



MADURAI KAMARAJ UNIVERSITY

(University with Potential for Excellence)

DISTANCE EDUCATION



M.A. SECOND YEAR

CRIMINOLOGY & POLICE ADMINISTRATION

Paper - I

**Police Administration and Investigation / Forensic Science
(Common to P.G. Diploma in Criminology and
Police Administration, Paper - III)**

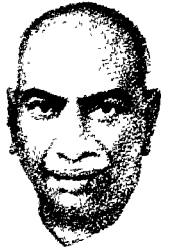
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**M.A. Criminology
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Police Administration Paper III)**

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Dear Student,

Greetings to you from the Faculty of Criminology and Police Administration of the Directorate of Distance Education of Madurai Kamaraj University.

You have enrolled yourself into a unique course, namely, PG Diploma in Criminology and Police Administration. You will find this paper on Police Administration and Investigation to be of great interest and value not from your examination point of view but also throughout your life, because you get an opportunity to understand the internal security system of the country.

This subject in particular, has been prepared with utmost care by not only referring to printed sources but more by collecting necessary information from the officials of the Tamil Nadu Police Department. The Tamil Nadu Police website was also accessed for certain information.

With tremendous advances in the sphere of Research and Development, the police Administration all over the world has so much advanced that it has now come to be called Police Science. Knowledge of researchers and experts is pouring into the field of Police Science so much that every activity, every branch, every section of the Police Science is greatly benefited by it and has an ocean of information about it.

Some of the information given in this subject have been prepared with reference to Tamil Nadu Police on the contention that the Tamil Nadu Police provides a model. Allied activities like forensic science and crime investigation are almost the same for the entire police force throughout the world.

However, students of various states of India are advised to observe the police organizations of their respective states and use the details wherever necessary in the examination. You may also provide real examples known to you in the context of the answers you write in the examination on this subject. Additional information are invited from serving police personals and practising criminal lawyers and professionals from other allied fields of activities.

Wish you **“All the Best”**.

Faculty of Criminology
and Police Administration

POLICE ADMINISTRATION AND INVESTIGATION

SYLLABUS

Unit - 1 Origin and growth of Indian Police

Policing in the early period - Police Act of 1861 and other Police acts - Police Administration during British rule.

Indian Police after Independence - change in structure and organisation - The Indian Police service - creation of new branches - and modification of the existing branches City Police and District Police - Investigating Wings - Intelligence Wings and Assault Wings - State and Central Police Forces - Special Task Forces and Special Units - National Police Commissions.

Unit -2 Functions of Modern Police

Recruitment - Selection and Training - Career prospects - Police Standing Order- Police Welfare Punishment - retirements.

Police as an enforcement Agency - enforcement of the three basic statutes: I. P. C., Cr. PC & Evidence Act - maintaining law and Order - Police functions as prescribed by law - Police mechanics including anti -terrorist operations - interface with the executive and the community - Functions relating to prevention and detection of Crime - Scientific methods of investigation - enforcement of other social legislation and Local and Special Laws - Juvenile Justice (Care and Protection Prohibition Act, 1961 etc.

Unit -3 Investigation (Infrastructure)

- a. Investigation functions at the Station, State and District level.
- b. Records at Police Station: Crime records Bureau, Modus Operandi Bureau and NCRB
- c. Co -ordination with other Criminal justice Agencies - Forensic Science Lab, Forensic medical Wing - prosecution and Probations Services.
- d. Role of Police in Crime Prevention - Surveillance and Patrol.
- e. Communication and transport - Control Room - Response to the calls of the public.

Investigation (Procedure)

- a. Reporting of crime and registration of F.I.R.
- b. Cognizable / Non Cognizable and bailable -Non bailable offences.
- c. Specialised investigation of homicides, property offences, white -collar crimes and bomb blasts and death in custody.
- d. Completion of investigation and filing of charge sheet etc.,

Unit - 4 Police Image

Public perception of Police -self image -measures to improve police image
community Police and Community Policing -Police and Human Rights -Need for professionalism in the police Force.

Modernisation of the Police

Computernisation of Crime details and records -Application of advanced techniques in investigation.

Unit -5 Comparative Police Systems

Police systems of the UK. and Singapore USA and France

Police Systems of other countries- Interpol

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POLICE ADMINISTRATION AND FORENSIC SCIENCE

SCHEME OF LESSONS

L.No.	Details	Page No.
UNIT -1	ORIGIN AND GROWTH OF INDIAN POLICE	15
Lesson -1.	The Indian Police Before independence	15
1.1.	Policing in the Ancient Period	16
1.2.	Policing during Mauriya Period	16
1.3.	Policing during Mugal Period.	17
1.4.	Policing during “The British Period”	18
	A. Police Administration during East India Company Period.	19
	B. Reforms of Warren Hastings.	19
	C. Reforms of Cornwallis	20
	D. Reforms of Minto	20
	E. Reforms of Lord Maira.	21
	F. Police Organisation in the province of Madras.	22
1.5.	The Police Act (1861)	23
1.6.	National Police Commissions.	27
1.7.	Police Commission of 1902.	27
1.8.	Royal Commission of 1912.	29
1.9.	The National Police Commission 1979-81.	30
	A. Justice Malimath Committee’s Report.	32
	B. Major Recommendations of Justice Malimath Committee	33
Lesson -2	The Indian Police After Independence	37
2.1	The Indian Police During the Bristish Rule	38
2.2	Independence and After	40
2.3	Role of the Union Government	41
2.4	The Indian Police Service After Independence	43
2.5	Creation of New Forces and Branches	45
2.6	Importance of Police Administration	52

L.No.	Details	Page No.
Lesson -3	The State Police -Major Components	56
3.1.	The Unarmed and The Armed Police (Categories I, II and III)	57
	A. The Railway Police	57
	B. The Rural Police	58
	C. The Volunteer Police	58
3.2.	The Structure of Police Organization in the States (Category I)	59
Lesson -4	The Tamil Nadu Police -An Example	69
4.1	Structure and Organisation of Tamil Nadu Police	70
4.2	Law and Order Wing	73
4.3	Special Branch (SB)	77
4.4	Crime Branch	78
4.5	Tamilnadu Police Standing Orders	84
4.6	Armed Police Forces -State	86
	1. Communal Riots	87
	2. Increase in Propulation and increasing crimes	87
	3. Campus Unrest	88
	4. Problem of State Boundary	88
	5. Industrial growth and labour strikes	88
	6. Chinese Aggression	89
	7. Indo- Pak Conflict	89
4.7.	District Armed Reserve Police (Category -II)	89
	a. Organisation of the District Armed Reserve Police (AR)	90
	b. Functions of District Armed Reserve	92
4.8.	Special Armed Police (Category -III)	93
4.9.	Special Task Force (STF)	98
4.10.	Special Units	100

L.No.	Details	Page No.
UNIT - II	DISTRICT POLICE AND CITY POLICE ADMINISTRATION	108
Lesson - 5	District Police and City Police - A Comparison Administration	
5.1.	Importance of District as an unit of administration.	109
	a. The Police station.	110
	b. The Inspector of Police.	111
	c. The Deputy Superintendent of Police.	114
5.2.	The Commissioner of Police System (COP)	118
5.3.	The Difference between	122
	A.The District Police Administration and	
	B.City Police Administration.	124
5.4.	Village Police.	127
UNIT -III	FUNCTIONS OF MODERN POLICE -1	
Lesson -6	Human Resoure Management	132
6.1.	Recruitment	133
	a. Recruitment Levels (State)	134
	b. Selection Channels	135
	c. Basic Recruitment Criteria of uniformed services	
	d. Recruitment at Constable Level	136
	e. Recruitment of Sub-Inspectors	139
	f. Recruitment to the Deputy Superintendent of Police	141
6.2.	The New Scheme of Recrutitment	141
	1. Preliminary Examination	
	2. The Main Civil services Examination.	142
	3. Compulsory Paper.	
	4. Optinal Paper	
	5. Interview	143
	6. Promotion	144
6.3.	Training	148
6.4.	Career Prospects	159
6.5.	Police Welfare	162
6.6.	Retirement.	165

L.No.	Details	Page No.
Lesson - 7	Functions of Modern Police - II	171
7.1.	Functions of Police.	172
7.2.	Police as enforcement Agency.	176
7.3.	Maintaining Law and Order.	176
	1. Crowd Control	177
	2. Mob dispersal	178
	3. Dispersing unlawful Assembly	
7.4.	Role of the Police in Crime Prevention.	181
7.5.	Relationship with Executive and the community.	188
7.6.	Terrorism and Functions.	189
7.7.	Enforcement of social Legislation	201
	1) The Protection of Civil Rights Act	
	2) The Child Labour (Prohibition and Regulation) Act.1986	202
	3) PITA	
	4) Dowry Prohibition Act	203
	5) Police services rendered by the police	204
7.8.	Traffic control.	206
7.9.	Juvenile aid Units and Mounted Police.	217
7.10.	Women Police.	223
UNIT - IV - A	CRIME INVESTIGATION - 1 (INFRASTRUCTURE)	
Lesson - 8	Investigating Authority	234
8.1.	Crime Wing, Crime Branch and Crime Branch - CID	236
	(1) Crime wing	
	(2) Crime Branch - City Level.	
	(3) Crime Branch - State Level.	237
	(4) Central Bureau of Investigation- National Level	
8.2.	Police Diaries and Registers / Records of a Police stations	
	A. Diaries	238
	i) Station Diary	
	ii) Case Diary	239
	iii) Pocket - Note Book (PNB)	
	B. Police Registers.	240

L.No.	Details	Page No.
8.3.	Organisation and Functions of Crime Records Bureau.	241
8.4.	Types of Crimes.	242
8.5.	Police Communication system.	245
	a) Vertical Communications.	247
	b) Lateral Communications.	
8.6.	The Wireless Communication System.	248
	i) Control Rooms with Mobile Radio Station.	249
UNIT -IV-B	CRIME INVESTIGATION- II	
	(Scientific Investigation or Role of Experts in Investigation)	
Lesson - 9	Role of Forensic Science Experts in Crime	
	Investigation / Scientific Investigation	253
9.1.	Basics of Forensic Science	256
	i) Meaning and Scope.	
	ii) Fundamental Principles of Forensic Science.	257
	iii) Forensic Science Laboratory organisation	
	(Central Level)	258
9.2.	Science of Criminalistics.	260
9.3.	A. Forensic Science Laboratory Organisation.	
	(State Level)	261
	i) Tools and Techniques of Forensic Science.	263
	ii) Instrument and Measurements.	
9.3.	B. Divisions of Forensic Science Laboratory.	265
	1) Forensic Biology	
	2) Forensic Chemistry	266
	3) Forensic Physics.	
9.4.	Forensic Ballistics.	267
	a) Classifications of Fire Arms	
	b) Ballistics investigation	268
	c) Subject Matter of Forensic Ballistics.	
9.5.	Forensic Photography	269
	1) Application of Forensic Photography in Crime investigation	270

L.No.	Details	Page No.
9.6.	1. Forensic Traceology a) Characteristics of Traces b) Components of a trace c) Types of Traces. 2. Volumetric Trace. 3. Localised Trace.	271 272 273
9.7.	Forensic Medical Examination 1) Post - Mortem. 2) Nature of Post - Mortem Examination i) Internal Post - Mortem and viscera.	274 275 276
9.8.	Forensic Toxicology	277
9.9.	Forensic Serology	277
9.10.	Inspector of Explosives	278
9.11.	(a) Master of the Mint. (b) The Master, Indian Security Printing.	279
9.12.	Document and Hand Writing Examiner. a) Characteristics of Hand Writing b) Identification Mark of Writing. c) Signature Examination d) Examination of questioned documents. e) Types of Documents. f) Litigants.	280 281 282
Lesson -10	Finger Print Examination	289
10.1	Organisation of the Central and State Finger Print Bureau (i) State (Tamil Nadu) Finger Print Bureau	287
10.2	Role of Fingerprint Experts in Investigation	288
10.3	Features of Finger Prints	289
10.4	Types of Finger Print classification	292
10.5	Functions of Finger Print Bureau	295

L.No.	Details	Page No.
UNIT -IV-C	CRIME INVESTIGATION III	
Lesson -11	Crime Investigation - Procedure	301
11.1.	Crime Reporting and Filing of FIR	302
11.2	Bailable and Non -Bailable offences	311
11.3	Cognizable and Non -Cognizable offences	315
11.4	Specialized Investigations	318
11.5	Qualities of an Efficient Investigator	324
UNIT -V	POLICE IMAGE	
Lesson -12	Police -Public Relations	329
12.1.	Public Perception	330
12.2.	Scope for improving Police	334
12.3.	Self image of the Police	336
12.4.	Measures to improve Police image	338
12.5.	Police and Human Rights	340
12.6.	Need for Professionalism.	344
12.7.	Police and Association	348
12.8.	Community Police.	357
Lesson -13	Comparative Police systems	364
13.1.	Policing system of England (United Kingdom)	367
	1. The City of London Police	
	2. The Scotland yard.	368

L.No.	Details	Page No.
13.2.	Policing system of the united states of America. A. Divisions of the U.S. Policing system. i. The Department of Justice. ii. The Department of Treasury iii. The United States Customs Service iv. The United States Postal Service v. The County Police B. Police Functions. C. Police Technology D. Citizen Policing	371 372 373 374
13.3.	Singapore Police Force (SPF) A. Origin and Growth B. Organisation of Singapore Police Force. C. Functional Division. i) Security Planning ii) The Licensing Divisions. iii) Conceptual and Implementations and Planning iv) Organisation and establishment Divisions v) Development planning Division D. Staff Development programs. E. Functional Departments.	375 377 378
13.4.	Policing in other countries a) Canada b) France c) Germany d) Israel e) Interpol.	382 383

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UNIT - 1

ORIGIN AND GROWTH OF INDIAN POLICE

LESSON -1 : INDIAN POLICE BEFORE INDEPENDENCE

INTRODUCTION

The term 'Police' has been derived from the Greek word 'polis' which means a condition and order of the state. In the past it referred to a system of government. In the modern period, it is taken to mean an organised body of civil officers who are entrusted with the responsibility of maintaining law and order, control and detection of crime and enforcement of laws, In Modern India It is an agency for prevention of crime and delinquency and Reform of the convict. The unit objective is to study about the police - Indian Police - in the past. To trace the history of police and there status in crime control, crowd control and maintenance of peace and public tranquility. It is also interesting to know how they had an intimate touch with the king and his council of Ministers, in the criminal administration.

UNIT OBJECTIVIES

To know the development of Police and there status in Crime Control, crowd Control and maintenance of Peace and Public tranquility.

UNIT STRUCTURE

Introduction

Unit Objectives

Unit Structure

- 1.1. Policing in the Ancient Period
- 1.2. Policing during Mauriya Period
- 1.3. Policing during Mugal Period.

(Space for Hints)

- 1.4. Policing during “The British Period”
 - A. Police Administration during East India Company Period.
 - B. Reforms of Warren Hastings.
 - C. Reforms of Cornwallis
 - D. Reforms of Minto
 - E. Reforms of Lord Maira.
 - F. Police Organisation in the province of Madras.
- 1.5. The Police Act (1861)
- 1.6. National Police Commissions.
- 1.7. Police Commission of 1902.
- 1.8. Royal Commission of 1912.
- 1.9. The National Police Commission 1979-81.
 - A. Justice Malimath Committee’s Report.
 - B. Major recommendations of Justice Malimath Committee.
- 1.10. Summary
- 1.11. Key Words
- 1.12. Answer to Check your progress
- 1.13. Model Questions.

1.1. POLICING IN THE ANCIENT PERIOD

In ancient India, in the absence of a formal policing system, the policing functions were performed by village elders who were made village chiefs. The kings are said to have maintained intelligence networks to control crimes and trace the criminals.

1.2. POLICING DURING MAURIYA PERIOD

Kautilya, in his Arthashastra considered to be a great political philosopher describes many kinds of policing functions which were actually in practice during the Maurya and Gupta periods of the Indian History. A remarkable feature of the policing system of early periods was, it was an inte-

gral part of the land tenure system and was entrusted to the village community. The village chief was empowered to appoint village watchmen who were required to report the entry and exit of strangers Travelers in the village. They were also responsible for detection and control of crimes at the village level. The village head exercised judicial powers. He also awarded suitable punishments to the offenders in the case of light offences. Thus, there prevailed an unwritten system of criminal justice administration during the periods of Maurya and Gupta kings in India. This Period was purely about North India.

1.3. POLICING DURING MUGAL PERIOD.

With the collapse of the Hindu small city states, many old institutions also disappeared. Many states in India came under Mughal Rule. However, the archaic police system of the villages continued to be the same. But, during the Delhi Sultan period, military and policing functions were integrated. Officers of the ranks of Faujdars, kotwal and Mutahsibs, were created in order to maintain the security of their regime. There was an integrated administration. That is, the military functions, policing functions and revenue functions were combined in the same officers. The details are given below :

Divisions	Authority
Entire Regime or country	- The King / Sultan
Provinces	- Subedars (Nazim)
Sarkars (Districts)	- Faujdars
Pargnas (Taluks)	- Shikadars
Thanas (Small cities)	- Kotwal / Thaanaakaarar

1.3.(1) Correspondingly we had Kothawal Choultry courts. It was for the Black people (Indians), under the British period also.

The responsibilities of the kotwal included,

a) Night Patrolling;- Ligilance over the city during night times.

Check Your Progress

1. How was policing in ancient period
2. How as policing during Mauriya period
3. What was the responsibilities of Kotwal.

(Space for Hints)

- b) Checking and controlling crimes and maintaining law and order ;
- c) Maintaining a census (Population) of his area;
- d) Maintaining an easy flow of traffic;
- e) Maintaining a force of community police;
- f) Arranging for interactions with the public;
- g) Taking account of strangers and restricting their movements;

By and large, the kotwals resembled the present day Inspectors of police. Even today in many place of Northern India, the city Station House Officers are called kotwals. Kothawal chaultry in Madras was once such court to govern Black People. It was in Black Town George Town was for white people. The Faujdars were given the charge of law and order and crime control correspondingly we had mofussil Fozdari Adalat courts in Villages. However, the village communities were involved in basic policing duties. Villages appointed chowklidars to perform these duties. There was also an intelligence wing in the Mughal Rule, called Tufianavis or secret writers who corresponded directly with the imperial court.

Indeed, justice and police were two weak points in the Mughal system. The value and need of modern policing, especially, investigation, meaning an endeavour of unearthing the truths and pinpointing the culprit was virtually unknown in those days.

1.4. POLICE DURING THE BRITISH PERIOD

The British administration in India can be divided into two divisions, namely

- (a) The period of the East India company, and
- (b) The period of British Government in India.

During the period of the East India Company, foundations were laid for the “civil police administration”, by creating the rank and files which were

then existing in the police force of England.. This was followed by an orderly creation of a well-defined “civil police” during the period of British rule in India. In fact, many **institutions** which marked a break away from the traditions and which provided the basis for the modern police administration were created by the British in India.

1.4. A. Police Administration During the period of East India Company.

The **legacy** of British rule can be traced back to the year 1609 when Captain Hawkins, an English trader of the East India Company landed at Surat. The East India Company attempted to introduce a civil administration. It gradually annexed many princely states one by one either through aggression or amalgamation.

During the first one hundred years of its rule, the East India Company made several experiments in police organization and administration. The company had annexed three provinces, namely, Bengal, Bombay and Madras. When the mighty Mughal Empire collapsed during the second half of the 18th century the entire administration was disorganized. The faujdars and kotwals who were entrusted with policing functions were unable to cope with the situation. Crime detection in the modern sense was totally unknown.

In 1766, the company received the Diwani, from the Emperor Shah Alam II, the Sultan of Bengal.

The traditional institution of faujdars was abolished by this system. Robert Clive, introduced a dual system of rule in Bengal, which means the company was the ‘ruler defacto’ while the diwan of Bengal was ‘ruler dejure: and was held responsible for administration of criminal justice and police. However, the ‘dual rule’ failed in Bengal. This resulted in lawlessness, high handed activities of zamindars and increasing number of dacoities.

1.4.B. Reforms of Lord Warren Hastings (1772-1790)

It was Warren Hastings, the first Governor General of India who introduced some reforms in the policing systems of Bengal and established

civil and criminal courts in each district of Bengal in 1772. He restored the 'faujdars' system of policing and advised the zamindars to assist the 'faujdars' in their police duties. Hastings also created a separate office under the President of the Council to receive and maintain the information collected by the faujdars relating to crime and law and order.

1.4.C. Reforms of Lord Cornwallis (1787-1793)

Lord Cornwallis took over the administration of the Bengal province after Hastings. The zamindars collaborated with the dacoits to enrich themselves and exploited the peasants in their domains. Hastings made the zamindars quite powerless and brought the police administration under the direct control of the company. The daroga was retained but was brought under the company rule.

In spite of the earnest efforts made by Cornwallis to reform the police administration, the daroga system failed miserably. The village police could not be maintained through daroga system. The local population was not prepared to take the policing system created by the British into confidence. The darogas also were inefficient, corrupt and unsuitable for police duties.

1.4.D. Reforms of Lord Minto

When Lord Minto took over as Governor-General of the Indian provinces in 1807. He felt the immediate need for restoring law and order, checking dacoities, and assuring safety to life and property of the people. The British house of commons appointed a select committee in 1808 to enquire into the affairs of the company and submit a report. The fifth report submitted by the committee in 1812 insisted on creating an efficient police system for the country and appointed a Superintendent of Police (SP) for the Bengal province, covering Calcutta, Dacca and Murshidabad. The SP was also a magistrate of the 24 parganas and had supervisory powers over the district and city magistrates. The new SP system was found to be satisfactory and was extended to other districts also. There was a spectacular improvement in police functioning and crime rate registered a steep fall.

1.4.E. Reforms of Lord Maira

When Lord Maria assumed the office of Governor General in 1815, he reviewed the subject of police administration and introduced certain changes in 1816 superceding the reforms of Lord Minto. The SPs were required to submit annual reports on all subsidiary police stations to the Magistrates. The Magistrates were now empowered to supervise and control the police administration with reference to appointments, transfers, disciplinary proceedings etc. In practice, the functions the SP and the Magistrate were made complimentary to each other. In 1817, Regulation XX was introduced authorising the Magistrates to appoint the police officers. All the police rules were also consolidated by the Regulation.

However in 1829 the order was changed. The post of SP was abolished and in its place the office of the Divisional Commissioner was created. The powers of the SP were vested with the Divisional Commissions and the executive powers of the SPs were left with the District Collectors. The District Collector now became the district magistrate and he also became the head of the district police.

These measures also did not produce the desired effects. The committee appointed in 1838 to study the situation, pointed out the absence of effective and adequate supervisor by the magistrates on the policemen because of their heavy responsibilities. The committee also recommended that the Collector need not exercise magisterial functions anymore. On the whole, once again there was only confusion in the allocation of policing and magisterial responsibilities. Thus, Bengal province became an area for experimenting in police administration.

In 1843 Sir Charles Napier determined to create effective police in the province of sind. He wanted to implement the model of Royal Irish constabulary under which the rank and file of the police force were assigned only policing duties. For the first time, Napier separated the military and police functions. This model provided the basis for the policing system throughout India in the later years. Sir George Clark, Governor of Bombay

Check Your Progress

4. Examine the Police Administration during East India Company?
5. Explain the duel system of Robert Clive.
6. What are the Reforms of Lord Warren Hastings ?
7. What are the Reforms of Lord Cornwallis?
8. What are the aims of Minto Reforms.
9. Examine the reforms of Lords Maria

province extended the sind model to Bombay province in 1847. Accordingly, a superintendent of police was appointed in Bombay, but he was made subordinate to the Magistrate.

In 1857 the Sepoy Mutiny, created a dire need for strengthening the civil police to maintain law and order and to protect the lives and properties of the British. These developments led to the appointment of a “police commission” in August 1860. The major recommendations of the commission were incorporated in the police Act of 1861 which laid the foundation for the modern police administration.

1.4.F. Police Organisation in the Province of Madras

As a prelude to the police Act of 1861, many developments had been taking place in the province of Madras.

In 1854 the Government of Madras appointed a commission to enquire about the alleged tortures applied in revenue collection and police investigations. The commission which was named “**Torture commission**” confirmed the allegations and brought out many chilling stories of torture

On the strength of the recommendations made by the Torture Commission, the Government of Madras also introduced the Bombay system. Accordingly, a superintendent of police (SP) was appointed in each district. The SP was made subordinate to the Magistrate. And for the entire province, a Commissioner of police (COP) was to be appointed. The COP was to be assisted by DY.COPS In each district. There arose a controversy about the subordination of the SP to the COP and Magistrate at the same time.

Subsequent to these developments, the post of Commissioner was made Chief Commissioner and Dy.commissioners of the districts were all made superintendents of police. The Chief Commissioner, later was designated as Inspector General of police. The subordination of the superintendents and inspectors to the Magistrates was confirmed by the Act XXIV of 1859. the Act also defined the functions of the I.G. of Police. The village police was now brought under the Inspector of Police. The Madras city received a different treatment. In 1853 the Superintendent of Police of Ma-

dras city was designated as Commissioner of Police with magisterial powers. Lt.Col.G.C. Boulders was appointed the first commissioner of Madras city. The Madras city police was made part of the presidency police and commissioner of police was subordinated to the I.G. of police.

In spite of all these reforms in the provinces of Bengal, Bombay and Madras, there were deficiencies in the police administration all over India. Many frontier Englishmen of the east India company were aware of this and wanted to introduce more effective and uniform reforms throughout the country. The Sepoy Mutiny of 1857 exposed the deficiencies of the police administration and paved the way for the Police Commission of 1860 and subsequent Police Act of 1861.

1.5. POLICE ACT OF 1861 (AND FURTHER REFORMS)

The Police Commission of 1860 headed by M.H.Court with Lt.Col H.Bruce as Member secretary and four members, submitted a series of reports during one year and five months, The Important terms of reference of the commission were :

1. Making civil elements more predominant in the police force to be newly organised.
2. Bringing the entire police force of a province under the control and supervision of an officer who is in direct communication with the provincial Government.
3. Strengthening the rural policing system with public involvement and placing it under the control of the Magistrate.
4. Introducing a fair and just scheme of pay scales for the rank and file of policemen.

It was generally accepted that the police should be of purely civil character with some elements of military like training, organization and discipline. The Commission, therefore, insisted on reducing the size of military police stationed in various parts of the country. It was responsible for doing

away the old systems and introducing an uniform policing pattern with a unified hierarchy and command. The Commission drew many features of the reforms carried out in the provinces of Madras, Bombay and Bengal. However, the act of 1861 gave a definite shape to the department. He was to be assisted by a Superintendent of Police was made the Head of the department. He was to be assisted by a Superintendent of police in each district. The SP in turn was to be assisted by Deputy Superintendents, Inspectors, Sergeants, Head constables and Constables.

The Act of 1861 had two main aims in view namely, the establishment and administration, under strict magisterial control, of a single unified police force in every province and to use it to keep the people of the country effectively under control. The Act provided that the constitution of the police force, including its strength and pay of its members would be decided by the provincial government. The Act further provided that the administration of police in a province be assigned to the Inspector General, and Deputy and Assistant Inspectors General of Police, and that in a district the Superintendent and Assistant Superintendent of police under the general control and direction of the District Magistrate who should supervise police administration.

The Act prescribed the following duties of a police officer: It shall be the duty of every police officer to promptly obey and execute all orders and warrants lawfully issued to him by any competent authority; to collect and communicate intelligence affecting the public peace; to prevent the commission of offences and public nuisances; to detect and bring offenders to justice; and to apprehend all persons whom he is legally authorized to apprehend and for whose apprehension sufficient ground exists.

After the passing and implementation of police Act of 1861, the British Government in India made no structural reforms in police administration. It may be noted that the Act of 1861 was applicable only to the British India and not the rest of India comprising the princely states. In the princely states, the age-old police organization continued and there was hardly any impact of the Act on it.

Another landmark in the history of Indian police during the British period was the appointment of the second All-India Police Commission at the turn of 20th century. The recommendations of the first Commission and the subsequent Police Act of 1861 were deficient in several respects. A thorough probe had become necessary to improve things. With this view in mind, "Lord Curzon", Viceroy of India, set up a new Police Commission in 1902 to make a through inquiry into the functioning of the police. The commission consisted of Five Europeans and Two Indians.

The purpose of appointing the commission was to study the state of Police Organisation in the provinces and to make recommendations for making the police force more effective in the changed political situation in the country.

The major recommendations of the commission were as follows :

- (i) A criminal investigation department should be established in each province, with a DIG of police as its administrative head to control and supervise its organization for the entire province, with a finger print bureau and a Special Branch of the C.I.D.
- (ii) For administrative purposes, the province should be divided into several ranges and each range should be controlled and commanded by a Deputy Inspector General of police. (DIG).
- (iii) The office of the Superintendent of Police should be strengthened and a Deputy Superintendent of Police should be appointed to assist the Superintendent of Police.
- (iv) A separate and independent police organisation to be known as Railway Police should be constituted in different provinces, and should be headed by a police officer of the rank of DIG.
- (v) At the lower rungs of the administrative hierarchy, there should be several police circles within a district, and circle having an approximate area of 150 square miles should be under the jurisdiction of Sub-Inspector. Accordingly, a cadre of Sub-Inspectors was proposed for the first time In India.

- (vi) The pay, allowances and other benefits of the police officers right from the Constable to the Inspector General of Police of the State, should be suitably revised upwards, Simultaneously; the qualifications for recruitment and standard of training of the police personnel should also be raised.
- (vii) An armed police force should be constituted and stationed at the headquarters of each district to serve police force to handle emergent situations and other special kinds of police jobs of an adhoc nature.
- (viii) The institution of the village headman should continue, and the headman should perform police duties with the help of village watchmen, who would not be members of the regular police force of the state.

The Police Commission of 1902 set up by Lord Curzon, recommended that the educated Indians be recruited to the police force at the officer level. Before 1902, Indians could rise only to the rank of Inspector of Police; but after the Commission had submitted its report, a new rank-that of Deputy Superintendent of Police-immediately below the rank of Superintendent, was created for them. But, the demand for Indianization could not be resisted for long. In 1920 the Indian Police was thrown open to Indians and in 1921 arrangements were made for the entrance examination for the service in India too. However, the process of “**Indianization**” was slow. The Indian Police Service started moving on firm footing from 1902.

The history of the Indian Police during the first half of the 20th century is one of status quo. The British had built the police machinery to suit their imperialist needs. Therefore, they were not prepared to change its structure and functioning, and avoided basic reforms on the pretext of cost involved in such reforms. For decades, the police had to strive to attain the status of a distinct and independent departmental organization.

Between 1903 and 1947 many important changes took place in the social, Economic and political life of the country. Some of these changes had a direct bearing on the role of the police. It was a period of intense Freedom Struggle led by Mahatma Gandhi and the British Government re-

sorted to Suppressing the freedom struggle by letting loose a reign of terror with the help of police and military forces. The Nationalist freedom fighters resorted to Satyagraha, Non-cooperation, taking out processions, shouting 'Vandemathram' and "Quit India movement" etc.

This was also the period in which the police force under the British rule became very notorious for its atrocities let loose on the Indian masses in general and those involved in the Freedom Movement in particular. And the Indian policemen could not give up these traits for many years even after Independence.

1.6. NATIONAL POLICE COMMISSIONS

The First National Police Commission was appointed in 1860 and its recommendations took the form of the Police Act of 1861 which laid the foundation for the modern police based on the British Police system. Major features of the Act of 1861 continue even today. The Act of 1861 aimed at improving the quality of policemen and improving their working conditions. The recommendations of the commission helped in changing the old and out-dated policing system to a modern policing system under an IGP. Saha says "In fact for the first time, it brought a uniform police in India under a rigid hierarchical structure and resolute command and control"

Thus, the Police Commission of 1860 made a matchless contribution and paved the way for many more commissions. Earlier also the provincial governments of Madras and Bombay passed their own police acts. Subsequent to the police act of 1861, acts were passed in Bombay and Madras in 1888 and 1895 dealing with the powers of Governor General and matters of discipline of the police.

Superseding the provisions of the Act of 1861, many acts were passed by the provinces now and then to effect modification in their respective police forces.

1.7. POLICE COMMISSION OF 1902

In the background of the suggestions given by Lord Landown the

Governor General in 1902 and Lord Curzon, the Police Commission of 1902 was appointed to improve the Police force of the country and bring about further uniformity and quality.

After the Police Commission of 1860, the Police Commission of 1902 proved to be a major step taken by the British government in India. There were vast changes at the national and regional levels. The following issues were included in the terms of references of the Commission of 1902.

1. Adequacy of the existing police organisation, training and pay of different ranks;
2. Improving the linkages, between the rural police and district police ;
3. Adequacy and efficacy of the existing system of crime investigation and the need to introduce crime investigation departments;
4. Adequacy of the existing system of statistical returns of crimes;
5. Adequacy of the mechanism of supervision and control over police;
6. Adequacy of the existing organisation of the Railway police;
7. Adequacy of the opportunities thrown open to the natives to enter the Police force.

Lord Corzon who was the brain behind the Police Commission of 1902, a set of uniform reforms in the police administration throughout the British India. The Commission also paid attention to the controversy about the relationship between the police and the magistracy. The categories of authorities who were concerned with policing functions were the Commissioner, the SP and the Magistrate. The Superintendent was subjected to dual control, that is, to the commissioner and to the Magistrate. The Commission insisted that the work of the SP must come under the general control and direction of the magistrate. The Commission was of the view that, "the magistrate and the police are jointly responsible for the repression of crime, protection of the society. Their relations are of an intimate and reciprocal character.

They stand or fall together. The Commission also held the view if the police functions efficiently, the interference of the magistrate in the police affairs would be minimized. The Commission recommended that the police station must be placed under a SI and that SIs should be directly recruited and given special training. It also recommended for a reasonable increase in the pay scales of the lower ranks. Further, the commissioner pointed out a number of defects in the existing system of training of the constables and recommended that they must be trained in the central schools. It further recommended for the creation of a criminal investigation department in each province. The committee further recommended for fixing the jurisdiction of the Railway Police, for the creation of an Armed Reserve Police and extending the mounted police. Thus, the Commission of 1902 transformed the role of the Indian police from an oppressive force to an integral contender of mainstream of the country.

1.8. ROYAL COMMISSION OF 1912

The Indian National Congress, right from its birth, has been demanding Indianization of civil services including the Indian Police Service. In line with this demand, the Royal Commission of 1912 was appointed under the Chairmanship of Lord Islington. The report was published in January 1917.

The Royal Commission was not a full fledged police commission but its recommendations included some aspects of the police, particularly, the proportion of Indians to be admitted in the Indian Services including the police service. The Commission recommended for 25 percent of Indians to be recruited and posted in all provinces.

Reforming the Indian police has been a burning subject since independence but the depth of complications found in it have thwarted the attempts. A national level police commission was appointed to go into various issues relating to Indian police in 1977-78, but its recommendations did not see the light of the day.

Police reforms have been long due in the country in the back drop of changing social order in the country. The Indian police is expected to be-

come a service not as a force and more public involvement is sought for prevention of crimes and other policing functions.

The recommendations of the national police commission of 1977-79 was mainly founded on the repeal of the Police Act of 1861 and introduction of new police act for initiating new measures.

The Commission also recommended for the creation is state security commission and make the police accountable to statutory bodies.

After independence both the Central Government and the State Governments have appointed many committees and commissions to look into various aspects pertaining to the criminal justice system. Two of them stand out with distinction. They are the National Police Commission of 1977-81 and committee on Reforms of Criminal Justice System (2000-03). The most important recommendations of these two bodies are highlighted below :

1.9. THE NATIONAL POLICE COMMISSION OF 1979 -81

Jayatilak Guha Roy in his theme paper on Reform in Criminal Justice states, "Police is the first and foremost segment in Indian Criminal Justice Administration that requires serious and urgent attention for reform" As police was made a state subject under the Indian constitution some state governments such as U.P. and west Bengal appointed commission. But, the most autocratic and authoritarian manner in which the police was misused In many northern states during the period of emergency in 1975-77 led to the appointment of NPC, headed by Dharma Vira, former governor and ICS officer. It submitted eight reports between FEB 1979 and May 1981. Although till date the recommendations of the commissions have not been implemented. It is worth refereing to those recommendations. They are:

1. Setting up a Complaints Board, in every state to look into complaints against the police.
2. Norms for posting Chief of police of a state with no political interferences.

3. Appointing a State Security Commission in each state to exercise control and supervision on the police.
4. The Commission was of the view that “Gram panchayat” to the modifications and refinements as spelt out in paragraphs 16.15 to 16.31.
5. The Commission recommended that the SPs must be empowered to make posting of officers like SIs and Inspectors at the station level and that the police chief, that is the DGP, must be empowered to select and post the SPs of the district.
6. The Commission recommended that the post of Addl./ Public Prosecutor and Assistant Public Prosecutor should be so designed as to provide a regular career structure for the incumbents for the entire state as one unit.
7. The cadre of Investigating Officers has to be increased by restructuring the police hierarchy.
8. A supervisory structure over the District prosecuting staff should be created with Dy. Directors of Prosecution at the regional level and a Director of Prosecution at the state level.
9. The police station to be effective should be whole and compact unit and should be able to respond to all needs for basic police tasks for investigation of crime maintenance of law and order and traffic control in the areas. The optimum area of jurisdiction may be 150sq.kms for a rural police station.
10. There should be exclusive police stations for urban areas.

Of these recommendations Nos 6, 9 and 10 above have been implemented in some states. The Gram panchayat settlement system which was favoured by the commission has been banned in some states including the state of TN, because of the excess found with such bodies. In their place “Mediation and Conciliatory” centers have been created all over India.

1.9. A. Justice Malimath Committee's Report

(The Committee on Reforms of Criminal Justice)

The Ministry of Home affairs of Government of India constituted the committee on Reforms of Criminal Justice with a view to overhauling the entire Criminal Justice System. The views of NPC's appointed earlier were confined to only certain sections of law or certain areas of CJS. In order to have a comprehensive reform relating to the entire CJS, this committee was constituted under the chairmanship of Shri. V.S. Malimath, former Chief Justice of Karnataka and Kerala High Courts, Chairman, Central Administrative Tribunal and Mumbai, NHRC. The Justice Malimath Committee was constituted to examine the entire CJS. The Committee made very adverse remarks about the existing CJS. It said "Law and order situation has deteriorated and the citizens have lost confidence in the CJS."

Justice Malimath committee referred to the recommendations of various other committees to draw inferences. The terms of reference were incorporated in a questionnaire which were distributed among members of government officials, judges, bar council members, Attorney -generals and Advocate Generals, Police Chiefs, Prosecutions, Forensic scientists, Criminologists, media persons and editors and also experts in different countries. The committee despatched 3164 questionnaires, but unfortunately it received back only 284. Among the State Governments only 7 states responded to the questionnaires and rest of the states never responded.

In spite of this, the Malimath Committee drew some information on the CJS from various seminars conducted all over the country by different bodies and made as many as 158 recommendations in its report in two volumes which were submitted to the Home ministry in March 2000. These recommendations covered 22 aspects covering the entire CJS, They are given below:

1. Need for reforms
2. Adversarial system

3. Right to silence
4. Rights to accused
5. Presumption of innocence and burden of proof.
6. Justice of victims
7. Investigations
8. Prosecution
9. Courts and Judges
10. Trial procedures
11. Witnesses and perjury
12. Vacation for court
13. Arrears eradication scheme
14. Offences, sentences, sentencing and compounding
15. Reclassification of offence
16. Offences against women
17. Organised crime federal
18. Crime and Terrorism
19. Economic Crimes
20. Training- A strategy for reform
21. Vision for the future.

1.9.B. Major recommendations of Justice Malimath Committee

Major recommendations of Justice Malimath Committee were on the following lines.

Check Your Progress

10. What are Recommendations of National Police Commission.
11. What are Major Recommendations of Justice Malimath committee?

(Space for Hints)

1. Striking a balance between adversarial and inquisitorial system
2. Restriction to right to silence
3. Presumption of innocence and Burden of proof
4. Justice to victims
5. Improving the quality of investigation
6. Improving the quality of prosecution
7. Improving the quality of Justice.
8. Security and dignity of the witnesses
9. Eradicating arrear of cases
10. Offences, sentencing and compounding
11. Offences against women
12. Organised crimes, federal crime and terrorism
13. Economic crimes
14. Future vision

It is needless to emphasize that the different dimensions of Criminal Justice System, namely, investigation prosecution, conviction and correction need to be coordinated to make the Criminal Justice System effective.

However, there is no whole - hearted and concerted effort on the part of the state governments to implement these recommendations. Critics are of the opinion that such recommendations have only become rituals conducted now and then.

1.10. SUMMARY

We are stricken with wonder that during the ancient Period also India had effective Policing. During Mauriya Period it continued, so it was easy for

the British to introduce their own Policing system which they followed in England.

1.11. KEY WORDS

1. Ancient - Period - Olden times
2. Mauriya - Period - Which is known to History.

1.12. ANSWER TO CHECK YOUR PROGRESS

1. Refer. Para. 1.1
2. Refer. Para.1.2
3. Refer Para. 1.3.
4. Refer Para. 1.4. A
5. Refer Para 1.4. A.
6. Refer Para 1.4. B.
7. Refer Para 1.4. C.
8. Refer Para 1.4. D.
9. Refer Para 1.4. E.
10. Refer Para 1.8.
11. Refer Para. 1.9.B.

1.13. MODEL QUESTIONS

Short Answer Questions

1. What are the purpose of appointing second police commission.
2. What are contributions of “Lord Curzon”?
3. Examine the important aspects of National Police commission.

Long Answer Questions

1. Why east India Company Wanted to have police Force?

East India company wanted to have civil administration because it annexed princely states one by one.

2. What are the reforms of Lord Warren Hastings.

Warren Hastings wanted to maintain Law and order and control crime. As the First Governor General of India, he wanted to have smooth functioning of the Government.

3. What was the out come of sepoy Mutiny?

The out come of sepoy mutiny was police Act of 1860

4. Why second Police Commission was set up?

Second Police Commission was set up to overcome the defects of police Act of 1860.

5. What was the result of Police commission set up by Lord Curzon?

The Indian Police was thrown open to Indian.

6. What was suggested by the Royal commission?

The Royal Commission recommended for 25 percent of Indian's to be recruited and posted in all provinces.

7. What are the suggestions of Justice Malimuth committee?

Malimuth Committee suggested Reforms in Criminal Justice System.

UNIT -I

LESSON -2 : INDIAN POLICE AFTER INDEPENDENCE

INTRODUCTION

Before independence the Police was occupying an important place in the administration of the state. India was called “Police state” Police was a Para-military force. So all the characteristic peculiar to military was attributed to the Police.

After independence Police was called only as a Police service. It is now serving the people. Police is a friend of the People. How this is transformed into this character. We are going to see in this lesson.

UNIT OBJECTIVES

To know the development of Police as “Service to the People” and “friend of the People”.

UNIT STRUCTURE

Introduction

Unit Objectives

Unit Structure

- 2.1 The Indian Police During the British Rule
- 2.2 Independence and After
- 2.3 Role of the Union Government
- 2.4 The Indian Police Service After Independence
- 2.5 Creation of New Forces and Branches
- 2.6 Importance of Police Administration
- 2.7. Summary
- 2.8. Key Words

2.9. Answer to check your Progress

2.10. Model Questions.

2.1. THE INDIAN POLICE DURING THE BRITISH RULE

Origin of the Indian Police can be traced back to 1893, when it was decided by the British government to hold an open competitive examination for the Indian police force to recruit potential young men in the age group of 19-21, for being posted to various Indian provinces in the rank of Assistant Superintendents of Police.

The first competitive examination was held in 1893 in England. The newly recruited young officers, from among British young men were inducted in the Indian Imperial police. The exact period in which this became Indian police Service in the British period is not known. The year 1907 may be cited approximately the period in which the directly selected police officers in Britain, for India, were allowed to wear the letter 'IP' in order to differentiate them from other categories of offices. However, the post of "**Inspector General of Police**", the top most rank, was filled up by selecting candidates from the "**Indian Civil Service**" which was held in greater esteem than the police service.

The European officers selected for the Indian Police Service had the following drawbacks:

1. Many of them had undue ego.
2. They failed to maintain rapport with others around them.
3. Those who were inducted from other civil services lacked the required academic background.
4. Majority of the European officers were very harsh with their subordinates and lacked public relations.

In the early stages, the policy of the British government was quite discouraging to Indians, in spite of the fact that majority of Indians who entered the police service through other civil services proved to be highly

competent. In facts, many Indian candidates proved to be more efficient than their European counter parts at the entry point and during service as well. Two intentions of the British government towards the Indian police service were visible They were,

1. British Government wanted the Indian Civil Service to be of superior quality over the Indian Police Service.
2. Government's intention to block the Indians directly entering the Indian Police service by taking the entrance examination along with their European counterparts was also evident in its policy.

The policy continued almost till First World War. The political ground in India started the society undergoing vast changes from the end of World War I. The front line leaders of the Indian National congress were already demanding for Indianisation of the civil services and were demanding Home Rule. The Islington Commission of 1915 gave due consideration to this demand and recommended for Indianizing the Indian Police Service by a reasonable Proportion. In 1919 this was given effect. Accordingly 25 percent of Indian Police Service vacancies in all the provinces were allotted to Indians. In 1923 another Royal Commission was appointed under the Chairmanship of Viscount Lee. The Lee Commission recommended for a ratio of 50:30:20 that is, allotting 50 percent of vacancies of the Indian Police Service to the Europeans and 30 percent to Indians through promotions to the rank of Assistant Superintendents of Police. Simultaneous competitive examinations were held in India for ICS in 1922 and for the Indian Police Service in 1924. But, these examinations did not have all India character, as there was no one single examination conducted for all the provinces at the same time. Moreover considerations other than performance in the examination played a role in the final selection of candidates for posts, such as Inspector and whose father had been shot dead by the terrorists. Some considerations were given to Muslim candidates also in order to maintain a communal balance. Sometimes sports men were taken in ignoring their performance in the examination. Ultimate appointment order was issued by the Secretary of State.

The Situation continued to be so up to 1943. It was Sardar Vallabhai Patel, who was a member of the Interim Government, who introduced the Indian Police Service purely Indian in Character with equal opportunity to one and all. The officers of the Indian Police Service thus created was expected to be an integral part of the democratic executive machinery maintaining continuity of service and neutrality of the civil servants.

In the national interest, these officers were expected to be efficient, honest, impartial and without bias or prejudice in performing their duties. And, violations of code of conduct were to be viewed seriously.

After Independence, the All India Services Act of 1951 was passed to regulate the recruitment to All India Services specified in section 20 of the Act. The system created by Patel, who was considered to be the 'Steel Man' of India, continues with all its prestigious features now, one who carries the three letters I.P.S. on his shoulders and passes through the Sardar Vallabhai Patel Police Academy at Hyderabad, commands a great prestige in the society today.

