

THE TELANGANA DISTRICT POLICE ACT, 1329 F.

(ACT NO. X OF 1329 F.)

ARRANGEMENT OF SECTIONS

Sections

1. Short title, commencement and extent.
2. Definitions.
3. Organisation of the force.
4. Director General of District Police, etc.
5. Magisterial powers of Director General of District Police and exercise thereof.
6. Appointment, dismissal etc., of subordinate officers.
7. Certificates to Police officers.
8. Police officer not to relinquish office without leave or resign without giving two months' previous notice.
9. Police officer not to have connection with any other work.
10. Powers of Government to make rules.
11. Additional police officers employed at cost of particular persons.
12. Appointment of additional police force in neighbourhood of railway and other construction works etc.
13. Deputing additional police force at place in disturbed or dangerous state.
- 13-A. Special power of Director General of District Police with regard to appointment of special police officer.
14. Awarding compensation to people suffering from misconduct of inhabitants or persons interested in land.

15. Recovery of sums payable under sections 11, 12, 13, 14 and utilization of same when recovered.
16. Powers of Police officers.
17. Village Police officers.
18. Police officers shall be considered to be always deputed on duty and may be employed in any part of the area to which this Act extends.
19. Duties of Police officers.
20. Police officers may lay information before Magistrate.
21. Action against persons refusing to deliver up certificate etc., on ceasing to be Police officer.
22. Punishment on ground of neglect of duty etc.
23. Regulating public assemblies and procession and granting licences relating to same.
24. Powers respecting assemblies and processions violating conditions of licence.
25. Police shall keep order on public streets, etc.
26. Penalty for violating provisions contained in sections 23, 24 and 25.
27. Saving of general authority of District Magistrate.
28. Cognizance of cases against Police officers.
29. Power to punish under other laws.
30. Amounts received by Police officers for service of warrants or furnishing intelligence shall be credited to General Police Fund.
31. Limitation to institution of civil suit or prosecution.
32. Plea for act done under warrant.
33. Police officers shall keep diary.

- 34.** Government may call for returns and prescribe forms thereof.
- 35.** Power to make rules.

THE TELANGANA DISTRICT POLICE ACT, 1329 F.¹

ACT No.X OF 1329 F.

1. This Act may be called, ²[the Telangana District Police Act, 1329 F.] and it shall come into force in the whole of the ²[State of Telangana] ³[except the Hyderabad City Police Limits ⁴[Cyberabad Metropolitan Area, the Rachakonda Metropolitan Area, the Warangal Metropolitan Area, ⁵[the Karimnagar Metropolitan Area,] ⁶[Nizamabad Metropolitan Area,] ⁷[⁸[Ramagundam Metropolitan Area, Siddipet Metropolitan Area and the Khammam Metropolitan Area]]] from the date of its publication in the Official Gazette.

Short title, commencement and extent.

2. In this Act unless there is anything repugnant in the subject or context,-

Definitions.

(1) the words ⁹[the Collector] of the District mean the Chief officer of the District in charge of the administration of a district and exercising the powers of a ⁹[Collector] of a District though the officer be given some other designation;

1. The Andhra Pradesh (Telangana Area) District Police Act, 1329 F. in force in the combined State, as on 02.06.2014, has been adapted to the State of Telangana, under section 101 of the Andhra Pradesh Reorganisation Act, 2014 (Central Act 6 of 2014) vide. the Telangana Adaptation of Laws (No.2) Order, 2016, issued in G.O.Ms.No.46, Law (F) Department, dated 01.06.2016.

