

THE RAJASTHAN POLICE ACT, 2007

(Act No. 14 of 2007)¹

Notification

No.F. 2 (12)vidhi/2/2007

Jaipur, November 01, 2007

In Pursuance of Clause (3) of Article 348 of the Constitution of India. The Governor is pleased to authorise the publication in the Rajasthan Gazette of the following translation in the English language of the Rajasthan Police Adhiniyam, 2007 (2007 ka Adhiniyam Sankhyank 14):-

(Authorised English Translation)

THE RAJASTHAN POLICE ACT, 2007

(Act No. 14 of 2007)

(Received the assent of the Governor on the 30th day of October, 2007)

An

Act

to consolidate and amend the law relating to Police Force in the State of Rajasthan And matters connected therewith or incidental thereto.

WHEREAS, respect for and promotion of the human rights of the people, and protection of their civil, political, social, economic and cultural rights is the primary concern of the Rule of law;

AND WHEREAS, it is the constitutional obligation of the State to provide impartial and efficient Police Service safeguarding the interests of vulnerable sections of society including the minorities, and responding to the democratic aspirations of citizens;

AND WHEREAS, such functioning of the police personnel needs to be professionally organised, service oriented, free from extraneous influences and accountable to law;

AND WHEREAS, it is expedient to redefine the role of the police, its duties and responsibilities by taking into account the emerging challenges of policing and security of State, the imperatives of good governance, and respect for human rights;

AND WHEREAS, it is essential to appropriately empower the police to enable it to function as an efficient, effective, people-friendly and responsive agency;

NOW, THEREFORE, be it enacted by the Rajasthan State Legislature in the Fifty-eighth Year of the Republic of India, as follows:-

Chapter I

Preliminary

1. Short title extent and commencement— (1) This Act may be called the Rajasthan Police Act, 2007.

(2) It extends to the whole of the State of Rajasthan, and to the police force of the State deployed outside the State.

(3) It shall come into force on such date as the State Government may, by notification in the Official Gazette, appoint and different dates may be appointed for different provisions of this Act.

2. Definitions: (1) In this Act, unless the context otherwise requires,-

- (a) "Chief Secretary" means the Chief Secretary to the State Government;
- (b) "Cyber crime" shall mean and include all offences under the Information Technology Act, 2000 (Central Act No. 21 of 2000) and any other offences committed by use of electronic devices, such as, computers, credit cards, internet, ATM, etc.;
- (c) "Director General of Police" means the Police officer appointed as such by the State Government for overall control, supervision and direction of the police force;

- (d) "District Superintendent of Police" means the police officer in charge of a Police District;
- (e) "domestic help" means a person working for remuneration or otherwise in a household;
- (f) "moral turpitude" means involvement in any crime which pertains to cheating, forgery, intoxication, rape, outraging the modesty of a woman, illicit traffic as defined in the Prevention of Illicit Traffic in Narcotic Drugs and Psychotropic Substances Act, 1988 (Central Act No. 46 of 1988), immoral trafficking as defined in the Immoral Traffic (Prevention) Act, 1956 (Central Act No. 104 of 1956), planned violence or any offence against the State as mentioned in Chapter VI of the Indian Penal Code, 1860 (Central Act No. 45 of 1860);
- (g) "organized crime" includes any crime committed by two or more persons in pursuance of their common intention of wrongful or unlawful gain;
- (h) "outpost" means a police post within the jurisdiction of a Police Station;
- (i) "Police officer" means any member of the Police Force of the State;
- (j) "police personnel" shall include police officers and all other persons for whom the appointing authority is the Director General of Police or an officer subordinate to him;
- (k) "Police Station" means any area declared to be a Police Station under the provisions of the Code of Criminal Procedure, 1973 (Central Act No. 2 of 1974);
- (l) "Power of superintendence" means and includes power of giving directions, guidance and instructions in all administrative matters and includes the power to annul, reverse, rescind or revise any order issued by an authority under the provisions of this Act, subject to the provisions pertaining to investigation as contained in the Criminal Procedure Code, 1973 (Central Act No.2 of 1974);
- (m) "prescribed" means prescribed by the rules made by the State Government under this Act;
- (n) "public place" means any place to which the public has access;
- (o) "Railway Areas" mean areas comprised between outer most signals appurtenant to railway tracks including premises of every railway station within the State of Rajasthan and shall include train on tracks, whether moving or stationary in any area of the State of Rajasthan;
- (p) "ranks" shall mean and include subordinate ranks and supervisory ranks;
- (q) "rules" means the rules made under this Act;
- (r) "Special Cell" means a cell created for dealing with a particular category of crime or providing better service to the community including victims of crime;
- (s) "State" means the State of Rajasthan;
- (t) "State Government" means the State Government of Rajasthan;
- (u) "Subordinate ranks" mean all ranks below the rank of Assistant or Deputy Superintendent of Police;
- (v) "supervisory ranks" mean ranks of Assistant and Deputy Superintendent of Police or above;
- (w) "tenant" for the purposes of this Act, means a person to whom a house or premises or part thereof has been let out, whether a lease or rent deed has been executed or not; and
- (x) "Village Guard" means a person enlisted as such under section 48 of this Act.

