

Punjab Police Act, 2007 as Extended to Chandigarh

CHANDIGARH

India

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Rule

PUNJAB-POLICE-ACT-2007-AS-EXTENDED-TO-CHANDIGARH of 2010

- Published on 29 March 2010
- Commenced on 29 March 2010
- [This is the version of this document from 29 March 2010.]
- [Note: The original publication document is not available and this content could not be verified.]

Punjab Police Act, 2007 as Extended to ChandigarhPublished vide Notification New Delhi, the 29th March, 2010Ministry of Home AffairsG.S.R. 217(E). - In exercise of the powers conferred by Section 87 of the Punjab Reorganization Act, 1966 (31 of 1966), the Central Government hereby extends to the Union Territory of Chandigarh, the Punjab Police Act, 2007 (Punjab Act No. 10 of 2008), as in force in the State of Punjab at the date of this notification, subject to the following modifications, namely:Modifications

1.

In the Punjab Police Act so extended to the Union Territory Chandigarh.(1)save as otherwise expressly provided hereunder, -(a)for the words "State" and "Punjab", wherever they occur, the words "Union Territory of Chandigarh" shall be substituted;(b)for the words "State Government", "Government" and the "Government of the State of Punjab", wherever they occur, the words "Administrator, Union Territory of Chandigarh" shall be substituted;(c)for the words "Director General of Police", wherever they occur, the words "an officer appointed by the Central Government, with any designation, to head the Chandigarh Police" shall be substituted;(2)in section 2,(a)clause (a) shall be renumbered as clause (al) and before the clause so renumbered, the following clause shall be inserted, namely :'(a) "Administrator" means the Administrator of the Union Territory of Chandigarh appointed by the President under Article 239 of the Constitution;'(b)clauses (c) and (d) shall be omitted;(c)in clause (k), for the words and figures, "Punjab Municipal Act, 1911 and the Punjab Municipal Corporation Act, 1976", the words and figures, "Punjab Municipal Corporation Law (Extension to Chandigarh) Act, 1994" shall be substituted;(d)for clause (r), the following clause shall be substituted, namely;-'(r) "police officer" means any member of the Police Service of the Union Territory of Chandigarh constituted under this Act and shall include an Indian Police Service Officer allocated to the Arunachal Pradesh-Goa-Mizoram-Union Territories Cadre and posted in

Chandigarh constituent of the cadre or an Indian Police Service Officer deputed to the Chandigarh constituent of Arunachal Pradesh-Goa-Mizoram-Union Territories cadre;"(e)in clause (s), for the words "two or more police ranges", the words "two or more Police districts" shall be substituted;(f)clauses (bb) and (cc) shall be omitted;(3)in section 4,-(a)in clause (b), for the word "shall", the word "may" shall be substituted;(b)in clause (d), for the words "State Level Police Recruitment Board or District Level Police Recruitment Board", the words "Police Recruitment Board" shall be substituted;(4)in section 5,-(a)in sub-sections (1) and (2), for the words "State Government", the words "Central Government" shall be substituted;(b)in sub-section (2), for the words "Directors General of Police, Additional Directors General of Police and as many Inspectors General, Deputy or Assistant Inspectors General of Police", the words "officers of such different ranks" shall be substituted;-(c)In sub-section (3), for the words "an Additional Director General or an Inspector General or a Deputy Inspector General or an Assistant Inspector General of Police", the words "officers referred to in sub-section (2)" shall be substituted;(5)for section 6, the following section shall be substituted, namely :-"6.(1) The Central Government shall appoint an officer from amongst Indian Police Service Officers borne on the Arunachal Pradesh-Goa-Mizoram-Union Territories Cadre, wish such designation as considered appropriate, to head the Chandigarh Police.Provided that under exceptional circumstances, the Central Government may appoint an officer from Indian Police Service deputed to the Arunachal Pradesh-Goa-Mizoram-Union Territories Cadre, to head the Chandigarh Police.(2)The officer so appointed under sub-section (1) shall have a tenure of not less than two years unless he attains the age of superannuation:Provided that the Central Government may transfer the officer appointed under sub-section (1) before completion of two years of his tenure, if he is -(a)incapacitated by physical or mental illness or otherwise becoming unable to discharge his functions as the head of the Chandigarh Police; or(b)promoted to a higher post either under the State Government or under the Central Government :Provided further that the Central Government may, for special reasons, to be recorded in writing, also transfer him before the completion of two years tenure."(6)for section 7, the following section shall be substituted, namely :-"7. The Administrator may, with the previous approval of the Central Government, provide such number of Legal Officers and Finance Officers as may be prescribed, to aid and advise police officers on legal and financial matters.";(7)section 8 shall be omitted;(8)in section 13, -(a)in sub-section (2), the words "Sub-Inspector of Police or" shall be omitted;(b)for sub-section (3), the following sub-section shall be substituted, namely :-"(3) The Administrator may create Crime Investigation Units in such Police Stations, as he may deem necessary";(9)for section 15, the following section shall be substituted, namely :-"15. The officer posted as Inspector General of Police of a Zone, Deputy Inspector General of Police of a range, Senior Superintendent of Police and Superintendent of Police in a Police District, Assistant Superintendent of Police and Deputy Superintendent of Police in a Sub-division and Station House Officer in a Police Station in a District, shall have a minimum tenure of two years:Provided that the competent authority may transfer the officer before the completion of two years of tenure if he is-(a)promoted to a higher post, or(b)incapacitated by physical or mental illness or otherwise becoming unable to discharge his duties and functions;Provided further that the competent authority may, for special reasons, to be recorded in writing, also transfer an officer before the completion of two years of tenure."(10)for section 17, the following section shall be substituted, namely :-"17. With a view to prevent, detect and investigate crime and for enforcement of law and maintenance of order in trains passing through the railway lines area and other railway area, falling

