

## PUNJAB COMPULSORY SERVICE ACT, 1961

1961 Pb. Act 5 THE PUNJAB COMPULSORY SERVICE ACT, 1961 (PUNJAB CT No OF 961) [Received the assent of the President of India on the 2nd February, 1961, and first published for general information in the Punjab Government—Gazette 9th Supplement (Extraordinary), 23 February, 1961. Year 1961 No. The Punjab Service Act 1961 (Punjab Government Order, 1968 CT to authorise the Imposition of compulsory service for a public purpose. BE it enacted by the Legislature of the State of Punjab in the wellf as follows 1. (1) This Act may be called the Punjab Compulsory Service Act 1961 2) It extends to the whole of the Union Territory of Chandigarh]. IFOR Statement of Objects and Reasons see Punjab Government Gazette (Extraordinary), 1960, Page 686. 2 For Statement of Objects and Reasons, see Punjab Government Gazette (Extraordinary), 1964, pages 935—37. 3 Substituted for the words "State of Punjab" by the Punjab Reorganisation (Chandigarh) (Adaptation of Laws State and Concurrent Subjects) Order, 1968. 1961 E PUNJAB COMPULSORY SERVICE definition requires a "District Magistrate" in order to be otherwise District Magistrate of the district in which a notified area is situated ) "compulsory service" means an act required by the Development Officer of the notified area concerned to be performed by a person for a public purpose ; (c) Development Officer" means the District Development Officer of the notified area concerned, and includes any other officer appointed by the [Central Government by notification for performing the function assigned to a Development Officer under this Act; (d) "notified area" means an area declared under section 3; (e) "person" means a person of not less than 18 years of age, but does not include— (i) a woman; (ii) a person suffering from any physical or mental disability which, in the opinion of the Development Officer, makes him unfit for rendering compulsory service; (f) "prescribed" means prescribed by rules made under this Act; (g) "public purpose" means a purpose for executing works connected with the development of drainage or the prevention of clearance of waterlogging 1 Substituted for the words "State Government" by 1961 Pb. Act 5]: THE PUNJAB COMPULSORY SERVICE ACT, 1961 87 3. (1) Whenever it appears to the District Magistrate that compulsory service for a public purpose is needed in any area of his district, he may, by notification, declare such area to be a notified area. (2) The District Magistrate shall cause the contents of the notification issued under sub-section (1) to be announced by beat of drum or in any other customary mode throughout the area so declared. 4. (1) At any time after the issue of notification under section 3, the District Magistrate may, by requiring a General Order in writing, require all persons in the notified area to render compulsory service and thereupon every person shall, without payment of any remuneration to him, become liable, for a period not exceeding five days within a total period of three months to be determined by the Development Officer, to render compulsory service in such manner and according to such directions not being inconsistent with the General Order, as the Development Officer may specify. (2) A General Order issued under sub-section (1) shall contain the following particulars, namely (i) the public purpose for which compulsory service is required to be rendered (ii) the nature of the works (iii) the place or locality at which the works are to be executed and compulsory service is to be rendered ; (iv) approximate aggregate period for which the compulsory service is required (v) such other particulars as the District Magistrate may deem fit. (3) A General Order issued under sub-section (1) shall not remain in force for more than three months Development Officer to determine nature of compulsory service. Penalty for refusing to render compulsory service. - OSS THE PUNJAB COMPULSORY SERVICE ACT, 1961 88 SERVICE from the date of issue unless it is extended by the District Magistrate from time to time for a further period not exceeding three months in the aggregate

**5. Subject to the provisions of section 4, the Development Officer shall, for the purpose of executing the works specified in the General Order, determine in the prescribed manner, the nature of the compulsory service to be rendered by any person and such person shall render that service in accordance with his directions . Provided that no person shall be required to render compulsory service**

for more than eight hours a day including an interval of rest which shall not be less than half an hour. Provided further that no person who ordinarily resides at a distance of more than five miles from the place where his presence is required for rendering compulsory service shall be required to render such service.

G. (1) Any person liable to render compulsory service under this Act who refuses or neglects to render such service or fails to comply with any direction of the Development Officer for rendering such service, shall, on conviction, be punishable with fine which may extend to one hundred rupees. (2) No court inferior to that of a Magistrate of the Second Class shall try an offence under sub-section (1). (3) No court shall take cognizance of an offence under sub-section (1) except upon complaint in writing made by the Development Officer. (4) The Development Officer shall accept from any person against whom a reasonable suspicion exists that he has committed an offence under this section a sum of five rupees per day by way of composition for the offence which such person is suspected to have committed, and on the payment of such sum to such officer the person suspected, if in custody, shall be discharged and no further proceedings shall be taken against such person. No civil court shall entertain any suit instituted and criminal application made to obtain a decision or order on the liability of any person to render compulsory service and no prosecution, suit or other proceeding shall lie against any officer or servant of the State Government for anything done, or intended to be done, in good faith under this Act or any rules made thereunder.

8. (1) The [Central Government] may, by notification, make regulations for carrying out the purposes of this Act. Substituted for the words "State Government" the Punjab Reorganisation (Chandigarh) Adaptation of Current Subjects, Order, 1968. \*Sub-section omitted in part

