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The Gazette of the Democratic Socialist Republic of Sri Lanka

EXTRAORDINARY

අංක 2436/11 - 2025 මැයි මස 16 වැනි සිකුරාදා - 2025.05.16
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(Published by Authority)

PART I : SECTION (I) — GENERAL

Government Notifications

NATIONAL POLICE COMMISSION

RULES made by the National Police Commission in accordance with the Powers vested in the Article 155K of the Constitution of the Democratic Socialist Republic of Sri Lanka.

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

At the office of the National Police Commission,
Block 09,
Bandaranayake Memorial International Conference Hall Premises,
Colombo 07,
On the date of 07th of May 2025.

Rules Made by the National Police Commission

01. These rules may be cited as “**Rules (Appeals Procedure) of the National Police Commission - 2025**”
02. Any police officer who is aggrieved by any **order** of promotion, transfer, disciplinary matter or any order made with regard to a dismissal of the service by a committee appointed for the exercise of the powers conferred under the articles 155 H and 155J of the constitution or by the Inspector General of Police or a police officer can submit a written appeal against such order in respect of him / her to the National Police Commission under the rules set out hereunder.



03. Submission of Appeals made against decision of promotions.

- 03.1 Any police officer aggrieved by an order of promotion made by authority with delegated powers may appeal to the Commission against such order.
- 03.2 An appeal made by an officer with regard to a promotion shall be made in the format of **Appendix No. 1**. He shall also submit certified copies of the relevant documents in support of his appeal.
- 03.3 A police officer shall submit an appeal to the Commission through an authority with delegated powers and the copies of such appeal shall also be submitted to the Inspector General of Police and the Head of the Institution. It shall be the duty of the authority with delegated powers to submit the appeals referred to him without delay to the Commission with his observations. The officer, if he so desires, may submit an advance copy of the appeal direct to the Commission.
- 03.4 An appeal against an order relating to a promotion made by an authority with delegated powers shall be made within 30 days of making the decision.
- 03.5 A retired officer making an appeal relating to a promotion due during the period he was in the police service on which a decision has been made by the authority with delegated powers after his retirement, shall submit such appeal within 30 days of the receipt of such decision direct to the Commission. However, he shall send the copy of the appeal also to his former Head of the Department or Head of the Institution.
- 03.6 The Inspector General of Police shall ensure that an appeal submitted by an officer for transmission to the Commission is delivered to it within 15 days of the receipt of the appeal together with all relevant files, documents and report and his observations and recommendation related hereto.
- 03.7 It is the responsibility of every police officer, including a retired police officer, to submit his appeal in compliance with the above-mentioned requirements and any appeal that does not conform to such requirements will not be considered by the Commission.
- 03.8 A police officer aggrieved by an order or a decision made by the Commission has right to prefer an appeal to the Administrative Appeals Tribunal (AAT) in accordance with the provisions of the Administrative Appeals Tribunal Act, No. 04 of 2002.

04. Submission of Appeals made against decision of other transfers other than annual transfers.

- 04.1 Any officer aggrieved by an order of transfer other than annual transfers made by a authority with delegated powers may appeal to the Commission against such order.
- 04.2 An appeal made by a police officer with regard to a transfer other than annual transfer shall be made in the format of **Appendix No. 2**. He shall also submit certified copies of relevant documents in support of his appeal.
- 04.3 A police officer shall submit an appeal to the Commission through the authority with delegated powers and the copies of such appeal shall also be submitted to the Inspector General of Police and the Head of Institution. It shall be the duty of the authority with delegated powers to submit that appeals referred to him without delay to the Commission with his observations. The officer, if he so desires, may submit an advance copy of the appeal direct to the Commission.
- 04.4 An appeal against an order relating to a transfer other than an annual transfer made by an authority with delegated powers shall be made within 14 days of the receipt of the transfer order by the officer concerned.
- 04.5 The Inspector General of Police shall ensure that an appeal submitted by an officer for transmission to the Commission is delivered to be received to the Secretary of the Commission within 15 days of the receipt of the appeal together with all relevant files, documents, and reports and his observations and recommendations related thereto.

