

## **DJR3C - POLICE STATION MANAGEMENT**

### **Unit-I: Duties and Responsibilities of Station house officer**

Overview of Duties and Responsibilities of Station house officer: Maintenance of General Diary, Registration of Cases-Procedure for Registration of FIRs, Maintenance of Case Diary Files, Enquiry into cognisable Complaints and petitions.

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### **Unit-V: Prevention, Detection of crime and Maintenance of Law and order**

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# **Police Station Management**

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**B.A. Criminology &  
Police Administration  
(DD & CE)**

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**Compiled by  
Dr. R. Sivakumar  
Assistant Professor  
Department of Criminology  
and Criminal Justice, MSU**

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## **POLICE STATION MANAGEMENT**

### **Duties and responsibilities of Station House Officer**

#### **Overview of Duties and Responsibilities of Station house officer**

##### **Police Station**

Police Station means any post or place declared generally or specially by the State Government, to be a Police Station, and includes any local area specified by the State Government (S.2 (S) Cr.P.C. 1973). The ideal Police Station is one which is perceived by the general public as a safe place where any person can walk in fearlessly to seek redresses. (D.O. No. 27011/13/99-P.F.III dated March 30, 2000 of the Home Secretary, Government of India).

##### **SHOs of Police Stations**

- The internal management of a police station includes man management, management of the equipment and buildings, management of crime, peace and order in the area, maintenance of records, public relations and cooperation with maithri committees, liaison with village secretaries, and other departments of the Government. The SHO as the head of the police station is responsible for building up of the image of the police by maintaining good public and community relations and at the same time maintaining discipline in the subordinate staff. The functions, duties and responsibilities of SHO who is either an Inspector or SI shall, in addition to duties detailed in Chapter 5, be as follows:
- Supervision of the allotted work and duties of general and beat detachments;
- Maintenance of discipline of the police officers of all ranks;
- Conduct of drill, physical training and inspection of the kit personally;
- Holding of training classes and implementation of on-the-job training programmes and catechism;
- Scrutiny of records of each beat, check of night beats twice a week and personal patrol,
- Supervising those on duty in his jurisdiction when not dealing with a situation.
- Visit the detective police station and central crime station, if any, frequently, meet and extend support and cooperation to his counterparts in those stations;
- Make all police and bandobust arrangements for public gatherings, fairs, festivals, Processions, on a proper assessment of the situation each time;
- Communication of information by fastest means of all important or sensational events to the ACP/DSP and SP/DCP concerned;
- Acquire intimate knowledge of the area and its problems, the unruly elements and population in general.

- Take timely and appropriate preventive action and for the effective control of the bad characters and persons from whom breach of peace is anticipated by the effective use of sections 107 to 110 of the CrPC and other laws;
- Arrange effective beat system and patrols to prevent offences and to collect information.
- Build and maintain good public relations.
- Organise and maintain liaison with the maithri committees in various localities and enlist their participation, cooperation and support in the functions of the police.
- Advise, instruct and support the police officers of the beat area to build and maintain similar liaison with the maithri committees and their members.

Where the SHO is an Inspector the SIs shall have the functions and duties as shown below in addition to their duties.

- To be in-charge of 3-5 beats or general detachments or police station;
- To be in-charge of general or traffic detachment or station administration including guards as allotted by the SHO Inspector;
- Responsible for direct supervision, guidance and leadership in the field as well as in the Police Station to the police officers attached to the beats or the detachments committed to his care;
- Maintenance of all records and diaries prescribed for various segments of the Police Stations of which he is in charge;
- Maintenance of station house general diary in the absence of Inspector SHO;
- Investigation of cases;
- Prompt visits to the scene of offence, or trouble, preservation of the scene and handling of the situation;
- To keep SHO informed of all work, situations and duties performed from time to time.
- any other duty ordered to be performed by the SHO.

#### **Sub Inspector (Station House Officer) Duties :**

It shall be the duty of the SHO to use his best endeavours and ability to prevent crimes, preserve peace, apprehend disorderly and suspicious characters, to investigate and detect offences, bring the offenders to justice, collect and communicate intelligence effecting public peace and promptly obey and execute all orders lawfully issued. The Sub-Inspector in charge of a Police Station is fully responsible for the Police Administration of his charge. The Sub-Inspector is an important and vital functionary in the police department. He shall be responsible for proper management of the station and optimum utilization of the resources and facilities

available. It shall be his duty to manage the staff and work of the police station in accordance with the law and rules and to make the police station a place where the needy public gets necessary and immediate response. The image of the police department basically reflects on the conduct and behaviour of the Sub-Inspector and his staff in the station, as it is at that point, public has a direct access with the police. The Sub-Inspector and his staff should behave politely and courteously with the public giving an impression of friendly approach. Active co-operation from Citizen Committees shall be solicited in the matters of L&O, crime prevention etc. All illegal methods or ill treatments against persons should be avoided at all costs giving way to an impression to the public that the police are there to extend their helping hand in the discharge of their duties. The Sub-Inspector must respect human values and human dignity and should know that powers are vested in him to discharge his duties legitimately but not to arrogate to satisfy his ego and vanity. If he crosses his limits he will be doing so at his risk as the department will not come to his rescue. He should assign duties to his staff and personally ensure that these duties are correctly performed. He shall take measures for the prevention of crime, for the preservation of peace, for speedy investigation and prosecution of cases. When more than one Sub-Inspector is employed in a police station, which is headed by a Sub- Inspector, the junior officer shall act in accordance with the orders of seniority. He shall maintain a notebook in which he will write then and there his daily movements and activities in discharge of his duties. The completed notebook will be retained for 3 years with the station records. He will hand over his current notebook to his successor when he goes on transfer. He shall acquire full local knowledge and will become acquainted with the people of his station limits, especially the village secretaries and panchayat officials, and will also enlist their co-operation in prevention of crime and breach of peace. He should also involve various Committees in this regard. The SHO shall normally visit all the villages and localities in towns in his jurisdiction once a quarter. Passing through a village without doing the work cannot be treated as a visit. The duties of officer in charge of a police station are set out in the Police Acts and CrPC. They broadly relate to maintenance of law and order, prevention and detection of crime, investigation and prosecution of offences etc., etc.

The Sub Inspector of Police/SHO is responsible for the maintenance of the law and order and public order in his jurisdiction. His duties in this regard include, personal leadership and supervision of duties and work of all the staff and men allotted to his charge including their welfare, discipline and morale, organizing active participation in crime prevention and detection, maintenance of law and order and anti-terror operations, dispersal of unlawful assemblies and prevention of breach of peace and public order, organizing beats and patrols and its personal

supervision, designing and implementation of policing schemes suited to such beat areas and securing co-operation of public and social committees. Obtaining prompt information about activities in the field of communal, caste, political, student, or other segments of society including subversive elements and identify trouble spots and trouble mongers and to take effective preventive measures like launching security proceedings under Cr.P.C. Maintenance of good public relations in his station limits, visiting and spending adequate time in the villages, localities of his station limit, maintenance of effective surveillance over bad characters, anti-social elements, and rowdies of the area under his charge are some of the other important functions and duties of the Sub- Inspector/SHO. He shall constantly endeavour to maintain high professional standard and keep himself updated, well informed and motivated, keep a pursuit and apprehension of offenders on available clues and information and collection of information on all important matters relevant to police duties and functions and communicating information to his immediate superior police officer and to other concerned superior police officers promptly. The Sub Inspector of Police/SHO is responsible for the investigation of all cases reported in his jurisdiction except for those where the investigation is entrusted to Inspector/DSP or other senior officers or CID. As officer in charge of police station he shall perform the duties relating to investigation and prosecution of cases and shall register all cognizable cases and would furnish a copy to the complainant invariably free of cost and send the original FIR to the courts concerned immediately and copies to his superior officer. In respect of non-cognizable offences reported in the station, he shall record the information in the general diary and also in the non-cognizable register, and refer the complainant to the court by an endorsement.

In cases of non-cognizable offences referred by court or any cognizable offences presented by parties' directly in courts but endorsed by the court to the SHO, he shall register such cases and investigate. He shall promptly arrive at the scene of crime and thoroughly examine the same for clues and for other matters of investigation and will make arrangements for the preservation of the scene. He shall promptly conduct investigation by identifying, preserving, collecting and forwarding of material to scientific experts, and collection of documentary and oral evidence and would make use of scientific methods available for investigation. He shall hold inquest where necessary and forward the bodies for the post mortem examination according to the necessity. He shall examine witnesses and record their statements accurately and promptly, and would conduct searches, and seize material, if any, as per provisions of Cr.P.C. He will make arrest of persons, where necessary observing the necessary provisions of law and the decisions of the court and send them to remand in time. He will forward to the court the weapons and article seized from the accused, as well as, seizure affected from searches along with necessary reports. He will supervise investigations conducted by the IOs and will obtain progress reports. He shall write the case diaries regularly and forward them to the superior officers promptly to enable

them to give instructions for further investigations. He shall finalize the cases without delay and file charge sheets where the evidence is sufficient for prosecution within the period of limitation imposed by the Cr.P.C. and Courts. He shall promptly serve and would ensure service of summons and execute warrants. He shall take all steps to promptly prosecute the cases where evidence is sufficient by assisting the prosecutor by producing witnesses promptly to refresh their memory before examine them as witnesses in Courts and would obtain copies of judgments in cases of acquittal, read them and forward them to the prosecutor for his opinion for preferring appeal. The station house officer shall forward daily to the Inspector a carbon or photostat copy of the station general daily with a docket in the form prescribed along with copies of FIR registered and case diaries of that day. Inspectors and Sub-Inspectors (SHO) will update the police station record from time to time and will make authorized entries in the small service books of their subordinates.

### **Case diary as specified in section 172 Cr.Pc.:**

Section 172 Cr.P.C. lays down that every police officer making an investigation should maintain a diary of his investigation. Each State has its own police regulations or otherwise known as police standing orders and some of them provide as to the manner in which such diaries are to be maintained. These diaries are called case diaries or special diaries. Like in Uttar Pradesh, the diary under section 172 is known as ‘special diary’ or ‘case diary’ and in some other States like Andhra Pradesh and Tamil Nadu, it is known as ‘case diary’.

The Section itself indicates as to the nature of the entries that have to be made and what is intended to be recorded is what the police officer did, the places where he went and the places which he visited etc. and in general it should contain a statement of the circumstances ascertained through his investigation. Sub-section (2) is to the effect that a criminal court may send for the diaries and may use them not as evidence but only to aid in such inquiry or trial. The aid which the court can receive from the entries in such a diary usually is confined to utilizing the information given therein as foundation for questions to be put to the witnesses particularly the police witnesses and the court may, if necessary, in its discretion use the entries to contradict the police officer who made them. Coming to their use by the accused, Sub-section (3) clearly lays down that neither the accused nor his agents shall be entitled to call for such diaries nor he or they may be entitled to see them merely because they are referred to by the courts. But in case the police officer uses the entries to refresh his memory or if the court uses them for the purpose of contradicting such police officer then provisions of Section 161 or Section 145, as the case may be, of the Evidence Act would apply. Section 145 of the Evidence Act provides for cross-

examination of a witness as to the previous statements made by him in writing or reduced into writing and if it is intended to contradict him by the writing, his attention must be called to those parts of it which are to be used for the purpose of contradiction. Section 161 deals with the adverse party's rights as to the production, inspection and cross-examination when a document is used to refresh the memory of the witness. It can therefore be seen that the right of accused to cross-examine the police officer with reference to the entries in the General Diary is very much limited in extent and even that limited scope arises only when the court uses the entries to contradict the police officer or when the police officer uses it for refreshing his memory and that again is subject to the limitations of Sections 145 and 161 of the Evidence Act and for that limited purpose only the accused in the discretion of the court may be permitted to peruse the particular entry and in case if the court does not use such entries for the purpose of contradicting the police officer or if the police officer does not use the same for refreshing his memory, then the question of accused getting any right to use the entries even to that limited extent does not arise.

**Register No. 2 Daily Diary Register:**

It shall be maintained by means of carbon copying process. There shall be two copies. The original will remain in the Police Station and the carbon copy shall be sent to ACP /Incharge of the Sub-Division.

The DCP shall fix hours at which station diaries shall be daily opened & closed. All entries in the daily diary shall be made by the Officer In- charge of the Police Station, Duty Officer or the Station Clerk. Each separate entry shall be numbered and the time at which it was made shall be mentioned in each such entry.

The opening entry each day shall give the name of each person in custody, the offence of which he is accused and the date and hour of his arrest.

The last entry each day shall show the balance of cash in hand as shown in cash register.

Any Police Officer who enters or causes to be entered in the daily diary a report which he knows, or has reasons to believe, to be untrue, whether he has or has not been directed to make such entry, shall be ordinarily dismissed from service as per P. P .R .22.50. A copy of this rule shall be affixed to the cover of the daily diary in every Police Station.

As per P. P. R. 22.51 daily diaries may be destroyed two years after the date of the last entry.

**The following matters shall be entered in the daily diary apart from the above:**

- The name of accused persons with complete details including whether in custody or on remand shall be entered.



- Information regarding commission of non-cognizable offences including reports of enmities likely to lead to a breach of peace.
- The gist of FIR registered giving the No. FIR offence and the section of law under which the case is registered.
- The hour of arrival and departure On Duty at or from a Police Station of all enrolled police officers of whatever rank, whether posted at the police station or elsewhere, with a statement of the nature of their duties. This entry shall be made immediately on arrival or prior to the departure of the officer concerned and shall be attested by the latter personally by affixing his signature.
- Every officer returning from any investigation shall record his arrival regarding the investigation made, places visited the details of property seized & deposited in the Malkhana.
- All case property received or released from P.S. Malkhana.
- All case properties which are dispatched & subsequently deposited in Sadar Malkhana.
- The hour of receipt & dispatch of all communications, cash etc. shall be entered. A road certificate shall be issued for di patch (Reg. No. 21) and a receipt will be issued regarding cash etc. (Register No.22).
- All arrivals at and dispatches from police station of persons in custody and all admissions to and removal from the police station lock up, whether temporary or otherwise.
- The hour & date of receipt and of service or execution of process i.e. summons or warrants and hour and date of return made of each such process.
- Report regarding properties in Malkhana (Store Room) under P.P. Rule 22.18. It is mandatory for the SHO to check the Malkhana and the properties therein twice a month. The report as required under P.P. Rule 22.18 shall be made on the day after checking.
- The report regarding excess of expenditure over the permanent advance (as laid down in PP Rule 22.71).
- The deposit or removal from the post office safe if embedded in the police station, the exact hour being given in every case.

A Certificate to the effect the daily diary contains 200 pages will be affixed by S.H.O. on each Daily Diary before it IS commenced.

The Daily Diary is being maintained in two parts. In part A (DD-A) reports regarding apprehension of breach of peace, gist of non-cognizable reports (if not entered in Non-cognizable Reports Register), gist of FIR, section of law etc., shall be recorded when a case is registered.

Apart from this all important matters including persons arrested, persons in custody, deposit of case property seized by IOs, dispatch of case property from PS, receipt of summons- and warrants, checking of properties lying in Malkhana, reports regarding cash kept in Malkhana or excess expenditure etc. shall be entered. Information regarding checking of B.Cs. or about their activities will also be mentioned for being used later to make entries in the History Sheets. The IOs on their arrival after investigation & enquiries in various cases reports marked to them, shall make a mention in the Daily Diary about the action taken by them on such investigation reports. In part B (DD-B) routine entries like arrival & departure of policemen, dispatch of patrolling staff, posting of pickets, arrival & departure of policemen sent for process service duties or who are sent to summon persons u/s 160 Cr. PC for purpose of investigation will also be mentioned.

### **Register No. 3**

This register shall be maintained in two parts.

#### *Part (i) Standing Order Book*

All standing orders of the Commissioner of Police, Addl. Commissioner of Police and Deputy Commissioner of Police shall be entered in a file book. These standing orders shall be continuous for five years and the file shall be indexed.

#### *Part (ii) Circulars and other Orders*

In each Police Station an annual file shall be maintained of all circulars and other orders issued for the instruction and guidance of the Police and not being Standing Orders. These files shall be destroyed after two years.

### **Register No. 4 Absconders Register**

This register shall be maintained in the following parts: -

Part (i) This part shall contain the names of all absconders in cases registered in the home police station and shall be maintained.

Part (ii) --- The names of absconders in cases registered in other police stations but resident of or likely to visit the home police Station shall be written in this part which shall be maintained. The entries of residents of home police Station shall be made in red ink.

Part (iii) --- Will contain the names of deserters from the army and shall be maintained. As soon as an absconder has been proclaimed under section 83 of the Code of Criminal Procedure, his name shall be entered in the Proclaimed Offenders list.

When an absconder is proclaimed under section 83 Cr. PC, his name should be entered in Register No. 10 Part-A of the Home Police Station and his History Sheet should be opened in red ink.

### **Proclaimed offenders, Register**

There is no provision in the PPR for maintaining proclaimed offenders register in a Police Station. As per PPR 23.25, a list of proclaimed offenders shall be hung up in the office and notice board of the Police Station. However, as per PPR 23.22 a proclaimed offender's register shall be maintained in each District by the head of the Prosecution agency. This register shall be maintained, in two parts: -

Part I --- In part-I shall be entered the names of proclaimed offenders who are residents of home Police Station irrespective of the Police Station in which proclaimed.

Part II --- Shall contain the name of proclaimed offenders of the Police Station but not residents of the home Police Station.

### **Register No. 5 Register of correspondence:**

This register shall be maintained in two parts in Form.

*Part I* -- Shall contain a brief abstract of all reports and orders received at the Police Station and of all letters and replies dispatched from the Police Station. This register is merely a receipt and dispatch register and is not meant as a record of full correspondence. The register shall be destroyed after two years.

*Part II* -- The receipt and return of summons and warrants shall be entered.

On the last day of each month, a statement giving the following information shall be entered: --  
Number of summons remaining unexecuted at the end of previous month, No. of summons received during the current month, No. of summons executed during the current month, No. of summons remaining unexecuted at the end of the month. Similar statement regarding warrants shall also be entered.

### **REGISTER NO. 6 MISCELLANEOUS REGISTER:**

This register shall be divided into four parts: --

*Part I* -- *This* part is not being maintained in the Police Station now as verification regarding Government Service is being done by Special Branch.

*Part II* -- List of persons on security under the provisions of Code of Criminal Procedure and Local and Special Laws in form.

*Part III* -- Carbon copies of all 'Kalandras' (Complaints).

*Part IV* -- Carbon, copies of all inquests. A yearly index will be maintained for this part. This register may be destroyed seven years after the last entry .

### **Register No. 7 and 8 Not being maintained**

### **Register No. 9 Village Crime Register**

This is a very important register from the crime and criminals records point of view. This register shall be maintained in the following five parts in accordance with PPR 22.59. The Village Crime register is an unpublished official record relating to the affairs of the State and is a privileged document under section 123 of the Indian Evidence Act

Part I-This register will be containing information about a beat. A separate register shall be maintained for each beat.

Part II- A separate register shall be maintained for each beat. Any crime registered in the area of the beat shall be entered in this register.

Part III-This register is an index to the criminals of the area separately for each beat. In this register shall be entered the names of persons residing in a beat who have been arrested or an against whom strong suspicion of involvement in cognizable cases, whether the case occurred in the beat or not, exists. A separate entry shall be made for each suspect with a separate serial number. When the person is again arrested or suspected, a fresh entry shall bear the previous serial number or the number of suspicion and shall be entered below it in the form of a fraction. Persons who are suspected to have committed an offence and arrested under 41 Cr. PC would also be entered as above.

Part III-A This register shall also be maintained separately for each beat. In this register the names of the following persons of doubtful character who visit the beat shall be entered.

- (i) Persons whose History sheets are on record Bundle 'A'.
- (ii) Persons established through information sheets (stranger rolls) to be of doubtful character.
- (iii) Persons arrested in the beat under section 41/109, Code of Criminal Procedure, provided that no entry shall be made unless the persons concerned are placed on security.

Part-IV this is a confidential register and shall remain in the personal custody of the Officer Incharge of the Police Station. The following matters shall be entered in this register: -

Notes regarding influential individuals residing in or having connection with the area who habitually abet or share in the proceeds of crime or shelter criminals.

- (i) Special types of lawlessness or crime to which the inhabitants of the area are addicted.
- (ii) Notes on gangs operating in the area.
- (iii) Notes on personal, land, communal and other feuds, which are liable to cause breach of peace.

- (iv) Notes on fairs and similar occasions requiring the special attention of the officer in-charge of the Police Station.
- (v) Notes on criminals of other areas who commit crime in the jurisdiction.
- (vi) A list of respectable inhabitants of the area who can provide important information regarding proclaimed offenders and absconders.
- (vii) Convictions under section 124-A and 153-A IPC.

#### *Part V - The Conviction Register*

It is a permanent record of the crime and criminals and of previous convictions. It is to a great extent the basis for the preparation of History sheets and other measures of surveillance. Entries in this register shall be made by the Officer Incharge of the Police Station personally or under his special or general orders. Each entry shall be signed by the Officer Incharge of the Police Station personally. Every conviction shall be given one permanent serial number. When a person is reconvicted, the fresh entry shall bear the same serial number and the number of conviction shall be entered below it in the form of fraction. When two or more offenders are jointly convicted of committing one and the same offence and when there is reason to believe that they had acted in concert, a cross reference shall be inserted in the remarks column of the register, drawing attention to the fact. Entries in this register shall be confined to the following offences only:-

Code of Criminal Procedure Sections 108, 109 and 110.

- (i) Miscellaneous Acts
  - (ii) Sections 3 and 4 of the Gambling Act.
  - (iii) Offences under the NDPS Act.
  - (iv) Offences under the Indian Arms Act.
  - (v) Offences under Terrorists and Disruptive (Prevention) Act.
  - (vi) Offences under the Immoral Traffic (Prevention) Act, 1956.
4. Other Offences

All offences and cases in which subsequent conviction would render the person convicted liable by law to enhance punishment.

#### **Register no. 10, Surveillance Register**

This register shall be maintained in two parts A & B

- (1) As Annexure-14 - The surveillance register shall be written by the Officer Incharge of the Police Station Personally or by his junior, neatly.

Part A--In this part, the names of persons commonly residents of the jurisdiction of the Police Station and who belong to one or more of the following classes shall be entered. No entry in this part shall be made except by the order of a G. O. and every entry shall be attested by the G.O.

- (i) All persons who have been proclaimed under section 83 of the Code of Criminal Procedure.
- (ii) All released convicts in regard to whom an order under section 356, Criminal Procedure Code has been made.
- (iii) All convicts the execution of whose sentence is suspended in the whole or any part or whose punishment has been remitted conditionally under section 432, Criminal Procedure Code.

Part-B--In this part the names of the following categories of persons may be entered under the written order of the D. C .P. who is strictly prohibited from delegating this authority. Before the name of a person is entered in this part, a history sheet shall be opened for such person:

- (i) Persons who have been convicted twice or more of offences whose entry is to be made in Register IX Part - V.
- (ii) Persons who are reasonably believed to be habitual offenders or receivers of stolen property whether they have been convicted or not.
- (iii) Persons under security under section 109 or 110 of the Code of Criminal Procedure.
- (iv) Convicts released before the expiry of their sentences under the Prisons Acts and Remission Rules without imposition of conditions.

Note:-- Before Opening of History Sheet, the P.P. should be opened compulsorily.

B.C. Roll register is also a part of Register No.10.

### **Register n No. 11 Index Register**

This register shall be maintained in two parts: --

Part-I History sheets and personal files shall be entered in a serial number as they are opened. This serial number shall be permanent and shall not be altered when one history sheet is transferred from one bundle to another. This serial number shall also not be re-allotted until the history sheet has been destroyed or transferred to another Police Station.

Part II Shall be an alphabetical index of personal files and history sheets.

History sheets shall be prepared of persons accused more than twice of offences falling in chapters 12 & 17 of the IPC.

- All POs of home police station (in red ink) .
- All persons who are externed u/s 47-48 D.P. Act, 1978. After the externment period, the History Sheets shall be transferred to personal files.
- All dangerous criminals who are addicted to crime (P.P.Rules 23.9).

- Numbered personal files of all the History Sheets, Misc. Complaints shall be kept in personal Files.

### **REGISTER NO. 12 INFORMATION SHEETS DESPATCHED**

- a) Information sheets shall be issued by an Officer Incharge of a Police Station or on his behalf as a means of ascertaining the antecedents of persons who are residents of the jurisdiction of other Police Stations and
- b) Who are believed to have committed an offence, whether they have been arrested or not.
- c) Who have been arrested under section 41 (2) of Criminal Procedure.
- d) Who are genuinely believed to be under suspicion? The Despatch of information sheet issued shall be entered in Register No.12, which shall be maintained in Form 23.17(2) as in Annexure-17.
- e) Information Sheet of the arrested person shall be issued thrice firstly at the time of arrest, secondly at the time of conclusion of investigation and finally after the conclusion of judicial trial or magisterial proceedings.

### **Register No. 12-A Information Sheet Received**

The officer incharge of a police station receiving an information sheet shall cause an entry to be made in this register to be maintained.

Register No. 12 and 12-A shall be destroyed seven years after the last entry.

### **Register No. 13 Minute Book For Gazetted Officers.**

This is maintained on a blank register. The Gazetted Officers on their visit to a Police Station shall give their remarks requiring the attention of the officer Incharge in this register.

### **Register no. 14 File Book of Inspection Reports**

This is a file cover of standard size in which inspection reports by Gazetted Officers are kept.

### **Register No. 15**

Not being maintained in Delhi as such records are maintained by the Municipal authorities.

### **Register No. 16**

This register shall be maintained in four parts:

Part I - Not being maintained.

PART II- In this register, the names of Police Officers attached to the Police Station with dates of their appointment and transfer shall be entered.

Part 111- In this register Government property in use and on the charge of the Police Station shall be entered.

Part IV- Not being maintained.

### **REGISTER NO. 17 REGISTER OF LICENCES**

This register shall be kept in the following 6 parts: --

part i- Register of arms act licences

part ii- licences under the excise laws

part iii- licences under the. explosive act

part iv- licences under petroleum act

part v- licences under the poisons act

part vi- list of sarais, hotels, guest houses etc

### **Register No. 18 Receipt Book for Arms and ammunition of military stores**

This book shall be kept in triplicate. The arms, ammunition OT military stores deposited, seized or brought to the police Station when such seizure is not otherwise reported shall be entered in this register. One copy will be affixed to the weapon or article, the duplicate shall be given to the depositor and the original shall remain in the book. This book shall be destroyed five years after the date of the last entry.

### **Register No. 19**

All case properties, articles of personal search, properties seized in Kalandras, inquests etc. shall be entered in this register. The articles released shall be entered in the appropriate column and every such release shall be attested either by the Officer Incharge or by the investigating Officer. The Officer Incharge shall physically check the articles once in a fortnight and make a note to this effect in this register and daily diary. On the last day of every calendar year, this register shall be brought forward in red ink by making entries of unreleased articles. The entries so brought forward shall be made serial-wise. The serial number of the preceding year shall also be written in fraction. This register may be destroyed three years after the date of the last entry. In this register each entry should be attested by the I O & MHC (M) at the time of depositing the case property in the Malkhana.

### **Register No. 20**



This register shall be maintained in two parts: --

*Part I-CASH REGISTER*

In this register an account receipt and disbursement of pay, travelling allowances etc. shall be maintained. The account shall be balanced daily and attested by the Officer Incharge of the Police Station. The Officer Incharge of the Police Station shall personally check the correctness of this register once a month and make a note in the cash register to that effect.

*Part II-PERMANENT ADVANCE REGISTER*

In case excess amount is spent, entry shall be made in Red ink (deficit amount).

**Register No. 21 Road Certificate:**

Road Certificate shall be kept in a bound book in duplicate. Each Certificate shall be given an annual serial number for each Police station. A Road Certificate shall accompany all sums of money, articles of Malkhana and challans of cases sent from the Police Station. Each book shall be destroyed three year after the date of the last road certificate.

**Register No. 22 Printed Receipt Books**

These books shall have printed serial numbers and only one such book shall be in use at a time. These serial numbers shall be checked before bringing it into use. If any serial number is missing or wrongly printed, it shall be brought to the notice of the Officer Incharge of the Police Station and a report shall be entered in the daily diary. For all sums of money received in a Police Station, a receipt from this book shall be issued to the remitting party under the signature of the Officer Incharge of the Police Station or the station clerk. Necessary entry shall be made in the cash register and attested by the Officer Incharge of the Police Station.

**Register no. 23 police gazette and criminal intelligence gazette**

The Police Gazette and Criminal Intelligence neatly filed in separate cardboard covers.

**Register no. 24 police rules**

The copies of Police Rules must be kept up-to-date.

**REGISTER NO. 25 CONFIDENTIAL REGISTER**

This is a blank register which shall remain in the personal custody of the Officer Incharge of the police Station. The Officer Incharge of the Police Station on his transfer shall record a confidential note in this register for the assistance of his successor. The confidential, charge note shall contain miscellaneous local information, which the outgoing officer has gathered during his stay in the jurisdiction. The following matters may be mentioned in these notes:-

- a) The character and capacity of the members of staff of the Police Station.
- b) Residents of the jurisdiction who are useful to the police.
- c) Directions in which co-operation with other Police Station is necessary.
- d) Special factors affecting crime and other problems in the Police Station.
- e) Matters of temporary importance, under investigation etc.

#### 1. *Non-Cognizable Register*

This register is maintained in accordance with section 155 Cr.PC which prohibits the police to investigate a non-cognizable offence unless authorized by the magistrate to investigate such an offence.

On receipt of an information about a non-cognizable offence, the officer incharge of a police station or the duty Officer on his behalf, shall record the information in the non-cognizable register and advise the complainant to seek redress in a court of law. The report so recorded will be read over to him and got signed. A copy of the report shall be given to the complainant.

(Non-recording of report by a police officer constitutes an offence U/S 177 IPC).

#### 2. *Maintenance of Register Regarding Missing Persons*

A register regarding Missing Persons shall be maintained at all the police stations to keep a proper record of missing persons, their being traced later as also about the action taken to trace them. As soon as the information about the missing of a person or a child is received at the police station, the duty officer or the officer incharge of the police station shall record a daily diary entry in the police station giving complete description of the missing person, including sex, age special marks of identification, dress worn by him/her and the circumstances leading to the disappearances. As soon as such a report is recorded, the duty officer/SHO shall send a copy of the same to the Inspector, Incharge, Missing Persons Squad who is charged with the responsibility of taking action to trace the missing person. This would in no way absolve the local police of its responsibility in taking appropriate action to trace such person(s). The MPS would pass an information to AIR, Doordarshan and C.R.O, giving all the details as mentioned

above. A photograph of the missing person shall also be sent for telecasting and publication in the C.R.O gazette. Field enquiries will be taken up immediately and where it is suspected that the children or the missing person has been kidnapped/abducted, a case will be registered. The local police may either suo-moto register a case or do on receipt of a report from the Inspector I/C MPS.

As soon as the missing person is recovered/ traced, he/she shall be immediately restored to the lawful guardian. If the missing person is traced and brought by any member of the public, detailed information about the circumstances under which he/she was recovered may be mentioned and the MPS informed.

In case a female or a child is traced (who might have come from some other place) and does not have any abode in the city, she will be sent to Nari-Niketan. A male child will be sent to the Children Home/Remand Home. Information about this shall also be given to the MPS.

In addition to the Registers prescribed in Punjab Police Rules the following additional Registers are also maintained in the Police Station :--

3. *Standing Order No. 42*

Police Action against Hooliganism :

Rough Register Part 'A'-- Names and particulars of confirmed goondas who are residents of the P.S. concerned.

Rough Register Part 'B'- Names and particulars of confirmed goondas who are not residents of P.S. but operate in that jurisdiction.

Rough Register Part 'C' - Names and particulars of those who are novices in hooliganism irrespective of whether they reside in the area of the P.S. or not.

4. *Standing Order No. 138*

Para 16(ii) mentions about the S.H.O. maintaining a Register for all cognizable crimes. A detail of measures adopted by the local police to prevent recurrence of crime - in the particular area requires to be mentioned in it.

5. *M.L.C. Register*

Entries about MLCs in which result is awaited from the hospital are made in this Register.

6. *Anti-Goonda Census Register*

Beat-wise activities of goondas and other anti-social elements operating in the area of the P.S. are entered in this Register.

7. *Banks Checking Register*

It contains the names of Banks, their location, name of their Manager, particulars of the employees, Security measures at the Bank, deployment of armed guard, system of Alarm/siren etc. are entered in the Register.

8. *Schools and Colleges dropouts Registers.*

Contains the names of School/College dropout residing in the jurisdiction of the P.S. and of those belonging to other areas but were students of Schools/Colleges falling under the area of the P.S.

9. *Briefing and De-briefing Register of Beat Constable*

It contains the particulars of the beats, name of the beat constable, data of his posting as a beat Constable, day to day information given by the Constable, Information about the criminals operating/residing in the area, day to day briefing given to the constable etc.

10. *Special Police Officers Register*

This register contains the names of S.P.Os, their addresses, telephone number and details of valuable information and work done by them.

11. *Register of Markets and Residents Welfare Associations and Respectables*

This register contains the names of markets and particulars of the residents Welfare Associations in the P.S. area.

12. *Drug Addicts Register*

It contains the names, residential address and a brief history of drug addicts in the P.S. jurisdiction.

13. *Register of Communalists and, other activists*

It contains the names and addresses of communalists, mischief mongers, instigators of communal passion, details of probable hide outs of communalists/ extremists etc.

14. *Domestic Servants verification Register*

It contains the names of domestic servants, particulars of their native place, names of the Police Stations and Distt., name of the employer, result of verification done etc. The photograph of the servant is also affixed in this register.

FIR :

Let us start with the layman interpretation of First Information Report (FIR). A police complaint is synonymous to an FIR.

What does FIR actually means? When to register an FIR? How to register an FIR? What are rights of the person registering an FIR? What to do in the case where a police officer refuses to register an FIR? What happens after registration of an FIR is complete? Should a person fear visiting police station frequently after registering an FIR? What are the legal intricacies involving registration of an FIR? What is the object of an FIR?

All queries answered in one article.

### Objects of FIR

- Mere going to a police station (preferably nearest police station of the area where the crime was committed) and asking the police inspector to file a First Information Report is sufficient.
- (A sample FIR is attached in Annexure 1)
- Before beginning with anything it is important for us to know that **First Information Report is registered only for cognizable offenses.**
- **Cognizable offenses** are one where police officers have the right to arrest a person with or without a warrant and to start the investigation of the crime prior to obtaining permission from the court.
- **From the point of view of an Informant**, registration sets the criminal law into motion. That is to say, starts the process of solving the case by first registering it.  
**From the point of view of police**, FIR is obtaining of information about some alleged crime.
- **It is not required that the person registering FIR should be personally aware of the whole incident.** Therefore, if one finds a body lying at the corner of a lane, it is not assumed that he knows when the murder happened or how did it happen?
- FIR is not an encyclopedia. Minute details are not to be given in a FIR.
- Simply because a particular name finds a mention in an FIR, that cannot be taken as an evidence against the accused in the court of law.
- FIR Checklist
- **FIR can be registered orally.** The condition is, after giving the oral statement it is the duty of the person registering the First Information Report to produce that oral statement into writing.
- Once satisfied that all the information is recorded in an FIR, the person making it should

sign the FIR.

- A person making a First Information Report has the right to get a copy of the FIR.
- It is mandatory under the provision of Code of Criminal Procedure for a police constable to register a First Information Report.
- When to File an FIR?
- The prompt and early reporting of an FIR, as soon as one comes to know of the happening of an offense, is advisable.
- The provision as to an information report is enacted to obtain early information of alleged crime actively.
- If an FIR is still not filed at an early stage, the findings of an FIR cannot be doubted on the same ground.
- The only thing needed before filing a late FIR is a reasonable reason for the delay in filing of an FIR.
- Consequences of Delay in Filing of an FIR :
- **5 hours delay:** Not seen with suspicion.
- **6 hours delay:** Do not in any manner warrants any adverse inferences.
- **12 hours delay:** Non-explanation of delay of 12 hours in lodging the First Information Report assumes significance from the point of view of evidence law.
- **15 hours delay:** When the evidence is clouded with strong suspicion and as the First Information Report is lodged with a delay of 15 hours, the false implication of accused cannot be completely ruled out.
- **5 days delay:** Accused becomes entitled to the benefit of the doubt.
- **14 days delay:** It will be utterly unsafe for convicting a person based on an allegation 14 days late.

In spite of the delay, if still, the First Information Report looks substantive from the point of view of the law, such delay will not result in letting the culprit escape.

#### **Registering an FIR:**

- Visiting the nearest police station within the crime scene (preferably).
- Informing either orally or in writing. In case a verbal complaint is made, it is the duty of the authority recording the FIR to convert it into writing.
- First Information Report should be signed by the person giving the complaint.
- It is the duty of the police authorities to register the FIR in a record book.
- It is the duty of the police officer to provide the complainant with a free copy of FIR.

- a Police Officer Refuses to Register an FIR :

**In such case, a person may send the substance of such information – in writing and by post – to the concerned S.P. (Superintendent of police).**

- When S.P. receives such information it is his duty to either investigate such matter or pass the matter and order an investigation by the concerned authority.
- Can a Telephonic Message be Sufficient for Registration of an FIR?
- Depends on the facts of each case. If not vague it can be treated as FIR.
- A message sent by telephone to the police officer and recorded by him in his station diary, which discloses an information regarding a cognizable offense, is First Information Report.
- If the telephonic message by any person is not recorded by the police inspector into writing and signed duly, it will not be considered as a First Information Report.
- At many police stations in India, even an email or Whats App message can be registered as a First Information Report, provided they are not vague and comes under the ambit of information as provided in section 154.[1]
- Procedure After FIR is Lodged
- If the area where the incident occurred is within the reach (jurisdiction of the police station) then, the police authority possesses all the power to investigate.
- The police officer himself assesses whether the complaint is worth entertaining or not. E.g. where there is an FIR of theft of Rs.50 then the police might not forward with the complaint.
- If convinced with the findings of First Information Report, police forward a report to the magistrate and ask him to take cognizance of the offense.
- Further, magistrate orders an investigation on the basis of First Information Report.
- A police officer might require the attendance of any person being within the local area of such police station.
- During enquiry of an FIR and its investigation, no statement made by any person to a police officer in the course of an investigation shall be signed by the person making it.
- After taking the final report, if the magistrate is satisfied with the report and findings of the investigation on the basis of First Information Report, court summons is issued.

### **FIR in Case of Rape Complaint**

In cases of a sexual offense, the delay is not given much importance as it is assumed by the court about the difficulty of the victim to come out and complain.

**Where delay in filing an FIR in a rape case had taken place,**

Court was satisfied with the reasoning that the name of the family was involved, therefore, there was a delay in filing of the First Information Report.

### Basic Miscellaneous Facts one Needs to Know about FIR

The FIR is lodged with a view to setting the investigation into motion and not for the purpose of setting down all the story and plot of the offense. There should be a common sense approach to such matters while evaluating the criticism against the FIR. Where FIR is proposed against a politician, actor, or a public servant charging that person with allegations of dishonesty, a preliminary enquiry should be conducted against such person

### Use of the FIR

The First Information Report is not a substantive evidence. A person or the maker of the statement may give many statements but it is not necessary that every statement of such person can be treated as an FIR. For a statement to constitute the first information report, it is very necessary that two conditions should be fulfilled-

- a) **The statement should be an accusation** that it must be in nature of a complaint or it should be a statement that gives some information regarding a crime.
- b) **It must relate to a cognizable offense** on the face of it

Drop your comments regarding the article in the comments section below & Share the Article.

### Annexure 1 (Sample FIR)

### Annexure 2 (Sample police complaint about lodging an FIR)

To

Officer in charge,

\_\_\_\_\_ Police Station,



\_\_\_\_\_ District,  
(state)

Sub: Loss of the Mobile phone

Respected sir,

I am <name>, w/o <husband/father's name>, currently residing at <address>. (Date), I lost my phone at the (Place) at <city>.

The mobile is a (model) with (specifications). The IMEI number of the phone is <IMEI number> and the serial number of the device is <serial number>. The mobile number of the SIM used in the lost phone is <phone number>. Approximate value of the new device of this model is Rs( ). You are requested to kindly register the complaint and give me an attested copy of this complaint so that I can submit this to the service provider to block the phone number and prevent potential abuse of my SIM.

I shall be obliged if you kindly take action to trace and recover the lost device.

Yours faithfully

(Name)

(signature)

(City)

(contact number)

### **Maintenance of Case Diaries:**

The investigating officer is required by law to keep a record of the proceedings of the investigation in a diary in narrative form that should be made with promptness in sufficient details mentioning all significant facts on careful chronological order and with complete objectivity which may have a bearing on the result of the case. Haphazard maintenance of a case diary not only does no credit to those responsible for maintaining it but defeats the very purpose for which it is required to be maintained. 19 A copy of the diary relating to each day's investigation (along with copy of any statement that may have been recorded u/s. 161 Cr.P.C. shall be despatched to the circle inspector the following day. In special report cases, another copy shall be sent to the Superintendent of Police.<sup>20</sup> In actual practice, no *thana* was found to have been following the rules as given. The copies of the case diaries were found to be sent only on two occasions. They are done only when a bail hearing takes place where the 10 of the respective *thana* is required to send the necessary updated case diaries that the court needs for considering on the bail application of the arrestee. Even when a *thana* sends up an arrestee to the court, it sends along with it the forwarding report that also includes the case diaries in which it reports the progress of the investigation and the relation of the arrestee to that case who is forwarded so that if the arrestee applies for bail, it would be of assistance to the court to consider

the bail plea. The only other occasion where the case diaries are sent up are at the conclusion of the investigation of a case. The original case diaries docketed to the final form (chargesheet) are submitted to the presiding judge who may be able to appraise police methods and tactics of investigation.<sup>21</sup> The case diary may be used at the trial or inquiry not as an evidence in the case but to aid the Court in such inquiry or trial and in framing a charge though not for founding the charge, that too not depending alone on the case diary.<sup>22</sup> The police respondents expressed their concerns over the difficulties in following the rules regarding the maintenance of the case diary.<sup>23</sup> The problem is the myriad form of work they are required to perform including investigation and within a context that impels the police to make various considerations that hinder the strict observance of the prescribed hour to hour recording of the progress of investigation in a particular structural fashion. The difficulties recounted by the police officers in maintaining case diaries were with regard to documenting all the steps taken during the course of the investigation of the case including those that did not bear any or partial results. In fact the problem seems to be mitigated to an extent by the process as suggested in rule 164(b) of the Cr.P.C

**OPM:**

It is however permissible to *keep*, in a note book to *be* maintained by every investigating officer, a brief note of the proceedings of the investigation as it progresses and with the help thereof to compile the case diaries subsequently, in the evening of the day in which the investigation is made or in the following morning if the investigation continues late into the night. While all the respondents strongly agreed that failure to maintain the case diary as per the prescribed norm is primarily due to the heavy workload, a very modest proportion of nearly 22 percent merely agreed to the possibility that the delay in upkeeping the case diaries leaves space for manipulation. According to a Sub-Inspector of Yeshodabad *thana*, the very process laid down for the maintenance of the case diary itself enhances the chance of creeping manipulations. Thus the procedures as 'inhibitory rules' appear to be quite confounding thence inadequate to restrain deviations. For instance, while rule 164(b), OPM provides that for the diary to be written up as the enquiry progresses and as soon as practicable after each step in the investigation, "the hour of each entry" shall be noted in the case diary, but at the same time it also allows the IO to compile the case diaries at the end of the day's investigation from the notings it would have made of the proceedings of the investigation as it progressed in a separate notebook. This gives the IO enough discretionary space for the existing practice of preparing case diaries from notings as late as when, as mentioned, an arrestee is forwarded to the court in relation to a case under investigation and subsequently only when the final form (final report/chargesheet) is prepared. The Supreme Court, in contrary to the existing rules in the police manual, observed in end of the

day."<sup>25</sup> But this may result in the haphazard maintenance of the case diaries because of the given difficult working conditions on the field for ensuring proper, chronological and orderly statement of facts and circumstances of the investigation as the very flow of information can never be in such a corresponding fashion. Thus not only that the non-compliance of the salutary principle of s. 172 Cr.P.C. is often the case in regard to daily recordings of case diaries but it also affects the provision of prompt despatch of a copy of it to respective authorities. The researcher noticed on various occasions police officers making a fair recording of the proceedings of investigation in their personal diaries or from it, compiling the case diaries.

**Unit II**  
**Management of manpower**  
**Delegation of duties to staff**

**Introduction**

The hierarchy of the police organisation can broadly be divided in two categories i.e. Superior Officers and Junior Officers. The superior officers work in the supervisory and controlling capacity with regard to the units which they occupy at a particular point of time. They issue instructions, guidance and orders, which help and assists the junior officers in the discharge of their various functions. Every senior officer is empowered to exercise the powers vested in his subordinate officers and men. In addition, they have extra powers and responsibilities, which make them accountable for their actions in a more articulated way. The superior officers can be categorized as Central services officers and State service officers. The Central service officers are called IPS officers and the State service officers are designated in accordance with the State to which they belong. The IPS officers work as top management officers and middle management officers. The DGs, Additional DGs and IGP's belong to the top management level, whereas, DIGs and SPs belong to the middle management level. The State service officer belongs to the level of junior management. The powers, duties and functions of the superior police officers are following:

**Director General of Police**

The Director General and Inspector General of Police is the head of the Police Department in whom is vested the administration of the Police throughout the State. He is the adviser to Government in all matters relating to the administration of the Police force. He is responsible to Government for the internal economy, equipment, training and discipline of the force, for its efficient organisation as a means of preventing and detecting crime and maintaining law and order and for the efficient discharge of duties by officers of all ranks. It is therefore, his duty to decide or advice the Government on all spheres of police administration and on the state of crime and all activities having a bearing on law and order.

Subject to approval of the Government, he may from time to time frame such orders not inconsistent with the Police Act, as he shall deem expedient, relating to the general administration and distribution of the force, the places of residence, the inspection of units, the collection and communication of intelligence, modernization and such other matters with a view to keeping the force efficient in the discharge of all its duties.

The Director General of Police is empowered to make Rules and Orders under Police Act. Important Orders and Rules involving radical changes may be issued by the Director General and Inspector General of Police with the prior approval of the Government. He is the central authority to direct operations necessitated by strikes, industrial disputes, riots, disorders or political movements spread over a wide area. Police action and dispositions necessary to combat such disturbances or movements will be under his general direction and control. In times of serious law and order problems he may deploy the reserve police to such areas as he deems necessary. The Director General of Police will send in advance copies of his tour programme to the Chief Minister, Home Minister, Chief Secretary and Home Secretary. Copies will also be sent to the Commissioners of Police, Addl. Directors General of Police, Inspectors General of Police, Dy. Inspectors General of Police, Superintendents of Police and other related officers.

#### **Additional Directors General of Police**

The Addl. Directors General of Police will assist the Director General of Police in looking after Administration, law and order, Crime, Technical and Specialised Services in the Department. Their functions, powers and responsibilities will be laid down in the form of Standing Orders by the State Government.

#### **Inspector General of Police**

Inspectors General of Police work either in the Ranges or in other units to assist the Director General of Police or the Addl. Director General of Police in the Administration of matters of the Police Department which come within the purview of the Units of the Department, placed under their charge. They may exercise all the administrative and financial powers delegated to the head of the department. They shall inspect all the units under their charge in accordance with the scale of inspections prescribed by the Director General of Police. Whenever they go on tour within the jurisdiction they shall send in advance the copies of their tour programme to the Addl. Director General of Police and Director General of Police and to the concerned Police officers.