(2) The words and expressions used but not defined in this Act shall have the meaning as assigned to them in the Code of Criminal Procedure, 1973 (Central Act No. 2 of 1974) and the Indian Penal Code, 1860 (Central Act No. 45 of 1860).

Chapter II

Constitution and Organisation of the Police Force

3. Constitution of the Police Force for the State.- (1) There shall be a Police Force for the State.

(2) The Police Force shall consist of such ranks and such number of police officers and have such organisations as the State Government may, by general or special orders, determine.

(3) The organisation of the Police Force may include training institutions, research and development bureaus, technical and support services, intelligence and criminal investigation units, and other institutions and units as determined by the State Government from time to time.

4. Police Ranges. The State Government may, by notification, divide the entire territory of the State, other than metropolitan area, into one or more Police Ranges.

5. Metropolitan Areas.- The State Government shall, as soon as may be, declare any area in the State comprising a city or town whose population exceeds one million to be a Metropolitan area under the provisions of section 8 of the Code of Criminal Procedure, 1973 (Central Act No. 2 of 1974),

Explanation: In this section the expression "population" means the population as ascertained at the last preceding census of which the relevant figures have been published.

6. Police District and Police District Level Special Cells. - (1) The State Government may notify any area, including a metropolitan area, within the State as a Police District.

(2) The State Government may, by notification, establish one or more special cells in a Police District and may appoint an officer not below the rank of Deputy Superintendent of Police to be the incharge of such special cell.

7. Circles. - The State Government may, by notification, divide each Police Districts into one or more Circles.

8. Police Station -(1) The State Government may, by notification, establish one or more Police Stations in a circle specifying the jurisdiction of each such Police Station.

(2) The State Government may appoint a police officer not below the rank of Sub-Inspector of Police to be the incharge of a Police Station.

(3) The State Government may, by notification, establish one or more outposts within the territorial jurisdiction of a Police Station specifying territorial jurisdiction of such outpost.

9. Special provisions pertaining to Railway Areas.- The State Government may, by notification, create one or more Police Districts embracing such part of Railway Areas in the State as the State Government may specify.

10. Special Police Officers.- (1) Subject to rules prescribed in this behalf, the District Superintendent of Police may, in consultation with the District Magistrate, by an order in writing, appoint any person to act as a Special Police Officer within his local jurisdiction, for a period as specified in the appointment order.

(2) Every special police officer so appointed shall have the same powers, privileges and protection, and shall be liable to perform the same duties and shall be amenable to the same penalties, and be subordinate to the same authorities, as the ordinary officers of police.

