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The Gazette of the Democratic Socialist Republic of Sri Lanka

EXTRAORDINARY

අංක 1495/4 - 2007 අප්‍රේල් 30 වැනි සඳුදා - 2007.04.30

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## PART I : SECTION (I) — GENERAL

### Government Notifications

L.D.B. 2/2005.

#### CONSTITUTION OF THE DEMOCRATIC SOCIALIST REPUBLIC OF SRI LANKA

RULES made by the National Police Commission by virtue of the powers vested in it under paragraph (1) of Article 155K of the Constitution.

Chairman,  
National Police Commission.

Colombo,  
26th April, 2007.

#### Rules

1. These rules maybe cited as the National Police Commission (Appeals Procedure) Rules 2007.
2. A police officer who is aggrieved by an order relating to promotion, transfer or any order on a disciplinary matter, dismissal or vacation of post made by the Inspector General of Police or a Committee or Police Officer appointed respectively under Articles 155H and 155J, in respect of himself, may appeal in writing to the National Police Commission against such order.
3. There shall be only one appeal to the Commission.
4. Every appeal shall be addressed to the Secretary to the Commission and sent by registered post to or handed over at the Office of the National Police Commission and an acknowledgement shall be obtained.
5. The Commission may appoint such number of panels to be called Appeals Panel which shall be required to investigate and report its findings to the Commission. An Appeals Panel may comprise of one or several members. If any Panel consist of several members, the quorum shall be two.

6. (a) Every appeal shall be made within six months from the date of receipt by the aggrieved party of the Order made by the Inspector General of Police, Committee or Police Officer as the case may be.

(b) An Appeal which is not filed in the manner specified under rule 4 shall not be entertained.

7. Where an appeal is preferred against an Order, the Secretary to the Commission shall refer such appeal, to the appropriate Appeals Panel appointed by the Commission, for investigation and report.

8. (a) For the purposes of such inquiry, an Appeals Panel may—

(i) call for reports, files or any other relevant documents from the Inspector General of Police, Committee or Police Officer as the case may be ; and

(ii) summon the appellant or any police officer for such inquiry.

(b) Where reports, files or any other relevant documents have been called under paragraph (a) it shall be the duty of the Inspector General of Police, Committee or Police Officer as the case may be to comply with such request not later than two months from the date of such request.

9. (i) If, upon investigation, the Appeals Panel is of the opinion that there is no valid ground for the appeal, it shall adduce its reasons therefore and recommend to the Commission the dismissal of Appeal.

(ii) If, upon investigation, the Appeals Panel is of the opinion that there exists, *prima facie*, any grievance, it shall proceed to hold an inquiry into the alleged grievance.

10. Every Appeal Panel shall record all proceedings of the inquiry and submit its report on the inquiry within six months from the date of receipt of the records, files or other relevant documents called under rule 8.

11. The Report of the Appeals Panel shall include its recommendations with reasons assigned therefore, and its observations, if any.

12. The decision of the Commission in respect of any appeal shall be conveyed in writing to the aggrieved officer within thirty days from the date of the Report being submitted by the relevant Appeals Panel.

13. The “Commission” shall mean the “National Police Commission” established under Article 155 of the Constitution.

14. The National Police Commission (Appeals Procedure) Rules 2005 *Gazette Extraordinary* No. 1386/1 of March, 28th 2005 are hereby rescinded.