#### **Inspector General of Police In-Charge of Zone/Ranges**

The Inspector General of Police in charge of a Zone/Range is a link in the chain of responsibility between the Director General of Police and the District Officer. He shall by

regular personal inspection endeavour to establish and maintain efficiency and discipline ensure uniformity of procedure and practice, and secure co-operation between the Police of his several Ranges/Districts. He shall control, instruct and advise Range DIGs and Superintendents of Police to be careful and not to supersede one another in their legitimate functions. He will advise, and if necessary supersede Range DIG and Superintendents of Police in times of grave disorder by taking over full control of the situation. He will pay particular attention to the training of and the discipline in the Armed Reserves so that as high a standard of efficiency as possible may be reached and maintained. It shall also be his duty to instruct the Officers under him regarding man-management and propriety in their conduct and performance of duties.

The Inspector General of Police is responsible for the maintenance of strict discipline among officers of all ranks. He should be kept promptly informed of all serious cases of misconduct among officers occurring in his range. He is responsible for guiding and directing the efforts of Range DIGs and Superintendents of Police in dealing with such cases, for scrutinizing their reports and for making personal enquiries in cases where exigencies of the matter so demand.

The Inspector General of Police has a large measure of administrative control within his division/zone. His powers in the matters of appointments, postings, leave, rewards, punishments and appeals will be in accordance with the instructions, orders and rules notified by the Government. He can exercise the financial and administrative powers of a head of department.

The Inspector General of Police shall be easily accessible to all members of the public. He shall hear their grievances and do his best to redress them. He shall meet the members of the public at convenient centers in various taluks, and take steps to improve police-public relations. Whenever the Zonal Inspector General of Police visits a range or district headquarters, he shall make it a point to see all superior Police Officers who are still on probation so that he can assess the progress of their training and check the work done by them. It is the duty of the Inspector General of Police to ensure that steps are taken for the prevention of crime and particularly, adequate arrangements are made for dealing with any unusual outbreak of crimes. It is also his duty to exercise constant supervision over the course of investigation of cases and ensure that Superior officers take adequate part therein. He shall closely watch the investigation of complicated and important cases. He shall aid and control his Range DIGs and Superintendents of Police in the investigation of important cases and the Superintendent of Police should be able to rely on him for encouragement, instructions and advice.

Every Inspector General of Police in charge of a zone/division should send copies of his tour programme to the Director General of Police, the Addl. Director General of Police, Law and Order and to the Superintendents of Police under him. He will also forward to the Director

General of Police and Addl. Director General of Police, Law and Order by the 5th of each month a report showing the details of his touring and inspections done during the previous month.

### **Deputy Inspectors General In-Charge of Range or Special Units**

Where the Inspector General of Police is the in-charge of a Division/Zone, the range will be headed by an officer of the rank of Deputy Inspector General of Police and his powers, duties and responsibilities will be similar to the powers, duties and functions of the Zone/Division IGP.

The Deputy Inspectors General in charge of special units shall assist the Director General or the Additional Director General or the Inspector General, as the case may be, in the efficient discharge of all the duties which come within the purview of their jurisdiction. The general power, duties and responsibilities of the Deputy Inspectors General of Police are applicable to the Deputy Inspectors General of Police in charge of Special Units also.

### **Superintendent of Police**

The administration of the Police throughout a district or part thereof shall be fully vested in the superintendent of Police. His work is of varied nature and in doing it, he should keep in view the following essential requirements:-

- to keep the district peaceful and the public satisfied with the security afforded to persons and property;
- to keep the force under control, in good discipline, well-trained, efficient and contented;
- to maintain cordial relations with the magistracy and other officials and non-officials;
- to ensure that the transport, arms and ammunition, stores and buildings belonging to the department are maintained in good condition;
- to promote good police-public relations;
- to organize good intelligence arrangements.
- To acquire full and detailed knowledge of the district and its current problems from the Police point of view;
- to participate, to the extent possible and permissible, in welfare activities sponsored by official and non-official agencies;
- to gain the confidence and loyalty of sub-ordinates by personal integrity, impartiality, devotion to duty, and a high sense of justice;
- to ensure by consistent supervision that the prevention, investigation and detection of crime in his district are properly and efficiently dealt with by the force under his command;

- to get to know all officers and men serving under him, redress their grievances if any, encourage those who are promising and effectively
- deal with those who are guilty of misconduct or remiss in the discharge of duty;
- to ensure the honesty and integrity of his subordinate officers;
- to study crimes and criminals in his district as a whole; and
- to pay surprise visits to the police stations at irregular intervals and check up whether officers and men are alert.

The Superintendent of Police should consider it a part of his duty, as far as possible to give the Sub-Divisional Officers the benefit of his personal guidance and instruction whenever necessary. A Sub-division, wherein an officer is acting for the first time as sub-divisional Police Officer, should be visited as soon as possible after the latter has settled down. The sub-divisions in-charge of junior officers should be visited frequently.

When in headquarters the Superintendent of Police shall attend office on all workdays and shall ordinarily transact all official business in his office. He may however discuss confidential matters in his home-office. He shall be easily accessible to officials and members of the public generally. The Superintendent of Police shall make necessary arrangements for the transaction of all urgent and important work during the period of casual leave availed by him or by any of his sub-Divisional Officers. The Superintendent of Police shall take steps to ensure that the prosecuting and investigating officers show due interest in the prosecution of cases in court and that no case fails on account of apathy or neglect.

The Superintendent of Police should be fully informed of all activities in his districts that have a bearing on law and order and he must take precautions to ensure that such activities do not result in breach of peace. He should also require his subordinates to keep him fully informed of all the developments and he should use his District Special Branch staff to secure information in regard to such developments. The Superintendent of Police is personally responsible to prevent problems arising out of communal tensions and to take prompt action whenever there is any communal problem.

The Superintendent of Police may withdraw subordinate Police Officers temporarily from any of the Police Stations in his district for duty in other Police 22

Stations in the same district at which extra force is required to deal with an emergency or to make arrangements in connection with fairs, festivals, meetings, processions or the visit of VIPs. The Superintendent of Police is responsible for ensuring that his assistants and deputies work efficiently, and it is his duty to bring to the notice of the Inspector General and DIG and the Director General of Police, any defects of character or temperament or want of zeal, which detract them from their utility as Police Officers.



The Superintendent of Police should deal with crime as a whole, studying the criminal problems of districts, rather than merely visiting individual scenes of offences, a duty which more properly falls upon the Sub-Divisional Police Officers and other subordinates who have the main responsibility to ensure that investigations are conducted in the manner prescribed. The Superintendent of Police should visit the scene of offences and supervise the investigation of SR case like: Dacoity, Highway robbery, Murder, Culpable Homicide not amounting to murder, H.B. and theft of a sensational nature, Any disturbances, riot, or affray of heinous nature, Theft of a sensational nature, Case of counterfeit coins and currency notes, Offences under section 400 and 401 IPC, Conspiracy case, Any case of specially heinous nature.

The Superintendent of Police should immediately visit the scenes and enquire personally into serious occurrences endangering life and property such as heavy floods, train or boat disasters and fires which involve heavy loss of life or property.

The Superintendent of Police should tour all parts of his district, remaining longer in the troublesome localities. In addition to inspecting the police stations, he should visit villages and make himself acquainted with the members of the Village Defence Parties, Citizens Committees, Village officials and principal inhabitants, endeavoring to gain their confidence and co-operation and at the same time ascertaining the state of crime and enquiring into the work of his subordinates.

He should take special steps to improve the rapport between the police and the public by holding conferences of important and influential members of the public at convenient centres. He should take the assistance of District and Taluk level integration Committees with a view to promoting peace and understanding among different communities. He will ensure that the services of Citizens Committees constituted by Station House Officers are utilized for prevention of crime and maintenance of law and order. He will also meet the members of weaker section and hear their grievances and take steps to redress them. He should satisfy himself by public contact that his subordinates are doing their duties faithfully and with integrity. His tours should not be rushed but so regulated that he becomes acquainted with the conditions in all important villages. During his visits to villages, he should also make enquiries about the current activities of the known criminals.

The Superintendent of Police should maintain a diary which should contain details of all the movements and every type of duty performed by him whether of a routine nature or otherwise and whether in headquarters or on tour. Police Motor Transport should be given personal attention by the Superintendent of Police, who should inspect all Motor Vehicles at least once in a month to ensure timely repairs and maintenance. The Superintendent of Police will send a monthly report to the Director General of Police through the Inspector General and Deputy Inspector General of Police.

### **Additional Superintendents of Police**

Additional Superintendent of Police in the districts will assist the Superintendent of Police. In such cases the powers, duties and responsibilities will be laid down in a Standing order to be issued by the Director General of Police with the approval of the Government. They will work under the control and direction of the Superintendent of Police of the District.

### **Sub-Divisional Police Officers**

The duties of an Assistant or Deputy Superintendent of Police in charge of a Sub-Division are similar, subject to their limitations, to those of the Superintendent of Police. These Officers function subject to the orders of the Superintendent of Police, whom they are bound to keep fully informed of their doings and of what is going on in the Sub-Division, and to consult him in all matters of difficulty. Correspondence, other than matters of routine, with other departments should be routed through the Superintendent of Police.

### **Supervision of Investigation**

Sub-Divisional Police Officers shall as a rule visit the scenes of crime and supervise the investigations in the heinous cases. They shall also take up personal investigation in complicated or important cases. Dowry Death cases unless taken over by the special cell, will be investigated by the Deputy Superintendent of Police of the Sub-Division. On reaching the scene of crime a Sub-Divisional Police Officer shall inspect it and examine all the witnesses. He shall then study the case thoroughly and discuss the evidence available and further evidence to be collected and ensure that the case dairies are written promptly and correctly under his supervision. He should normally remain in the scene of occurrence with the Investigating Officer and continue to supervise till the investigation is virtually completed. In cases where definite clues are not forthcoming, the Sub-Divisional Police Officer and the Circle Inspector of Police should camp in the village of occurrence till the case is detected or till, even after sustained and vigorous efforts, it is decided for want of further time, to leave further investigation to the local Officers. They should, however, resume the supervision of the investigation as soon as possible if necessary. In case the Sub-Divisional Police Officer receives information about the occurrence of another heinous crime while engaged in the supervision of the investigation of a case, he should decide whether the second case requires his immediate attention and if he feels that it is necessary for him to proceed for the supervision of the investigation of the second case immediately, he should give detailed instruction to the Circle Inspector of Police and the Sub-Inspector regarding the lines of further investigation to be pursued before leaving the place of offence. If necessary, he should return to the supervision of the investigation of the first case after completing the supervision of investigation of the second case. If, on the other hand, he feels that the investigation of the first case is more important than that of the second, he should

continue the supervision of investigation of the first case and proceed after its completion for the supervision of investigation of the second case.

In case the Sub-Divisional Officer receives information about the occurrence of a heinous crime while engaged in inspection, he should stop his inspection, proceed to the scene of offence, and resume inspection after his visit to the scene of heinous offence.

### **Heinous Crime Report**

Immediately after visiting the scene in a heinous crime, and in any case not later than a week of the issue of the FIR the Sub-Divisional Police Officer should send a detailed report in duplicate to the Superintendent of Police, who will forward one copy to the Range Dy. Inspector General. A grave crime report should be sent by the Sub-Divisional Police Officer in a heinous crime even if it has not been investigated by him and even if it is treated as false or as a mistake of fact.

### **Progress Report**

Progress reports should be sent in duplicate every week till the final disposal of the case to the Superintendent of Police, who will forward a copy of it to the Dy. Range Inspector General of Police. It is open to the Superintendent and the Range Officers to order the discontinuance of progress reports in any particular case. Detailed progress reports received by the Range Dy. Inspector General of Police should be filed in his office, where a watch should be maintained over the progress and disposal of cases. Copies of grave crime reports and their progress reports should not be sent to the office of the Director General.

### **Weekly Diary**

The Sub-Divisional Police Officer should prepare and maintain a diary which should be written in ink in his own handwriting or typed with his initials on each page and it should be written on day-to-day basis, the entries for the previous day being made on the morning of the following day. The diary should contain details of all movements and every type of duties performed by him whether of a routine nature or not and whether in headquarters or on tour. The Sub-Divisional Police Officer will send a weekly report which is a true copy of the diary to the Superintendent of Police and Range DIG. The weekly report should commence from Monday of the week. The copies of the Weekly reports should be sent to the concerned officers with the superscription "Weekly Report" and they should be opened by the addresses only and none else on their behalf. All the case diaries received from the Inspectors should be scrutinized by the Sub-Divisional Police Officer and necessary instructions should be passed upon them and communicated to the Investigating Officer. A crime registers to watch the receipt of the case diaries and the progress reports

### **Functions, Roles and Duties of Junior Police Officers**

## **Introduction**

The various ranks, functionaries and positions of the police organisation can be classified broadly into two categories i.e. gazetted Officers and non-Gazetted employees or Junior Officers. The Gazetted and the senior/superior officers, who belong to the IPS or State service cadres function in the supervisory capacity, whereas the Junior/Subordinate Officers work as field officers and most of the police functions and duties are performed by them in person with the assistance of other ranks. The Junior/Subordinate Officers are known as Inspectors/Sub-Inspectors, Assistant Sub-Inspectors, Head Constables and Constables. The functions, role and duties of these officers are following:

### **Inspector of Police**

An Inspector of Police works in the capacity of a Circle Inspector, SHO, Staff Officer or as part of some unit of the police organisation. His functions and duties as Circle Inspector or in various capacities are following:

- The main duties of Inspector of Police are investigation of important cases, supervision of police work of his circle and branches, maintain discipline among subordinates, and to keep the Superintendent of Police and the Sub Divisional Police Officer informed of the state of circle, its crime and law and order situation on a regular basis from time to time.
- The Inspector must thoroughly inspect each PS of his circle once in a year, should constantly and systematically tour throughout his circle. He should make enquiries about bad characters, the state of crime, community policing and general efficiency of police work. He should visit each of his Police Stations once in a month, check the current work of the Station, and give necessary instructions, pointing out errors, entering the same in the visitors' note book and sending a copy to the SDPO. He shall enter in the visitors' book the details of cases in which instructions issued relating to delay in investigation, finalization, and trials. He shall discuss with the Sub Inspector(s) and IOs, the cases under investigation, clues for detection and assist in the progress of the cases in finalizing them without unnecessary delay. He should also supervise the prosecutions of cases, for quick disposal, and see that the witnesses are produced in courts regularly and co-ordinate with prosecutors and enlist co-ordination in the success of cases.
- During his visits to the Police Stations, he shall scrutinize the station crime history and see whether all cases have been entered correctly and the register is maintained properly. He should peruse duty roster to see whether beats are properly detailed and checked. He should also check beats himself and visit as many villages as possible and see that he visits all villages once in a year. The villages visited by the Inspector shall be noted in the village roster maintained by him. The SDPO must watch the progress of village visits by the Inspector.

- The inspector must inspect twice a year, the books, shops, premises and stocks of all licenced manufactures and vendors of arms, ammunition and military stores. He shall also inspect all licenced revolvers/pistols at the licensee's residence in the first quarter of each year.
- The Inspector shall assume charge of investigation in all grave crimes and be responsible from the initial stages till the finalization and prosecution of the cases. He shall personally investigate any other important case, or if the SDPO or Superintendent of Police orders him to do so. He shall write the case diaries in all cases that are investigated by him. On the occurrence of a crime of any importance, the Inspector should proceed to the spot without delay, to supervise and guide the investigation and take charge of the direction and co-ordination of all work. Where the Inspector takes up the investigation, he shall continue till it takes a definite shape. If however he has to leave the investigation for some unavoidable reasons, to be recorded in writing, he must come back as soon as possible and continue the investigation till the case takes a definite shape. In case he has to leave a case during investigation he should record in his case diary the opinion he has formed of the cases so far as well as detailed instructions regarding the line of further action.
- If a serious breach of the peace is anticipated the Inspector shall promptly proceed to the locality and take measures to prevent it. In the absence of any senior officer, he shall take command of the police engaged in suppressing any riot taking place in his presence. The Inspector should be present on the occasion of large festivals and public assemblies and supervise the police arrangements. He should plan, co-ordinate and organize anti-terrorist operations by collecting useful information about terrorists, their hide outs, shelters, financiers, modules etc.
- At the close of the week, the Inspector shall submit a weekly diary. He should enter in it the work done by him and any other matter of departmental interest. When the Inspector leaves his headquarters, his halting places and the village visited, the distance traveled and the manner of performing journey should be given. The weekly diary should be dispatched on Monday containing the details up to previous Saturday night. If any thing of importance has occurred on Sunday or in a journey undertaken by him on Sunday, the same also will be incorporated in the diary. Besides the weekly diaries, the Inspector must also send special and immediate reports on any important or urgent matters, which occur, in his circle. He shall also send a monthly itineration report also. The Inspector shall forward to his immediate superior case diaries in cases investigated by him. He shall send a copy of the case diary to the station where the crime is registered and retain one copy with himself.

### **Sub Inspector (Station House Officer)**

It shall be the duty of the SHO to use his best endeavours and ability to prevent crimes, preserve peace, apprehend disorderly and suspicious characters, to investigate and detect offences, bring the offenders to justice, collect and communicate intelligence effecting public peace and promptly obey and execute all orders lawfully issued.

The Sub-Inspector in charge of a Police Station is fully responsible for the Police Administration of his charge. The Sub-Inspector is an important and vital functionary in the police department. He shall be responsible for proper management of the station and optimum utilization of the resources and facilities available. It shall be his duty to manage the staff and work of the police station in accordance with the law and rules and to make the police station a place where the needy public gets necessary and immediate response. The image of the police department basically reflects on the conduct and behaviour of the Sub-Inspector and his staff in the station, as it is at that point, public has a direct access with the police. The Sub-Inspector and his staff should behave politely and courteously with the public giving an impression of friendly approach. Active co-operation from Citizen Committees shall be solicited in the matters of L&O, crime prevention etc. All illegal methods or ill treatments against persons should be avoided at all costs giving way to an impression to the public that the police are there to extend their helping hand in the discharge of their duties. The Sub-Inspector must respect human values and human dignity and should know that powers are vested in him to discharge his duties legitimately but not to arrogate to satisfy his ego and vanity. If he crosses his limits he will be doing so at his risk as the department will not come to his rescue.

He should assign duties to his staff and personally ensure that these duties are correctly performed. He shall take measures for the prevention of crime, for the preservation of peace, for speedy investigation and prosecution of cases. When more than one Sub-Inspector is employed in a police station, which is headed by a Sub-Inspector, the junior officer shall act in accordance with the orders of seniority. He shall maintain a notebook in which he will write then and there his daily movements and activities in discharge of his duties. The completed notebook will be retained for 3 years with the station records. He will hand over his current notebook to his successor when he goes on transfer.

He shall acquire full local knowledge and will become acquainted with the people of his station limits, especially the village secretaries and panchayat officials, and will also enlist their co-operation in prevention of crime and breach of peace. He should also involve various Committees in this regard. The SHO shall normally visit all the villages and localities in towns in his jurisdiction once a quarter. Passing through a village with out doing the work cannot be treated as a visit.

The duties of officer in charge of a police station are set out in the Police Acts and CrPC. They broadly relate to maintenance of law and order, prevention and detection of crime, investigation and prosecution of offences etc., etc.

The Sub Inspector of Police/SHO is responsible for the maintenance of the law and order and public order in his jurisdiction. His duties in this regard include, personal leadership and supervision of duties and work of all the staff and men allotted to his charge including their welfare, discipline and morale, organizing active participation in crime prevention and detection, maintenance of law and order and anti-terror operations, dispersal of unlawful assemblies and prevention of breach of peace and public order, organizing beats and patrols and its personal supervision, designing and implementation of policing schemes suited to such beat areas and securing co-operation of public and social committees.

Obtaining prompt information about activities in the field of communal, caste, political, student, or other segments of society including subversive elements and identify trouble spots and trouble mongers and to take effective preventive measures like launching security proceedings under Cr.P.C.

Maintenance of good public relations in his station limits, visiting and spending adequate time in the villages, localities of his station limit, maintenance of effective surveillance over bad characters, anti-social elements, and rowdies of the area under his charge are some of the other important functions and duties of the Sub-Inspector/SHO.

He shall constantly endeavour to maintain high professional standard and keep himself updated, well informed and motivated, keep a pursuit and apprehension of offenders on available clues and information and collection of information on all important matters relevant to police duties and functions and communicating information to his immediate superior police officer and to other concerned superior police officers promptly.

The Sub Inspector of Police/SHO is responsible for the investigation of all cases reported in his jurisdiction except for those where the investigation is entrusted to Inspector/DSP or other senior officers or CID. As officer in charge of police station he shall perform the duties relating to investigation and prosecution of cases and shall register all cognizable cases and would furnish a copy to the complainant invariably free of cost and send the original FIR to the courts concerned immediately and copies to his superior officer. In respect of non-cognizable offences reported in the station, he shall record the information in the general diary and also in the non-cognizable register, and refer the complainant to the court by an endorsement. In cases of non-cognizable offences referred by court or any cognizable offences presented by parties directly in courts but endorsed by the court to the SHO, he shall register such cases and investigate.

He shall promptly arrive at the scene of crime and thoroughly examine the same for clues and for other matters of investigation and will make arrangements for the preservation of the scene. He shall promptly conduct investigation by identifying, preserving, collecting and forwarding of material to scientific experts, and collection of documentary and oral evidence and would make use of scientific methods available for investigation.

He shall hold inquest where necessary and forward the bodies for the post mortem examination according to the necessity. He shall examine witnesses and record their statements accurately and promptly, and would conduct searches, and seize material, if any, as per provisions of Cr.P.C. He will make arrest of persons, where necessary observing the necessary provisions of law and the decisions of the court and send them to remand in time.

He will forward to the court the weapons and article seized from the accused, as well as, seizure affected from searches along with necessary reports. He will supervise investigations conducted by the IOs and will obtain progress reports. He shall write the case diaries regularly and forward them to the superior officers promptly to enable them to give instructions for further investigations. He shall finalize the cases without delay and file charge sheets where the evidence is sufficient for prosecution within the period of limitation imposed by the Cr.P.C. and Courts. He shall promptly serve and would ensure service of summons and execute warrants.

He shall take all steps to promptly prosecute the cases where evidence is sufficient by assisting the prosecutor by producing witnesses promptly to refresh their memory before examine them as witnesses in Courts and would obtain copies of judgments in cases of acquittal, read them and forward them to the prosecutor for his opinion for preferring appeal.

The station house officer shall forward daily to the Inspector a carbon or photostat copy of the station general daily with a docket in the form prescribed along with copies of FIR registered and case diaries of that day.

Inspectors and Sub-Inspectors (SHO) will up date the police station record from time to time and will make authorized entries in the small service books of their subordinates.

### **Assistant Sub-Inspector**

The following shall be the duties of the Assistant Sub-Inspector.

- Investigation of simple cases as directed by SHO and assisting investigation in all cases handled by SHOs and other superior officers
- Petition enquiry
- Checking of enquiries in verification rolls
- Supervision of service of process work
- To function as an officer in charge of a beat area and check patrols
- Direct supervision or handling of station scriptory work



- Detailing duties to the staff during Sub-Inspectors absence and exercising supervision and control over the Constables and Head Constables
- Maintenance of cash book
- Preparation of pay and traveling allowance bills (He should sign them only when the SI is absent)
- Maintenance of arms and ammunition and registers connected therewith
- To be in charge of out post or beat and perform these duties when posted there
- Such other work as may be entrusted to him

### **Head Constable**

Head Constables are mainly employed to be in charge of general duty in police stations, as station writer, as officer in charge of out post and guards, armed reserves, in charge of beat areas in rural and town police stations. He acts as SHO in the absence of Sub-Inspector and Asst. Sub-Inspector. He is authorised to hold inquests and make investigation when asked by the Sub Inspector to do so.

He will work with Constables and help them to understand instructions, catechism and drill and help them, to perform duties allotted by SHO. He will be in charge of guard or escort when deputed. He will visit villages in the station jurisdiction when deputed for a specific purpose and will work as HC in charge of a particular beat area. He will attend to court work under the orders of SHO, and will investigate cases when deputed by the SHO and to assist the IO in investigation. He will conduct enquiries into petty complaints and will take care of arrested persons kept in police station. He will take care of reception and proper behaviour with the persons coming to police station and to attend telephone calls. He will remain present in the police station in the absence of Sub-Inspector unless called away in an emergency.

Head Constable shall normally be assigned the duties of station writer. He will perform the ministerial work of the station under the direction of SHO. In the absence of SI or ASI, he will allocate urgent duties to the Constables and be in charge of station property including arms and ammunition and carry out the routine work of the station. In the absence of the SI, ASI and other senior, HC, he will function as station house officer; take steps for registration and investigation of cases reported under his charge. He may also be employed by SHO to go on night rounds and may occasionally be kept in charge of beat area. He is also responsible to watch the arrested persons kept in police station and proper reception to persons visiting police station and also for answering telephone calls when SHO, SI, or ASI are not present in police station.

The head constables form the main strength of investigating team. They assist the team leader in the investigation of cases especially in preserving, and collecting the clues like finger prints, foot prints, materials, photograph etc. and also in collection of information, process

service, pursuit of clues and arrest of accused and recovery of property, assisting in searches and seizures, surveillance of specially marked persons, holding inquests where directed, securing the presence of witnesses, perform, court duty to assist prosecutor when SI or Inspector are not able to be present, any other work connected with the investigation of crimes. Head Constable or Asst. Sub-Inspector is generally assigned a beat approximately covering 2000 households and around 10,000 populations in cities and towns and a group of villages in rural areas. He shall, with the help of constables provided, be responsible in that area for prevention of all offences, surveillance over criminals and bad characters, collection of information and intelligence, affecting crime, security and law and order, service of beats by night and day, preventing and dealing with public nuisances, maintaining order and incidence control, associate with citizen committees and keeping the SHO informed of all happenings, ensure discipline and conduct of constables of his charge, and conducting such enquiries as are entrusted to him.

HC may be kept in charge of small and rural out post. The duty of out post in charge is to supervise the work of constables in his charge, see to the proper performance of all duties attached to the out post and maintain the prescribed records. He should submit a copy of the out post general diary daily to the mother police station. Therefore whenever the information of cognizable offence is received in the out post, he shall forward it to the mother station for registration of FIR after issuing a receipt for the same to the complainant. He will also enter the substance of the report in the out post general diary. However the complainant is entitled for a copy of the FIR from the mother police station free of cost. The officer in charge of an out post may with out intervention of the officer in charge of a police station, take action in such of the offences as can be legally taken by SI, ASI or HC as per the rank of officer-in-charge. The officer in charge of out post shall on receipt of a complaint or information of a crime or serious occurrence, take such immediate action as may appear necessary i.e. proceeding and preserving the scene, rendering medical assistance to victims, arrest of accused persons etc.

In the absence of the regular SHO, the senior officer present shall assume charge of the station. Senior constable present shall also be deemed to be the officer in charge in the absence of higher ranks as per section 2(O) of Cr.P.C.

Whenever a guard is detailed for treasury or jail or for security of a minister of a government, a Head Constable shall be kept in charge of the guard. A Head Constable from reserve police will be deputed to be at the disposal of Sessions Judge, to maintain order in the court when there is a criminal trial. Wherever it is warranted, the SHO shall make security arrangements commensurate with the situation with the permission and consultation of the District and Sessions Judge or other Judicial Officers.

### **Constables**

A Constable has maximum interface with public. As the most accessible person for public, he is expected to protect the needy, rescue people from danger, apprehend offenders and assist in securing prompt help and justice. Some of the important roles assigned to him are organizing and securing community participation, activating himself in prevention and detection of crime and maintenance of law and order. Another main role of the Constable is, performance of all tasks connected with beat area and there by help in prevention of offence and breach of peace. The constable on traffic duty has the task of regulating traffic. All constables in their dealings with public should inspire confidence in the efficacy of police to protect them. The police image is directly proportionate to their good conduct and behaviour in the public as they are the persons who are basically and directly in touch with them. At all costs they must avoid ill treatment either to the victims or to the accused as a first step to build the better police image. The main duties of civil Constables are;

- To perform duties in beats, patrols and pickets and to keep surveillance over history sheeted and other potential criminals as per orders
- Collection of information and intelligence relating to crimes and criminals, subversive, terrorist and anti social elements in their areas primarily and communication of the same to the authorized superiors
- Developing cordial relations with local citizen committees/voluntary organizations and knowledge of households in the beat area and convey information relating to persons and events that cause or likely to cause law and order situation or wide spread disturbances
- Keep in touch with local disputes, caste/communal overtones and inform SHO
- Assistance to investigating officers in the matter of arrests, recoveries, searches, identification and securing of witnesses or verification of information and execute warrants and serve summons promptly, escort prisoners, arrested persons, escort injured or dead to the hospital, guard of
- prisoners in custody and all station property.
- Help and assist in dealing with Floods, Earthquakes, Fires, Accidents, Epidemics etc. and put in responsible efforts to save lives and property and to perform allotted duties in Fairs, Festivals, Bundhs, Agitations, Riots, Large Assemblies, Elections, Bandobust and security duties.
- To preserve and guard the scene of occurrence until necessity ceases.
- To behave courteously with all sections of public and treat poor people, children, women, aged and all weaker sections of society with consideration, sympathy and helpful attitude.
- To be regular and punctual in his duties, catechism, physical training and weekly parades.
- To work as data entry operators in Computers and in the areas of reprography,

photography and cartography wherever they have necessary skill.

- To meet the common people in his beat on a regular basis and maintain rapport with the public representatives.
- To visit the victims of crime and keep them updated about the investigation of their cases, except where the identity of the victims needs to be kept secret or where the victim wants no interference.
- To keep a list of senior citizens living alone and visit them occasionally.
- To keep a list of vital installations and places of worship and maintain watch over the same.
- To keep a track of any brewing social, religious or sectarian conflict/ unrest.
- To keep a watch on the movement of foreigners in his area.
- To make entries in the prescribed register and forms and maintain records entrusted to him particularly those relating to beat area.
- Any other duties allotted by SHO or other superior officers or elsewhere in this manual.

The entire preventive work of the police depends on the efficiency, commitment, professionalism and integrity of the beat area policeman. The Constable allotted to a beat should realize that his participation in the community even in a small measure is essential for successful policing. Professionalism and integrity but not power and authority shall command respect and bring in a large measure of co-operation from general public.

### **Training of staff**

The Training Division of the Bureau of Police Research & Development is responsible for comprehensive in-service training of Police personnel in the country on common subjects related to the police training across the country. Besides, it also coordinates training of Indian police personnel abroad and within the country by Foreign Security agencies. BPR&D in co-ordination with Ministry of External Affairs (MEA) facilitates training of foreign police personnel in India. Being the nodal agency of the Ministry of Home Affairs, Government of India on issues related to Police training, it has the important task of standardizing training methodology and framing training policies for skill up-gradation of Police officers of all ranks.

BPR&D also supervises the five Central Detective Training Schools (CDTS) located at Chandigarh, Kolkata, Hyderabad, Jaipur and Ghaziabad, which run courses for central/state police officers in the field of Scientific Investigation. A Central Academy for Police Training (CAPT) established by BPR&D, at Bhopal conducts training programs for DSP rank officers. Under training intervention scheme BPR&D conducts specialized training programs on various aspects of investigation with an aim to create a pool of trained police investigators on specialized

area of investigation in every district of the country. Training Division also reviews Training Methodology and conducts assessment of future needs for police training in the country.

## **Selection and Training**

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The recruitment process differs according to the level of the position, and direct entry (where an applicant does not have to start at the lowest level) is possible. The educational requirements increase with recruitments for higher posts.

The Deputy Superintendents of Police (DSP) or Assistant Superintendents of Police (ACP) are recruited every year by the UPSC (a wing of the central government) by an extremely competitive exam and are appointed into the Indian Police Service. The IPS officers are then assigned to a state force. Superintendents of Police undergo rigorous training for 44 weeks. The training programme also involves external invitees such as lawyers and management consultants. At the end of probation, they undergo an orientation training of few weeks at the assigned state's police academy.

Lower, non-managerial positions are selected by the state or central government and are trained at Police Recruit Schools. The duration of training for inspectors is roughly a year, and for constables is nearly 9 months. The training staff for these schools are drawn from the police force itself. Police are trained in basic law, self-protection, weapon handling etc. from recruit stations best recruits are taken into special forces where they undergo special training.

Recruitment process of State police is maintained by State Police Recruitment Boards. There are some eligibility standards which are set by Indian Government depending upon the demographics of a particular state. Those who fulfill these standards, are selected for recruitment process.

## **Transport**

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Unlike in many other countries, the various state police forces in India extensively use SUVs. The Mahindra Legend Jeep used to be the most common police car in India. In recent years, other SUVs have been employed by the police, such as the Maruti Gypsy, Mahindra Bolero, Tata Sumo, Tata Safari, Chevrolet Tavera and Toyota Qualis. SUVs are known for their capabilities to move around in any sort of terrain.

MUVs are used by police in cities, including metropolitan areas like Delhi and Mumbai, Bangalore where Chevrolet Tavera(Delhi, Kochi, Kozhikode and Thiruvananthapuram), Toyota Qualis(Mumbai, Delhi and Chennai) and Suzuki Ertiga(Bangalore and Pune) are extensively used. Though most cities use SUVs and MUVs, some cities like Chennai have adopted sedans like the Hyundai Accent and Kolkata which has adopted the Tata Indigo. In the cities of Kerala like Thiruvananthapuram, Kochi, and Kozhikode a special patrolling team

called Pink Patrol for security of women uses Toyota Etios for patrolling. Depending upon the state, police vehicles may have individual revolving lights, strobes or light bars etc. An extensive modernisation drive has ensured that these vehicles are equipped with two-way radio sets in communication with a central control room. Highway Police vehicles generally also have equipment like speed radars, breath analysers and emergency first aid kits.

For traffic regulation and patrolling in cities, motorcycles are also used. Most of them were the Indian version of Royal Enfield Bullet. Of late, other motorcycles like the Bajaj Pulsar and TVS Apache have also started being used by the police forces. This is because of increasing congestion in cities where the heavier Bullets would prove to be unwieldy when compared to the nimbler handling the newer bikes were capable of. The bikes are provided with two-way radios, strobes and sirens & are generally painted white.

Cities like Mysore use horses too, but on special occasions usually.

## **Weapons and equipment**

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The weapons and equipment issued vary from state to state and agency to agency. These equipment and weapons differ according to the roles of the agencies.

The standard equipment for a constable on their beat is the lathi (not to be confused with traditional 6 to 8 ft long ones) or baton which is generally made of bamboo, but recently polymer ones are also being issued. The riot police has numerous other equipment which include tear gas, tasers etc.

In general, Indian police constables do not carry firearms when on regular duty, though they are always available at police stations. Officers of and above the rank of Sub-Inspector or Head Constables are authorized to carry a sidearm, generally a Pistol Auto 9mm 1A or a Glock 17. Officers always carry sidearms. Traffic police officers regularly don't carry any weapons but carry fine books and other equipment.

The firearms previously stocked at police stations include .303 Lee-Enfield rifles (have been replaced), 7.62 1A Self Loading Rifles, and SAF Carbine 2A1s which now have been replaced by AK-47 and INSAS rifles. The Ordnance Factories Board is the one of the suppliers of arms, ammunition, uniforms, bullet-proof vehicles, and mine protected vehicles to the Indian police. Only the station officer can allow the use of reserve guns, to be only used in emergencies. During public unrest, protests or probable terrorist attacks, police are equipped and armed directly by the state or central government. Some special units in the state and federal level police forces also have additional automatic weapons such as AK-47, AKM, INSAS assault rifles and Bren guns. Police special forces and SWAT units use Heckler & Koch MP5s, Brügger & Thomet MP9s, AK-103s, and M4A1 Carbines and many more. Bullet proof jackets are generally

not worn by the state police, though special units carry special tactical vests, gear and weapons according to their function and role.

### **Unit III - Station Management**

#### **Management of station property and accounts**

1. The SHO and in his absence the officer in charge of the police station will be in charge of the arms and ammunition in the police station. The arms in the police station shall be kept secured in an arms rack by means of a chain fastened with a lock. The ammunition shall always be kept in a locked box. The Station Writer when present in the station or, in his absence, the guard officer shall keep the keys of the rack and ammunition box in his

custody. The Station Writer or the guard officer shall, when taking charge of the keys, check, the arms and ammunition and satisfy himself as to their correctness. An entry to this effect will be made in the general diary both by the officer handing over the keys and by the one receiving them. The officer in-charge of the station for the time being shall also check the arms and ammunition whenever he takes charge of the station general diary and satisfy himself that they are correct.

2. An arms register should be maintained in the police station, noting therein the number and name of the Constable or Head Constable or officer to whom each weapon is issued and obtain his signature against the entry. The officer to whom the weapon is allotted shall be responsible for its upkeep and cleaning etc. He should use the weapon allotted to him for the annual practice or wherever it is to be carried in the performance of his duty.
3. In extremist effected areas, all the members of the station guard should always carry rifles and sufficient ammunition with them specially in the night.

### **Cash chests of other departments**

1. The Cash boxes or chests of any Government department, local body, and bank may be accepted for temporary safe custody in the police station. The SHO should ensure that the boxes are securely locked and sealed before they are accepted. Because the police are responsible for the seals and not the contents. The sealed boxes should be accepted only on a letter of authority from the local head of the Institution delivered in person. The SHO before accepting any such boxes should cross check with the head of the Institution concerned on telephone if the officer himself has not personally come with the boxes. As most of the banks have their own cash chests and have their own security there may not be any need for the cash chests to be brought to the police stations.
2. The same procedure should be followed in respect of question papers or ballot papers, which are brought for safe custody by authorised persons to the police stations. These boxes should be secured in the same manner as is done to secure the police arms and ammunition or cash.

### **Excise Exhibits**

1. Station House Officers are required to take charge of all articles seized in Customs and Excise cases, pending the orders of a Magistrate or the Customs or Excise Officers concerned in charge of a Circle, and allow samples to be taken. All samples of Excise exhibits taken charge of by the police or taken by Excise Officers should be sealed with the station seal.
2. Station House Officers are authorized to destroy toddy in the absence of special orders regarding its disposal. Arrack should be destroyed with the orders of the Excise Inspector or Magistrate.



3. The State or Central excise exhibits should be entered in the general diary in the prescribed form and kept on record in the station.
4. These orders apply *mutatis mutandis* to officers in-charge of outposts in respect of articles seized in Customs and Excise cases which may be delivered to them.
5. At the end of every month, the SHO shall forward a list in Form 91 of all Excise exhibits remaining without disposal to the Inspector of the Excise Department.
6. When there is delay in disposing of exhibits or the number becomes excessive, the SsP should bring the matter to the notice of the concerned senior officials of the Central Excise Department and ensure their disposal.

### **Arms and explosives outside the police station :**

The Arms and Explosives pose a serious threat to public order, safety and security of the people. The advent and spread of terrorism, organized crime, serious offences due to political, caste and communal tensions, coupled with easy availability of illicit weapons and explosives, through smuggling and local manufacture have compounded the situation and hence the need for police vigilance on illicit arms and explosives. The Police have an important responsibility to enforce various laws and rules relating to Arms, Explosives, Petroleum products and Poisons. The licensing authorities have to exercise their powers of licensing and regulation to ensure that the use of Arms, ammunition, explosives is strictly for the purpose for which they are legally meant. The petroleum products and poisons pose a threat to public safety if they are not regulated in the manner prescribed in the relevant Acts and Rules.

### **The Arms Act, 1959 and the Arms Rules, 1962**

1. The provisions of “The Arms Act 1959 and the Arms Rules, 1962” with all amendments as on date contain the law relating to the possession, manufacture, repairs, sale, transport and use of all types of fire arms, the offences connected therewith and the punishments. Besides enforcement and regulatory functions, the police are the principal authority, to investigate offences under this Act.
2. The duties cast on the Police and the licensing authorities are extremely important and can be neglected only at serious peril to the society. The SsP, DMs/CsP are therefore to ensure strict compliance with these instructions and guidelines.
3. The following are the powers and duties of all Police Officers under the Arms Act, 1959.
4. Demand, production of licence from any person carrying Arms or ammunition and if he refuses or fails to produce the licence or to show that he is authorised to carry arms and ammunition without licence, require him to give his name and address and seize the arms and ammunition which he is carrying.
5. In case he is unable to produce the licence readily and where the identity of the person is clearly known and he is not likely to abscond, he may be given sufficient time to produce

the licence.

6. If that person refuses to give his name and address, or gives false name and address and if it is suspected that he is intending to evade arrest, the Police Officer may arrest him without warrant. (Section 19)
7. When there is a reasonable suspicion that the weapons carried are for an unlawful purpose the weapons can be seized, persons carrying or conveying them may be arrested without a warrant even though the weapons are licensed (Section 20).
8. Searches in houses or premises shall be made by the magistrate and in their presence only or in the presence of an officer empowered by the Central Government (Section 22).
9. Search of any vehicle or vessel can be carried out by any Police Officer on suspicion that they are carrying arms and ammunition in contravention of the provisions of the Arms Act/Rules and seize the weapons and vehicles (Section 23).
10. The Central Government has powers to notify an area as disturbed area and order the deposit of arms and ammunition within a specified period and prohibit the possession, transport and carrying of such weapons and ammunition. A Police Officer of such rank as authorised by the State Government can search and seize the arms and ammunition for any contravention of the notification (Sections 24-A and 24-B).
11. Search, seize and intercept weapons and ammunition manufactured, imported or being transported in contravention of this Act, and arrest and prosecute the offender.
12. Section 36 lays down that all persons are bound to give information relating to offences under the Act, which comes to their knowledge.
13. All offences are cognizable under Section 38 of the Act.
14. Previous sanction of the District Magistrate is necessary under Section 39 of the Act for prosecution of offenders against any person for any offence under section 3 of the Act. Post facto sanction is not valid under law.

### **Exempted Officers**

Licenses are not required for the carrying or possession of arms in the following cases (Section 45 of the Act).

- A. Arms owned and possessed by officers of the Government as part of their equipment.
- B. Arms supplied by the Government to Officers of the Police Department to be carried or possessed by them in the execution of their duty.

### **Exempted Categories**

Section 41 of the Arms Act empowers the Central Government in public interest, by notification to exempt any person or class of persons from the provisions of the Arms Act. The Central Government in exercise of this power has issued notifications from time to time

exempting certain persons or class of persons in respect of Arms and ammunition of certain category and description.

### **Unauthorised purchase**

No one shall purchase any firearm or any other arm requiring licence or ammunition from any unlicensed persons. Section 5 prohibits transfer to any private person for personal use who does not possess licence. Licensed dealers also shall not sell to unauthorised persons. Contravention of these provisions attracts punishment under section 29. Under section 29 of the Arms Act, licensed dealers in arms and ammunition are bound to ascertain that the persons to whom they sell arms and ammunition, are legally authorised to possess them. Any tendency on the part of dealers to circumvent this stipulation should be checked and dealt with by the police by constant and strict supervision over the trade in arms and ammunition. The police should regularly inspect the registers maintained by licensed dealers, in order to ensure that arms and ammunition are not sold to persons other than those legally authorized to possess them. In doubtful cases of sales to persons said to possess licences an immediate check with the registers maintained in the police stations will show whether the purchasers are bonafide licensees or not.

### **Grant and renewal of licences**

1. The District Magistrate is the licensing authority for the State except for prohibited arms and prohibited ammunition; (Sec. 13)
2. The State Government can grant the licences for all India or any part thereof.
3. The Renewing Authority in all cases is the District Magistrate except for prohibited arms and prohibited ammunition.
4. Application for all India licences should be forwarded by the District Magistrate to the State Government along with his recommendations.
5. All India licences are to be granted in very rare cases. However, consideration could be given to the following categories:
6. Ministers and Members of Parliament;
7. Serving officers of Defence Services, Police and para-military organizations and officers of Government having liability to serve anywhere in India; and
8. Members of recognized Rifle Clubs and Rifle Associations for bonafide sports & games.
9. When licence comes for renewal, the District Magistrate may restrict the validity
10. of the licence to the jurisdiction of the district and for the reasons to be recorded.
11. In the absence of any arms dealers in a particular district and area or where a particular item of arms or ammunition which the licensee is authorised to possess is not available with local dealers, a licence holder can purchase the licensed weapon from outside the district/area for which the licence is not valid by obtaining a carry permit in Form VII.
12. Under the provisions of item 5 & 6 of Schedule II of rule 4 of Arms Rules 1962, the

District Magistrate and SDM specially empowered by the State Government are the authorities to grant permit in Form VII for carrying weapons beyond the jurisdiction of the licence under Rule 4.

13. In case of transfer of weapons to the legal heirs of the deceased licencees or where licencees would like to gift the weapons to others, licences may be restricted to the district only. In case of prohibited bore/semi-automatic weapons, proposals are to be sent to the Central Government.

14. The renewal of arms licences can be done by the District Magistrate even if they are granted by State Government or Government of India except the prohibited or automatic or semi-automatic weapons for which the State Government alone has power for renewal of licences. The renewal fee shall be charged as per the rates decided by the government.

### **Issue of Licence**

1. The licencing authority and the renewing authority for each category of weapon is provided in schedule II under rule 4 of the Arms rules 1962. All the applications received for weapon licences to be issued by the Collector up to 20<sup>th</sup> of each month will be forwarded immediately to the Superintendent of Police and the Revenue Divisional Officer for a preliminary scrutiny. All such applications should be screened by a committee comprising the following officers:

Collector & District Magistrate or in his absence Joint Collector	-	Chairman
Superintendent of Police or in his absence Addl. Superintendent of Police	-	Vice-Chairman
Revenue Divisional Officer (concerned)	-	Member
Deputy Superintendent of Police (concerned)	-	Member

2. The screening Committee should meet before 10<sup>th</sup> of every month considers each application in all its angles and takes a decision immediately. The proceedings of the meeting should be recorded and licences issued immediately thereafter in all the cases where the decision is unanimous. Where a decision could not be taken in the meeting and there is difference of opinion, all such applications be considered at the next meeting in order to give more time for the local officers, to further verify the antecedents of the applicant and final decision taken either to reject or to issue the licence. No decision may be taken without considering the report on antecedents and suitability from the SDPO and RDO.

3. The following screening Committee shall deal with the applications for weapon licences in the twin cities:

Commissioner of Police.....	Chairman
Deputy Commissioner (Special Branch).....	Member
Deputy Commissioner of Police (L&O) (concerned)...	Member

Asst. Commissioner of Police (L&O) (concerned)..... Member

4. The following screening Committee shall deal with the applications for weapons licences in Vijayawada and Visakhapatnam Metropolitan areas:

Commissioner of Police .....	Chairman
Deputy Commissioner of Police .....	Member
R D O (concerned) .....	Member
Asst. Commissioner of Police (L&O) concerned.	Member

5. Before the consideration of an application for a grant of licence a thorough verification of the purpose and antecedents of the applicants should be made by the SHO of the area. The Committee should consider the report of the SHO submitted through the SDPO before grant or renewal of licence. The reports are submitted in form 41. While recommending the grant of a license, the SHO will thoroughly verify the antecedents of the applicant with specific reference to Police records as also by field enquiries to ascertain his involvement directly or indirectly in political, communal, caste or other factions, in any crime and whether there is genuine need for a weapon for him. The officer should give facts and information rather than bald opinions.

6. The officer in charge of police station when asked to verify the antecedents of an applicant for an arms licence should submit his report within the prescribed period. Otherwise as per the provisions of section 13 of Arms Act, the licensing authority may make an order in the application on its own merits after the expiry of the prescribed period without waiting for the report from the SHO. It is therefore binding on the SHO to submit his report within the prescribed time.

7. Applications for renewal of licences are submitted to the licencing authority during the last quarter of the year. 30 days are allowed after the expiry of a licence for the licensee to get his licence renewed.

8. All Unit Officers shall issue instructions to the SHO to report promptly any information, which may indicate that the renewal of any licence is undesirable. Before the end of September each year, the Unit Officers will furnish the District Magistrate or CP confidentially any information, which would render the renewal of any existing license undesirable.

8. By virtue of section 17 of the Act, any licence may be cancelled or suspended by the authority, which granted the licence, if in the interests of security and public peace, it is felt that a licence should be cancelled or suspended. A report giving reasons should be sent to the licensing authority requesting the cancellation or suspension of the licence, as may be necessary in the circumstances of the case.