11. Additional Police Officers.- (1) The State Government, or as the case may be, an authority specially empowered by the State Government in this behalf, may appoint Additional Police Officers for such purposes, and on such terms and conditions and in such manner as may be prescribed.

(2) The deployment or deputation of Additional Police Officers may be made at the request of any person showing the necessity thereof, and the cost incurred on such deployment or deputation may be recovered from the person making request for such deployment or deputation in the manner prescribed.

Chapter-III

Control, Supervision and Direction of the Police Force

12. Superintendence over the Police Force - Power of Superintendence of the Police Force in respect of all matters shall vest in the State Government.

13. Director General of Police.- (1) The State Government shall appoint a Director General of Police for the overall control, supervision and direction of the Police Force, who shall exercise such powers, perform such functions and discharge such duties, and have such responsibilities, as may be prescribed.

(2) The Director General of Police shall be appointed from a panel consisting of officers of the rank of Director General and the officers who have been found suitable for promotion in the rank of Director General, after screening by a Committee constituted for the purpose in accordance with the provisions of the All-India Services Act, 1951 (Central Act No. 61 of 1951):

Provided that the panel of officers shall not exceed double the number of cadre posts sanctioned for the rank of Director General in the State.

(3) Subject to the rules made under All India Services Act, 1951 (Central Act No. 61 of 1951), the Director General of Police so appointed shall have a minimum tenure of two years.

(4) Notwithstanding anything in sub section (3), Director General of Police may be removed from his post before the expiry of the said tenure by the State Government, consequent upon:-

- (a) his conviction by the court in a criminal offence or where charges have been framed by the court in a case involving corruption or moral turpitude;
- (b) his punishment of dismissal, removal or compulsory retirement from service or of reduction to a lower rank, awarded under the provisions of the All India Services (Discipline and Appeal) Rules, 1967 or any other relevant rule;
- (c) his suspension from service in accordance with the provisions of the rules referred to in clause (b);
- (d) his incapacity in the discharge of functions as Director General of Police due to physical or mental illness,.
- (e) his own request; or
- (f) an administrative exigency which shall be recorded in writing.

(5) The State Government may appoint one or more Additional Director General of Police, Inspector General of Police, Deputy Inspector General of Police and Superintendent of Police to assist the Director General of Police, and determine, in consultation with the Director General of Police, the functions, duties, responsibilities and powers of such officers.

14. Control, Supervision and Direction of Police Force in a Police Range - (1) The State Government shall appoint an officer not below the rank of Deputy Inspector General of the Police to be incharge of a Police Range.

(2) The power of control, supervision and direction of the Police Force in a Police Range shall, subject to the overall control of the Director General of Police, vest in the officer incharge of the Police Range.

(3) Subject to the rules made under All India Services Act, 1951 (Central Act No. 61 of 1951), the Officer incharge of Police Range so appointed shall have a minimum tenure of two years.

(4) Notwithstanding anything in sub section (3), the officer incharge of Police Range may be removed from his post before the expiry of the said tenure by the State Government consequent upon:-

- (a) his conviction by the court in a criminal offence or where charges have been framed by the court in a case involving corruption or moral turpitude;
- (b) his punishment of dismissal, removal or compulsory retirement from service or of reduction to a lower rank, awarded under the provisions of the All India Services (Discipline and Appeal) Rules, 1967 or any other relevant rule;
- (c) his suspension from service in accordance with the provisions of the rules referred to in clause (b);
- (d) his incapacity in the discharge of functions due to physical or mental illness;
- (e) his own request; or
- (f) an administrative exigency which shall be recorded in writing.

15. Control, Supervision and Direction of Police Force in Metropolitan Areas. - (1) The State Government shall appoint a Commissioner of Police in a Metropolitan area.

(2) The Commissioner of Police shall be an officer not below the rank of Inspector General of Police and shall be appointed from a panel of officers recommended by a committee consisting of the following:

- (a) Chief Secretary;
- (b) Secretary incharge, Home Department of the State;
- (c) Secretary incharge, Department of Personnel of the State;
- (d) Director General of Police.

