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తెలంగాణ రాజపత్రము
THE TELANGANA GAZETTE
PART IV-B EXTRAORDINARY
PUBLISHED BY AUTHORITY

No. 10] HYDERABAD, SATURDAY, OCTOBER 8, 2016

**TELANGANA ACTS, ORDINANCES AND
REGULATIONS Etc.**

The following is the authoritative text in English language of the Ordinance promulgated by the Governor on the 8th October, 2016 being published under article 348 (3) of the Constitution of India for general information:-

TELANGANA ORDINANCE No. 10 OF 2016.

Promulgated by the Governor in the Sixty-seventh Year of the Republic of India.

AN ORDINANCE TO PROVIDE FOR THE ESTABLISHMENT OF SIDDIPET POLICE COMMISSIONERATE FOR THE METROPOLITAN AREA OF SIDDIPET AND FOR THE MATTERS CONNECTED THEREWITH OR INCIDENTAL THERETO.

[1]

O. 164-1[GH]

WHEREAS, under sub-section (1) of section 8 of the Code of Criminal Procedure, 1973, the Government is empowered to declare any area in the State comprising a City or Town whose population exceeds one million, as a Metropolitan area;

And whereas, in view of the rapid urbanization, the Government, in exercise of the powers conferred under sub-section (1) of section 8 of the Code of Criminal Procedure, 1973, have in G.O.Ms.No.167, Home (Legal) Department dated. 07.10.2016, declared the areas covered under the police stations of Siddipet and Gajwel Divisions as Metropolitan Area of Siddipet for the purpose of the said code.

And whereas, from the point of view of prevention of crime, maintenance of law and order and to tackle problems of growing urbanisation, the Government have decided to establish a separate Commissionerate to maintain the law and order in the Siddipet Metropolitan Area, from the point of view of the administrative convenience and geographic back-ground;

And whereas, it has been decided to give effect to the above decision immediately;

AND WHEREAS, the Legislature of the State is not now in session and the Governor of Telangana is satisfied that circumstances exist which render it necessary for him to take immediate action;

Now, therefore, in exercise of the powers conferred by clause (1) of article 213 of the Constitution of India, the Governor hereby promulgates the following Ordinance:-

1. (1) This Ordinance may be called the Siddipet (Metropolitan Area) Police Ordinance, 2016. Short title, extent and commencement.

(2) It extends to the limits of Siddipet Metropolitan Area, declared by the Government by notification.

(3) It shall come into force at once.

2. (1) In this Ordinance, unless the context otherwise requires,- Definitions.

(a) the "Siddipet Metropolitan Area" means, the areas notified by the Government in this behalf;

(b) "Commissioner" means, Commissioner of Police appointed by the Government under section 5 of the Ordinance and the word "Commissionerate" shall be construed accordingly;

(c) "Collector and District Magistrate" means the District Collector and the District Magistrate of the concerned District;

(d) "Government" means, the State Government of Telangana;

(e) "Notification" means, a notification published in the Telangana Gazette and the word "notified" shall be construed accordingly;

(f) "prescribed" means prescribed by rules under this Ordinance.

(2) The words and expressions used in this Ordinance and not defined, but defined in the Hyderabad City Police Act, 1348 F shall have the meanings respectively assigned to them in the said Act. Act IX of 1348 F.

Establishment of Siddipet Police Commissionerate for the Metropolitan Area of Siddipet. Central Act 2 of 1974.

3. (1) With effect from the commencement of this Ordinance, the areas as notified by the Government as Siddipet Metropolitan Area under section 8 of the Code of Criminal Procedure, 1973, shall be the Siddipet Police Commissionerate for the purpose of this Ordinance, and on such commencement the Siddipet Police Commissionerate shall be deemed to have been established for the said Metropolitan Area of Siddipet:

Provided that the Government may, from time to time, after consultation with the Collector and District Magistrate and Commissioner, by notification in the Telangana Gazette, alter the limits of the Commissionerate constituted under this sub-section so as to include therein or to exclude therefrom the areas specified in the notification:

Provided further that the power to issue a notification under this sub-section shall be subject to previous publication.

Act X of 1329 F.

(2). Subject to the provisions of sub-sections (3) and (4), the Telangana District Police Act, 1329 F, shall with effect from the commencement of this Ordinance, cease to apply to the Siddipet Metropolitan Area.

(3) Such cessation shall not effect,-

Act X of 1329 F.

(a) the previous operation of the Telangana District Police Act, 1329 F in respect of the areas within the Metropolitan area of Siddipet;

Act X of 1329 F.

(b) any penalty, forfeiture or punishment incurred in respect of any offences committed under the provisions of the Telangana District Police Act, 1329 F; or

(c) any investigation, legal proceedings or remedy in respect of such penalty, forfeiture or punishment and any such penalty, forfeiture or punishment may be imposed as if this Ordinance had not been promulgated.

(4) Notwithstanding anything contained in sub-section (2), all notifications, rules, regulations, orders, directions, and powers made, issued or conferred under the provisions of the Telangana District Police Act, 1329 F, and in force at the commencement of this Ordinance, shall so far as they are not inconsistent with the provisions of this Ordinance continue to be in force in the Siddipet Metropolitan Area, until they are replaced by the notification, rules, regulations, orders, directions and powers to be made or issued or conferred under this Ordinance.

Act X of
1329 F.

