



The Bengal Police Act, 1869

Act 7 of 1869

Keyword(s):

Police Force, General Police District, Inspector General

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Bengal Act VII of 1869

[THE BENGAL POLICE ACT, 1869.]¹

SHORT TITLE GIVEN	..	Act I of 1903.
REPEALED IN PART	..	Act I of 1903.
AMENDED	..	Act XXXVIII of 1920.
		Ben. Act I of 1939.
ADAPTED	..	(a) The Government of India (Adaptation of Indian Laws) Order, 1937.
		(b) The Indian Independence (Adaptation of Bengal and Punjab Acts) Order, 1948.
		(c) The Adaptation of Laws Order, 1950.

[29th September, 1869.]

An Act to amend the constitution of the Police-force in Bengal.

WHEREAS it is expedient that the entire police-establishment in the provinces under the control of the Lieutenant-Governor of Bengal² should cease to be one police-force, and that the said provinces should cease to be one general police-district under one Inspector-General;

Preamble.

It is enacted follows:—

1. [Repeal of s. 2, Act V of 1861.]—Rep. by s. 4 and the Third Schedule of the Amending Act, 1903 (I of 1903).

2. It shall be lawful for the ³{State Government} ⁴* *, from time to time, to divide the said ⁵{States} into as many general police-districts as ⁶{it} may think fit, and from time to time to vary and alter any of such general police-districts, or to consolidate two or more of such general police-districts into one district, as ⁸{it} may think fit.

Power to divide the State into police-districts.

¹SHORT TITLE.—This short title was given by the Amending Act, 1903 (I of 1903).

LEGISLATIVE PAPERS.—For the Statement of Objects and Reasons, see the *Calcutta Gazette* of 1869, page 484, and for Proceedings in Council, see *ibid.* Supplement, 1869, pages 155, 265, 291, 341 and 645.

LOCAL EXTENT.—This Act was passed for the whole of the former Province of Bengal—see the title and preamble.

²This includes the present State of West Bengal and other territory.

³The words "Provincial Government" were first substituted for the word "Lieutenant-Governor" by para. 4(1) of the Government of India (Adaptation of Indian Laws) Order, 1937. Thereafter, the word "State" was substituted for the word "Provincial" by para. 4(1) of the Adaptation of Laws Order, 1950.

⁴The words "of Bengal" were omitted by para. 3(1) and the Schedule of the Indian Independence (Adaptation of Bengal and Punjab Acts) Order, 1948.

⁵Substituted for the word "Provinces" by para. 4(1) of the Adaptation of Laws Order, 1950.

⁶This word was substituted for the word "he" by para. 5(2) of the Government of India (Adaptation of Indian Laws) Order, 1937.

(Sections 3-5.)

Power to appoint in districts persons to execute duties of Inspector-General.

3. It shall be lawful for the said ¹[State Government] in each such general police-district to appoint some person or exercise in such district the powers of an Inspector-General of Police, whether such person shall or shall not hold any other office under the ²[Government]; and the administration of the police throughout such general police-district, and all powers and authorities by ³[the Police Act, 1861] or any other Act

V of 1861.

person.

Police-establishment in each district to be considered one police-force.

4. The entire police-establishment in every such district shall, for the purposes of ⁴[the Police Act, 1861], 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 said ⁵[State Government]. * * * *

⁶[The pay and all other conditions of service of the members of such force below the rank of Deputy Superintendent shall subject to the provisions of the said Act of 1861, be such as may be determined by the State⁷ Government.]

Power to employ police out of district.

5. It shall be lawful for the ¹[State Government] to employ members of the police-force who have been enrolled in, or appointed to, any one general police-district, in any other general police-district within the ²[States] subject * * * * to ³[its] control; and the powers conferred on

¹See foot-note 3 on page 143, *ante*.

²The word "Crown" was first substituted for the words "said Lieutenant-Governor" by para. 3 and Schedule IV of the Government of India (Adaptation of Indian Laws) Order, 1937. Thereafter the word "Government" was substituted for the word "Crown" by para. 4(1) of the Adaptation of Laws Order, 1950.

³The words and figures were substituted for the words and figures "the said Act V of 1861" by s. 2 and the First Schedule of the Bengal Repealing and Amending Act, 1938 (Ben. Act I of 1939).

⁴The words "and the members of such force shall receive such pay" were omitted by para. 3 and Sch. IV of the Government of India (Adaptation of Indian Laws) Order, 1937.

⁵The words "subject to the sanction of the Governor-General of India in Council" were omitted, *ibid*.

⁶These words were inserted, *ibid*.

⁷Substituted for the word "Provincial" by para. 4(1) of the Adaptation of Laws Order, 1950.

⁸See foot-note 5 on page 143, *ante*.

⁹The words "in the case of officers of the Indian Police of and above the rank of Assistant Superintendent" were omitted by para. 3 and Sch. IV of the Government of India (Adaptation of Indian Laws) Order, 1937.

¹⁰This word was substituted for the word "his" by paragraph 5(2) of the Government of India (Adaptation of Indian Laws) Order, 1937.

of 1869.]

(Section 6.)

police-officers by the Code of Criminal Procedure, ¹[1898,] may be by them exercised in any portion of the said ²[States] without reference to the local limits of the general police-district to which they may respectively belong.

Act V of
1898.

Construc-
tion.

6. This Act shall be read and taken, in the ³[territories to which it extends] as part of ⁴[the Police Act, 1861].

¹This figure was inserted by s. 2 and the First Schedule of the Bengal Repealing and Amending Act, 1938 (Ben. Act I of 1939).

²Substituted for the word "Provinces" by para. 4(1) of the Adaptation of Laws Order, 1950.

³Substituted for the words "provinces under the control of the Provincial Government of Bengal" by para. 3(1) and the Schedule of the Indian Independence (Adaptation of Bengal and Punjab Acts) Order, 1948.

⁴These words and figures were substituted for the words and figures "the said Act V of 1861" by s. 2 and the First Schedule of the Bengal Repealing and Amending Act, 1938 (Ben. Act I of 1939).