2.2 INDEPENDENCE AND AFTER

In 1947 the colonial rule in India was replaced by representative democracy. The ushering in of a new pattern of life did not automatically mean the elimination of old institutions and heritage, of which the police force was one. The new constitution assigned the responsibility for law and order to the state and the existing police system was retained. Earlier in 1935, the Joint Committee of Indian Constitutional Reforms had discussed the question of the responsibility of the state for the maintenance of law and order.

The idea of provincial responsibility for law and order was enshrined in the constitution of the Indian Republic which provides for the Union and the state lists. Maintenance of public order and police is, therefore, almost the same as it was before Independence. The framers of the constitution obviously thought that the extent of decentralization of police administration already existing was sufficient to ensure popular control.

As noted above, the constitution gives the states the exclusive power to control and regulate the functioning of police. The Central Government may be concerned with the administration of police, but only with that of the Central Bureau of Intelligence and Investigation which it is authorized by the constitution to establish and maintain. The division of powers between the Central and the state Governments is not immutable; it can be modified. But all the same, in law, and so far in practice too, the states have retained control over the raising, maintaining and directing of the police force in India.

The organization of police force in a country like India has to be diverse, and the constitution of India deliberately leaves enough scope for the desired diversity. But the role of the Central Government in police administration is also important and lies in its imparting a uniform pattern to the police organization in the states. In the interest of national unity, the Indian Constitution provides for centralisation of police administration in the country.

2.3 ROLE OF THE UNION GOVERNMENT

There is no independent department of police at the Centre, but the Union Ministry of Home Affairs certainly performs numerous police functions. The parliament, which has paramount jurisdiction on central and concurrent subjects, does not directly legislate on police affairs, but the constitution admits of a large amount of accountability of the Union and the State Governments in regards to police administration of the country which is fulfilled through the parliament and Union Ministry of Home Affairs.

Though the constitution of India enumerates police as a subject in the state list, it simultaneously includes a long list of allied and quasi-police subjects in the union list. For example, the administration of subjects like all-India services, Central Bureau of Intelligence and Investigation, Preventive detection, arms, ammunition, explosives, extradition, passports and a host of similar subjects, are the sole responsibilities of Central Government. It cannot be denied that the administration of these subjects has a direct and critical bearing on police administration which in a strictly constitutional sense falls

within the jurisdiction of the state. Besides, the control of the Central Government over the state. police administration becomes clearer when one goes through the concurrent list, which includes subjects like criminal law, criminal procedure, maintenance of public order, law of evidence, trade in essential goods, and price control. The administration of these subjects is intimately connected with police work and “if the union parliament decides to legislate on any of these subjects, the State Governments have to accept, adjust, and act accordingly”.

The Central Government has also the power to amend some of the basic police acts like the Indian Police Act, 1861, the Indian Penal Code. 1860; the Code of Criminal Procedure 1973; the Code of Civil Procedure 1859 and the Hindu and Muslim laws. Thus, the constitution creates a flexible situation in the jurisdiction of the states, on issues which are simultaneously within the purview of the Central Government under special circumstances.

Another reason why the centre has police power is that the Indian Police Service, whose personnel are appointed in senior positions in the states, is a central subject. The Central Government determines the selection and conditions of service of “All” Indian Police Service (I.P.S.) officers, whereas the states determine the selection and conditions of service of all lower ranks.

In addition, the Ministry of Home Affairs is responsible to the Government of India for Police administration and guides and assists its counterparts in the states in important matters pertaining to criminal administration and special problems of law and order. Besides, the Government of India is responsible for the maintenance and administration of police force in the National Capital Territory of union territories which are directly administered on behalf of the President of India by Lt. Governors and civil Administrators. The Ministry of Home Affairs, Government of India, also plays a special role in the co-ordination of police work. It calls annual meetings of the state Home Ministers and Directors General of Police to lay down policy directives. Through these meetings the Central Government comes to know

about the problems of police administration and policy implementation at the state level.

The Ministry of Home Affairs, Government of India, can and does supervise the performance of police in the state. Police medals and national awards are distributed by the ministry every year in recognition of the outstanding police service rendered by meritorious policemen in the states.

In addition, the Central Government looks after the supply and provision of arms, ammunition, wireless equipments and vehicles for the police use at the state level. Moreover, it advances an annual loan to the state governments for the construction of residential quarters for non-gazetted police officials in the states. This gives the Central Government a say in the police affairs of the states. Finally, whenever a state needs the assistance of the Central Government, the latter comes to its rescue by providing specialized help and guidance. To discharge this function, the Ministry of Home Affairs maintains an extensive network of specialized agencies and reserve units all over the country.

2.4 THE INDIAN POLICE SERVICE AFTER INDEPENDENCE

After Independence, the Indian Police Service has passed through certain important phases of consolidation and stability. The credit of having created a scheme of strong and stable civil services such as IFS, IAS, IPS etc., in spite of serious opposition goes to Sardar Vallabai Patel.

A Centralized recruitment for all India services, training with common syllabus having a national character, was created in 1947 in Delhi. The first batch of IAS trainees were trained in Delhi in 1949. Subsequently, an IAS staff Training College was set up at Shimla. This in turn was shifted to Mussoorie in 1959 and it has been functioning there since then. Following this, the IPS Training College called the Central Police Training college was established at Mount Abu by the Ministry of Home Affairs.

Creation of unified All India services like IFS, IAS, IPS etc continued to face strong opposition from the states which were then under non-

(Space for Hints)

congress party rule. They expressed the view that such all India Services will undermine the sovereignty of the state governments. In 1955, the provinces created during the British rule were reorganized into states as per the recommendations of the States Reorganisation Commission. This created a tense situation in many states and the centre had to manage the lawlessness with great difficulties. Along with this, the commission also recommended a 50:50 formula for the placement of trained civil service officers in various states. Accordingly, every state was given 50 percent insiders and 50 percent outsiders for the various civil services in the states.

This was followed by the creation of a combined foundation course in administration for all class 1 officers of IAS and other services including IPS for a period five months. At the end of this common training, all the candidates are required to take a common test and obtain the qualifying marks. Then, the candidates selected for their respective cadres go to their respective training centres. The IPS trainees go to Sardar Vallabai Patel Police Training Academy at Hyderabad for a one year basic training which includes both indoor and outdoor courses. While indoor training has a focus on the subjects of Law, Police procedure, Scientific aid and Map Reading, Medical Jurisprudence, Crime detection etc., the outdoor training includes physical training, drill, weapon training, musketry, and games, horse riding, driving etc. The IPS training also includes a study tour and short attachment with Defence Forces. The S. V. P. Police Academy stands with a prestigious look on the outskirts of Hyderabad city and is equipped with all facilities such as classrooms with audio visual equipments, parade ground, library, canteen, officers mess, playgrounds, swimming pool and auditorium. The best talents of the department are inducted in the Academy. The Academy teaches not only subjects relating to police administration, but also subjects relating to science, economics, public administration, information technology, cyber security and other advanced subjects in order to ensure a high level calibre, talent and sense of judgement on the part of the IPS officers throughout their career.

2.5. CREATION OF NEW FORCES AND BRANCHES

During the British rule in India, the police on the whole had very few functions. They were,

- a) Maintaining law and order
- b) Crime detection
- c) Arresting the freedom fighters and Satyagrahis, on order
- d) Gathering intelligence about the freedom fighters and their friends and relatives.
- e) Routine station work.

The policemen at the middle and lower levels were trained only on these lines. Divisions and branches were created only on these lines. The government's main focus was only on checking and controlling the freedom movement and related activities and the police also acted accordingly. Intelligence was also closely related to this. After Independence the nation was transferred from a police state to a welfare state and the police also had to be transformed. An outline of the various branches alongwith the existing ones and divisions of the state and central government police forces as on date is given below :

Police Forces of the Central Government

At the world level, most of the countries have three kinds of divisions in their police forces, relating to a) Investigation b) Intelligence and c) Assault. These three kinds of divisions are related to various kinds of activities; In India also, we find these three kinds of functions, with various branches and divisions. At the central level, the major investigating branch is the central Bureau of Investigation, which is popularly known as CBI. The Central Intelligence Bureau (CIB) and the Research and Analysis Wing (RAW) take care of the intelligence functions.

Check Your Progress

1. What are drawn back with the European Police Officers.
2. Who introduced Indian Police Service? Whether it is Purely Indian in Character?
3. Who has the exclusive Power to control and Regulate the Police Force ?
4. Examine the Role of the Home Ministry in Police Administration.
5. Who awards Medals to the Police Personnel?

I. Central Bureau of Investigation (CBI)

The term CBI is now well known among the educated masses, though many of them may not know its expansion. The general impression is CBI is a high profile investigating agency of the central government which is free from bias or prejudice and which could be trusted for efficiency and excellence in performance.

The origin of the CBI can be traced back to the Delhi Special Police Establishment Act of 1946. When the World War II was over in 1944-45, the war-time inflation had created an extremely corrupt situation in the country. Many officials of the central government resorted to massive corruption in the contracts for supplies. Luxury and lavishness were found among many officials. Corruptive forces were multiplying in the form of corruption syndicates.

The Delhi Government in 1946 wanted to deal with the corrupt officials very strictly and created special Investigating teams against corruption. The government was able to achieve spectacular results in this attempt. This move gave a chilling effect through the spines of the corrupt officials. This agency created to combat corruption continued after Independence with encouraging support from many other states. This anti-corruption investigative agency was subsequently designated as the Central Bureau of Investigation and was made an all-India agency for investigation of high profile crimes, particularly, corruption, bribery, pay-offs, sensational murders etc. However, in course of time, the CBI which came to be acclaimed as a superb Investigative agency, was being entrusted with many other sensational cases such as assassination of political VIPs or state VIPs, high level scams and frauds etc. CBI does not take up investigation of cases against corrupt officials of the state Governments unless specifically requested by the state government concerned which would like to have an unbiased investigation. The CBI has the following wings:

1. The Special Police Establishment Wing
2. The Technical Wing

3. The Crime Records and Statistics Division
4. The Legal and General Division
5. The Research Division
6. The Administrative Division
7. The Economic Offences Division

Cases of inter-state bearing or cases of great sensation are often passed on to the CBI for investigation CBI has successfully investigated the stock market scam, the stamp-paper scam, assassination of the former prime minister Mrs, India Gandhi and Mr.Rajiv Gandhi, scandals in defence procurements and contracts, big scandals involving political VIPs at the state and central levels.

The CBI is headed by a Director of the rank of a DGP, who is assisted by I.Gs of police. Recruitment to CBI is made at the level of sub-inspector and top ranks are drawn from IPS officers from the states. The CBI have their officers in all the state Head Quarters. For purposes of investigations the CBI offices can be opened temporarily in any place in the country and the CBI officers use to camp in such temporary offices till the investigation is over. CBI investigations are generally considered to be reliable, fair and just and efficient as well. Therefore, the public demand for CBI investigations is on the increase.

ii) Central Intelligence Bureau (CIB) and Research and Analysis Wing (RAW)

The CIB and RAW are the high-profile intelligence agencies of the Central Government. Most of the countries do have their Intelligence Wings in different forms and names. Central Intelligence Agency (CIA) is the Intelligence Wing of the United States. Pakistan's Intelligence Wing is known as Inter -Services Intelligence. Mozad is the Intelligence Wing of Israel. England's Intelligence Wing is known as M I - 5 and M I - 6. Of these, the M I - 5 looks after internal intelligence while M I - 6 looks after external intelligence of the country.

(Space for Hints)

The major function of the intelligence wing of a country is to gather intelligence reports about anti-national activities of the countries which are in strained relationship with India. These intelligence reports are sent to the Central Government for necessary action. In the case of India, the CIS gathers intelligence mostly inside the country about the activities of the political parties, terrorists and extremists, naxalites, religious fundamentalists etc and passes on the information to the (Union) Home Ministry for necessary action. If necessary, the CIS officers may go abroad in connection with cross country espionages and may seek the help of the "Interpol", (which means International Police).

The Research and Analysis Wing (RAW) is a high profile Intelligence Wing of the country with a network of external intelligence. Its officers are deployed mostly in other countries to gather information and intelligence about anti -India activities and policies of other countries. The RAW officers are expected to analyse the impact of the policies of other countries on India and send reports to the (Union) Home Ministry. The RAW officers may also indicate the course of action to be taken by the Government on their reports. For example, the RAW officers who are moving about in other countries may interrupt the secret codes of the anti-Indian terrorist outfits in other countries, decode them and send the message by creating their OVJn code to the Government of India. The CIS and RAW officers are at liberty to contact the Prime Minister or Home Minister, in connection with an urgent matter and through them they can contact the State Home Ministers also.

It may be pointed out in this connection that such Intelligence Agents of other countries even resort to sabotage activities in the countries which are in strained relationship.

iii) Armed police Wings / Para Military Forces of the Central Government

The third major category of Central Government police forces are the Armed police Battalions which may be called Para Military Forces. After Independence many wings of aimed police battalions have been created. Except the Central Reserve police which existed during the British rule in

a form suitable to the situation at that time, various Wings of armed police battalions which were created after Independence are,

- 1) Central Reserve Police Force (brought into existence during British rule)
- 2) Border Security Force (BSF)
- 3) Central Industrial Security Force (CISF)
- 4) The Indo-Tibetan Border Police (ITBP)
- 5) Assam Rifles
- 6) National Security Guards (NSG)
- 7) Railway Protection Force (RPF)

Each of these forces was created under different circumstances and for different purposes. Therefore, their organisational structure also differs from each other. Their outline details are given in the following few pages.

1. The Central Reserve Police Force (C.R.P.)

The Central Reserve Police came into existence with the passage of the Central Reserve Police Force Act, 1949, under an Inspector General of Police. The Union Home ministry directs it. The 1949 Act ordains that the "superintendence of, and control over, the force shall vest in the Central Government in accordance with the provisions of this Act. Though the police is a state subject, the C.R.P. is maintained and supervised by the central Government.

The Central Reserve Police is sent by the Government of India to those troubled spots where it has a special responsibility to discharge and the situation warrants the deployment of armed police. In crisis, the state police organisation can request the services of the C.R.P. units. The C.R.P. is a reserve establishment meant for emergencies and can be rushed to any part of the country to supplement and strengthen the hands of local police. Thus, the Central Reserve Police can be deployed anywhere in the country

to aid the civil authorities at their request to maintain law and order. For example during election times, the CRP forces are extensively employed.

2. The Border Security Force (B.S.F.)

This is the second kind of police force under the control and supervision of the central government. Till the Indo-Pak conflict of 1965, prevention of trans-border crimes and security of the borders were the responsibility of the respective Border States. The conflict highlighted the increasing incidence of crime on the borders. At that time the state police, the army units, the border officials and the C.R.P. battalions were all collectively involved in the administration of border security, but had no unified administrative command. The central government, with the consent of the Border States, established a separate and independent border security force, (BSF) under a senior Inspector General of Police as its Director General.

The major functions of the BSF are to co-ordinate the activities of various law and order agencies involved in the detection and prevention of crime in the border areas; to patrol the Indo-Pakistan and Indo-Bangladesh borders, and to give a sense of security and high morale to the people living in border areas by providing special protection to their person and property against depredations from across the border; and to deal effectively on the spot with incidents of minor intrusions, illegal infiltrations and trans-border smuggling in the sensitive border areas.

3. The Railway Protection Force (R.P.F)

The Railway Police is composed of two forces which are likely to be confused with each other- the Railway Police and the Railway Protection Force. The Railway Police is a special unit of the state police, and the centre exercises control over it through one or more Deputy Inspectors General of Police. The function of the force is to prevent and investigate crime committed on the railway or within the railway premises. On the other hand, the Railway Protection force is a separate police agency, financed and directed by the railway administration itself. Its duties are exclusively to guard railway property as well as the property entrusted to the railways.

The RPF is headed by an I.G. of Police in the Railway Board. The major functions of the force are; protection of the railway tracks and railway property to ensure safe travel to the passengers; enforcement of laws and other administrative regulations of the railways to ensure a smooth passenger and cargo traffic all over the country; and initiating and executing of administrative measures conducive to the protection and security of the railway property.

4. The Assam Rifles

The Government of British India organised a special police force in 1914, known as the Assam Rifles, and the main aim of this force was to maintain law and order in Assam and Nagaland. After independence, the government of India made the governor of Assam and Nagaland responsible for the overall superintendence and control of the Assam Rifles. The major functions of the Assam Rifles are: security of north - eastern sector of the international border, maintenance of law and order in the tribal areas of Arunachal Pradesh, Nagaland, Mizoram and Manipur; internal security of others areas only when the local police is unable to cope with the situation; and counter -insurgency operations In Nagaland, Manipur and Mizoram Thus, the Assam Rifles plays an important role in keeping a watch on the eastern sector of the international border and in maintaining law and order in the states of Assam and Nagaland.

5. The Central Industrial Security Force: (C.I.S.F)

The Parliament of India passed the Central Industrial Security Force Act 1968, and it became operative with effect from 10 March 1969. The C.I.S.F, was created to maintain the security of major industrial undertaking in the public sector against labour unrest and other kinds of political violence which sabotage and retard production in these units.

Besides security and protection of the central industrial undertakings, the functions of the force include; initiating legal action against those who threaten to disturb industrial peace and provoke situations leading to the destruction and damage of public property; co-ordination and co-operation

Check Your Progress

6. Examine the Role of Indian Police Service after Independence
7. Where is the Police Academy to train I.P.S. Officers?
8. What are the duties of CBI?
9. What are wings of CBI?

between the state police and the industrial authorities; posting of security data and intelligence to the Ministry of Home Affairs for formulation of policy; and undertaking such ancillary duties as may be conducive to better protection, safeguarding and peaceful functioning of public enterprises.

6. The Indo-Tibetan Border Police (ITBP)

The unexpected Chinese aggression of 1962 gave a jolt to the Indian defence and necessitated the need for strengthening the defence forces and also for safe, guarding the Indo-Chinese borders facing Tibet, A few battalions were created In 1963. The training imparted to the personnel of ITBP differs from the normal police training or even a normal infantry training. As the operations of this force had to be carried out on the mountainous terrains of Himalayas in order to check cross border infiltration and crimes, smuggling of arms and narcotics etc. the hill tribes were preferred in the recruitment.

Senior IPS officers are put in command of this force. With latest weapons and sophisticated communication system and mountain training, these personnel are safeguarding the northern borders and provide security to the lives and properties of the people in the Indo -Tibetan borders.

7. National Security Guards (NSG)

Following the threat to the lives of VVIPS, such as central ministers, President of India, Vice President, Prime Minister some chief ministers etc., the National security guards (NSG) was created in the 1980s. Selected policemen at the level of Inspectors, D S Ps and S P s are drawn from different states and are retained in the force for a short period. The NSG officers provide 'Z' security cover, which is maximum security, to the VVIPS when they take part in official and public programmes. Recently, the maximum security been raised to z+ level.

2.6. IMPORTANCE OF POLICE ADMINISTRATION

The transformation of India from a police state to a welfare state after Independence has considerably widened the sphere of activities of the

police in India. It has brought within its purview those areas of policing which were not known before. The importance of police administration in modern India is given as follows;-

1. Police is one of the very old institution in India. It is also a very vital organisation of the Nation.
2. Policing services are required to the society at any time. A well organised police force helps other departments in enforcing their laws.
3. One of the major functions of the modern state is to provide and maintain “internal security” with the help of Its police force.
4. Police is one of the biggest departments of the state with a great authority- But, unlike other departments the police department is subject to many checks and balances.
5. It is the police department has an impact on the daily life of the people through its three major functions, namely, maintenance of Law and order, crime control and traffic management.
6. By its authority the police force of a country is more exposed to the public either for its efficiency or for its excesses.
7. With increasing crimes and criminality in the society, the demand for policing services is ever increasing.
8. Unlike many other departments, the police department is getting more and more diversified because of the ever increasing diversity of crimes. For example, with the emergence of cyber crimes in recent years cyber policing cells have come into existence. Similarly the Video Piracy Cells have been created to check Video Piracy.
9. The police department is one which is increasingly politicized. State Governments use the police as their tools for strengthening their parties at the state level.
10. Modern democracy can function only by the strength of its police force.

From the points discussed above it is evident that the police department at the state level is very important when compared to many other departments.

2.7. SUMMARY

In this chapter we have seen, what is police? Who can become a Police, What was the Position of Police in the ancient period and during Mauriya period. Then we proceeded to find out how small city states of Hindu Kingdoms had policing and British period. It was interesting to note how the people wanted to do business in India got the policing and the Reforms of "Warren Hastings" and Reforms of Lord Cornwallis. Charles Napier slowly introduced Royal Irish Constabulary - a model which developed a perfect police system in India. The Police Commission was formed in 1860, and Police Act was passed in 1861 in the Madras Province. We now came to the reforms of Justice Malimath Committee regarding the police with a future vision. Now we are leaning from British system to French system - Which is called inquisitorial system.

2.8. KEY WORDS

1. City states - Indian Hindu Kings and Kings in Greece formed small small cities to administer criminal Justice very carefully.
2. Flow of Traffic - In olden times only trespassers from other kingdoms committed crimes.
- the word "Traveller" will itself gave the meaning - "Thief" in olden times.

Now the people who come from North India as labourer (Skilled workers) during night time commit theft and escape to their native place. So the commissioner of police Madras asked the house owners to have their Identity cards - or family cards.

3. Community Police - The society itself was transformed into a police system. In Anna nagar Madras Two persons from each "Block" go round during "Night" times to eradicate Theft during that period.

2.9. ANSWER TO CHECK YOUR PROGRESS

1. Refer. Para. 2.1
2. Refer. Para. 2.1
3. Refer Para. 2.2.
4. Refer Para. 2.3.
5. Refer Para 2.3.
6. Refer Para 2.4.
7. Refer Para 2.4.
8. Refer Para 2.5.
9. Refer Para 2.5.

2.10. MODEL QUESTIONS

Short Answer Questions

1. Who is the head of the Police Department?
2. Bring out the Impertance of Police Administration.
3. Exam in the Role of the Union Government to Regulate the Police Administration.

Long Answer Questions

1. Examine the Armed Police Wings of the Central Govt.
2. What are the duties of the B.S.F.
3. What are the duties of the R.P.F.
4. Examine the Position of C.I.S.F.
5. What are the duties of N.S.G.

UNIT - II

LESSON - 3 : THE STATE POLICE - MAJOR COMPONENTS

INTRODUCTION

Our India is divided into states with boundaries. It is artificial boundary. In General, India is called “Police State”. States are Administered with “care and protection” only with the assistance of the police. Police has a great force. Where we use the word “Police” common people becomes alert, and act with caution. Such is the “fear” inherent in the mind of the people. State is governed and administered by the Police force the police are doing “Civil” and “Criminal” duties of the state - for better administration of “Justice”.

UNIT OBJECTIVE

The Unit objective is to show the - structure of state Police. How the police force is divided and how it functions under the officers of state Level i Range Level and district Level. It is also to show the functions and powers of the officers.

UNIT STRUCTURE

- Introduction
- Unit Objectives
- Unit Structure
- 3.1 The Unarmed and the Armed Police (Categories I, II and III)
 - 3.1. A. The Railway Police
 - 3.1. B. The Rural Police
 - 3.1. C. The Volunteer Police
- 3.2 The Structure of Police Organization in the States (Category I)
- 3.3. Summary
- 3.4. Key Words

3.5. Answer to check your Progress

3.6. Model Questions.

3.1. THE UNARMED AND THE ARMED POLICE (CATEGORIES I, II AND III)

The state police forces are divided into the Armed and the Unarmed police, The unarmed police or the civil constabulary is uniformed 'but unarmed although its personnel may carry a short baton or a lathi, It is this police with which the public has day-to-day contact, It looks for lost children, investigates crimes, patrols streets, regulates traffic, intervenes in village quarrels and generally extends police assistance to the people whenever it is called upon to do so, That is why the unarmed police can be seen all over India-in big cities, towns and the remote village.

The armed police, on the other hand, live in police "Contonments" established in each state. It does not have daily contact with the public. It does not respond to calls of assistance from individuals but responds to order from superior officers which are issued when a situation involving "Public Interest" has arisen. It usually acts as a group and its personnel hardly exercise any individual discretion. It also serves as guards for jails and government buildings and escort of prisoners. Often it is employed to make arrangement, for public meetings events such as festivals which draw large crowds, The armed police of a state consists of two categories namely the "Armed Reserve police" and the "Armed Special police". The armed reserve police is given different names in different states.

Other Police Forces

There are "Auxiliary police" units also to assist the regular police; in particular circumstances. This auxiliary force consists of the Railway police, Rural Police and Volunteer Police.

3.1.A. The Railway Police

The Railway Police is a special unit of the state police and is administered by one Inspector General of Police. The aim of this force is to prevent and investigate crime committed on the railways or within the railway

yards and railway stations. The Railway Police should not be confused with the Railway Protection Force which is a separate police agency directed and financed by the railway administration itself. In some States, the State Railway Police is known as Government Railway Police [or GRP].

3.1.B. The Rural Police

The rural or “**Village Police**” is the second auxiliary group of the state police. This is of ancient origin. Its personnel are essentially watchmen, responsible for patrolling the village at night and for notifying criminal acts, suspicious activities and public unrest to the nearest police authority. They have also the duty to maintain the register of births and deaths in the village and to help in the collections of land revenue. The Village watchman is commonly known as “**Chowkidar**”; in certain areas he is also known as “**Patel**”. In Tamil Nadu, he was known as ‘**Thalaiyari**’ in the earlier periods. The Chowkidar is appointed by the Deputy Commissioner and can be dismissed by him. Now, the village Administrative Officer (VAO) is expected to duly report to the police matters relating to L & O, cognizable crimes etc.,

3.1.C. The Volunteer Police

The third auxiliary group of the state police consists of various volunteer police organizations. The most important of these are the “**Home Guards**” and the Village Volunteer force which is also known as the Village Defence party or the Village Resistance Group and the Traffic Wardens.

The Home Guards are members of the Public holding permanent jobs outside the police organisation and are subject to mobilization by the state government in times of local emergency, for example, during floods, serious riots or festivals. They are trained to do auxiliary police work and to become the nucleus of emergency aid units. The Home Guards get training at the time of recruitment and get periodic refresher courses thereafter. They are paid according to the time put in training and on duty; besides, they are supplied with free uniforms and are given traveling allowance while on duty. Another wing known as the “**Traffic Wardens**” may be added to this cat-

egory. The Traffic Warden personnel, who are drawn from the society help the Traffic police in traffic duties. In Tamil Nadu a new wing has been added to this category called the “**Friends of Police**”.

3.2. THE STRUCTURE OF POLICE ORGANISATION IN THE STATES (CATEGORY - I)

Organizationally, the police in India is centralised at the State Level. The Police Commission of 1860 had recommended the creation of police forces on a provincial basis. Accordingly the board outlines of the structure and functions of the police in a ‘General Police District’ were incorporated into the police act of 1861. A number of states of the union of India have enacted separate Police Acts. The maintenance and direction of the police in a state is based on the provisions of the “**State Police Act**”. The act also contains the functional framework.

Article 246 of Chapter 1 of the Indian constitution refers to three lists in the seventh schedule which relate to the distribution of legislative powers between the union and the states. The subject ‘police’ comes within the state list. But, under Article 355, it is the “**duty of the union to protect**” every state against internal disturbance and ensure that the government of a state is carried on in accordance with the provisions of the constitution. There are several central acts which control and govern police functions throughout the country. Three basic acts relating to Criminal procedure and the Indian evidence act which extend to the whole of the country however, the state legislatures are competent to amend these acts without affecting the basic principles and intentions of the original Acts.

The Governor who is the head of the state is in charge of law and order and criminal administration in a state. He has a right to seek information from the Home Department regarding the L&O situation. Since the report of the Governor on the failure of the constitutional machinery in a state critically affects the life of an elected government, the Governor’s right to be informed is respected. When the L&O worsens in a state, the Governor can recommend to the President of India for dissolving the state government.

(Space for Hints)

The real head of the Home Department at political level is the Home Minister. Since the department of Home Affairs is a key Department, the Chief minister retains the department under his control. The Home Minister performs some important functions. They include

- (a) announcement of policies for the Police Department
- (b) supervision and control of the implementation of the policies.
- (c) furnishing necessary informations to the Members of the state legislature when questions are put before him for the commission and omission of the Home Department and **“Police force”**.

The Home Secretary is the head of the police administrative department in the secretariat. He is assisted by Joint secretaries, Deputy secretaries, Assistant secretaries / Under secretaries, Section officers, Assistants, Clerks, Typists and peons. The Department of Home Affairs in the Secretariat perform some important functions. They are:

- (1) to give a framework to the policies announced by the Home Minister,
- (2) to advise the Home Minister; about the pros and cons of the policies,
- (3) to suggest alternative policies,
- (4) to supervise and control the implementation of the policies, when decision taken by the Minister to' implement, them and
- (5) to collect and furnish necessary information to the Home Minister, about the law and order and crime situations in the state. There may be some small variations in the organization, pay scales, uniform, Nomenclature of ranks from state to state, but broadly the pattern is uniform. (The details of state police organization given in this lesson are with reference to Tamilnadu Police only).

Every state has three categories of police, namely category I, category II and category III. Category I police is the police which is generally called local police or civil police or unarmed police.

Category I Police has legal powers of arrest and investigation of L&O cases, crimes and traffic offences. It has many powers such as the powers of enforcement, arrest, detection, interrogation and Investigation leading to prosecution. Among various branches of this category I police, the L&O wing is considered to be the most prestigious and most powerful and influential one.

Category II police refers to the Armed Reserve Police the units of which are placed under local police chiefs such as the Commissioner of Police or SP. This is maintained in each “**Police District**” to assist the category I police during times of L&O disturbance and for certain other duties such as standing guards, escorts etc. (Details are given in Lesson on Armed Police Wings (State).

Category III police refers to the Special Armed Police Wing which is under the direct command of the DGP. This wing does not have any legal power but just obeys the command and charges to disperse the unruly crowd. It undertakes guard duties. (Details are given in the Lesson on Armed Police (State)

The police Department forms part of the Home Department. Director General of the Police is the head of the Police Department. He is assisted by Inspectors General of Police, Deputy Inspectors General of Police, Superintendents of Police, Deputy Superintendents or Assistant Superintendents of Police, Circle Inspectors, Sub-Inspectors, Head Constables and Constables. The senior I.G.P.s are designated as Additional Director General of Police and hold different portfolios.

There may be more than one Director General of Police in a State at a time. The Director General of Police (Law and Order) will be the head of the police. Other Director Generals of Police will hold independent charge of other portfolios such as Police Housing, Training, Vigilance and Anti-Corruption cell etc., but will function in close co-operation with the Director General of Police (Law and Order).

In a State the Director General of Police (Law & Order) is in charge of the Police Department. He is assisted by Commissioner of Police (Madras), Inspector General of Police (Law & Order), Inspector General of Police (Home Guards), Inspector General of Police (Armed Police Enforcement and Training), Inspector General of Police (Crime), Inspector General of Police (Intelligence) and Inspector General of Police (Food Cell). The main functions of the Director General of Police (Law and Order) is to co-ordinate the functions of the Inspectors General of Police working under him.

Cities of Chennai, Madurai, Coimbatore, Tiruchi, Tirunelveli and Salem in Tamilnadu are placed under a Commissioner of Police each who is responsible for the maintenance of law and order and criminal administration in the cities. He is vested with lot of legal powers Functions of the Commissioner of Police systems have been dealt with in detail in the lesson on City Police Administration)

Additional Director General of Police (ADGP) (Law and Order) is responsible for the maintenance of L & O and criminal administration in the entire state. He is assisted by a number of IGPs and DIGs of Police and other officers in the discharge of his duties.

The ADGP (Crime), the ADGP (Intelligence), the Inspector General of Police (Home Guards), the ADGP (Armed Police Enforcement and Training) and the Inspector General of Police (Food Cell) assist the Director General of Police (L & O) in carrying out the different duties pertaining to L & O and criminal administration very efficiently. The organization and functions of the different specialist branches have been explained in different lessons. Let us briefly discuss the powers and functions of the police personnel working under the Director General of Police (L & O) in Tamilnadu. With increasing number of IGPs the post of ADGP was created about 12 year ago, and the positions held by IGPs are now held by ADGPs. In addition to this, in Tamilnadu, the entire state is divided into four zonal divisions, and each zone is placed under one IGP.

The Deputy Inspector General (DIG) of Police is in charge of a range. He is a link in the chain of responsibility between the Inspector General of Police and the District Officers. He endeavours by frequent personal inspection to establish and maintain efficiency and discipline to ensure uniformity of procedure and practice and secure cooperation between the police of the districts as well as harmonious working between the State and the Magistracy. He controls, instructs and advises Superintendents of Police while being careful not to supersede them in any of their functions. He advises and if necessary supersedes the Superintendents of Police in times of grave disorder, taking over full control of the situation. He pays particular attention to the training and the discipline in the Armed Reserves so that a high standard of efficiency may be reached and maintained. Superintendents on their part, assist him in his inquiries, bring to his notice the requirements of their Districts and consult him confidentially in all matters of difficulty. The Deputy Inspector General sends copies of his monthly inspection tour programme to the Inspector General of Police and to the Collectors concerned.

The Superintendent of Police (S.P.) is the head of the "District Police". He is responsible for all matters relating to L&O, crime situation, traffic and other related issues. His work is multifarious in nature. He gives the Sub Divisional Officer the benefit of his personal guidance and instructions wherever necessary. He is empowered to take all sorts of preventive measures, if a breach of peace is apprehended in the District. To avoid untoward situations, he may advise the Collector to issue prohibitory orders and even to clamp curfew, if situation so warrants. He controls the incidence of crime through effective patrol, investigation of grave crimes and crime surveillance. He gives the Deputy Inspector General of Police all assistance in making his inspection and enquires and consults him in times of difficulty. He inspects Police Stations within his jurisdiction and provides necessary physical condition to keep his men working in a satisfactory state of morale and motivation. He is responsible for seeing that his assistants and deputies work efficiently. He evaluates the performance of the Police Officers working under him and takes disciplinary action as and when needed. He develops and maintains cordial relations in the district touching, on the pulse of the people

Check Your Progress

1. How the police force in Tamil Nadu is divided ?
2. How the auxiliary Police force of Tamil Nadu is divided?
3. What are the duties of the Railway Police force ?
4. Who are Home Guards and what are their duties.

which will help him in avoiding tense situations. Thus, he enjoys a central place in the District Police Administration.

An Assistant Superintendent of Police or Deputy Superintendent of Police (Dy. S.P.) is in charge of a Sub-Division in a district. He is entirely under the orders of the Superintendent of Police whom he is bound to keep fully informed of his doings and of what is going on in the Sub-Division. His functions include the following:

- (1) Maintenance of law and order in the Sub-Division,
- (2) Crime control and supervision of special cases,
- (3) Collection and communication of intelligence from the Sub-Division,
- (4) Submission of periodic reports, returns and statements to the office of the Superintendent of Police,
- (5) Inspection of Police Circles, Police Stations and Out Posts,
- (6) Initiation of programmes aimed at the development of friendly relations between the police and the community,
- (7) And, touring the areas extensively and making himself available on the spot to undertake relevant measures necessary for the discharge of above duties. The ASP Dy.S.P. is assisted by Inspectors of Police. There may be 2-3 Inspectors under one ASP Dy.S.P.

The principal duties of an Inspector are to supervise the work of his circle in all its branches, to maintain discipline among his subordinates and to keep the SP and the Dy.S.P. / AC informed of the state of crime in his circle. In the promotional ladder, the Inspector of police occupies a position next above the level of Sub-Inspector. He controls, instructs and advises the Sub-Inspectors, while being careful not to supersede them in all their functions. He also takes up certain important criminal cases for investigation. He keeps the Dy.S.P. / AC and the SP informed of every occurrence in his area of jurisdiction. He takes command of a police force in suppressing

a riot or otherwise in actively maintaining order When he is the senior most officer present. He also keeps the Sub-Divisional Officer and Superintendent of Police informed of the conduct of the subordinates and the manner in Which they perform their duties. A decade back, Sub-Inspector of Police was in charge of a police station; now, Inspectors are put in charge of police stations.

An Inspector (Law and Order) usually is in charge of a Police Station. He is responsible for the police administration in his charge, including prevention and detection of crime. He is assisted by one or two Sub-Inspectors and Head Constables and Constables. He sees to it that orders of his superiors are carried out and discipline of the force under him is properly maintained. He acquaints himself with the people of his Station area especially village officials. He corresponds directly with the Police authorities of neighbouring police stations and acts in concert with them in apprehending offenders. He is entrusted with the duties of executing law and to assist in the administration of justice. He works in close liaison with the Magistracy and the courts. The Courts entrust him with additional duties Including servicing of Court summons, execution of Court warrants and Implementation of powerful orders issued by competent judicial authorities. As the head of the Police Station he looks after administration of his Police Station. He maintains a number of Police registers. He supervises the work of his subordinates and keep them in high morale.

The routine job of the Inspector in a Police Station is shared by the Sub-Inspector and Head Constables. In some Police Stations, the Head Constables are employed as Station Writers. They do various kinds of clerical work with regard to the maintenance of reports. Their duties include routine administrative functions of official nature a part of which are delegated by the Sub-Inspector. The Head constables are employed as officer-in-charge of outpost and guards, escort duty, beat duty, patrol duty, bad character check, flying squad duty etc. In actual practice, the Head Constables enjoy an enviable position in the Police Station hierarchy. They remain In a Police Station for a sufficiently longer period than the Sub-Inspector. This stability of tenure make them influential persons in Police administration of the area.

Check Your Progress

5. Who are Traffic Wardens
6. What is the duty of the Union
7. What are the Powers of the Governor of a state.

The Sub-Inspector depends to a large extent on the Head Constables for aid, help and co-operation. The Constables look to them for leadership, guidance and command. The outposts are supervised by Head constables.

Constables are the lowest link in the organizational hierarchy of Police administration. They generally do jobs of manual nature and merely execute such orders which entail little discretion and decision making. They always execute laws and rules in a mechanical fashion. They represent and symbolize the law and are even called “the limbs of law”. yet they are neither participants nor decision makers in the administration of law and order. On the occurrence of any crime for which “**the police may arrest without warrant**”, Constables act without waiting for orders and make an immediate report to the nearest Superior Police Officer.

So far we have seen that the main responsibilities of the Police working under the DGP (Law and Order) are to maintain peace and security and to carry out the functions relating to criminal administration. Police personnel working in different branches such as Crime, Intelligence, Armed Police Enforcement and Training, Home Guards provide necessary services to Law and Order Police to carry out their function very efficiently.

The structure of the Police organization at the state level is shown in the following chart.

3.3. SUMMARY

In this chapter we have seen how the Tamil Nadu Police is divided and what are their powers. We have proceeded to know who controls the Police department. How the Home department is concerned with police.

3.4 KEY WORDS

1. Home Ministry - The Ministry which looks after Law and order of a state Government
2. D.G.P. - Director General of Police. Who is the head of Police force in Tamil Nadu.

3. Special Armed Police - A Police wing - Which does not have a legal power but just obeys the command and charges to disperse the unruly crowd.
4. Commissioner - Commissioner - is the Head of police force of the city. Some times he is vested with the powers of a magistrate. (Now the Power has been taken away in Tamil Nadu)
5. Superintendent - Head of the Police Force of a District.

3.5. ANSWER TO CHECK YOUR PROGRESS

1. Refer Para 3.1.
2. Refer Para 3.1.
3. Refer Para 3.1.A
4. Refer Para 3.1.A.
5. Refer Para 3.1.A.
6. Refer Para 3.2.
7. Refer Para 3.2

3.6. MODEL QUESTIONS

Short Answer Questions

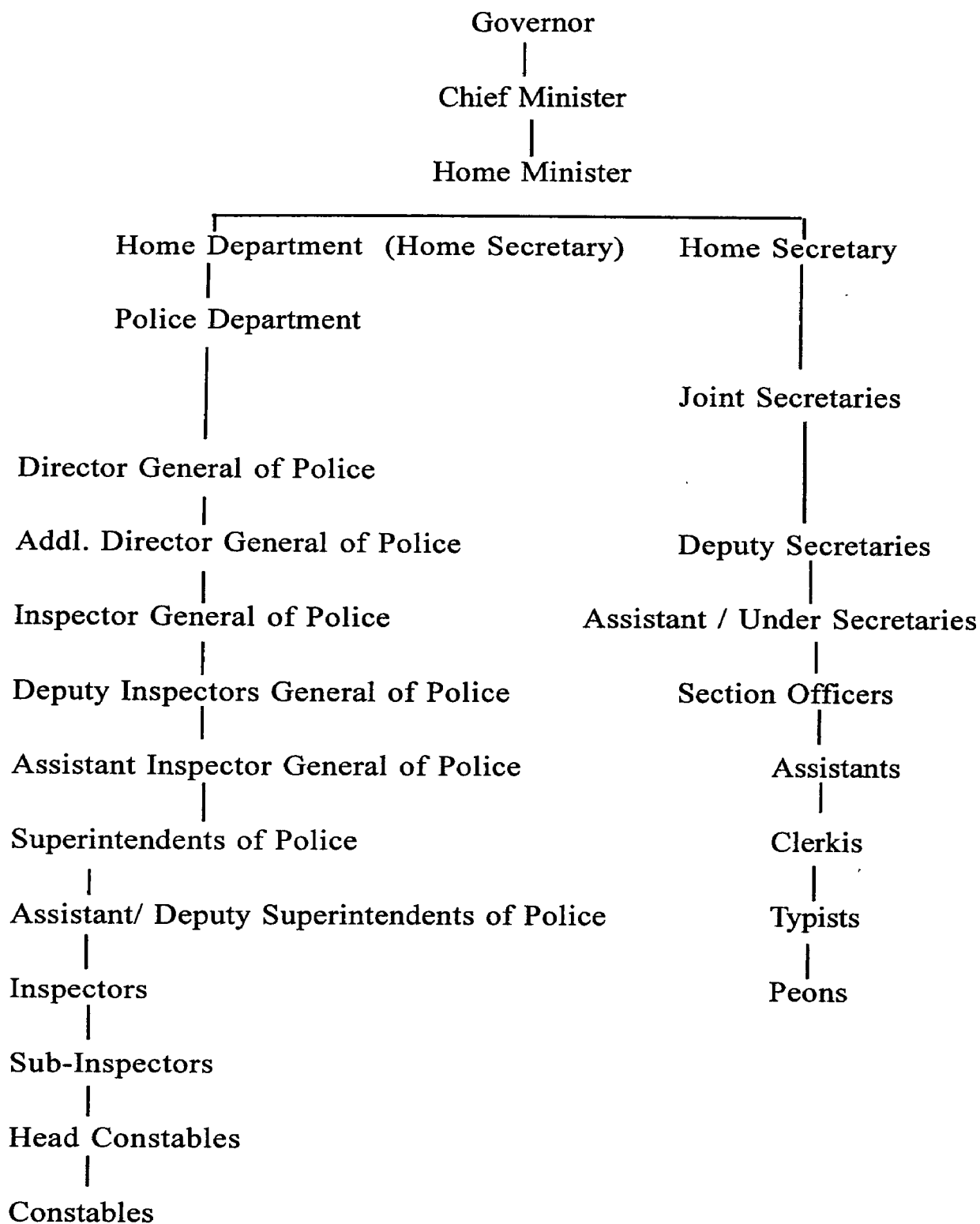
1. Who is the head of the Police Department?
2. What are the duties of the Inspector of Police?

Long Answer Questions

1. What are the functions of Superintendent of Police?
2. How the authority of Law and order is distributed ?
3. How the authority of Crime Branch C.I.D is distributed?

Chart - I

The Structure of the Police Organisation at the State Level



UNIT - II

LESSON - 4 : THE TAMIL NADU POLICE - AN EXAMPLE

INTRODUCTION

It is stated that Tamil Nadu Police is as intelligent as Scotland-yard Police in Force and brain. How could such an interesting position be achieved by Tamil Nadu. Is it by "Hard Work"? Is it by experts who are born? Is it by intensive study? Is it by special aptitude? To know all these aspects of Tamil Nadu Police, one must go through this chapter very carefully and with dedication.

In Tamil Nadu we have Forensic science department and Forensic Medicine department to help in the scientific and Medical field. We have got Finger print Bureau also in each district. There are specialized personals in crime investigation department. They collect, collate and disseminate their knowledge and information to have a peaceful Tamil Nadu.

UNIT OBJECTIVE

The object of studying criminology is to have a society where there is no crime at all. The division of labour is well applied in Tamil Nadu Police Administration. We have got 24 wings to fly with colours.

UNIT STRUCTURE

Introduction

Unit Objectives

Unit Structure

- 4.1 Structure and Organisation of Tamil Nadu Police
- 4.2 Law and Order Wing
- 4.3 Special Branch (SB)
- 4.4 Crime Branch

- 4.5 Tamilnadu Police Standing Orders
- 4.6 Armed Police Forces -State
 - 4.6.1. Communal Riots
 - 4.6.2. Increase in Propulation and increasing crimes
 - 4.6.3.Campus Unrest
 - 4.6.4.Problem of State Boundary
 - 4.6.5. Industrial growth and labour strikes
 - 4.6.6.Chinese Aggression
 - 4.6.7. Indo- Pak Conflict
- 4.7 District Armed Reserve Police (Category -II)
 - 4.7.a. Organisation of the District Armed Reserve Police (AR)
 - 4.7.b. Functions of District Armed Reserve
- 4.8 Special Armed Police (Category -III)
- 4.9 Special Task Force (STF)
- 4.10 Special Units
- 4.11. Summary
- 4.12. Key words
- 4.13. Answer to check Your Progress
- 4.14. Model Qustions

4.1. STRUCTURE AND ORGANISATION OF TAMIL NADU POLICE

An outline of Tamil Nadu Police with reference to its organisation, functions etc are drawn from the Tamil Nadu Police website is given below. As stated earlier, the broad pattern of State Police is the same in all the states and there may be minor differences only. The Tamil Nadu Police is over 140 Years old and it is the fifth largest state police force in India.

The administrative control of Tamil Nadu police vests with the Chief Minister of Tamil Nadu, who holds the portfolio of Home Minister also. The supervision and coordination of the police department are vested with the Home secretary.

The police force headed by a Director General of Police is responsible for maintaining Law and Order and prevention and detection of crime.

The Tamil Nadu Police looks after the internal security of 1,30, 058 square kilometers and a population of over 6.2 crores (as per 2001 census). The state has a coastline of about 1000 kms.

The state of Tamil Nadu is divided into 4 police zones - North, Central, west and South. Each Zone is headed by one Inspector General of Police. The City police is headed by a Commissioner of Police (COP). The COP at Greater Chennai is an Additional DGP, while the COPs of other cities are of the rank of IGP / DIG. There are 30 police districts in Tamil Nadu. Each police district is headed by a Superintendent of Police. The COP / SP has, besides the civil police which is generally known as unarmed police, also 1-3 Armed Reserve Companies. A Dy. Inspector General of Police is given the supervisory charge of 2-3 police districts which are together known as a Police Range. There are 11 police Ranges in Tamil Nadu.

