

1. Period extended for one year Section 11, No. 230, dt. 28-12-48, G.O. S. Exp. p. 2023.
2. Sules. Eng. A. 1950.
Extended to the partially excluded area of the Darjeeling dist. see Bengal Notifn.
No. 35-P, dt. 21-5-1948.

Act No. III of 1948

Repealed by
Act 36/1957

[PASSED BY THE DOMINION LEGISLATURE]

(Received the assent of the Governor General on the 5th January, 1948)

An Act to enable certain special powers to be conferred upon officers of the armed forces in disturbed areas.

WHEREAS it is expedient to enable certain special powers to be conferred upon officers of the armed forces in disturbed areas;

It is hereby enacted as follows:—

1. Short title, extent and duration.—(1) This Act may be called the Armed Forces (Special Powers) Act, 1947.

(2) It extends to all ^{whole} the Provinces of India ~~except Part B States~~;

(3) It shall remain in force only for a period of one year:

Provided that the Central Government may, by notification in the official Gazette, direct that it shall remain in force for a further period not exceeding one year.

2. Special powers of officers of Military or air forces.—Any commissioned officer, warrant officer or non-commissioned officer of His Majesty's military or air forces may, in any area in respect of which a proclamation under subsection (1) of section 15 of the Police Act, 1861 (V of 1861) is for the time being in force or which is for the time being by any form of words declared by the Provincial Government under any other law to be a disturbed or dangerous area,— ~~(State)~~

(a) if in his opinion it is necessary so to do for the maintenance of public order, after giving such warning, if any, as he may consider necessary, fire upon or otherwise use force, even to the causing of death, against any person who is acting in contravention of any law or order for the time being in force in the said area prohibiting the assembly of five or more persons or the carrying of weapons or of things capable of being used as weapons;

(b) arrest without warrant any person who has committed a cognizable offence, or against whom a reasonable suspicion exists that he has committed or is about to commit a cognizable offence;

(c) enter and search, without warrant, any premises to make any such arrest as aforesaid, or to recover any person believed to be wrongfully restrained or confined, or any property reasonably suspected to be stolen property, or any arms believed to be unlawfully kept, in such premises.

3. Protection of persons acting under this Act.—No prosecution, suit or other legal proceedings shall be instituted, except with the previous sanction of the Central Government, against any person in respect of anything done or purporting to be done in exercise of the powers conferred by section 2.

4. Repeal of certain Ordinances.—The Bengal Disturbed Areas (Special Powers of Armed Forces) Ordinance, 1947 (XI of 1947), the Assam Disturbed Areas (Special Powers of Armed Forces) Ordinance, 1947 (XIV of 1947), the East Punjab and Delhi Disturbed Areas (Special Powers of Armed Forces) Ordinance, 1947 (XVII of 1947) and the United Provinces Disturbed Areas (Special Powers of Armed Forces) Ordinance, 1947 (XXII of 1947), are hereby repealed.

5. Effect of expiry of Act.—On the expiry of this Act section 6 of the General Clauses Act, 1897 (X of 1897), shall apply as if this Act were then repealed by a Central Act.

GIPD—SI—1026—M of Law—22-4-49—4,600

Price anna 1 or 1½.