(3) The Control, Supervision and Direction of the Police Force in a Metropolitan Area shall, subject to the overall control of the Director General of Police, vest in the Commissioner of Police.

(4) The Commissioner of Police appointed under sub-section (1) shall exercise such powers, perform such functions and discharge such duties, and shall have such responsibility and authority as may be determined by the State Government by a general or special order.

(5) Subject to the rules made under All India Services Act, 1951 (Central Act No. 61 of 1951), the Commissioner of Police shall have a minimum tenure of two years.

(6) Notwithstanding anything in sub-section (5), the Commissioner of Police may be removed from his post before the expiry of the said tenure by the State Government consequent upon:-

- (a) his conviction by the court in a criminal offence or where charges have been framed by the court in a case involving corruption or moral turpitude;
- (b) his punishment of dismissal, removal, or compulsory retirement from service or of reduction to a lower rank awarded under the provisions of the All India Services (Discipline and Appeal) Rules, 1967 or any other relevant rule;
- (c) his suspension from service in accordance with the provisions of the rules referred to in clause (b);
- (d) his incapacity in the discharge of functions due to physical or mental illness;
- (e) his own request; or
- (f) an administrative exigency which shall be recorded in writing.

(7) The State Government may appoint one or more Additional, Joint, Deputy or Assistant Commissioners to assist the Commissioner of police in the discharge of his duties and determine, in consultation with the Commissioner, the functions, duties, responsibilities, and powers of such officers.

16. Control, Supervision and Direction of Police Force in a Police District-

(1) The State Government may appoint a District Superintendent of Police for a Police District:

Provided that in a metropolitan area, District Superintendent of Police shall be designated as Deputy Commissioner of Police and reference to District Superintendent of Police in this Act shall, in relation to a metropolitan area be construed accordingly.

(2) The power of control, supervision and direction of the Police force in a Police District shall, subject to the overall control of the Director General of Police, vest in the District Superintendent of Police.

(3) Subject to the rules made under All India Services Act, 1951 (Central Act No. 61 of 1951), the District Superintendent of Police shall have a minimum tenure of two years.

(4) Notwithstanding anything in sub-section (3), District Superintendent of Police may be removed from his post before the expiry of the said tenure by the State Government consequent upon:-

- (a) his conviction by the court in a criminal offence or where charges have been framed by the court in a case involving corruption or moral turpitude;
- (b) his punishment of dismissal, removal or compulsory retirement from service or of reduction to a lower rank, awarded under the provisions of the All India Services (Discipline and Appeal) Rules, 1967 or any other relevant rule;
- (c) his suspension from service in accordance with the provisions of the rules referred to clause (b);
- (d) his incapacity in the discharge of functions due to physical or mental illness;
- (e) his own request; or
- (f) an administrative exigency which shall be recorded in writing;

(5) The State Government may appoint one or more Additional Deputy or Assistant Superintendent of Police to assist the District Superintendent of police.

(6) The powers, functions and duties of police officers appointed under sub-section (5) shall be such as may be determined by the Director General of Police by general or special order.

17. Control, Supervision and Direction of Police Force in a Police Circle-

(1) The State Government may appoint an officer not below the rank of Deputy Superintendent of Police to be the incharge of a police circle:

Provided that in a metropolitan area, the incharge of a police circle shall be designated as Assistant Commissioner of Police and references to officer in charge of a police circle in this Act shall in relation to a metropolitan area be construed accordingly.

(2) The power of control, supervision and direction of the Police Force in a Police circle shall, subject to the overall control of the Director General of Police vest in the officer in-charge of Police Circle.

(3) The officer in-charge of Police circle shall have a minimum tenure of two years.

