

# The Armed Police Battalions Ordinance, 1979

( Ordinance NO. XXV OF 1979 )

## An Ordinance to provide for the constitution of Armed Police Battalions.

WHEREAS it is expedient to provide for the constitution of Armed Police Battalions and for matters ancillary thereto;

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[\* \* \* ]

1. 2[\* \* \*] This Ordinance may be called the Armed Police Battalions Ordinance, 1979.

(2) [Omitted by section 2 of the Armed Police Battalions (Amendment) Act, 2003 (Act No. XXVIII of 2003). ]

### Definitions

2. (1) In this Ordinance, unless there is anything repugnant in the subject or context,-

(a) “Armed Policeman” means a member of the Force other than an officer;

<sup>3</sup>[(aa) Armed Personnel” means an Armed Policeman;]

(b) “battalion” means a full unit composed of several companies of the Force commanded by a Commanding Officer;

(c) “Commanding Officer” means an officer commanding a battalion or a body of Armed Policemen;

(d) “company” means a sub-unit composed of several platoons forming part of a battalion;

<sup>4</sup>[(dd) “discipline force” means-

(i) the army, navy or air force;

(ii) the police force;

(iii) any other force declared by law to be disciplined force or declared by the Government, by notification in the official Gazette, to be disciplined force within the meaning of this definition.]

(e) "Force" means the Armed Police Battalions constituted under section 3;

(f) "officer" means a superior officer or a subordinate officer;

(g) "platoon" means a body of Armed Policemen composed of a number of sections commanded by a subordinate officer;

(h) "prescribed" means prescribed by rules made under this Ordinance;

<sup>5</sup>[(hh) "Rapid Action Battalion" means a Rapid Action Battalion raised under this Ordinance;]

(i) "Second-in-Command" means an officer posted to assist the Commanding Officer or an officer in command of an Armed Police Battalion during the absence of the Commanding Officer;

(j) "Section" means a group of Armed Policemen commanded by a subordinate officer;

(k) "Special Court" means,-

(i) in the case of an offence committed by a superior officer, a Court consisting of the Additional Inspector General of Police and another officer not below the rank of Superintendent of Police, constituted by the Government upon the recommendation of the Inspector General of Police, presided over by the Additional Inspector General of Police and assisted by the Public Prosecutor or a Deputy Superintendent of Police authorised in this behalf by Inspector General of Police or any Court Inspector:

Provided that if the accused person is an officer of the rank of Superintendent of Police, the other officer of the Court shall be of the rank of Deputy Inspector General of Police, and

(ii) in the case of an offence committed by a subordinate officer or an Armed Policeman, a Court consisting of an officer of the rank of Deputy Inspector General of Police to be nominated by the Inspector General of Police and another officer not below the rank of an Inspector of Police, constituted by the Inspector General of Police, presided over by an officer of the rank of Deputy Inspector General of Police and assisted by a Public Prosecutor or a Deputy Superintendent of Police authorised in this behalf by the Inspector General of Police or any Court Inspector:

Provided that if the accused person is an officer of the rank of Inspector of Police, the other officer of the Court shall be of the rank of a Deputy Superintendent of Police;

(l) "subordinate officer" means an Inspector or Sub-Inspector of Police;

(m) "Summary Court" means,-

(i) in the case of an offence committed by a superior officer, a Court consisting of a Deputy Inspector General of Police and another officer not below the rank of Superintendent of Police, constituted by the Additional Inspector General of Police and presided over by the Deputy Inspector General of Police:

Provided that if the accused person is an officer of the rank of Superintendent of Police, the other officer of the Court shall also be of the rank of Deputy Inspector General of Police; and

(ii) in the case of an offence committed by a subordinate officer or an Armed Policeman, a Court consisting of the Commanding Officer of the battalion concerned and another officer not below the rank of an Inspector of Police, constituted by the Additional Inspector General of Police and presided over by the said Commanding Officer:

Provided that if the accused person is an officer of the rank of Inspector of Police, the other officer of the Court shall be of the rank of Deputy Superintendent of Police;

(n) "superior officer" means an officer of and above the rank of Deputy Superintendent of Police.

(2) The expressions “reason to believe”, “criminal force”, “assault”, “fraudulently” and “voluntarily causing hurt” shall have the meanings assigned to them respectively in the Penal Code (Act No. XLV of 1860).

**Raising and  
maintaining  
of the Force**

3. (1) There shall be raised and maintained in accordance with the provisions of this Ordinance a Force to be called the Armed Police Battalions.

(2) The Force shall consist of such number and classes of officers and Armed Policemen and shall be constituted in such manner as may be prescribed.

<sup>6</sup>[(3) The Force shall include one or more Rapid Action Battalion.

(4) A Rapid Action Battalion shall have such number and classes of officers and Armed Personnel and shall be constituted in such manner and under such conditions as may be prescribed.

(5) Notwithstanding anything contained in this Ordinance or in any other law for the time being in force, Armed Personnel and officers in Rapid Action Battalion may, as and when necessary, be appointed on secondment or deputation, as the case may be, from among the persons who are in the service of the Republic, including any disciplined force.

(6) All Rapid Action Battalions shall be under the direct control and superintendence of an officer not below the rank of Deputy Inspector General of Police or equivalent in any disciplined force as may be determined by the Government and such officer shall be appointed on secondment or deputation from among the persons who are in the service of the Republic, including any disciplined force.]

**Members of  
the Force to  
be subject  
to the  
Ordinance**

4. Every person appointed or enrolled to the Force shall, wherever he may be, remain subject to this Ordinance until he is discharged in accordance with the provisions of this Ordinance or is transferred out of the Force.

**Superintendence,  
etc. of the  
Force**

5. The Superintendence of the Force shall vest in the Government and the Force shall be administered, commanded and controlled by the Inspector

General of Police in accordance with the provisions of this Ordinance and any rules made thereunder and such orders and instructions as may be made or issued by the Government from time to time.

**Duties of  
the Force**

6. The Force shall be employed for the purpose of the following duties, namely:-

(a) internal security duties;

<sup>7</sup>[(aa) intelligence in respect of crime and criminal activities;]

(b) recovery of unauthorised arms, ammunitions, explosives and such other articles as the Government may, from time to time, direct;

<sup>8</sup>[(bb) investigation of any offence on the direction of the Government;]

(c) apprehension of armed gangs of criminals;

(d) assisting other law enforcing agencies including the Police for maintaining law and order; and

(e) such other duties as the Government may, from time to time, assign.

**Duties of  
the Rapid  
Action  
Battalion**

<sup>9</sup>[6A. A Rapid Action Battalion along with other Battalions of the Force, shall perform all duties mentioned in section 6, but no Battalion, except Rapid Action Battalion, shall perform any duty mentioned in clauses (aa) and (bb) of section 6.

**Power to  
direct Rapid  
Action  
Battalion to  
investigate  
offences**

6B. (1) The Government may, at any time, direct the Rapid Action Battalion to investigate any offence.

(2) When any direction is issued under sub-section (1), the Commanding Officer of the concerned Rapid Action Battalion shall assume the control of investigation of such offence.

(3) The Commanding Officer of a Rapid Action Battalion may himself investigate any such offence or direct an officer subordinate to him to investigate the offence.

**Procedure  
to be  
followed in**

6C. (1) An officer of a Rapid Action Battalion shall, while investigating an offence, follow the procedure prescribed in the Code of Criminal