

SECURITY COMMISSARIAT

WESTERN RAILWAY

CYCLOPEDIA

OF

RAILWAY PROTECTION FORCE

Containing

[Railway Protection Force Act 1957](#) (as amended by Act No. LX of 1985)

[Railway Protection Force 1987](#)

[Railway Protection Force Directives 1987](#)

[Railway Property \(Unlawful Possession\) Act 1966](#)

Railway Protection Force Act, 1957
(XXIII OF 1957)
(As modified by Act No. LX of 1985)
CONTENTS

Statement of objects and reasons of Act IMo. XXIII of 1957

Statement of objects and reasons of Act No. LX of 1985

S.No.	Section
1.	Short title and commencement
2.	Definitions
3.	Constitution of the Force
4.	Appointment and powers of superior officers
5.	Classes and ranks among members of the Force
6.	Appointment of enrolled members of the Force
7.	Certificates to enrolled members of the Force
8.	Superintendence and administration of the Force
9.	Dismissal, removal etc. of enrolled members of Force
10.	Officers and enrolled members of the Force to be deemed to be railway servants
11.	Duties of members of the Force
12.	Power to arrest without warrant
13.	Power of search without warrant
14.	Procedure to be followed after arrest
15.	Member of the Force to be considered always on duty and liable to be employed in any place within India.
15. (A)	Restrictions respecting Right to form association etc.
16	Responsibilities of members of force during suspension.
16. (A)	Surrender of certificates, arms, etc by persons ceasing to be enrolled members of the Force.
17.	Penalties for neglect of duty, etc.
18.	Application of Act 22 of 1922 to members of the Force
19.	Certain acts not to apply to members of the Force
20.	Protection of acts of members of the force
21.	Power to make rules THE SCHEDULE provisions as to existing Force

RAILWAY PROTECTION FORCE RULES, 1987

CHAPTER I	PRELIMINARY
CHAPTER II	ORGANISATION AND STRUCTURE
CHAPTER III	DIRECTION AND CONTROL
CHAPTER-IV	POWERS AND RESPONSIBILITIES
CHAPTER-V	RECRUITMENT, TRAINING AND CAREER PLANNING
CHAPTER VI	PAY, REMUNERATION AND DURATION OF SERVICE
CHAPTER-VII	DISTRIBUTION AND TRANSFERS
CHAPTER-VIII	INTERNAL MANAGEMENT AND CONDITIONS OF SERVICE
CHAPTER-IX	ENCAMPMENT AND ACCOMMODATION
CHAPTER X	UNIFORM AND EQUIPMENT
CHAPTER XI	DISCIPLINE AND CONDUCT
CHAPTER-XII	DISCIPLINARY AND PENAL PUNISHMENTS
CHAPTER XIII	APPEALS AND REVISION
CHAPTER XIV	INVESTIGATION AND PROSECUTION
CHAPTER XV	REWARDS AND AWARDS
CHAPTER XVI	AID TO CIVIL POWER
CHAPTER XVII	PLAINTS AND PROTECTION
CHAPTER XVIII	LIASON
CHAPTER XIX	SPECIAL WELFARE MEASURES
CHAPTER XX	MISCELLANEOUS
CHAPTER XXI	REPEAL AND SAVINGS

[Schedule](#) from I to XII

RAILWAY PROTECTION FORCE DIRECTIVES, 1987

[Directive No. 1](#)

**GOVERNMENT OF INDIA
MINISTRY OF RAILWAYS
(RAILWAY BOARD)**

No. 87/Sec(Spl)/6/6 pt.

New Delhi,
Date: 03.12.1987

NOTIFICATION

In exercise of powers conferred under Rule 28 of Railway Protection Force Rules, 1987 read with Section 8 of the Railway Protection Force Act 1957, the DirectorGeneral hereby issues the following Directives, namely

DIRECTIVE NO. I

With the notification of Railway Protection Force Rules, 1987 in the Extra-Ordinary Gazette of date, the Railway Protection Force Regulations 1966 stand repealed under Rule 280.