9. When a DM/CP grants, cancels or refuses to renew a licence, he will intimate the fact to the SHO of Area Police concerned. The SHO should, on receipt of the intimation, report promptly to the DM through proper channel the action taken in this regard.

10. Licences will be issued in a printed book form with a photograph of the licensee in the prescribed form in Telugu/English. If the DM grants, renews, or declines to renew license, he should send the license, as the case may be, either -

A. through post, service paid, the nature of the contents being clearly noted on the cover in Telugu or Urdu or English e.g., “License for the possession of a gun”; or

B. through the Mandal Revenue Officer or

C. through the officer in-charge of the nearest police station

12. If the DM on an application for a new licence, refuses to grant the licence, the order of refusal should be forwarded to the applicant through the MRO for information. If the licence or order sent by post is returned undelivered by postal authorities, it should be sent to the addressee through the local MRO or the officer in-charge of the nearest police station.

### **Appeals**

13. Appeals against the orders of a licensing authority or other authorities are as specified in Rule 5 of Indian Arms Rules, 1962. The Appellate Authority against the orders of the District Magistrate as well as Commissioner of Police is the Government. The Rule does not provide for appeal against orders of the Government. In such circumstances the persons aggrieved can only invoke the writ jurisdiction of the High Court wherever applicable. Appeal should be preferred within a period computed in accordance with the provisions of the Limitation Act (Act 36 of 1963).

### **Retainers**

A. Agent, employees or relatives are only permitted as retainers (Rule 13).

B. Licence holders for the purpose of sport, protection or display only are permitted to have retainers.

C. When a retainer ceases to be an employee, the licence holder shall apply to the licensing authority to delete his name. Where a person is employed afresh he can carry on only when his name is permitted by the licensing authority afresh.

D. In the case of a company employing a person entrusted with the weapons to guard the premises, his name should be entered in the appropriate column of the licence.

### **Registration of Retainers**

A. Rule 13 of the Rules read with section 3 of the Act deal with the procedure for allowing retainers.

- B. Retainer's name and other particulars should be entered in column 6 of the owner's licence in form 3 and a permit in the prescribed form given by the Licencing Authority.
- C. Retainers should be permitted only to those persons whose standing or circumstances are such that they may reasonably require retainers or attendants to carry weapons in the ordinary course of duty.
- D. All applications for the inclusion of retainers in Form III (A) and VII must be dealt with by the DM/CP personally. Licence in Form III(A) is necessary for the retainers of those who are exempted from licencing requirements by virtue of section 41 of the Act.
- E. A licence in Form 3-B is necessary for retainers to Companies.
- F. No change shall be made in the names of retainers entered in a license, except under the signature of the DM or CP who granted the license, or the authorised subordinates or his successors in office.
- G. Licencing authority should cause enquiries to be made about antecedents of the retainer and take such reports into consideration before admitting the person as a retainer.

***Quantity of Ammunition Purchase***

**290.** The following maxima have been prescribed by the Government for the quantity of ammunition that may be purchased in a calendar year and the quantity that may be possessed at any one time by holders of licenses in Forms III, IV and V.

Kind of firearm for which ammunition is to be used.	Maximum purchasable in a calendar year	Maximum that may be possessed at any time.
(1)	(2)	(3)
Muzzle-loading guns	5 lbs. Gun powder	1 lb. Gun powder
400 percussion caps	100 percussion caps	
Breech-loading guns	100 cartridges	50 cartridges
Rifles	25 cartridges	50 cartridges
Revolvers & Pistols	50 cartridges	25 cartridges
Miniature Rifle .22 bore	250 rim-fire cartridges	100 rim-fire cartridges
Air guns and air rifles	2 boxes of 500 pellets each	1 boxes of 500 pellets each

**Rules for the maintenance of Arms License Registers**

- A. Station House Officers will maintain in Form 42-A decennial registers of licenses issued

to persons residing in their jurisdiction under the Arms Act in Form III, III-A, IV and permit in Form III-B as prescribed in the rules under Arms Act. In the second fortnight of February and August every year, each SHO should personally take the Station register to the Mandal Office and get it up-dated and obtain the signature of the MRO or the concerned assistant in the Station Register.

- B. An abstract in Form 42-B indicating each category of weapons should be prepared and noted in the last few pages of the Register. Another abstract for each fresh year for the total number of weapons in each category shall also be prepared similarly. All changes due to grant or cancellation or refusal to renew should be reflected by placing a (+) or (-) sign to indicate grant of renewal and cancellation or refusal respectively.
- C. The Licencing Authority should send at the end of every month to the MRO or SHO in forms 50-C and 50-D lists of licenses granted or renewed and cancelled or renewal refused respectively. On receipt of these lists necessary action should be initiated by the SHO to ensure that no licensee is allowed to keep the weapon unauthorisedly and also take such other legal action where warranted.
- D. The DM will forward to the Superintendent of Police (in Form 50-E appended) not later than the 15<sup>th</sup> of January of each year, lists of licensees who have not applied for renewal before the 1<sup>st</sup> January and calling for a report on the reasons of the omission on the part of licensees and whether the weapons have been deposited and whether prosecution if any has been launched. The SP should report by 15<sup>th</sup> March giving necessary details and his recommendations in each case.
- E. The Mandal Registers which are submitted to the DM's office should be compared thoroughly in all respects with those maintained in this DM's office tallying the abstracts and other figures and entries in the Registers. The SsP should report before 1<sup>st</sup> February on the status of maintenance of the Registers by the SHOs. The District Magistrate should include in his Annual Report brief remarks regarding the maintenance of these Registers throughout the district.
- F. Registers for licenses in Forms IV and V i.e., for destruction of wild beasts and crop protection, may be maintained respectively in Forms 50-A-2 and 50-A-3 by those mentioned in sub-order (1) above. The forms will not be standardized and may be altered to suit local requirements. If in districts where licenses in these forms are few, they may enter them in the existing register 50-A or in register A-3 referred to.

**Note:** Forms 50-A, 50-A-1, 50-A-2, 50-A-3, 50-B, 50-C, 50-D, and 50-E prescribed in this Order are given separately in Volume II.

### **Register of Firearms, which form part of Equipment of Officers**



A register under Arms Act (Form 43) will be maintained in each District Police Office and in the offices of the Commissioner of Police, IGP Railways, Zonal IG/DIGP, Director, APPA, Principals of the Police Training Colleges, Commandants, APSP and SAR CPL, SP Transport and SP Communications in respect of all revolvers, pistols and ammunition in the possession of gazetted and non-gazetted officers of the department, possessed by them in the course of their duty.

### **Production of Pistols or Revolvers possessed by officers**

The officers concerned should produce the firearms once a year, preferably in December, before the nearest DCP or RDO as the case may be.

In order that a proper description may be available in case of loss, the general description and district number of each fire arm in the sub-Division shall be recorded on the fly leaf of the Sub-Divisional Police Officers register of Government property. Entries should be made in the following manner.

“The rifles at Cuddapah station are rifles, .303 bore, number 20 to 35 Inspector’s revolver is Enfield Mark II, No. ....” as the case may be. Reference to the Arsenal number or the manufacturer’s number stamped on all fire arms supplied by the Government should be given in the following registers in which they are accounted for.

- A. List of Government property in stations
- B. SDPOs register of government property; and
- C. Distribution list of Government property

### **Inspection of shops and premises licensed under Arms Act**

Every shop and premises licensed to sell, stock, repair, convert, transfer and for keeping safe custody of arms and ammunition (i.e. in Forms IX, X, XI, XII, XIII and XIV in Schedule (II) of Rule 4 of the Indian Arms Rules) should be inspected once every year by the Sub-Divisional Police Officer, in whose jurisdiction such shop is situated. These inspections are intended to ensure (1) whether the place in which arms and ammunition are kept, is reasonably safe, (2) examine the stock and accounts of receipts and sales of arms, ammunition and (3) examine whether all the conditions in the license are complied with. The SHO is required to inspect once a quarter the books, shops, premises and stocks of the above categories to ensure compliance of conditions of the licence.

A report on the findings of each inspection should be forwarded to the District Magistrate in Form 44, through SP. He may discreetly verify the antecedents of the purchasers and satisfy himself that the weapons and ammunition are sold to genuine licensees. He should particularly guard against fictitious entries of sale of arms or ammunition in the name of licensees (benami sales). A random check with licensees will reveal if the ammunition recorded

as sold has been actually purchased by them. The overall sale of ammunition in a year should be considered and if the quantities arouse suspicion he should verify all transactions. Any malpractice should be met with prosecution, besides recommendation for cancellation of the relevant license. The purpose of inspection and enquiries is to eliminate any malpractice in the sale of arms and ammunition. If the annual inspection is thorough and information available is immediately crosschecked, there would be least possibility of the arms and ammunition finding their way to undesirable persons. The inspections however, should not be used as a pretext for harassing the genuine traders.

The SP should report the results of the inspection of all licensed arms by subordinate police officers to the concerned DM, who will take such steps, as are fit and proper in respect of the irregularities brought to his notice.

### **Inspection of licenced arms**

All licensed arms other than revolvers and pistols have to be inspected at the licensees' residences, preferably by surprise, by SHOs twice annually, once in the first quarter and again in the third quarter. In case of Police Stations having more than 300 gun licenses, half of the muzzle loading gun licenses can be checked by OP or Beat area Head Constable or ASI, while the other half by the SHO in each half year. It should be ensured that the same licenses for muzzle loading guns are not checked by the Head Constable in two successive half years. The fact of inspections should be noted in the relevant column in the Arms Register. The result of inspections should be reported to the SP who should send a consolidated report to the DM.

All licensed revolvers and pistols have to be inspected personally in the first quarter of each year by the SHO at the licensees' residences. The fact of inspections having been made should be noted in the relevant columns in the Arms Register and report to the SP who in turn should report to DM. The latter will take necessary steps in respect of any irregularities brought to notice.

The SDPO should at random check a few arms during his inspection or visits and satisfy himself that checks by the SHO are being carried out for the purpose for which they are intended.

Any Station House Officer, who receives a report of the loss of any firearm, should communicate the particulars of the case, through the proper channel, to the District Magistrate of the district in which the licensee, who lost the firearm resides.

### **Deposit of Arms**

On the cancellation or expiry of licenses or unlawfully owned or otherwise all arms must be immediately deposited in the nearest police station or with a licensed dealer. The arms so deposited at a police station would be recorded in the "Register of Arms Deposited" in Form

45. An accurate description of each weapon, with the maker's name and number, if given and actual measurements, and whether it is country made gun etc., should be entered in column 3. The SHO is responsible for the safeguard of all arms deposited in the station. The arms should be kept under lock and key. (Sec. 21)

Arms deposited in stations shall, if not returned or otherwise disposed of within one month from the date of their deposit be sent to and lodged in the District Police armory. The SHO will send such arms with an extract from the "Register of Arms Deposited" in Form 46 (which is in duplicate with a trefoil for the station record). This form will be made out by carbon process. One copy will be retained in the District Police armory and the other returned to the SHO as an acknowledgement. This acknowledgement should be pasted with the corresponding trefoil in the station and the number allotted for each weapon in the District Police armory should be noted against the respective entry in the "Register of Arms Deposited", column 3 of Form 46 in the station.

Arms received in the DP armory have to be forfeited to Government after the expiry of the period allowed as detailed in sub-rule (4) of rule 46 of the Arms Rules, 1962. Such arms shall be recorded in the "Register of Arms Deposited", maintained by the Reserve Inspector in charge of the armory. An extract from this register shall be sent every month in Form 47 (which is in duplicate with a trefoil for the District Police Office record) to the District Magistrate for orders declaring the arms forfeited to the Government. The District Magistrate will return the duplicate of the extract with his orders, and on its receipt, the arms shall be sent to the District Magistrate's office accompanied by the said duplicate of the extract. An acknowledgement shall be obtained on the extract for the arms so delivered either from the District Magistrate or an authorized officer in the District Magistrate's office.

Inspecting officers should, during the inspection of police stations and DP armory, check all arms physically vis-à-vis "Register of Arms Deposited" and ensure that an accurate description of every arm is entered in the register. They should report having done so in the inspection report.

Where any arms or ammunition are deposited by the owner under Section 21(1) of the Arms Act in a Police Station, the SHO shall immediately send a copy of the receipt issued to the depositor to the authority who granted the license or renewed it last (Rule 46(2)(c) of the Arms Rules, 1962). The transfer of any arm or ammunition deposited in a Police Station to the District Police Armory should also be intimated to the licensing authority and also to the depositor by the SHO (Rule 46(3)(b) of Arms Rules 1962).

The Government have ordered that a fee of Rs.100/- per fire-arm for all fire-arms except M.L. guns and a fee of Rs.20/- for M.L. guns should be levied for one year or less for maintenance of fire-arms deposited in the Police Stations in any of the following cases.

When a licensee goes on leave or on duty out of India makes a long tour on pilgrimage is sick and cannot use his weapon dies goes in for a new weapon goes out of the jurisdiction of the area for which the licence is granted. In the event of the loss of a license until a fresh one is obtained when there are internal differences in the licensee's family and the arms are deposited voluntarily. When the weapon becomes unserviceable; and when the licensee has no further need for a weapon.

Weapons deposited under sub-order (1) above shall be sent to the district armoury, if they are not likely to be taken back by the licensees within three months. The fees prescribed in sub-order (1) above will also apply for the period of deposit in the district armoury as well as for the period of deposit at the police station. The fee should be collected at the time the weapon is deposited and it should be credited to head "XII Police-Collection of payment for services rendered". No fee should be levied on firearms deposited by serving members of the Armed Forces.

### **Rules for the disposal of confiscated arms and ammunition**

The following rules have been issued by the Government for the disposal of confiscated arms and ammunition.

Arms ammunition and stores which can be utilized by the police or any other Government department may be retained and brought into use with the sanction of the State Government. Pistols, revolvers, rifles and muskets of the prohibited bores which may thus be acquired may be loaned to Government employees who are authorized to keep them as part of their equipment or who by the nature of their duties require a weapon for their protection. These should not, however, be allowed to become the property of the persons to whom they are issued.

Commissioner of Police for the Cities and the District Magistrates for the district have been delegated the power reserved to the State Government.

Arms, ammunition and stores not so retained shall be disposed of in the following manner:

All revolvers, pistols, rifles and ammunition of prohibited bore shall be sent to the nearest arsenal for disposal.

Arms, ammunition and stores other than those mentioned in (a) above should be sold by public auction in the manner prescribed in Order 297.

Arms not sold by auction shall be broken up locally and the materials sold, unless they are rifled firearms or rifle barrels, in which case they should be sent to the nearest arsenal to be broken up. Ammunition and stores not disposed of in accordance with (2) shall be destroyed, or may be sent to the nearest arsenal for disposal.

An acknowledgement of the receipt of arms and ammunition sent to arsenal according to Sub-Order (2) should be obtained from the officer in-charge of the arsenal concerned. A

certificate that the said arms and ammunition have been either destroyed or taken into ordinance stock should also be obtained from him in due course.

### **Confiscated and forfeited firearms and ammunition: sale by public auction: Procedure**

Before the weapons are sold in auction a committee should be formed for fixing the minimum upset price of each available weapon. The committee in Districts will consist of SP/Adl. SP incharge of District Reserve Police, the Hqrs. RDO and DSP and Reserve Inspector Hqrs. Company of the reserve police. The committees in commissionerate cities will consist of DCP incharge of reserve police, the RDO, the ACP and RI incharge of Hqrs. Company in the city reserve. The committee should meet once in 6 months for the purpose of fixing the upset price for each weapon taking into consideration its general condition, the prevailing market price of a new weapon of the same make; and its age.

Before fixing the price, it should obtain an estimate from an arms dealer; if there is one in the district or from outside, and that estimate will be the guiding factor. The prevailing market value of a new weapon of the same make and design should be taken as the starting point. Yearly depreciation should be allowed at 10 per cent for the first two years, 5 per cent for the next five years and 2 ½ percent for the next 14 years. If the age of the weapon is not known, depreciation should be allowed for the probable period for which the weapon might have been used. The costs of repairs, if any that will have to be carried out to the weapon should also be deducted from the price so arrived at.

The public auction will be held by the SP in each district and by the Deputy Commissioner, City Reserve, in the Hyderabad City (after due notice in the local media). If a weapon does not fetch at least the upset price fixed by the Committee, the matter should be reported to the Director General of Police, who will either divert it to some other district where there may be a demand for the weapon, or issue other suitable instructions for its disposal.

Government officers may also bid at the auction either in person or through their agents. If a weapon is bought either by the DM, the SP or any one connected with the estimating committee, it should be handed over to the successful bidder only after obtaining the sanction of the Chief Secretary to the Government, or the Director General of Police as the case may be.

The procedure prescribed above for the sale of confiscated arms by public auction should also be followed in regard to the sale by public auction of confiscated and forfeited ammunition.

### **Arrests and Searches - Arms Act**

Police Officers are empowered to search vessels, Vehicles and other means of conveyance for the purpose ascertaining whether any contravention of the provisions of arms Act

or Rules made there under is likely to be committed and seize any arms and ammunition that may be found along with such vessel, vehicles or means of conveyance. (Sec. 23)

- All arrests and searches made under the Arms Act or Rules made there under shall be carried out in accordance with the provisions of criminal procedure code relating to the arrests and searches read with section 22 of Arms Act. (Sec. 37)
- When any person is arrested and any arms or ammunition seized under the Arms Act by a person not being a Magistrate or a Police Officer when delivered to a Police Officer by such person, that Police Officer may either release that person on his executing a bond with or without sureties to appear before a Magistrate and keep the articles seized in his custody till the appearance of that person before the Magistrate or if the person so produced fails to furnish the bond with searches if necessary, produce that person and the articles with out delay before the magistrate.
- For carrying out search in a private/closed place such as a home or premises of an individual who is suspected to have been in possession of any Arms, Ammunition, Police Officers should assist the magistrate of the area in which the home/premises is located.

### **Explosives, Petroleum and Poisons**

1. The Explosives Act, 1884, the Explosives Rules, 1983, the Gas Cylinders Rules, 1981, the Static and Mobile Pressure Vessels (unfired) Rules 1981, the Explosive Substances Act, 1908 contain the law relating to manufacture, possession, use, sale, transport, import and export of explosives. The explosives have been defined as any material which is capable of explosion by chemical reaction The explosive substance is defined to include any materials for making any explosive substance, any machine, apparatus, implements, material, used for causing explosion by chemical reaction. The violations of this Act carry severe punishments including life imprisonment.
2. In order to check misuse of explosive substances following steps need to be taken by the police.
3. The explosive stocks issued, stored and utilized by various organizations like mines, major projects etc. should be checked for misuse or lack of care or proper account. Help of experts should be taken to assess whether the quantities are in far excess of the requirements or not.
4. Section 13 of the Explosives Act, 1884, confers powers on a Police Officer of and above the rank of a Sub-Inspector of Police to arrest without a warrant any person(s) committing dangerous offences falling under the purview of this Act.
5. The sources from which explosives are procured by undesirable elements need a good information system for the police to act upon. It is not enough if routine inspections are conducted without plugging the clandestine sources of supply.

6. The Petroleum Act, 1934 and the rules there under provide for storage, transport etc. to ensure safety of the public. Rules are made regulating the sale, storage and use of the petroleum products explosives etc. The premises where petroleum is stored should be safe from the point of accidents.
7. The Poisons Act, 1919 and the rules there under regulate storage, use, sale, import and export of poisons. The shops, which sell fertilizers and pesticides, are an easy source of supply of deadly poisons that results in several suicides or deaths. There is also the problem of adulteration of fertilizers or pesticides and its consequences. While the regulatory authorities are responsible for the implementation of the rules, the police have the duty to ensure that the conditions and licences are being complied with. The State Government has framed Rules under section 2 of the Poisons Act and the violation of the Rules is punishable under section 6 of the Act.
8. Rule 179 of the Explosives Rules, 1983 confers on police officers of and above the rank of Sub-Inspector certain powers of inspection, search and seizure of any explosive or ingredients, when the Police Officers has reason to believe that any of the provisions of the Explosives Act, 1884 or the rules made there under have been violated. These officers should exercise these powers effectively in connection with licenses issued under the Rules. Periodical inspections by the police, at least once a half year by SHOs and once a year by Sub-Divisional Police Officer, are obligatory to verify whether conditions of licence issued under Form 20, 21, 22 and 24 in schedule IV under Rule 155 of Explosive Rules are being observed by the licence holder of the shops and premises or not.
9. Shops and premises licensed for a period not exceeding four months should be inspected only by the SHOs once during the currency of the licence.
10. All shops and premises licensed to sell poisons under the Poisons Act shall be inspected once a quarter by the SHO. The shops or premises, the stocks and registers of license holders shall be examined with a view to finding out whether the conditions of the license are observed or not.

### **Match Factories**

1. In the case of match factories, where Central Excise Officers are stationed, it will be sufficient, if during their quarterly inspections, SHOs or Sub-Inspectors of police see whether the conditions of the license are generally observed. Once every six months they should make a thorough inspection by a detailed examination of the stock and accounts to see whether all conditions stipulated in the license are strictly complied with. In addition, surprise inspections should be undertaken by SHOs or SIs of Police as often as possible in order to ensure that the match factories are working in conditions of safety and that the

conditions mentioned in the license are generally observed.

2. SDPOs should inspect once a quarter all licensed places where petroleum is transported or stored and all receptacles, plants and appliances used in connection with petroleum with a view to see that the provisions of the Petroleum Act and the rules made thereunder are not contravened. In addition, surprise inspections should be undertaken by them as often as possible in order to ensure that the conditions mentioned in the license are generally observed. The result of such quarterly and surprise inspections should be reported to the DM through the Superintendent of Police.

### **Accidents in connection with explosives and inflammable oils**

1. On occurrence of any accident of the nature, referred to in section 8 of the Explosives Act, or section 27 of the Petroleum Act, the Station House Officer should immediately report full particulars of the accident to the SP/CP who should expeditiously convey the facts direct to the Chief Controller of Explosives, Nagpur, under intimation to the Deputy Chief Controller of Explosives, Hyderabad.
2. If the accident involves any loss of life or is on a large scale, the SHO should send RM and an urgent telegraphic report of the facts direct to the Chief Controller of Explosives of India, Nagpur, whose telegraphic address is "Explosives, Nagpur", and another copy to the SP concerned and also to the Deputy Chief Controller of Explosives, Kendriya Sadan, Sultan Bazar, Hyderabad. The telegraphic report is to be in addition to the report prescribed in sub-order (1) above, which should be sent in all cases.
3. In the case of a serious accident, all wreckage and debris should, if practicable, be left in the same position under proper guard, and not removed until information is received from the Chief Controller of Explosives or the Deputy Chief Controller of Explosives that they do not wish any further investigation or enquiry.
4. In the case of explosion not involving grievous hurt to any person or persons or serious damage to property report should be sent to the Controller of Explosives at Hyderabad with a copy of the report to the Chief Controller of Explosives, Nagpur.
5. In the case of explosions involving the death or grievous hurt to any person or persons or serious damage to property, the police will not handle or remove any exhibits or substances suspected to be explosives or connected with the explosion. Such exhibits and substances will be handled only by the Dy Chief Controller of Explosives on his arrival for investigation. The police should not send any such samples for examination, but only a copy of the report sent to the Chief Controller of Explosives, Nagpur, should be sent to him.
6. A magisterial enquiry is prescribed by section 9 of the Explosives Act into all accidents



referred to in section 8 of the Act, other than those, which occur in any place, carriage or vessel under the control of any of the Indian Armed Forces. Intimation of all such accidents should also be sent to the nearest executive magistrate. A copy of the enquiry report of the executive magistrate should be sent to the Chief Controller of Explosives by the Executive Magistrate.

7. A. Unlawful/malicious possession, attempt and commission of offences causing explosions likely to endanger life or property including abetment or offences under section 3 to 6 of explosive substance Act 1908.
8. All thefts of explosives in rail transit should be treated as important grave crimes.
9. For prosecutions under the Explosive Substances Act, the consent of the District Magistrate is necessary under section 7 of the Act.
10. Bombs: In cases involving prosecution of persons for illegal possession of unexploded military grenades, mortar bombs, etc., the Deputy Chief Controller of Explosives, Hyderabad should be informed by RM, fax or wire and his arrival awaited. If the bomb has exploded and it is desired to prosecute a surviving person, the Deputy Chief Controller of Explosives and the Chief Controller of Explosives should be informed by fax or wire. In other cases, the remnants of the exploded bombs should be sent to the Deputy Chief Controller of Explosives, Hyderabad.
11. In forwarding articles suspected to be of an explosive nature, special precautions should be taken to avoid risk of their exploding in transit or when being packed/unpacked.
12. All officers should however carefully read and understand the instructions contained in the secret pamphlet entitled "Instructions for dealing with substance or objects suspected of being explosives" issued to all police stations and also the instructions contained in the Chapter 31 of this manual.

**UNIT - 1V**  
**MAINTAINANCE OF POLICE STATION RECORDS**

**1. Police records**

Police records, pertaining to crimes and criminals and the ones maintained at the police station and various other places with regard to law and order situations, play a vital role and assist the police personnel in a meaningful way in the discharge of their duties with regard to prevention of crimes and law and order situations.

Police records perform the role of broad database and on the basis of information available in this database police officers can devise methods and plan out for keeping check and control on the movements and activities of the criminals, and at the same time can also keep a track on the emerging law and order situations. The information available in the police record would help the police officers in making preventive arrests and evolving other strategies for prevention of crimes and law and order situations.

With the advent of computer technology and adoption of computerization at various levels, the record keeping has become more systematic, scientific and organized. A large bulk of records can be maintained by use of computers and even the retrieval of the desired record is also quick and fast. The computerization of police records thus should be gainfully utilized by the policemen of various ranks for the discharge of their prevention duties.

**POLICE STATION RECORDS**

- (i).All registers should be page numbered and certified.
- (ii).All columns in every register should be properly filled in.

The signatures of the SHOs shall be affixed wherever indicated.1411. Every officer in-charge of a Police Station and ASI/HC in-charge of an out-post shall maintain all statutory and other records for the purpose of maintaining public peace, controlling and investigating crimes and ensuring successful prosecution of all cases. The records shall be updated on daily basis.

1412. The following records shall be maintained,

**(A). At The Police Station**

01 - DOR (Daily Occurrence Reports)

02	-	General diary
03	-	Station House Report
04. F1	-	Form of application for seeking information under the Right to Information Act, 2005
05. F2	-	Rejection order under the Right to Information Act
06. F3	-	Form of supply of Information to the applicant under the Right to Information Act
07. F4	-	Acknowledgement of appeal under the Right to Information Act
08. R1	-	Right to Information (application and disposal) register of the Public Information Officer
09. R2	-	Right to Information (application and disposal) register of the Additional Public Information Officer
10. R3	-	Right to Information (appeal and disposal) register of the first appellate authority.
11. F5	-	Finger print RECORD slips
12. F6	-	Finger print SEARCH slips
13.F7	-	Employment board (Police Welfare) – application form (as in clause 686 and 689 of Volume I)
15	-	Relating to Home Guard Organisation

#### **Integrated Forms as Recommended By NCRB**

IF1	-	First Information Report (under section 154 Cr.P.C.)
IF2	-	Crime details forms
IF3	-	Arrest / Court surrender memo
IF4	-	Property seizure memo
IF5	-	Final Report From (Under section 173 Cr.P.C.)
IF6	-	Court disposal memo
IF7	-	Result of appeal form
IF1(A)	-	FIR book counter foil or First Information Report book
16	-	FIR Index
16(A)	-	Case diary

#### **Station Crime History**

16 P1	-	Part I (True property offence register)
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- 16 P2 - Part II (Crime charts for 3 years)
- 16 P3 - Part III (General conviction register – GCR)
- 16 P4 - Part IV (Village Crime History)
- 16 P5 - Part V (History Sheets)

### **Indices**

- 17 - Alphabetical loose leaf index
- 18 - Name war index
- 19 - Descriptive, Deformity and physical peculiarities index

### **Registers To Check BCs**

- 20 - Ex-convict check register (Local)
- 21 - Non local ex-convict check register
- 22 - Check register for KDs and Suspects
- 23 - Village crime register
- 24 - Enquiry Roll Form (A) / Information sheet (A)
- 25 - Enquiry Roll Form (B) / Information sheet (B)
- 26 - O.V. cards
- 27 - Sentry Relief Book
- 28 - Duty Roster
- 29 - Process register
- 30 - Process register (Miscellaneous)
- 31 - Bail bonds / Security bonds
  
- 32 - Prisoner's Search Register (PSR)
- 33 - Form 95 (case properties to be sent to Court)
- 34 - Conviction memo book
- 35 - Petty case register
- 36 - M.V. Act cases register and Police notice
- 37 (A) and 37 (B) - Pocket note books and the second note books
- 38 (A) and 38 (B) - Proclaimed offender's register and personal file of PO
- 39 - Armed forces deserter register
- 40 - Formal Inspection register
- 41 - Beat books
- 41 (A) - Sample signature book
- 41 (B) - Point book / Patta book

- 42 - Panchayatar summon books
- 43 - Notice to complainant
- 44 - Arms licence register
- 45 - Arms deposit register
- 46 - Government property register
- 47 - Indent book
- 48 - LARS book
- 49 - Government fire arms and ammunition register
- 50 - History sheets of arms
- 51 - Railway warrants
- 52 - Railway warrant register in two volumes
- 53 - Bus warrants
- 54 - Bus warrant register in two volumes
- 55 - Permanent advance register
- 56 - Cash book (government)
- 57 - Reference / petition register
- 58 - Trunk call register
- 59 - Casual Inspection register
- 60 - GOs visiting book
- 61 - Criminal Intelligence gazette file
- 62 - Police manual or standing orders
- 63 - Other orders from Chief Office – File
- 64 - House search book
- 65 - P.T. case / court register
  
- 66 - Unidentified dead-body register
- 67 - Missing person register
- 68 - Village roster
- 69 - N.C. case register
- 70 - Computer register
- 71 - Kit inspection register
- 72 - Kit card
- 73 - Annual Range Firing register
- 74 - Welfare meeting register
- 75 - Departmental proceedings register
- 76 - Orderly room register

77	-	Wireless / Wireless set maintenance register
78	-	Stamp account register
79	-	Grant of licences for loud speaker, assembly meeting and procession register
80	-	Destruction (weeding out) of old records register
81	-	Register of land / building
82	-	Posting / transfer / reliving register
83	-	Tapal / despatch register
84(A), 84 (B), 84(C)	-	History sheets of vehicle, bicycles and petrol coupon book
85	-	Medical history sheet
86	-	Small service book
87	-	Weekly parade register
88	-	News paper magazine register
89	-	Right to Information (Application and supply of

### **Daily Occurrence Report (DOR) – (01)**

The Daily Occurrence Reports of Police Station shall be sent by the Circle Inspectors daily at 0700 hours to SPs, SSPs, IGP and CRB in Form 01. The Circle Inspectors shall furnish the details of cases and other events in the following order:-

- Political activities
- Labour affairs
- Communal activities
- Any matter of interest from the security angle or otherwise
- Cases registered under

- (a). IPC
- (b). S. 41 Cr.P.C.
- (c). Sections 107, 109, 110 Cr.P.C.
- (d). S. 174 Cr.P.C.

Cases registered under

- (a). Gambling Act
- (b). M.V. Act
- (c). Loud speaker / violation cases
- (d). Other Special and Local Laws

**Note**

Instructions of arrest, ascertainment facts, situation in the area, will be clarified while briefing. Any clarification or direction for any failure or guidelines shall go in the memo form to the concerned CI or SHO from the offices of Senior superior officers.

**1414.guidelines on the use of police station records general diary (02)**

(1). It shall be the duty of every officer-in-charge of a Police Station to keep a general diary in Form (R.02) and to record therein all complaints and charges preferred, the names of all persons arrested, the names of the complainants, the offences charged against them, the weapons or property that shall have been taken from their possession or otherwise and the names of the witnesses who shall have been examined. (Section 44 of the Police Act, 1861)

(2). Every information relating to the commission of a cognizable offence shall be reduced to writing by the Station House officer and the substance of such complaint shall be entered in a book to be kept by the SHO (general diary in form R.02) (Section 154 Cr.P.C.)

(3). In the general diary should be entered in regular sequence in point of time all works done in the station and the information received. Details of cognizable complaints or of investigations already given in the First Information Book and in the case diary, need not be reported in the general diary, but record of occurrences in the station in connection with those cases, such as the receipt of information, the production of prisoners / accused or the departure for, or return from inquiry of investigating officers must be entered. The information received and action taken in non-cognizable cases as well as information received regarding fires where there is no reason to suspect the commission of a cognizable offence should be entered in it.

(4). If in the normal course of duties in a Police station no entry in the Station House general diary becomes necessary for a spell of two hours from the last one, a formal entry stating, “Nothing special to report (NSR)” should be made. The general diary should have no gap in the entries for more than two hours under any circumstances.

(5). The pages in the general diary (one book – one volume) should be serially numbered and the page numbers should be printed. The following columns should be drawn, whenever an entry is made at every page.

Sl. No.	Time of the day	Events
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The name of the station and the date should be mentioned on the top of every page. On the cover of each GD book volume number shall be given consecutively in a calendar year.

**(6). COPY OF THE GD TO BE FORWARDED (03):**

The general diary of a day should cover 24 hours and a copy of it shall be despatched to the Circle Inspector daily at the earliest opportunity after being closed in Form No. 03 (i.e.) SHR – Station House Report containing an abstract of duty done by the Station staff.

(7). The general diary shall be commenced at 07.00 hrs in all stations and out-posts and shall be closed at 07.00 hrs the next day, which will be followed by the conduct of roll calls when the men will be suitably briefed of their duties and of the important events.

(8). As soon as the general diary for each 24 hours period is closed, it should be handed over to the station writer (who should be picked up and assigned such duties by the SHO; If a suitable writer PC is not available in a station, a competent constable from any other station or from other units shall be got posted through the Senior Superintendent of Police or the Superintendent of Police). The station writer, in turn, will extract the required information from the general diary and records as follows:-

(a). In the SHR form one line entry in respect of each member of the Police station shall be made. This will be signed by the Station House Officer.

(b). In the SHR to be prepared by the writer by binding 200 or 300 SHR forms in which one or more pages will be allotted for daily one line entries in respect of each member of the Police station (all ranks); the diary figures for each member will be totaled for every calendar month and the monthly totals for each member will be carried over to one or more loose SHRs, as a monthly SHR return to be produced by the Station House Officer before the Circle Inspector by the 2<sup>nd</sup> of the following month.

**(9). GDs OF TRAFFIC AND OTHER UNITS**

The functional units like CID or crime, Traffic, PCR cell, PAP and other detachments which maintain general diaries may keep the diaries with them, but they need not maintain a SHR or submit SHR.

**(10). DUTY OF THE CIRCLE INSPECTOR WITH REFERENCE TO THE SHR**

The Circle Inspectors should ensure that the GDs of Police Stations / OPs in their circle are written up then and there by the SHOs concerned and sent to them at the earliest opportunity. Undue delay on the part of the SHOs shall be properly checked by CIs concerned. Repeated failures by subordinates to send up GDs to Inspectors in time should be viewed seriously and the disciplinary action should be taken against the errant Police subordinates. The Superintendents of Police should see whether the Inspectors are bestowing their best attention in this behalf and if not, he can take action against them also for slack supervision over their subordinates.

(11). When the Station House Officers produce their monthly SHRs before the Circle Inspector, the latter will discuss the performance of each member of the Police Station with the Station House Officer concerned and record performance rating against the entry for each member in the SHR form. The ratings will, normally, be given as follows:

A - Above average

B - Average

C - Below Average



The above ratings will be taken into account while writing the annual confidential report, performance report for DPC, etc., the citation for recommending Police / Service medals and preparing the transfer list.

(12). The Superintendent of Police, during station visits, will check up whether the GDs / SHRs are properly maintained and sent up.

### **Integrated Police Forms**

1415. As many as 7 integrated Police forms relating to the registration of cases, observation of the scene of crime, arrest of accused persons, seizure of property / material objects, completion of investigation and laying of charge sheet and the conduct of prosecution as designed and guided by the National Crime Records Bureau, Ministry of Home Affairs, Government of India, New Delhi, were notified which are to be maintained in the following order and manner.

- (1). First Information Report form
- (2). Crime Details Forms
- (3). Arrest / Court Surrender Memo
- (4). Property seizure memo
- (5). Final Report Form
- (6). Court Disposal Memo  
Result of Appeal Form
- (7).

### **First Information Report Form (I. F1)**

1416. This is a printed form in All India pattern, as stipulated u/s 154 Cr.P.C. 1973 as per the guidelines given by the NCRB. This form contains as many 15 columns which shall be perfectly and clearly filled in by the Station House Officer while registering the case. The FIR number or the crime number shall be serially given starting from first January and shall be closed at the end of the calendar year. The name of the Police Station and the name of the region / sub-division must be entered in the appropriate column. The Station House Officer, while registering the case, should carefully fill in the following information in the FIR form.

- (i). Sections and law
- (ii). Time / date of occurrence
- (iii). Time / date of report
- (iv) Place of occurrence or the scene of crime
- (v). The names and addresses of complainant
- (vi) Identity or details of the accused persons / suspects, if known
- (vii). Whether the complaint was lodged in time or delayed.
- (viii). The worth and particulars of properties stolen or involved.

- (ix) Contents of the FIR as in the words of the complainant.
- (x) The signature of the complainant or his thumb impression should be obtained.
- (xi) The SHO shall affix his signature at the bottom of the FIR form
- (xii) The date / time of despatch of the FIR to the court shall be mentioned.

### **Crime Details Form (I F2)**

1417. This form should contain 10 columns, as printed in uniformed pattern. This should be prepared on the visit of the scene of crime after registering the case, after making a thorough observation and inspection of the spot. The observation mahazar or the memo shall be written in this form. The rough sketch of the scene of crime should be drawn at the appropriate place of this form. The SHO or the investigating officer shall ensure that the following entries are made in this form:

FIR No. or Crime number, the Police Station, section of law and the place of occurrence, date,

The name of the person who shows the place of occurrence,

The modus operandi adopted in this case by the accused, if applicable,

Particulars of victims,

Motive, if known,

Details of properties stolen / involved

Date & time of visit to the spot,

Description of the place of occurrence, (Prominent land marks to be mentioned), and Rough sketch of the scene. The Investigation Officer should sign at the bottom of the form.

### **ARREST / COURT SURRENDER MEMO (I F3)**

1418. After the arrest of an accused person, the investigating officer shall make immediately the following documentation and send it to the court and others.

(a) the arrest card u/s 58 Cr.P.C.

(b) the arrest memo to be prepared on the spot, as per Court of India. the directives of the Supreme

1419. The above arrest / court surrender memo fulfills the requirements under section 58 Cr.P.C, which shall contain the following details:-

(i) FIR or crime number, Police Station, date,

(ii) Date & Time of arrest / surrender of the accused,

(iii) Name of the Court, if surrendered,

(iv) Acts / sections,

(v).Arrested and sent up or arrested and released on bail or arrested / surrendered and remanded to judicial custody or surrendered in court and remanded to Police custody.

(vi). Particulars of the accused,

(vii) Injuries / cause of injuries and physical condition of the accused person; he should be medically examined,

(viii).The accused to be informed of the ground of arrest and the articles found on physical search should be recorded and receipt given,

(ix).Physical features and deformities, etc.,

(x).Whether Finger Print taken,

(xi). Details about the accused with reference to his previous conduct on record or otherwise.

Socio- economic profile of the arrested person,1420.

The investigating officer should affix his signature at the bottom of the arrest memo.

It is also certified that the instructions relating to the following were followed:-

1. Attestation by the member of the family of the arrestee or respectable person of the locality from where the arrest is made Name and address of the arrester (if relation, specify the relationship);
2. Counter signature of the arrestee;
3. Whether particulars of all Police personnel (Designation, etc) who handled interrogation of the arrestee we recorded in interrogation register;
4. Whether the arrestee in custody is apprised of his right to have one friend or relative or other person known to him or having interest in his welfare informed of his arrest and place of detention (specify the name, address and the relationship of the person concerned);
5. Whether the above said friend, relative or person lives outside the district;
6. If so whether the time and place of custody and venue of custody of arrestee have been notified through the legal aid organization in the district and the Police Station of the area concerned telegraphically within the period of 8 to 12 hours of the arrest;
7. The date and time of such notification referred to above;
8. Whether entry has been made in General Diary at the place of detention regarding arrest of the person;
9. Whether such entry discloses the names of the person who has been informed of the arrest and particulars of Police officers in whose custody the arrestee is;
10. Whether the arrestee was permitted to meet his lawyer during the interrogation even though not through out the interrogation;
11. Whether the arrestee has been has been informed of his right to be enlarged on bail in bailable offences;

12. Whether the arrestee has made any request at the time of his arrest that he should be examined for any minor or major injuries on him;
13. Whether the injuries found on the body of the arrestee have been recorded in an inspection memo;
14. Whether such inspection memo signed both by the arrestee and the Police officer effecting the arrest;
15. Whether a copy of the inspection memo has been provided to the arrestee;
16. Whether the arrestee was subject to medical examination by a trained Doctor every 48 hours, during detention in custody;
17. Whether the said Doctor is on the panel of approved Doctor appointed by Director of Health Services of the concerned state;
18. Whether copies of all documents including memo of arrest have been sent to magistrate for his record;
19. Whether information regarding the arrest and place of custody have been communicated by the officer effecting the arrest to Police control room;
20. If so, time of such communication and whether it is within 12 hours of the arrest; and
21. Whether the above information has been displayed on a conspicuous notice board in control room.

#### **Property Seizure Memo (I F4)**

1422. This is a printed form in uniformed pattern containing 10 columns. The following details should be furnished by the Investigating officer. This is actually the seizure mahazar to be prepared by the investigating officer on the spot.

- (i). FIR of crime number, the Police Station, Section of Law, date,
- (ii). Nature / details of the property to be seized with time & place where seized
- (iii). Person from whom seized
- (iv) Attestation by two witnesses,
- (v) Action taken for disposal of perishable property,
- (vi) Action taken for keeping valuable property,
- (vii) Identification of the property,
- (viii). Details of properties

1423. The Investigating officer shall sign in the seizure memo.

#### **Final Form / Report (I F5)**

1424. This form is also printed as per the uniformed pattern which shall contain 18 columns. On completion of the investigation of a case, the investigating officer shall submit the final report u/s 173 Cr.P.C. to the court in the form of charge sheet or the referred report, as the case may be.

1425. This form should be carefully filled in, as the prosecution of a case is fully relied upon this document. The following details should, along with the charge sheet, be furnished.

- (i). The name of the Court to which the papers are to be submitted
  - (ii). Region or District, Name of P.S., year & FIR number and date.
  - (iii). Final report or charge sheet number & date.
  - (iv). Sections and Acts.
  - (v). Type of final report which shall be any one of the following categories
    - (a). Charged sheet
    - (b). Untraced
    - (c). Un-occurred
    - (d). Not charge sheeted for want of evidence
  - (vi). If F.R. un-occurred
    - (e). False
    - (f). Mistake of fact
    - (g). Mistake of law
    - (h). Non-cognizable
    - (i). Civil nature
  - (vii). If supplementary or original
  - (viii). Name of the investigating officer and rank
  - (ix). Name and address of the complainant
  - (x). Details of properties / articles recovered or seized,
  - (xi). Particulars of accused persons charge sheeted (separate sheets should be used for each accused person, in the same format)
  - (xii). Particulars of accused persons not charge sheeted. (Here adequate and proper justifications based on the evidence collected shall be furnished).
  - (xiii). Particulars of witnesses to be examined in the court (A separate memo of evidence shall also be prepared and sent to the Court).
  - (xiv). If FR is false, indicate action taken or proposed to be taken u/s 182 or 211 IPC
  - (xv). Result of laboratory analysis.
- (The report from the CFSL or FSL, as the case may be should obtained that should be incorporated in the list of witnesses and the memo of evidence. It shall be ensured that remnants

of the exhibits are obtained from the laboratory and that they are handed over to the court before starting the trial of the case.

(xvi). Brief facts of the case

(A separate sheet may be attached; while narrating the charge in respect of ISR case, a detailed account of motive, preparation, modus operandi, commission of the offences and subsequent / previous conduct shall be given)

(xvii). Refer notice served or not

(xviii). Date of despatch

1426. The seal and signature of the investigating officer shall be affixed.

### **COURT DISPOSAL MEMO (I F6)**

1427. The court disposal memo shall be sent which shall contain the following details. While writing the case diary, the last column (VII) verdict of the court shall be indicated as:-

- (a). convicted or
- (b). acquitted or
- (c). compounded or
- (d). discharged or
- (e). LPC (Long Pending Case) or
- (f). Stop proceedings

(i). The name of the court.

(ii). District or region, Police Station, year, FIR / Crime number, date,

Charge sheet number, Date and Court case number (whether STR, CC or SC or PRC),

(iv) Acts / sections of law,

(v). Date of framing charge in the Court,

(vi) Type of case (summon / warrant),

(vii). Date of judgement

(viii). Name(s) of the prosecutor, (In the case diary the name of the defence counsel shall also be mentioned)

(ix) Details of court disposal in respect of the adult accused persons, and

(x). Details of court disposal in respect of juvenile delinquents.

### **RESULT OF APPEAL FORM (I F7)**

1428. The state shall prefer appeal in genuinely required cases after consulting the public prosecutor and obtaining the opinion of the Director of Prosecution. In this form, the following details shall be written in incorporating the same in the case diary:

(i). The name of the court,

(ii). District / region, name of Police Station, year, FIR/Crime number, date,

- (iii). Charge sheet number and date,
- (iv). Court case number,
- (v). Appellant party – State / accused,
- (vi). Appeal number and date of appeal,
- (vii). Date of judgement,
- (viii). Particulars of the result of appeal in respect of the adult accused persons,
- (ix). Particulars of the results of appeal in respect of juvenile delinquents,
- (x). Any notable observations of the appellate courts on the investigation / prosecution / lower courts,
- (xi) Other comments / strictures passed by the courts, and Remarks, particularly in regard to further appeal, if any.

**FIR BOOK / COUNTER FOIL (I F1 (A))**

1429. In a printed book of FIR, there shall be 25 number of six sets of sheets, each set carrying one and the same serial number. After drawing the FIR the copies shall be dispatched as follows:

- (i). the original to the court having jurisdiction,
- (ii). the second copy in the station case file / case diary,
- (iii). the third copy to the Superintendent of Police concerned, the fourth copy to the CRB, the fifth copy to the complainant who lodged the complaint at the Police Station, and The sixth copy be retained in the FIR book as counterfoil which shall contain the signature of the complainant as a token of having received a copy of the First Information Report, as provided under section 154 Cr.P.C. The sixth copy shall be pasted in the counterfoil book for future cross reference.

**Note: (about the model form)**

- (i). Head of offences shall be on the basis of types of cases registered in the P.S. during the month / quarter, etc.
- (ii). The serial number of the head of offence will accordingly differ from month to month.
- (iii). Total reported cases under the particular head shall be shown in col. 3
- (iv). The stage of the case shall be indicated as to whether the case is UI or PT, under column 4.
- (v). xxx indicates the crime number of the case 1431.                    **CASE DIARY (SECTION 172**

**Cr.P.C.) (16-A)**

- (i). Every Police officer making an investigation shall day-by-day enter his investigation proceedings in a diary which shall include the following points:-
  - (a). the time at which the information reached him,

- (b). the time at which he began the investigation,
- (c). the place(s) visited by him,
- (d). statement of the circumstances ascertained through the investigation,
- (e). the time and place of the arrest of the accused,
- (f). all seizures / recoveries made,
- (g). documents collected, and
- (h). the time at which the investigation closed.

