# IPC Section 20: “Court of Justice”.

Section 20 of the IPC does \*not\* define "Court of Justice" (that's Section 19). Section 20 defines \*\*"Public Servant."\*\*  
  
## IPC Section 20: "Public Servant" - A Detailed Explanation  
  
Section 20 of the Indian Penal Code (IPC) defines the term "public servant." This definition is crucial for a large number of offences within the IPC, as the status of the accused as a public servant often forms a key element of the crime. These offences typically relate to corruption, abuse of power, and dereliction of duty. Understanding the scope of "public servant" is therefore essential for the proper application of these provisions. The section is extensive and covers various categories of individuals. It states:  
  
"The words “public servant” denote a person falling under any of the descriptions hereinafter following: —  
  
1. Every Commissioned Officer in the Military, [Naval or Air] Forces of [India];  
2. Every Judge including any person empowered by law to discharge, whether by himself or as a member of any body of persons, any adjudicatory functions;  
3. Every officer of a Court of Justice whose duty it is, as such officer, to investigate or report on any matter of law or fact, or to make, authenticate, or keep any document, or to take charge or dispose of any property, or to execute any judicial process, or to administer any oath, or to interpret, or to preserve order in the Court of Justice, or to do any ministerial act relating to the administration of justice;  
4. Every juryman, assessor or member of a panchayat assisting a Court of Justice or public servant;  
5. Every arbitrator referred to by a Court of Justice or by a public servant;  
6. Every person who holds any office by virtue of which he is empowered to place or keep any person in confinement;  
7. Every officer of the Government whose duty it is, as such officer, to prevent offences, to give information of offences, to bring offenders to justice, or to protect the public health, safety or revenue;  
8. Every officer whose duty it is, as such officer, to take, receive, keep or expend any property on behalf of the Government, or to make any survey, assessment or contract on behalf of the Government, or to execute any revenue process, or to investigate, or to report, on any matter affecting the pecuniary interests of the Government, or to make, authenticate or keep any document relating to the pecuniary interests of the Government, or to prevent the infraction of any law for the protection of the pecuniary interests of the Government;  
9. Every officer whose duty it is, as such officer, to conduct or supervise an election or the preparation or revision of any electoral roll;  
10. Every person who holds any office in or under the Government other than offices held by virtue of clauses (1), (2), (3), (4), (5), (6), (7), (8) and (9) of this section, by virtue of which he is authorized to prepare, publish, notify or authenticate any document or sign or attest any document or to make any order, rule or bye-law having the force of law;  
11. Every person employed in or about the business of any public bank;  
12. Every person who holds any office which is declared by notification by the Central Government or any State Government, by general or special order, to be that of a public servant."  
  
  
This comprehensive definition covers various categories, including:  
  
\* \*\*Armed Forces Personnel:\*\* Commissioned officers in the military, naval, or air forces.  
\* \*\*Judicial Officers:\*\* Judges and individuals empowered to discharge adjudicatory functions.  
\* \*\*Court Officers:\*\* Officers responsible for various functions within courts of justice, such as investigating, reporting, maintaining records, and executing judicial processes.  
\* \*\*Persons Assisting Courts:\*\* Jury members, assessors, panchayat members assisting courts or public servants.  
\* \*\*Arbitrators:\*\* Arbitrators appointed by courts or public servants.  
\* \*\*Persons with Power of Confinement:\*\* Individuals authorized to confine others.  
\* \*\*Officers Preventing/Investigating Offences:\*\* Officers responsible for preventing offences, giving information about offences, bringing offenders to justice, and protecting public health, safety, or revenue.  
\* \*\*Officers Handling Government Property/Finances:\*\* Officers responsible for handling government property, making surveys, assessments, contracts, executing revenue processes, and protecting the government's pecuniary interests.  
\* \*\*Election Officers:\*\* Officers involved in conducting or supervising elections and electoral rolls.  
\* \*\*Officers Authenticating Documents/Making Rules:\*\* Officers authorized to prepare, publish, or authenticate documents, or make rules and bye-laws with legal force.  
\* \*\*Public Bank Employees:\*\* Employees of public sector banks.  
\* \*\*Officially Designated Public Servants:\*\* Any person declared a public servant by notification from the Central or State Government.  
  
\*\*Key aspects and implications of this definition:\*\*  
  
\* \*\*Breadth and Inclusivity:\*\* The definition is designed to be broad and inclusive, encompassing a wide range of individuals working in various capacities within the government and related institutions.  
\* \*\*Focus on Function:\*\* The emphasis is on the functions performed by the individual rather than their specific designation or title. It is the nature of their duties and responsibilities that determines whether they qualify as a public servant.  
\* \*\*Combating Corruption:\*\* This definition is crucial for combating corruption and abuse of power within the government and related institutions. By clearly identifying who qualifies as a public servant, the IPC provides a framework for holding individuals accountable for their actions.  
\* \*\*Challenges and Interpretative Issues:\*\* While the definition is comprehensive, challenges can arise in applying it to specific scenarios. Determining whether an individual's functions fall within the scope of Section 20 can sometimes be complex, especially in cases involving outsourced services or individuals working for private entities performing public functions.  
\* \*\*Judicial Interpretation:\*\* Judicial precedents play a significant role in clarifying the scope of "public servant." Courts have addressed various scenarios and provided interpretations that guide the application of this definition in different contexts. This evolving jurisprudence helps refine the understanding of "public servant" and ensures that the law remains relevant and effective.  
  
  
In conclusion, Section 20's definition of "public servant" is a critical component of the IPC. Its broad scope allows for accountability across various governmental and related sectors, contributing significantly to maintaining integrity and combating corruption. The ongoing judicial interpretation of this definition remains vital for addressing evolving scenarios and ensuring its continued effectiveness.