

THE POLICE ACT, 1888* ACT NO. 3 OF 1888 [17th February, 1888.] 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.]

2. Constitution of police forces for special purposes. (1) Notwithstanding anything in the Madras District Police Act, 1859, the Indian Police Act, 1861, the Bombay District Police Act, 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 -----

1 Subs. by Act 62 of 1956, s. 2 and Sch. 2 The word " and " at the end of sub-section (2) and sub-section (3) rep. by Act 10 of 1914, s. 3 and Sch. II. 3 Section 1-A ins. by the A. O. 1950, omitted, by Act 3 of 1951, s. 3 and Sch. 4 Subs. by the A. O. 1937, for the original section as amended by Act 12 of 1891, s. 2 and Sch. II, Pt. I. 5 E.g., the Madras City Police Act, 1888 (Mad. III of 1888), the City of Bombay Police Act, 1902 (Bom. IV of 1902), and the Calcutta Police Act, 1866 (Ben. IV of 1866). 6 For instances see Gazette of India, 1910, Pt. I, p. 3 ; 1912, Pt. I, p. 1589 Gazette of India, Extraordinary, 1937, p. 672. 7 Subs. by the A. O. 1948, for " any part of British India *Extended to Goa, Daman and Diu with modifications, by Reg. 12 of 1962, s. 3 & Sch. *Extended to and brought into force in Dadra and Nagar Haveli (w.e.f. 1.7.65) by Reg. 6 of 1963, s.2 & Sch. I. *Extended to Laccadive, Minicoy and Amindivi Islands (w.e.f. 1.10.1967): vide Reg. 8 of 1965, s.3 & Sch. -----

24 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 may make in this behalf, a member of the [police force] of any [State] may discharge the functions of a police-officer in any part of [any other State] 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].

4. Consent of State Government to exercise of powers and jurisdiction. 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, not being a railway area, without the consent of the Government of that other State.] -----

----- 1 Subs. by the A. O. 1937, for " police-establishment". 2 Subs., ibid., for " Presidency, Province or place ". 3 Subs. by the A. O. 1948, for " British India beyond the limits of the Province ". 4 Subs. by the A. O. 1937, for "that establishment". 5 Ins., ibid. Cf. the Govt. of India Act, 1935, Sch. VII, List I, entry 39. -
