

## ADVOCATES ACT, 1961

Sl No	Nature of Power	Authority on whom power conferred	Relevant Section of Law	Remarks
(1)	(2)	(3)	(4)	
1	To permit any person, not enrolled as an advocate to appear before the court in any particular case.	Any court including that of Executive Magistrate	32	An Executive Magistrate even when not functioning as court may exercise this Power to permit appearance in any particular case.
2.	To make a complaint to the State Bar Council regarding professional or other misconduct by an advocate.	Any Court including that of E.M.	35	Should not be indiscriminately or Arbitrarily used.

## ANTIQUITIES AND ART TREASURES ACT, 1972

Sl No	Nature of Power	Authority on whom power conferred	Relevant Section of Law	Remarks
(1)	(2)	(3)	(4)	
1.	To take over possession of antiquity or art treasure	Collector	19	(a) The Central Govt has the Power to acquire Collector may take Possession after the Central Government has passed such an order.

## ARMS ACT (WITH ARMS RULES), 1962

Sl No	Nature of Power	Authority on whom power conferred	Relevant Section of Law	Remarks
(1)	(2)	(3)	(4)	(4)
1.	To be informed of sale or transfer of firearms/ammunition	D.M	5	The intending seller of firearms or ammunition shall communicate the name of the intending buyer at least 45 days prior to sale
2.	To grant licence	Licensing Authority	13	After due enquiry
3.	To refuse to grant licence	Licensing authority	14	In case of refusal he shall give a brief statement of the reasons to the applicant on demand, unless it will not be in public interest to do so.
4.	To renew licence	As above	15	Reasons to be given for refusal.

**Note:**

- (a) For ascertaining who are the licensing, renewing authorities, please consult Schedule II to the Act.
- (b) "Authority" or "Officer" means except where otherwise specifically provided in the Rules (Arms Rules, 1962), the D.M. or Such officer as may, from time to time be notified in the official Gazette by Central Government Rule 2 (c).
- (c) "D.M." includes an A.D.M. or any other officer specifically empowered by the state Government. Licensing authorities other than D.M. shall send a copy of every licence to the D.M. having jurisdiction over the area. Rule 9.
- (d) For finding out who are the appellate Authorities, please, refer to Rule 5.

5.	To receive licence fee and impose additional conditions.	As above	16	Conditions should be reasonable.
6.	To suspend or revoke and vary conditions.	As above or any authority to whom the licensing authority is subordinate.	17	He may give notice to the holder for delivering up licence.
7.	To arrest and seize arms or ammunition.	Any Magistrate	20	For carrying arms etc. Under suspicious circumstances.
8.	To order for forfeiture of arms and ammunition.	D.M	21(3)	After deposit of the arms and ammunition u/s 21 and after issuance of show cause notice.
9.	To search and seize arms and ammunition.	E.M	22	If the has reasons to believe that such arms will be used for unlawful purpose or cannot be left without danger to the public peace or safety. Reasons to be recorded in the order before searching the house or premises.
10.	To stop and search any vessel, vehicle or other means of conveyance and to seize arms and ammunition.	E.M	23	For ascertaining contravention of the Act or the Rules.
11.	To search and seize notified arms in disturbed areas.	Any officer subordinate to Central or State Govt. as may be specified.	24-A	
12.	To search any person or any animal or vehicle and seize any notified arms and ammunition.	Any officer subordinate to Central or State Govt. as may be specified.	25-A	
13.	To be informed of the commission of any offence under the Act.	E.M having jurisdiction	36	Failure to give information without reasonable excuse is punishable u/s 30 of the Act.

14.	Arrested persons and arms and ammunition seized to be produced	Magistrate	37	
15.	To grant sanction for prosecution	D.M	39	
16.	To be protected for action taken in good faith	As Above	40	

### **The Arms Rules, 1962.**

Sl No	Nature of Power	Authority on whom power conferred	Relevant Section of Law	Remarks
	(1)	(2)	(3)	(4)
1.	To inspect premises, stock, records, where arms etc., are manufactured and kept (the Arms Rules 1962)	Magistrate	Rule 27	
2.	To inspect police station Malkhana.	D.M. Others Officers empowered	Rule 49	Periodical inspection of arms etc. deposited with dealer is authorized.

## BONDED LABOUR SYSTEM (ABOLITION) ACT, 1976

Sl No	Nature of Power	Authority on whom power conferred	Relevant Section of Law	Remarks
	(1)	(2)	(3)	(4)
1.	To Restore possession of homestead or other premises back to bonded labourer	S.D.M	8(2)	If bonded labour is evicted from residential premises, after he has been freed or discharged under the Act
2.	(a) To ensure D.M implementation of the act  (b) To discharge such power and to perform such duties of the D.M	Any officer subordinate to D.M	10	State Government may confer such power  On being delegated by D.M
3.	To promote welfare and to ensure credit	D.M or Other authorised officer	11	For the bonded labourers
4.	To enquire into and eradicate the enforcement of forced labour	D.M or Other authorised officer	12	Bonded system has been abolished under Act., Vide Sec.4.
5.	To be the chairman or to nominate any person for the office of chairman	D.M	13	On the vigilance committee.
6.	Power to try offences under the Act as J.M 1 <sup>st</sup> or 2 <sup>nd</sup> class.	E.M	21	E.M may be vested with the powers of J.M (1 <sup>st</sup> or 2 <sup>nd</sup> Class) by the state Govt. and once such powers are conferred, they shall be deemed to be J.M (1 <sup>st</sup> or 2 <sup>nd</sup> Class) as the case may be.

## CANTONMENT ACT 1924

Sl No	Nature of Power	Authority on whom power conferred	Relevant Section of Law	Remarks
(1)	(2)	(3)	(4)	(5)
1.	To call upon the Board to nominate a member	D.M	263(2)	For constitution of a Committee of Arbitration
2.	To issue and enforce processes	D.M	264(3)	As may be required by the committee of Arbitration

## CATTLE TRESPASS ACT 1871

Sl No	Nature of Power	Authority on whom power conferred	Relevant Section of Law	Remarks
(1)	(2)	(3)	(4)	(5)
1.	To establish pounds	D.M	4	He shall determine which villages will use such pound
2.	To control pounds and fix or alter rates of charge	D.M	5	For feeding and watering impounded cattle
3.	To receive levied fine	D.M	*12	As levied by the pound keeper
4.	To appoint an officer for dealing with unclaimed cattle	D.M	14	Such officer may dispose or cattle by public auction, if not claimed with in a week of the notice, subject to such conditions as may be specified by the D.M
5.	To receive surplus of sale proceeds	D.M	17	If no claim is preferred with in 3 months, the sale proceeds would be treated as revenue of the Sate

6.	To entertain and enquire into complaints	D.M or Any Magistrate authorised	20	Regarding seizure or detention of cattle in contravention of the Act
7.	(a) To award compensation not exceeding Rs100/-	D.M or Any Magistrate authorised	22	
	(b) To release the cattle	D.M or Any Magistrate authorised	22	
8.	To be protected against civil and criminal liability for anything done under the Act in good faith.	D.M., S.D.M., E.M and any other authorised officer	24	

### **CENSUS ACT, 1948**

Sl No	Nature of Power	Authority on whom power conferred	Relevant Section of Law	Remarks
	(1)	(2)	(3)	(4)
1.	To direct specified officer or persons to perform duties of census officers.	D.M. or any other Authority appointed by the State Govt.	6	Direction should be given in writing in the form of an order. Refusing or neglecting or neglecting to perform such duties is punishable u/s 187 IPC.
2.	To call upon persons, officers and staff of any factory, firm or establishment etc. and others specified to give assistance towards taking of a census.	As above	7	Persons acting in pursuance of such order be deemed to be public servants within the meaning of sec.21 I.P.C

## CINEMATOGRAPH ACT, 1952

Sl No	Nature of Power	Authority on whom power conferred	Relevant Section of Law	Remarks
	(1)	(2)	(3)	(4)
1.	To pass orders for search and seizure	D.M or Magistrate	7A	When there is reason to believe for contravention of the Act.
2.	To grant licence	D.M. C.P	11	(a) D.M. or such authority as may be prescribed in respect of Union Territory. (b) Depends upon his satisfaction as to compliance with the Rules and adoption of safety and precautionary measures. Vide sec.12.
3.	To revoke licence	Licensing Authority which includes D.M	15	When the holder of the licence has been convicted of an offence u/s 7 or 14.



## CITIZENSHIP ACT, 1955 AND RULES 1956

Sl No	Nature of Power	Authority on whom power conferred	Relevant Section of Law	Remarks
	(1)	(2)	(3)	(4)
1.	To receive application for citizenship	Collector	Rule 7	
2.	To register a person as citizen	Collector	Rule 8	Only in cases coming u/s 5(1)(a) and 5(1)(d)
3.	To make enquiry before registration	Collector	Rule 9	Points for enquiry: Whether the person- (a) is of Indian origin (b) has close connection in India (c) has an intention to make India his permanent home (d) is of good character etc. (e) is fit and proper person
4.	To keep register of persons registered u/s 5(1) (a)	Collector	Rule 11	

## CIVIL PROCEEDURE CODE, 1908

Note:

- (1) The Civil Procedure Code is designed to lay down laws relating to the procedure of the Court of Civil Judicature. Hence, the procedure provided under C.P.C. shall be followed by all civil courts functioning in the areas to which C.P.C. is applicable vide Sec. 1 (3) & (9).
- (2) Revenue Court means a court having jurisdiction under any local law to entertain suits or other proceedings relating to rent, revenue or profits of land used for agriculture purposes.
- (3) In order to find out which procedure should be adopted by a Revenue Court, it is necessary to look into the local Act under which it is functioning. If that local Act lays down any procedure, then while trying or deciding a case under that local Act, the procedure laid down ought to be followed by the Revenue Courts,
- (4) If the local Act is silent on the point of procedure, then the procedure laid down in Civil Procedure Code should be adopted unless the State government by notification declares that such provisions shall not be applicable to such Revenue Courts.
- (5) The State Government may also declare that the provisions of Civil Procedure code shall only apply to Revenue Courts with such modifications as the State Government may prescribe vide Section 5 Civil Procedure Code

Sl No	Nature of Power	Authority on whom power conferred	Relevant Section of Law	Remarks
	(1)	(2)	(3)	(4)
1.	To issue proclamation requiring a person to give evidence or produce document	Civil Court	Order XVI, Rule 10(2)	When the person receives summons but fails to attend or to produce document in compliance with such summons without lawful excuse.
2.	To issue warrant, either with or without bail for the arrest of such person and make an order for the attachment of his property	Civil Court	Order XVI, Rule 10(3)	In lieu of issuing proclamation or at the time of or at any time afterwards W.A. or order for the attachment can be issued.
3.	To withdraw attachment if witness appears	Civil Court	Order XVI, Rule 11	If such person satisfies the court that he did not, without lawful excuse, fail to comply with the summons or intentionally avoid service or that he had no notice of such proclamation

4.	To impose fine not exceeding Rs.500	Civil Court	Order, XVI, Rule 12	When such witness does not appear or appears but fails to satisfy the court regarding his absence or lawful excuse etc. Note. The court or any part his property for the purpose of costs of attachment together with the amount of the said fine.
5.	To summon as witness strangers to the suit of its own motion to give evidence or to produce documents	As above	Order XVI, Rule 14	
6.	To give reasonable bail where witness apprehended, cannot give evidence or produce document and release him on furnishing bail-bond	Civil Court	Order XVI,18	Where any person arrested under a warrant was brought before the court in custody.
7.	To order him to be detained in civil prison if he fails to furnish bail-bond or security	Civil Court	Order XVI A, Rule	As above
8.	To require attendance of prisoner to give evidence	Civil Court	Order XVI A, Rule-2	Where court thinks that the evidence of such confined person is material in a suit, provided that such production order shall be made unless the court is satisfied that the examination of such person on commission will not be adequate if the distance from the prison to court house is more than 25 km.
9.	To grant time and adjourn the hearing	Civil Court	Order XVII, Rule 1(1)	
10.	To make order with respect to the cost occasioned by the adjournment	Civil Court	Order XVII, Rule 1(2)	No adjournment shall be granted at the request of a party except where the circumstances are beyond the control of that party. The engagement of the pleader in court is not a ground for adjournment. Illness of a pleader is not a ground for adjournment unless the party applying for adjournment could not have engaged any other pleader in time

11.	To record statement of the witness and pass such orders as it thinks fit dispensing with the examination in chief or cross-examination of the witness as the case may be, by the party or his pleader not present or not ready	As above	Order XVII, Rule 1(2) (e)	Where a witness is present in court but a party or his pleader though present in court, is not ready to examine or cross-examine the witness.
12.	To dispose of the suit in one of the modes directed by order 9.	Civil Court	Order XVII, Rule 2	If parties fail to appear on the day fixed.
13.	To proceed notwithstanding either party fails to produce evidence, etc.	As above	Order XVII, Rule 3	
14.	To record the demeanour of any witness while under examination	Civil Court	Order XVIII, Rule 12	If the court thinks that it is material
15.	To recall any witness who has been examined (subject to law of evidence enforced for the time being) and made to such questions to him as it thinks fit at any stage of suit	As above	Order VIII, Rule 17	
16.	To inspect any property or thing concerning which any question may arise at any stage of a suit	As above	Order XVIII, Rule 18	The court shall make a memorandum or relevant facts observed at such inspection and such memorandum shall form a part of suit

