

THE PUNJAB FRONTIER POLICE-OFFICERS REGULATION, 1893
(REGULATION No. VII 1893)

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5. Validation of magisterial powers exercised by certain Police Officers.

REGULATION No. VII OF 1893.
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[Received the Governor- General's assent on the 20th May, 1893; published in the Gazette of India on the 21 the May, 1893; and the Punjab Government Gazette on the 1st, June, 1893].

A Regulation to authorize the conferment of certain powers on Assistant District Superintendents of Police in the Punjab.

WHEREAS by section 20 of Act, V of 1861 '[for the Regulation of Police] it was enacted that Police-officers enrolled under that Act should not exercise any authority except the authority provided for a Police-officer under that Act and any Act which should thereafter be passed for regulating criminal procedure.

And whereas by section 14 of the Code of Criminal Procedure, 1882,"[which Code repealed] certain Similar provisions in Act V of 1861, H was enacted that the *[Local Government] might confer upon any person all or any of the powers ' conferred or conferrable by or under that Code on a Magistrate of the first, second or third class in respect to particular cases, or to a particular class or particular classes of cases or in regard to ases generally, hi any local area outside the Presidency towns, but that no powers should be conferred under that section on any Police-officer below the grade of Assistant District Superintendent, and that no powers should be so conferred except so far as might be necessary for preserving the peace, preventing crime and detecting, apprehending and detaining offenders in order to their being brought before a Magistrate, and for the performance by the officer of any other duties imposed upon him by any law for the time being in force;

And whereas it is expedient that certain Assistant District Superintendents of Police in the districts of "[Hazara], *[Peshawar], °[Kohat],

' Pakistan Code Vol. 1

Read now Act V of 1898, S.4 Pakistan Code Vol Iv.

3. In the North-West Frontier Province for "Local Government" read" Chief Commissioner,' , See 6 (1) (b) of the North-West Frontier Province Law and Justice Regulation 1901 (VII of 1901)infra

4. Portions of the Hazara District now form part of the North-West Frontier Province seeGazette of India, 1901 Pt. I, P. 857.

5. The District of Peshawar and Kohat now form part of the North-West Frontier Province, Gazette of India, 1901 Pt. P.

6. The District of Peshawar and Kohat now form part of the North-West Frontier Province, Gazette of India, 1901 Pt. P.

'[Bannu], '[Dera small Khan] and *[Dera Gliazi Khan] be enabled to exercise authority other than that prescribed by section 20 of Act V of 1861;

And whereas it is also expedient to empower the "[Lieutenant-Governor] of the Punjab to confer on such Assistant District Superintendents of Police in the aforesaid Districts as are hereinafter "mentioned all or any of the powers conferred or conferrable by or under the Code of Criminal Procedure, 1882 [on a Magistrate]of the first, second or third class:

And whereas previous to the passing of this Regulation authority other than that prescribed by section 20 of Act V of 1861 . ha, been exercised in certain of the aforesaid districts by Assistant District Superintendents of Police;

And whereas also in some of the aforesaid districts powers other than those conferrable by section 14 of the Code of Criminal Procedure, 1882, 4have been conferred on and exercised by an Assistant District Superintendent of Police

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And Whereas it is also expedient that past exercise of the afore said authority and powers should not be impeached for want of authority in such officers:

It is hereby enacted as follows :—

1. (1) This Regulation may be called the Punjab Frontier Police -Officers Regulation, 1893.

(2) it extends to the districts to Hazara, Peshawar, Kohat, Bannu Dera Ismail Khan and Dera Ghazi Khan; and

Portions of the Districts of Bannu and Dera Isniail tCh v, now form part of ihe North-West Frontier

Province, see Gazette of India, i901 Pi. I p. 857.

2. Portions of the Districts of Bannu and Dera Isniail tCh v, now form part of ihe North-West Frontier Province, see Gazette of India, i901 Pi. I p. 857.

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Dera Ghazi Khan (except the village of Naranji-see Gazette of India, 1902 pt .If the Punjab.

4, To be construed now "Governor", see s. 31 of the Gansral Clauses Act, 1897 (JC of 1897) North-West Frontier Province, for Lieutenant-Governor of the Punjab read Chief Commissioner if the North-West Frontier Province', see s. 6 (i) (b) of the North-West Frontier Province Law and Justice Regulation, 1901 (VJI of 1901), infra

5. See now Act V of 1S9S Pakistan Code. Vol

(3) It shall come into force at once.

2. Section 20 of Act V, 1861 (for the regulation of Police), shall not apply to any Assistant District Superintendent of Police whose duties are exercised exclusively in connection with the unenrolled border Police-force.

3. Notwithstanding anything in section 14 of the '[Code of Criminal Procedure], 1882, the *[Provincial Government] may confer on any such Assistant District Superintendent of Police as aforesaid all or any of the powers conferred or conferrable by or under the Code on a Magistrate of the first, second or third class.

4. No authority exercised before the commencement of this Regulation by any such Assistant District Superintendent of Police as aforesaid shall be deemed to have been illegally exercised or deprived of effect by reason only that section 20 of Act V 1861 forbade the exercise of such authority.

5. No act done or sentence pronounced in exercise of the powers of a Magistrate by any such Assistant District Superintendent of Police as aforesaid before the commencement of this Regulation, in virtue of an authority purporting to have been conferred by the *[Provincial Government] under the code of "[Criminal Procedure, 1882], shall be set aside or deprived of effect by reason only that the *[Provincial Government] had no authority to confer such powers on such Assistant District Superintendent of Police.

see now Act V of 1898, Pakistan Code Vol. IV.

Subs, by the A.O. 1937, for "Lieutenant Governor of the Punjab".
Subs, by ibid, for 'Local Government'.

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