THE KARNATAKA POLICE ACT, 1963.

ARRANGEMENT OF SECTIONS

Statement of Object and Reasons

Sections :

CHAPTER I

PRELIMINARY 1. Short title, extent and commencement.

2. Definitions.

CHAPTER II

SUPERINTENDENCE, CONTROL AND ORGANISATION OF THE POLICE FORCE 3. One Police Force for the whole State.

4. Superintendence of Police Force to vest in the Government.

5. Constitution of Police Force.

6. Director General and Inspector General of Police 7. Commissioner.

8. Appointment of Superintendents, Additional, Assistant and Deputy Superintendents.

9. Appointment of Superintendents for wireless system and motor transport system or for any special duty.

10. Principal, Police Training School or college.

11. Deputies and Assistants to the Commissioner.

12. Appointment of subordinate police.

13. Certificates of appointment.

14. Effect of suspension of Police Officer.

15. General powers of Commissioner and Superintendent.

16. Superintendent of Police to be the head of the Police in the District subject to the general control of the District Magistrate.

17. Power of District Magistrate to require reports from Superintendent.

18. Power of supervision by District Magistrates.

19. Special Police Officers.

20. Appointment of additional Police.

CHAPTERIIA

ESTABLISHMENT OF STATE SECURITY COMMISSION, POLICE ESTABLISHMENT BOARD,

STATE POLICE COMPLAINT AUTHORITY AND DISTRICT POLICE COMPLAINT AUTHORITY

20A. The State Security Commission

20B. Police Establishment Board

20C. State Police Complaints Authority

20D. District Police Complaints Authority

20E. Powers of the State Police Complaints Authority and District Police Complaints Authority

20F. Tenure of officers incharge of police stations, circle, sub-division, district and range 20G. Units in a Police station

CHAPTER III

REGULATION, CONTROL AND DISCIPLINE OF THE POLICE FORCE.

21. Framing of Rules for administration of the Police.

22. Inspector-General may call for returns.

23. Omitted.

24. Omitted.

25. Omitted.

26. Police Officers to be deemed to be on duty and to be liable to employment in any part of the State.

27. Under what conditions Police Officer may resign.

28. Police Officer not to engage in trade, etc.

29. Certificates, arms, etc., to be delivered up by person ceasing to be a Police Officer. 30. Occupation of and liability to vacate premises provided for Police officers.

CHAPTER IV

2

POLICE REGULATIONS

31. Power to make orders for regulation of traffic and for preservation of order in public place, etc.

32. Authorisation of erection of barriers on streets.

33. Power to make rules prohibiting disposal of the dead except at places set apart. 34. Power of Commissioner or the Superintendent and of other officers to give direction to the public.

35. Power to prohibit certain acts for prevention of disorder.

36. Power to prohibit, etc., continuance of music, sound or noise.

36A. Power to regulate undesirable activities.

37. Licensing use of loudspeakers, etc.

38. Issue of orders for prevention of riot, etc.

39. Issue of orders for maintenance of order at ceremonials, etc.

40. Police to provide against disorder, etc., at places of amusement and public meetings. 41. Discontinuance of use of premises by disorderly persons.

42. Special measures to prevent outbreak of epidemic disease at fair, etc.

43. Destruction of stray dogs.

44. Destruction of suffering or unfit animals.

45. Powers under this Chapter to be exercised by Superintendent subject to the control of District Magistrate and by Commissioner and District Magistrates subject to the control of the State Government.

CHAPTER V

SPECIAL MEASURES FOR MAINTENANCE OF PUBLIC ORDER AND SAFETY OF STATE I. EMPLOYMENT OF ADDITIONAL POLICE, RECOVERY OF COST THEREOF AND OF RIOT COMPENSATION, ITS ASSESSMENT AND RECOVERY.

46. Employment of additional Police on application of a person.

47. Employment of additional Police at large works and when apprehension regarding behaviour of employees exists.

48. Recovery of cost of additional Police employed under sections 46 and 47.

49. Employment of additional Police in cases of special danger to public peace.

50. Compensation for injury caused by unlawful assembly how recoverable.

51. District Magistrate to award or to apportion compensation among persons.

52. District Magistrate to discharge functions under orders of Government.

53. Proportionate recovery of the cost of additional Police and compensation for loss caused by unlawful assembly.

II. DISPERSAL OF GANGS AND REMOVAL OF PERSONS CONVICTED OF CERTAIN OFFENCES.

54. Dispersal of gangs and bodies of persons.

55. Removal of persons about to commit offences.

56. Removal of persons convicted of ce

57. Period of operation of orders under sections 54, 55 or 56.

58. Hearing to be given before an order is passed under section 54, 55 or 56.

59. Appeal.

60. Finality of orders.

61. Procedure on failure of person to leave the area and his entry therein after removal. 62. Temporary permission to enter or return to the area from which a person was directed to remove himself.

63. Powers of Government or of officers specially empowered to extern.

III. CONTROL OF CAMPS, PARADES, ETC., AND USE OF CERTAIN UNIFORMS. 64. Control of camps, parades, etc., and banning use of uniform, etc.

CHAPTER VI

EXECUTIVE POWERS AND DUTIES OF THE POLICE 65. Duties of a Police Officer.

66. Power to enter places of public resort.

67. Power to search suspected persons in a street.

68. Duties of Police Officers towards the public.

69. Police to regulate traffic, etc., in streets.

70. Persons bound to conform to reasonable directions of Police.

71. Powers of Police Officer to restrain, remove, etc.

72. Enforcement of orders issued under sections 35, 36 or 38.

73. Duty of Police to see orders issued under sections 42, 54, 55, 56 or 63 are carried out. 74. When Police Officer may arrest without warrant.

75. Police to take charge of unclaimed property.

76. Police Officer may take charge of stray cattle.

77. A Superior Police Officer may himself perform duties imposed on his inferior, etc.

CHAPTER VII

PREVENTION OF GAMING 78. Opening, etc., of certain forms of gaming.

79. Keeping common gaming-house, etc.

80. Gaming in common gaming-house, etc.

81. Entry, search, etc., by police officers in gaming-house.

82. Presumptive proof of keeping or gaming in common gaming-house.

83. On conviction under sections 78, 79 and 80 instruments of gaming may be destroyed. 84. Proof of playing for money not required for conviction.

85. Indemnification of persons concerned who are examined as witnesses.

86. Payment of portion of fine to informer.

87. Gaming in public streets.

88. Power to arrest without warrant persons gaming in public places.

89. Assembling in streets for gaming.

90. Printing, publishing or distributing any news or information.

91. Offences by Companies.

CHAPTER VIII

OFFENCES AND PUNISHMENTS 92. Punishment of certain street offences and nuisance.

93. Punishment for cruelty to animals.

94. Punishment for wilful trespass.

95. False alarm of fire or damage to fire alarm.
96. Being found under suspicious circumstances between sunset and sunrise.
97. Carrying weapon without authority.
98. Possession of property of which no satisfactory account can be given.
99. Omission by pawnbrokers, etc., to report to the Police the possession or tender of property suspected to be stolen.
100. Melting, etc., of such property.
101. Taking pledge from a child.
102. Penalty for permitting disorderly conduct at places of public amusements, etc.
103. Penalty for contravention of orders under section 31.
104. Liability of licensee of place of public entertainment for acts of servants.
105. Penalty for not obtaining a licence or for not renewing the licence within the specified period in respect of public entertainment.
106. Penalty for disobedience to order under section 30.
107. Penalty for contravening rules, etc., under sections 33 or 34.
108. Penalty for contravention of rules or directions under section 35, 38 or 39.
109. Penalty for contravening orders under sections 36 or 37.
110. Penalty for contravening direction under section 40 or order under section 41.
111. Penalty for contravention of a regulation made under section 42.
112. Penalty for contravening directions under section 70.
113. Penalty for contravention of directions under sections 54, 55, 56 or 63.
114. Penalty for entering area from which person has been directed to remove himself.
115. Penalty for failure to surrender in accordance with sub-section (3) of section 62. 116. Penalty for contravention of orders under section 64.
117. Neglect or refusal to serve as Special Police Officer.
118. Penalty for making false statement, etc., and for misconduct of Police Officer.
119. Penalty for failure to deliver up certificate of appointment or of office or other article. 120. Vexatious entry, search, arrest, etc., by a Police Officer.
121. Penalty for vexations delay in forwarding a person arrested.
122. Penalty for opposing or not complying with direction given under section 72.
123. Penalty for causing disaffection, etc.
124. Jurisdiction when offender is a Police Officer above the rank of a constable.
125. Penalty for unauthorised use of police uniform.
126. Prosecution for certain offences against the Act to be in the discretion of the Police. 127. Summary disposal of certain cases.
128. Prosecution for offences under other enactments not affected. 128A. Certain offences to be Cognizable, Non-bailable.

CHAPTER IX

VILLAGE POLICE

129. Constitution of village police.
130. Administration, control and direction of village police in whom vested.
131. Power to delegate.
132. Village Police in village to be under charge of Police Patel.
133. Duties of Police Patel.
134. Authority over the village servants.
135. Precautions against robbery, etc.

136. Information received regarding commission of cognizable offences.

137. Penalties for neglect of duty and punishment.

138. Liability to criminal prosecution not affected.

139. Information to Officer in charge of police station, when a criminal in the village has escaped or is not known.

140. Information regarding unnatural or sudden death or corpse found in the village. 141. Police Patel to arrest person whom he believes to have committed a cognizable offence and forward him to the Police station, etc.

142. Unclaimed property.

143. Provision in case of absence, sudden illness, etc., of Police Patel.

CHAPTER X

STATE RESERVE POLICE FORCE 144. Definitions.

145. Constitution of the State Reserve Police Force.

146. Superintendence, control and administration of Force. 147. Enrolment.

148. Transfers.

149. Certificate of appointment.

150. General powers of Commandant.

151. General duties of members of the State Reserve Police Force.

152. Reserve Police Officer to be deemed to be in charge of police station.

153. Offence in respect of resignation contrary to provisions.

154. Offence in respect of refusal to deliver certificate of appointment, etc.

155. More heinous offences.

156. Less heinous offences.

157. Reserve Police Officer in command to give information of offences committed under the Act by Reserve Police Officer under his charge.

158. Place of imprisonment and liability to dismissal on imprisonment.

159. Minor punishments.

160. Protection for acts of members of Force.

161. Reserve Police Officer to be a Police Officer.

CHAPTER XI

MISCELLANEOUS

162. Disposal of fees, rewards, etc.

163. Power of Government to make rules.

164. Method of proving orders and notifications.

165. Rules and orders not invalidated by defect in form or irregularity in procedure.

166. Presumptions in prosecutions for contravention of directions issued under sections 54, 55, 56 or 63.

167. Officers holding charge of, or succeeding to, vacancies competent to exercise powers. 168. Forfeiture of bond entered into by person permitted to enter or return to the area from which he was directed to remove himself.

169. Protection of magistrate, police officer or public servant.

170. Suits or prosecutions in respect of acts done under colour of duty as aforesaid not to be entertained without sanction of Government.

171. Licences and permissions to specify conditions, etc., and to be signed.

172. Public notices how to be given.

173. Consent, etc., of a competent authority may be proved by writing under his signature.

174. Signature on notices, etc., may be stamped.

175. Saving in respect of rescission of certain provisions.

176. Saving of games of skill.

177. Persons interested may apply to Government to annul, reverse or alter any order. 178. Repeal and savings.

179. Power to remove difficulties.

SCHEDULES

SCHEDULE I.

SCHEDULE II.

SCHEDULE III.

SCHEDULE IV.

* * * *

STATEMENTS OF OBJECTS AND REASONS

I

Act 4 of 1964.- At present in the different Areas of the State there are different laws for the regulation of police force, the maintenance of public order and allied matters and also for the prevention of gambling. It is proposed to have one uniform law on these subjects for the entire State. Hence this Bill.

The following are the important provisions of the Bill, namely:—

(1) provision is made for the appointment of a police officer not below the rank of a Deputy Inspector-General of Police to be the Commissioner of Police for the City of Bangalore or any other area specified in a notification;

(2) the administration of the police in a district or part of a district will, under the general control and direction of the District Magistrate, be vested in the Superintendent of Police; (3) the Divisional Commissioner is empowered—

(*a*) to issue directions with respect to the police force in any district within his division which the District Magistrate might issue;

(*b*) to invite the attention of the Inspector-General to defects in the police administration of his division; and

(*c*) to call upon the District Magistrate for reports on the state of crime, the distribution of the police force therein and the arrangements for suppression of crime and disorder and to issue orders thereon;

(4) the Commissioner, the Superintendent, the Assistant Superintendent, the Deputy Superintendent, or any magistrate of the first class having jurisdiction in the area, have been empowered to prohibit the continuance of music, sound or noise, for preventing annoyance, disturbance, discomfort, or injury or risk to the public or any persons who dwell or occupy property in the vicinity;

(5) the Superintendent or other authorised officer is empower to license the use of loudspeakers, etc.;

(6) provision is made for the dispersal from an area, of gangs and bodies of persons, whose movements are likely to cause danger or alarm; for removal from any area of persons about to commit certain offences; and for removal from any area of persons convicted of certain offences;

(7) provisions for the prevention of gambling;

(8) provisions regarding village police and provisions for the constitution, superintendence, direction and control, etc., of the State Reserve Police Force.

II

Amending Act 13 of 1965.— [By this Act amendments were made to the Code of Criminal Procedure to give effect to the separation of judicial and executive functions of the State. While doing so certain consequential amendments were made to this Act]

III

Amending Act 7 of 1974.—Government of Karnataka have permitted the Bangalore Turf Club Limited, to introduce the system of "Off-course Betting" through a reciprocal arrangement with the Royal Western India Turf Club Limited, Bombay, from 19th May, 1973.

Off-course Betting would help to:

(*a*) eliminate illegal betting;

(*b*) increase the revenue of the State Government as well as that of the Bangalore Turf Club;

(*c*) create employment opportunities and encourage other indirect economic activity; and

(*d*) develop horse breeding in the State.

2. Betting Tax will be collected by the Government of the State in which the bets are accepted. The Club will earn revenue by way of Book-makers' stall fees and commission on book bets.

3. It is expected that Government will get an additional revenues of Rupees 5 lakhs a year.

4. Introduction of 'Off-course Betting' requires amendment of the Mysore Race Courses Licensing Act, 1952 and the Mysore Betting Tax Act, 1

5. As the races commenced at Bombay on 18th November 1973 and the State Legislative Council was not in Session at that time, an Ordinance *viz.*, Karnataka Ordinance No. 9 of 1973 had to be promulgated to meet this contingency.

6. The present Bill seeks to replace the said Ordinance.

Hence the Bill.

IV

Amending Act of 18 of 1975.—Orders to be made by the Commissioner of Police and the District Magistrate under clauses (*a*) and (*b*) of sub-section (1) of section 31 of the Mysore Police Act, 1963 are subject to the control of the Government, but orders under other clauses are subject to the previous sanction of Government. It is considered sufficient if orders other than those under clauses (*d*), (*v*), (*w*), (*x*) and (*y*) are subject to the control of Government. It is therefore proposed to amend sub-section (2).

Since it will be necessary to extend under section 92 the provisions relating to street offences and nuisance permanently to certain places, it is proposed to amend sub-section (2) of this section.

The other amendments proposed are of a minor nature.—

(Obtained from Notification No. 9902-LA, dated 17th July 1967 (File LAW 56 LGN 72))

V

Amending Act 41 of 1981.—In the Karnataka Municipal Corporations Act, 1976, section 489 spells out clearly that it shall be the duty of every Police Officer to assist the lawful authority of the Corporation in exercising its powers. However, no similar provision exists in the other enactments dealing with other local authorities such as Slum Clearance and Improvement Board, Bangalore Development Authority, Improvement Boards, etc. All these institutions have to exercise power in demolishing the unauthorised constructions which take place either within their jurisdiction or on the planned lay-outs or areas declared for Slum Clearance etc. The Police Department however finds it difficult to help the officers of these Boards and Authorities by sending police force in the absence of clear provisions in the enactments to the effect that police shall help these authorities.

There is thus need to incorporate a provision similar to section 489 of the said Act, 1976 in all the relevant enactments governing the other local bodies. As this involves amendment to a number of enactments, it is considered appropriate to amend only the Karnataka Police Act, 1963 by incorporating a provision in it, defining the term 'local authority' to cover all types of local bodies and also a provision similar to section 489 of the said Act.

Hence the Bill.

VI

Amending Act 14 of 1990.— [By this Act State Civil Services Act, 1978 was enacted and certain minor consequential amendments were made to this Act]

VII

Amending Act 6 of 1998.—The Hon'ble High Court in the Case No. CCC (Crl) 9\97 has directed all the concerned departments of State Government to take necessary steps to preserve and maintain Cubbon Park at Bangalore City, which is having rich cultural and historical heritage. It has also directed the Horticulture Department to put up prominent boards in the Park that the persons who indulged in activities like parking of the vehicles wherever they like, damaging the trees and plants, plucking flowers and fruits, driving the vehicles at abnormal speed, littering etc., in contravention of the regulations will be liable to fine of Rs. 500/-.

Under section 34(*d*) of the Karnataka Police Act, 1963, the Commissioner of Police, Superintendent of Police and other Police Officers have power to issue orders from time to time to keep order in all streets and other places of public resort.

Contravention of any order made under section 34(d) is punishable under section 107 with fine up to Rs. 200/-. In view of the direction of the High Court in the aforesaid case the maximum limit of fine is required to be enhanced to Rs. 500/-.

Therefore, it is considered necessary to amend the Karnataka Police Act, 1963 to enhance the maximum amount of fine from Rupees 2 ending section 107 of the said Act.

As the matter was urgent and the Karnataka Legislative Council was not in session the Karnataka Police (Amendment) Ordinance, 1997 (Karnataka Ordinance 5 of 1997) was promulgated to achieve the above object.

This Bill seeks to replace the said Ordinance.

VIII

Amending Act 2 of 2003.- In order to protect the non-smoking public from the hazards of passive smoking it is considered necessary to prohibit tobacco smoking, to start with at least in a few selected places, like places of public work or use and in public service vehicles, where large number of people are present for prolonged periods.

Promotion of smoking through advertisements needs to be discouraged and the health of the younger generation. Particularly children, also needs to be protected from the ill-effects of tobacco smoking by prohibiting sale of cigarettes, etc., to persons below 18 years and sale, distribution or storing of such products within the premises of any Hospital, Health Institution, Public Office, court, Library, Place of worship, College, School or other Institution.

Hence the Bill.

(Obtained from file No. Samvyashaye 34 Shasana 2001)

IX

Amending Act 26 of 2011.-The Government has constituted a One Man Committee headed by Sri.K.R.Chamayya, Retd Law Secretary and Retd Vice Chairman of Karnataka Administrative Tribunal to suggest repeal of all absolute regional Acts inforce in the different Areas of the State i.e. Belgaum Area, Coorg District, Gulburga Area, Mangalore
and Kollegal Area and Mysore Area and to prepare volumes of such of those Acts which are considered to be necessary.

The Committee has recommended,-

1. to repeal 153 Acts of Belgaum Area Regional Laws, 23 Acts of Coorg District Area Regional Laws, 96 Acts of Gulbarga Area Regional Laws, 175 Acts of Mangalore and Kollegal Area, 92 Acts of Old Mysore Area.

2. to amend 12 Acts of different Regions and extend the provisions to throughout the State for the reasons specified below namely,-

xxx xxx xxx

6. The Karnataka Police Act 1964 (Karnataka Act 4 of 1964). In Gulburga Area of the State a Hyderabad Act called the Hyderabad Eunuchs Act XVI 1329F is in force. It provides for registration and control of eunuchs. One-Man Committee has suggested that instead of having a separate law on the subject it is better to repeal that Hyderabad Act and to amend the Police Act empowering the Police Commissioners to make orders for registration and control of eunuchs etc., within their jurisdiction, if it is considered necessary.

xxx xxx xxx

Hence the Bill.

(Obtained from File No. Samvyashaye 19 Shasana 2009)

X

Amending Act 30 of 2012.- In order to comply with the directions of the Hon'ble Supreme Court of India in writ application No. 310/1996 (Shri. Prakash Singh and others v/s State) in respect of Police Reforms, it was considered necessary to amend the Karnataka Police Act, 1963 (Karnataka Act 4 of 1964).

As the matter was urgent and both the Houses of the Karnataka State Legislature were not in session, the Karnataka Police (Amendment) Ordinance, 2012 (Karnataka Ordinance No. 2 of 2012) was promulgated on 01.06.2012.

This Bill seeks to replace the said Ordinance.

Hence the Bill.

[L.C. Bill No.01 of 2012, File No. Samvyashae 38 Shasana 2012]

[Entries 1 and 2 of List II of the Seventh Schedule to the Constitution of India.] 14

XI

Amending Act 49 of 2013.- It is considered necessary to amend the Karnataka Police Act, 1963 (Karnataka Act 4 of 1964) in order to comply with the directions of Hon'ble Supreme Court of India in Writ Application No. 310/1996 (Sri. Prakash Singh and others V/s Union of India and others) in respect of Police Reforms and to ensure effective functioning of the Police Establishment Board.

Hence, the Bill.

[L.A. Bill No.02 of 2013, File No. Samvyashae 74 Shasana 2012] [Entries 1 and 2 of List II of the Seventh Schedule to the Constitution of India.]

XII

Amending Act 22 of 2016.- In writ petition No: 32054/2014 the Hon'ble High Court of Karnataka has observed that Regional Commissioners as the Chairman of the District Police Complaints Authorities will not serve the purpose of effective functioning as they are holding several authorities in their region. Further retired Civil Services Members not below the rank of Joint Secretary are not availabe to appoint as Members of the Authority. Therefore, it is proposed to appoint the Deputy Commissioner of the concerned District as the Chairman of the District Complaints Authority and retired Civil Service Members of not below the rank of Assistant Commissioner as its Members.

In the recent past sexual harassment, incidents regarding the children are happening frequently. In this regard, the Central Government enacted POCSO (Protection of Children from Sexual Offences) Act, 2012 (Central Act 32 of 2012). In spite of the cases being registered by the police and investigating the same and filing the final reports to the Courts, the negligence on the part of the staff as well as school management is being revealed in almost all the cases so far reported. To control and regulate the activities of school staff and the management for safety and security of the children at large, some more powers are required by the Police to effectively monitor and regulate this issue in future. For this reason a separate clause is proposed to be added to the present section 31 (1) as 31(1) (z a) of Karnataka Police Act, 1963.

Further, the petitioner in writ petition No. 1397/2015 has approached the Hon'ble high Court of Karnataka, Bangalore with a view that the provisions of section 31A dealing with eunuch are discriminatory against transgender Community and violates provisions of Article

14, 15, 19 and 21 of Constitution. Therefore, it is proposed to replace the word "eunuch" with the word "person".

Therefore, it is considered necessary to amend the Karnataka Police Act, 1963.

Hence, the Bill.

[L.A. Bill No. of 27 of 2016, File No. Samvyashae 26 Shasana 2016]

[entries 1 and 2 of List II of the Seventh Schedule to the Constitution of India.]

XIII

Amending Act 28 of 2021.- It is considered necessary further to amend the Karnataka Police Act, 1963 (Karnataka Act 4 of 1964) to provide for,-

(i) effective enforcement of the provisions of this Act by making offences under Chapter VII and under section 90, 98, 108, 113,114 and 123 as cognizable offence and non-bailable except section 87 which is made cognizable and bailable;

(ii) include the use of cyberspace including computer resources or any communication devise as defined in Information Technology Act, 2000 in the process of gaming. to curb the menace of gaming through internet, mobile app;

(iii) enhance the punishment for Gaming for the orderly conduct of citizens and to wean them away from the vice of gambling;

(iv) certain other consequential amendments are also made.

Hence the Bill.

[L.A. Bill No. 37 of 2021, File No. Samvyashae 38 Shasana 2021]
[Entry 2 of List II of the Seventh Schedule to the Constitution of India.]
[Published in Karnataka Gazette Extra-ordinary No. 814 in part-IVA dated: 05.10.2021]

XIV

Amending Act 14 of 2024.- It is considered necessary further to amend the Karnataka Police Act, 1963 (Karnataka Act 4 of 1964) to enhance minimum tenure of police officers in operational duties from one year to two years. This will help the Police Officer; to understand the jurisdiction in a better manner; to build good relation with the public; in detection and prevention of crime.

Hence, the Bill.

[L.A. Bill No.18 of 2024, File No. DPAL 09 SHASANA 2024]

[Entries 1 and 2 of List II of the Seventh Schedule to the Constitution of India.]

XV

Amendment Act 23 of 2026.-It is considered necessary further to amend the Karnataka Police Act, 1963 (Karnataka Act 4 of 1964) to substitute clause (c) of sub-section (1) and to omit second proviso of the section 20F.

Hence, the Bill.

[L.A. Bill No. 04 of 2026, File No. SAMVYASHAE 4 SHASANA 2026]

[Entries 1 and 2 of List II of the Seventh Schedule to the Constitution of India]

dated:08.04.2026]

[1][KARNATAKA ACT][1] No. 4 OF 1964

(First published in the [1][Karnataka Gazette1][1] on the Thirteenth day of February, 1964.)

THE [1][KARNATAKA][1] POLICE ACT, 1963.

(Received the assent of the President on the Eighteenth day of January, 1964)

(As Amended by Karnataka Acts 13 of 1965, 7 of 1974, 18 of 1975, 41 of 1981, 14 of 1990, 6 of 1998, 2 of 2003, 26 of 2011, 30 of 2012, 49 of 2013, 22 of 2016, 28 of 2021, 14 of 2024 and 23 of 2026)

An Act to provide for a uniform law for the regulation of the Police Force, the maintenance of public order and other matters in the [1][State of Karnataka][1].

