

**THE
POLICE ACT 1861**

(Act No. 05 of 1861)

पुलिस अधिनियम, 1861

[Enactment Date: 22nd March, 1861]

DIGLOT EDITION

द्विभाषी संस्करण

**THE
UTTAR PRADESH POLICE REGULATIONS**

ENGLISH EDITION



Linking Publication

Jodhpur, Rajasthan

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Police Act 1861



Uttar Pradesh Police Regulations

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Sample Preview

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(Act No. 05 of 1861)

[22nd March, 1861]

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¹THE POLICE ACT 1861

Act No. 05 of 1861

[22nd March, 1861]

An Act for the Regulation of Police

Preamble: - WHEREAS it is expedient to re-organise the police and to make it a more efficient instrument for the prevention and detection of crime; It is enacted as follows:-

1. Interpretation clause

The following words and expressions in this Act shall have the meaning assigned to them, unless there be something in the subject of context repugnant to such construction, that is to say-

the words "**Magistrate of the district**" shall mean the chief officer charged with the executive administration of a district and exercising the powers of a Magistrate, by whatever designation the chief officer charged with such executive administration is styled;

the word "**Magistrate**" shall include all persons within the general police district, exercising all or any of the powers of a Magistrate,

the word "**Police**" shall include all persons who shall be enrolled under this Act;

the word "**general police-district**" shall embrace any presidency, State or place or any part of any presidency, State or place in which this Act shall be ordered to take effect;

²[the words "**District Superintendent**" and "**District Superintendent of Police**" shall include any Assistant District Superintendent or other person appointed by general or special order of the State Government to perform all or any of the duties of a District Superintendent of Police under this Act in any district;]

the word "**property**" shall include any movable property, money or valuable security;

³***

the word "**person**" shall include a company or corporation;

the word "**month**" shall mean a calendar month;

⁴the word "**cattle**" shall, besides horned cattle, include elephants, camels, horses, asses, mules, sheep, goats and swine.

⁵[References to the subordinate ranks of a police-force shall be construed as references to members of that force below the rank of Deputy Superintendent.]

2. Constitution of the force

The entire police-establishment under a State Government shall, for the purposes of this Act, be deemed to be one police-force and shall be formally enrolled; and shall consist of such number of officers and men, and shall be constituted in such manner, as shall from time to time be ordered by the State Government.

⁵[Subject to the provisions of this Act, the pay and all other conditions of service of members of the subordinate ranks of any police-force shall be such as may be determined by the State Government.]

1 Short title given by the Indian Short Titles Act, 1897 (14 of 1897)

2 Ins. By Act No. 8 of 1895, sec 1.

3 The definitions relating to "number" and "gender" rep. by Act No. 10 of 1914, sec. 3 and sch. II.

4 Cf. definition of "cattle" in sec. 3 of the Cattle-trespass Act, 1871 (1 of 1871).

5 Ins. by the A.O. 1937.

¹पुलिस अधिनियम, 1861
(1861 का अधिनियम संख्यांक 5)

[22 मार्च, 1861]

पुलिस के विनियमन के लिए अधिनियम

उद्देशिका – यतः पुलिस को पुनर्गठित करना और अपराधों को निवारित करने तथा उनका पता लगाने के लिए उसे और अधिक दक्ष उपकरण बनाना समीचीन है; अतः निम्नलिखित रूप में यह अधिनियमित किया जाता है :-

1. निर्वचन खण्ड

जब तक कि कोई बात विषय या सन्दर्भ में ऐसे अर्थान्वयन के विरुद्ध न हो, इस अधिनियम में निम्नलिखित शब्दों और पदों का वही अर्थ होगा जो उन्हें दिया गया है, अर्थात्-

“**जिले का मजिस्ट्रेट**” से वह मुख्य अधिकारी अभिप्रेत है जिस पर जिले के कार्यपालिक प्रशासन का भार है और जो मजिस्ट्रेट की शक्तियों का प्रयोग करता है चाहे ऐसे कार्यपालिक प्रशासन से भारित मुख्य अधिकारी किसी भी पदाभिदान से ज्ञात हो;