2. Substituted by G.O.Ms.No.46, Law (F) Department, dated 01.06.2016.

3. Substituted by Act No.2 of 2004.

4. Substituted by Act No.2 of 2017.

5. Substituted by Act No.3 of 2017.

6. Substituted by Act No.4 of 2017.

7. Substituted by Act No.5 of 2017.

8. Substituted by Act No.10 of 2017.

9. Substituted for "Awal Talukdar Zila" (First Talukdar) by the Andhra Pradesh Adaptation of Laws Order, 1957.

(2) the word “Police” includes all such persons as may be enrolled under this Act or have been enrolled before the enforcement of this Act;

¹⁰[(3) the words ‘the area under the Police administration’ mean ‘the area to which this Act extends’;]

(4) the words “District Superintendent” include every Assistant Superintendent or other person appointed by general or special order of the Government or of any authority to perform all or any of the duties of a District Superintendent of Police under this Act in any district or area.

Organisation of the force.

¹¹[3. (1) The entire establishment of the Police Force Within the area to which this Act extends including the persons mentioned in section 4 of this Act shall constitute one Police Force.

(2) The Government may, from time to time, fix the number and pay of officers and Constables of the Police Force.]

Director General of District Police, etc.

4. (1) The Police administration within the area under the police administration shall be vested in the ¹²Director General of Police who shall be appointed by the Government and the Government shall also, for his assistance, appoint such Deputy and Assistant Director Generals as it deems proper.

(2) The police administration within the local jurisdiction of the Collector of a District shall, under the

10. Substituted for clause (3) by the Andhra Pradesh Adaptation of Laws Order, 1957.

11. Substituted for section 3 by the Andhra Pradesh Adaptation of Laws Order, 1957.

12. Now Inspector-General of Police.

general supervision and direction of such Collector of a District, be vested in the District Superintendent and the Assistant District Superintendents appointed by the Government.

5. The ¹³Director General of Police shall have the powers of a Magistrate of the First Class throughout the area under the police administration; but he shall exercise such powers subject to such conditions as may, from time to time, be prescribed by the Government.

Magisterial powers of Director General of District Police and exercise thereof.

6. (1) The power to appoint, dismiss, degrade and otherwise punish all police officers other than the officers mentioned in section 4 shall, in pursuance of such rules as the Government may, from time to time, prescribe, vest in the ¹³Director General of District Police.

Appointment, dismissal etc., of subordinate officers.

(2) The Government may, by rules, determine the powers of officers subordinate to the Director-General of District Police.

7. (1) Every police officer appointed as aforesaid shall be given at the time of appointment a certificate in the form annexed to this Act. Such certificate shall bear the seal of the ¹³Director-General of District Police or any other officer appointed by him for this work. The award of such certificate shall have the effect to vest the holder thereof with the powers, functions and privileges of a Police officer.

Certificates to Police officers.

(2) Such certificate shall cease to have effect when the person named therein ceases, for any reason, to be a police officer, and in such case, the certificate shall be immediately surrendered, to the officer empowered to take back the same.

Surrender of certificate.

13. Now Inspector-General of Police.

(3) When a police officer is suspended from his office it shall not be said merely by reason of suspension that he has ceased to be a police officer. During the period of his suspension the powers, functions and privileges vested in him as a police officer shall be in abeyance, but he shall be subject to the same responsibilities, discipline and penalties and subordinate to the same officers as he would have been if he had not been suspended.

Police officer not to relinquish office without leave or resign without giving two months' previous notice.

8. (1) No Police officer shall be empowered to withdraw himself from the duties of his office, unless expressly allowed to withdraw by the District Superintendent or by some other officer having such an authority.

(2) No Police officer shall, without the permission of the District Superintendent, resign his office, unless he shall have given to his superior officer two months' previous notice in writing of his intention to resign.

Police officer not to have connection with any other work.

9. No Police officer shall have any concern with any service or work other than the services or works prescribed by this Act without the permission in writing from the Director-General of District Police.

Powers of Government to make rules.

10. The Government may give orders and make rules with regard to the following matters:-

(1) the constitution, organisation and classification of police force;

(2) the places where members of the said force shall reside;

(3) the services which shall be performed by the police officers;

(4) the inspection of the police force, description of arms, accoutrements and other necessaries to be furnished to them;

(5) the collection and communicating of intelligence and information by the police force;

(6) the prevention of abuse or neglect of duty of the police force and rendering it efficient in the discharge of duty.