(4) Notwithstanding anything, in sub-section (3), officer incharge of a police circle may be removed from his post before the expiry of the said tenure by the State Government consequent upon:-

- (a) his conviction by the court in a criminal offence or where charges have been framed by the court in a case involve in corruption or moral turpitude;
- (b) his punishment of dismissal removal or compulsory retirement from service or of reduction to a lower rank, awarded under the provisions of the all India Services (Discipline and Appeal) Rules, 1967 or any other relevant rules;

- (c) his suspension from service in accordance with the provisions of the rules referred to in clause (b);
- (d) his incapacity in the discharge of functions due to physical or mental illness;
- (e) his own request; or
- (f) an administrative exigency which shall be recorded, in writing.

18. Supervision of Police Force in Railway Areas.- (1) The State Government may appoint an officer in the rank of Inspector General of the Police to be the incharge of the Railway Areas.

(2) The power of control, supervision and direction of the Police Force in the Railway Areas shall, subject to the overall control of the Director General of Police vest in the Inspector General of Police incharge of the Railway areas.

(3) The State Government may appoint an officer in the rank of Superintendent of Police to be the incharge of the Police District of railway areas and power of control, supervision and direction shall subject to the overall control of the Director General of Police vest in the officer so appointed.

19. Tenure of office of certain police officers on field duties.-(1) A police officer posted as an officer incharge of a Police Station or as an officer incharge of a Crime Investigation Unit shall have a minimum tenure of two years.

(2) Notwithstanding anything in sub-section (1), any officer referred to in that sub-section may be transferred from his post before the expiry of the said tenure, consequent upon:-

- (a) his promotion to a higher post;
- (b) his superannuation;
- (c) his conviction by the court;
- (d) charges having been framed against him by the court in a criminal offence;
- (e) his punishment of dismissal, removal, discharge or compulsory retirement from service or of reduction to a lower rank, awarded under the rules relating to disciplinary actions applicable to him;
- (f) his suspension from service in accordance with the provisions of the rules referred to in clause (e);
- (g) his incapacity in the discharge of functions and duties due to physical or mental illness;
- (h) for filling up a vacancy;
- (i) his own request; or
- (j) an administrative exigency which shall be recorded in writing.

20. Regulation of recruitment and condition of services of police officers in subordinate ranks.- (1) The State Government may make rules for the regulation of recruitment and conditions of service of police officers in subordinate ranks.

(2) Subject to the provisions of Article 311 of the Constitution of India, the Director General of Police or any other police officer authorized by the State Government in this behalf may dismiss, remove from service, reduce in rank, or confine to quarters for a term not exceeding fifteen days (with or without punishment-drill, extra guard, fatigue or other duty), any police officer of subordinate ranks found to be remiss or negligent in the discharge of his duties or unfit for the same, or guilty of any misconduct.

Chapter-IV

State Police Commission and Police Establishment Board

21. State Police Commission.- (1) The State Government shall establish a State Police Commission (hereinafter referred to as the "Commission"), which shall perform functions assigned to it under the provisions of this Chapter.

(2) Minister incharge of the Home Department shall be the Chairman of the Commission and other members of the Commission shall be as follows:-

- (a) Leader of the Opposition in the State Legislative Assembly or if there is no Leader of the Opposition, the leader of the largest opposition party (single or group of parties recognized by the Speakers) in the State Legislative Assembly;
- (b) Chief Secretary;
- (c) Secretary incharge of the Home Department;
- (b) Director General of Police; and
- (e) Three persons of eminence (hereinafter referred to as "Independent Members") from any walk of public life to be appointed by the State Government:

Provided that atleast one independent member shall be from amongst the weaker sections of the society.

(3) The State Government may appoint a police officer not below the rank of Additional Director General to act as the Secretary to the Commission.

(4) The Commission shall follow such rules with regard to its meetings, quorum and transaction of business as may be made by the State Government.

