

# ACT NO. I OF 1923.

[PASSED BY THE INDIAN LEGISLATURE.]

(Received the assent of the Governor General on the 1st  
February, 1923.)

## An Act further to amend the Criminal Tribes Act, 1911.

III of 1911. **WHEREAS** it is expedient further to amend the  
Criminal Tribes Act, 1911; It is hereby enacted  
as follows:—

1. This Act may be called the Criminal Tribes Short title.  
(Amendment) Act, 1923.

III of 1911. 2. In section 2 of the Criminal Tribes Act, 1911 Amendment  
(hereinafter referred to as the said Act),— of section 2,  
Act III of  
1911.

(a) after clause (1) the following clauses shall  
be inserted, namely:—

“(1a) ‘district’ includes a Presidency-town  
and the town of Rangoon;

(1b) ‘District Magistrate’ means, in the case  
of a Presidency-town or the town of  
Rangoon, the Commissioner of Police”;  
and

(b) after clause (2) the following clause shall be  
inserted, namely:—

“(2a) ‘Superintendent of Police’ means, in  
the case of a Presidency-town or the  
town of Rangoon, any officer appointed  
by the Local Government to perform  
the duties of a Superintendent of  
Police under this Act.”

3. In section 4 of the said Act, the words “or of Amendment  
any part thereof” shall be omitted. of section 4,  
Act III of  
1911.

4. In

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Amendment  
of section 5,  
Act III of  
1911.

4. In section 5 of the said Act,—
- (a) for the words “a notice” the word “notice” shall be substituted;
  - (b) the words “or of such part thereof as is directed to be registered” shall be omitted; and
  - (c) in the proviso, the words “or part thereof” shall be omitted, and after the word “registration” the words “and may cancel any such exemption” shall be added.

Amendment  
of section 13,  
Act III of  
1911.

5. In section 13 of the said Act, after the word “settled” the following shall be added, namely:—

“and any officer empowered in this behalf by the Local Government may, by order in writing, vary any notification made under section 11 or under this section by directing the restriction of such criminal tribe to another area, or, as the case may be, its settlement in another place, in the same district.”

Insertion of  
new section  
13A in Act  
III of 1911.  
Power of  
Local  
Government  
to restrict or  
settle criminal  
tribe in  
another  
province.

6. After section 13 of the said Act, the following section shall be inserted, namely:—

“13A. Any notification made by the Local Government under section 11 or section 13 may specify, as the area to which the criminal tribe shall be restricted or as the place in which it shall be settled, an area or place situated in any other province, provided that the consent of the Local Government of that province shall first have been obtained.”

Substitution  
of new section  
for section 15,  
Act III of  
1911.

7. For section 15 of the said Act, the following section shall be substituted, namely:—

Application  
of Act when  
criminal tribe  
is transferred  
from one  
province or  
district to  
another.

“15. (1) Where a criminal tribe is restricted in its movements to an area, or is settled in a place of residence, situated in a province other than that by the Local Government of which the notification under section 3 relating to such criminal tribe was issued, all the provisions of this Act and the rules made hereunder shall apply to the criminal tribe as if the notification

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notification had been issued by the Local Government of such other province.

(2) If a criminal tribe, having been registered under section 4 in any district, is restricted in its movements to an area, or is settled in a place of residence, situated in another district (whether in the same province or not), the register or any relevant entries or entry therein shall be transferred to the Superintendent of Police of the last-mentioned district, and all the provisions of this Act and the rules made hereunder shall apply as if such criminal tribe had been registered in that district, and the District Magistrate of that district shall have power to cancel any exemption granted under section 5."

8. In section 16 of the said Act, the words "Governor General in Council or the" and the words "or any part thereof" shall be omitted; and to the same section the following proviso shall be added, namely:—

Amendment  
of section 16,  
Act III of  
1911.

"Provided that no criminal tribe shall be placed in a settlement unless the necessity for so placing it has been established to the satisfaction of the Local Government, after an inquiry held by such authority and in such manner as may be prescribed."

9. In section 18 of the said Act,—

Amendment  
of section 18,  
Act III of  
1911.

(a) after the words "Local Government" the words "or any officer authorised by it in this behalf" shall be inserted; and

(b) in clause (b), the word "like" shall be omitted.

10. In sub-section (2) of section 20 of the said Act,—

Amendment  
of section 20,  
Act III of  
1911.

(a) after clause (e) the following clause shall be inserted, namely:—

"(ee) the circumstances in which members of a criminal tribe shall be required

to

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to possess and produce for inspection certificates of identity, and the manner in which such certificates shall be granted ;” and

(b) after clause (h) the following clause shall be inserted, namely :—

“(hh) the authority by whom and the manner in which the inquiry referred to in section 16 shall be held.”

Amendment  
of section 22,  
Act III of  
1911.

11. In section 22 of the said Act, —

(a) to sub-section (1) the words “or with fine which may extend to five hundred rupees, or with both” shall be added ;

(b) in sub-section (2), for the words “a rule made under any other clause of” the words “any other rule made under” shall be substituted ; and

(c) after sub-section (2) the following sub-section shall be added, namely :—

“(3) Any person who commits or is reasonably suspected of having committed an offence made punishable by this section which is not a cognizable offence within the meaning of the Code of Criminal Procedure, 1898, may be arrested without a warrant by any officer in charge of a police-station or by any police-officer not below the rank of a sub-inspector.”

Insertion of  
new sections  
27A and 27B  
in Act III of  
1911.

Power to  
deport certain  
criminal tribes  
to States in  
India.

12. After section 27 of the said Act the following sections shall be inserted, under the heading “Supplemental”, namely :—

“27A. The Local Government, if it is satisfied that adequate provision has been made by the law of any State in India for the restriction of the movements or the settlement in a place of residence of persons such as are referred to in section 3, and for securing the welfare of persons so restricted or settled, may, with the consent of the Prince or Chief of that State, direct the removal to that State of

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any criminal tribe for the time being in the province, and may authorise the taking of all measures necessary to effect such removal :

Provided that no person shall be so removed if the Local Government is satisfied that he is a subject of His Majesty.

27B. The references to a criminal tribe in sections 4, 5, 14, 17 and 27A, shall be deemed to be references to a criminal tribe or any part thereof, and the like references in sections 11, 13, 13A, 15 and 16 shall be deemed to be references to a criminal tribe or any part or member thereof."

References to a criminal tribe to include references to part or member thereof in certain cases.

CALCUTTA  
SUPERINTENDENT GOVERNMENT PRINTING, INDIA  
8, HASTINGS STREET