

TRIPURA  **GAZETTE**

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PART--IV-- Bills introduced in the Tripura Legislative Assembly : Report of Selection Committees presented or to be presented to the Assembly; and Bills published before introduction in that Assembly.

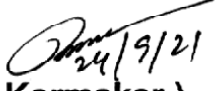
TRIPURA LEGISLATIVE ASSEMBLY
SECRETARIAT
NEW CAPITAL COMPLEX
AGARTALA, TRIPURA, PIN-799010
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No.F.7(12-12)-LA/2021.

Dated, Agartala the 24th September, 2021.

NOTIFICATION

“ As required under Rule 117 of the Rules of Procedure and Conduct of Business in the Tripura Legislative Assembly, “**The Tripura Police (Amendment) Bill, 2021 (The Tripura Bill No. 10 of 2021)**” as introduced in the Assembly on the **24th September, 2021** to be published in the Tripura Gazette.”


(B.P. Karmakar)
Secretary
Tripura Legislative Assembly

THE TRIPURA POLICE (AMENDMENT) BILL, 2021

A

BILL

to amend the Tripura Police Act, 2007 (Act No. 6 of 2007)

WHEREAS, it is expedient to amend the Tripura Police Act, 2007, for the purposes hereafter appear;

BE it enacted by the Tripura Legislative Assembly in the Seventy Second year of the Republic of India, as follows:

1. Short title and commencement:

- (i) This may be called “ The Tripura Police (Amendment) Act, 2021”;
- (ii) It shall come into force on and from the date of its publication on the Tripura Gazette.

2. Amendment of Section 35:

In Section 35 of Tripura Police Act, 2007, the expression “**Shall** have at least one Village Guard” shall be substituted with the expression, “**may** have one or more Village Guards”.

3. Amendment of Section 41:

In Section 41 of Tripura Police Act, 2007, the expression “and out of pocket expenses, as may be prescribed by the District Superintendent of Police. The honorarium so fixed shall not be less than that paid to a Home Guard in the State” shall be substituted with the expression, “as notified by the State Government from time to time.”

STATEMENT OF OBJECTS AND REASONS

Chapter-V of the Tripura Police Act, 2007 (herein after to be referred as 'said Act') deals with village police system. Section 35 of the said Act mentions that each village in the District **shall** have at least one village guard in each village. This provision in the said Act has made it mandatory on the State Government to recruit at least one village guard in each village. As a matter of fact, recruitment of village guard requires to be made on need basis only and it cannot be made a mandatory provision in the said Act. However, the amendment is sought to make the provision optional only.

[2] At present, Section 41 of the said Act envisages that the Village Guard shall not be paid honorarium less than Home Guard. Since the job of Village Guard and Home guard are not identical, State Government prefers to delink honorarium of Village Guard from that of Home Guard. Hence, the present amendments have been proposed.

[3] The Bill seeks to achieve the above objectives.

(Biplab Kumar Deb)
Chief Minister,
Tripura

TECHNICAL REPORT

The subject-matter of the The Tripura Police, (Amendment) Bill, 2021, is relatable to Entry 2 of List-II (State List) of the Seventh Schedule to the Constitution of India and as such the State Legislature is competent to make a law on this subject. The provisions of the Bill are not repugnant to any provision of the Constitution of India or any existing Central Law. The Bill does not attract the proviso to clause (b) of Article 304 of the Constitution of India and therefore, previous sanction of the President is not necessary for introduction or moving of the Bill in the State Legislative Assembly. It is not a “Money Bill” within the meaning of Article 199 (1), nor there is any additional financial implication on the State Consolidated fund. Therefore, prior recommendation of the Governor for introduction or move for consideration of the Bill by the State Legislature is not necessary under Article 207 of the constitution of India.

[B. Palit]
Secretary, Law
Government of Tripura

Tripura Gazette, Extraordinary Issue, September 27, 2021 A. D.

FINANCIAL MEMORANDUM

The Tripura Police, (Amendment) Bill, 2021, (The Tripura Bill No. 10 of 2021) if enacted and brought into force, there will be no additional financial implication on the Consolidated Fund of the State.

[S. Chaudhuri]
Secretary, Home
Government of Tripura