“**मजिस्ट्रेट**” शब्द के अन्तर्गत मजिस्ट्रेट की सब या किन्हीं शक्तियों का प्रयोग करने वाले साधारण पुलिस जिले के सब व्यक्ति आते हैं;

“**पुलिस**” शब्द के अन्तर्गत वे सब व्यक्ति आते हैं जो इस अधिनियम के अधीन भर्ती किए गए हैं;

“**साधारण पुलिस जिला**” में कोई प्रेसिडेन्सी, राज्य या स्थान या किसी प्रेसिडेन्सी, राज्य या स्थान का कोई भाग आता है, जिसमें इस अधिनियम को प्रभावी करने के लिए आदेश दिया गया है;

²“**जिला अधीक्षक**” और “**जिला पुलिस अधीक्षक**” शब्दों के अन्तर्गत सहायक जिला अधीक्षक या अन्य व्यक्ति आता है जिसे किसी जिले में जिला पुलिस अधीक्षक के सब कर्तव्यों या उनमें से किसी का पालन करने के लिए इस अधिनियम के अधीन राज्य सरकार के साधारण या विशेष आदेश द्वारा नियुक्त किया गया है;

“**सम्पत्ति**” शब्द के अन्तर्गत कोई जंगम सम्पत्ति, धन या मूल्यवान प्रतिभूति आती है;

3***

“**व्यक्ति**” शब्द के अन्तर्गत कम्पनी या निगम आता है;

“**मास**” शब्द से कलेण्डर मास अभिप्रेत है;

⁴“**ढोर**” शब्द के अन्तर्गत सींगों वाले ढोरों के अतिरिक्त हाथी, ऊंट, घोड़े, गधे, खच्चर, भेड़ें, बकरियां और सूअर आते हैं ।

⁵[पुलिस बल की अधीनस्थ पंक्तियों के प्रति निर्देशों का अर्थ यह लगाया जाए कि वे निर्देश उस बल के उपअधीक्षक की पंक्ति के नीचे वाले सदस्यों के प्रति हैं ।

2. बल का गठन

इस अधिनियम के प्रयोजनार्थ राज्य सरकार के अधीन समस्त पुलिस स्थापन एक पुलिस बल समझा जाएगा और रीतिः भर्ती किया जाएगा और वह अधिकारियों और पुलिसजन की ऐसी संख्या से मिलकर बनेगा और ऐसी रीति से गठित होगा जैसा राज्य सरकार समय-समय पर आदेश करे ।

⁵[इस अधिनियम के उपबन्धों के अधीन रहते हुए, किसी पुलिस बल की अधीनस्थ पंक्ति के सदस्यों का वेतन और सेवा की अन्य सब शर्तें वे होंगी, जो राज्य सरकार अवधारित करे ।]

1 Short title given by the Indian Short Titles Act, 1897 (14 of 1897)

2 Ins. By Act No. 8 of 1895, sec 1.

3 The definitions relating to “number” and “gender” rep. by Act No. 10 of 1914, sec. 3 and sch. II.

4 Cf. definition of “cattle” in sec. 3 of the Cattle-trespass Act, 1871 (1 of 1871).

5 Ins. by the A.O. 1937.

3. Superintendence in the State Government

The superintendence of the police throughout a general police-district shall vest in and shall be exercised by the State Government to which such district is subordinate, and except as authorized under the provisions of this Act, no person, officer of Court shall be empowered by the State Government to supersede or control any police functionary.

4. Inspector-General of Police, etc.

The administration of the police through-out a general police-district shall be vested in an officer to be styled the Inspector-General of Police, and in such Deputy Inspectors-General and Assistant Inspector-General, as the State Government shall deem fit.

The administration of the police throughout the local jurisdiction of the Magistrate of the district shall, under the general control and direction of such Magistrate, be vested in a District Superintendent and such Assistant District Superintendents as the State Government shall consider necessary.