Chart - 1

Various Wings / units under the supervision of the DGP

1. Law & Order
2. Head Quarters Administration.
3. Overall Administration
4. Welfare of Policemen
5. Technical wing
6. Crime / Crime Branch CID
7. Economic Offences Wing
8. Special Branch CID
9. Prohibition Enforcement wing
10. Training
11. Tamil Nadu uniformed services Recruitment Board
12. Vigilance and Anti-Corruption Wing
13. Coastal security Group

(Space for Hints)

14. Social Justice
15. Civil Supplies
16. Home Guards
17. Special Task Force
18. Railway Police
19. Armed Police
20. Refugee Camp
21. Tamil Nadu Police Housing Corporation
22. Prison Administration.
23. Fire and Rescue Service
24. Intelligence

Decision making ;-

Higher level policy decisions on major issues relating to the Police Department, Particularly involving finance, are taken by the Chief Minister, in consultation with the Home Secretary and the DGP. Administrative decisions are taken by the DGP in consultation with his immediate subordinates on matters relating to the implementation of the policies.

At the city and district levels, the COPs and SPs can take suitable decisions in situations of emergency relating L& O, Crime or traffic or other events.

Decisions taken at the higher levels, at the level of the Chief Minister, the Home Secretary and the DGP, are worked out for details at the offices of the Home Secretary and the DGP before being sent down through the hierarchy for implementation. The DGP has a vast administrative machinery to carry out such decisions. Ministerial staff are recruited for such purpose under police Ministerial staff Recruitment and they are employed at three levels, namely, the DGPs office, the office of the COP and the Office of the SP, with liability for transfer from one to the other wings.

Police HQ/ DGP/ Chief of Police Office Administration

All the Wings under the control and supervision of the DGP are administered by the next officer -in - command of the wing. At any time, there may be four or five, or even more DGPs. This is because, the same batch of IPS trainees keep on getting promotions almost at the same time. It depends on the allotment made by the centre. As such, discretion to choose one amongst them to occupy the post of DGP. (L & O) and others will be given the charge of other independent wings. Some DGPs are placed as Director of Vigilance in the Non -police departments such as Electricity Board, State Transport etc. When the services of I.P.S. officers are given to state Govts, the centre asks the state that these officers reach the highest post within Fifteen to Twenty years.

4.2. LAW AND ORDER WING

Major Policies relating to L&O at the State Level are devised at the level by the Home Secretary and DGP in consultation with the Chief Minister. Details of such policies are worked out by the offices of the Home secretary and the DPG and are sent to the COPs and SPs throughout the state. The COPs and the SPs in turn may be required to send their feedback to the DGP after the policy implementation.

The COPs and the SPs have considerable liberty to act on their own during times of L & O emergency. They can deploy the armed reserve police to control the mob during abnormal situations. If they require more strength and force, they can obtain the special police force through the DGP. The DGP through the State Intelligence Bureau (SIB) may get information about possible L&O disturbances in some districts and may advise the COP or SP concerned to act as per directions.

Such orders are passed on through the ADGP (L&O) to the COPs and SPs. While the orders are passed on to the COPs directly, they are passed on to the SPs through the Zonal IGP, and the DIG, who controls 2-3 districts. (Refer Lesson 7.3 for Law Enforcement.)

Chart - 2

Law and Order (HQ)

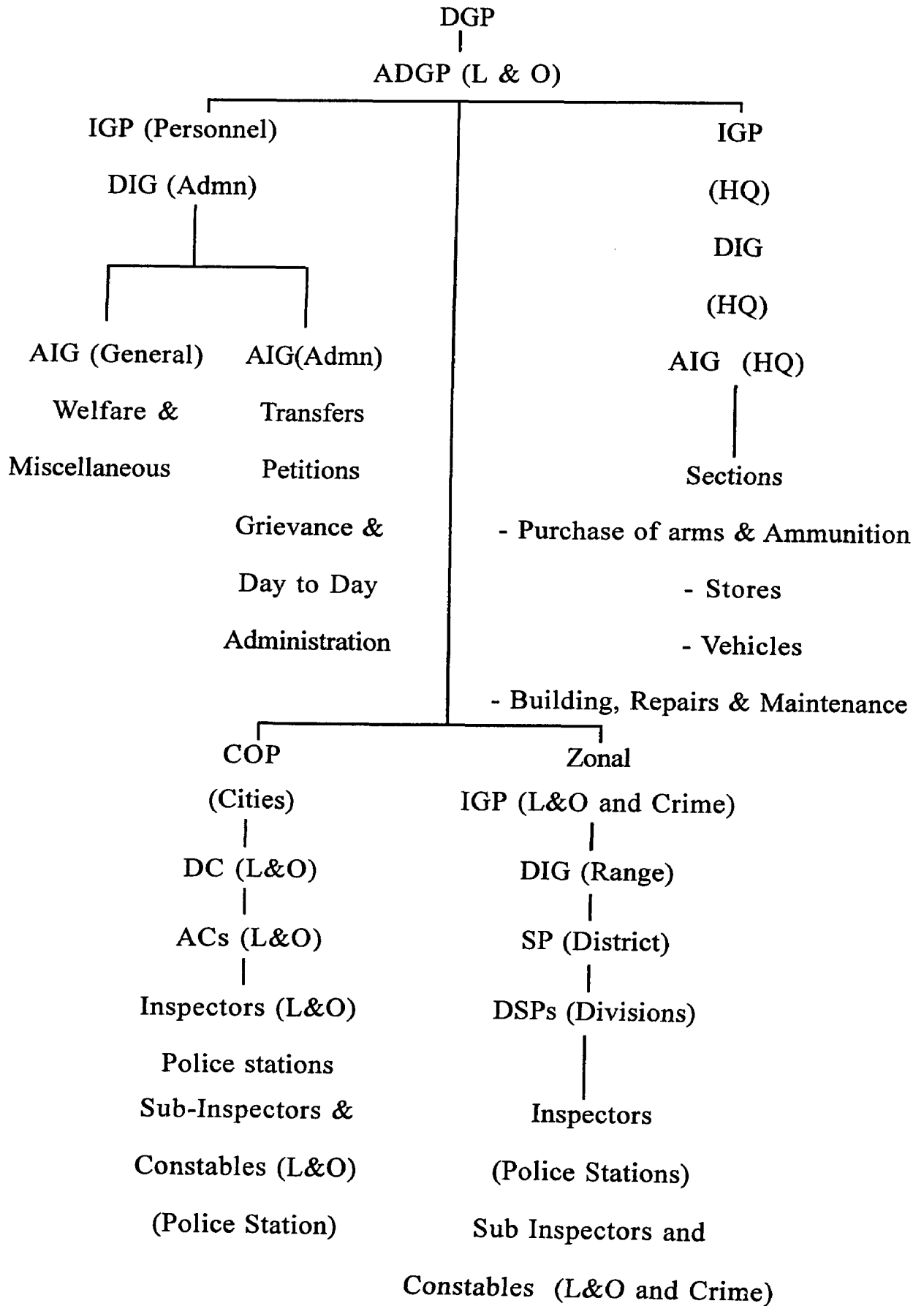
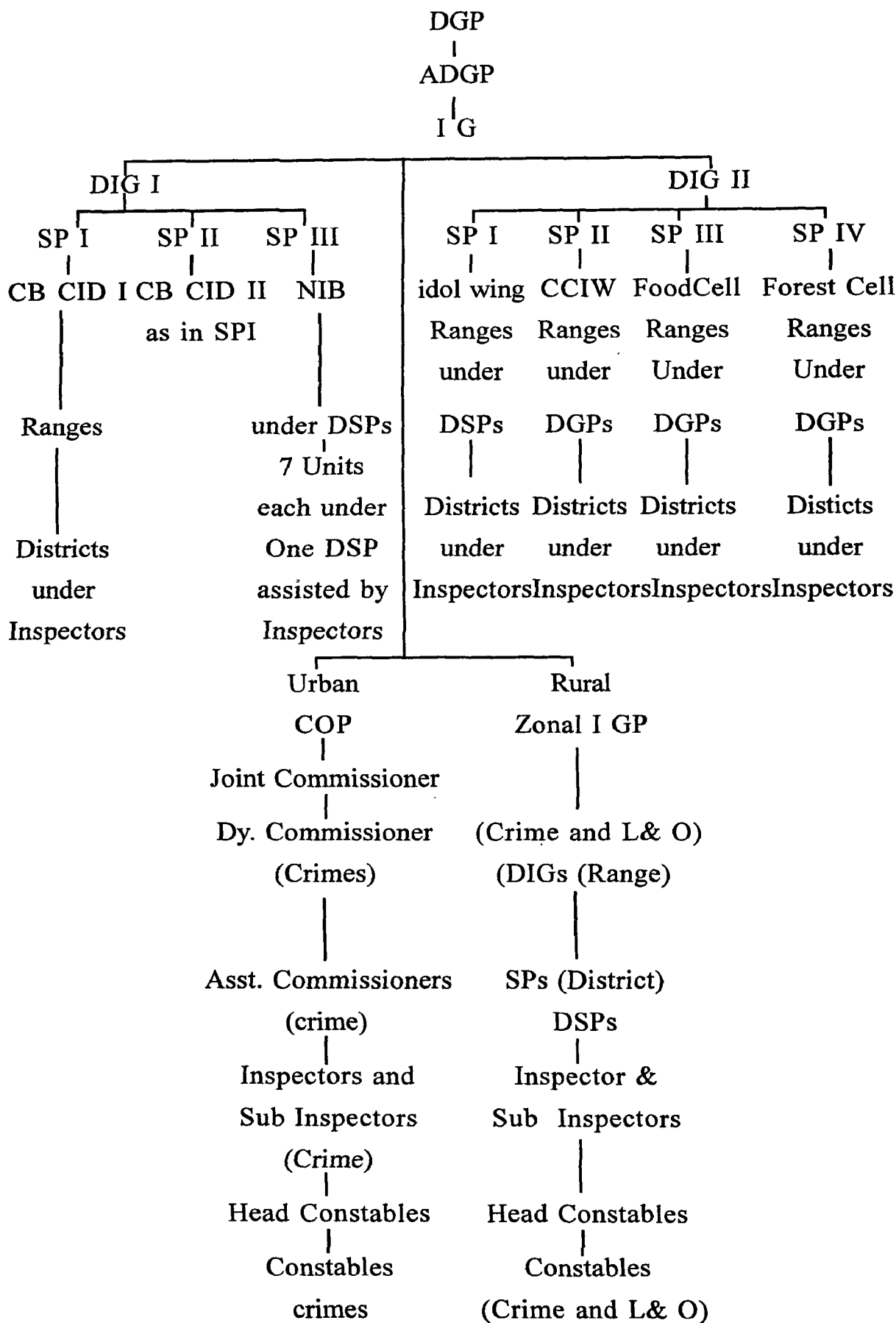


Chart - 3

(Space for Hints)

Crime / Crime Branch CID (HQ)



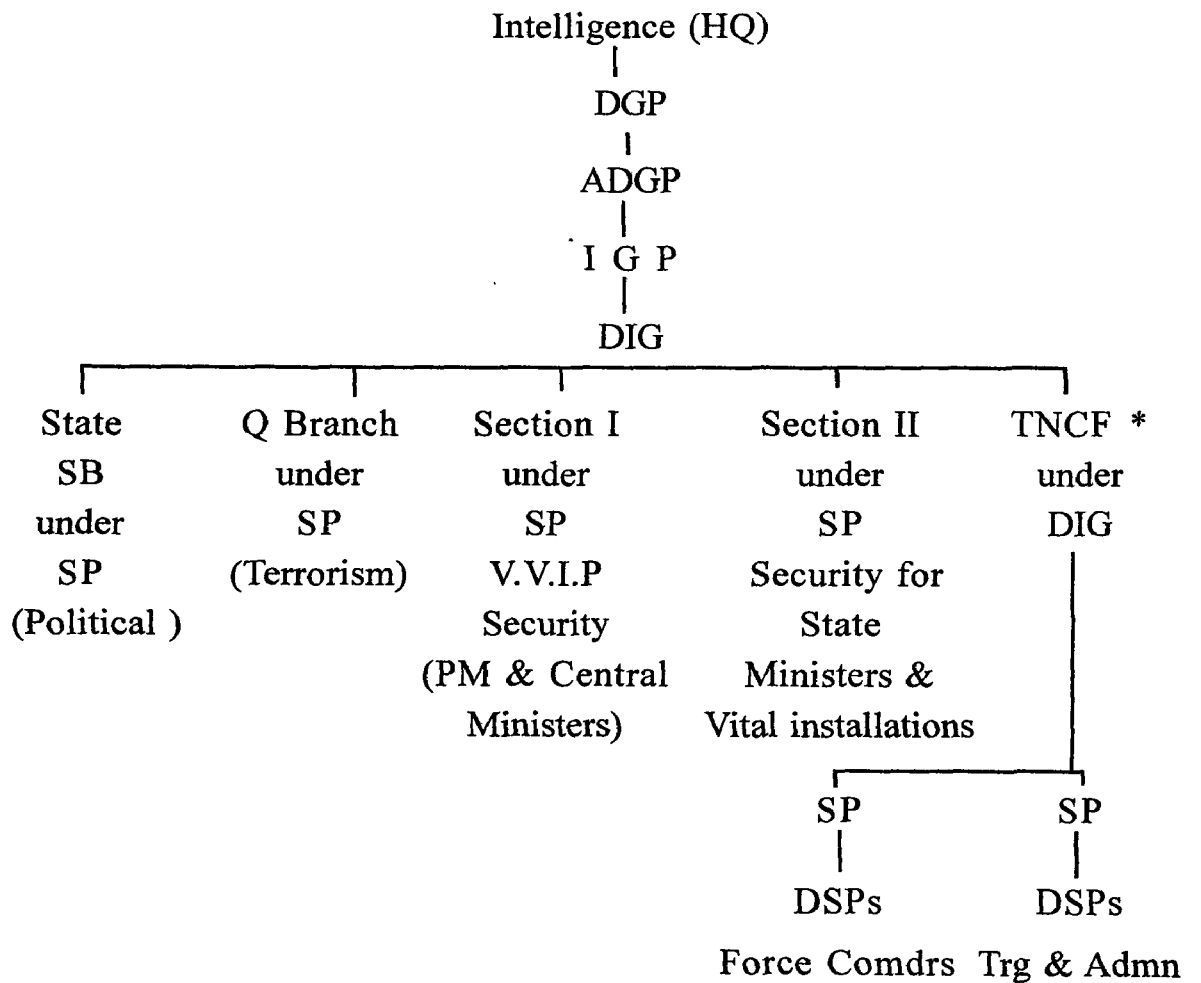
Refer : -

Lesson 7.5 for Crime Prevention and Lesson 8.1 for details of Crime (Wing)

Note :-

1. In all major cities, there is a City Crime Branch called Central Crime Branch with its CID wing under the control of the COP and headed by an Asst. Commissioner. (AC)
2. In every major city there is also a control room under the charge of an AC who also heads the Crime Branch and City Crime Records Bureau.

Chart - 4



* TNCF - Tamil Nadu Command Force

Note : While the units shown above operate at the state level, each city under a C.O.P. and each police district under a SP has its own Intelligence section. In the commission erates, the IS is headed by an Assistant Commissioner while at the district level, it is headed by a DSP / Inspector.

4.3. SPECIAL BRANCH (SB)

The function of the Special Branch or Intelligence Branch is to Collect, disseminate and record intelligence of political matters and matters of interest from the security point of view. The special Branch also makes secret inquiries to assist the investigation of important cases which have a political significance.

The Work in the Special Branch is divided into the following categories

1. Collection of intelligence by field groups about various political parties
2. Collection of intelligence about Zonal units in the various Zones.
3. Interceptions
4. Counter espionage and watching
5. VIP Security intelligence
6. Collection and assessment of intelligence received from field units and passing it on to the government.
7. Recording and indexing.
8. Enquiries relating to passports, visa, verifications etc.
9. Presswork and reporting.

“Field groups” and Zonal units of Special Branch collect information about any local disturbances or imminent trouble or any plans for trouble on any particular occasion. This work cannot be performed by a centrally based staff. The small units at the district level called field groups and zonal units are assigned this work.

“Interception” is a valuable source of intelligence. It is done on a very limited scale and on special targets approved by the state Government. This work is important and needs to be properly organized and aimed at only limited and specific targets. “Counter espionage and watching” are important works carried out by the special Branch watching local contacts.

“VIP security” is a special subject dealt with by a separate security Branch. In fact More information comes to the special Branch than to the Security Branch about possible hazards and suspects. Therefore, a small staff is given to them for collection of VIP protection intelligence. A small staff is provided in the special Branch to make contacts with the press and make scrutiny of the telegrams which emante from foreign correspondents.

Reporters small in numbers also form part of the special Branch. The main function of the Reporters is to take down “Verbatim Speeches” made by communal or subversive parties and also opposition political parties.

A great deal of field enquiry is necessary in connection with Passport and Visa applications and also applications for certain sensitive posts under the Govenment. A small staff attached to the Special Branch Performs this task.

4.4. CRIME BRANCH

The important function of the Crime Branch of the Criminal Investigation Department is to assist the District Police in the prevention and detection of crime. This assistance is given without in any way diluting the responsibility of the District Police in this respect. In fact, the District Police continues to remain solely responsible for the prevention as well as the detection of crime. The Criminal Investigation Department gives it such specialist assistance as may be required in some of the more complicated and difficult cases. In order to do this, the crime Branch of the “**Criminial Investigation Department**” is properly organized and raises itself to the standard of an expert body before it is either be useful or can make its advice acceptable to the District police. “**Experts are not born**” but are the products of intensive study, hard labour and long experience and therefore, the criminal Investigation Department drafts officers with special aptitude and intimate knowledge of investigation and those who have successfully held charge of police stations or have investigated a large variety of cases in the police stations. These officers are further trained and assigned to specialist units after judging their particular aptitude and ability. But this specialization

in investigation is not considered enough. To back up this staff, the Criminal investigation Department have full data from records in which all crimes are entered, the of suspicion analysed. There is a specialist study in the particular forms of crime which these officers individually or in groups are expected to investigate. Further, any investigation requires collection of a good deal of criminal intelligence and this intelligence is also made available to the specialist investigation officers. There are certain specialist units such as “**Finger Print Bureau**”, the “**Forensic Science**” Laboratory etc. also to supplement the work of the specialist but also of the normal investigation work of the police stations.

The Crime Branch therefore, Performs the following functions.

1. To collect, **collate** and **disseminate** information regarding professional crimes and criminals.
2. To collect intelligence about criminal gangs or important criminals and send out advance warnings to the police stations about their likely activities, and also to collect intelligence after the commission of a particular type of offence about the possible complicity of some criminals who are known to be addicted to such types of offences.
3. To study and analyse the general incidence, distribution, pattern and trend of crime so that preventive measures can be suggested and also special staffs can be deputed for the investigation of particular type of crimes which may be prevalent at any time.
4. To investigate or assist in the investigation of selected offences.
5. To cater to the services of certain technical branches, to the police stations and to the Specialist Investigators.

The crime Branch generally has four divisions, They are :

- a) The Central Office.
- b) The Criminal Record Office

c) Investigating Squads and

d) Technical Units

The General Office deals with all ordinary correspondence and accounts matters. The Criminal Records officer collects, collates and distributes information relating to "Professional crimes" and criminals. It is also responsible for the publication of a weekly gazette and daily bulletins for distribution to police Stations and also for the preparation of charts, graphs and statistics. (Refer for further details about Criminal Record Office in Lesson No. There is no rational distribution of work between the different investigating squads nor is there any specialization. The Police Personnel in the investigating squads are often transferred from one type of work to another. This minimized the chances of the Crime Branch getting specialized in different types of crimes. This makes them Jack of all TRADE. Abolishes Monopoly over one work.

In all criminal investigating departments, investigating squads are classed according to the form of crime and particular squad investigates only a particular form of crime at a time. That is how it specializes in that form of crime, and is able to give real assistance to the field staff. The Crime Branch is concerned with the investigation of following crimes under the Indian Penal Code.

1. Homicide, Kidnapping and Abduction

There are not many cases of homicide. Though abduction and kidnapping are different forms of crime, it will be convenient to place them under the same squad who will handle homicide. These are all offences against person.

2. Decoity, Robbery, Burglary and Ordinary Thefts

These offences are committed by professional criminals, and this is a field in which the Criminal Investigation Department gives a great deal of assistance to the field officers without actually taking up the investigation. These all offences against "Property"

3. Thefts of Automobiles

This is a form of crime which is increasing day by day and not only automobiles thefts but thefts of parts of motor cars, motorcycles or scooters are rampant in many areas. Automobile thefts and thefts of motor car parts and motor cycle or scooter parts can be kept under one squad because a special type of criminals are involved in this form crime.

4. Cheating

A large number of cheating cases are of a petty in nature. While the local police can investigate minor offences of cheating, cheating by organized gangs or by gangs with widespread ramifications requires specialist investigation. In such case Criminal Investigation Department not only assists the local police but practically takes over the entire investigation. Organisation of criminals should be dealt with by a special C.I.D. Just like in Mumbai (Maharashtra).

5. Forgery and Counterfeiting

This is another specialised form of crime and is dealt with Criminal investigation Department. Actually this form of crime is deal with by the Central Bureau of Investigation.

6. Criminal Breach of trust and Criminal Misappropriation including Chit Fund Frauds.

This form of crime, generally known as White Collar Crimes, is growing. Investigation of this form of crime has to be spread over a long period. Volumes of registers and records have to be examined and the services of the trained auditors are often needed. If the Investigating officers themselves are commerce Graduates, they will find themselves more at ease in the investigation of this form of crime than others.

7. Smuggling and Prohibition

This is another form of crime in which there is no complainant because the society or the state as a whole is the loser and yet this causes

more economic damage to the country than any other form of “**organized crime**”. Prohibition offences are numerous and large scale smuggling is also quite common. People who contravene the prohibition laws are often influential persons. All smuggling cases are inevitably inter-state offences. Hence, it is necessary to provide specialist service to detect this form of offence.

8. Social Defence

The object of this squad is to rid of society such vices as corrodes the spiritual and moral life of country. Prostitution, goondamenace, begging, gambling prohibition bonded labour etc, fall in this category. In this field of work the Criminal Investigation Department will have to depend more on the police stations for information than in any other form of crime. Outwardly, there may not be any positive result to show but the gain to the community, if gambling prostitution, etc, can be eliminated or considerably reduced, would be immeasurable. It will be useful to employ “**Women Police**” in this squad.

9. Special Juvenile Police Unit.

The only way to correct juvenile delinquency is to try to correct juveniles as soon as they develop criminal tendencies. The special Juvenile Police Unit could help in this regard. The bulk of the staff could be formed by women Police, as suggested by Justice V.R. Krishnaiyer and according to Juvenile Justice (Care and Protection of Children) Act. 2000 as amended by 2006.

The formation of the different of specialist investigation squads will definitely improve the standard of investigation provided if the squads are staffed by well trained specialist officers. In any complicated form of crime this staff will be able to bring its specialised knowledge into operation whenever its members actually take charge of the investigation or merely assist the District Police. The District Police will also not feel that they are left to their own inadequate resources in fighting criminal gangs some of whom may be educated and refined specialists in crime.

Technical units such as Finger Print Bureau, Forensic Science Laboratory, Dog squad, plan Drawing provide necessary assistance in the investigation of cases.

Intelligence and Research

There is an Intelligence section in the crime Branch to collect intelligence about the main types of crime, criminals, their habits, their identification and habitat and also the particulars of influential hooligan leaders. There is a research section attached to the Criminal Investigation Department. When both the Intelligence Section and the Research section are properly set up, they will be able to give actual forecasts of crimes and of the groups that might be involved in such crimes. With the intelligence staff collecting more intelligence on the basis of these forecasts, it will be possible to prevent the commission of many forms of crime.

Legal Aid

In order to provide legal assistance in the investigation and prosecution of cases, Legal Aid unit is set up in the Criminal Investigation Department. It is expected of by Legal Services Authorities Act.

Library

The Crime Branch of the Criminal Investigation Department maintains a library to meet the needs of the entire police Department. In this Library all books on general police matters, crime investigation and trials as well as politics and general reading are kept. If the Police staff utilize the facilities, they could improve their knowledge which will help in the performance of the different police duties.

The Crime Branch of the Criminal Investigation Department functions under the control of the Director General of Police (Crime). He is assisted by the Inspectors General of Police and a number of other officers in the performance of his duties. This crime Branch is able to provide necessary assistance to the District Police in prevention, investigation and detection of crime and takes up complicated cases for investigation.

4.5. TAMIL NADU POLICE STANDING ORDERS

Every state in India has its own codification of its police force under certain laws to govern the police organisation at the state, district, city and village levels the conduct of the policemen of all ranks their duties and responsibilities disciplinary proceedings and appeals dismissal removal, suspension retirement etc.

The Tamil Nadu Police standing orders (TN - PSO) contain all the details relating the police service and very much resembles the PSO of other states. Therefore, an outline of the contents of TN PSO s given in the following pages may be taken to be similar to the PSO of other states.

The TN - PSO forms part of the TN Police Hand Book and consists of the following

- * TN Police standing order 1 - 856
- * TN Police Subordinate services Discipline & Appeals Rules
- * TN Civil services Disciplinary proceedings (Tribunal) Rules 1955
- * Special Rules for TN Police Subordinate Service
- * TN Special Police Subordinate Service 1978
- * Police Related Acts and Rules

These manuals are related to each and every part of the career of all categories of policemen from recruitment to retirement.

The TN - PSO

The TN - PSO consists of 47 Chapters divided into 7 parts in the following orders:

Part I :

Chapters 1-5 : Recruitment. Pay, Examinations Training and Promotions Termination of probation, removal from service etc. Promotions of gazetted officers from the take of DSP and above.

Chapters 6 & 7 Recruitment, Pay, Examinations, Promotions of Non -
gazatted Officers

Chapter 8 : Rewards and awards of all categories

Chapter 9 & 10 Prosecutions of non - gazatted Officers punishment and
appeal

Chapter 11 & 12 Persoal conduct of officers personal files periodical re-
ports etc.

Part II

Powers and Duties

Chapter 13-15 : Power and duties of an instrumentations to officers, Trans-
fers and Reliefs.

Chapter 16 : Drill and Musketty.

Chapter 17 : Pay and allowances. Cash Accounts Journeys sports etc.

Part III

Chapter 18 -23 : Powers and Duties of the police under the Arms Act,
Indian Explosives Act, Guards, Beat and Patrols, Escorts & orderlies Misc
- duties & correspondence.

Chapter 24 : Village Police, Armed Reserves

Chapter 25 : Railway Police Organisation

Chapter 26 : Criminal Investigation Department

Chapter 27 : Police tele Communications Branch

Chapter 28 : Village Police

Part IV

Chapter 29-35 : Investigaiton, CRB, Arrest and custody, Extradition, Bail &

Rem. and Final Reports, Prosecution, Appeal against acquittal etc.

Chapter 36 : Search and property

Chapter 37 : Information Dissemination and Coordination of work

Chapter 38 & 39 : Detective duty, special Report, Preservation of peace, preventive Action, suppression of Rights etc.

Part V

Chapter 40 : Station House Records and Returns

Part VI

Crime Prevention surveillance and Finger Prints

Chapter 41-46 : Security for good behaviour, station crime history & District and Divisional Crime Charts, General conviction Register, surveillance Restriction of HOs, Foreigners Reporting, FP and photography.

Part VII

Chapter 47 : Police in selected Muffusil Cities

4.6 ARMED POLICE FORCES (STATE)

Each and every state has its own armed police forces to assist the civil in maintaining L & O and in certain other duties. The armed police wings have their origin in the British rule in India. The Police Act of 1861 provided for the creation of reserve police force to help and assist the civil police in maintaining L&O in different parts of the country. The object was to maintain a well - trained armed men ready to move to any place of L&O disturbance.

The growth and expansion of the armed police after Independence has become quite phenomenal. Since then, the armed police strength has increased considerably. In fact, the armed police has grown more than the unarmed or civil police in strength and weaponry after independence. The

strength of the armed police in many states was increased further following the Chinese Aggression of 1962, Which was quite unexpected by India. [The provincial Armed constabulary was increased in UP; the Punjab Armed Police was increased by 4 Battalions; in M.P. it was raised by 6 battalions and so on. On the whole by 1971 the total strength of armed police in the country went up from 1.24 lakhs to 1.73 lakhs, and in 1974 it increased to nearly 2.0 lakhs. This included two kinds of Armed police of the states, namely, the special armed police and the armed reserve police]. In Tamil Nadu there are at present 14 Battalions of Special Police, Which includes one Regimental Centre.

Reasons for fast increase in the strength of Armed police “after Independence”

A number of reasons have contributed to the phenomenal growth of the Armed Police at the state level after independence. The Armed police has become an integral part of the policing system in India. Following are the reasons responsible for its massive growth after Independence.

4.6. 1. Communal Riots :

The Communal riots which erupted on the eve of Independence, continued even after Independence for some years, during and after the partitions, the whole country witnessed millions of innocent people, including women and children being killed on both sides, honour of women ransacked and peace and tranquility eclipsed by hatred and fear, before the people could breathe the fresh air of Independence. Maintenance of L &O was a serious problem in the post Independence India which the civil police alone was not able to tackle. The situation needed heavy deployment of armed police.

4.6.2. Increase in propulation and increasing crimes :

Increasing propulation after independence led to increase in crime rate. The central and state governments were preoccupied with the state reorganization. Therefore, attention to crime control was of least concern

of the Government. This gave rise to crimes of various sorts throughout the country. Dacoities and robberies, homicides, local communal vilences and the like were increasing. Armed police personnel were required to nab the dreaded terrorists and dacoits.

4.6.3. Campus Unrest :

Unrest in the campuses of universities and colleges began to occur in the post - independence era because of entry of political parties into the campuses. Campus disturbances occurred owing to internal and external causes. Police had to enter many campuses to bring the situation under control. For example, Tamilnadu witnessed the worst situation of campus disturbance almost throughout the state over the language issue during the 1960s and 1970s. The situation warranted the deployment of armed police to control the situation. Most of the University in India have had campus strikes and agitations. This kind of problem continues even today.

4.6.4. Problem of State Boundary :

Following the state's reorganization effected in the 1960's by Sir.Vallabai patel, there were agitations in many parts of the country for language- based partition.Mass agitations launched by the then opposition parties to the ruling congress party at the centre and in many states caused a great tension and created the need for the presence of a well equipped armed police to control the situation.

4.6.5. Industrial growth and labour strikes :

With the launching of the "Five years plans". new industries were established and existing industries were expanded. This gave rise to the emergence of the 'proletariat'. i.e. the massive labour force backed by the communist philosophy of agitations for claiming the rights of the working class. Such labour strikes and agitations often turned violent warranting the presence of armed police.

4.6.6. Chinese Aggression :

The Chinese Aggression of 1962 was something unexpected and for which India was totally unprepared for. The weaknesses of India's defence were exposed in the wake of the Chinese Aggression. Besides the external security, Internal security also was at threat owing to insurgency and influx of Tibetan refugees. The internal situation had to be handled by the ruthless armed police.

4.6.7. Indo - Pak Conflict :

The Indo - Pak conflict centering around the Kashmir issue became another serious threat to internal security, not only in the Indo-Pak borders but also in the interiors of India. Although specialized central forces like the CRPF, BSF were created, the Presence of strong armed police was needed in the states to cope with the situation.

As stated earlier, the state Armed Police comprises two categories namely,

1. Category - II

Which is District Armed Reserve Police and

2. Category - III

Which is Special Armed Police. Their organisation and functions are given in the following pages :

4.7 DISTRICT ARMED RESERVE POLICE (CATEGORY II)

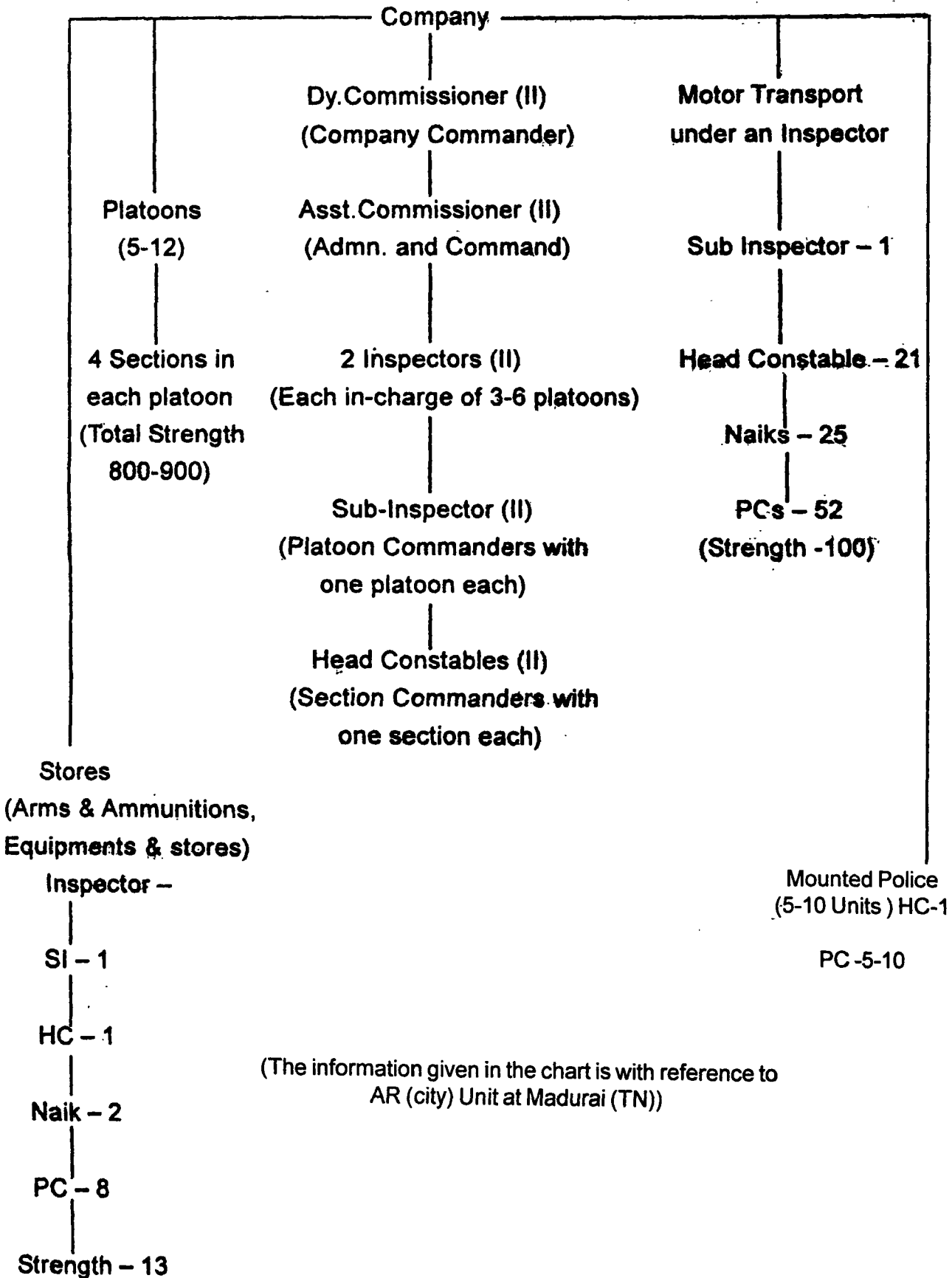
The origin of the District Armed Reserve Police can be traced back to the British rule in India, since 1861, when the comprehensive police act was passed by the British rulers in India. Now and then, the need for creating reserve police forces was felt by the administrators. Different provinces created their reserve police forces under different circumstances. First,

such a 'District Police Reserve' consisting of 25 armed men was created in Bengal with provision for being deployed only under the orders of the District Magistrate to areas of L&O disturbance. The Bengal system was later extended to other provinces. The provincial governments created their own District Reserve Police. Each police district now has 1-3 units / companies of District Armed Reserve Police which is known by different names in different states.

4.7. (a) Organisation of the District Armed Reserve Police : (AR)

The AR unit of a "Police District" is called a company. The overall command of the company is vested with the Commissioner of Police of the city or SP of a police district. The Company's command is placed under a Dy. Commissioner who is assisted by an Asst. Commissioner. Each company consists of 6-12 platoons and each platoon consists of 4 sections. There are two Inspectors under the Asst. Commissioner with the charge of a platoon. A platoon in turn is divided into 4 sections, with each section placed under one Head constable. The number of platoons of a company may vary from 6 to 12 depending on the size of a police District. The larger and more sensitive districts will have more platoons while smaller districts will have lesser number of platoons.

Chart – 5
Organisation of an AR Company



(The information given in the chart is with reference to AR (city) Unit at Madurai (TN))

4.7.(b) Functions of District Armed Reserve :

The District Armed Reserve in each district are placed under the charge of the Commissioner of Police or the SP. The AR has state wide service liability. That is, the AR of one district may be deployed in other districts on the request of the CoP or SP concerned to control L & O situation. The AR functions only in support of the civil police in maintaining L & O. The AR performs the following functions :

1. It assists the civil police in maintaining L & O in places of L & O disturbances, day and night patrolling and traffic regulation during peak hours and crowded situations ;
2. It provides sentry duties at Nationalised Banks and the Government Treasuries;
3. The AR personnel perform sentry duties in the residences of state dignitaries, VIPs and senior police officials ;
4. The AR Personnel are deployed for escorting the accused and prisoners from police stations to courts, from one court to another court, or from court to the prison;
5. It provides bandobust arrangements during VIP visits and meetings ;
6. Guarding arrested criminals, VIPs are in the Hospitals;
7. Standing guard in the Police Stations and police offices
8. Providing assistance to civil police during festive occasions;
9. Under exceptional circumstances, the AR personnel have powers to arrest the accused and escort them to the civil police stations concerned for enquiring. In short, the AR functions in close coordination with the civil police of the district.

4.8. SPECIAL ARMED POLICE

ORGANISATION AND FUNCTIONS CATEGORY III

- a) During the British rule, Special **Armed** Police Battalion existed in many states like Bengal, Madras, Bihar etc. However, in the early years of the British rule, there was no much difference between the Armed Reserve at the district level and Special Armed police except that the latter had all-India duty liability. Different names were given to special Armed police In different porvinces. In Bengal, this was called the Eastern Frontier Rifles. In Bihar it was called Bihar Military Police. In Assam, it became Assam Rifles and in Madras province, it was called Malabar Special Police. Now, in TN it is known as **Tamil Nadu Special Police**.
- b) During the British period the “**Special Police Battalions**” were organised on the patterns of the army with similar ranks, at the middle and lower levels, and with almost equal light weapon power. During the second world war, the special police Battalions were deployed as second line of defence. States like Madhya Pradesh and Uttar Pradesh also raised similar special Armed Police units for purposes of internal security.
- c) After Independence, Special Armed polices force have been established in all the states. As there were many variations in their form, pattern and training, the Government of India appointed a committee consisting of several Inspector General of Police under the Director Intelligence Bureau to bring about uniformity in the organisation, training and functional aspects of the special Armed Police of all the states. Since then, but for the differences in the nomenclature of this force, there is a fairly good uniformity in other aspects of this force. In Tamil Nadu, this is now called Tamilnadu special Police. In Karnataka, it is known as Karnataka Special Police. Some states retain the old names. The personnel of this force are given a very tough training with sophisticated light weapons like AK47, AK 56, light machine guns, etc. This makes them fit for anti-dacoity and anti-terrorist operations. Each state has a special act for these Special Armed Police units.

d. The following are the major features of the Special Armed Police Battalions.

1. The Special Police Battalions are under the direct control of the DGP of the State;
2. The Special Police Battalion is deployed in the highly sensitive and troubled areas by the DGP on the request made by the Commissioner of Police or SP concerned;
3. The Special police force of one state can be deployed in other states on the request made by the Chief Minister of the state through the central Home Minister.

For example, during the recent General Elections held in Tamil Nadu, West Bengal, Kerala, Assam and Pondicherry, the Tamil Nadu Special Police (TSP) Battalions were deployed in Assam and Calcutta, while the Special Police Battalions of Assam and Calcutta were deployed in Tamil Nadu and Kerala. The Tamil Nadu Special Police Battalion, has been deployed in the counter insurgency and counter extremist operations in Assam and Nagaland. Moreover, one Battalion of TSP is permanently deployed in the infamous Tihar Jail to look after the external security ring of the prison.

E.Organisation of the Special Armed Police :

Depending on the budget provisions and requirements, a state may have 5-12 Battalions of special police. In the immediate post-Independence period, Tamil Nadu had only 4 Battalions. It was gradually increased during the five decades and now, there are 14 Battalions, of which one is “**Women Battalion**” introduced in 2001 and another one is Regimental Centre. The special Police Battalions are placed under the charge of an ADGP who receives orders from the DGP. These are kept in different parts of the state. One of the battalions functions as Regimental Centre (RC) and provides training facilities to recruits and in-service trainees. These battalions are organised like army units and they have similar training, not in every respect, but to a great extent. The organisational and functional patterns of the special police

force are almost the same in all the states. Therefore, Tamilnadu Special Police is taken as an example with regards to the organisation and functions of the Special Armed Police. However, recruitment pattern may differ in different states. (This is explained in detail in the Lesson on Recruitment and training).

F. Tamilnadu Special Police (TSP) : Organisation :

The TSP was earlier Known as Malabar Sepcial police before Independence. After Independence and after the states reorganization, the name was changed as Special Armed Police (SAP). Subsequently, when the name of the state was changed from Madras to Tamilnadu in 1972, the SAP was renamed as TSP. The 14 Battalions of TSP are camped at 12 Places in TN. The Regimental Centre is at Chennai (Avadi) where advanced training facilities have been created.

The overall control and supervision is vested with the DGP (L&O) who is assisted by one ADGP, and one IGP in the overall administation and control of the TSP. The IGP in turn is assisted by 3 DIGs, who look after 4-5 Battalions of TSP each. Each Battalion is placed under one commandant who is of the rank of a SP. Each Battalion is divided into 6 companies and each company is divided into 3 platoons. The platoon, in turn is divided into 3 sections. The TSP Battalion also has three additional sections - one for Motor Transport, one for stores including the armoury, and one for communication. Each of these three sections is placed under one Inspector.

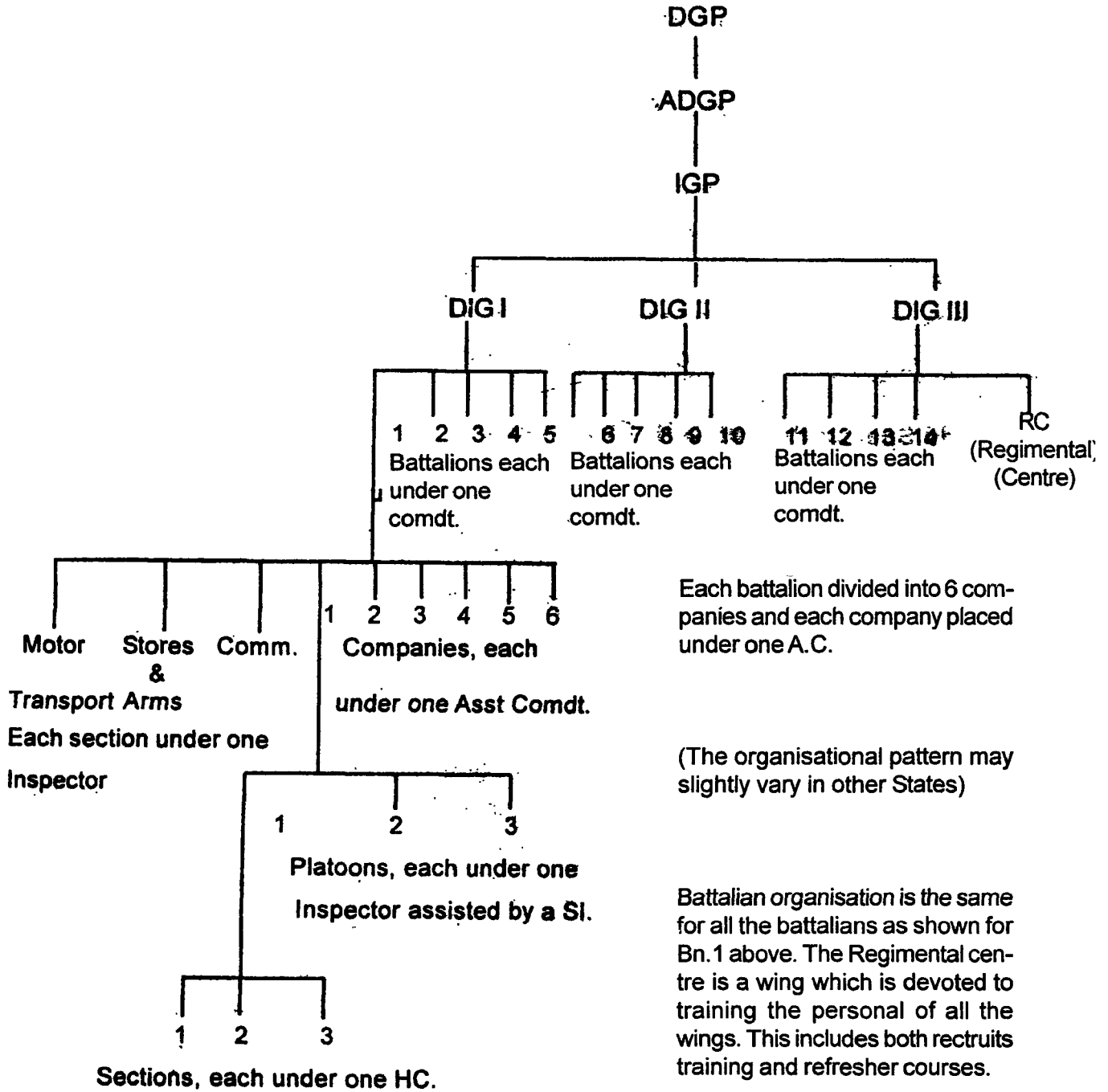
G. Functions of Special Armed Police with reference to TSP

The duties of the special police are confined to very few areas, but they are highly professional and specialized in nature. The special police personnel are not to arrest the accused or the terrorists. Once they are deployed in action, like the Army in battle, their actions aim at 'shoot to kill'. In this sense they are only a striking force. They use all the light weapons used by the Army. The functions performed by the special police are of two major categories, namely

Check Your Progress

1. Who is the decision making Authority
2. Who is the Chief of Police Administration?
3. Explain about the special Branch of Police.
4. What are the divisions of Crime Branch?

Chart - 6
TSP Organisation



- a) Routine functions and
- b) Emergency Functions.