WHEREAS it is expedient to provide for a uniform law for the regulation of the Police Force in the [1][State of Karnataka][1], for the exercise of powers and performance of functions by the State Government and by the members of the said force, for the maintenance of public order, for the prevention of gaming, and for certain other purposes hereinafter appearing;

BE it enacted by the [1][Karnataka][1] State Legislature in the Fourteenth Year of the Republic of India as follows:—

1. Adapted by the Karnataka Adaptations of Laws Order 1973 w.e.f. 1.11.1973

CHAPTER I
PRELIMINARY

1. Short title, extent and commencement.—(1) This Act may be called the [1][Karnataka][1] Police Act, 1963.

(2) It extends to the whole of the [1][State of Karnataka][1].

(3) It shall come into force on such [2][date][2] as the State Government may, by notification in the Official Gazette, appoint.

1. Adapted by the Karnataka Adaptations

2. Act came into force w.e.f. 2.4.1965 vide Notification No. HD 21 PEG 65 dt. 1965

2. Definitions.—In this Act, unless the context otherwise requires,—

(1) "cattle" means cows, bullocks, bulls, calves, buffaloes, elephants, camels, horses, mares, geldings, ponies, colts, fillies, asses, mules, pigs, rams, ewes, sheep, lambs, goats and kids;

(2) "City of Bangalore" means the area within the limits of the City of Bangalore as defined for the time being in the City of Bangalore Municipal Corporation Act, 1949 (Mysore Act LXIX of 1949) and includes such other areas adjacent to such limits [1][x x x][1] as the Government may from time to time by notification in the Official Gazette specify;

(3) "common gaming-house" means a building, room, tent, enclosure, vehicle, vessel or place in which any instruments of gaming are kept or used for the profit or gain[1][or otherwise][1] of the person owning, occupying, or keeping such building, room, tent, enclosure, vehicle, vessel or place, or of the person using such building, room, tent, enclosure, vehicle, vessel or place, whether he has a right to use the same or not, such profit or gain [1][or otherwise][1] being either by way of a charge for the use of the instruments of gaming or of the building, room, tent, enclosure, vehicle, vessel or place, or otherwise howsoever or as subscription or other payment for the use of facilities along with the use of the instruments of gaming or of the building, room, tent, enclosure, vehicle, vessel or place for purposes of gaming;

1. Inserted by Act 28 of 2021 w.e.f. 05.10.2021.

Explanation.—In this clause "person" includes a company, association, club or other body of persons whether incorporated or not.

(4) the expression "competent authority" when used with reference to the exercise or performance of any power, duty or function under the provisions of this Act, means,—

(*a*) in relation to the City of Bangalore and other areas for which a Commissioner of Police is appointed under section 7, the Commissioner;

(*b*) in relation to the areas other than those referred to in clause (*a*), the District Magistrate or the Superintendent or the Additional Superintendent, or, the Assistant or Deputy Superintendent when specially empowered in that behalf by the Government;

[1][(5) 'district' means any area which the Government may by notification specify to be a district for the purpose of this Act and where no such-area has been so specified, a territorial division constituting the district for the purposes of the Code of Criminal Procedure 1973, but does not include the City of Bangalore or any area specified under sub-section (1) of section 7;][1]

1. Substituted by Act 18 of 1975 w.e.f. 15.5.1975

[1][(6) x x x][1]

1.Omitted by Act 18 of 1995 w.e.f. 15.5.1975

[2][1][(7) gaming means and includes online games, involving all forms of wagering or betting, including in the form of tokens valued in terms of money paid before or after issue of it, or electronic means and virtual currency, electronic transfer of funds in connection with any game of chance, but does not include a lottery or wagering or betting on horse-race run on any race course within or outside the State, when such wagering or betting takes place,—][1]][2]

1. Inserted by Act 7 of 1974 w.e.f. 29.11.1973.

2. Substituted by Act 28 of 2021 w.e.f. 05.10.2021.

(i) on the day on which such race is run; and

[1][(ii) in an enclosure set apart for the purpose in a race course by the licensee of such race course under the terms of the licence issued under section 4 of the Mysore Race Courses Licensing Act, 1952 (Mysore Act VIII of 1952); and][1]

1. Substituted by Act 7 of 1974 w.e.f. 29.11.1973

(iii) between any person being present in such enclosure, on the one hand and such licensee or other person licensed by such licensee in terms of the aforesaid licence on the other in such manner and by such contrivance as may be permitted by such licence.

***Explanation.*—**In this clause,—

(i) 'wagering or betting,' includes the collection or soliciting of bets, the receipt or distribution of winnings or prizes, in money or otherwise, in respect of any act which is intended to aid or facilitate wagering or betting or such collection, soliciting, receipt or distribution [1][any act or risking money, or otherwise on the unknown result of an event including on a game of skill and any action specified above carried out directly or indirectly by the players playing any game or by any third parties;][1]

(ii) 'game of chance' includes a game of chance and skill combined and a pretended game of chance or of chance and skill combined, but does not include any athletic game or sport;

1. Inserted by Act 28 of 2021 w.e.f. 05.10.2021.

(8) "Government" means the State Government;

(9) "Head Constable" means an officer of and above the rank of a Constable and a "Constable" means a Police Officer of the lowest grade;

(10) "Inspector-General", "Commissioner", "Deputy Inspector-General", "Deputy Commissioner", "Assistant Commissioner", "Superintendent", "Additional Superintendent", "Assistant Superintendent", and "Deputy Superintendent" mean respectively, the Inspector-General of Police, a Commissioner of Police, a Deputy Inspector-General of Police, a Deputy Commissioner of Police, an Assistant Commissioner of Police, a Superintendent of Police, an Additional Superintendent of Police, an Assistant Superintendent of Police and a Deputy Superintendent of Police appointed or deemed to be appointed under this Act;

[1][(11) 'Instruments of gaming' includes any article used or intended to be used as a subject or means of gaming, including computers, computer system, mobile app or internet or cyber space, virtual platform, computer network, computer resource, any communication device, electronic applications, software and accessory or means of online gaming, any document, register or record or evidence of any gaming in electronic or digital form, the proceeds of any online gaming as or any winning or prizes in money or otherwise distributed or intended to be distrubted inrespect of any gaming;

Explanation: The words 'computer', 'communication device', 'computer network', 'computer resource', 'computer system', 'cyber café' and 'electronic record' used in this Act shall have the respective meaning assigned to them in the Information Technology Act, 2000 (Central Act 21 of 2000)][1]

1. Substituted by Act 28 of 2021 w.e.f. 05.10.2021.

[1][(11-A) 'local authority' means a corporation established or continued under the Karnataka Municipal Corporations Act, 1976 (Karnataka Act 14 of 1977), a municipal council, or a notified area committee or a sanitary board established or deemed to have been established or continued under the Karnataka Municipalities Act, 1964 (Karnataka Act 22 of 1964) or under any other law, the Bangalore Development Authority constituted under the Bangalore Development Authority Act, 1976 (Karnataka Act 12 of 1976), the City Improvement Board, Mysore constituted under the City of Mysore Improvement Act, 1903 (Mysore Act 3 of 1903), an Improvement Board constituted under the Karnataka Improvement Boards Act, 1976 (Karnataka Act 11 of 1976), a planning authority constituted under the Karnataka Town and Country Planning Act, 1961 (Karnataka Act 11 of 1963), the Karnataka Slum Clearance Board constituted under the Karnataka Slum Area (Improvement and Clearance) Act, 1973 (Karnataka Act 33 of 1974) and such other authority as the State Government may from time to time by notification declare.][1]

1.Clause (11A) Inserted by Act 41 of 1981 w.e.f. 6.6.1981

(12) "municipality" means a municipality constituted or deemed to be constituted under any law relating to municipalities for the time being in force in the [1][State of Karnataka][1] or any part thereof;

1. Adapted by the Karnataka Adaptations of Laws Order 1973 w.e.f. 1.11.1973

[1][(12A) "Online gaming" means and includes games as defined in clause (7) played online by means of instruments of gaming, computer, computer resource, computer net work, computer system or by mobile app or internet or any communication device, electronic application, software or on any virtual platform][1];

1. Inserted by Act 28 of 2021 w.e.f. 05.10.2021.

(13) "place" includes a building, a tent, a booth or other erection, whether permanent or temporary, or any area whether enclosed or open [1][including a recreation club or on virtual platform, mobile app or

internet or any communication device, electronic application, software, online gaming and computer resource as defined in Information Technology Act, 2000(Central Act 21 of 2000) or under this Act][1];

1. Inserted by Act 28 of 2021 w.e.f. 05.10.2021.

(14) "place of public amusement" means any place, where music, singing, dancing, or any diversion, or game, or the means of carrying on the same is provided and to which the public are admitted and includes a race course, circus, theatre, music hall, billiard room, bagatelle room, gymnasium, fencing school, swimming pool or dancing hall;

(15) "place of public entertainment" means any place to which the public are admitted and where any kind of food or drink is supplied for consumption on the premises by any person owning or having an interest in or managing such place and includes a refreshment room, eating house, coffee house, liquor house, boarding house, lodging house, hotel, tavern, or a shop where wine, beer, spirit, arrack, toddy, ganja, or other kind of liquor or intoxicant or any kind of food or drink is supplied to the public for consumption in or near such shop;

(16) "police officer" means any member of the police force appointed or deemed to be appointed under this Act and includes a special or an additional police officer appointed under section 19 or 20;

(17) "prescribed" means prescribed by rules;

(18) "public place" includes the foreshore, the precincts of every public building or monument, and all places accessible to the public for drawing water, washing or bathing or for the purpose of recreation;

(19) "rules" means rules made under this Act;

(20) "street" includes any highway, bridge, way over a causeway, viaduct, arch, quay or wharf or any road, lane, footway, square, court, alley or passage accessible to the public, whether a thoroughfare or not;

(21) "Subordinate Police" means members of the Police Force of and below the rank of Inspector;

(22) "Superior Police" means members of the Police Force above the rank of Inspector;

(23) "vehicle" means any carriage, cart, van, dray, truck, hand-cart or other conveyance of any description and includes a bicycle, tricycle, a rickshaw, an automatic car, a vessel or an aeroplane.

(24) Words and expressions not defined in this Act and which are defined in the Code of Criminal Procedure, 1898 (Central Act V of 1898), shall have the same meaning as in that Code.

CHAPTER II

SUPERINTENDENCE, CONTROL AND ORGANISATION OF THE POLICE FORCE

3. One Police Force for the whole State.—There shall be one Police Force [1][including the State Reserve Police Force established under section 145][1] for the whole of the State:

State Provided that the members of the Police Forces constituted under any of the Acts mentioned in Schedule I, immediately before coming into force of this Act, shall be deemed to be the members of the said Police Force.

1. Inserted by Act 18 of 1975 w.e.f. 15.5.1975

4. Superintendence of Police Force to vest in the Government.—The superintendence of the Police Force throughout the State vests in and is exercisable by the Government and any control, direction or supervision exercisable by any officer over any member of the Police Force shall be exercisable subject to such superintendence.

5. Constitution of Police Force.—Subject to [1][x x x][1] the provisions of this Act,—

(*a*) the Police Force shall consist of such number in the several ranks and have such organisation and such powers, functions and duties as the Government may by general or special order determine;

[1][(b) and proviso x x x][1]

1. Omitted by Act 14 of 1990 w.e.f. 2.4.1992

[1]**[6. Director General and Inspector General of Police.-** (1) For the direction, control and supervision of the Police service, the Government shall appoint a Director General and Inspector General of Police, who shall subject to the control of the Government, exercise such powers and perform such functions and duties and shall have such responsibilities and such authority as may be provided by or under this Act.

(2) The Director General and Inspector General of Police shall be selected by the State Government from amongst officers of the Indian Police Service in the rank of Director General of Police who have been empanelled for promotion to that rank on the basis of their length of service, very good history of service, professional knowledge and ability to lead Police Force in the State.

(3) The Director General and Inspector General of Police so appointed shall have a tenure of not less than two years subject to superannuation:

Provided that the Government may transfer the Director General and Inspector General of Police before completion of two years of his tenure, if he is,–

(a) convicted by a court of law in a criminal case or where charges have been framed against him by a court in a case involving corruption or offences which amounts to moral turpitude; or

(b) incapacitation by physical or mental illness or otherwise becoming unable to discharge his functions as the Director General and Inspector General of police; or

(c) appointed to another post with his consent; or

(d) imposed 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

(e) under suspension from service; or

(f) when a prima-facie case of misconduct or gross negligence is established after a preliminary enquiry.

(4) The Government, may by notification, delegate such powers or give such directions as it deems necessary to the Director General and Inspector General of Police who shall exercise the powers and discharge the functions so entrusted to him by or under this Act.]1

1. Substituted by Act 30 of 2012 w.e.f. 2.6.2012.

7. Commissioner.—(1) The Government may appoint a Police Officer not below the rank of a Deputy Inspector-General of Police to be the Commissioner of Police for the City of Bangalore or any other area specified in a notification issued by the Government in this behalf and published in the official Gazette.

(2) The Commissioner shall exercise such powers, perform such functions and duties and shall have such responsibilities and authority as are provided by or under this Act or as may otherwise be directed by the Government by a general or special order:

Provided that the Government may direct that any of the powers, functions, duties, responsibilities or authority exercisable or to be performed or discharged by the Commissioner shall be exercised, performed or discharged subject to the control of the Inspector-General:

Provided also that in any area for which a Commissioner is appointed and is empowered to exercise any power or perform any function or duty under this Act, the District Magistrate shall not exercise the same power or perform the same function or duty notwithstanding the fact that such area forms part of a District within the territorial jurisdiction of the District Magistrate:

Provided further that the area for which a Commissioner has been appointed, under this section shall not, unless otherwise provided by or under this Act, be under the charge of a Superintendent for any of the purposes of this Act, notwithstanding the fact that such, area forms part of a district within the territorial jurisdiction for which a Superintendent may have been appointed.

8. Appointment of Superintendent, Additional, Assistant and Deputy Superintendents.—(1) The Government may appoint for each district or for a part of a district or for one or more districts a Superintendent and one or more Additional Superintendents and such Assistant and Deputy Superintendents of Police, as it may think expedient.

(2) The Government may, by a general or special order, empower an Additional Superintendent to exercise and perform in the district for which he is appointed or in any parts thereof, all or any of the powers, functions or duties to be exercised or performed by a Superintendent under this Act or under any law for the time being in force.

(3) The Superintendent may, with the previous sanction of the Government, delegate any of the powers and functions conferred on him by or under this Act to an Assistant or Deputy Superintendent.

9. Appointment of Superintendents for wireless system and motor transport system or for any special duty.—The Government may appoint for the whole of the [1][State of Karnataka][1] or any part thereof one or more Superintendents of Police as it may think fit,—

(1) for the police wireless system;

(2) for the police Motor Transport system; or

(3) for the Railway Police; or

(4) for the performance of such specific duties as the Government may from time to time determine in this behalf,

and the Superintendent so appointed shall exercise such powers and perform such functions as the Government may from time to time assign to him provided that such powers and functions shall be exercised or performed subject to the control of the Inspector-General.

1. Adapted by the Karnataka Adaptations of Laws Order 1973 w.e.f. 1.11.1973

10. Principal, Police Training School or College.—The Government may appoint any Police Officer not below the rank of a Superintendent to be the Principal of a Police Training School, or College, and may assign to him such powers, functions and duties as it may think fit.

11. Deputies and Assistants to the Commissioner.—(1) The Government may appoint one or more Deputy Commissioners not below the rank of a Superintendent and one or more Assistant Commissioners of Police not below the rank of an Assistant Superintendent or Deputy Superintendent in the City of Bangalore or in any area in which a Commissioner has been appointed under sub-section (1) of section 7.

(2) Every such Deputy or Assistant Commissioner shall, under the orders of the Commissioner, exercise and perform any of the powers, functions and duties of the Commissioner to be exercised or performed by him under the provisions of this Act or any other law for the time being in force, in accordance with the general or special orders of the Government made in this behalf:

Provided that the powers to be exercised by the Commissioner of making, altering or rescinding rules under section 31 shall not be exercisable by a Deputy or Assistant Commissioner.

12. Appointment of subordinate police.—Subject to such rules as the Government may from time to time make, the appointment of Police Officers of and below the rank of Inspectors shall be made by the prescribed authority.

13. Certificates of appointment.—(1) Every Police Officer of and below the grade of Inspector shall, on appointment receive a certificate in the form provided in Schedule I. The certificate shall be issued under the seal of such officer as the Government may by general or special order direct.

(2) A certificate of appointment shall become null and void whenever the person named therein ceases to belong to the Police Force or shall remain inoperative during the period within which such person is suspended from such force.

14. Effect of suspension of Police Officer.—The powers, functions and privileges vested in a Police Officer shall remain suspended whilst such Police Officer is under suspension from office:

Provided that notwithstanding such suspension such person shall not cease to be a Police Officer and shall continue to be subject to the control of the same authorities to which he would have been, if he was not under suspension.

15. General powers of Commissioner and Superintendent.—The Commissioner, subject to the orders of the Inspector-General of Police and the Superintendent, subject to the orders of the Inspector-General and the Deputy Inspector-General of Police, shall within their respective spheres of authority, direct and regulate all matters of arms, drill, exercise, observation of persons and events, mutual relations, distribution of duties, study of laws, orders and modes of proceedings and all matters of executive detail or the fulfilment of their duties by the Police Force under him.

16. Superintendent of Police to be the head of the Police in the district, subject to the general control of the District Magistrate.—(1) The Superintendent of Police shall be the head of the police in the district or part of the district for which he is appointed as Superintendent.

(2) The administration of the Police in a district or part of a district by the Superintendent of Police shall be subject to the general control of the District Magistrate of the District.

(3) In exercising such control, the District Magistrate shall be governed by such rules and orders as the Government may make in this behalf.

17. Power of District Magistrate to require reports from Superintendent.—The District Magistrate may require from the Superintendent reports, either particular or general, on any matter connected with the crimes, habitual offenders, the prevention of disorder, the regulation of assemblies and amusements, the distribution of the Police Force, the conduct and character of any Police Officer subordinate to the Superintendent, the utilization of auxiliary means and all other matters in furtherance of his control of the Police Force and the maintenance of order.

18. Power of supervision by District Magistrates.—If the District Magistrate observes any marked incompetence or unfitness for the locality or for his particular duties, in any Police Officer subordinate to the Superintendent, he may require the Superintendent to substitute another officer for any officer whom he has power to transfer and the Superintendent shall be bound to comply with the requisition:

Provided that if the Police Officer concerned is an officer of the grade not below that of an Inspector, the District Magistrate may report his conduct to the Inspector-General. The Inspector-General may, thereafter, determine the action to be taken and pass such orders as he thinks fit, and shall communicate such action or order to the District Magistrate.

19. Special Police Officers.—(1) Whenever it shall appear on an application of any Police Officer not below the rank of Sub-Inspector, that any unlawful assembly or riot or disturbance of the peace has taken place or may be reasonably apprehended in any place and that the Police force ordinarily employed in the place is not sufficient for its preservation and for the protection of the inhabitants and the security of property in the place, the Commissioner, the Superintendent or any First Class Magistrate, or any other Magistrate specially empowered in this behalf by Government, may by a written order signed by himself

and sealed with his own seal appoint any able-bodied male person, whom he considers fit and who is between the ages of eighteen and fifty and resident in any neighbourhood to be a Special Police Officer to assist the Police Force, during such time and within such limits as the Commissioner, the Superintendent or Magistrate shall deem necessary.

(2) Every Special Police Officer so appointed shall on appointment,—

(*a*) receive a certificate in a form approved by the Government in this behalf.

(*b*) have the same powers, privileges and immunities and be liable to the same duties and responsibilities and subject to the same authorities as an ordinary Police Officer.

20. Appointment of additional Police.—(1) Additional Police Officers of such rank or grade for such time and on such pay as the authority specified by or under the provisions of this Act in that behalf may determine may be employed or deputed for the purpose stated in such provisions.

(2) Every additional Police Officer appointed, shall on appointment,—

(*a*) receive a certificate in a form approved by the Government in this behalf;

(*b*) be vested with all or such of the powers, privileges and duties of a Police Officer, as are specially mentioned in the certificate; and

(*c*) be subject to the orders of the Commissioner or the Superintendent, as the case may be.

(3) The employment or deputation of such additional Police Officer may be made at the request of any person requiring such Police and the cost of such employment shall be recovered in such manner as is provided by or under this Act or under any other law for the time being in force.

[1][CHAPTERIIA

ESTABLISHMENT OF STATE SECURITY COMMISSION, POLICE ESTABLISHMENT BOARD, STATE POLICE COMPLAINT AUTHORITY AND DISTRICT POLICE COMPLAINT AUTHORITY

20A. The State Security Commission.- (1) The State Government may, by notification in the official Gazette, establish a Commission to be called the State Security Commission for the purpose of exercising such functions and discharging such duties as may be assigned to the Commission, by or under this Act.

(2) The State Security Commission shall consist of the following members, namely:-

(a) The Chief Minister	-	Chairman
(b) The Home Minister	-	Vice Chairman
(c) Leader of the Opposition in the Legislative Assembly	-	Member
(d) A Retired judge of the High Court nominated by the Chief justice of Karnataka	-	Member
(e)Chief Secretary to Government	-	Member
(f) Additional Chief Secretary/ Principal Secretary, in charge of Home Department	-	Member
(g) Director General of Police and Inspector General of Police	-	Member Secretary

(3) The terms and conditions of appointment and allowance payable thereof to the retired judge shall be such as may be prescribed.

(4) The functions of the Commission shall include,-

(a) laying down the broad policy guidelines for ensuring that the State Police always acts according to the laws of the land and the constitution of India;

(b) laying down the broad principles and giving directions for the performance of the preventive tasks and service oriented functions of the police;

(c) evaluation of the performance of the State Police and submission of report thereon to the Government for placing before the State Legislature; and

(d) any other functions as may be prescribed.

(5) The recommendations of the Commission shall be binding on the Government.

20B. Police Establishment Board.-[1][(1)The State Government shall, by notification in the official Gazette, establish a Police Establishment Board with the Director General and Inspector General of Police as Chairman and three senior police officers not below the rank of Additional Director General of Police as members to be nominated by the Government.

Additional Director General of Police (Administration) shall be the Member Secretary][1];

1. Substituted by Act 49 of 2013 w.e.f. 18.6.2013.

(2) The functions of the Police Establishment Board shall be as follows, namely:-

(a) Subject to the provisions of section 20F, it shall decide on transfers, postings, promotions and other service related matters of officers of and below the rank of Deputy Superintendent of Police.

(b) It shall also make recommendation for promotion to the rank of Deputy Superintendents of Police after duly verifying reservation and quota prescribed for direct recruitment and promotion. For this purpose a separate register shall be maintained by Director General and Inspector General of Police, as per orders or guidelines prescribed by Government from time to time.

(c)[2][XXX][2]

(d) Generally review the functioning of the police force in the State.

(e) Perform such other functions as

1. Omitted by Act 49 of 2013 w.e.f. 18.6.2013.

(3) Subject to its control and directions, the Police Establishment Board may authorize the Superintendent of Police to effect transfers of Group C and D officials within the district and the Inspector General of Police within the Range.

(4) 1[The Government may modify the decision of the Police Establishment Board after recording its reasons for doing so]1.

1. Substituted by Act 49 of 2013 w.e.f. 18.6.2013.

(5) The transfers decided and effected by the Police establishment Board shall be strictly in accordance with section 20F and the general transfer guidelines issued by Government from time to time.

(6) The cases pertaining to transfer of Police officers or personnel on complaints shall be considered by the Police Establishment Board and action taken in this regard shall be reported to Government.

(7) Copies of proceedings of the Police Establishment Board and the transfer orders issued thereon shall be sent to Government forthwith.

20C. State Police Complaints Authority.- (1) The State Government shall, by notification in the official Gazette, constitute the State Police Complaints Authority consisting of five persons, namely:-

(i) One shall be the Chairman selected from among the panel of three retired High Court Judges recommended by the Chief Justice of High Court of Karnataka.

(ii) one member shall be from among the retired Civil Service who shall be an officer not below the rank of Principal Secretary to Government;

(iii) one member shall be from Civil Society. The Civil Society member shall be chosen by the State Government from amongst the panel of three names recommended by the Search Committee consisting of three persons nominated by the State Government one each representing the Human Rights Commission, the Karnataka Public Service Commission and the Lokayukta. The State Government shall appoint one of the members as the Chairman of the Search Committee and an officer not below the rank of Deputy Secretary to Government, Home Department as the convener of the Search Committee. The persons in the panel shall be a person of repute who has rendered humanitarian service in the field of education, health, upliftment of the poor etc. and had not aligned himself with any political party or ideological group;

(iv) one women IPS Officer of not below the rank of Deputy Inspector General of Police; and

(v) the Additional General of Police (Grievance) nominated by the State Government as the Ex-officio member and member Secretary of the Authority.

(2) A person shall be disqualified for being appointed as member, if he,–

(a) has directly or indirectly associated himself with any Anti Social or Anti National group or body;

(b) has been convicted and sentenced to imprisonment for an offence which, in the opinion of the State Government, involves moral turpitude; or

(c) is an undischarged insolvent; or

(d) is of unsound mind and stands so declared by a competent court;

(e) has such other disqualifications as may be prescribed.

(3)Every non-official member of the State Police Complaints Authority shall hold office for a period of three years.

(4) The salary or honorarium and other allowances payable to, and the other terms and conditions of service of the non-official members of the State Police Complaints Authority shall be such as may be prescribed.

(5) The Government shall provide such number of staff as is necessary for assisting the functions of the State Police Complaints Authority.

(6) The State Police Complaints Authority shall look into complaints against officers of the rank of Superintendent of Police and above, including Additional Superintendent of 31 Police, and take cognizance of allegations of serious misconduct by the police officers which would include incidents involving death, grievous hurt or rape in police custody.

(7) The State Police Complaints Authority shall inquire into allegations of serious misconduct against police officers, after providing an opportunity of being heard to the alleged police officer either *suo moto or* on a complaint received from any of the following, namely:-

(a) a victim or any person on his behalf; or

(b) the National or the State Human Rights Commission; or

(c) the police; or

(d) any other source.