5. Powers of Inspector-General- Exercise of Powers

The Inspector-General of Police shall have the full powers of a Magistrate throughout the general police-district but shall exercise those powers subject to such limitation as may, from time to time, be imposed by the State Government.

6. *Magisterial powers of police officers* [Rep. by the Code of Criminal Procedure, 1882 (10 of 1882), sec. 2 and Sch. 1(b)].**7. Appointment, dismissal, etc. of inferior officers**

Subject to the provisions of article 311 of the Constitution, and to such rules as the State Government may, from time to time, make under this Act, the Inspector-General, Deputy Inspectors-General, Assistant Inspectors-General and District Superintendents of Police may at any time dismiss, suspend or reduce any police-officer of the subordinate ranks whom they shall think remiss or negligent in the discharge of his duty, or unfit for the same; or may award anyone of the following punishments to any police-officer of the subordinate ranks who shall discharge his duty in a careless or negligent manner, or who by any act of his own, shall render himself unfit for the discharge thereof, namely:-

- (a) fine of any amount not exceeding one month's pay;
- (b) confinement to quarters for a term not exceeding fifteen days with or without punishment-drill, extra guard, fatigue or other duty;
- (c) deprivation of good-conduct pay;
- (d) removal from any office of distinction or special emolument

8. Certificates to police officers

Every police-officer appointed to the police- force, other than an officer mentioned in section shall receive on his appointment, a certificate in the form annexed to this Act, under the seal of the Inspector-General or such other officer as the Inspector-General shall appoint, by virtue of which the person holding such certificate shall be vested with the powers, functions, and privileges of a police-officer.

**THE
UTTAR PRADESH POLICE REGULATIONS**

Sample Preview

UP Police Regulations Act

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UP Police Regulations Act

PART I

POWERS AND DUTIES OF OFFICERS

CHAPTER I

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DEPUTY INSPECTOR-GENERAL

2. Powers and responsibilities of Deputy Inspectors

General as the incharge of ranges.- Certain Deputy Inspectors-General are incharge of ranges of districts. Each of them is responsible for the efficiency of the police in his range, and must see that a proper level of district administration is maintained. He must always be in close touch with his Superintendents and be ready to aid, advise or control them. He must inspect the work of the Superintendent of each district at least once a year, and prepare an inspection report in the form prescribed. He need not, however, record observations under any of the printed headings of the form except VIII "Crime Working" and IX "General" if everything is in order and no action is required, and should mention in his report only matters which can most suitably be entered there for the guidance of the district staff or the information of his successor. On completing his inspection, he will at once take all such action as his powers permit to remedy defects, and will refer to the Inspector-General grave defects or questions of principle with which he himself has not the power to deal.

3. Duties of Deputy Inspector General of Police in his range.

The Deputy Inspector-General is responsible for the general supervision of crime in his range; he must see that proper measures are taken to deal with serious outbreaks, and must effect co-operation between districts. For this purpose he must keep up registers of (1) dacoity, (2) murder, (3) robbery, (4) poisoning and (5) miscellaneous cases in Inspector-General's form No. 138. He will submit to the Inspector-General a fortnightly report of crime which will include any matters relating to his range of which he considers that the Inspector-General should be informed. To this will be attached a statement of dacoities giving very brief particulars of each case. He will forward to the Inspector General special reports of crime in exceptional case. Superintendents must report direct to the Inspector-General as well as to the Deputy Inspector-General matters of specially important character regarding which Government may require immediate information e.g., serious breach of the peace, collisions between Europeans and Indians and important matters of a political nature; but so far as possible, the Deputy Inspector-General will be the channel through which the Inspector-General will receive information. On receipt of district annual administration reports, the Deputy Inspector-General will be the channel through which the Inspector-General will receive information. On receipt of district annual administration reports, the Deputy Inspector-General must prepare and submit to the Inspector-General a review for the whole of his range with a note on cases which deserve special mention in the provincial report.

