOND AMENDMENT) ACT, 2006.

AN

ACT

Further to amend the Tripura State Rifles Act, 1983

BE it enacted by the Tripura Legislative Assembly in the 57th year of the Republic of India as follows:-

- | | | |
|---|----|--|
| Short title and Commencement | 1. | (1) This Act may be called "The Tripura State Rifles (Second Amendment) Act, 2006.

(2) It shall come into force at once. |
| Amendment of Sub-Clause (iv) of Clause(a) of Section 3. | 2. | In the Tripura State Rifles Act, 1983 (Hereinafter referred to as the Principal Act) -

In Sub-Clause (iv) of Clause (a) of Section 3 for the words " Inspector General" the words " Director General of Police" shall be substituted. |
| Amendment of Clause(q) of Section 3. | 3. | In the Principal Act in Clause (q) of Section (3) for the words "Inspector General" the words " Director General of Police" shall be substituted. |
| Amendment of Sub-Section(3) of Section 5. | 4. | In the Principal Act, in Sub-Section (3) of Section (5) and in the proviso thereto for the words " Inspector General" the words "Director General of Police" shall be substituted. |

- | | | |
|---|----|---|
| Amendment
of Sub-Section(1) of
Section 9. | 5. | In the Principal Act, in Sub- Section (1) of Section 9 after the words " there under through" and before the words "The Inspector General" the following words shall be inserted such as " Director General of Police or". |
| Amendment
of Sub-Section(1) of
Section 17. | 6. | In Sub-Section (1) of Section 17, the words "Director General of Police or" shall be added at the beginning of the sentence before the words "The Inspector General". |
| Amendment of Sub-
Section (2) and Clause
(i) of Sub-Section (3) of
Section 18A and Sub-
Section (1) of Section
18 B. | 7. | In Sub-Section (2) of Section 18A and in Clause (i) of Sub-Section (3) of Section 18A and in Sub Section (1) of Section 18B the words " Inspector General of Police" wherever they occur shall be substituted by the words " Director General of Police". |
| Amendment
of Section 18C. | 8. | In Section 18C after the words " The State Government " and before the words " or The Inspector General of Police" the words " or The Director General of Police" shall be inserted. |
| Amendment
of Sub-Section(1) of
Section 18E. | 9. | In Sub-Section (1) of Section 18E after the words "require" and before the words " Inspector General" the words " Director General of Police or " shall be inserted. |

S. C. Das
Law Secretary,
Government of Tripura.

**THE TRIPURA STATE RIFLES
(THIRD AMENDMENT)
ACT, 2010**

Published in the
Extraordinary Issue of Tripura Gazette



Agartala, Friday, December 31, 2010 A. D., Pausa 10, 1932 S. E.

Government of Tripura
Law Department

No.F.8(14)-Law/Leg-I/2010

Agartala, the 31st December, 2010.

- The following Act of the Tripura Legislative Assembly received the assent of the Governor on the 27th December, 2010 and is hereby published for general information.

Samiran Das
Secretary, Law.
Government of Tripura.

THE TRIPURA STATE RIFLES (THIRD AMENDMENT) ACT, 2010.

AN

ACT

Further to amend the Tripura State Rifles Act, 1983

BE it enacted by the Tripura Legislative Assembly in the 61st year of the Republic of India as follows:-

- | | |
|---|--|
| <p>Short title and Commencement.</p> | <p>1. (1) This act may be called "The Tripura State Rifles (Third Amendment) Act, 2010.</p> <p>(2) It shall come into force on the date of its publication in the Official Gazette.</p> |
| <p>Amendment of Clause (n) of Section 3.</p> | <p>2. In the Tripura State Rifles Act, 1983 (Hereinafter referred to as the Principal Act) –</p> <p>In Clause (n) of Section (3) for the words "Habilder, Naik and Lance Naik" – the words "Habilder and Naik" shall be substituted.</p> |
| <p>Amendment of Proviso to sub-section (1) of Section 12.</p> | <p>3. In the Principal Act in the proviso to Sub-section (1) of Section 12 the words, "Lance Naik" shall be substituted with the word "Naik"</p> |
| <p>Amendment of Proviso to Sub-Section (3) of section 12.</p> | <p>4. In the Principal Act in proviso to Sub-section (3) of section 12 the words, "Naik or Lance Naik" shall be substituted with the word "Naik"</p> |
| <p>Amendment of Sub section (4) of Section 12</p> | <p>5. In the Principal Act in proviso to Sub-section (4) of Section 12 the words, "Lance Naik" shall be substituted with the word "Naik"</p> |

Samiran Das
Secretary, Law.
Government of Tripura.