## COMMISSION OF INQUIRY ACT, 1952

**No specific power of E.M. spelt out in the Act.**

Sl No	Nature of Power	Authority on whom power conferred	Relevant Section of Law	Remarks
	(1)	(2)	(3)	(4)
1.	To utilize services of certain officers and investigation agencies for conducting investigation pertaining to inquiry.	Commission so appointed	5-A	It is the duty of the officers to serve the commission when called upon to do so

## COMMISSION OF SATI PREVENTION ACT, 1987

Sl No	Nature of Power	Authority on whom power conferred	Relevant Section of Law	Remarks
	(1)	(2)	(3)	(4)
1.	To prohibit the doing of any act towards the commission of Sati	Collector or D.M	6	If he is of the opinion that 'Sati' or abetment is about to be committed
2.	To prohibit the glorification of 'Sati' by any person in any manner	As above	6	
3.	To order removal of certain temples or other than those covered by sec.7(1)	Collector, D.M	7(2)	If he is satisfied that in any temple or other structure any form of worship or performance of any ceremony is carried out with a view to perpetuate the honour of or to preserve the memory of any person in respect of whom 'Sati' has been committed

4.	To order removal of such structure etc., through police officer	As above	7(3)	In case of non-compliance of orders passed under section 7(1) or 7(2)
5.	To seize certain funds and properties	Collector, or D.M.	8	When he has reason to believe that any funds or properties have been collected or acquired for the purpose of glorification of the commission of Sati or which may be found under circumstances which create suspicion of the commission of any offence under this Act.
6.	To be protected against suit, prosecution or other legal proceedings for anything done in good faith or intended to be done in pursuance of the Act, Rules or Order made there under	Any officer or authority including D.M	15	

\* The State Government may direct that the powers of the Collector or D.M. u/s 6 may also be exercised by such other officer, not below the rank of Village Officer, vide Rule 3.

7.	To specify village officer and other officers and inhabitants of such area who will be under an obligation to report about commission of offence under the Act to the nearest Police Station	Collector or D.M	17(2)	Violation punishable under section 17(3)
8.	To prepare inventory of all the material and other property obtained after removal of temple or structures and to forward intimation thereof to the Special Court	-do-	Rule 7	

## CONTEMPT OF COURTS ACT, 1971

Sl No	Nature of Power	Authority on whom power conferred	Relevant Section of Law	Remarks
(1)	(2)	(3)	(4)	
1.	To refer a criminal contempt to the High Court	Any Subordinate court which includes a court of E.M. or Revenue Court	15(2)	May be resorted to only in appropriate cases to meet the ends of justice
2.	To specify the contempt of which the person charged is alleged to be guilty	As above	15(3)	In this context attention is drawn also to section 345 Cr. P.C.

- Notes:
- (i) A Judge or Magistrate may also commit contempt of his own court, vide section 16.
  - (ii) Although there is no express provision as to making of a reference to High Court regarding Civil contempt, a report may submitted to the High Court by any Subordinate Court alleging Civil contempt.
  - (iii) “Civil Contempt” means wilful disobedience to any judgement, decree, direction or other process of court.

## COTTON GINNING AND PRESSING FACTORIES ACT, 1925

Sl No	Nature of Power	Authority on whom power conferred	Relevant Section of Law	Remarks
(1)	(2)	(3)	(4)	
	To give sanction for prosecution for violation of the provision of the Act	D.M	11	

## CRIMINAL PROCEDURE CODE 1973

Sl No	Nature of Power	Authority on whom power conferred	Relevant Section of Law	Remarks
(1)	(2)	(3)	(4)	
1.	To restrict the local limits of each Executive Magistrate within the District	D.M	22(1), 22(2)	The authority of the D.M is subject to the control of the State Government
2.	(a) To distribute business among the Executive Magistrates subordinate to him	D.M	23(2)	
	(b) To allocate business to the Additional District Magistrate		23(2)	
3.	To confer upon the A.D.M all or any of the power of D.M	State Govt.	20(2)	
4.	To arrest or to direct arrest within his local jurisdiction	E.M	44(1), & (2)	When any offence is committed in his presence or he has the authority to issue warrant of arrest
5.	To endorse warrant of arrest issued by an outside court for execution within the local limits of his jurisdiction	E.M., O/C of Police Station	79	
6.	To allow the arrested person to be produced before him	E.M., S.P., C.P.,	80	When the outside court issuing the warrant is beyond 30 km. of the place of arrest



7.	(a) To check up whether the person arrested on warrant, appears to be the person intended by the court issuing the warrant	E.M.	81	This procedure is to be followed by the E.M. when any person, arrested on a warrant issued by tan outside court, is produced before him
	(b) To direct the removal of the arrested person in custody to the court which issued warrant	E.M	81	Unless the offence involved isailable
	( c) To enlarge the arrested person on bail, bond to be forwarded to if the offence isailable and the person arrested, furnishes security to his satisfaction	E.M.	81	In such event, the bail-the court which issued the warrant
8.	(a) to issue search warrant	Any Court	93	For production of a specified thing or document or for general search
	(b) To issue search warrant	D.M., C,J.M	93(3)	a) For document, parcel as a thing in custody of postal or telegraph authority
9.	To issue search warrant or to make orders	D.M., S.D.M, J.M.(1 <sup>st</sup> )	a) 94	a) For search of place suspected to contain stolen property, forged document etc.
10	(a)To require search to be made for letters and telegrams in the custody of the postal or telegraph authority pending the order of D.M., C.J.M. etc	E.M, J.M	92(2)	

	(b) To authorize police officer, not below the rank of Sub-Inspector, to search or seize certain publications forfeited under the order of the State govt.	Any Magistrate	95	
11.	To direct search in his presence	Any Magistrate	103	If and when he is competent to issue a search warrant, he may, instead of issuing search warrant, direct search to be made in his presence.
12.	To demand security:	E.M	(a) 107 (a)	For keeping peace in cases otherwise the on conviction.
			(b) 108	For good behaviour form persons disseminating, seditious matters.
			( c) 109	For good behaviour from habitual offenders
			(d) 110	Note: Sections 111 to 124 lay down the procedure to be followed for the exercise of such Magisterial jurisdiction. Section 116 provided for the inquiry to be held.
13	(a) Toce.	Executive Magistrate specially empowered by the State Govt.	(b) 137	b) He may make an inquiry as to the existence of public right when it is denied.
			( c) 138	c) He may hold an inquiry with a view to determining whether the conditional order should be confirmed or modified or further proceeding be dropped
15.	To issue injunction pending inquiry U/s 133	E.M	142	
16.	To prohibit repetition or continuance of public nuisance.	E.M	143	

17.	To issue order in the urgent cases of nuisance or apprehended danger	D.M., S.D.M Any other E.M. specially empowered by the State Govt.	144	<p>He may direct any person either to abstain from a certain act or to take certain order with regard to certain property in his possession or under his management. Such direction may be given to prevent:</p> <ul style="list-style-type: none"> <li>a) Obstruction or annoyance or injury to any person lawfully employed or;</li> <li>b) Danger to human life, health or safety or;</li> <li>c) Disturbance of public tranquillity or riot or any affray vide Section 144 Cr.P.C</li> </ul>
18.	To intervene and tackle a dispute concerning land or water which is likely to cause breach of peace	E.M	(a) 145 (1)	(a) If the E.M is satisfied about the existence of a dispute of the aforesaid nature, he may pass a preliminary order.
			(b) 145 (2)	<p>(b) Afterwards, he may make an inquiry.  Note: the inquiry should be limited to the question as to who was in possession in fact on the date of the preliminary order irrespective of the question as to the right of the parties, The object of the Section 145 is:</p> <ul style="list-style-type: none"> <li>(i) To prevent the breach of public peace</li> <li>(ii) To provide summary and speedy recovery;</li> <li>(iii) To ascertain which party was in actual possession; and</li> <li>(iv) To maintain status quo until the right of the parties are decided by a competent court.</li> </ul>

19.	To attach the E.M subject of the dispute and appoint a Receiver	E.M	146	The proceeding U/s 146 are in continuation of those U/s 145
20.	To deal with E.M. disputes about the right to a particular use of land or water	E.M	147	Section 147 has the same object as Section 145 but the nature of dispute U/s 145 is different from that of U/s.147, Sec.145 applies to disputes about the possession of land or water itself, while, Sec. 147 relates to disputes regarding rights of USER of land or water.  Note: Mode or inquiry U/s 147 is same as U/s 145

21.	(a) To make an order declaring the possession	E.M	145(6)	There may be attachment in a proceeding U/s 145 but the question of attachment does not arise
	(b) To make an order prohibiting any interference with the exercise of the right of the actual User claimed provided that it appears to exist.	E.M	147(3)	In a case U/s 147
22.	To remand for a term not exceeding 7 days	E.M	167	When a Judicial Magistrate is not available, an accused may be forwarded by a police officer of and above the rank of S.I., U/s 167 Cr. P.C. to the nearest E.M. on whom powers of the Judicial Magistrate of Metropolitan Magistrate have been conferred, vide Section 167 (2A).
23.	To make a complaint U/s 340 (1) for offence against the Administration justice.	Courts including that of E.M.	340 (1), read with Sec.195	E.M.s including D.M. & S.D.M. are court inferior to that of sessions Judge, vide Sections 397 & 398
24.	To convict & punish persons under sections 345, 349 & 350 Cr.P.C.	Courts including that of E.M.	345, 349, 350	Such orders of the E.M are appeal able to the court of session

25.	To make over or withdraw from any Magistrate subordinate to him cases which has been started before him or which have been made over to any Magistrate subordinate to him respectively.	D.M., S.D.M	411	Any case U/s 411 means any proceeding or inquiry before an E.M. such as cases U/s 107, 108, 109, 110, 133, 144, 145, 146 and 176
26.	To exercise all such powers as have been conferred upon the court under provisions of the Cr.P.C. provided that those powers are also relatable to and exercisable in furtherance of their functions under the code, as for example	E.M		
	(a) Issuing process to compel appearance.	Courts including that of E.M	69, 70, 71 etc. chapter VI, A, B, C, D & chapter VII, A	
	(b) Taking and recording evidence in inquiries	-Do-		
	(c) Disposal of property pending inquiry and at the conclusion of the inquiry	-Do-	451 to 459	
	(d) Forfeiture of bonds furnished to the Executive Magistrate under the Cr.P.C.	-Do-	446	

	(e) Issuing commission for examination of witness	Courts including that of E.M	284	
	(f) Holding local inspection	-Do-	310	
	(g) Discharge of sureties U/s 444 Cr. P.C	E.M., J.M.	444	
	(h) Issuing warrant levying fine	E.M., J.M	421	
	(i) Punishing for criminal contempt in view or in the face of the court	-Do-	345	
27.	To get Affidavits affirmed or sworn	E.M.	297	
28.	To record the demeanour of a witness	Criminal Court including that of E.M.	280	It should be recorded while the witness is under examination
29.	To exercise power of the predecessor –in-office	A judge or Magistrate including E.M.	35	<p>Powers of Magistrates are exerciseable by their predecessors-in-office subject to the provisions of Cr.P.C.</p> <p><b>Note:</b> When there is a doubt as to who is the successor-in-office of any Executive Magistrate it shall be determined by the D.M., vide Sec.35(3)</p>
30.	To demand the assistance of a member of the Public	E.M	37	<p>In the prevention or suppression of a breach of peace or in the taking or preventing the escape of any person whom the Magistrate is authorised to arrest or In the prevention of any inquiry attempted to be committed to any railway, telegraph or public property.</p> <p>Note: Omissions to render aid is punishable U/s 187 I.P.C.</p>

31.	To be informed of certain offences.	Nearest Magistrate or Police Officer		Public to give such information.  Note: For Penalty vide sec.176 and 202 I.P.C
32.	To be posted with reports in connection with the affairs of a village	Nearest Magistrate or Police Officer		Duty cast upon the village officials. Breach of duty Punishable under Section 176 I.P.C.