22. Committee for selection of Independent Members.- Independent Members shall be appointed by the State Government on the recommendation of a panel consisting of the Chief Minister as its Chairman and the following as its members:

- (a) Leader of the Opposition in the State Legislative Assembly or if there is no Leader of the Opposition, the leader of the largest opposition party (single or group of parties recognized by the Speaker) in the State Legislative Assembly;
- (b) Minister incharge of the Home Department;
- (c) Chairman of the Rajasthan State Human Rights Commission.

23. Disqualification for appointment as Independent Member.- A person shall not be eligible to be appointed as an Independent Member of the Commission if he-

- (a) is not a citizen of India;
- (b) has been convicted by the court or against whom charges of an offence involving moral turpitude have been framed by the court;
- (c) has been dismissed, removed or compulsorily retired from any public service;
- (d) has been declared insolvent by the court;
- (e) is of unsound mind; or
- (f) is or has been a Member of Parliament or the Legislature of a State or a local body; or is or has been an office bearer of any political party or any organization connected with a political party; or is or has been a member of any political party or any organization affiliated to a political party.

24. Term and privileges of independent Members.- (1) The term of an independent member shall be for a period of three years from the date of his appointment and he shall not be eligible for reappointment.

(2) An independent member shall serve in an honorary capacity and the privileges and facilities to be extended to such member shall be such as may be prescribed.

25. Removal of an Independent Member.- State Government may remove an independent member-

- (a) on grounds of,
 - (i) failure to attend three consecutive meetings of the Commission without sufficient cause;
 - (ii) incapacitation by reasons of physical or mental infirmity; or
 - (iii) otherwise becoming unable to discharge his functions as a member.
- (b) on the recommendation of the selection committee referred to in Section 22; or
- (c) if he incurs, any disqualification specified in Section 23.

26. Functions of the Commission.- The Commission may perform the following functions, namely:-

- (a) to advise the State Government on policy guidelines for promoting efficient and accountable policing;
- (b) to assist the State Government in identifying performance indicators to evaluate the functioning of the Police Force;
- (c) to communicate its views periodically on the performance of the Police Force;
- (d) to formulate perspective plans for policing and submit them to the State Government;
- (e) to analyse crimes in the State and suggest preventive measures;
- (f) to draw up a strategic plan for a five year period, duly identifying the objectives of policing sought to be achieved during the period and setting out an action plan for their implementation;
- (g) to prepare training policy for police officers of different ranks and categories; and
- (h) to perform such other functions as specified by the State Government from time to time.

27. Annual report of the Commission.- (1) The Commission shall, at the end of each year, present to the State Government a report of its work during the preceding year as well as of the performance of the Police Force.

(2) The State Government shall cause the annual report to be laid before the House of the State Legislature in the Budget Session.

28. Police Establishment Board.- (1) The State Government shall constitute a Police Establishment Board (hereinafter referred to as the "Board") with the Director General of Police as its Chairman and four police officers not below the rank of Inspector General of Police as its members.

(2) The Board shall perform the following functions:-

- (a) recruitment of Constables in accordance with the relevant service rules;
- (b) promotion in the subordinate ranks in accordance with relevant service rules;
- (c) prescribe guidelines for transfer of subordinate ranks with the approval of the State Government;
- (d) transfer of subordinate ranks from one range to another and transfer of police officers in the rank of Deputy Superintendent of Police;
- (e) prepare proposal for transfer of police officers in the rank of Additional Superintendent of Police and submit the same to the state Government; and
- (f) analyze the grievances of police personnel and suggest remedial measures to the State Government.

(3) For recruitment of constables and for promotion in the subordinate ranks, the Board may appoint one or more committees headed by an officer not below the rank of Inspector General of Police.

(4) The Police Establishment Board shall follow such rules with regard to its meetings, quorum and transaction of business as may be made by the State Government.