in his jurisdiction, the Administrator may, by notification in the Official Gazette, create a Railway Police Station consisting of such railway lines and other railway area in the Union Territory, as he may deem necessary; and appoint for policing such police officers, as may be prescribed."(11)for section 20, the following section shall be substituted, namely :-"20. The Administrator shall, in consultation with the Central Government, lay down a Policy for the purpose of education and training of all ranks and categories of police personnel."(12)in section 25, for the word "shall", the word "may" shall be substituted;(13)for section 27, the following section shall be substituted, namely :-"27.(1) The Central Government may establish a Security Commission for the Union Territory of Chandigarh with such composition and functions as may be prescribed.(2)Notwithstanding anything to the contrary contained in sub-section (1), the Central Government may constitute a Common Security Commission for all Union Territories with composition and functions as may be prescribed."(14)section 28 shall be omitted;(15)in section 29, -(a)in sub-section (1), in clause (a), for the words "State Police Board", the words "Security Commission" shall be substituted;(b)clauses (c) and (d) of sub-section (1) shall be omitted;(c)in sub-section (2), the words "and the Commissioners of Police" shall be omitted;(16)for section 32, the following section shall be substituted, namely :-"32.(1) The Administrator shall constitute a Police Establishment Committee which shall consist of the following officers, namely :-

- (a) officer appointed to head Chandigarh Police under sub-section(1) of section 6 - Chairperson
- (b) Senior Superintendent of Police, Chandigarh - Member
- (c) two other officers not below the rank of Superintendent of Police - Member

(2)The Police Establishment Committee shall decide the matter with regard to postings and transfers of all police officers of the rank of Deputy Superintendent of Police and below.(17)in section 34, in sub-section (1), in the proviso, for the words "the State Legislature within a period of six months from the date of issue or the first sitting of the Legislature, whichever is earlier", the words "each House of Parliament within a period of six months from the date of issue" shall be substituted;(18)in section 36, for the words "the Deputy Inspector General of Police of the range concerned", the words "such officer as may be prescribed" shall be substituted;(19)for section 54, the following section shall be substituted, namely :-"54. The Administrator may, in consultation with the central Government, by notification in the Official Gazette, constitute a Police Complaints Authority."(20)section 72 shall be omitted;(21)in section 80 -(a)in sub-section (1), for the words, "one year", the words "six months" shall be substituted;(b)for sub-section (2), the following sub-section shall be substituted, namely :-"(2) Every rule made under this Act 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 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."(22)in section 81, in sub-section (2), for the words "State legislature", the words "each House of Parliament" shall be substituted;(23)in section 84, in sub-section (1), for the words "State Government", the words "Central Government or the Administrator" shall be substituted;(24)in section 85, for the words "shall remain in force", the words "as extended to the Union Territory of Chandigarh, shall remain

in force" shall be substituted.