

POLICE ACT, 1949

64 of 1949

[27th December, 1949]

CONTENTS

1. Short title, extent and commencement
2. Definition
3. Constitution of general police district embracing two or more Union Territories
4. Constitution of one police force for general police-district
5. Superintendence and administration of police
6. Application of the Police Act, 1861
7. Saving

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STATEMENT OF OBJECTS AND REASONS "Each of the centrally administered areas has, at present, a separate Police force of its own. Ajmer-Merwara the Andaman and Nicobar Islands, Coorg and Himachal Pradesh, whose police is in the process of reorganisation have separate cadres of both officers and men. Delhi has a separate cadre of head constables and constables but a common cadre for Assistant Sub-Inspectors and higher ranks with the East Punjab. Owing to the small areas and cadres, the police officers have perforce to continue in the same station or area for a long time and this position is not very satisfactory. To remedy this, it has become necessary to provide that Police Officers of Centrally administered areas the transferred from one area to another according to the administrative exigencies by creating a common pool of officers and men which the Chief Commissioner's Provinces may draw upon, thus reducing their dependence upon the Provincial Governments. This common pool of officers may also prove a useful source of supply to the Central Intelligence Bureau in the recruitment of its staff in the lower ranks. As the formation of a common cadre of officers for the Police forces in Chief

Commissioners' Provinces involves the constitution of a single police force in all those Provinces under a single Inspector General, this object can be achieved only by enacting new legislation which may take the form either of an amendment to Police Act of 1861 or of an Independent Act. The latter alternative is considered more suitable for the purpose."-Gaz. of Ind., 1949, Pt. V, p. 474.

1. Short title, extent and commencement :-

(1) This Act may be called The Police Act, 1949.

(2) It extends to all the ¹[Union Territories].

(3) It shall come into force in a ²[Union Territory] on such date as the Central Government may, by notification in the Official Gazette, appoint in this behalf for ³ [such territory].

1. Substituted for the words "Part C States" by 3 A.L.O., 1956 (w.r.e.f. 1-11-1956).

2. Substituted for the words "Part C States," A.L.O., 1956 (w.r.e.f. 1-11-1956).

3. Substituted for the words "such State," A.L.O., 1956 (w.r.e.f. 1-11-1956).

2. Definition :-

In this Act "general police-district" means the general police-district constituted under section 3.

3. Constitution of general police district embracing two or more Union Territories :-

Notwithstanding anything contained in the Police Act, 1861, the Central Government may, by notification in the Official Gazette, constitute a general police-district embracing two or more ¹ [Union Territories].

1. Substituted for the words "Chief Commissioners' Provinces," by 3 A. L. O., 1956 (w.r.e.f. 1-11-1956).

4. Constitution of one police force for general police-district :-

The entire police establishment in a general police-district shall be one police force and shall consist of such number of officers and men and shall be constituted in such manner as the Central Government may, by order, direct.

5. Superintendence and administration of police :-

(1) The superintendence of the police throughout a general

police-district shall vest in, and be exercised by, the Central Government.

(2) The administration of the said police force shall vest in an officer, appointed in this behalf by the Central Government, who shall exercise in respect of that police force such of the powers exercisable by an Inspector-General of Police under the Police Act, 1861, as the Central Government may, by notification in the Official Gazette, specify in this behalf.

6. Application of the Police Act, 1861 :-

Save as otherwise expressly provided in this Act, the provisions of the Police Act, 1861, shall apply to the police force constituted for the general police-district as if it were one police force constituted for a State, and members of the said police force shall have, in every part of ¹ [any territory] which is included in the general police-district, the same powers, duties and privileges, and shall be subject to the same liabilities, as they would have had, or would have been subject to, as police officers if they had formed a police establishment under one State Government.

1. Substituted for the words "any State" by 3 A.L.O., 1956 (w.r.e.f. 1-11-1956).

7. Saving :-

Nothing in this Act shall be deemed to affect the provisions contained in Delhi Special Police Establishment Act, 1946 .