

THE ASSAM VILLAGE DEFENCE ORGANISATION (AMENDMENT) BILL, 2024

A
BILL

further to amend the Assam Village Defence Organisation Act, 1966.

Preamble

Whereas it is expedient further to amend the Assam Village Defence Organisation Act, 1966, hereinafter referred to as the principal Act, in the manner hereinafter appearing;

**Assam
Act
XXII of
1966**

It is hereby enacted in the Seventy-fifth Year of the Republic of India, as follows:-

**Short title,
extent and
commencement**

1. (1) This Act may be called the Assam Village Defence Organisation (Amendment) Act, 2024.
- (2) It shall have the like extent as the principal Act.
- (3) It shall come into force at once.

**Amendment of
section 2**

2. In the principal Act, in section 2,
 - (i) for clause (b), the following shall be substituted, namely:-

“(b) “Adviser” means the Honorary Chief Adviser, Honorary Deputy Adviser and Honorary Adviser and such other persons who may be appointed by the Government to act as advisers of the organisations at State level, District-level and Sub-District level.
 - (ii) for clause (d), the following shall be substituted, namely:-

“(d) “Chief Controller” means any officer not below the rank of Deputy Inspector General of Police appointed by the State Government as Chief Controller, who holding the post as ex-officio Officer.”
 - (iii) for clause (e), the following shall be substituted, namely:-

“(e) “District Village Defence Officer” means the Superintendent of Police of the concerned district.”
 - (iv) for clause (j), the following shall be substituted, namely:-

“(j) “Thana Village Defence Officer” means the Officer-in-Charge of the Thana.”
 - (v) after clause (j), the following new clause, shall be inserted, namely:-

“(k) “Head” means Head of the Assam Village Defence Organisation who shall be the Director General of Police (DGP), Assam.

**Amendment of
section 4**

3. In the principal Act, in section 4,—
 - (i) in clause (a), in the second line, in between the words and punctuation mark “order,” and “peace”, the words “internal security and” shall be inserted;
 - (ii) for clause (b), the following shall be substituted, namely:-

“(b) to give information to the police about the

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particulars of all the persons suspected or accused of any cognizable offence or any other anti-national or anti-social acts, and about the commission of such offences or acts, or about escaped prisoners or absconders.”

(iii) for clause (e), the following shall be substituted, namely:-

“(e) to do any other developmental, social, cultural, sports activities, as may be assigned or required or directed by the higher authority.”

Amendment of section 5

4. In the principal Act, in section 5, in sub-section (1), for the punctuation mark “.” appearing at the end the punctuation mark “:” shall be substituted and thereafter the following provisos shall be inserted, namely :-

“Provided that in every such Primary Committee the Thana Village Defence Officer and Circle Organiser of the Village Defence Organisation shall be ex-officio members :

Provided further that the engagement of President, Secretary, Naik or other members of the Primary Committee of the Organisation shall be after proper police verification.”

Amendment of section 8

5. In the principal Act, in section 8, for sub-section (1), the following shall be substituted, namely:-

“(1) The Administration and Control of the Village Defence Organisation in the State shall be vested with the Chief Controller. He may be advised by the Honorary Chief Adviser appointed by the Government.”

Amendment of section 10

6. In the principal Act, for section 10, the following shall be substituted, namely:-

“10. No member of the organisation shall be entitled to any remuneration for the services rendered by them in the organisation but any commendable services including welfare work by any member may be rewarded as may be prescribed. In addition to the normal duties, if any Village Defence Party (VDP) or group of Village Defence Parties, have been entrusted with specific tasks involving requirement of expert and long drawn exercises, the Government may pay adequate financial support for the same to mitigate the expenses of the Village Defence Parties (VDP) in discharging their duties, the State Government shall grant honorarium following such procedure as may be prescribed.”

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STATEMENT OF OBJECTS AND REASONS

The proposed Assam Village Defence Organisation (Amendment) Bill, 2024 seeks to amend relevant sections of the Assam Village Defence Organisation Act, 1966 pertaining to Definitions, Duties and Functions of the Organisation, Constitution of Primary Committees, Village Defence Parties, Selection of President and Secretary of Primary Committees and Naiks of Village Defence Parties, Administration and Control and Bar to Remuneration to further improve and strengthen the Assam Village Defence Organisation and to re-orient it to be responsive to the current changing scenario and to keep pace with new challenges faced by socio-economic and demographic changes.

Hence, the Bill.



(Dr. Himanta Biswa Sarma)
Chief Minister
&
Minister-in-charge
Home & Political, Assam



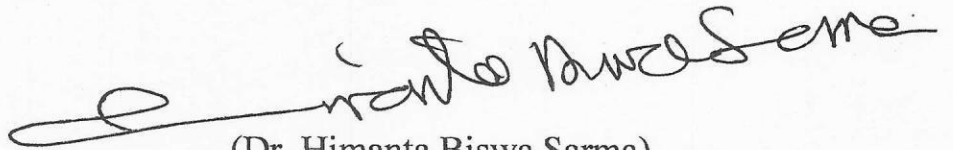
(Hemen Das)
Principal Secretary
Assam Legislative Department
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FINANCIAL MEMORANDUM

There is no financial implication in the proposed Amendment Bill.

