

The Police Act, 1888

UNION OF INDIA

India

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Act 3 of 1888

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The Police Act, 1888(3 of 1888)Statement of Objects and Reasons.-Under the provisions of the various Police Acts in force in British India, namely, Acts 24 of 1859 and 5 of 1861 and Bombay Act 7 of 1867, the employment of police officers is restricted to the presidency, province or place of the police establishment of which they are members. These provisions cause much inconvenience. In the case of a railway system passing through territories under the administration of different Local Governments, they necessitate the employment of a different police-force under the control of a different authority for each portion of the line which is within the limits of the territories of a different Local Government. On the North Western Railway, for example, there are at present no less than seven different forces of police under the control of various authorities. Again these provisions prevent even the temporary employment, on an emergency, of police officers of one province in any part of another province. With the object of removing these inconveniences this Bill has been prepared. In order to provide for the employment, under the control of one police authority, of one police force within limits which are not conterminous with the limits of a Local Administration, the Bill empowers the Governor-General in Council to create general police districts embracing parts of two or more provinces and to enrol for service therein a special police force under special police authorities, and it further authorises the temporary employment of police officers in places beyond the presidency or general police district to which they belong.An Act to amend the law relating to the regulation of Police.Whereas it is expedient to relax those provisions of Acts for the regulation of police which restrict the employment of police officers to the presidency, province or place of the police establishment of which they are members;It is hereby enacted as follows:-

1. Title and extent

(1)This Act may be called The Police Act , 1888.(2)[It extends to the whole of India [- - -]
[Substituted by Act 62 of 1956, Section 2 and Sch., for sub-Section (2) (w.e.f. 1.11.1956).].][- - -]
[Section 1-A omitted by Act 3 of 1951, Section 3 and Sch. (w.e.f. 1.4.1951).]

2. [Constitution of police forces for special purposes [Section 2 substituted by A.O.1937, for Section 2.]

(1)Notwithstanding anything contained in the Madras District Police Act, 1859 (24 of 1859), the Indian Police Act, 1861 (5 of 1861), the Bombay District Police Act, 1890 (Bom. Act 4 of 1890), or any Act relating to the Police in any Presidency-town, the Central Government may, by notification in the Official Gazette, create a special police district embracing parts of two or more [States], and extend to every part of the said district the powers and jurisdiction of members of a police force belonging to [a State] specified in the notification.(2)Subject to any orders which the Central Government may make in this behalf, members of the said police force shall have, within every part of any [State] of which any part is included in the said district, the powers, duties, privileges and liabilities which, as police officers, they have in their own [State].(3)Any member of the said police force whom the Central Government shall generally or specially empower to act under this sub-section may, subject to any orders which the Central Government may make in this behalf, exercise within any [State] any part of which is included in the said district any of the powers of the officer-in-charge of a police station in that [State], and when so exercising any such powers, shall, subject to any such order as aforesaid, be deemed to be an officer-in-charge of a police station discharging the functions of such an officer within the limits of his station.(4)A part of a [State] included in the said district shall not by reason of that inclusion cease, for the purposes of any enactment relating to police, to be part of that [State].]

3. Employment of police officers beyond the State to which they belong

.Notwithstanding anything in any of the Acts mentioned or referred to in the last foregoing section, but subject to any orders which the [Central Government] [Substituted by A.O.1937.] may make in this behalf, a member of the [police force] [Substituted by A.O.1937.] of any [State] [Substituted by A.O.1950, for "Province".] may discharge the functions of a police officer in any part of [any other State] [Substituted by A.O.1948, for certain words.] and shall, while so discharging such functions, be deemed to be a member of the police force of that part and be vested with the powers, functions and privileges and be subject to the liabilities, of a police officer belonging to [that police force] [Substituted by A.O.1937.].

4. [Consent of State Government to exercise of powers and jurisdiction [Inserted by A.O.1937.]

.Nothing in this Act shall be deemed to enable the police of one [State] to exercise powers and jurisdiction in any area within another [State] [Substituted by A.O.1950, for "Province".], not being a railway area, without the consent of the Government of that other [State] [Substituted by A.O.1950, for "Province".].]<