A) Routine Functions :

1. The basic objective of the special police in all its operations is only to help the civil police in maintaining Law and Order. On occasions of serious L&O disturbance, the special police battalions are deployed in the places of disturbance by the DGP, to help the Local Police.
2. The Special Police personnel are given the responsibility of guarding the huge Water Reservoirs in the home state.
3. The Special police personnel are deployed in the outer security rings of the V.V.I.Ps when they attend public meetings. This is more so in the case of those who face constant threat of their life.
4. During periods of extreme L&O crises, such as serious community clashes the special police may be deployed to restore L&O.
5. Special Armed Police personnel are deployed in highly sensitive areas bordering Pakistan, Bangladesh, Tibet where trans-border infiltrations and smuggling of arms and narcotics are likely to take place in the absence of effective security arrangements. If army, or BSF units are deployed in these areas, the special police battalions may also be posted in support of the army units.
6. The special police battalions are deployed in Nagaland, Mizoram, Assam. Where extremist and separatist movements are prevalent.
7. When the country is drawn into war by some neighbouring country, the special police battalions may be deployed to provide second line of defence in the war hit areas. In the modern warfare, there is no specific battle field. It is quite likely that the whole country is targeted and becomes battle field. If the situation develops into a close quarter battle, then the special police personnel will have greater responsibility in the sphere of internal security.

Further during the Chinese Aggression of 1962, and Indo - Pakistan war of 1972 and the Kargil war of 1993, the special police battalions of TN were required to provide second line of defence to the armed forces.

8. A special mention may be made about the role given to TSP battalian in the famous Tihar jail of New Delhi on a permanent basis. One battalion of TSP is deployed there in rotation.
9. The TSP personnal and the Karnataka special police personnel took part in the decade long operations against the most dreaded sandal wood smuggler of Sathyamangalam in Tamil Nadu.

Similar to this, the Andhra Pradesh special police comapnies are engaged in checking the Naxalities and the special police forces of MP. Bihar and UP were engaged in liquidating the Chambal valley dacoits.

10. As the country is witnessing terrorist atrocities in different parts, particularly in the areas bordering Pakistan and sometimes in the cosmopolitan cities like Delhi and Mumbai, the special police battalions are deployed in the island as well as in the border areas. All this mean that the demand for the services of the special police battalions of all the sates is increasing day by day.
11. Special police force deployment is sought to counter the activities of dreaded “**dadas**” and god fathers of cosmopolitan cities and to check abductors who demand heavy ransom for releasing their captives.

On the whole, the deployment of the special armed police battalions is sought when the situation warrants ‘attack, assault and shoot to kill’.

4. 9. SPECIAL TASK FORCE (STF)

Special Task Force (STF) is a special group of policemen drawn from various cadres administration categories, formed for a special operation. Such a group will consist of policemen robust in physique, alert in mind and vision, experts in logistics and professionals strategies.

The assassination of Mr. Rajiv Gandhi, former Prime Minister of India in October 1992 at Sri Perumpudur in Tamil Nadu warranted the creation of a STF headed by the former DGP of Tamil Nadu Mr. Karthikeyan for investigating the case. The investigation which was carried out included fixing the evidences, identifying the assassins and their associates, the master brain behind the entire plot, rounding up the assassins and their associates, producing them in the court for prosecution and conviction. The entire process involved a high profile investigation. That the LTTE of Sri Lanka hatched the plot to assassinate Rajiv Gandhi through a suicide squad was proved beyond doubt. The STF appointed for the purpose, successfully investigated the case, rounded up the assassins who were alive, within a very short period of about two months. Similar STF operations have been carried out in other states to round up and check the dreaded criminals.

Another SFT operation of Tamil Nadu worth citing is that of the STF which carried out the 'Operation Cuckoo' against the forest bandit Veerappan who was the most notorious and most dreaded sandal wood smuggler of Sathiamangalam forests of Tamil Nadu, and who was throwing a challenge to the Governments of Tamil Nadu, Karnataka and also Kerala for more than 10 Years and who had murdered more than 100 people and had smuggled ivory and sandalwoods worth crores of rupees by killing hundreds of tuskers in the forests.

The thick forests bordering the three states of TN, Karnataka and Kerala extending to thousands of square kms. gave him prolonged refuge. Familiar with the mountainous terrains of Andiyoor forests, he was able to move out of sight and out of reach very quickly. He had a band of 10-15 associates with him and kept them under sheer threat. By acting as a Robinhood occasionally, he was also able to get his stores and supplies from the people of neighbouring villages. The government of the three states had spent more than Rs-100 crores in the two decade-long operations against him. He laid ambush to the search parties and used to ransack the neighbouring police stations by applying guerrilla tactics, and carry away the arms and ammunition from the policemen and forest officials.

In fact many STF parties failed in their operations against the forest brigand Veerappan. Only in 2004 the combined the STF of Tamil Nadu and Karnataka under the able command of Mr. K.Vijaykumar, IPS, an ADGP of Tamil Nadu, ultimately succeeded in trapping the forest brigand through a specially designed strategy which was named 'Operation Cuckoo'. It was indeed another most successful operation of Tamil Nadu Police.

4.10. SPECIAL UNITS (Tamil Nadu)

Besides the major units such as Crime Branch the L&O wing, Intelligence Armed Police units every state police has a number of special units which have been created after Independence. They are :

1. Civil Defence and Home Guards

Ad hoc Civil defense forces consisting of members of the public are trained by policemen in highly sensitive areas such as Assam and Nagaland and in some parts of Andhra Pradesh, and Bihar they were created after Independence to fight against the dacoits, terrorist and naxalities.

The Home Guards are an improved variant of civil defence and community police. The Home Guards were created during the 1980s from among the members of the public with the objectives of using them for crowd control, traffic regulations etc. They are given basic drill practice and musketry by the police and their services are utilized by the police during times of need This is placed under one IG who look after recruitment, organisation and training of the Home Guards.

2. Civil Supplies CID

Civil supplies department is a part of the civil administration and controls the procurement and distribution of essential food grains which are in scarcity and which are to be distributed through "fair price shops".

The civil supplies Department once became very notorious for corruptions, bribery and kick backs and also smuggling out essential commodities.

It became necessary to create a separate crime investigation cell for civil supplies. This functions under one DIG with branches at various places each under one DSP assisted by Inspector, Sub-Inspectors and Head constables. This looks into cases of corruption micromanagement, bribery and fraudulent practices in the procurement which are supplied through the Public Distribution system.

3. Coastal Security Group

Tamil Nadu has a long coastal area along the east coast. The Coastal region was accommodating many kinds of anti-national and anti - social activities like smuggling, infiltration. Which needed to be checked. This warranted the creation of a small group of policemen. in the form of Coastal Security Group placed under one DSP. This is different from the Coast Guard of the Central Government which looks after all the coastal regions of the Country in support of the Indian Navy.

4. Economic offences wing (EOW)

Economic offence wing which is a part of the crime Branch looks into franchise and mismanagement of the government financial institutions causing losses to the customers. For examples chit fund frauds, cheque bouncing etc. come under the purview of EOW. This functions under an IG assisted by DIGs,SPs and PSs. Each DSP has 7 districts under his control in Tamil Nadu.

5. Operation - TN Commando Force & Commando School

With increasing terrorist activities all the country and all over the world every state needs a force, tough in physique ready for action, shrewd in surveillance, quick in assault and firm in holding the ground. The Commando force used to be common in the Defence particularly, in the Army, but now the police force also needs commando forces to fight against terrorist elements. This consists of a small group of men selected mostly from the special police force of the state and trained on very tough lines with advanced weapons. In Tamil Nadu, a commando School has been established under an IG to train the commando force and is kept ready in every district HQs.

6. Prohibition Enforcement Wing (PEW)

In spite of stringent legal measures illicit brewing continues in many parts of the country including Tamil Nadu. Often, illicit liquor prepared and sold illegally becomes poisonous and takes a heavy toll of human lives. Therefore, every state police has its PEW in each police district under one DSP assisted by Inspectors Sub-Inspector, Head Constable and Constables.

6. Railway Police (RP)

The Railway Police also called Government Railway Police (GRP) was created during the British rule in India to check crimes in the Railway stations and in the running trains. After independence, this wing is continued all over the country with the same objective. In Tamil Nadu. The RP is placed under one IGP assisted by a DIG, SPs and DSPs. In all major railway stations there are RP stations under one Inspector assisted by SI. Head constables and constables. The main work of RP is to maintain L&O in the Railway stations and check crimes in the running trains.

7. Technical Wing (TW)

Every state police HQ has a Technical Wing which has wings like Finger Prints Brureau, Photography section and Forensic Examination. These wings have branches at the district HQS and help the city and district police in Investigation of crimes. The Tamil Nadu police Radio Branch was officially started in October 1948. The Tamil Nadu Police has an up to date radio network connecting all the control rooms in the state. Other states in India also have their own radio network. The IOs can contact any police station in any of the important city or district HQs in any part of India in the shortest possible time and enquire about crime and criminals. All the orders of the police chief of the state or the Chief Minister of the state relating to L&O may also be transmitted through the police radio network.

The Technical Wing Co-ordinates the activities of all the technical branches of the police at the state and district levels. It functions under an IG of police assisted by a DIG of police and one SP each for different wings.

8. The Dog Squad

Dogs are known for their sensory powers and identifying capabilities throughout the world. Dog units are maintained in important district HQs. In every kennel two to five dogs are maintained by the trainers. Generally only world class dogs such as German shephard are bought at a very young age for the police dog kennel and are trained in tracing the footsteps of the criminals and other evidence at the crime scene. The police dogs, no doubt provide some clues in crime investigation. However, the habitual offenders (HOs) know the way of overcoming this by wearing gloves, spreading some distracting agents on their escape routes etc. The Dog squads are placed under the charge of a SI assisted by trained Head constables. This Dog squad owes much to D.I.G. Pm paramaginru to whom I was student of MA.Criminology and Forensic Science.

9. Mounted Police

Many state Police Forces have Mounted Police “**The Policeman on the horse back**” squad of a small size. Some states do have a pretty larger size of Mounted Police. Depending on the need, the mounted police units are deployed in different cities. In TN, the Mounted Police units are stationed in major cities like Chennai, Coimbatore, Madurai, and are used in the following manners.

1. Crowd control : During unexpected riots, when the police motor vehicles cannot go deep into the riot affected areas, the mounted police is deployed. The policeman on the horse back are permitted to wield the sticks or lathis mildly to control the mob.

2. Ceremonial Parades :

Mounted police units are used to add glamour to the ceremonial parades conducted on occasions like Independence Day, Republic Day or some police ceremonies.

3. For Beach Clearance : In places where there are beaches like the Beautiful Marina Beach of Chennai (Madras), which provide a major evening

Check Your Progress

5. Examine the reasons for fast increase in the strength of Armed Police?
6. What are the Functions of District Armed Reserve ?
7. Write short notes on special Task Force.

(Space for Hints)

resort for a huge crowd people, the Mounted Police is deployed to clear the crowd after 9.00 P.M. everyday to prevent any untoward or anti-social occurrence taking place.

In the northern states, Mounted Police is used frequently during riots to chase the violent mob. In the state of Rajasthan, Mounted Police can be seen on camels. Rajasthan is a state of vast strips of deserts, consisting of groups of villages and hamlets near "Oasis" points and the Mounted Police on camels only can reach places of occurrence in the deserts.

REFUGEE CAMP POLICE

Certain states like Tamilnadu and West Bengal, Meghalaya, Assam, Rajasthan etc. which are close to neighbouring countries may face refugee problem, when the neighbouring countries are experiencing internal strifes like civil war. West Bengal often faces the refugee problem whenever there is civil war or political unrest in Bangladesh. In the south, Tamilnadu often faces the refugee problems caused by thousand of refugees coming from Sri Lanka.

The refugees of Sri Lanka are coming by sea on unauthorised boats and are landing on Rameswaram beaches in Tamil Nadu. They come here without any valid passport they cannot be allowed to mingle with the local population. Besides security point of view, refugees also need a humanitarian treatment while the district revenue authorities take care of their food and shelter, police take care of the security of the refugee camp.

The district police of Kanyakumari district keep the refugees in the refugee camps under the supervision of a DSP, assisted by inspectors, SIs, Head constable etc. The refugee report is given to the DIG, Tirunelveli Range by the Kanayakumari SP, and the DIG in turn submits the report to the IG - South Zone. This report is then passed on to the DGP and to the central Home Minister. On the Security side besides the district police, the states coastal security group also keeps patrolling the Coastal area, in collaboration with the local police station, Coast Guard and the Indian Navy.

Since many of refugees are arriving from Sri Lanka everyday it is not possible for the small unit of refugee camp police to cope with the situation. Moreover providing the refugees with food, shelter, medical facilities and clothing is the responsibility of the Revenue Department of the State Government. Therefore, the refugee camp police at Rameswaram, prepares a list if new refugee arrivals and sends them to the refugee camps arranged by the state Government in different places like Madurai, Theni, Trichy. Thirurannamalai.

4.11. SUMMARY

In this chapter, we have seen “The Tamil Nadu Police - Structure and its organisation. It is a unique blend of the Past - Period - (i) Before the independence of India and (ii) after the independence. Tamil Nadu Police is equal to Scotland -yard Police. Its Inspector Generals F.V. Arul; stracy, S.M.Diaz, etc even went to Scotland and had their wonderful training. I was one among the students of F.V. Arul and S.M.Diaz. When was a student of M.A.Criminology and Forensic Science. I had a good opportunity to study under Prof. G.P.Gopalakrishnan. M.D. Director of Forensic Medicine and Prof. Pitchandi the Director of Forensic Science. They had contributed much to the growth of scientific investigation in Tamil Nadu. - Which ran through the pages we have studied.

4.12. KEY WORDS

1. I.G. - Inspector General of Police.

2. Prison Administration :-

A river - will run all the 24 hours a day all thro' the year. So also “Prison” has to be administered all the 24 hours of a day and all thro' the year.

No person likes to go to Hospital. But he is Hospitalized when he falls ill. Likewise no person likes to go to prison. But he is imprisoned under certain circumstances. So prison administration unique in the state.

3. Collection :-

Collection of intelligence is all about crime and crime causing situations.

(Space for Hints)

4. Collate :-
Compare one copy with another to find out the truth.
5. Disseminate :-
Scatter and spread the collected information.

4.13. ANSWER TO CHECK YOUR PROGRESS

1. Refer Para 4.1.
2. Refer Para 4.1.
3. Refer Para 4.3
4. Refer Para 4.4
5. Refer Para 4.6.1
6. Refer Para 4.7.A
7. Refer Para 4.9

4.14. MODEL QUESTIONS

Short Answer Questions

1. What is Social defence
2. What do you mean by Juvenile Aid
3. Write short on Intelligence and Research
4. How the Police solve **CAMPUS UNREST**
5. What are the Routine functions of Special Armed Police with Reference to Tamil Nadu Special Police.
6. Explain the functions of Dog Squad.

Long Answer Questions

1. Explain how the authority of crime Branch CID is distributed ?
2. State the functions of special Branch and Crime Branch.
3. What are the reasons for increase in the strenght of Armed Police forces after Independence. State the functions of Armed Reserve Police and Special Armed Police.
4. Give an outline of the various special units of State Police with reference to Tamil nadu Police or the state Police of Your State.

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UNIT - I I

DISTRICT POLICE AND CITY POLICE ADMINISTRATION

LESSON - 5 : DISTRICT POLICE ADMINISTRATION

INTRODUCTION

In this Lesson we are going to study about the Police Administration in a “District is a small area. The state Government draws the boundries and limits of a “District”. It is also in the corporation we have now new corporations Erode and “Thiruppur”. Their territories are limited. How Po-lice administration is carried out in the District is the interesting area to study. Formerly there were poligars, under the British rule. Veerapandia Kottaboman was ruling one such area called “Pannchalangurichi” in (now) Tirunelveli District. How is the structure of Police at the District Level and other this is are interesting subject to study and understand.

UNIT OBJECTIVE

The objective is to understand what is a District and also now the administration is carriedout with regard to Police. It is intersting to note that the collect is the administrative head of a District. How the Police is force to Articulate in the area.

UNIT STRUCTURE

Introduction

Unit Objectives

Unit Structure

- 5.1. Importance of District as an unit of administration.
 - 5.1.a. The Police station.
 - 5.1. b. The Inspector of Police.
 - 5.1. c. The Deputy Superintendent of Police.
- 5.2. The Commissioner of Police System (COP)

- 5.3. The Difference between
 - A. The District Police Administration and
 - B. City Police Administration.
- 5.4. Village Police.
- 5.5. Summary
- 5.7. Key Words
- 5.8. Answer to Check Your Progress
- 5.9. Model Questions.

5.1. IMPORTANCE OF DISTRICT AS AN UNIT OF ADMINISTRATION

The district has always occupied a pivotal position in the administrative structure in India. It has been the basic unit of administration in India. The British rulers delimited the boundaries of their district in a haphazard manner. The Colonial rulers envisaged and designed district administration as a key structure of revenue organisation to which police system was to serve as an appendage.

The district administration in India is in many ways the most important unit of field administration in the country. There has been a remarkable continuity in the basic form of the district as a unit of administration. Each village had its headman. Roughly, thousands of such villages were grouped together and placed under the charge of an official. During the period of Akbar, there was a demarcation approximating to a district. The district was described as a 'Sirkar'. We are able to see the judgments of his courts. It is collected and kept as "Fathuva Alamgiri". It is very neat and fine and gives us a clear picture of Administration of Criminal Justice of his Golden Period.

It is a convenient geographical unit. It provides a practical method for the management of public affairs. Like city states of Golden Greece of ancient times. The Indian constitution is silent over the district as a unit of

administration. The district administration is a question of administrative convenience of the state of Tamil Nadu. Central power finds each district as its lowest level. In short, a district is technically the best area for geographical and functional aggregation of units and branches of administration and bears a logical relation to total area, wealth and population.

Organisational structure of Police at the District level

At the district level, Superintendent of Police is the head of the police organisation. He is assisted by a Deputy Superintendent of Police who is designated as the Dy. SP (Administration). A District may have sub-Divisions. Each sub Division is under the charge of a Dy. SP of police or ASP. In a Sub-Division there are Police Circles. The number of circles may vary from Sub-Division to sub - division and District to District. Circles are under the charge of Inspectors of Police. Each Circle may have several Police Stations. Each Police Station is controlled by a Sub Inspector (S.I) In Police Stations with heavy work load there are (Additional SIs.) Below them there are Head constables, constables Gr. I and Gr.II. Now, In Tamilnadu, police stations in the cosmopolitan cities and commissionerate cities are manned by Inspectors assisted by SIs.

There are various branches functioning in a district. Certain branches are directly supervised by the DIG of police some others are directly supervised by the S.P. At the District level, Police organisation consists of local Police and Armed Police.

5.1. A. The Police station :

The Police Stations are at the lowest rung of the organisational ladder of the entire Police department. They are the smallest field unit of police administration. A Police station is a place or post generally or specifically declared as such by the state Government on its behalf. It is the primary unit of police investigation which receives and registers information and complaints about cognizable offences Non cognizable offences. It can be considered as the most important unit of the state Department of Police because it actually comes into contact with the people.

5.1.B. The Inspector of Police (SHO)

The Inspector of Police in charge of a police station is fully responsible for the Police administration under his charge, including prevention and detection of crime. The Inspector is assisted by 3-4 SIs and 20-30 constables. There are a few of Head Constables in a Police Station besides constables. On an average, a police station may have 20-30 Personnel. Inspector of Police is also called by the name station House Officer. In his absence the senior most personal in service will function as S.H.O. Any Police officer who comes to the Police station will first take charge of the S.H.O.

Even in the D.G.P. Office at Madras there is a Police station. Only that Police station will receive complaints - to the Police that happens in the D.G.P. Office. Hence by now the readers could have understand the importance of S.H.O. of a Police station.

The People of Madras and Madurai would have noticed out - Post. A single Police - man in the out - Post - Will be treated as an S.H.O. of that out - Post. He can receive a complaint and it may be treated as First Information Report (F.I.R) Which is treated as an important document in the court of Law. Even telephone message is treated as F.I.R. according to Law.

The Inspector is expected to organize and undertake preventive measures which may include :

- a) Arrest of suspects under provisions of Criminal Procedure Codes;
- b) Preventive action to avoid undesirable situations of violence and public disorders;
- c) Timely dispersal of unlawful assemblies; Threatening breach of peace; and
- d) Submission of reports to competent authorities for punitive and preventive actions under the provisions of Cr. Pc. If the situations warrant emergency operation of the police or the Executive Magistracy.

(Space for Hints)

As the Inspector of police has the function of preventing and controlling crime, he has to do the following things.

- i) He must keep a close watch over the movements and activities of notorious bad characters, ex-convicts and professional offenders living or operating with in the Jurisdiction of his Police Station.
- ii) He must organize and launch preventive actions against suspects and criminal characters before they indulge in law - breaking activities.
- iii) He must arrange for effective patrols and night watch in the four corners of a police station.

The Inspector of Police is responsible for collection, assessment and communication of relevant intelligence pertainign to commission of cognizable offences in his area. He must also collect factual information affecting peace and security of the state and pass the same for analysis and study to his seniors.

The Inspector of Police is also entrusted with the duties of executing law and to assist in the administration of Justice. He has to work in close liaison with the Magistracy and the Courts. The Courts entrust him additional duties including servicing of court summons Executive and execution of court warrants and implementation of powerful orders issued by competent judicial authorities.

As head of the police unit, the Inspector has to look after administrative management of his police station. He has to maintain a number of Police registers. He has to Co-ordinate the activities of all the junior police officers. He is the person to supervise the work of his subordinate staff and keep them in high morale.

The Head constable :

The routine job of an Inspector of Police in a Police station is shared by SIs. In some important stations, head constables are employed as station writers. They do various kinds of clerical work with regard to the mainte-

nance of reports. Their duties include routine administrative functions of official nature a part of which are delegated by the station House Officers. Head Constables are employed as Officer - in -Charge of Outpost and guards on escort duty, beat duty, petrol duty, bad character check. flying squad duty.

In actual practice, the Head constable enjoys an enviable position in the police station hierarchy. He remains in a Police station for a sufficiently longer period than the S.I. This stability of tenure makes him an influential person in the society. He Looks to the constables for aid, help and co-operation. The constables look to him for leadership, guidance and command. His role imparts efficiency honesty and quality performance in the police administration. The offenders and criminals can be brought to book through judicial process only by maintaining systematic records.

The “Outpost” is supervised by a head constable. He is not empowered to record the First Information Report of a cognizable offence within the meaning of section 154 of Cr. P.C. If an information is lodged with an officer in charge of an outpost he shall record the fact in his outpost G.D. (General Diary) and send a report immediately to the police station where a FIR (First information Report) will be recorded.

The constable

The Constable are the lowest link in the organisational hierarchy of police Administration of a district. They generally do jobs of manual nature and merely execute such orders which entail little discretion and decision - making. They always execute laws and rules in a mechanical fashion. They represent and symbolize the law and are even called “the limbs of law”.

Yet they are neither participants nor decision -makers in the administration of law and order. On the occurrence of any crime for which the police may arrest without warrant. Constables should at once act without waiting for orders and should make an immediate report to the nearest superior police Officer.

The Constables do social service of a high order. They have to save human life and property in times of crises. When a fire occurs they must hasten to the scene in order to extinguish it with the help of Fire Service Personnel. The Cyclone victims are to be given proper assistance in times of need constables must be courteous and considerate to the public for they must realize that the police force exist for the service of the Public.

The Inspector of Police is the channel of communication between the SP and the subordinates. He has to keep the Deputy superintendent of Police and Superintendent of police informed of every occurrence relating to L&O and crime. He takes command of police force in suppressing a riot or otherwise in actively maintaining order when he is the senior most officer present at the crime spot. He also keeps the Dy.S.P. and SP informed of the conduct of the subordinate Police Officers of his Circle and the manner in which they perform their duties.

5.1.C. The Deputy Superintendent of Police (Dy SP)

An ASP or Dy.S.P. is in charge of sub-division in a district. They are entirely under the order of SP whom they are bound to keep fully informed of their doings and of what is going on in the sub division. Their functions include the following :

1. Maintenance of law and order in the sub-division
2. Crime control and supervision of sensational cases.
3. Collection and communication of intelligence from the sub-division
4. Submission of periodic reports, returns and statement to the office of the SP.
5. Initiation of programmes aimed at the development of friendly relations between the Police and the Community.
6. Inspection of Police Circles, Stations and Outposts.

7. Touring the areas extensively and making himself available on the spot to undertake relevant measures necessary for the discharge of above duties.

The Superintendent of Police(SP)

The district police organisation is represented by its Chief, the S.P. He weilds a great amount of power and prestige in the district. The SP is the head of the district police force. He is responsible for all matters relating to its internal economy and management, for the maintenance of its discipline and the functional and regular performance of all its preventive and executive duties. His work is multifarious in nature. The SP would consider it as part of his duty as far as possible to give the sub-divisional officers the benefit of his personal guidance and instruction whenever necessary.

The SP is empowered to take all sorts of preventive measures if a breach of peace is apprehended in the district. To avoid untoward situations, he may advise the collector to issue prohibitory orders and even to clamp curfew, if the situation so warrants. He is expected to make adequate police arrangements to cope up with the situation. Special arrangements are made for crowd control during festivals and fairs. If agitations are launched by political parties or other militant groups police are on tender hooks. The SP must take special precaution consistent with susceptibilities of special groups.

The efficiency of police depends on the prevention of crime rather than dealing with the crime situation. Deliberate violations of law is a crime and even where it does not disturb public peace or security It has to be delected and plugged in time in the larger public interest. The SP controls te incidence of crime through effective patrol, investigation of grave crimes and exercises administrative supervision. The SP has to call for reports supervise in person and visit the scene of crime soon after its occurrence.

The SP shall give the DIG all assistance in making inspection and enquiries and consult him in times of crises.

The SP is armed with various kinds of administrative functions. He has a plethora of organisational and personal responsibilities at the district level. When at the headquarters he should attend office on all working days and should ordinarily transact all official business in his office. He may however dispose off such confidential matters as he thinks proper at his residence. He inspects Police stations within his jurisdiction and provide necessary physical condition to keep his men working in a satisfactory state of morale and motivation. He is responsible for seeing that his assistants and deputies work efficiently. He evaluates the performance of those officers and takes disciplinary action as and when needed.

The SP must develop and maintain friendly and cordial police public relations in the district. The aggrieved parties usually approach the SP for redressing their grievances. He must always keep his finger on the pulse of the people which will help in avoiding several tense situations.

Thus, the SP enjoys a central place in the District Police Administration. As District Police Chief, he deals with his juniors, seniors non-colleagues, people, political parties and endless variety of political and quasi-political pressure groups. His enormous powers make him a really powerful district officer who occupies a pivotal position in the District Police Administration.

Dual Control of the District Police

The Maintenance of law and order, prevention and detection of crime, law enforcement, protection of public property and providing service in the event of a natural calamity are the important functions of the police. At the district level the function of police are supervised by the SP Who is working under the direction of the DGP who is the head of the police organisation at the state level. While the SP is the head of the police organisation at the district level he has to work under the direction and control of the District Collector This dual control of law and order at the district level and the relationship between the Collector and the SP may be examined.

The District Collector is vested with several executive powers under the following enactments. They are

1. Code of Criminal Procedure
2. The Indian Arms Act
3. The Indian Explosive Act
4. The Prevention of Immoral Traffic in Women and Girls Act (PITA)
5. The Indian Poison Act
6. The Police Act of 1861
7. The Prevention of Cruelty of Animals Act
8. The Press and Registration of Books Act
9. The Police Incitement to Disaffection Act
10. The Cinematography Act
11. The Indian Humancy Act
12. The Indian Electricity Act
13. The Motor Vehicles act
14. The Indecent Representation of Women (Prohibition) Act, 1986 (act no.60 of 1986.

An analysis of the relevant sections of the acts shows that these powers fall under the following broad categories. They are as powers of regulation, such as, power to order removal of nuisance (undersection 132 Cr.P.C) Power to regulate the conduct of assemblies processions, undersection 144 of IPC, playing of music, use of loud speakers, etc., power to regulate the utilization of streets and public places.

- b) Powers of authorization, such as power to require the postal and telegraphy authority to cause search to be made for and detain any docu-

(Space for Hints)

ment or person required for the purpose of investigation or trial or other proceedings, power to issue search warrant, power to compel restoration of abducted females, etc.

- c) Powers of control such as powers to require the postal under section 107, 108 and 109 Cr. PC. to obtain security for keeping the peace powers of ordering inquests, etc.
- d) Powers of licensing such as under the Arms Act, Explosive Act etc.
- e) Powers relating to investigation - such as power under section 58 Cr. P.C. receiving reports of person arrested without warrants; power to call habitual offenders to appear before an officer to furnish information, etc.
- f) Powers of appointment such as appointment of special police officers.

The District Collector, while exercising the powers mentioned above, does not interfere in the internal matters of the police Department. Only during occasions of some serious L & O Crisis, the District Collector acts as a coordinating officer for resorting normalcy and sees to it that there is no excesses in police action in mob control.

5.2. THE COMMISSIONER OF POLICE (CoP) SYSTEM OR CITY POLICE ADMINISTRATION

The problems of big cities pose numerous complicated problems for the police administration. Law and order problems develop rapidly and arise frequently in urban areas because of the existence of various organised groups such as students, labour, whitecollar workers all confined in a small area. As the service and facilities such as housing and transport are far from adequate, there is a struggle for the available services which create points of friction. Apart from regulation of normal Traffic, big social gatherings such as sports meets and processions demand bandobust duty. The expression of dissent and dissatisfaction through various types of processions and marches take place in cities. The existence of a large floating population and presence of guillable rural migrants give rise to crimes involving cheating confi-

dence tricks, etc. Large Population and heavy densities increase anonymity. The flow of large cash in the handling of business through banks, cinema house and major retail outlets increases the temptation as well as the opportunity for crime. Some forms of urban crime also seem to have gained a measure of social acceptance. The prevalence of black money, corruption and large scale racketeering in drugs, and women seem to be accepted as unavoidable evils. On the other hand, urban areas are also characterized by much greater awareness of the rights of the citizen. Offences against person have always drawn excited attention. Public opinion is vocal and there is a vigilant and active press and these put pressure on police for improved behaviour and better performance. Thus, policing functions are coming under greater pressures from all sides in the city.

It is obvious that in urban areas police should be fully equipped to act promptly and effectively, should have an intelligence organisation to collect information on crime, criminals and other related matters, should have the capacity to under take various duties relating to security and should have the means to take effective preventive and regulatory action to ensure order in the urban society. Therefore, the police administration in big cities is principally different from rural administration in view of diversity in police problems in magnitude and character.

The CoP system was first introduced in Calcutta. Later it was extended to other Metropolitan cities such as Bombay and Madras. Scholars on Police Administration have advocated the introduction of the CoP system in all big cities having a population of more than “**Ten lakhs**”, for the following reasons.

1. In Big cities, the law and order situation moves with so rapidity that the officer in-charge who is in full control of the control room, and of the forces and who is aware of the availability of forces required to face the situation at different stages of development, can deal with such situations. Such occasions require rapid decisions and quick implementation, and if consultations have to take place between two authorities, or if the chief of the police has to wait till the District Magistrate comes to his own finding

on many occasions the situation would go out of control. This has happened in practice in many places as cited by the witness, and because of delay in taking a decision, serious situations had cropped up, which later could be managed only with very serious sacrifices.

2) The person who takes a decision must know what his capabilities are and the only person who has this knowledge, is the Police chief of the city. The District Magistrate, at no stage, will know what the police force is capable of. Hence, the decisions taken by the District Magistrate (DM) are often such as do not take into account the true capability of the force, and are often wide off the mark. Either he takes on too much which the police are not capable of doing and the criticism falls on the police for failure, or he takes halting steps with the result that the situation goes out of control, and here also the blame falls on the police.

3) Traffic is another serious problem to be tackled by the police in big cities. This is an area where the "**District Magistrate**" does not function at all, though in the bigger cities traffic problems assume very serious proportions and sometimes submerge all other problems. In this field of work only the CoP is competent to take decisions. The Commissioner is able to take quick decisions about enforcing one way traffic, fixing parking places, deciding on round -abouts etc.

4) Also, in cases of very large crowds, which collect during the celebrations of Independence Day, or when VIPs visit it is only the chief of police who can prepare the over all plan of regulating the crowd and the District Magistrate's function then becomes redundant.

5) In the sphere of prevention of crime, the **District Magistrate** cannot have any significance part. Indeed, a recent Honourable Supreme Court judgment has taken the view that the District Magistrates have no power to order a charge - sheet to be presented in a case before the criminal courts when the police have submitted a final report, or in any way to interface with the investigation of the case, because the power of investigation has been considered to be a statutory power given to the police.

6) In all circumstances, public co-operation is needed, and public have often to make big sacrifices of time and labour to cooperate with the law and order authorities. This co-operation can be obtained only by the person who also can help them in their requirements. Thus, in the matter of licensing and permits although it is the police who perform all the labour of making inquiries and checking the antecedents and character of the applicants, the actual grant of the licence or permit is made by the “**District Magistrate**” whom the applicant naturally feels beholden. Police, therefore, needs greater co-operation in all respects. Moreover, the subordinate police also has to act in a more responsible way, because any wrong recommendation is questioned by their senior officers; there is no such fear when their recommendations go to the District Magistrate.

As regards the District Magistrate exercising a moderating influence, their argument was that a senior police officer will be moderate in his approach as a District Magistrate and pointed out that the commissioners of police, Calcutta, Bombay and Madras had never been accused of high handedness.

There are three models of CoP systems in India. They are the Calcutta Model, the Bombay Model and the Madras Model. In the Calcutta Model the CoP can have access to the government after intimating the DGP. In the Madras model the CoP can have access to the government only through the DGP.

The National Police Commission (1977) has recommended the introduction of Madras model to all commissioner of police systems for two reasons. First of all, the DGP who is in charge of Police department at the state level, should know what is going on in different parts of the state under his control. This will be possible only when the Madras Model is introduced in the Commissionerates. Secondly, the CoP is a subordinate officer to the Director General Police in the law enforcement of the state. He should not by pass the DGP in the hierarchical system of the police department. Therefore, it is proper to introduce the Madras model of the commissioner of police system in India.

(Space for Hints)

The CoP in Cosmopolitan Cities like Chennai, Kolkatta and Mumbai is in the rank of ADGP / IGP. The CoP in oher cities are in the rank of DIG of Police. When the CoP is in the rank DIG of police, he is assisted by Deputy Commissioners in the rank of Dy.SP Inspectors, Sub-inspectors, head constables and constables.

5.3. DIFFERENCES BETWEEN THE DISTRICT POLICE ADMINISTRATION AND CITY POLICE ADMINISTRATION

The Madras Police Act of 1859 provided the basis for the District Police administration. Similar to this, every state passed its own police act during the British rule in different periods. The all during the British rule in different periods. The all India Police Act of 1861 provided the general basis for the acts passed by various provides during the British rule in India.

A. THE DISTRICT POLICE ADMINISTATION

1. Overall Control

The Overall Control of all the police districts is vested with the DGP who passes orders to the SP of any district through the ADGP (L &O) or ADGP (Crime). Such orders are passed through the zonal IGPs and DIGs

2. District control and division

The control of a police district is vested with the SP who is assisted by 4-5 divisional officers of the rank of DSPs. The overall control of the district is vested with the district collector who is also responsible for L&O control of the district.

3. Area of Jurisdiction

Normally, the area of jurisdiction of a SP extends to the revenue district minus the area of city commissionerate.

4. Dual Control

During the British period when the District Magistrate and District

Collector were one and the same the SP of a district was subjected to the Magisterial control of the District Magistrate. At the same time the SP also took orders from the superiors of the department such as the DIG. Throughout the British rule this kind of dual control on the District police existed. Even after Independence, this situation continued for some time. However, on the eve of Independence, the functions of District Collector and District Magistrate were bifurcated leaving very few magisterial powers only with the District collector.

In different situations different states diluted the magisterial powers of the District Collector and also his control powers over the District Police Administration. On the whole, now the SPs are more independent of the District Collectors. Only during extreme L & O situation, the District Collector issues instructions to the SP and his officers.

5. Magisterial Powers of the Collector

In the Present situation the District has powers to place certain categories of offenders like bootleggers, smugglers of essential; good and sand, rowdies etc under Goondas Act on the advice of the SP. The SP does not have any magisterial powers.

6. Licensing Powers of the District Collector

The District Collector has licensing Powers. He issues licenses to industries and shops. He also issues arms licenses such as air guns, rifles and revolvers on the recommendation of the SP.

As the District Collector is the superior authority of the district for all government departments at the district level, he can pass orders to the SP of the district on matters relating to serious L & O and crime situations. However, in practice, the District Collector does not interface in the day to day administration of the District Police. The SP of the district is also expected to keep the District Collector informed about the L & O and crime situations of the district. At the same time the SP also receives orders from the superiors of the department. The SP does not have magisterial powers.

Check Your Progress

1. Discuss the Organisational structure of Police at the District Level.
2. What is a Police Station?
3. What are duties of Inspector of Police?
4. Examine the Legal Position of the Head Constables.
5. Discuss the Position of the Deputy Superintendent of Police in the District.

B. CITY POLICE ADMINISTRATION

The origin of city police administration also dates back to the police Act of 1861 and prior to the Act. As every policeman knows it is the Police Act of 1861 which set the pace for a definite police organisation in India. Following the Police Act of 1861, Provincial governments passed their respective police acts. For example, the Madras Act III of 1888 was passed to regulate the police in the city of Madras. This act was later repealed by the General Act XI of 1901 which classification certain clauses of the previous act. It was further amended by the Tamilnadu Act 32 of 1987 which extended the commissionerate system to the cities of Madurai and Comibatore and subsequently to three more cities. All cosmopolitan cities in India have been placed under commissioners of Police.

Earlier, the East India Company has created the CoP system in the presidency towns of Madras, Bombay and Calcutta by the Act of 1856 and gave complete powers to the commissioners over the city Police administration.

Infact in those the CoP has ministered powers also and awarded punishments to criminals and anti - Social elements. But, later the magistracy was separated from the police leaving very few magisterial powers with the CoP. Today the same tradition continues powers and also licensing powers which are not vested with the Sp. The following are the district features of a city police administration of a CoP.

1. Overall Control

The Overall Control of a CoP administration is vested with the DGP of the State police but unlike the SP, the CoP, besides his magisterial and licensing powers, he has the privileges of contacting the DGP directly during times of emergency.

2. City Control and Divisions

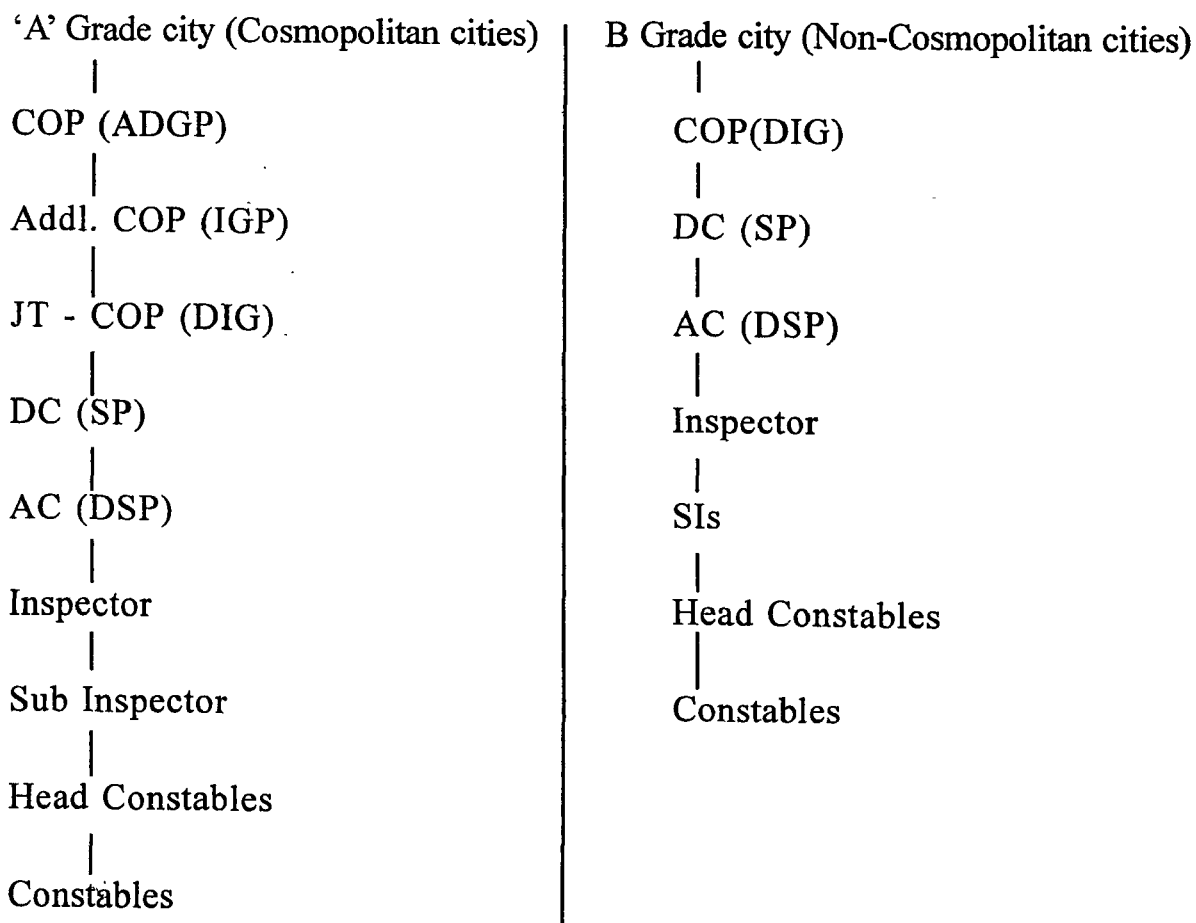
The COP is fully responsible for L&O, crime control and traffic administration and other police - related activities. As CoP he can create rules

and regulations in connection with the three major spheres of activities. For the purpose of administrative conveniences, the CoP divides the city into zones in the case of cosmopolitan cities and divisions in the case of other cities. While the zones are placed under the divisions are placed under the charge of Deputy Commissioners. The divisions are looked after by Assistant Commissioners (AC).

3. Status of Commissionerate Officers

The Commissioners of A Grade Cosmopolitan cities like Chennai, Mumbai, Delhi, Bangalore, Hyderabad Thiruvananthapuram etc. are of the rank of ADGP. The Commissioners of B Grade cities like Coimbatore, Madurai, Tirunelveli, Tiruchirappalli, Salem etc in TN are of the rank of DIG of Police each.

In A Grade city like Chennai and Mumbai the CoP is assisted by an additional CoP (IGP) a joint Commissioner and Deputy Commissioners (DCS) who are of SP Rank. The DCs in turn are assisted by Asst. Commissioners of Police (AC) who are of the rank of DSP. This is shown below:



Both the COP and SP administrations have ministerial offices each with a personal Assistant on the ministerial side, and different sections dealing with pay and allowances, stores, arms and communications, leave, transfer etc.

4. L&O and Crime Wings

This is one of the areas where there is major difference between the City Police administration and District Police Administration. In the former while the COP has overall control of the city Police, he is assisted by a DC (L&O) a DC (Crime) a DC (Traffic) have to look into all the threewings as three in one along with other police related functions.

5. Magisterial Powers (Madras Act III of 1888 No.7)

In view of different nature of L&O problems and crime situation in the cities even during the British period, initially when the Commissioner of Police were created, they were allowed to exercise vast magisterial powers. But later, this was minimized and the District Collector himself acted as the District Magistrate. Subsequently this also was bifurcated with the appointments of separate District Magistrates.

However, the CoPs were allowed to exercise certain minimum magisterial powers which continues even today. As such the COP today has the power to arrest the antisocial elements under the Good as act and also convict them under the Act.

6. Licensing Powers (Madras Act No III of 1888 No 34)

The COP is also empowered to issue licenses to commercial establishments. The Act of 1888 was repealed by the Madras Act of 25 of 1957. By this Act, the CoP of Madras city is also empowered to dismiss, suspend or depromote subordinate ranks. The Tamil Nadu city Police Act of 1957 also empowers other officers with regard to search for stolen property, seizure of offence related property. Seizure and impounding of stray cattle, powers to regulate processions, meetings and assembles in public

places, checking and regulating the gaming houses, check private apartments for brothels, imposing a penalty for possessing dangerous weapons, penalty for possession of stolen properties, penalty for rash or negligent driving or driving a vehicle unfit for road, drunkenness in the public and indecent behaviour in the public etc. (On the direct side, many of these powers are vested with the Collector and not with the S.P. after verifying their location and the character of the persons behind such concerns. This is in addition to the licenses issued by the corporations to shops, hotels, theatres etc. The commissioner has also powers to check the scales of weight and measures of the commercial establishment and seize the seals which are false. Like this the COP is given a number of enforcing powers.

The Madras Police Act No III of 1888 consists of 82 sections many of which give extra powers to the COP when compared to the SP. For example, the COP has the powers to issue arms license to individual on the merits of their character and needs. He also has the powers to close gaming centers theatres or any public place or commercial establishments if they do not align themselves with the stipulations laid down.

5.4. VILLAGE POLICE

The village police is an old and traditional form of policing which existed in the medieval periods and also during British rule in India. In those periods, the village chief was elected by the conventional election system by the villagers and he was provided with a band of men to help him in revenue collection and policing duties see Raja Nandakumar's case. Even as early as 1816 the authority of the village chief was defined by the Regulation XI of 1816. The village leadsman of the earlier days, who was performing the revenue and police duties has been replaced by village administrative officer (VAO) after Independence.

Duties of the Village Police [PSO 545]

The duties and responsibilities of the village police are cited by PSO 545, as defined and explained in section 1-5A and 10 of chapter III of the Village officers and Ryot's Manual (1931 edition). They are outlined below ;

Check Your Progress

6. Discuss the Relationship between the S.P. and D.I.G.
7. Examine the dual control of the S.P. of the District Police and Administration.
8. What are Executive Powers of the Collector?
9. Explain Commissioner of Police System

In the earlier periods the duties of the village police were performed by the village chief who was assisted by 'Talaiyari' who was provided by the Revenue Department of the district. The post of village Headman was hereditary till 1970s. It has been replaced by the entrance examination. But an assistant is being appointed by the police. Duties and Responsibilities of the village police.

1. The Village officials shall provide all possible assistance to the police when they later go to the village for an investigation or any other official duty.
2. The Talaiyari who is assisting the VAO of the village is required to report the appearance and movements of any stranger found in the village to the VAO who in turn must investigate the same and report the matter to the police station concerned.
3. The VAOs and the talayari are under the control of the District Collector, through the Tahsildhar of the respective taluk and revenue Inspector of the Firka, and therefore they shall carry out the orders of the collector relating to L&O and crime control passed in consultation with the SP of the District.
4. The VAO is expected to maintain a register for noting down the entry and exit of strangers in the village and make it available to the police for inspection when required.
5. The Village officials should immediately inform the police station concerned about any breach of peace and L&O in the village and also to the Magistrate so as to enable them to take necessary preventive steps.
6. The Village officials should intimate to the police anything unlawful, such as, a prohibited association or movement, deadly weapons possessed by individuals counterfeit coins or notes, unnatural death if any, occurrences acts like murder, theft, dacoits etc, culpable homicide amounting to murder, use of unauthorized explosives, fire accidents or road accidents etc.

7. The Village officers should inform to the police and the Magistrate any unnatural death caused by murder, suicide or accidents or by animals and help the police to carry out the inquest in the nearest mortuary.
8. In the absence of police or till such times the police arrives on the crime scene the VAO and his assistants, can enlist the support of the public in the neighbourhood to arrest a criminal or any person suspected of having committed an offence under IPC.