Chapter V

Functions, Duties and Responsibilities of Police Officers

29. Functions, Duties and responsibilities of police officers.- (1) The following shall be the functions, duties and responsibilities of a police officer;

- (a) to enforce the law, and to protect life, liberty, property rights, dignity and human rights of the people;
- (b) to prevent crime and public nuisance;

- (c) to maintain public order;
- (d) to preserve internal security, prevent and control terrorist activities, and to prevent breach of public peace;
- (e) to protect public property;
- (f) to detect offences and bring the offenders to justice;
- (g) to apprehend persons whom he is legally authorised to apprehend and for whose apprehension sufficient grounds exist;
- (h) to help people in situations arising out of natural or manmade disasters; and to assist other agencies in relief measures;
- (i) to facilitate orderly movement of people and vehicles, and to control and regulate traffic;
- (j) to gather intelligence relating to matters affecting public peace and crime;
- (k) to provide security to public authorities in discharging their functions and duties; and
- (l) to perform such duties and discharge such responsibilities as may be enjoined upon him by law or by an authority empowered to issue such directions under any law.

(2) The State Government, or an authority specially empowered in this behalf by the State Government, may assign such other duties and responsibilities to police officers as may be specified by the State Government.

30. Social responsibilities of the police officers- Every police officer shall

- (a) behave with the members of the public with due courtesy and decorum, particularly so in dealing with senior citizens, women, children and members of weaker sections of society;
- (b) guide and assist members of the public, particularly senior citizens, women, children and the physically or mentally challenged individuals, who are found in helpless condition on the streets or other public places;
- (c) provide requisite assistance to victims of crime and of road accidents;
- (d) prevent harassment of senior citizens, women and children in public places and public transport including stalking, making objectionable gestures, signs, remarks or harassment caused in any way;
- (e) render lawful assistance to the members of the public, particularly women, children and members of the weaker section of the society.

Explanation- "senior citizen" means a person of and above the age of sixty five years.

31. Recording of information in cognizable cases- (1) The officer in charge of a Police Station shall promptly receive and record every information relating to the commission of a cognizable offence in accordance with the provisions of the Code of Criminal Procedure, 1973 (Central Act No. 2 of 1974).

(2) Where any person sends or gives information to the District Superintendent of Police of the facts, which *prima facie* constitute a cognizable offence, and alleges that the officer in charge of the Police Station having jurisdiction has refused to record the information, the District Superintendent of Police shall immediately proceed to take or cause to be taken disciplinary action as per rules against the officer in charge of the Police Station.

(3) Any punishment awarded in the said disciplinary proceedings shall be recorded in the service record of the concerned officer and shall be considered always when his efficiency and performance is required to be adjudged.

32. Senior police officer performing duties of a subordinate police officer.- A senior police officer may perform any duty assigned by law or by a lawful order to any officer subordinate to him and in case of any duty imposed on such subordinate, a superior officer may aid, supplement supersede, or prevent any action of such subordinate by his own action or that of any person lawfully acting under his command or authority, whenever the same shall appear necessary or expedient for giving more complete or convenient effect to the law or for avoiding any infringement thereof.

33. Police officer always on duty.- Every police officer shall be considered to be always on duty for all purposes of this Act.

34. Police officers may be deployed in any part of the State.- Every police officer may, at any time, be deployed as a police officer in any part of the State.

35. Police officers not to engage in other employment.- No police officer shall engage in an employment or office whatsoever, other than his duties under this Act, unless expressly permitted to do so in writing by the State Government.

36. Police officers not to withdraw from duty.- No police officer shall be at liberty to withdraw himself from duties of his office unless expressly allowed to do so by an officer authorized to grant such permission.

37. Police officers may lay information before a Magistrate.- It shall be lawful for any police officer to lay any information before a Magistrate having jurisdiction, and to apply for a summon warrant, search warrant or such other legal process as may, by law, be issued against any person committing an offence.

38. Police officers to take charge of unclaimed property.- (1) It shall be the duty of every police officer to take charge of unclaimed property, and to furnish an inventory thereof to the Police Station having jurisdiction.

(2) The manner of disposal of such property shall be such as may be prescribed.

