

THE ¹[UTTAR PRADESH] ¹[PRANTIYA RAKSHAK DAL/VIKAS
DAL] ACT, 1948²

[U.P. ACT No. XXXVIII of 1948]

Amended by

U.P. Act No. 24 of 2009

Adapted and modified by the Adoption of Laws Order, 1950

[Passed by the U.P. Legislative Assembly on October 18, 1948, and the U.P. Legislative Council on November 5, 1948.]

[Received the assent of the Governor on December 04, 1948, under section 75 of the Government of India Act, 1935, as

adapted by the India (Provisional Constitution) Order, 1947

and published in U.P. Government Gazette, dated December

11, 1948.]

AN

ACT

*to provide for the constitution of the ¹[Uttar Pradesh] ¹[Prantiya Rakshak
Dal/Vikas Dal]*

Preamble. WHEREAS It is expedient to provide for the constitution of a

force known as the ¹[Uttar Pradesh] ¹[Prantiya Rakshak Dal/Vikas Dal]

for the preservation of public peace, training of men in the use of arms,

to inculcate self-help and discipline and the protection of the life of the

community and property within the ¹[Uttar Pradesh];

It is hereby enacted as follows:

Short title, **1.** (1) This Act may be called the ¹[Uttar Pradesh]
¹[Prantiya

extent and Rakshak Dal/Vikas Dal] Act, 1948.

**commence-
ment.**

(2) It extends to the whole of ¹[Uttar Pradesh];

(3) It shall come into force at once.

1. *Subs. by sec. 2 of U.P. Act no. 24 of 2009.*

3. *See Gaz. 1948, Pt. VII/-A, pp. 70—72.*

4. This Act has been extended to the areas mentioned in column 1 of this table under the Act or Order mentioned in column 2 and enforced in such areas under notification, if any, mentioned in column 3 with effect from the date mentioned in column 4 against each such area:

Areas	Act or order Under which Extended enforced	Notification, if any, under which enforced	Date from which
1	2	3	4
1. Rampur District	Rampur (Applica- tion of Laws) Act, 1949. 1950.	No. 3679/XVII	December 30,
2. Banaras District	Banaras (Applica- tion of Laws) Order 1949	No. 3262(1)/ November 30, XVII, d. November 1949.	November 30, 1949.
3. Tehri- Garhwal District	Tehri-Gharwal (App- lication of Laws) Order, 1949	No. 3262(2)/ November 30, XVII, d. November 1949.	November 30, 1949.

5. *Subs. by the A. O. 1950 for [the United Provinces].*

[The Uttar Pradesh Prantiya Rakshak Dal/Vikas Dal Act, 1948]

Definitions 2. In this Act, unless there is anything repugnant in the subject or context—

- (a) 1 [Director General], “Gazetted Officer”, 2
[***] and “Non-gazetted officer” means persons appointed to such offices as may be prescribed;
- (b) “Member of the 1 [Prantiya Rakshak Dal/Vikas Dal]” means person who is enrolled as such and includes an officer appointed under the provisions of this Act;
- (c) 1 [State Government] means the Government of the 1 [Uttar Pradesh].
- (d) “Prescribed” means prescribed by rules or regulations framed under this Act.

- Constitution of U.P.** 3. There shall be raised and maintained a force to be designated “The 1 [Uttar Pradesh] 1 [Prantiya Rakshak Dal/Vikas Dal]” hereinafter called the 1 [Prantiya Rakshak Dal/Vikas Dal] and it shall be constituted in such manner as may be prescribed.
- Enrolment.** 4. Subject to such conditions as may be prescribed, any person may be enrolled as a member of the 1 [Prantiya Rakshak Dal/Vikas Dal] and his conditions of service shall be such as may be prescribed.
- Functions.** 5. A member of the 1 [Prantiya Rakshak Dal/Vikas Dal] when called upon to do so by the prescribed authority in relation to the preservation of public peace and for the protection of inhabitants and the security of property in any area within 1 [Uttar Pradesh] as such prescribed authority may direct.
- Declaration.** 6. Every member of the 1 [Prantiya Rakshak Dal/Vikas Dal], shall, on enrolment, make a declaration in the form given in the

Schedule.

