# IPC Section 170: Personating a public servant.

## IPC Section 170: Personating a Public Servant  
  
Section 170 of the Indian Penal Code (IPC) addresses the offense of personating a public servant. This section criminalizes the act of falsely representing oneself as a public servant to deceive others and potentially exploit that assumed authority for personal gain or to cause harm. It aims to protect the integrity of public institutions and prevent individuals from usurping the authority and trust associated with public office.  
  
\*\*The Text of Section 170:\*\*  
  
"Whoever pretends to hold any office as such public servant knowing that he does not hold such office or takes upon himself to act as such public servant knowing that he is not such public servant, shall be punished with imprisonment of either description for a term which may extend to two years, or with fine, or with both."  
  
  
\*\*Breaking Down the Elements of the Offense:\*\*  
  
1. \*\*Pretends to Hold Any Office as a Public Servant:\*\* This element focuses on the act of falsely representing oneself as holding a specific public office. This can involve wearing a uniform, displaying official insignia, using official stationery, claiming a specific title or designation, or making any other representation that creates the impression of holding a public office.  
  
 The representation must be related to a specific office. Merely claiming to be "connected" to the government or having "influence" without specifying a particular office does not fall under this section.  
  
2. \*\*Knowing that He Does Not Hold Such Office:\*\* The act of impersonation must be done knowingly and intentionally. The individual must be aware that they do not hold the public office they are claiming to represent. An honest mistake or unintentional misrepresentation does not constitute an offense under this section.  
  
3. \*\*Takes Upon Himself to Act as Such Public Servant:\*\* This element goes beyond mere representation and involves actively engaging in activities associated with the impersonated office. This can include issuing orders, conducting inspections, demanding payments, making arrests, or performing any other action typically associated with the duties of that public office.  
  
 The act performed need not be illegal in itself. Even performing a lawful act while impersonating a public servant can constitute an offense under this section. The key is the unauthorized assumption of authority associated with the impersonated office.  
  
4. \*\*Knowing that He is Not Such Public Servant:\*\* Similar to the second element, the individual must be aware that they are not authorized to act in the capacity of the public servant they are impersonating. The act must be performed knowingly and intentionally.  
  
  
\*\*Purpose of Section 170:\*\*  
  
The rationale behind Section 170 is multi-faceted:  
  
\* \*\*Protecting the Integrity of Public Office:\*\* Impersonating a public servant undermines the authority and legitimacy of public institutions. It erodes public trust in genuine public servants and can create confusion and disorder.  
  
\* \*\*Preventing Fraud and Deception:\*\* Individuals often impersonate public servants to deceive others for personal gain. This can involve soliciting bribes, extorting money, gaining access to restricted areas, or obtaining other benefits through fraudulent means.  
  
\* \*\*Maintaining Law and Order:\*\* Falsely representing oneself as a law enforcement officer or other authority figure can disrupt law and order and interfere with legitimate law enforcement activities.  
  
\* \*\*Preventing Obstruction of Justice:\*\* Impersonating a public servant can obstruct justice by interfering with investigations, influencing witnesses, or otherwise manipulating legal processes.  
  
  
\*\*Distinguishing Section 170 from Related Offenses:\*\*  
  
\* \*\*Section 416 (Cheating by personation):\*\* While both sections involve impersonation, Section 416 focuses on cheating someone out of property or valuable security by pretending to be someone else. Section 170 specifically targets impersonating a public servant, regardless of whether any property is involved.  
  
\* \*\*Section 419 (Punishment for cheating by personation):\*\* This section prescribes the punishment for the offense defined under Section 416. It is not directly related to Section 170.  
  
\* \*\*Specific offenses related to impersonating particular public servants:\*\* The IPC contains other sections that deal with impersonating specific public servants, such as police officers or judicial officers. These sections provide additional penalties for impersonating these specific categories of public servants due to the greater potential for harm associated with such impersonation.  
  
  
\*\*Examples of Personating a Public Servant:\*\*  
  
\* Pretending to be a police officer to extort money from someone.  
\* Wearing a military uniform without authorization and claiming to be an army officer.  
\* Falsely representing oneself as a tax inspector to collect illegal payments.  
\* Impersonating a government official to gain access to a restricted area.  
  
  
\*\*Punishment:\*\*  
  
The punishment for violating Section 170 is imprisonment of either description (simple or rigorous) for a term which may extend to two years, or with fine, or with both. The severity of the punishment depends on the specific circumstances of the case, the intent of the offender, and the potential harm caused by the impersonation.  
  
  
\*\*Conclusion:\*\*  
  
Section 170 of the IPC serves as a crucial safeguard against the fraudulent and potentially harmful practice of impersonating a public servant. By criminalizing such impersonation, it protects the integrity of public institutions, maintains law and order, and prevents individuals from exploiting the authority and trust associated with public office for personal gain or to cause harm. The broad scope of the section, encompassing various forms of impersonation and a range of potential motives, reflects the seriousness with which the law views this offense.