

19

ASSAM ACT XIX OF 1955

THE ASSAM DISTURBED AREAS ACT, 1955

(Passed by the Assembly)

(Received the assent of the Governor of Assam on the  
14th December 1955)

[Published in the *Assam Gazette*, dated the 21st December 1955]

An

Act

to make better provision for the suppression of disorder and for the restoration and maintenance of public order in disturbed areas in Assam

**Preamble.**—Whereas it is necessary to make better provisions for the suppression of disorder and for the restoration and maintenance of public order, in the disturbed areas in Assam ;

It is hereby enacted in the Sixth Year of the Republic of India as follows :—

1. **Short title, extent and commencement.**—(1) This Act may be called the Assam Disturbed Areas Act, 1955.

(2) It extends to the whole of Assam subject to the provision of Section 3 below.

(3) It shall come into force at once.

2. **Definition.**—In this Act “Disturbed area” means an area which is for the time being declared by notification under Section 3 to be a disturbed area.

3. **Powers to declare areas to be disturbed areas.**—The State Government may, by notification in the official Gazette, declare that the whole or any part of any district of Assam as may be specified in the notification is a disturbed area.

4. **Power to fire upon persons contravening certain orders.**—Any Magistrate or Police Officer not below the rank of Sub-Inspector or Havildar in case of the Armed Branch of the Police or any officer of the Assam Rifles not below the rank of Havildar, may, 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 a disturbed area, prohibiting the assembly of five or more persons or the carrying of weapons or things capable of being used as weapons or fire-arms, ammunition and explosive substances.

5. **Powers to destroy arms dump, fortified positions, etc.**—Any Magistrate or Police Officer not below the rank of Sub-Inspector or any officer of the Assam Rifles not below the rank of Jamadar may, if in his opinion, it is necessary so to do destroy any arms dump, prepared or fortified positions or shelters from which armed attacks are made or attempted, structures used as training camps for armed volunteers or utilised as hideouts or shelters by armed gangs or absconders wanted for offences in connection with the disturbances.

[ Price 1 a. or 1 d. ]

6. **Protection of persons acting under Sections 4 and 5.**—No suit, prosecution or other legal proceeding shall be instituted except with the previous sanction of the State Government against any person in respect of anything done or purporting to be done in exercise of the powers conferred by Sections 4 and 5.

7. **Repeal of Ordinance V of 1955.**—(1) The Assam Disturbed Areas Ordinance, 1955 (V of 1955), is hereby repealed.

(2) Notwithstanding such repeal any notification issued, anything done or any action taken in exercise of the powers conferred by or under the said Ordinance shall be deemed to have been done or taken in the exercise of the powers conferred by or under this Act, as if this Act were in force on the day on which such notification was issued, such thing was done or action was taken.