

Protection of Civil Rights Rules, 1977

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Protection of Civil Rights Rules, 1977

¹1. Noti. No. S.O. 3006, dated 15-9-1977. Published in Gazette of India, Part-II, Sec. 3 (ii), dated 1-10-1977. In exercise of the powers conferred by Section 16B of the Protection of Civil Rights Act, 1955 (22 of 1955) the Central Government hereby makes the following rules, namely-

1. Short title and commencement :-

(1) These rules may be called The Protection of Civil Right Rules, 1977.

(2) They shall come into force on the date¹ of their publication in the Official Gazette.

1. W.e.f. 1-10-1977.

2. Definition :-

In these rules, unless the context otherwise requires,

(a) "Act" means the Protections of Civil Rights Act, 1955 (22 of 1955);

(b) "section" means a section of the Act.

3. Manner of inquiry under Sub-sec. (1) of Sec. 10-A :-

(1) The State Government may appoint an officer not below the rank of a Sub- Divisional Magistrate for the purpose of making an inquiry referred to in Sub-sec. (1) of Section 10A .

(2) The officer appointed under Sub-rule (1) (hereinafter in this rule referred to as inquiry officer) shall issue a public notice

specifying the date, time, place and the purpose of such inquiry and calling upon all the residents of the area in respect of which the inquiry is to be held to furnish such information and materials, including documents in their possession, as may be relevant for the purposes of the inquiry.

(3) The public notice referred to in Sub-rule (2) shall be in the local language or languages of the area and the same shall be-

(i) published on the notice board in the offices of the District Magistrate, the District Superintendent of Police, the Village Panchayat or Municipal Committee of the area and such other places as the inquiry officer deems fit and at least in one daily newspaper circulating in the area; and

(ii) proclaimed in the area by beat of drum or in such other manner as the inquiry officer may think best in the circumstances to bring the contents of the public notice to the notice of the inhabitants of the area.

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(4) The inquiry officer, while making such inquiry shall follow as nearly as practicable, the procedure for summary trials including the recording of evidence as laid down in Chapter XXI of the Code of Criminal Procedure, 1973 (2 of 1974).

(5) The inquiry officer shall complete the inquiry as expeditiously as possible and submit his report to the State Government within such period, not exceeding six weeks, as may be specified by the State Government in the order appointing the inquiry officer. Provided that the State Government may, having regard to the nature of the inquiry, extend the period of submission of the report by such period, not exceeding two months in total, as it may consider necessary.

4. Period for filing a petition under Sub-sec. (3) of Sec. 10-A :-

(1) Any person aggrieved by the imposition of a collective fine under Sub-sec. (1) of Section 10A or by the order of apportionment, may, within a period of thirty days from the date of proclamation of the notification under Sub-sec. (2) of that section file a petition before the State Government or the authority specified by it; Provided that where the State Government or the authority, as the case may be, may entertain the petition after the

expiry of the said period if it is satisfied that the petitioner was prevented by sufficient cause from filing the petition in time.

(2) The State Government or the authority, before which the petition is filed shall dispose of the petition as expeditiously as possible.

5. Reports by the State Government :-

Every State Government shall, for the purpose of enabling the Central Government to place the report referred to in Sub-sec. (4) of Section 15A , on the table of each House of Parliament, furnish to that Government before the 15th day of February, each year a summary of the measures taken by it under Sub-sees. (1) and (2) of that section during the preceding calendar year and shall also furnish other information as may be required by the Central Government from time to time.