2. Till such time, a set of "DIRECTIVES" relating to the enforcement and furtherance of the provisions of the Railway Protection Force Act 1957 (as modified by Act No. 60 of 1985) and Railway Protection Force Rules, 1987 is issued, the existing provisions as contained in :

CHAPTER - V - DUTIES OF OFFICERS AND OTHER RANKS

CHAPTER - VI - FUNCTIONS AND DUTIES OF SUPERIOR OFFICERS AND MEMBERS OF THE FORCE OF THE ARMED BRANCH (as may relate to RPSF)

CHAPTER - VII - FUNCTIONS AND DUTIES OF SUPERIOR OFFICERS AND MEMBERS OF THE FORCE OF INTELLIGENCE BRANCH.

CHAPTER - VIII- FUNCTIONS AND DUTIES OF SUPERIOR OFFICERS AND MEMBERS OF THE FORCE OF FIRE SERVICE BRANCH.

CHAPTER - XI - TRAINING

CHAPTER - XIX - UNIFORM AND EQUIPMENT

CHAPTER - XXIII- SECURITY ARRANGEMENTS

CHAPTER - XXV- STATIONERY BOOKS & FORMS & FURNITURE

CHAPTER - XXVII - RECORDS AND REGISTERS

CHAPTER - XXVIII - REPORTS AND RETURNS.

Of the Railway Protection Force Regulations, 1966, so far they are not inconsistent with the provisions of the aforesaid enactments and where there is no specific provision on any subject contained therein, shall be deemed to be DIRECTIVES issued by the Director

General in exercise of the above powers and shall continue to be in force accordingly until superseded modified.

3. These DIRECTIVES shall come into force with immediate effect.

RAILWAY PROPERTY (UNLAWFUL POSSESSION) ACT 1966

CONTENTS

Section

1.	Short title, extent and commencement
2.	Definitions
3.	Penalty for unlawful possession of railway property
4.	Punishment for conivance at offences
5.	Offences under the Act not to be cognizable
6.	Power to arrest with warrant
7.	Disposal of persons arrested
8.	Inquiry how to be made against arrested persons
9.	Power to summon persons to give evidence and produce documents
10.	Issue of search warrant
11.	Searches and arrests how made
12.	Officers required to assist
13.	Power of courts to order forfeiture of vehicles, etc.
14.	Act to override other laws
15.	Construction of references to laws not in force in Jammu and Kashmir
16.	Repeal and Savings

THE RAILWAYS PROPERTY (Unlawful Possession) Act, 1966 (29 of 1966)

[16th September, 1966]

An Act to consolidate and amend the law relating to unlawful possession of railway property.

Be it enacted by Parliament in the seventeenth Year of the Republic of India as follows :-

1. Short title, extent and commencement--(1) This Act may be called the Railway Property (Unlawful Possession) Act, 1966. (2) It extends to the whole of India.

(3) It shall come into force on such date¹ as the Central Government may, by notification in the Official Gazette, appoint.

2. Definitions.--In this Act unless the context otherwise requires, -

- (a) "Force" means the Railway Protection Force constituted under section 3 of the [Railway Protection Force Act, 1957 \(23 of 1957\)](#);
- (b) "member of the Force" means a person appointed to the Force, other than a superior officer;
- (c) "officer of the Force" means an officer of and above the rank of Assistant Sub Inspector appointed to the Force and includes a superior officer;
- (d) "railway property" includes any goods, money or valuable security or animal, belonging to, or in the charge of possession of, a railway administration;
- (e) "superior officer" means any of the officers appointed under [section 4 of the Railway Protection Force Act, 1957 \(23 of 1957\)](#), and includes any other officer appointed by the Central Government as a superior officer of the force;
- (f) words and expressions used but not defined in this Act and defined in the Indian Railways Act, 1890 (9 of 1890), shall have the meanings respectively assigned to them under that Act.

3. Penalty for unlawful possession of railway property.--Whoever is found, or is proved to have been, in possession of any railway property reasonably suspected of having been stolen or unlawfully obtained shall, unless he proves that the railway property came into his possession lawfully, be punishable -

- (a) for the first offence, with imprisonment for a term which may extend to five years, or with fine, or with both and in the absence of special and adequate reasons to be mentioned in the judgment of the court, such imprisonment shall not be less than one year and such fine shall not be less than one thousand rupees;
- (b) for the second or a subsequent offence, with imprisonment for a term which may extend to five years and also with fine and in the absence of special and adequate reasons to be mentioned in the judgment of the court, such imprisonment shall not be less than two years and such fine shall not be less than two thousand rupees.

