

**CIRCULAR No. 03/2012**

**Sub:- Police Personnel - Use of Publicity Material - Guidelines – Issued.**

- Ref :-**
- (1) The Police Forces (Restriction of Rights) Act, 1966.
  - (2) Article 33 of the Constitution of India.
  - (3) Executive Directive No. 12/2003 dated 22.08.2003.
  - (4) Circular No.27/2010 dated 13.05.2010.
  - (5) Kerala Police Act – 2011.
  - (6) G.O. (M.S) 134/1979/ Home, dated 4.10.1979.
  - (7) G.O. (M.S) 155/1979/ Home, dated 17.11.1979.

Article 33 of the Constitution of India restricts the Right to Freedom of Speech and Expression in relation to members of the Police Forces. The Police Forces (Restriction of Rights) Act, 1966 imposes restrictions on the rights of members of the Police Forces to form organisations and to enjoy freedom of Speech and Expression. Section 3 of the above Act is reproduced below:-

***"Restrictions respecting right to form association, freedom of speech, etc,-***

***(1) No member of a police force shall without the express sanction of the Central Government or of the prescribed authority,-***

***a. be a member of, or be associated in any way with, any trade union, labour union, political association or with any class of trade unions, labour unions or political associations; or***

***b. be a member of, or be associated in any way with, any other society, institution, association or organisation that is not recognised as part of the force of which he is a member or is not of a purely social, recreational or religious nature; or***

***c. communicate with the press or publish or cause to be published any book, letter or other document except where such communication or publication is in the bona fide discharge of his duties or is of a purely literary, artistic or scientific character or is of a prescribed nature.***

***(2) No member of a police force shall participate in, or address, any meeting or take part in any demonstration organised by any body of persons for any political purposes or for such other purposes as may be prescribed."***

2. The above restrictions are imposed to ensure that Police forces maintain political neutrality. Public must perceive the police to be politically neutral with regard to the activities of political parties. This is essential for maintenance of law and order and for upholding Rule of Law. Therefore the conduct of police personnel, both individually and collectively, must conform to the constitutional, legal, professional and practical requirements of maintenance

of political neutrality. In view of the above, the following further guidelines, in addition to those specified in the references cited, are issued with regard to publications and publicity by police personnel, whether individually or collectively or in the name of any recognised association:-

**(i)** No banners, posters, publicity boards, arches, views or notices shall be put up by police personnel in any place, website or computer resource, with regard to any matter concerning or involving or connected in any manner with the police department or any police duty except with the permission of the Unit Head, under prior intimation to ADGP (Intelligence) and the State Police Chief.

**(ii)** No condemnation, criticism, appreciation or evaluation of any individual or of any group or of any view shall be allowed by the Unit Head in any such material put up for public display or viewing, if such condemnation, criticism, appreciation or evaluation is likely to be interpreted or perceived as politically motivated or biased or as likely to be prejudicial to the image of professional neutrality to be maintained by the police forces in any controversy, dispute, investigation or legal proceedings.

**(iii)** Where any contribution or sanction or major achievement by any governmental authority or any elected representative of the people or any respectable benefactor or person is one which requires to be acknowledged or recognized formally, then the Unit Head or the State Police Chief may cause or permit such formal acknowledgment to be publicised or displayed in such manner as the State Police Chief may decide from time to time in each instance.

**(iv)** The requirement in sub para (1), with regard to prior intimation to be given to State Police Chief and ADGP (Intelligence), will not apply to those meetings of the recognised Police Associations which are permitted by the Unit Head or the publication of notices, banners, posters etc with regard to such permitted meetings which are conducted as per programme approved by the Unit Head. However the contents of such notices etc must not be prejudicial to the general image of professional neutrality to be maintained by the police.

**STATE POLICE CHIEF,  
KERALA.**

To : All Officers in List 'B'.  
Copy to : CAs to All Officers in PHQ, Circular File/Stock file.