11. Subject to the general direction of the Collector of the District, the District Superintendent may, on the application of any person submitted with reasonable grounds, depute any additional number of police officers to maintain peace within the area under the administration of the police per such time as he shall think fit. Such force shall be subject to the orders of the District Superintendent and the charge thereof shall be recovered from the applicant:

Additional police officers employed at cost of particular persons.

Provided that the person on whose application such deputation shall have been made may, on giving one month's notice in writing to the District Superintendent, request that the force be withdrawn and the applicant shall be relieved of the charge of such force after the expiry of the period of such notice.

12. When the work of railway or canal or any such other work or any factory or commercial concern is carried on, or is in operation in any part of the country, and the ¹⁴Director-General of District Police is of the opinion that it is necessary on account of the behaviour of the persons engaged in such work, factory or concern or of the behaviour reasonably apprehended of them to depute an additional police force in such place, he may with the consent of the Government

Appointment of additional police force in neighbourhood of railway and other construction works etc.

14. Now Inspector-General of police.

depute additional police force and such force may be retained so long as such necessity shall continue.

¹⁵The Director-General of District Police shall direct, from time to time, the person having custody and control of the fund by which such work or factory or concern is being carried or is in operation for the payment of the charge of such additional force; and such person shall make payment of the charge accordingly.

**Deputing
additional police
force at place in
disturbed or
dangerous state.**

13. (1) The Government may, by proclamation in the Official Gazette and in any other manner they may direct, declare that any area of the area to which this Act extends is in a disturbed or dangerous state, or that, considering the conduct of all the inhabitants of the area or of any class or section of them, it is expedient to increase the strength of the police.

(2) The ¹⁵Director-General of District Police or the officer authorised by the Government in this behalf may, thereupon, with the consent of the Government, employ extra force in addition to the police force appointed for such area.

(3) Subject to the provisions of sub-section (5), the cost of such additional police force shall be borne by the inhabitants of such area.

(4) The Collector of the District shall, after such enquiry as he may, deem necessary, impose such cost on the inhabitants who are, as aforesaid, liable to pay the same and who have not been exempted under sub-section (5). Such apportionment shall be made by the Collector of the District in his discretion and according to the capability of such inhabitants.

15. Now Inspector-General of police.

(5) The Government may exempt any inhabitant or any class or section of such inhabitants from payment of cost.

(6) Every proclamation published under sub-section (1) shall specify the period during which it shall remain in force but the Government may revoke the proclamation within the period or effect, from time to time, such extension in the period as it may deem fit.

Explanation:- For the purposes of this section “inhabitants” shall include persons who either personally or through their agents or servants hold or occupy land or other immovable property within that area and also the landlords who either personally or through their agents or servants recover rent or land revenue from the Raiyat or the land holders in such area notwithstanding that they do not actually reside therein.

13-A. (1) The Director-General of ¹⁶District Police may at any time when he immediately apprehends that some disturbance or clash will take place or that there is an apprehension of the breach of the public peace and that the ordinary police force is insufficient for the protection of the life and property of the inhabitants there, appoint any stout and sturdy male between the age of 18 and 55 years as “special police officer”.

Special power of Director General of District Police with regard to appointment of special police officer.

(2) Every police officer who may be employed shall, on appointment,-

(a) receive a certificate in the prescribed form;

(b) have all the powers, privileges and protection of a police officer;

16. Now Inspector-General of police.

(c) perform all such functions as may be entrusted to him by the ¹⁷Director-General of District Police;

(d) and be subject to the authority of the ¹⁷Director General of District Police.

Awarding compensation to people suffering from misconduct of inhabitants or persons interested in land.