4. Punishment for connivance at offences.--Any owner or occupier of land or building, or any agent of such owner or occupier in charge of the management of that land or building, who wilfully connives at an offence against the provisions of this Act, shall be

punishable with imprisonment for a term which may extend to live years, or with fine, i or with both.

5. Offences under the Act not to be cognizable.-- Notwithstanding anything contained in the Code of Criminal Procedure, 1898 (5 of 1898)' an offence under this Act shall not be cognizable.

6. Power to arrest without warrant.--Any superior officer or member of the Force may, without an order from a Magistrate and without a warrant,, arrest any person who has been concerned in an offence punishable under this Act or against whom a reasonable suspicion exists of his having been so concerned.

7. Disposal of persons arrested.--Every person arrested for an offence punishable under this Act shall, if the arrest was made by a person other than an officer of the Force, be forwarded without delay to the nearest officer of the Force.

8. Inquiry how to be made against arrested persons.-- (1) When any person is arrested by an officer of the Force for an offence punishable under this Act or is forwarded to him under section 7, he shall proceed to inquiry into the charge against such person.

(2) For this purpose the officer of the Force may exercise the same powers and shall be subject to the same provisions as the officer incharge of a police-station may exercise and is subject to under the Code of Criminal Procedure, 1898 (5 of 1898)¹, when investigating a cognizable case :

Provided that-

- (a) if the officer of the Force is of opinion that there is sufficient evidence or reasonable ground of suspicion against the accused person, he shall either admit him to bail to appear before a Magistrate having jurisdiction in the case, or forward him in custody to such Magistrate;
- (b) if it appears to the officer of the Force that there is not sufficient evidence or reasonable ground of suspicion against the accused person, he shall release the accused person on his executing a bond, with or without sureties as the officer of the Force may direct, to appear, if and when so required before the Magistrate having jurisdiction, and shall make a full report of all the particulars of the case to his official superior.

9. Power to summon persons to give evidence and produce documents.—

(1) An officer of the Force shall have power to summon any person whose attendance he considers necessary either to give evidence or to produce a document, or any other thing in an inquiry which such officer is making for any of the purposes of this Act.

(2) A summons to produce documents or other things may be for the production of certain specified documents or things or for the production of all documents or things of a certain description in the possession or under the control of the person summoned.

(3) All persons, so summoned, shall be bound to attend either in person or by an authorised agent as such officer may direct; and all persons so summoned shall be bound to state the truth upon any subject respecting which they are examined or make statements and to produce such documents and other things as may be required:

Provided that the exemptions under sections 132 and 1 33 of the Code Civil Procedure, 1908 (5 of 1908), shall be applicable to requisitions for attendance under this section.

(4) Every such inquiry as aforesaid, shall be deemed to be a "judicial proceeding" within the meaning of section 193 and section 228 of the Indian Penal Code (45 of 1860).

10. Issue of search warrant.—

(1) If an officer of the Force has reason to believe that any place is used for the deposit or sale of railway property which has been stolen or unlawfully obtained, he shall make an application to the Magistrate, having jurisdiction over the area in which that place is situate, for issue of a search warrant.

(2) The Magistrate to whom an application is made under sub-section (1), may, after such inquiry as he thinks necessary, by his warrant, authorise any officer of the Force-

- (a) to enter, with such assistance as may be required, such place;
- (b) to search the same in the manner specified in the warrant;
- (c) to take possession of any railway property therein found which he reasonably suspects to be stolen or unlawfully obtained; and
- (d) to convey such railway property before a Magistrate, or to guard the same on the spot until the offender is taken before a Magistrate, or otherwise to dispose thereof in some place of safety.

11. Searches and arrests how to be made.--All searches and arrests made under this Act shall be carried out in accordance with the provisions of the Code of Criminal Procedure, 181)8 (5 of 1898)¹, relating respectively to searches and arrests made under that Code.

12. Officers required to assist.--All officers or Government and all village officers are hereby empowered and required to assist the superior officers and members of the Force in the enforcement of this Act.

13. Power of courts to order forfeiture of vehicles, etc.--Any court trying an offence punishable under this Act may order the forfeiture to Government of any property in respect of which the court is satisfied that an offence under this act has been committed & and may also order the forfeiture of any receptacles, packages or coverings in which such property is contained, and the animals, vehicles or other conveyances used in carrying the property.