1. *Subs. by sec. 2 of U.P. Act no. 24 of 2009.*

2. *Omit. by sec. 3 of U.P. Act no. 24 of 2009.*

[The Uttar Pradesh Prantiya Rakshak Dal/Vikas Dal Act, 1948]

Power protection and control etc.	7.(1) For the enforcement of the provision of this Act or any rule or regulation made thereunder every member of the 1[Prantiya Rakshak Dal/Vikas Dal], shall, when on duty or called for duty be deemed to be a police officer, and subject to any terms, conditions and restrictions as may be prescribed, to have and be subject to, in so far as it is not inconsistent with this Act all the powers, privileges, liabilities and protections as a police officer duly appointed has or is subject to by virtue of the Police Act, 1861 (save section 29 thereof) or of any other law for the time being in force. (2) No prosecution shall be instituted against a member of the 1[Prantiya Rakshak Dal/Vikas Dal] in respect of anything done or purported to be done by him in discharge of his functions as such member except with the previous sanction of the authority prescribed in that behalf. (3) The superintendence of the Force in an area shall vest in such officer or officers as may be appointed by the 2[State Government].
Period of service and discharge.	8. Every member of the 1[Prantiya Rakshak Dal/Vikas Dal] shall be required to serve the 1[State Government] for such period as may be prescribed. He shall, thereafter, be called up for duty at any time during a further period as may be prescribed. After the expiry of such further period the members shall be deemed to have been discharged from the 1[Prantiya Rakshak Dal/Vikas Dal].
Offences.	9. Any member of the 1[Prantiya Rakshak Dal/Vikas Dal] who— (a) fails to report himself when called up for duty under section 5, or (b) without sufficient excuse neglects or refuses to obey the orders of his superior officer or fails to discharge his functions as a member of the 1[Prantiya Rakshak Dal/Vikas Dal] while on duty, or (c) deserts his duty, or (d) contravenes any provision of the Rules and Regulations made under this Act. shall be punished with imprisonment for a term which may extend to three months, or with fine which may extend to 2[Five hundred rupees] or with both.
Non-judicial disposal of minor	10. When a member of the 1[Prantiya Rakshak Dal/Vikas Dal] other than an officer is charged with an offence punishable under section 9, the 1[Director General] or, if so authorized in writing by the

1. *Subs. by sec. 2 of U.P. Act no. 24 of 2009.*

2.Subs.bysec. 4ofU.P.Actno. 24of2009.

[TheUttarPradeshPrantiyaRakshakDal/VikasDalAct,1948]

**offencesof
oftheDal** 1[DirectorGeneral]inthatbehalf,anygazettedofficerorany
g,may otherthan underwhomthememberoftheDalitsforthetimebeingservin
d officers directthatthechargeshallbedealtwithwithoutformaltrialan
rdto thereupontheofficer,commandingthedetachment,mayawa
amely:— suchmemberanyoneormoreofthefollowingpunishments,n
r (a)confinementinsuchplaceasmaybeconsideredsuitablefo
aperiodnotexceedingsevendays;

2[***] then

(b)punishmentdrill,extrawork,fatigueorotherduty,not

exceeding

(c)forfeitureofemolumentsforaperiodnotexceedingone

month.

Non-judicial

11.Whenamemberofthe1[PrantiyaRakshakDal/VikasDal]

, disposalof

minor

gazettedofficer,ischargedwithanoffencepunishable **offencesof**

undersection9,the1[

theDalother

bythe

1[DirectorGeneral]inthatbehalfanygazettedofficer

3[***] thanofficers an

withoutformaltrialawardtosuchmemberanyoneormoreoft

he officers)

followingpunishments,namely:

(a)reductiontoalowergradeoralowerclassor

4[inGeneral Cate

(b)forfeitureofpayandallowancesforaperiodnotexceeding

onemonth;

(c)punishmentdrill,extraworkorotherduty notexceeding

thirtydaysinduration

(d)reprimandorseverereprimand.

Non-judicial

12.Whenagazettedofficer

minor

s[***]ischargedwithanoffence **disposalof**

punishableundersection9,the

1[DirectorGeneral],may,without **offencesof**

formaltrial,reprimandorseverelyreprimandsuchofficeror

mayrefer gazetted

officers

themattertothe1[StateGovernment]oforders.

Trialof

offences

13.Anoffencepunishableundersection9,shall,ifthecharge

isnotdisposedofundersections10,11,or12,betriedbyaMagi
ofthefirstclasshavingjurisdiction.

strate

1.Subs.bysec.2ofU.P.Actno.24of2009.