## SECURITY PROCEEDINGS

1.	To pass a preliminary order asking any person of show cause.	E.M	111 110	When the Magistrate acting /s 107,108,109 or deems it necessary  Note The order should be in writing and it should contain the following:  a) Substance of the information received; b) The amount of the bond to be executed; and c) The term for which it is to be force; and d) The number, character and class of sureties required
2.	To read over to the O.P., if present in court, the preliminary order	E.M	112	It may, if desired by the O.P., be explained to him
3.	To issue summons requiring such person to appear.	E.M	113	A copy of the preliminary order should accompany the summons. This is the normal procedure in securing attendance of the O.P
4.	To issue Production Warrant addressed to the Officer-in-charge of the Production of such person	E.M	113	When such person is in prison
5.	To issue warrant of arrest against O.P., when breach of peace is apprehended which cannot be prevented otherwise, than by immediate arrest of O.P	E.M	Proviso the Sec. 113	A copy of the preliminary order should be attached to the Warrant of Arrest, vide Section 114



6.	To issue warrant of arrest U/s 87(b) when the O.P. does not turn up in response to the summons	E.M	87(b)	Vide Gopi V/s State reported in 1974 Cr. L.J. 1410
7.	To give an opportunity to show – cause to the O.P.	E.M	115	
8.	To dispense with the personal attendance of any person and permit him to appear by a pleader	E.M	115	
9.	To inquire and record evidence in security proceedings	E.M	116	Procedure for trial of summons cases to be followed
10.	To ask for a interim bond from such person after commencement of the inquiry and before completion of the inquiry	E.M	116(3)	The inquiry is to be completed within six months. The proceeding shall stand terminated on the expiry of six months unless the Magistrate, for special reasons, extends the time. Such extension, if any, is to be made within six months. Extension, if any, is liable to be scrutinized by the Sessions Judge.
11.	To order for furnishing of security.	E.M	117	When it is proved that it is necessary to take security
12.	To discharge O.P (opposite party)	E.M	118	When the case is not proved
13.	To refuse or reject a surety	E.M	121	If he is found unfit.
14.	To order imprisonment in default of security	E.M	122	

15.	To report the case to the Sessions Judge for his orders when the bonds is for more than one year	E.M	122	<p>In the meantime the O.P. may be detained pending the decision of the Session Judge.</p> <p>Note. (a) When the O.P. after execution of a bond for good behaviour but during the term of the bond, commits or attempts to commit or attempts to commit or abets in the commission of an offence punishable with imprisonment it may be regarded as breach of the bond.</p> <p>(b) A bond for keeping the peace is broken when the O.P., does some acts during the term of the bond, which is likely in its consequence to provoke the breach of peace.</p>
16.	To release person imprisoned for failure to give security	(a) D.M (b) C.J.M as the case may be	123(1)	a) When the imprisonment has been ordered by Executive Magistrate. 123(1) b In other cases.
17.	To reduce the amount of security number of sureties or the time for which security has been take when the persons have been imprisoned for failure to give security.	(a) High Court (b) Court of Sessions (c) D.M (d) C.J.M	123(2)	c) In case or order passed by E.M d) In any other case.

## OTHER POWERS

Sl No	Nature of Power	Authority on whom power conferred	Relevant Section of Law	Remarks
(1)	(2)	(3)	(4)	
1.	To postpone or adjourn proceedings which include inquires	Any court including E.M.	309	Reasons to be recorded
2.	To direct the payment of cost by the prosecution to the accused	As above	Explanation 2 of section 309	The cost may form a condition or term of adjournment
3.	To visit and inspect any place in which an offence alleged to have been committed or any other place which is necessary to view for the purpose of properly appreciating the evidence given at an inquiry or a trail at any stage of inquiry, trail or the proceeding.	Any Judge or Magistrate including E.M	310(1)	Due notice to be given to the person
4.	To record a memorandum of any relevant facts observed at such inspection	Any Judge or Magistrate	310(1)	Such memorandum would form part of the record of the case.
5.	To summon, examine, recall and re-examine any person who is material witness or who is present in court.	Any court including court of E.M	311	<p>If evidence of such person appears to be necessary for the just decision of the case, such person can be examined at any stage of inquiry, trail or other proceeding under Cr.P.C.</p> <p>Note Section 311 has two parts. One discretionary and the other mandatory.</p>

6.	To take cognizance of the offence for non-attendance by a witness in avoidance to summons and to try him summarily	Any criminal court including that of E.M.	350(1)	If any witness being summoned, does not appear without just excuse, neglects or refuses to attend
7.	To cause an offender to be detained in custody at any time before the rising of the court on the same day	Civil, Criminal or Revenue Court	345(1)	For Criminal Contempt of Court
8.	To sentence such a witness to fine not exceeding Rs.100	As above	350(1)	Summary trial/procedure to be followed for hearing
9.	To take cognizance of the offence as described in Sections 175,178,180,228 Civil Procedure code when it is committed in the view of or in the presence of the court	Civil, Criminal or Revenue Court	345(1)	Offender should be given reasonable opportunity to show-cause why he should not be punished
10.	To sentence such offender for criminal contempt to fine not exceeding Rs.200 and in default of payment of fine to simple imprisonment for a term which may extend to one month unless such fine be sooner paid.	Civil criminal or Revenue Court	345(1)	The court shall record the facts constituting the offence with the statement, if any, made the offender as well as by the finding and sentence.
11.	To forward the case to a Magistrate having jurisdiction to try the offence involved	As above	346(1)	When the forwarding court considers that the case should not be dealt U/s 345 Cr. P.C

1.	To arrest or to direct arrest within his local jurisdiction	E.M J.M	44	When any offence is committed in his presence or he has authority to issue warrant for the arrest of the person concerned.
2.	To demand assistance of the Public in making such arrest	E.M any Magistrate	37	A member of the public is bound to assist the Magistrate when his aid is reasonably demanded by Magistrate for making arrest. Intentional omission to render such assistance is punishable U/s 187 IPC
3.	To command dispersal of an unlawful assembly, either actual or potential	E.M.	129	An' unlawful assembly'' is a collection of five or more person actuated by a common object as specified in section 141 I.P.C An assembly of five or more persons which does not come within the purview of section 141 C.P.C may also be commanded to disperse, provided that it is, in the circumstances, likely to cause disturbance of public peace.
4.	To call civil force for dispersal of actual or potential unlawful assembly	E.M	129(2)	When such an assembly on being so commanded does not disperse. Even if such an assembly has NOT been commanded to disperse but it conducts itself in such a manner as to show a determination not to disperse  Note: Source of civil force are (a) State Police Force (b) Any male member of the public  Refusal to disperse is punishable under section 145 I.P.C in case of unlawful assembly and under section 151 I.P.C in case of an assembly likely to cause disturbance of public peace.
5.	To make order for arrest and confinement with a view to effecting dispersal or being prosecuted and punished according to law.	E.M	129(2)	

6.	To cause an unlawful assembly to be dispersed by the armed forces	E.M. of the highest rank present	130	Armed Forces include military, naval and air forces operating as land forces and also any other Armed Forces of the Union of India so operating like BSF, CISF, Assam Rifles and ITBP etc.
7.	To require the officer commanding the group of armed forces to arrest and confine member of such Assembly for effecting dispersal or having them punished.	E.M of the highest rank present	130(2)	
8.	To issue temporary orders in urgent cases of nuisance or apprehended danger.	D.M., S.D.M any other E.M. specially empowered by State govt.	144	When immediate prevention of speedy remedy is desirable.  Note: The object of an order U/s 144 Cr. P.C. is to prevent any of the following  (a) Obstruction , annoyance or injury to any person lawfully employed (b) Danger to human life, health and safety. (c) Disturbance of public tranquillity (d) Riot or affray
9.	To pass an order ex-parte under section 144 Cr.P.C.	D.M., S.D.M., any other E.M. specially empowered by the State Govt.	144	In case of emergency or in cases where circumstance do not permit for service of timely notice upon the person against whom the order is directed.  Note: The nature of order U/s 144 is generally prohibitory.  In appropriate cases it may be mandatory e.g. the Magistrate may enjoin the opposite party to direct removal of an obstruction when it is needed to prevent a breach of peace (Madhu Limaye's case, Supreme Court)

10.	<p>Examples of the orders that may be passed U/s</p> <p>(a) To prohibit an assembly, or a meeting or procession for prevention of breach of peace but not for interfering with the lawful exercise of legal rights</p> <p>(b) To prohibit carrying of arms or weapons</p> <p>(c) To prohibit a person from entering into a particular area.</p> <p>(d) To prohibit using of loudspeakers.</p> <p>(e) to prohibit people from coming out of their houses on the public road/ street/ land (curfew)</p> <p>(f) To prohibit raising of provocative slogans which are likely to cause breach of peace</p>	D.M., S.D.M., any other E.M specially empowered by the State Govt.	144	<p>A prohibitory order U/s 144 Cr. P.C. must specify:</p> <p>i) the thing which is prohibited.</p> <p>ii) the persons who are prohibited;</p> <p>iii) the place covered by the order; and</p> <p>iv) the period of time</p> <p>Note: The list given in column No.1 is illustrative and not exhaustive.</p> <p>Violation of an order U/s 144 Cr. P. C. is a cognizable offence and punishable U/s 188 IPC</p>
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11.	<p>To demand security for keeping peace and for good behaviour as indicated below:-</p> <p>(a) for keeping peace in cases otherwise than or conviction.</p> <p>(b) for good behaviour from persons disseminating seditious matters.</p> <p>(c) for good behaviour from suspected persons.</p> <p>(d) for good behaviour from habitual offenders.</p>	E.M.	<p>107</p> <p>108</p> <p>109</p> <p>110</p>	<p>Section 111 to 124 lay down the procedure to be followed for the exercise of such magisterial jurisdiction.</p>
12.	<p>To hold inquest that means to make an enquiry into the cause of unnatural or suspicious death</p>	<p>D.M., S.D.M., Any other E.M. specially empowered by the State Govt. or the D.M.</p>	174 (4)	<p>Inquest when mandatory for the competent D.M.:</p> <p>(a) When any persons dies in the police custody.</p> <p>(b) The case involves suicide woman within seven years of her marriage.</p> <p>(c ) The case relates to death of woman within 7 years of her marriage in any circumstances raising a reasonable suspicion that some other person commit an offence in relation to such woman.</p> <p>(d) In any other case mentioned in 174 (1), any Magistrate so empowered may hold an inquiry into the cause of death either instead of or in addition to the investigation held by the police officer.(Here, the inquest by Magistrate is DISCRETIONARY)</p>



13.	To direct the police not to hold inquest on receipt of an information from the police or any other source.	State Govt., D.M. S.D.M.	176 read with 174	D.M. or S.D.M. has power to issue general or special order in this regard. Vide section 174 (1) Cr.P.C.
14.	<p>The Magistrate has the following powers in regard to inquest:-</p> <p>(a) to proceed to the spot promptly.</p> <p>(b) to inform the relatives of deceased whose names and addresses are known and allow them to remain present at the inquiry.</p> <p>(c) to examine carefully the dead body in presence of two or more respectable inhabitants of the neighbourhood.</p> <p>(d) to note down all relevant features, which include, among other things, number, position and direction of wounds, fractures, bruises and other marks of injury on the body.</p>	D.M. & S.D.M., Any other E.M. specially empowered by the State Govt.	176 read with 174	<p>Inquest is to be held on the spot</p> <p>The expression “relatives in this context, means parents, children, brothers, sisters and spouse.</p> <p>Signs of inflammatory reaction (smelling etc.) and signs of struggles should be recorded.</p>

(e) to take steps )before commencing examination of the dead body) for identification of the deceased by at lease two persons who have known him before his death.

(f) to examine the persons who are supposed to be acquainted with the facts and the circumstances of the case and record their evidence.

(g) to call and examine eyewitnesses, if available.

(h) to inspect the general ediary, connected case diary, lockup register and all other relevant records and documents in case of inquiry into the cause of death in police custody.

(i) to issue process and to compel appearance of witness and production of things.

He has power to administer oath. Vide section 3 of the Oaths Act, 1969.

NOTE: Evidence of each witness should be recorded separately in verbatim.

It is not necessary to examine all the eye-witnesses. If eye-witnesses are not available, the Magistrate may examine other persons who may throw light over the cause of death.

Proceedings conducted by E.M.U/s 176 Cr.P.C. are an inquiry within the meaning of section 2 (g) Cr.P.C.vide A.I.R.1928, Bombay 390.

15.	To record confession of any person which is likely to throw light over the cause of death.	E.M.	176	An E.M. thought not empowered to record confessional statement U/s 164 Cr.P.C. may record confession of any person throwing light over the cause of death AIR 1953 Madras 138 (741). AIR 1964 A.P.548.  D.M. cannot interfere in an inquiry U/s176 Cr.P.C. made by the S.D.M. or any other competent E.M.
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## CUSTOMS ACT, 1962

Nature of power	Authority on whom power conferred	Relevant section of Law	Remarks
1. To allow a person, whom a custom officer is about to search, to be produced before him.	Magistrate	102	If such person so requires.
2. To direct search to be made.	-do-	-do-	When there is ground for search.
3. To discharge him	-do-	-do-	If he sees no ground for search.

## DANGEROUS DRUGS ACT, 1930

Nature of power	Authority on whom power conferred	Relevant section of Law	Remarks
1. To issue a warrant for arrest	Collector, M.M., J.M. 1 <sup>st</sup> or 2 <sup>nd</sup> class specially empowered or other officer authorised.	22	When an offence under Chapter III has been committed.
2. To issue warrant for search	do	22	When any dangerous drug is kept or concealed in violation of Chapter III.