(ii). The entries made in the case diary shall be used for the following purposes: -

- (a). It is for aiding the investigation or trial.
- (b). It shall not be used for corroboration.
- (c). It shall be used only sparingly.
- (d). If the investigating officer is not examined, prejudice to the accused as claimed by the defence has to be considered and looked into and even

after perusal of the diary so permitted, the element of prejudice persists, benefit should be given to the accused of course depending upon the facts and circumstances of ease case.

#### **RIGHT TO CALL FOR CASE DIARY**

1432. Neither the accused nor his agent is entitled to see the case diary.

#### **WHEN THE INVESTIGATION OFFICER IS DEAD**

1433. When the investigation officer was dead the prosecution should have fairly got the relevant part of the diaries to be marked on behalf of the prosecution, if required.

#### **FORM OF CASE DIARY**

1434. The following printed columns shall be clearly filled in by the investigating officer who writes the case diary.

Police Station

FIR number and the year

District (where only the region shall be indicated) Date and place of occurrence

Offence (section of law shall be indicated)

1435. In addition to the above, the details / notes of investigation proceedings shall be recorded on day-to-day basis under the following serial number in ROMAN NUMBER namely I, II, III, IV, V, VI, VII. These numbers indicate

I - FIR date



- II - Name of the complainant and address
- III - Name and address of the accused person(s)
- IV - Property lost
- V - Property recovered
- VI - Date of the last / previous case diary
- VII - Stages of the case such as under investigation, charged, P.T., convicted, acquitted, action dropped, etc.

1436. In all unnatural death cases, the name of the deceased shall be indicated against column No. III. The names of witnesses examined shall be furnished underneath column number VII.

### **CASE DIARIES TO BE SENT**

1437. The case diaries in respect of cases of ISR nature shall be prepared in 3 copies; one should be kept in the Station (which will be used for prosecution or otherwise); the second copy be sent to the Senior Superintendent of Police concerned and the third copy to the Superintendent of Police.

1438. In all other cases, only two copies of case diaries are prepared; one copy retained in the station and the second copy be sent to the Superintendent of Police.

1439. The supervisory officer viz. Senior Superintendent of Police, Superintendent of Police and the Circle Inspector of Police shall scrutinize the case diaries sent up then and there and check whether CDs have been written correctly and with real spirit to detect the crime and to ensure successful prosecution. Wherever irregularities, omissions and commissions have been noticed, the supervisory officer shall send crime memos asking reports from the Investigating officers and guide them properly. In the event of a misconduct, report shall be sent to institute departmental proceedings.

### **PART-I – TRUE PROPERTY OFFENCES REGISTER (16 P1)**

1440. Only true property offences shall be entered in Part-I. This register will provide immediate references to the SHO and the supervisory officers in respect of property offences. The FIR index will be kept as an appendix to part I. The annual review of crime is an important item of work of the circle inspector who should attach his close careful attention to the trend of the incidence of crimes. The objectives of the preparation of the annual crime review are

- (i). to give a brief but comprehensive account of the salient features of the crime of the year,
- (ii).to analyse the increasing trend of crime in a particular station of the circle, (iii) to estimate the sources of undetected crime,
- (iv). to indicate to the SHO the ways and means of dealing with the crimes, and
- (v). to give to SHO and his staff a scheme for preventive activities.

1441. The review should furnish a concise appreciation of the year's crime for getting the benefit of superior officer's directions and suggestions that are likely to be of value to the Police personnel of the station. For the review to be effective a careful and methodical study of the year's crime is needed. Fluctuations in the total crime under different heads, special out-breaks of crime, activities of particular criminals or criminal organisations and the affected areas are among the items that should receive attention. The possibility of the cases occurring in different areas of his circle forming a series and being contacted should be carefully scrutinized and commented upon. The nature of the works under the security section done during the year and the results achieved should be briefly stated and directions in regard to future action referring under the specific provisions of law should be recorded. The review should be of practical value and not a mere catalogue of the crime in the year. The close personal interest and application of the Inspector are essential in the preparation of this review. The Inspector's annual crime reviews of the stations should be approved by the Superintendent of Police, before the review is pasted in Part I of the station crime history.

1442. Cases in which the investigation is refused under section 157 (1) (b) Cr.P.C. need not be entered.

## **PART II – CRIME CHARTS (16 P2)**

1443. Part II shall consist of a crime chart showing the station boundaries and the principal physical features of the station limits and the adjoining areas to a distance of about 2 kilometers outside the station limits in the rural areas and 500 meters in the town areas. On it, the spot representing the scene of offence shall be entered. The M.O. classification of major or minor offences shall be indicated, for example, as follows:

II.H	or	III (b2)
<u>11/7</u>		<u>3/8</u>

1444. The object of the station crime chart is to show the places where crimes frequently or mostly occur. The chart will be for a year and there shall be three comparative charts, e.g. (including the current year).

1445. A note on the following points should be given on the chart:

- (i). Scale of map
- (ii). Full moon dates
- (iii). The dates of important festivals
- (iv). The dates of shandies, if any

Specific reference shall be made on the important festivals namely 'Masimagam', 'Thirunallar Sanipeyarchi', Villianur car festival, Villianur church festival, Villianur Koothandavar festival, Veerampatinam car festival, Kanniyakoil fire walk festival, T.R. Pattinam Ayiram Kaliyamman festival, Mahe St. Theresa church festival, Yanam Vishnu festival,

Ambagarathur Padrakaliamman festival, and Karaikal Mangani festival. (The idea is to alert the local police / personnel on duty, as outside criminals generally visit these areas during these festivals).

**Note:**

From a look at the crime chart, it becomes so easy to the SHO to know the crime affected areas to take preventive action.

**PART III – GENERAL CONVICTION REGISTER (16 P3)**

1446. The names of convicted persons shall be entered in the general conviction register. The details of persons who are convicted under the following offences shall be entered in Part I, which will provide information to the SHO and the superior officers to open history sheets in the deserving cases.

(i). Persons convicted of offences under chapter XII (offences relating to coin and government stamps and chapter XVII (offences against property) of the Indian Penal Code for which the punishment of three years or upwards is prescribed.

(ii). Persons convicted of offences under sections 489 A to 489 D of the Indian Penal Code (Forgery of currency notes and bank notes).

(iii). Persons convicted under the following sections of the Indian Penal Code (in chapter XVI – offences affecting the human body).

(a). 304, 304 B

(b). 306, 307, 308

(c). 313 to 316

(d). 325, 326, 328

(e). 332, 333

(f). 363, 363 A, 364, 365 to 368

(g). 376, 376 A to D

(h). 377 (only in case of paedophile)

(iv). Persons bound over under section 109 and 110 Cr.P.C.

(v). Persons convicted under sections 34 A III and 34 BIX of Police (Pondicherry Amendment) Act.

(vi). All persons convicted under the provisions of the Protection of Civil Rights Act, 1955.

(vii). Unconvicted persons reasonably suspected to have committed offences particularly of offences selected for inclusion with the approval of an officer of and above the rank of Superintendent of Police.

1447. This register will contain convictions in cases registered at the station and of persons living in the station limits convicted elsewhere. If a conviction is reserved on appeal, the same should

also be entered in red ink. The M.O. classification of the accused persons involved in property offences shall be indicated under the respective column. The names of persons registered in Part III shall be struck off after a period of 10 years from the expiry of the last sentence, subject to the condition that the history sheet, if any against the individual, should continue for further period or not. Convicted and unconvicted persons not removed from Part III shall be checked at least once a year to find out their whereabouts.

#### **PART IV - VILLAGE CRIME HISTORY (16 P4)**

1448. Part IV shall be maintained in one register with beat-wise distribution of crime histories in a very short form. Important notes on the village will be made, which shall contain confidential and important notes on factions, disputes in connection with festivals, disputes between caste and communities, issues pertaining to religion and the matters relating to the general elections and the local body elections. Notes should be made therein regarding Police bandobust necessary for important festivals, etc. Any information which may be of use to a new Station House Officer having no previous experience of the Station should be entered in this register by the SHO. All entries in this register should be checked, signed and dated by the Circle Inspector and the Superintendent of Police. The Part IV should contain information by villages and should be bound together in loose leaf binders of the standard pattern for each village, so that fresh sheets may be added. The Circle Inspector will made entries on the following aspects.

- (i). Serious riotings, raids or special drives including excise raids where special Police arrangements were made.
- (ii). Dispersal of mob, in an eventuality; whether by peaceful means or legitimate coercive methods.
- (iii). Any combing operation conducted for arrest of gang, etc.
- (iv). Fisherman issues and intervention of Police, and
- (v). Issues in which the members of SC community & Vanniars are involved.

#### **PART-V HISTORY SHEETS (16 P5)**

1449. Part V shall contain all History sheets of the persons residing permanently or temporarily in the station limits who are known or believed to be addicted to or to aid and abet the commission of crime, whether convicted or not or who are believed to be habitual receivers.

1450. The history sheets shall be maintained in the prescribed History sheet forms in use in Police Stations.

1451. The following descriptive particulars of the history sheeted person shall be notified.

- (a) Age

- (b) Height
- (c) Complexion
- (d) Particular marks of identification
- (e) All other particulars, as printed in the history sheet form.

1452. While writing the current doings of the history sheet or the bad character (BC) in the history sheets the following instructions shall be carried out.

- (a) The information relating to the facts ascertained both by the Sub-Inspector and his men since the date of last entry shall be entered.
- (b) Month-wise entries for close watch bad characters and quarterly entries for non-close watch bad characters should be made.
- (c) Anything of interest including commission of any crime coming to notice in respect of bad character during a month should be entered then and there, without waiting for the end of the month or the quarter.

1453. The entries in various columns in the history sheet should be checked by the Sub-Inspector personally and brought up-to-date once a year. The fact of such verification should be certified by him in the column under the “current doings”.

**1454. Automatic opening of History Sheets**

(1). History sheets shall be opened automatically at the time of conviction for persons convicted as under and the sheets be retained for two years after release from jail.

<b>The offences under which the persons were convicted</b>	<b>Number of times of conviction</b>
--	--------------------------------------

- |   |          |
|---|----------|
| (a). Persons released from imprisonment for life under Chapter XII (offences relating to coin and government stamps) and Chapter XVII (offences against property) of the Indian Penal Code. |          |
| (b). Professional prisoners   |          |
| (c). Sections 395 to 402 IPC (Dacoity)  |          |
| (d). Sections 392 to 394 IPC, (Robbery)   |          |
| (e). Burglary (Day / Night); if convicted or liable to conviction under section 75 Indian Penal Code; Theft of ISR nature   |          |
| (f). Theft not covered under ISR  | - Thrice |
| (g). Bound down (conviction) under section 109, Cr.P.C -  | Twice    |
| (h). Bound down (Conviction) under section 110 Cr.P.C -   | Once     |

1455. Persons or prisoners convicted as above will be styled K.D. (Known Depredators). Their history sheets will be called K.D. sheets.

**1456. Other history sheets**

(2). History sheets should also be opened under the orders of the Superintendent of Police for such persons in respect of whom the Superintendent of Police thinks it advisable on account of their active criminality. These history sheets will be styled as, namely:

**(a). Rowdy sheets**

1457. The following persons will be classified as rowdies and rowdy sheets in the prescribed form shall be opened for them under the orders of the Superintendent of Police.

- (i). Persons who habitually commit, attempt to commit or abet the commission of offences involving the breach of peace.
- (ii). Persons bound over under section 106, 107 and 110 Cr.P.C. (Criminal Procedure Code)
- (iii). Persons who have been convicted u/s 34 A (i) and 34 B IX, 34-BB of the Police (Pondicherry Amendment) Act 1966
- (iv). Persons who are illicit distillers and known bootleggers.
- (v). Persons who habitually commit hurt cases and indulge in acts of violence and intimidation.

**(b). Suspect sheet**

1458. The following persons shall be classed as suspects and history sheets shall be opened for them under orders of the Superintendent of Police.

- (i). Persons once convicted under the following offence of the Indian Penal Code – burglary, theft or the offence of attempts of such offences.
- (i) Persons, not convicted but believed to be addicted to crime (property offences)(c).

**Budding criminals**

(ii) 1459. Budding criminals are those against whom there were complaints of indulgence in acts of violence affecting the human body and property, hereinafter enumerated namely:-

- (iii) Attempt or abet the commission of offense relating to land / house grabbing.
- (iv) Hiring for and taking part in offences like rioting and assault;
- (v) Clandestine operation of sand quarrying ;\

**(vi) DISCONTINUANCE OF HISTORY SHEETS**

(vii) 1460. History sheets shall be closed by the definite orders of an officer of and above the rank of Superintendent of Police and shall be filed in the station. The history sheets of persons who have died shall be destroyed under orders of an officer of and above the rank of Superintendent of Police.

**(viii) CLOSURE OF HISTORY SHEETS**

(ix) 1461. Where retention of a history sheet is considered necessary after two years of

registration, orders of an officer of and above the rank of Superintendent of Police must be taken for the extension in the first instance upto the end of the next December and further annual extension from January to December.

(x) 1462. **PERSONS TO BE CLOSELY WATCHED**

- (i).Persons for whom history sheets have been opened shall be normally watched by the Police.
- (ii).Close watch bad characters should be written KDs first and then suspects in red ink followed by non-close watch bad characters in blue or black ink.
- (iii).Whenever a history sheet is opened for a bad character for the first time, he shall be under close watch.
- (iv).The bad character returning from Jail should be under close watch. down and are of good character, close watch can be removed.

If they settle

**HISTORY SHEETS NOT TO BE OPENED FOR WANDERERS**

1463. History sheets shall not be opened for criminals of no fixed residence.

1464. **GENERAL INSTRUCTIONS**

- (i). The fact that a history sheet has been opened for a suspect or a budding criminal shall be kept confidential.
- (ii). All registered rowdies should be kept under the same type of watch as required for KDs
- (iii). The names of the history sheeted KDs should be entered in the station KD check register.
- (iv). KDs and rowdies should the SHOs. be checked regularly by beat Police constables and by
- (v). The general night patrolling Inspectors and SPs should also make random check. If they notice any absentee, the same shall be indicated in their night checking reports The checking, however, should be discreetly done by the method of enquiries and not in the manner of domiciliary checks.
- (vi). The Circle Inspectors and the SPs in charge of the sub-divisions when they visit the area should make their own independent verification and not by their findings through the history sheets and inspection reports.

All reports against notorious rowdies and budding criminals entered in the general diary of the station and matters brought to light on enquiries of the petitions sh entered against them in the sheets and should be dated.

- (ix).Rowdies and budding criminals are often employed for committing breaches of peace in the areas of opponents or in times of political or communal or caste based tension. Inspectors of Police should take effective and timely action to control their activities. The necessary legal action under the provision of IPC like 160, 143, 341, 506 or under section 110 or 107 under

Cr.P.C, as the case may be or under the provision of the Police Act 1861 and Police (Pondicherry Amendment) Act or, if reasonable grounds exist, under the provisions of the Criminal Law Amendment Act.

(x). Besides known rowdies, there are a set of budding criminals and anti-social elements in every street, villages and area who intimidate the local people and exploit them for their selfish ends. The possibility that these elements clandestinely carry on certain shady business like illicit sale of liquor, gambling, prostitution, land grabbing through fraudulent means and collecting money from the market areas under the grab of running market / merchants associations cannot be ruled out. Sometimes they have political backing also. They are the persons who escalate the law and order problems at a given situation or at a bandh like situation. The activities of such persons also require vigilant watch and check. A confidential register may be maintained by the SHO which should be kept in his personal custody in which the names of such persons and their categories should be entered in the register.

#### **1465. HISTORY SHEETS NUMBERING**

- (i). History sheets shall be numbered serially in each Police Station.
- (ii). An index to history sheets and personal files will be maintained in each Police Station. Apart from the identity particulars of the criminal it will also contain date on which sheet was opened whether he is a criminal in this territory / region, known depredator, habitual offender or suspect. When history sheets or personal file are transferred or destroyed this register should accompany the sheet or files to the Superintendent of Police for orders of such transfer or destruction.
- (iii). The history sheets of a person who changes his residence to another station limits shall be forwarded to that station through the Superintendent of Police concerned.
- (iv) When any information favourable to an individual for whom a history sheet is being kept, is received, it shall be entered therein.
- (v). The history sheet of a B.C. who changes his residence from Police Station of this territory to a Police Station of the neighbouring state shall be forwarded by the SHO of the station to the Senior Superintendent of Police concerned through proper channel and the former shall forward the sheet confidentially to the Superintendent of Police of the District in which the individual concerned has taken up residence.

#### **ALPHABETICAL LOOSE LEAF INDEX (17)**

1466. The following indexes shall be maintained:-

- (i). An alphabetical loose-leaf crime classification index to Part I and Part III registers shall be maintained as shown below:-



<b>Volume and page</b>		<b>Name, father's name, village, Police Station of the convict or suspect</b>	<b>Crime number</b>
<b>number of</b>			
<b>Part I</b>	<b>Part III</b>		
1	2	3	4

(ii). An alphabetical index of persons entered in Part III.

register of persons entered in Part III – village wise (villages

(iii).A check being

arranged alphabetically).

### **NAME – WAR – INDEX (18)**

1467. It is an alphabetical index of persons by name entered in Part – III and general conviction register. If the accused has alias names, entries shall be made under each name.

### **DESCRIPTIVE, DEFORMITY AND PHYSICAL PECULIARITIES INDEX (19)**

1468. The descriptive, deformity and physical peculiarities index shall be maintained in respect of bad characters. The class of descriptive, deformity and physical peculiarity will be noted in the same way as for alphabetical loose leaf index. If a BC / criminal have more than one physical peculiarities or distinct deformity, his name should find a place under those heads.

#### **Note**

The three index – files (alphabetical index, name war index and descriptive / peculiarities index) shall be kept together in the Police Station. At the time of need, these three files will be examined simultaneously.

### **EX-CONVICT CHECK REGISTER (LOCAL / NON LOCAL)**

#### **Exconvict check register – Local (20)**

#### **Exconvict check register – Non-local (21)**

1469. Separate registers shall be maintained for registering the names of Ex. BCs in the local exconvict check register and in the non-local exconvict check register. Clear names and addresses of the exconvicts and their G.C.R. (General Conviction Register) particulars with M.O. classification shall be notified. The verification of their presence and absence shall be made and entries effected date wise. In the case of non-local exconvicts, the exchange of criminal intelligence about their presence and absence shall be made and the dates of memo sent / received should be recorded.

1470. If they are old, sick, and physically invalid, their names shall be struck off from the registers.

### **CHECK REGISTER OF KDs AND SUSPECTS (22)**

1471. The names of KDs / BCs ordered by a gazetted Police officer to be “closely watched” should be entered in RED ink. The checking shall be made regularly. All the day of the month as printed in the register need to be filled in on the basis of the checkings made by the SHO and the beat PCs. The absence of the KD shall be clearly marked indicating the new moon days.

1472. This KD register is meant for the checking of KDs, Habitual offenders (Recidivist), suspects, recorded rowdies.

### **VILLAGE CRIME REGISTER (23)**

1473. Only very brief entries about the cases, shall be made village wise. The purpose of this register is to see at a glance the types of cases in each village. This is only to supplement the FIR index.

### **1474. ENQUIRY ROLL FORM (A) AND FORM (B) (24 and 25)**

- (i) The enquiry rolls are called bad character rolls – Forms “A” and “B” which are also known as information sheet “A” and information sheet “B”. Movements to the limits of another Police Station of persons brought on Part III (GCR), when such persons change their place of residence after release from Jail or after registration in this records, shall be communicated to that station by means of bad character roll (BCR) – “A” for entry in the register of that station. The roll will be returned with the page number of the register on which the entry has been made noted thereon. This page number will be noted in the station register. Since the enquiry roll from the Police Station of this territory is mostly concerned to the bordering stations / districts of the neighbouring states (Tamil Nadu, Kerala, Andrapradesh and sometimes Karnataka), the form “A” shall be sent direct to the Station House Officer of the station in that state, which shall be written only in English.

When a stranger of suspicious conduct or demeanour is found within the limits of a Police Station of this territory, the Station House Officer concerned shall forward an enquiry roll Form “B” to the Police Station in which the stranger or the suspect alleges that he resides and get reply from that station. The Form “B” shall also be written in English and sent direct to the SHO concerned of another State.

#### 1475. **O.V. CARDS (26)**

- (i) All the columns in the O.V. card shall be written legibly, particularly indicating the place or the persons, the B.C. is likely to visit. The SHO, apart from sending the O.V. (out of view) cards, he should also make the enquiry through the crime team to find out the whereabouts of the O.V., B.C., and his means of livelihood. The SHO shall also secretly keep a track of his family members, associates and relatives.
- (ii) When a bad character goes out of view, the SHO shall automatically inform his counterpart. Copies of the card should also be sent by the Station House Officer concerned to his Circle Inspector and to the CRB.

#### **Note:**

- (i) CRB issues monthly crime and occurrence sheets.
- (ii) CRB maintains history sheets of DCs (Dossier criminals).
- (iii) CRB has wide network in the exchange of crime and criminal information.

#### **SENTRY RELIEF BOOK (27)**

1476. The station sentry shall, at all times, be armed with rifle and scale ammunitions and shall remain alert. The main task of the sentry PC is to watch the station and its premises and to guard the accused or prisoner entrusted to him. The signature of the sentry and the Head constable posting him should be affixed, whenever the sentry is posted / changed.

#### **Note:**

- (i). Sand bags shall be kept near the sentry post. with the strong chain. Rifle of the sentry shall be fastened
- (ii). The service ammunitions in a station shall be kept under lock and key. Whenever the SHO leaves the station headquarters, he mu st hand over the key to the station sentry.

#### **RESPONSIBILITY OF THE SENTRY**

1477. The following are the responsibilities of the sentry PCs;

- i) The station sentry shall be responsible for all the property in the station and the relieving sentry should invariably see that it is correct.
- ii) A list of the regularly kept property shall be hung up in the station. articles temporarily deposited shall be entered in the sentry relief book. Any other
- iii) The list should be checked by the Circle Inspector with the register of government property and with the property actually available in the station during his casual visit.
- iv) At the half-yearly inspection of the station and the O.P., if any, the inspecting officer

will check up the property in the similar manner.

- v) The station sentry is also responsible for guarding the wall coffer or the cash chest in the station. The wall coffer / cash chest should be sealed and handed over to the sentry as per the practice.

The bell of arms / arms room under lock & key where the rifles are securely fashioned with chains in the arms rock should be guarded by the sentry PC.

**Note**

No other work which would dilute the sentry's responsibility shall be entrusted with him.\

**DUTY ROSTER (28)**

1478. The duties should be allotted / rotated every month and the distribution of various duties should be entered in this register on daily basis. The SHO shall ensure that the routine duties are evenly assigned. The SHO should ensure that the following instructions are followed while allotting duties and making entries in the duty roster.

- (i) In the daily morning roll call, the station staff including the head constable will be informed of the duties on which they are to be detailed for the following twenty four hours. The corresponding entry shall also be made in the general diary.
- (ii) Duties performed during nights will count towards that particular day irrespective of the change in the calendar day for e.g. " The duty of night patrol men between sunset and sunrise on the night of 25/26<sup>th</sup> March 2007 will count for 25<sup>th</sup> March 1955 and not for 25<sup>th</sup> March 2007".
- (iii) Men should start their duties only from the Police Station and not from their residence. So also, they must report back at the station after performing duty, before going home.
- (iv) Miscellaneous duties should be shown separately so that the superior officers would check up more thoroughly whether the station staff has been properly utilized.
- (v) The senior Police officers in their visits to Police stations should see that the duty roster is properly maintained.

**PROCESS REGISTERS**

**1479. PROCESS IN RESPECT OF CASES OF THE POLICE STATION CONCERNED**

**(29)**

- (i) A register of processes shall be maintained in each Police Station in Form R 29 in which all processes received from courts for service or execution, as the case may be, shall be entered. The monthly abstract of summons and warrants received and

delivered and executed shall be drawn showing the details of pending summons and warrants. This register will contain particulars of processes in respect of the cases registered, investigated and charge sheeted by the Police Station, which were received from the court having jurisdiction

**1480. PROCESS IN RESPECT OF MISCELLANEOUS AND OTHER CASES / COURTS**

**(30)**

- i. A separate process register in Form R 30 – (Misc.) may also be maintained to account summons and warrants received from other courts including civil courts. For e.g. non-bailable or bailable warrant might have been issued by a Magistrate other than the jurisdiction Magistrate under the provisions of the Negotiable Instrument Act 1881; the SHO who receives this process shall make due entry in the register in Form R 30 – (Misc.) and start its execution in a routine manner. This 30 (Misc.) is to ensure that all summons / warrants irrespective of the jurisdiction court received by the SHO are properly accounted for.
- (ii) Every Inspector of Police in charge of a circle shall, as often as possible and at least once in two months take the process register of the Police Stations under him to the concerned Magistrate court, check up the entries with the corresponding registers and, if necessary, with other records maintained by the Court. If serious delays or omissions are noticed, the same should be reported to the Senior Superintendent of Police concerned, through the Superintendent of Police.
- (iii) Unexecuted process should be brought forward in the register at the beginning of the month.
- (iv) All non-bailable warrants issued at the instance of other departments should be executed by the Police with the assistance of departmental officials concerned to identify them.
- (v) At the close of each month the SHO shall send a list of pending summons and warrants to the Senior Superintendent of Police through proper channel so that the process service by the SHO will be reviewed in the monthly crime review meeting.
- (vi) Warrants of arrest shall be entered in the register of the station in which first received and shall not be transferred without sanction of an officer of and above the rank of the Superintendent of Police.
- (vii) Non-bailable warrants shall only be returned through the Superintendent of Police concerned. The warrants should be returned to the Court of issue when applying for proclamation under section 82 of the Criminal Procedure Code, but at the same time fresh warrants should be obtained and kept for further action.

- (viii) All process issued by the High Court of Sessions in appeals, revisions cases, etc., for service through Magistrate courts also shall be entered in this register. (R 29)

### **BAIL BONDS (31)**

1481. The bail bonds with surety shall be executed by the accused person(s) before the Station House Officer, after his / their arrest in bailable offences. The SHO shall, on his satisfaction, accept the grant of station bail, to the accused person(s) in the Police custody after getting declaration from him / them that he / they would bind himself / themselves to appear before the Police or the Magistrate whenever required and in default he / they would bind himself / themselves to forfeit the amount of surety to the Government of Puducherry. The execution of this bail bond shall be made under the sureties of two persons in the presence of two witnesses. The sureties would also bind themselves for forfeiture of the same amount. In the bail bond, the names and clear address of the accused persons, sureties and witnesses shall be noted. It should be ensured that the signatures of the following persons shall be affixed.

- (a) Signature(s) of the accused person(s)
- (b) Signatures of the sureties (two persons)
- (c) Signatures of the witnesses (two persons)
- (d) Signature of the SHO

1482. The following cross-reference shall also be noted in the bail bond.

- (a). General Diary
- (b). Prisoner's search register
- (c). Arrest card u/s 58 Cr.P.C.

### **PRISONERS SEARCH REGISTER (PSR) (32)**

1483. The description of prisoners / accused should be carefully and fully recorded on his / their being brought to the station house. It should be sufficiently complete to fulfill all the requirements of a clear description for publication in the event of 'absconding'. The prisoner's relative together with their addresses should be entered underneath the description. Separate entries of search for every persons arrested shall be made in the register, the property found in the possession of the accused / prisoner shall be notified in the register where the following persons will invariably sign.

- (a). Prisoner
- (b). SHO
- (c). Writer

### **FORM – 95 (33)**

1484. This form is used for sending property seized by Police during the course of investigation, to the Magistrate. Three copies of the forms should be prepared by carbon process. The triplicate should be retained in the station and the remaining two copies sent to the Magistrate with the property. When the duplicate copy is received back from the Magistrate with the CP (case property) number and acknowledgement with the date and signature of the Magistrate thereon, it shall be pasted in the Form-95 book and the triplicate in the Form-95 book shall be removed and kept in the case file / CD, after writing the CP number with the date and the court's name in it. The form 95, in addition to the property seizure memo (Form – I F4 ) is required for the purpose of accounting the case properties in the court. Hence, both the forms should simultaneously be sent to the court.

**1485. CONVICTION MEMO BOOK (34)**

(i).The particulars of conviction in respect of property offences (Chapter XII and XVII) under the Indian Penal Code, of the security proceedings u/s 109 and 110 Cr.P.C and of 34 A III, the Police (Pondicherry Amendment) Act of every person shall be sent to the Finger Print Bureau, Puducherry, immediately after the conviction in the court through the Circle Inspector and the Superintendent of Police.

(ii).All columns shall be filled in properly and the counterfoils signed by the Station House Officer. It shall be serially numbered.

(iii).The FPB number and the jail number shall be entered in Part III – GCR as soon as the conviction memo is received back from the Finger Print Bureau and pasted with the counterfoil. (Form R 34 )

**1486. PETTY CASE REGISTER (35)**

- (i). Petty case register shall be kept in Police Station and its out-posts. The “petty case or offence” means any offence punishable only with fine not exceeding one thousand rupees, but does not include any offence so punishable under the Motor Vehicles Act, 1988 under any other law which provides for convicting the accused person in his absence on a plea of guilty”. (section 206 (2) Cr.P.C.)
- (ii). Relevant entries about booking of petty offences should be made in the general diary.
- (iii). The monthly, quarterly, half-yearly and annual abstracts should be drawn in the register and signed by the SHO.

**Note**

The SHO shall remember that booking of 'small' cases prevents the occurrence of 'big' cases.

**1487. M.V. ACT CASES REGISTERED AND POLICE NOTICE (36)**

- (i). A separate case register for cases booked under the Motor Vehicles Act 1988 shall be maintained in the station and the O.P.
- (ii). The Police notice or the check report number shall be written invariably against each (petty) case.
- (iv) The monthly, quarterly, half-yearly and annual abstracts should be drawn in the register and signed by the SHO.

**Note**

The SHO shall remember that the following offences under the M.V. Act 1988 are cognizable.

- (a). S. 184 – Driving dangerously.
- (b). S. 185 – Driving by a drunken person or by a person under the influence of drug.
- (c). S. 197 – Taking vehicle without authority.
- (d). A Police officer in uniform may arrest without warrant any person, who has committed an offence under this Act, if such person refuses to give his name and

address – Section 202(2) of the M.V. Act. In such cases, the offence to be indicated in the FIR will be relevant section (actual commission of the offence) under the MV Act read with S. 202 (2) of the M.V. Act.

**1488. POCKET NOTE BOOKS 37(A)**

- (i). The note books of Police officers from Sub-Inspector down wards shall contain an account of the duties performed and the places visited by them. It shall be written daily. Information picked up concerning crimes and bad characters and other matters of importance to the Police should be entered. Head Constables and Constables are required to enter a full account of their doings on beat or any special duty.
- (ii). The pocket note books of the constables shall be kept in the station under the charge of station writer. They shall carry the note book with them when they set out on duty and return the same to the writer of the station on their return. All the old pocket note books of the station staff shall be kept in the station under the personal charge of the Station House Officer for a calendar year and then be



destroyed. Investigating officers, when transferred from a station, shall leave their current note books behind.

- (iii). Entries in the pocket note books should tally with the entries made in the general diary and beat book. The SHO should peruse the pocket note books of his station men daily and sign it as token of seeing it. This should, later during the inspection, be observed by the inspecting officer.
- (iv). All important orders / circulars from chief office, important events, and instructions given should be entered in the pocket note book.

**1489. SECOND POCKET NOTE BOOK 37 (B)**

- (i). Every lower subordinate in a Police Station or an outpost shall be issued with a second pocket note book. The following points should be kept in mind while maintaining it.
  - (a). An index should be made in the first page.
  - (a). In the event of transfer the second note book shall be handed over to his successor.
- (ii). The second note book shall contain the following information:

- (a). Important telephone numbers of the region.
- (b). List of central / state government institutions.
- (c). Educational / professional institutions.
- (d). Vital installations including the Electricity sub-stations and big electricity transformers.
- (e). List of licence holders of civil arms.
- (f). List of proclaimed offenders.
- (g). List of KDs / rowdies / other BCs.
- (h). List of ex-convicts.
- (i). List of absconding warrantees.
- (j). Registration number and other description of vehicles / two wheelers stolen/missing
- (k). Names and particulars of receivers of stolen properties.
- (l). List of missing persons.
- (m) List of accused persons absconding / evading the arrest.
- (n). List of unlocated property offences with description of the stolen properties.
- iii). The SHO or the officer in charge of the O.P. should provide the above information correctly and neatly.
- (iv). They should conduct classes to Constables / HCs about the contents of the second pocket note book

**Note**

The changes like death of history sheeter, arrest of the proclaimed offender, holders of civil arms, explosive license holders and vital installations should be suitably inserted by striking out the previous entries.

**PROCLAIMED OFFENDER’S REGISTER AND PERSONAL FILE OF POs (38 (A) and 38 (B)**

1490. When an accused person wanted in a criminal case fails to appear before the court or jumped bail or evades the arrest by absconding right from exposure of his commission of the crime and thereby denying his presence in the court for the trial, he is declared or announced publicly as “proclaimed offender”.

- (1). The proclaimed offender register shall be maintained in Form R.38 (A). In this register, name, parentage and other particulars of proclaimed offenders should be entered by the officer-in-charge of a Police Station, when the wanted person is

declared as 'proclaimed offender' by the court.

- (2). Whenever the proclaimed offender is arrested, the SHO shall cause appropriate entries to be made in this register, regarding his arrest and the entries in the register may be crossed out in red ink.
- (3). The following columns should be available in the register.
  - (i). Serial number,
  - (ii). Name, parentage and description of absconders,
  - (iii). Address (i.e.) village, Police Station, district,
  - (iv). Offence committed, FIR number, date, place and date of offence,
  - (v). Reward offered,
  - (vi). Clue about his whereabouts,
  - (vii). Action taken to secure him,
  - (viii). Signature of gazetted officer, and
  - (ix). Date of arrest, death, cancellation or removal from the list.

(4). The SHO shall prepare and maintain a personal file in respect of all proclaimed offenders listed in the P.O. register till the P.O. is apprehend and produced in the court and thereafter it can be closed on the orders of the Superintendent of Police. (R. 38 (B))

(5). The SHO should record the action taken by him to apprehend the P.O. in the personal file which will be counter-checked by the superior officer by making cross verification. As and when the P.O. is arrested, his personal file shall be closed.

**1491. ARMED FORCES DESERTER REGISTER (39)**

- (i). A register in Form R. 39 shall be maintained in the Police Station and enter the details of the deserter / absentee from the Armed Forces, which the SHOs have received in respect of those personnel who are residents of their station limits. Thereafter, efforts should be made to apprehend such of those deserters / absentees by deputing Police personnel and after apprehension of the deserter, he shall be forwarded without delay to the officer commanding of the unit to which the deserter / absentee belongs.
- (ii). The SHO shall make his effort to trace the deserter and he should make entries in the register and the connected other records namely GD, Pocket note book, etc.

(iii). The register shall contain the following columns:

- (a). Serial number,
- (b). Rank and name,
- (c). The unit to which the deserter belongs,
- (d). Date of desertion,
- (e). In case of arrest, to whom he should be forwarded, and
- (f). Action taken by the SHO with dates.

#### **FORMAL INSPECTION REGISTER (40)**

1492. This register shall be maintained in all Police Station and outposts and other units / offices. The notes of half-yearly inspection by Inspectors and annual inspection by gazetted officers shall be pasted on the left side of the register and compliance by the concerned shall be written on the right side of the register. Compliance reports by the SHOs shall be sent after carrying out the remarks, observations, etc.

#### **1493. BEAT BOOK (41); SAMPLE SIGNATURES BOOK 41 (A) AND PATTA / POINT BOOK 41 (B)**

- (i). Beat book is intended for the constables visiting villages and performing patrols (by foot / two wheelers / bicycles). The areas of the Police Station have been divided into two or more beats depending upon the geographical location / isolation, population, etc., which shall be extensively covered by both day and night beats.
- (ii). Police constables shall be sent on beat duty for the following purposes:
  - (a). to gather information in villages,
  - (b). to watch specially dangerous criminals or criminal organisations which require surveillance,
  - (c). to pick up information from or about travelers or strangers at camping grounds, chatrams, ferries and places of public resort and hotels,
  - (d). to make enquiries in particular villages whether bad characters have been in the neighbourhood, and
  - (e). to ascertain any definite place of information and serve processes.

- (iii). Constables sent on village beat should check the presence of bad characters in the day time and make enquires about their doings and conduct since they were last checked.
- (iv). Villages to be regularly visited should be conveniently grouped and a beat book kept for each group.
- (v). Beat constables are required to bring the signature of a village officer or of a respectable inhabitant of the village in proof of having visited a particular village. For the purpose of checking beat books a book namely, "SAMPLE SIGNATURE BOOK" shall be kept in the station in which shall be entered the signature of the village officers and of respectable villagers selected to sign in the beat book.
- (vi). Point books shall be supplied to village officers or selected respectable inhabitants. It shall be the duty of the beat constables and officers checking beats to sign with date in the point books whenever they visit villages. The point book which is also called the 'Patta Book' serial number shall be entered in the beat books. Beat constables shall obtain the signatures of the ' patta book' holders in the beat ticket. Checking officers, Sub-Inspectors and Inspectors shall also see whether the constables who have visited the village subsequent to the previous check have signed the patta book or not. The serial number of the sample signature shall be noted before the signatures obtained in the beat book and the same is to be encircled in red ink.
- (vii). Adequate beats should be served in the crime prone areas or villages. Specific instructions regarding the duties to be carried out, checking of the bad characters, lurking points should be given by the SHO while marching beats. As far as possible an SHO himself should march and receive the beats and check the beats

at least thrice a week.

- (viii). A cross check of the entries in the GD, KD check register, history sheets, exconvict check register and the pocket note books should be made to see the correctness of entries in the beat book.

**Note:**

- (i). The beat PCs shall obtain the signatures of respectable inhabitant of the village in sample signatures book in Form 41 (A), as a proof of their visit to a village. Point

books / Patta books in Form 41 (B) are left to the custody of selected respectable inhabitants. The beat constables and the checking officers should sign in the point book.

(ii). During night patrolling or checking if an information about an important crime that just took place is received or the event noticed by the beat officer or the checking officer, the same shall be informed to the CCR where the officer in charge of the CCR will flash news to all Police Stations of the region to exercise the 'Bravo scheme' so that border / vehicle checkings should be conducted. The CCR officer will also inform the concerned Superintendent of Police incharge of the sub-division who shall supervise the operation of the 'Bravo scheme' and inform the Senior Superintendent of Police. The CCR incharge will make GD entries in this regard.

#### **PANCHAYATAR SUMMON BOOK (42)**

1494. These summons are specifically intended to require the attendance of two or more (normally five) respectable inhabitants of the locality or the neighbourhood in the inquest proceedings conducted by a Police officer investigating a case involving the unnatural death of a person and to arrive at a decision as to the apparent cause of the death u/s 174 Cr.P.C. or by an executive magistrate who conducted an inquiry into the cause of death u/s 176 Cr.P.C. The summons shall be issued u/s 175 Cr.P.C. They shall be serially numbered. A separate summon shall be issued to each panchayatar to take part in the inquest proceedings. The address, occupation, etc., of the panchayatar should be filled in. The investigating Police officer, while summoning panchayatars, should bear in mind the following instructions for the purpose of the above investigation.

(i). Summon other witnesses or ensure their presence who appear to be acquainted with the facts and circumstances of the case.

(ii). Every person so summoned shall be bound to attend (or otherwise it would be an offence under section 174 of the Indian Penal Code).

The Panchayatar or the witness shall answer truly all questions put forth by the investigating officer other than questions, the answers to which would have a tendency to expose him to a criminal charge. (A witness speaking falsely under section 175 Cr.P.C. commits the offence of intentionally giving false evidence punishable under section 193 of the Indian Penal Code.)

#### **1495. NOTICE TO COMPLAINANT / RCS – NOTICE (43)**

(1). This notice shall be issued to the complainant on whose report the case was registered and investigated, intimating him the result of the investigation of the case.

(i). After the investigation of a criminal case, the SHO / the investigating officer shall submit a final report u/s 173 Cr.P.C. which will be either a charge sheet requiring cognizance or a referred report dropping further action. The Police have to serve a notice on the complainant informing the final result of the investigation.

(ii). Notice to the complainant shall also be given in respect of cases for which the investigation is refused u/s 157 (1) (b) Cr.P.C. and the acknowledgement obtained from him in the duplicate which should be attached to the first information report sent to the court.

(iii). Where the complainant could not be contacted, notice shall be served on the next kin and kith. If there is definite information that the complainant is no more, the notice shall be served to a very close relative of the deceased.

(iv). If the whereabouts of the complainant are not known, the notice shall be pasted on the Police Station notice board for a period of 30 days and the notice sent to the last known address of the complainant under registered post with acknowledgement due and the acknowledgement card shall be sent to the court. (2). The cross reference of the charge sheet or the final report, as the case may be shall be entered in the counterfoils of the RCS notice book.

(3). RCS notice need not be served on the staff of the Police Station if he is the complainant. 1496.

#### **ARMS LICENCE REGISTER (44)**

(1). A register of licences granted under the Indian Arms Act 1878 shall be maintained in every Police Station.

(2). A separate register will be maintained in the office of the Additional District Magistrate for each taluk. In each taluk register, the entries have been arranged by Police Station / village wise. The villages within the limits of each Police Station have been arranged in alphabetical or other convenient order.

(3). In the second fortnight of the first month of every quarter, each Station House Officer will take or send this register to the ADM office, have it compared with one maintained in that office and get the signature of the ADM with his seal.

(4). An index showing the number and kind of weapons will be drawn and pasted on the first page of the register annually showing the number of licences renewed and not renewed.

(5). The Station House Officer / Circle Inspectors should check all the licensed arms in their jurisdiction at least once in quarter. Corresponding entries should be made in the general diary whenever the licences are checked.

(6). The arms licence register shall be divided into two parts, as follows, and entries made: On the left half of the page, rank and number of the checking officer and the date on which the checking was made.

On the other half, the entries of renewal of licences shall be made.

(7). The following columns shall be filled in the Arms Licence Register.

- (a). Register No. / Page / Line No.
- (b). Residence of the licensee
- (c). Name of the licensee and his parentage
- (d). Nature and description of the arms
- (e). Number of arms
- (f). Quantity and description of each kind of ammunition
  - (i). Maximum to be possessed at any one time.
  - (ii). Maximum purchasable during the year.
- (g). Date of renewal, grant / cancellation or order of refusing renewal of licence of the year.

#### 1497. **ARMS DEPOSIT REGISTER (45)**

- (i). Arms, the possession of which is unlawful owing to the cancellation or expiry of licence or otherwise made, shall at once be deposited in the nearest Police Station. The arms so deposited should be shown in the "Register of arms deposited", and an accurate description of each arm, with the maker's name and number if any, and actual measurements (if it is a country gun) should be given. The Station House Officer is responsible for the safe custody of all arms deposited in the station. The arms should be kept under lock and key.
- (ii). The arms deposited in the station shall, if not returned or otherwise disposed off within one month from the date of their deposit, be removed and lodged in the Police armoury. The SHO will send such arms with an extract from the "Register of Arms deposited" in a form in duplicate with a trifoil for the station record. This form will be made out by carbon process. One copy will be retained in the armoury and the other returned to



the Station House Officer as an acknowledgement. The acknowledgement should be pasted with the corresponding trifoil in the station and the number allotted for each weapon in the Police armoury should be noted against the respective arms in the “Register of Arms Deposited”

(iii). The arms received at the Police armoury, after the expiry of the two years from the date of their deposits are to be forfeited to government. Such arms shall be shown in the “Register of arms deposited” under the supervision of the officer in charge of the armoury. An extract from the register shall be sent monthly in a form, which is in duplicate with a trifoil for the Police armoury office record, to the collector for orders declaring the arms to be forfeited to the government. The Collector will return the duplicate of the extract with his orders and on its receipt the arms with the exception of the fire arms of the prohibited bore, shall be sent to the Collector’s office accompanied by the above said duplicate of the extract. An acknowledgement shall be obtained on the extract for the arms so delivered to the Collector or some officer deputed on his behalf. Fire arms of prohibited bore need not be sent to the Collector’s office, but will be retained in the Police armoury.

(iv). Inspecting officers should, during the inspection, check all the arms in deposit with the “Register of arms deposited”, and see that an accurate description of every arms is entered in the register. The following columns shall be filled in the “Register of arms deposited”.

- (a). Serial number
- (b). Date
- (c). Particulars of arms
- (d). By whom deposited or from whom taken with reason
  - Residence
  - Village
  - (1)
  - Thaluk
  - (2)
- (e). Signatures of SHO and owner where arms are deposited
- (f). If licence obtained; when
- (g). If licence not obtained, how arms were disposed of
- (h). Designation of the magistrate passing order
- (i). Signature of owner for return of arms with date
- (j). Signature of SHO and date of disposing of arms
- (k). Serial number allotted in the Police armoury office register of arms deposited.

(v). The following is the monthly extract from the register of arms deposited.

**Counterfoil**

(to be retained in the station)

Number

District

Circle

Police Station

(one form to be used for each weapon)

Serial number and year in the register of

arms deposited (serial number to correspond with the identification number on the label attached to the weapon)

Description of arms, name of the owner and date of deposit.

STATION HOUSE OFFICER

**ACKNOWLEDGEMENT**

(front page)

The arms noted on the reverse has been received. The number (with year) allotted in the district office register is noted.

Date:

Armoury Sub-Inspector / Inspector

To

The Station House Officer

(Station name)

(to be pasted with the counterfoil in the station)

**DUPLICATE**

(to be returned to station with acknowledgement and Police armoury register number)

No:

Monthly extract from the register of arms deposited:

District :

Circle :

Police Station :

(one form to be used for each weapon)

Serial number and year in the register of arms deposited	Description of arms, name of owner and date of deposit	DPO number year	store and
--	--	-----------------------	--------------

This should correspond with the identification number on the label attached to the weapon.

Date:

STATION HOUSE OFFICER

**ORIGINAL**

(to be retained in the Police armoury)

No:

Monthly extract from the register of arms deposited

District:

Circle:

Police Station:

(one form to be used for each weapon)

Serial number and year in the register of arms deposited	Description of arms, name of owner and date of deposit	Armoury store number and year
--	--	-------------------------------------

This should correspond with the identification number on the label attached to the weapon.

Date:

STATION HOUSE OFFICER

(vi). Whenever any arm has been deposited in the Police Station, the details of make, butt number, calibre, number of rounds, etc., should be mentioned clearly in the register of arms deposited with a corresponding entry in the general diary.

(vii). After completion of one month from the date of deposit, the arms should be sent to the Police armoury for safe custody. Proper acknowledgement should be obtained from the armoury Sub-Inspector or Inspector and armoury store number entered in the register.

(viii). Proper acknowledgement of arms received and returned to the owner with reasons should be supported by making entry in the general diary.

**1498. GOVERNMENT PROPERTY REGISTER (46)**

- (i). A government property register shall be maintained to check the government properties issued to a Police Station / outpost / other units.
- (ii). This register shall contain the following columns:-
  - (a). Name of article
  - (b). Unit
  - (c). Date
  - (d). Reference to receipts or issue (I.V. No.)
  - (e). Receipt

- (f). Issue
- (g). Balance
- (h). Initial
- (iii). Each government property shall be entered in a separate page.
- (iv). The physical verification of stock should be conducted every six months by the Circle Inspector on 30<sup>th</sup> June and 31<sup>st</sup> December.
- (v). During formal inspection, Inspectors and SPs shall physically verify the government properties and certify the same in the last page of the register.
- (vi). Inspector stores should conduct annual inspection of all store items in all Police Stations and outposts and other units and submit a report to the Inspector General of Police. The Inspection shall be conducted in January every year. The services of the staff of the store shall be utilized and if found not sufficient, extra officers

may be drawn from other units by the order of the Asst. Inspector General of Police or in his absence the Superintendent of Police, Headquarters, so that all stations / OP, etc., can be covered.

(vii). A stock register in the above pattern shall be maintained in all Police Stations / OPs/ units for the consumable articles received from the Chief office stores or purchased through the permanent advance.