- 04.6 It is the responsibility of every police officer to submit his appeal in compliance with the above requirements and any appeal that does not conform to such requirements will not be considered by the Commission.
- 04.7 A police officer aggrieved by an order or a decision made by the Commission has right to prefer an appeal to the Administrative Appeals Tribunal (AAT) in accordance with the provisions of the Administrative Appeals Tribunal Act, No. 04 of 2002.

05. Submission of Appeals made against orders of Vacation of Post (VOP)

- 05.1 If a person who is deemed to have vacated his post, submits an appeal in writing to his disciplinary authority giving an explanation regarding his absence and requesting reinstatement in service within three months on the date on which the notice of Vacation of Post was served, the disciplinary authority should consider his appeal in terms of the disciplinary rules.
- 05.2 If the Disciplinary Authority upon receipt of an appeal is of the view that the officer has not reported for duty due to acceptable reasons, he may order either the reinstatement or the reappointment of the officer in any of the following manner.
- i. With appropriate disciplinary punishments;
 - ii. Subject to appropriate conditions;
 - iii. With appropriate disciplinary punishments and appropriate conditions;
 - iv. Without punishments and conditions.
- 05.3 The total period of absence from service of the officer reinstated or reappointed in accordance with 05.2 above, shall be treated as no pay and such period shall not be considered as one that has entitlement for the purpose of any promotion or computation of pension benefits or granting of salary increments or any other benefits.
- 05.4 If the Disciplinary Authority considers that the matters set out in the appeal are unacceptable, he may reject the appeal for reinstatement.
- 05.5 Where the Disciplinary Authority is not being the National Police Commission, an officer may appeal against such decision or order made under Section 05.2 or 05.4 above to the Commission within a period of six (06) months from the date of such decision or the order.
- 05.6 The Commission may, upon consideration of such an appeal, vary or rescind or confirm the decision or the order made by the Disciplinary Authority or give some other appropriate direction as the Commission shall deem fit.
- 05.7 A police officer who is aggrieved by a decision or order made the Commission may prefer an appeal to the Administrative Appeal Tribunal (A AT) in terms of the provisions set out in the Administrative Appeal Tribunal Act, No. 04 of 2002.

6. Appeals made against Disciplinary Order.

- 06.1 A police officer aggrieved by any disciplinary order made by a disciplinary authority may appeal against such order to the Commission as the case may be.
- 06.2 An appeal should be made by the aggrieved officer himself. An appeal made by any other person on his behalf will not be entertained or acknowledged by the relevant Appellant Authority.
- 06.3 An officer aggrieved by a disciplinary order imposed on him by the National Police Commission or by a Police officer holding a delegated authority has the right of making only one appeal regarding one matter to the Commission against such order.

- 06.4 An appeal made in terms of Sub-section 6.3 above should be made within three months (03) of the receipt of the disciplinary order. However, appeals received after three months (03) but before six months (06) may also be entertained, at the discretion of the Commission, if there are valid reasons.
- 06.5 An appeal to the Commission by an officer in service should be made through his Head of the Department and the disciplinary authority. Handing over of the appeal to the Head of the Department before the expiry of three months of the delivery of the disciplinary order will be deemed as the appeal has been forwarded within the specified period. It will be the responsibility of the Head of Institution as well as the Disciplinary Authority to deal with appeals received by them expeditiously transmit them to the Commission, without delay, together with their observations and recommendations and all relevant files and documents in accordance with the provisions of the Establishment Code. An officer dismissed from the Police service should forward his appeal direct to the Secretary to the Commission under registered post.