14. Act to override other laws.--The provisions of this Act shall have effect notwithstanding anything inconsistent therewith contained in any other law for the time being in force.

15. Construction of references to laws not in force in Jammu and Kashmir.--Any reference in this Act to a law which is not in force in the State of Jammu and Kashmir shall in relation to that State, be construed as a reference to the corresponding law, if any, in force in that State.

16. Repeal and savings.—

(1) The Railway Scores (Unlawful Possession) Act, 1955 (51 of 1955) is hereby repealed.

(2) Nothing contained in this Act shall apply to offences punishable under the Act hereby repealed and such offences may be investigated and tried as if this Act had not been passed.

(3) The mention of particular matters in sub-section (2) shall not be held to prejudice or affect the general application of section 6 of the General Clauses Act, 1897 (10 of 1897), with regard to the effect of repeals.

Railway Protection Force Act, 1957

STATEMENT OF OBJECTS AND REASONS OF ACT NO. XXIII OF 1957

The Watch and Ward Department functioning on the Railways have hitherto been handicapped by lack of adequate powers and well-defined status as also of a proper sense of discipline to fulfil their primary functions of protecting railway property and of property entrusted to Railway for transport. The Railways have during these years incurred heavy losses on account of theft and pilferage of railway property and of payment of quite a large number of compensation claims preferred against them.

The proposed legislation is designed to bring about a radical change in the functioning of this Department, which is being redesignated as the Railway Protection Force, so as to achieve quick and effective results it enables the personnel of the Force to be brought under a special set of disciplinary rules and confers on them, under certain conditions, powers of arrest and search without warrant. Moreover, the Railway Protection Force thus reorganised could provide, in times of need, suitable assistance to the Railway Police who are charged mainly with the responsibility for overall maintenance of law and order in railway premises-Gazette of India, 1956, Extra, Pt. II. S. 2, page 1028.

STATEMENT OF OBJECTS AND REASONS OF ACT NO. LX OF 1985

The Railway protection Force has been constituted under the [Railway Protection Force Act, 1957](#) for ensuring better protection and security of railway property. This Force has now been in existence for a period of about 28 years. During this period, the sanctioned strength of the force has considerably increased. The responsibilities of the Force have also grown in magnitude as well as in complexity.

The uninterrupted and secure movement of goods including essential commodities and passengers on the railways is of vital strategic importance. The railways not only play a very important and crucial role in the economic and industrial growth but also in the security and defence of the country. The [Railway Protection Force Act, 1957](#) in its present form is considered inadequate to meet requirements of the Force in the present days to come it is therefore, proposed to amend the [Railway Protection Force Act, 1957](#) as to make this Force an armed force of the Union and to make it a more efficient and effective instrument for discharging its responsibilities.

The following are the principal features of the Bill:

- (a) Declaring the Railway Protection Force an armed force of the Union and consequential changes in the nomenclature of different ranks in the Force in consonance with its changed character as an armed force.
- (b) Conferment of additional powers on the members of the Force such as to arrest without warrant, to restrain misbehaviour on the part of the members of the Force, to effectively intervene for preventing imminent danger to the life of a person concerned with carrying on the work in the railways for the better protection of the railway property.

(c) Restrictions have been proposed on the right to form association on the lines of similar restrictions in other armed forces of Union (clause 13 of the Bill).

(d) Conferment of additional powers on the superior officers of the Force for enforcement of discipline, imposition of penalties for various offences, regulating procedure for Force custody.

4. This Bill seeks to achieve the above objects.

New Delhi
The 9th August, 1985,

(BANSI LAL)
Minister for Trans

THE RAILWAY PROTECTION FORCE ACT, 1957
(XXIII OF 1957)

29th August, 1957

(As modified by Act, No. 60 of 1985)

An Act to provide for the constitution and regulation of an armed force of the Union for the better protection and security of railway property and for matters connected therewith.

