

The Police Officers (Special Provisions) Ordinance, 1976

(Ordinance NO. LXXXIV OF 1976)

An Ordinance to provide for special provisions for maintaining discipline among certain members of the police-force.

WHEREAS it is expedient to provide for special provisions for maintaining discipline among certain members of the police-force;

NOW, THEREFORE, in pursuance of the Proclamations of the 20th August, 1975, and the 8th November, 1975, and in exercise of all powers enabling him in that behalf, the President is pleased to make and promulgate the following Ordinance:-

- Short title** 1. This Ordinance may be called the Police Officers (Special Provisions) Ordinance, 1976.
- Definitions** 2. In this Ordinance, unless there is anything repugnant in the subject or context,-
- (a) "authority" means an authority specified in column 2 of the Schedule;
- (b) "misconduct" means conduct prejudicial to good order or service discipline or contrary to the Government Servants (Conduct) Rules, 1966, or unbecoming an officer or gentleman; and
- (c) "police-officer" means a police-officer of, and below, the rank of Inspector mentioned in column 1 of the Schedule.
- Ordinance to override all other laws, etc.** 3. This Ordinance shall have effect notwithstanding anything contained in any law, rules and regulations relating to police-force nor shall prejudice the operation of any other law, rules and regulations including the service conditions of the said police-force.
- Offences** 4. Where a police-officer is guilty of-

(i) misconduct;

(ii) dereliction of duty;

(iii) act of cowardice and moral turpitude;

(iv) corruption or having persistent reputation of being corrupt;

(v) subversive activity or association with persons or organisations engaged in subversive activities;

(vi) desertion from service or unauthorised absence from duty without reasonable excuse; or

(vii) inefficiency,

the authority concerned may impose on such police-officer any of the penalties mentioned in section 5.

Penalties

5. The following shall be the penalties which may be imposed under this Ordinance, namely:-

(a) dismissal from service;

(b) removal from service;

(c) discharge from service;

(d) compulsory retirement ; and

(e) reduction to lower rank.

Inquiry

6. (1) When a police-officer is to be proceeded against any of the offences mentioned in section 4, the authority concerned shall frame a charge and specify therein the penalty proposed to be imposed and communicate it to the police-officer, hereinafter called the accused, requiring him to show cause within a specified time which shall not be less than seven days and not more than ten days from the date the charge has been communicated to him why the penalty proposed to be imposed on him shall not be imposed and also to state whether he desires to be heard in person.

¹[(2) If, after consideration of the cause shown, if any, under sub-section (1) and hearing the accused in person, if he so desires, the authority