THE POLICE-FORCES (RESTRICTION OF RIGHTS) ACT, 1966

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THE POLICE-FORCES (RESTRICTION OF RIGHTS) ACT, 1966

ACT NO. 33 OF 1966

[2*nd December*, 1966.]

An Act to provide for the restriction of certain rights conferred by Part III of the Constitution in their application to the members of the Forces charged with the maintenance of public order so as to ensure the proper discharge of their duties and the maintenance of discipline among them.

BE it enacted by Parliament in the Seventeenth Year of the Republic of India as follows:—

1. Short title, extent and commencement.—(*1*) This Act may be called the Police-Forces (Restriction of Rights) Act, 1966.

(*2*) It extends to the whole of India.

(*3*) It shall come into force on such [1]date as may be appointed in this behalf by notification in the Official Gazette,—

(*a*) in a [2]Union territory, by the Central Government; and

(*b*) in a [3]State by the Government of that State:

Provided that different dates may be appointed by the Central Government for different Union territories.

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

(*a*) "member of a police-force" means any person appointed or enrolled under any enactment specified in the Schedule;

(*b*) "police-force" includes any force charged with the maintenance of public order;

(*c*) "prescribed" means prescribed by rules made under this Act.

3. Restrictions respecting right to form association, freedom of speech, etc.—(*1*) No member of a police-force shall, without the express sanction of the Central Government or of the prescribed authority,—

(*a*) be a member of, or be associated in any way with, any trade union, labour union, political association or with any class of trade unions, labour unions or political associations; or

(*b*) be a member of, or be associated in any way with, any other society, institution, association or organisation that is not recognised as part of the force of which he is a member or is not of a purely social, recreational or religious nature; or

(*c*) communicate with the press or publish or cause to be published any book, letter or other document except where such communication or publication is in the *bona fide* discharge of his duties or is of a purely literary, artistic or scientific character or is of a prescribed nature.

Explanation.—If any question arises as to whether any society, institution, association or organisation is of a purely social, recreational or religious nature under clause (*b*) of this sub-section, the decision of the Central Government thereon shall be final.

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1. 3rd December, 1966, *vide* notification No. G.S.R. 1848, dated 3rd December, 1966, in respect of the Union territory of Delhi, *see* Gazette of India, Extraordinary, Part II, sec. 3(*i*).

2. 1st August, 1967, *vide* notification No. S.O. 1122(E), dated 20th July, 1967, in respect of the Union territories of Andaman and Nicobar Islands, Chandigarh, *see* Gazette of India, Extraordinary, Part II, sec. 3(*ii*).

3. 4th September, 1967, *vide* Panjab Govt. notification No. S.O. 67 C. A. 33/66/S. 1/67, dated 2nd, September, 1967, in respect of the State of Panjab, *see* Gazette of India, Extraordinary.

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(*2*) No member of a police-force shall participate in, or address, any meeting or take part in any demonstration organised by any body of persons for any political purposes or for such other purposes as may be prescribed.

4. Penalty.—Any person who contravenes the provisions of section 3 shall, without prejudice to any other action that may be taken against him, be punishable with imprisonment for a term which may extend to two years, or with fine which may extend to two thousand rupees, or with both.

5. Power to amend Schedule.—(*1*) The Central Government may, by notification in the Official Gazette, amend the Schedule by including therein any other enactment relating to a force charged with the maintenance of public order or by omitting there from any enactment already specified therein and on the publication of the notification such enactment shall be deemed to be specified in, or as the case may be, omitted from, the Schedule.

(*2*) A copy of every notification issued under sub-section (*1*) shall be laid before each House of Parliament, as soon as may be, after it is issued.

6. Power to make rules.—(*1*) The Central Government may, by notification in the Official Gazette, make rules to carry out the purposes of this Act.

(*2*) Every rule made under this section shall be laid, as soon as may be after it is made, before each House of Parliament while it is in session for a total period of thirty days, which may be comprised in one session or [1][in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid] both Houses agree in making any modification in the rule or both Houses agree that the rule should not be made, the rule shall thereafter have effect only in such modified form or be of no effect, as the case may be; so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule.

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1. Subs. by Act 4 of 1986, s. 2 and the Schedule, for certain words (w.e.f. 15-5-1986).

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(*See* sections 2 and 5)

1. [1][The Tamil Nadu District Police Act, 1859 (24 of 1859).]

2. The Andhra Pradesh (Andhra Area) District Police Act, 1859 (24 of 1859).

3. The Police Act, 1861 (5 of 1861).

4. The Calcutta Suburban Police Act, 1866 (Bengal Act 2 of 1866).

5. The Calcutta Police Act, 1866 (Bengal Act 4 of 1866).

6. The Bengal Police Act, 1869 (Bengal Act 7 of 1869).

7. The Police Act, 1888 (3 of 1888).

8. The Madras City Police Act, 1888. [1][(Tamil Nadu Act 3 of 1888)].

9. The Bengal Military Police Act, 1892 (5 of 1892).

10. The Andhra Pradesh (Telangana Area) District Police Act, 1329 Fasli (10 of 1329 F).

11. The Eastern Frontier Rifles (West Bengal Battalion) Act, 1920 (Bengal Act 2 of 1920).

12. The Police Act, 1983 (1927 A.D.) (J. & K. Act 2 of 1983).

13. The Hyderabad City Police Act, 1348 Fasli (9 of 1348 F).

14. The Assam Rifles Act, 1941 (5 of 1941).

15. The Orissa Military Police Act, 1946 (Orissa Act 7 of 1946).

16. The Delhi Special Police Establishment Act, 1946 (25 of 1946),

17. The U.P. Pradeshik Armed Constabulary Act, 1948 (U.P. Act 40 of 1948).

18. The Central Reserve Police Act, 1949 (66 of 1949).

19. The Rajasthan Armed Constabulary Act, 1950 (Rajasthan Act 12 of 1950).

20. The Bombay Police Act, 1951 (Bombay Act 22 of 1951).

21. The Bombay State Reserve Police Force Act, 1951 (Bombay Act 38 of 1951).

22. The Kerala Police Act, 1960 (Kerala Act 5 of 1961).

23. The Mysore Police Act, 1963 (Mysore Act 4 of 1964).

[2][24. The Nagaland Armed Police Act, 1966 (Nagaland Act No. 6 of 1966).]

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1. Subs. by the Madras State (Alteration of Name) (Adaptation of Laws on Union Subjects) Order, 1970 (w.e.f. 14-1-1969).
2. Ins. by G.S.R. 1720, dated 6th November, 1967.