07. General Matters

- 07.1 An appeal should be made by an officer in Service to the Commission through the Authority with Delegated powers. It is the responsibility of the Authority with Delegated powers to forward the appeal received by him to the Commission without delay with his observations. The advance copy of the appeal may submit direct to the Commission by the officer, if he so desires.
- 07.2 It is the responsibility of the relevant authority that an appeal made by an officer to transmit to the Commission shall be submitted to the Secretary of the Commission within 15 days of the receipt of the appeal by giving reference to the relevant files, documents and reports, together with his observations and recommendation.
- 07.3 With regard to such an order an officer may submit only one appeal to the Commission. The police officer in submitting the appeal shall **confirm through an affidavit** that the facts contained in his appeal as well as the documents submitted in support of the facts mentioned in the appeal are true and accurate.
- 07.3.1 Further, such an affidavit shall include the following: -
- Whether any other appeal was/is made earlier with regard to this matter in questions;
 - Whether there is a prevailing legal proceeding in the Administrative Appeal Tribunal or any other Court of Law in relation to the matter in question or whether a legal proceeding in such a court has been completed in that regard;
 - If so, relevant reference numbers /case numbers, judgments / decisions and other relevant details.
- 07.4 The following basic facts of the Appellant made the appeal shall also be mentioned in the appeal.
- Identity Card Number
 - Rank / Official Number
 - Present address
 - Telephone No.
 - Present or last Workstation
 - E-mail address (if any)
- 07.5 All appeals should be address to the Secretary of the Commission and unless otherwise stated, it should be sent under registered post or it should be hand delivered to the office of the National Police Commission and the Commission should issue **a receipt** upon the receipt of the appeal.

08. It is the responsibility of every officer including a retired officer to submit the appeal in terms of the requirements in these rules and any appeal that does not conform to such requirements will not be considered by the Commission.
09. The Commission's decision regarding an appeal submitted as mentored above will be communicated to the officer through the Inspector General of Police other than a dismissed officer and a copy of the same will also be sent to the officer concerned.
10. Where the Commission has given a decision / pronouncement regarding an appeal, the Commission shall not entertain any further appeals and/or applications and/or requests in respect of the relevant subject matter on which the Commission has already given a decision as stated above.
11. A police officer aggrieved by an order or a decision of the Commission has the right to appeal to the Administrative Appeals Tribunal (AAT) in accordance with the provisions of the Administrative Appeals Tribunal Act, No. 04 of 2002.
12. In the event of any inconsistency or contradiction between Sinhala, Tamil and English texts in these rules, then the Sinhala text shall prevail.
13. **“The Commission”** here means the “National Police Commission” established under Article 155 A of the constitution.
14. The above Appeal Procedure Rules have been published without prejudice to the provisions mentioned in the Rules of Procedure No. 2310/29 and dated 14.12.2022 of the Public Service Commission and the provisions of the Establishment Code, and it is informed that the said provisions will be followed further.
15. It is hereby declared that this Appeals Procedure Rules should be in operation with effect from 1st June 2025.
16. The **“Rules (Appeals procedure) of the National Police Commission, of 2023”** published in the *extraordinary gazette* notification No. 2345/45 on Wednesday, 16 August 2023, is hereby repealed.

Appendix - 01

(Section 03.2 of the Appeals Procedure Rules made by the National Police Commission)

Name with initials :
Address :
Date :

The Secretary to the National Police Commission
Through Head of Department / Institution
Through Inspector General of Police

(Appeal made against promotion)

1. Particulars of the Appellant

- 1.1. Full Name:
- 1.2. Private Telephone No.
- 1.3. Rank:
- 1.4. Present Workstation :
- 1.5. Institution :

2. Details on decision / order on which the appeal is based

- 2.1. By whom the decision /order on promotion was made (State the rank /designation of the authority who made the decision)
.....
- 2.2. State briefly as to what /order was made by the above authority on the promotion.
.....
- 2.3. The date on which the Appellant received the decision / order on the promotion.
.....
- 2.4. Certified copies of the letters containing the decision / order given on the promotion have been attached as following annexes.

Annex (1)
Annex (2)

3. Relief sought by the Appellant by submission of appeal.

.....
.....
.....

4. The reasons/facts given by the Appellant for seeking the relief stated under (03) above.

- 4.1.
- 4.2.
- 4.3.
- 4.4.
- 4.5. Certified copies of written facts in support of the above reasons / facts have been attached as following annexes.