Explanation.- (1)"Serious misconduct" for the purpose of this Chapter, shall mean any act or omission of a police officer that leads to or amounts to,-

(a) death in police custody; or

(b) grievous hurt, as defined in section 320 of the Indian Penal Code, 1860 ; or

(c) rape or attempt to commit rape; or

(d) arrest or detention without due process of law.

(2) "Misconduct" in this context, shall mean any willful breach or neglect by a police officer of any law, rule, regulation applicable to the police that adversely affects the rights of any member of the public, excluding "serious misconduct" as defined in explanation (1).

(8) In the cases *suo moto* inquired by the State police Complaints Authority, it may, issue notice to Director General and Inspector General of Police and direct him to file his views on the complaint during the enquiry. The State Police Complaints Authority may take into account the views and facts furnished by the Director General and Inspector General of Police that may have a material bearing on the cases:

Provided that the State Police Complaints Authority shall not have jurisdiction on the complaint against police officer where a separate authority is created by any other Act for this purpose.

(9) On completion of the enquiry, if the allegations are proved partly or fully, the State Police Complaints Authority shall forward its report to the disciplinary authority for appropriate action against the accused officers.

(10) The State Police Complaints Authority shall also supervise, monitor and control the functioning of District Police Complaints Authorities. It shall compile Annual Report of the functioning of State Police Complaints Authority and District Police Complaints Authorities and submit to the Government. The annual report shall contain,-

(a) the numbers and types of cases of "serious misconduct" and "misconduct" considered by the State Police Complaints Authority during the year;

(b) the number and types of cases of "serious misconduct" referred to it by the complainants upon being dissatisfied by the departmental inquiry into his complaint ;

(c) the number and types of cases referred to above in which advice or direction was issued by it to the police for further action;

(d) such other related Administrative and financial matters as may be prescribed.

20D. District Police Complaints Authority.- (1) The Government shall in consultation with State Police Complaints Authority, by notification in the official Gazette, constitute the District Police Complaints Authority under the chairmanship of the [1][Deputy Commissioner of the concerned District][1] and three other members, namely:-

(i) one member of retired Civil Service shall be an officer not below the rank of [1][Assistant Commissioner][1];

(ii) one member shall be from the Civil Society. The Civil Society member shall be chosen by the State Government from amongst the panel of three names recommended by the Search Committee consisting of three persons one each representing the Human Rights Commission, Karnataka Public Service Commission and the Lokayukta. The State Government shall appoint one of the members as Chairman of the Search Committee and an officer not below the rank of Deputy Secretary to Government, Home Department as convener of the Committee. The persons in the panel shall be a person of reput arian service in the field of education,

Health, upliftment of the poor etc. and had not aligned himself with any political party or ideological group; and

(iii) the Superintendent of Police in charge of the District shall be ex-officio member and member Secretary of the Authority.

1. Substituted by Act 22 of 2016 w.e.f. 27.07.2016.

(2) A person shall be disqualified for being appointed as member if he,–

(a) has directly or indirectly associated himself with any Anti Social or Anti National group or body;

(b) has been convicted and sentenced to imprisonment for an offence which, in the opinion of the State Government, involves moral turpitude; or

(c) is an undischarged insolvent; or

33

(d) is of unsound mind and stands so declared by a competent court; or

(e) has such other disqualifications as may be prescribed by the State Government.

(3) Every member of the District Police Complaints Authority other than the ex-officio member shall hold office for a period of three years.

(4) The salary or honorarium and other allowances payable to, and the other terms and conditions of service of the non-official members of the District police Complaints Authority shall be such as may be prescribed.

(5) It shall be the duty of the district police complaints authority to ensure that all its members and their staff are regularly trained, interalia about,-

(a) technical and legal issues related to departmental inquiries;

(b) specific forms of human rights violation; and

(c) appropriate handling of victims of police abuse.

(6) Necessary staff required for the functioning of the District Police Complaints Authority shall be provided by Government.

(7) The District Police Complaints Authority shall look into complaints against police officers of and below the rank of Deputy Superintendent of Police and take cognizance of allegations of serious misconduct by the police officers, which would include incidents involving death, grievous hurt or rape in police custody.

(8) The District Police Complaints Authority shall,-

(a) have the power to enquire into misconduct or abuse of power by or against police officers of and below the rank of Deputy Superintendent of Police after giving an opportunity of being heard to him. The Authority shall have the power to investigate any case itself or ask any other agency to investigate and submit a report. The District Police Complaints Authorities shall submit its report to the competent disciplinary authority for appropriate action against the accused officers;

(b) if the complaint contains allegations against any police officer of or above the rank of Deputy Superintendent of Police the District Police Complaints Authority, shall forward the same to the State Complaints Authority, for further action;

(c) forward the complaints of "serious misconduct", received directly by it, to the State Police Complaints Authority for further action:

Provided that District Police Complaints Authority shall not have jurisdiction on the complaints against the police offices where a separate authority is created by any other Act for this purpose.

(9) Each District police Complaints Authority shall prepare and submit to the State police complaints Authority an annual report before the end of each calendar year, inter alia, containing,-

(a) the numbers and types of cases of "serious misconduct" and "misconduct" forwarded by it to the State Police Complaints Authority during the year;

(b) the number and types of cases of "misconduct" referred to it by the complainants upon being dissatisfied by the departmental inquiry into his complaint ;

(c) the number and types of cases referred to in clause (b) above in which advice or direction was issued by it to the police for further a

(d) such other related administrative and financial matters as may be prescribed.

20E. Powers of the State Police Complaints Authority and District Police Complaints Authority.- The State Police Complaints Authority and District Police Complaints Authority shall, while investigating any matter under this Act, have all the powers of a civil court in trying a suit and in particular, in respect of the following matters, namely:-

(a) summoning and enforcing the attendance of any person from any part of the State and examining him on oath;

(b) requiring the discovery and production of any document;

(c) receiving evidence on affidavits;

(d) requisitioning any public record or copy there of from any court or office;

(e) issuing Commissions for the examination of witnesses and documents; and

(f) any other matter which may be prescribed."

20F. Tenure of officers incharge of police stations, circle, sub-division, district and range – [1][(1) Subject to superannuation, the officers who are in operational duties or such other duties as may be notified by the Government from time to time shall have a minimum tenure of [2][two years:][2]

Provided that any such officer may be transferred by the Police Establishment Board or by the Government as the case may be from his post before the expiry of the minimum tenure consequent upon,-

(a) promotion to a higher post; or

(b) on conviction, or charges having been framed by a court of Law in a criminal offence; or

[3][(c) misconduct or gross negligence or dereliction of duty or an act of moral turpitude; or][3]

(d) suspension from the service in accordance with the provisions of the said rules; or

(e) incapacitation by physical or mental illness or otherwise becoming unable to discharge his functions and duties; or

(f) the need to fill up a vacancy caused by promotion, transfer or retirement; or

(g) on request of the officer concerned in writing:

[4][XXX][4]][1].

1. Substituted by Act 49 of 2013 w.e.f. 18.6.2013.
2. Substituted by Act 14 of 2024 w.e.f. 07.03.2024.
3. Substituted by Act 23 of 2026 w.e.f. 08.04.2026.
4. Omitted by Act 23 of 2026 w.e.f. 08.04.2026.

(2)[1][Subject to superannuation, the Additional Director General of Police, the Inspector General of Police in charge of Range [2][XXX][2] Police who are on operational duties in the field or such other duties as may be notified by the Government from time to time shall have a minimum tenure of one year:

Provided that the Government may transfer such officer within a period of one year for reasons of gross misconduct or negligence or an act of moral turpitude in the opinion of the State Government or under circumstances specified in the provisos to sub-section (1)][1] [3][and Superintendent of police in charge of District including Additional superintendent of police who are on operational duties in the field or such other duties as may be notified by the Government from time to time shall have a minimum tenure of two years.][3]

1. Substituted by Act 49 of 2013 w.e.f. 18.6.2013.
2. Omitted by Act 14 of 2024 w.e.f. 07.03.2024.
3. Inserted by Act 14 of 2024 w.e.f. 07.03.2024.

20G. Units in a Police station.- (1) The Police station shall be headed by a Station House officer not below the rank of an Inspector of Police or Sub-inspector of Police as the Government may by order determine.

(2) In each police station there shall be two units, namely:-

(a) one exclusively dealing with crime investigation consisting of such number of police officers as Director General of Police and Inspector General of Police may by order determine to deal with detection and investigation of crime; and

(b) another unit dealing with Law and Order consisting of such number of police officers as may be determined by the Director General of Police and Inspector General of Police by order, for the purpose of maintenance of Law and Order, traffic and prevention of crimes:

Provided that in any Police Station where the average annual number of crimes registered exceeds such number as prescribed, there shall be two Police Sub-Inspectors or Inspectors of Police, as the case may be one each for crime investigation and law and order units separately:

Provided further that the police personnel assigned to either of the unit shall not be deployed for any other purpose without the written permission of the Superintendent of Police of the District or the Commissioner of Police as the case may be.][1]

1. Inserted by Act 30 of 2012 w.e.f. 2.6.2012.

CHAPTER III

REGULATION, CONTROL AND DISCIPLINE OF THE POLICE FORCE

21. Framing of rules for administration of the Police.—Subject to the orders of the Government, the Inspector-General may make rules or orders not inconsistent with this Act or with any other enactment for the time being in force,—

(*a*) regulating the inspection of the Police Force by his subordinates;

(*b*) determining the description and quantity of arms, accoutrements, clothing and other necessaries to be furnished to the Police;

(*c*) prescribing the places of residence of members of the Police Force;

(*d*) for the institution, management and regulation of any Police fund for any purpose connected with Police administration;

(*e*) regulating, subject to the provisions of section 16, the distribution, movements and location of the Police;

(*f*) assigning duties to Police Officers of all ranks and grades and prescribing,—

(i) the manner in which, and

(ii) the conditions subject to which,

they shall exercise and perform their respective powers and duties;

(*g*) regulating the collection and communication by the Police of intelligence and information;

(*h*) generally, for the purpose of rendering the Police efficient and preventing abuse or neglect of their duties;

(*i*) prescribing the books and registers to be maintained and the returns to be submitted by the several Police Officers.

22. Inspector-General may call for returns.—The Inspector-General may, subject to the rules and orders of the Government, call for such returns, reports and statements on subjects connected with the suppression of crime, the maintenance of order and performance of their duties as his subordinates may be able to furnish to him. The Inspector-General shall communicate to the District Magistrate any general orders issued by him for the purpose aforesaid or in consequence of the information furnished to him and also any orders, which the Government may direct.

[1][**23.** x x x

24. x x x

25. x x x][1]

1. Omitted by Act 14 of 1990 w.e.f. 2.4.1992

26. Police Officers to be deemed to be on duty and to be liable to employment in any part of the State.—(1) Every Police Officer, not on leave or under suspension, shall for all purposes of this Act, be deemed to be always on duty and any Police Officer or any member or body of Police Officers allocated for duty in one part of the State may, if the Government or the Inspector-General so directs at any time, be employed on police duty in any other part of the State, for so long as the services of the same may be there required.

(2) Timely intimation shall, except in cases of extreme urgency, be given to the Commissioner, the District Magistrate and the Deputy Inspector-General by the Inspector-General of any proposed direction to any number or body of Police Officers under sub-section (1) and except, where secrecy is necessary, the reasons for such direction shall be explained; whereupon the officers aforesaid and their subordinates shall give all reasonable furtherance to such direction.

27. Under what conditions Police Officer may resign.—(1) Except with the written permission of the Commissioner, the Deputy Inspector-General or of some other Police Officer empowered by the Inspector-General in this behalf, no Police Officer of or below the rank of Inspector shall resign his office or withdraw himself from the duties thereof:

Provided that subject to the provisions of sub-section (2) no such permission shall be granted to any such Police Officer until he has fully discharged any debt due by him as such Police Officer to Government or to any Police Fund.

(2) If any such Police Officer produces a certificate signed by the prescribed Medical Officer in the district declaring him to be unfit by reason of disease, or mental or physical incapacity for further service in the Police, the necessary written permission to resign shall forthwith be granted to him on his discharging or giving satisfactory security for the payment of any debt due by him as such Police Officer to the Government or to any Police Fund.

(3) If any such Police Officer, as aforesaid, resigns or withdraws himself from the duties of his office in contravention of this section, he shall be liable on the order of the Inspector-General of Police or of the Commissioner to forfeit all arrears of pay then due to him. This forfeiture shall be in addition to the penalty to which the said officer is liable under section 118 of this Act, or any other law in force.

28. Police Officer not to engage in trade, etc.—(1) Without the permission of the Commissioner, or the Inspector-General or Deputy Inspector-General or of Government, as the case may be, no Police Officer shall engage in trade or be in any way concerned either as principal or as agent in any dealing in land or in any commercial transaction whatever or bid for property sold by order of a criminal court, or have money transactions with any other Police Officer.

(2) No Police Officer shall, unless with the written permission of the Inspector-General, hold any office or practice in any profession or engage in any employment whatever other than his office or duties as such Police Officer.

Explanation.—The prohibitions in sub-sections (1) and (2) shall apply when a Police Officer is on leave or under suspension as well as when he is on duty.

29. Certificate, arms, etc., to be delivered up by person ceasing to be a Police Officer.—(1) Every person who for any reason ceases to be a Police Officer shall forthwith deliver up to the officer empowered by the Commissioner or the Deputy Inspector-General, or the Principal of the Police Training School, or College, or the Superintendent, to whom such Police Officer is subordinate, to receive the same, his certificate of appointment or of office and the arms, accoutrements clothing and other necessaries which have been furnished to him for the performance of duties and functions connected with his office.

(2) Any Magistrate, and, for special reasons, which shall be recorded in writing at the time, the Commissioner or the Deputy Inspector-General, or the Principal of the Police Training School, or College, any Superintendent, Assistant Superintendent, or Deputy Superintendent may issue a warrant to search for and seize, wherever they may be found, any certificate, arms, accoutrements, clothing or other necessaries not so delivered up. Every warrant issued shall be executed in accordance with the provisions of the Code of Criminal Procedure, 1898, by a Police Officer, or if the Magistrate, the Commissioner, the Deputy Inspector-General, the Principal of the Police Training School, or College, the Superintendent, or the Assistant Superintendent, or Deputy Superintendent, issuing the warrant so directs, by any other person.

(3) Nothing in this section shall be deemed to apply to any article, which, under the orders of the Inspector-General, or the Commissioner, as the case may be, has become the property of the person to whom the same was furnished.

30. Occupation of and liability to vacate premises provided for Police Officers.—(1) Any Police Officer occupying any premises provided by the Government for his residence,—

(*a*) shall occupy the same subject to such conditions and terms as may, generally or in special cases, be specified by the Government, and

(*b*) shall, notwithstanding anything contained in any law for the time being in force, vacate the same on his ceasing to be a Police Officer, or whenever the Government in this behalf thinks it necessary and expedient to require him to do so.

(2) If any person who is bound or required under sub-section (1), to vacate any premises fails to do so, the Government or any officer authorised by it in this behalf may order such person to vacate the premises and may direct any Police Officer with such assistance as may be necessary to enter upon the premises and remove therefrom any person found therein and to take possession of the premises and deliver the same to any person specified in the direction.

CHAPTER IV

POLICE REGULATIONS

31. Power to make orders for regulation of traffic and for preservation of order in public places, etc.—(1) The Commissioner and the District Magistrate, in areas under their respective charges or any part thereof, may make, alter or rescind orders not inconsistent with this Act, for,—

(*a*) licensing and controlling persons offering themselves for employment at quays, wharves and landing places, bus stands and outside railway stations, for the carriage of passengers' baggages, and fixing and providing for the enforcement of a scale of charges for the labour of such persons so employed;

(*b*) regulating the conditions under which vehicles may remain standing in streets and public places, and the use of streets as halting places for vehicles or cattle;

(*c*) prescribing the number and position of lights to be used on vehicles in streets and the hours between which such lights shall be used;

(*d*) licensing, controlling or prohibiting the display of any pictures, advertisements, news boards, or public notices upon a vessel or boat in territorial waters or on inland waterways other than national waterways;

(*e*) prescribing certain hours of the day during which animals shall not be driven along the streets or along certain specified streets, except subject to such regulations as he may prescribe in that behalf;

(*f*) regulating the leading, driving, conducting or conveying of any elephant or wild or dangerous animal through or in any street or public place;

(*g*) regulating and controlling the manner and mode of conveying timber, scaffold poles, ladders, iron girders, beams or bars, boilers or other unwieldy articles through the streets, and the route and hours for such conveyance;

(*h*) licensing, controlling or, in order to prevent obstruction, inconvenience, annoyance, risk, danger or damage to the residents or passengers in the vicinity, prohibiting the carrying in streets and public places of gunpowder or any other explosive substance;

(*i*) prohibiting, except along certain specified streets and during specified hours and subject to such regulations as he may prescribe in that behalf, the exposure or movement in any street of persons or animals suffering from contagious or infectious diseases and the carcasses of animals or parts thereof and the corpses of persons deceased;

(*j*) prescribing certain hours of the day during which ordure or offensive matter or objects shall not be taken from or into houses or buildings in certain streets or conveyed through such streets except subject to such rules as he may make in that behalf;

(*k*) setting apart places for the slaughtering of animals, the cleaning of carcases or hides, the deposit of noxious or offensive matter and for obeying calls of nature;

(*l*) in cases of existing or apprehended epidemic or infectious diseases of men or animals or birds, the cleanliness and disinfections of premises by the occupier thereof and residents therein and the segregation and management of the persons or animals deceased or supposed to be deceased, as may have

been directed or approved by the Government with a view to prevent the disease or to check the spreading thereof;

(*m*) directing the closing or disuse, wholly or for certain purposes, or limiting to certain purposes only the use of any source, supply or receptacle of water, and providing against pollution of the same or of the water therein;

(*n*) licensing, controlling or, in order to prevent obstruction, inconvenience, annoyance, risk, danger or damage to the residents or passengers in the vicinity, prohibiting the playing of music, the beating of drums, tom-toms or other instruments and blowing or sounding of horns or other noisy instruments in or near streets or public places;

(*o*) regulating the conduct of and behaviour or action of persons, constituting assemblies and processions on or along the streets and prescribing in the case of processions, the routes by which, the order in which and the times at which the same may pass;

(*p*) prohibiting the hanging or placing of any cord or pole across a street or part thereof, or the making of a projection or structure so as to obstruct the traffic or the free access of light and air;

(*q*) prohibiting, except under such reasonable rules as he may make, the placing of building materials or other articles or the fastening or detention of any horse or other animals in any street or public place;

(*r*) licensing, controlling or, in order to prevent obstruction, inconvenience, annoyance, risk, danger or damage to the residents or passengers in the vicinity, prohibiting,—

(i) the illumination of streets and public places and the exteriors of buildings abutting thereon by persons other than servants of Government or Municipal Officers duly authorised in that behalf;

(ii) the blasting of rock or making excavations in or near streets or public places;

(iii) the using of a loudspeaker in or near any public place or in any place of public entertainment;

(*s*) closing certain streets or places temporarily in cases of danger from ruinous buildings or other cause, with such exceptions as shall appear reasonable;

(*t*) guarding against injury to person and property in the construction, repair and demolition of buildings, platforms and other structures from which danger may arise to passengers, neighbours or the public;

(*u*) prohibiting the setting fire to or burning any straw or other matter, or lighting a bonfire or wantonly discharging a fire-arm or air gun, or letting off, or throwing a fire-work, or sending up a fire balloon or rocket in or upon or within fifty feet of a street or building or the putting up of any post or other thing on the side of or across a street for the purpose of affixing thereto lamps or other contrivances for illumination, except subject to such reasonable rules, as he may make in that behalf;

(*v*) regulating the hours during which and the manner in which any place for the disposal of the dead, any Dharmashala, or village-gate or other place of public resort may be used so as to secure the equal and appropriate application of its advantages and accommodation and to maintain orderly conduct amongst those who resort thereto;

(*w*) (i) licensing or controlling places of public amusement or entertainment;

(ii) prohibiting the keeping of places of public amusement or entertainment or assembly, in order to prevent obstruction, inconvenience, annoyance, risk, danger or damage to the residents or passengers in the vicinity;

(iii) regulating the means of entrance and exit at places of public amusement or entertainment or assembly and providing for the maintenance of public safety and the prevention of disturbance thereat;

(*x*) (i) licensing or controlling with such exceptions as may be specified, the musical, dancing, mimetic, or theatrical or other performances for public amusement, including *melas* and *tamashas*;

(ii) regulating in the interest of public order, decency or morality or in the interest of general public, the employment of artists, and the conduct of the artists and the audience at such performances;

(iii) prior scrutiny of such performance by a Board appointed by the Government or by an Advisory Committee appointed by the Commissioner or the District Magistrate in this behalf;

(iv) regulating the hours during which and the places at which such performances may be given;

(*y*) regulating or prohibiting the sale of any ticket or pass for admission, by whatever name called, to a place of public amusement;

(*z*) prescribing the procedure in accordance with which any licence or permission sought to be obtained or required under this Act should be applied for, and fixing the fees to be charged for any such licence or permission:

Provided that any action taken under the orders made under this sub-section or the grant of a licence under such orders shall be subject to the control and supervision of the Government.

[1][(za) Regulating, controlling and monitoring of safety and security of children.][1]

1. Inserted by Act 22 of 2016 w.e.f. 27.07.2016

(2) (i) The power of making, altering or rescinding orders under clauses [1][(*a*), (*b*), (*c*), (*e*), (*f*), (*g*), (*h*), (*i*), (*j*), (*k*), (*l*), (*m*), (*n*), (*o*), (*p*), (*q*), (*r*), (*s*), (*t*) and (*u*) and in so far as it relates to any of the aforesaid matters under clause (*z*)][1] of sub-section (1) shall be subject to the control of the Government.

1. Substituted by Act 18 of 1975 w.e.f. 15.5.1975

(ii) The power of making, altering or rescinding orders under the remaining clauses of sub-section (1) shall be subject to the previous sanction of the Government.

(3) Every order made under clause (*v*) of sub-section (1) with respect to the use of a place for the disposal of the dead shall be framed with due regard to ordinary and established usages and to the necessities of prompt disposal of the dead in individual cases.

(4) Every order promulgated under the authority of clause (*l*) of sub-section (1) shall be forthwith reported to the Government or such authority as the Government may appoint in this behalf.

(5) Any order made under this section in so far as it relates to public health, convenience or safety of any locality, shall be subject to the provisions of any law relating to municipalities or other local authorities in force in such locality and any rule, regulation or bye-law made under such law.

(6) The power of making, altering or rescinding orders under this section shall be subject to the condition of the orders being made, altered or rescinded after previous publication, in accordance with the provisions of section 23 of the [1][Karnataka][1] General clauses Act 1899 and every orders made or alteration or rescission of an order made under this section shall be published in the Official Gazette and in the locality affected thereby by affixing copies thereof in conspicuous places near to the building, structure, work or place, as the case may be, to which the same specifically relates or by proclaiming the same by the beating of drums or by advertising the same in such local newspapers in English or in the local language, as the authority making, altering or rescinding the order rule may deem fit, or by any two or more of these means or by any other means it may think suitable:

Provided that any such orders may be made, altered or rescinded without previous publication if the Commissioner or the District Magistrate, as the case may be, is satisfied that circumstances exist which render it necessary that such orders or alterations therein or rescission thereof should be brought into force at once.

1. Adapted by the Karnataka Adaptations of Laws Order 1973 w.e.f. 1.11.1973

(7) Notwithstanding anything hereinbefore contained in this section or which may be contained in any order made thereunder, it shall always be lawful for the competent authority to refuse a licence for, or to prohibit, the keeping of any place of public amusement or entertainment by a person of notoriously bad character.

32. Authorisation of erection of barriers on streets.—The Commissioner and the Superintendent in areas under their respective charges may, wherever in his opinion such
action is necessary, authorise such police officer as he thinks fit, to erect barriers on any street for the purpose of stopping temporarily vehicles driven on such street and satisfy himself that the provisions of any law for the time being in force have not been contravened in respect of any such vehicle or by the

driver thereof, or the person in charge of, such vehicle. The said authority may also make such orders as it deems fit for regulating the use of such barriers.

33. Power to make rules prohibiting disposal of the dead except at places set apart.—(1) A competent authority may, from time to time make rules prohibiting the disposal of the dead whether by cremation, burial or otherwise at places other than those set apart for such purpose:

Provided that no such rules shall be made in respect of any such town or place in which places have not been so set apart:

Provided further that the competent authority or any officer authorised by it in this behalf may, on an application made to it or him by any person, and after consultation with the Health Officer of the area concerned or other prescribed officer of the Department of Public Health, grant to such person permission to dispose of the corpse of any deceased person at any place other than a place so set apart, if in its or his opinion such disposal is not likely to cause obstruction to traffic or disturbance of the public peace or is not objectionable for any other reason.

(2) Any rules made under sub-section (1) shall specify the places set apart for the disposal of the dead of different communities or sections of communities.

(3) All such rules shall be subject to the condition of previous publication for a period of not less than two months and shall be made after consultation with the Health Officer of the area concerned or other prescribed officer of the Department of Public Health.

***Explanation.*—**For the purpose of this section, a place set apart for the disposal of the dead means a place set apart for such purpose under any custom, usage or law for the time being in force.

34. Power of Commissioner or the Superintendent and of other officers to give direction to the public.—In areas under their respective charges, the Commissioner and, subject to his orders, every Police Officer not inferior in rank to a Sub-Inspector, and the Superintendent and, subject to his orders, any Police Officer not lower than such rank as may be specified by the Government in that behalf, may, from time to time, as occasion may arise, but not so as to contravene any order made under section 31 give all such orders either orally or in writing as may be necessary to,—

(*a*) direct the conduct of, and behaviour or action of persons constituting processions or assemblies on or along the streets;

(*b*) prescribe the routes by which and the times at which any such processions may or may not pass;

(*c*) prevent obstructions on the occasion of all processions and assemblies and in the neighborhood of all places of worship during the time of worship and in all cases when any street or public place or place of public resort may be thronged or liable to be obstructed;

(*d*) keep order on and in all streets, quay, wharves and at and within public bathing, washing and landing places, fairs, temples and all other places of public resort;

(*e*) regulate and control the playing of music or singing, or the beating of drums, tom-toms and other instruments and the blowing or sounding of horns or other noisy instruments in or near any street or public place;

(*f*) regulate and control the use of loudspeaker in or near any public place or in any place of public entertainment;

(g) make reasonable orders subordinate to and in furtherance of any order made by a competent authority under sections 31, 33, 35 to 39, 41 and 43 of this Act.