The Deputy Inspector-General of Police, Education and Training will be responsible for supervision and co-operation of work in the Range Training Centres which he will inspect from time to time. Apart from this, he will keep in touch with the latest methods of training introduced elsewhere and adopt them for use in the Police Training Institutions. He will also supervise training at the Police Training College, Moradabad the Armed Police Training Centre as well as the Police Motor Transport Workshop at Sitapur and the Wireless Station at Lucknow, all of which excepting the Police Motor Transport Workshop at Sitapur will remain under his administrative control. He will undertake the revisions of the various Police Training Manuals and draft manuals when necessary.

UP Police Regulations Act

DEPUTY INSPECTOR-GENERAL, GOVERNMENT RAILWAY POLICE

4. Powers of Assistant to the Inspector-General, Government Railway Police.

The Assistant to the Inspector-General in-charge of the Government Railway Police has the powers, duties and responsibilities of a Range Deputy Inspector-General in regard to the railway police sections in his charge, except the power of dismissal of an Inspector or Sub-Inspector which vests in the Deputy Inspector-General of Police Headquarters and Railway.

COMMISSIONER

5. Powers of Commissioner.

The term "Commissioner" wherever it occurs in Police Regulations include a Collector, or Deputy Commissioner incharge of a division.

The Commissioners of divisions exercise general power of supervision over the District Magistrates of their respective division in matters relating to the Police as in other branches of the administration. For their duties regarding the Annual Administration Report (see paragraph 62 of the Office Manual).

DISTRICT MAGISTRATE

6. Powers of District Magistrate of the district.

The District Magistrate is the head of the criminal administration of the district, and in the capacity controls and directs the action of the police. He has special powers with reference to the allocation of village chaukidars in his district. He has departmental powers in connection with the punishment of village chaukidars; his approval is necessary to the transfer of inspectors and officers incharge of police stations (paragraph 524) and he may recommend rewards and entries in service and character rolls (paragraph 296 of the Office Manual). Such part of the Superintendents' correspondence with the Inspector-General as relates to buildings, and as concerns or affects the general administration of the district by the District Magistrate as Chief Executive Officer, must pass through the office of the District Magistrate.

Provided that in the districts where the Collector / Deputy Commissioner is Collector / Deputy Commissioner incharge of the division, his functions in regard to the transfer of inspectors and Officers-in-charge of police stations will be exercised by Additional District Magistrate (Executive).

7. Information to District Magistrate of all serious crimes and of any sudden increase in volume of crime.

The District Magistrate should be promptly informed by the Superintendent of the occurrence of all serious crimes and of any sudden increase in the volume of crime generally and should receive a fortnightly review of the crime in the district, its localization and causes. Similar review of crime generally either fortnightly or monthly will be sent to the Deputy Inspector-General in accordance with range orders. The Superintendent should also keep the Magistrate informed of all events that are of importance from a police point of view, and should frequently seek an opportunity of discussing matters with him personally. When both officers are not at headquarters or on tour together frequent demi-official correspondence should take the place of oral discussion. If the Superintendent is on tour and the District Magistrate is at headquarters, the police officer-in-charge at headquarters should give the District Magistrate all important information which might otherwise not reach the Magistrate quickly enough through the Superintendent.

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553. Employment of trained S.I. teachers.

Trained teachers employed in district reserve lines schools will remain on probation for one year after appointment. During or at the end of this period any teacher whose work or conduct proves unsatisfactory will be returned to his original post under a municipal or district board. Teachers whose work and conduct while under probation have been satisfactory will be transferred permanently to the police, and will be subject to the ordinary pension and other rules for the police clerical staff. Service under a district or Municipal Board will count for leave, but not for police pension. Teachers not provided with leave, but not for police pension. Teachers not provided with Government quarters will be given a house rent allowance.

584. Posting of trained teachers to give primary teaching to the children of police officers.

When there is any demand for such instruction, trained teachers to lines schools will give primary education to the children of police officers. Classes should be held in the early mornings when the teachers are not occupied in instructing recruits. Each teacher will take a class of not more than 16 children. No charge will be made and the instruction of children must not be allowed in anyway to interfere with the training of recruits.

Sample Preview

Scan QR
for
Landmark Judgments
(Year wise & Subject wise)