Be it enacted by Parliament in the Eighth year of the Republic of India as follows:

1. Short title, extent and commencement:

- (i) This Act may be called the [Railway Protection Force Act, 1957](#).
- (ii) It extends to the whole of India.
- (iii) It shall come into force on such date as the Central Government may, by notification in the official gazette, appoint. (Came into force w.e.f. 20 September 1985)

2. Definitions:

(1) In this Act, unless the context otherwise requires :

- (a) "Force" means the Railway Protection Force constituted under section 3;
- (b) "Director-General" means the Director-General of the Force appointed under sub-Section (1) of section 4;
 - (ba) "Enrolled member of the Force" means any subordinate officer, under officer or any other member of the Force of a rank lower than that of an under officer;
 - (bb) "Force Custody" means the arrest or confinement of a member of the Force in accordance with rules made under this Act;
 - (c) "Member of the Force" means a person appointed to the Force under this Act;
[++++]¹
 - (d) "Prescribed" means prescribed by rules under this Act;
 - (e) "Railway Property" includes any goods, money or valuable security, or animal, belonging to, or in the charge or possession of railway administration;
 - (ea) "Subordinate Officer" means a person appointed to the Force as an Inspector, a Sub-Inspector or an Assistant Sub-Inspector :
 - (f) "Superior Officer" means any of the officers appointed under section 4 and includes any other officer appointed by the Central Government as a superior officer of the Force;
 - (fa) "Under Officer" means a person appointed to the Force as a Head Constable or Naik.
 - (g) [++++]¹

(2) Any reference in this Act to a law which is not in force in a area shall, in relation to that area, be construed as a reference to t corresponding law, if any. in force in that area.

3. Constitution of the Force :

(1) There shall be constituted and maintained by the Central Govenment an armed force of the Union to be called the Railway Protection Force for the batter protection and security of railway property.

(2) The Force shall be constituted in such manner, shall consist of such number of superior officers, subordinate officers, under officers and other enrolled members of the Force and shall receive such pay and other remuneration as may be prescribed.

4. Appointment and powers of superior officers :

(1) The Central Government may appoint a person to be the Director General of the Force and may appoint other persons to be Inspector General, Additional Inspectors General, Deputy Inspectors General. Asistant Inspectors General, Senior Commandants, Commandants or Assist. Commandants of the Force.

(2) The Director General and every other superior officer so appointed shall possess and exercise such powers and authority over the members of the force under their resoective commands as is provided by or under this Act.

5. Classes and ranks among members of the Force. [++++]²

6. Appointment of enrolled members of Force:

The appointment of enrolled members of the Force shall rest with the Inspector-General, Additional Inspector- General or Deputy Inspector General, who shall exercise that power in accordance with rules made under this Act:

Provide that the power of appointment under this section may also be exercised by other superior officer as the Inspector-General, Additional Ispector-General or Deputy Inspector-General concerned may, by order specify in this behalf.

7. Certificates to enrolled members of the Force :

(1) Every member of the Force shall receive on his appointment a certificate in the form specified in the Schedule, under the seal of the Inspector-General, Additional Inspector-General. Deputy Inspector-General, or such other superior officer as the Inspector-General, Additional Inspector, General or Deputy Inspector-General may specify in this behalf, by virtue of which the person holding such certificate shall be vested with the powers of a member of the Force.

(2) Such certificate shall cease to have effect whenever the person named in it ceases for any reason to be a member of the Force [++++]¹

8. Superintendence and administration of the Force :

(1) The superintendence of the Force shall vest in the Central Government and subject thereto and to the provisions of this Act and of any rules made thereunder, the command, supervision and administration of the Force shall vest in the Director General

(2) Subject to the provisions of sub-section (1) the administration of the Force within such local limits in relation to a railway as may be prescribed shall be carried on by an Inspector-General, an Additional Inspector General or a Deputy Inspector-General in accordance with the provisions of this Act and of any rules made thereunder and they shall, subject to any direction that may be given by the Central Government or the Director General in this behalf, discharge his functions under the general supervision of the General Manager of the Railway.

9. Dismissal removal etc. of enrolled members of the Force:

(1) Subject to the provisions of Article 311 of the Constitution and to such rules as the Central Government may make under this Act, any superior officer may:

(i) dismiss, suspend or reduce in rank any enrolled member of the Force whom he thinks remiss or negligent in the discharge of his duty or unfit for the same; or

(ii) award any one or more of the following punishments to any enrolled member of the Force who discharges his duty in a careless or negligent manner, or who by any act of his own renders himself unfit for the discharge thereof, namely:

(a) fine to any amount not exceeding seven days' pay or reduction in pay scale;

(b) confinement to quarters for a period not exceeding fourteen, days with or without punishment drill, extra guard, fatigue or other duty

(c) removal from any office of distinction or deprivation of a special emolument.

