

THE
POLICE FORCES
(RESTRICTION OF RIGHTS)
ACT, 1966

**THE POLICE FORCES (RESTRICTION
OF RIGHTS) ACT, 1966**
[2ND 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 as to ensure the proper discharge of their duties and the maintenance of discipline among them.

Be it enacted by Parliament in the Seventeenth Years 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 whole of India.
- (3) It shall come into force on such date as may be appointed in this behalf by notification in the Official Gazette.

Comments

(In U.P., this Act has come into force with effect from 28th March, 1973, vide Notification No. 3-7/VIII-I-139 66, dated March 28, 1973)

- (a) in a Union territory, by a Central Government; and
- (b) in a State, by a Government of that State;

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

2. Definition,--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, -

(l) 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 organization that is to recognized as part of the force of which he is member or is not a purely social, recreational or religious nature; or

1. Published in the Gazette of India, Extraordinary, dated 2nd December, 1966, Part II, Section I.

(c) Communicate with the press or publish or cause to be published any book, letter or other document except which 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 organization 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.

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

Comments

Whether the provisions of an Act fulfil or ensure the objects attend in its preamble is a matter of legislative Judgment and therefore beyond the Court's purview, cases of colorable exercise of power are excepted. Section 3 of the Act and the Rules framed abrogating their right to form or participate in Labour Unions or political activities etc, have a nexus with the object of the Act, viz. ensuring proper discharge of duties and maintenance of discipline among the forces charged with the maintenance of public order and they fall within the legislative power of the Parliament under article 33 of the

Court irrespective of Articles 14 and 19. They are not violative of these Arts.

4. **Penalty. –**

Any person who contravenes the provisions of Section 3 shall without prejudice to any other section 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 may be, after 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 in two successive sessions, and if before the expiry of the session in which it is so laid or the session immediately following, 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.

THE SCHEDULE

1. The Madras District Police Act. 1859 (1859).
2. The Andhra Pradesh (Andhra Area) District Police Act, 1859 (24 of 1859).
3. The Police Act (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 (Madras act 3 of 1888)

9. The Bengal Military Police Act, 1892 (5 of 1892).
10. The Andhra Pradesh (Telangana Area) District Police Act,
11. 1329 asli (10 of 1329 F).
12. The Eastern Rifles (West Bengal Battalion) Act, 1920 (Bengal Act 2 of 1920).
13. The Police Act, 1983 (A.D 1927) (J. & K. Act 2 of 1983).
14. The Hyderabad City Police Act, 1348 Fasli (9 of 1348 F).
15. The Assam Rifles Act. 1941 (5 of 1941).
16. The Orissa Military Police Act, 1946 (Orissa Act 7 of 1946).
17. The Delhi Special Police Establishment Act, 1946 (25 of 1946).
18. The U.P. Pradeshik Armed Constabulary Act, 1948 (U.P. Act 40 of 1948).
19. The Central Reserve Police Act, 1949 (66 of 1949).
20. The Rajasthan Armed Constabulary Act, 1950 (Rajasthan Act 12 of 1950).

21. The Bombay Police Act, 1951 (Bombay Act 22 of 1951).
 22. The Bombay State Reserve Police Force Act, 1951 (Bombay Act 38 of 1951).
 23. The Kerala Police Act. 1960 (Kerala Act 5 of 1961).
 24. The Mysore Police Act, 1963 (Mysore Act I of 1964).
- ¹[24 The Nagaland Armed Police Act, 1966 (Nagaland Act No. 6 of 1966).]