## **DRAMATIC PERFORMANCE ACT, 1876**

Nature of power	Authority on whom power conferred	Relevant section of Law	Remarks
1. To prohibit certain dramatic performance.	Magistrate* empowered by the State Government	3	Scandalous defamatory or which may excite feelings of disaffection to Government or likely to deprave or corrupt the audience
2. To serve order of prohibition	- do -	4	
3. To notify order	- do -	5	Penalty to disobey prohibition is provided u/s The trial should be before a J.M
4. To call for information	An officer specially empowered	7	
5. To grant warrant to enter arrest and seize	D.M.	8	Scenery, dresses and other articles may be seized.

\* Magistrate means Magistrate of the District

## **DRUGS AND MAGIC REMEDIES (OBJECTIONABLE ADVERTISEMENT) ACT 1954**

Nature of power	Authority on whom power conferred	Relevant section of Law	Remarks
To enter search place and seize advertisements	Any gazetted officer authorised by the State Govt.	8	If he has reason to believe that an offence under the Act has been or is being committed.

**EMPLOYMENT EXCHANGES COMPULSORY NOTIFICATION OF VACANCIES RULES, 1960  
MADE UNDER S.10 OF THE EMPLOYMENT EXCHANGES (COMPULSORY NOTIFICATION OF VACANCIES) ACT, 1959**

Nature of power	Authority on whom power conferred	Relevant section of Law	Remarks
1. To institute or sanction the institution of prosecution for an offence or to authorise any person in writing to do so.	Collector or Deputy Commissioner	Rule 8	Offence occurring in column No.1 means an offence under Exchanges (Compulsory notification) Act, 1959 <i>Vide</i> Sec.7 which provides for penalties

**EPIDEMIC DISEASES ACT, 1897**

The Act provides for the better prevention of the spread of Dangerous Epidemic Diseases. The State Govt. may take subordinate Legislations under this Act.

Nature of power	Authority on whom power conferred	Relevant section of Law	Remarks
To take special measures and prescribe regulations as to dangerous epidemic diseases.	State Govt.	2	To prevent the outbreak of epidemic diseases.

## ESSENTIAL COMMODITIES ACT 1955

a) To direct production of seized essential commodity	Collector*	6A(1)	For his inspection
b) To confiscate essential commodity, conveyance and container	Collector	6A	If he is satisfied that there has been contravention of any control order made U/s 3 or U/s 3, read with S.5
c) To order sale of seized goods which are subject to speedy and natural decay	Collector	6A(2)	At the controlled price or by public auction or through government fair price shops.
d) To issue notice to show cause and to give hearing to the parties concerned in a confiscation proceeding	Collector	6B	
e) To make order with regard to possession, delivery disposal or distribution of seized essential commodity	Collector	6E	Jurisdiction of courts barred in certain cases

\* Collector includes an Additional Collector and such other officer, not below the rank of S.D.O., as may be authorised by the Collector to perform the functions and exercise the powers of the Collector under this Act. S2(a-i)

## ESSENTIAL SERVICES MAINTENANCE ACT, 1981

The Act provides for the maintenance of certain essential services and the normal life of the community.

Nature of power	Authority on whom power conferred	Relevant section of Law	Remarks
1. To prohibit by general or special order, strike in any essential service in the public interest	Central Govt.	3	Such order shall be in force for six months but it may be extended for a further period not exceeding six months
2. To prohibit by general or special order, lock-outs in any establishment pertaining to essential service	Central Act	8	-Do-
3. To prohibit by general or special order, lay-off in any establish-essential service	Central Govt.	9	-Do- Notes: (a) Lock outs (b) Lay-off (c) Strike (Vide Industrial Dispute Act)



### **EXPLOSIVES RULES, 1983 (Read with Indian Explosives Act, 1884)**

Nature of power	Authority on whom power conferred	Relevant section of Law	Remarks
1. To search, seize enter inspect, examine and place any carriage etc., and to take samples of explosive possessed or manufactured in contravention of the Act (Indian Explosives Act, 1884)	D.E., E.M. Commissioner of Police, Police Officers not below the rank of Inspector of Police in their respective jurisdictions	Rules 179	The Chief controller and Controller or Explosives have jurisdiction over all parts of India in this regard.  Note: For matter of enquiry into accident u/s 9(1) of the vide Rule 184

### **FACTORIES ACT, 1948**

Nature of power	Authority on whom power conferred	Relevant section of Law	Remarks
1. To be the Inspector of factories	D.M	8(4)	For his district
2. To enter and inspect factory to examine documents.	D.M. as Inspector	9	He may examine any person for out the purpose of the Act.
3. To inquire into the accident	Do	9	
4. To require the production of any register	Do	9	
5. To seize or take copies of any register or document	D.M as Inspector	9	
6. To direct dismantling of article or substance	Do	9	When such article or substance is likely to cause danger to health and safety of the worker
7. To file complaint or to sanction prosecution for offences under the Act	Do	105	Limitation- Three months from the date on which the offence came to his knowledge

## FOREIGNERS ACT, 1946

Nature of power	Authority on whom power conferred	Relevant section of Law	Remarks
To require the master of any vessel or the pilot of any aircraft to furnish information	D.M. C.P. S.P,	6(2)	Information in respect of passengers or members of the crew.

## GAS CYLINDER RULES, 1981 (Framed under the Explosives Act, 1884)

Nature of power	Authority on whom power conferred	Relevant section of Law	Remarks
1. To inquire into accidents	D.M. C.M. E.M. Subordinate to D.M.	Sec.9(1) Explosives Act, 1884	Procedure laid down in Rule 75
2. To take evidence to identify dead bodies and order internment thereof	Do	Rule 75(3)	When the accident is attended with loss of human life
3. (a) To inspect any place aircraft, carriage, or vessel	D.M. E.M. Subordinate to D.M.	Rule 78 Sec. 7(1), Explosives Act	The D.M. and E.M. can exercise the power within their respective jurisdiction
(b) To search for explosive	Do	Do	
(c) to take samples	Do	Do	
(d) to seize	Do	Do	

### **GOLD (CONTROL) ACT, 1968**

Nature of power	Authority on whom power conferred	Relevant section of Law	Remarks
1. (a) to allow production of a person about to be searched	Nearest Magistrate	60(3)	Of a person detained u/s 60(2)
(b) To direct search or discharge	Do	60	

### **GUARDIANS AND WARDS ACT 1890**

Nature of power	Authority on whom power conferred	Relevant section of Law	Remarks
1. To be the guardian of a minor	Collector*	18	Where he is so appointed or so declared by the court. The collector is subject to the control of the state government (Sec.23)
2. To look to the health, education and other welfare of the ward	Collector as guardian of person	24	This is the duty of all guardians
3. To deal with properties carefully and to do all acts which are reasonable and proper for protection and benefit of the property	Collector as guardian of property	27	Do

\* Collector means the Chief Officer in charge of a revenue administration of a district and any officer appointed by the State Government to be a Collector

## IDENTIFICATION OF PRISONERS ACT, 1920

Nature of power	Authority on whom power conferred	Relevant section of Law	Remarks
1. To give direction not to destroy photographs, measurements etc.	D.M., S.D.O. Trying Court	7	
2. To be protected from suit or proceeding	As above	9	

## IMMORAL TRAFFIC (PREVENTION) ACT, 1956

**Object:** In pursuance of the International Convention signed at New York on 9.5.1950, the Act was passed for the prevention of immortal traffic

Nature of power	Authority on whom power conferred	Relevant section of Law	Remarks
1. To notify a public place C.P. other than those specifically mentioned in S.7(1) (b) within 200 metres of which prostitution is prohibited	D.M	7(1) (b) Read with Schedule	
2. To allow production of persons after his removal from brothel under Sub-section 4.	D.M. S.D.M., J.M. (1 <sup>st</sup> Class)	15(5)	
3. To get such persons medically examined	As above	15(5A)	Medical examination is compulsory
4. To direct police officer to enter brothel and to remove any person	As above	16	Where the Magistrate has reason to believe so from information received from police or

living in brothel or is caring on prostitution			any other person authorized by the State Govt. or otherwise
5. To issue notice to show – cause within 7 days to the owner, landlord etc., of the brothel as to why property should not be attached for improper use	D.M., S.D.M	18(1)	When the Magistrate receives information from police or otherwise that any house, room or place within a distance of 200 meters of any public place is being run or used as a brothel or is being used by prostitutes for carrying their trade.
6. (a) To direct eviction after hearing the occupier within 7 days of the passing of the order.	Do	18(1)	
(b) To direct owner/lessor etc. no to let it out without permission of the Magistrate	Do	18(1)	
7.To order eviction with out notice to show cause	Convicting Court	18(2)	When a person is convicted U/s 3 or 7
8. (a) To order applicant to be kept in a protective home or to be provided care and protection	D.M., S.D.M., M.M., J.M.	19(1)	
(b) To direct that the applicant be kept in proper custody pending inquiry	Do	19(2)	
(c ) To order after inquiry that applicant be kept	19(3)		Regard may be had to the report of Probation Officer and prospects of rehabilitation
(i) in a protective institution or (ii) in a corrective institution, or (iii) under supervision of a person appointed by the Magistrate			

9(a) To record substance of the information (received) that a person who is residing or frequenting any place is a prostitute.	D.M., S.D.M., or any E.M. specially empowered by the State govt.	20(1)	
(b) To order her to appear and issue notice to show-cause as to why she should not be required to remove herself from the place and be prohibited from re-entering	Do	Do	
(c ) To inquire into the truth of the information after giving opportunity of being heard	Do	Do	
(d) To order that she shall remove herself from the place and shall not re-enter.	Do	Do	

## **INDECENT REPRESENTATION OF WOMAN (PROHIBITION) ACT, 1986**

Nature of power	Authority on whom power conferred	Relevant section of Law	Remarks
1. To enter and search any place if he has reason to believe that an offence under this Act has been or is being committed	Any Gazetted Officer authorised by the State Government.	5	For entry into private dwelling house, warrant is necessary.
2. To seize any advertisement, documents, book, photograph etc.	As above	Do	
3. To examine any record, register or other material object and to seize them.	As above	Do	

Object of the Act: To prohibit indecent representation of women through advertisements, books, pamphlets etc. This is in addition to the law relating to obscenity U/s 292 to 294 I.P.C

All offences under the Act are cognizable but bail able

## **INDIAN BOILERS ACT, 1923**

Nature of power	Authority on whom power conferred	Relevant section of Law	Remarks
To direct the owner of any boiler to produce the certificate.	D.M.C.P. J.M. 1 <sup>st</sup> class, or any person specially authorised by the D.M. or C.P.	15	

## INDIAN CHRISTIAN MARRIAGE ACT, 1872

Nature of power	Authority on whom power conferred	Relevant section of Law	Remarks
To act as the Marriage Registrar	D.M	7	During the absence of the Marriage Registrar or his illness or temporary vacancy.