(2) Any enrolled member of the Force aggrieved by an order made under sub-section (1) may, within 30 days from the date on which the order is communicated to him, prefer an appeal against the order to such authority as may be prescribed: [++++]¹

Provided that the prescribed authority may entertain the appeal after the expiry of said period of 30 days if it is satisfied that appellant was prevented by sufficient cause from filing the appeal in time.

(3) In disposing of the appeal, the prescribed authority shall follow such procedure as may be prescribed;

Provided that no order imposing an enhanced penalty under sub section (2) shall be made unless a reasonable opportunity of being heard has been given to the person affected by such order.

10. Officers and enrolled members of the Force to be deemed to be railway servants:

The Director-General and every member of the Force shall for purposes be regarded as railway servants within the meaning of the Indian Railways Act, 1890 (9 of 1890) other

than chapter VI-A thereof, and shall be entitled to exercise the powers conferred on railway servants by or under that Act.

11. Duties of members of the Force :

It shall be the duty of every superior officer and enrolled member of the Force:

- (a) promptly to obey and execute all orders lawfully issued to him by his superior authority;
- (b) to protect and safeguard railway property;
- (c) to remove any obstruction in the movement of railway property and
- (d) to do any other act conducive to better protection and security of railway property.

12. Power to arrest without warrant:

Any member of the Force may, without an order from a Magistrate and without a warrant, arrest:

(i) any person, who voluntarily causes hurt to, or attempts voluntarily to cause hurt to, or wrongfully restrains or attempts wrongfully to restraint, or assaults, threatens to assault, or uses, or threatens or attempts to use, criminal force to him or any other member of the Force in the execution of his duty as such member, or with intent to prevent or to deter him from discharging his duty as such members or in consequence or anything done or attempted to be done by him in the lawful discharge of his duty as such member; or

(ii) any person who has been concerned in or against whom a reasonable suspicion exists of his having been concerned in, or who is found taking precautions to conceal his presence under circumstances which afford reason to believe that he is taking such precautions with a view to committing a cognizable offence which relates to railway property. [++++]¹ or

(iii) any person found taking precautions to conceal his presence within the railway limits under circumstances which afford reason to believe that he is taking such precautions with a view to committing theft of, or damage to railway property; or

(iv) any person who commits or attempts to commit a cognizable offence which involves or which is likely to involve imminent danger to the life of any person engaged in carrying on any work relating to railway property.

13. Power to search without warrant :

(1) Whenever any member of the Force, not below the rank of a Naik, has reason to believe that any such offence as is referred to in section 12 has been or is being committed and that a search warrant cannot be obtained without affording the offender an opportunity of escaping or of concealing evidence of the offence he may detain him and search his person and belongings forthwith and, if he thinks proper arrest any person whom he has reason to believe to have committed the offence.

(2) The provision of Code of Criminal Procedure, 1973 relating to searches under that Code shall, so far as may, be applied to searches under this section.

14. Procedure to be followed after arrest:

Any member of the Force making an arrest under this Act shall without unnecessary delay, make over the person so arrested to Police officer, or, in the absence of police officer take such person or cause him to be taken to the nearest police station.

15. Member of the Force to be considered always on duty and liable to be employed in any place within India :

(1) Every member of the Force shall, for the purposes of this Act considered to be always on duty, and shall, at any time, be liable to be employed at any place within India.

(2) No member of the Force shall engage himself in any employment or office other than his duties under this Act.

15.A. Restrictions respecting right to form Association etc.

- (1) No member of the Force shall without the previous sanction writing of the Central Railway Government or of the prescribed authority.
 - (a) be a member of, or be associated in any way with any trade union, labour union, political association or with any class of trade unions, labour unions or political associations; or
 - (b) be a member of, or be associated in any way with any society, institution, association or organisation that is not of a purely social, recreational or religious nature; or
 - (c) Communicate with the press or publish or cause to be published any book, letter or other document except where such communication or publication is in the bonafide discharge of his duties or is of a purely literary artistic or scientific character or is of prescribed nature.

Explanation: if any question arises as to whether any society institution, association or address any meeting or take part in any demonstration organised by any persons for any political purposes or for such other purposes as may be prescribed.

16. Responsibilities of members of Force during suspension:

A member of the Force shall not by reason of his suspension from office cease to be a member of the Force; and he shall, during that period, be subject to the same responsibilities, discipline and penalties to which he would have been subject if he were on duty.