14. (1) If, in any area in respect of which a proclamation under the preceding section is in force there be caused death or grievous hurt or loss or any damage to property on account of the misconduct of the inhabitants of such area or of any class or section thereof, every inhabitant of the area claiming damages for injury on account of such misconduct shall have the power to make, within one month from the date of the injury or within such shorter period as may be fixed in this behalf, an application for damages to the District Magistrate or Sub-Divisional Magistrate of such area.

(2) On submission of such application the Court of District Magistrate shall, after such enquiry as it may deem necessary, whether an additional police force has or has not been posted in such area, have the power to,-

(a) determine the persons who have suffered injury on account of such misconduct;

(b) determine the amount which shall be paid to such persons as damages and also the manner in which the amount shall be distributed among those persons;

(c) determine the proportionate share according to which the amount of compensation shall be paid by the inhabitants of such area other than the applicant who have not been exempted from the liability of its payment under sub-section (3):

17. Now Inspector-General of police.

Provided that the Court of the District Magistrate shall make no order under this sub-section unless it is of opinion that the injury caused had been on account of a riot or unlawful assembly in such area, and the person injured was in no way guilty in respect of the riot or unlawful assembly.

(3) The Government may, by order, exempt any person or class or section of such inhabitants from liability of paying the damages.

(4) An appeal against the order passed under sub-section (2) shall lie in the High Court.

(5) Where damage for an injury has been awarded under this section a claim therefor shall not be made in a Civil Court.

Explanation:- In this section “inhabitants” shall have the meaning assigned thereto in section 13.

15. (1) All sums payable under sections 11, 12, 13, 14 may be recovered by the District Magistrate in the manner prescribed in the ¹⁸[Code of Criminal Procedure, 1898] for the recovery of fine. But if any sum cannot be recovered in this manner such sum may be recovered in the manner prescribed in ¹⁹[the Telangana Land Revenue Act, 1317 F.] for the recovery of arrears of land revenue.

Recovery of sums payable under sections 11, 12, 13, 14 and utilization of same when recovered.

(2) All amounts paid or received under sections 11, 12, 13 shall be credited to a fund to be called “The Police Force General Fund” and shall be applied to the maintenance of the Police force in accordance with the orders as the Government shall pass.

18. Now see Criminal Procedure Code, 1973 (Act 2 of 1974).

19. Adapted by G.O.Ms.No.46, Law (F) Department, dated 01.06.2016.

(3) All amounts paid or received under section 14 shall be paid by the District Magistrate to the persons and in the proportion specified under the said section.

Powers of Police officers.

16. The Police officers enrolled under this Act shall not have any other powers except the powers conferred by this Act or by the ²⁰[Code of Criminal Procedure, 1898].

Village Police officers.

17. Nothing in this Act shall apply to any hereditary or any other Village Police officer.

Police officers shall be considered to be always deputed on duty and may be employed in any part of the area to which this Act extends.

18. Every Police officer shall, for the purposes of this Act, be considered to be always deputed on duty, and may be employed as a Police officer in any part of the area to which this Act extends.

Duties of Police officers.

19. (1) It shall be the duty of every Police officer,-

(a) to execute forthwith all orders and warrants of arrest lawfully issued to him by a competent authority;

(b) to collect and communicate intelligence respecting public order;

(c) to prevent offences and public nuisance;

(d) to detect offenders and have them convicted and to apprehend all persons whom he is legally authorised to apprehend and for whose apprehension sufficient ground exists.

20. Now see Criminal Procedure Code, 1973 (Act 2 of 1974).

(2) Every Police officer may, for carrying out the purposes mentioned in sub-section (1) without a warrant of arrest enter into and inspect any liquor shop or gambling house or such other place where men of loose and bad character assemble.

20. Every Police officer may lay any information before a Magistrate, and apply for summons, warrant of arrest, search-warrant or such other lawful order as may by law issue against any person committing an offence.

Police officers may lay information before Magistrate.

21. Any person enrolled under this Act and who, having ceased to be a Police officer, does not forthwith deliver up his service-certificate, dress and accoutrements and other necessaries which have been given to him for the execution of duty, shall be punished with imprisonment for a term which may extend to six months, or with fine which may extend to two hundred rupees or with both.