(viii). When an officer in charge of PS / OP / Unit hands over charge on eve of his transfer, he shall give the relieving officer all records, government properties, registers, etc., to be kept by him. He shall also furnish him with:-

(a).(b). Memorandum of the permanent advance money.

A list of undisposed papers / currents / petitions / case files (CDs), etc., the relieving officers shall acknowledge receipt.

(ix). When a Sub-Inspector hands over the charge of a station he shall hand over the station charge list to the relieving officer, who before taking charge of the list, shall check all items of property, registers, case files, etc., mentioned in the list and record in the general diary the fact whether all the items have been correctly handed over.

(x). The pay of an officer leaving the force shall not be finally settled and paid to him until the above checking has been carried out or the period of thirty days allowed for it has expired.

(xi) Indent books and list of articles returned to the stores shall also be maintained for getting articles and return the condemned goods to the chief office stores.

**1499. INDENT BOOK (47)**

- (i). The indent forms in quadruplicate shall be used to get the supplies of articles from the chief office store. The SHO or the supervisory officers shall place indents to get the supply for the use of their offices, personnel, etc., to the Inspector in charge of stores furnishing the details / description of articles required with remarks. While retaining the fourth part, as counterfoil, in the indent book the first three copies will be sent to the Inspector of Police, Stores, who will pass orders with or without the orders of the Superintendent of Police, Headquarters, as the case may be. After this, the office-in-charge of the stores will supply the items through the messengers (PCs) of the indenting officer (SHO / CI / or any Inspector) who after verifying and receiving the articles supplied, will return the first part of the forms, as token of having received the items. While the second part of the form is pasted in the counterfoil maintained in the indenting officer's office, the first and third parts will be filed in the store section.
- (ii). The following points should be borne in mind:-
  - (a). The I.V. No. and the date of supply should be correctly mentioned.
  - (b). The seal and signature of the indenting officer and the supplying office shall be affixed.
  - (c). The signature of the receiver (PCs / Messengers) who received the items should be obtained.

**1500. LARS BOOK (48)**

(i). All government properties / articles other than consumable items, after condemnation or after becoming unfit for further use shall be returned to the store section of the chief office in the LARS (form) (list of articles returned to store). This form will be in triplicate. The third part shall be retained in the book as counterfoil. The first and second parts after filling up the columns, the Inspector in charge of the circle / unit shall send them along with the articles to be returned to the store through a PC messenger. The second part is filed in the stores and the third part with the acknowledgement or signature of the officer-in-charge of stores will be returned to the concerned Inspector who would paste it in the counterfoil of the LARS book.

(ii). The following points shall be correctly ensured by the Inspector who sends the articles to the store.

(a) Name of the articles sent shall be clearly mentioned.

(b) The quantity of the items should be indicated.

(c) The reasons for returning such articles shall be briefly mentioned.

(iii). The Inspector store shall indicate the nature of disposal as to whether the items were brought on stock or entered in the register of condemned articles.

**Note:-**

The seals and signatures of the sending and receiving officers shall be affixed.

**GOVERNMENT FIRE ARMS AND AMMUNITION REGISTER (49)**

1501. Whenever the government fire arm is issued to the staff, it should be handed over to the individual under proper acknowledgement in the government fire arms and ammunitions register itself. One page shall be allotted to each fire arm.

**Note:-**

The distribution of ammunition shall be shown in the concerned page of the fire arm register itself.

**1502. HISTORY SHEET OF ARMS (50)**

(1). This register shall be maintained to check the conditions of the fire arms and ammunitions issued, their maintenance, the periodical checking by the staff of the Armoury.

(2). In the history sheets of weapons maintained in the PS / OP, one or two separate pages should be allotted for each Government fire arms with the following details:

(a). Butt No.

(b). Bolt No.

(c). Issued to

(d). Date of issue

(e). Inspection –

(i). By whom

(ii). Date

(f). Details of remarks and repairs

(g). Initial of the inspecting armourer

- (3). All the weapons and ammunitions should be physically verified.
- (4). The acknowledgements of the individuals who are issued with fire arms should be obtained in the register. There should be periodical inspection by the staff of the armoury unit.
- (5). Action should be taken against the individuals who do not keep the fire arms in proper condition or for mishandling the weapons.
- (6). Weekly cleaning of arms should be done every Thursday and an entry to this effect should be made in the General Diary. All the weapons should be provided with arms rack, sling, scabbard, bayonet, pull through cords, oil bottles, etc.
- (7). The old stock of ammunitions should be replaced with new ones during the annual range fire practice.

### **RAILWAY WARRANTS / BUS WARRANTS**

1503. Railway and bus warrants shall be used by the Police personnel to perform short and long journeys for which the payment shall be made later. (51 and 53)

1504. There shall be prescribed forms of railway and bus warrants, containing each three parts – one retained as counterfoil in the railway / bus warrant book – the second to be returned by the individual Police official to claim traveling allowance – and the third to the railway authorities and the bus company to facilitate them to claim railway and bus fares. These railway and bus warrant forms will be called “Railway” and “Bus Warrant Books”

1505. To maintain the accounts of the utilization of railway warrants / bus warrants and the payment of railway and bus fare for the journeys performed by them, the following registers shall be maintained:-

Railway Warrants - Register Part I	}	52
Railway Warrants - Register Part II		
Bus Warrants - Register Part I	}	54
Bus Warrants - Register Part II		

**Note:-**

The third register which was called annexure III of bus / railway warrant is deleted, as the same particulars are made available in Part II prescribed in this manual.



1506. Railway and bus warrants are issued to the Police personnel by their superior officers to perform official journey. The warrants will invariably be used for the journey of prisoner(s) or the accused person(s) who are escorted by the Police escort party or by the Police arrest team.

#### **1507. ISSUE OF BUS WARRANTS**

Bus warrants shall be issued by the Station House Officer (SI) in the following cases:-

- (a) The SHOs in Puducherry region will issue bus warrants to Police personnel for their journey within entire Puducherry region comprising North, South and Rural and the adjoining districts of Tamil Nadu like Cuddalore, Villipuram, Chengalpet, Vellore, etc.
- (b) The SHOs in Karaikal region can issue bus warrants within Karaikal district and the adjoining district of Tamil Nadu like Nagapattinam, Thanjavore, Thiruchirapalli, etc.
- (c) SHOs in Mahe region to issue warrants to cover the journeys within Mahe region and the adjoining areas of Kerala covering Cozhicode, Tellicherry and Cannanore districts.
- (d) SHO in Yanam to use bus warrants for journeys within the region and the adjoining districts in Andrapradesh.

1508. Circle Inspectors of Police shall issue bus warrants to Police personnel to cover all other trips.

1509. The Inspectors in Puducherry Armed Police and other units shall issue bus warrants to the Police personnel under their control to cover all journeys within Puducherry territory and in the neighbouring states.

#### **ISSUE OF RAILWAY WARRANTS**

1510. Railway warrants shall be issued by the Circle Inspectors, Inspectors of PAP and other units only and not by any other officer below that rank.

1511. Separate railway and bus warrants should be used if the number of person traveling exceeds two.

1512. In case a team of Police officers is sent, a single railway warrant can be used but two or more bus warrants need to be used.

1513. A detailed entry about the issuance of railway and bus warrants shall be made in the general diary. Only the SHO (SI) shall make this entry and he should ensure following:-

- (a) quantity of bus / railway warrants used,
- (b) the warrant leaf number and the book number,
- (c) the names of the persons to whom issued.
- (d) the purpose of journey the destination

1522. **PERMANENT ADVANCE REGISTER (55)**

- (i). Permanent advance to various subordinate offices in the Police department including the Police stations has been modified from time to time according to the need of change to meet out petty and urgent expenses of the Police Station / other units. The fund in the permanent advance account shall also be used to feed prisoners or the arrested persons kept in the Police Station.
- (ii). Vouchers shall be sent to the office of the pay drawing and disbursing officer for recoupment. Duplicate copies of the vouchers and forwarding letters for recoupment should be kept in a file neatly.
- (iii). If any delay is caused in recoupment, the concerned officer in charge of the station / other units shall contact the pay drawing and disbursing officer for making speedy arrangements.
- (iv). The following details shall be furnished in this register.
  - (a). Date
  - (b). Particulars of expenditure
  - (c). Voucher No.
  - (d). Receipt (in rupees)
  - (e). Payment (in rupees)
  - (f). Balance (in rupees)
  - (g). Remarks
- (v). Recoupment memo shall be sent in the following proforma
  - (a). Serial number
  - (b). E.V. number
  - (c). Date
  - (d). Amount
  - (e). Articles
  - (f). Name of firm
  - (g). Bill number
  - (h). Date
- (vi). The details of the closing balance shall be drawn at the end of every month, as indicated hereunder:-
  - (a) Cash on hand

- (b). Unrecouped vouchers being sent for recoupment
- (c) Unrecouped fraction of amount vide bill no.
- (d). Total

The officer concerned shall maintain a certificate at the end of every month to the effect that “the closing balance is physically verified and that the balance of amount is Rs.

..... (in words.....)

-SD-

OFFICER-IN-CHARGE

**Note:-**

If any bill does not contain bill number, it shall be indicated as “Nil”. For cleaning of telephone, the officer himself may prepare the vouchers, as there is no bill given by the cleaner. All expenditures should be given a consecutive voucher number in the register and in the recoupment bill. The bills shall be claimed then and there.

**1523. CASH BOOK (GOVERNMENT) (56)**

- (i). A cash book prescribed under rule 13 (i) of GAR shall be maintained to account all government cash received and all payments made thereof.
- (ii). While the items under receipts should be written on the left side of the register, the details of payment made should be brought on the right side.
- (iii). The following details shall be written in the register.

**Under Receipts**

- (a). No. of the receipt or bill drawn.
- (b). From whom received, cheque / D.D. No.
- (c). Receipt to be credited to government account
- (d). Salaries and advances
- (e). Recoupment of permanent advance, advance paid
- (f). Miscellaneous

- (g). Total receipts

### **Under Payments**

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- (a). Sub voucher No(s). / Sl. No(s). in the register of valuables.
- (b). To whom paid or sent or bank for crediting
- (c). Receipt to be credited to government accounts
- (d). Salaries and advances paid
- (e). Out of permanent advance, money drawn in anticipation of payment
- (f). Miscellaneous
- (g). Total payments

### **1524. REFERENCE / PETITION REGISTER (57)**

- (1). All references and petitions received through the Circle Inspectors shall be entered in two registers separately.
- (2). Receipt of petition should be entered with reference number and brief facts of the petition. Timely action should be taken to dispose the petition without delay.
- (3). The disposal of the petition should be indicated with the reference of date of despatch and number and the office to which sent.
- (4). Monthly abstracts should be prepared showing the receipts, disposal and pending RR / petition.
- (5). The register shall contain the following details.
  - (a). Serial number
  - (b). Office of issue with date and current number, if any,
  - (c). Subject
  - (d). Date of receipt
  - (e). To whom sent and date of despatch
  - (f). From whom received and date of receipt
  - (g). Date of reminders sent or received
  - (h). Date of return or final disposal
  - (i). To whom sent

### **1525. TRUNK CALL REGISTER (58)**

- (i). A trunk call register shall be maintained, wherever a telephone has been provided and every trunk call made shall be properly accounted for and signed by the SHO

244 unit officer. In case of private calls, the persons making the trunk call should sign the register. Private trunk calls should be paid by the concerned person. The bill number, date and the unit / amount should be indicated against the private call. In case of official calls, an entry of the bill number, date, unit / amount and the trunk call serial number covered by the bill should be entered in the register and signed by the SHO / O.P. officer / Unit officer. If the telephone is provided with STD facilities, the dynamic lock system shall be used to deny the opportunity of misuse.

(ii). The officer provided with STD telephone shall personally operate or use his PA or steno or reader or writer to operate it. When the bills are received from BSNL, the same shall be verified and suitably certified by the concerned officer.

(iii). The details shall be furnished in the trunk call register.

(a) Date

(b). Name / designation of the officer making the call

(c) Duration of the call

(d). Purpose of the call – official or private

(e). Bill date, amount / unit, etc.

(f). Date of payment

(iv). Each monthly telephone bill shall be certified by the SHO or by the unit officer and sent to the account section of the pay drawing / disbursing officer concerned.

#### **1526. CAUSAL INSPECTION REGISTER (59)**

(i). Inspectors in charge of circles, officers in charge of units and Sub-Inspectors in charge of out posts shall conduct causal inspection or make visits by surprise of Police Station / other units / out posts at least once in two days. Circle Inspectors in their casual inspection shall write in the GD and the visiting book (casual inspection register) their time of arrival / visit and their observations, guidance and other instructions as required under Chapter XXII of Volume I of the manual.

(ii). The note of inspection or observation shall be written or pasted on the left side of the inspection register and the compliance report of the SHO and others shall be made on the right side against each item of the notes.

#### **GAZETTED OFFICER'S VISITING BOOK (60)**

1527. Gazetted officers of Police shall visit the offices and stations under their control and make a record of their observations in the GO's visiting book. The compliance report shall be furnished without delay. The principles of writing / pasting notes of remarks and of making compliance thereof in the register shall be followed.

**1528. CRIMINAL INTELLIGENCE GAZETTE – FILE (61)**

(1). It is a weekly, fortnightly and monthly information received from the Crime Record Bureau of the CID Police unit notifying the activities of the criminals in various Police Station limits of this territory. This is also known as the crime and occurrence (C and O) sheet.

(2). All weekly crime and occurrence sheets received from the Crime Record Bureau shall be properly and serially filed in the station.

(3). In all property offences, the C and O sheet number with serial number of the offence published therein shall be entered in Part I of the station crime history (true property offence register) to remain a cross reference.

(4). The contents of the C and O sheet regarding unlocated property offences, persons wanted, missing persons, probable date of release of convicts from Jail, details of unclaimed / missing properties / articles, etc., shall be briefed to the station men in the roll-call. Entries should be made by Constables in their pocket note books about the above instructions and the same be, by the SHO, produced in the second note book.

**1529. POLICE MANUAL / STANDING ORDER / OTHER ORDERS FROM CHIEF OFFICE – FILE (62) AND (63)**

(i). Each Police Station, OP, Circle, other units and the supervisory officers shall be provided with a set of Puducherry Police Manual.

(ii). The departmental orders, circulars and other instructions of the court and the government communicated from the chief office from time to time shall, serially date wise be filed in the station / OP and the other unit offices separately.

(iii). The old standing order file shall be kept separately for reference, if need be.

**HOUSE SEARCH BOOK (64)**

1530. It is a book which is used to record the particulars about the search conducted by an officer inside the suspected house, building, etc.

- (1). House search slips shall be maintained in Police Stations to be used during investigation of criminal cases. All columns should be filled in properly and sent to court in time along with the seized articles.
- (2). Acknowledgement of the owner of the house or tenant, etc., should be obtained for having received a copy of the search slip after searching the house and seizing property.
- (3). Signatures of the witnesses to search, should be obtained in the search slips.
- (4). As a general principle, searches shall not be conducted after sunset and before sunset except in specific cases if the situation warrants.
- (5). The search slips will be maintained in quadruplicate, the original to be sent to court, duplicate to the house owner, triplicate to the case file and the quadruplicate kept in the house search register itself.

**Note:-**

The house search shall be conducted either on obtaining search warrant from the court u/s 100 Cr.P.C. or advance intimation be sent to the court and then the house be searched u/s 165 Cr.P.C. In all cases, the principles and procedure of the search laid down under the Criminal Procedure Code shall be strictly followed.

**1531. P.T. CASES / COURT REGISTER (65)**

- (i). In order to keep tract of various cases pending trial in various courts as soon as the cases are charged they shall be entered in a separate register. The progress of trial of those cases will be entered in that register case wise.
- (ii). The stages of every P.T. (Pending Trial) cases should be watched carefully and entries made in the register then and there carefully by the court PC. The SHO shall be responsible for the maintenance of this record. The court PC shall obtain the signature of APP / PP every week so that efficient follow-up of the trial proceedings will be ensured.
- (iii). The register shall contain the following particulars / columns:-
  - (a). Serial number
  - (b). Crime number, section, date of report, date of occurrence
  - (c). Court number (SC/CC/STR/HC/PRC)
  - (d). Name of the court
  - (e). Date of hearing / progress of the trial
  - (f). Signature of the court PC

- (g). Counter signature of the SHO
- (iv). The court PC should carry this register every day from the station to the court, fill up the columns, affix his signature and get the weekly counter signature of the APP or PP as the case may be. If it is the sessions case, the officer who follows up the case in the sessions court shall fill up the columns and get the signature of the PP.

**1532. UNIDENTIFIED DEAD BODY REGISTER (66)**

- (a). To facilitate the Police to establish the identity of the unidentified dead bodies in later days, this register will be consulted.
- (b). For this purpose, a separate register shall be maintained. The register shall contain the following details:-
  - (i). Serial number,
  - (ii). Name and address of the person who saw the dead body first,
  - (iii). FIR No. , date and name of the complainant,
  - (iv). Date, time and place where the body was seen,
  - (v). Location of the dead body,
  - (vi). Identification marks with wearing apparel and other items like watch, ring, chain, etc,
  - (vii). Whether any letter or identity card or visiting card found with the body,
  - (viii). Probable cause and mode of death,
  - (ix). Number and date of intimation (hue and cry notice) to CRB, etc.,
  - (x). Action taken like photography, finger print and publishing news in Radio and T.V. news, in newspapers, printing of hand bills, wireless messages, sent, etc.,
  - (xi). Signature of the SHO
  - (xii). Remarks

**1533. MISSING PERSON REGISTER (67)**

- (a). The details of the missing person are entered in the register to facilitate the SHO to trace out the missing person.
- (b). Whenever any complaint is received in a Police Station about missing of persons, it shall be entered in the General Diary and a case registered. The following details shall be furnished in the missing person's register.
  - (i). Serial number



- (ii). Name and address of the complainant
- (iii) Name, address and relationship of missing persons to the complainant with personal particulars including photograph.
- (iv) Sex, age, the dress lost worn
- (v) Place of missing
- (vi) Date and time of missing
- (vii) Probable place of visit of the missing person
- (viii) Last seen by whom with date, time and place
- (ix) FIR number
- (ix) Whether any one is suspected behind the disappearance
- (xii) Signature of SHO
- (xiii) Details of action taken
- (xiii). Remarks and final disposal.

**1534. VILLAGE ROSTER (68)**

- (i). This roster shows the frequency of visits made by the Police to each village.
- (ii). The villages and hamlets of a Police Station shall be divided into two or more beats and the roster be maintained beat wise. Grouping of villages under each beat shall be done properly taking into consideration of increase in Crime and Law and order problems. Visits to crime and riot prone areas should be reasonably as frequent as possible.
- (iii). Monthly abstracts of the village visits made by the SHO and men shall be drawn beat-wise in the register.
- (iv). Entries in this register should correspond with the entries made in the general diary, pocket note books of the officer and men of the PS and the beat books.

**1535. N.C. CASE REGISTER (69)**

- (i) The details of non-cognizable cases received in PS and their disposal should be recorded in the N.C. Case register.
- (ii) When information is given to an officer in-charge of a Police Station about a non-cognizable offence, he shall enter or cause to be entered the substance of the information in the NC case register and refer the informant to the Magistrate under section 155 (2) Cr.P.C. along with his complaint, praying permission to investigate the NC case, if the matter is serious or requires the investigation by Police.

- (iii) No Police officer shall investigate a non-cognizable case without the order of a Magistrate having power to try such case or commit the case for trial.
- (iv) Entries shall be made in the station general diary in this connection.
- (v) Preventive action should be taken subsequent to the reporting of NC case to avoid breach of peace. Proper action should be taken against the counter petitioners if they happen to be bad characters / rowdy elements.
- (vi) If the matter reported upon is a civil dispute, entries shall be made in the GD and the NC register and a copy of the NC register entry be given to the complainant under acknowledgement, advising him to seek recourse through the appropriate forum.
- (vii) Signature / thumb impression of the informant should be obtained both in the General Diary and in the NC case register

**1536. COMPUTER REGISTER (70)**

- (i). All Police Stations / other units and the offices of the supervisory officers have been connected with the computer network.
- (ii). A computer register shall be maintained to watch the utilization and performance of the computer sets.
- (iii). All integrated forms duly filled in through computers shall be sent to CRB regularly.
- (iv). In addition to the seven integrated Police formats, the following data relating to the traffic should also be sent to the CRB
  - (a). FIR of road accident cases.
  - (b). Accident data form (general)
  - (c). Accident data form (VII / DRI / VIC).
- (v). All SHOs shall coordinate with CRB / computer centre for efficient information technology.
- (vi). All initiatives should be taken for e-governance / e-policing.

**1537. KIT INSPECTION REGISTER AND KIT CARD (71 and 72)**

- (1). An abstract of kit inspection done during half yearly and annual inspections by the Inspectors and Gazetted Police officers should be entered in this registers. Shortages should be made good and compliance reported.
- (2). The abstracts of kit inspection during formal inspection should be written / pasted on the left side of the kit inspection register and the compliance on the right side of the register.

(3). The following details shall be furnished in the kit inspection register.

- (i). Serial number
- (ii). Unit number
- (iii). Rank and name
- (iv). Date of inspection
- (v). Name of the inspecting officer
- (vi). Items found deficient
  
- (vii). Reason for deficiency
- (viii). Eligibility
- (ix). Action taken for placing indent.
- (x). Compliance, date of issue of the item, etc.
- (xi). Signature of SHO / OP/ Unit
- (xii). Signature of the individuals
- (xiii). Remarks

(4). Kit cards should contain items of uniform issued to Police personnel. It should contain particulars of period of issue of each item with reference like I.V. number, life period for each item, etc.

(5). In kit card of every Police personnel, the measurement of cap, boot, shoes, slacks, shorts and shirts should be indicated. On the eve of transfer, the Head Constable / Constable should be relieved and passported with their individual kit cards, medical history sheet and small service book.

#### **1538. ANNUAL RANGE FIRING REGISTER (73)**

(1). All officers and men have to do the classification / annual range fire every year.

Commandant, SP (PAP) and Armoury unit shall ensure that range firing is conducted within the first quarter of every year. A register for this purpose to know the standard of firing and marks obtained by every individual in Police Stations / OPs / Units, should be maintained.

(2). The following details should be furnished in the annual range firing register

- (i). Name and designation of the officer
- (ii). Date of last annual range classification
- (iii). Type of weapon
- (iv). Date of annual range / classification fire during current year

- (v). Marks obtained

get the particulars of marks obtained by officers and men, so that the entries are updated.\]

#### 1539. **WELFARE MEETING REGISTER (74)**

(1). Extracts of welfare meetings held from time to time by IGP, SSP, SP and Inspectors should be entered in this register. Minutes of welfare meetings conducted during formal inspection of Inspectors and gazetted officers should also be entered. The compliance column should be filled in only after the actual compliance is ensured.

(2). The welfare meeting register shall contain the following details:-

- (i). Date
- (ii). Name of the officer who held the meeting
- (iii). Rank and name
- (iv). Grievances
- (v). Action taken
- (vi). Compliance report from the concerned unit
- (vii). Remarks

#### **DEPARTMENTAL PROCEEDINGS REGISTER**

#### 1540. **(75)**

- 
- (a). A register to know the details of departmental proceedings against Police personnel working in Police Stations / OPs / Units shall be kept.
  - (b). The register should be maintained on the following proforma.
    - (i). Serial number
    - (ii). Rank and name
    - (iii). Nature of charge
    - (iv). Enquiry officer
    - (v). Number and date of order of D.E.
    - (vi). Findings of the D.E. with date
    - (vii). SCN (Show Cause Notice) issued or proceedings dropped
    - (viii). Date of reply from delinquent
    - (ix). Final orders of the disciplinary authority
    - (x). Punishment and remarks.

1541. **ORDERLY ROOM REGISTER (76)**

(1). The process of holding “orderly room” is a very important function to enforce discipline

based on two dimensions – one to consider welfare measures – the second to decide punitive measures for misconduct.

(2). A register for this purpose should be maintained with the following details:

- (i). Serial number
- (ii). Date
- (iii). Name and number
- (iv). Brief of representation or misconduct
- (v). Date on which produced
- (vi). Orders passed
- (vii). Action taken

(3). The orderly room register should be produced before the CI / SP, who will write the last column regarding action taken. Corresponding entries should be made in the general diary.

**Note**

If separate orderly room registers for superior officers like IGP, DIG, AIG or SSP are not available, the orderly room register of the concerned station / unit shall be produced along with the individual marched to O.R.

1542. **WIRELESS / WIRELESS SETS MAINTENANCE REGISTER (77)**

(a). A register to monitor the working condition of the wireless in Police Stations / Outposts / Units and maintenance and rectification of repairs of the sets by the wireless technicians, should be maintained.

(b). This register shall contain the following details:

- (i). Serial number
- (ii). Name of radio technician
- (iii). Date and time of arrival
- (iv). Date and time of departure
- (v). Nature of repair including charge of spares

(vi).

Signature

**1543. STAMP ACCOUNT REGISTER (78)**

- (i). Service postage stamps are issued up to the level of Circle Inspectors who will be responsible for maintenance of stamp accounts. The stamps may be utilized for official purpose of the offices / Police Stations under the control of the Circle Inspectors but the responsibility of maintaining its accounts rests with the respective Circle Inspectors only.
- (ii). The register shall be maintained with the following details:

1. Date

Value of stamps

---

In hand	Received during the day	Used during the day
2	3	4

5. Balance at close of the days (2+3--4)

Signature of

Despatcher

6

officer in-charge

7

**Note:**

Column 2 will repeat the figure in column 5 of the previous day)

**GRANT OF LICENCES FOR LOUD SPEAKER, ASSEMBLY, MEETING AND PROCESSION (79)**

1544. A register containing the following headings should be maintained in all PS / OPs for the grant of permission for using loudspeaker, to conduct public meetings and to take out possession. The general policy of “first-come-first-served” basis should be strictly followed in order to avoid controversies. The places for public meeting should be selected by the SHO / CI and no permission to conduct public meeting in road sides be given.

- (i). Serial number

- (ii). Date of receipt of application
- (iii). Date, time and place of public meeting
- (iv). Particulars of applicant / organisation
- (v). Date of sending to Inspector, if any
- (vi). Date of receipt from Inspector's office / Police Station
- (vii). Whether permission granted / rejected with grounds of rejection
- (viii). Communication number and date of sending to party
- (ix). Remarks

#### **1545. DESTRUCTION OF RECORDS / REGISTER (80)**

- (1). The non-permanent records can be destroyed on the expiry of the period mentioned against each register in Manual I and II.
- (2). The Station House Officer of a Police Station / OP / Unit officers will from time to time, examine the old records and prepare an inventory of registers and records which are to be destroyed, as prescribed. This inventory will be sent to the Circle Inspector / Unit SPs once a year, who shall verify the registers / records, satisfy himself that they are fit to be weeded out and endorse a certificate to that effect on the inventory. The inventory will then be forwarded to the Superintendent of Police who shall carry out sample checks and satisfy himself that the registers records mentioned in the inventory qualify destruction. There upon, the Superintendent of Police shall issue a specific order listing the registers / records to be destroyed and such registers records will thereafter be destroyed by burning under the supervision of an officer of and above Inspector.
- (3). Unwanted records may also be examined by gazetted officers during the course of annual inspection and upon their recommendations, old records will be destroyed.
- (4). Inventory of records destroyed along with the relevant orders of the Superintendent of Police will be pasted in a register in chronological order.

#### **REGISTER OF LAND AND BUILDING (81)**

1546. The purpose of this register shall be to maintain the buildings in good order and to ensure that there is no encroachment of Police land, etc. The land for Police Station and building have to be acquired if necessary and construction of building be taken up in the quickest possible means. The register shall contain the following heads:

- (a) Serial number
- (b). Description of the land and building



- (c) Nature of maintenance / repairs required
- (d).Communication reference number, if any and to whom sent
- (e) Date of repairs / maintenance
- (f). Date of next repairs / maintenance due

#### **1547. POSTING / TRANSFER REGISTER (82)**

- (1). This register shall be maintained in all PS/OPs/Units. The purpose of the register is to have a record of postings and transfers of various ranks from time to time and to know the normal place of residence where a official could be contacted in case of an emergency.
- (2). Sufficient number of pages should be left for each rank depending on the number of personnel in each rank in the PS / OP / Unit and the frequency of their transfer.

(3). The proforma for the above register will be:-

- (i). Serial number
- (ii). Rank, Unit Nos. and name
- (iii). Educational qualification
- (iv). Date of birth
- (v). Place of normal residence
- (vi). Order number and date of posting with place from where posted
- (vii). Date of joining
- (viii). Order number and date of transfer with place where transferred
- (ix). Date of relief
- (x). Signature of supervisory officer
- (xi). Remarks

#### **TAPAL / DESPATCH REGISTER (83)**

1548. The tapal / despatch register should contain the diary and despatch of all papers received in or sent out of the PS / OP /Unit. It should be serially numbered starting from the first day of January, every year.

#### **1549. HISTORY SHEET OF VEHICLES, BICYCLES AND PETROL COUPON BOOKS 84 (A) VEHICLES; 84 (B) BICYCLES AND 84 (C) PETROL COUPANS**

(i). This should contain complete particulars about the vehicles allotted to the Police Station including date of purchase, date of allotment, tyre number, engine number, chassis number, battery number, makes etc; whenever parts are changed, it should be mentioned in the history sheet. Date of admitting the vehicle in Government Automobile Workshop or private workshop, details of repairs done, etc., should be mentioned.

(ii). The vehicles allotted to all PS / OP / Units should be produced before the Superintendent of Police (MT) for monthly inspection. The users of the vehicles should not exceed the quantity of petrol / diesel fixed for them.

(iii). The drivers who are working under the control of gazetted Police officers will be responsible for the neat maintenance of the vehicles and they should produce the vehicles for the monthly inspection. GOs need not attend the inspection but must send their vehicles. All others who have been issued with vehicles should be present for the inspection.

(iv). Petrol coupons must be correctly used. Only the officers who have been allotted the particular vehicle / motor cycle must sign the POL coupon, which shall be incorporated in the vehicle log book. The log book and petrol coupon book, after the use, shall be sent to the MTO.

### **MEDICAL HISTORY SHEET (85)**

1550. The following points should be kept in mind in maintaining the medical history sheets.

(i). All the points or columns in the front page should be properly written.

(ii). The blood group of the lower subordinates should be written at the bottom of the inner page in red ink.

- (iii). The medical history sheet should be handed over to lower subordinates while proceeding to a hospital for treatment. Details of sickness and treatment including admission, discharge, etc., should be entered in it.
- (iv). Details of treatment for tuberculosis and other ailments should also be similarly entered and signed by the Medical Officer.
- (v). Leave, etc., if granted should be entered by the Medical Officer. The lower subordinate should follow the provisions of leave rules.
- (vi). Details of serious sickness, if any, requiring declaration of a lower subordinate as unfit for Police service should be intimated by the Unit officer to the senior officers immediately.
- (vii). Details of annual medical examination, etc., should also be entered in the medical history sheet.
- (viii). The medical history sheet should be handed over to the lower subordinate whenever he is transferred from one place to another for handing over it to the next PS/OP/Unit in-charge.

#### **SMALL SERVICE BOOK (86)**

1551. The following points should be kept in mind in the maintenance of small service books.

- (i). The name buckle number and employee number should be written in capital letters in red ink on the outer cover of the small service book of each individual.
- (ii). The details of birth place, date of entry in government service, educational qualifications, etc., should be filled in correctly in capital letters.
- (iii). The present rank and the date of promotion to the rank of HC should be indicated clearly in the columns meant for “Date of promotion to each rank”

(iv). The particulars of transfer to the present place of posting should be mentioned in the column, "Transfer".

(v). All rewards given and punishments imposed should be entered in the relevant columns.

(vi). All columns in the last page of the small service book, i.e. "size and measurement", should be filled in properly, which should be identical with the particulars furnished in the first page of kit card of every individual.

(vii). Small service book should also be handed over to the lower subordinate whenever he is transferred from one place to another to hand over it to the next PS / OP / Unit in-charge

#### **1552. WEEKLY PARADE REGISTER (87)**

(a). To find out whether all the Police personnel attached to various PS / Out posts / Units attended the weekly parade regularly, a register is maintained in the following proforma:-

- (i). Serial number
- (ii). Rank and name
- (iii). Whether present or not
- (iv). Reason for not attending parade

(b). An abstract will be drawn for every week showing the total number of Police personnel present for the parade and others engaged on other duties.

#### **NEWSPAPER / MAGAZINE REGISTER (88)**

1553. To monitor the despatch of old papers / magazines regularly to the stores once in a month this register is maintained with the following proforma : -

- (i). Serial number
- (ii). Name of newspaper / magazines
- (iii). Number of copies received during the month
- (iv). Due date for sending to stores

- (v). Date of actually sent
- (vi). Number of copies / weight returned to stores
- (vii). Signature of the person receiving
- (viii). Remarks.

1555. The following forms have been prescribed to make application for seeking information from the public authorities, to reject information under the Act, to supply information to the applicant under the act and to acknowledge receipt for appeal under the act.

Form 1 : Form of application for seeking Information under the Right to Information Act, 2005. (4 F1)

Form 2 : Rejection order under the Right to Information Act, 2005. (5 F2)

Form 3 : Form of supply of Information to the Applicant under the Right to Information Act, 2005 (6 F3)

Form 4 : Acknowledgement of Appeal under the Right to Information Act, 2005. (7 F4)

The application of an applicant sent by the SP to the CI for furnishing report shall be processed in the station on the basis of station records.

**Note**

- (i). Registers R1, R2, R3 shall be maintained in the offices of SPs, CIs and SSPs respectively. The proforma furnished in Volume III.
- (ii). Forms 11. F5 and 12 F6 are related to taking of finger impressions of the accused suspect for the purpose of Finger Print Bureau – Records and of Finger Print Search (to be matched / compared and identified)

**POLICE OUTPOST AND ITS RECORD**

1557. The state government may declare one or more Police outposts to be attached to a mother Police Station. An officer in charge of the out-post will be in the rank of Head Constable or Asst. Sub-Inspector of Police. Presently, the following (ten) outposts function in this territory.

- (i). Puducherry North: (1). Solai Nagar (Muthialpet P.S.)

	(2).	Govt. Quarters at Lawspet (Lawspet P.S)
(ii). Puducherry South:	(3).	Mangalam (Villianur P.S.)
	(4).	Korkadu (Villianur P.S.)
(iii). Puducherry Rural:	(5).	Karayambutur (Bahur P.S.)
	(6).	Madukarai (Nettapakkam P.S.)
	(7).	Sedarapet (Katerikuppam P.S.)
(iv). Karaikal	(8).	Ambagarathur (Thirunallar P.S.)
(v). Mahe	(9).	Pandakal (Pallur P.S.)
(vi). Yanam	(10).	Darialdippa (Yanam P.S.)

### **THE OFFICER-IN-CHARGE OF OUTPOST**

1558. The duty of the officer-in-charge of the outpost, either Head Constable or Asst. Sub-Inspector is to supervise the work of his men, maintain the prescribed records and submit the daily general diary to the mother Police Station.

### **RECEIPT OF COMPLAINT AT THE OUT POST**

1559. The HC or ASI, in charge of the outpost is not an officer in charge of a Police Station and is not empowered to record a "First Information", within the meaning of section 154 Cr.P.C., of a cognizable offence or to enter its substance in the First Information Report form. If information of a cognizable offence, therefore is lodged with the officer in charge of the outpost, he shall record the facts in his outpost, 'general diary' and report them as expeditiously as the circumstances of the case may require, to the Station House Officer (mother station). The information referred to in section 154 Cr.P.C., the substance of which should be entered in the first information report form in such a case in the information first received by the Station House Officer which in many cases be the out post Head Constable report.

1560. The O.P. officer may interpose as and when the offences of the following category are noticed by him.

- (i). The Police (Pondicherry Amendment) Act, 1968
- (ii). Sections 41, 151 Cr.P.C.
- (iii). The Motor Vehicles Act, 1988

1561. The O.P. officer shall, on receipt of a direct complaint or information of a crime at serious occurrence, take such immediate action as may appear necessary such as proceeding to the scene of the occurrence to render assistance or arrest an accused person.

## **INVESTIGATION BY OUTPOST HEAD CONSTABLE / ASI**

1562. Head Constables or ASIs in charge of out posts have been empowered to hold investigation under section 174 (1) Criminal Procedure Code, 41 Cr.P.C. and simple investigation cases that occurred within the limits of the OPs. But, this will, however, not absolve the Station House Officer from any responsibility. When the Sub-Inspector cannot arrive in time, the scene of crime in the OP limit should be preserved and protected by the HC / ASI who would also make certain ascertainment about the occurrence till the arrival of the Station House Officer.

## **THE RECORDS TO BE MAINTAINED IN THE OUT POST**

1563. The following registers / files shall be maintained in all Police outposts.

### **Note:**

The general instructions regarding the maintenance of records as laid down under Chapter XXXIV shall be followed.

(1). FIR index

(The cases that occurred within the limits of the outpost only need to be accounted in the FIR index. The OP officer shall get up-to-date information / particulars of the entries in the FIR index from the writer of the mother station).

(2). General diary

(3). History sheets

(Only copies of history sheets shall be maintained; the History sheets of those BCs who reside in the OP limits should also be covered; the main particulars should be taken from the original history sheets; the current doings be written by the OP HC/ASI)

(4). KD check register (if KDs reside in the OP limit)

(5). Arrest / court surrender memo and the memo of arrest

(If the officer in-charge of the OP makes the arrest of a person)

(6). Prisoner's search register (PSR)

(7). Beats books

(8). Pocket note books

(9). Second note books

(10). Duty roster

(11). Village roster

(12). Process register

(In respect of all processes meant for service in the area covered by the outpost)

- (13). Sentry relief book
- (14). Local exconvict register (if local exconvicts reside in the OP limits)
- (15). Non-local exconvict register  
(only in respect of non-local exconvicts who committed crimes in the OP

limi

ts)

- (16). Petty case register
- (17). M.V. Petty case register
- (18). Petition register
- (19). N.C. case register
- (20). Government property register
- (21). Government firearms register
- (22). Arms history sheets
- (23). Arms licence register
- (24). Arms deposit register
- (25). Bus warrant register
- (26). Trunk call register
- (27). Wireless / wireless maintenance register
- (28). GOs casual inspection register
- (29). Inspector's casual inspection register
- (30). Formal inspection register
- (31). Welfare meeting register
- (32). Orderly room register
- (33). Small service book
- (34). Medical history sheet
- (35). Kit inspection register
- (36). Tapal book
- (37). History sheet of vehicle



## **THE PERIOD OF RETENTION OF RECORDS IN THE POLICE STATION / OUTPOSTS**

1564. Certain important statutory records, shall be kept permanently and other records shall be weeded out after their period of retention, as prescribed below, is elapsed.

### **1565. PERMANENT RECORDS OF THE POLICE STATION / OP**

- (1). FIR book (register) and FIR index
- (2). Station crime history – Part I, Part III (GCR), Part IV and Part V (history sheets)
- (3). Village crime register
- (4). Register of proclaimed offenders
- (5). Fire arms licence register
- (6). Government property register
- (7). Inspection book of gazetted officers
- (8). Standing orders / circulars files
- (9). Posting register
- (10). Register of arms deposited
- (11). Register of deserters of armed forces
- (12). Arms and ammunition register
- (13). Alphabetical loose leaf index and name war index
- (14). Conviction memo book
- (15). Armed forces deserter register
- (16). Formal inspection register
- (17). Arms deposit register
- (18). Government fire arms and ammunition register with history sheets
- (19). Permanent advance register
- (20). GOs visiting book
- (21). Standing orders / circular's file
- (22). Unidentified dead body register
- (23). Missing person register
- (24). Computer register
- (25). Kit card
- (26). Wireless / wireless set maintenance register

- (27). Destruction of old records – register
- (28). Register of land / buildings
- (29). Posting / transfer register
- (31). Medical history sheet
- (32). Small service book
- (33). Cash book (Government)
- (34). Right to Information Application and supply of Information – register

**1566. NON-PERMANENT RECORDS**

<b>Sl. No.</b>	<b>Name of the register</b>	<b>Period of retention in years</b>
1.	General diary and SHRs	2
2.	Register of petty offences	3
3.	Correspondence register	3
4.	CI's inspection book	5 (from the date of last entry)
5.	Bad character roll (A&B) counterfoils	2 (after the date of the last roll issued)
6.	Register of BC rolls received / issued	3 (from the date of last entry)
7.	Process register	3 (from the date of last process)
8.	Duty roster	2 (from the date of last entry)
9.	Village roster	3
10.	Railway and bus warrant books and registers	To be returned to chief stores
11.	Notices to complainants	2
12.	Sentry relief book	2
13.	Prisoner's search register	3 (from the date of last entry)
14.	Case diary / case file	After completion of 5 years of the final orders of the court unless an appeal is pending; cases referred as untraced or UN, be kept permanently or until they are solved, as the case may be.

15.	Final report form (charge sheet)	5 (after the disposal of the case)
16.	Bail / security bonds	2
17.	Search list book	5
18.	Form 95	5 (after the disposal of the case)
19.	Crime abstract	5
20.	Arrest / court surrender memo and memo of arrest	2
21.	Pocket note books of PCs/HCs/ASIs/SIs	5
22.	Criminal intelligence gazette	2
23.	Files / papers received from CRB	2
24.	Daily occurrence reports (DORs)	3 months
25.	Recovery statements received from other departments / agencies	1
26.	Exconvict (local / non local) KD check register	25 (from the last entry)
27.	Petty case register	3
28.	M.V. act case register	5
29.	Beat books	5
30.	Panchayatar summon books	5
31.	Indent books	5
32.	LARS	10
33.	Reference / petition register	3
34.	Trunk call register	5
35.	Inspector's casual inspection register	10
36.	House search book	5
37.	PT case / court register	3 (after the judgement)
38.	N.C. case register	5
39.	Kit inspection register	5
40.	Annual range firing register	5
41.	Welfare meeting register	3
42.	Departmental proceeding register	5
43.	Orderly room register	3

44.	Stamp account register	5
45.	Grant of licences for loud speaker, assembly, processions and meeting register	5
46.	Tapal / despatch register	3
47.	Weekly parade register	2
48.	Newspaper / magazine register	2

**1567. LIST OF REGISTERS TO BE MAINTAINED BY SUPERVISORY OFFICERS (CIRCLE INSPECTOR, SPs AND SSPs) WORKING IN LAW AND ORDER INCLUDING IN THE OUTLYING AREAS (KARAIKAL, MAHE AND YANAM)**

1.	Current register	3
2.	Dak register	3
3.	Petition register	3
4.	Stamp account register	5
5.	Tapal despatch register	3
6.	Out tapal register	3
7.	Passport register	5
8.	Passport despatch register	3
9.	Casual leave register	1
10.	Crime check register	Permanent
11.	Memo book	3
12.	Indent book	5
13.	Stock register	Permanent
14.	Performance register	3
15.	Attendance register	2
16.	Permanent advance register	Permanent
17.	Government property register	Permanent
18.	Stationary register	3
19.	ISR – case check register	10
20.	ISR CD – tapal register	2
21.	Court register	3
22.	Public meeting register	2

23.	Formal inspection register	Permanent
24.	Cash book (government)	Permanent
25.	Bill drawn register	5
26.	Cheque register	10
27.	Challan register	5
28.	Pay bill register	35
29.	Budget check register	5
30.	OBA register	5
31.	Service book / register	Permanent
32.	Receipt register	3
33.	Personal register	1
34.	Stock and distribution register for stationary	1
35.	Fair copy register	2
36.	Bill transit register	3
37.	Movement register	1
38.	Cash book (non-government)	10
39.	Distribution register of tapal	1
40.	Service book movement register	1
41.	Reminder diary	1
42.	Increment register	1
43.	Family quarters register	Permanent
44.	Quarters allotment register	5
45.	Dead stock register	Permanent
46.	Leave register	3
47.	Register of GOs (government orders)	Permanent
48.	ODP register	1
49.	DD register	10
50.	TA register	3
51.	LTC register	3 or 1 (after completion of audit whichever is later)
52.	Expenditure register	3
53.	Contingent and audit register	3

54.	Trunk call register	5
55.	Water / electricity charges register	5
56.	M.R. bill	3
57.	Bus / railway warrants	To be returned to MTO
58.	Register of expenditures sanction/ settlement of bill	3
59.	Register of bills received	5
60.	SHR register	3
61.	Inspector's casual inspection register	5
62.	Right to information (petition / disposal) register	Permanent

**Note:**

SSPs / SPs / CIs vested with powers of the Head of Office or pay drawing officer shall alone maintain registers relating to accounts & payments. The records relating the supervisory control over crimes and law and order shall be maintained by all.

**MAINTENANCE OF CLASSIFICATION OF MODUS OPERANDI AND THE CONNECTED REGISTERS**

1568. Any culprit who commit property offences like dacoity, murder for gain, robbery, burglary and theft, etc., leaves at the scene of crime the modus operandi adopted by him to make ingress and egress and the type of force used by him to acquire the particular or any kind of property. Such classes of crime or classification of modus operandi, used for the purpose of investigation of crimes or for zeroing down the areas of searches of the particular type of criminals are grouped as follows, which shall invariably be notified in the following registers for easy identification of M.O. criminals.

- (i). FIR index
- (ii). Part I (property offence register)
- (iii). Part II (crime chart)
- (iv). Part III (general conviction register)
  
- (v). Part IV (history sheet)
- (vi). Alphabetical loose leaf index
- (vii). Name war index

- (viii). Exconvict check register (local / non-local)

## **CLASSES OF CRIME**

### **MAJOR AND MINOR CLASSIFICATION**

#### **Class I – Offences attended with violence**

- (d) Dacoity
- (m) Murder for gain
- (p) Poisoning or Drugging
- (r) Robbery

#### **Class II – House-Breaking and theft**

- (viii) Auger
- (ix) Blot hole
- (x) Chisel used
- (xi) Door lifted off hinges
- (d2) Lifting latch by inserting hand or implement
- (d3) Opening door not locked
- (e) Eaves
- (h) Holes on the wall or manhole
- (k) Key (false) used to open lock or picking
- (n) Breaking lock or fastening
- 5. Roof-hole
- 6. Sealing (wall or roof)
- 7. Threshold hole
- 8. Unclassified
- (w1) Window bars removed
- (w2) Window frame removed
- (w3) Inserting hand or stick through window (day house-breaking may be indicated thus –II Day. School or temple house-breaking may be indicated thus-II Sch. II-Te).

#### **Class III – House theft**

- (a) Automobiles
- (a1) Automobiles, spare parts
- (a2) Automobiles – tools
- (b1) Bogus visitor

- (b2) Bank
- (b3) Bungalow
- (c1) Counter (Bank or post office)
- (c2) Clothes
- (c3) Clocks, time-pieces, watches
- (c4) Cash
- (e) Electrical meters
- (e1) Electric gas and welding equipments
- (e2) Electric motors or oil engines and parts thereof.
- (e3) Electrical appliances – Miscellaneous
  - (i) Fountain pens
  - (2) Grains
  - (3) Hostels and Hospitals
  - (viii) Lanterns
  - (v) Radios, transistors or accessories
  - (s1) Schools
  - (s2) Shops
    - (s3) Servants
    - (s4) Sleeping persons (from)
    - (t1) Temple idols
    - (t2) Temple jewels
    - (t3) Temple Kalasams
    - (t4) Typewriters
  - (i) Unclassified
  - (ii) Vessels

**Class IV – Ordinary thefts**

- (a) Agricultural implements (thefts of)
  - (a1) Automobiles or spare parts
  - (a2) Automobiles – Tools
- (b) Bandies of or from
  - (b) Bulos
    - (c1) Cycle thefts
    - (c2) Clothes



- (c3) Cameras
- (c4) Cash
- (c5) Copper boilers
- (a) Children from
- (d1) Delcos
- (d2) Dynamos
- (b) Electrical meters
- (e1) Electrical meters
- (e2) Electric motors or oil engines and parts thereof.
- (e3) Electrical appliances – Miscellaneous
- (c) Fairs and festivals
- (f1) Fifth rubbing to divert attention
- (f2) Fuse carriers
- (g2) Garden produce
- (h) Thefts from bathing ghats
- 2. Lanterns
- 3. Motor cars (from)
- (m1) Machinery – Miscellaneous and parts thereof
- 3. Picket picking
- (s1) Snatching
- (s2) Sleeping persons (from)
- DD Time-pieces or watches or clocks
- EE Unclassified
- FF Vessels
- GG Wire

**Class V – Cattle thefts**

- (b) Buffaloes
- (d) Donkeys
- DD Goats or sheep
- EE Horses
- (os) Oxen for sale or ransom
- (ok) Oxen for skin or meat
- (p) Pigs.