## INDIAN ELECTRICITY ACT, 1910

Nature of power	Authority on whom power conferred	Relevant section of Law	Remarks
1. To direct any support, stay or strut removed to be or altered	D.M. C.P	12(2)	Upon good cause being shown
2. To cause the trees structure or object to be removed or otherwise dealt with	J.M. 1 <sup>st</sup> class C.P.	18(3)	Interferences or likely to interfere with the transmission of energy
3. To be informed regarding transmission and use of energy in certain cases.	D.M., C.P.	30	By a person other than a licensee or person to whom sanction has been granted



## INDIAN EVIDENCE ACT, 1872

Nature of power	Authority on whom power conferred	Relevant section of Law	Remarks
1. To forbid any indecent or scandalous questions unless they relate to facts in issue	Any court* including that of E.M.	151	*Court includes all judges and Magistrates and all persons, except arbitrators, legally authorised to take evidence. Vide S.3.
2. To forbid any question intended to insult or annoy or which is needlessly offensive in form	As above	152	
3. To ask any question in any form, at any time of any witness or of the parties about any fact relevant or irrelevant	The Presiding officer of the court	165	This section does not authorise a judge to compel any witness to answer any question which such witness would be entitled to refuse to answer under section 121 to 131  Note: Judge shall not ask any question which would be in proper for any other person to ask U/s 148 or 149 of I.E. Act.
4. To order production of any document or thing, at any time	Any court including that of E.M	165	This Section does not authorise a judge to compel any person to produce any document which such person would be entitled to refuse to produce U/s 121to 131.
5. Not to be compelled to answer any question as to his own conduct in court as Magistrate or as to any thing which came to his knowledge in court as such Magistrate	Judge or Magistrate	121	Except upon the special order of some court to which he is subordinate.
6. Not to be compelled to disclose communication made to him in official confidence	Any public officer	124	When he considers that public interest would suffer by such disclosure.
7. Not to be compelled to disclose the source of any offence including offence against public revenue	Magistrate, Police Officer, Revenue Officer	125	It is based on public policy

## INDIAN EXPLOSIVES ACT, 1884

Nature of power	Authority on whom power conferred	Relevant section of Law	Remarks
To enquire into cause of accident or to accident or to direct a subordinate Magistrate to hold such enquiry	D.M	9	<p>(a) In accidents other than those in connection with any place, aircraft, carriage or vessel under the control of the Armed Forces.</p> <p>(b) Enquiry by D.M is mandatory in cases involving loss of human life.</p> <p>(c) In other case he may direct an E.M. to hold enquiry.</p>

## INDIAN FOREST ACT, 1927

Nature of power	Authority on whom power conferred	Relevant section of Law	Remarks
1. To hear appeals from orders passed by forest settlement officer U/SS. 11,12,15, or 16.	An officer of the Revenue Department not below the rank of Collector*, as may be specified by the state Government	17	*Note: Forest Settlement Officer shall be deemed to be Collector within the meaning of Land Acquisition Act. Vide S.11(3)
2. To cause translation into the local vernacular of every notification issued U/S 30.	Collector	31	To be affixed in a conspicuous place

3. To receive representation from the owner for conservation of forests by way of managing the same as reserved or protected forest or for application of the provisions of the Act to such land.	Collector	38(1)	
4. To try certain offences summarily	D.M., J.M. (1 <sup>st</sup> class) Specially empowered	67	Offences are those punishable with imprisonment for a term not exceeding 6 months or fine not exceeding Rs.500

### INDIAN LUANCY ACT, 1912\*

Nature of power	Authority on whom power conferred	Relevant section of Law	Remarks
1. (a) To consider a petition for reception of a lunatic.  b) To examine the alleged lunatic  c) To hold enquiry  d) To make order forthwith for reception in asylum.	D.M., S.D.M., Presidency Magistrate, J.M. (specially empowered)  Do  Do  Do	7,3(6)	The institution of Presidency Magistrate has been abolished. The system of Metropolitan Magistrate has been introduced by the new code of Cr.P.C., 1973
2. To order suitable custody for alleged lunatic	Do	8	Pending conclusion of the enquiry as envisaged in S.7.

3. To consider the petition in private	Do	9	It shall be considered in private in the presence of the petitioner. The alleged lunatic (unless the Magistrate otherwise directs) and any person appointed by the alleged lunatic.
4. To make reception order or to dismiss the petition	D.M., S.D.M., Presidency Magistrate J.M. (specially empowered)	10	(a) Adjournment may be allowed for further evidence or enquiry
5. To appoint substitute for the person upon whose application a reception order has been made	Do	11-A	
6. To order reception / custody of wandering and dangerous lunatics brought U/s 13.	Do	14	He shall examine him and may get him medically examined. After enquiry he may make order for admission of such lunatic into an asylum or make over him to the care of a friend or relative.
7. (i) To summon a negligent relative  (ii) Sentence him to imprisonment up to one month for wilful neglect	Do	15	If a lunatic is cruelly treated or when not under proper care or control, he may send him to asylum
8. To detain a lunatic upto 30 days pending medical report.	Do	16	Detention order cannot exceed 10 days at a time.  Note: U/s.17, in Presidency Towns the Commissioner of Police has all powers of Magistrate USs. 14,15,16
9. To detain lunatics in suitable custody	Do	23	Pending removal to asylum

10. (a) To Direct Collector to take charge of the person and estate of the lunatic	District Court	69	Collector's consent is necessary. All proceeding are subject to control of the Govt. Vide S.70.
(b) To appoint Manager of the estate.	Collector	69	Provided that the Collector has already been directed to take charge of the person and Estate of the Lunatic  Do
(c ) To appoint guardian of the Lunatic	Do	69	
11. To send lunatics to any asylum in any other state.	Any Magistrate or Court exercising jurisdiction	85	In accordance with any order and with the consent of the State Govt.

- Indian Lunacy Act, 1912 is repealed by S.98 of the Mental Health Act, 1987

## INDIAN STAMP ACT, 1899

Nature of power	Authority on whom power conferred	Relevant section of Law	Remarks
1. To estimate stamp where value of subject matter is indeterminate	Collector	26(a)	When lease has been granted on behalf of Govt.
2. To adjudicate as to proper stamp	Collector	31	He may require to furnish an abstract of the instrument and affidavit or other evidence
3. To certify payment of full duty on the instrument	Collector	32	Instrument not duly stamped is inadmissible in evidence (sec. 35)
4. To examine and impound a chargeable instrument	Judge, E.M., J.M., Revenue Court	33	If he thinks fit specially in a proceeding under chapter XII& XXXVI C.P.C
5. To refund penalty paid U/s 38(1)	Collector	39	
6(a) To require the payment of proper duty with penalty b) To remit the penalty	Collector	40	When the instruments has been sent U/s 38(2) he shall return it to the impounding officer.
7. To receive proper duty. (amount)	Collector	41	When instrument unduly stamped by accident, mistake or urgent necessity. Instead or proceeding U/s 33 or 40 duty (amount) may be received.
8. To endorse on the instruments	Collector, Admitting Officer	42	On which duty has been paid U/s 35,40 or 41
9. To make allowance for stamped papers	The chief Controlling Revenue Authority, Collector (if empowered)	51	In case of printed forms no longer required by corporations

10. To make allowance for spoiled or misused stamps	Collector	52	On application made for such purpose. For procedure, how done- vide Section 53
11. To repay the value of stamp not required for use	Collector	54	Depends on his satisfaction
12. To repay on renewal of debentures	Collector	55	When there is direction of the State Government
13. To prosecute the evaders of stamp duty	Collector	61(4)	For an offence against Stamp Law with intent to evade payment of the proper duty.
14. To accord sanction for instituting and conducting prosecutions	Collector	70	
15. To authorize a person for inspection of books registers etc.	Collector	73	To secure any duty, or to prove or lead to discovery of fraud etc. see the rate of stamp duty on instruments in Schedule I read with Section 3.

## INDIAN TELEGRAPH ACT, 1885

Nature of power	Authority on whom power conferred	Relevant section of Law	Remarks
1. To permit telegraph authorities to exercise power for placing and maintaining telegraph lines and posts.	District Magistrate	16(1)	If during placement of Telegraph Lines. Cable Chambers etc. the telegraph authority is resisted or obstructed
2. To order removal of line or post on property other than that of a local authority	D.M	17(3)	On receipt of application and hearing both the applicant and the telegraph authority, he may pass order absolutely or conditionally.
3. To order removal of trees.	Magistrate 1 <sup>st</sup> or 2 <sup>nd</sup> class	18(1)	On the basis of application of telegraph authority he may do so provided that trees interrupt or likely to interrupt telegraphic communication.
4. To award compensation	Do	18(2)	The compensation awarded to the person interested should be reasonable.
5. To order to abstain form dealing with property.	Do	19-A(2)	For a period not exceeding one month.
6. To assess the proportion of the costs of police force among the inhabitants	D.M	33(2)	Where additional police force is employed by the State Govt.
7. To recover money payable U/s 33(2)	D.M. or any Magistrate	33(3)	He may recover money under distress warrant or sale of movable property of the defaulter within his local jurisdiction or by suit.



## JUDGES (PROTECTION) ACT, 1985

The Act secures additional protection for Judges and others acting judicially.

Nature of power	Authority on whom power conferred	Relevant section of Law	Remarks
1. To be protected from civil and criminal proceeding for anything done or word spoken in discharge of official or judicial duty or function	Any Executive or Judicial Magistrate or Judge acting judicially.	3	A 'Judge' means every person who is empowered by law to give in any legal proceeding a definitive judgement (Sec.S.2 of the Act).

## JUNILE JUSTICE ACT, 1986

Object: To provide for the care, protection, treatment, development and rehabilitation of neglected or delinquent juveniles and to give a Uniform juvenile justice system in conformity with United Nations Standard Minimum Rules the Act came into existence.

Nature of power	Authority on whom power conferred	Relevant section of Law	Remarks
1.To excise powers conferred on the board or the Juvenile Court by or under this Act where no board or Juvenile Court has been constituted for any area.	D.M., S.D.M. M.M., J.M 1 <sup>st</sup> Class	7(2)	For Powers of Board vide Sections 14,15,16,17. Note (1): No legal practitioner shall be entitled to appear before a Board in any case or proceeding before it, except with special permission of that Board vide S. 28(3) Note (2): For definition of 'competent authority' please see S.2(d) which includes 'Board' and the Juvenile court.
2. To function as competent authority where no Board or juvenile Court has been established.	D.M., S.D.M., M.M., J.M 1 <sup>st</sup> Class		For Powers of competent authority vide sections 27 to 35 and 40. Summons procedure to be followed by the competent authority. See S. 39(1)

## LAND ACQUISITION ACT, 1894

Nature of power	Authority on whom power conferred	Relevant section of Law	Remarks
1. To cause public notice of the substance of the notification U/s 4	Collector *	4	After the State Government has issued notification.
2. To decide dispute as to sufficiency of amount	do	5	Regarding payment of damages due to entry.
3. To give public notice of the substance of declaration	do	6(2)	Regarding intending acquisition and declaration that land is required for public purpose.
4. To direct the Collector to take order for acquisition of land.	Appropriate Government or officer authorised by it.	7	After declaration that the land needed for public purpose or for a company.
5. To cause land to be marked out, measured and plan to be made.	Collector	8	Unless it is already done U/s. 4
6. To give notice to all persons interested that Government intends to take possession of land.	Collector	9(1)(30(4)	
7. To ask them to appear and to state their interest in land and claims to compensation	Collector	9(2)	He may require written statement of the claims of ;the persons so interested in the land.

8. To require the making of statements as to names of persons possessing interests in land	Collector	10	
9. To enquire into objection and value of the land and make award	Collector	11	
10. To give notice of his award.	Collector	12(2)	

\* Collector means the Collector of a district, and includes a Deputy Commissioner and officer specially appointed by the appropriate Government to perform the functions of a Collector under this Act, Vide S.3(c)

11. To adjourn enquiry, for any cause he thinks fit.	Collector	13	
12. To correct arithmetical or Clerical errors in the award.	Collector	13-A	When he has been required U/s 18 to make a reference to court.
13. To summon and to direct production of documents	Collector	14	He may enforce attendance of witness and compel the production of documents as per C.P. Code
14. To take possession of land.	Collector	16	When award has been made U/s 11
15. To take possession in urgency for a public purpose	Collector	17	Upon appropriate Government's direction. Within 15 days from the publication of notice although no award has been made, but on payments of 80% of the compensation.
16. To refer the matter to court and state particulars of land etc. In writing for the information of the court	Collector	19	
17. To refer dispute as to apportionment of Compensation to Court	Collector	30	When the amount of compensation has been settled U/s 11
18. To pay compensation or deposit in court	Collector	31	Arrangement has to grant of other lands in exchange and remission of land revenue can be made instead of awarding money compensation.

19. To take temporary occupation of waste and arable land	Collector	35	On being directed by appropriate Government. Notice and compensation are prerequisites  Reference may be made to court in case of difference
20. To enter and take possession and use or permit the use there of in accordance with.	Collector	36	On payment of compensation and executing and agreement they can do so. On the expiration of the term he shall restore the lands to the persons interested provided that the appropriate Government does not proceed to acquire
21. To refer difference as to condition of the land to the court	Collector	37	If the collector and persons interested differ as to condition of land at the expiry of term
22. To punish obstructers in doing of an act authorized U/s 4 or 8	Magistrate	46	
23. To enforce surrender of land to himself	Collector, Magistrate. CP	47	If he has the powers of a Magistrate he shall do. In Calcutta, Bombay and Madras. If he is not a Magistrate he shall apply to a Magistrate or Commissioner of Police
24. To refer the question of house or building to the court.	Collector	49	Before passing order of acquisition and award U/s 11.

