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THE POLICE (INCITEMENT TO DISAFFECTION) ACT, 1922

ACT No. XXII of 1922

[Sth October, 1922]

An Act to provide a penalty for spreading disaffection among the police and for kindred offences.

WHEREAS it is expedient to penalize the spreading of disaffection among the police and other kindred offences; It is hereby enacted as follows: —

1. Short title, extent and commencement.—(1) This Act may be called the Police (Incitement to Disaffection) Act, 1922.

1[(2) It extends to the whole of Pakistan.]

(3) It shall come into force in any Province or part of a Province on such date* as the *[Provincial Government] may, by notification in the “[official Gazette], direct.

"2. Definition. In this Act the expression “member of a police-force” means any person appointed or enrolled for the performance of police duties under any enactment specified in the Schedule.

3. Penalty for causing disaffection, etc. Whoever intentionally causes or attempts to cause, or does any act which he knows is likely to cause, disaffection ; towards *[Pakistan] or the Government established by law in '[Pakistan] “[* * *] amongst the members of a police-force, or induces or attempts to induce, or does any act which he knows is likely to induce, any member of a police-force to withhold his services or to commit a breach of discipline shall be punished with imprisonment which may extend to six months, or with fine which may extend to two hundred rupees, or with both.

Explanation.— Expressions of disapprobation of the measures of the Government with a view to obtain their alteration by lawful means, or of disapprobation of the administrative or other action of the Government, do not constitute an offence under this section unless they cause or are made for the purpose of causing or are likely to cause disaffection.

4. Saving of acts done by police associations and other persons for certain purposes. Nothing shall be deemed to be an offence under this Act which is done in good faith—

'Subs. by the Central Laws (Statute Reform) Ordinance, 1960 (XXI of 1960), s. 3 and 2nd Sch.

*Subs. by A. O., 1937.

3Subs. by the Central Laws (Adaptation) Order, 1961 (P. O. No. 1 of 1961), Art. 2 and Sch.

4Omitted by the Adaption of Central Acts and Ordinances Order, 1949 (Order No. 4 of 1949), Art. 3 and S

“Subs. by the Federal Laws (Revision & Declaration) Ordinance, 1981 (XXVII of 1981), s. 5 (only to the e

“2. Definition In this Act, the expression “member of a police-force” means any person appointed or enrolled under the Police Act, 1861 (V of 1861), or the Police Act, 1888 (III of 1888).”

(a) _ for the purpose of promoting the welfare or interest of any member of a police-force by inducing him to withhold his services in any manner, authorised, by law; or

(b) by or on behalf of any association formed for the purpose of furthering the interests of members of a police-force as such, where the association has been authorised or recognised by the Government and the act done is done under any rules or articles of the association which have been approved by the Government.

5. Sanction to trial of offences by subordinate Courts. No Court shall proceed to the trial of any offence under this Act except with the previous sanction, or on the complaint, of the District Magistrate ![* * *].

6. Trial of cases — (1) No Court inferior to that of a '[* * *] Magistrate of the first class shall try and offence under this Act.

(2) Notwithstanding anything contained in Chapter XXII of the Code of Criminal Procedure, 1898 (V of 1898), no offence under this Act shall be triable summarily.

2THE SHEDULE

(See section 2)

Year No. Short title

Acts of the Governor General in Council.

1861 Vv The Police Act, 1861.

1 [* * BS * * ES * * *]

1888 III The Police Act, 1888.

1892 Vv The Bengal Military Police Act, 1892.

Madras Act.

1890 IV Bombay Act.

The Bombay District Police Act, 1890.

Bengal Acts.

'Omitted by the Adaptation of Central Acts & Ordinances Order, 1949 (Order No. 4 of 1949), Art. 3 and S

?This schedule stood omitted to the extent of ICT by the Federal Laws (Revision & Declaration) Ordinance

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The Eastern Frontier Rifles (Bengal Battalion) Act, 1920.

Burma Act.
BS BS * * BS *
Assam Act.
BS BS * * BS *

Regulation by the Governor General in Council.

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‘Omitted by the Adaptation of Central Acts and Ordinances Order, 1949 (Order No. 4 of 1949), Art. 3 and