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The Gazette of the Democratic Socialist Republic of Sri Lanka

EXTRAORDINARY

අංක 2345/45 - 2023 අගෝස්තු මස 16 වැනි බදාදා - 2023.08.16
No. 2345/45 - WEDNESDAY, AUGUST 16, 2023

(Published by Authority)

PART I : SECTION (I) — GENERAL

Government Notifications

NATIONAL POLICE COMMISSION

RULES made by the National Police Commission under and by virtue of the powers vested in it under Article 155K of the Constitution of Democratic Socialist Republic of Sri Lanka.

E.W.M. LALITH EKANAYAKE,
Chairman,
National Police Commission.

At the office of the National Police Commission,
Block 09,
Bandaranayake Memorial International Conference Hall Premises,
Buddhaloka Mawatha,
Colombo 07.
On 16th day of August 2023.

Rules made by the National Police Commission

01. These Rules may be cited as “**National Police Commission Rules (Appeal Procedure): 2023**”.
02. Any Police Officer who is aggrieved by an **Order** relating to a promotion, a transfer, a matter concerning disciplinary control or a dismissal made in the exercise of delegated authority by a committee or the Inspector General of Police



or a Police Officer appointed under Article 155H and 155J of the Constitution in respect of himself/herself may appeal in writing to the National Police Commission against such Order under these Rules prescribed herein-below.

03. A Police Officer may submit only one Appeal relating to such an Order to the National Police Commission. When submitting such an Appeal, the facts mentioned in the Appeal as well as the documents submitted in support of the facts mentioned in the Appeal should be supported/confirmed by an Affidavit of such Police Officer submitting the Appeal.

Furthermore, in such Affidavit the following shall be mentioned: -

- (a) Whether any other Appeal has been made previously concerning/relating to the same matter in issue;
 - (b) Whether any litigation is pending concerning the same matter in issue or has been concluded in respect of the same;
 - (c) If so, the relevant reference/case numbers and other relevant details.
04. (a) Every Appeal shall be addressed to the Secretary of the National Police Commission and sent either by Registered Post to the Commission or sent electronically to the Commission's E-mail address (info@npc.gov.lk). In the alternative, such Appeal could be hand delivered to the Office of the National Police Commission, concerning which a receipt of acknowledgment shall be issued by the Commission.
- (b) The Appellant shall indicate the following basic information pertaining to the Appellant.
1. Identity Card Number
 2. Rank / Rank Number
 3. Present Address
 4. Telephone Number
 5. Present or last place of work
 6. E-mail address (If any)
05. (a) Every Appeal shall be made/lodged within **six (06) months** from the date of receipt by the Aggrieved Party of the impugned Order made by a Committee or the Inspector General of Police or a Police Officer, as the case may be.
- (b) Provided that, if there is a delay beyond six months in filing/lodging such Appeal, the National Police Commission may, at its absolute discretion, consider such Appeal only if there appear to be **exceptional circumstances** which prevented the Aggrieved Party from filing/lodging the Appeal within the six months period prescribed herein-above. In such instances, National Police Commission shall specifically state the fact that the Appeal has been made/lodged outside the stipulated time period of six months and it has been considered only on the **exceptional circumstances** that are specifically referred to therein.
06. The Appeals which are not submitted in accordance with the Rules specified herein-above shall be rejected by the National Police Commission.
07. (a) In hearing an Appeal, the National Police Commission may –
- I. Call for reports, observations, files or any other relevant documents from the relevant Committee, Inspector General of Police or from a Police Officer, as the case may be; and
 - II. May summon the Appellant before the Commission.

- (b) It shall be the duty of the relevant Committee, Inspector General of Police or the Police Officer as the case may be to comply with such requests for reports, observations, files and any other relevant documents, not later than one month from the date of such requests.
08. The decision/determination of the Commission in respect of any Appeal shall be conveyed in writing to the Aggrieved Officer and the Committee, Inspector General of Police or the Police Officer as the case may be within **thirty days** from the date of the decision of the Commission. When the Commission has made a decision/determination in respect of an Appeal, no further Appeals and/or Applications and/or Requests shall be entertained by the Commission in respect of the subject matter concerning which the Commission has already made a decision/determination as aforesaid.
09. The “Commission” shall mean the “National Police Commission” established under the Article 155 of the Constitution.
10. The “**Rules of Appeal Procedure of the National Police Commission, 2016**” published in the *Gazette Extraordinary* No. 1997/23 of Thursday December 15, 2016 are hereby rescinded

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