## LEPERS ACT, 1898

To detain and send a pauper leper to asylum or make him over to the care of a friend or relative	MM., JM(1st class) Any other Magistrate authorised by the state Government	8(1)	To prevent from begging publically in any area, specified U/s 3. Unless discharged by the order of the board or DM U/s 8(1)
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## MEDICINAL AND TOILET PREPARATIONS (EXCISE DUTIES/, 1955)

To recover duty or amount payable under the Act	Collector	5	By certificate proceedings in the same manner as an arrear of land revenue. The Excise Officer is empowered to attach dutiable goods.
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## MENTAL HEALTH ACT, 1987

Nature of Power	Authority on whom power conferred	Relevant Section of Law	Remarks
1. To make an application to the District Court for holding inquisition into the mental conditions of an alleged mentally ill person.	Collector	50	By the Collector of the District in which the property is situated, provided that it can lawfully be entrusted to a Court of Wards for management.
2. To appoint any suitable person as guardian of a mentally ill person.	Collector District Court	53	Collector can act U/s 53 only where a direction has been issued U/s 54(2) by the District Court.
3. To comply with the direction of the District Court for taking charge of mentally ill person and property which cannot be taken charge of by the court of wards	Collector	54(2)	

4. To appoint a Collector manager of the property of the mentally ill person and property which cannot be taken charge of by the court of wards	Collector	55	When District Court directs after obtaining the consent of the Collector
5. To get a bond executed by the appointed manager.	Collector District Court	56	
6. To appoint legal heir of a mentally ill person as the guardian U/ss 53,54,55 for benefit of the mentally ill person.	Collector District Court	57	Reasons to be recorded in writing.
7. To receive inventory and accounts from the manager of mentally ill person and his property.	Collector District Court As the case may be	60	
8. To impugn the accuracy of the inventory or statement referred to in Section 60(1) or (2) by a petition to the District Court.	Collector Relative of mentally ill person.	66	
9. To direct the manager to invest money not required for the current expenses for management of property, otherwise than what is expressly specified by Sec. 67	Collector	67	Reasons to be recorded. Collector can act when the manger has been appointed by him.
10. To remove the manager or guardians of a mentally ill person and to appoint a new manager in his place for sufficient cause.	Appointing Authority, Collector, District Court as the case may be.	69	Reasons to be recorded in writing

## **MINES ACT, 1952**

1. To be the Inspector of mines	D.M	5(3)	Depends upon the order of the central government
2. To make inquiry and examine any person	D.M	7	To see whether legal provisions are observed and to ascertain safety and welfare of the employees
3. To search, seize and take records	D.M	7	
4. To give permission to prosecute	D.M	75	Owner, agent, manager etc

## **MOTOR VEHICLES ACT, 1988**

1. To grant or refuse a stage carriage permit	Regional Transport Authority	71, 72	
2. To grant or refuse a contract carriage permit	Regional Transport Authority	74	
3. To grant or refuse a private service permit	Regional Transport Authority	76	
4. To grant or refuse a goods carriage permit	Regional Transport Authority	79	
5. To renew permit	Regional Transport Authority	81	
6. To give permission of the transfer of Permit.	Regional Transport Authority	82	
7. To cancel or suspend Permit.	Regional Transport Authority	86	

## NARCOTIC DRUGS AND PSYCHOTROPIC SUBSTANCES, ACT 1985

1. To issue warrant and authorization.	Any officer of gazetteer rank of certain Depts. of Central and State Govt.	41(2)	If he has reason to believe that any person has committed an offence punishable under Chapter IV of the Act.
2. To enter, search, seize, detain arrest without warrant or authorization between sunrise and sunset.	Any officer of Central Govt. or St Govt. specially empowered (not below the rank of a peon or constable) of excise, police, custom, revenue or any other dept.	42	If he has reason to believe that Narcotic drug or psychotropic substance in respect of which an offence is punishable under Chapter IV has been committed or any document or article relating to offence is kept concealed in any building, conveyance or enclosed place.  He shall record grounds for the belief and reasons for not obtaining a search warrant or authorization.
3. To seize and arrest in public places.	As Above	43	When he has reason to believe that an offence under Chapter IV has been committed
4. To stop and search conveyance	As above	49	If there is reason to suspect the provisions of the Act contravened.
5. To invest officers of certain departments with powers of the O.C. of Police Station.	Central Government	53(1)	State Government may be consulted
6. As Above	State Government	53(2)	For investigations of officers under this Act.
7. To take charge of article seized.	An officer in charge of Police Station	55	
8. To assist each other	All officers of departments mentioned in Sec. 42.	56	Upon notice given or request made in carrying out the provisions of the Act.



## NATIONAL SECURITY ACT, 1980

1. To detain any person to prevent him from acting in any manner prejudicial to the defense and security of India or to the maintenance of public	Central State Government , D.M., Commissioner of Police	3	Provided State govt. vests them with power U/s.3(3)
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## NORTHERN INDIA CANAL AND DRAINAGE ACT, 1873

(1)	(2)	(3)	(4)
1. To cause issue of public notice stating that State Govt. intends to apply or use the water and that claims for compensation in respect of matters mentioned in Sec. 8 may be made before him.	Collector	7	
2. To condone the delay for filing claim beyond one year that is the prescribed period of limitation	Collector	9	If he is satisfied that the claimant of compensation has sufficient cause for not making the claim within one year.
3. To enquire into such claim and determine the amount of compensation.	Collector	10	Sec. 9 to <b>12, 14</b> , 15, 18 to 28, 26 to 40, 51, 57, 58 & 59 of the Land Acquisition Act, 1870 shall apply to such inquiries
4. To decide dispute as to sufficiency of compensation for any damage.	Collector	14	Damage means damage caused by entry U/s 14. <b>Note :</b> Collector means the Head Revenue Officer of a district and includes a Deputy Commissioner or other officer upon whom the powers of the Collector have been conferred.

5. To award compensation to the proprietors or occupiers of the lands.	Collector	15	On reference by the Canal Officer when compensation tendered by him is not accepted.
6. To recover any amount due but not paid to the Divisional Canal Officer or other authorized officer or by order made U/s 19.	Collector	16,19	As if arrear of land revenue.
7. To get a copy of notice of proposed taking over and transfer of ownership of the water-course.	Collector	22,23	
8. To reject petition of objection to construct or transfer applied for or to inquire into validity of objection.	Collector	24	In all orders under this Section reasons to be Recorded.
9. To give notice to the Divisional Canal Officer and proceed to place the applicant in occupation of the land marked out or watercourse to be transferred as the case may be.	Collector	25	If no objection is made or if Collector over rules when made.
10. To hold an objection valid and proceed accordingly as provided before.	Collector	26	
11. To cause the applicant to be placed in occupation of the land.	Collector	27	If directed by the Commissioner
12(a) To determine compensation for the land or water-course occupied or transferred and to receive the same from the applicant.	Collector	28	In determining the compensation the Collector shall proceed under the provisions of Land Acquisition Act, 1870.
(b)To recover such amount (compensation) as arrear of land revenue and to pay to the person entitled (to receive the same)	Collector	28	
13 (a) To determine and receive rate of rent from the applicant who is placed on occupation.	Collector	29	

(b)To determine the amount of rent due or assess the amount of compensation and recover the amount with interest @ 6% per annum and pay the same to the person to whom it is due.	Collector	29	On an application of the person entitled to receive rent or compensation.
14. To award to the petitioner reasonable compensation for loss arising from interruption.	Collector	32	
15. To recover any sum lawfully due and certified by the Divisional Canal Officer as an arrear of land revenue.	Collector	45	
16. To enter into an agreement for collection and payment of canal dues.	Collector	46	
17. To require the ‘Lambardar’ or person under engagement to pay the land revenue of any estate, to collect and pay sums payable under the Act by a third party.	Collector	47	
18. To deal with all claims or compensation on account of any loss consequent on the removal or modification of the obstruction or construction work (in a manner provided in Sec. 10)	Collector	61	
19. To entertain claim after the expiration of one year.	Collector	62	If he is satisfied that the claimant had sufficient cause for not making claim within the period of limitation.

20. (a) To add or alter list of laborers to be supplied by persons Benefited by canal.	64	Collector	64	
(b) To ascertain the proprietors, Farmers etc. benefitted by canal or drainage work.	64	Collector	64	If the State Govt. so directs
21 (a) To inquiries and settle differences as to mutual rights and liabilities of persons interested in water-course		Collector Divl. Canal Officer	68	If the dispute is transferred by D.C.O
(b) To order finally as to use or distribution of water for any crop sown or growing.		Collector	68	

### **OATHS ACT, 1969**

Nature of power Who power Conferred	Authority of Law	Relevant Section	Remarks
To administer oaths Court or Judge	Any Magistrates	3	

### **OFFICIAL SECRETS ACT, 1923**

Nature of power Who power Conferred	Authority of Law	Relevant Section	Remarks
To grant search Warrant Magistrate, Magistrate (1 <sup>st</sup> Class)	S.D.M. Presidency	11	If he is satisfied that there is reasonable ground for suspecting that an offence under this Act has been or is about to be committed.

**OIL MINES REGULATIONS, 1984 with reference to Mines Act, 1952.**

(1)	(2)	(3)	(4)
1. To be informed About opening of new mine.	D.M as an Inspector	3	Vide section 5(3), 2(i) of Mines Act.
2. To receive quarterly returns,	D.M.	4	Agent or manager of mine shall submit it on or before 20th January, April, July and October every year.
3. To receive or require annual return.	D.M.	5	Form No. Ill shall, be followed by the owner, agent or manager of mines.
4. To be informed about change of ownership or address of the owner of mines.	D.M.	6	The Mines Act Section 2(1) or 5(3) empowers the D.M.
5. To be informed about accident of mines.	D.M.	7	Notice of accident to be given to Regional Inspector also. Form IV-A to be followed.
6. To be informed about disease of employees.	D.M.	8	Notice to be given to D.M. in Form V.

**OPIUM ACT, 1857**

Nature of power	Authority on whom power conferred	Relevant Section of Law	Remarks
1, To adjust cultivator's accounts and recover by distress	Collector	16	The cultivator's property may be sold for recovery of rent or revenue.
2. To punish and recover unlawful cess paid.	Collector	19	Exactions of illegal cess by landholders from raiya recoverable by a summary suit

**PAYMENT OF GRATUITY ACT, 1972**

1.To recover amount of gratuity which is unpaid, as arrears of land revenue	Collector	Section 8	If the amount of gratuity is not paid by the employer within the prescribed period. the controlling authority on an application made to in this behalf by the aggrieved person, issue a certificate for that amount to the Collector, who shall recover the same together with compound interest as arrears of land revenue, controlling authority under section 3 the appropriate government may, by notification, appoint any officer to be a controlling authority, who shall be responsible for the administration of this Act and different controlling authorities may be appointed for different areas.
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## PENSION ACT, 1871

1. To entertain and dispose of claims relating to Pension	Collector or Deputy Commissioner or other officer authorised in that behalf by appropriate government.	Section 4	a)“Pension” means allowance payable to a retiring Govt servant recognition of his past services.  b) “Appropriate Government” means in relation to Union Pension, the Central Government, and in relation to other, pension, to the State Government.  c) The authorities mentioned in Col. 3 shall dispose of such rules as the Chief Revenue Authority may, subject to the general control of the appropriate government from time to time, prescribe in this behalf.
2. To issue certificate	Collector, Deputy Commissioner or other authorised officer	Section 6	The Civil Court not to entertain any claim regarding pension without such certificate from the Collector, Deputy Commissioner or other authorized person.
3. To make payment of pension	Collector, Deputy Commissioner of other authorised officer	Section 8	The payment is to be made subject to such rules as may, from time to time be prescribed by the Chief Controlling Revenue Authority. <i>Note:</i> The pension is exempted under section 11 from attachment and seizure by process of any court.

## PETROLEUM ACT, 1934

1. To be informed about accident.	Nearest Magistrate	27	
2. To inquire into the case of accident.	Any Magistrate	28	Read with Section 176 Cr. P.C.

## PETROLEUM RULES, 1976 (Read with Petroleum Act, 1934)

1. To issue licence to import and to store Petroleum Class A in quantity not exceeding 300 litres.	District Authority	Rule 141 read with Schedule 1	See Article 3 and 4 of First schedule appended in the Petroleum Rules This may be read in conjunction with Section 29 of the Petroleum Act, 1934.
2. To issue licence to import and to petroleum Class B otherwise than in bulk in quantity not exceeding 25,000 litres.	District Authority	141 read with Schedule I	a) The word "District Authority" also includes Commissioner of Police, or Deputy Commissioner of Police, D.M.  D.M. includes A.D.M. S.D.M <i>vide</i> Rule 2(x).
3. To grant or refuse District Authority no-objection certificate.	District Authority	Rules 144, 150	Where there is new application for licence, reasons to be recorded for refusal. 1) See also Petroleum Rules 1976. Rule 2(ix), (x) Schedule 1 of the Rules.  2) Carbide and Calcium Rules 1937 - Rule 39 and Schedule I.  a) As to Section 13 of the Act Empowered, <i>vide</i> government of India Notification No. 826 (1) dated 22-3-1937 amended by notification No.M-826(a)dated 15-9-1937



			<p>(b)As to Section 146 G.O.I. notification No. 82d; (2) dated 22-3-1937 ameride.: by notification No. 826(5) dated 15—9—1937.</p> <p>(c) As to Section 2 6 See G.O.I notification No. 826(3) dated 22-3-1937, amended by notification No. ‘826(7) dated 15-9-1 937.</p> <p>Note: Prior hearing and recording of reasons are necessary for refusal vide Rule 150.</p>
4. To amend licence	Licensing Authority	148	The licensing authority refusing to grant, amend, renew or transfer the ‘licence shall record his reasons for such refusal in writing
5. To renew licence.	Licensing Authority	149	
6. To cancel No Objection Certificate” granted under Rule 144. Licensing Authority	District Authority or State Government	151	Prior hearing and recording of reasons are necessary for cancelling a ‘No Objection Certificate” granted under Rule 151
7. To suspend and cancel licence.	Licensing Authority	153	A licence is liable to be suspended or cancelled by an order of the Licencing Authority for any contravention of the Act or of any Rule there or all in condition contained in such licence or by order of Central Government.
8. To transfer licence for storage.	Licensing Authority	157	Licence as mentioned in items Nos.1 and 2

## POISONS ACT, 1919

Nature of power on whom power conferred	Authority	Relevant Section of Law	Remarks
To issue search warrants. of Police In Presidency Towns.	D.M., S.D.M., Commissioner is possessed or sold or kept concealed in contravention of the Act	7	If he believes or suspects that any poison

## POLICE ACT, 1861

1. To depute additional police officer.	D.M.,I.G., A.I.G.	13	Employed at cost of individuals to keep peace.
2. To quarter, additional police in disturbed or dangerous districts.	D.M.	15	On State Govt.'s order, D.M. shall apportion cost of among inhabitants
3. To award compensation to sufferers from Misconducts of inhabitants or persons interested in land.	D.M S.D.M.	15-A	
4. To appoint special police officer. to Executive Magistrate. <i>Vide</i> Sec.3(4)(b)Cr.P.C.	Any Magistrate (nearest)	17	On the application of the Inspector of Police, Magistrate refers
5. To convict for refusal To serve as special police officer.	Any Magistrate	19	Magistrate here Judicial Magistrate <i>vide</i> Sec.3(4) (a) Cr.P.C.
6. To check up and to be informed about unclaimed properties.	D.M.	25	The police officer to furnish an inventory of all unclaimed property to the D.M.