35. Power to prohibit certain acts for prevention of disorder.—(1) The Commissioner and the District Magistrate in areas under their respective charges may, whenever and for such time as he shall consider necessary for the preservation of public peace or public safety, by a notification publicly promulgated or addressed to individuals prohibit at any city, town, village or place or in the vicinity of any such city, town, village or place,—

(*a*) the carrying of arms, cudgels, swords, spears, bludgeons, guns, knives, sticks, or lathis, or any other article which is capable of being used for causing physical violence,

(*b*) the carrying of any corrosive substance or of explosives,

(*c*) the carrying, collection and preparation of stones or other missiles or instruments or means of casting or impelling missiles,

(*d*) the exhibition of persons or the corpses or figures or effigies thereof,

(*e*) the public utterance of cries, singing of songs, playing of music, delivery of harangues, the use of gestures or mimetic representations, and the preparation, exhibition or dissemination of pictures, symbols, placards or any other object or thing, which may in the opinion of such authority offend against decency or morality or affect public order or undermine the security of, or tend to overthrow, the State or incite to the commission of an offence.

(2) If any person goes armed with any such article or carries any corrosive substance or explosive or missile in contravention of such prohibition, he shall be liable to be disarmed or the corrosive substance or explosive or missile shall be liable to be seized from him by any Police Officer, and the article, corrosive substance, explosive or missile so seized shall be forfeited to Government.

(3) The authority empowered under sub-section (1), may also by order in writing prohibit any assembly or procession whenever and, for so long as it considers such prohibition to be necessary, for the preservation of the public order:

Provided that no such prohibition shall remain in force for more than fifteen days without the sanction of the Government.

(4) The authority empowered under sub-section (1) may also by public notice temporarily reserve for any public purpose any street or public place and prohibit persons from entering the area so reserved, except under such conditions as may be prescribed by such authority.

36. Power to prohibit, etc., continuance of music, sound or noise.—(1) If the Commissioner, the Superintendent, Assistant Superintendent or Deputy Superintendent or any magistrate of the first class having jurisdiction in any area to which the Government has, by notification in the official Gazette extended the provisions of this section, is satisfied from the report of an officer in charge of a police station or other information received by him that it is necessary to do so in order to prevent annoyance, disturbance, discomfort or injury or risk to the public or to any persons who dwell or occupy property in the vicinity, he may by a written order issue such directions as he may consider necessary to any person for preventing, prohibiting controlling or regulating,—

(*a*) the incidence or continuance in or upon any premises of,—

(i) any vocal or instrumental music,

(ii) sounds caused by the playing, beating, clashing, blowing or use in any manner whatsoever of any instrument, appliance or apparatus or contrivance which is capable of producing or reproducing sound, or

(*b*) the carrying on, in or upon, any premises of any trade, avocation or operation resulting in or attended with noise.

(2) The authority empowered under sub-section (1) may, either on its own motion or on the application of any person aggrieved by an order made under sub-section (1), either rescind, modify or alter any such order:

Provided that before any such application is disposed of, the said authority shall afford the applicant an opportunity of appearing before it either in person or by legal practitioner
and showing cause against the order and shall, if it rejects any such application either wholly or in part record its reasons for such rejection.

[1][**36A. Power to regulate** [2][**undesirable activities**][2]**.-** The Commissioner, may, in order to prevent or suppress or control undesirable activities of eunuchs, in the area under his charge, by notification in the official Gazette, make orders for,-

(a) preparation and maintenance of a register of the names and places of residence of all [2][persons][2] residing in the area under his charge and who are reasonably suspected of kidnapping or emasculating boys or of committing unnatural offences or any other offences or abetting the commission of such offences,

(b) filing objections by aggrieved 2[persons]2 to the inclusion of his name in the register and for removal of his name from the register for reasons to be recorded in writing;

(c) prohibiting a registered 2[person]2 from doing such activities as may be stated in the order.

(d) any other matter he may consider necessary.]1

1. Inserted by Act 26 of 2011 w.e.f. 26.04.2011.

2. Substituted by Act 22 of 2016 w.e.f. 27.07.2016.

37. Licensing use of loudspeakers, etc.—(1) Subject to the provisions of section 36 and of any orders made under section 31, no person shall use or operate,—

(i) in or upon any premises any loudspeaker or other apparatus for amplifying any musical or other sound, at such pitch or volume as to be audible beyond fifty feet from such premises;

(ii) in any open space any loudspeaker or other apparatus for amplifying any musical or other sound, at such pitch or volume as to be audible beyond two hundred feet from the place at which the musical or other sound is produced or reproduced, except under and in accordance with the conditions of a licence granted by the Superintendent or in such local area by such other officer as the State Government, may, by notification in the official Gazette specify in this behalf.

(2) The provisions of sub-section (1) shall be applicable to such area from such date as the Government may by notification in the official Gazette specify. On the application of sub-section (1) to any area, no local authority shall, notwithstanding anything contained in any other law, be competent to grant a licence for the use of loudspeakers or other apparatus for amplifying any musical or other sound.

38. Issue of orders for prevention of riot, etc.—(1) In order to prevent or suppress any riot or grave disturbance of peace, the Commissioner or in his absence and subject to his control the Deputy Commissioner of Police and the Superintendent, within the areas under their respective charges, may temporarily close, or take possession of any building or place, and may exclude all or any persons therefrom, or may allow access thereto to such persons only and on such terms as he shall deem expedient. All persons concerned shall be bound to conduct themselves in accordance with such orders as the authority making orders may make and notify in exercise of the authority hereby vested in it.

(2) If the lawful occupier of such building or place suffers substantial loss or injury by reason of the action taken under sub-section (1), he shall be entitled, on application made to the authority concerned within one month from the date of such action, to receive reasonable compensation for such loss or injury, unless such action was in the opinion of such authority rendered necessary either by the use to which such building or place was put or intended to be put or by the misconduct of persons having access thereto.

(3) In the event of any dispute in any case under sub-section (2), as to the amount (if any) to be paid, and as to the person to whom it is to be paid such dispute shall be decided by the judicial officer exercising powers and performing the functions of a Magistrate of the First Class.

39. Issue of orders for maintenance of order at ceremonials, etc.—(1) In any case of an actual or intended religious or ceremonial or corporate display or exhibition or organised assemblage in any street or public place, as to which or the conduct of or participation in which it shall appear to a competent authority that a dispute or contention exists which is likely to lead to grave disturbance of the peace, such authority may give such orders as to the conduct of the persons concerned towards each other and towards the public as it shall deem necessary and reasonable under the circumstances regard being had to the apparent legal rights and to any established practice of the parties and of the persons interested. Every such order shall be published in the town or place wherein it is to operate and all persons concerned shall be bound to conform to the same.

(2) Any order under sub-section (1) shall be subject to a decree, injunction or order made by a court having jurisdiction, and shall be recalled or altered on its being made to appear to the authority making the order that such order is inconsistent with a judgment, decree, injunction or order of such Court, on the complaint, suit or an application of any person interested, as to the rights and duties of any person affected by the order aforesaid.

40. Police to provide against disorder, etc., at places of amusement and public meetings.—(1) For the purpose of preventing serious disorder or breach of the law or 49

manifest and imminent danger to the persons assembled at any public place of amusement or at an assembly or meeting to which the public are invited or which is open to the public, the senior Police Officer of highest rank superior to that of constable, present at such place of amusement or such assembly or meeting may, subject to such rules and orders as may have been lawfully made, give such reasonable directions as to the mode of admission of the public to, and for securing the peaceful and lawful conduct of the proceedings and the maintenance of the public safety at such place of amusement or such assembly or meeting, as he thinks necessary and all persons shall be bound to conform to every such reasonable direction.

(2) The Police shall have free access to every such place of amusement, assembly or meeting for the purpose of giving effect to the provisions of sub-section (1) and to any direction made thereunder.

41. Discontinuance of use of premises by disorderly persons.—On complaint being made to the Commissioner, District Magistrate or Sub-Divisional Magistrate that any house in a city, town or village in his jurisdiction to which the Government has by notification in the official Gazette extended this section, is used as a common lodging house or place of resort for disorderly persons of any description, to the annoyance of the inhabitants of the vicinity, the said Commissioner or Magistrate may summon the owner or tenant of the house to answer the complaint and on being satisfied that the house is so used may order the owner or tenant of the house so used, within a reasonable period, which shall be set forth in the order, to discontinue such use of it.

42. Special measures to prevent outbreak of epidemic disease at fair, etc.—(1) Whenever it shall appear to the Commissioner or District Magistrate that any place in the areas under their respective charges, at which, on account of pilgrimage, fair, or other such occurrence, large bodies of persons have assembled or are likely to assemble is visited or will probably be visited with an outbreak of any epidemic disease, he may take such special measures and may, by public notice, and after consultation with the Health Officer of the area concerned or other prescribed officer of the Department of Public Health, prescribe such regulations to be observed by the residents of the said place and by persons present thereat or repairing thereto or returning therefrom, as he shall deem necessary to prevent the outbreak of such disease or the spread thereof.

(2) It shall be lawful for the District Magistrate on the requisition of the Commissioner or Superintendent to assess and levy such reasonable fees on persons falling under the provisions of sub-section (1) as will provide for the expenses of the arrangements for sanitation and the preservation of order at and about the place of assemblage.

(3) When the place of assemblage is within the limits of an area under the jurisdiction of a municipal body such sums as shall be necessary for the purpose aforesaid may be recovered from the municipal body.

43. Destruction of stray dogs.—(1) The Commissioner and the Superintendent in areas under their respective charges may, from time to time by public notice, and after consultation with the Health Officer of the area concerned or other prescribed officer of the Department of Public Health, proclaim that any stray dogs found during such period as may be specified in the said notice, wandering in the streets or in any public place may be destroyed, and any dog so found within such period may be destroyed accordingly.

(2) The authority empowered under sub-section (1) may, by public notice, require that every dog, while in any street or public place and not led by some person, shall be muzzled in such a manner as effectually to prevent it from biting, while not obstructing its breathing or drinking and the Police may, so long as such notice remains in force, destroy, or take possession of and detain, any dog found loose without muzzle in any street or place beyond the premises of the owner thereof:

Provided that any dog so found wearing a collar on which an apparently genuine name and address of an owner is inscribed, shall not, unless it is rabid, be forthwith destroyed, but information of the detention thereof shall forthwith be sent by post or otherwise to such owner.

(3) Any dog which has been detained under sub-section (2) for a period of three clear days without the owner providing a muzzle and paying all expenses connected with such detention, may be destroyed or sold with the sanction and under the orders of the competent authority.

(4) The proceeds of the sale of any dog under sub-section (3) shall be applied, as far as may be, in discharge of the expenses incurred in connection with its detention, and the balance, if any, shall form part of the Consolidated Fund of the State.

(5) Any expenses incurred in connection with the destruction or detention of any dog under this section shall, subject to the provisions of sub-section (4), be recoverable from the owner thereof upon a warrant issued by the competent authority as if it were a warrant issued under section 386 of the Code of Criminal Procedure, 1898.

44. Destruction of suffering or unfit animals.—(1) Any Police Officer, who, in any street or public place other than a place of worship, finds any animal other than a bull or cow so diseased, or so severely injured, and in such a physical condition that in his opinion it cannot without cruelty be removed, shall if the owner is absent or refuses to consent to the destruction of the animal, at once summon the Veterinary Officer in charge of the area in 51 which the animal is found, and, if the Veterinary Officer certifies that the animal is mortally injured or so severely injured, or so diseased, or in such a physical condition that it is cruel to keep it alive, the Police Officer, may without the consent of the owner, destroy the animal or cause it to be destroyed:

Provided that if in the opinion of the Veterinary Officer the animal can be removed from the place where it is found without causing it great suffering and if the owner or person in charge of the animal or in their absence any other person on the spot is willing and offers to remove the animal to a Veterinary Hospital or Pinjrapole within such time as the Veterinary Officer considers reasonable, the Veterinary Officer shall allow the animal to be removed by such owner, person in charge of the animal, or such other person; and if the owner or person in charge of the animal or such other person is unwilling or fails so to remove the animal, the Veterinary Officer may direct the Police Officer to remove the animal before it is destroyed from the place where it is found to such other place as he may think fit:

Provided further that when the animal is destroyed in any street or public place it shall, as far as possible, be screened from the public gaze while it is being destroyed:

Provided also that before destroying or causing to be destroyed any diseased animal in any place, the Health Officer of the area concerned or other prescribed officer of the Department of Public Health shall be consulted.

(2) The Government may appoint such persons as it thinks fit to be Veterinary Officers and may declare the areas of which they shall be in charge for the purposes of this Act.

45. Powers under this Chapter to be exercised by Superintendent subject to the control of District Magistrate and by Commissioner and District Magistrate subject to the control of the State Government.—Every power conferred by this Chapter on a Superintendent not specially empowered by the Government to exercise that power or any officer subordinate to him shall be exercised by him subject to the orders of the District Magistrate and all rules, regulations and orders made under this Chapter shall if made by the Commissioner or the District Magistrate be governed by such rules and orders as the Government may from time to time make in this behalf and if made by the Superintendent specially empowered in that behalf, shall be subject to the provisions of section 16.

CHAPTER V

SPECIAL MEASURES FOR MAINTENANCE OF PUBLIC ORDER AND SAFETY OF STATE

I. EMPLOYMENT OF ADDITIONAL POLICE, RECOVERY OF COST THEREOF AND OF RIOT COMPENSATION, ITS ASSESSMENT AND RECOVERY.

46. Employment of additional Police on application of a person.—(1) The Commissioner or the Superintendent may, on the application of any person, depute any additional number of Police to keep the peace, to preserve order or to enforce any of the provisions of this or any other Act in respect of any particular class or classes of offences or to perform any other Police duties at any place in the area under his charge.

(2) Such additional Police shall be employed at the cost of the person making the application but shall be subject to the orders of the Police authorities and shall be employed for such period as the appointing authority thinks fit.

(3) If the person upon whose application such additional police are employed shall at any time make a written requisition to the appointing authority to which the application for the employment of additional Police was made, for the withdrawal of the said Police, he shall be relieved from the cost thereof at the expiration of such period not exceeding one month from the date of the delivery of such requisition, as the Government or the appointing authority as the case may be, shall determine.

47. Employment of additional Police at large works and when apprehension regarding behaviour of employees exists.—(1) Whenever it appears to the Government or a competent authority that,—

(*a*) any large work which is being carried on or any public amusement which is being conducted is likely to impede the traffic or to attract a large number of people, or

(*b*) that the behaviour or a reasonable apprehension of the behaviour of the persons employed on any railway, canal, or other public work, or in or upon any manufactory or other commercial concern under construction or in operation at any place necessitates the employment of additional Police at such place,

the Government or the competent authority may depute such additional police to the said place as it shall think fit and keep the said Police employed at such place for so long as such necessity shall appear to it to continue.

(2) Such additional Police shall be employed at the cost of the person by whom the work, amusement, manufactory or concern is being constructed, conducted or carried on and the said person shall pay the costs therefor at such rates and at such times as the Government or the competent authority, as the case may be, shall from time to time, require.

48. Recovery of cost of additional Police employed under sections 46 and 47.—In case of any dispute under section 46 or 47, the decision of the District Magistrate shall be conclusive as to the amount to be paid and as to the person by whom it is to be paid and the sum so ascertained may, on the requisition of the District Magistrate be recovered by the
Deputy Commissioner of the Revenue District as if it were an arrear of land revenue due by the person found to be answerable therefor.

49. Employment of additional Police in cases of special danger to public peace.—(1) If in the opinion of the Government any area is in a disturbed or dangerous condition or in which the conduct of the inhabitants or of any particular section of the inhabitants renders it expedient temporarily to employ additional Police, it may by notification, in the official Gazette, specify,—

(*a*) the area (hereinafter called "the disturbance area") in which the additional Police is to be employed,

(*b*) the period for which the additional Police is to be employed:

Provided that the period fixed under clause (*b*) may be extended by the Government from time to time, if in its opinion, it is necessary to do so in the general interest of the public. The cost of the additional Police shall be a tax imposed under this section and shall be recovered in the manner prescribed in the succeeding sub-sections.

(2) The decision of the Government under clauses (*a*) and (*b*) of sub-section (1) shall be final.

(3) On the issue of such notification, the Government may require,—

(*a*) in any disturbance area which is within the jurisdiction of a municipal body, the municipal body, the Deputy Commissioner of the Revenue District or any other authority,

(*b*) in any disturbance area which is outside the area specified in clause (*a*), the Deputy Commissioner of the Revenue District or any other authority,

to recover, whether in whole or in part, the cost of such additional Police generally from all persons who are inhabitants of the disturbance area or specially from any particular section or sections, or class or classes of such persons, and in such proportion as the Government may direct:

Provided that where the municipal body is directed to recover such cost, an additional sum not exceeding three per cent of the amount of such cost shall also be recoverable.

(4) (i) The Government may require the municipal body to recover such cost and the additional sum by an addition to the general or property tax which shall be imposed and levied in all or such of the municipal divisions, sub-divisions or sections ther y direct. Every addition to the general

or property tax imposed under this sub-section shall be recovered by the municipal body from each person liable therefor, in the same manner as the general or property tax due from him.

The provisions of the relevant municipal Act shall apply to any such addition as if it were part of the general or property tax levied under the said Act. Such addition shall be a charge along with the general or property tax, on the properties, in such municipal divisions or sub-divisions or sections.

(ii) The Government may also require the municipal body to recover such cost and the additional sum from each person liable therefor under sub-section (3) in such manner as the Government may direct.

(iii) Where the municipal body makes default in imposing and levying any such tax or in making such recovery, the Government may direct the Deputy Commissioner of the Revenue District to impose and levy such tax or to make such recovery.

(5) Every amount recoverable by the Deputy Commissioner of the Revenue District or other authority under this section shall be recoverable as if it were an arrear of land revenue due by the person liable therefor.

(6) It shall be lawful for the Government by order to exempt any person from liability to bear any portion of the cost of such additional Police.

(7) It shall be lawful for the Government to extend the period for the payment of the cost imposed under this section, for the term not exceeding five years beyond the period for which such additional Police are actually employed.

(8) Out of the total amount recovered by the municipal body under sub-section (4) or (5) whether before or after the coming into force of this Act, the amount of the cost shall be paid to the Government and the balance, if any, shall be credited to the Municipal Fund constituted under the relevant municipal Act. Such amount of cost shall be paid to the Government every three months.

***Explanation.*—**In this section, the expression "inhabitants" when used with reference to any area includes persons who themselves or by their agents or servants occupy or hold land or other immovable property within such area and landlords who themselves or by their agents or servants collect rent from holders or occupiers of land in such area notwithstanding that they do not actually reside therein.

50. Compensation for injury caused by unlawful assembly how recoverable.—(1) When any loss or damage is caused to any property, or when death results or grievous hurt is caused to any person or persons, by anything done in the prosecution of the common object of an unlawful assembly, the Government may, by notification in the official Gazette, specify,—

(*a*) the area (hereinafter called "the disturbance area") in which in its opinion such unlawful assembly was held; and

(*b*) the date on which or the period during which such unlawful assembly was held.

(2) The decision of the Government under clauses (*a*) and (*b*) of sub-section (1) shall be final.

(3) On the issue of a notification under sub-section (1), the District Magistrate may, after such inquiry as he deems necessary, determine the amount of the compensation which, in his opinion should be paid to any person or persons in respect of the loss or damage or death or grievous hurt aforesaid. The amount of compensation shall be a tax imposed under this section and shall be recovered in the manner prescribed in the succeeding sub-sections.

(4) The District Magistrate may require,—

(*a*) in any disturbance area, which is within the jurisdiction of a municipal body, the municipal body, the Deputy Commissioner of the Revenue District or any other authority;

(*b*) in any disturbance area which is outside the area specified in clause (*a*), the Deputy Commissioner of the Revenue District or any other authority,

to recover the amount (hereinafter called "the compensation amount") as determined under sub-section (3) either in whole or in part, and where the municipal body is required to recover such amount, an additional sum not exceeding three per cent of the compensation amount (hereinafter referred to as "the municipal recovery cost") generally from all persons who were inhabitants of the disturbance area or specially from any particular section or sections, or class or classes of such persons in the said area, and in such proportion as the District Magistrate may direct.

(5) (i) The District Magistrate may require the municipal body concerned to recover the compensation amount and the municipal recovery cost by an addition to the general or property tax which shall be imposed and levied in the disturbance area. Every addition to the general or property tax imposed under this sub-section shall be recovered by the municipal body concerned from each person liable therefor in the same manner as the general or property tax due from him. The provisions of the relevant municipal Act shall apply to any such addition as if it were part of the general or property tax levied under the relevant municipal Act. Such addition shall be a charge along with the general or property tax on the properties in the area aforesaid.

(ii) The District Magistrate may also require the municipal body concerned to recover the compensation amount and the municipal recovery cost from each person liable therefor under sub-section (4) in such manner as he may direct.

(6) Where a municipal body makes a default in imposing and levying any such tax or in making any such recovery, the Government may direct the Deputy Commissioner of the Revenue District to impose and levy such tax or to make such recovery.

(7) Every amount recoverable by the Deputy Commissioner of the Revenue District or other authority under this section, shall be recoverable as if it were an arrear of land revenue.

(8) Out of the total amount recovered by the municipal body under sub-section (5) or (6), the proportionate amount of the municipal recovery cost shall be deducted from and the amount not exceeding the compensation amount determined by the District Magistrate under sub-section (3), shall be paid to him for the payment of compensation to the persons entitled thereto, and the balance, if any, shall be credited to the Municipal Fund constituted under the relevant municipal Act. Such amount shall be paid to the District Magistrate, every three months.

(9) It shall be lawful for the District Magistrate, by order to exempt any person from liability to pay any portion of the compensation amount.

(10) The Government may, (*a*) on its own motion, or (*b*) on an application made by a person within a period of thirty days from the date of the order of a District Magistrate, granting or refusing to grant an exemption thereunder, set aside or modify such order.

***Explanation*.—**In this section the expression "inhabitants" when used with reference to any disturbance area includes persons who themselves or by their agents or servants occupy or hold land or other immovable property within such area and landlords who themselves or by their agents or servants collect rent from holders or occupiers of land in such area, notwithstanding that they do not actually reside therein.

51. District Magistrate to award or to apportion compensation among persons.—(1) It shall be lawful for the District Magistrate to award or apportion all or any moneys recovered as compensation under sub-sections (3) to (8) of section 50, to any person or among all or any persons whom he considers entitled to compensation in respect of the loss or damage or death or grievous hurt aforesaid.

(2) No compensation shall be awarded under this section except upon a claim made within forty-five days from the date of the notification issued by the Government under sub-section (1) of section 50 and unless the District Magistrate is satisfied that the person
claiming compensation or where such claim is made in respect of the death of any person, that person also has himself been free from blame in connection with the occurrences which led to the loss, damage, death or grievous hurt as aforesaid.

(3) The compensation payable to any person under section 50 in respect of death or grievous hurt shall not in any way be capable of being assigned or charged or be liable to attachment or to pass to any person other than the person entitled to it by operation of law, nor shall any claim be set off against the same.

(4) Every direction and order made by the District Magistrate under this or the preceding section shall be subject to revision by the Government, but save as aforesaid shall be final.

(5) No civil suit shall be maintainable against the Government or any officer of the Government in respect of any loss or injury for which compensation has been granted under this section.

52. District Magistrate to discharge functions under orders of Government.—The District Magistrate shall discharge his functions under sections 50 and 51 subject to any general or special orders of the Government in this behalf.

53. Proportionate recovery of the cost of additional Police and compensation for loss caused by unlawful assembly.—(1) Notwithstanding anything contained in any law in force relating to house rent and accommodation control, where under the provisions of section 49 or 50, the municipal body or the Deputy Commissioner of the Revenue District, as the case may be, is required to recover the cost of the additional Police, including the additional sum referred to in sub-section (4) of section 49 (hereinafter called "the additional cost") or the compensation amount and the municipal recovery cost (hereinafter called the "riot tax") by an addition to the general or property tax, the landlord from whom any portion of the additional cost or the riot tax is recovered, in respect of any premises shall be entitled to recover seventy-five per cent of such portion from the tenant in the occupation of the premises during the period fixed under sub-section (1) of section 49 or on the date or during the greater part of the period specified under clause (*b*) of sub-section (1) of section 50, as the case may be, in the manner specified in sub-section (2).

(2) The amount referred to in sub-section (1) and to be recovered from a tenant referred to therein shall bear the same proportion as the rent payable by him in respect of the premises in his occupation bears to the total amount of rent recoverable for the whole premises if let, and the same shall be recoverable in not less than four equal instalments.

II. DISPERSAL OF GANGS AND REMOVAL OF PERSONS CONVICTED OF CERTAIN OFFENCES.

54. Dispersal of gangs and bodies of persons.—Whenever it shall appear in the City of Bangalore and other areas for which a Commissioner is appointed under section 7 to the Commissioner, and in a district to the District Magistrate, the Magistrate or the Superintendent specially empowered by the Government in this behalf, that the movement by encampment of any gang or body of persons in the area in his charge is causing or is calculated to cause danger or alarm or reasonable suspicion that unlawful designs are entertained by such gang or body or by members thereof, such officer may, by notification, addressed to the persons appearing to be the leaders or chief men of such gang or body and published by beat of drum or otherwise as such officer thinks fit, direct the members of such gang or body so to conduct themselves as shall seem necessary in order to prevent violence and alarm or to disperse and each of them to remove himself outside the area within the local limits of his jurisdiction or such area and any district or districts, or any part thereof, contiguous thereto within such time as such officer shall specify, and not to enter the area or the areas and such contiguous districts, or part thereof, as the case may be, or return to the place from which each of them was directed to remove himself.

