

THE DELHI SPECIAL POLICE ESTABLISHMENT ACT 1946

(Act No. 25 of 1946)

[19th November 1946]

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THE DELHI SPECIAL POLICE ESTABLISHMENT ACT 1946

An Act to make provision for the constitution of a special police force in Delhi for the investigation of certain offences in the Union territories for the superintendence and administration of the said force and for the extension to other areas of the power and jurisdiction of the members of the said force in regarding to the investigation of the said offences.

Whereas it is necessary to constitute a special police force in Delhi for the investigation of certain offences in the Union territories and to make provisions of for the superintendence and administration of the said force and for the extension to other areas of the powers and jurisdiction of the members of the said force in regard to the investigation of the said offences;

It is hereby enacted as follows:

1. Short title and extent. -

- (1) This Act may be called the Delhi Special Police Establishment Act, 1946.
- (2) It extends to the whole of India.

2. Constitution and powers of special police establishment: -

- (1) Notwithstanding anything in the Police Act, 1861 (5 of 1861), the Central Government may constitute a special police force to be called the Delhi Special Police Establishment for the investigation in any Union Territory of offences notified under Section 3.
- (2) Subject to any orders which the Central Government may make in this behalf members of the said police establishment shall have throughout in any Union Territory, in relation to the investigation of such offences and arrest of persons concerned in such offences, all the powers, duties, privileges and liabilities, which police officers of that Union Territory have in connection with the investigation of offences committed therein.
- (3) Any member of the said police establishment of or above the rank of Sub-Inspector may, subject to any orders which the Central Government may make in this behalf, exercise any Union Territory or any of the powers of the officer-in-charge, of a police station in the area in which he is for the time being and when so exercising 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.

3. Offences to be investigated by special police establishment. -The Central Government may, by notification in the official Gazette, specify the offences or classes of offences, which are to be

investigated by the Delhi Special. Police Establishment.

4. Superintendence and administration of special police establishment. -

(1) The superintendence of the Delhi Special Police Establishment shall vest in the Central Government.

(2) The Administration of the said police establishment shall vest in an officer appointed in this behalf by the Central Government who shall exercise in respect of that police establishment such of the powers exercisable by an Inspector-General of Police in respect of the police force in a State, as the Central Government may specify in this behalf.

5. Extension of powers and jurisdiction of special police establishment to other areas: -

(1) Central Government may by order extend to any area (including Railway areas) a State, not being a Union Territory the powers and jurisdiction of members of the Delhi Special Police Establishment for the investigation of any offences or classes of offences specified in a notification under Section 3.

(2) When by an order under sub-section (1) the powers and jurisdiction of members of the said police establishment are extended to any such area, a member thereof may, subject to any orders which the Central Government may make in this behalf, discharge the functions of a police officer in that area and shall, while so discharging such functions be deemed to be a member of the police force of the area and be vested with the powers, functions and privileges and be subject to the liabilities of a police officer belonging to that police force.

6. Consent of State Government to exercise of powers and jurisdiction. -Nothing contained in Section 5 shall be deemed to enable any member of the Delhi Special Police Establishment to exercise powers and jurisdiction in any area in a State, not being a Union Territory or Railway, area, without the consent of the Government of that State.

7. Repealed. -[Repeal of Ordinance 22 of 1946, repealed by the Repealing and Amending Art, 1950 (35 of 1950).]