7.a) To detain the property.	D.M	26	
b) To issue proclamation.			Within six months from the date of proclamation.
c) To require claimant to appear and establish his right.			
8. a) To confiscate the property unclaimed.	D.M	27	The sale proceeds will be at the disposal of the State Government.
b) To order sale.			
9. To impose penalty for neglect of duty by a police officer.	Magistrate	29	He shall first issue show-cause notice as to why penalty shall not be imposed. If cause shown is insufficient, penalty may be imposed after hearing the police officer concerned.
10. To stop any procession	Any Magistrate, S.P., Addl. S.P. Inspector of Police, O.C. of P.S.	30-A	Which violates the conditions of a licence granted under the Act. Neglect or refusal to obey any order given makes the assembly unlawful.
11. To punish for offence on roads.	D.M., E.M.,J.M	34	For creating obstruction, inconvenience, annoyance, risk, damage to the persons or residents etc. A fine of Rs. 50 and imprisonment (S.I or R.I) for 8 days may be imposed.
12. To enquire into any charge against police officer above the rank of a constable.	D.M., Magistrate (1st class)	35	
13. To call for and inspect any diary kept by police officer.	D.M	44	

**PRESS AND REGISTRATION OF BOOKS ACT, 1867**

1. To allow keeper of printing-press to make declaration.	D.M.,S.D.M., Metropolitan Magistrate	4	For change of place of the press, a new declaration is necessary.
2. To allow printer or publisher of newspaper appear in person.	As above	5(2)	And make declaration in accordance with rules made U/s 20.
3. (a) To authenticate the declaration and (b) To attest it.	As above	6	
4. (a) To allow new declaration to be made by a person who ceased to be a printer or publisher.  b) To authenticate such declaration.	As above	8	a) By persons who have signed a declaration and subsequently ceased to be printers or publishers
5. (a) To enquire whether the name of the editor has been incorrectly published.  b. To certify.	As above	8-A	a) Depends on his declaration and satisfaction of Magistrate after inquiry.  b) That the declaration is true
6. To cancel respect of a newspaper.	As above	8-B	If Magistrate is of the opinion and is satisfied after giving him hearing and after enquiry that newspaper is published in contravention of the Act or rules and declaration was made falsely.
7. To send a copy As above. of the declaration in respect of newspaper.	As above	19-C	To the Press Registrar for certificate of registration in Form VI [See also Rule 10 of the Registration of Newspaper (Central) Rules, 1956]

## PREVENTION OF CRUELTY TO ANIMALS ACT, 1960

1. To make orders for detention	Any Magistrate C.P. Dist. S.P	13(2)	If in his opinion it would be cruel to keep the animal alive.  Note The term Magistrate occurring in Sec. 13(2) appears to include an E.M. also. The expression has been used in the company of Commissioner of Police and Supdt. of Police. Hence, the function is administrative in nature. Reference should also be made to Sec. 3(4) (b) Cr.P.C. 1973.
2. To issue search warrants or enter himself for search	S.D.M., Magistrate of I or II class, Metropolitan Magistrate. or C.P.	33	If he has reason to believe that an offence about under this Act to be or has been committed.
3. To prescribe rates of the cost of transporting to maintenance and treatment of animals in an infirmary or pinjra pole.	D.M. Commissioner of Police	35(4)	

## PREVENTION OF BLACK MARKETING AND MAINTENANCE OF SUPPLIES OF ESSENTIAL COMMODITIES ACT, 1980

1. To make orders for detention	D. M./ Commissioner of Police	Section 3	
2. To make a report in writing of the fact that the person against whom a detention order has been made has absconded, so as to attract the operation Sections 82 to 85 of Cr. PC.	D. M./ Commissioner of Police	Section 7	Non-appearance of person absconding despite due notice before such officer a cognizable offence.

**PREVENTIVE DETENTION ACT, 1950**  
(No longer in force; if died in a natural death)

1. To detain persons	D.M., A.D.M. (empowered by, State government) Commissioner of Police in Bombay, Calcutta, Madras, Hyderabad Collector in certain territories.	3(2)	1) Depends upon his satisfaction that security of state and maintenance of public order and of essential supplies and affected by the person. A mere disturbance of law and order leading for disorder is not sufficient for action under P.D. Act ( <i>v/do</i> AIR 1970 S.C. 852 at 1856)
2. To be protected for action taken under the Act.	As above, any person	15	Acting in good faith.

**PREVENTION OF ILLICIT TRAFFIC IN NARCOTIC SUBSTANCES ACT, DRUGS & PSYCHOTROPIC 1988**

1. To make orders for detention.	The Central Government or State Government or any officer of Central Government not below the rank of Secretary or any officer of State Govt not below the ranks of Secretary specially empowered that behalf.	3	If satisfied with a view to preventing any person from engaging in illicit traffic in Narcotic drugs & Psychotropic Substance
2. To make report to the Metropolitan Government Magistrate or Magistrate I class,	The appropriate Government	8	If there is reason to believe that the person is absconding or concealing himself so that the order cannot be executed
3. To revoke or modify detention order	The Central Government	12	
4. To release temporarily	The Central Government	13	Note : No suit or other legal proceeding shall lie against the Central Government, State Government or any person for anything done in good faith under this Act. (S. 14).

## PREVENTION OF SEDITIOUS MEETINGS ACT, 1911

1. To give Permission to hold public meeting in any proclaimed area.	D.M. Commissioner of Police	4(1)	Notice to be given for holding public meeting at least 3 days before to the D.M. or C.P. as the case be.
2. To cause D.M. or any 4(2) report of the Magistrate of the meetings to be 1st class authorised taken.	D.M. or any Magistrate of the 1 <sup>st</sup> class authorized by the D.M	4(2)	They may depute Police Officer.
3. To prohibit public meetings.	D.M or C.P the case may be	5	In the opinion of authority, such meeting may promote disaffection disturbance of the public. tranquility. For the meaning of 'Promotion' <i>vide</i> AIR 1 923, Lahore 342 at p. 343')
4. To cause arrest without warrant	D.M or C.P the case may be	7	For Violation of the Act
5. To take cognizance of offence under the Act.	S.D.M Metropolitan Magistrate or a Magistrate (1 <sup>st</sup> Class)	8	

## PRISONS ACT, 1984

1. To order for superintendence of jails	D.M	11	The order should not be inconsistent with order of Government and Inspector General
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## PRISONERS (ATTENDANCE IN COURTS) ACT, 1955

To make order for production of a prisoner in court for giving evidence or answering a charge.	Civil or Criminal Court	3	Such an order is required to be counter-signed by the District or District Magistrate as case be unless it is made by a Judicial Magistrate First Class, <i>vide</i> Section 3(3), read with the First and Second schedules of the Act.
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## PRISONERS ACT, 1900

1. To appoint Superintendents of the Presidency Prisons.	State Government	6	
2. To commit persons to prison for failure to find security to keep the peace or good behaviour	Executive Magistrate M.M	10	
3. To remove a lunatic prisoners to a lunatic asylum	State Government	30	

## PROBATION OF OFFENDERS ACT, 1958

1. To appoint any probation officer in place of the person named in the super vision order.	D.M. Trying Court	13	
2. To exercise control over probation officers	D.M	13(3)	Powerof inspection and over probation officers certain other powers have been conferred upon the D.M. under Rules framed by the states.

## PROTECTION OF CIVIL RIGHTS ACT, 1955 AND P.C.R. RULES, 1977

1. To hold an enquiry U/s 10 A in the context of consideration for imposition of collective fine.	An officer not below the rank of S.D.M.	10-A, Read with Rule 3	He may act on being appointed by the State Govt.
2. To call for information and documents for that purpose of enquiry.	An officer not below the rank of S.D.M.	10-A, Read with Rule 3	The inquiry officer shall information and follow summary procedure as Documents for per Chapter XXI Cr.P.C. that purpose of Report to be submitted to the enquiry.Govt. Within 6 weeks.
3. To be protected from suit or prosecution.	An officer not below the rank of S.D.M.	14-A	If acted in good faith.

Note:(a) Protection of Civil Rights Act, 1955 overrides other laws, Vide S. 16.

(b) The Executive Magistrates may play a promotional role in the enforcement of this Act.



## PUBLIC DEBT ACT, 1944

1. To record evidence	D.M Any Magistrate empowered.	14(1)	Upon Bank's request, D.M. may direct his subordinate Magistrate to record evidence.
2. To administer Oath.	As Above	14(3)	

## PUBLIC GAMBLING ACT, 1867

1. To enter and authorize police to enter and search place used as a common gambling house.	D.M., other officer invested with full powers of Magistrate, S.P.	5	He may issue warrant authorizing police officer to search and seize gaming instruments.
2. To take into custody or authorise to do so all persons whether they are actually gaming or not.	As Above	5	
3. To seize or authorize such officer to seize and take possession of all instruments of gaming found upon search	As Above	5	

## PUBLIC LIABILITY INSURANCE ACT, 1991

1. To verify accident and to give' publicity of accident.	Collector	5	For inviting applications for relief.
2. To receive application U/s 6(1).	Collector	6(2)	
3.(a) To enquire into claim.	Collector	7(1)	Both parties should be heard before giving award or relief. Summary procedure to be followed.
b) To deliver copies of award.	Collector	7(2)	
c) To direct deposit of the entire amount awarded.	Collector	7(3)	
d) To take evidence on oath	Collector	7(5)	He shall be deemed to be a civil court.
(e) To enforce attendance of witnesses	Collector		

(f) To compel discovery and production of document and material objects.	Collector		
4. To recover money under award.	Collector	7(6)	By way of public demand or as arrear of land revenue.

**PUBLIC PREMISES (EVICTION OF UNAUTHORISED OCCUPANTS) ACT, 1971**

1. To issue notice to show cause as why an order of eviction should not be made	Estate Officer(E.O.)	4	If the Estate Officer is of the opinion that unauthorised occupants should be evicted from public premises. Estate <b>Officer</b> means an officer appointed by Central Government U/s 3, <i>vide</i> Section 2(b).
2. To hear personally and take evidence from occupants of public. premises.	E.O	5(1)	
3. To make an order of eviction of such persons.	E.O Or any other officer authorized by him	5(2)	
4. To evict such persons who fails to comply with order of eviction	E.O	5(2)	
5. To remove or cause removal of unauthorized constructions erected in contravention of Section 5A(1) after serving notice to show cause and after hearing.	E.O	5A(2)	
6. To remove or cause removal of structure, fixture, goods, cattle or other animal without notice which has been placed or erected in contravention of Section 5A(1).	E.O	5A(3)	
7. To recover cost of E.O. such removal as an arrear of land revenue	E.O	5(2)(3)	
8. To order demolition of unauthoriseci construction after giving a reasonable opportunity of showing cause why such order should not be made.	E.O	5B(1)	Where appeared against the order of E.O failed, <i>vide</i> Section 5B(4)

9. To stop the erection E.O. of work.	E.O	5B(2)	The order U/s 5 B.(1) has to be affixed on out door at conspicuous part.
10. To order requiring the person concerned to pay expenses of such demolition	E.O	5B(2)	
11. To seal unauthorized construction before ordering demolition.	E.O	5C	
12. To dispose of property left on public premises unauthorized occupants after giving 14 days' notice or after publication of notice in local newspaper.	E.O	6	If the property is subject to natural decay, notice not required, Vide S.6(1B)
13. To pay balance amount of sale-proceeds deducting expenses of the sale and arrears of rents, costs etc.	E.O	6(2)	
14. To order requiring payment of rent or damages in respect of public premises after issuing notice to show-cause and hearing.	E.O	7(1)	
15. To assess damages on account of the use and occupation of such premises after issuing notice to show-cause and hearing.	E.O	7(2)	
16. To direct payment of arrears of rent and simple interest.	E.O	7(2-A)	
17. To summon and enforce the attendance of any person.	E.O	8(a)	For the purpose of inquiry the E.O. has powers of Civil and are vested C.P. Code, 1908.
18. To require discovery and production of document.	E.O	8(b)	
19. To do any other flatter which may be presented.	E.O	8(c)	
20. To detain information relating to the names and other particulars of the persons in occupation of the public premises.	E.O Or any other officer authorized by him	12	The person so required is duty bound to furnish information.
21. To recover unpaid expenses of demolition U/s 5B(5), arrears of rent payable U/s 7(1) or (2) or (2A) or costs awarded U/s 9(5).	Collector	14	Note: Jurisdiction of Court is barred in matters mentioned vide Section 15.