Action against persons refusing to deliver up certificate etc., on ceasing to be Police officer.

22. Any Police officer who,-

Punishment on ground of neglect of duty etc.

(1) is guilty of any violation of duty, or

(2) wilfully commits a breach of any rule or law or lawful order made by any competent authority or neglects in obeying it, or

(3) withdraws from the function of his office without permission or without having given two months' previous notice, or

(4) is on leave and does not, without reasonable cause, report for duty on the expiration of leave, or

(5) engages without permission in any work in addition to his duty, or

(6) is guilty of cowardice, or

(7) causes unwarrantable physical hurt to any person in his custody,

shall be punished with imprisonment for a term which may extend to three months or with fine which may extend to three months' pay or with both.

Regulating public assemblies and procession and granting licences relating to same.

23. (1) The District Superintendent of Police or the Assistant Superintendent of Police may, as occasion requires, regulate the conduct of all assemblies and processions on the public roads or in the public streets or thoroughfares and prescribe routes and the times for the passing of such processions.

(2) When the District Superintendent of Police or the Assistant Superintendent of Police is satisfied that the intention of certain persons or any class of persons is to collect people or take out a procession on any public road or public street or thoroughfare which would, if not regulated, in the opinion of the District Magistrate or sub-District Magistrate, be likely to cause breach of peace, such Superintendent or Assistant may require, by general or special proclamation, that such persons or class of persons intending to so collect people or take out a procession shall obtain a licence.

(3) When the application is made for a licence, the District Superintendent of Police or the Assistant Superintendent of Police may grant a licence containing the names of persons to whom the permission has been accorded and bearing the conditions subject to which such assembly may be held or such procession may be taken out so that the provisions of this section be given effect to:

Provided that no fees shall be taken in respect of such licence or the application for obtaining the same.

(4) The District Superintendent of Police or Assistant Superintendent of Police may also direct that to what extent music may be played on the roads on the occasion of festivals and other ceremonies.

(5) The District Superintendent of Police or Assistant District Superintendent of Police may on likelihood of breach in connection with any procession prohibit or impose restrictions on keeping arms including fire-arms and using bullet and lead shots on the occasion of assemblies and processions on public roads or public streets or thoroughfares.

24. (1) Every Magistrate or District Superintendent of Police or Assistant Superintendent of Police or Sub-Inspector of Police or an officer in charge of a Police Station may stop any procession which violates the conditions of the licence granted under the foregoing section, and he may order any such procession or assembly which violates the conditions of the licence granted under the above section to disperse.

Powers respecting assemblies and processions violating conditions of licence.

(2) Every procession or assembly, which neglects or refuses to obey an order given under sub-section (1), shall be deemed to be an unlawful assembly.

25. It is the duty of the police to keep order on streets, public roads, thoroughfares, landing places and ferries and places of public traffic and to remove obstructions to passage on streets and public roads at the time of assemblies and processions or in the neighbourhood of places of worship at the time of public worship or at any other occasion when a large number of people assemble on any street or public road, or thoroughfare or landing place or ferry or where the passage is obstructed.

Police shall keep order on public streets, etc.

Penalty for violating provisions contained in sections 23, 24 and 25.

26. Every person who obstructs or violates any of the provisions contained in sections 23, 24 and 25 or violates the conditions contained in the licence granted by the District Superintendent of Police or the Assistant Superintendent of Police with regard to playing of music or the conduct of assemblies and processions, shall be punishable with fine which may extend to two hundred rupees.

Saving of general authority of District Magistrate.

27. Nothing in sections 23, 24, 25 and 26 shall affect the general authority vested in the District Magistrate with regard to matters referred to in the said sections.

Cognizance of cases against Police officers.

28. When any charge is levelled under this Act against a police officer above the rank of a constable, a Magistrate of the first class shall have power to enquire and pass order.