**Class VI – Receiving or possession of stolen property**

**Class VII – Cheating**

- 4. Advertisements or calling for applications for employment
- 5. Bogus agent
- 6. Doubling currency confidence – Trickers
- 7. Degree of Diploma or education certificates (Academic and Technical) forgery
- 5. Floating chit companies
- 6. Gilt jewels
- 6. Personation
- (p1) Passports
- (u) Unclassified

**Class VIII – Counterfeiting**

- 8. Making or passing counterfeit coins
- 9. Making or passing counterfeit notes

**Class IX – Criminal breach of trust or misappropriation**

- 9. Cycles
- 10. Dhoby
- (e) Jewels
- 10. Servant or clerk
- 1. Unclassified

**Class X – Kidnapping**

- (b) Beggary
- (t1) Trafficking in women for prostitution
- (t2) Trafficking in children for sale
- (t3) Trafficking in women and children for ransom

**DESCRIPTIVE, DEFORMITY AND PHYSICAL PECULIARITIES INDEX**

1569. A typical list of Physical peculiarities and deformities are given below, which shall, according to the characteristics of the BCs, be noted in the index file.

## **BUILD**

Fat (stout / strong)

Normal (Muscular)

Thin (Lanky)

## **COMPLEXION**

Dark

Fair

Very Fair

Wheatish / Sallow

## **TEETH**

Broken

False tooth / teeth

Gaps in teeth

Metal tooth

Metal tooth gold (capping)

Metal tooth silver (capping)

Missing tooth / teeth

Normal (even)

Overlapping teeth

Protruding

Stained

## **HAIR**

Bald full

Bald partial

Brown

Curly – black

Curley – black & grey

Curley – grey

Long

Normal – black

Normal – black & grey

Normal – grey

Wig use of

## **EYES**

Eye artificial left

Eye artificial right

Eye blue

Eye brown

Eye markedly close set

Eye markedly wide set

Eye normal

Eye protruding

Eye reddish

Eye slit

Eye sunken

Eye-brows – arched / curved

Eye-brows – artificial

Eye-brows – clearly united

Eye-brows – oblique

Eye-brows – straight

Eye-brows – thick

Eye-brows – thin

Eye-brows – widely

Distended

## **HABITS**

Bragging

Chews betal / pan

Chews pan masala

Chews supari

Chews tobacco  
Cinema crazy  
Drinks liquor  
Drug addict  
Eyes blinking  
Eyes shifting  
Gambler  
Homosexual  
Lip biting  
Lottery player  
Moustache twisting  
Nail biting  
Prostitute monger  
Race-goer  
Smoker  
Snuff taker  
Stretching

## **PLACES OF BURN MARKS /**

## **LEUCODERMA / MOLE / SCAR / TATTOO**

Back left side  
Back right side  
Cheek left  
Cheek right  
Chest middle  
Chest left side  
Chest right side  
Chin  
Ear left  
Ear right  
Eye brow left  
Eye brow right

Face

Foot left  
Foot right  
Forehead  
Hand left  
Hand left - letter  
Hand left - future  
Hand right  
Forearm right - figure  
Forearm right - letter  
Head  
Leg left  
Leg right  
Lip lower  
Lip upper  
Neck  
Nose  
Shoulder left  
Shoulder right  
Stomach  
Thigh left  
Thigh right  
Palm right  
Palm left

## **BREAD**

Bearded  
Clean shaven  
Goatee (French / Bulgarian)  
Imperial / Rauputi  
Long – thick  
Long – thin  
Long – flowing  
Rolled & tied (sikh type)

Short / trimmed – thick

Short / trimmed – thin

Sideburn / whisker

## **FACE**

Dimpled cheek

Dimpled chin

Double chin

Forehead broad

Forehead narrow

High cheek

Long

Oval

Poxpitted

Prominent cheek

Protruding chin

Receding forehead

Round

Square / heavy jaw

Sunken cheeks

Wrinkled

## **MOUSTACHES**

Clipped

Drooping

Fly type

Half moustache (Hitler type)

Handle bar

Pencil



Tooth brush

Turned up

## **NOSE**

Broad nostrils (markedly dilated)

Bulbous

Hooked (parrot type)

Long pierced

Pointed

Snub / pug

Turned up nostrils

## **SPEECH / VOICE**

Deep / heavy / guttural

Fast

Feminine

Loud spoken

Nasal

Slow

Soft spoken

Stammering

## **FACE / HEAD**

Deaf

Ear deformed – both

Ear deformed – left

Ear deformed – right

Ear markedly large

Ear markedly small

Ear missing – both

Ear missing – left

Ear missing – right

Eyes blind one

Eyes squint  
Hare lips  
Lobes pierced  
Nose peculiar  
One eyed  
Protruding face

## **OTHER PARTS OF BODY**

Arm missing – right  
Bow legged – left  
Eunuch  
Finger(s) extra – left  
Finger(s) extra – right  
Finger(s) missing – left  
Finger(s) missing – right  
Goiter  
Knee knocked  
Left foot missing Left hand missing  
Leg – Elephantiasis  
Leg limping  
Leg missing – left  
Leg missing – right  
Leprosy  
Right foot missing  
Right hand missing  
Stopping / hunch back  
Toe(s) extra – left  
Toe(s) extra – right  
Toe(s) missing – left  
Toe(s) missing – right

Acts of extorting money ; and

(v). Offences under the provision of the explosive substances / Explosive Acts and Arms Act.

FIR: First Information Report and Police Complaint – How It Works

*In this blog post, Vinit Kumar, a Third Year student of Law from NLU, Odisha, analyses the concept of “FIR and police complaints” and it’s importance in the Indian legal system.*

Introduction

The basic purpose of filing a FIR is to set criminal law into motion and not to state all the minute details therein<sup>[1]</sup>. A *First Information Report* is the initial step in a criminal case recorded by the police and contains the basic knowledge of the crime committed, place of commission, time of commission, who was the victim, etc. The definition for the First Information Report has been provided in the Code of Criminal Procedure, 1973 by the virtue of Sec. 154, which lays downhat:



*“Every information relating to the commission of a cognizable offence, if given orally to an officer in charge of a police station, shall be reduced to writing by him or under his direction, and be read Over to the informant; and every such information, whether given in writing or reduced to writing as aforesaid, shall be signed by the person giving it, and the substance thereof shall be entered in a book to be kept by such officer in such form as the State Government may prescribe in this behalf”.[2]*

The Hon’ble Supreme Court of India, while delivering its judgment in the matter of *T.T.Antony vs. State of Kerala & Ors.*[3], laid down certain important points regarding Sec. 154 of the Cr.P.C.:

*“ Information given under sub-section (1) of Section 154 of Cr.P.C., is commonly known as the First Information Report (FIR), though this term is not used in the Code....And*

*as it's nick name suggests, it is the earliest and the first information of a cognizable offence recorded by an officer in charge of a police station".[4]*

In another case[5], the Court held that:

*"After all registration of FIR involves only the process of entering the substance of the information relating to the Commission of a cognizable offence in a book kept by the officer in charge...as indicated in Sec. 154 of the Code".*

Who Can Lodge an FIR?

FIRs can be registered by a victim, a witness or someone else with knowledge of the crime.[6] As per the laws laid down u/s 154 of the Cr.P.C., the complainant can give information about the offence either in written or orally. In regard to who can file an FIR, the Apex Court of India has observed that;

*"Section 154 does not require that the Report must be given by a person who has personal knowledge of the incident reported. The section speaks of information relating to the commission of a cognizable offence given to an officer in charge of a police station".[7]*

The police is obliged to read the FIR back to the complainant in case it is converted to them orally to prevent the possibility of any differences in the oral and the written versions.[8] Further it is the duty of the complainant to report to the police station in person in case he had given the information on a telephone.[9] Rajasthan High Court, in the matter of *Tohal Singh vs. State of Rajasthan*, has opined that:



*"if the telephonic message has been given to officer in charge of a police station ,the person giving the message is an ascertained one or is capable of being ascertained the information has been reduced to writing as required under S.154 of Cr.Pc and it is faithful record of such information and the information discloses commission of a cognizable offence and is not cryptic one or incomplete in essential details, it would constitute FIR".[10]*

However in a case wherein though the police officer went to the scene hearing rumours but recorded a statement at the police station, it was held that in circumstances of the case that statement could be accepted as FIR.[11] The police are required to give a copy of the FIR to the complainant free of charge.[12]

#### Providing a Copy of FIR to the Accused

Under Indian criminal law, the informant, as seen earlier, is entitled to get a copy of the first information report lodged by him at the police station free of cost. It is a necessary document in a criminal case and can majorly support the case of the informant or the victim. However, the accused person is also entitled to get a copy of the first information report. Sec. 207 of the Code of Criminal Procedure, 1973 entitles the accused to get the copy of the first information report the investigation has been completed by the police in the said case, and the charge sheet has been filed in the Court. The provision states that the Magistrate, in such circumstances, must furnish to the accused a copy of the FIR free of cost.



Further, on analysis of Sec. 173 (5) and (7) of the Code of Criminal Procedure, 1973, it can be easily implied that the police may also provide a copy of the first information report to the accused free of cost after the filing of the charge sheet. The essential pre-requisite of both Sec. 207 and Sec. 173 is that the police must have filed the charge sheet in the subjected matter.

There have been some cases where the Court has provided the accused with the copy of the FIR even before filing of charge sheet and on his request and payment of a certain fee. Under the Indian Evidence Act, 1872 Sec. 74 lays down the definition of a 'public document'. In many decisions, the Courts in India have held the first information report to fit within the definition of 'public document' and hence, have held that u/s 76 of the Evidence Act, certified copy of the FIR has to be given to the accused person on his request on payment of the applicable legal fees by every public officer (such as the officer in charge of the police station) having the custody of such document. [13] The decision of Allahabad High Court in the matter of *Shyam Lal vs. the State of U.P.*[14], Karnataka High Court's ruling in the matter of *Chnnappa Andanappa Siddareddy vs. State*[15], and the decision of Bombay High Court in the case of *Mohammed Khalid Shaikh vs. State of Maharashtra*[16] [decided

on 4 March 2010] are most cited judgments in this regard where the Courts have held that FIR fits the definition of ‘public document’ u/s 74 of Indian Evidence Act.

#### Cognizable Offences

Cognizable Offences have been defined u/s 2(c) of the C.P.C., 1973. This is the class of offences in which the police has the power to make an arrest without a warrant. These offences are serious in nature, and thus the aim is to prevent the culprit or accused of harming others. Hence, the police have been given authority to make an arrest without a warrant so that precious time involved in all the legal procedures of issuing a warrant is saved. What offences fall under the category of cognizable offences has been specified in the first schedule of the Code of Criminal Procedure, 1973. Though there is no pre-defined pattern of classification of offences into cognizable and non-cognizable offences but on a study, it can be seen that offences having a punishment of more than three years are classified as cognizable offences and those who have punishment for less than three years are referred to as non-cognizable offences.

As per Sec. 156(1), the police has the authority to investigate a case involving a cognizable offence without prior permission of the Magistrate. Sec. 156(1) lays down that:

*“Any officer in charge of a police station may, without the order of a Magistrate, investigate any cognizable case which a Court having jurisdiction over the local area within the limits of such station would have the power to inquire into or try under the provisions of Chapter XIII.”[17]*

Section 156 (2) further reads,

*“No proceeding of a police officer in any such case shall at any stage be called in question on the ground that the case was one which such officer was not empowered under this section to investigate.”*

The term ‘cognizance’ as such has not been defined in the Code. The word as such has no esoteric or mystic significance in Criminal Law or procedure. In reference to Courts or judicial process, it simply means when the Court ‘takes notice judicially.’[18]

#### Difference between an FIR & a Police Complaint

The main point of difference between a first information report and a police complaint is that an FIR relates a cognizable offence whereas a police complaint can be filed for both non-cognizable and cognizable class of offences. Though the basic meaning of both is a complaint but they are different in terms of offences they deal with, punishments, legal consequences, evidentiary value, etc. further, a complaint is to be given to a magistrate either

by the way of spoken words or in writing, whereas the first information report is lodged at the police station nearby the place of commission of crime.



According to s. 2(d) Cr.P.C., a complaint is the allegation of fact which constitute a complaint. Further, a complainant and a first informant need not be the same person.[19] Indian criminal laws do not provide any strict form for a complaint, and thus an affidavit or a petition may also amount to a complaint in the court of law.[20] The general rule is that any person having knowledge of the commission of an offence can file a complaint, even though the concerned person is not personally interested or affected by the offence, except in cases of offences relating to marriage, defamation and offences mentioned in ss. 195 to 197 Cr.P.C.[21] When an informant approaches the police authorities relating the information about the commission of a cognizable offence it is called filing a complaint. This 'first information' in the form of a complaint when registered as prayed for by the informant u/s. 154 Cr.P.C., it constitutes 'FIR' which should on the face of it and in the light of subsequent events disclose the information within the meaning of this section.[22]

A Magistrate can take cognizance of a complaint u/s 190 of the Code of Criminal Procedure, 1973. When a Magistrate takes cognizance of an offence[23] (upon receipt of a complaint or otherwise), he examines the complaint in accordance with Section 200 by examining the facts and the witnesses. If he finds that the complaint is with merits, the case is deemed committed for trial and the magistrate issues the process under Section 204. If the offence is exclusively triable by Court of Session, the Magistrate commits the case to Court of Session under Section 209.

As per Sec. 190, the Magistrate is empowered to take cognizance of an offence in three ways provided therein. However, if he chooses to take cognizance on the basis of a complaint then to investigate and decide upon the matter further, he is bound to follow the provisions laid down by Sec. 200 to Sec. 203 of the Cr.P.C. and if the case demands, also under Sec. 204.

In the case of a first information report, the offence involved is of cognizable nature and thus the police has authority to initiate the investigation in the said case without prior permission from the Magistrate and then file a charge sheet. On the other hand, when a Magistrate takes cognizance of an offence on the basis of a complaint, he orders an investigation in the matter and can also direct the police to lodge an FIR if he feels that the offence is of a serious nature. He is not empowered to take *sou moto* cognizance on the complaint if he is satisfied that there is no grave offence requiring an immediate course of action. He can act upon the complaint only if it reveals a *prima facie* commission of an offence.[24]

The Court, in the matter of *P. Kunhumammed vs. State of Kerala*[25] held that:

*“The report of a police officer following an investigation contrary to S. 155(2)[3] could be treated as complaint under S. 2(d) and S. 190(1)(a) if at the commencement of the investigation the police officer is led to believe that the case involved the commission of a cognizable offence or if there is a doubt about it and investigation establishes only commission of a non- cognizable offence”.*

Thus, if at the initial stages of investigation, it is found that the offence committed is of a non-cognizable nature, then the report submitted after investigation cannot be treated as a ‘complaint’ within the scope of Sec. 2(d) or Sec. 190(1)(a) of the Cr. P.C.

In the case of the first information report, the police is authorised to investigate the matter and then search and seizure of the evidence they find. The police then proceeds to file a charge sheet against the accused in the Court u/s 173 of the Code of Criminal Procedure, 1973 at the end of investigation. Further, the court then decides upon the charges.

The Office in Charge, on receipt of a complaint by an informant that reveals a non-cognizable offence committed within the limits of its jurisdiction, enter the substance of the case in the station diary and refer the informant to approach the concerned Magistrate[26] on whose order only can the police investigate such cases with the same powers as exercised in a cognizable case, except the power to arrest without warrant.[27] Where a case relates to two or more offences of which one is cognizable, then the case will be considered to be a cognizable offence, notwithstanding the fact that other offences are non-cognizable.[28]

#### Refusal to Lodge an FIR by the Police

Sometimes, the police may refuse to lodge a first information report. This can be both legal and illegal. In cases where they don’t have jurisdiction or is not in their legal capacity to take cognizance or the offence is of non-cognizable nature, it will be held legal. But where



police refuses to file the complaint for blatant reasons, without any substantial legal ground, it is contrary to law. When a police officer refuses to register the FIR on the ground that it discloses a non-cognizable offence, he must inform the informant and direct him to file a complaint to the magistrate. In case the offence committed is beyond the territorial jurisdiction of a police station, information should be recorded and forwarded to the appropriate police-station having jurisdiction, otherwise refusing to record on this ground will amount to dereliction of duty.[29]

The compulsoriness of registering any information is also based on the understanding that the FIR is not a substantive piece of evidence [30] and can only be used to contradict or corroborate the contents.[31] As per Sec. 155(1) of the Cr.P.C., if a police officer receives information about commission of a non-cognizable offence committed in jurisdiction of the police station, he should enter the substance of the case in the station diary and refer the informant to approach the concerned Magistrate.

#### Remedies

- If the concerned officer in charge refuses to register a first information report about commission of a cognizable offence within his territorial jurisdiction under Sec. 154(3), the informant can approach the Superintendent of Police or the Commissioner of the police with a written complaint. If, upon analysis of the complaint, the S.P. or the Commissioner is satisfied that it discloses a cognizable offence, he may either investigate the case himself or direct his subordinate to register the FIR and initiate investigation in the matter.

- If the above listed remedies go in vain, the informant is legally entitled to file a complaint to the Judicial Magistrate/ Metropolitan Magistrate u/s 156(3) read with Sec. 190 of the criminal procedure thereby praying FIR. to be registered by the police and investigation into the matter. A Writ Petition in the respective High Court may be filed for the issuance of Writ of Mandamus against the defaulting Police officers, inter alia, to Register the FIR and directing him to show cause (a) why he has not registered the FIR; (b) why disciplinary proceedings for “Misconduct” should not be initiated against him for dereliction of duty; (c) why he should not be suspended from Police service for interfering in the administration of justice and shielding the accused person.[32] In a civil matter, a contempt petition can be filed before the High Court against the officer who refused to lodge an FIR. Hon’ble Supreme Court, recently, in Lalita Kumari[33] case, has held that the Police must register FIR where the complaint discloses a cognizable offence.



- Refusing to register an FIR on jurisdictional ground could now cost a policeman a year in jail.[34] A Letter Petition may be logged and submitted to the Chief Justice of the concerned High Court / Chief Justice of India, Supreme Court, praying them to take Su Moto Cognizance of the alleged contempt of the Court. Further, a copy of said letter may be sent to the concerned Police Officer. The status of such letter petition can be inquired through an application under the Right to Information (RTI).

- A Writ Petition may be filed in respective High Court for seeking damages/compensation, if the inaction of the Police on the complaint/non-registration of FIR, has resulted in frustration/deprivation of —life and liberty| of any person, guaranteed under Article 21 of Constitution of India.[35]

- Also, u/s 166A(c), if the Public servant concerned fails to record any information given to him under sub-section (1) of section 154 of the Code of Criminal Procedure, 1973, in relation to cognizable offence punishable under section 326A, section 326B, section 354, section 354B, section 370, section 370A, section 376, section 376A, section 376B, section 376C, section 376D, section 376E or section 509 of the Indian Penal Code, he is punishable with rigorous imprisonment for a term which shall not be less than six months but which may extend to two years, and shall also be liable to fine.

The Apex Court of India has held that genuineness, reliability and credibility of the information is no ground to refuse to register the information.[36] In another case, it was held that refusal to record information is declaration of duty by a public officer.[37] However, to prevent misuse of the remedies provided for refusal to lodge complaint, the court has ruled that:

*“A vague, indefinite or unauthorised piece of information cannot be regarded as first information merely because it was received first in point of time. Likewise an unclear message over the phone simply stating that a person is lying dead on the road does not amount First information report”.[38]*

The word 'information' has been used carefully by the legislature u/s 154(1) of the Cr.P.C. "wherein the expressions, "reasonable complaint" and "credible information" are used. Evidently, the non-qualification of the word "information" in Section 154(1) unlike in Section 41(1)(a) and (g) of the Code may be for the reason that the police officer should not refuse to record an information relating to the commission of a cognizable offence and to register a case thereon on the ground that he is not satisfied with the reasonableness or credibility of the information".[39]

In *Kathiravan vs. State*[40], the court held that:

"It is quite obvious that the officer in-charge of the police station, on receipt of a complaint (information) disclosing commission of a cognizable offence, is duty bound to register a case and such officer cannot probe into the allegations to find out whether they are true or not before registering a case. However, it does not mean that in no case the officer in-charge of the police station can conduct a preliminary enquiry to make a decision as to whether a case can be registered for being investigated upon in accordance with the provisions of Cr.P.C. But such cases are only exceptions to the general rule. Such exception should not be generalised by the police to say that the police do have a discretion either to register the case or to conduct a preliminary enquiry to make a decision whether to register a case or not".

#### Evidenciary Value

The police can make three different kinds of statements. The first kind of statement is one which can be recorded as an FIR, the second kind of statement is one which can be recorded by the police during the investigation, and third kind of statement is any kind of statement which would not fall under any of the two categories mentioned above.[41]

Evidence is the matter of testimony manifesting fact on particular precision or circumstances.[42]

The first information report is not considered a substantive piece of evidence in the court of law because it is not given in a trial, given in the absence of oath, and is not scrutinized by cross-examination.[43] But the relative importance of a first information report is far greater than any other statement recorded by police during the course of investigation. It is the foremost information the police gets about commission of an offence and thus it can be used to corroborate the story put forward by the informant u/s 157 of the Indian Evidence Act, 1872 or to contradict his version of facts u/s 145 of the Act in case he is summoned as a witness in the case by court.[44] On an analysis of the Indian Evidence Act, 1872, it can be

inferred if the circumstances demand corroboration of testimonies of any kind of witness, then Sec. 157 is to be invoked which lays down that for there to be corroboration of any form the earlier statement must relate to the same fact or the same time, it must also be before an authority which has the legal competence to conduct investigation of the particular fact which is being discussed, and needs to be proven in the court.[45] But the Apex Court has given different opinion in the matter of *Nisar Ali vs. State of U.P.*[46], ruling that:

*“The FIR is a kind of evidence whose contradictory value is only for the person who has lodged the FIR (the informant) and it cannot be used to contradict the statement made by any other person, witness”.*

The decision given in the case of *Damodar Prasad vs. State of Maharashtra*[47] further strengthens this view of the Court, which says:

*“It necessarily has to be the person who is informing the police about the crime at the first instance.”*

The accused can utilize the FIR to make the person lodging the FIR look less credible and therefore make the value of the FIR as a piece of evidence goes down.[48] However this is only applicable to the informant and not to any other person. Even if the informant is contradicted and the FIR loses some credibility the other witness are enough for conviction of the accused, that is, the value of the FIR is not that substantial.[49]

It may happen that the informant is the accused himself. In such cases, the first information lodged by him cannot be used as an evidence against him because it is embodied in the basic structure of our constitution that a person cannot be compelled to be a witness against himself.[50] In a number of cases, it has been held by the Court the only possible action that can be taken on the basis of FIR is to either corroborate or contradict the statements given by such informant as per the provisions of the Evidence Act. The court went on to hold that if the maker is also the accused even this is not possible. Apex Court has held that:

*“The contents of the FIR can only be used for contradiction and corroboration of the maker and not any other eye witness”.*[51]

It was held in *Pandurang Chandrakant Mhatre vs. State of Maharashtra*[52], that it is fairly well settled that first information report is not a substantive piece of evidence and it can be used only to discredit the testimony of the maker thereof and it cannot be utilised for contradicting or discrediting the testimony of other witnesses.

## Confessional Statement

Where a person named in the FIR is to be summoned, the FIR can be taken into consideration if the charge sheet has not been prepared as it is a very important evidence at that stage. Further, if the FIR is a confessional one, it can be admissible.[53] A confession is received in evidence on the presumption that no person will voluntarily make a statement which is against his or her interest, unless it be true.[54] In case of a confession by the accused, the Court must look into two tests, i.e. (a) whether the confession is perfectly voluntary, and (b) if so, whether it is true and trustworthy. Satisfaction of the first test is *sine qua non* for its admissibility in evidence and if the circumstances of the case throw any doubt on its voluntary nature the confession must always be rejected.[55] If the confession is shown to be made in consequence of inducement, threat or promise, it is inadmissible in evidence as it will lack the important element of voluntary action on the part of accused and may be a result of undue influence, coercion, threat, blackmailing etc.[56]



As for the second test, the Court must examine the evidence available, the contents of the statement so made and then apply to them the test of probability.[57] If the court finds that the material statement in the confession is inconsistent with the evidence of eye witness, it must be held that the prosecution has failed to prove that the confession is true and it must be put aside.[58]

Confession can form the sole basis of conviction against its maker on the conditions that it is true and voluntary; it fits in the circumstances of the particular case which may at least create an impression that it is true and it either admit in terms of the offence or at any rate substantially all the facts which constitute the offence. There is no compulsion that a true and voluntary confession needs to be materially corroborated for using it against its maker.[59]

The Hon'ble Supreme Court held that "*Though the FIR is not supposed to an encyclopedia of the factors concerning the crime, yet there must be some definite information vis-`- vis the crime*".[60]

## Death of Informant

In certain cases, the first information report can be used u/s 32(1) of the Indian Evidence Act, 1872 or under Sec. 8 of the Act as to the cause of the informant's death or as a part of the informant's conduct.[61] If the informant deceases, the first information report can be unquestionably used as a substantive evidence. A pre-requisite condition must be fulfilled before F.I.R. is taken as a substantive piece of evidence, i.e.. the death of the informant must have nexus with the F.I.R. filed or somehow having some link with any evidence regarding the F.I.R. this is a derivation of Sec. 32 of the Indian Evidence Act, 1872, by the Court in the matter of *Damodar Prasad vs. State of U.P*[62]. This view was earlier displayed by Court in the case of *Kapoor Singh vs. Emperor*[63]. The courts of this land have also said that an FIR can be a dying declaration if the informant dies of his injuries after lodging the same.[64] However, when the FIR clearly implicates the person who is the accused and contains the details of the incident this is not considered to be a dying declaration.[65] The essential element of certainty must be fulfilled and there must be no doubt left that it might be a disappearance.

Another important thing is that for an F.I.R. lodged by a deceased person to be treated as a substantial, its contents must be proved. "It has to be corroborated and proved for there to be any value of the same in the case".[66] To consolidate this view, it was further held that:

*"If the informant died during the trial, and the prosecution starts to treat the FIR as a dying declaration without ascertaining the questions as to his death, then it cannot be a dying declaration".[67]*

FIR can be used by the defence to impeach the credit of the person who lodged the FIR U/s-155(3) of I.E. Act.[68]

In case the death of the informant has no nexus with the complaint lodged, i.e. he died a natural death and did not succumb to injuries inflicted on him in relation to a matter, the complaint is not applicable. The Court has upheld this view in the matter of *Umrao vs. State of M.P.*, ruling that:

*"If the complainant who had been belaboured died a natural death and not because of the injuries caused to him, Sec.32 (1) is not applicable".*

The Supreme Court, with a view to prevent any misuse of law and ensure the justice is served, has held that:

*"Non-examination of the complainant on account of his death could not be factual on its own to the prosecution case, and it will depend on the facts of each case. If the*

*prosecution story as revealed by the witnesses in the court is directly contradictory to the contents of FIR, it may have one effect and on the other hand, if the contents of FIR are in conformity with the evidence during the trial, it may have altogether a different effect”.[69]*

The value of F.I.R depends on the circumstances of each case, nature of the crime, information, and opportunity of witnessing the offence.[70] F.I.R got recorded by the police has been taken as dying declaration by the Honorable Supreme Court, when the person did not survive to get his dying declaration recorded.[71]

### **Delay in Lodging an F.I.R.**

As per the law, the first information report is to be registered as soon as possible so that no time is wasted and the culprit is caught timely and no danger is present to others. But sometimes, there is a delay in lodging the F.I.R. It may be due to the ignorance or actions of the police or mistake by the informant himself. If there is a delay on the part of police, they must provide substantial grounds for such delay and no vague basis of delay would be sufficient in the eyes of law. The police would not be liable under Indian criminal law if the delay was inevitable and upon reasonable grounds. Further, such different contexts of delay in lodging first information report has different legal consequences. Though the law itself has not prescribed any time for lodging F.I.R., it is an accepted rule that it should be filed promptly. If a delay is caused explanation for the delay should be given in the F.I.R. because such a delay can cause embellishment, which can be considered an afterthought in the Court. In *Bathula Nagamalleswara Rao & Ors. vs. State Rep. By Public Prosecutor*[72] the Apex Court held that:

*“Delay in lodging of FIR, if justifiably explained, will not fatal. An undue delay in lodging a First Information Report is always looked with a certain amount of suspicion and should as far as possible be avoided”.*

Delay in F.I.R. can be understood under following three categories:

1. Delay by an informant in lodging F.I.R.
2. Delay in recording the F.I.R. by the officer in charge of the police station.
3. Delay in dispatching the F.I.R. to the magistrate.

Delay by Informant in Lodging an F.I.R

The court might look into various minor details while deciding upon delay caused in lodging F.I.R., such as distance between the nearest police station and the place of commission of crime, time of the commission of crime, whether the informant has any conveyance when he approached the police, type of crime, societal and financial status of the aggrieved party, area they belong to, etc. The Court, in the case of *Munna @ Pooran Yadav*

*vs. State of Madhya Pradesh*[73], held that the distance of six kilometres between the village and the police station cannot be ignored and the delay of approximately 1 hour caused in lodging F.I.R. is the result of this distance, and hence the F.I.R. was held genuine. The law demands a reasonable explanation for the delay caused in registering the F.I.R., whether it was on the part of the informant or the part of the police. In a rape case, where the F.I.R. was lodged 10 days after the commission of crime, it was explained that the reason was that honour of the family of prosecutrix was involved, and thus, members of the family took time to decide whether or not it would be feasible to lodge a first information report in the matter, the Court accepted this explanation as a justified ground for the delay.[74]

### **Delay in Recording the F.I.R. by the Officer in Charge of the Police Station**

In some cases, the police chooses to first visit the scene of the crime to ascertain an idea about the incident and afterwards records the F.I.R. on the statement of witnesses present. This might amount to be wrongful on the part of police as in case of a cognizable offence, the police must register the complaint first and then it has power to investigate the case. This amounts to inordinate delay and the first information report is likely to be quashed on the ground of inordinate delay. The Court has held that F.I.R. quashed due to inordinate delay in investigation not to be interfered with.[75]

In the matter of *Tara Singh and others vs. The State of Punjab*[76], the court gave an important view on the law regarding delay in recording F.I.R. in the following words:

*“The delay in giving the FIR by itself cannot be a ground to doubt the prosecution case. Knowing the Indian conditions as they are, one cannot expect these villagers to rush to the police station immediately after the occurrence. Human nature as it is, the kith and kin who have witnessed the occurrence cannot be expected to act mechanically with all the promptitude in giving the report to the police. At times being grief-stricken because of the calamity it may not immediately occur to them that they should give a report. After all, it is but natural in these circumstances for them to take some time to go the police station for giving the report. Of course, in cases arising out of acute factions, there is a tendency to implicate persons belonging to the opposite faction falsely. In order to avert the danger of convicting such innocent persons the Courts should be cautious to scrutinize the evidence of such interested witnesses with greater care and caution and separate grain from the chaff after subjecting the evidence to a closer scrutiny and in doing so the contents of the FIR also will have to be scrutinised carefully. However, unless there are indications of fabrication, the Court cannot reject the prosecution version as given in the FIR and later substantiated by*



*the evidence merely on the ground of delay. These are all matters for appreciation and much depends on the facts and circumstances of each case”.*

Human life is most essential and in an incident, attempts should be made to make sure that the victim lives. Rushing to Hospital to save victim’s life instead of first going to police station is a satisfactory explanation for delay in filing F.I.R.[77]

If the delay is unexplained and some blatant reasons are at the base of the excuse, then such a delay could prove fatal for the prosecution case. However, the delay alone is not sufficient to prove fatal to the prosecution. This rule of law has been upheld by Courts in many cases. In *Ramdas & Ors vs. State of Maharashtra*, Hon’ble Supreme Court held that “*mere delay in lodging FIR not by itself necessary fatal to prosecution case*”.[78] Similarly, recently, Bombay High Court, in a rape case, held that delay in lodging the first information report (FIR) by a rape survivor cannot be a ground for acquittal of the accused.[79] Further, the delay alone in itself cannot be a ground for suspicion that the F.I.R is not credible, just as the promptness is not sufficient reason to believe that it is perfectly authentic. In *Kesar Singh vs. State of Haryana*[80] the Apex court observed that delay of 6 days in lodging FIR is not fatal to the prosecution case. In this case injuries were inflicted on the deceased and death occurred after six days, deceased remained in the hospital for treatment, matter was not reported to Police by doctors.

### **Delay in Dispatching the F.I.R. to the Magistrate**

Sometimes, the first information report reaches the Magistrate late due to certain administrative actions as they are time taking and out of the control of both informant and police. If such a delay, on the part of the officer in charge, can be explained, then the reliability of F.I.R. would automatically increase. In a case where the dispatch of the report to Magistrate was delayed on account of floods, it was held by the court that the delay has been explained and cannot prove fatal to the prosecution.[81] There is no hard and fast rule that delay in filing FIR in each and every case is fatal and on account of such delay, prosecution

version should be discarded.



Following are some circumstances which can be said to be reasonable explanations for delay on lodging F.I.R. are: fear of accused persons (psychological cause of delay)[82], fear of damage of honour of family[83] (psychological cause of delay), delay due to shock caused by murder[84], Delay in FIR due to infliction of grievous injuries, to the injured person (physical cause of delay)[85], motive of falsely implicating the accused[86], when facts mentioned in the complaint cannot be altered by mere delay[87], rough road, bad weather, non-availability of transport, when amicable settlement was started. In the case of *Rahit Hazra & Others vs. State of West Bengal*[88], the unexplained delay in registering F.I.R. was, as per the court, one of the reasons that did not let the prosecution prove its case beyond reasonable doubt.

**Condonation of Reasonable delay in Lodging FIR**– Delay in many cases brings the prosecution case out of the court and court has to look into the matter seriously for the purpose so that justice may be done to the victim person. All reasonable delay in lodging the FIR must be condoned in the interest of Justice, and the accused should not be allowed to take defences of technicalities and delay in Justice delivery system.

**No Second F.I.R.** – Hon’ble Supreme Court of India has expressed its views on delay in registering F.I.R. and laid down that there cannot be a second F.I.R. The first statements and story of informant is to be penned down in the F.I.R. and if there is a second complaint, the scope of getting a first-hand information is narrowed down. The Court has ruled that “A First Information Report cannot be lodged in a murder case after the inquest has been held.”[89] This view was upheld by the Apex Court of India in the matter of *Mokab Ali & Others vs. State of West Bengal*[90], where the inquest was held before the registration of first information report. Also, the registered F.I.R. reached the magistrate three days after registration.

False F.I.R.

Irrespective of country, region or society, a false complaint is a phenomenon that cannot be ignored. These false F.I.R. can be lodged by an informant or by police to implicate a person in a case. Cases regarding the latter mode of registrations of a false F.I.R. are found more the earlier one. Under Indian criminal law, lodging a false F.I.R. against someone is a punishable offence u/s 182 and u/s 211 of the Indian Penal Code.

Sec. 182 prescribes a punishment for six months and fine in case any person gives false information to a public servant, on the basis of which the public servant takes certain action which he might not have taken if he had known the true state of facts. On the other hand, u/s 211, there is an onerous use of the term ‘public servant’. As per this provision, any

person who institutes or causes to be instituted any criminal proceedings against a person to cause him injury, knowing that the complaint and allegations are false, is liable to face imprisonment for a period which may extend to two years. Further, if the charge alleged discloses an offence which is punishable by death, or a minimum imprisonment for seven years, is punishable with imprisonment for a maximum period of 7 years.

It is the duty of the authorities to initiate proceedings u/s 182 IPC if they conclude that the complaint given is a false one. The Punjab & Haryana High Court, in the matter of *Harbhajan Singh Bajwa vs. Senior Superintendent of Police, Patiala & Anr.*[91], has given a wide explanation of Sec. 182 and it was held that:

*“Whenever any information is given to the authorities and when the said authority found that the averments made in the complaint were false, it is for the said authority to initiate action under Section 182 I.P.C. The offence under Section 182 I.P.C. is punishable with imprisonment for a period of six months or with fine or with both. When the authorities themselves found in the years 1996 and 1997 after due investigation that the averments made by Ashwani Kumar in his complaint were false, it is for them to initiate proceedings immediately or within the prescribed period as provided under Section 468 Code of Criminal Procedure. The acceptance of the cancellation report by the Court is immaterial. It does not save the limitation under Section 468 Cr.P.C. which prescribes the period of one year for taking cognizance if the offence is punishable, with imprisonment for a term not exceeding one year. Since the offence under Section 182 I.P.C. is punishable with imprisonment for a period of six months only, the authority should file the complaint under Section 182 I.P.C. within one year from the date when that authority found that the allegations made in the complaint were false. Since more than four years lapsed from the date when the authority found the allegations were false, no question of filing any complaint under Section 182 I.P.C. at this belated stage arises”.*

Madras High Court is of a view the principal object of the FIR from the point of view of the informant is to set the criminal law in motion and from the point of view of the investigating authorities is to promptly record it so as to reduce the doubt created by the delay, if any, in registration regarding embellishment and possibility of false implication of the accused.[92]

In this regard, the possibility of the fallout of police practise ignoring complaints on the grounds of trivial, petty or minor nature can be brought home. Nowadays, people tend to lean towards informal resolution of disputes, and this has somehow led to vitiate the whole complaint process. Thus to ensure either registration of the case or with an aim to extract a

better deal from the tribunal process, or as the officer alleged that to implicate someone falsely, the public may sometimes engage in unfair practices of misrepresentation of facts in the complaint of falsely alleging someone as accused in a particular incident. There is a statutory deterrent in Sec. 211, but the Courts sometimes chose to avoid taking that path as they are already overburdened.

But, as held in the case of *Rajinder Singh Katoch vs. Chandigarh Administration & Ors.*[93]:

*“Although the officer in charge of a police station is legally bound to register a first information report in terms of Section 154 of the Code of Criminal Procedure, if the allegations made by them gives rise to an offence which can be investigated without obtaining any permission from the Magistrate concerned; the same by itself, however, does not take away the right of the competent officer to make a preliminary enquiry, in a given case, in order to find out as to whether the first information sought to be lodged had any substance or not”.*

The judiciary on numerous occasions has held that (i) when the petitioner approaches the police and prays for registration of FIR, the police with the statutory duty to register a cognizable offence has thus no option but to register it in the form in which it receives and thereafter starts investigation[94]; (ii) it has no discretion or authority to (a) enquire about the credibility of the information before registering the case[95], or (b) refuse to register the case on the ground that it is either not reliable or credible.[96] Where the police refused to register FIR on the basis of a written report on the grounds of false allegations as concluded in an ex parte preliminary enquiry, the High Court directed the registration of the FIR and fresh investigation treating the ex parte preliminary enquiry as non-est.[97] The Court has ruled that the police should not start an investigation in a case or on the basis of a complaint, with a presumption that it is false and fabricated.[98]

The Court has discussed the important elements of Sec. 182 while delivering a verdict in the matter of *Santosh Bakshi vs. State of Punjab & Ors.*[99] As follows:

(i) A piece of information was given by a person to a public servant. (ii) The information was given by a person who knows or believes such statement to be false. (iii) Such information was given with an intention to cause or knowing it to be likely to cause (a) such public servant to do not to do anything if the true state of facts respecting which such information is given were known by him, or (b) to use the lawful power of such public servant to the injury or annoyance of any person.

## Remedy

If a person gets to know that an F.I.R. has been registered against him and he knows that it is false and baseless, as a precaution he has the freedom to apply for anticipatory bail u/s 438 of the Code of Criminal Procedure, 1973. The aggrieved or accused person can file a complaint about the offence of defamation in the Court. Further, a person against whom such false complaint has been filed can file a petition u/s 482 of the Cr.P.C. praying to quash the F.I.R. on the ground that (a) acts” and “omission” attributed towards the accused person in the FIR does not constitute any offence; or (b) No incidence of offence as alleged in the FIR has happened; or (c) the FIR contains “bare allegLation” without attributing whatsoever “acts or omission” on the part of the accused person, towards the commission of the offences.

The Law Commission of India, in its 243<sup>rd</sup> Report in the year 2012 recommended an amendment in Sec. 358 of the Cr.P.C. in order to discourage the practice of false/frivolous complaints which is a reason for harassment of some people and results in an arrest.[100]

Under section 195(1)(a) CrPC, a person making a false complaint can be prosecuted on a complaint lodged with a court of competent jurisdiction by the public servant to whom the false complaint was made or by some other public servant to whom he is subordinate.[101]

## Quashing of F.I.R

The Indian legal system has empowered the High Courts with power to quash criminal proceedings in a case if it is satisfied that such quashing is necessary to meet the ends of justice and to prevent misuse of power, rights, and freedoms provided by law. The High Court and Supreme Court have the power to quash F.I.R. on lawful grounds by the virtue of Sec. 482 of the Code of Criminal Procedure, 1973. These powers of the Courts are referred to as ‘inherent powers of Court’.

In the matter of *Devendra & Ors. vs. State of U.P. & Anr.*[102], it was held that:

*“it is now well-settled that High Courts ordinarily would exercise its jurisdiction under Sec. 482 of the Cr.P.C. if the allegations made in the F.I.R., even if given face value and taken to be correct in their entirety, do not make out any offence. When the allegations made in the F.I.R. or the evidence collected during the investigation, do not satisfy the*

*ingredients if an offence, the superior courts would not encourage harassment in a criminal*



*court for nothing”.*

Earlier, it was held in the matter of *Dr. Sharda Prasad Sinha vs. State of Bihar*[103], that:

*“It is now settled law that where the allegations set out in the complaint or the charge-sheet do not constitute any offence; it is competent to the High Court exercising its inherent jurisdiction under Section 482 of the Code of Criminal Procedure to quash the order passed by the Magistrate taking cognizance of the offence.”*

The Apex Court specified the circumstances when the proceedings could be quashed u/s 482 Cr.P.C. and laid down that in the following cases an order of the Magistrate issuing process against the accused can be quashed or set aside:

1. Where the allegations made in the complaint or the statements of the witnesses recorded in support of the same taken at their face value make out absolutely no case against the accused or the complaint does not disclose the essential ingredients of an offence which are alleged against the accused;
2. Where the allegations made in the complaint are patently absurd and inherently improbable so that no prudent person can ever reach a conclusion that there is sufficient ground for proceeding against the accused;
3. Where the discretion exercised by the Magistrate in issuing process is capricious and arbitrary having been based either on no evidence or on materials which are wholly irrelevant or inadmissible; and
4. Where the complaint suffers from fundamental legal defects, such as want of sanction, or absence of a complaint by legally competent authority and the like.

The cases mentioned by us are purely illustrative and provide sufficient guidelines to indicate contingencies where the High Court can quash proceedings.[104]

The Apex Court has recently laid down guidelines according to which the FIR can be quashed in the following circumstances[105]:

1. Where the allegations made in the first information report or the complaint, even if they are taken at their face value and accepted in their entirety do not *prima facie*, constitute any offence or make out a case against the accused.

2. Where the allegations in the first information report and other materials, if any, accompanying the FIR do not disclose a cognizable offence, justifying an investigation by police officers under Sec.156(1) of the Code except under an order of a Magistrate within the purview of Sec.155(2) of the Code.
3. Where the uncontroverted allegations made in the FIR or complaint and the evidence collected in support of the same, do not disclose the commission of any offence and make out a case against the accused.
4. Where the allegations in the FIR do not constitute a cognizable offence but constitute only a non-cognizable offence, no investigation is permitted by a police officer without an order of a Magistrate as contemplated under Sec. 155 (2) of the Code.
5. Where the allegations made in the FIR or complaint are so absurd and inherently improbable on the basis of which no prudent person can ever reach a just conclusion that there is sufficient ground for proceeding against the accused.
6. Where there is an express legal bar engrafted in any of the provisions of the Code or the concerned Act (under which a criminal proceeding is instituted) to the institution and continuance of the proceedings and/or where there is a specific provision in the Code or the concerned Act, providing efficacious redress for the grievance of the aggrieved party.
7. Where a criminal proceeding is manifestly attended with mala fide and/or where the proceeding is maliciously instituted with an ulterior motive for wreaking vengeance on the accused and with a view to spite him due to a private and personal grudge.
8. The Court, while delivering judgment in Madhavrao Jiwaji Rao Scindia case[106], has observed that where matters are also of civil nature i.e. matrimonial, family disputes, etc., the Court may consider “special facts”, “special features” and quash the criminal proceedings to encourage genuine settlement of disputes between the parties.

#### Limits to Inherent Powers

The powers under section 482 Cr.P.C. are recognised as forming the ground on which the judicial review of criminal matters rests.[107] The Supreme Court, in *Supreme Court Bar Association v. Union of India & another*[108], has made a long and strong exposition of inherent powers both of the High Court and the Supreme Court. The fundamental problem faced in this regard is to keep the powers and authority of the High Courts and Supreme Court within the boundaries of constitutionality and legality. The SC can punish an advocate for the offence of contempt of court under Art. 129 read with Art. 142 of the Indian

Constitution but the revoking license of an advocate can be an excess use of inherent powers as it is the function of the Bar Councils.

The power conferred on the High Court under Article 226 and 227 of the Constitution and under Section 482 of Cr. P.C. have no limits. But, more the power more due care and caution is to be exercised while invoking this power.[109] The gravity and scope of the powers of the High Court prompts one to think of the possible limitations in applying the inherent powers; section 482 Cr.P.C. proclaims that nothing in the Code shall affect or limit the inherent powers.[110] Matters which are specifically included under the Code are made immune to inherent powers.[111]

### **Arrest card**

Police frequently misinform suspects that they're named in "**arrest** warrants". Most of the time, suspects are named in "**i-cards**", which are issued by police, or "bench warrants", which are issued by courts. A person is "wanted" by police when he is named in an **arrest** warrant, a bench warrant, or an **i-card**.

Police frequently misinform suspects that they're named in "arrest warrants". Most of the time, suspects are named in "i-cards", which are issued by police, or "bench warrants", which are issued by courts.

A person is "wanted" by police when he is named in an arrest warrant, a bench warrant, or an i-card. Stated a bit differently, a person named in an arrest warrant, a bench warrant, or an i-card is the subject of a "want".

An i-card is a "want". It isn't a "warrant". Again, this is because an i-card, while often justifying a legal arrest, isn't issued by a court.

Criminal Courts frequently issue two kinds of warrants as the basis for police to arrest people in New York City: "bench warrants" and "arrest warrants".

Courts issue bench warrants when defendants fail to complete court-imposed obligations. For example, if a person fails to appear in court on a scheduled date, or fails to pay a fine on time, the court will issue a bench warrant. On average, New York City Criminal Courts issue hundreds of bench warrants each business day.

Courts issue arrest warrants when police officers make written applications that establish "probable cause" to believe that the person named in the warrant has committed a crime. Courts issue arrest warrants relatively infrequently, because police rarely need arrest warrants to make arrests.



Also, filing an arrest warrant in court “commences” a criminal action against the person named in the warrant. This often starts the “speedy trial clock” to start ticking against the prosecutor. Courts dismiss criminal cases when too much “speedy trial time” goes by. For this reason, prosecutors generally prefer not to seek arrest warrants.