Such powers have been given to the village officers, now called VAOs in view of the fact that the District Police, with its limited strength, cannot be present at all the places to prevent any untoward incidents.

5.5. SUMMARY

Police Administration in District is very difficult. There are Two masters - the First is the District collector and the second is the D.I.G. of Police of that District. There was the conflict between the District Collector Sahayam I.A.S while he was serving at Madurai and D.I.G. Both of them said they are correct as per the law. People of Madurai was Praising the District Collector for his brave and strong action. Even then he was transferred. The D.I.G. also was transferred in the Month of May 2012.

5.6. KEYWORDS

- Constitution - The Constitutional Law of India.
- Silent - No Direction as to the formation of District or City -Unit of administration.
- S.H.O. - Station House - Police Station is a house for the Police - why - they have to be alter all the 24 hours of a day.
- Station House officer - is the Chief of the Police Station.

(Space for Hints)

Head Constable - The senior most constable of a Police station. They are employed as Officer -in - charge of out-post.

Constables - Who does a social service on behalf of Police.

Deputy Superintendent of police

- A Police officer incharge of sub-division is a district.

Commissioner of Police

- A Police officer who has also Magisterial Powers (some times)

District Magistrate - Collectors

5.7. ANSWER TO CHECK YOUR PROGRESS

1. Refer Para 5.1
2. Refer Para 5.1.A
3. Refer Para 5.1.B
4. Refer Para 5.1.B
5. Refer Para 5.1.C
6. Refer Para 5.1.C
7. Refer Para 5.1.C
8. Refer Para 5.1.C
9. Refer para 5.2

5.8. MODEL QUESTIONS

Short Answer Questions

1. Explain the Position of a Superintendent of Police in the District Administration.
2. Who is the District Magistrate
2. What are the duties of the Village Police?

Long Answer Questions

1. Give an outline of the Organisational structure of the Police at the District Level.
2. Examine the important features of the city police administration. What are the differences between District Police Administration and City Police Administration?

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UNIT - III

FUNCTIONS OF MODERN POLICE -1

LESSON -6 : HUMAN RESOURCE MANAGEMENT

INTRODUCTION

The student may be interested in knowing the recruitment process for the Police Force in the state level and in the I.P.S. cadre of officers by the central Government. These Police are not only good in Educational Qualification but also should be intellegent. They should be good at Manners and moral. They should not be like K.P.S. Gil. I.P.S. Inspector General of Police who had misbehaved with Roben Deyol Bajaj an Lady I.A.S Officer.

UNIT OBJECTIVE

The Unit Objective is to make easy to the students about the recruitment process of the Police personel. In every state there are three categories of Police. These personals should be Physically and Medically Fit. There is character verification also. Intelligence will also be Measured. There are many Tests. I.P.S cadre of officers are selected by the New Scheme on the line of Kothari Committee.

UNIT STRUCTURE

Introduction

Unit Objectives

Unit Structure

6.1. Recruitment

a. Recruitment Levels (State)

b. Selection Channels

c. Basic Recruitment Criteria of uniformed services

d. Recruitment at Constable Level

e. Recruitment of Sub-Inspectors

f. Recruitment to the Deputy Superintendent of Police

- 6.2. The New scheme of Recruitment
 1. Preliminary Examination
 2. The Main Civil services Examination.
 3. Compulsory Paper.
 4. Optinal Paper.
 5. Interview.
 6. Promotion
- 6.3. Training
- 6.4. Career Prospects
- 6.5. Police Welfare
- 6.6. Retirement.
- 6.7. Summary
- 6.8. Key Words
- 6.9. Answer to Check your Progress
- 6.10. Model Questions

6.1. RECRUITMENT

Optimum performance of an organisation basically depends on systematized recruitment and scientific methods of training. This is more so in the case of the Police force. In the modern era, the policemen are expected to face grater challenges in their jobs. The job of a policemans, is one of the toughest jobs of the government departments unless the recruitment procedure is made very scientific, the performance of the force will fall much below the expectations of the society. Throughout the world, all democratic countries adopt scientific methods of recruitment to the police force.

The states in India broadly follow the same pattern of recruitment. Differences may be there, but they are of minor nature. As police is a state subject as per the Indian Constitution, the state Governments are fully responsible for the recruitment of personnel to the force, except the I.P.S. cadre of officers who are recruited by the central Government through the Union Public Service Commission.

a) Recruitment Levels (State)

Recruitment to the police force in the States is done at the following three levels

1. Constable
2. Sub-Inspector
3. Dy. Superintendent of Police / Asst. Superintendent of police. Depending on the requirements of the department, and number of vacancies created, the recruitment policy is decided. That is the number of constables number of SIs and Dy.SPs to be recruited, depends on the existing vacancies and new vacancies to be created.

Vacancies

Vacancies in the existing structure of the department arise due to the following reasons :

a) Retirement b) Promotions c) Resignations d) Discharge under medical grounds e) Dismissals f) Death in harness. For example, when Dy.SPs retire from service, vacancies may arise at the level of SI, because a certain number of SIs get promotions up to the rank of Dy.S.P. and DSP or ADSP. Depending on the merit of service. In Tamilnadu, a SI can go up to SP. Similarly, when SIs retire, vacancies are created at constable level, because, certain number of constables get promotion up to the rank of SI or rarely up to Inspector.

When higher level officers such as DGPs, ADGPs, IGPs or DIGs retire from service, vacancies are created at the level of DSP or AC. In the case of constables and SIs, the recruitment is made only by the state Government concerned, while at the level of DSP / AC, the state Government fills up roughly 50 percent of the vacancies through their respective service commissions, and the other 50 percent of the vacancies are filled by the Central Government by allotting newly recruited IPS officers.

New Vacancies : Creation of new vacancies depends on the expansion of the police force in the background of the following factors :

- a) Increasing population and the need to maintain the police - population ratio.
- b) Increasing Problems relating to L&O, crimes, traffic and other security - related problems.
- c) Government's Policy of creating employment opportunities
- d) District bifucation
- e) Grants -in-aid given by the centre to the state Government for maintaining the Police force.
- f) Budget Provisions of the state Government.

b) Selection Channels :-

As stated earlier, in every State, there are three categories of police - category I, II and III. Of this, category I refers to the civil police whom we normally see in the police stations or on traffic duties. And categories II and III are armed police wings, that is, the District Armed Reserve and the Special Armed Police which bear different names in different states. The State Governments are at liberty to decide the channel of entry for the constables and SIs. Some State Governments allow the entry of new constables through categories II and III, and SIs through all the three channels, whereas some states may allow new constables to enter through all the three channels. Similarly, in the case of SIs also, new SIs may be allowed to enter through all the three channels or, the entry may be restricted to one or two channels. It all depends on the state Governments.

c) Basic Recruitment Criteria of uniformed services :-

There are certain basic criteria common to all the uniformed services like Defence, Police, Fire services etc. They are related to age, educational qualification physical and mental fitness, medical fitness, personal character,

alertness, supported by a pass in the “**common written test**” prescribed for different levels. In addition to this, recruitment is made at the level of Assistant SI also in some states.

Details of different levels of recruitment to the police force are given below:

d) Recruitment at Constable Level

Whatever be the complexion or composition of the police force in a country, the vast majority of the policemen will be of the rank of Constable or of officers who have risen by promotion from that rank. The Public Contact with the Police is usually the contact with a constable and so the image of the police in a country will be shaped by the impact which the constable makes on the public mind by his work, his attitude, his performance promptness, contact, culture and efficient, but the man-in-the-street remains unacquainted with them. He sees the constable every day, and in his eyes, the constable is not only the representative of police organisation, but is the visible manifestation of the executive arm of the Government. Therefore, no police force can be satisfactory until the general public is satisfied with the constable.

If he is not educated, intelligent, interested, painstaking, alert and physically vigorous, he will not be able to meet the demands that will be made on him in rapid succession. A single alert Constable, intelligent and mindful of his duties with initiative and proper judgement, may be able single handed to prevent a small incident on a public thoroughfare from developing into a serious communal riot, which may extend to other parts of the country. On the other hand, failure at such a crucial juncture may well prove calamitous.

So, from whatever angle one sees this pivotal Policeman, it is essential that he must be a man of stature, education, intelligence, alertness and truly interested in his work, possessing, a good judgement, initiative and courage.

i) Educational qualification

The Punjab Police Commission recommended that the passing of the higher secondary school course should be the minimum qualification for a constable. The Uttar Pradesh Police commission recommended that only matriculates should be recruited.

At present, recruitment to the Police service is effected at four different levels in the states with corresponding specification of minimum educational qualification. The four levels are the police Constable, Assistant Sub-Inspector, sub-Inspector, Sub-Inspector and Deputy Superintendent of Police. The minimum educational qualification prescribed is the tenth standard for the first level, the Higher Secondary for the second (subject to an exception in favour of backward classes) and the B.A. degree for the third level. Recruits at the fourth level are required to pass a public service commission examination of M.A. standard.

The Delhi Administration has made matriculation the minimum qualification, and it has not found it difficult to get a sufficient number of recruits.

The National Police commission recommended that the minimum qualification for recruitment to the post of constable should be school final. However, it has recommended that the police force should draw people with even higher qualification at the level of constable. It has further recommended that at the time of recruitment some weightage in the form of bonus marks may be given to candidates with higher qualifications.

Age

The age of recruitment is another important factor for consideration. The minimum age of recruitment for constable is 18 years in all states. The upper age limit varies from state to State, ranging from 21 to 30 years. There is relaxation of upper age limit up to five years in case of scheduled casts / Scheduled Tribes and Backward classes in some of the states. It is desirable that the minimum age is 18 and the maximum age is 21. The maximum age is fixed at 21 so that one has sufficiently matured and will be

able to take his training profitably and also improve himself physically and mentally in the service. At this age, the young man is malleable, is still fired by ideals and has not started developing a sense of frustration and cynicism.

ii) Physical and Medical fitness :

The impact of the policeman on the public depends upon his personality, strength, performance and endurance. At the cutting edge of the law enforcement, the constable has the maximum visibility and indirectly proportionate to a large extent to his physical fitness, stamina and appearance. This is one of the main reasons for laying down higher standards of physical qualifications for the police forces all over the world. Any relaxation in the physical qualifications will have an adverse impact on the performance of the policemen and the force as a whole.

Thy physical standards should remain at the present level viz. 5'7" in height and 33" round the chest. With these minimum to start with, the constable should fill out and get more robust and vigorous during his training period. But, it is not enough to lay down these standards; what is needed is that the constable should be physically tough : he should be of the athletic type, and willing to do hard and arduous work; he should be able to stand on his legs in all types of weather for long hours. Hence, a very thorough medical examination is needed, and the presence of the least weakness or defect in any of his physical functions should debar him for enlistment. There are in addition, physical tests to determine the candidate's capacity in running, jumping, climbing a wall, climbing a rope etc. Those who pass the medical examination but fail in these tests are disqualified.

The National Police Commission has recommended that physical efficiency tests should form an essential criterion for recruitment and weightage be given to those with two and three star standard of physical efficiency.

iii) Character Verification

Police efficiency cannot be maintained properly merely by recruiting persons who satisfy the prescribed physical standards. The men and women

in the police must have a sound moral character. A spotless character is very vital for the job that the police man has to do. Persons who have served prison sentence for criminal offences, and so forth are not accepted for the police.

In case of every recruit, adequate enquiry is made at the village level and at his previous places of employment to study his character. An enquiry at the school which he attended is also essential. The Intelligence Bureau method of verification for its employees can be recommended.

iv) Mental Calibre

As regards the mental calibre, merely passing the Higher Secondary School Examination is not enough. The Constables responsibilities demand that his intelligence should be above the national average. The constable is expected to have a clear sense of judgement, foresight, an analytical brain and at the same time distinguish between a criminal and non-criminal. The Candidates' mental calibre is generally judged through a written test.

e) Recruitment of Sub - Inspectors

The next level of recruitment is for the post of Sub-Inspector. All the State police Commissions have recommended that the Sub-Inspector should be a graduate. In Punjab the Assistant Sub - Inspector also used to be a graduate. Preference should be given to those who have graduated with Criminology or Forensic Science as one of the Subjects read in B.A. or B.Sc. or who have done a Diploma course or a Master's degree in these subjects, Like criminology or Forensic Science.

Age

The age of recruitment for Sub-Inspector, is between 21-24. It cannot be much lower, as a person would normally graduate at the age of 20. The higher age limit will allow young men with even higher qualification to enter the service. At this age, the recruit will be able to undergo the hard physical training which he will receive at Police Training College and learn

the essentials of a good Policeman. There is considerable age relaxation in the case of SC/ ST and BC candidates.

i) Physical Standards

Rigorous physical and athletic tests are held for these candidates. The Sub-Inspector is to be the leader, and the test of leadership is that at an equivalent age he should be able to do physically all that he expects his subordinates to do. Any one found defective in any of his physical functions or any one not being able to pass all the physical and athletic tests are eliminated.

ii) Character Verification

A thorough enquiry into the antecedents at the village level, at the school where the candidates had studied and at all places where he had stayed during his University studies and places where he worked since leaving the university is made. Persons who have taken part in any type of subversive or communal activities and against whom, there is any suspicion of delinquency or bad behaviour are rigorously excluded. The police department cannot afford to have tarnished characters.

iii) Mental Calibre

It is not enough that the recruit be University graduates. What is essential is that the mental standard of the recruit should be above average of the national standard. It is not possible for the Police authorities to prescribe a proper test and judge this standard. It is felt that the best test would be that which the Union Public service Commission prescribes for candidates for recruitment to the rank of Assistants in the Secretariat. The recruitment could be taken over by the Tamil Nadu Public Service Commission.

But, in addition to the written test, there is an oral examination to assess his general knowledge of day -to-day affairs, his power of observation, his mental alertness and his general behaviour and demeanour at the time of the interview.

f) Recruitment to the Deputy Superintendent of Police / Assistant Superintendent of Police / Assistant Commissioner of police.

Direct Recruitment to this rank is entrusted to the Union Public service Commission and Tamil Nadu Public Service Commissions. The National Police has recommended that the position of the Deputy Superintendent of Police should be reserved for promotions and the State Public Service Commission should not have the responsibility to recruit the Deputy Superintendent of Police directly. So far, this recommendation has not been accepted by the state Governments. If the state Governments concede to the recommendation, the direct recruitment to the above rank will be made only by the Union Public service Commission. The Present system of recruitment to Indian Police Service is based on the recommendation of the Kothari Committee which was appointed by the Union Public Service Commission in 1975 to suggest changes in the scheme of examination and selection methods of the All India and Central Services.

6.2. THE NEW SCHEME OF RECRUITMENT

The New scheme of Civil services competitive examination based on the Kothari Committee recommendations came into force in 1972. It consists of two separate parts.

- i) a preliminary examination (objective type) and
- ii) the civil services main examination and
- iii) a personality test / interview.

1. Preliminary Examination

The Preliminary examination consists of one compulsory paper (general studies) and one optional paper to be chosen by the candidate out of a list of 19 subjects usually taught in the Universities. The General studies paper carries 150 marks, while the optional paper carries 300 marks. Both the papers contain questions of objective type. This examination is regularly held in late May or early June every year.

It may be noted that the preliminary examination is essentially a screening test. It is designed not only to weed out those showing no promise or proficiency but also a mere pass test, since the marks obtained in this examination will not be carried forward for determining the final merit order of the candidates.

2. The Main Civil services Examination

Those who are declared qualified in the preliminary examination appear at the main civil services examination held in November - December every year. This examination consists of a written test comprising eight papers and an interview.

Of the 8 Papers in the Main examinations the first 4 are compulsory and the remaining 4 papers are to be covered by any two subjects generally taught in our universities (e.g. Agriculture, Botany, Chemistry, Civil Engineering, commerce, Economics, Indian History, Law, Mathematics, Political Science, sociology and so on).

The Written examination consists of the following 8 Papers, each carrying 300 marks.

3) Compulsory Papers

Paper 1 - One of the Indian Language to be selected by the Candidates from the Languages included in the Eighth schedule of the constitution.

Paper II- English

Paper III - IV - General Studies

4) Optional Paper

Papers V, VI, VII and VIII are to be covered by any two subjects which candidates can choose from a wide range of optional subjects. Each subject will have two papers. Certain combinations of optional subjects have been disallowed (e.g. Political science and Public Administration).

The Papers on Indian Languages and English are of Matriculation or equivalent standard and are of qualifying nature. The marks obtained in these papers do not count for ranking.

5) Interview

Those who have qualified in the written part of the main examination are eventually called for the personality test. The interview lasts for nearly half an hour and carries 250 marks. The candidates are interviewed by a Board of Competent and unbiased observers. The objective of the interview is to assess the personal suitability of the service for which he has applied. He will be asked questions on matters of general interest. The test is tended to judge the mental calibre of the candidates. In Broad terms, the interview test is really an assessment of not only their intellectual qualities but also their social traits and interest in current affairs. Some of the qualities to be judged are mental alertness, critical alertness, critical facilities, powers of assimilation, clear and logical exposition, balance of judgment, variety and depth of interest, ability for social cohestion and leadership intellectual and moral integrity.

After the interview is over the candidate is asked to write a resume of the discussions he has had with the President and the Members of the Board. This is intended to assess the candidate's powers of composing a synopsis accurately and concisely. The time allowed for this purpose is 15 minutes or so. A list of candidates equal number to the vacancies is prepared at the end and published by the Union Public service Commission.

Marks obtained by the candidates in the main examination (written part as well as interview) determine their final ranking. The allocation of the candidates to the various services is made on the basis ranks in the final examination and their preference for the various services and posts. The candidates who opt for the Indian Police service are inducted into the service and are sent for a three months combined training at Mussorie and then sent to Sarthar Vallabai Petel National Police Academy at Hyderabad for their professional training.

There are many phases in the training of the ISP officers. Their service is counted right from the day they join the training. Various phases of their training are given in lesson No.4 on Page.....)

6) Promotion

Promotion means moving up an employee from a given position in the hierarchy to a new and higher position usually involving at least some new duties and responsibilities. Thus, promotion involves 1) change of duties. 2) more difficult work 3) greater responsibility, 4) change of little, and 5) an increase of pay. In any Governmental agency promotions are made according to certain laws, rules and practices.

Promotion is important for several reasons. A good promotional system and promotional opportunities will attract ambitious and capable people to public services. It helps to retain talented people in the government service. It acts as an incentive to hard work among the employees. An employee who knows that he has got ample promotional opportunities work hard. Otherwise, he would be disinterested in his work and frustrated. Such employees may cause unrest in the organisation. Such an atmosphere is also not congenial to the efficient working of the organisation.

Criteria for Promotions

There are basically three criteria for promotions they are :

1. Length of service
2. Merit
3. Merit - cum- seniority
4. Special Achievements

The Central and state Governments in India have devised certain common norms based on the three criteria mentioned above. The first condition for promotion is a clean service in the position held without any bad remarks by the immediate superirors. Integrity loyalty and honesty add weight

to one's career prospects secondly, one's human relations - both vertical and **paternal** also count for one's promotional prospects. Thirdly, in certain cases one's educational qualifications may also be given special consideration. For example, in the Technical wing of the police Department, computer education may be given special consideration for promotion. Similarly those who make distinct achievements in crime investigation also stand a chance for promotion.

Tamil Nadu Police service have been broadly divided into TamilNadu Police service and Tamilnadu Subordinate service. Tamilnadu Police Service consists of two category groups as Tamilnadu Police Executive service and Tamil Nadu police Subordinate service which is called Tamilnadu police constabulary service. The Principal category of posts included in Tamil Nadu Police Executive service are additional Superintendent of Police / Deputy Commandant and Deputy Superintendent of Police / Assistant Commandant. The Principal Category of posts included in the Tamilnadu Police Constabulary service are Inspector / Reserve Inspector, Sub-Inspector / Reserve Sub - Inspector, Assistant Sub-Inspector / Reserve Assistant Sub - Inspector, Head Constable and Police Constable.

Vacancies occurring in each category - group are filled in some cases wholly by direct recruitment, in some cases wholly by promotion and in some cases partly by direct recruitment and partly by promotion. These are decided at the policy level now and then. There Rules define the constitution of the Cadre. The operation of the process of planned man-power management and planned carrer development is based on this constitution. The manner in which this system works at present is described below.

g) Tamilnadu Police executive Service-I Additional Superintendent / Commandant

All vacancies are filled exclusively by promotion with in the cadre from the Principal category of Deputy Superintendent. The power to make appointments by promotion rests with Government.

(Space for Hints)

What are the Police Welfare measures taken by the Government

- h) Tamilnadu Police Executive Service - II Deputy Superintendent / Assistant Commandant

One third of the vacancies in the Principal category are filled by direct recruitment through the Public Service Commission on the result of a competitive written examination of M.A., Standard as well as an interview test.

Two third of the vacancies in the Princiapl category are filled by what is technically described as “transfer” from the Principal category of Inspectors in the subordinate service. In fact this process should be described as a “promotional transfer” in order to distinguish it from routine transfers. Such “Promotional transfer” to the Tamilnadu Police Executive service - I are, at present subject to a prescribed age ceiling of 52 years. Routine transfers also include transfers also include transfers from category III to category II and from category II to category I

- i) Tamilnadu Police constabulary service I - (Inspector / Reserve inspector)

All vacancies are filled by selective promotion with the cadre from Reserve Sub-Inspector to Reserve Inspector. Such Promotion is limited by an age- ceiling of 52 years. The power to make appointments by such promotion is vested in the Deputy Inspector - General.

- j) Tamilnadu Police Constabulary service II (Sub-Inspector / Reserve Sub-Inspector)

Vacancies are filled partly by direct recruitment and party by selective promotion within the cadre from the general Head constable and assistant Sub-Inspector to sub-Inspector and from Reserve Head Constable category and Reserve Assistant sub-Inspector to Reserve Sub-Inspector. Direct recruitment is required to be made up to not less than 70 percent of the cadre for sub-Inspectors and not less than 85 percent and 15 percent, respectively. Promotions to Sub-Inspector is further limited by a prescribed age-ceiling of 45 years.

Direct Recruitment is carried out by the department itself in Tamil Nadu without reference to the The Tamil Nadu Public Service Commission. The B.A. degree is a prescribed minimum qualification which is relaxed for backward classes. Selection is made on the basis of a qualifying written test followed by “double interviews”. There is one interview in each of the ranges followed by another for the entire state.

There are selection committees, at two different levels at which interviews are conducted. There is one committee at the state level comprising the Deputy Inspectors General Police and the Commissioner of police of Chennai City. The senior most among them is the Chairman of the committee. There is a committee for each Range comprising Superintendents (or their in the city) again with the senior - most among them as chairman.

The power to make appointments whether by Direct recruitment only or by Promotion vests in the DIG of police or Commissioner of Police. The machinery and procedure for selection described above are well-adopted for reconciling the need for man- power management.

k) Tamilnadu Police Constabulary Service III - Assistant Sub- Inspector / Reserve Assistant Sub-Inspector

This is a numerically small category -groups. The General category was created in 1960. The Reserve Category represents the renaming of an old category. Provision is made for filling vacancies both by direct recruitment and by promotion from the appropriate category of Head constable. Such promotions are not to exceed 40 percent in the general category and not to fall short of 50 percent in the Reserve category. There is a prescribed age ceiling of 40 years in both cases. 1) The prescribed educational qualification for direct recruitment is the same as for the Junior Assistant in the Ministerial Service (i.e.a Secondary School Leaving Certificate with the prescribed minimum of marks in specified subjects). 2) Selection is made on the basis of the “Written test” and “Double interview” already described; and 3) here again the Deputy Inspector General of Police or Commissioner is vested with the power to make appointments both by Direct Recruitment and by Promotion.

Check Your Progress

1. Explain the different Levels of recruitment to the Police.
2. Explain the different levels of recruitment
3. What do you mean by Mental Calibre ?
4. Examine the Present system of recruitment to Indian Police service.
5. What is meant by Recruit Training ?
6. How Tamil Nadu Police Constabulary Service III Is recruited?

I) Tamilnadu Police Constabulary service IV-Head Constable

All vacancies are filled exclusively by selective promotion from the category of constable. The “Police District” is the unit for such promotion and the power to make appointments by such promotion is vested in the Superintendent of Police.

m) Tamilnadu Police Constabulary Service V-Constable

1) All vacancies in each district are filled exclusively by direct recruitment. The district Armed reserve and the Police Stations are taken together as a single unit for such recruitment.

2) The power to make appointment by direct recruitment is vested in the superintendent. Unlike the direct recruitment in the higher categories there is no commission entrusted with the duty of making selections. The Superintendent of Police makes the selection directly with the help of a Reserve Inspector for performing routine duties. The selection process is supervised by the Deputy Inspector General of Police (Training).

3) There is long established procedure which requires one day of every month being set apart for interviewing candidates for recruitment and the placement of selection candidates on a waiting list. A simple dictation test is administered, physical measurements are taken and medical check up is carried out. There is nothing in the nature of inter-se ranking of selected candidates.

6.3. TRAINING

Training is an effective tool for bringing about requisite professional skill, competence and attitudes. ‘Krishna Mohan Mathur’ says that training is a practical and vital necessity because it heightens the morale of the employees, helps in reducing dissatisfaction, complaints, grievances and indiscipline and it helps in bridging aims at improved individual performance.

i) “Forms of Training”

Pre-service training

1. Recruit training
2. Specialised training
3. Roll- call training
4. Promotion training
5. Refresher training

In the opinion of police officers training is needed for different levels in the following areas :

ii) For policy level

1. Policy formulations and implementations;
2. Cost benefit analysis and financial resource allocation;
3. Organisational analysis and organisational development ;
4. Issues in police philosophy, methodologies and techniques;
5. New horizons in management and behavioural sciences;
6. Concepts of carrer planning and human resources development;
7. Research methodology and techniques; and
8. The dilemma of police accountability.

iii) For supervisory level

1. Analysis of the working enviroment (social, economic, political and cultural);
2. Problem solving and decision making ;
3. General management training consisting of areas like planning, organizing, directing, motivating, controlling and budgeting;

4. Functional areas such as Police - Public relations, personnel management organisational analysis;
5. Behaviour sciences and their application in police work;
7. Management of human resources ;
8. Supervision of training; and
9. Police accountability in a democratic society.

iv) For action Level

1. Techniques of integration;
2. Latest criminal legislative enactments;
3. Crime prevention techniques;
4. Confrontation Management techniques and crowd control;
5. Police behaviour in non-situations and behaviour modification techniques.
6. Role of police in pluralistic society;
7. Police and polity and areas of individual accountability;
8. Protection of weaker sections, women, minorities and minors;
9. Handling of politicians; and
10. Police - Public relations.

v) Pre-service Training

In view of quantitative and qualitative task involved in the process of identification of training needs, it is desirable that the training to the police personnel should start even before they get into the police service. The training that is available to the police personnel through the cadet scheme and through college and university programmes and they should form part of

police training. As it is there is no programme of pre-service police training in schools and colleges. The training given to NCC cadets has certain similarities to police training, but it is Defence of our country oriented.

vi) The cadet Scheme

The Cadet scheme provides opportunities to youngmen who apper to meet the basic requirements except for age, for appointment to the police force and to acquire training both on duty and off-duty. The position of cadet is below the rank of a patrolmany. He is assigned duties performed by policemen with no police authority. The introduction of the scheme has certain advantages according to “Leonard”.

They are :

- 1) It serves as an added recruiting mechanism,
- 2) It serves to contact promising young persons before they have developed an interest in other occupational areas,
- 3) It gives the high school and college students an immediate job opportunity,
- 4) The young persons have the advantage of extensive police training before reaching the age of 21 years,
- 5) It provides an opportunity to develop carrer attitudes and outlook,
- 6) It provides the department with an excellent opportunity to observe and evaluate the young persons.
- 7) The cadet assumes clerical and related duties releasing personnal for other assignments.

In “America”, the cadet scheme was introduced to attract men of high intelligence and sanguine temperament to fill the “Blue Tanks”. In England the cadet scheme is in force to attract more suitable candidates to the police force and to offer career prospects to school leavers before they

find a niche in industry. The cadet scheme in India can be introduced in the police service as the aim of our government is to “**vocationalise the education system**”.

Royal commission on the police in England and the Administrative Reforms Commission in India have suggested that some instructions on the duties and functions of the police in the school, college and university curriculum should be explored to create a favourable attitude for police career. It is pointed out that police training at University and College level is essential for the following reasons; 1) It will give the future police officer a broad liberal arts education in conjunction with intensive professional training. 2) It will provide the future police officer a thorough command of those tools in the arts and sciences which are essential to the successful delivery of police service in modern social order. 3) It will provide a strong foundation for a career in the professional field. 4) It will develop the qualities of leadership and executive potential. 5) It will provide a reservoir or personnel reserve which could be utilised during times of need. 6) It will give a long range perspective of the role of the police in modern society. 7) And it will foster the ideals of professional achievement in the branch of the public services. It is however, laudable to note that some Universities and many colleges in India offering the course of Criminology the Forensic Science and Police Administration at the P.G. Level. Madurai Kamaraj University is proved to launch this course through the distance education mode from the academic year 2006-07. Madras University is offering M.A. Degree in Criminology through Department of Criminology and offering M.Sc. Forensic Science through Forensic Science Department near D.G.P. Office, Chennai.

vii) Recruit training

The training that is available immediately after direct recruitment is called recruit training. This training is available to the constables, sub-Inspector, deputy superintendents of police / assistant superintendents of police, who are directly recruited. This training is conducted firstly in the training institution or district head quarters and is followed up by a course of practical training before the direct recruits are drafted for actual police du-

ties. This is the period of physical and mental preparation, character formation and indoctrination for a long, difficult and responsible service.

In Tamilnadu, the Inspector General of police is (Armed Police) directly supervising and administering the training. He is assisted by Deputy Inspector General (training). There are three training institutions in the state. The Police training college is situated at Ashok Nagar, Chennai the following courses are conducted.

a) Reorientation course for Indian Police Service probationers (3 months), b) condensed course for Head constables fit for promotion to the rank of Assistant subInspector (nine weeks), c) Basic course for directly appointed Deputy Superintendent of police (one year), d) Basic course for directly recruited Sub-Inspectors (one year) e) Refresher courses for Sub-Inspectors (six weeks).

The police Recruits schools are located at Vellore and Coimbatore for training the Constabulary. Sometimes when more constables are recruited, temporary police training schools are started with temporary police personnel at Kancheepuram, Chennai and Salem and these schools are disbanded as soon as training is over.

The directly recruited District police constables are at present trained in two ~~police~~ Recruits Schools at Vellore and Coimbatore, each of which, can under pressure, accommodate 600 recruits. The Recruits are taken in batches every month from all Districts. Each School has a permanent class room, institutional staff of one Inspector and nine Sub-Inspectors. Extra Sub-Inspector instructors are drafted from the districts at one Instructor for every 20 to 30 recruits for class room instructions. NCO Instructors are drafted from the Armed Police Battalions on the same scale for parade ground and out - door training. The period of training is nine months. The Curriculum is comprehensive, and is intended to fit constable for service in the police Recruits School Training, and after a spell in the Reserves, they are posted to police stations. Better educated men, such as those who have studied up to S.S.L.C. are given preference in earlier postings to police Stations.

The Sub-Inspectors of Tamil Nadu Police are given one year Institutional training in the Police Training College, Ashok Nagar Chennai and one year practical training in the related Districts to learn practical work. After the completion of one year institutional training in the related Districts to learn practical Work. After the completion of one year institutional training the recruits are required to pass an examination conducted by the Training College. After the completion of their institutional training in the police Training College, the Dy.SPs are posted to selected districts to learn practical work, under the supervision of Deputy superintendents of police. On being attached to districts, they are made familiar with the work of the headquarter office; go into camp with the Deputy Superintendent of police to obtain an insight into methods of inspection, touring and investigation work. In fact they are brought in touch with the practical application of what they were taught at the police Training College. The fresh IPS officers are required to learn the language of the state to which they are allotted and pass an examination conducted by the State service Commission. Thus, they become acquainted with the language, and are made to prepare “briefs” of cases and to attend the hearing of cases in the courts of the Magistrates and Session Judges Courts. Probationers continue to send weekly reports which are submitted to the Inspector General of Police. Finally they are placed in charge of Inspector’s Circles for three months. When a Probationer has proved himself capable of managing a Sub-Division, he is posted as personal Assistant to the Superintendent of police. The SP sends a confidential report half yearly on the progress and conduct of IPS Probationary Officer to the Inspector General of Police.

The Deputy Superintendent of Police after their direct recruitment, are given two years training. One year practical training is imparted to the recruits in the Police Training College at Ashok Nagar Chennai. One year Practical training is provided to the recruits at the district police head quarters under the superintendent of Police. The National Police Commission is not in favour of direct recruitment to the position of deputy Superintendent of Police. Till such time, the commission has recommended that these recruits also should be given the same training that is given to Indian Police Service Probationers.

The Central Police Training College, **Mount Abu**, in the state of Rajasthan, established in 1984, was shifted to Hyderabad during the internal emergency period. The College imparts training to the new entrants to the Indian Police service. The contents of the training have a direct link with the job of a Police officer. While the training is based on the same lines as the Indian Administrative service (I.A.S.) training, the syllabus differs from the latter and comprises Criminal Law and Procedure, Criminal Psychology, Scientific Aids in detection of crime, Physical Training, methods of combating corruption riding and shooting etc., After the completion of the one year training, the recruits have to appear for the examination held by the Union Public service commission. He also gets practical training for another year and is required to work in various posts of the police hierarchy such as Head - Constable, Sub-Inspector, of Police, etc., Having done so, he is posted as Assistant Superintendent of Police (ASP).

It is generally felt that the Training Institutions are inadequate to meet the needs of an expanding organisation. They are ill-prepared to equip the professional Policeman for his new responsibilities. Even the basic amenities like proper buildings and accommodation are lacking. The Training institutions do not have properly qualified, competent and well motivated instructors. The serving Police Officers are not willing to join as instructional staff as low value and prestige are attached to training posts in comparison with the operational Posts. The development of awareness of the social and political climate in which the policemen have to work is not up to the requirements. The needs and compulsion of a more humane role of the police are not up to the requirements. The Needs and compulsion of a more humane role of the police are not adequately understood. No emphasis is placed on knowledge and skills in human relations, management and communications strategies. The syllabi are out - dated and oriented mainly to the paramilitary culture of crime control agency and the lecture methods of teaching. It is found that the main reason for the situation of general neglect was the lack of a genuine interest on the part of the Government and higher ranks in the police in the value of training. (though everyone recognized and paid lip service to the value of training). This is largely due

to such organisational pressures like non-availability of trainer and trainee man power, defective man power planning due to pressures on the job, and even the gulf between theory and practice. These have become part of the system and even now it is not going to be easy to bridge this gap. It is urged that special efforts will have to be made to make up for neglect of all the past years.

viii) Special Training

Training that is available to the police personnel to perform specialized tasks is called specialized training. Delhi Police Commission has recommended that training Criminology, Forensic Science and Medical Jurisprudence, training in various trades such as training of traffic constables, training in security duties and wireless operations and maintenance workers course should be provided to the police personnel to carry out the specialized tasks allotted to them.

Indian Police service Probationers undergo the following courses as a part of career Planning to acquire specialized knowledge :

1. A Common foundation training in administration alongwith all other Class-I officers at Mussorice for 4 Months.
2. Basic order and outdoor training in policing at Sardar Vallabai Patel National Police Academy Hyderabad for 10 months.
3. A fleet management course of 12 days duration at the central School of Motor Transport (Sagar) Madhya Pradesh (M.P.)
4. Weapons and Tactics course at Central School of Weapons and Tactics at Indore.
5. Ten days course on wireless at Central Police Radio Training Institute, New Delhi.
6. A Ten days' Internal security Course at Internal Security Academy. Mount Abu.

7. A Ten Days' Course on Police - Public relations at Institute of Criminology and Forensic Science, New Delhi.
8. A four week's advance course in Criminology at the Institute of Criminology and Forensic Science, New Delhi.
9. Senior Officers' Course after five to eight years of service at Sardar Vallabhai Patel National Police Academy, Hyderabad.

ix) Roll call Training

Roll Call Training was introduced in "America" to pass on some of the experience of the field supervisors to their subordinates. It was first handled through a short -discussion period at roll-call time. Later the plan was lengthened to thirty minutes daily. Since the field Supervisors were too pre-occupied with their regular duties to spend the time necessary for research in preparing teaching material, a field unit of training division was created to do this work. This training was carried on seven days a week, the first five days were devoted to teaching discussion, and reviewing material prepared by the field training unit. These lessons consisted of informations on topics suggested in the survey and other problem confronting the officers. Two days of the week were reserved for special review of previous lessons or to the discussion of divisional problem. Information in the training bulletins often was not available source. So, **Los Angeles Police Department** developed some of the material from conferences and interviews among officers and supervisor.

Since the training is intended to be given during roll call, this training is called roll call training. Rollcall training programme can be used to both men and women police in India with important results in daily police operations.

- (1) It can help to improve police service in India.
- (2) It can pool the knowledge experience and wisdom of the department personnel and the information thus obtained can be used for purposes of instructing the entire membership of the organisation.

- 3) It can encourage police personnel to seek assistance from their superiors when they encounter difficult problem and are uncertain as to how to proceed.

x) Promotion Training

Training that is available for police personnel immediately after promotion is called promotion training. This training is necessary to the police personnel for imparting the requisite knowledge and skill for performance of duty in higher and more responsible charge. Delhi Police Commission has recommended constables selected for promotions to the rank of Head Constable on the basis of merit, and of four months training for order rank of Head constable on the basis of merit, and of four months training for older constables selected on the basis of seniority. Head Constables selected for promotion to the rank of Assistant Sub - Inspector should be given a six months training. Assistant Sub-Inspector promoted to the rank of sub-Inspector should be given three months training. The Sub-Inspector promoted to the rank of the Inspector should be given advanced course in detective training.

xi) Refresher Training

Police Standing orders 286 contemplates refresher courses in drill for Sub-Inspector and subordinates at District or circle Head quarters.

Refreshers Training is given to the police personnel to keep them up to date in the respective fields of activity and who acquaint them with latest administrative techniques. S.R. NIGAM says that it is also helpful in breaking the monotony, and drudgery or the routine work. Refresher training is given to constables and Head Constables in the District police Lines under the supervision of the District Police Lines staff in Uttar Pradesh, Rajasthan, Madhya Pradesh, Bihar, Punjab and other states.

Refresher officers are required to undergo the above mentioned different kinds of training because they should acquire a high degree of professional competence and be fully aware of the means whereby science and Technology can help in Police work. They must develop a clear understand-

ing of the social purpose of their activity and a sensitivity to the trends and forces at work in the environment which they have to act. They must develop attitudes consonant with the concept of “**social Justice**” contained in the constitutional and the development programme with particular reference to the weaker sections of the community, including the poor, the minorities and the Scheduled Castes / Tribes.

Orientation Training :

In view of increasing criticisms against the police personnel for violation of human rights, other kinds of ill treatments meted out to the accused, indecent and impolite behaviour towards the public, the policemen are now being given orientation training in human rights, with particular reference to the rights of the accused and of the prisoners.

6.4. CAREER PROSPECTS

Every employee of public and private organisation has great hopes about his / her career prospects, which are governed by the following factors.

- a. Pay scales and their revisions;
- b. Allowances;
- c. Promotions;
- d. Working Conditions;
- e. Leave facilities;
- f. Occupational facilities.

Of all these factors, the most important one concerned with career prospects is the schemes of promotions of the organizations. In all the government departments and public undertakings there are well defined rules for every issue concerned with the employee from appointment to retirement. To a great extent the scheme of well - defined promotions determine other benefits also.

Check Your Progress

- 7. What is the Important of Training?
- 8. What are the Police Welfare measures taken by the Government.

The Police forces at the central and states levels have a well - defined promotions scheme for the personnel at all levels. In general, in any government service one can hope to get a least four promotions on an average from the entry level. In some services where there are many ladders of hierarchy, from the entry point one can hope to get even 5-6 promotions depending on one's meritorious service. As promotion policies are broadly the same in all the states, the promotion policy of Tamil Nadu Police is given here in some details.

Promotions in the Police Force

As stated earlier there are three levels of entry in the police forces, namely a) as constables b) as Sub - inspectors and c) as DySPs / ASPs. In some states there may be one more entry as Assistant Sub- Inspector.

Promotions in the department are generally governed by seniority at lower levels and by merit at higher levels and are well within the rules and regulations given in the Police standing Orders.

1. Promotions of Gazatted Officer PSO -21

PSO - 21 States :- Appointments to the Selection Grade in the Indian Police Service are made strictly by selection. All officer who have rendered exceptionally meritorious service as SP will be deemed to be eligible for appointment as DIG. This means a state level officer gets a conferred IPS status and becomes liable to serve at all - India level. An officer with conferred IPS can be transferred to central police force including the intelligence and investigation Branches like the RAW, CIB and CBI.

But in the case of a direct IPS Officer he / she gets the promotion by the order of seniority with merit of service taken for granted. Therefore a direct IPS officer of the rank of ASP becomes SP within 5-6 Years, while it may take 7-8 years in the case of a state level officer.

A direct IPS Officer can rise to the rank of DGP which means he/she crosses 6 ranks, namely, SP, AIG, DIG, IGP and ADGP, by the time he/she retires from service provide that there are no bad remarks or black

marks in the service register no charge memos etc. The service of the individual should be meritorious.

2. Promotions of Non Gazatted Officers

The SIs and Inspectors are non- gazetted officers of the Police departments. Their promotions are governed by PSO 36 (TN) The Promotions of SIs to Inspectors of the Armed Reserve of Special Police is decided by the state Promotions, Board, Consisting of a chairman, a member and a secretary selected from senior Officers.

According to TN PSO 36, promotions shall be made on grounds of merit and ability, seniority being considered only where merit and ability are approximately equal. A promotees list is prepared by the Board keeping in mind the number of vacancies likely to arise in the next year. The SP of the district prepares the list and passes it onto the Board. In the case of special police, the Board directly prepares the list in the order of seniority.

Thus, one who enters the police force as a SI, with efficiency and character taken for granted, can rise to the position of a SP crossing the ranks of Inspector DySP and ADSP before he retries.

3. Promotions at constabulary levels

At the constabulary levels promotions are given as

- (a) from constable Grade II to constable Grade I
- (b) from constable Grade I to Head constable and
- (c) from Head constable to SI. These promotions are covered by Tamil Nadu PSO 40, 41, 42, 43 and 44. These PSO s cover promotions of constable in the District Police, Armed Reserve and Special Police.

4. Promotion Boards

Three Promotions Boards namely a) the state Promotion Board b) the Range Promotions Board and c) the district Promotion Board the constituted for different ranks. The state promotion Board looks after the pro-

motions of the gazetted officers from DSP and above the Range promotions Board looks after the Promotions of Non-gazetted officers such as SI and Inspector and the District Promotions Board takes care of the promotions of constable up to the rank of SI.

5. List of Promotions

In the case of non - gazetted officers and constabulary promotions three lists C, B and A are prepared by the SP of a district. According to the TN - PSO.

- a) Immediately after a person is included in the promotion list he is deemed to be in the 'C' list.
- b) After a person is promoted from C list he is deemed to be brought on to the 'B' list.
- c) Subsequently the person is brought on to the 'A' list with or without probation and is promoted to the rank.

Finally, the State Board of Promotions receives the promotion list and forwards the same to the DGP for approval and posting.

6.5. POLICE WELFARE

Employees of any modern organisation are eligible for many welfare measures. Such welfare measures cover health education of children occupational facilities and sports and games.

a) Policemen Health Schemes

Just Like any other government servant the policeman also are eligible for medical facilities in the government hospitals on par with other department staff. Depending on the rank, one gets a bed in the general ward, C class, B class or A class. If admitted to the general ward one gets free treatment. In the case of C, B or A class the treatment for any kind of diseases is free. In the state HQs separate police hospitals are established with 20-30 beds, attended by one or two doctors. However only basic and

emergency treatment is available in the police hospitals. If one requires an advanced treatment, he/she can seek admission in the nearest government hospitals the nearest government hospitals. In fact only lower ranks go the government hospitals for free treatment. Those at the middle and higher ranks mostly go to private hospitals and nursing homes some of which are recognized by the department for reimbursement. Such medical facilities are made available to the wife/ husband of a policeman/ woman and their children also.

b) Policeman Housing Scheme :

Since 1975 the Policemen in Tamilnadu have been provided with police housing quarters. In the state HQs district and taluk HQs, police housing quarters have been constructed for the policemen. While the lower ranks get apartment flats, other ranks like the Ss and Inspector get twin houses. There are well established bungalows with camp office annexes for officers of the ranks of SP and above. At the same time, police men of all the ranks are also eligible to apply for government or bank housing loans and construct their own houses. Such police quarters are constructed mostly in the places where old quarters with tiled houses had been constructed period Besides these places, Wherever government lands were made available, police quarters have been constructed. A Police housing corporation was created in TN in 1976 to provide apartment flats to policemen of lower ranks. This has settled the almost four decade long grievance of the policemen with regard to housing.

c) Primary education of policemen's children

Wherever possible kindergartern and primary school have been established near the quarters so as to enable the policemen's children get the basic education conventionally and economically. This relieves the parents of the burden of primary education for their children.

d) Sports and Games

The Policemen are free to participate in games and sports in their off

times. Play grounds providing games like football, volleyball, hockey, shuttle cock etc. are available in the Reserve police lines and special Police lines.

Policemen well - trained in games and sports are encouraged to participate in the state and national level sports events. This adds some life to the monotonous career of the policemen. Good sportsmen are also exempted from normal duties when they take part in the state level and national level events. Shooting competitions are also held for policemen at the state and National levels.

e) Occupational facilities

With increasing crimes all over the world, India is also experiencing rising crime rate. Terrorism along with of fundamentalism and extremism have become the order of the day. As such the policemen are expected to tackle to new types of L&O problems and crimes. Traffic management is another big problem which is deteriorating year by year in spite of many efforts taken by the traffic police in the cities and towns.

As such unless the policemen are provided with hi-tech facilities to the extent possible it is not possible for them to cope with the existing situation in which crimes and criminals have become hi-tech. The organized criminals operating at the international levels not only use hi-tech communication but also hi-tech weapons. Therefore the policemen need to be given maximum modern facilities for improved performance and higher on put.

The past one decade in Tamil Nadu has been witnessing better occupational facilities provided to the policemen in the police stations. Most of the police stations are now computerized and connected with internet. This is largely true of other states also. In fact, the police HQs of all the states are under internet connection. The police of the centre and the states now higher weapon power. After different parts of the country such a Mumbai, Delhi, Kashmir, Jammu, Bangalore, Coimbatore etc. have experienced terrorist bomb blasts the security system in the airports and railway stations has been brought under high profile security. The policemen are also new

provided with modern communication system with shortwave frequency. Still the policemen are often found to be lagging behind the criminals and terrorists.