Annex (1)
Annex (2)
Annex (3)

5. Declaration of the Appellant.

I declare that all the information given above is true and accurate to the best of my knowledge, and that I am well aware of the fact that the intentional furnishing of false and incorrect information will by itself lead to the dismissal of the appeal and be subject to the disciplinary action.

Signature:
Name :
Rank :

06. Observations/recommendations of the Head of the Department/Institution

.....

My observation of the above appeal are as follows.

1.
2.
3.
4.

Accordingly, I recommend granting relief sought by the Appellant is suitable / not suitable.

Signature:.....
Name :
Rank :.....

7. Observations / recommendations of Inspector General of Police

.....

My observation in the above appeal are as follows.

1.
2.
3.
4.

Accordingly, I recommend granting relief sought by the Appellant is suitable / not suitable.

Signature:.....
Name :
Rank :.....

Copy

01. Secretary, National Police Commission - (This advanced copy is forwarded to you for necessary action please).

Appendix 02

((Section 04.2 of the Rules of Appeals Procedure made by the National Police Commission))

Name with initials:

Address :.....

Date :

Secretary of the National Police Commission,
Through Head of Institution
Through Inspector General of Police

Appeal against non-annual transfer order

1. Particulars of the Appellant

- 1.1. Full Name :
- 1.2. Private Telephone No. :.....
- 1.3. Rank:.....
- 1.4. Present Workstation:
- 1.5. Division:

2. Details on decision / order on which appeal is based

- 2.1. By whom the transfer decision /order was made (State the designation / rank of the authority who made the decision)
.....

- 2.2. State briefly as to what transfer decision / order was made by the above authority.
.....

- 2.3. The date on which the officer received the transfer decision / order
.....

- 2.4. State clearly whether the transfer was made on exigencies of service or disciplinary grounds (please mark ✓ in the relevant cage).

Transfer base on exigencies of service

Transfer base on the disciplinary grounds

- 2.5 In the case of transfer on disciplinary grounds, state clearly as to what circumstances below under which it was made (mark ✓ in the relevant cage).

2.5.1. On the grounds revealed prior to commencement of a Preliminary Inquiry

2.5.2. On the grounds revealed during the course of a Preliminary Inquiry

2.5.3. On the grounds revealed subsequent to holding a Preliminary Inquiry

2.5.4. Inclusion of a transfer as a punishment of a disciplinary order issued after the Formal Disciplinary Inquiry

2.6. Certified copies of the letters containing the transfer decision / order above have been attached as following annexes.

- Annexure (1)
- Annexure (2)

N. B. It is possible to make an appeal by this format if a transfer is only included as a punishment of a disciplinary order as stated in 2.5.4 above. Where disciplinary order includes other punishments in addition to the transfer, a separate appeal should be made against such overall disciplinary order in terms of the provisions in Section 26:5 and 26:6 of the Chapter XLVIII of the Establishment Code.

3. Relief sought by the Appellant by the submission of the appeal

.....
.....
.....
.....

4. The reasons / facts given by the Appellant for seeking the relief stated under 03 above

- 4.1.
- 4.2.
- 4.3.
- 4.4.
- 4.5. Certified copies of written facts in support of the above reason / facts have been attached as following Annexes.
 - Annexure (1)
 - Annexure (2)
 - Annexure (3)

5. Declaration of the Appellant.

I declare that all the information above is true and accurate to the best of my knowledge, and, I am well aware of the fact that the intentional furnishing of false and incorrect information will by itself lead to the dismissal of the appeal and be subject to the disciplinary action.

Signature:.....
Name :
Rank :

6. Observations / recommendations of the Head of the Department / Institution My observations on the above appeal are given below.

- 1.....
- 2.....
- 3.....
- 4.....

Accordingly, I recommend granting relief sought by the Appellant is suitable / not suitable.

Signature:
Name :
Rank :

10A

7. Observations and/ recommendations of the Inspector General of Police

.....

My observation on the above appeal are given below.

- 1
- 2
- 3
- 4

Accordingly, recommended that the relief requested by the appellant is suitable / not suitable.

Signature:

Name :

Rank :

Copy

01. Secretary, National Police Commission - (This advanced copy is forwarded to you for necessary action please).

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