



**FACULTY OF JURIDICAL SCIENCES**

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## Lecture-16



## The role and functions of the police

Police is the first body whom we approach in case any crime or wrong is done against us. Police is the one who registers First Information Report and police officers are responsible for the maintenance of public order and peace. There are many Acts like The Police Act, 1861, The Delhi Special Police Administration Act, 1946, The Model Police Act, etc which make provisions for the administration and functions of police force. But people are not aware of the duties and powers upto which the police can exercise their functions.

So who is Police? What are the powers and role of Police in our country? What provisions of The Code of Criminal Procedure, 1973 talks about powers and responsibilities of Police force?

## Who is Police?

Police is the function of that branch of the administrative machinery of government which is charged with the preservation of public order and tranquility, the promotion of the public health, safety, and morals, and the prevention, detection, and punishment of crimes.

The police Act, 1861 is an important statute which highlights the functions and powers of police officers. The preamble to this Act states, “it is expedient to reorganize the police and to make it a more efficient instrument for the prevention and detection of crime”.

Therefore, another definition of ‘Police’ can be construed from the preamble which is Police is an instrument whose objective is the prevention and detection of crime.

## Police Acts

Following are some Acts which lay down provisions for the administration, powers and duties of police officers:

- The Police Act, 1861- It is the main statute and it talks about overall administration of police statewide. According to the Section 2 of the Act, the number of officers or men employed in police shall be decided by the respective state government from time to time and will be enrolled formally. The entire working of police force in the state is in the hands of Director- General of Police whereas as per Section 4 of the Act, the administration throughout the district is in the hands of District Superintendent of Police under the directions of District Magistrate.

- The Police Act, 1888- The objective of this Act according to Section 2 is “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.”
- The Police Act 1949- This Act has made the provisions for administration of police force in Union Territories. According to Section 5 of the Act, superintendence of police throughout general police district is exercised by Central Government. All the provisions of The Police Act, 1861 are applicable for the administration of Police in UTs.
- The Delhi Special Police Establishment Act, 1946- This Act has played a pivotal role in the functions of the police officers. It provides for a special police force in Delhi and this body can also integrate or aid the police of other states with the concurrence of respective State Governments.
- The Model Police Act, 2006- This Act lays down the constitution, appointment, powers, role, responsibilities of police officers.