6.6. RETIREMENT

The states in India adopt almost similar rules with minor variations in the sphere of police disciplinary proceedings. As far as Tamil Nadu is concerned, one rule, that is, the Tamilnadu civil services (Discipline and Appeal) Rules 1995, applies to all civil services. For the police force, besides the Tamil Nadu Civil services Rules 1995 there are three more rules. **They are :-**

1. The Tamilnadu police Subordinate service (Discipline and appeal) Rules 1995 (Constabulary to Inspector of Police)
2. The Tamilnadu Civil services (Discipline and Appeal) Rules 1955 (Deputy Superintendent of Police to Superintendent of Police, non-cadre)
3. The all India Services (Discipline and Appeal) Rules 1961 (All IPS officers from Superintendent to Director - General of Police)
4. Tamilnadu Police standing orders 75-107 dealing with punishments of and appeal by non-Gazatted officers.

TN - PSO 108 - 114 state about the personal conduct of police officers. PSO 109 mentions 9 activities which the police should avoid or should obtain permission. The subordinate police Officer's conduct Rules 1964 & 1973 point out 37 activities.

Under the following classifications

- (a) To get permission
- (b) No
- (c) Avoid

(Space for Hints)

- d) inform
- e) All times
- f) Duties
- g) Through proper channel
- h) Prohibited
- I) Refer to Government
- j) None

When the policemen violate in any manner the code of conduct stated above, they are liable for penal measures prescribed by the three rules and the PSOs mentioned above.

Disciplinary proceedings against a non - gazetted police officer

The disciplinary proceedings against an accused or delinquent officer is initiated with a show cause memo with 15 days notice for a reply in the case of minor offense and a charge momo with 21 days notice for a reply in the case of a major offence.

The punishments for minor offence include

- i) reprimand
- ii) Censure
- iii) Deferred Reprimand / Caesura (PSO - 97)
- iv) Fine
- v) Withholding increment
- vi) Recovery from pay vii) Suspension

In the case of major violationos committed by a police officer, an Inquiry Officer is appointed to make a through inquiry of the charges. If the charges are proved, the punishment will include.

- a) reduction in rank, or
- b) Compulsory retirement, or
- c) removal from service and, or
- d) Dismissal

When a policeman commits a major violation of departmental codes of conduct, the department appoints an inquiry officer to conduct the inquiry, and he may award punishment, which may be dismissal removal from services, compulsory retirement or a reduction in rank. In case of an officer who accept a huge bribe money for showing a favor to a party in a criminal case, the case is dealt with by the Department of Vigilance and Anti-Corruptions (DVAC) and the enquiry will be conducted by an officer of the SB - CID. The delinquent officer, if found guilty can go for further representation of DVAC within 60 days time. If the act of bribery is confirmed by the DVAC, the punishment is confirmed by the Department. Generally, the Selection authority is also the punishing authority. If the officer had been selected by the Union Public service Commission, the same authority also prescribes the punishment.

Criminal Offence Committed by a Police Officer

If a police commits a criminal offence covered by the Indian Penal Code the accused officer will be tried in the criminal court of law like any other person. In that case he will be subject to the relevant sections of IPC Evidence Cr.P.C. and other laws whichever is applicable. Once a policeman, any rank is arrested on such charges, he is placed on suspension and he is dismissed once he is convicted. There are so many evidences for many policemen who have been convicted on charges of IPC offences throughout the country. (eg. Rathoor)

Retirement

The policemen of all ranks are governed by the retirement rules that are applicable to other government servants. Retirements of government ser-

vants is defined by chapter IX of the fundamental Rules No.56. According to this rule every government servant will retire on super annuation on the afternoon of the last day of the month in which he/she attains the age of 58 years. If required and with the sanction of the government -central of state one can be retained in service after the age of 58 but not after the age of 60 years. In the case of Judges and Magistrates, If the high court so feels it necessary from public point of view they may be allowed to continue in judicial service up to the age of 60 years. The term service refers to the qualifying service of the government servant which implies permanent or officiating service without interruption of break of service.

Voluntary Retirement

A Policemen like any government servant is eligible for voluntary retirement on attaining the age of 50 years or on completion of 20 years of qualifying service, by giving a notice of not less than 3 months.

Pension

A government servant is expected to have put in 30 years of qualifying service so as to become eligible for full pension. However for those who have put in less than 30 years but not less than 25 years, a weightage of 5 years (or a required number of years) is added for the purpose of pension and gratuity calculation only. Such persons are eligible to get 50 percent of their last pay drawn as pension. This includes the basic pay plus the DA only and not other allowances. If the retiring government servant has been found guilty of grave misappropriation of government funds or property in any form and if the government servant is subjected to departmental enquiry the government have the right to withhold the pension and provide only a subsistence pension to the employee till the enquiry is over.

6.7. SUMMARY

In this lesson we have come to know the recruitment process for the Police Force. The first one -is at state Level. The second was the I.P.S. Cadre officers - by the central Government through the V.P.S.C. We have come across their training and Promotion chances.

6.8. KEYWORDS

(Space for Hints)

Dy.S.P. - Deputy Superintendent of Police (Range)

S.P. - Superintendent of Police. (District)

Constable - Police Constable - Policeman

Delhi Administration - Delhi Administration is governed by Delhi Police Establishment Act, A special enactment.

Character Verification - Efficiency by good morals. Sound moral Character.

6.9. ANSWER TO CHECK YOUR PROGRESS

1. Refer Para 6.1
2. Refer Para 6.1.C
3. Refer Para 6.1.D (iv)
4. Refer Para 6.2
5. Refer Para 6.2 (vii)
6. Refer Para 6.2 (k)
7. Refer Para 6.3.
8. Refer Para 6.5.

6.10. MODEL QUESTIONS

Short Answer Questions

1. Discuss the various systems of recruitments in Police Service.
2. What are the various forms of training given to policemen of various level?

(Space for Hints)

Long Answer Questions

1. What are the systems of promotions followed in the police force ?
2. What is the process of disciplinary proceedings against a non-gazatted Police officer?

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UNIT - III

LESSON -7 FUNCTIONS OF MODERN POLICE - II

INTRODUCTION

The transformation of India from the status of a colony to an independent state and from a police state to a welfare state considerably widened the spheres of activities of the police in India. Not only in India, throughout the world, the functions of modern police have become so diverse and dynamic that it is almost not possible to clearly define them. Yet, for the present study, it becomes necessary to indicate the major functions of the modern police.

Functions of modern police in India include. Enforcement of laws passed by the Parliament and State Legislatures, Maintaining L&O, Prevention and Detection of crime, applying scientific method of investigation, enforcement of other social legislations and local and special laws; Enforcement of Juvenile Justice Acts 2000 and 2005 enforcement suppression Immoral Traffic (Prevention) Act 1986; and Dowry prohibition Act 1961 and maintaining liaison with the civil administration and the community organizing community policing etc.

UNIT OBJECTIVE

To familiarize the students about functions and duties of Modern Police. Thus we have introduced to them (i) Pre-active Policing (ii) Pro-active Policing and (iii) Reactive Policing. The Police are coming into contact with Indian Penal Code, Indian Evidence Act and Criminal Procedure Code. They also come across some special Laws, such as Juvenile Justice Act, Labour Laws, The Child marriage Prohibition Laws and Prohibition Laws. In Which way they must follow the rules and regulation is an important factor.

UNIT STRUCTURE

To introduce the subject the lesson is divided into small small paragraphs which carries the message to a good way to the students.

Introduction

Unit Objectives

Unit Structure

- 7.1. Functions of Police.
- 7.2. Police as enforcement Agency.
- 7.3. Maintaining Law and Order.
 1. Crowd Control
 2. Mob dispersal
 3. Dispersing unlawful Assembly
- 7.4. Role of the Police in Crime Prevention.
- 7.5. Relationship with Executive and the community.
- 7.6. Terrorism and Functions.
- 7.7. Enforcement of social Legislation
 - 1) The Protection of Civil Rights Act
 - 2) The Child Labour (Prohibition and Regulation) Act.1986
 - 3) PITA
 - 4) Dowry Prohibition Act
 - 5) Police services rendered by the police
- 7.8. Traffic control.
- 7.9. Juvenile aid Units and Mounted Police.
- 7.10. Women Police.
- 7.11. Summary
- 7.12. Key words
- 7.13. Answer to check your Progress
- 7.14. Model Questions

7.1. FUNCTIONS OF POLICE - A CLASSIFICATORY APPROACH

It is indeed very difficult to define the scope of the functions of modern police. The police have ever increasing roles in the society today. How-

ever for the purpose of this subject we may classify the functions of the police into the following five categories.

1. Overt functions and covert functions;
2. Routine, Ad hoc and emergency functions;
3. Specialist and non - specialist or general functions;
4. Pre - active, Pro-active and Re- active functions;

Details

1.a.) Overt Functions : Overt functions of the department are those functions which are visible to the public such as 1)L& O maintenance, 2)Crime control, and 3)Traffic regulation which exert an impact on the daily life of the people, positively or negatively. If these functions are carried on well by the police they create a positive impact on the daily life of the people. People will be happy about the police. On the other hand, if the performance of the police in this regard is very unsatisfactory, the daily life of the people would become uncertain and hard and the people would feel very unhappy about the police.

Besides these three functions, there are quite a few more functions relating to vigilance and anticorruption, juveniles, women's right, right of the SC and ST still ever so many functions which are just known to the people.

1. b) Covert functions : Covert functions of the police are those functions which are carried on secretly. For example, details of crime investigation are not generally revealed to the people. They are also should not be informed to the media.

The intelligence gathered by the RAW, the CIB, SIB, SSB the CBI, CB - CID or the district crime branch and city crime branch etc are kept and handled in the most secret manner. When required they are revealed only in the court. The Police personnel engaged in these wings are expected not to leak out the information of their wings to any outsider. Even through Right to Information Act you cannot ask the stage of the Crime investigation.

2. Routine, Ad - Hoc and Emergency Functions

Various functions performed by the police stations and some special units may be broadly classified as Routine functions, Ad hoc functions and Emergency functions.

Under normal situation, every police station will have some routine functions such as maintaining the station lay out records, muster roll, attending to public complaints, maintaining L & O functions relating to crime prevention and traffic regulations etc. It may be said that the routine functions are of overt nature and are visible to the public.

Ad hoc functions are functions relating to unusual functions but expected and anticipated sufficiently in advance. For Example informed inspection programmes by the superior officers, visit by VIP or VIP's public meetings under permission, festival arrangements etc. all may be included under this category.

Emergency Functions:-

Emergency functions are the functions which are performed in relation to sudden developments. For example, a serious and unexpected L & O crists, a very sensational crime such as murder for gain, highway dacoity or a very serious road accident or a fire accident, a terrorist attack etc. Preparedness is the answer for such emergencies. In other words, out of past experiences the police cultivate preparedness in such cases.

3. Specialist and Non - Specialist functions

It is the police departments of the states which have maximum number of specialist wings when compared to many other civil departments. This is because the society's demands on the services of the police departments are ever increasing in all its dimensions. Besides, conventional crimes like property offences and L &O problems, new types of crimes, manifold social issues and problems, terroritst, extremist and fundamentalist forces have come into existence and practice. The latest addition to criminal list is "**Computer based crimes**" which are widespread all over the world. This

has created the need for “Cyber Cell” and “Cyber security” measures. Other examples are the prohibition enforcement wing. Economic offence wing, the Narcotics Intelligence Bureau, Bomb Detection and Disposal squad etc.

(Space for Hints)

Non - Specialist functions such as general functions, preventive and preactive functions are performed by the police stations and various administrative wings of the department.

4. Pre - active, Pro - active and Reactive Functions

All the functions of the police department can be broadly classified into yet another 3 categories as pre- active policing, Pro-active policing and reactive prolicing. Pre-active policing aligns with preventive functions with references to crime, traffic, and other kinds of activities. This is what is expected of an efficient policing system. But, like the natural calamities and accidents, many types of crimes cannot be foreseen untill their M.O. patterns are minutely studied and confirmed.

As such, policing functions are seen more as reactive functions than preactive and proactive functions. More pro-active functions refer to Reactive functions refer to all the steps taken by the police following an occurrence like murder for gain dacoity, homicide, road accidents etc. It may be pointed out that the preactive functions are very much based on intelligence and reactive function on the logistics.

These three functions can be reduced in the form of an equation

$$P = P1 + P2 + P3$$

Where

P = Policing,

P1 = pre- active policing;

P2 = Pro-active policing;

P3 = Reactive Policing;

Depending on the situation the police may have to apply P1 or P2 or P3

7.2. POLICE AS ENFORCEMENT AGENCY

In India the criminal justice is governed by three important laws, namely, the Indian Penal Code, which prescribes the punishments for all kinds of offences which affect the peace and tranquility of the society and security of the nation; the Criminal Procedure Code (Cr.PC) which prescribes the conduct of investigation of Criminal cases by the police, various sections of the Cr. PC applicable regarding the procedure to be followed by the investigating officers (IOs) from the moment they register a case till the accused is convicted and the Law of Evidence which provides all support to the IOs and the prosecutors.

The Police is also entrusted with the responsibility of enforcing other laws not related to crimes but relating to social legislations such as women's rights, children's rights juvenile, decency in the public, environmental protection, drug - related crimes, traffic offence and still ever so many spheres of activities. Many wings such as economic offences wing (EOW) Vigilance and Anti- corruption wing (V& AC) Idol Theft wing, food cell etc. have been created to check crimes in these spheres of activities.

Many other departments of the government seek the help of the police for enforcing the laws related to the functioning of the department concerned. For example the revenue department may seek the help of the police for enforcing eviction of illegal occupants on public lands. Also, the Regional Transport Authorities, corporatins and Municipalities, customs and excise, Forest Department etc. Seek the police help when somebody violates the laws of the department concerned.

7.3. MAINTAINING LAW AND ORDER

Maintaining L & O is one of the most important functions performed by the modern police. In a military state or police state L&O is not a problem. But in a big democracy like India where there are so many diversities and also huge population, maintaining L&O is a serious problem for most part of the year. Political agitations, labour strikes and socio economic agitations are always there throughout the year.

L&O is the basis for an orderly society. A good L&O situation will also mean a better crime control administration and a stable and successful society. If L&O worsens everything goes out of order. People can enjoy the benefits of development and the fruits of their hard labour only if the L&O of the country is in good shape. The police have a joint responsibility with the public in this regard. The people must also give due regard to L&O.

The Indian Constitution allows certain Fundamental Rights to the people such as the Right of assembly, Right of speech and expression, Right to property etc. The police have the duty to uphold these rights but it is also the duty of the police to control threats to normal existence of the state.

PSO 179 points out that it is the duty of the Inspector (L&O) of a police station to maintain the L&O in the jurisdiction of his station.

7.3.1. Crowd control

The police have another important L&O function in connection with the festival crowds. In many cities and towns and villages as well, almost throughout India a number of religious festivals and community festivals are taking place throughout the year. Such festivals are common in religious centers like Mathura in the north and Madurai in the south. There is no state in India which does not have festivals of its own.

During such festival occasions, lakhs of people gather at a particular place. In religious centers like Tirupathi almost throughout the year, millions of devotees gather and offer their worship. The crowd which gathers at such places is a legitimate crowd with a specific purpose namely worship. Here, the police needs to exercise crowd control measures in the form of crowd regulation. Sections 23 to 30 of Police Act empowers the police to regulate such crowds. The movement of the crowd at all points must be regulated to see that there is no stampede. An unregulated large crowd often results in stampede and death of many people. Moreover if the movement of the crowd is not regulated it may even become a source of certain crimes.

7.3.2. Mob dispersal :-

This is the most important L&O function of the police. A mob can be distinguished from a crowd by the fact that the mob is an excited lot who do not have the sense of fear and have no respect for law. Often the mob takes to violence with or without reasons. Then, timid persons tend to become violent when they join the mob. A mob often turns to homicide, destruction and bloodshed.

It is a pity that very often the policemen become the targets for the mob in fury. Policemen also get injured or even killed in the hands of furious mob. Such a situation may compel the police men to open fire to disperse the mob. A violent mob often resorts to killing their targets, looting and destroying public and private properties and private vehicles, Government Vehicles. Sometimes, a normal crowd may also be transformed into a mob when provoked by trivial causes or when instigated by the flaming speeches of some leaders.

An unlawful assembly is a prelude to a mob. An Officer in charge of a police station or any higher officer, a Magistrate or a Commissioned officer of Defence can order an unlawful assembly if they do not disperse, under section 225, IPC.

7.3.3. Dispersing unlawful Assembly

Dispersing the unlawful assembly is an important L&O function of the police. This involves three categories of activities, namely,

- (i) pre-active function
- (ii) Pro-active function and
- (iii) re active function.

i) Pre active L&O function of the police very much depends on the information furnished by the Intelligence section about the unlawful assembly which is likely to take place at a particular place and time. Immediately acting on the intelligence message, the officer concerned must take preven-

tive measures by arresting the leaders of the group and keeping them confined by preventing the members of the group from assembling. At this stage there is no need for any force.

ii) Pro-active L &O function of the police refers to the second phase of steps following the emergence of unlawful assembly at the scene. These steps include

- (a) mediating between the leaders of the agitators / members of the unlawful assembly and the other party such as local administration
- (b) Addressing the mob through Public Address System (PAS) with a warning of stern action if the mob do not disperse
- (c) Using camera to identify the leaders of the mob so as to instil a fear complex in them and
- (d) Using mild force such as water guns, tear gas shells and lathi charging.

Lathi charging a mob needs to be exercised with caution because the policemen will have to get into the mob. The officer in charge must consider the following criteria while resorting to lathi charging.

- a) Assessing the size of the unlawful assembly;
- b) Assessing whether the mob is armed or unarmed;
- c) The composition of the unlawful mob. i.e., whether it consists of one particular category of people or consists of a cross section of the whole population; such as women and children whether it is a politically motivated mob or aggrieved mob.

On the basis of these considerations the Commanding Officers (CO) of the force will have to decide the size of the force to be deployed, its weapon power and the authority to be used under the appropriate IPC section. Moreover, the CO of the force must also keep his higher officer informed about the spot development and obtain his / her advice and orders.

iii) Re active measures refer to further measures to be taken by the force once the mob resorts to violence and starts destroying private and public properties, attacking the police party and trying to surge forward their target destination. This involved mainly two steps, They are

- i) Resorting to heavy lathi - charging; The Police force must be trained suitably to distinguish between mild lathi charging and heavy lathi charging.
- ii) Using fire arms with caution

Before resorting to “**Reactive measures**” stated above, the CO of the force must be clear the about legal sanctions for the reactive measures especially for using firearms. With regard to use of firearms, the aim of the force is only to disperse the mob and not to kill anyone. Generally, the CO concerned may have to face a magisterial enquiry after having used fire arms to disperse a mob. He will have to explain the circumstances under which firearms had to be used and other **pro-active measures** used before using the **reactive measures**.

While using fire arms the CO in charge must observe the following pre-conditions.

- a) Sanction of authority for using firearms under section 129 (2) Cr. P.C.
- b) The type of firearms to be used;
- c) Reserve contingent to be kept ready;
- d) Size of the firing squad and the type of their training;
- e) Nature of the area of operation and size of the area to be covered.
- f) Keeping ready medical and para - medical contingents to attend to the injured and move them to the hospital for treatment.
- g) Keeping the media persons for witness.

Importance of Preventive measures

The L&O wing of the police must exhaust all possible pre-active measures before launching any major operations to disperse an unlawful mob. This warrants tact and patience on the part of the officer in charge of L&O of a city or district. As a pre-active L &O function, the L&O wing policemen of a police station must undertake regular patrolling of the area and take necessary precautionary steps by rounding up the ring leaders of the revolutionary mob. They must also interact with the people of the area and maintain good public relations. Wherever possible the SHO must organize informal community police. These measures will help in preventing the eruption of serious L&O situation.

7.4. ROLE OF THE POLICE IN CRIME PREVENTION

Prevention is better than cure is an old usage which is generally applicable to health. This proverb is equally applicable to crimes also. It can be said that crime prevention is better than prosecution because in a crime investigation in between the arrest of the accused and prosecution and between prosecution and conviction there are too many hurdles, that are faced by the society.

Basically, the prevention and detection of crime are the responsibility of the Crime Wing (CW) of the police station (Crime and investigation are explained in Lesson 10. This function of the police may be called pre active policing. Sections 41 and 107 to 111 permit the police to make preventive arrests of persons who are likely to commit certain types of offence. Sections 149 to 153 Cr. PC and section 28 of the Police Act emphasise the duty of the police to prevent commission of offence when it comes to their knowledge.

This section is split into 3 parts namely :

- A) Types of crimes
- B) Crime prevention why ?
- C) Crime prevention How ?

Check Your Progress

1. What are the functions of the Police.
2. How a mob may be dispersed?
3. How an unlawful Assembly is dispersed?
4. How to use fire-arms for dispersing a mob?
5. Bringout the Preventive Measures of the Police.
6. Explain the Role of the Police in crime Prevention under the Cr. P.C.

The part concerned with why crime prevention highlights the various problems confronting the Crime Wing and the IPs. Part B examines the various methods and logistics of crime prevention.

A. Types of crimes

Refer :- crime Typology in the Object Principles of Criminology.

B. Why Crime Prevention ?

The Criminal Justice System (CJS) covering arrest of the accused investigation, prosecution and conviction has become a long drawn process. There is undue delay in hearing, trials and judgments. Although the conduct of criminal cases are considered to be speedier than the civil cases still there is lot of delay. There are many hurdles from beginning to the end in the criminal cases.

These are

- a) Lack of infrastructure in the "Crime Wings";
- b) Inadequate manpower in the Crime Wings;
- c) Increasing human rights activism;
- d) Three pronged nexus of the criminals with politicians, police and lawyers;
- e) The Problem of hostile witnesses ;
- f) Changing "Modus Operandi" of Criminals;
- g) Problem posed by receivers of stolen goods;
- h) Criminals intelligence rings for working their chiefs;
- i) Indifference of the society to the problems of the Police;
- j) Deteriorating Law and Order situation;

- k) Lack of adequate training in scientific investigation and lack of knowledge up dating on part of the Investigating Officers;
- l) Uncertain working hours of policemen;
- m) Lack of adequate development on the community policing side;
- n) Increasing friction between the Investigating Officers and prosecutors and Investigating Officers and magistrates;
- o) Vast hierarchical gaps in the department and lack of guidance from superiors to subordinates;
- p) Defective system of Correctional Administration and Increasing Recidivism.

C. How to Prevent Crime ?

Features of a comprehensive Crime Prevention System

There is no country where there is a cent percent fool proof Crime Prevention System (CPS). In the small city state of Singapore also there are crimes. Singapore claims to have the lowest crime rate in the world. Although there is a general feeling that crimes cannot be completely eliminated, there is a consensus of opinion that crimes can be controlled. However, crime control measures also are not more effective in practice. This is evident from the fact that not a single day passes without the occurrences of crimes.

A Comprehensive crime prevention system (CPS) shall consist of three categories of measures namely

- a) measures of the police department
- b) joint measures i.e. measures to be taken by the police and public jointly and
- c) public crime prevention measures.

Crime Prevention Measures (CPM) of the police departments

As pointed out earlier, sections 149, 150 and 151 of Criminal Procedure Code empower the police to initiate suitable measures against and prevent the commission of any cognizable offence. Besides the Criminal Procedure Code, Section 23 of the Police Act also empowers the police to prevent a cognizable offence from being committed by any person. Thus the responsibility of the police to prevent the commission of a cognizable offence is strongly emphasized by the Criminal Procedure Code and the Police Act.

The responsibility crime prevention functions of the police Department falls on the Crime Wing (CW) of the police station. In Major cosmopolitan cities and commissionerate cities, every police station has both L&O wing and CW. The CW is responsible for undertaking suitable crime prevention measures and conducting investigation in relation to crime occurrence leading to detection of crimes and prosecution and conviction the offences.

The Crime Wing of the police station consists of an Inspector assisted by 2 to 3 Sub-Inspectors, 2 to 3 Head constables, one of whom is the “writer” of the station and about 20 constables. Together, the personnel of the CW devise methods of crime prevention. These methods are of two categories. Functionally, they may be called pre-active policing and pro-active policing while pre-active policing refers to conventional and general methods of crime prevention, the pro-active measures refer to non-conventional and specific methods of crime prevention. In other words pre-active or “**Conventional methods**” are ;

1. Day and night patrolling by cycle and by foot
2. Police - Public vigilance committees;
3. Surveillance of ex-convicts, hardcore criminals, known depredators, dossier criminals and convicts on bail.
4. Community Police.

These are general methods of crime prevention followed by the CW regularly in a routine manner. The most important feature of the conventional measures is the presence of the police in the crime prone areas. While the presence of the police tends to create a fear in criminals, it is a source of confidence for the law-abiding citizens. However, in the midst of their multifarious functions the CW is not able to maintain the regularity of the pre-active measures. Therefore, the CW has to launch many non-conventional pro-active measures. The non-conventional or specific Methods of Crime prevention followed in Chennai Metropolitan city are given below.

1. Beat Boxes :

The Beat Officers system was introduced in Trichy city in Tamilnadu in 1999 with the objective of creating friendly policing. Its aim is to give personalised attention to crime prone areas. Each police station has 4 or 5 beats and each beat box is manned by four police personnel.

The Beat personnel are expected to become familiar with the people of the area and the surrounding so that they can identify the strangers and subversive or criminal activities. The Beat personnel are also equipped with walkie-talkies and communication equipments for purpose of addressing the public and contacting the superior officers on any emergency. Each beat personnel are expected to regulate the crowds at the bus stands temples, market places, theatres etc.

2. Crime stopper control :

This is a computerized system introduced in district HQs in Tamil Nadu with the objective of enabling the members of the public to have access to the police immediately and pass on information about dangerous gangs if any. The informants can also get feedback from the police after giving an information to them. The crime stopper control system is linked with the computer system of the police round the clock.

3. Friends of Police :

About 15 years back a public movement called Friends Of Police

(FOP) way created for providing avenues for interaction between police and the public. This scheme was first introduced in Ramanathapuram in Tamil Nadu. The FOP members are selected through the police stations and are given an Identity card. Their function is to immediately contact the police on the symptom of a crisis. They are also trained to assist the police in bandobust duties, traffic duties, beats and patrols etc. The FOP movement is making only a slow progress but it is successful.

4. Yellow Brigades / Blue Brigades / Patrol Vehicles

In Greater Chennai City a Scheme known as Yellow Brigades and Blue Brigades and Patrol vehicles were introduced giving them each a time slot. That is , the Yellow Brigades are required to do patrolling for a distance of 2 Kms during day time from 6 to 2100 Hrs. In addition where as, the Blue Brigades have to do patrolling the same distance of 2 kms during night time between 2100 till morning 6`o Clock. In addition to this, the patrol vehicles are deployed in different parts of the city, each covering a distance of 3 to 2 kms during throughout day and night.

The patrol vehicle comprises both motor cycle and four wheelers like jeeps and vans each fitted with many gadgets like sirens, rolling lights, PAS, wireless communication system etc. Any emergency call to the control room from public is immediately linked to the particular patrol and other nearest police station within 3 to 4 minutes and necessary steps are immediately taken. All these mean the public are now given greater access to the police for emergency help. The TamilNadu Police claim that with the introduction of such measures, the crime rate in Greater Chennai has come down considerably.

5. Slum Adoption Programme

Slums are generally considered to be the abode of and breeding place for criminals and anti social elements. With a view to keep the slums under surveillance, the CoP of Trichy in Tamil Nadu adopted 12 slums, allotting one slum to each police station. The slum dwellers were also encouraged to take up self help welfare activities.

6. Legal Powers conferred upon the Police

Police are vested with certain legal powers by Cr. P.C. and the Police Act which can be effectively used to prevent crimes by keeping criminals under control. Sections 41-107-117 and 119-153 of the Cr. P.C. confer on the police the powers to make preventive arrests.

7. Role of Community Police (CP) in Crime Prevention

Community Police (CP) is an age-old system followed during the medieval periods and during the British rule. Its importance has declined in the modern periods but some refined forms of CP have been brought into practice. They are :

- a) Home Guards (HG)
- b) Traffic wardens (TWG)
- c) Friends of Police (FOP).

These are formalized CP where as FOP is non - formal CP. The HGs comprise mostly government servants while the FOPs consist of the cross section of the society.

8. Non - Formal Policing

Besides these forms of CP, the police may also organize the people of a locality to form their own crime prevention squads with each squad led by a head constable during any series of occurrences like dacoity and robbery in an area. This may be supported by patrolling van kept on standby. This may be called non-formal policing. If the community could check small occurrences like petty thefts, snatching etc. the CW would be relieved of a part of its workload and would be able to concentrate on serious crimes such as dacoity and robbery. This method was tried in Anna Nagar west, Chennai. It was of great success. The area people was also very happy to be a part of police crime prevention squad.

For example, suitcase lifting is common during train journeys and here and there train dacoities also are taking place. This is very much the passengers responsibility to safeguard their property during travel for which they must have awareness. This awareness is being created by the Railway Police by displaying caution boards in the way stations and inside the compartments. The PAS may also be used for this purpose. Even with regard to the serious offences like dacoity and robbery, the timely presence of Police will strengthen public morale and the people also will join the police in checking such crimes. Add news paper "News" - Journey Theft

7.5 RELATIONSHIP WITH THE EXECUTIVES AND THE COMMUNITY

The modern police is called civil police which means the police forms an integral part of the society. The central and state governments have a number of departments each with its own executive staff. Many departments are directly concerned with the public and enact their own laws. However, occasionally the executives of different departments such as the revenue department, local governments like the municipalities and corporations the help of the police for executing certain laws.

For example, when some officials of the cooperative banks or other cooperative departments resort to corruption, the help of the police is sought to arrest them and get them prosecuted. During times of natural disasters like floods caused by incessant rains or a major fire disaster or a major train accident, the authorities concerned such as the local governments and the railway administration seek the help of the police also along with other departments like the Dept. of Fire service and Rescue operations. The revenue departments of the taluk administration or municipal administrations very often seek the police help for their eviction operations conducted on government lands.

Police and the Community

It is needless to emphasize the importance of police - Public relations in connection with L&O maintenance, crime control and traffic regula-

tion. These three major functions of the police exert a great influence on the public in their daily life.

The expectations of the public on the part of the police are ever increasing. Besides the duties and responsibilities indicated in the PSO the society expects many kinds of social services from the police. For example, when a young couple who elope and take refuge in a police station, the SHO concerned pacifies the parents and ask them to bless the young couple in order to avert any possible communal clash. The SHO within certain limits, intercepts in family quarrels between husband and wife and restores normalcy in the relationship, Also, if the SHO comes to know a possible eruption between two communities, he has to intervene and persuade them to resort to deliberations across the table. The community also expects other social services like helping the aged people and children to cross the roads, to free the children from bonded labour etc. The police are also expected to maintain cordial relations with the community around them.

7.6.TERRORISM AND COUNTER - TERRORIST FUNCTIONS

The word 'Terrorism' is of modern origin if the period is counted from post Second World War period, terrorism is spread out throughout the world in different forms. Terrorism has proliferated into different kinds with strategies changing from one period to another.

Historic examples of state terrorism are : the most infamous rule of Louis XIV of France before the French Revolution of 1786; There are many more examples of State Terrorism throughout the world. In Africa, particularly central and west Africa there is still state terrorism and counter - State terrorism. In India, before Independence, the British rulers also applied State Terrorism to crush the freedom movement. State terrorism is normally let loose on its own people and those who oppose the state.

1.Terrorism of the 1980s and 1990s

The 90s have witnessed a steep increase in the number and severity of various types of terrorism. The terrorism may be broadly classified as

- a) Internal terrorism
- b) Intra-regional terrorism and
- c) Global terrorism.

Internal terrorism may also be called intra-state terrorism which means terrorism confined within a country. For example, the Naxalite problem is confined to the states of Andhra Pradesh, Karnataka and Kerala and to a some extent in Bihar Odisha and Jharkhand; Also the Bodos of Assam, who are confined within Assam. These terrorists have their own ideological differences with the state. The dacoits of Chambal valley in Madhya Pradesh may also be called terrorists, as they strike terror on the villages around Chambal Valley and create terror by killing dozens of Zamindars in every attack.

There are atleast 10 terrorist organizations which are involved in suicidal attacks throughout the world

They are :

1. Islamic Movements of Uzbekistan (IMU)
2. Al-Jihad
3. Lashkar -e - Taiba (Le-t)
4. Al-Qaeda
5. Palestine Islamic Jihad (PLJ)
6. HAMAS Islamic Resistance Movement.
7. Jaish - e- Mohammed
8. Hizb-ul-Mujahideen
9. Harakat - ul-Mujahideen.
10. United Liberation Front os Assam (UIFA)

2. Terrorist organisations which have been attacking the Indian Democracy in different regions :

Dispankar Sengupta and Indhir kumar singh are of the opinion that there are roughly 150 terrorists organizations operating in India in different regions and with different motives. The most active of them are :

1. Hizb-ul- Mujahideen (Kashmir)
2. Jaish - e-Mohammed (Kashmir)
3. Harakat - ul-Mujahideen (Kashmir)
4. Lashkar -e-Taiba (Kashmir)
5. United Liberation Front of Assam (UIFA)
6. National Democratic Front of Bodoland (Assam)
7. National Socialists Council of Nagaland
8. People's War Group (PWG)
9. Maoist of Bihar

It is very difficult to define these terrorist organizations because they vary very widely in their goals, structures and style of functioning. But, they all have one thing in common, that is, terrorising the people of the country which they target, by resorting to indiscriminate killing. Some of them are political in character, some religious and some for socioeconomic justice. The world witnessed the recent Maoist insurgency in Nepal which triggered the uprising of human rights and democratic forces. This resulted in an unprecedented revolution of the whole nation leading to the fall of age-old system of monarchy and the rise of democracy. But, this was a maoist-led war of the people against the state. There has been Legal and illegal mining operation in Bihar in the mountain and Hill region. These place were already allotted to sheduled Tribes for their Lively hood. When their lively hood was affected, they have taken weapons.

Almost three fourths of the countries of the world are faced with terrorism and are devising ways and means of protecting their people and properties from terrorist attacks. But, the whole world was able to understand the serious dimensions of terrorism and its ugly face only after the 9th November disaster in the U.S. in 2004 caused by Bin Laden, who succeeded in smashing the twin tall buildings of the World Trade Centre in the U.S. Not only the two buildings were reduced to debris, more than two thousand people were killed and about 20,000 were injured. The whole world was stunned to see the mightiest of nations being pierced through by the Bin Laden's Al-Qaida suicide bombers.

3. Major Trends in Terrorism

In spite of many inherent variations, in different terrorist organizations, certain major trends have been witnessed. They are briefly outlined.

1. **Hijacking** : Some of the terrorist organizations, most particularly of the 1980s resorted to hijacking of airplanes and air buses, and demanding heavy ransoms from the states targeted or demanding the release of some kingpins of their organization who might have been arrested and convicted.
2. **Laying ambush on the convoys** of police or army in the border areas or jungles seizing their arms and ammunitions, and also often resorting to guerilla warfare.
3. **Resorting to suicidal attacks on the state VIPs** with the motive of assassinating them and creating terror.
4. **Resorting to suicidal bombing** often resorting to women bombers, or planting bombs remote - controlled in cars and two wheelers and make them explode in public places with the motive of killing innocent public and creating terror.
5. **Abducting VIPs of the society, or leading politicians or sometimes the tourists, and demanding a heavy ransom from the targeted state or demanding the release of some of their kingpins.**

6. In the case of the some terrorists organizations, they combine both terrorism and oper war with the targeted government forces.
7. Some terrorist forces have been shifting their target of attack from hard targets i.e. police and military to soft targets. i.e. totally unprotected civilian population in places like temples, railway stations and shopping complexes.
8. The religion of Islam has been focussed by many terrorist forces with a misguided notion that by what they are doing they are upholding their religion. They also want to foster the Islamic culture and Islamic laws.
9. Most of the countries have internal or intra-state terrorism. Some of them are centred around Pakistan and Afganistan. India has become one of the most vulnerabel targets of the terrorists centred around Pakistan and Afganistan.
10. Political assassinations are becoming common since the 1980s. The assassination of John F. Kennedy former president of the United states in 1963, followed by the assassination of his brother Robert Kennedy in the next one year, the assassinations of the Indira Gandhi in and Rajiv Gandhi in 1992 are not singular events of history. Such as-sassinations vary in respect of the organizations and motives behind them. Many such political assassinations have been taking place all over the world . Such assassinations are committed by both terrorist and non-terrorist groups.
11. Insurgencies i.e. The terrorists of one country entering the neighbouring countries or belligerent countries has also become common. Such in-surgents also abduct the poverty sticken youth of the troubled re-gions and take them to their training camps. The youth then are brain-washed and trained to obey, the leaders blindly and also brutally hate their own country and contrymen many of them are then sent as sui-cide bombers into the targeted areas.

12. Hi-tech and hi-profile operations : The terrorists whether they appear in the form of militants, insurgents or naxalites or extremists, have access to hi-tech devices and weapons, and also resort to hi-tech logistics.

4. Counter terrorist strategies

The modern terrorism is highly complicated in its organizations and operations. Therefore, the counter -terrorist strategies of the security forces of the country, as already stated, can be classified as

- a) Pre-active strategy
- b) Pro-active strategy
- c) Re-active strategy.

Depending on the situations, one of the three functions of the police may have to be activated on the following lines.

A. Pre-active Strategy : Pre-active strategy refers to almost launching an offensive on the terrorists camps well before they launch any offensive on their targets. This should include the following measures.

- a) Intelligence : Pre-active strategy of India very much depends on the Intelligence inputs, with the co-ordinated efforts of the RAW, the CIB and the SIB, with all necessary support from the Central and State Home Ministries. This may be called Pre-active Intelligence. This is very vital for any pre-active strategy.

The Pre-active intelligence should cover, as far as possible, everything about the terrorist camps, their organization, logistics, weaponry etc This would help in designing the type of offensive to be launched.

Public Intelligence :

Once the terrorists get into the targeted region, they would try to mingle with the local population and settle down for sometime before launching their offensive. As a part of pre-active counter terrorist strategy, the per-

sonnel of the local police station concerned in the sensitive areas, must advise the people to be aware of strangers and newcomers and inform the same to the police station.

In the case of the bomb blast that occurred in Coimbatore in TamilNadu in 1998 during the visit of Mr. Advani, the former Deputy prime Minister of India, it was later discovered that those bombs were prepared at Madurai. It was due to sheer lack of public intelligence that this could not be brought to light at the appropriate time. And, when it was discovered, it was too late. After all, there bound to be gaps in the intelligence network of the security forces and these gaps will have to be filled by public intelligence system. But, public intelligence system, which forms part of community policing, has not been developed well, by the Tamil Nadu Police because, the places - villages as well as small cities are caste oriented and religious oriented. Now the BJP argues why presidential election should not be fought on Hindu wati, to such an extent seculation has been burried.

b) Interception :

This refers to entering into the communication line of the terrorist, through their own language and coding system, decoding their computer language in order to retrieve the necessary information. Interception would also mean cutting across the stray movements of the terrorists and taking them under custody for interrogation. Public Intelligence may also help police interception of the terrorists.

c) Interruption :

Interruption may be taken to mean breaking the continuity of the designs of the terrorists on the basis of intelligence inputs and interrogation of those who are taken into custody.

d) Inactivation :

Inactivation aims at neutralizing or immobilizing the terrorists camps found inside the country, by cutting off all supplies to them and blocking the routes of their transport and communication.

e) Intrusion :

Intrusion refers to penetrating into the terrorist camp by the intelligence sleuths (A person who investigates), followed by a storming operation to be launched by the commandos. (Eg: Operation Blue Star)

f) Invasion :

In the last phase, if necessary, a full-scale invasion on the terrorist camps by the army, supported by the army's airwing and the paramilitary forces, like the CRPF, BSF or other units may be undertaken. This depends on the location of the terrorist camps.

g) Public Guidance Programmes :

In areas where frequent terrorist attacks and insurgencies take place, the people in the area must be guided suitably through the media and the PAS, regarding the do's and don'ts : some of them are :

- i) Maintaining public Intelligence : Details may be worked out by the police for different areas;
- ii) Inform the police if any unclaimed property, such as a suitcase or travel bag, is found in the sensitive areas or in public places.
- iii) Inform the police if any strange or unusual wiring system is found in a public building.
- iv) Inform the police if any provoking leaflets or handouts are distributed.
- v) Inform the police about the appearance of strangers in the residential areas.
- vi) Avoid contact with unclaimed articles :
- vii) Avoid spreading unwarranted rumours.
- viii) Keeping the emergency phone numbers e.g. police and Fire service on hand.

B) Pro-active Strategy :

Pro-active strategy refers to various measures taken by the security forces of the country once they get information that the terrorists have begun launching their offensive. The aim is to check and arrest their offensive before it takes an ugly turn, kindly remember what happened at Mumbai on 7th July, 2006.

Pro-active strategy shall comprise the following measures :

a) Designing the offensive / counter offensive :

The Pro-active offensive or counter offensive design against the terrorists depends on the intelligence inputs with reference to the

- i) Strength of terrorist insurgents,
- ii) Their logistic designs,
- iii) The internal terrorist outfits or hide outs.
- iv) Location of the place of offensive against the terrorist, with a view to avoiding civilian casualty in the cross fire.

b) Deployment of Professionals

Professional commandos and snipers, bomb squads supported by para military forces, medical and para-medical teams, Fire service and rescue teams and teams of voluntary police such as Home Guards must be kept ready on stand-by. The job of the commandos is to lay ambush on the terrorists. If Intelligence inputs had been received on the strength and weapon power of the terrorists, the ambush party must possess higher weapon power or maximum weapon power with adequate strength.

Alongwith the commandos, other professionals like the bomb squad and snipers karate / Judo specialists and first aid and para medics etc. need to follow in succession. When, where and how they will have to perform their tasks depends on the situation on hand. A best example of pro-active

strategy is the deployment of commandos and other professionals like snipers in the Parliament House at Delhi, when a group of militants entered on Dec. 13, 2001 into the building. But for the timely action of the professionals, the Parliament House would have been blown up by the militants along with the ministers and other members. This was one of the greatest pro-active strategy launched by the Indian Security forces very successfully on Dec. 13, 2001. Many such pro-active offensives are launched by the Indian Security Forces in Kashmir, and in the areas bordering Pakistan, Nepal, Bangladesh etc. almost every day.

c) Transformation and Adoption

Studies made on terrorist attacks and insurgencies have proved that those who are deployed as suicide bombers and insurgents are not committed to the pursuits of their leaders. Such people who are deployed are mostly uneducated poor youth of the troubled regions. As a proactive strategy, the government concerned should address the problem of the uneducated and unemployed poor people and see that they are not trapped into the brain washing strategies of the terrorists. Such unemployed youth should be brought under educative and training programmes so that they turn to the positive side of life.

C) Reactive Strategy : Reactive strategy involves measures to be taken by the Government and the police immediately after a terrorist attack such as blasting a time bomb, a remote sensitive bomb or a human suicide bomb or landmine. Terrorists resort to indiscriminate killing of unprovoked civilian population. Such attacks may even prove to create a disaster, as what happened in a series of bombings in Mumbai on 11th July 2006, or bombing of a train in a tunnel in England on 7th of July, 2005. The disaster in the U.S. in Sep. 2004 was one of the most spectacular and horrendous disaster caused by the Bin-Laden group of terrorists. This means in spite of all the precautions taken by the security forces, the terrorists may succeed in blasting a running train, a bus or a market place. Once such an occurrence takes place, what is to be done immediately? The following measures form the reactive strategy after a terrorist offensive or bomb blast.

- i) Guarding the Crime scene
- ii) Positioning the place of occurrence with the victims
- iii) Removing the wounded person for immediate treatment.
- iv) If some building or a train or a bus has been targeted, removing the debris carefully and looking for dead and alive.
- v. Removing and sending the dead bodies for postmortem (Examination);
- vi) Look for material evidence such as shell pieces, depth and width of the impact of the blast parts of human bodies if any, and witnesses;
- vii. Preparing a rough sketch of the crime scene and getting it photographed.
- viii. Getting dying declarations of persons at the spot or in the hospital and taking evidential reports from the living victims.
- ix. Preparing the FIR for investigation with scientific aids.
- x. Interrogation of suspects and further investigation.

What has been given above is only an outline of the steps to be taken immediately after a terrorist offensive. The three - fold classification of counter terrorism strategy do not have a clearcut demarcation in practice, because, in practice, one may be overlapping on the other. What is needed is preparedness at the global, national and regional levels. However, if there are some reasonable grounds in some terrorism or extremism, the government or the nation concerned should address the issue with a multidimensional approach.

Sunil Sandhi points out “Six Possible Pathways out of terrorism”. They are :

1. The terrorists / extremists giving up their struggle after they achieve their goals. This was very much true in the cases of colonial Independence struggles of some countries like Palestine, Algeria, Cyprus, Aden etc. in the 1950s and 1960s. In the case of India, some sections

of freedom fighters turned violent during their struggle. Once freedom was won, all kinds of struggles were over. Similar was the case with the Maoist Revolution in Nepal, and the satellite 14 nations of former USSR.

2. The terrorists / extremists foresee the inevitable failure of their struggle and simply, melt away abruptly, as what happened in the case of Irish Revolutionary Army of Northern Ireland in 1962 which wanted to secede from the U.K.
3. Counter terrorism of the state let loose on the terrorists and wiping out the very movement. This happened in the case of the Tupamoro's campaign in Uruguay in the 1970s. This is happening in some countries of Africa.
4. Bilateral Agreement. Which should address, "the genuine and deeply felt grievances of a particular group" the state concerned may offer a political solution in terms of a true package with concessions. This proves to be extremely effective. This is true also in the case of terrorists of Corsica and Basque region, who are fighting against French and Spanish Governments.
5. Terrorism Brought under Criminal Justice System: Some countries are trying to deal with terrorism under the Criminal Justice system and are applying the Criminal Laws to suppress terrorism.
6. Educative solution. This refers to a multipronged effort taken by the NGOs, the media, the educational institutions and the political parties in educating the terrorists toward a positive strategy and make them realize that **"ballots are more powerful than bullets"**.

It is to be pointed out that all these solutions or way outs are not always practical in all the situations. This is evident from the fact that, "Roughly 150 terrorist organisations are active in India. They operate mainly in Jammu and Kashmir, Assam, Manipur, Tiripura, Nagaland and Andhra Pradesh" (Sengupta and Singh -2004)

7.7. ENFORCEMENT OF OTHER SOCIAL LEGISLATIONS AND LOCAL AND SPECIAL LAWS

India has been declared as a **Welfare State** which means the governments at the central and states levels aim at establishing socio-economic justice through appropriate legislations. While some of these legislations are enforced by the police, the local governments enforce certain laws with the police help wherever necessary. The examples given below will illustrate this:

1. The Protection of Civil Rights Act 1955;

The Protection of Civil Rights Rules 1977 and SC and ST (Prevention of Atrocities Act 1989)

Certain communities were being subjected to the conditions of almost slavery for many centuries upto the end of the British rule. They were considered to be untouchables and they were denied their fundamental civil rights. This situation continued for sometime even after Independence. They were subjected to untold inhuman harassment and were deprived of their normal life and property and opportunities of life which were available to other communities.