Power to punish under other laws.

29. When punishment for any act made punishable under this Act, has been prescribed in any other law for the time being in force, nothing contained in this Act shall prevent an action being taken against a Police officer under such law or a punishment being given under such law more than that prescribed in this Act:

Provided that no person shall be punishable twice for the same act.

Amounts received by Police officers for service of warrants or furnishing intelligence shall be credited to General Police Fund.

30. (1) All sums paid to police officers for service of warrants and the sum which by law a police officer, is entitled to receive for intelligence shall, when the intelligence is communicated by him, be credited to the General Police Fund.

(2) The Government may, by general or special order, determine the amount which may be given out of the said amount as a reward to the officer concerned.

31. When a civil suit or prosecution may be lawfully instituted for any act done or intended to be done by a person under the provisions of this Act, or under other general powers of the Police conferred by this Act, such suit or prosecution shall be instituted within three months after the act shall have been done and not otherwise. The notice in writing of such civil suit and of the cause thereof shall be given to the defendant or to the Superintendent of Police or the Assistant Superintendent of Police of the district within whose jurisdiction the act was committed, one month atleast before the institution of the suit.

Limitation to institution of civil suit or prosecution.

No damage shall be allowed to a plaintiff in any such civil suit, if sufficient amends have been made before instituting the suit, or if a sufficient sum for damages has been paid into Court by the defendant or any other person on his behalf after the institution of the suit; and if a decree is given in favour of the plaintiff in such suit, the defendant shall not be made to pay the cash, unless the Judge, who had tried the case, deems fit to have the costs paid for having reasonably instituted the suit:

Provided that a suit shall not lie in a Civil Court when the prosecution has been brought against the officer for the same act in a Criminal Court.

32. When any civil suit or prosecution against a police officer has been instituted for any act done by him in the capacity of a police officer, he may plead that such act was done by him in pursuance of a warrant issued by a Magistrate. Such plea shall be proved by the production of the warrant directing to do such act and puporting to be signed by such Magistrate. The defendant shall, on the production of such warrant, be entitled to receive a decree in his favour notwithstanding a defect of jurisdiction in such Magistrate. No proof of the signature of such Magistrate

Plea for act done under warrant.

shall be necessary unless the Court has reason to doubt its being genuine:

Provided that nothing contained in this section shall effect the remedy of the plaintiff which he may have against the authority issuing the warrant.

Police officers shall keep diary.

33. (1) Every Police officer in charge or a police station shall keep a general diary in such form as shall from time to time, be prescribed by the Government and the following matters shall be recorded therein:-

(1) complaints preferred and charges levelled;

(2) names of persons arrested;

(3) names of complainants;

(4) offences charged with;

(5) weapons or other property that has been recovered from the possession of the arrested persons or otherwise;

(6) names of witnesses who have been examined.

(2) The Director of District Police shall have power to call for and inspect such diary.

Government may call for returns and prescribe forms thereof.

34. The Government may direct the ²¹Director General of Police or other Police officers to submit such returns as it deems fit and may prescribe the forms of such returns.

21. Now Inspector-General of Police.

35. The Government may make rules for carrying out the purposes of this Act. Such rules shall, inter alia, relate to the following matters:- **Power to make rules.**

(a) procedure which the Magistrates and Police officers shall adopt in the execution of their duties they have been charged with by virtue of this Act;

(b) with regard to claims for compensation preferred under section 14 determining the period within which, the manner in which, and the conditions under which they shall be preferred and the particulars which shall be stated in such claims and the mode in which they shall be verified and the nature of the inquiry which shall be made into or other action which shall be taken with regard to the same.

FORM
(See section 7.)

Mr.....
has been enrolled in the Police Force under the ²²[Telangana District Police Act, 1329 F.] and is vested with all the powers, functions and privileges of a Police officer.

Signature.
Designation.

* * *

22. Substituted by G.O.Ms.No.46, Law (F) Department, dated 01.06.2016.