4. (1) With effect from the date of commencement of this Ordinance, the Police Force functioning in the Siddipet Metropolitan area shall be deemed to be the Police Force of such Metropolitan area.

Organi-
sation
of
Police.

(2) Notwithstanding anything contained in sub-section (1), it shall be competent for the Government to appoint any Police Force as may be prescribed in this behalf from time to time.

5. (1) The control and supervision of Police Force specified under section 4 shall, subject to the orders of the Government, be vested in an officer, who shall be called the Commissioner of Siddipet for the metropolitan area and who may, from time to time, be appointed and removed by the Government.

Appoint-
ment and
removal
of Police
Commis-
sioner.

(2) The Headquarters of the Commissionerate shall be at Siddipet or at such other place as may be notified.

(3) The Commissioner shall be designated as Commissioner of Police and Additional District Magistrate, Siddipet.

Appoint-
ment of
Deputy
Commis-
sioner
and
Assistant
Commis-
sioner.

6. (1) The Government may, from time to time, appoint one or more Deputy Commissioners and one or more Assistant Commissioners or may remove any Deputy Commissioner or Assistant Commissioner so appointed.

(2) Every such Deputy Commissioner shall, subject to the orders of the Commissioner, be competent to exercise all powers or perform some of the duties which are required to be performed by the Commissioner under this Ordinance or any other enactment for the time being in force, and every Assistant Commissioner of Police appointed under sub-section (1) shall exercise such powers or perform such duties as may from time to time be conferred upon or assigned to him by the Commissioner:

Provided that the Deputy Commissioner and Assistant Commissioner shall not exercise the powers regarding making rules for regulation of traffic and for preservation of orders and judicial powers of superior police officer, vested in the Commissioner.

Applica-
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sions of
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7. (1) Save as otherwise expressly provided herein, all the provisions of the Hyderabad City Police Act, 1348 F, (hereinafter in this section called "the said Act") including the provisions relating to make rules for

regulation of traffic and for preservation of orders and giving directions to public are hereby extended to and shall apply *mutatis mutandis* to the Siddipet Commissionerate and the said Act shall, in relation to the Commissionerate be read and construed as if the provisions of the said Act had formed part of this Ordinance.

Hyder-
bad
City
Police
Act,
1348F.
Act IX of
1348F.

(2) The Commissioner and the Deputy Commissioners of Police of Siddipet Police Commissionerate shall exercise the powers of the District Magistrate under section 47 of the Hyderabad City Police Act, 1348 F in the limits of urban police stations as may be notified by the Government, from time to time, in consultation with the Collector and District Magistrate /Commissioner of Police.

Act IX of
1348 F.

(3) For the purpose of facilitating the application of the provisions of the Hyderabad City Police Act, 1348 F to the Siddipet Commissionerate, the Government may, by notification, make such adaptations and modifications of the said Act and rules, notifications, regulations, orders, directions made thereunder whether by way of repealing, amending or suspending any provision thereof as may be necessary or expedient and thereupon the said Act and the rules, notifications, regulations, orders and directions made thereunder, shall apply to the Siddipet Commissionerate, subject to the adaptation and modifications so made.

Act IX of
1348 F.

(4) Notwithstanding that no provision or insufficient provision has been made under sub-section (3) for the adaptation of the provisions of the said Act, rules, notifications, regulations, orders and directions made

thereunder, any Court, Tribunal or authority, required or empowered to enforce those provisions may, for the purpose of facilitating their application to the Commissionerate, construe these provisions in such manner, without affecting the substance, as may be necessary or proper in regard to the matter before the Court, Tribunal or Authority.

Power to
remove
difficulty.

8. (1) If any difficulty arises in giving effect to the provisions of this Ordinance, the Government may, by notification in the Telangana Gazette do anything not inconsistent with such provisions which appear to them to be expedient or necessary for the purpose of removing the difficulty.

(2) Every notification issued under this section shall be laid before the Legislature of the State as soon as possible after it is issued and if the Legislature agrees in making any modification in the notification or in the annulment of the notification, the notification shall thereafter have effect only in such modified form or stand annulled as the case may be, so however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that notification.

Power to
give
direc-
tions.

9. The Government may, from time to time, give such directions not inconsistent with the provisions of the Ordinance or the rules made thereunder to the Siddipet Commissionerate as it may consider necessary for carrying out the purposes of this Ordinance.

Power to
make
rules.

10. (1) The Government may, by notification, make rules for carrying out all or any of the purposes of this Ordinance.

(2) Every rule made under this Ordinance shall immediately after it is made, be laid before the Legislature of the State, if it is in session and if it is not in session, in the session immediately following for a total period of fourteen days which may be comprised in one session or in two successive sessions, and if, before the expiration of the session in which it is so laid or the session immediately following the Legislature agrees in making any modification in the rule or in the annulment of the rule, the rule shall, from the date on which the modification or annulment is notified, have effect only in such modified form or shall stand annulled as the case may be, so however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule.

11. In the Telangana District Police Act, 1329 F, in section 1, for the words “and the Ramagundam Metropolitan Area”, the words “the Ramagundam Metropolitan Area and the Siddipet Metropolitan Area” shall be substituted.

Amend-
ment of
Act X of
1329
Fasli.

E.S.L. NARASIMHAN,
Governor of Telangana.

A. SANTHOSH REDDY,
Secretary to Government,
Legal Affairs, Legislative Affairs & Justice,
Law Department.

O. 164-2

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