In order to eradicate this social evil, the Government of India introduced The protection of Civil Rights Act on 8th May 1955, under Article 17 of the Constitution with the provision for abolishing untouchability in any form. As the Act had certain loopholes, a committee was appointed to study the act and plug the loopholes.

As per the Act of 1955, persons belonging to the communities called scheduled castes and scheduled tribes (SC and ST) should not be subjected to any act of untouchability in public places, commercial places, religious places, etc. Anyone resorting to such an act of untouchability was made punishable by the Act with imprisonment for a periods of 1-6 months. The state governments were authorized by the Act to impose a fine. This was made a cognizable offence which can be tried summarily.

The act was further amended in 1977 and 1989 in order to expand the scope of the act and making any act of atrocity committed on a member of the SC and ST severely punishable. The state governments have created the PCR wing using in their police departments in line with the Act and the Act is now being enforced by the police in letter and by Spirit. Any member of the SC and ST communities who is harassed or ill treated by others, may give a complaint to the PCR Wing with adequate proof and seek redressal.

2. The Child Labour (Prohibition and Regulation) Act 1986 and Juvenile Justice (Care and Protection of Children) Act 2000 as amended in 2005

Among many social problems haunting India, Child labour is one. Children in the tender age of even 5 or 6 being employed in match factories brick kilns, hotels and restaurants and shops was a common sight till about 2000. Although the act of 1986 prohibited employment of children below the age of 18, the evil was quite widespread. Through eradicate the child labour passed the act of 2000 which has slightly improved the situation. Although this does not directly come under the police, district collector can advise the police to check the bonded child labour and arrest the employers. The govt. of India Passed an Act strictly on forbidding child labour (below) and imposing one year imprisonment of these who violate was act.

3. Prevention of Immoral Trafficking in Women Act (PITA)

The country is also witnessing trafficking in girl children and young women. Young women lured with offer of lucrative jobs are sent to the sex world of cosmopolitan cities like Mumbai. Besides this, in the cities and towns sex business has been flourishing creating complicated social problems. This breeds immorality in the society and becomes a source of social evil. As a check against this evil, a separate wing called. Anti-vices Squad functions in the cosmopolitan cities under an Assistant Commissioner of Police. This wing conducts raids in Luxury lodges and other suspected places to check the evils of prostitution. In smaller cities and rural areas, the Crime

Wing of the police stations carry out the functions of the Anti-vices squad of the cosmopolitan cities. However, the sex business has become one of the biggest social menace almost throughout the world. Any amount of policing with the support of law is not able to cope with the situation. Now that mobile phones and internet facilities are available, Hi-Tec sex business is flourishing more than what it was earlier, that is prostitutes visit Five star hotels in the form of “call girls” whom the police conveniently ignore because it involves high society but the police are harping on the low level prostitutes only. This can change only through social transformation. Sex workers are protected by Law as, any other worker. See Prof. R.Chandra Mohan’s book on Criminal Minor Acts of Central and State Acts for Assistant Public Prosecutor’s Examination Paper IV.

4. Dowry Prohibition Act

Dowry cell is yet another wing of the department which deals with cases of dowry deaths and dowry - related harassments. The institution of dowry is deep - rooted in the Indian Bhraminical marriage. Depending on the status of the bridegroom his education, job, his personality and above all the greedy of his parents. The bride’s parents are required to meet the extensive needs of the bridgeroom in money terms and real terms like a car, gold jewels, studded jewels, household needs like TV, washing machine, furniture, utensils and ever so many things, because they love the status of the Bridegroom than the Bridegroom himself.

However, the otherside of the issue is the greedy husband and his parents often tend to torture and harass the bride for more and more dowry. If the newly married woman is not able to meet the ever -growing demands of the in-laws she is done to death in some way or other. During the 1960s and 70s, there were a number of cases of dowry deaths. The greedy women who loved the status of the bridegroom were either strangulated or allowed to suffocate or most often killed by a bursting store.

As dowry death and dowry harassment cases were increasing, the state police forces opened a separate wing known as “Dowry Cell” which

(Space for Hints)

looks into all dowry, related cases. In a dowry -related case, if evidences are strong the Dowry Cell inspector is empowered to arrest the husband and his father, Mother, Sisters and Brothers on non-bailable arrest warrant. This has very much mitigated the dowry deaths and dowry harassments. However, the problem still continues silently in the sense that the parents of the bride are indirectly pressurized not to speak. Kindly know the case of vice-chancellor of Periar University, Salem.

There are two broad categories of dowry harassment namely pre-marriage dowry harassment and post - marriage dowry harassment. Pre-marriage dowry demands depends on the interests of the bridal party on the bridegroom. The grooms parents may have their own demands in money terms and real terms but this cannot be complained to the police with evidence as this cannot be proved. It is only the second type, namely, the post-marriage dowry harassment which can be taken up by the police on the complaint given by the bride's parents or the married girl herself. This Law is well applied in case of Living - in - Relationship and Gay - Living as well same sex Living together as husband and wife. Even in the second type, the police can come into picture only when the bride/wife is bodily injured or when the problem ends up in the murder of the wife/ daughter in law by the in-laws or her husband. The minimum punishment is 10 years of imprisonment Otherwise, the harassed wife can simply apply for a divorce which does not fall under the purview of the police, but opens a wide new area for Divorce as stated by the supreme court rightly.

5. Police services rendered by the police (With ref. to Tamilnadu Police)

Modern Police is expected to perform many social services also alongwith their respective departmental duties. There by, the police may gradually transform inself from the "status of a force" to the "status of a service". The National police Commissions also are insisting on this. For example, when a missing child is handed over to the nearest police station, the SHO is expected to take necessary efforts to enquire about the parents or guardians of the child and see that the child is handed over to the par-

ents or Guardians. If required, in the process of such social investigations, the child may be passed on to the local Child Helpline to take care of the child. This would also raise the image of the police. Tamil Nadu Police has taken the initiative on these lines and have introduced a number of service schemes in the form of 'Help lines'. Similar schemes are expected to exist in other state police departments also, because of the Juvenile Justice care and Protection of children Act compels them to do so.

Help Line Ideals

The Government of Tamil Nadu Launched a new scheme about a decade back to introduce Helpline Ideals with a focus on Women and Children among the policemen of Tamil Nadu. With the following objectives :

1. Render Help with compassion
2. Protection and upliftment of women and children;
3. Providing relief to victims affected by crises and disasters;
4. Providing counseling and legal advice to women in distress;
5. Rehabilitating women criminals, Prostitutes, Destitutes.

The Tamil Nadu Government has set up women helpline and Child Helpline units in Many districts and they are linked with the Women Police station of the respective area. Women Police stations are providing prompt help round the clock to women in distress.

There are many areas of social issues where the police can do a lot of service.

1. Dowry harassment ;
2. Domestic Violence;
3. Alcoholic Spouses;
4. Prostitution;

5. Sexual Harassment;
6. Problems related to love affairs;
7. Problems related to promiscuity;
8. Female infanticide;
9. Problems arising out of bigamy;
10. Street Brawls;
11. Missing girls / Children;
12. Child abuse.

In Tamilnadu Women Helpline Control Room functions round the clock to attend to distress calls. Women and Children in distress may contact Women Helpline control Room at Chennai on telephone numbers 1091 & 1098 respectively which are toll free throughout the state. The all women Police stations set up in many districts of Tamil Nadu also provide similar service to women and children in distress. Professional counselors are provided to women in distress in the All women Police stations. See also “solvathellam Unmai” TV Serial

7.8. TRAFFIC CONTROL

Traffic situation in the cities and towns has become a highly complex problem. Traffic management is one of the three major spheres of activities of the police the other two being L&O and crime control. As it has been stated already, the police image among the public will be cheered or smeared depending on how they perform on these three fronts, including traffic management. However, traffic management is not the exclusive domain of the police as the other two spheres of activities. With regards to traffic management, besides the police the Regional Transport Authority, and the Local Government state Government and National Government also have a responsibility.

That is, while the police are responsible for regulating the traffic flow the Regional Transport Authority (RTA) National Highway Authority (NHAI) of India. regulates and controls the vehicle population on the roads. The governments at the local level, district, state, and national levels take care of roads, and their maintenance.

Taking for granted that the governments are providing reasonably good roads and that the RTA are performing their duty reasonably well. The police have much greater responsibility in traffic control.

Organisation of the Traffic Police

There are three kinds of traffic police systems in police department.

They are

- a) City Traffic Police
- b) District Traffic Police
- c) Highway Patrol

1. The City Traffic Police :

In the cosmopolitan cities where police HQs are situated, the city police traffic is put under the charge of a DC (Traffic) who is assisted by a suitable number of ACs (Traffic) Each AC (Traffic) is assisted by Traffic Inspectors, Sub-Inspectors, Head constables and constables. Moreover separate Traffic Police stations each under one AC (Traffic) exists in the cosmopolitan cities.

The Traffic regulatory features of the city traffic are

- a) Traffic Beats
- b) Highway Patrols
- c) Traffic signals. Traffic beats are traffic beat constables posted at junctions with the automatic signals, junctions without signals, vital traffic points such as schools, busy market places etc. In the junctions where there

Check Your Progress

7. What Kind of Preventive Methods are taken up?
8. What is Non Formal Policing?
9. How the police Help the Corporation and Community?
10. What are the Special Legislation to establish Socio-Economic Justice in India?

are automatic signals beat constables are needed to see that nobody violates the signal rules. Similarly junctions without signals definitely need traffic beat constables to regulate the traffic on all four directions. The number of beats depends in the nature of the city's topography and the one - way or two way entry systems followed. The beat constables in important places other than road junctions are given cordless mikes to regulate the traffic around the area.

2. High way patrol :

Highway accidents have become very common during the past about years due to so many reasons. Not a single day passes without accidents in some highways of a state be it state highways or national highways, in spite of the fact, that the NHAI Highway departments have very much improved the road conditions.

In countries like the United states and other European countries there are independent Highway patrol Department with their own organisation. In India and in the eastern countries like Singapore, Malaysia, the Highway patrols functions as part of the state police.

Highway patrols are of three categories namely,

- i) city highway patrols
- ii) district highway patrols
- iii) State highway patrols.

a) City Highway Patrol

City Highway Patrol are part of the city Traffic police which functions under the CoP. While in the Cosmopolitan cities a separate Deputy commissioner is put in charge of the city traffic. In some cities, the DC crimes is also entrusted with the responsibilities of traffic control duties. Now the trend is to have the Traffic Control in the B Grade cities also under a DC (Traffic)

Each city Highway Patrol is placed under one Inspector (Traffic) who is assisted by 2-3 SIs, 10 Head constables and about 20 constables, all placed on the traffic side. The traffic police personnel are mutually transferable between various other wings and sections, Such as L&O, crime etc. except the personnel who are specialists such as the photographer, computer analyst etc.

The city Highway Patrol consists of not only police personnel but also vehicles and communication and PAS. City traffic Police units also have a van fitted with a crane which is used to remove the vehicles involved in accidents and vehicles which are parked in the no parking areas.

Teh Inspector (traffic) are on the move in their jeeps or vans supervising the traffic beats and observing traffic situation at vital points. The SI (traffic) moves in another direction and spends sometime at all the traffic beat points, observing the performance of the beat constables. Those who violate the traffic rules are checked and warned. The traffic Inspector SIs and Head constables together form a team now and then and check the vehicles and owners and drivers for relevant documents. If relevant documents such as driving license insurance certificate, registration certificate are not in tact with the driver of any vehicle, then he is liable to be spot - fined.

The City Highway Patrol can stop any running vehicle, check the inmates and ask for their identity proof. The traffic SIs move on white painted motorcycles which are fitted with VHF wireless set. Teh VHF wireless set of every traffic SI is given a MIC number for contact by the city control room.

In case of any accident within the city limits, the traffic personnel must rush to the spot, clear the traffic congestion caused by the accident, arrange for removing the injured for treatment and the dead for post - mortem and start investigation. The traffic Inspector must also give a periodic report to the CoP stating the conditions prevailing in the city, with suggestion for improving the city traffic.

b) Traffic signals :

The road traffic in the cities is being slowly transformed from manual signals to electronic automatic signals. However not all the junctions have been brought under auto-signals. The situation in this regard is definitely far better than what it was about two decades back. In the western countries as well as in the eastern countries like Singapore, Japan etc. The auto - signals also have a camera which is monitored by the traffic police authorities from their control room. The in-built camera shows violations of traffic signals committed by anyone along with his vehicle details. With the result, in those countries even in unmanned auto-signal points, the drivers do not violate traffic rules. In India when compared to those countries, the situation is far behind. In the place of in built auto-camera, we see a beat constables who check violations. The traffic signals are so costly that the police have often to seek the help of some NGOs like Rotary Club, Lions club etc. For installing auto - signals at junction points. Whenever the signals are at fault even maintenance cost sometimes is beyond police budget provisions.

2. The District Traffic Police :

On the side of the District Police, we do not see a separate network of traffic police as we see in the city. In the rural areas, the Inspectors and sub-inspectors along with other personnel, have to look after all the three major functions, namely, the L&O, crime control and traffic control. The traffic on the district side poses a different problem. The villages of a district do not pose much problem with regard to traffic. A network of road transport is being created in the villages and the villagers now have better access to the nearby market towns.

The traffic Problem faced by the District Police is one of accident on the district and inter-district, highways. National Highways and State highways form part of district and inter-district transports Accidents on these roads are becoming very common. Not a single day passes without some kind of accidents on these roads.

Highway patrols have been created by the district police authorities check to over-speeding vehicles and to prevent accidents on the state and national highways. These highway patrols could be seen either on the move on the highways or on a beat at some vital points. The highway patrol vans are fitted with VHF communication system and the personnel such as Inspector, SI, Head constable etc. also possess a mobile phone each.

In the case of any highway accident, the mobile patrol on the highways, immediately contact the higher formation for necessary steps to be taken. The highways patrols on the district, state and national highways have a major responsibility in chasing and rounding up the hit and run vehicles and anti-socials on the run. For example, when some criminals escape in a motorcycle after committing an offence in a city, the city control room on getting the message, immediately contacts the district control room which in turn alerts all the high way patrols of the district state or national highways about the escapees. For this purpose, the highway patrols on the district, state and national highways are on duty both day and night by shift.

The highway patrols on these highways follow the system of relay-race, and pass on the message to successive district highway patrols. This no doubt helps in checking the criminals on the run.

3. Patrolling on the National Highways :

The highway patrol of one state gets into contact with the high way patrols of the neighbouring state and puts them on alert, when the run-away criminals enter into another state. This is possible, if the message consists of the vehicle number and vehicle colour.

Causes for increasing Road Accidents

Road accidents, particularly on the state and National Highways have almost become daily affair, in spite of various efforts taken by all concerned. We are able to see quite astonishing statistics in this regard.

A number of causes can be attributed to increasing road accidents One point to be noted is that, while the policemen are in no way respon-

sible for the accidents, they are the first to jump into action following an accident. Various causes responsible for road accidents can be grouped under the following five categories namely,

- A) Bad driving
- B) Bad Roads
- C) Bad climate
- D) Bad Vehicles
- E) Bad Manners and Practices of drivers. of these five major causes, the most prominent as many would agree, is bad driving.

A. Bad Driving :

Bad Driving is due to many causes, such as casual and careless driving certification by the Regional Transport authorities (RTA). Casual and indifferent driving exhibited by the youngsters, over-assumed driving, uneducated drivers, driving under extreme stress and strain and corruption among the officials of the RTA who issue driving licences to those who exhibit poor driving skills. All these reasons culminate into bad driving, and as stated already, the drivers are mostly responsible for bad driving you could have heard that a bus had fallen down from Anna Fly - Over near Gemini for the first Time in the history of Fly-over the Accident occurred because the Driver was taking over the Cell - Phone while driving on 19 June, 2012. Drunken driving also contributes for accidents.

B. Bad Roads :

Bad roads may be taken to include which are not straight, roads with bends roads with poor visibility, roads with rugged surface, roads with no drainage for rain waters, roads unscientifically constructed and roads constructed with poor quality by the contractos in connivance with the supervisory staff.

However, the police officials and RTA officials are of the opinion that the drivers cannot do fast driving on such roads, and that more accidents occur only on the highways where road conditions are far better. Moreover, during the last three decades the unwarranted road bends have been removed and roads have been straightened. This encourages the drivers, particularly the youngsters to accelerate their vehicle beyond their limits. They also drive with over assumption unmindful of the fact that over-assumed driving is a major cause of many accidents. To overcome these problems, roads with rebberized surfaces are being tried in western countries with a remarkable degree of success and they are recommended for Indian roads also. No doubt, lot of R & D efforts are needed in connection with road construction. But, research outputs in this connection are not quite encouraging.

The causes of road accidents stated above get aggravated and cause more serious accidents during nights. Glaring headlights are another cause of accidents during nights.

C. Bad Climate :

Bad climate during winter is one of the causes of road accidents but not in all the places and all the times. Generally, during winter season, that is, in the months of November, December and January, visibility on the roads is very poor due to fog. This may cause road accidents if the drivers are careless in driving. But, climate problem is not so serious in the southern states of India as it is in the northern states.

D. Bad Vehicles :

Vehicles with very bad condition of engine, when put on roads may be another cause of accidents. However, this source of accidents is insignificant, because, the owners/ drivers of the vehicles will try to maintain their vehicles in their own interest. Moreover, all the commercial vehicles are required to undergo a fitness test once in six months. However, it is a fact that vehicles in bad conditions create the problems of air pollution and noise pollution.

E. Bad Manners and Practices of Drivers :

The drivers of vehicles do not follow road signals and do not have the courtesy on the road. Overtaking vehicles are not allowed to easily overtake by the slow-moving vehicles, nor do they give 'pass on' signal. In the narrow crossings such as small bridges, two vehicles blocking each other's way is a common sight. Also, the drivers have no regard for pedestrians. Speaking on a mobile phone while driving may also lead to accidents.

F. Booming vehicle population :

Vehicle population in the country, comprising all types of vehicles is terribly increasing because there is no definite policy on the vehicle population on the road. In spite of vast efforts in the sphere of human population control, India's human population has increased from around 300 million in the post-Independence era to nearly 1012 mn. now. (as per the 2001 census). But, controlling the vehicle population is a very complicated affair. However, this needs a serious attention on the part of policy makers and planners of the country, taking into consideration the rate at which accidents are taking place now and their future dimensions.

No doubt, if road accidents are to be controlled all the causes of accidents stated above must be paid attention by all concerned.

Routine, Ad hoc and Emergency functions of Traffic Police

These three - fold classificatory functions are applicable to the Traffic police as well. Routine functions of the Traffic Police are related to maintenance of routine and daily traffic system in all the places under the jurisdiction of the COP or SP, attending to and clearing temporary traffic-jams caused by erratic drivers and making suitable arrangements for peak-hour traffic such as 8-10 a.m. and 4-7 p.m. Routine functions are only too well known to the traffic police personnel and they are expected to have evolved a suitable system of routine traffic. They are also expected to introduce gradual improvements in their routine functions in order to make their work easier and also make the system work well.

Secondly, the traffic Police will have to cope with many ad hoc functions such as special traffic arrangements for important festivals, VVIP visits, public meetings addressed by central and state ministers, religious gatherings, processions, traffic diversion for road work etc. Such special traffic - related works may be called ad hoc functions on two grounds.

- A) They are something unusual and not related to routine functions and
- B) They are known in advance so that the traffic police personnel can make suitable traffic arrangements for them.

Thirdly, the traffic police of the city and Highway patrol in particular have to be prepared for emergency functions also. The most important emergency functions which the city Traffic Police and Highway Patrol are often faced with is road accidents or various magnitudes. Accidents are something quite unexpected with regard to place, time, type of vehicles involved, magnitude of seriousness number of casualties and wounded. Therefore the traffic police are expected to be prepared for such eventualities in the midst of uncertainties. The traffic police of the city has access to all facilities required in connection with an accident but it is not so in the case of the Highway patrol. When an accident occurs on a State or National highway the traffic Police has to take a series of measures. They are :

1. Remove the injured to the nearest hospital for treatment
2. Guard the scene of accident till the department photographer arrives on the scene and take photographs of the position of the vehicles involved in accident along with the dead bodies of travelers.
3. Arrange for post-mortem of the dead;
4. Clear the traffic congestion caused by the accident.
5. Interrogation of the injured, witnesses and if possible taking down dying statement.
6. The traffic inspector concerned then starts the investigation and tries to fix the directions of the vehicles which are involved in the accident.

(Space for Hints)

7. Frame the FIR and fix the cause of the accident
8. Get the services of a “traceologist” to examine the tyre marks of the vehicles.

All these steps will have to be taken by the Traffic Inspector concerned in quick succession without any loss of time.

Accident Prevention Measures

Accident Prevention measures which may be briefly called Road safety measures involves the responsibilities of

- a) The Traffic Police
- b) The regional transport authority and
- c) Government at the central, state, District and local levels.

a) Traffic Police :

Major responsibilities of the traffic Police at the city, district and highway levels are

- i) to create an awareness among the public in general and vehicles drivers particular with regard to traffic rules and vehicles rules promptly;
- ii) to educate the pedestrians to use the roads and platforms properly;
- iii) to introduce innovative system such as one - way traffic, PAS, highway patrol etc.

b) Regional Transport Authority :

The responsibility of the RTA lies in adhering to the rules of certification of driving and that of vehicles.

c) Governments :

The Governments at the city state and national levels have the responsibility to laying good roads and maintaining them, construction of and widening of bridges, forming pedestrain cross over, bridges, pedestrian underway etc. Which will ease the traffic congestions and minimise accidents.

Lastly, the Public particularly the drivers also have a major responsibility in that they must adhere to the traffic rules and road discipline.

7.9. JUVENILE AID UNITS AND MOUNTED POLICE**Juvenile delinquency :**

Juvenile delinquency is a complex problem. Except by legal definition, delinquency does not have its beginning at the point of arrest or adjudication. With or without court action, anti social behaviour is a matter of concern, especially where children are involved. A juvenile delinquent is a child who comes into conflict with the law. To be considered delinquent, his situation and behaviour should be such as to indicate the danger of becoming an adult offender. His delinquency itself is evidence that guidance is not successfully given to him by this parents or guardians. Therefore, the State assumes responsibility to help him become law abiding.

Causes of Juvenile Delinquency

The Causes of Juvenile delinquency like the cause of any other form of deviant behaviour, are multiple in nature and it is a mistake to seek a general or unitary explanation. All deviant behaviour is a result of interaction between predisposition and opportunity. Though psychological, hereditary or biological factors may create a certain degree of predisposition towards a certain type of anti social behaviour, yet by themselves do not precipitate a criminal or deviant act. It is the society, which must in the ultimate analysis provide the necessary environment in which this internal predisposition many come in confact with precipitating social factors and give rise to a deviant or anti social form of behaviour. M.M. Thapar, M.V.Narayana Rao,

B.N.Mullick, M.K.Jha, R.W. Whitrod, S.N.Ganguli and a host of other scholars have discussed the causes of juvenile delinquency and the roles of Police in combating the problem. Amongst many fundamental causes of juvenile delinquency, factors like psychological maladjustment, disharmonious child-parent relationship, excessive parental control, broken homes, lack of moral education, lack of recreational facilities, pornographic literature, sex loaded films, horror comics, unhealthy companionship, rapid industrialization and slum, negligence by parents or overfunding by parents, death of parents, maltreatment by parents, indifference of parents and teachers towards children, poverty, bad society and are identified as the causes of juvenile delinquency.

Magnitude of Juvenile Delinquency

Extent of Juvenile Delinquency

Juvenile delinquency is steadily increasing in volume almost all over the world. In England 33.6 per cent of all persons found guilty of indictable offences were boys under seventeen. In the United States of America about 43 per cent of all crimes were committed by people under eighteen. Though in India the incidence of juvenile delinquency is not as high as that in the United Kingdom and the United States of America, yet the volume of juvenile crimes is steadily increasing. In U.S.A. and U.K. it is not easy to say who is a juvenile, because there is no proper definition. The proportion of involvement of juveniles in crime has been continuously increasing.

Fortunately juvenile crime in India is mostly confined to urban areas perhaps a part of the increasing trend in juvenile crime discernible recently is due to the influx and drift of rural population to urban areas where more and more industries are being located. It is therefore obvious that the battle against mounting juvenile crime has to be essentially fought and effectively tackled in the urban areas of the country and especially, the larger cities with population exceeding 5,00,000.

Role of Police in checking Juvenile delinquency according to Juvenile Justice Act (care and Protection) - 2000

It is universally recognized that the Policeman whose duty is to prevent crime, whatever be its causation and whatever be the age of the person committing it, will be better able to do his job if he nips the evil in the bud even before the young delinquent become a hardened criminal. To the extent that the Juvenile criminal of today is the adult and perhaps the habitual criminal of tomorrow, any contribution which the police make in reducing the juvenile delinquency, is a duty performed not only for today but the time to come. For achieving this purpose, there is no doubt that the average Policeman, specially in India, has to be better equipped and also has to readjust his mode of thinking and attitude to secure the best results, that is, they should be more educated in child psychology. While rough handling and imposition of a complex of fear may pay dividends in respect of adult criminals, these very methods may create a hatred, which will make police work impossible at a later date. While emotion of fear may breed in the child a respect for discipline and law, it may produce reaction in the child's mind opposing the enforced direction. It is therefore necessary to combine repressive and punitive aspects of Police intervention with the persuasive and advisory roles to secure the best effect of inculcating a respect for law and creating an atmosphere of friendship where the child looks to the policeman as a friend. As an investigating Police officer usually concerns himself with a study of how crime is committed and by whom, while dealing with juvenile crime, he has to acquaint himself with additional information as to why crime is committed by a child. This leads him to a further investigation of the family circumstances, the environmental causes and associations etc., of the child.

There may be several occasions where youthful enthusiasm oversteps the limits and commits an error, which may not come under the common law but which is anti social. If a Policeman observing this brings it to the notice of the parents for correcting the child he will be definitely doing his bit for the child and the family and will be earning the gratitude of all right thinking citizens. For instance, school going children in a holiday mood think it a

(Space for Hints)

part of travel free to pull the alarm chain in trains, thus causing annoyance to the other passengers. In addition to correcting such dangerous trends in the school or college by the educational authorities the police can also do their best in inculcating in the young discipline and law abiding attitude. The organization of Boy's clubs, Boy scout and Girls Guide movements are directed towards this end and greater association of the Police with these can no doubt produce the desired results.

Juvenile Justice Act 2000 enables the police to produce before the Juvenile Justice Board children found wandering or destitute or under parents, given to bad ways or living in various homes or frequenting bad companies. Such children can be sent either to certified schools or can be committed to the custody of "Fit persons" or kept under supervision. The Policeman on the beat has the maximum opportunity of coming across such children and if in proper cases, he takes action under this J.J. Act he will be doing a great service to the community.

In large towns it is not rare to see young, unoccupied children gathering round places where adults go for gambling. For the unemployed and unoccupied child, it may be more pastime for sometimes but the love of easy money, otherwise difficult to obtain may initiate him to a career full of dangerous potentialities for the future. It should be the endeavor of each police to frequent such places and turn out the idle children from these juvenile delinquency breeding areas as they may be called.

From the nature of arduous jobs the police has to perform, one perhaps cannot expect that they will be to do any considerable part in the rehabilitation of juvenile delinquents at the stage of correction and supervision. The ideal course is that they should be left to Juvenile Justice Board probation officers and social welfare organizations. Either due to volume of work to be done or lack of coordination, it is to be admitted that social aspects of treatment, correction or follow up which are so essential are not being well attended to. It is felt that till such times as a full fledged machinery is set up for this purpose, this coordination may have separate wing for dealing with juvenile crime in all big cities.

Need for Helplines

Any harsh words or treatment should be scrupulously avoided while dealing with the delinquent child or youthful offender. As far as possible handcuffing of the prisoners should be avoided and the provisions relating to bail should be literally employed to enlarge such offenders. Juvenile offenders should be segregated from the adult offenders to enlarge such offenders in homes, correctional institutions etc. There are standing instructions in various police. Codes regarding treatment of juvenile offenders. All these measures are intended for the reformation of juveniles rather than his retribution. If these measures are all implemented with the necessary understanding of child psychology with kindness and sympathy, substantial results can be achieved in this field.

How Juveniles are Employed in Criminal activities by the Criminals

A large number of juvenile criminals are victims of circumstances and in some of these cases at least the adult criminal who wants to be behind the screen is responsible for enlisting fresh recruits in the field of crime. For instance, expert burglars make young delinquents to enter into the premises and open the doors for them. Such contacts developed at an early stage make these children confirmed habituals later. Another disquieting feature noticeable in the states where Prohibition Act is in force is the increased employment of young destitute for nefarious trade in prohibited contrabands. The large scale seller of arrack employs a number of neglected and destitute children for carrying it in small bottles for sale. Sometimes women are also used for this purpose. In either case, the belief is that any court trying the case would take a sympathetic attitude towards these offenders considering their age etc. The large scale seller himself escapes the law and uses these teenagers for violating the law. Apart from defeating the effective enforcement of the prohibition act, this creates a dangerous trend towards increasing juvenile delinquency. This is a clear indication which emphasizes the need for taking appropriate remedial measures before the problem assumes menacing proportion. During the investigations of each case where a delinquent is concerned, the investigating police officer should probe further to see who

are the adult criminals operating behind the scene. It is often reported that destitute poor children are abducted by the terrorist organisations of Kashmir, and they are trained to become human bombs and infiltrators.

Obscene literature and bad films with sex appeal are slowly working havoc upon the minds of young children. A large number of cheap magazines and journals flood every wayside book stall and offer immense possibilities fit corrupting and demoralising the immature and the methods he adopts to get away with the crime. Films also have their own bad effects on the children. Section 293 I.P.C. deals with obscene literature. The sale of obscene objects to persons under 20 years etc., is prohibited and the court may order the destruction of copies of such books. If the police evince sufficient interest in the matter, these causes of juvenile crime can be gradually eliminated.

Juvenile Aid Units

In order to enable the Police Officers who frequently deal with Juveniles and in the Prevention of Juvenile Crime, under the Juvenile Justice (Care and Protection) Act 2000 as amended by 2006, to perform their functions more effectively, they shall be specially instructed and trained (S.63 (11))

In every Police station at least one officer with aptitude and appropriate Training and orientation may be designed as the "Juvenile Welfare Officer" who will handle the Juvenile. [S.63 (2)]

Special Juvenile Police unit of which all Police officers designated to handle Juvenile will be members to co-ordinate, and to upgrade the police treatment of the Juveniles and the Children.

In order to combat the problems of juvenile delinquency, juvenile Aid Units have been created in all the states. These units are created mainly in big cities as the problems of juvenile delinquency in India are mainly confined to urban areas. The only way to fight juvenile delinquency is to try to correct children as soon as they develop criminal tendencies and become prone to crime, in order to meet some of their expenses as are beyond the

capacity of their parents. The staff must keep in very close bastion with the various social service organizations working in the field and be of active assistance to society to eliminate the juvenile criminal gangs more by correction than by penal action. If the juvenile Aid Units work properly, they will be doing a very important work from the point of view of scorching crime at its very inception. The bulk of the staff of these units should be formed of women police as the problems of juvenile delinquency could be better dealt with by them. This was suggested by Justice KrishnaIyar.

7.10. WOMEN POLICE IN INDIA

Traditionally, law enforcement has been viewed as a field exercise involving substantial use of physical prowess and, therefore, has tended to remain a mostly masculine job. The possibility of women functioning as full members of a police force and playing a role for achieving its objective was not well perceived in the early years of evolution of police system. However, changes in the social situation, with increased association of women in the performance of field duties in several branches of administration, and the problems arising from increased juvenile delinquency and involvement of women in crimes, whether as victim or accused progressively necessitated and employment of women police officers as such in a variety of police tasks. Women police have now become an integral part of the police forces. Out of 28 Forensic Science investigators in the F.S.Laboratry in Kerala there are 14 number of Lady Scientists in the Crime investigation according to 2012 June date.

Women Police in foreign countries

The employment of women police in foreign countries progressed in slow stages. It started with the tentative employment of a few women, often untrained and without police powers to perform selected duties. Then came the gradual acceptance of women as full members of the police organisation, in recognition of their value in dealing with women and children. Thereafter, policewomen were enlisted, duly trained and clothed with necessary powers for the performance of their tasks. In most countries of

the world, police women do not constitute a separate female unit of the police but are mixed with the general police units and given specific tasks to perform. A few countries like France have some special units exclusively made up of police women for handling certain types of investigation involving women and children. These exclusive units are in addition to the general police units in which police women perform tasks along side policemen.

As regard educational qualification for recruitment to the higher ranks, the practice in most countries has been to prescribe the same standards for both male and females recruits. In India, the selection process, training and duty assignments are the same for both men and women officers at the higher levels, except with regard to physical standards.

The basic training given in female members of the police is practically identical to that given to male personnel. In U.K the training of women police officers includes some special courses on searching and care of women prisoners. There is variation in regard to physical training and its duration. In Japan the duration of training is six months for the women police cadets and one year for the men. The remaining six months of training programme of the women is allotted to cultural subjects like art of flower arrangements, tea ceremony etc. In Italy, both male and females police recruits attend the senior police training colleges for equivalent periods of time, but the subjects taught are different. The men are given training that is focused more on law and order, while the women are given more detailed courses on psychology and allied subjects. In Australia's Northern Territory police, in Canada's Royal Canadian Mounted Police (RCMP) and the Metropolitan Police, physical training for women is less extensive than it is for men.

Women police officers are generally employed to carry out all police duties but in a few countries some restrictions have been placed on the police jobs that are assignable to women police. In Australia (Tasmania), Japan, the restrictions pertain to the employment of police women at night. It is also been that only male police officers perform motor - cycle patrol duties and search and rescue duty. Police women in Italy have very limited police powers in connection with crime investigation, in comparison with

male police officers. In France and Brazil women police officers are never called upon to participate in operations conducted for the purpose of maintaining order.

In certain countries some specific duties are assigned exclusively to women police as indicated below :

- i) Searching of accused women is in U.K. Australia, Bermuda, Brazil, Cyprus, Canada (Toronto). Finland, France, Greece, Malaysia, Philippines and United states.
- ii) Guarding women prisons is a duty assigned exclusively to women police officers in U.K. and Australia. Australia, Iran Philippines, only women police officers can be matrons at prisons for women.
- iii) In Australia, Austria, Hong kong and United states, Women police officers must participate in the investigation of cases involving sex offences against women or minor females and especially in the questioning of victims.

“**Women police**” in India is of comparatively recent origin. In the past, as required under the law, the services of women as private individuals has been utilised casually as and when required for searching female persons in custody but such women were not employed in the police force on a regular basis. Prior to Independence, the erstwhile state of Trivancore, Bombay city and Lahore, women had been recruited to the police, but their number was exceedingly small. The partition of the country in 1947 and the large scale violence that followed in various parts of the country brought in its trail marked increases in the incidence of offences like kidnapping, abduction and rape, specially affecting women. The need was felt that women police got to be added slowly to the police forces in all states. At present women police forms a part of the police forces in all states and the Union Territories except in Dadra. A Woman was directly recruited and appointed to the Indian police service for the first time in the year 1972. (Lathika Saran)

Duties of Women Police

In our country women police have proved useful in performing specialized tasks of dealing with women and children, specially women victims of crime. They have already become a useful adjunct of city police stations, juvenile aid police units and other special units in different states. It needs however to be stated that they until now not been given an equal share in various other areas of police work, The full extent of their role is yet to be developed. Their numbers at present are very small and as the number increases their role can be correspondingly enhanced.

Investigational work

The recommendations of different state police commissions have dealt with the role and duties of women police. One aspect of police work in which there is need and scope for more active and direct involvement of women police is the investigational work in specific crimes. They can and should be entrusted with investigations of crimes relating to women and children and can also be employed on intelligence work connected with such crimes. It is suggested that women police should be an integral part of the police force, with a special *role* in juvenile crime squads, specially in urban areas. Women police should be trained and employed to handle investigational work in a much greater measure than that at present.

The number of girls involved in crime in recent years is on the rise. Delinquency among girls is a more serious problem than delinquency among boys since girls are potential mothers, and mothers play a vital role in the upbringing of a children and maintenance of some norms to conduct the family. Women police have a very constructive role to play in re-establishing and reforming delinquent girls. In the present times a very large number of girls go out of their homes for study and work. Once out they are less protected and more exposed to dangers in society and exploitation as compared to boys. Young girls in danger of exploitation get some measures of protection under the children Act as well as under the Prevention of Immoral Traffic Act (PITA). Women Police can play in this sphere, In fact employment of

police role, both preventive and investigative women in the investigative process in these cases as also in cases of kidnapping, abduction, rape, etc., will be very useful as the victims will be more willing to talk freely to women police officers and furnish vital information essential for the investigation and prosecution of such cases. Women police can also undertake day time patrolling in slums, labour colonies railway stations bus stands etc., for not only locating deviant children and women but also to interact with the public and to help and guide women and children passengers such a role will also help in improving the general image of the police with the public. Police women could also be successfully utilized in traffic control operations near schools, market places, fairs, festivals and similar situations attended by women and children in large numbers.

Women Demonstrators

One of the difficult problems facing the police these days is the handling of women and children demonstrators in situation arising from unrest among the industrial and peasant labor and the students in colleges and university campuses. The organizers of such demonstrations place women and children in the forefront to embarrass the police and also to act as a cover for more aggressive designs from behind. Women themselves frequently stage rallies and demonstrations on issues like price rise, dowry, eve teasing black marketing hoarding of essential commodities etc. For dealing with such rallies and demonstration on issues like price rise, dowry, eve teasing, black marketing, hoarding of essential commodities etc. For dealing with such rallies and demonstration by women police require to be fully trained and well equipped to deal with such agitators, and will have to work in close - co - ordination with and fully supported by their counter parts in the male police.

Women Police in Police Stations

Women Police have a greater potential to cool defuse and to de-escalate tensions in family situations and therefore, greater use should be made of them than at present. In non combative roles requiring restraint, patience and endurance they can be employed with advantage. They are

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especially needed in areas where police come in contact with women. So as to obviate complaints of indignity and misbehaviors towards women. Many victims of crime are usually deterred from going to police stations to make a complaint because of lack of confidence in having a sympathetic and patient hearing in the police station. The presence of women police in police stations would greatly help in creating such confidence and trust in the police. Women police can also help in giving better attention to the service aspects of police work. The entire philosophy, culture and attitude of police should be such as to make a police stations appear and sanctions as a ready source of relief for persons in distress. The presence of police women in police stations would help to a great extent achieving this objectives. Tamilnadu is setting an example by creating all - women police stations in the cosmopolitaiton city of chennai and other cities like Madurai. Coimbatore, Trichy Salem etc. An all -women special police Battalian has also been created in Tamil nadu in a bid to treat women police on par with men.

Training of women police

The Narration in the foregoing paragraphs of the areas in which women police can play a useful and important role highlights the necessity of recruiting the right type of women into the force. The duration and the content of the training should be same as for their male counterparts. This will ensure uniformity in recruitment and training standards. However certain modification may have to be made in the physical training programme for the women recruits. Like the armed forces, now, women police recruits are given training on par with policemen.

The effectiveness of police women's work would be greatly enhanced if they received special training in social work in an institute of social sciences like Madras school of Social Science where in M.S.W. (Master of Social Work) Degree is awarded) to qualify them to diagnose and treat social ailments. Women recruits in addition to being trained like men should be put through special courses in school of social work so as to be able to perform their special role in relation to women and children. Intensive train-

ing should be imparted to them in the enforcement of the special acts relating to children and vice. Women police may be increasingly employed in the following duties.

- i) Road traffic regulation and road traffic control duties in big cities and towns, involving guarding of pedestrian crossing and approaches to schools.
- ii) Dealing with women including search, arrest, questioning women suspects who have or are suspected of having committed an offence.
- iii) Crime investigation (in general)
- iv) Handling and investigating cases involving or sexual offences such as rape trafficking in women and sexual offences against children.
- v) General foot and vehicle patrol duty.
- vi) Social work and child welfare such as handling cases involving missing or badly treated children, liaison work with social welfare organizations and agencies and assisting women and children in distress
- vii) Juvenile delinquency cases work
- viii) Clerical work
- ix) Telecommunications equipments operators, switchboard operators and related work
- x) Prosecution duties in cases involving minor offences committed by young persons brought before Juvenile Justice Board.
- xi) Immigration duties and checks on travelers especially females travelers at airports and other points of entry into the country.
- xii) Guarding female prisoners

Check Your Progress

11. What are the three kinds of Traffic Police System?
12. What are the Causes for increasing Road Accidents. ?
13. What are the Emergency functions of Traffic Police?

(Space for Hints)

- xiii) Fingerprinting work in criminal investigation department, Forensic Science Laboratories (F.S.L.)
- xiv) Public relations work in order to help create better image of Police.
- xv) Instructors in police training institutes
- xvi) Crime prevention work such as giving Special Classes in secondary Schools on police work and in particular on road safety regulations.
- xvii) Crowd control duties during special events
- xviii) Special branch and security work
- xix) Protection of female VIPs
- xx) Drug related case work
- xxi) Administration and guard duties at prisons for women
- xxii) Technical and documents examination work, Document Experts Hand Writing Experts.
- xxiii) As police Jeep, Van drivers and,
- xxiv) Police social welfare activities

Women police now finds a place in the police forces at the central and states levels almost on par with men.

7.11.SUMMARY

On the Whole, although the police have greater role in the crime prevention, only with public participation the police can achieve better crime control. All over the world, the importance of community police is being emphasized and to the extent possible it is being implemented. It is a fact that the police alone cannot prevent crimes. Wherever Public participation is

enlisted, crime prevention would become highly effective. It may be pointed out that if crime prevention is not possible, crime control is possible by joint exercises.

7.12. KEY WORDS

1. Prevention - to stop further growth.
- to book the Law violators and Prosecute them in the Law courts.
2. Emergency Functions- Functions of Police Performed in relation to sudden developments.
3. Special Functions - Functions of the Police - in the Specialist wings - eg. Cyber Cell; Cyber Crimes.
4. Enforcement Agency- Police is entrusted with the responsibility of enforcing Social Legislations such as - Decency in the Public, environmental Protection, Economic offences - Vigilance and Anti-Corruption.
5. Crowd control - Controlling the crowd at all points during festivals like Meenashi Kalyanam, Ramleela, etc.
6. Reactive Strategy - The Measures taken, or to be taken by the Government thro' the Police immediately after terrorist attack, such as blasting a time bomb. eg Mumbai attack on 11.7.2006.

7.13. ANSWER TO CHECK YOUR PROGRESS

1. Refer Para 7.1
2. Refer Para 7.3.2
3. Refer Para 7.3.3

(Space for Hints)

4. Refer Para 7.3.3 ii)
5. Refer Para 7.3.3.
6. Refer Para 7.4.
7. Refer Para 7.4.
8. Refer Para 7.4.8
9. Refer Para 7.5
10. Refer Para 7.7
11. Refer Para 7.8
12. Refer Para 7.8.3
13. Refer Para 7.8.

7.14. MODEL QUESTIONS

Short Answer Questions

1. Give a classified outline of various functions of the police.
2. What is the role of police in maintaining law and order?
3. What are the various methods of crime prevention adopted by the Police?
4. What is the role of police in enforcing social legislations ?
5. What are the various counter- terrorist strategies adopted by the Police?
6. Give an outline of the functions of Traffic police organisation. What are the causes for road accidents suggest some solutions for Road Accidents.
7. Who is a Juvenile ?

8. What are the Causes of Juvenile delinquency?
9. What are the functions of Police in Checking Juvenile delinquency?
10. What are the Role and duties of Women Police in India?

Long Answer Questions

1. What are the causes of juvenile delinquency ? What is the role of police in controlling Juvenile delinquency according to Juvenile Justice (care and Protection) Act.2000
2. Explain the significance of women police.
3. What are the Duties of women Police.

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UNIT - IV - A
CRIME INVESTIGATION -INFRASTRUCTURE
(ROLE OF EXPERTS IN INVESTIGATION)

LESSON - 8 : INVESTIGATING AUTHORITY

INTRODUCTION

In this chapter the students are going to study about the crime investigation - investigating authorities, crime wing, crime Branch and Crime Branch - C.I.D. C.I.D Means Crime Investigation Department. The only agency in India that could investigate a crime is Police. Even in Police Department - there is a wing called - "Crime Wing" - only that wing will investigate. They are of at three states :-

1. Station Level
2. District Level and thirdly
3. State Level.

We have got also - one more "National Level". It is specially called central Bureau of Investigation. Each one of these wings are doing their job independently and if they feel necessary they will help mutually. About all these things the student are to study deeply because it is very interesting.

UNIT OBJECTIVE

The Unit objective is to introduce to the students, about the four crime states of criminal investigation. Who does the investigation at what level. What are their powers. What are the document they must keep according to law when they are investigating. Is there any liability which placed on them when they investigate. All these are objectives of this lesson.

UNIT STRUCTURE

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To impart unit objective, the unit is conveniently divided into small small topics to make the student easy to understand. They are as follows.

Introduction

Unit Objectives

Unit Structure

8.1. Crime Wing, Crime Branch and Crime Branch - CID

(1) Crime wing

(2) Crime Branch - City Level.

(3) Crime Branch - State Level.

(4) Central Bureau of Investigation- National Level

8.2. Police Diaries and Registers / Records of a Police stations

A. Diaries

i) Station Diary

ii) Case Diary

iii) Pocket - Note Book (PNB)

B. Police Registers.

8.3. Organisation and Functions of Crime Records Bureau.

8.4. Types of Crimes.

8.5. Police Communication system.

a) Vertical Communications.

b) Lateral Communications.

8.6. The Wireless Communication System.

i) Control Rooms with Mobile Radio Station.

8.7. Summary

8.8. Key Words

8.9. Answer to Check Your Progress

8.10. Model Questions

8.1. CRIME WING, CRIME BRANCH AND CRIME BRANCH -CID

The various wings of the state police except the Armed Police Wings, that is, the armed Reserve and the Special Armed Police, have powers to investigate the cases in their respective functional areas, either at the state level or district level. For example, the wings like Prohibition Enforcement wing, Narcotics Intelligence Bureau have their own powers of investigation. Some wings like Economic offences wing are under the direct control of the State Police Administration or HQs administration. Similarly, the Idol Theft Wing investigates its own cases quite independently of the District Police Administration.

At the District and city levels, the most important investigating wing is the crime wing. Depending on the seriousness and impact of the crime, different levels of investigations may be conducted as shown below :

8.1.(1) Crime Wing (CW) :

Station level : In almost all the cities, the police stations have both L&O wing and Crime Wing. While the L&O wing looks after L&O cases, the crime wing attends to the investigation of crimes falling under the purview of IPC, and occurring within the Territorial Jurisdiction of the police station concerned. Ordinary cases like petty thefts, major thefts, isolated cases of robbery and dacoit, homicides, suicides etc. are taken up by the CW. The investigating officer (IO) at the station level is the crime inspector. He may pass on the small cases to his subordinates and attend to serious cases.

