

CHHATTISGARH AUXILIARY ARMED POLICE FORCE ACT, 2011

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5. The provisions of this Act shall be in addition to and not in derogation of any other law for the time being in force. (2) CHAPTER-11 Constitution and Organisation of the Force There shall be an Auxiliary Armed Police Force for the State to be known as Chhattisgarh Auxiliary Armed Police Force to aid and assist the security forces in the maintenance of public order and preventing, controlling and

combating maoist/naxal violence and insurgency, etc. The Auxiliary Armed Police Force shall consist of such number of persons as may be determined by the State Government from time to time. The functions and duties of a member of the force shall be the following— S48 (9) Act not in derogation of any other law. Constitution of the Auxiliary Armed Police Force. Functions and duties of member-s of the force. (a) (b) (c) (d) (e) to aid and assist security forces in— maintaining public peace and order; preserving internal security; patrolling sensitive areas; and gathering intelligence. to protect public property; to help people in situations arising out of natural or man-made disasters; to assist government/public agencies in providing relief measures; to assist the security forces in providing security to public authorities in discharging their functions; to perform such other duties and discharge such other responsibilities, as may be enjoined upon him by the state government through a notification published in the Official Gazette. Notwithstanding anything contained in sub-section (f) above, the members of the force, while performing any of the above mentioned duties, shall not be deployed in the front line positions of an operation and shall always work under, supervision of the security forces other than in discharge of duties where there is reasonable apprehended danger to their lives. (10) Direction, vision, etc. Appointment of members of the force. 6. 8. (i) (2) (3) (1) (2) (4) (5) (6) (8) (2) 28 2011 The general superintendence over the Auxiliary Armed Police Force in respect of all matters shall vest in the State Government. The overall administration and direction of the force shall vest in the Director General of Police. Subject to the above and to the provisions of this Act, the control and supervision of the force shall vest in the Superintendent or Police of the concerned Police District. Appointments to the Auxiliary Armed Police Force for any Police District shall be made by the Superintendent of Police of the District the persons selected in accordance with the provisions contained in following sub-sections and section 11 of this Act. Selection of persons to be appointed as members of the Armed Police Force for a Police District shall be made from amongst persons domiciled in the District, who are conversant with the local area topography and local language/dialect, by a selection committee to be constituted by the Inspector General in charge of the concerned police range. The selection committee shall consist of three members, not below the rank of Deputy Superintendent of Police, of which at least one member shall belong to scheduled tribes. The minimum and the maximum age limit for selection to the force shall be 18 years and 45 years, respectively. Only such person who meets the physical fitness criteria laid down for appointment as Police Constable of the State Police shall be selected for appointment to the force: Only such person who has passed class five school certificate examination shall be selected for appointment to the force: Provided that a person deemed to be a member of the Auxiliary Armed Police Force under sub-section (1) of section 11 and does not possess the aforesaid qualification, shall be imparted specially designed course in elementary education during the training specified under section 8. No person, who has been convicted for any offence or against whom criminal proceedings have been instituted in any court or possesses such other disqualification as may be prescribed, shall be selected for appointment to the force. The procedure for selection of persons for appointment to the force shall be such as may be prescribed. Every member of the Auxiliary Armed Police Force shall be imparted such compulsory training a period not less than six months, as may be prescribed. The training curriculum shall, among other matters, include arms training of six months for the use of such firearms as may be prescribed; community policing; intelligence gathering; first aid and medical care; basic knowledge of human rights. basic knowledge of criminal law and procedure, . (1) (2) (2) (3) (2) 28 2011 If any member has undergone the prescribed training prior to his appointment to the force, the period of such earlier training shall be included in the training period prescribed. Every member of the force shall be paid fixed remuneration as prescribed by the State Government; and such dearness allowance and special naxal area allowance as admissible to the Chhattisgarh Police Executive Force, Constable (GD). Any other allowances may also be paid to the member of the force as ordered by the State Government from time to time. Other conditions of service of members of the force shall be such as may be prescribed. A member of the force who attains age of 55 years shall be ceased to be a member of the Auxiliary Armed Police Force. If a member of the force acquires any disqualification specified in sub-section (7) of section 7, or found guilty of such misconduct as may be prescribed, the appointing authority may, after giving an opportunity of being heard and for the reasons to be recorded in writing, terminate such member from the force. A member who has been terminated from the force by the appointing authority, may make representation to such authority as may be prescribed, and such prescribed authority shall consider the representation of the aggrieved member.