Instead, police frequently create i-cards, which can likewise provide a lawful basis for arrest. Creating an i-card takes much less time and effort than getting an arrest warrant signed by a judge. Also, doing so doesn’t create speedy trial issues for prosecutors.

The term “i-card” is short for “investigation card”. It’s an internal notification indicating that the NYPD is looking for a “subject”. The person named in an i-card isn’t always someone who police possess probable cause to arrest. The subject might be a “person of interest” who is wanted for questioning. Whether you’re wanted for arrest or questioning, you should never speak with police.

I-card information is entered into an NYPD database. Digitized i-card information is useful for apprehending people wanted by the NYPD: i-cards inform police officers who have no personal knowledge of a case to detain the person named in the i-card.

For example, when stopping a driver for a traffic infraction, a police officer will run the driver’s name through various databases. If doing so triggers an I-card “hit”, the officer will detain the driver.

Police routinely misinform suspects that they’re named in arrest warrants. Police do this because they believe that suspects are more likely to turn themselves in when they falsely believe a judge has issued an arrest warrant. Police commonly notify suspects by phone, or through family members, that they’re named in warrants when in fact they’re named in i-cards.

Despite such deception, from a defendant’s point of view, voluntary surrender, arranged by counsel, with the defendant saying absolutely nothing to police, is virtually always the best course of action, regardless whether the basis for arrest is a warrant or an i-card.

### **Bail bond**

If a person is arrested, then he or she may be able to get bail. Bails or bail bonds are essentially payments or deposits made by the arrested person that allows him or her to leave jail. However, this is just one side of the bail bond. On the other side, the bail bond would include certain terms and conditions fixed by the court. For example, a common condition added to the bond is that the person be available in the court whenever required by law. Other conditions may include that the person should leave India or the city without the permission

of the court. While unfortunate, it is very important for you and everyone to be aware of the laws regarding bail and the process of how to get bail in India.

In India and abroad, bail means the release of a person awaiting appeal or trial from prison through a security deposit that ensures he will follow certain terms and conditions set form by the court. The monetary value of this security is technically known as bail or bail bonds, and they are set by the appropriate court. The security provided may be in hard cash, title papers to a property or through bonds made by private individuals or professional bondsmen. A failure to surrender to court on the specified time or abide by the stated terms and conditions results in the forfeit of the security provided.

### **Definition of Bail and how to get Bail in India**

It is surprising to know to that Indian laws do not have a clear definition for the term ‘bail’. The Criminal Procedure Code, 1973 is an Act that defines the process of getting bail, but it only clearly defines whatailable and non-ailable offenses are. These definition are provided in Section 2-A of the Act. Other Sections from 436 to 450 put forth the provision for grant of bail and bail bonds in criminal cases. The amount of security to be paid is not defined by the Act, which means that the decision rests solely on the presiding court. As a result, it is not uncommon to see courts decide on unreasonable and exceptionally high amount as bail bonds, irrespective of how poor the accused may be. A good lawyer may be able to help out in such situations.

The decision of whether or not bail would be given in a non-ailable offence is determined according to a preset schedule or in a special bail hearing. The court would then decide whether or not the person can be granted bail. Some factors taken into by the court may include the following:

1. The gravity and nature of the accusation
2. The person’s background, including a history of previous imprisonment, if any
3. The possibility that the applicant may flee from justice on getting bail
4. If the accusation has been made on the person for deliberately and willingly injuring or humiliating the person

Those people who have been accused of a non-ailable offense and are prepared at any point of time to give bail can be released on bail. The bail bonds for these people can be submitted before the appropriate court or officer. However, people who are unable to give bail bonds within a week after the arrest can be presumed an indigent person by the officer or court. If presumed, then the person can be discharged on executing a bail bond without any sureties.

Unfortunately, the current laws on bail leave a lot to for requirement. Well over 60 percent of the people in jail are under-trial, which means that they have simply not gotten bail yet. A person looking for bail in India must seek the help of an expert lawyer or bail bondsman who can utilize the current rules and regulations to get bail quickly and easily.

### **Beats, Patrols, Gust, Nakabandi, Ambush etc.**

Out of the two principal police functions, that is, prevention and detection of crime, the prevention work must take precedence over detection. Intimate knowledge of the conditions prevailing in the police station jurisdiction and of the movements and activities of criminals are conditions precedent for successful execution of preventive role of police. To gain such knowledge, an efficient beat system is a primary necessity.

Village authorities are primarily responsible for reporting crime and supplying information about the movements of bad characters but it should be clearly understood that this does not take away the responsibility of the police for gathering information necessary for the effective prevention and detection of crime. For this purpose the constables should visit villages only under definite orders, for a definite purpose and for a specified period.

### **Meaning and objectives of Beats**

Beat means a segment or part of the jurisdiction of a Police Station consisting of a village or group of villages or a locality in a town/city. Each beat is serially numbered in a police station. Beat service means performance of any of the functions and responsibilities of the police officer assigned to the beat, in that beat area. The objectives of beat are:-

To provide police services within easy reach of the community;  
policing of a manageable area and households by specified Constables and Head Constables;  
promote awareness and thorough understanding of the policing needs of the community and of the law by the community;

promote and build voluntary and participative support through CLG/maithri committees/village officers and groups in preventive and detective work of police and protection of lives and properties and honour;

help understanding and reconciliation in caste, communal and group hostilities;  
Gather, record and communicate information on crime, criminals, strangers, factions, organised criminal gangs, terrorists, anti-national and anti-social elements;

Provide day and night patrols to keep order, prevent crime, intercede when necessary;  
maintain effective surveillance on history sheeted persons and ex-convicts; arrest of persons in terms of section 41 CrPC; preservation of crime scenes and assistance in investigation.

### **Organisation of Beats: Selection and grouping of villages**

The beats should be organised taking into consideration the crime, the vigilance required, factions prevailing, clandestine activities being organised in the area etc. The frequency of visits and period of stay depends upon the sensitive or hypersensitive nature of the area. The classification keeps changing from time to time. The villages can be classified as sensitive or hypersensitive according to the existing crime and law and order situations and the past history of the concern village.

All the villages in the jurisdiction should be first classified as important, unimportant and deserted villages. These villages can be classified into A, B and C categories. Group of villages then should be grouped into various beats. Each beat will be properly defined and beat constables and beat supervisory officers will be detailed for guard, patrolling and collection of intelligence pertaining to each beat. The category of each village could be changed from time to time in the light of crime and law and order situations of each village. In the constitution of beats, geographical positions of villages should be the primary criterion. A beat should not normally consist of too many Class A villages and these villages should be situated so close to one another that a constable can visit all of them one after another and return to the station within a reasonable time. Special attention should be given to villages in which bad characters reside i.e., offenders, criminals, or members of organised crime gangs or syndicates or those who foment or incite caste, communal violence, for which history sheets are maintained and require surveillance, villages in which there have been in the immediate past frequent incidents or outbreaks of crime, either against persons or property, villages in which there are acute factions due to group rivalries, political, communal or caste or other tensions, and villages in which organised criminal or drug related activity or manufacture. Likewise the villages in which trafficking in firearms and movements of explosives exists or where there is possibility of shelter being given to the terrorists and other organised criminals exist, should also be given special attention by the beat officers such villages.

The beat visits should be organised on geographical proximity and also to arrange the visit of villages one after the other. A village, which is neither sensitive nor hypersensitive, but must be traversed en-route is called a route village. There may be one or more such villages in each beat. Their names have to be entered in the column entitled, "Route villages" in the beat book of that beat.

The beats in an outpost or police station jurisdiction should not be more than 3 or 6 respectively, and not more than 8 in both put together. Each beat should cover approximately

1000 households or 7,500 populations. If a police station area has 40,000 or more population there should normally be six beats, with each beat covering a population of 6000 - 10000 depending on factors mentioned above. Such other factors as most convenient, accessibility, road, rail, network, communication facilities and the number of sensitive or hypersensitive localities, villages should also be considered. Sensitive and hypersensitive villages should be distributed in all beats and not grouped into one or two. A beat book will be maintained for each general beat. The crime chart should show the areas covered by and the serial number of each beat.

The Sub-divisional Officer, during the annual inspections, must particularly ensure whether the beats have been organized conventionally and based on all relevant and realistic factors. He should personally tour in one or two beats along with SHO and the police officers assigned to the beat in the same manner as a beat Constable does, to make sure that it is organized properly and can be served in the manner prescribed.

Two police officers i.e., either two police Constables or one Constable and one Head Constable should be allotted to each beat. They are responsible to visit and patrol sensitive village. The hyper-sensitive villages should be more frequently visited. It is not necessary that all villages in a beat should be covered every time the constables go to that beat. They should cover the villages in the beats at least once a week not only in the day time but also at nights. They shall proceed on beat duty at least 4 times in a month, each visit being spread over at least two days and one night. The SHO should ensure that they are not allotted any other duty in the PS when the Constables/HCs in charge of a beat proceed on beat duty once a week. The SHO may, however, earmark any two days or more if necessary to the Constables in charge of the beat to proceed to their respective beat areas to discharge their responsibilities and duties enumerated herein. The SHO should obtain prior permission for any deviation from this from Inspector/SDPO. The Inspector shall surprise at least one beat in a PS in a month in addition to regular inspections.

Visiting villages and staying there is essential for efficient policing in a beat area. The smaller villages attached to larger village, should also be treated as a separate village for the purpose of village visiting or patrols either by day or night. All those areas constituted into Municipalities may be called Towns. Major Municipalities and Municipal Corporations should be identified as cities.

The duration of the visit by the Constables and Head Constables during the beat in a village depends upon the purpose. Visits should include all hamlets and settlements or colonies. The SHO should visit villages as prescribed. The beat area constables and HC before leaving the

PS for duty on their beats should make relevant entries as to the purpose and duration in the General Diary. The instructions regarding village visiting, maintenance of village roster by SHO and others contained in this Chapter and elsewhere should be read as part of this Order. Visits include patrol by day or night, besides other duties, should be for a specific purpose. They should neither be hurried nor unduly prolonged. All visits and work accomplished should be reflected in the relevant records.

### **Duties of Beat Constable**

The Constables assigned to a beat should perform the following duties: Identify through discreet enquiry, observation and verification about habitual offenders, specially dangerous criminals, the nature of crime they are addicted to, or gangs, including members of organised crime syndicates requiring surveillance irrespective of their area of operation;

Collect information from or about travellers at camping grounds, choultries, rest houses, railway premises, ferries and other places of public resort;

Ascertain or verify any definite piece of information concerning crime or criminals; Service of summons and execution of warrants Gather Information about movement of bad characters, suspicious strangers and wandering gangs in the village;

Enquire the movements/both good and bad activities of all ex-convicts and history sheeted persons specially with reference to their lavish expenditure or of other persons connected with them beyond their normal means;

Find out the existence of any receivers of stolen property, contacts by bad characters or strangers with them;

Identify liquor shops, illicit sources of liquor, vice dens, gambling houses, drug peddlars, unlicensed weapons.

Collect intelligence about agitational activities of political parties or other organisations and clandestine activity of any organisation or their associates, or members or supporters.

To notice and ascertain any fresh settlers in the village or visitors and the places from where they have arrived and their friends and relatives in the village with whom they are staying or providing support to them.

### **SHO to decide the interval of Beat visits**

The Station House Officer should decide the intervals at which he should send men on the different beats in his jurisdiction according to the importance of the beats. Constables should be deputed to beats as often as possible, visits to more important beats being more

frequent than to others. It is not necessary that all villages in a beat should be covered every time a constable is sent to that beat. This is a matter entirely within the discretion of the Station House Officer. It should, however, be ensured by the Station House Officer that every village whether of Class A or B or C in the jurisdiction of the station is visited by a Beat Constable at least once a month.

### **Constables to Know Each Beat**

Every constable in the station should be fully acquainted with every beat and he should know about suspicious characters and undetected crimes of each beat. Whenever a constable is sent out on duty either on beat duty or any other duty, the Station House Officer should give specific instructions to the constable regarding such matters as the nature of the work he has to perform, the manner in which it should be performed and the time by which he should return to the Police Station.

Constables going on beat duty will proceed to the beat direct from the Police Station. Likewise, on return they should report at the Police Station before going home. The departure of a constable on beat duty and the instructions given to him by the Station House Officer should be entered in the Station House Diary as well as in the Beat Book. Beats should be served not only in the daytime but also at nights.

Beat constables should be instructed to visit Railway Stations and Bus Stands in their beat and ascertain from the Platform Constables or Bus Stand Duty Constables or from others any information regarding the arrival or departure of suspicious foreigners and bad characters and obtain the signature of the Platform Constable or Bus Stand Duty Constable or Bus Stand Duty Constable, where one is posted, in their Beat Books.

It is incumbent upon the police to ensure the safety of the road and strict attention must, therefore, be paid to road patrolling. Unduly severe work should not be demanded from night petrol men. They should be sent out with definite orders which may be varied, as circumstances permit. It should always be possible to arrange for a patrol to take some rest at a named place. If possible, two constables should patrol together. To secure the due performance of road patrolling, constant checking is absolutely essential, and superior officers must see that a sub-ordinate officer, from Inspector downwards, perform their fair share of this duty.

On the National Highway, the State Highways and other important roads on which the cases of Highway Robberies and Dacoitie are reported, arrangements have to be made for the movements of vehicles in a convoy with mobile armed escorts. Where mobile escort cannot

be provided to the convoy of vehicles, armed men have be provided to the first and the lost vehicle of the convoy.

### **Beat Books**

Every beat including a miscellaneous beat should have a Beat Book. Constables going on a beat should take the Beat Book along with them and note in them, under appropriate columns, the information they gather. The signatures of at least two persons whose sample signatures are maintained in the station in the Sample Signature Book should be obtained by the constables in the appropriate column. Such signatures should be obtained in all the villages including 'Route' villages through which the beat constables pass. If the signature of any of the persons could not be obtained the reasons therefore should be mentioned in the column. The Beat Book should be carried by the constable while on beat duty. Like beat books, Point Books should be supplied to the village officers or selected respectable inhabitants of the respective village for ensuring cross checking of the visit made by the beat constable. Likewise, check register of bad characters, duty roster, village rosters etc. should be maintained by each police station with regard to effective and efficient performance of beat duties.

### **Procedure On Return From Beats**

When a constable returns from beat duty, he should report to the Station House Officer. An entry should be made about the time of return of the constable from beat duty in the Station House Diary. The Station House Officer should check the signatures in the Sample Signature Book in the Station.

The Station House Officers should carefully seek report from the constables on their return from beat to elicit any information they have obtained. Constables should be sent out with specific orders and questioned as to the performance of their duty on their return to the Police Station. This duty is not to be delegated to the subordinate officers Station House Officers should deal with it themselves.

The information brought by the constable should be studied and appropriate action taken. For example, if a bad character is reported to be absent from his village and the place to which he has gone is known an Enquiry Roll Form 'A' will be issued immediately to the Station House Officer to whose jurisdiction the bad character is reported to have gone. If the place to which the bad character is reported to have gone is within the jurisdiction of the same Police Station, a Constable or a head Constable will be sent out to the place to ascertain the movements and activities of the bad character. It must also be seen whether the absence



of the bad character has synchronised with the occurrence of any crime in the limits of the station or neighbouring stations.

### **Checking of Beats**

The Station House Officer/Police Sub-Inspectors, Assistant Sub-Inspector and Head Constables should check the constables on beat duty by surprise. The Circle Inspector who is the Station House Officer, Police Sub-Inspectors or Head Constable should visit selected villages with the Beat Books and compare the dates and hours of the entries in the Beat Books with those in the Point Books, Such verification should be made even when the Station House Officer or a Head Constable goes to a village on any other work, such as petition enquiry or investigation. If Beat Books are not available the checking officer will note down the particulars in his note book and compare them with the Beat Book on his return to the station. The Circle Inspector and the Station House Officer should also make enquiries with the villagers other than Point Book holders about the beat constable's presence on the days noted in the Beat Book. The Station House Officer should be able to check all the beats in the limits at least once a month. The Police Sub-Inspectors, Assistant Sub-Inspectors and Head Constables should do so more often. The Police Inspector/Police Sub-Inspector in charge of the Police Station should ensure that he visits every village in his jurisdiction at least once a quarter.

### **Duties of Supervising Officers In Relation To Beats**

officers of and above the rank of Circle Inspector visiting or inspecting a station should not only see whether beat villages have been properly selected but also ensure that beats are being regularly served and checked. The fact of having done so should be embodied in the inspection notes together with the instructions, if any, given to the Station House Officer.

### **Police Records**

Police records, pertaining to crimes and criminals and the ones maintained at the police station and various other places with regard to law and order situations, play a vital role and assist the police personnel in a meaningful way in the discharge of their duties with regard to prevention of crimes and law and order situations.

Police records perform the role of broad database and on the basis of information available in this database police officers can devise methods and plan out for keeping check and control on the movements and activities of the criminals, and at the same time can also keep a track on the emerging law and order situations. The information

available in the police record would help the police officers in making preventive arrests and evolving other strategies for prevention of crimes and law and order situations.

With the advent of computer technology and adoption of computerization at various levels, the record keeping has become more systematic, scientific and organized. A large bulk of records can be maintained by use of computers and even the retrieval of the desired record is also quick and fast. The computerization of police records thus should be gainfully utilized by the policemen of various ranks for the discharge of their prevention duties.

### **Surveillance**

Surveillance is a vital part of preventive action by police. It deters the designs of a person intending to commit offences. The nature and degree of surveillance depends on the circumstances and persons on whom surveillance is mounted. It is only in very rare cases and on rare occasions that round the clock surveillance becomes necessary for a few days or weeks. It is necessary that those who deserve to be kept under close surveillance receive maximum attention.

### **Surveillance of HS and BC**

The beat Police Officers should be fully conversant with the movements or changes of residence of all persons for whom history sheets of any category are maintained. They shall promptly report the exact information to the SHO, who will make entries in the relevant registers. The SHO on this basis of information should report by the quickest means to the SHO in whose jurisdiction the concerned person/persons are going to reside or pass through. The SHO who receives the first communication should acknowledge the communication and inform the concerned beat Police Officers of the area. If the subject is moving out to another area he should initiate the same procedure of intimating the concerned SHO. The receiving officer shall acknowledge the first and second communications. When replies are received the SHO shall make necessary entries in the history sheet and records. When a history-sheeted person is likely to travel by the Railway, intimation of his movements should also be given to the nearest Railway Police Station.

**Bad Characters :** In the case of a BC who is known to have gone to another State, a BC Roll 'A' shall be sent directly to the Station House Officer of the station in the other State preceded first by communication through quickest means. Entries in the concerned record should be made when reply is received. If similar communication is received from other States, action

should be taken to verify and enter in the concerned records. A reply should be sent to the concerned based on enquiries.

**Suspicious Strangers:** When a stranger of suspicious conduct or demeanor is found within the limits of a police station, the SHO shall forward a BC Roll to the Police Station in whose jurisdiction the stranger claims to have resided. The receipt of such a roll must be immediately acknowledged and replied. If the suspicious stranger states that he resides in another State, a BC Roll shall be sent directly to the SHO of the station in the other State.

**Bad characters going out of view:** When a BC absents himself or goes out of view, whether wanted in a case or not, the information should be disseminated to the police stations having jurisdiction over the places likely to be visited by him and also to the neighbouring stations, whether within this State or outside. If he is traced and intimation is received of his arrest or otherwise arrangements to get a complete and true picture of his activities should be made and the concerned record updated.

**Transfer of criminals to jails of native place:** All dangerous convicts should be transferred to the jails near their native places, 2 months before their release. If the native place is not known, efforts must be made to trace it through the SCRB and FPB. The SP of the district where the prisoner is lodged should send intimation to the Superintendent of Jail sending a counterfoil to the SP of the prisoner's native place.

**Release of Foreign Prisoners:** Before a foreign prisoner whose finger prints are taken for record is released the SP of the district where the case is registered should send a report to the Director, I.B. through CID informing the route and conveyance by which he is likely to leave this country.

**Shadowing of convicts and dangerous persons:** The following are the rules for shadowing the convicts on their release from jails. Dangerous convicts who are not likely to return to their native places should be shadowed. The fact, when a convict is to be shadowed shall be entered in the DCRB in the FP register and communicated to the Superintendent of Jail.

The Police Officer deputed for shadowing an ex-convict shall enter the fact in the notebook. The Police Officers shall be furnished with a challan indicating the particulars of the ex-convict marked for shadowing. This form shall be return by the SHO of the area where the ex-convict takes up his residence or passes out of view to the DCRB / OCRS where the jail is situated, where it shall be on record for further reference and action if any. The subjects being shadowed should be kept in view, but on no account should any restraint be put upon their movements.

**Provisions of 356 CrPC:** The following instructions are issued with regard to ex-174 convicts ordered to notify residence under sub-section (5) of section 356 of CrPC.

Each Station House Officer is responsible for maintaining a correct list in Form 123 of ex-convicts ordered to notify residence, which shall be displayed in the station. The villages notified and the dates of release will be entered from jail release lists. This order does not apply to Railway police stations.

When an ex-convict does not appear at the place notified within a reasonable time, the SHO shall report the fact to the DCRB, which should order for enquiries to be made after approval of SP/Addl. SP.

Ex-convict ordered to notify shall be watched in the same way as other dangerous criminals and their intended movements, of which they should give notice and movements communicated through BC Rolls.

The certificate prescribed by rule 7 of the rules framed by the Government is in Form 124. A copy of the certificate shall be attached to the copy of the general diary sent to the office and remain filed with it.

Prosecution of ex-convicts for breach of the rules shall not be undertaken without the sanction of the SP or the SDPO.

The offence falls under the second part of section 176 of the I PC. Remission grants to heinous offenders

**Convicts released on medical grounds:**

A convict released by the Government on medical grounds is required to follow certain conditions for his release and thereafter. The conditions to which he subscribes before release are set forth below.

That the said convict will, within fourteen days from the date of his release, present himself to the SP or if he is absent, to the Addl. SP in charge of Administration and will produce the copy of the conditions of his release given to him by the Jail Superintendent.

That he will henceforth report himself, once in each month, at such time and to such officer as may be directed by the SP or Addl. SP.

That he will not leave the district without the written permission of the SP.

That he will accept and fulfil the conditions of grant of such permission.

That he will not commit any offence punishable by law in force in India.

That he will not associate with notoriously bad characters or lead a dissolute life.

That he will live peacefully and will endeavour to earn an honest livelihood.

**Rules and Instructions regarding watching ex-convicts ordered to notify residence:** The following are the rules to be framed by the Government under sub-section (5) of section 356 of CrPC.

A convict in respect of whom such an order u/s 356 CrPC has been passed shall, when called upon by the officer in charge of the jail in which he is confined state before his release the place at which he intends to reside after his release, naming the village or town and the street therein. After release and on arrival at his residence, he shall, within 24 hours, notify at the nearest police station that he has taken up his residence accordingly.

Whenever he intends to change his residence he shall, (not less than two days before making such change), notify his intention at the nearest police station, giving the date on which he intends to change his residence and the name of the village or the town and street in which he intends to reside and, on arrival at such residence, he shall, within twenty-four hours, notify at the nearest police station that he has taken up his residence accordingly.

The officer recording a notification shall allow such period as may be reasonably necessary to enable the convict to take up his residence in the place notified. If the convict does not take up his residence in such place within the period so allowed, he shall, not later than the day following the expiry of such period, notify his actual place of residence to the officer in charge of the police station within the limits of which he is residing.

Whenever a released convict intends to be absent from his residence between sunset and sunrise, he shall notify his intention at the nearest police station, stating the time and purpose of such absence, and the exact address where he can be found during that period.

Every notice required to be given by the foregoing rules shall be given by the released convict in person unless prevented from doing so by illness or other sufficient cause, in which case the notice required shall be sent either by letter duly signed by him or by an authorized messenger on his behalf.

Whenever a released convict gives any notice under the rules, he shall be furnished with a certificate to the effect that he has given such notice by the officer to whom he gives it.

**"A" and "B" lists of absconding warrantees**

When a person for whom a warrant has been issued is absconding and there is no immediate prospect of his arrest, or when a criminal for whom a History Sheet is maintained goes out of view, the Station House Officer should send a descriptive roll of the individual to the DCRB.

In addition to absconding warrantees and "out of view" criminals of the district, the DCRB will publish in its list the descriptive rolls of absconding warrantees and "out of view"

criminals of other districts and of persons whose names are published in the Criminal Intelligence Gazette, who are residents of, or likely to come to the district.

The lists will be filed separately in each station, and from them the Station House Officer shall compile a list in the regional language of persons likely to come to his station limits and display the same in the station. The staff of the station is expected to learn the details of these persons by going through these lists.

## **Maintenance of Law & Order**

### **Introduction**

Preservation of peace and maintenance of order in the society is the primary and basic duty of the police department. Peace and development go hand in hand. If there is peace, tranquility and order in the society, development and progress of various sorts take place in a natural way. On the contrary, if there is an atmosphere of disorder, disturbance and uncertainty, the overall development of the society will be a natural casualty. In a democratic society freedom of expression is a fundamental right, and at the same time in a plural society like India, there is every possibility of difference of opinion and consequent the dissention in the opinions, values and thoughts is likely to cause confrontation and conflicts among various groups. Such situations, if not regulated, controlled and contained, they are likely to create serious situation of law and order.

### **Law & Order : Concept and Dimensions**

The field police officers should realize that society is full of factors and potentials which might cause disruption to normal peaceful conditions. Police, therefore should always keep a close watch on various social, political, economic, religious, cultural and other activities and issues so that these might not take an ugly turn and convert themselves into situations of law and order. All activities though normal may obtain abnormal dimension, and might cause breach of peace and tranquility to create a situations of law and order for the police. The concept of law and order, therefore is based primarily on the presumption that any normal situation, by seen or unseen, sudden or deliberate, accidental or intentional reason can become abnormal and thereby obtain a dimension of ordinary or serious law and order situation. The concept of law and order is a multi-faceted and multi-dimensional nature. The police, therefore, are required to handle a large variety of law and order situations including student unrest, political agitation, social demonstration, cultural and religious processions, industrial agitation, various types of strikes, Dharnas and Gheraos etc. Each of the above

categories of law and order situation would have its own specific and special contexts and the police will have to tackle it accordingly.

### **Perspectives on Law and Order**

Riots and other disturbances take place due to socio-economic and political frictions, communal, caste, regional, industrial, agrarian and political disturbances. Criminal, goonda gangs and unsocial elements provoke these disturbances and add fuel to the fire. The disturbances cause widespread panic, physical assaults, bodily injuries, murders, lootings, rapes and forcible closure of business establishments and shops and may create situations of intimidation. These inhuman acts take place posing a challenge to the efficacy of the police and the good governance of the government in dealing with these disturbances. Police have an onerous and difficult duty in tackling such situations with all the legal means available at their command.

### **Riots**

No crime is so dangerous to the peace, harmony, life and well being of the people as riots. Widespread riots for any duration paralyse trade, free movement of people depriving their normal means of livelihood shaking the confidence in the police and the government. It is the prime duty of the police to prevent the commission of breach of peace by gathering intelligence to nip it in the bud. The police may later have to take effective measures in controlling the disturbances. Primarily, it is the duty of the law and order police to control these disturbances as per situation with the assistance of other wings of the department like Reserve Police, Railway Police, Spl. Police, Central Paramilitary Forces etc. as per the need. Each situation calls for different ways of dealing and adopting measures suiting to the laws and the needs.

### **Collection of Information**

Police should collect information about every movement, state of feeling, dispute or incident, which may lead to a breach of peace. Communication of such information should be sent to the concerned authorities for taking action and to use the information for the purpose of preventing or detecting the associated crimes and for preventing breach of peace. All police measures and actions, their efficacy and use depend on the quality of intelligence gathered and its use.

### **Police Action at the Grass Root Level**

- Consult police station records to identify the occasions of breach of peace, its nature, the places and potential troublemakers. The records should be kept accurate



and updated,

- Visit the place and assess public feeling and likely trouble and contact persons who command respect and confidence of rival groups. Also gather information from all possible sources.
- Understand and follow thoroughly the communications and instructions from superior officers. Share this with the staff and ascertain full details from beat police and other police staff on all aspects.
- After the evaluation and assessment of the problem in all its aspects with reference particularly to the persons, places and nature of trouble, police officers should decide on surveillance, preventive arrests, promulgation of regulatory or prohibitory orders, arrangements to be made to contain and control trouble.
- It is the prime duty of the police to prevent the commission of cognizable offences. They should enlist the assistance of influential persons in communities in mitigating the situation and see that they exercise their influence in controlling the situations.
- Policemen on duty should be instructed to take help of village officials and keep vigil and report from time to time on the meetings, both public and secret, handbills distributed and rumours set afloat by mischievous local elements or outside agents.
- A striking force of adequate police strength should be mobilized and kept ready for attending to any sudden out break of mob violence. Besides this all riot control equipments like water cannon, gas guns, firearms and ammunition, helmets, shields, tear gas shells, shock batons, baton rounds (rubber/plastic bullet), lathis etc. should be kept ready for use.
- Precautionary measures for preventing or dealing with such disorders depend-upon a number of factors, including the cause of friction, the nature of the particular dispute, whether the danger is continuous or associated with a particular festival or occasion, and the influence of the leader of the communities.
- Experience has shown that precautions taken in proper time tend to inspire confidence among several communities and check the misguided zeal of irresponsible elements.
- Arrange frequent patrolling if assessment reveals possible breach of peace.
- Precaution signals, police preparedness and timely action act as a deterrent to possible troublemakers and inspire confidence among public.
- Pay utmost attention to fasts, feasts and festivals of different communities occurring at the same time. Work out mutually acceptable arrangements; reconcile conflicting

approaches or disputes with the help of rival local leaders. But do not be misled by promises and assurances and make necessary arrangements as a precaution.

- Keep the concerned Executive Magistrate informed in writing to be available. Police Officers should remain in close touch with the magistracy during situations of anticipations and actual breach of peace.
- When tensions and feelings run high, a clash in a large town develops into serious and widespread trouble. Precautionary measures need to be taken on this assumption as such steps will prevent and stop clashes in other areas apart from containing spread of trouble.

### **Police Action if Situation Deteriorates**

If disorders get a firm foothold before the necessary arrangements are made to control and bring about normalcy, and if the trouble assumes the form of gang attacks, kill and run situations and the police are inadequate to prevent it, the following measures should be taken.

Promulgation of orders under section 144 CrPC including curfew, prohibiting the holding of meetings, delivering of speeches, assembling of persons, carrying of weapons, taking out processions, or other acts from which a breach of the peace can be apprehended.

In case of disputes that occasion the breach of the peace relating to land or water or to boundaries of land or water, action under sections 145 to 148 of CrPC is appropriate and must be taken. Copies of reports to Magistrates for action u/s 144 or 145 of CrPC should be sent to the concerned superior Police Officers.

### **Further Police Action**

If the prospect of averting trouble is not encouraging, concentrate a sufficiently large police force in the vicinity of the scene of trouble. But where trouble is anticipated a show of strength, is sometimes sufficient to avoid untoward developments. The police force should be strong enough to deal promptly and effectively with major or minor incidents. Route marches by police columns through the affected areas help in containing and the spread of incidence. Arrangements must be made for patrols and pickets and for the establishment of communications between the various police parties and the police headquarters.

The deployment in such situations should be to contain large-scale trouble and quick return to normalcy. Hence aimlessly scattering and thinning out the police force should be avoided otherwise it may result in not being able to prevent anything anywhere. All deployment should ensure communication between all pickets, patrols and striking forces

both in terms of equipment and physical mobility between each point. In short physical contact by foot or transport should be ensured between one point and other when police are deployed.

SDPOs, SP/Addl. SP should be present at the scene of the trouble and should not leave the situation to be handled by subordinates alone without taking away initiative from them. Mobile patrols in a vehicle with a Magistrate and motorcycle patrols in a town are more valuable form of patrol in a town or city.

Precautionary measures should include action u/s 151 CrPC against goondas, rowdies, suspects, bad characters and the persons likely to create trouble. Since the effect of an arrest u/s 151 CrPC is only for 24 hours. A specific offence must be made out in case a person is required to be kept in custody for more than 24 hours.

In respect of breach of peace due to communal, caste or other problems, preventive detention can be resorted to. When public property is destroyed in the course of riots or agitations action can be taken under the Prevention of Damage to Public Property Act 1984.

### **Dispersal of Unlawful Assembly**

For the dispersal of unlawful assemblies by use of force 3 important conditions should be fulfilled. (1) that there is an unlawful assembly; (2) such an assembly is ordered to disperse; and (3) in spite of the orders the assembly refused to disperse. The force to be used should be minimum required to disperse the unlawful assembly. The quantum of minimum force differs from situation to situation and depends on the nature of crowd and its activities etc.

There will be salutary effect if arrests of those responsible are made immediately on the spot. Where the clash takes the form of mob fighting, there should be no hesitation to disperse it by effective use of force. Use of firearms should be the last resort, when all other measures have failed to save the lives and property of the people. However, the decision to open fire to control mob should be taken quickly and the situation should not be allowed to go out of hand due to in-decision or delay in taking decision to open fire.

### **Riot Schemes and Police Action**

A riot scheme should be drawn up for every important town for each category of riot like communal, caste, regional or political. These schemes should be practiced every half-year. The object of the practice is to ensure that all officers are conversant with the details of the scheme and their duties therein.

Cases must be registered promptly, investigated impartially and prosecuted successfully under the close supervision of Inspectors and SDPOs. If need be, a separate

investigation team should be formed during the period of riots. If there is a shortage of manpower, special police officers can be appointed under the Police Acts.

### **Action When Situation Under Control**

When the situation has been brought under reasonable control the following measures should be taken.

Police deployment should ordinarily continue, though on a reduced scale, until confidence is restored.

Orders passed under section 144 CrPC, may be continued for some time since this helps in preventing panic.

If curfew has been imposed, a relaxation for a few hours depending on situation may be given to start with and later it can be gradually withdrawn when situation returns to normal.

The assistance of non-officials is of greater value during the conciliation stage and it should be fully availed. Senior Police Officer must assess the situation promptly and leave the scene when they are fully satisfied that the situation is brought under control without taking complacence haphazardly.

Case reported during riots should be promptly investigated and finalised.

### **Legal Provisions to deal with Law & Order Situations**

Police Act empowers DSsP and above to notify requiring licence by all persons conducting a meeting or a procession in public places or thoroughfares. If the authority is of the opinion that such assembly or procession if uncontrolled is likely to cause a breach of the peace, they can issue notice requiring licence by any assembly or procession for the use of music. As per the direction of Government, such order shall specify the duration for which the licence is required. A procession or an assembly which violates the conditions of a licence may be ordered to disperse. If the procession or the assembly so ordered to disperse neglects or refuses to obey the order, it shall be deemed to be an unlawful assembly.

### **Instructions for Officers With Regard to Processions**

The enforcement authorities should play an impartial role in implementing the respective right of the parties.

If it is apprehended that the enjoyment of the approved practice with respect to any procession will lead to a breach of the peace, it is the duty of the officers concerned to take adequate precautionary measures.

Leaders of factions should be involved from the beginning in the maintenance of order. Help of citizen Committees should be solicited.

Any newspapers carrying on negative propaganda should be cautioned against indulging in any action likely to disturb peace. All relevant material and its effects should be kept ready to face the challenge to such actions in courts. Freedom of press (expression), a right guaranteed under the Constitution should be respected. But the restrictions if any imposed on such right should be implemented. It should be borne in mind that flow of proper information to the public through press may also bring down tensions and help in restoring normalcy. Hence all Police Officers should assess the situation in its entirety and make proper use of the media to restore peace and confidence.

### **Industrial Unrest**

The following orders should be followed by the police on the occurrence of trouble among the workers during strikes or widespread unrest.

Labour problems are due to economic reason, unresolved disputes between management and labourers or due to vested interests and issues raised by trade unions. When a strike or a situation that disturbs peace actually occurs, the duty of the police is only to preserve peace and not to interfere in or arbitrate on the issues involved. There are several departments under various laws to deal with such disputes. Police are concerned only in prevention of violent activities and destruction of properties. They should however; activate the labour and individual department officials to initiate measures for solution if they feel that clashes or undesirable activity may result in deteriorating law and order.

Timely information on the industries, the subsisting disputes with potential for law and order problems, the likely trouble makers, and the nature of violence that may be caused should be gathered by police.

The police should prevent breaches of the peace, secure the safety of property, and general public, deal with and investigate cognizable cases, and obtain information all other related points

The SHO should inform the Inspector, SDPO and the SP at the earliest about the possibility of a strike and give intimation immediately on its occurrence. The report should contain details of the number of persons affected, the issues involved in the strike and the extent of disorder anticipated. Should the police force of the area be insufficient to cope with the situation, the SP should requisition additional strength from other sources.

Peaceful picketing to prevent non-strikers from attending or resuming work by persuasion, as distinct from force or intimidation, or wrongful restraint, is not an offence, and does not call for police interference, but it only needs watchfulness and regulation of the situations.

Gherao and obstruction constitute offence, particularly when these activities assume violent or abusive shape necessitating police intervention. Police should make arrangements to cover demonstrations, hartals etc. so that they can intervene effectively. When information about the Gherao is received the police must rush to the place so that the person restrained is set free.

In dealing with violent situations inside a factory, particularly containing sophisticated machinery or chemical substances the help of the officers should be secured. The industrial security personnel, or others posted for security would be in the best position to provide necessary assistance to the police in dealing with the situation. Close liaison should therefore be maintained with them.

Destruction of public property or physical harm to persons, violent demonstrations in the factory or outside should be dealt with in accordance with law.

The police must be aware of the right to protest for seeking solution of labour problems in accordance with law. However, they should keep themselves fully informed of the situation so as to act in time wherever violence is likely.

### **Law & Order due to Factions**

The frequent occurrence of factious riotings in certain areas of the state is a definite indication of the challenges, which the police have to face in controlling factious crime effectively. Attention should be paid to factious villages and all steps appropriate should be taken to prevent factious crimes. Impartiality, integrity, promptness and firmness are the most essential qualities required of a police officer in dealing with factions and investigation of factious cases.

When a faction comes to notice for the first time, efforts should be made to nip it in the bud. Conciliatory methods may be successful at times. If the faction persists, there should be no hesitation in setting the relevant law in motion. Police should give clear message to the factionist that the police would mean business in dealing with any disturbance or crime and follow it up with necessary measures. The factious villages shall be covered effectively during day by beat area police officers. Informants should be cultivated and information network be built up. Arrests u/s 151 Cr.PC. should be made where necessary.

Even a minor incident resulting from a faction should not be ignored. Section 160 IPC and sections 106 and 107 of CrPC should be used. In all cases under section 107 of the Code the Magistrate should be requested to take interim bonds from the parties. In some cases, it may be necessary to take action under clauses (e) and (f) of section 110 of CrPC against important faction leaders and rowdies. In cases of factious riotings and affray, the Magistrate

should be requested to bind over the parties under section 106 of CrPC. If police officers furnish all background material on the sureties, it will enable the Magistrate to decide whether to accept the surety or not and jail the persons if sureties are not to his satisfaction.

Even after the parties to a faction have been bound over under section 106 or section 107 of CrPC, there should be no relaxation of vigilance in regard to that faction, as instances are not wanting in which even after action has been taken under the security sections of the Code of Criminal Procedure, factious parties have committed overt acts and indulged in sudden outbursts of violence. Every such incident, however small including the attempts should be taken cognizance of. The offenders should not only be charged for the specific offence but also action taken for forfeiture of their bonds. If, in spite of all these measures, factionists continue to be active, the Superintendent of Police should have no hesitation to come up with proposals for quartering additional Police in the area.

All incidents arising out of a faction should be recorded in the general diary forthwith. An exhaustive note about the faction and its leaders and members with their antecedents, as well as information collected from time to time by Constables of the beat should be made in Part IV of the concerned Station Crime History by the SHO. Rowdy sheets should also be opened for those who are persistent factionists.

### **Dispersal of Mobs**

The instructions for the dispersal of mobs and for use of fire arms are contained in the Police Drill Manual, besides legal provisions under section 129 to 132 Cr.P.C. District, City Armed Reserves and Civil Police shall constantly practise these instructions. An unlawful assembly may be ordered to disperse by a Magistrate or officer-in-charge of a Police Station and when so ordered, it is the duty of the members of the unlawful assembly to disperse. If they do not, force may be used to disperse them. Any Police Officer may without warrant arrest the members of an unlawful assembly and thus disperse the assembly. The following points have to be borne in mind.

The Police must secure the presence of an Executive Magistrate as far as possible where a breach of the peace necessitating the use of force is

- anticipated. The Executive Magistrate on information or requisition by police should be present at the spot. When a Magistrate is present at the spot he should be in complete charge of the situation. He has the necessary legal powers to order any Police Officer to assist him in handling the situation. The senior most Police Officer present is bound to assist the Magistrate by mobilizing the available Police Force and

utilizing them as best as possible.

- If the crowd becomes defiant and the use of teargas, lathi charge or both are inexpedient or fail in their purpose, use of firearms may be resorted to. The Magistrate is responsible for taking a decision as to when an unlawful assembly has to be dispersed by force and also the kind of force to be used. After such a decision is taken, the officer-in-charge of the Police is solely responsible for deciding the exact amount of force to be used, the manner of using it and the settling of the details of the operations connected with the use of force, all the time keeping in mind the principle that no more force and no longer than necessary should be used.
- When a Police party is formed for dispersing an unlawful assembly, it should be numbered and split off into two or more sections. Each section should be under the charge of an officer. All commands to the Police are to be given by the Officer in command of the party. The Police are not on any account to open fire except by word of command of their officer, who has to exercise an extreme caution and discretion regarding the extent and the line of fire.
- Officers commanding police parties will, ensure that the fullest warning is, if feasible, given to the mob in a clear and distinct manner before any order is given to use tear gas or lathies or fire arms. They will use the most effectual means to explain beforehand to them that in the event of the Police party being forced to open fire, the fire will be effective and on the target. Whenever firing is resorted to, directions and warnings to the mobs should be announced through loudspeakers. Police vehicles should be equipped with loudspeakers and where such arrangements cannot be made hand megaphones should be kept ready for announcement.

Even after being warned, if the mob does not disperse, the order to fire may be given. If the officer in command of the party is of the opinion that it will suffice if orders to only one or two files are given, he may accordingly order specifying the files that are to open fire. If, however, he considers that it will be insufficient, he will give the word of command to one or more sections to open fire. The fire order of each section will be given, by the regular word of command by the officer-in-charge of the party. Firing should be well controlled and officers ordering firing should always indicate the number of rounds that should be fired at any particular time.

Where the situation warrants firing over the heads of the crowd and where it is considered likely to be effective in dispersing the violent mob, such firing should be resorted



to only with blank ammunition. Other policemen should be kept ready with rifles loaded with live ammunition so that if the use of blank ammunition fails, the Police would not be taken by surprise or overwhelmed. Firing with live ammunition should be directed against the most threatening part of the crowd, the aim being kept low. Firing should cease the moment it is no longer necessary.

Files or sections ordered to fire shall unload immediately after firing without further word of command until the order to cease firing is made finally. Firing should cease the moment the rioters show signs of dispersing and all help should immediately be rendered to tend or convey the wounded to the hospital.

An Armed Force should never be brought so close to a large and dangerous mob as to risk its being overwhelmed by numbers or being forced into action resulting in infliction of heavy casualties. Firing should be carried out from a distance sufficient to obviate the risk of being rushed on and to enable strict fire control.

Riot flags and display banners should be taken when District Reserves are called out in apprehension of disturbances and before firing or any other means of dispersal is resorted to. They should be hoisted in front of the mob in a manner that what is written on them is clearly visible and can be read or clearly understood by the mob.

The Police used for dispersing mobs should wear the prescribed uniforms and steel helmets. The teargas section and the armed party protecting the teargas section should wear antigas respirators.

### **Right of Private Defence**

In the matter of dispersal of unlawful assembly the right of private defence can be exercised to protect the life and property of public or to protect themselves. This right can be exercised by using force as much as is necessary and as long as it is necessary. This right extends even to the causing of death in certain cases as laid down in section 100 IPC as against body and in section 103 IPC as against property. The police should exercise this right cautiously. Any amount of exceeding the right may make them liable for penal action as per law. Therefore, the police officers must make a judicious use of this right, only in dire need to save the life and property, when occasion arises as shown in sections 100 and 103 I PC.

### **Special Police Officers for Law & Order Purposes**

When there is apprehension that there is likelihood of disturbance of peace, riot or formation of unlawful assemblies or when such unlawful assemblies already formed for provoking breach of peace and when it is felt that the existing ordinary police is insufficient

to meet the situation, special police officers can be appointed for such time and in such manner as deems necessary for the protection of life and property of the inhabitants.

Every SDPO shall maintain a list of residents suitable with good antecedents for such duty at each place in his Sub-Division in order that he may be able at any moment to give the Magistrate the necessary details to enable him to appoint without delay as many special Police Officers as may be necessary. The lists should be updated every year. Those persons who have been in NCC, NSS, scouts and guides and employees in the government departments and other young persons of good antecedents would be the proper persons to be included in the list. The ex-servicemen are also useful for the purpose. list of all Special Police Officers thus appointed shall be displayed in the local police station. The place of muster, which need not necessarily be a police station, shall be attended at the time by an officer not lower in rank than a Sub-Inspector. He shall check the attendance of Special Police Officers and allot their duties in writing specifying the hours of duty and its nature.

The requirement of discipline for such special police officers should be liberal and ordinarily the physical drill is not necessary. The form of compliments to seniors will not be a salute but a civilian method of greeting. The periods of duty shall not be long and reliefs shall be frequent. The work of Special Police Officers shall be supervised and checked and absence from duty noted by specially selected Special Police Officers to whose charge they are given. The Special Police Officers whenever necessary shall be strengthened and supported by regular police. They shall remain as separate bodies, and the duty of using any necessary force shall be performed by regular police. Negligence or refusal to serve without sufficient excuse or disobedience to orders or directions makes him liable on conviction and fine.

If a motor vehicle belonging to a Special Police Officer or obtained on loan by him or any of his personal property is damaged or lost during its use by such officer on duty, the cost of such damage or the value of such vehicle, as the case may be, in so far as it is not covered by insurance or is not met by the insuring office, will be made good by the government, provided that the claim in respect of such cost or of such value is made promptly and through the concerned police authority. The government will also award reasonable compensation for any injury or the loss of life to the Special Police Officer, if it is directly due to his service as such.

### **Additional Police for Law and Order**

Additional police may be quartered under legal provisions for controlling deteriorating law and order situations. Sanction for such additional Police should be obtained

from the government and formal proposals as to how the cost should be recovered should also be submitted to the government.

When the District Magistrate and the Superintendent of Police consider that additional police should be stationed in any area in the district, the SP will immediately submit proposals to the Zonal Inspector-General/DIGP, through the District Magistrate furnishing information. The District Magistrate will forward the proposals with his remarks to the Zonal Inspector-General/DIGP. On receipt of the proposals the Zonal Inspector-General/DIGP will, if necessary, visit the area in question in order to satisfy himself that the conduct of the inhabitants of the area justifies the imposition of additional Police. If he is satisfied that additional police are necessary, he will endorse the proposals received from the district authorities and forward to the DGP.

On receipt of the proposals from the Zonal Inspector-General/DIGP, the DGP will move the Government for the imposition of additional police and, if they agree, request them to issue a notification in the Government Gazette. As soon as the notification is published in the Government Gazette, the Superintendent of Police will draft the force of the strength mentioned in the notification to the area, from the district police strength.

Soon after the notification in the Gazette, the District Magistrate will submit proposals to the Government through the Zonal IG/DIGP and DGP as to manner of recovery stating clearly the financial condition of the inhabitants of the area from whom the cost is proposed to be recovered and the manner of distribution of cost amongst them. If it is considered desirable that any of the residents should be exempted from the contribution, the reasons should be clearly stated.

