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LEGISLATIVE SUPPLEMENT

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PART-1**HARYANA GOVERNMENT****LAW AND LEGISLATIVE DEPARTMENT****Notification**

The 10th January, 2019

No. Leg.1/2019.— The following Act of the Legislative of the State of Haryana received the assent of the Governor of Haryana on the 8th January, 2019 and is hereby published for general information :-

HARYANA ACT NO. 1 OF 2019**THE HARYANA POLICE (AMENDMENT) ACT, 2018****AN****ACT***Further to amend the Haryana Police Act, 2007.*

Be it enacted by the Legislature of the State of Haryana in the Sixty-ninth Year of the Republic of India as follows:-

1. This Act may be called the Haryana Police (Amendment) Act, 2018. Short title.
2. In the Haryana Police Act, 2007 (hereinafter referred to as the principal Act), for the words “State Police Board”, wherever occurring, the words “State Security Commission” shall be substituted. Substitution of references to certain expressions by certain other expressions.
3. For section 6 of the principal Act, the following section shall be substituted, namely:- Substitution of section 6 of Haryana Act 25 of 2008.

“6. Selection and term of office of Director General of Police.-

(1) The State Government shall appoint the Director General of Police from amongst the Indian Police Service officers from a panel of at least three eligible officers borne on the cadre of the State of Haryana or any other State cadre, who are in the rank of Director General of Police, based on their service record and range of experience, having a reasonable period of remainder service left as on the date of appointment:

Provided that such a panel shall be prepared by a committee comprising of the Chief Secretary, Haryana, the Additional Chief Secretary to Government, Haryana, Home Department and the outgoing Director General of Police, Haryana or an expert in internal security as may be decided by the State Government.

(2) The Director General of Police so appointed shall have a tenure of not less than one year extendable up to one more year irrespective of his date of superannuation:

Provided that the Director General of Police may be relieved of his responsibilities from the post before the expiry of his tenure by the State Government in consultation with the State Security Commission, consequent upon:

 - (a) conviction by a court of law in a criminal offence or where charges have been framed by a court in a case involving corruption or moral turpitude; or
 - (b) punishment of dismissal, removal or compulsory retirement from service or of reduction to a lower post, awarded under the provisions of the All India Services (Discipline and Appeal) Rules, 1969 or any other relevant rule; or
 - (c) incapacitation by physical or mental illness or otherwise unable to discharge his functions as the Director General of Police; or
 - (d) promotion to a higher post under either in the State or the Central Government.”.

Substitution of section 26 of Haryana Act 25 of 2008.

4. For section 26 of the principal Act, the following section shall be substituted, namely:-
- “26. Composition of State Security Commission.- (1) The State Security Commission shall consist of the following members, namely:-
- (a) the Chief Minister as its Chairperson;
 - (b) the Home Minister as Vice-Chairperson;
 - (c) the Leader of the Opposition in the State Assembly;
 - (d) a retired High Court Judge;
 - (e) the Advocate General, Haryana;
 - (f) the Chief Secretary;
 - (g) the Administrative Secretary In-charge of the Home Department;
 - (h) the Director General of Police as its Member-Secretary; and
 - (i) two non-political persons (hereinafter referred as independent members) of high integrity, expertise and competence in administration, law enforcement and security related matters to be nominated by the State Government. One member shall be a retired officer of Indian Administrative Service. The second member shall be nominated by the State Government from the field of public service, legal profession or social organizations with at least fifteen years experience in that field.
- Note.-** The independent members shall be honorary members.
- (2) In the case of premature removal of Director General of Police, Administrative Secretary, Home shall act as the Member-Secretary of the Commission and Director General of Police shall not be Member of the Commission.
 - (3) No Serving Government employee shall be appointed as an independent member.
 - (4) Any vacancy in the State Security Commission shall be filled up as soon as practicable after the seat has fallen vacant:
- Provided that the Chief Minister may nominate any other Minister as the Vice-Chairperson in the event of his being the Home Minister also.”.

Substitution of section 34 of Haryana Act 25 of 2008.

5. For section 34 of the principal Act, the following section shall be substituted, namely:-
- “34. Police Establishment Committee.- (1) The State Government shall constitute a Police Establishment Committee which shall consist of the following police officers, at the headquarter, namely:-
- | | | |
|-----|-------------------------------------|-------------|
| (a) | the Director General of Police | Chairperson |
| (b) | the Head of State Intelligence Wing | Member |
| (c) | the Head of the Administration Wing | Member |
| (d) | the Head of Law and Order Wing | Member |
- (2) The Police Establishment Committee shall decide with regard to transfer and posting of police officers of the rank of Inspectors and make recommendation on posting/transfers of officers of rank of Deputy Superintendent of Police and Superintendent of Police.
 - (3) The transfer and posting of subordinate ranks within a police range shall be decided by the Inspector General of Police of the range.
 - (4) The postings and transfer of officers of subordinate ranks within a police districts shall be decided by the Superintendent of Police of the district.
 - (5) The Police Establishment Committee may prepare an action plan for improving the infrastructure facilities, professionalism, general discipline in the service, modernization, training, welfare of the police personnel and any other work assigned by the State Government.”.

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MEENAKSHI I. MEHTA,
Secretary to Government Haryana,
Law and Legislative Department.