55. Removal of persons about to commit offences.—Whenever it shall appear in the City of Bangalore and other areas for which a Commissioner has been appointed under section 7 to the Commissioner, and in other area or areas to which the Government may, by notification in the official Gazette, extend the provision of this section, to the District Magistrate, or the Sub-Divisional Magistrate having jurisdiction and specially empowered by the Government in that behalf,—

(*a*) that the movements or acts of any person are causing or calculated to cause alarm, danger or harm to person or property, or

(*b*) that there are reasonable grounds for believing that such person is engaged or is about to be engaged in the commission of an offence involving force or violence or an offence punishable under Chapter XII, XVI or XVII of the Indian Penal Code, or in the abetment of any such offence, and when in the opinion of such officer witnesses are not willing to come forward to give evidence in public against such person by reason of apprehension on their part as regards the safety of their person or property, or

(c) that an outbreak of epidemic disease is likely to result from the continued residence of an immigrant,

the said officer may, by an order in writing duly served on him, or by beat of drum or otherwise as he thinks fit, direct such person or immigrant so to conduct himself as shall seem necessary in order to prevent violence and alarm or the outbreak or spread of such disease or to remove himself outside the area within the lo or such 59

area and any district or districts or any part thereof contiguous thereto by such route and within such time as the said officer may specify and not to enter, or return to the said place from which he was directed to remove himself.

[1][**56. Removal of persons convicted of certain offences.**—If a person has been convicted at any time either before or after the commencement of this Act,—

(*a*) of an offence under Chapter XII, XVI or XVII of the Indian Penal Code (Central Act 45 of 1860); or

(*b*) of an offence under section 6 of 13 of the Mysore Mines Act, 1906 (Mysore Act 4 of 1906); or

(*c*) of an offence under section 86 of the Karnataka Forest Act, 1963 (Karnataka Act 5 of 1964); or

(*d*) twice of an offence under section 19 of the Mysore Prohibition of Beggary Act, 1944 (Mysore Act 33 of 1944) or any other corresponding law in force in any area of the State; or

(*e*) twice of an offence under the Suppression of Immoral Traffic in Women and Girls Act, 1956 (Central Act 104 of 1956); or

(*f*) twice of an offence under the Untouchability (Offences) Act, 1955 (Central Act 22 of 1955); or

(*g*) thrice of an offence within a period of three years under section 78, 79 or 80 of this Act; or

(*h*) thrice of an offence within a period of three years under sections 32, 34, 37 or 38A of the Karnataka Excise Act 1965, (Karnataka Act 21 of 1966),

the Commissioner, the District Magistrate, or any Sub-divisional Magistrate specially empowered by the Government in this behalf, if he has reason to believe that such person is likely again to engage himself in the commission of an offence similar to that for which he was convicted, may direct such person to remove himself outside the area within the local limits of his jurisdiction or such area or any district or districts or any part thereof contiguous thereto, by such route and within such time as the said officer may specify and not to enter or return to the place from which he was directed to remove himself.

Explanation.—For the purpose of this section "an offence similar to that for which a person was convicted" shall mean,—

(i) in the case of a person convicted of an offence mentioned in clause (*a*), an offence falling under any of the Chapters of the Indian Penal Code mentioned in that clause; and

(ii) in the case of person convicted of an offence mentioned in clauses (*e*) and (f), an offence falling under the provisions of the Acts mentioned respectively in the said clauses.][1]

1. Section 56 Substituted by Act 18 of 1975 w.e.f. 15.5.1975

57. Period of operation of orders under section 54, 55 or 56.—A direction made under section 54, 55 or 56 not to enter any particular area or such area and any district or districts or any part thereof, contiguous thereto shall be for such period as may be specified therein and shall in no case exceed a period of two years from the date on which it was made.

58. Hearing to be given before an order is passed under section 54, 55 or 56.—(1) Before an order under section 54, 55 or 56 is passed against any person, the officer acting under any of the said sections or any officer above the rank of an Inspector authorised by that officer shall inform the person in writing of the general nature of the material allegations against him and give him a reasonable opportunity of tendering an explanation regarding them. If such person makes an application for the examination of any witness, produced by him, the authority or officer concerned shall grant such application and examine such witness, unless for reasons to be recorded in writing the authority or officer is of opinion that such application is made for the purpose of vexation or delay. Any written statement put in by such person shall be filed with the record of the case. Such person shall be entitled to appear before the officer proceeding under this section by a legal practitioner for the purposes of tendering his explanation and examining the witnesses produced by him.

(2) The authority or officer proceeding under sub-section (1) may, for the purpose of securing the attendance of any person against whom any order is proposed to be made under section 54, 55 or 56

require such person to appear before him and to furnish a security bond with or without sureties for such attendance during the inquiry. If the person fails to furnish the security bond as required or fails to appear before the officer or authority during the inquiry, it shall be lawful to the officer or authority to proceed with the inquiry and thereupon such order as was proposed to be passed against him may be passed.

59. Appeal.—Any person aggrieved by an order made under section 54, 55 or 56 may appeal to the Government within thirty days from the date of such order.

60. Finality of orders.—Any order passed under section 54, 55 or 56 or by the Government under section 59 shall not be called in question in any court except on the ground that the authority making the order or any officer authorised by it had not followed the procedure laid down in sub-section (1) of section 58 or that there was no material before the authority concerned upon which it could have based its order or on the ground that the said authority was not of opinion that witnesses were unwilling to come forward to give evidence in public against the person in respect of whom an order was made under section 55.

61. Procedure on failure of person to leave the area and his entry therein after removal.—If a person to whom a direction has been issued under section 54, 55 or 56 to remove himself from an area,—

(i) fails to remove himself as directed;

(ii) having so removed himself, except with the permission in writing of the authority making the order enters the area within the period specified in the order,

the authority concerned may cause him to be arrested and removed in police custody to such place outside the area as the said authority may in each case direct.

62. Temporary permission to enter or return to the area from which a person was directed to remove himself.—(1) The Government may, by order, permit any person in respect of whom an order has been made under section 54, 55 or 56 to enter or return for a temporary period to the area or such area and any district or districts or any part thereof, contiguous thereto from which he was directed to remove himself subject to such conditions as it may by general or special order specify and which such person accepts, and may, at any time, revoke any such permission.

(2) In permitting a person under sub-section (1) to enter or return to the area or such area and any district or districts or any part thereof, contiguous thereto from which he was directed to remove himself, the Government may require him to enter into a bond with or without surety for the observance of the conditions imposed.

(3) Any person permitted under sub-section (1) to enter or return to the area or such area and any district or districts or any part thereof contiguous thereto, from which he was directed to remove himself, shall surrender himself at the time and place and to the authority specified in the order or in the order revoking the said order, as the case may be.

63. Powers of Government or of officers specially empowered to extern.—(1) The Government or any officer specially empowered by the Government in that behalf, may, in like circumstances and in like manner, exercise the powers exercisable, in the City of Bangalore by the Commissioner and in a district by the District Magistrate, Sub-divisional Magistrate or Superintendent of Police specially empowered by the Government in that behalf, as the case may be, under section 54, 55 or 56 with this modification that it shall be lawful for the Government or the officer specially empowered to direct the members of such gang or body or persons or immigrants or persons convicted, as the case may be, to remove themselves from and not to enter or return to, any local area, or any such area and any districts or part thereof, whether contiguous thereto or not.

(2) The provisions of sections 57, 58, 59, 60, 61 and 62 shall *mutatis mutandis* apply to the exercise of any powers under this section, as they apply to the exercise of any powers under section 54, 55 or 56.

III. CONTROL OF CAMPS, PARADES, ETC., AND USE OF CERTAIN UNIFORMS

64. Control of camps, parades, etc., and banning use of uniforms, etc.—(1) If the Government is satisfied that it is necessary in the interest of the maintenance of public order so to do, it may by general or special order prohibit or restrict throughout the [1][State of Karnataka][1] or any part thereof all meetings and assemblies of persons for the purpose of training or drilling themselves or being trained or drilled to the use of arms, or for the purpose of practising military exercises, movements or evolutions, or for the purpose aforesaid of attending or holdin amp, parade or procession.

1.Adapted by the Kakrnataka Adaptations of Laws Order 1973 w.e.f. 1.11.1973

(2) If the Government is satisfied that the wearing in public by any member of the body or association or organisation to be specified in the order to be issued hereunder of any dress or article of apparel resembling any uniform or part of uniform required to be worn by a member of the Armed Forces of the Union or by a member of the Police Force or of any force constituted under any law for the time being in force, would be likely to prejudice the security of the State or the maintenance of public order, the Government may, by general or special order, prohibit or restrict the wearing, or display in public, of any such dress or article of apparel by any member of such body or association or organisation.

(3) Every general or special order under sub-sections (1) and (2) shall be published in the manner prescribed for the publication of a public notice under section 172.

Explanation.—For the purposes of sub-section (2), a dress or an article of apparel shall be deemed to be worn or displayed in public, if it is worn or displayed in any place to which the public have access.

CHAPTER VI

EXECUTIVE POWERS AND DUTIES OF THE POLICE

65. Duties of a Police Officer.—It shall be the duty of every Police Officer,—

(*a*) promptly to serve every summons and obey and execute every warrant or other order lawfully issued to him by competent authority, and to endeavour by all lawful means to give effect to the lawful commands of his superior;

(*b*) to the best of his ability to obtain intelligence concerning the commission of cognizable offences or designs to commit such offences;

(*c*) to lay such information and to take such other steps, consistent with law and with the orders of his superiors, as shall be best calculated to bring offenders to justice;

(*d*) to prevent the commission of offences;

1[(*da*) to prevent the breach of the public peace;]1

1. Clause (da) inserted by Act 18 of 1975 w.e.f. 15.5.1975

(*e*) to prevent to the best of his ability the commission of public nuisances;

(*f*) to apprehend without unreasonable delay all persons whom he is legally authorised to apprehend and for whose apprehension there is sufficient reason;

(*g*) to aid another Police Officer when called on by him or in case of need in the discharge of his duty, in such ways as would be lawful and reasonable on the part of the officer aided;

(*h*) to discharge such duties as are imposed upon him by any law for the time being in force.

1[(*i*) to communicate without delay to the appropriate officer of a local authority any information which he receives, of the design to commit or of the commission of any offence under the relevant law constituting such local authority or under any rule, bye-law or regulation made under such law;

(*j*) to assist any officer or servant of a local authority or any person to whom the powers of such officer or servant has been lawfully delegated, reasonably demanding his aid for the lawful exercise of any power vesting in such officer or servant of the local authority, or such person, under the relevant law constituting such local authority or under any rule, bye-law or regulation made under such law.]1

1. Clause (i) Inserted by Act 41 of 1981 w.e.f. 6.6.1981

66. Power to enter places of public resort.—Every Police Officer may, subject to the rules and orders made by the Government or by a person lawfully authorised, enter for any of the purposes referred to in section 65 without a warrant and inspect any place of public resort which he has reason to believe is used as a shop for the sale of liquor or intoxicating drugs or a place of resort of loose and disorderly characters.

67. Power to search suspected persons in a street.—When in a street or a place of public resort a person has possession or apparent possession of any article which a Police Officer in good faith suspects to be stolen property, such Police Officer may search or examine the same and may require an account thereof, and, should the account given by the possessor be manifestly false or suspicious, may seize such article and report the facts to a 1[Judicial Magistrate]1, who shall thereon proceed according to sections 523 and 525 of the Code of Criminal Procedure, 1898, or any other law in force.

1. Substituted by Act 13 of 1965 w.e.f . 1.10.1965

68. Duties of Police Officers towards the public.—It shall be the duty of every Police Officer,—

(*a*) to afford every assistance within his power to disabled or helpless persons in the streets, and to take charge of intoxicated persons and of lunatics at large who appear dangerous or incapable of taking care of themselves;

(*b*) to take prompt measures to procure necessary help for any person under arrest or in custody, who is wounded or sick and whilst guarding or conducting any such person, to have due regard to his condition;

(*c*) to arrange for the proper sustenance and shelter of every person who is under arrest or in custody;

(*d*) in conducting searches, to refrain from needless rudeness and the causing of unnecessary annoyance;

(*e*) in dealing with women and children to act with strict regard to decency and with reasonable gentleness;

(*f*) to use his best endeavors to prevent any loss or damage by fire;

(*g*) to use his best endeavor to avert any accident or danger to the public.

69. Police to regulate traffic, etc., in streets.—It shall be the duty of a Police Officer,—

(*a*) to regulate and control the traffic in the streets, to prevent obstructions therein and, to the best of his ability, to prevent infraction of any rule or order made under this Act, or any other law in force for observance by the public in or near the streets;

(*b*) to keep order in the streets and at and within public bathing, washing and landing places, fairs, bazaars, temples and all other places of public resort and in the neighborhood of places of public worship during the time of public worship;

(*c*) to regulate resort to public bathing, washing and landing places, to prevent overcrowding thereat and in public ferry, boats and, to the best of his ability, to prevent the infraction of any rule or order lawfully made for observance by the public at any such place or on any such boat.

70. Persons bound to conform to reasonable directions of Police.—All persons shall be bound to conform to the reasonable directions of a Police Officer given in fulfillment of any of his duties under this Act.

71. Powers of Police Officer to restrain, remove, etc.—A Police Officer may restrain or remove any person resisting or refusing or omitting to conform to any direction referred to in section 70 and may either take such person before a [1][Judicial Magistrate][1] or, in trivial cases, may release him when the occasion is past.

1. Substituted by Act 13 of 1965 w.e.f 1.10.1965

72. Enforcement of orders issued under section 35, 36 or 38.—Whenever a notification has been duly issued under section 35 or an order has been made under section 36 or 38 it shall be lawful for any Magistrate in a district or Police Officer to require any person acting or about to act contrary thereto to desist or to abstain from so doing, and, in case of refusal or disobedience, to arrest the person offending. Such [1][Executive Magistrate][1] or Police Officer may also seize any object or thing used or about to be used in contravention of such notification, or order as aforesaid and the thing seized shall be disposed of according to the order of any District Magistrate having jurisdiction at the place.

1. Substituted by Act 13 of 1965 w.e.f 1.10.1965

73. Duty of Police to see orders issued under sections 42, 54, 55, 56 or 63 are carried out.—It shall be the duty of the police to see that every regulation and direction made by an authority under sections 42, 54, 55, 56 or 63 is duly obeyed, to warn persons who from ignorance fail to obey the same and to arrest any person who wilfully disobeys the same.

74. When Police Officer may arrest without warrant.—A Police Officer may arrest without warrant any person committing in his presence in any street or public place any non-cognizable offence punishable under this Act, or under any rule made thereunder and for which no express provision has been made elsewhere, or under any other law for the time being in force, if such person,—

(i) after being warned by a Police Officer persists in committing such offence, or

(ii) refuses to accompany the Police being required so to do.

75. Police to take charge of unclaimed property.—[1][(1)][1] The police shall take temporary charge,—

(a) of all unclaimed property found by or made over to them; and

(b) of all property found lying in any public street, if the owner or person in charge of such property on being directed to remove the same, refuses or omits to do so.

1. Re-numbered by Act 18 of 1975 w.e.f 15.5.1975

[1][(2) The taking of temporary charge of any property under sub-section (1) shall be forthwith reported to a Judicial Magistrate and the procedure laid down in sections 457, 458 and 459 of the Code of Criminal Procedure 1973, shall be applicable in respect of the
disposal of such property as if it were property seized by a Police Officer under the said Code.][1]

1. Sub-section (2) Inserted by Act 18 of 1975 w.e.f 15.5.1975

76. Police Officer may take charge of stray cattle.—A Police Officer may take charge of any animal which may be found straying in a street and may take or send the same to the nearest cattle pound and the owner and other person concerned shall thereon become subject to the provisions of the Cattle Trespass Act in force.

77. A superior Police Officer may himself perform duties imposed on his inferior, etc.—A Police Officer of rank superior to that of a constable may perform any duty assigned by law or by a lawful order to any officer subordinate to him; and in case of any duty imposed on such subordinate, a superior where it shall appear to him necessary may aid, supplement, supersede or prevent any action of such subordinate by his own action or that of any person lawfully acting under his command or authority, whenever the same shall appear necessary or expedient for giving more complete or convenient effect to the law or for avoiding an infringement thereof.

CHAPTER VII

PREVENTION OF GAMING

78. Opening, etc., of certain forms of gaming.—(1) Whoever,—

(*a*) being the owner or occupier or having the use of any building, room, tent, enclosure, vehicle, vessel or place,[1][or at cyber café or online gaming involving wagering or betting including computer resource or mobile application or internet or any communication device as defined in the Information Technology Act, 2000 (Central Act 21 of 2000)][1] opens, keeps or uses the same for the purpose of gaming,—

(i) on a horse-race, or

(ii) on the market price of cotton, bullion or other commodity or on the digits of the number used in stating such price, or

(iii) on the amount or variation in the market price of any such commodity or on the digits of the number used in stating the amount of such variation, or

(iv) on the market price of any stock or share or on the digits of the number used in stating such price, or

(v) on the number of registration or on the digits of the number of registration of any motor vehicle using a public place, or

(vi) on any transaction or scheme of wagering or betting in which the receipt or distribution of winnings or prizes in money or otherwise is made to depend on chance or[1][skill of other][1] ;

[1][(vii) on any act on risking money or otherwise on the unknown result of an event including on a game of skill.][1]

(*b*) being the owner or occupier of any such building, room, tent, enclosure, vehicle, vessel or place knowingly or wilfully permits the same to be opened, occupied, kept or used by any other person for the purpose of gaming on any of the objects aforesaid, or

(*c*) has the care or management of, or in any manner assists in, conducting the business of, any such building, room, tent, enclosure, vehicle, vessel or place opened, occupied, kept or used for the purpose of gaming on any of the objects aforesaid, or

(*d*) advances or furnishes money for the purpose of gaming on any of the objects aforesaid with persons frequenting any such b re, vehicle, vessel or place,

shall, on conviction, be punished with imprisonment which may extend to 2[three years]2, or with fine which may extend to 2[one lakh]2 rupees, or with both:

Provided that in the absence of special reasons to be recorded in writing, the punishment to be imposed on an offender on conviction for an offence under this sub-section shall be imprisonment for not less than 2[six months]2 or fine of not less than 2[ten thousand]2 rupees or both.

(2) Whoever is found in any building, room, tent, enclosure, vehicle, vessel or place referred to in sub-section (1), gaming on any of the objects specified in that sub-section, or present, 1[or aids or abets]1 for the purpose of gaming on any such object shall, on conviction, be punished with imprisonment which may extend to 2[six months]2 or with fine which may extend to 2[ten thousand]2 rupees or with both.

Any person found in any such building, room, tent, enclosure, vehicle, vessel or place during any gaming therein on any of the objects specified in sub-section (1) shall be presumed, until the contrary is proved, to have been there for the purpose of gaming on such object.

(3) Whoever is found gaming on any of the objects specified in sub-section (1) in any public street or thoroughfare or in any place to which the public have or are permitted to
have access shall, on conviction be punished with imprisonment which may extend to 2[one year]2 or with fine which may extend to 2[twenty thousand]2 rupees, or with both.

1. Inserted by Act 28 of 2021 w.e.f. 05.10.2021.

2. Substituted by Act 28 of 2021 w.e.f. 05.10.2021.

79. Keeping common gaming house, etc.—Any person who,—

(*a*) opens, keeps or uses any building, room, tent, enclosure, vehicle, vessel, or place for the purpose of a common gaming-house;

(*b*) being the owner or occupier of any such building, room, tent, enclosure, vehicle, vessel, or place knowingly or wilfully permits the same to be opened, occupied, kept or used by any other person for the purpose aforesaid;

(*c*) has the care or management of, or in any manner assists in conducting the business of, any such building, room, tent, enclosure, vehicle, vessel, or place opened, occupied, kept or used for the purpose aforesaid; or

(*d*) advances or furnishes money for the purpose of gaming with persons frequenting any such building, room, tent, enclosure, vehicle, vessel, or place,

shall, on conviction, be punished with imprisonment which may extend to 2[three years]2 and with fine1[up to rupees one lakh]1:

Provided that,—

(*a*) for a first offence, such imprisonment shall not be less than 2[six months]2 and fine shall not be less than 2[ten thousand]2 rupees;

(*b*) for a second offence, such imprisonment shall not be less than 2[one year]2 and fine shall not be less than 2[fifteen thousand]2 rupees; and

(*c*) for a third or subsequent offence, such imprisonment shall not be less than 2[eighteen months]2 and fine shall not be less than 2[twenty thousand]2 rupees.

1. Inserted by Act 28 of 2021 w.e.f. 05.10.2021.

2. Substituted by Act 28 of 2021 w.e.f. 05.10.2021.

80. Gaming in common gaming-house, etc.—Whoever is found in any common gaming-house gaming or present for the purpose of gaming shall, on conviction, be punished with imprisonment which may extend to 2[three years]2 and with fine1[up to rupees one lakh]1:

Provided that,—

(*a*) for a first offence such imprisonment shall not be less than 2[six months]2 and fine shall not be less than 2[ten thousand]2 rupees;

(*b*) for a second offence such imprisonment shall not be less 2[one year]2 and fine shall not be less than 2[fifteen thousand]2 rupees; and

(*c*) for a third or subsequent offence such imprisonment shall not be less than 2[eighteen months]2 and fine shall not be less than 2[twenty thousand]2 rupees.

1. Inserted by Act 28 of 2021 w.e.f. 05.10.2021.

2. Substituted by Act 28 of 2021 w.e.f. 05.10.2021.

81. Entry, search, etc., by Police Officers in gaming-house.—It shall be lawful for a Police Officer,—

(i) in the City of Bangalore not below the rank of a Sub-Inspector and either empowered by general order in writing or authorised in each case by special warrant issued by the District Magistrate or Sub-Divisional Magistrate, or Commissioner of Police or Superintendent of Police; or Deputy Commissioner of Police, Assistant Superintendent of Police or Deputy Superintendent of Police or Assistant Commissioner of Police, and

(ii) elsewhere not below the rank of a Sub-Inspector of Police 1[and either empowered by general order in writing or authorised in each case by special warrant issued]1 by a District Magistrate or Sub-Divisional Magistrate, or by a Magistrate specially empowered by the State Government in this behalf or by a Superintendent of Police or by an Assistant or Deputy Superintendent of Police,—

1. Substituted by Act 18 of 1975 w.e.f 15.5.1975

(*a*) to enter, with the assistance of such persons as may be found necessary, by night or by day, and by force, if necessary, any building, room, tent, enclosure, vehicle, vessel or place, which he has reason to suspect is used as a common gaming-house or for the purpose of gaming on any of the objects referred to in sub-section (1) of section 78;

(*b*) to search all parts of the building, room, tent, enclosure, vehicle, vessel or place which he shall have so entered, when he shall have reason to suspect that any instruments of gaming are concealed therein, and also the persons whom he shall find therein, whether such persons are then actually gaming or not;

(*c*) to take into custody and bring before a Magistrate all such persons;

(*d*) to seize all instruments of gaming and all moneys and securities for money and articles of value which are reasonably suspected to have been used or intended to be used for the purpose of gaming, and which are found therein:

Provided that no officer shall be authorised by special warrant unless the Commissioner or Deputy Commissioner or Assistant Commissioner of Police or Magistrate or
Superintendent, Assistant or Deputy Superintendent of Police concerned is satisfied, upon 1[a written complaint or report made to him]1 and upon making such inquiry as he may think necessary, that there are good grounds to suspect the said building, room, tent, enclosure, vehicle, vessel, or place to be used as a common gaming-house.

82. Presumptive proof of keeping or gaming in common gaming-house.—(1) When any instrument of gaming has been seized in any building, room, tent, enclosure, vehicle, vessel or place entered or searched under section 81 or on a person found therein, and in the case of any other thing so seized, if the court is satisfied that the police officer who entered such building, room, tent, or place, enclosure, vehicle, vessel, had reasonable grounds for suspecting that the thing so seized was an instrument of gaming, the seizure of such instrument or thing shall be evidence, until the contrary is proved, that such building, room, tent, enclosure, vehicle, vessel or place is used as a common gaming-house and the persons found therein were then present for the purpose of gaming, although no gaming was actually seen by the police officer or by any person acting under the authority of either of them.

(2) Any person found in any common gaming-house during any gaming therein shall be presumed until the contrary is proved, to have been there for the purpose of gaming.

83. On conviction under sections 78, 79 and 80 instruments of gaming may be destroyed.—On conviction of any person under sections 78, 79 or 80 the convicting Magistrate may order all the instruments of gaming found in the building, room, tent, enclosure, vehicle, vessel or place or on the persons of those who were found therein, to be forthwith destroyed or forfeited to the Government, and may also order all or any of the securities for money and other articles seized, not being instruments of

gaming, to be sold and the proceeds thereof, with all moneys seized therein, to be forfeited to the Government.

84. Proof of playing for money not required for conviction.—It shall not be necessary, in order to convict a person of an offence under sub-section (2) or sub-section (3) of section 78 or under section 80 to prove that any person found gaming was playing for any money, wager, bet or stake.

85. Indemnification of persons concerned who are examined as witnesses.—Every person who shall have been concerned in any gaming contrary to this Act, and who shall be examined as a witness by or before a Magistrate on the trial of any charge against the owner, keeper or occupier or other person under sub-section (1) of section 78 or under section 79 touching gaming, and who upon such examination shall make true and faithful discovery to the best of his knowledge of all things as to which he shall be so examined, and who shall thereupon receive from the said Magistrate a certificate in writing to that effect,

71

shall be freed from all prosecutions under this Act for anything done before that time in respect of such gaming.

86. Payment of portion of fine to informer.—The Magistrate trying any case under the provisions of sections 78, 79 and 80, may award any portion, not exceeding one-half of any fine which may be levied under any of the said sections, or any part of the proceeds of articles or money seized and ordered to be forfeited under section 83, among the Police Officers and other persons who may have given assistance in the detection or investigation of the offence.