MEMORANDUM OF DELEGATED LEGISLATION

It is proposed to delegate legislative power to the Executive in the proposed "Assam Village Defence Organisation (Amendment) Bill, 2024".



(Dr. Himanta Biswa Sarma)

Chief Minister

&

Minister-in-charge

Home & Political, Assam

Extract of the provisions of the Assam Village Defence Organisation Act, 1966 and the corresponding amendment proposed

Sl. No.	Amendment Proposed in	Present Provision	Proposed Amendment
1	Section 2(b)	“Adviser” means the Honorary Chief Advisor or such other person who may be appointed to act as advisers by the State Government.	In the Principal Act, in Section 2, for clause (b), the following shall be substituted, namely:- “(b) “Adviser” means the Honorary Chief Advisor, Honorary Deputy Advisor and Honorary Adviser and such other persons who may be appointed by the Government to act as advisers of the organizations at State level, District-level and Sub-District level.
	Section 2(d)	“Chief Controller.” means a Deputy Inspector General of Police appointed as a “Chief Controller” by the State Government;	In the Principal Act, in Section 2, for clause (d), the following shall be substituted, namely:- “(d) “Chief Controller” means any officer not below the rank of Deputy Inspector General of Police appointed by the State Government as Chief Controller, who holding the post as ex-officio Officer.”
	Section 2(e)	“District Village Defence Officer” means the Superintendent of Police of the district concerned, or where there is no Superintendent of Police, the Deputy Commissioner of the District, as the case may be;	In the Principal Act, in section 2, for clause (e), the following shall be substituted, namely:- “(e) “District Village Defence Officer” means the Superintendent of Police of the concerned district.”
	Section 2(j)	“Thana Village Defence Officer” means the Sub-Inspector of Police in -charge of a Thana.	In the Principal Act, in section 2, for clause (j), the following shall be substituted, namely: “(j) “Thana Village Defence Officer” means the Officer-in-Charge of the Thana.
	Section 2(k)	NIL.	In the Principal Act, in Section 2, after clause (j), the following new clause, shall be inserted, namely: “(k) “Head” means Head of the Assam Village Defence Organisation who shall be the Director General of Police (DGP), Assam.
2	Section 4	Duties and functions of the Organisation:- The following shall be the functions of the Organisation, namely - (a) to assist the police in the maintenance of law and order, peace and tranquility in the State of Assam; (b) to give information to the police about the particulars of all the persons suspected or accused of	In the Principal Act, in Section 4,- (i) in clause (a), in the second line, in between the words and punctuation mark “order,” and “peace”, the words “internal security and” shall be inserted; (ii) for clause (b), the following shall be substituted, namely:- “(b) to give information to the police about the particulars of all the persons suspected or accused of any cognizable offence or any other anti-

		<p>any cognizable offence or other anti State-acts, and about the commission of such offences or Acts, or about escaped convicts;</p> <p>(c) to prevent the commission of any cognizable offence;</p> <p>(d) to protect Government and other Public properties ;</p> <p>(e) to do other social work.</p>	<p>national or anti-social acts, and about the commission of such offences or acts, or about escaped prisoners or absconders.”</p> <p>(iii) for clause (e), the following shall be substituted, namely:-</p> <p>“(e) to do any other developmental, social, cultural, sports activities, as may be assigned or required or directed by the higher authority.”</p>
3	Section 5(1)	<p>For every village or group of villages, as the District Village Defence Officer may determine, there shall be a Primary Committee of the Organization consisting of such number of adult members of the village or group of villages, as may be prescribed.</p>	<p>In the Principal Act, in Section 5, in sub-section (1), for the punctuation mark “.” appearing at the end the punctuation mark “:” shall be substituted and thereafter the following provisos shall be inserted, namely:-</p> <p>“Provided that in every such Primary Committee the Thana Village Defence Officer and Circle Organiser of the Village Defence Organisation shall be ex-officio members:</p> <p>Provided further that the engagement of President, Secretary, Naik or other members of the Primary Committee of the Organisation shall be after proper police verification.”</p>
4	Section 8 (1)	<p>The administration and control of the Village Defence Organisation in the State shall be vested in Chief Controller. He may be advised by an Honorary Chief Adviser appointed by the Government.</p>	<p>In the Principal Act, in Section 8, for sub-section (1), the following shall be substituted, namely:-</p> <p>“(1) The Administration and Control of the Village Defence Organisation in the State shall be vested with the Chief Controller. He may be advised by the Honorary Chief Adviser appointed by the Government.”</p>
5	Section 10	<p>Bar to remuneration:- No member of the organisation shall be entitled to any remuneration but commendable services including welfare work done by any member may be suitably rewarded as may be prescribed.</p>	<p>In the Principal Act, for Section 10, the following shall be substituted, namely:-</p> <p>“10. No member of the organization shall be entitled to any remuneration for the services rendered by them in the organization but any commendable services including welfare work by any member may be rewarded as may be prescribed. In addition to the normal duties, if any Village Defence Party (VDP) or group of Village Defence Parties, have been entrusted with specific tasks involving requirement of expert and long drawn exercises, the Government may pay adequate financial support for the same to mitigate the expenses of the Village Defence Parties (VDP) in discharging their duties, the State Government shall grant honorarium following such procedure as may be prescribed.”</p>