2.Omit.bysec.5ofU.

P.Actno.24of2009.

3.Omit.bysec.6(a)of

U.P.Actno.24of200

9.

4.Subs.bysec.6(b)of

U.P.Actno.24of200

9.

5.Omit.bysec.7ofU.P.Actno.24of2009.

[TheUttarPradeshPrantiyaRakshakDal/VikasDalAct,1948]

Powers of State Government to award punishment **14.** Without prejudice to any other punishment which the ¹[State Government] may impose under any other law or rule, for the time being in force, the ¹[State Government] may on a reference

under section 12 or on its own motion award to a gazetted officer or an honorary officer of an equivalent rank all or any of the following punishments, namely:

(a) reprimand or severe reprimand;

(b) deduction in the case of a paid officer, from pay to defray expenditure or recoup loss incurred as a consequence of misconduct

by him;

(c) forfeiture of service; and

(d) reduction of rank.

Custody during investigation **15.** Any member of the Dal charged with an offence punishable under this Act may be taken into and kept in custody in the prescribed manner by the prescribed authority pending investigation.

Proof of enrolment **16.** In any proceeding before a court the fact that a person is enrolled under this Act may be approved by the production of a certificate signed by the ¹[Director General] or any gazetted officer ²[***] as may be prescribed.

Permission by employer to join duty **17.** (1) Except as may be prescribed, every employer, his agent or manager shall permit a member of the ¹[Prantiya Dal/Vikas Dal], who is for the time being employed by or under him, to join his duty as such and notwithstanding anything in any law or agreement between him and such member in force, the period between the date of the member joining his duty and his release therefrom shall, subject to such consent in such employment.

(2) No employer, his agent or manager, shall dismiss, remove or suspend any employee or take any other action which may prejudice such employee by reason of his being a member of the

¹[P

rantiya Rakshak Dal/Vikas Dal].

(3) Whoever contravenes the provisions of sub-section (1) or (2) shall be punished with fine which may extend to ³[Five hundred

rupees].

Payment of compensation and allowance to employer other than State Government **18.** Whenever any member of the ¹[Prantiya Rakshak Dal/Vikas Dal] who is employed under any person other than the ¹[State Government] is called up for duty, the ¹[State Government] shall pay such compensation and allowance to the employer and to the member as may be prescribed.

2.Omit.bysec.8ofU.P.Actno.24of2009.

3.Subs.bysec.9ofU.P.Actno.24of2009.

[TheUttarPradeshPrantiyaRakshakDal/VikasDalAct,1948]

19. 1[XXXX]

Rulemaking

on power

he

20.(1)The2[StateGovernment]may,afterpreviouspublicati
intheofficial*Gazette*,makerulesandregulationstocarryoutt
purposesofthisAct.

(2)Inparticularandwithoutprejudicetothe generali
tyofthe foregoingpower,suchrulesandregulationsmay—

(a)prescribethemannerinwhichandthecondition
ssubjectto
whichanypersonmaybeenrolledorappointedasamembro
fthe 2[PrantiyaRakshakDal/VikasDal];

(b)prescribetheauthoritiesunderwhichandtheco
nditions
subjecttowhichanypersonenrolledorappointedasamembe
rofthe 2[PrantiyaRakshakDal/VikasDal]mayserve;

(c)prescribetheclassificationofofficerswhetherh
onoraryor paid,intogazettedandnon-gazettedcategories;

(d)prescribethedurationandmanneroftainingof
such
memberandtheobligationstowhichsuchmembersshallbelia
ble
whenundergoingsuchtrainingandgenerallyforthemainten
anceof discipline;and

(e)provideforanyothermatterwhich,underthisAct
istobeor maybeprescribed.

SCHEDULE

I _____,
 son of _____,
 resident of _____

do hereby solemnly declare and affirm that, as a member of the Uttar Pradesh
 2[Prantiya Rakshak Dal/Vikas Dal] to which I have
 volunteered, after fully understanding the responsibilities and
 duties
 which its membership imposes upon me, I will honestly and faithfully
 serve for such period or periods and at such place or places as may be
 prescribed from time to time, and that I will ever be ready to protect
 even at the peril of my life, the honour, integrity, the constitution as by law established and the flag of my motherland—India.

Signature _____

Address _____

1. Omit. by sec. 10 of U.P. Act no. 24 of 2009.

2. Subs. by sec. 2 of U.P. Act no. 24 of 2009.