87. Gaming in public streets.—Whoever is found gaming or reasonably suspected to be gaming [2][or aiding or abetting such gaming][2] in any public street, or thoroughfare, or in any place to which the public have or permitted to have access or in any race-course shall, on conviction, be punished with imprisonment which may extend to [3][six months][3] or with fine which may extend to [3][ten thousand][3] rupees, or with both and where such gaming consists of wagering or betting, any such person so found gaming shall, on conviction, be punishable in the manner and to the extent referred to in section 80 and all moneys found on such person shall be forfeited to the Government.

[1][Any][1] police officer may seize all things reasonably suspected to be instruments of gaming found in such public street, thoroughfare, place or race-course or on or about the person of those whom he shall so arrest, and the Magistrate may, on conviction of the offender, order such instruments to be forthwith destroyed. When anything has been found on or about any person and a court is satisfied that the police officer had reasonable grounds for suspecting that such thing was an instrument of gaming, such circumstance shall, until the contrary is proved, be evidence that such thing was an instrument of gaming and that the person on or about whom the thing was found was present for the purpose of gaming.

1. Substituted by Act 18 of 1975 w.e.f 15.5.1975.
2. Inserted by Act 28 of 2021 w.e.f. 05.10.2021.
3. Substituted by Act 28 of 2021 w.e.f. 05.10.2021.

88. Power to arrest without warrant persons gaming in public places.—A police officer may arrest and search without warrant, any person gaming or reasonably suspected to be gaming in contravention of sub-section (3) of section 78 or section 87.

89. Assembling in streets for gaming.—Whoever,—

(i) assembles with others in a street gathered for the purpose of gaming or;

(ii) joins any such assembly for the purpose of gaming; 72

shall, on conviction, be punished with fine which may extend to fifty rupees.

90. Printing, publishing or distributing any news or information.—(1) No person shall print, publish, sell, distribute or in any manner circulate any newspaper, news-sheet or other document or any news or information with the intention of aiding or facilitating gaming.

(2) Any person who contravenes the provisions of sub-section (1) shall, on conviction, be punished with imprisonment which may extend to six months and with fine.

(3) Any Police Officer may enter and search any place for the purpose of seizing, and may seize all things reasonably suspected to be used or to be intended to be used, for the purpose of committing an offence under this section.

(4) Any Police Officer may arrest without warrant any person who contravenes the provisions of sub-section (1).

91. Offences by companies.—(1) If the person committing an offence under section 78, 79 or 90 is a company, the company, as well as every person in charge of, and responsible to the company for the conduct of its business at the time of the commission of the offence shall be deemed to be guilty of the offence and shall be liable to be proceeded against and punished accordingly:

Provided that, nothing contained in this sub-section shall render any such person liable to any punishment if he proves that the offence was committed without his knowledge or that he exercised all due diligence to prevent the commission of such offence.

(2) Notwithstanding anything contained in sub-section (1), where an offence under section 78, 79, or 90 has been committed by a company and it is proved that the offence has been committed with the consent or connivance of, or that the commission of the offence is attributable to any neglect on the part of any director, manager, secretary or other officer of the company, such director, manager, secretary or other officer shall also be deemed to be guilty of that offence and shall be liable to be proceeded against and punished accordingly.

(3) For the purposes of sections 78, 79 and 90, a 'firm' shall be deemed to be a person.

***Explanation.*—**For the purposes of this section,—

(*a*) "company" means a body corporate, and includes a firm or other association of individuals; and

(b) "director" in relation to a firm, means a partner in the firm.

CHAPTER VIII

OFFENCES AND PUNISHMENTS

92. Punishment of certain street offences and nuisance.—(1) In any local area to which the Government by notification in the official Gazette from time to time extends this sub-section or any clause thereof, whoever, contrary thereto,—

(*a*) without lawful excuse drives along, or keeps standing in, any street a vehicle of any description or drags or pushes in any street, a vehicle of any description other than a bicycle at any time between half an hour after sunset and one hour before sunrise without a sufficient light or lights;

(*b*) without reasonable cause, drives, drags, or pushes any vehicle otherwise than on the near or left side of the road or passes any vehicle except on the right side of it and at any speed higher than what may be prescribed by notification by Government;

(*c*) leaves in any street insufficiently tended or secured any animal or vehicle;

(*d*) causes obstruction, injury, danger or alarm in any street, or mischief, by any misbehavior, negligence or ill-usage in the driving, management or care of any animal or vehicle, or drives any vehicle or animal laden with timber, poles or other unwieldy articles through a street, contrary to any regulation made in that behalf and published by a competent authority;

(*e*) exposes for hire or sale any animal or vehicle, cleans any furniture or vehicle, or cleans, grooms, trains or breaks in any horse or other animal or makes or repairs any vehicle or any part of a vehicle in any street (unless when in the case of an accident repairing on the spot is necessary) or carries on therein any manufacture or operation so as to be a serious impediment to traffic or a serious annoyance to residents or to the public;

(*f*) (i) causes obstruction in any street by allowing any animal or vehicle which has to be loaded or unloaded or has to take up or set down passengers, to remain or stand therein longer than may be necessary for such purpose; or by leaving any vehicle standing or by fastening any cattle therein, or using any part of a street as a halting place for vehicles or cattle, or by leaving any box, bale, package or other thing whatsoever in or upon a street for an unreasonable length of time;

(ii) or causes obstruction by exposing anything for sale or setting out anything for sale or upon any stall, booth, board, cask, basket or in any other way whatsoever contrary to any regulation made and published by the Commissioner, or a District Magistrate;

(*g*) causes obstruction on any foot-way, or drives, rides or leaves any animal or drives, drags or pushes any vehicle thereupon;

(*h*) exhibits, contrary to any regulation made and notified by the Commissioner or a District Magistrate, as the case may be, any mimetic, musical or other performances of a nature to attract crowds or carries or places bulky advertisements, pictures, figures, or emblems in any street whereby an obstruction to passengers or annoyance to the inhabitants may be occasioned;

(*i*) uses or operates at any place any apparatus for amplifying any musical or other sound, such as a megaphone or loudspeaker, any time between ten o'clock in the night and six o'clock in the morning, whereby any annoyance, disturbance, or discomfort is caused to the inhabitants in the vicinity;

(*j*) obeys a call of nature or permits a child to do so or bathes or washes his person in or near to and within sight of a street or public place (except in some place set apart for the purpose by order of a competent authority) so as to cause annoyance to the neighbouring residents or to passers by;

(*k*) negligently lets loose any horse or other animal, so as to cause danger, injury, alarm or annoyance to the public, or suffers a ferocious dog to be at large without a muzzle, or sets on or urges a dog or other animal to attack, worry or put in fear any person or animal;

(*l*) bathes or washes in or by the side of a public well, tank, or reservoir, not set apart for such purpose by order of a competent authority or in or by the side of any pond, pool aqueduct, part of a river, stream, nalla or other source or means of water supply in which such bathing or washing is forbidden by order of the competent authority;

(*m*) defiles or causes to be defiled, the water in any public well, tank, reservoir, pond, pool, aqueduct or a part of a river, stream, nalla or other source or means of water-supply, so as to render the same less fit for any purpose for which it is set apart by the order of the competent authority;

(*n*) obstructs or incommodes a person bathing at a place set apart for that purpose as aforesaid, by wilful intrusion or by using such place for any purpose for which it is not so set apart;

(*o*) wilfully and indecently exposes his person, uses indecent language or behaves indecently or riotously or in a disorderly manner in a street or place of public resort, or in any public office;

(*p*) is drunk and incapable of taking care of himself in a street or place of public resort;

(*q*) wilfully pushes, presses, hustles or obstructs any passenger in a street, or disturbs the public peace or order, by violent movements, menacing gestures, wanton personal annoyance, screaming, shouting, wilfully frightening horses or cattle, or otherwise;

(*r*) uses in any street any threatening, abusive or insulting words or behaviour or posts up or affixes or exhibits any indecent, threatening, abusive or insulting paper or drawing with intent to provoke a breach of the peace or whereby a breach of the peace may be occasioned;

(*s*) begs importunately for alms, or exposes or exhibits, with the object of exacting charity, any deformity or disease or any offensive sore or wound in or near to and within sight of any street;

(*t*) throws or lays down any dirt, filth, rubbish or any stones or building materials in any street, or causes any offensive matter to run from any house, factory, dung-heap or the like into any street

(*u*) neglects to fence in or duly to protect any well, tank, or other dangerous place or structure;

(*v*) without the consent of the owner or occupier, affixes or causes to be affixed any bill, notice or other paper upon any building, wall or fence, or writes upon or defaces or marks any such building, wall or fence;

(*w*) without the consent of the Government or the public authority concerned, affixes or causes to be affixed any bill, notice or other paper upon any lamp-post, tree, letter-box, transformer, street or any other property belonging to Government or any public authority, or writes upon or defaces or marks or causes to be written upon or defaced or marked, any such lamp-post, tree, letter-box, transformer, street or other property;

(*x*) spits or throws any dust, ashes, refuse or rubbish in or near to any street, public place or place of public resort so as to cause annoyance to any passerby;

(*y*) [1][xxx][1] or spits in any court, police station, public office or building occupied by Government or any public body, in contravention of a notice by a competent authority in charge of such place and affixed to such court, station, office or building,

1. Omitted by Act 2 of 2003 w.e.f …..

shall be punished with fine which may extend to one hundred rupees, provided that imprisonment in default of payment of such fine shall not exceed eight days notwithstanding anything in section 67 of the Indian Penal Code.

[1][(2) (*a*) The provisions of sub-section (1) or any clause or clauses thereof may be extended by the State Government by notification,—

(i) to such local area as may be specified in such notification; or

(ii) to such local area for such period as may be specified in such notification.

(*b*) The State Government may at any time rescind any notification issued under sub-clause (i) or sub-clause (ii) of clause (*a*):

Provided that the issue of a notification under this clause shall not preclude the issue of notification from time to time under sub-clause (i) or sub-clause (ii) of clause (*a*) in respect of the same local area.][1]

1. Sub-section (2) Substituted by Act 18 of 1975 w.e.f 2.4.1965

93. Punishment for cruelty to animals.—Whoever cruelly beats, goads, overworks, ill-treats, or tortures or causes or procures to be cruelly beaten, goaded, overworked, ill-treated or tortured any animal shall, on conviction, be punished with imprisonment which may extend to one month or with fine which may extend to one hundred rupees, or with both.

94. Punishment for willful trespass.—(1) Whoever without satisfactory excuse willfully enters or remains in or upon any dwelling house or premises or any land or ground attached thereto, or on any ground, building, monument or structure belonging to Government or appropriated to public purposes, or on any vehicle or vessel, shall, on conviction, whether he causes any actual damage or not, be punished with fine which may extend to twenty rupees.

(2) Any Police Officer may, on the information of any person in possession or in charge of any dwelling house, premises, or land or ground attached thereto, or of any ground, building, monument or structure belonging to Government, arrest without a warrant any person alleged to have committed therein or thereon any offence punishable under sub-section (1) of this section.

95. False alarm of fire or damage to fire alarm.—Whoever knowingly gives or causes to be given a false alarm of fire to the fire brigade or to any officer or fireman thereof whether by means of a street fire, alarm-statement, message or otherwise, or with intent to give such false alarm, wilfully breaks the glass of, or otherwise damages a street fire-alarm, shall, on conviction, be punished with imprisonment for a term which may extend to three months or with fine which may extend to one hundred rupees, or with both.

96. Being found under suspicious circumstances between sunset and sunrise.—Whoever is found between sunset and sunrise,—

(*a*) armed with any dangerous instrument with intent to commit an offence, or

(*b*) having his face covered, or otherwise disguised with intent to commit an offence, or

(*c*) in any dwelling house or other building, or boat, without being able satisfactorily to account for his presence there, or

(*d*) lying or loitering in any street, yard or other place, being a reputed thief and without being able to give satisfactory account of himself, or

(*e*) having in his possession without lawful excuse (the burden of proving which excuse shall be on such person) any implement of house breaking,

shall, on conviction, be punished with imprisonment for a term which may extend to three months.

97. Carrying weapon without authority.—Whoever not being a member of the armed forces of the Union and acting as such or a Police Officer, goes armed with sword, spear, bludgeon, gun or other offensive weapon or with any explosiv any street or public place unless so

authorised by lawful authority, shall be liable to be disarmed by any Police Officer, and the weapon or substance so seized shall be forfeited to the State Government, unless redeemed within two months by payment of such fine not exceeding five hundred rupees as the Commissioner or the District Magistrate in areas under his respective charges imposes.

98. Possession of property of which no satisfactory account can be given.—Whoever has in his possession or conveys in any manner, or offers for sale or pawn, anything which there is reason to believe is stolen property, or property fraudulently obtained, shall, if he fails to account for such possession or act to the satisfaction of the Magistrate, on conviction, be punished with imprisonment for a term which may extend to three months or with fine which may extend to one hundred rupees or with both.

99. Omission by pawnbroker, etc., to report to the Police the possession or tender of property suspected to be stolen.—Whoever being a pawnbroker, dealer in second hand property, or worker in metals or reasonably believed by the Commissioner or the Superintendent in the area under their respective charges to be such a person, and having received from a Police Officer a written or printed information that the possession of any property suspected to have been transferred by any offence mentioned in section 410 of the Indian Penal Code or by any offence punishable under sections 417, 418, 419 or 420 of the said Code, is found in possession or thereafter comes into the possession or has an offer either by way of sale, pawn, exchange or for custody, alteration or otherwise, howsoever made to him of property answering the description contained in such information shall, unless,—

(i) he forthwith gives information to the Commissioner or the Superintendent, as the case may be, or at a Police Station, of such possession or offer and takes all reasonable means to ascertain, and to give information as aforesaid of the name and address of the person from whom the possession or offer was received, or

78

(ii) the property being, as an article of common wearing apparel or otherwise, incapable of identification from the written or printed information given, has in no way concealed after the receipt of such information,

on conviction, be punished with fine which may extend to fifty rupees in respect of each such article of property so in his possession or offered to him.

100. Melting, etc., of such property.—Whoever, having received such information as is referred to in section 99, alters, melts, defaces or puts away or causes or suffers to be altered, melted, defaced or put away without the previous permission of the police, any such property, shall, on proof that the same was stolen property within the meaning of section 410 of the Indian Penal Code, or property in respect of which an offence punishable under sections 417, 418, 419 or 420 of the said Code has been committed, be punished with imprisonment for a term which may extend to three years or with fine or with both.

101. Taking pledge from a child.—Whoever takes from any child not appearing to be above the age of fourteen years any article whatsoever as a pawn, pledge or security for any sum of money lent, advanced or delivered to such child, or without the knowledge and consent of the owner of the article, buys from such child any article whatsoever, shall, on conviction, be punished with fine which may extend to one hundred rupees.

102. Penalty for permitting disorderly conduct at places of public amusements, etc.—Whoever, being the keeper of any place of public amusement or entertainment, knowingly permits drunkenness or other disorderly behaviour or any gaming whatever, in such place shall, on conviction be punished with a fine which may extend to one hundred rupees.

103. Penalty for contravention of orders under section 31.—Save as provided in section 105, whoever,-

(*a*) contravenes any orders made under section 31 or any of the conditions of a licence issued under such order, or

(*b*) abets the commission of any offence under clause (*a*),

shall, on conviction, be punished,—

(i) if the order under which the said licence was issued was made under clauses(*n*) and (*o*) of sub-section (1) of section 31 with fine which may ex

(ii) if the order contravened was made under clause (*y*) of sub-section (1) of section 31, with imprisonment which may extend to three months or with fine which may extend to five hundred rupees or with both;

(iii) if the order contravened or the order under which the said licence was issued was made under any other clause, with fine which may extend to fifty rupees or in default to simple imprisonment which may extend to eight days.

104. Liability of licensee of place of public entertainment for acts of servants.—The holder of a licence granted under this Act in respect of a place of public entertainment shall be responsible, as well as an actual offender for any offence under section 103 committed by his servants or other agents acting with his express or implied permission on his behalf, as if he himself had committed the same unless he establishes that all due and reasonable precautions were taken by him to prevent the commission of such an offence.

105. Penalty for not obtaining a licence or for not renewing the licence within the specified period in respect of public entertainment.—(1) Whoever fails to obtain a licence under this Act in respect of a place of public entertainment or to renew a licence granted under this Act in respect of such a place within the prescribed period, shall, on conviction, be punished with fine which may extend to fifty rupees.

(2) Any court trying such an offence shall, in addition, direct that the person keeping a place of public entertainment in respect of which an offence has been committed, shall close such place until he obtains the licence, or a fresh licence, as the case may be, in respect thereof and thereupon such person shall forthwith comply with such direction.

(3) If a person fails to comply with any direction under sub-section (2), he shall on conviction, be punished with imprisonment for a term which may extend to one month or with fine which may extend to two hundred rupees, or with both.

(4) Without prejudice to any action taken under sub-section (3), on failure of such a person to comply with the directions of the court, any Police Officer authorised by the Commissioner or the District Magistrate, as the case may be, by an order in writing, may take or cause to be taken such steps and use or cause to be used such force as may, in the opinion of such officer, be reasonably necessary for securing compliance with the court's direction.

106. Penalty for disobedience to order under section 30.—Whoever contravenes, disobeys, opposes, or fails to conform to an order under section 30 requiring him to vacate any premises, shall, on conviction, be punished with imprisonment which may extend to three months or with fine which may extend to five hundred rupees or with both.

107. Penalty for contravening rules, etc., under section 33 or 34.—Whoever,—

(*a*) contravenes any rule made under section 33, or

(*b*) contravenes, disobeys, opposes or fails to conform to any order given by a Police Officer under section 34,

shall, on conviction, be punished with fine which may extend to [1][five hundred rupees][1]

1. Substituted by Act 6 of 1998 w.e.f. 25.10.1997

108. Penalty for contravention of rules or directions under section 35, 38 or 39,—Whoever disobeys an order lawfully made under section 35, 38 or 39 or abets the disobedience thereof, shall, on conviction, be punished,—

(i) if the order disobeyed or of which the disobedience was abetted was made under sub-section (1) of section 35, or under section 38 or section 39, with imprisonment for a term which may extend to one year but shall not, except for reasons to be recorded in writing, be less than four months and shall also be liable to fine;

(ii) if the said order was made under sub-section (2) of section 35, with imprisonment which may extend to one month or with fine which may extend to one hundred rupees; and

(iii) if the said order was made under sub-section (3) of section 35, with fine which may extend to one hundred rupees.

109. Penalty for contravening orders under section 36[1][,36A][1] or 37.—Whoever contravenes or disobeys any order or direction made under section 36 [1][,36A][1] or section 37 or any conditions of a licence granted thereunder or abets the contravention or disobedience thereof shall, on conviction, be punished with imprisonment for a term which may extend to three months or with fine which may extend to five hundred rupees or with both.

1. Inserted by Act 26 of 2011 w.e.f. 26.04.2011.

110. Penalty for contravening direction under section 40 or order under section 41.—(1) Whoever opposes or fails to conform to any direction given by the Police under section 40, shall on conviction, be punished with fine which may extend to two hundred rupees.

(2) Whoever fails to comply with an order made under section 41, shall, on conviction, be punished with fine which may extend to twenty-five rupees for every day that order continues to be disobeyed by him.

111. Penalty for contravention of a regulation made under section 42.- Whoever contravenes or abets the contravention of any regulation made under section 42, shall, on conviction, be punished with imprisonment which may extend to three months or with fine which may extend to two hundred rupees or with both.

112. Penalty for contravening directions under section 70.—Whoever opposes or fails to conform to any direction given by a police officer under section 70 or abets the
opposition or failure to do so, shall, on conviction, be punished with fine which may extend to fifty rupees.

113. Penalty for contravention of directions under sections 54, 55, 56 or 63.—Whoever opposes or disobeys or fails to conform to any direction issued under sections 54, 55, 56 or 63 or abets opposition to or disobedience of any such direction shall, on conviction, be punished with imprisonment which may extend to one year, but shall not, except for reasons to be recorded in writing, be less than four months, and shall also be liable to fine.

114. Penalty for entering area from which person has been directed to remove himself.—Notwithstanding anything contained in section 61, any person who, in contravention of a direction issued to him under sections 54, 55, 56 or 63 enters the area from which he was directed to remove himself, shall on conviction, be punished with imprisonment for a term which may extend to two years, but shall not, except for reasons to be recorded in writing be less than six months, and shall also be liable to fine[1][which shall not be less than twenty five thousand but which may extend to rupees one lakh.][1]

1. Inserted by Act 28 of 2021 w.e.f. 05.10.2021.

115. Penalty for failure to surrender in accordance with sub-section (3) of section 62.—Whoever fails without sufficient cause to surrender in accordance with sub-section (3) of section 62, shall, on conviction, be punished with imprisonment which may extend to two years and shall also be liable to fine.

116. Penalty for contravention of orders under section 64.—(1) Whoever contravenes any order made under sub-section (1) of section 64, shall, on conviction, be punished with imprisonment for a term which may extend to one year or with fine or with both.

(2) Whoever contravenes any order made under sub-section (2) of section 64, shall, on conviction, be punished with imprisonment for a term which may extend to three years or with fine or with both.

117. Neglect or refusal to serve as Special Police Officer.—Any person who having been appointed a Special Police Officer under section 19, without sufficient cause, neglects or refuses to serve as such or to obey any lawful order or direction that may be given to him for the performance of his duties, shall, on conviction, be punished with fine which may extend to fifty rupees.

118. Penalty for making false statement, etc., and for misconduct of Police Officer.—(1) (i) Any person who makes a false statement or uses a false document for the purposes of obtaining employment or release from employment as a Police Officer, or

(ii) any Police Officer who,—

(*a*) contravenes the provisions of section 28; or
(*b*) is guilty of cowardice; or
(*c*) resigns his office or withdraws himself from the duties thereof in contravention of section 27; or

(*d*) is guilty of any wilful breach, or neglect of any provision of law or of any rule or order which, as such Police Officer, it is his duty to observe or obey, or

(*e*) is guilty of any violation of duty for which no punishment is expressly provided by any other law in force,

shall, on conviction be punished with imprisonment for a term which may extend to three months or with fine which may extend to one hundred rupees, or with both.

(2) A Police Officer who, being absent on leave, fails, without reasonable cause, to report himself for duty on the expiration of such leave, shall, for the purposes of sub-clause (*c*) of clause (ii) of sub-section (1) be deemed to withdraw himself from the duties of his office within the meaning of section 27.

119. Penalty for failure to deliver up certificate of appointment or of office or other article.—Any Police Officer, who wilfully neglects or refuses to deliver up his certificate of appointment or of office or any other article, in accordance with the provisions of sub-section (1) of section 29, shall, on conviction, be punished with imprisonment for a term which may extend to one month, or with fine which may extend to two hundred rupees or with both.

120. Vexatious entry, search, arrest, etc., by a Police Officer.—Any Police Officer who,—

(*a*) without lawful authority or reasonable cause enters or searches, or causes to be entered or searched, any building, room, enclosure, vehicle, vessel, tent or place; or (*b*) vexatiously and unnecessarily seizes the property of any person; or

(*c*) vexatiously and unnecessarily detains, searches or arrests any person; or

(*d*) offers any unnecessary personal violence to any person in his custody; or

(*e*) holds out any threat or promise not warranted by law,

shall for every such offence, on conviction, be punished with imprisonment for a term which may extend to six months or with fine which may extend to five hundred rupees, or with both.

121. Penalty for vexatious delay in forwarding a person arrested.—Any Police Officer who veraciously and unnecessarily delays forwarding any person arrested to a [1][Judicial Magistrate][1] or to any other authority to whom he is legally bound to forward such person,

shall, on conviction, be punished with imprisonment for a term which may extend to six months or with fine which may extend to five hundred rupees or with both.

1. Substituted by Act 13 of 1965 w.e.f 1.10.1965

122. Penalty for opposing or not complying with direction given under section 72.—Whoever opposes or fails forthwith to comply with any reasonable direction given by a Magistrate or a Police Officer under section 72 or abets opposition thereto or failure to comply therewith, shall, on conviction, be punished with imprisonment for a term which may extend to one year, but shall not, except for reasons to be recorded in writing, be less than four months and shall also be liable to fine.

123. Penalty for causing disaffection, etc.—(1) Whoever intentionally causes or attempts to cause, or does any act which he knows is likely to cause, disaffection towards the Government established by law in India, among the members of the police force, or induces or attempts to induce, or does any act which he knows is likely to induce, any member of the police force to withhold his services or to commit a breach of discipline shall be punished with imprisonment for a term which may extend to six months, or with fine which may extend to two hundred rupees, or with both.

***Explanation.*—**Expressions of disapprobation of the measures of the Government with a view to obtain their alteration by lawful means, or of the disapprobation of the administrative or other action of the Government, do not constitute an offence under this section unless they cause or are made for the purpose of causing or likely to cause disaffection.

(2) Nothing shall be deemed to be an offence under this section which is done in good faith,—

(*a*) for the purpose of promoting the welfare or interests of any member of the police force by inducing him to withhold his services in any manner authorised by law; or

(*b*) by or on behalf of any association formed for the purpose of furthering the interests of members of the police force as such, where the association has been authorised or recognised by the Government and the act done is done under any rules or articles of the association which have been approved by the Government.

(3) No court shall take cognizance of any offence under this section except with the previous sanction, or on the complaint, of the District Magistrate.

(4) No court inferior to that of a magistrate of the first class shall try any offence under this section.

(5) Notwithstanding anything contained in Chapter XXII of the Code of Criminal Procedure, 1898, no offence under this section shall be triable summarily.

124. Jurisdiction when offender is a Police Officer above the rank of a constable.—Offences against this Act, when the accused person or any one of the accused persons is a Police Officer above the rank of a constable, shall not be cognizable except by a Magistrate not lower than a Magistrate of the second class.

125. Penalty for unauthorised use of police uniform.—If any person not being a member of the police force wears, without the permission of the officer authorised by the Government in this behalf or by a general or special order for any area in the State, the uniform of the police force or any dress having the appearance or bearing any of the distinctive marks of that uniform, he shall, on conviction be punished with fine which may extend to two hundred rupees.