Explanation - For the purposes of this section "property" shall mean any movable property, money or valuable security.

39. Police officers to keep diary.- It shall be the duty of every police officer incharge of a police station or an outpost to keep a general diary in such form and manner as may be prescribed.

40. State Government may prescribe form of returns.- (1) The State Government may prescribe the forms and the manner of return to be submitted to it by the Director General of Police.

(2) The Director General of Police may, specify the forms and manner of returns to be furnished to him by other police officers.

41. Uniforms, insignia, accoutrements, etc.- (1) The State Government may prescribe uniform, insignia and accoutrements for Police Officers or as the case may be, a class of police officers.

(2) The Director General of Police may, from time to time, issue directions for wearing of uniforms and carrying of insignia and accoutrements.

Chapter VI

Special Provisions for Policing

42. Crime Investigation Units.- (1) The State Government may, by general or special order, create in each such Police Station, as it may decide from time to time, a separate Crime Investigation Unit, headed by an officer not below the rank of Sub-Inspector of Police:

Provided that such crime investigation unit in a metropolitan area shall be established by the State Government within a period not exceeding five years from the notification of a metropolitan area.

(2) The State Government may, by general or special order, create in office of the Director General of Police or in any police district, one or more Special Crime Investigation Units headed by an officer not below the rank of Inspector of Police, for investigation of cyber crimes, organised crimes and such other offences as may be specified by the Director General of Police by general or special order;

(3) The Police officers posted to such units shall not be assigned to any other duty, except under very special circumstances with the permission of the Director General of Police.

43. Power to reserve public places and raise barriers.- Subject to such checks and restrictions as may be specified by the District Magistrate;

(a) The District Superintendent of Police may temporarily reserve, by public notice, any street or other 'public place for any 'public purpose, and regulate the movement of persons and vehicles in the area so reserved; and

(b) The District Superintendent of Police may, in the interest of general public, authorise any police officer to raise barriers and other necessary structures on public roads and streets for maintenance of public order or to check vehicles or occupants thereof for prevention or detection of any crime.

44. Preservation of order.- (1) Subject to such checks and restrictions as may be specified by the District Magistrate, the District Superintendent of Police or any police officer authorised by him for this purpose, may issue general or special orders for regulating all assemblies and processions on public roads, or in public streets or thoroughfares and prescribe the routes by which, and the times at which, such processions may pass:

Provided that where the District Superintendent of Police or the officer authorised by him is satisfied that it is intended by any persons or class of persons to convene or collect an assembly in any such road, street or thoroughfare, or to procession which would, if uncontrolled, be likely to cause a breach of the peace, he may direct such persons or class of persons to seek permission from the District Magistrate or any officer authorized by him for this purpose.

(2) The District Magistrate or the officer authorized by him may grant the requisite permission with such conditions as he may deem appropriate:

Provided that he may refuse to grant permission to convene or collect an assembly in any such road, street or thoroughfare, or form a procession which would, in his opinion, be likely to cause a breach of the peace.

(3) Any police officer on whom the responsibility to regulate a public assembly or a procession is enjoined upon, may stop any procession which does not possess the permission referred to in sub-section (2) or which, in his opinion, violates the conditions of the permission, and may order any such procession or any such assembly to disperse.

(4) Any procession or assembly which neglects or refuses to obey any order given under the last preceding sub-section, shall be deemed to be an unlawful assembly.

(5) The District Superintendent of Police may, in the interest of general public, issue orders for regulating the entry or exit or hours of operation of a public place.

45. Power to seek information.- The District Superintendent of Police may, by an order, require every owner of a household, a shop, or a public premise to furnish details of a tenant or domestic help in the format specified by him for this purpose.

46. Payment for Police service.- The State Government may levy from any person, who carries on any such occupation, gathering, exhibition, sale, entertainment etc., for monetary gain, as may, for the purpose of public security or for the maintenance of public peace or order, require deployment of additional police force, such user charges as may be prescribed.