THE POLICE

(INCITEMENT TO DISAFFECTION)

ACT, 1922
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(Act XXII of 1922)

Sections

1. Short title, extent and commencement.

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4. Saving of acts done by police association and other persons for certain purposes.

5. Sanction to trial of offences by subordinate courts.

6. Trial of cases.
THE POLICE
(INCITEMENT TO DISAFFECTION)
ACT, 1922

(No, XXII of 1922)

[Received the assent of the Governor General
on the 5th 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.

(2) It extends to the whole of India, except the territories
which immediately before the 1st November, 1956,
were comprised in Part B States.
(3) It shall come into force in any State or part of a State on such dates as the State Government may, by notification in the Official Gazette, direct.

2. **Definition, -**

In this Act, the expression “number 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 the Government established by law in India 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 withholds 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 association and other persons for certain purposes,** -

Nothing shall be deemed to be an offence under this Act which is done in good faith -

(a) for the purpose of promoting the welfare or interest or any member of a police force by inducting 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, whether the association has been authorized or recognized by the Government and the act 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 complaints, of the District Magistrate or, in the case of a presidency town, of the Commissioner of Police.
6. Trial of cases, -

(I) No Court inferior to that of a Presidency Magistrate or Magistrate of the first class shall try any offence under this Act.

(2) Notwithstanding anything contained in Chapter XXII\(^1\) of the Code of Criminal Procedure, 1898 (Act V of 1898) no offence under this Act shall be tribal summarily.
## THE SCHEDULE

*(See Section 2)*

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<td>III</td>
<td>The Police Act, 1888</td>
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<tr>
<td>1892</td>
<td>V</td>
<td>The Bengal Military Police Act, 1892. Madras Act.</td>
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<td>V</td>
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Regulation by the Governor-General in Council

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