Whenever it is considered desirable to extend the period by which additional police have been imposed, a report, specifying the reasons for retention of the force and the further period for which the force should be retained, will be submitted by the SP to the DGP through the District Magistrate and Zonal IG/DIGP at least two months before the term for which it was originally imposed expires. Before submitting the proposals it must be ensured that the dues till the date are collected/recovered. Additional police may not, without the sanction of the government, be retained beyond the term for which they were originally imposed.

**Duties performed by additional force :**

The duties to be performed by additional police are (a) to patrol the affected area and (b) to restrain the inhabitants of the area from committing excesses (c) any other duties

prescribed by the SP. The Station House Officer is responsible for ensuring compliance of the duties.

### **Campus Violence and Student Unrest**

**Reasons:** The breaches of peace occasioned by students' violence both in and out of the campus require special attention of the police. There are many reasons and occasions when violence breaks out. These may be broadly classified as internal and external. Internal causes relate to purely problems of students relating to fees, mess facilities, curriculum, examinations, copying, ill treatment by authorities, scholarships, group rivalries, student elections, ragging, misconduct of staff members or assault by outsiders on a student, teacher etc. Some problems may be genuine, some may not be. The external causes relate to political, social or other causes in which students or groups of them involve themselves either within the campus or outside. Like all other situations, information collection is the most important duty of police and an essential requirement. The SHO by personal contacts with students and teachers should keep himself abreast of the affairs involving the groups in the colleges or Universities in his jurisdiction. The guidelines for dealing with students' violence or incidents are given below:

Keep the Head of the Institution informed of visits to the campus as far as possible. Only in an emergency where a violent incident has occurred or about to take place and where it is not possible to inform, the police may rush to the spot making arrangements for information to the Head of the Institution or other responsible person of the Institution.

Do not express opinion as to the right or wrong of the cause or person, but only act according to law. Conduct parleys with rival groups to avoid imminent clash if possible. Take assistance of student leaders or neutral teachers to persuade against violence.

Make prompt arrest if a serious incident like grievous hurt or homicide has taken place. While proceeding to deal with an outbreak of violence, strong police must be taken. All policemen should be doubly briefed on restraint and conduct. Use of force should be avoided as far as possible, unless there is no other way to stop further violence. While making arrests avoid doing so in the full view of the students, unless it is in the course of dealing with an unlawful assembly.

Assist University/College authorities in ensuring that only genuine and legitimate inmates stay in hostels. Universities and College authorities should be prevailed by higher police officers in this regard. Assist the in situational authorities for keeping order during examinations and other activities.

Collect full and accurate information regarding gangsterism, eve-teasing or assaults on teachers and act as per relevant law. Do not act on hearsay or on unverified information. Take all steps as in any other case for investigation of an offence occurring in the campus or hostels.

Visit the campus during normal times so that it becomes easier to handle situations when they occur. Always remember that the students, being young and emotional are prone to flash actions impulsive and hasty acts. Handling of situations should be done with proper understanding of the issues/situation. Where group clashes are likely there should be no hesitation to initiate action under section 107 CrPC and to obtain bonds.

**Ragging** : The menace of ragging in the name of introduction and familiarization of newly entrant fresh students, by senior students of the educational institutions has, of late, taken an ugly turn of serious concern. This practice of ragging is more prevalent in the medical, engineering and business management college/institutes. In a few cases, the victim students have taken the extreme step of committing suicide. To prohibit this bad practice of ragging within or outside any educational institution, the governments have enacted the Laws prohibiting ragging. The 'ragging' means doing an act, which causes or is likely to cause insult or annoyance or fear or apprehension or threat or intimidation or outrage of modesty or injury to a student. The act includes words either spoken or written or signs or sounds or gestures or visible representations. Penalty for ragging is provided under each respective Act. Whenever any student complains of ragging to head or manager of an educational institution, such head or manager should inquire into or cause an inquiry to be made into the complaint forthwith and if the complaint is prima- facie found true, shall suspend the student or students complained against, for such period as may be deemed necessary. The decision of the head or manager of the educational institution in this regard shall be final.

**Duties of Police** : The police officers have to play an important and active role in curbing this menace of ragging. Therefore, all Ss.P./Cs.P. should instruct their subordinates before the commencement of the academic session to contact Heads of the educational institutions and enlighten them on the provisions of the law. Head of educational institution should also be advised to give wide publicity about the provisions prohibitively ragging.

University and College hostels should be visited especially in the nights and in the beginning of the academic session along with the wardens and university/college staff. If necessary complaint box may be kept in the hostels. Efforts to collect intelligence or deploy men in plain clothes at the beginning of academic year besides keeping vigilance over senior

students and also request the management to take preventive action besides involving the non-government organisations should be taken by the police to stop ragging. Suo-moto action should be initiated where the institutions or the targeted victims do not come forward to lodge a complaint for fear of reprisal.

## **SURVEILLANCE OF BAD CHARACTERS**

### **MOVEMENTS OF THE BAD CHARACTORS TO BE WATCHED AND REPORTED**

2015. Movements of the following BCs will be promptly watched and reported by one Station House Officer to another in Enquiry Roll Form A (Form No.24 & 25).

1. Persons with History Sheets
2. Habitual offenders from Tamil Nadu and other neighbouring States
3. Persons conditionally released under Section 432, Criminal Procedure Code.
4. Wandering Gangs.

2016. The receipt of such roll will be immediately acknowledged and a report as to the presence of the bad character made with the least possible delay. If the person to be closely watched becomes a temporary resident within the limits of another station, he should be watched and information sent.

2017. The roll will be retained until the individual moves on, when it will be forwarded to the station of his destination. If this station is other than the one at which the criminal is registered, the Station House Officer of the latter station will be informed of the movement.

2018. When persons closely watched under this rule are likely to use the trains, intimation of their movements should also be given to the nearest Railway Police Station of bordering areas of Tamil Nadu and Andhra Pradesh.

2019. In the case of a criminal who is known to have gone to another State, Enquiry Roll Form A (Form No.25) in English will be sent direct to the Station House Officer of the Station of the other State.

### **2020. ENQUIRY IN RESPECT OF SUSPICIOUS STRANGERS**

When a stranger of suspicious conduct or demeanour is found within the limits of a Police Station, the Station House Officer will forward an Enquiry Roll Form B (Form No.25) to the Police Station in which the stranger alleges that he resides. The receipt of such a roll must be immediately acknowledged and promptly replied..

If the suspicious stranger is not identified in the station to which the Enquiry Roll was issued, the Station House Officer who issued the roll must take all possible steps to discover the identity of the stranger.

### **BAD CHARACTERS GOING OUT OF VIEW – ISSUE OF OUT OF VIEW CARDS**

2021. When a bad character goes out of view, whether wanted in a case or not, the information should be broadcast in Form No.26 to the Police Stations having jurisdiction over the places likely to be visited by the bad character and also to the neighbouring stations whether such are in this State or in another State. Copies of the card should be sent by the Station House Officer concerned to his Circle Inspector, Supdt. of Police and to the CRB.

### **RELEASE OF FOREIGN PRISONERS – REPORT TO BE MADE TO THE STATE INTELLIGENCE.**

2022. Before the release of a foreign prisoner who is convicted for an offence of the type in which finger-prints would ordinarily be taken for records under the rules, a report should be sent by the Superintendent of Police concerned to the Supdt. of Police, Special Branch, who will send the same to the Home Department for transmission to the Director, Intelligence Bureau, Government of India, giving information regarding date, route, Airlines, Steamer, etc., on or by which the prisoner will be traveling, in order that such information may be transmitted to the country of the man's origin.

### **SHADOWING OF CONVICTS ON RELEASE.**

2023. The following are the instructions for the shadowing of convicts on their release from jail;

7. Only those convicts who (i) have no fixed abode, or (ii) are not likely to return to their native place on release, or (iii) are exceptionally dangerous should be shadowed.
8. The Superintendent should decide which convicts have to be shadowed. For this purpose, the Police Inspector / Sub-Inspector will note on the Conviction Memorandum for finger-print purpose whether shadowing is necessary or not. The Circle Inspector will add his opinion.
9. A constable deputed for shadowing an ex-convict will enter all his movements as well as those of the ex-convict in his note book and take the signature of the local police for having informed them of the arrival of the ex-convict in their jurisdiction.

10. Ex-convict should be kept in view, but on no account should restraint be put upon their movements.

11. Adolescents released from Borstal Schools should not be shadowed.

#### 2024. JAILS RELEASE LIST

(1). Superintendents of Jails are required to send to the Supdt. of Police, CID and the Superintendents of Police of the concerned region in which the jails are situated before the 15<sup>th</sup> of each month, a list of prisoners to be released during the next ensuing month. The superintendent of Police, CID should, on receipt of the jail release list, give information regarding the release to all Superintendents of the region in which the prisoners' homes are situated.

(2) In addition to the list to be sent before the 15<sup>th</sup> of each month the Superintendents of jails will, if necessary, send a supplemental list containing the names of prisoners admitted after the 15<sup>th</sup> of each month and who will be released during the next ensuing month.

(3) The release lists will be published in the Crime and Occurrence Sheets. In the case of exceptionally dangerous criminals, the Station House Officer will be informed at once.

#### 2025. SURVEILLANCE OVER WANDERING GANGS:

(1). On receipt of such information regarding the movements of wandering gangs the Station House Officer will cause enquiries and make a report to the Superintendent covering the following:-

(a) The strength of the gang; The names, age and description as could be ascertained from members; The crime committed or annoyance caused by the gang at its last two or three halting places.

(viii) Should any members of the gang be armed without a licence, they should be disarmed in accordance with the provisions of the Arms Act.

(ix) Wandering gangs require close watching, as they are apt to be lawless and to terrorise the people



(4). If they commit offences or are unruly, they should be proceeded against for specific offences committed and under the security sections of the Code of Criminal Procedure.

## **STRANGERS**

2026. The Police should take note of suspicious strangers. Station House Officers should arrange for a careful watch of strangers whose actions give rise to decided suspicion .

## **2027. SURVEILLANCE OF CRIMINALS AT OUTPOSTS**

Copies of History Sheets of criminals who are to be watched by the outpost staff should be kept in the outpost. The Head Constable or ASI in-charge should send Bad Character Rolls Form 'A' regarding the movements of such criminals direct to the station concerned. All entries made in History Sheets at outposts should be copied into the original History Sheets kept in the station. Bad Character Roll Form 'B' should be kept in outposts for use when necessary.

## **'A' AND 'B' LISTS OF ABSCONDING WARRANTEES.**

When a person for whom a warrant has been issued in absconding and there is no immediate prospect of his arrest, or when a criminal for whom a History Sheet is maintained goes out of view, the Station House Officer should send a descriptive roll of the individual to the Crime Record Bureau.

These rolls will be published in a supplement to the Crime and Occurrence Sheet; the issues of the supplement being given consecutive serial numbers and page numbers.

245 In addition to absconding warrantees and 'out of view' criminals of the region, the Crime Record Bureau will publish the descriptive rolls of absconding warrantees and 'out of view' criminals of other districts and of persons published in the Criminal Intelligence Gazette, who are natives of, or likely to come to the district.

### **(vi) Collection of Intelligence**

Police are required to collect intelligence about:

(iii) any incident of law and order

- (iv) political activities
- (v) labour activities
- (vi) student activities and agitations thereof
- (vii) communal tensions and events
- (viii) employees' associations and strikes by them
- (ix) criminal activities
- (x) miscellaneous activities and events tending to destroy peace and tranquility.

**Visit to villages :**

Sub inspector (Station House Officer) shall acquire full local knowledge and will become acquainted with the people of his station limits, especially the village secretaries and panchayat officials, and will also enlist their co-operation in prevention of crime and breach of peace. He should also involve various Committees in this regard. The SHO shall normally visit all the villages and localities in towns in his jurisdiction once a quarter. Passing through a village without doing the work cannot be treated as a visit.

**Village Defence Party :** In Assam there is the idea of Village Defence Party (VDP). Each household is a member of the VCP and involved in night patrolling within the village. They maintain a roster explaining who will be involved in what dates. The villagers usually select a secretary who is responsible to keep regular contact with the police station.

**Dispersal of Mobs**

The instructions for the dispersal of mobs and for use of fire arms are contained in the Police Drill Manual, besides legal provisions under section 129 to 132 Cr.P.C. District, City Armed Reserves and Civil Police shall constantly practise these instructions. An unlawful assembly may be ordered to disperse by a Magistrate or officer-in-charge of a Police Station and when so ordered, it is the duty of the members of the unlawful assembly to disperse. If they do not, force may be used to disperse them. Any Police Officer may without warrant arrest the members of an unlawful assembly and thus disperse the assembly. The following points have to be borne in mind.

The Police must secure the presence of an Executive Magistrate as far as possible where a breach of the peace necessitating the use of force is

anticipated. The Executive Magistrate on information or requisition by police should be present at the spot. When a Magistrate is present at the spot he should be in complete charge of the situation. He has the necessary legal powers to order any Police Officer to assist him in handling the situation. The senior most Police Officer present is bound to assist the Magistrate by mobilizing the available Police Force and utilizing them as best as possible.

If the crowd becomes defiant and the use of teargas, lathi charge or both are inexpedient or fail in their purpose, use of firearms may be resorted to. The Magistrate is responsible for taking a decision as to when an unlawful assembly has to be dispersed by force and also the kind of force to be used. After such a decision is taken, the officer-in-charge of the Police is solely responsible for deciding the exact amount of force to be used, the manner of using it and the settling of the details of the operations connected with the use of force, all the time keeping in mind the principle that no more force and no longer than necessary should be used.

When a Police party is formed for dispersing an unlawful assembly, it should be numbered and split off into two or more sections. Each section should be under the charge of an officer. All commands to the Police are to be given by the Officer in command of the party. The Police are not on any account to open fire except by word of command of their officer, who has to exercise an extreme caution and discretion regarding the extent and the line of fire.

Officers commanding police parties will, ensure that the fullest warning is, if feasible, given to the mob in a clear and distinct manner before any order is given to use tear gas or lathies or fire arms. They will use the most effectual means to explain before hand to them that in the event of the Police party being forced to open fire, the fire will be effective and on the target. Whenever firing is resorted to, directions and warnings to the mobs should be announced through loudspeakers. Police vehicles should be equipped with loudspeakers and where such arrangements cannot be made hand megaphones should be kept ready for announcement. Even after being warned, if the mob does not disperse, the order to fire may be given. If the officer in command of the party is of the opinion that it will suffice if orders to only one or two files are given, he may accordingly order specifying the files that are to open fire. If, however, he considers that it will be insufficient, he will give the word of command to one or more sections to open fire. The fire order of each section will be given, by the regular word of command by the officer-in-charge of the party. Firing should be well

controlled and officers ordering firing should always indicate the number of rounds that should be fired at any particular time.

Where the situation warrants firing over the heads of the crowd and where it is considered likely to be effective in dispersing the violent mob, such firing should be resorted to only with blank ammunition. Other policemen should be kept ready with rifles loaded with live ammunition so that if the use of blank ammunition fails, the Police would not be taken by surprise or overwhelmed. Firing with live ammunition should be directed against the most threatening part of the crowd, the aim being kept low. Firing should cease the moment it is no longer necessary.

VII. Files or sections ordered to fire shall unload immediately after firing without further word of command until the order to cease firing is made finally. Firing should cease the moment the rioters show signs of dispersing and all help should immediately be rendered to tend or convey the wounded to the hospital.

VIII. An Armed Force should never be brought so close to a large and dangerous mob as to risk its being overwhelmed by numbers or being forced into action resulting in infliction of heavy casualties. Firing should be carried out from a distance sufficient to obviate the risk of being rushed on and to enable strict fire control.

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against body and in section 103 IPC as against property. The police should exercise this right cautiously. Any amount of exceeding the right may make them liable for penal action as per law. Therefore, the police officers must make a judicious use of this right, only in dire need to save the life and property, when occasion arises as shown in sections 100 and 103 I PC.

### **Mobilisation**

The police service is required to respond to complex policing operations. Some of these may require resources that exceed a force's own capacity, ie, mutual aid. These types of operations or incidents require people and/or equipment to be coordinated and managed. Mobilisation is the process which supports mutual aid, which can be local, regional or national.

The National Police Coordination Centre (NPoCC) is responsible for the mobilisation of police assets, including crime.

The mobilisation of crime assets can be challenging, particularly when the length of an investigation is not known from the outset.

A lead force will be responsible for resourcing nationally-led crime enquiries. NPoCC should be the initial point of contact for any mobilisation requirements as it can provide advice and national coordination.

Following agreement with the National Crime Operations Coordination Committee, any mobilisation lasting more than eight weeks would normally be classed as a secondment and not mutual aid. Cases will, however, be assessed on an individual basis.

### **Mobilisation and the Strategic Policing Requirement**

Mobilisation is also a key component of the police service's response to the Strategic Policing Requirement (SPR). The SPR highlights the following five threats which have been identified as requiring a national policing response:

- public disorder
- civil emergencies
- organised crime
- terrorism
- large-scale cyber incidents.

The National Policing Requirement (NPR) counters these threats through:

- Capacity and contribution – police and crime commissioners and chief constables should have regard to the planning assumptions and ensure they are able to fulfil their

force's contribution to the national capacity in response to threats, harms and other civil emergencies.

- Capability – the police service should be capable of meeting the NPR. Consideration should be given to the skills, training and equipment required, ensuring each force's contribution to the national requirement is effective.
- Consistency – specialist policing capabilities must be able to deliver an integrated response which is consistent across all police forces and partnership agencies.
- Connectivity – policing resources need to be connected effectively across force boundaries through national arrangements. Policing capabilities should also be able to connect effectively with key partners when planning for, and responding to, civil emergencies.

This APP presents key principles and an overarching framework for mobilisation which will help the police service fulfil the NPR and meet other policing challenges which require mutual aid.

As the police service response to the NPR evolves, additional information on discipline-specific mobilisation considerations relating to, for example, public order, civil emergencies and criminal investigation may be added to this APP.

### **Key principles**

- The Police Act 1996 provides the legal basis for mobilisation, in particular:
  - section 24 – allows forces in England and Wales to provide aid to each other
  - section 26 – enables forces in England and Wales to provide international assistance
  - section 98 – allows forces in England and Wales to provide aid to Police Scotland and the Police Service of Northern Ireland
  - section 98(4) – provides for the home secretary to direct chief constables to provide resources in extremis (note: to date this intervention has never been required).
- Mobilisation may occur in response to spontaneous or pre-planned events.
- Mobilisation is based on a tiered response. In the context of mobilising people and/or equipment, these tiers are:
  - tier 3 – national level
  - tier 2 – regional level
  - tier 1 – local level.
- Each tier has its own key roles, structures and processes which facilitate effective mobilisation. Seemobilisation landscape.

- The requirement to mobilise can be activated by any of the three tiers.
- Mobilisation can include non-Home Office forces, eg, in the event of tier 3 mobilisation. Non-Home Office forces do not, however, form part of the tier 2 regional structure.
- A force which requests mutual aid is referred to as the ‘host’ force.
- A force which supplies mutual aid is referred to as the ‘donor’ force.
- Mercury is the IT web-based system used for mobilising resources. Trained designated users within NPoCC and all forces have access to the system. See Mercury for further information on when it should be used.
- NPCC (2017) National Police Guidelines on Charging for Police Services: Mutual Aid Cost Recovery provides the framework for charging and cost recovery when mobilisation occurs. These guidelines are reviewed annually and all stakeholders informed of any revisions.

### **Mobilisation landscape**

This section provides information on the structures and responsibilities associated with national, regional and local mobilisation. It also explains the processes for activating mobilisation. Planning, preparing and responding to mobilisation underpin all three tiers.

#### ***National (tier 3)***

NPoCC is responsible for mobilisation at a national level. To achieve this, NPoCC:

- assesses national capacity and contribution in relation to the SPR and NPR
- establishes and coordinates continuous testing and exercising regimes to ensure effective capability and mobilisation of national assets when required
- facilitates mutual aid in a steady state and provides a fit-for-purpose coordination facility in times of crisis
- ensures effective reporting mechanisms with the Home Office and central government crisis management structures.

NPoCC operates a 24/7 service. In addition, it has the capacity and capability to scale up for significant operational mobilisation demand when required (but still maintains unit business continuity). Under these circumstances, NPoCC will declare activation of operational status.

NPoCC works with other national coordination centres which have responsibility for mobilising specialist resources. These include, for example, the Counter

Terrorism Coordination Centre (CTCC) and the Police National CBRN Centre. It also liaises with the Scottish Police Information and Coordination Centre (SPICC). SPICC is responsible for coordinating and managing the mobilisation of Police Scotland resources for events where cross-border mutual aid is required. When mobilisation involves the PSNI and/or Police Scotland, NPoCC will ensure that the host force has the necessary memorandum of understanding (MoU) and legal framework in place to support variations across officers' police terms and conditions. Devolved administrations, eg, the Northern Ireland Office, will liaise with central government to support these arrangements.

To maintain a national overview of service capacity/capability and inform resource management based on threat and risk considerations, NPoCC undertakes horizon scanning with forces and regions. In addition, NPoCC:

- liaises with national policing areas (eg, to develop and maintain role profiles, undertake specialist skill capacity assessments)
- develops and disseminates shared good practice (eg, outcomes of the mobilisation review group and as a result of post-event debriefing)
- manages the Mercury system.

NPoCC is also responsible for ensuring national mobilisation situational awareness. Designated officers at force and regional levels (NPoCC SPOCs) provide information to NPoCC reflecting their force's/region's chief officer perspective on current and future events, potential resource implications and local resilience overview. Only information that is considered relevant/significant and appropriate to tier 3 mobilisation should be reported. This process ensures that NPoCC can support forces, partner agencies and stakeholders with timely and accurate information, advice and decision making in response to steady state and crisis situations.

Following routine or significant mobilisations, NPoCC ensures a coordinated post-event debrief process is implemented to capture learning, develop good practice and improve future mobilisation. These debriefs also support other related activity, eg, Joint Emergency Services Interoperability Programme (JESIP) and NPCC's Public Order and Public Safety (POPS) working group.

National mobilisation coordinator

NPoCC's strategic lead acts as the national mobilisation coordinator (NMC) when NPoCC is required to coordinate large-scale mobilisation in response to either



spontaneous or planned events (eg, in response to serious public disorder or a civil emergency).

The NMC:

- coordinates the provision of all police mutual aid, with the exception of counter-terrorism (CT) assets, in response to requests from chief officers, and provides advice and guidance to achieve national consistency and an equitable spread of resource demands
- supports the Assistant Commissioner Specialist Operations (ACSO) in matters relating to CT and maintains an overview of non-CT mutual aid deployments in support to a CT incident, which ensures an integrated approach to mobilisation between NPoCC and the CTCC
- provides a single point of contact for forces and coordinates with key strategic partners and stakeholders
- appoints a deputy NMC to ensure resilience
- acts as the single, informed point of contact for government regarding the provision of mutual aid, and national capacity and capability
- provides briefings and NPoCC updates as part of any formal government reporting strategy (note: this role does not imply that the role of the relevant gold commander(s) and/or existing specialist policing functions, such as that provided by CT policing, is withdrawn or limited – the NMC will, as per current arrangements, work closely with key strategic operational leads)
- leads the NPCC Mobilisation Portfolio
- ensures the delivery of any fast-time regional/national capacity and capability assessments.
- When NPoCC's operational status has been declared and activated, the NMC is supported by a:
  - chief of staff
  - dedicated operations team which manages and leads responses to current activities (ie, within the current 12 to 24 hour period)
  - dedicated planning team which manages and leads the planning input for responses to future operational activities (ie, beyond the current 12 to 24 hour period)
  - dedicated communications team.

NPoCC may request that a host force or partner agencies deploy liaison officers to NPoCC, for example, staff association representatives, specialist skill subject matter experts, or intelligence officers. This type of request will depend on the nature and complexity of the event, but it is more likely to be made during a period when NPoCC's operational status has been declared and activated. Specific liaison roles and responsibilities will be carried out in accordance with previously agreed memorandum of understanding terms.

#### Mobilisation supply strategy

NPoCC will develop and implement an intelligence-led supply strategy to meet a mutual aid requirement. This will be transparent to forces and regions and will be based on:

- early proactive engagement with forces to understand internal capacity and capability and the potential mutual aid resource requirement
- threat and risk assessment, which will include an assessment of the current and prospective national demand on resources
- consideration of the specific challenges associated with the event, for example,
- scale and composition of mutual aid
- nature of the specific specialist resources being requested
- nature of the event/incident requiring aid
- duration of mutual aid
- risk of disorder (if applicable)
- threat and risk to officers
- impact of the mutual aid deployment
- media implications
- consideration of existing collaborative agreements.

The scale and/or nature of the mutual aid requirement may result in an intelligence-led pro rata approach being applied to meet the demand. NPoCC would seek chief officer agreement to implement the approach which supports, as far as is practicable, a fair and equitable distribution of resources. If there is competing resource demand, the NPCC Chair, in liaison with the NMC, will act as a final arbiter in any situation where a decision is required on supplying finite resources (note: to date this level of arbitration has not been required).

## Strategic briefing and communication

When NPoCC's operational status has been declared and activated, it is responsible for managing strategic briefing and communication arrangements in relation to mobilisation and service resilience. These are developed on an event-by-event basis in consultation with the chief constable of the host force(s) and relevant government departments.

The factors which may trigger reporting processes to be invoked reflect the challenges associated with the event. There are four strategic briefing and communication levels, and forces should consider aligning relevant elements of their existing plans, eg, major emergency plans, to them.

- Level 1 – no strategic briefing needed. This option may necessitate informal requests for information and/or briefing.
- Level 2 – light touch briefing. NPoCC coordinates written briefing, supplemented by regular situational reporting to cover the specific event that has triggered the need for mutual aid.
- Level 3 – senior official level briefing. In addition to what is set out for level 2, a bi-lateral meeting(s) with the gold commander and other target stakeholders should be arranged. This may be added on to existing governance for the event, eg, Government Policing and Security Group meetings. The option of deploying a government liaison officer/Home Office liaison officer to NPoCC or to the lead force should be considered.
- Level 4 – in addition to levels 2 and 3, a ministerial/senior official briefing paper and meeting with target stakeholders should be arranged, or be added on to existing governance, eg, Cabinet Office Briefing Room (COBR – which the NPCC Chair and/or NMC would attend) or Government Policing and Security Group meetings. This meeting would cover all policing and security matters.

The target stakeholders may include, but are not limited to, relevant government ministers or officials, the police and government partners, police and crime commissioners and/or other accountability bodies, and relevant police representative bodies.

### ***Regional (tier 2)***

This response to mobilisation is based on nine regions. To facilitate mobilisation at this tier and support NPoCC (tier 3) and individual forces (tier 1), each region will host and run a Regional Information and Coordination Centre (RICC). RICCs are currently an

evolving function. Each RICC has a mandate to communicate and coordinate across its region to identify and deploy mutual aid resources from forces within the region.

RICCs will have a strategic (ACC) lead with delegated authority to:

- establish the regional response levels required for mobilisation
- coordinate the regional response to mobilisation requests.
- This will be achieved through consultation and negotiation with all the other force ACC counterparts in the region.
- When **not activated** to mobilise resources, RICC develops and maintains protocols for:
  - creating and maintaining a regional events calendar to help with resource capacity/capability assessment to feed into NPoCC
  - a service level agreement for the region in response to NPoCC requests
  - liaising with, and accessing, other regional capabilities which can help plan and coordinate mobilisation activations/requests (eg, CT hubs, intelligence units)
  - regional mobilisation plans, eg, identification of strategic holding areas for the region
  - identifying mutual aid liaison officers (MALOs) with the appropriate skill set and experience to
    - deploy during the mobilisation phase
    - act as a key link between RICC, NPoCC, and host and donor forces on welfare matters
    - provide situational awareness reporting, to support strategic briefing processes
- collating and quality assuring force mobilisation plans
- capturing collaborative arrangements such as joint public order or firearms units and/or exploiting good cross-force working relationships
- the fast-time mobilisation of resources across force boundaries within the region
- establishing conditions of service with the forces in their region and chief officers for deployed staff
- debriefing following activation
- developing and disseminating good practice
- ensuring that information input on Mercury for the region is accurate (achieved by nominating a single point of contact with NPoCC)
- the availability of accredited commanders in the region, eg, public order gold/silver/bronze commanders.

RICC may be activated to mobilise resources by a force(s) in its region. If RICC is activated in these circumstances and NPoCC is **not** activated, it will ascertain the requirements from the host force(s) and coordinate the supply of resources from across the region. RICC will still, however, liaise with NPoCC to ensure visibility of its activities and to enable NPoCC to maintain an accurate overview of national resourcing.

In circumstances where NPoCC has been activated, RICC will provide a coordinated response to the national demand for resources, on behalf of the region.

RICC may also be activated to assist a neighbouring force(s) when a timely response is critical, eg, spontaneous firearms incidents. In these circumstances RICC must inform NPoCC at the earliest opportunity.

**When activated**, the RICC strategic lead will act as a regional mobilisation coordinator (RMC). The RMC will:

- ensure liaison with commanders in the host force(s) and NPoCC
- negotiate and coordinate the identification and supply of resources at a regional level
- set the appropriate staffing levels within RICC to facilitate effective mobilisation when activated, eg, to facilitate planning, information, resources, logistics, finance, legal (PIRLFL).

### ***Local (tier 1)***

A force is responsible for responding to and managing incidents or events that are within its capacity and capability. As part of its planning, a force should assess its capacity and capability to mobilise resources, for example:

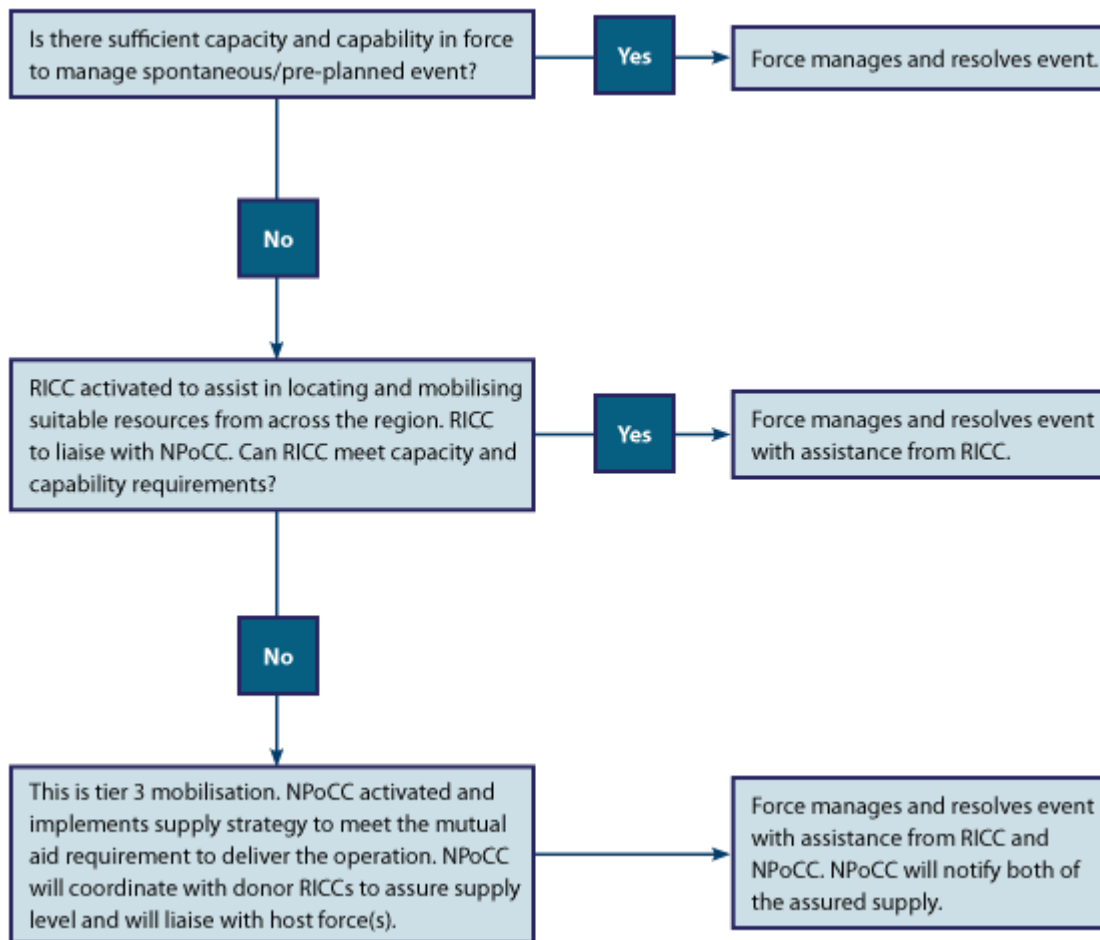
- What is the provision of specialist roles? Is training and/or accreditation up to date?  
Note: to support mobilisation these roles should be trained and accredited in accordance with national standards.
- What cadre protocols exist or need to be developed, ie, how will staff that hold, or are trained in, specialist roles be alerted and deployed during a mobilisation? What cover arrangements exist? How will staff with multiple skills be deployed to ensure maximum operational effectiveness?
- Are there procedures to ensure operational resilience during a protracted and/or complex mobilisation?
- How will planning, information, resources, logistics, finance, legal (PIRLFL) be resourced if a force is dealing with a mobilisation, eg, could policies be developed to

enable non-warranted staff to take on some of these roles during a mobilisation, thus enabling warranted staff to undertake other duties?

- This information may form part of a dedicated mobilisation plan and it should be shared with RICC to help assess regional capacity and capability.
- Staff in forces (eg, control room personnel, senior management) are likely to be the first to be aware of the possibility of an event/incident which will require resources which exceed local capacity and capability (eg, in response to a spontaneous event or incident). If an assessment reveals the need for additional resources and/or specialist support, force procedures should be followed to ensure appropriate command structures are put in place to:
  - assess the event
  - decide if the initial assessment is appropriate
  - take any immediate action that is necessary to minimise the potential impact of the event
  - ensure a swift, professional response.

If mutual aid may be needed, the control room or senior management team should inform the chief officer team or duty gold so that they can assess the resource implications. If it is decided that additional resources are required from beyond the force capacity and/or capability, RICC should be notified. RICC will then liaise with NPoCC to find out whether the source and supply of resources is achievable from within the region or if there is a need to escalate to a tier 3 requirement and source nationally.

### *Assessment/activation process*



### **Planning, preparing and responding**

#### ***Mercury***

This is the secure IT web-based system which underpins the management of mutual aid. All forces, including the PSNI, Police Scotland, Ministry of Defence Police, and British Transport Police have access to Mercury. It is owned and managed by NPoCC. Mercury allows:

- a force which requires mutual aid, ie, host force, to input event details and request resources – split by specialism, date and scale
- a force which has been asked to provide the mutual aid, ie, donor force, to accept or reject the request
- logistics information to be arranged and communicated between the host and donor force.

Mercury can be accessed by designated users in forces and RICCs.

**Mercury must be used for all pre-planned events which require NPoCC to source all or part of a mutual aid request (tier 3).** Forces working with RICCs are encouraged to use Mercury for any tier 2 pre-planned event given the potential for escalation. This will also help NPoCC to monitor ongoing regional demand and can help support the development of a supply strategy. **Mercury is not to be used for tier 1 planning.**

The key priority in a spontaneous event is to achieve a timely and effective mobilisation response to support an operation. The use of Mercury is not time critical, therefore, forces/RICCs should liaise with NPoCC to clarify whether the force/RICC or NPoCC is in the best position to coordinate the use of Mercury in response to the event, at the appropriate time.

The benefits of Mercury include allowing:

- a force/RICC to request and respond to mutual aid in a simple and consistent way
- the host force to request any required details (eg, date of birth) from the donor force
- the host force to arrange and communicate accommodation and transport details
- RICCs to have a clear oversight of mutual aid activity within their region.

In addition, Mercury provides:

- simple, printable reports
- finance information
- an audit of the mutual aid requested/supplied over the past year per force
- a communication tool between NPoCC, host and donor forces involved in an event (eg, newsfeeds, publication of operation orders).

### ***Planning***

Each force should develop its own mobilisation plan which details both receiving and deploying resources. These may be collated or developed collectively by RICCs to develop an overarching regional mobilisation plan.

It is essential that staff involved in developing and maintaining a mobilisation plan have the knowledge, training, time, resources and support to ensure that it is done thoroughly.

The mobilisation plan should include (not exhaustive):

- a named chief officer with responsibility for mobilisation (note: this could be the RICC strategic lead for an overarching regional plan)
- a named individual with responsibility for reviewing and updating the plan
- capacity and capability assessments as per SPR requirements
- mobilisation assessment/activation processes



- arrangements for hosting mutual aid and for deploying mutual aid
- the process for recording deployment details (note: this should be achieved through Mercury)
- a communications plan that includes provision of radio, telephone and IT systems, see ACPO (2010) Standard Operating Procedure Guide on Police to Police and Inter-Agency Airwave Interoperability
- a transport plan for moving staff, delivering vehicles and fuel, providing secure parking and maintaining vehicles 24/7
- an accommodation plan, including the provision of adequate toilet facilities
- a catering plan that provides for additional resources 24/7
- animal management arrangements that include accommodation, feeding and veterinary care 24/7
- an equipment plan, eg, reserve supplies of essential equipment
- a briefing plan that identifies facilities for briefing and debriefing
- identification of strategic holding areas (SHAs) and rendezvous points (RVPs)
- provision of welfare centres, including contact numbers
- detailed maps of the force area that can be easily distributed to donor force staff on arrival
- training and awareness arrangements
- links to business continuity plans
- exercising arrangements
- the command and control structure and identify sufficient trained and available staff to carry out the command support roles 24/7
- post-mobilisation considerations
- return-to-force strategy.
- For some operations (eg, pre-planned tier 3 events), there may be a requirement to develop a memorandum of understanding (MoU) between the host force and donor forces. This may include:
  - the legal authority to mobilise resources
  - a statement of intent including, for example:
    - details of the dates and times of the tasking and the nature of the operation being supported
    - resources to be requested/provided (personnel and equipment)
    - operating procedures

- practical arrangements for transport and accommodation of personnel and equipment
- health and safety issues (including risk assessments for the operation)
- training
- equipment
- financial arrangements
- pensions, insurance, awards, torts and discipline applicable to officers from donor forces.

In addition to an MoU, the host force should consider developing an accompanying Practical Deployment Document (PDD) which contains tactical advice to support the mobilisation and mutual aid processes. NPoCC can provide advice on the development of MoUs and PDDs.

The number of staff required may vary throughout the response to an operation or incident. This will affect issues such as the provision of accommodation and refreshments. Forces and RICCs should, therefore, consider scalability in their mobilisation plan and ensure they are capable of receiving:

- up to 500 personnel
- 500 to 1,500 personnel
- over 1,500 personnel.

Suitable locations for SHAs or RVPs should reflect this scalability.

### ***Preparing***

Preparation provides the link between planning and responding to mobilisation. Preparation includes:

- raised training and awareness of mobilisation planning and processes
- ensuring relevant staff have access to mobilisation plans
- exercising.

Forces and regions should ensure that they identify, train and exercise sufficient numbers of staff in the roles they will be expected to perform during a mobilisation. This includes staff in support roles as well as frontline officers, eg, muster and debriefing teams, welfare teams.

Staff should also be fully aware of mobilisation processes and procedures and their responsibilities should a mobilisation occur, especially if they fulfil a function which is likely to be redeployed. Key staff in force/regions (eg, force control room, critical incident managers) should have access to mobilisation plans.

An out-of-hours process must be in place and communicated to staff to support effective mobilisation should it be required.

An effective exercise and testing programme should be developed and implemented to ensure that both staff competency and mobilisation processes are fit for purpose. Forces and regions are encouraged to engage with NPoCC, which will support exercise development and ensure learning is shared across the police service, partners and stakeholders.

### ***Responding***

An effective response to mobilisation is built on planning and preparing. Given the potential complexities and variation in scale associated with different types of events, forces/regions should be flexible with regard to delivering the response.

Commanders will require access to appointed support officers in the areas of planning, information, resources, logistics, finance, legal (PIRLFL) during a mobilisation.

This support:

- enables command support staff within each element of PIRLFL to advise or communicate relevant issues to commanders
- assists command decision making
- avoids information overload for commanders.

Command support staff do not make command decisions, but they do hold the level of authority to facilitate and direct PIRLFL support. The number of staff involved in each component will depend on the scale of the event. Forces/regions must ensure that they have sufficient numbers of staff identified to carry out these roles, and factor in resilience during a potentially protracted mobilisation.

The following provides further information on those elements which are unique to mobilisation. Note: Mercury helps support delivery of these elements.

#### **PIRLFL – Planning**

A force/region's generic contingency plans or specific plans to respond to identified risks should be used in conjunction with mobilisation plans.

#### **PIRLFL – Information**

Information requirements for planning may include supplying information to organisations and agencies outside the host force(s) area, and responding to freedom of information requests and managing disclosure. A bespoke intelligence cell or unit may be activated. This will help with the management of information and intelligence during a mobilisation.

## PIRLFL – Finance

Forces/regions should ensure that accurate and auditable records of expenditure are kept. Nominated staff should be given responsibility for setting up procedures to capture all costs reasonably incurred in responding to mobilisation. Mercury can be used for this purpose. The financial accounting arrangements to be used should be clarified when the lead coordinating agency responsibility passes from the police to another lead agency.

### ***Post-mobilisation considerations***

A mobilisation is considered to have ended when:

- the incident is resolved, or
- the operation ends, and/or
- the lead agency responsibility is handed to a relevant partner, eg, the local authority.

Forces should have in place:

- mechanisms to support the recovery phase of an operation
- arrangements for the handover of lead agency responsibility
- a return-to-force strategy.

A mobilisation offers participating forces and regions opportunities to identify and share lessons learnt. When a tier 3 mobilisation has occurred, host and donor forces should ensure NPoCC and other key partners are engaged in post-event debriefing to ensure identified good practice is implemented for future mobilisation.

### **Patrolling :**

Police officers are trained for and assigned to different methods of patrols to limit or eliminate crime, incidents and accidents. Factors that are considered in the types of patrols deployed are the size of the area, cost, officer safety and levels of existing security.

All Patrolling Officers follow a strict system of scheduled patrolling with a geographical plan for surveillance of the coverage area. The number of times for patrolling will depend on the size of the area and personnel are designated to patrol by turns throughout the night.

Their duties include responding to calls for service, making citizens' arrests, resolving disputes, taking crime reports, conducting traffic enforcement and other crime prevention measures.

All Patrol Vehicles are also equipped with

24/7 GPS tracking to allow easy supervision of the officers.

### **Community Patrol :**

Police patrols are often a welcome sight in a community.

Community patrol officers have the responsibility of protecting a specific section of a city, usually a residential area. They are often well-known to residents and are extremely familiar with landmarks, schools and parks. The patrols can be a combination of foot, vehicle, bicycle or horseback routes and a regular schedule of officers rotate shifts to provide levels of safety, security and comfort to area residents. The officers also may check on areas where crowds gather, such as high school football games, street dances, block parties and other community gatherings.

#### Random Patrols

Random patrols are police patrols who appear sporadically and unexpectedly in certain areas, usually business districts or commercial areas, to provide sudden but visible surveillance at unpredictable hours. They can be a deterrent to criminals as the appearance of police is completely random; their main law enforcement weapon is the element of surprise. For example, if a business has been broken into several times, a random patrol officer may visit that particular building unexpectedly throughout her shift to deter criminals or to catch them in the act.

#### Strategic Patrols

Strategic patrols are patrols that are focused on a specific area where crime has been at an extremely high level or where subversive or unusual activity is expected to occur. These patrols may be based on history, tips from informants or inside information. Police officers on these patrols would be expected to be armed with access to backup if the occasion demands it. Helicopter patrols are good examples of strategic patrols. They are called on for a specific incident, such as the hunt for a fugitive or a search for a lost child.

#### Patrol Effectiveness

No matter what the method of officer patrols used in a particular area, the ultimate goal of police officers is to protect and serve. The use of specially trained patrol officers on different types of patrols for specific sections of a city will provide more effective coverage where patrols are needed the most.

Patrolling is probably the most important operation in war so far as the infantry is concerned.

### **Aims of Patrolling**

There are three aims of patrolling:

1. To obtain up-to-date and accurate information as a result of which a commander can plan an operation.
2. To dominate the ground between a commander's own unit and that of the enemy, thus making it easier and safer for his own patrols to gather information and more difficult for the enemy patrols to achieve similar results.
3. To destroy and disrupt enemy forces, particularly those which may try to infiltrate the commander's own positions or between neighboring positions.

Patrolling is carried out by both sides by day and night in all the phases of war. Successful patrolling calls for a high standard of individual training, good team work and initiative and determination on the part of the patrol leader. Successful patrolling has a beneficial effect on unit morale and will adversely affect the enemy's morale.

Patrolling enables the defence to be conducted in an aggressive manner. In peacetime it is an excellent stimulant to training because it creates keen interest and can so easily be made realistic. The foundation of successful patrolling is thorough preparation.

### **Types of Patrols**

All patrols have the task of providing information. They must also be prepared to fight, either to gain information required or to protect themselves if necessary. There are three main types of dismounted patrols:

1. Reconnaissance patrols.
2. Standing patrols.
3. Fighting patrols.

### **Reconnaissance Patrols.**

These are patrols of a minimum strength for the task, usually one NCO and three cadets, which gain information by observation and operate generally by stealth. They avoid combat except for self-protection or to take advantage of an unusual opportunity.

The roles in which reconnaissance patrols may be employed include:

- (4) Collecting topographical information on features, tracks and the state of the ground.
- (5) Obtaining details of enemy minefields and the extent of enemy positions.

- (6) Locating enemy machine guns and defensive fire (DF) areas, where fire is immediately directed on call in case of emergency.
- (7) Investigating noises made by the enemy, their habits and patrol routes.
- (8) Checking our wire and/or minefields at first or last light.
- (xiv) Acting as listening posts to give early warning of enemy approach and with the ability to call down fire.

### **Standing Patrols.**

These are patrols of a minimum strength of one NCO and three cadets which gain information of enemy movement and prevent or disrupt enemy infiltration. They move into position as quietly as possible and try to remain concealed and gain their information until they are required to withdraw or, if discovered, fight their way out.

Their main tasks are to:

- (x) Watch and listen on likely enemy approaches.
- (xi) Watch over dead ground in front of and between friendly localities.
- (xii) Watch over minefields and obstacles.

For these tasks they should have good communications so that they can inform the main body.

### **Fighting Patrols.**

These are patrols organized with sufficient strength and armament (usually a minimum of two NCOs and nine cadets) to accept combat in order to fulfill their role, e.g.

1. Denying enemy patrols freedom of action in No Man's land.
2. Driving in enemy protective patrols.
3. Interfering with enemy working parties.
4. Distracting enemy attention from other activities.
5. Carrying out raids.
6. Capturing prisoners for identification purposes.
7. Tank hunting.

8. Laying ambushes.
9. Protecting reconnaissance and working parties of other arms.
10. Escorting stretcher parties.

A **highway patrol** is either a police unit created primarily for the purpose of overseeing and enforcing traffic safety compliance on roads and highways, or a detail within an existing local or regional police agency that is primarily concerned with such duties. They are also referred to in many countries as traffic police, although in other countries this term is more commonly used to refer to foot officers on point duty who control traffic at junctions.

Functions[edit]

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Duties of highway patrols or traffic police may include the following:

**Accident investigation**

Gathering evidence to determine the cause of a roadway accident.

**Commercial vehicle enforcement**

Enforcing highway laws related to commercial transport, including weight limits and hazardous materials rules.

**Education**

Providing public information, handouts, and displays to encourage safe driving and usage of the roads.

**Emergency response**

Securing the scene of a traffic accident by using cones and flares as well as providing first aid to the injured.

**Law enforcement**

Assisting local police in rural areas, and keeping an eye out for non-traffic violations.

**Maintenance**

Observing and reporting damage to the roadways, and conducting hasty road surveys after disasters or the passage of inclement weather.

**Traffic enforcement**

Enforcing laws and regulations intended to improve traffic safety, such as speed limits.