16 A Surrender of certificate, arms, etc, by persons ceasing to be enrolled members of the Force:

(1) Every person who for any reason ceases to be a member of the Force, shall forthwith surrender to any superior officer empowered to receive the same, his certificate of

appointment, the arms, accoutrements, cloth is and other articles which have been furnished to him for the performance of his duties as a member of the Force.

(2) Any person who willfully neglects or refuses to surrender his certificate of appointment, the arms, accoutrements, clothing and other articles furnished to him, as required by sub-section (1) shall, on conviction, be punished with imprisonment for a term which may extend to one month, or with fine which may extend to two hundred rupees, or with both.

(3) Nothing in this section shall be deemed to apply to any article which, under the orders of the Director General, has become the property of the person to whom the same was furnished.

17. Penalties for neglect of duty etc.:

(1) Without prejudice to the provisions contained in section 9, every enrolled member of the Force who shall be guilty of any violation of duty or wilful breach or neglect of any rule or lawful order made by a superior officer or who shall withdraw from duties of his office without permission, or who, being absent on leave, falls, without reasonable cause, report himself for duty on the expiration of the leave, or engages himself without authority for any employment other than his duty as an enrolled member of the Force, or who shall be guilty of cowardice may be taken into Force custody and shall, on conviction, be punished with imprisonment which may extend to one year.

(2) Notwithstanding anything contained in the Code of Criminal Procedure, 1973, an offence punishable under this section shall be cognizable and non-bailable.

(3) Notwithstanding anything contained in the Code of Criminal procedure, 1973, the Central Government may invest Assistant Inspector General. Senior Commandant or Commandant with the powers of Magistrate of any class for the purpose of inquiring into or trying any offence committed by an enrolled member of the Force and punishable under this Act, or any offence committed by an enrolled member of the Force against the person or property of another member of the Force:

Provided that:

(i) when the offender is on leave or absent from duty; or

(ii) when the offence is not connected with the offender's duties as an enrolled member of the Force; or

(iii) when it is a petty offence even if connected with the offender's duties as an enrolled member of the Force: or

(iv) when, for reasons to be recorded in writing, it is not practicable for the Commandant invested with the powers of a Magistrate to inquire into or to try the offence;

the offence may, if the prescribed authority within the limits of who, jurisdiction the offence has been committed so requires, be inquired into tried by an ordinary criminal court having jurisdiction in the matter.

(4) Nothing contained in this section shall be construed to prevent any enrolled member of the Force from being prosecuted under any other law for any offence made punishable by that law, or for being liable under any such law to any other or higher penalty or punishment than is provided for such offence by this section :

Provided that no person shall be punished twice for the same offence

18. Application of Act 22 of 1922 to members of the Force :

The Police (Incitement to Disaffection) Act, 1922 shall apply to members of the Force as it applies to members of a Police Force.

19 Certain Acts not to apply to members of the Force :

Nothing contained in the Payment of Wages Act, 1936 or the Industrial Disputes Act, 1947 or the Factories Act, 1948, or any corresponding law relating to investigation and settlement of industrial disputes in force in a state, shall apply to members of the Force.

20 Protection of acts of members of the Force:

(1) In any suit or proceeding against any member of the Force for any act done by him in the discharge of his duties, it shall be lawful for him to plead that such act was done by him under the orders of a competent authority.

(2) Any such plea may be proved by the production of the order directing the act, and if it is so proved, the member of the Force shall there upon be discharged from any liability in respect of the act so done by him, with standing any defect in the jurisdiction of the authority which issued such order.

(3) Notwithstanding anything contained in any other law for the time being in force, any legal proceeding, whether civil or criminal, which may lawfully be brought against any member of the Force for anything done or intended to be done under the powers conferred by, or in pursuance of any provision of this Act, or the rules thereunder shall be commenced within three months after the act complained of shall have been committed and not otherwise; and notice in writing of such proceeding and of the cause thereof shall be given to the person concerned and his superior officer at least one month before the commencement of such proceeding

21 Power to make rules:

(1) The Central Government may, by notification in the official gazette "make rules for carrying out the purposes of this Act.