126. Prosecution for certain offences against the Act to be in the discretion of the police.—It will not except in obedience to a rule or order made by the Government or by the competent authority, be incumbent on the Police to prosecute for an offence punishable under sections 92, 93, 103, 106, 110, 111 or 117 when such offence has not occasioned serious mischief and has been promptly desisted from on warning given.

127. Summary disposal of certain cases.—(1) A court taking cognizance of an offence punishable [1][under sub-section (1) of section 92 or][1] under clause (iii) of section 103, for contravention of an order made under clause (*b*) of sub-section (1) of section 31, may state upon the summons to be served on the accused person that he may, by a specified date prior to the hearing of the charge, plead guilty to the charge by registered letter and remit to the Court such sum, not exceeding twenty-five rupees, as the court may specify.

1. Inserted by Act 18 of 1975 w.e.f 15.5.1975

(2) Where an accused person pleads guilty and remits the sum specified, no further proceedings in respect of the offence shall be taken against him.

128. Prosecution for offences under other enactments not affected.—Nothing in this Act shall be construed to prevent any person from being prosecuted and punished under any other enactment for any offence made punishable by this Act or from being prosecuted and punished under this Act for an offence punishable under any other enactment:

Provided that all such cases shall be subject to the provisions of section 403 of the Code of Criminal Procedure, 1898.

[1]**[128A.Certain offences to be Cognizable, Non-bailable,-** (1) All offences under chapter VII except section 87; and all offences under section 90, 108, 113, 114 and 123 under chapter VIII shall be cognizable and non-bailable;

(2) Offences under section 87 shall be cognizable and bailable.][1]

1. Inserted by Act 28 of 2021 w.e.f 05.10.2021.

CHAPTER IX

VILLAGE POLICE

129. Constitution of Village Police.—The village Police shall consist of a police patel and such village police officers of such grades as may be prescribed.

130. Administration, control and direction of village police in whom vested.—The administration of the village police in each district shall, under the general control and direction of the Government be exercised by the District Magistrate.

131. Power to delegate.—The District Magistrate may with the sanction of the Government delegate any of his powers under this Chapter to,—

(i) the Superintendent; and

(ii) any officer of the Revenue Department in the district exercising the powers of a Magistrate.

Such officer is hereinafter referred to in this Chapter as "the authorised officer".

132. Village Police in village to be under charge of Police Patel.—(1) Subject to such rules which may be made by the Government in this behalf, the village police in each village shall be appointed by the District Magistrate and shall be under the charge of such person as the District Magistrate shall appoint in writing as the Police Patel.

(2) In any village or place, where the duties cannot be efficiently performed by one police patel, the District Magistrate may appoint one or more additional Police Patels and place them in charge of different divisions into which the village or place may be divided for police purposes.

(3) The District Magistrate may also appoint a Police Patel for more than one village.

133. Duties of Police Patel.—The Police Patel shall, subject to the orders of the District Magistrate,—

(i) act under the orders of the authorised officer and within whose jurisdiction the village is situated;

(ii) furnish such authorised officer with any returns or information called for and keep him informed as to the state of crime and all matters connected with the Village Police;

(iii) afford all police officers every assistance in his power when called upon by them for assistance in the performance of their duties;

(iv) obey and execute all orders issued to him by a Magistrate or a Police Officer;

(v) collect and communicate to the Police Officer information affecting the public peace;

(vi) detect and bring offenders in the village to justice;

(vii) arrest persons whom he has reason to believe to have committed cognizable offences; and

(viii) prevent within the limits of his village, as far as possible, the commission of offences and public nuisances.

134. Authority over the village servants.—The Police Patel shall have authority to require all village servants, in whatever capacity ordinarily employed, to aid him in performing the duties entrusted to him; and it shall be the duty of the village revenue accountant, whether hereditary or stipendiary, to help the Police Patel in the preparation of returns and proceedings.

135. Precautions against robbery, etc.—The Police Patel shall arrange for the distribution of the village police in the village so as to afford utmost possible security against robbery, breach of the peace and acts injurious to the public and to the village community and shall report to the Magistrate or officer in charge of the police station within whose local jurisdiction the village is situated, all instances of misconduct or neglect committed by any member of the village police.

136. Information received regarding commission of cognizable offences.—The Police Patel shall convey to the police officer in charge of a police station within whose local jurisdiction the village is situated, immediate report of the information which he may receive respecting the commission within the limits of his village of murders, dacoities, robberies, thefts, mischiefs by fire and other cognizable offence and shall take necessary measures to preserve the evidence and protect properties connected with the offence, pending the arrival of such police officer.

137. Penalties for neglect of duty and punishment.—(1) The District Magistrate or the authorised officer may for misconduct, neglect of duty, or for any other sufficient cause, impose on any police patel or member of the village police liable to be called upon for the performance of police duties, any of the following punishments, namely:—

(i) fine not exceeding one-fourth of the annual emoluments of his office;

(ii) suspension from office for a period not exceeding six months.

(2) Subject to the provisions of Article 311 of the Constitution, the District Magistrate may, for misconduct, neglect of duty or other sufficient cause, impose on any Police Patel or member of the village police liable to be called for the performance of police duties the punishment of removal or dismissal from office.

(3) Any person aggrieved by an order under sub-section (1) or (2), may within sixty days from the date of receipt of such order, appeal to the prescribed officer and the decision of the prescribed officer on such appeal shall be final.

138. Liability to criminal prosecution not affected.—Nothing in the last preceding section shall affect the liability of any Police Patel or other member of the village police to criminal prosecution for any offence with which he may be charged.

139. Information to Officer in charge of Police Station, when a criminal in the village has escaped or is not known.—If an offence has been committed within the limits of the village and the offender has escaped or is not known, the Police Patel shall forward immediate information to the officer in charge of the police station within whose local jurisdiction the village is situated.

140. Information regarding unnatural or sudden death or corpse found in the village.—If any unnatural or sudden death occurs or any corpse be found within the limits of the village, the Police Patel shall send immediate written information to the officer in charge of the police station within whose local jurisdiction the village is situated and shall assist such Police Officer in any inquest, inquiry or investigation which may be held in respect of such death.

141. Police Patel to arrest person whom he believes to have committed a cognizable offence, and forward him to the police station, etc.—(1) It shall be lawful for the Police Patel to arrest any person within the limits of his village, who, he may have reason to believe has committed an offence for which a Police Officer may arrest without warrant and to forward such person within twenty-four hours of such arrest, together with all articles likely to be useful as evidence to the officer in charge of the police station within whose local jurisdiction the village is situated.

(2) The Police Patel shall have authority in carrying out any pursuit of alleged criminals to enter and act within the limits of other villages, provided that in such cases immediate information shall be sent to the Police Patel of the village so entered who shall afford all assistance in his power to continue the pursuit.

142. Unclaimed Property.—It shall be lawful for the Police Patel to take charge of all unclaimed property found within the village limits or made over to him under the provisions of this Act. He shall forthwith make a report to the District Magistrate or the authorised officer and act thereafter as he may be directed by the said Magistrate, or officer.

143. Provision in case of absence, sudden illness, etc., of Police Patel.—When the Police Patel is unable to attend to his duty on account of absence from the village, sudden illness or other cause, he shall place a competent member of the Village Police in charge of his office and make an immediate report to the District Magistrate or authorised officer to whom he is subordinate. The person so placed in charge shall, until receipt of orders to the contrary, be subject to the rights and liabilities of a Police Patel under this Act.

CHAPTER X

STATE RESERVE POLICE FORCE

144. Definitions.—In this Chapter, unless the context otherwise requires,—

(*a*) "active duty" means,—

(i) the duty to investigate offences involving a breach of peace or danger to life or property and to search for and apprehend persons concerned in such offences or who are so desperate and dangerous as to render their being at large hazardous to the community;

(ii) the duty to take all adequate measures for the extinguishing of fires or to prevent damage to person or property on the occasion of such occurrences as fires, floods, earthquakes, enemy action or riots and to restore peace and preserve order on such occasions;

(iii) such other duty as may be specified to be active duty by the Government or the Inspector-General in a direction issued under section 151;

(*b*) 'Commandant' and 'Assistant Commandant' mean respectively persons appointed to be those officers by Government under section 146;

(*c*) 'follower' means any person appointed to do the work of a cook, mess servant, washerman, cobbler, barber, tailor, sweeper or an orderly in connection with the State Reserve Police Force;

(*d*) 'members of the subordinate ranks' means members of the State Reserve Police of and below the rank of Subedar Major;

(*e*) 'Reserve Police Officer' means any member of the State Reserve Police Force established under this Chapter;

(*f*) 'superior officer' means in relation to any Reserve Police Officer, a Reserve Police Officer of a higher rank than, or of a higher grade in the same class as, or of the same rank as, but senior to, himself.

145. Constitution of the State Reserve Police Force.—(1) [1][The Government may establish][1] and maintain an armed reserve police force known as the State Reserve Police Force, in such manner as may be prescribed.

1. Substituted by Act 18 of 1975 w.e.f 15.5.1975

(2) The Government or any officer empowered by it in this behalf may,—

(*a*) divide the State Reserve Police Force into battalions;

(*b*) sub-divide each battalion into companies and each company into platoons;

(*c*) post any battalion, company or platoon at such places as the Government or the officer empowered by it in this behalf may deem fit.

146. Superintendence, control and administration of Force.—(1) The Government may appoint for each battalion a Commandant who shall be a person of the rank of a Superintendent and Assistant Commandments of the rank of Deputy Superintendents.

(2) The Commandant, the Assistant Commandant, and every such other officer so appointed shall have and may exercise such powers and authority as may be provided by or under this Act.

(3) Subject to the general or special orders of the Government the Inspector-General of Police shall appoint the Subedar Majors and Subedars.

147. Enrolment.—(1) Before any person appointed to be a Reserve Police Officer joins his appointment a declaration in the form in Schedule II shall be read out and, if he so desires, explained to him in the presence of a Commandant or an Assistant Commandant or a Police Officer not lower in rank than a Superintendent or a Deputy Commissioner of Police and shall be signed by him in token of his having undertaken to abide by the conditions prescribed therein. The declaration shall then be attested by such Commandant, Assistant Commandant or Police Officer, as the case may be.

(2) No Reserve Police Officer shall resign his appointment except in accordance with the terms of the declaration signed by him under sub-section (1).

(3) If any Reserve Police Officer resigns in contravention of this section, he shall be liable, without prejudice to any other penalty imposed by this Act or any other law for the time being in force, on the order of the Commandant to forfeit all arrears of pay due to him.

148. Transfers.—(1) Notwithstanding anything contained in this Act, it shall be competent for the Government to transfer members of the Police Force appointed under Chapter II, to the State Reserve Police Force established under this Chapter and *vice versa*:

Provided that the Government may delegate its power under sub-section (1) in so far as it relates to the members of the subordinate ranks of the respective Police Force to the Inspector-General.

(2) On the transfer of a member of the Police Force appointed under Chapter II to the State Reserve Police Force established under this Chapter, or *vice versa*, he shall be deemed to be a member of the Police Force to which he is transferred and in the performance of his functions, he shall, subject to such orders as the Government may make, be deemed to be vested with the powers and privileges and be subject to the liabilities, of a member of such grade in the Police Force to which he has been transferred, as may be specified in the orders.

149. Certificate of appointment.—(1) A Subedar Major and Subedar shall, on appointment, receive from the Inspector-General a certificate of appointment containing particulars of his name, age and his previous service, if any.

(2) Every Reserve Police Officer below the rank of a Subedar shall on appointment receive a certificate in the form of Schedule III, which shall be issued under the seal of the Commandant.

(3) Every person who for any reason ceases to be a Reserve Police Officer, shall forthwith deliver up to an officer empowered by the Commandant to receive the same, his certificate of appointment and the

arms, accoutrements, clothing and other necessaries which have been furnished to him for the execution of his office.

150. General powers of Commandant.—The Commandant shall, subject to the orders of the Inspector-General of Police, direct and regulate all matters of arms, drill, exercise, mutual relations, distribution of duties, and all the matters of executive detail in the fulfilment of their duties by the members of the battalion in his charge.

151. General duties of members of the State Reserve Police Force.—(1) Every Reserve Police Officer shall, for the purposes of this Act, be deemed to be always on duty in the [1][State of Karnataka][1] and any Reserve Police Officer and any member or body of Reserve Police Officers may, if the Government or the Inspector-General of Police so directs, be employed on active duty for so long as and wherever the service of the same may be required.

1. Adapted by the Karnataka Adaptations of Laws Order 1973 w.e.f. 1.11.1973

(2) Every direction issued under sub-section (1) shall specify that the duty on which any Reserve Police Officer or any member or body of such officers is directed to be employed shall be deemed as active duty for the purpose of this Act.

Explanation.—The direction of the Government or of the Inspector-General of Police whether a Reserve Police Officer is required or is on active duty shall be final.

(3) A Reserve Police Officer employed on active duty under sub-section (1), or when a member or body of Reserve Police Officers are so employed, the officer in charge of such member or body shall be responsible for the efficient performance of that duty and all police officers who but for the employment of one or more reserve police officers or body of reserve police officers would be responsible for the performance of that duty will, to the best of their ability, assist and co-operate with the said reserve police officer or officers in charge of a member or body of reserve police officers.

152. Reserve Police Officer to be deemed to be in charge of Police Station.—(1) When employed on active duty at any place under sub-section (1) of section 151, the senior reserve police officer of the highest rank not being lower than that of a Naik present shall be deemed to be an officer in charge of the police station for the purposes of Chapter IX of the Code of Criminal Procedure, 1898.

(2) Notwithstanding anything contained in sections 100 and 103 of the Indian Penal Code, a Reserve Police Officer employed as aforesaid may, when there is reasonable apprehension of assault on himself or any Reserve Police Officer or of damage or harm to any property or person which or whom it is his duty to protect, use such force to the wrong doer or assailant as may be reasonably necessary even though the use of such force may involve risk of death of the wrong doer or the assailant or any other person assisting such wrong doer or assailant.

153. Offence in respect of resignation contrary to provisions.—If any reserve police officer resigns his appointment in contravention of section 147, he shall be punished with imprisonment for a term which may extend to one year or with fine which may extend to one thousand rupees or with both.

154. Offence in respect of refusal to deliver certificate of appointment, etc.—Any reserve police officer who wilfully neglects or refuses to deliver up his certificate of appointment or any other article in accordance with sub-section (3) of section 149, shall be punished with imprisonment for a term which may extend to three months or with fine which may extend to five hundred rupees or with both.

155. More heinous offences.—Every Reserve Police Officer who,—

(*a*) begins, excites, causes, or conspires to cause or joins in any mutiny, or being present at any mutiny, does not use his utmost endeavours to suppress it by force of arms, if necessary, or knowing, or having reason to believe in, the existence of any mutiny, or of any intention or conspiracy to mutiny or of any conspiracy against the State does 92 not, without delay, give information thereof to his superior officer present at or near the place, or

(*b*) uses, or attempts to use criminal force to, or commits an assault on his superior officer, knowing or having reason to believe him to be such, whether on or off duty; or

(*c*) shamefully abandons or delivers up any post, guard, building, fortification, or property which is committed to his charge, or which it is his duty to defend; or

(*d*) in the presence of any person in arms against whom it is his duty to act, shamefully casts away his arms or his ammunition or intentionally uses words of any other means to induce any reserve police officer or any police officer to abstain from acting against any such person in arms, or to discourage such officer from acting against any such person in arms or who is otherwise guilty of cowardice or misbehavior in the presence of any such person in arms; or

(*e*) directly or indirectly holds correspondence with, or communicates intelligence to, or assists, or relieves, any person in arms against the State, or any person conspiring against Government or public security or any person to be arrested, or omits to discover immediately to his superior officer present, any such correspondence or communication coming to his knowledge; or

(*f*) directly or indirectly sells, gives away, or otherwise disposes, or agrees to, or assists in, the sale, gift or disposal of any arms, ammunition or equipment to any such person as aforesaid, or knowingly harbors or protects any such person; or

(*g*) while on active duty,—

(i) disobeys the lawful command of his superior officer; or

(ii) deserts his force or his post; or

(iii) being a sentry, or otherwise detailed to remain alert, sleeps at his post or quits it without being regularly relieved or without leave; or

(iv) without authority leaves his commanding officer for any purpose whatsoever; or

(v) uses criminal force to, or commits an assault on, any person whom he has not any reason to believe to be in arms against the State and against whom it is his duty to act, or without authority breaks into any house or other place for plunder or any illegal purpose, or wilfully and unnecessarily plunders, destroys or damages any property of any kind; or

(vi) intentionally causes or spreads a false alarm in action or in camp, garrison or quarters,

shall, on conviction, be punished with rigorous imprisonment for a term which may extend to fourteen years and shall also be liable to fine.

Explanation.—A Reserve Police Officer shall be deemed to desert the force if he leaves his place of duty or posting without the permission of his superior officer and he shall be deemed to desert his post if he leaves any sentry, beat, point, building, vehicle, or other place at which or in which he is specifically ordered by his superior officer to perform the duty assigned to him.

156. Less heinous offences.—Every Reserve Police Officer who,-

(*a*) assaults or uses or attempts to use criminal force to any sentry; or

(*b*) being in command of a guard, piquet or patrol, refuses to receive any prisoner lawfully made over to his charge, or whether in such command or not, releases any prisoner or person without proper authority or negligently suffers any prisoner or person to escape; or

(*c*) being in command of a guard, piquet or patrol, permits any person belonging to such guard, piquet or patrol to engage himself in gambling or other behaviour prejudicial to good order and discipline; or

(*d*) being under arrest or in confinement, leaves his arrest or confinement before he is set at liberty by lawful authority; or

(*e*) is grossly insubordinate to his superior officer in the execution of his office; or

(*f*) refuses to superintend or assist in making or carrying out of any construction of any description ordered to be made either in quarters or in the field; or

(*g*) assaults or otherwise ill-uses any reserve police officer with reference to whom he is a superior officer; or

(*h*) designedly or through neglect damages or loses or fraudulently or without due authority disposes of his arms, clothes, tools, equipment, ammunition, accoutrements or other necessaries furnished to him for the execution of his office or any such articles entrusted to him or to any other person; or

(*i*) malingers, feigns, or produces disease or infirmity in himself or intentionally delays his cure or aggravates his disease or infirmity; or

(*j*) with intent to render himself or any other person unfit for duty, voluntarily causes hurt to himself or any other person; or

(*k*) commits extortion or without lawful authority extorts from any person carriage, porterage or provisions; or

(*l*) willfully or negligently ill-treats, injures or causes the death of any animal or damages, loses, or makes away with any animal or vehicle used in the public service,

shall, on conviction, be punished with rigorous imprisonment for a term which may extend to six months or with fine which may extend to five hundred rupees or with both.

157. Reserve Police Officer in command to give information of offences committed under the Act by Reserve Police Officer under his charge.—A Reserve Police Officer who, being in command of any guard, piquet, party, patrol or detachment and knowing of the commission or of a design to commit any offence punishable under the preceding three sections, by or on the part of any reserve police officer under his command, intentionally omits or without reasonable excuse, the burden of proving which shall lie on him, fails to give information of such commission or design to his superior officer shall, on conviction, be punished with rigorous imprisonment for a term which may extend to six months or with fine which may extend to five hundred rupees or with both.

158. Place of imprisonment and liability to dismissal on imprisonment.—(1) Every person sentenced under this Act to imprisonment may be dismissed from the State Reserve Police Force, and his pay, allowance and any other moneys due to him, as well as any medals and decorations received by him shall further be liable to forfeiture.

(2) Every such person shall, if he is so dismissed, be imprisoned in the prescribed prison, but if he is also not dismissed from the State Reserve Police Force, he may, if the Court so directs, be confined in the quarter-guard or such other place as the Court may consider suitable.

159. Minor punishments.—(1) A Commandant, or subject to the control of the Commandant, an Assistant Commandant or subject to the same control, an officer not below the rank of Jamadar in independent command of a detachment or an outpost or in temporary command of Group Headquarters during the absence of the Commandant or Assistant Commandant may award to any reserve police officer not higher in rank than a Battalion Havildar Major or to any follower subject to his authority, any of the following punishments for the commission of any offence against discipline which is not otherwise provided for in this Act, or which in the opinion of the Commandant, Assistant Commandant or officer, as the case may be, is not of sufficiently serious nature to call for the prosecution before a criminal court, that is to say,—

(*a*) punishment drill, extra guard, fatigue or any other duty for a term which may extend when the order is passed by the Commandant to fourteen days, and, when the order is passed by any other officer, to seven days;

(*b*) forfeiture of pay and allowance or such portion of pay and allowance as he considers necessary for a period which may extend, when the order is passed by the Commandant, to one month, and when the order is passed by any other officer, to ten days;

(*c*) fine to an amount not exceeding one month's pay:

Provided that,—

(i) no power under this sub-section shall be exercised by a Commandant or Assistant Commandant or other officer not below the rank of a Jamadar unless the person to be awarded any of these punishments is under the command of such officer at the time when the breach of discipline or misconduct occurred and also when the power is exercised, and

(ii) when more than one officer are competent under proviso (i) to exercise the power, the most senior of such officers shall exercise the power.

(2) Any of the punishments specified in sub-section (1) may be awarded separately or with any one or more of the others:

Provided that fine shall not be awarded in combination with forfeiture of pay or allowances.

(3) No appeal shall lie from any order or punishment passed under this section except from an order of punishment of fine as provided in sub-section (4).

(4) An appeal against any order awarding punishment of fine shall lie to the Government or to such officer as the Government may by general or special order specify in this behalf.

(5) Whenever a Commandant or an Assistant Commandant or other officer passes an order under sub-section (1), he shall enter in a book to be kept for the purpose a brief description of the default, together with the names of witnesses, explanation of the defaulter and the order of punishment and shall sign and date each such order.

160. Protection for acts of members of Force.—(1) In any suit or proceeding against any member of the State Reserve Police Force for any act done by him in pursuance of a warrant or order of a competent authority, it shall be lawful for him to plead that such act was done by him under the authority of such warrant or order.

(2) Any such plea may be proved by the production of the warrant or order directing the act, and if it is so proved, the member of the said Force shall thereupon be discharged from liability in respect of the act so done by him, notwithstanding any defect in the jurisdiction of the authority which issued such warrant or order.

161. Reserve police officer to be a police officer.—Except as specifically provided in this Chapter, every Reserve Police Officer shall for all purposes be deemed to be a police
officer as defined in section 2, and the provisions of this Act shall except in so far as they are inconsistent with the provisions of this Chapter apply to every such Reserve Police Officer.

CHAPTER XI

MISCELLANEOUS

162. Disposal of fees, rewards, etc.—All fees paid for licences or written permissions issued under this Act, and all sums paid for the service of processes by Police Officers, and all rewards, forfeiture and penalties or shares thereof which are by law payable to Police Officers as informers, shall save in so far as any such fees or sums belong under the provisions of any enactment in force to any local authority, be credited to the Government:

Provided that with the sanction of the Government, or under any rule made by the Government in that behalf the whole or any portion of such reward, forfeiture or penalty may, for special services, be paid to a Police Officer, or be divided amongst two or more Police Officers.

163. Power of Government to make rules.—(1) The Government may, after previous publication, by notification in the official Gazette make rules for carrying out the purposes of this Act.

(2) In particular and without prejudice to generality of the foregoing power, such rules may provide for all or any of the following matters, namely:—

(i) organisation and regulation of the Village Police such as (*a*) the relation of members of the Village Police Force to one another and to the regular Police, (*b*) the power or duties of Village Police Officers of different grades, (*c*) the manner of appointment of Police Patel and other Village Police Officers and the procedure to be followed in making such appointment;

(ii) for the registration, surveillance, and control of gangs or classes or persons believed to be addicted to the systematic commission of crime and for the recording of finger impressions by the Police of any person who,—

(*a*) is in custody for a non-bailable offence, or

(*b*) has no settled abode and is suspected to

(*c*) is a member of a gang or class of persons generally addicted to crime;

(iii) (*a*) regulation of the number, classes and grades of the State Reserve Police force and its administration and inspection;

(*b*) recruitment, organisation, classification, and discipline of the subordinate ranks of the State Reserve Police; and

(*c*) description and quantity of arms, accoutrements, clothing and other necessaries to be furnished to the members of the Police.

(*d*) disposal of property taken charge under section 75.

(3) For every breach of any rule under clause (ii) of sub-section (2), the offender shall, on conviction, be punished with imprisonment not exceeding eight days or with fine not exceeding ten rupees.

(4) All rules made by the Government under this Act, shall be laid as soon as may be after they are made, before each House of the State Legislature while it is in session, for a total period of thirty days, which may be comprised in one session or in two successive sessions and if, before the expiry of the session in which it is so laid or the session immediately following, both Houses agree in making any modification in the rule or both Houses agree that the rule should not be made, the rule shall thereafter have effect only in such modified form or be of no effect, as the case may be; so however that any such modification or annulment shall be without prejudice to the validity of anything done under that rule.

(5) All rules made under this Act shall, subject to any modification made under sub-section (4), have effect as if enacted in this Act.

164. Method of proving orders and notifications.—Any order or notification published or issued by the Government or by a Magistrate or Officer under any provision of this Act, and the due publication or issue thereof, may be proved by production of a copy thereof, in the official Gazette or of a copy thereof signed by such Magistrate or Officer, and by him certified to be a true copy of the original published or issued according to the provisions of the section of this Act applicable thereto.

165. Rules and order not invalidated by defect in form or irregularity in procedure.—No rule, order, direction, adjudication, inquiry or notification made or published, and no act done under any provision of this Act or of any rule made under this Act, or in substantial conformity to the same, shall be deemed illegal, void, invalid or insufficient by reason of any defect of form or any irregularity of procedure.

166. Presumptions in prosecutions for contravention of directions issued under sections 54, 55, 56, or 63.—Notwithstanding anything contained in any law for the time being in force in a prosecution for an offence for the contravention of a direction issued under sections 54, 55, 56, or 63 on the production of an authentic copy of the order, it shall, until the contrary is proved and the burden of proving which shall lie on the accused, be presumed,—

(*a*) that the order was made by the authority competent under this Act to make it;

(*b*) that the authority making the order was satisfied that the grounds on or the purpose for which it was made existed and that it was necessary to make the same; and

(*c*) that the order was otherwise valid and in conformity with the provisions of this Act.