within a period of sixty days and pass appropriate order on the representation made. Notwithstanding anything contained in any judgment, order or decree of any court, every person serving as a Special Police Officer on the date of this Act shall, for a period of six months from the date of this Act, be deemed to be a member of the Chhattisgarh Auxiliary Armed Police Force: Provided that such persons shall be subjected to screening by a screening committee for their continued employment in the Chhattisgarh Auxiliary Armed Police Force, and all such persons found fit in such screening shall continue in service and deemed to have become members of the Chhattisgarh Auxiliary Armed Police Force from the date of this Act. The provisions of sub-section (3) of section 7 shall apply mutatis-mutandis to the constitution of the screening committee for the purpose of sub-section (1). Notwithstanding anything contained in any judgment, order or decree of any court, every person serving as a special police officer on the date of this Act, shall have a right to continue.

CHAPTER-III Miscellaneous Relief in case of death/permanent incapacitation.—If any member of the force dies or is permanently incapacitated in the course of assisting security forces in combating against naxals/maoists, then he/his family members shall be provided relief and rehabilitation as under—

In case of death of a member of the force the surviving spouse or if there is no surviving spouse then the family shall be entitled to get an amount by way of Ex-gratia which shall not be less than Rs. 5 lakh: in case of permanent incapacitation a member of the force shall be entitled to get an amount by way of Ex-gratia which shall not be less than Rs. 3 lakh.

Remuneration—(a) Termination from service, etc. Provisions in respect of existing Special Police Officers. Relief and Rehabilitation. 548 (12) Eligibility for appointment to the post of constable in the State Police. Protection for acts of members of the Auxiliary Armed Police Force. Power to make rules. Power to remove difficulties: Repeal and Saving. 28 2011

Employment, Housing and Medical Facility.— in case of death of a member of the force any adult member of the family shall be given compassionate appointment as per the instructions issued by the State Government; family members of the deceased shall be provided free housing facility in district under the scheme designed for this purpose by the State Government from time to time; a member of the force and his family members would be entitled to get medical facility/assistance as admissible to the employees of the State Government; any other relief as may be declared by the State Government from time to time. The members of the force shall be eligible for appointment to the post of constable in class III Police Executive Service in the State Police, subject to the criteria as may be prescribed by the State Government. No suit, prosecution or other legal proceeding shall lie against any member of the force for any act which is in good faith done or purported to be done or omitted to be done during the course of performance of his duty under this Act.

13. 14. 15. 16. 17. (1) (2) (2) (1) (2) The State Government may, by notification to be published in the Official Gazette, make rules for carrying out the purposes of and to give effect to this Act. Every rule made under this Act shall be laid, soon as may be after it is made, before the State Legislative Assembly. If any difficulty arises in giving effect to any provision of this Act, the State Government may make such order, to be published in the Official Gazette, as may be necessary or expedient for removing the difficulty. Every order passed under sub-section (k) shall, as soon as may be after it is passed, be laid before State Legislative Assembly. The Chhattisgarh Auxiliary Armed Police Force Ordinance, 2011 (No. 3 of 2011) in its application to the State of Chhattisgarh is hereby repealed. The repeal under sub-section (1) shall not affect the previous operation of this Ordinance so repealed and anything done or action taken or deemed to have been done or taken (including any appointment or delegation made, notification, order, direction or notice issued, regulation or rules made) by or under the provisions of the repealed Ordinance shall, insofar as it is not inconsistent with the provision of this Act, be deemed to have been done or taken under the provisions of this Act, and shall continue in force unless and until repealed by anything done on any action taken under this Act.