(2) In particular, and without prejudice to the generality of the foregoing powers, such rules may provide for :

(a) regulating the classes, ranks, grades, pay and remuneration of members of the Force and their conditions of service in the Force;

- (b) regulating the powers and duties of members of the Force authorised to exercise any function by or under this Act;
- (c) fixing the period of service for members of the Force;
- (d) prescribing the description and quantity of arms, accoutrements, clothing and other necessary articles to be furnished to the members of the Force,
- (e) prescribing the places of residence of members of the Force;
- (f) institution, management and regulation of any fund for any purpose connected with the administration of the Force;
- (g) regulating the punishments and prescribing authorities to whom appeal shall be preferred from orders of punishment or the remission of fines or other punishments; and the procedure to be followed for the disposal of such appeals,
- (h) regulating matters with respect to Force Custody under this Act, including the procedure to be followed for taking persons into such custody;
- (i) regulating matters with respect to disposal of cases relating to places in which persons convicted under this Act may be confined;
- (j) any other matter which has to be, or may be imposed, or in respect of which rules are required to be made under this Act.

(3) Every rule made under this Act shall be laid, as soon as may be after it is made, before each House of Parliament while it is in session, for a total period of 30 days which may be comprised in one session or in two more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid, both houses agree in making any modification in the rule or both Houses agree that the should not be made, the rule shall thereafter have effect only in modified form or be of no effect as the case may be; so, however that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule.

THE SCHEDULE

(See section 7)

A.B. has been appointed a member of the Railway Protection Force under the [Railway Protection Force Act, 1957](#), and is vested with the powers, functions and privileges of a member of the Force.

Provisions as to existing Force:

- (1) The Force constituted under the principal Act as functioning immediately before the

commencement of this Act (hereafter in this section referred to as the existing Force} shall, on such commencement, bedemand to be the Force constituted under the principal Act as amended by this Act and every member of the existing Force holding immediately before such ommencement an office mentioned in column (1) of the Table below shall on such commencement, be deemed to have been appointed to the official mentioned in the corresponding entry in column (2) of the said Table.

TABLE

	1	2
1	Director-General	Director-General
2	Inspector-General-cum-Chief Security Officer	Inspector General
3	Additional Inspector-General cum-Chief Security Officer	Additional Inspector-General
4	Additional Inspector-General	Additional Inspector-General Chief Security Officer
5	Deputy Inspector Genera cum-	Deputy Inspector General.
6	Deputy Inspector-General	Deputy Inspector-General
7	Principal. Training College	Principal. Training College
8	Assistant Inspector General	Assistant Inspector General
9	Deputy Chief Security Officer	Senior Commandant Headquarters.
10	Senior Security Officer	Senior Commandant
11	Security Officer	Commandant
12	Staff Officer to Chief Security Officer	Commandant-cum-Staff Officer to Chief Security Officer.
13	Security Officer (Small Arms)	Commandant (Small Arms).
14	Commandant	Commandant.
15	Assistant Security Officer	Assistant Commandant.
16	Personal Assistant to Chief Security Officer.	Assistant Commandant-cum Personal Assistant to Chief Security Officer
17	Adjutant	Assistant Commandant Adjutant.
18	Assistant Commandant	Assistant Commandant.
19	Principal, Training School	AssistantCommandant-cum-Principal/Training School.
20	Vice-Principal, R.P.F. Training College.	Assistant Commandant-cum-College Vice-Principal, R.P.P. Training
21	Inspector	Inspector.
22	Sub-Inspector	Sub-Inspector.
23	Assistant Sub-Inspector	Assistant Sub-Inspector.
24	Head Rakshak	Head Constable.
25	Battalion Havildar Major	Head Constable.
26	Coy. Havildar Major	Head Constable
27	Senior Rakshak	Naik.
28	Rakshak	Constable.

(2) Notwithstanding anything contained in sub-section (1), any member of the existing Force may, within thirty days from the commencement of this Act. exercise his option by notice in writing to the Director General:

- (a) it such member has been on deputation to the existing Force from any other service to revert to such other service; and
- (b) in any other case, to retire from service, and an option so exercised shall be final, and a member exercising such option shall be permitted, within thirty days from the date on which he exercises such option, to revert to the service from which he had been deputation or, as the case may be, to retire from service.

Explanation: For the purposes of this section, the expression "member" includes an officer, and the expression "Director-Genera/" shall have the same meaning as in the principal Act as amended by this Act.

R.V.S. PERI SASTRI
Secy. to the Government
of India
6th September, 1985.