## RAILWAYS ACT, 1989

To be informed about Railway Accident.	D.M. S.P etc	113	Obligation is on the Station Master to inform.
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## REFORMATORY SCHOOLS ACT, 1897

1. To direct youthful offenders to be sent to Reformatory Schools.	D.M. Any Sentencing court including High Court, Sessions Courts, or of Magistrate specially empowered by the State Government	8	
2. To make further inquiry and pass sentence or order for detention in Reformatory School of the youthful offender.	D.M	9	Where trying Magistrate has no power to pass order under this Act.
3. To direct boys under 15 years sentenced to imprisonment to be sent to Reformatory Schools.	D.M	10	Before making order under Sections 8, 9 or 10, the Court or Magistrate shall inquire into the question of age, take evidence and record findings. [See Section 11

## REGISTRATION ACT, 1908

a) To attest the power of attorney	Any Magistrate, Registrar, Sub- Registrar	33	a) Depends on the satisfaction that power of attorney has been voluntarily executed.
b) To go to the house of the person purporting to be principal			b) When he is unable to attend office or court by reason of infirmity etc.

c) To go to the jail where the Principal is confined.			To obtain evidence as to voluntary nature of the execution.
d) To examine him			
e) To issue commission.			

### **REVENUE RECOVERY ACT, 1890**

1. To send a certificate to the Collector of other district for recovery of land revenue where the defaulter has property.	Collector	3	The certificate shall be signed by the Collector or by any officer whom he delegates his power in writing. Sec 3(2).
2. To recover the amount stated in the certificate.	Collector of other district	3(3)	
3. To proceed to recover a sum recoverable as arrear of land revenue by any public officer or local authority.	Collector	5	Upon the request by the officer on authority to the Collector.
4. To issue proclamation Collector prohibiting the transfer of property belonging to defaulter.	Collector	6	When the Collector receives a certificate under this Act Proclamation may be made by beat of drum or other customary method.
5. To remit any sum recovered by him to the Collector of other district by virtue of whose certificate he recovered sum.	The Receiving Collector	10	He may deduct the expenses incurred.
6. To recover arrear of land revenue payable to the Collector or to other public officer or to local authority of acceding State.	Collector	11	Upon Central Government's directions to make this applicable in respect of that State.

## SARAIS ACT, 1867

1. To register the names and residences of Keepers of all sarais.	D.M	4	Without his registration lodgers cannot be received. Sec. 5.
2. To refuse to register as Keeper.	D.M	6	Not producing a certificate of character
3 (a) To inspect or order inspection of sarai.	D.M	7	
(b) To provide watchmen.			
(c) To direct to exhibit list of charges for the use of sarai.			
4. To order reports from Keepers of sarai.	D.M	8	
5. (a) To shut up, secure, clear deserted sarais.	D.M	9	(a) Upon his enquiry and causing notice to the owner etc. - -
(b) To cause necessary work to be executed.	D.M	9	(b) All expenses incurred shall be recoverable like penalties.
6. (a) To take down, repair, secure ruinous sarais.	D.M	10	(a) Notice in writing requiring him to do so
(b) To cause necessary works be done.			(b) Expenses recoverable (as above).
7. To sell material of ruinous sarai and meet expenses incurred.	D.M	11	
8. (a) To impose penalty for violation of his order of cleansing etc.	D.M	12	
b) To cleanse and clear filth			Expenses incurred are recoverable.
9. To impose penalty for infringing the Act or regulations.	Any Magistrate	14	Rs. 20 for every offence.

10. .To grant or withhold licence and impose conditions.	D.M	15	For the Keeper of sarai convicted of 3rd offence. Discretion lies with the D.M.
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### **SCHEDULED CASTES AND THE SCHEDULED TRIBES (PREVENTION OF ATROCITIES) ACT, 1989**

(a) To declare an area to be an area prone to access	D.M., S.D.M or E.M	17	
(b) To take preventive action for keeping peace and good behaviour and maintenance of public order.			

### **TERRORIST AFFECTED AREAS (SPECIAL COURTS) ACT, 1984.**

(a) To authorize detention of the accused U/s 167 Cr.P.C.	E.M or J.M	15(2)(b)	30 days and one year. as the case may be.
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### **TERRORIST AND DISRUPTIVE ACTIVITIES (PREVENTION) ACT, 1985**

1. To make orders to combat terrorist acts and disruptive activities.	D.M (empowered) Any Officer empowered not below his rank	5(2)(a) to (t)	Depends upon Central Government's notification and authorisation. <b>Note</b> No suit or prosecution shall lie for any act done under the Act <i>bona uide</i> . Vide S.24.
2. To authorize detention of the accused U/s.167 Cr.PC.,1973	E.M,J.M	17(2)(a)(6)	60 days and one year, as the case may be, instead of 15 days or 60/90 days as in Cr.P.C. respectively.

### **TERRORIST AND DISRUPTIVE ACTIVITIES (PREVENTION) ACT, 1987**

1. To record statements U/s. 164 Cr.PC relating offence under the Act.	E.M special E.M, M.M. J.M	20(3)	
2. To authorize detention of the accused U/s 167 Cr.PC 1973	Do		60 days. and One year. As the case may be instead of 15 days or 60/90 days as in Cr.P.C respectively.

## TERRORIST AND DISRUPTIVE ACTIVITIES (PREVENTION) RULES, 1986

To issue search warrants authorizing police officer to search and seize	D.M, C.P (in metropolitan Town)	28	When he has reason to believe that a contravention of any provision of the Act or Rule is being or is about to be committed
To issue search warrants.	D.M., Any officer having the power of DM	14	When he was reason to believe that any place is reasonable suspected of being used for committing the offence referred to in sec.3 or 4 of the Act.

## TRANSFER OF PRISONERS ACT, 1950

1) To direct removal of r. prisoner from one State to another.	Govt. of the State where the prisoner is lodged	3	Consent of another Govt is necessary. When a prisoner confined in default of: (i) payment of fine or (ii) giving security for keeping the peace for maintaining good behaviour etc. Note : "Court" includes any officer lawfully exercising civil or criminal or revenue jurisdiction <i>vide</i> Sec. 2(a).
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## UNLAWFUL ACTIVITIES (PREVENTION) ACT, 1967

1. To make a list of all movable properties	D.M., Any authorised officer.		Depends on the issue of notification of govt.
2. To prohibit using articles.		8(3)	Depends on his opinion that any article may be used for unlawful association
3. To prohibit any non-resident		8(4)	To enter in the notified place.
4. To regulate conduct of persons.		8(5)	
5. To be protected from prosecution	D.M., Any authorised	17	Except with the permission of Central Govt. Note No proceeding taken under this Act by D.M. or Govt. can be called in question in Court. (See Section 16.)

## VACCINATION ACT, 1880

1. To summon the parent or guardian of the child and demand his explanation and if such explanation is not satisfactory, make an order in writing directing such parent or guardian to comply with the notice given by the Supdt. Before a specified date.	D.M	18	When Supdt. Of vaccination reports before the D.M. that his notice requiring the child to be vaccinated is not complied with
2. To appoint a Magistrate on his behalf for this purpose.	D.M	18	
3. To deal with the disobedience of an offence punishable U/s 22	D.M	18	If the order of D.M. is not obeyed by the parent or guardian without just cause or excuse

## WAKF ACT, 1954

1. To recover cost of survey or any sum due from a Mutawalli	State Government	7	By way of certificate issued by the State Government
2. To recover the amount determined U/s 15B as if it were an arrear of land revenue.	Wakf Commissioner	15C	The Wakf Commissioner shall take steps and shall also send a certificate to the District Collector. <i>Vide</i> section 53 also
3. To remove wakf Commissioner	State Government	21-A	For misconduct neglect of his duty
4. To exercise powers under the Act through Divisional Commissioner or Collector.	Wakf Commissioner	22-A	The Wakf Commissioner may delegate his powers.
5. To recover possession of Wakf of property transferred in contravention of S.36-A.	Collector	36-B	If the Wakf Board is satisfied that property of a wakf has been transferred without its previous sanction, it may send requisition to the Collector to obtain and deliver possession of property to it.
6. To make an order directing the encroacher to remove the encroachment or to vacate the property, and in default, evict the encroacher	S.D.M	36-E	When the Wakf Commissioner applies before the S.D.M. for that purpose, the SDM may take police assistance
7. To remove Mutawalli	Wakf Commissioner	43	
8. To assume direct management of the Wakf.	Wakf Board	43-A	When the filling up vacancy of the office Mutawalli is prejudicial to the interests of the Wakf.
9. To frame Scheme for the administration of a Wakf.	Wakf Board	43-F	When he is satisfied on his own motion or on the application of 5 persons interested in a Wakf.
10. To serve notice upon the Wakf Board, if the property is wakf	Collector	58	In course of proceedings under the Land Acquisition Act. Collector
11. To Constitute Common Boards	Central Government	66-F	If is expedient in the interests of the Wakf and the muslim population.
12. To make rules	State	67	

to carryout the purposes of the Act.	Government		
13. To make regulations	Wakf Board	68	

### **WILD LIFE PROTECTION ACT, 1972**

1. To inquire into extent of rights of any person over the land of sanctuary	Collector	19	
2. To publish notification regarding declaration of sanctuary. particulars of land	Collector	21	Proclamation shall specify limits of sanctuary. He shall require claimants of rights to furnish particulars of land for compensation
3. To enquire into claim preferred on land.	Collector	22	Delegation of Collectors Power: The state Govt. may direct that powers exercisable by the collector U/ss19 to 25 may be exercised by other specified officers. (See section 26)
4.(a) To enter upon any land	Collector, Civil Court	23	
(b) To survey and demarcate			Civil court have same powers for the trial of suits.
(c)To make a map			
(d) To authorize any officer to do so.			
5.(a) To pass an order admitting or rejecting the claim over land.	Collector	24	
(b) To exclude lands from sanctuary			
(c) To acquire land or rights on payment of compensation			
6. To provide for an alternative public way or common pasture.	Collector	25	On the previous sanction of the Govt. Acquisition proceedings will be deemed under Land Acquisition Act, 1894.

## WIRELESS TELEGRAPHY ACT, 1933

To search any place where wireless telegraphy apparatus is kept or concealed.	Any officer empowered by Central Govt.	7	Where offence is committed which is punishable U/s 6.
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## WORKS OF DEFENCE ACT, 1903

1. To cause public notice of declaration	Collector	3(2)	Upon central Govt's declaration imposing restrictions upon use of land.
2. To decide dispute regarding sufficiency of payment of damage	Collector	5	
3. To cause land to be marked out, measures and planned	Collector	8	
4. To serve notice to persons interested and to require written objections to compensation be filed.	Collector	9	Vide Section 35 as to manner of service of notice
5. To require and enforce the making of statements as to names and interests in the land.	Collector	10	Non making or non delivery of statement is punishable U/s 175 & 176 I.P.C (vide Sec.11 of the Act)
6. To inquire into objections and make an award	Collector	12	Persons grievance regarding value of land. Compensation etc.
7. To give immediate notice of award	Collector	13	
8. To adjourn the inquiry.	Collector	14	
9. To summon and enforce attendance of witness and production of documents	Collector	15	Section 16 say :- In determining compensation the Collector shall be guided by the provisions of Section 23 and 24
10. To cause supplementary notice to be given regarding supplementary proceedings	Collector	17	As per section 9(1)
11. To refer unaccepted award to court	Collector	18	On an application by the party aggrieved.
12. To write particulars of lands etc. for information of the court	Collector	19	
13. To pay interest @ 6% per annum on excess of sum awarded by the court.	Collector	28	Upon court's direction.
14. To refer dispute of apportionment of compensation to the court.	Collector	30	
To pay compensation	Collector	31	

16. To pay interest @ 6% per annum	Collector	34	From the date of award until it is paid
17. To enforce the terms of the Act.	Collector C.P	37	Commissioner of Police is empowered in three Presidency Towns only.