167. Officers holding charge of, or succeeding to, vacancies competent to exercise powers.—Whenever in consequence of the office of a Commissioner, or Police Officer becoming vacant, any officer holds charge or additional charge of the post of such Commissioner, or Police Officer or succeeds, either temporarily or permanently, to his office, such officer shall be competent to exercise all the powers and perform all the duties respectively conferred and imposed by this Act on such Commissioner, or Police Officer, as the case may be.

168. Forfeiture of bond entered into by person permitted to enter or return to the area from which he was directed to remove himself.—If any person permitted under sub-section (1) of section 62 fails to observe any condition imposed under the said sub-section or in the bond entered into by him under sub-section (2) of the said section, his bond shall be forfeited and any person bound thereby shall pay the penalty thereof or show cause to the satisfaction of the court why such penalty should not be paid.

169. Protection of Magistrate, Police Officer or public servant.—(1) No Magistrate or Police Officer shall be liable to any penalty or to payment of damage on account of any act done in good faith in pursuance or intended pursuance of any duty imposed on any authority conferred on him by any provision of this Act or of any other law for the time being in force or any rule, order or direction made or given therein.

(2) No public servant or person duly authorised or appointed shall be liable to any penalty or to payment of any damages for giving effect in good faith to any such order or direction issued with apparent authority by the Government or by a person empowered in that behalf under this Act or any rule or order or direction made or given thereunder.

170. Suits or prosecutions in respect of acts done under colour of duty as aforesaid not to be entertained without sanction of Government.—(1) In any case of alleged offence by the Commissioner, a Magistrate, Police Officer or Reserve Police Officer or other person, or of a wrong alleged to have been done by such Commissioner,
Magistrate, Police Officer or Reserve Police Officer or other person, by any act done under colour or in excess of any such duty or authority as aforesaid, or wherein it shall appear to the court that the offence or wrong if committed or done was of the character aforesaid, the prosecution or suit shall not be entertained except with the previous sanction of the Government.

(2) In the case of an intended suit on account of such a wrong as aforesaid, the person intending to sue shall be bound to give to the alleged wrongdoer one month's notice at least of the intended suit with sufficient description of the wrong complained of, failing which such suit shall be dismissed.

(3) The plaint shall set forth that a notice as aforesaid has been served on the defendant and the date of such service, and shall state whether any, and if so, what tender of amends has been made by the defendant. A copy of the said notice shall be annexed to the plaint endorsed or accompanied with a declaration by the plaintiff of the time and manner of service thereof.

171. Licences and permissions to specify conditions, etc. and to be signed.—(1) Any licence or written permission granted under the provisions of this Act shall specify the period and locality for which, and the conditions and restrictions subject to which, the same is granted, and shall be given under the signature of the competent authority and such fee shall be charged therefor as is prescribed by any rule under this Act in that behalf.

(2) Any licence or written permission granted under this Act may at any time be suspended or revoked by the competent authority if any of its conditions or restrictions is infringed or evaded by the person to whom it has been granted if such person is convicted of any offence in any matter to which such licence or permission relates.

(3) When any such licence or written permission is suspended or revoked, or when the period for which the same was granted has expired, the person to whom the same was granted, shall, for all purposes of this Act, be deemed to be without a licence or written permission, until the order for suspending or revoking the same is cancelled, or until the same is renewed, as the case may be.

(4) Every person to whom any such licence or written permission has been granted shall, while the same remains in force, at all reasonable times produce the same, if so required by a Police Officer.

Explanation.—For the purpose of this section any such infringement or evasion by, or conviction of, a servant or other agent acting on behalf of the person to whom the licence or written permission has been granted shall be deemed to be infringement, or evasion by or as
the case may be, conviction of, the person to whom such licence or written permission has been granted.

172. Public notices how to be given.—Any public notice required to be given under any of the provisions of this Act shall be in writing under the signature of a competent authority and shall be published in the locality to be affected thereby, affixing copies thereof in conspicuous public places, or by proclaiming the same with beat of drums, or by advertising the same in such local newspapers, as the said authority may deem fit, or by any two or more of these means and by any other means it may think suitable.

173. Consent, etc., of a competent authority may be proved by writing under his signature.—Whenever under this Act, the doing or the omitting to do anything or the validity of anything depends upon the consent, approval, declaration, opinion or satisfaction of a competent authority a written document signed by a competent authority purporting to convey or set forth such consent, approval, declaration, opinion or satisfaction shall be sufficient evidence thereof.

174. Signature on notices, etc., may be stamped.—Every licence, written permission, notice or other document, not being a summons or warrant or search warrant, required by this Act, or by any rule thereunder to bear the signature of the Commissioner, shall be deemed to be properly signed if it bears a facsimile of his signature stamped thereon.

175. Saving in respect of rescission of certain provisions.—When,—

(i) any rule or order is made under this

(ii) any rule or order made under this Act is rescinded, or

(iii) any provision of sub-section (1) of section 92 is extended to any local area for a limited period, or

(iv) the extension of any provision of sub-section (1) of section 92 to any local area is rescinded,

the provisions of section 6 of the [1][Karnataka][1] General Clauses Act, 1899, shall be applicable as if the rule, order or provision in question were a permanent enactment and had been repealed immediately before its expiry or recession, as the case may be.

1. Adapted by the Karnataka Adaptations of Laws Order 1973 w.e.f. 1.11.1973

176. Saving of games of skill.—For the removal of doubts it is hereby declared that the provisions of sections 79 and 80 shall not be applicable to the playing of any pure game of skill [1][XXX][1].

1. Omitted by Act 28 of 2021 w.e.f. 05.10.2021.

177. Persons interested may apply to Government to annul, reverse or alter any order.—In the case of any rule or order made by the Government under an authority conferred by this Act and requiring the public or a particular class of persons to perform some duty or act, or to conduct or order themselves or those under their control in a manner therein described, it shall be competent to any person interested to apply to the Government, to annul, reverse or alter the rule or order aforesaid on the ground of its being unlawful, oppressive or unreasonable.

(2) After such an application as aforesaid and the rejection thereof wholly or in part or after the lapse of six months without an answer to such application or a decision thereon published by the Government, it shall be competent to the person interested and deeming the rule or order contrary to law to institute a suit against the State for a declaration that the rule or order is unlawful either wholly or in part. The decision in such suit shall be subject to appeal; and a rule or order finally adjudged to be unlawful shall by the Government be annulled or reversed or so altered as to make it conformable to law.

178. Repeal and saving.—The enactments mentioned in Schedule IV and any other laws or rules corresponding to any provision of this Act are hereby repealed:

Provided that the provisions of section 6 of the [1][Karnataka][1] General Clauses Act, 1899, shall be applicable in respect of the repeal of the said enactments and laws and sections 8 and 24 of the said Act shall be applicable as if the said enactments and laws had been repealed and re-enacted by this Act.

1. Adapted by the Karnataka Adaptations of Laws Order 1973 w.e.f. 1.11.1973

179. Power to remove difficulties.—If any difficulty arises in giving effect to the provisions of this Act in consequence of the transition to the said provisions from the provisions of the Acts in force immediately before the commencement of this Act, the Government may, by notification in the official Gazette, make such provisions as appear to it to be necessary or expedient for removing the difficulty.

* * * *

SCHEDULE I

(*See* section 13).

Certificate of Appointment in the Police Force.

[1][State of Karnataka][1]

No . . . . . .

Certificate of appointment issued under the [1][Karnataka][1] Police Act, 1963 . . . . . .

Photograph to be affixed in the case of Inspectors and Sub-Inspectors.

Shri . . . . . .

has been appointed as . . . . . and is invested with the powers, functions and privileges of a Police Officer under the [1][Karnataka][1] Police Act, 1963 ([1][Karnataka][1] Act 4 of 1964).

On the . . . . . day of . . . . . .19 .

Seal Signature . . . . . Designation . . . . . .

Particulars—

1. Father's Name . . . . . 2. Native place . . . . . 3. Age . . . . . .

Photograph to be affixed in the case of Inspector and sub-Inspector.

4. Length of previous service, if any . . . . .

1. Adapted by the Karnataka Adaptations of Laws Order 1973 w.e.f. 1.11.1973

SCHEDULE II

(*See* section 147).

Form of Declaration to be Signed Before Joining Appointment in the State Reserve Police Force.

1. (Name in full) . . . . . (designation in the case of a member of a Police Force/address in the case of direct recruit) . . . . . I . . . . . .

. . . . . declare that,—

(1) I am willing to serve, wherever posted, in the State Reserve Police Force.

(2) I shall not be entitled to resign my appointment in the State Reserve Police Force or to apply for a transfer to any other Police Force until I have completed the prescribed period of service in the State Reserve Force, and

(3) I shall not be entitled to resign my appointment or to apply for the transfer in the manner specified in (2) above even after the completion of the prescribed period of service, if on the relevant date I am on active duty or if my resignation or transfer as the case may be would cause the vacancies in my Group to exceed such percentage of the sanctioned strength of the Group as may for the time being have been prescribed by the State Government.

Signature in token of the above declaration having been read out and explained to the declarant and of his having understood and accepted it.

Date . . . . . .

Place . . . . . .

Signed in my presence after I had satisfied myself that (name in full) . . . . . .

(designation in the case of a member of a Police Force/full address in the case of a direct recruit) . . . .

. . . . . has understood and accepted the declaration and signed it in my presence.

Signature . . . . . .

Designation of the Officer before who the declaration is signed.

Commandant or Assistant Commandant or Police Officer.

Date . . . . . .

Place . . . . . .

SCHEDULE III

(*See* section 149).

Form of Certificate for a State Reserve Police Officer below the rank of a Subedar.

Seal of the
Commandant

A B has been appointed to the State Reserve Police Force in the [1][State of Karnataka][1] and is vested with the powers, functions and privileges of a Reserve Police Officer under the [1][Karnataka][1] Police Act, 1963 ([1][Karnataka][1] Act 4 of 1964).

Signature. . . . . .

Commandant,
State Reserve Police Force,
Group . . . . . .

. . . . . .

1. Adapted by the Karnataka Adaptations of Laws Order 1973 w.e.f. 1.1.1973

SCHEDULE IV

(*See* section 178).

Year	*No.*	*Short title*
(1)	*(2)*	*(3)*
1861	Central Act V	The Police Act, 1861.
1867	Central Act III	The Public Gambling Act, 1867.
1922	Central Act XXII	The Police (Incitement to Disaffection) Act, 1922.
1867	Bombay Act VIII	The Bombay Village Police Act, 1867.
1887	Bombay Act IV	The Bombay Prevention of Gambling Act, 1887.
1951	Bombay Act XXII	The Bombay Police Act, 1951.
1951	Bombay Act XXXVIII	The Bombay State Reserve Police Act, 1951.
1305 F	Hyderabad Act II	The Hyderabad Gambling Act, 1305 Fasli.
1329 F	Hyderabad Act X	The Hyderabad District Police Act, 1329 Fasli.
1951	Hyderabad Act XXIX	The Hyderabad Public Security Measures Act, 1951.
1816	Madras Regulation XI	The Madras Village Police Regulation, 1816.
1821	Madras Regulation IV	The Madras Village Police Regulation, 1821.
1859	Madras Act XXIV	The Madras District Police Act, 1859.
1888	Madras Act II of 1888	Madras Places of Public Resort Act, 1888.
1930	Madras Act III	The Madras Gambling Act, 1930.
1948	Madras Act III	The Madras Suppression of Disturbances Act, 1948.
1948	Madras Act VIII	The Police (Madras Amendment) Act, 1948.

1908	Mysore Act V	The Mysore Police Act, 1908.
1952	Mysore Act XXVII of 1952	The Mysore Places of Public Resort Act, 1952.

NOTIFICATIONS

I

Bangalore, dated the 27th March, 1965. [No. HD 21 PEG 65]

S.O. 2185.—In exercise of the powers conferred by sub-section (3) of Section 1 of the Mysore Police Act, 1963 (Mysore Act No. 4 of 1964), the Government of Mysore hereby appoint 2nd day of April 1965 as the date on which the said Act shall come into force.

By Order and in the name of the Governor of Mysore,

(M.S.SHANKARA RAO)

Secretary.

II

Bangalore, dated 16th September, 1965. [No. HD 15 POR 65]

S.O. 3164.—In exercise of the powers conferred by sub-section (3) of Section 1 of the Code of Criminal Procedure (Mysore Amendment) Act, 1965 (Mysore Act 13 of 1965), the Government of Mysore hereby appoints the First-day of October 1965 as the date on which the said Act shall come into force.

By Order and in the name of the Governor of Mysore,

(R.SRINIVASAN)

Under Secretary.

III

Bangalore, dated 4th March, 1992. [No. DPAR 3 SDE 92]

S.O. 463.- In exercise of the powers conferred by sub-section (2) of section 1 of the Karnataka State Civil Services Act, 1978 (Karnataka Act No. 14 of 1990) the Government of Karnataka hereby appoints the Second day of April, 1992 as the date on which the provisions of the Karnataka Civil Services Act, 1978 shall come into force.

By Order and in the name of the Governor of Karnataka,

(MOTIRAM PAWAR)

Under Secretary to Government

Dept. of personnel and Administrative Reforms 2 (Service Rules).

* * * *

KARNATAKA ACT NO. 49 OF 2013

(First Published in the Karnataka Gazette Extra-ordinary on the Eighteenth day of June, 2013)

THE KARNATAKA POLICE (AMENDMENT) ACT, 2013

(Received the assent of the Governor on the Eighteenth day of June 2013) An Act further to amend the Karnataka Police Act, 1963.

Whereas it is expedient further to amend the Karnataka Police Act, 1963 (Karnataka Act No. 4 of 1964) for the purposes hereinafter appearing;

Be it enacted by the Karnataka State Legislature in the sixty-fourth year of the Republic of India, as follows:-

1. Short title and commencement.- (1) This Act may be called the Karnataka Police (Amendment) Act, 2013.

(2) It shall come into force at once.

(Sections 20B and 20F are incorporated in the Principal Act).

2. Amendment of section 20 B.- In the Karnataka Police Act, 1963 (Karnataka Act 4 of 1964) (hereinafter referred to as the principal Act), in section 20B,-

(i) for sub-section (1), the follo ely:-

" (1) The State Government shall, by notification in the official Gazette, establish a Police Establishment Board with the Director General and Inspector General of Police as Chairman and three senior police officers not below the rank of Additional Director General of Police as members to be nominated by the Government. Additional Director General of Police (Administration) shall be the Member Secretary";

(ii) in sub-section (2), clause (c) shall be omitted;

(iii) for sub-section (4), the following shall be substituted, namely:-

107

"(4) The Government may modify the decision of the Police Establishment Board after recording its reasons for doing so."

3. Amendment of section 20 F.- In section 20Fof the principal Act,-

(i) for sub-section (1), the following shall be substituted, namely:-

"(1) Subject to superannuation, the officers who are in operational duties or such other duties as may be notified by the Government from time to time shall have a minimum tenure of one year:

Provided that any such officer may be transferred by the Police Establishment Board or by the Government as the case may be from his post before the expiry of the minimum tenure consequent upon,-

(h) promotion to a higher post; or

(i) on conviction, or charges having been framed by a court of Law in a criminal offence; or

(j) imposition of punishment of dismissal, removal, discharge or compulsory retirement from service or of reduction to a lower rank awarded under the relevant discipline and appeal rules; or

(k) suspension from the service in accordance with the provisions of the said rules; or

(l) incapacitation by physical or mental illness or otherwise becoming unable to discharge his functions and duties; or

(m) the need to fill up a vacancy caused by promotion, transfer or retirement; or

(n) on request of the officer concerned in writing:

Provided further that the Government may, transfer an officer before the expiry of his minimum tenure on account of misconduct or gross negligence or an act of moral turpitude in the opinion of the State Government".

(ii) for sub-section (2), the following shall be substituted, namely:-

"(2) Subject to superannuation, the Additional Director General of Police, the Inspector General of Police in charge of Range or Superintendent of Police in charge of a District including Additional Superintendent of Police who are on operational duties in the field or such other duties as may be notified by the Government from time to time shall have a minimum tenure of one year:

Provided that the Government may transfer such officer within a period of one year for reasons of gross misconduct or negligence or an act of 108 moral turpitude in the opinion of the State Government or under

circumstances specified in the provisos to sub-section (1)".

KARNATAKA ACT NO. 22 OF 2016

(First Published in the Karnataka Gazette Extra-ordinary on the Twenty Seventh day of July, 2016)

THE KARNATAKA POLICE (AMENDMENT) ACT, 2016

(Received the assent of the Governor on the Twenty Sixth day of July, 2016)

An Act further to amend the Karnataka Police Act, 1963.

Whereas it is expedient further to amend the Karnataka Police Act, 1963 (Karnataka Act 4 of 1964) for the purposes hereinafter appearing;

Be it enacted by the Karnataka State Legislature in the sixty-seventh year of the Republic of India, as follows:-

1. Short title and commencement.- (1) This Act may be called the Karnataka Police (Amendment) Act, 2016.

(2) It shall come into force at once.

Section 20D, 31 and 36A are Incorporated in the Principal Act.

KARNATAKA ACT NO.28OF 2021

THE KARNATAKA POLICE (AMENDMENT) ACT, 2021

(Received the assent of the Governor on the 4th day of October,2021)

An Act further to amend the Karnataka Police Act, 1963.

Whereas it is expedient further to amend the Karnataka Police Act, 1963 (Karnataka Act 4 of 1964), for the purpose hereinafter appearing:

Be it enacted by the Karnataka State Legislature in the Seventy second year of the Republic of India as follows:-

1. Short title and commencement.-(1) This Act may be called the Karnataka Police (Amendment) Act, 2021.

(2) It shall come into force at once.

2. Amendment of Section 2.-In section 2 of the Karnataka Police Act, 1963 (Karnataka Act 04 of 1964) (here in after referred to as the Principal Act) in clause (3),-

(a) after the words “Profit or gain” occurring in two places the words “or otherwise” shall be inserted.

(b) in clause (7),

(i) for the words "gaming" does not include a lottery but includes all forms of wagering or betting in connection with any game of chance except wagering or betting on a horse-race run on any race course within or outside the State, when such wagering or betting takes place" the words "gaming means and includes online games, involving all forms of wagering or betting, including in the form of tokens valued in terms of money paid before or after issue of it, or electronic means and virtual currency, electronic transfer of funds in connection with any game of chance, but does not include a lottery or wagering or betting on horse-race run on any race course within or outside the State, when such wagering or betting takes place” shall be substituted.

(ii) in the explanation in item (i) the following shall be inserted at the end, namely:-

"any act or risking money, or otherwise on the unknown result of an event including on a game of skill and any action specified above carried out directly or indirectly by the players playing any game or by any third parties".

(c) for clause (11) the following shall be substituted, namely:-

"(11) 'Instruments of gaming' includes any article used or intended to be used as a subject or means of gaming, including computers, computer system, mobile app or internet or cyber space, virtual platform, computer network, computer resource, any communication device, electronic applications, software and accessory or means of online gaming, any document, register or record or evidence of any gaming in electronic or digital form, the proceeds of any online gaming as or any winning or prizes in money or otherwise distributed or intended to be distrubted inrespect of any gaming;

Explanation: The words ‘computer’, ‘communication device’, ‘computer network’, ‘computer resource’, ‘computer system’, ‘cyber café’ and ‘electronic record’ used in this Act shall have the respective meaning
assigned to them in the Information Technology Act, 2000 (Central Act 21 of 2000)".

(d) after clause (12) the following shall be inserted, namely:-

"(12A) “Online gaming” means and includes games as defined in clause (7) played online by means of instruments of gaming, computer, computer resource, computer net work, computer system or by mobile app or internet or any communication device, electronic application, software or on any virtual platform;"

(e) In clause (13), the following shall be inserted at the end, namely:-

"including a recreation club or on virtual platform, mobile app or internet or any communication device, electronic application, software, online gaming and computer resource as defined in Information Technology Act, 2000(Central Act 21 of 2000) or under this Act;"

3. Amendment of Section 78.-In section 78 of the Principal Act, In sub-section (1) in clause (a),-

(a) after the words "enclosure, vehicle, vessel or place" the words and figures "or at cyber café or online gaming involving wagering or betting including computer resource or mobile application or internet or any communication device as defined in the Information Technology Act, 2000 (Central Act 21 of 2000)" shall be inserted.

(i) in clause (vi) after the words "depend on chance or" the words "skill of other" shall be inserted.

(ii) after the clause (vi) the following shall be inserted, namely:-

"(vii)on any act on risking money or otherwise on the unknown result of an event including on a game of skill"; or

(iii) in the hanging para for the words "one year" the words "three years" and for the words "one thousand" the words "one lakh" shall be substituted.

(iv) in the proviso for the words “one month” the words “six months” and for the words “five hundred” the words “ten thousand” shall respectively be substituted;

(b) In sub-section (2),-

(i) after the words "sub section or present" the words "or aids or abets" shall be inserted;

(ii) for the words "one month" the words "six months" and for the words "five hundred" the words "ten thousand" shall be respectively substituted;

(c) In sub-section (3), for the words "three months" the words "one year" and for the words "three hundred" the words "twenty thousand" shall be respectively substituted.

4. Amendment of Section 79.- In section 79 of the Principal Act,-

(i) in the hanging para, for the words "one year" the words "three years" shall be substituted and after the word "fine" the words "up to rupees one lakh" shall be inserted;

(ii) in the proviso,-

(a) in clause (a) for the words "three months" the words "six months" and for the words "five hundred" the words "ten thousand" shall be respectively substituted;

(b) in clause (b) for the words "six months" the words "one year" and for the words "five hundred" the words "fifteen thousand" shall be respectively substituted; and

(c) in clause (c) for the words "nine months" the words "eighteen months" and for the words "one thousand" the words "twenty thousand" shall be respectively substituted.

5. Amendment of Section 80.-In section 80 of the Principal Act,-

(i) for the words "one year" the words "three years" shall be substituted and after the word "fine" the words "upto rupees one lakh" shall be inserted;

(ii) in the proviso,-

(a) in clause (a) for the words "one month" the words "six months" and for the words "two hundred" the words "ten thousand" shall be respectively substituted;

(b) in clause (b) for the words "three months" the words "one year" and for the words "two hundred" the words "fifteen thousand" shall be respectively substituted; and

(c) in clause (c) for the words "six months" the words "eighteen months" and for the words "five hundred" the words "twenty thousand" shall be respectively substituted.

6. Amendment of Section 87.-In section 87 of the Principal Act,-

(a) after the words "suspected to be gaming" the words "or aiding or abetting such gaming" shall be inserted;

(b) for the words "three months" the words "six months" and for the words "three hundred" the words "Ten thousand" shall be respectively substituted.

7. Amendment of Section 114.- In section 114 of the Principal Act, after the words "fine" the words "which shall not be less than twenty five thousand but which may extend to rupees one lakh" shall be inserted.

8. Insertion of section 128A.-After section 128 the Principal Act the following shall be inserted, namely:-

"**128A.Certain offences to be Cognizable, Non-bailable,-**

(1) All offences under chapter VII except section 87; and all offences under section 90, 108, 113, 114 and 123 under chapter VIII shall be cognizable and non-bailable;

(2) Offences under section 87 shall be cognizable and bailable ."

9. Amendment of section 176.-In section 176 of the Principal Act, the words "and to wagering by persons taking part in such game of skill" shall be omitted.

By Order and in the name of
the Governor of Karnataka,

G. SRIDHAR
Secretary to Government
Department of Parliamentary
Affairs and Legislation

THE KARNATAKA POLICE (AMENDMENT) ACT, 2024 (Received the assent of the Governor on the 06th Day ofMarch 2024)

An Act further to amend the Karnataka Police Act, 1963.

Whereas it is expedient further to amend the Karnataka Police Act, 1963 (Karnataka Act 4 of 1964), for the purpose hereinafter appearing:

Be it enacted by the Karnataka State Legislature in the Seventy fifth year of the Republic of India as follows:-

1. Short title and commencement.- (1) This Act may be called the Karnataka Police (Amendment) Act, 2024.

(2) It shall come into force at once.

2. Amendment of Section 20-F.- In section 20-F of the Karnataka Police Act, 1963 (Karnataka Act 04 of 1964),-

(1) in sub-section (1), for the words "one year:" the words "two years:" shall be substituted.

(2) In sub-section (2),-

(i) the words "or Superintendent of Police in charge of a District including Additional Superintendent of Police" shall be omitted; and

(ii) the following shall be inserted at the end, namely:-

"and Superintendent of police in charge of District including Additional superintendent of police who are on operational duties in the field or such other duties as may be notified by the Government from time to time shall have a minimum tenure of two years".

By Order and in the name of
the Governor of Karnataka,

G. SRIDHAR
Secretary to Government
Department of Parliamentary
Affairs and Legislation

KARNATAKA ACT 23 OF 2026

THE KARNATAKA POLICE (AMENDMENT) ACT, 2026 (Received the assent of the Governor on the 7th day of April, 2026)

An Act further to amend the Karnataka Police Act, 1963.

Whereas it is expedient further to amend the Karnataka Police Act, 1963 (Karnataka Act 4 of 1964), for the purposes hereinafter appearing:

Be it enacted by the Karnataka State Legislature in the seventy seventh year of the Republic of India as follows:-

1. Short title and commencement.- (1) This Act may be called the Karnataka Police (Amendment) Act, 2026.

(2) It shall come into force at once.

2. Amendment of section 20-F.- In section 20F of the Karnataka Police Act, 1963 (Karnataka Act 04 of 1964), in sub-section (1),-

(i) in the first proviso, for clause (c), the following shall be substituted, namely:-

"(c) misconduct or gross negligence or dereliction of duty or an act of moral turpitude or";

(ii) the second proviso shall be omitted.

By Order and in the name of
the Governor of Karnataka,

G. SRIDHAR
Secretary to Government
Department of Parliamentary
Affairs and Legislation