The grass root police station in the city is placed under the charge of the L&O Inspector, who attends to the L&O cases. But, if an L&O case has criminal elements in it, the L&O Inspector registers the case and passes it on to the Crime Inspector for investigation. Generally, the functions of the L&O wing and CW ought to be more proactive than reactive in nature.

8.1.(2) Crime Branch : City level / District level :

Next level of crime investigation is at the city or district level. For example, if the same group of criminals are found to be operating in differ-

ent parts of the city or district, committing series of robbery, dacoity or snatching, involving the jurisdictions of 3 or 4 police stations, the case is referred to the crime Branch of the city or the district. The City Crime Branch is attached to the CoP's office and the District Crime Branch is attached to the office of the SP of the district. In the case of any wide spread crime committed by a particular gang, the crime Branch AC or DSP undertakes the investigation by constituting a special unit or a squad under one Inspector of police. For example, when an inter state gang, belonging to a particular state, commits a series of robberies and dacoities in the districts of another state, the Crime Branch of the district police or city police constitutes a STF for investigation. The STF examines the modus operandi (MO) of the offences and tallies the MO with one of those available in the computer of the crime Branch. Then, it proceeds to the state to which, the criminal gang belongs and with the help of the local police there, they arrest the gang and bring them to the place of occurrence for prosecution.

8.1.(3) Crime Branch - CID :State level :

The Crime Branch - CID comes next in higher order. This is shortly known as CB - CID and functions as part of the state HQs as a special Unit, under the direct control of the DGP. The CB-CID is placed under an IG of Police or ADGP, assisted by IGP, DIGs and SPs. It has various wings each having district level offices, each placed under one DSP, assisted by Inspectors, Sub-Inspectors and Head Constables. The CB-CID undertakes highly sensational crimes and crimes having statewide and nationwide impact.

For example, statewide frauds committed by individuals or companies and inter- district crimes warranting intensive investigations are undertaken by the CB-CID. The network of CB-CID which is spread throughout the state, collects information about the crime trends and sends them to the HQs for investigation.

8.1.(4) The Central Bureau of Investigation (CBI) : National level :

The Central Bureau of Investigation is the apex body in the sphere of

crime investigation. It is an integral part of the central Home Ministry and functions under a DGP who may be drawn from the IPS cadre of the states on deputation. New recruitment is made only at the level of Sub-Inspectors.

The CBI which is known for its integrity and straight forwardness, undertakes challenging investigations on national scales. It may be pointed out that the demand for the CBI's services is ever increasing. Crimes such as high level corruption stamp paper scam, stock market scam, paybacks and kick-offs in government purchases and defence purchases are some cases falling under the purview of the CBI. The CBI is considered to be above party politics, corruption, communal or linguistic bias or prejudice. However of late, the CBI is also faced with challenges.

8.2. POLICE DIARIES AND REGISTERS / RECORDS OF A POLICE STATIONS

8.2.A. Diaries :

The police officers are expected to maintain three kinds of diaries :
They are :

- i) Station Diary or General Diary (GD)
- ii) Case Diary (CD)
- iii) Pocket note - book (PNB)

i) Station Diary / General Diary is used to enter hour and day after day the happenings in the station, visits of the officers, information received, a mention of all occurrences within the jurisdiction of the station. The SHO must also see that all complaints and charges preferred, the names of all persons arrested, names of complaints, the offences charged against the accused, weapons and property seized from the accused, names of witnesses and any and every complaint about cognizable and non-cognizable offence are entered in the General Diary. In short, the General Diary is a record of all events taking place in and around a police station.

Besides these the GD should contain the following :

- a) Absence of any officer or constable
- b) Verification of cash balance
- c) Transfer and leave of personnel
- d) Cash disbursement
- e) Arrests made at the police station.
- f) Arrival and departure of prisoners
- g) Bail granted to prisoners at the station
- h) Report of all offences and sources of reports
- i) Action taken report :
- j) Inspection by officers;

The GD is useful in two ways a) It is useful to the superior officers to check up the works of the police Station. Section 14 of the Police Act empowers the Magistrate to call for the GD to check up the work done in the police station. (b) The GD is extremely useful to the court of law, in connection with the cases which are under trial, as it provides a basic information to the case.

ii) The case Diary : The case Diary (CD) is used to record investigation and their proceedings in chronological order. Case diary is related to particular cases and is maintained by all the IOs of the station. Every crime is given a crime unumber.

iii) Pocket Note - Book : A pocket -book is maintained by every police officer including all the constables of a station. It contains the individual actions and movements performed in the course of one's duty.

While the GD can be called for by the court for a check up, the case diary can be used only to a limited extent and in the case of pocket

(Space for Hints)

note-book, only superior officers can look into it but the court cannot use it, because, the pocket note-book is a purely personal diary.

According to **John C. Hazelet**, there are four advantages in maintaining these diaries. They are

1. to preserve knowledge
2. to provide accurate details
3. to help other departments; and
4. to coordinate the police organization.

8.2.B. Registers to be Maintained by the Police

Besides the three diaries mentioned above, the police have to maintain the following registers (K.Krishnamurti)

- a) The village crime note book, which includes surveillance and bad character report;
- b) Crime register and crime map;
- c) Absconders and escaped convicts;
- d) Criminal gang register including criminal nomads;
- e) Report register;
- f) Register of stolen Properties;
- g) Register of properties kept in the station;
- h) Casual visitors Register
- i) Sentry relief book
- j) Register of habitual offenders

Krishnamurti says “Every entry in the registers may assume great importance in particular cases and these registers should be maintained with scrupulous regard for accuracy.”

8.3. ORGANISATION AND FUNCTIONS OF CRIME RECORDS BUREAU

Crime Records Bureau (CRB) has a crucial role in crime investigation. Every city police and district police has a separate CRB. This is the place where crime data are received from the police stations in the form of comparative crime statements for the latest 10 years, consolidates them into one form and sends it to the MOB/SCRB at the HQs. The SCRB forms part of the CB-CID at the HQs and is under the charge of an IGP.

Organisation of the CRB

The CRB of a city like Chennai (Madras) Mumbai, Delhi etc. is under the charge of an ACP while in the district HQs the CRB functions are looked after by an ADSP (Crime). He is assisted by a DSP (DCRB) The ADSP is only a figure head and exercises an overall supervision over not only the DCRB but also the Finger Pri and Photography sections. However, effective functioning is performed only by the DSP. The CRB of the city and the district maintain vital records relating to cases investigated and under trial.

Functions of the CRB :

The CRB (City or district) performs the following functions
(PSO 607 - 621)

- a) Collecting recording and distributing information regarding notorious property offenders and offence committed by them.
- b) Making available the information thus collected to IOs of various stations even in their districts.
- c) Providing information to the SP in the crime meeting about crime trends in the district and the progress in investigation.

Check Your Progress

1. Write short notes on Crime Wing?
2. What do you know by CB - CID?
3. What is done by CBI?
4. What are the Diaries maintained by Police?
5. What are advantages in maintaining these diaries?
6. What are Registers maintained by the Police?

(Space for Hints)

- d) Contacting other DCRBs or CCRDs for getting some vital information on the advise of the SP;
- e) Maintaining the following records (PSO 608)
 - 1. Diaries
 - 2. Indexes
 - 3. Photographs of crimes
 - 4. Crime chart
 - 5. General subject files
 - 6. History of Crime
 - 7. Such other items as may be prescribed from time to time.
 - 8. Crime Investigation details of the Railway police
 - 9. Attendance register showing visits of Inspectors and other officers.
- f) Crime intelligence is another function of the CRB
- g) Dissemination of intelligence by publishing / distributing weekly crime and occurrence sheet to all Inspectors;
- h) Maintaining monthly crime review

Thus, the CRB is considered to be a storehouse of all possible information relating to crime and criminals with reference to all property offences and cheating and frauds.

8.4. TYPES OF CRIMES - IPC CLASSIFICATION

Crimes have been classified into many categories by the Indian Penal Code (IPC) which was created during the British rule in India, by Lord Thomas Babington Mcauley in 1860. All the conventional crimes are included in the IPC and appropriate punishment for each crime is specified. For the purpose of this subject, the following crime classification is followed :

Crime	IPS Sections
1. Connivance with criminals	- 107-120
2. Criminal plan Conspiracy	- 120A-120 B
3. Crimes against the Government	- 121 - 130
4. Crimes against the Armed Forces	- 131-140
5. Crime against public peace	- 141-160
6. Crime involving public servants	- 161-171
7. Election related crimes	- 171A - 171I
8. Violation of government orders	- 172-190
9. Giving false witness	- 191-229
10. Crimes relating to currency coins and official stamps	- 230-263A
11. Crimes affecting public health, safety, convenience, decency	- 268-298
12. Crimes affecting religious feelings	- 196-198
13. Crimes against the body and crimes leading to death	- 299-311
14. Abortion and infanticide	- 312-318
15. Causing injuries	- 319-338
16. Unwarranted prevention and confinement of a person	- 339-398
17. Violent attack and attempt to attack	- 349-358
18. Abduction, enslavement and using someone for bonded labour	- 359-374

(Space for Hints)

19.	Sex related crimes	-	375-376
20.	Rape	-	376A-376D
21.	Unnatural offence	-	377
22.	Offences relating to property and theft	-	378-382
23.	Robbery	-	383-389
24.	Docoity	-	390-402
25.	Taking away one's property by wrongful means	-	403-404
26.	Cheating	-	405-409
27.	Receiving stolen property	-	410-414
28.	Act of treachery	-	415 -420
29.	Acts of frauds	-	421-424
30.	Destroying another one's property	-	426-440
31.	Trespassing	-	441-462
32.	Crimes relating to documents and trade marks	-	463-477A
33.	Crimes relating to properties and other property rights	-	478-489
34.	Offences relating to currency and bank notes	-	489A-489E
35.	Violation of agreements	-	491
36.	Offences relating to marriage	-	493-498
37.	Harassment by husband and husband's relatives (Cruelty)	-	498A
38.	Attempt to commit an offence	-	511

These sections of IPC are applicable throughout India. The nature of investigations differ for each type of crime. It is also to be pointed out that in this context that the terms 'Crime' and 'offence' are interchangeably used in this subject. The dictionary also gives the same meaning to these two terms.

8.5. POLICE COMMUNICATION SYSTEM

1. Importance of Communication

Communication is the nerve system of any modern organization. Importance of communication to the security system of the country both internal and external needs no emphasis. With the advent of science and technology, the modern communication system also has tremendously advanced. The age of wire - based communication has been replaced by wire - free communication net work. datellite and antenna communication net work with the help of computerized system have created quick access to any part and organization of the world over.

Today communication has served as one of the most important facilities in the process of modernization of the police force during the past about 25 years. The police Radio Branch today has a very advanced communication system.

After Independence of our country every state police and the central police forces has well established their own police Radio Branch. In Tamil Nadu, the Police Radio Branch was started in October 1948. The IOs of the state can now contact any police officer of any state through their respective communication net work.

Development in the communication system

During the British rule in India, the means of communication were through messenger, telephone and wireless communication. With the development of electronics, the wireless system improved to a very great extent. Later the emergence of computer - based communication like the e-mail fax mail, online communication and mobile phone system - all have cre-

ated a revolution in the sphere of communication throughout the world. The conventional and telegraphic systems play their roles as usual.

All these means of communications are used by the organizations including the police force. However, one draw back of these means of communications is openness to some extent and chances for tempering. The security forces of the country have been using their own radio network with classified coding system. The police communication network is spread to all directions. They have a protected network of radio system with high frequency waves which help speedier communication.

Directions of police communications

State Police communications flow into different directions within the state and also outside the state. They are :

- a) From the DGP to his subordinate within the HQs; such as the ADGPs IGPs etc.
- b) From the state level officers such as the ADGP, IGP etc to the field officers such as DIGs, SPs etc.
- c) From the DGP to the Home Secretary.
- d) From Zonal IGPs to range DIGs
- e) From Range DIGs to the SPs of the districts
- f) From COPs and SPs to their subordinates in the HQs.
- g) From COPs and SPs to their subordinates outside the HQs.
- h) From the DCs of the COPs officer to their respective police stations.
- i) From DSPs / ACS to their subordinate that is Inspectors
- j) From control Rooms to the police stations.

- k) From Control Rooms to the mobile stations or control vans.
- l) From one police station to another police station within the city;
- m) From one SP to another SP or from one COP to another COP.
- n) From one DGP to another DGP
- o) From the SP to the District Collector / From District Collector to the SP or CoP.

Vertical and Lateral Communications

Various directions of police communications stated above may be broadly classified into

a) Vertical communications and

b) Lateral Communications.

Vertical communications are those communications which are passed on by the superior authorities to their subordinate and vice versa. Communications coming from the superiors normally come in the form of orders and advices while the communications passed on by the subordinates to the superiors are normally in the form of feedback or reports on action taken.

Lateral communications are those transmitted between officers of the same rank, such as DSPs, SPs, DIGs etc.

Communications system used by the police are of two broad categories namely (a) Conventional system and (b) non-conventional or modern systems. The conventional systems communications comprise the (i) telephone communications (ii) wireless communications and (iii) Paper communications. With regard to telephones, the higher level officers use to communicate on two or three different lines, that is, the common office line and personal office line. This means two different landline numbers.

Yet another form of conventional communication is the high frequently wireless communication. This is an age - old communication system used by the security forces of the country. A major advantages of the high - frequently wireless system is that it cannot be intercepted by any unauthorized persons. Therefore confidentiality can be maintained.

8.6. THE WIRELESS COMMUNICATION SYSTEM (THE TELECOMMUNICATION BRANCH)

Every state police has its own police radio branch. The TN Police Radio Branch may be taken as an example for this. This helps a two way communication between superiors and subordinates in the police force. This is governed by the TN - PSO Nos.504 to 544 which cover the organisation the control rooms state police radio network, control personnel of the branch and their duties records to be maintained.

Organisation of Tamil Nadu Police Radio Branch

The TN Police Radio which functions under a director of the rank of IGP at the state level consists of the following three divisions or sections :

- I. General state Police Administration
 - a) State high frequently radio Network
 - b) State VHF Radio Network
 - c) State Micro wave Radio Network
 - d) Madras city Police Radio Network
 - e) District Police Network
 - f) The Police Radio Signal School
 - g) The General Maintenance Workshops
 - h) District Maintenance Police Radio Network
- II. The TN Special Police Radio Network

III. Inter - state police radio network which is a Govt. of the India concern with a station at Madras and which acts as a two- way message transmitter.

The state police radio network consists of the following branches :

- a) State H.F. Stations
- b) Static V.H.F. stations
- c) Mobile V.H.F. Stations
- d) Microwave Repeat Stations

All the districts are connected to state HQs at Chennai (Madras) by Multi - channel Microwave system and provide channel for telephones, teleprinter and facsimile circuits. The Tamilnadu Special Police Radio Network has its fixed stations at Avadi, Tiruchirapallai, Manimuthar and Kovaipudur. When the TSP companies are on the move, they are provided with transportable Radio stations.

8.6 (i) Control Rooms with Mobile Radio Stations

Control Room are an important wing of the city and district police. In Tamil Nadu there are 19 control rooms including Madras city, with 278 VHP Mobile stations. These mobile stations are expected to maintain two way communications regarding L&O situation crime situation and traffic situation of their respective areas. For example Madras city has 115 mobile stations which will keep on reporting the situations relating to L&O crime and traffic through day and night to the control room. Similar communication networks are there in all cosmopolitan cities of India.

The control Room is equipped with VHF radio sets and online system telephones. It is equipped besides with VHF radio under the charge of an Inspector, assisted by a SI and Head constables who attend to public emergency calls on call No. 100. The control room staff work by day shift and night shift. The staff who are posted to the Radio stations in the state

Check Your Progress

7. What are the functions of Crime Records Bureau?
8. How Crimes are Classified ?
9. Bring out the importance of Police Communication system.
10. What do you understand by Vertical and Lateral Communications?

(Space for Hints)

HQs and city and district HQ are technical staff trained in Radio Communication technology.

The VHF radio system of communication through conventional, has improved a lot with the latest technology.

Non -conventional means of communication

Besides has conventional means of communication described above, many non-conventional means of communication such as online, e-mail, fax, cell phones are also used by the policemen of all ranks, Now we can see almost all the officers to be in possession of cell phones in all the police stations. Now a computer system has been provided and the stations house officers and Head Constables are being trained in computer and online communication system.

The computer online system now connects all the police stations in a city to CoP and in a district to the SP / DIG. And the DGP/ADGP / IGP can access any police station if the station is connected with online. At the national level, all the state police HQs are under online connection through their respective MOB/ SCRIB tele Conferencing is now gaining importance at all levels.

From Head constable onwards all the officers possess mobile phone and use them for both official and non-official purposes. The City Traffic Police and the Highway patrols are in possession of VHF radio system.

8.7.SUMMARY

In this lesson we have learnt about investigating authorities in India for investigating against a crime, whether it is a private crime or against our nation. We have also learnt about investigation of Prohibition Enforcement wing. How the Economic offences are investigated by Economic Offences wing. What are the duties of Idol theft wing. We have also learnt about Police Communication System. Conventional as well as Non-conventional.

8.8.KEY WORDS

(Space for Hints)

1. Crime Wing - It is a Police Station. This wing attends to the investigation of Crimes falling under the Indian Penal Code.
2. Crime Branch - The Crime investigation at the city Level.
3. Crime Branch C.I.D. - This is shortly known as CB - CID
4. C.B.I. - Central Bureau of Investigation.
5. General Diary - A Diary kept in the Police station. The Station House officer Must see that all the happenings in the station are entered in this Diary.
6. Case -Diary - In the case Diary - the officer investigating a case - records the proceedings in Chronological order.
7. Crime Records Bureau- The Place where crime data are received from the Police stations in the form of comparative crime statements for the last Ten years.

8.9. ANSWER TO CHECK YOUR PROGRESS

1. Refer Para 8.1.(1)
2. Refer Para 8.1.(3)
3. Refer Para 8.1.(4)
4. Refer Para 8.2
5. Refer Para 8.2.A
6. Refer Para 8.2.B

(Space for Hints)

7. Refer Para 8.3
8. Refer Para 8.4
9. Refer Para 8.5.
10. Refer Para 8.5

8.10. MODEL QUESTIONS

Short Answer Questions

1. Write short notes on the central Bureau of Investigation.
2. Explain about the three kinds of Diaries namely
 - i) Station Diary
 - ii) Case - Diary
 - iii) P.N.B.
3. What are the functions of crime Records Bureau.

Long Answer Questions

1. Bringout the importance of Police communication system.
2. Give an outline of the different levels of crime investigation. What types of cases are taken up by the CB-CID for investigation?
3. What are the records maintained by the police station and the Crime Records Bureau?
4. Give a brief account of the police Communication system. What are the directions of police communication?

UNIT - IV - B

CRIME INVESTIGATION -2

(ROLE OF EXPERTS IN INVESTIGATION)

LESSON - 9 : ROLE OF FORENSIC SCIENCE IN INVESTIGATION / SCIENTIFIC INVESTIGATION

INTRODUCTION

In this lesson we are going to study about crime and how to investigate the crime. So we can call conveniently criminal investigation. What is crime? It is difficult to define and even explanation to it is very difficult. Hence criminal investigation is all the more difficult. If you ask a simple question, who can commit crime? the answer could be anybody can commit a crime. Likewise who can investigate? the answer may be any body can investigate. But to the question who is an "Expert"? the answer may not be simple. Any person who has spent considerable time in learning and who has acquired skill in that field like an expert is called a "Expert". We purchase a goldern ring to wear. To know whether it is made up of 22 carrot we give to another gold smith and we find out about the standard. As far as we are concerned that "Gold smith" is an "Expert", according to the Indian Evidence Act. And we also say that expert opinion is not binding on the court.

Forensic Science is a science which is know to court. We must explain to the court so that it can understand and accept the evidence and act accordingly. Forensic science is not Police science. Forensic science helps the police to investigate about the crime committed by the accused and pin him in the court of law so that he can be convicted.

UNIT OBJECTIVE

The Unit Objective is to introduce the students knowledge about the Forensic science and its use in crime investigation and the court. The objective is to impart to the students of criminology and police Administration about Forensic science laboratories in the central and state. The scope of Forensic science is enlarging as time grows on. Physics, Chemistry, Biology, Zoology, Sereology, Psychology, Sociology come to help Forensic science. How it helps is the objective of this chapter to study.

UNIT STRUCTURE

Introduction

Unit Objectives

Unit Structure

- 9.1. Basics of Forensic Science
 - i) Meaning and Scope.
 - ii) Fundamental Principlos of Forensic Science.
 - iii) Forensic Science Laboratory organisation (Central Level)
- 9.2. Science of Criminalistics.
- 9.3. A. Forensic Science Laboratory Organisation. (State Level)
 - i) Tools and Techniques of Forensic Science.
 - ii) Instrument and Measurements.
- 9.3. B. Divisions of Forensic Science Laboratory.
 - 1) Forensic Biology
 - 2) Forensic Chemistry
 - 3) Forensic Physics.
- 9.4. Forensic Ballistics.
 - a) Classifications of Fire Arms
 - b) Ballistics investigation
 - c) Subject Matter of Forensic Bathistics.

9.5. Forensic Photography

1. Application of Forensic Photography in Crime investigation

9.6. 1. Forensic Traceology

- a) Characteristics of Traces
- b) Components of a trace
- c) Types of Traces.

9.6. 2. Volumetric Trace.

9.6. 3. Localised Trace.

9.7. Forensic Medical Examination

- 1) Post - Mortem.
- 2) Nature of Post - Mortem Examination
 - i) Internal Post - Mortem and viscera.

9.8. Forensic Toxicology

9.9. Forensic Serology

9.10. Inspector of Explosives

9.11. (a) Master of the Mint.

(b) The Master, Indian Security Printing.

9.12. Document and Hand Writing Examiner.

- a) Characteristics of Hand Writing
- b) Identification Mark of Writing.
- c) Signature Examination
- d) Examination of questioned documents.
- e) Types of Documents.
- f) Litigants.

9.13. Summary

9.14. Key Words

9.15. Answer to Check Your Progress

9.16. Model Questions

9.1. BASICS OF FORENSIC SCIENCE

I) Meaning and scope

Forensic science is a field of knowledge which is related to crime and its various dimensions. Forensic science draws its sources of inferences from many fields of knowledge such as chemistry Physics, Medicine. Biology, Photography and Mathematics. In recent years forensic science has advanced tremendously in terms of contents and branches.

Many branches such as Forensic Physics, Forensic Chemistry document analysis ballistics, serology, voice analysis, DNA etc., have come into existence as branches of forensic science. The aim of forensic science is printing out and establishing the truth and facts in a crime.

Forensic science is immediately concerned with material evidence and also dead bodies of human beings and animals but through them it is in turn related to the people who are behind a particular crime. A crime investigator must have a basic knowledge of forensic science so that he could bring the particular specialist in forensic science to the crime scene.

Modern scientific investigation relies more and more on evidence and experts. Section 45 of the Indian Evidence Act (IEA) provides for expert opinion in a case. With the advent of science and DNA analysis it is possible to pinpoint the offender, if only the IO is very shrewd on all evidences. Expert opinion can be sought for every minute evidence.

Section 45 of IEA describes experts as “specially skilled persons in matters concerned with a case but they cannot express an opinion upon any of the issues the case is concerned with. Their expertise must be also be admitted by the court.

Depending on the nature of the cases, different types of experts may be required to offer their evidential statements. They are

1. Fingerprint expert / experts in traceology
2. Handwriting and document examiner

3. Typewriting expert
4. Examiner of Explosives
5. Ballistic expert
6. Expert in Forensic chemistry
7. Expert in forensic physics
8. Expert in forensic Biology
9. Expert in forensic Medicine
10. Public opinion analyst.

ii) Fundamental Principles of Forensic Science :-

The forensic science is governed by five fundamental principles They are :

1. Individually :

Every crime and the scene of crime is distinct from the other in terms of the M.O. FP, the material evidence, witness and so many things. This means, two crimes may appear to be similar, yet, there are bound to be difference in the clues available from both the crimes. Moreover, even if the same criminal **commits** the same type of offence such as burglary, with the same M.O. in two different places there are bound to be variations in the material evidences in both the cases. Sometimes the variations may not be very big but very minute. Still, each crime is different from the others if the crimes have been committed by human beings or machine .

2. Charges, positive or negative :

With the passage to time everybody and everything around is bound to change, for example, if a crime is not guarded promptly, the evidences may disappear. Finger prints or foot prints may be distributed and if a criminal is not arrested in time. He may have a tendency to become more criminal or he may escape. This is a positive change. This implies in any crime investigation the IO must be quick to act without loss of time.

3. Principle of contact :

Every crime has contact with men and materials and that provides the source of evidence. Depending on the nature of crime, the contacts may go like a chain creating too many evidences. These contacts may be grouped into three categories, namely

- a) Pre-occurrence contact
- b) Pro-occurrence contact and
- c) Post-occurrence contact.

4. Right Companion :

In crime Investigation, companion evidence plays a crucial role. For example the type of weapon injury in a murder must be compared only with the particular type of weapon. This may be a dagger or a bullet found in the body of the deceased. Similarly, the tyre marks of the vehicle by which the criminal might have come and escaped.

5. Sampling and Probability :

In certain cases of crimes where blood stains and other body serums like sweat and semen are available at in the crime scene, the samples selected must be most representative of the totality, that is, the entire evidence the pool of blood or many bits of cigarettes. Such samples selected in the scene of occurrence must lead to higher degree of probability of the sequence of events leading to the occurrence.

iii) Forensic Laboratory organization (Central Level)

Forensic laboratory is a recent development over the earlier constitution of FP Bureau and chemical examination laboratories.

By the middle of the 20th century, forensic science laboratories (F.S.L) were brought into existence in different parts of the country. By that time, each state had established its forensic science laboratory. In the backdrop

of increasing crime rate, in the country, the need for the services of the forensic science laboratory has forward in the 1970s to help the state Governments to establish their own forensic laboratories in important district HQSs.

At the central level there are, three police research organisations, namely a) Bureau of police Research and Development (BPRD) (b) National Crime Records Bureau (NCRB) and (c) The Institute of Criminology and forensic Science (NICFS) all functioning under the Ministry of Home Affairs New Delhi. These research organisations have created central forensic laboratories and allied fields of activities in different places in the country to help the state forensic laboratories in the sphere of criminal investigation. These centers are :

1. The Central Forensic Science Laboratory CBI, New Delhi (1968)
2. The central Finger Print Bureau, NCRB, New Delhi.
3. The Central Forensic Science Laboratories, BPRD Kolkata
4. The Central Forensic Science Laboratories, Hyderabad (1958)
5. Examiner of Questioned Documents, BPRD Shimla (1906)
6. Examiner of Questioned Documents, BPRD, Kolkatta (1961)
7. Examinar of Questionnaire Documents, Hyderabad (1968)
8. The Serologist and chemical Examiner Government of India (Ministry of Health) New Delhi (1910)
9. The general Manager, Mints Calcutta, Mumbai and Hyderabad
10. The General Manager, India Security Printing Press, Nasik and bank Notes Press Dewas.
11. Office of the chief Controller of Explosives, Nagpur (1898) with several branches or circles located at Kolkatta, Mumbai, Sivakasi and

other places where explosive related goods such as matches and fireworks and being manufactured.

12. The Central detective Training Schools at Kolkatta, Chandigarh and Hyderabad with facilities for advanced training in forensic science for to train police officers on latest scientific methods of investigation;

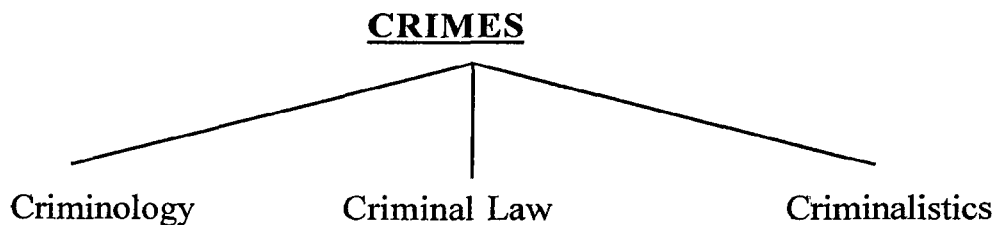
These institutions of the Indian Government not only provide facilities for advanced forensic examination but also provide advanced training facilities to the policemen of various states.

9.2. SCIENCE OF CRIMINALISTICS

Detection of crime involves exposing all its attending features in order to identify the criminal. Many crimes are uncovered through operative - search - activities which are studied by the science of criminalities. In fact all kinds of expertise needed in an investigation will come under the purview of criminalistics. Thus, Criminalistics examines and generalizes and elaborates techniques, tactics and methods of criminal investigation proper i.e. the methods of crime detection in the form of criminal procedure.

Mr. V. Aeminov a Russian expert in the science of Criminalistics says, "Criminalistics examines and generalizes criminal practices (committed crimes). The criminalistics analysis of crimes allows to reveal trends (general patterns) of the common and the typical in planning and perpetrating various types (groups) of crimes. To reveal those trends criminalistics analysis should cover a sufficiently representative volume of empirical material collected in corresponding region over the recent period."

This implies that the science of criminalistics helps in obtaining the most typical situations of criminalistics, helps in obtaining the most typical situation in the acts of committing certain types (groups) of crimes and obtain generalized information on the personality of criminals, particular features in planning crimes, typical conduction, method, means and instruments of crimes. "Crimes therefore, need to be studied from three angles as shown below :



Criminalistics and Criminology

The Science of criminalistics is linked with criminology, criminal law and also the law of evidence. The correlation between criminalistics and criminology is governed by the fact the criminological problems of crime prevention and criminalistics analysis of and specific methods are interdependent.

In other words both criminology and criminalistics aim at crime prevention from different but interdependent domains.

In the opinion of V.Aeminov (A.Russian) author of the Book on "Criminalistics". "Preventive activities are the realm of criminology and are based on its scientific recommendations. Criminalistics data are used in order to prevent transgressions of the law. "Further he says".. criminalistics provides criminology with the material on the tactics and the methods to be employed by investigators and the court so as to ascertain the causes and conditions of particular crimes. "In other words while criminology looks in to the question why a crime was committed, criminalistics deals with the question how the particular crime was committed, by whom and under what circumstances etc. And, by exploiting the techniques or methods involved in a crime the science of criminalistics helps in the sphere of crime prevention.

9.3.A.FORENSIC SCIENCE LABORATORY ORGANISATION (STATE LEVEL)

At the state level, almost every state police has its own forensic science laboratory with as many facilities as possible at the state HQs. And, Minimum forensic examination facilities are provided at the district levels also. At the district levels, forensic science laboratories are mostly attached to the government medical colleges where there is also a Department of Forensic Medicine consisting of trained medical professionals who conduct post

mortem examinations on the dead bodies of human beings who have met with some kind of unnatural death.

The department of forensic science offers courses in forensic medicine to the medical students. Biological samples of the dead bodies on which post mortem examination is conducted by experts are called “viscera” and they are sent to the nearest forensic laboratory for further analysis. Besides, the district and city police offices have certain specialist sections like the Finger Print sections and forensic photography section.

The Tamilnadu state forensic Science Laboratory Newly established recently with advanced facilities provides an example in this connection. It has the following six sections / divisions.

1. The Biology section which is devoted to the examination of dust and dirt, soil, hair fibers, stores, textile, materials etc.
2. Currency section which is concerned with the examination of counterfeit currency notes and coins.
3. The physics section which is concerned with the examination of footprints, tyre tracks, tool marks, testoration of off numbers, copper wires scientific : Photographs glass, prints etc.
4. Chemistry section where articles concerned in prohibition cases, excise samples, goods confiscated in prohibition cases and all other chemical substances like inks and adhesives are examined;
5. Firearms section which examines the firearms and connected articles.
6. Documents section which examines all kinds of questioned documents and identification of handwriting and detection of corrections and erasing etc.

Generally, during the training imparted to policemen particularly, SI and above, a basic course in all the subjects mentioned above is given so that later as IOs they are in a position to identify the types of expert knowl-

edge needed in a criminal case (details of the various forensic divisions are given in the following pages). Counterfeit currency detectors are now made available to public and they are being used in banks and commercial establishments and government departments such as the sub-treasuries, BSNL, collection centers and EB collection offices. This helps in checking counterfeit currencies and coins and money laundering which were once playing havoc among the public.

9.3.(i) Tools and Techniques of Forensic Science

Any scientific inquiry depends on certain tools of analysis and techniques of measurements of its variable and the materials collected. Forensic science is a highly specialized field of activity based on scientific inquiry. It is immediately and directly concerned with material evidence collected from the crime scene and also the sample of inquest done on the dead human body or animals. A number of tools and techniques are used with the objectives of a) sensitivity b) specificity c) rapidity and d) connectivity. That is, the instrument used in forensic science must be highly sensitive to identify even minutes simally small samples, specify they individualistic characteristics, as rapidly as possible without loss of time and establish their connectivity with various dimensions of a crime.

7.3.(ii) Instrument and Measurements

Many instruments are used by forensic experts for examining the evidences collected from the crime scene and subsequently collected evidences, including the viscera, that is sample of a dead human body. These instruments help in fixing the source of crime. They are

- (a) Microscopy
- (b) Photography
- (c) Invisible rays and
- (d) Chromatography.

These are common tools used in any scientific laboratory. In a forensic science laboratory they have more specialist uses. These instruments help in obtaining quantitative and qualitative results very quickly. Following techniques are used with the help of these instruments to identify and fix the evidences in support of the investigation.

1. DNA :DNA is the short term of 'De oxidize Nucleic Acid. It is a common genetic material found in the human body and provides evidential information about the hereditary character of a person. Eg N.D.Thewari has given his blood sample to determine D.N.A. under the court orders.
2. SEM : SEM stands for Scanning Electron Microscopy which is helpful in identifying firearms and the particular type of ammunition used.
3. X-Ray D.A : This refers to X- Ray Differented Analysis which is used in the study of glass fragments minerals, inorganic substances, paints, corrosion, dust etc.
4. Electrophories : This techniques is particulary used in examining the blood samples, inks paints and other matters which contain protein.
5. Laser : The technique of laser application is helpful in identifying the genuinness of a document.
6. Mass spectrometry : This analysis is used to determine the type of unknown substance and to specify its chemical composition and also the similarity or differences of the comparable objects like shots, buckshots, paint, coating, glass, tobacco etc.
7. Spectrophotometry : In this technique, electro magnetic beams of selected wavelength are allowed to pass through material under study, which absorbs some of the rays and rejects the rest and are allowed to fall upon a photoelectric cell as produce certain changes in the current of a circuit. The two effects then are recorded on a graph sheet to identify the material.

8. Polygraphy : This is considered to be a very effective and practical scientific instrument used in eliciting the truth from the accused who may be withholding the truth consciously. This is also called “**Lie Detector**”. This is based on the correlation between psychological changes like changes in blood pressure pulse rate, respiration and the statements made by the accused.

9.3.B.DIVISIONS OF FORENSIC SCIENCE LABORATORY

The Forensic Science laboratory at the central and states levels have many divisions relating to the functions and techniques discussed in the previous sections. They are :

1. Forensic Biology
2. Forensic Chemistry
3. Forensic Physics
4. Forensic Ballistics
5. Forensic medical Examination
6. Forensic Photography
7. Finger print and forensic Traceology
8. Forensic Examination of Documents
9. Forensic Lie Detector division
10. Toxicology

Some details of these divisions are given in the following pages :

1. Forensic Biology

The forensic Biology division is devoted to identifying the biological reasons for the harm done to animals, plant or source of water supply and human beings by relating the available exhibits to the body concerned. For

example, in the case of murder if the victim's body had been burnt, with the help of the teeth, bones or even the hair it is possible to establish the identity of the victim. In the case of the assassination of Rajiv Ganidhi, former PM of India his body was identified by the hair, teeth and other pieces of his body found at the crime scene. The Biology Division has three functions in main. They are:

1. Identifying the evidential material thoroughly, morphological material examination of the exhibits like hairs fibers of cotton or wool etc.
2. Anatomical examination of human and animal bones, teeth etc for identifying the diseased.
3. Entomological and bacteriological examination of the exhibits.

2. Forensic Chemistry

The services of chemical experts of forensic science laboratory are required to examine all kinds of chemicals such as kerosene, petroleum products, narcotics, pesticides, inflammable materials which may be related to certain type of crimes like suicide. For example the Narcotic Intelligence Bureau of the state or central police may seek the help of the forensic chemistry division for confirming the narcotics deiced by them. Also the IO of the chemistry experts of the forensic laboratory for the gas related accidents cases, Also fire accidents in match and fireworks factories need the services of this division.

3. Forensic Physics

In all other divisions of forensic science a number of tools and instruments are used and they need to be maintained by giving them timely services. For example in the photograph divisions different kinds of cameras are used. Similarly in the X - ray division costly X-ray equipments are there. Graphical instruments such as spectrography, photometry, scanning instruments, computer system copier, communication equipments, micro scopes of different types and so many tools of measurements and scales are being

used in various divisions of the forensic science laboratory. All these equipments must be fit enough to perform their functions at anytime so that the process of investigation is carried out without loss of time. This is possible only if the forensic physics is itself adequately equipped and staffed for providing service to other divisions.

9.4. FORENSIC BALLISTICS

Forensic Ballistics divisions of the forensic science is concerned with crimes committed with fire arms such as guns and pistols. The Means and techniques of forensic ballistics help in establishing the circumstances of a crime committed with firearms and ammunitions.

Forensic Ballistics is an important branch of criminalistics concerned with the methodology of investigating crimes committed by using firearms and munitions, such as guns, rifles, revolve, shot guns etc. The forensic ballistics is also related to forensic traceology; forensic medical examination, forensic metallurgy, and Finger Print examination. But, the focus of the ballistics experts is the type of firearm and the type of bullets used to commit the crime.

a) Classification of fire arms

There are a number of types of firearms in use. Depending on the barrel length, there are short barrelled, medium barrelled and long barrelled and long barrelled fire arms. Generally, short -barrel guns are short-range guns and long -barrel guns and long-barrel guns are long- range guns. Firing range and effective range differs for different types of fire arms. Example of short-barrelled fire arms are revolve and pistols. Hand fire arms may have either rifled or smooth barrels.

Depending on the firing mechanism, firearms are classified into automatic, semi-automatic and non-automatic fire arms. Rifles and carbines are examples of long-barrelled firearms, smooth barrelled firearms may be of 'break -open' type or non-break- open 'type-Hunting guns may be of single barrel or double barrel type. Every type of gun has its own characteristics and its own cartridges.

b) Ballistic Investigation :

The Ballistic expert's services are required by the IO to check the following :

1. Type of fire arm used in the occurrence (if the weapon is found on the crime scene) its model calibre, number, trade mark etc.
2. The place where the firearm was found i.e. near the body of the victim or away from the scene of occurrence.
3. The gun must be unloaded, if it is loaded, in order to avoid chance firing.
4. Check for number of shorts wounds in the body of the victim and number of bullets found in the chamber of the pistol;
5. Nature and size of bullet holes found on the body of the victim;
6. If the bullets had pierced the body of the victim, where bullets are lodged;
7. Location of the offender who shot the gun and the distance between the location and victims body and the direction of the shot; In M.R. Radha's case, it is that he had shot former Chief Minister Dr.M.G.R. by a fire arm automatic (Revolver) Ballistic Expert services were required at the trial. Dr. G.P. Gopalakrishnan Professor of Forensic Medicine, Madras Medical College, Madras (My Professor of Forensic Medicine) taken up the witness box and gave evidence with regard to type of Gun and Gun Marks, the Famous Criminal Lawyer Mohan Kumaramangalam cross examined the Professor. Mohan Kumaramangalam was the brother of former Army General P.P. Kumaramangalam.

The aim of these ballistic examinations is to relate the firearm, its bullets and the victim. Who shot the bullet is not the concern of the ballistic expert; but which firearm was used, at what distance and whether, the distance was within the killing range. It is for the IO to fix the person who shot with the specified firearm.

Forensic Ballistics has assumed great importance in the western countries because of liberal use of firearms of all varieties by criminals. There have been news reports about school boys going to schools with pistols and revolvers and shooting down the fellow students and the teacher. In India, in bullet culture among the criminals anti-socials has appeared a few decades back and hence the importance of forensic ballistics is on the increase.

c) Subject Matter of Forensic Ballistics

Forensic ballistics is concerned with the following

1. Classification of fire arms and ammunition
2. Detecting and Inspecting fire arms and gun shot traces
3. Examining bullet holes and determining the direction and distance of the gun shot and location of the person who fired it.
4. Identifying the firearm type system and model by the bullets and cartridges fired through them.
5. Examining the types of explosives used in the terrorist attacks their system mechanism and their origin.

As India has been witnessing services of terrorist attacks since 1980s, the forensic ballistics has assumed great importance from the point of view. This implies that forensic ballistics should impart the quality of preparedness on the part of the security forces of the country.

9.5. FORENSIC PHOTOGRAPHY

Forensic photography is another division of forensic science. It aims at fixing and recording traces, objects scene of crimes and other objects and materials under investigation.

For example, in the case of house - breaking, the IO must call for the forensic photographer to photograph the crime scene into to with maximum evidence available in the crime scenes. There is also forensic artist

Check Your Progress

1. Explain the Meaning and Scope of Forensic Science.?
2. What are the Fundamental Principles of Forensic Science?
3. What is contact Principle?
4. Explain the Science of Criminalistics?
5. What is D.N.A.?
6. What is Polygraphy?

who does sketching, drawing and charting the crime scene, but photographing the crime scene ensures a higher degree of accuracy and completeness.

A Russian book entitled '**Criminalistics**' authored by **V. Aeminov** and others gives the following classification for forensic photography.

- a) **Impression photography** : This is 'designed to reflect material objects and its features which may be perceived by the naked eye' and which includes panoramic measurements, identification, reproduction and stereoscopic photographs.
- b) **Research Photography** : This includes micro photography, Infra-Red photography contrastive photography and colour differentiation.

In addition to these the forensic photography also includes ultraviolet photography, radio graphy and Gamma - rays photograph.

9.5.1. Application of Forensic Photography in Crime Investigation

Photographic evidence assumes great importance in criminal proceedings in many ways. They are :

- a) **Orientation photography** : This covers not only the scene of crime but also the surroundings such as approach to the crime spot, neighbouring buildings, exit route etc. This is possible by long shooting.
- b) **Survey photography** : This aims at getting as much details as possible on the crime scene. The crime scene may have to be photographed in different angles as in the case of murder. This is done by short range shooting.
- c) **Nodal Photography** : "This refers to the type of shot which shows individual areas of the scene of crime which shows maximum possible real evidence (for example the details of a corpse, its location its position, injuries on the body etc) This is also done by shortrange shooting.

- d) Detailed photography : This is magnified shot to the object under investigation showing the scale of measurements. That is, magnified versions of some vital details such as a stab-wound or bullet wound are shown by this type of photography.
- e) Motion - Picture Photography : Motion picture photography is normally used in the process of preliminary investigation. This needs a trained cameraman. Motion picture shooting of a crime scene may be useful when graduated change in focus is needed or when both horizontal and vertical shootings have to be carried out. This may also be required when different angles of shots of the crime scene are required.

9.6. FORENSIC TRACEOLOGY

Depending on the nature of crime scene many evidences may have to be collected by using the methods of tracing. Till a century back, it was generally thought that finger print was the only evidence to be traced from the crime scene of traces such as footprints tracks marks of vehicles, two wheelers or three wheelers or four wheelers, trace particles, elements left by tools and implemented such as hammer, screw drivers colour of the Mud in the wheels, dust on the car etc. at the crime scene. Therefore, forensic study of traces may reveal certain strong evidences in certain crimes.

a) Characteristics of traces

1. Every object though identical to its own kind is individual and unique in certain respects especially when it has been used for certain period. Therefore, the traces left behind by an object may indicate certain special marks or identify from crime detection point of view;
2. A trace is the result of contact between two objects or between an object and a human being as in the case of murder or homicide or Rope or between two human beings as in the case of a murder by strangling;

(Space for Hints)

3. A trace is a transformation of the external features of an objects on another object “The impressions of the objects when an object is pressed against an other object the bulges of the trace correspond to the cavities in the object and vice versa.
4. The qualities of the trace depend on the quality of the receptor’s surface. A soft and elastic surface will easily and fully absorb the traces from the producer than a hard and rigid surface of the receptor.
5. In the words of V. Aeminov. A Russian Forensic scientist, “Traceology examines only those objects whose composition is fixed and which are relatively non-variable,”
6. An object or a person under investigation is by a trace, as for example, the footprints or shoe prints or finger prints, only when the “trace is conditioned by the completeness and precision of the impression on the objects surface” and this depends on how the trace was produced”

b) Components of a trace

Four major components are identified in a trace. They are :-

1. The Producer : that is, the object which is or the human being who is responsible for creating the trace say Rapist.
2. The receptor ; that is the object upon which the impression was made eg Victim.
3. Contact surface : that is the surfaces which came into contact during the course of the criminal activity;
4. Mechanism of trace formation : is the process of creating the impression by the two objects or two human beings through a static or dynamic contact or the totaity of the conditions of contact.

c) Types of Traces

Types of traces depend on the nature of the object, that is, the producer, the receptor and the mechanism of trace formation. Traces are broadly

classified into the following three major categories by the science of traceology.

1. Static or Dynamic traces

A static trace is one which is provided when either the producer or the receptor is static and the other is on the move as for example breaking open a cupboard or almirah or a running vehicle colliding with a stationary vehicle causing the death of some passengers; or the impression of shoe print on an open ground or a tiled floor. Such a trace normally gives maximum possible information about the producer of the trace of an impression left by a running vehicle on the ground.

Dynamic trace is one which is produced when both the producer and receptor are on the move, as for example, the collision of two vehicles running in the opposite directions. Or, a case of murder and Rape in which the victim has struggled with the killer before being killed, In such cases, the trace depends on the nature of the contact between the producer and receptor.

Aeminov says, "In dynamic trace, the peculiarities of the surface of the producer are reflected with significant alterations in the form of lines with varying width and depths."

9.6.2. VOLUMETRIC TRACE OR SUPERFICIAL TRACE

Volumetric Traces are the ones which are present in "three dimensions", that is length width and depth. Such traces are formed on soft surfaces such as fresh cement mortar, clay, soft metal etc. These traces normally give sufficient information about the producers

On the other hand, traces which have only two dimensions namely, length and width, are superficial traces as for example Finger Print impressions on a glass or on other materials and shoe prints on a hard floor.

9.6.3. LOCALISED TRACE OR PERIPHERAL TRACES

This is another classification of traces made by Russian. V. Aeminov.

Check Your Progress

7. What are the divisions of Forensic Science Laboratory?
8. What is Forensic Ballistics?
9. What are the classification of Forensic Photography according to V.Aeminov.?
10. What do you mean by Forensic Traceology?

According to him Localized traces are produced at the point of contact between the producer and the receptor, while peripheral traces are located beyond the parameters of the contact surfaces.” For example, we can see the differences in the footprints or shoe prints of a walking person and running person are bound to be peripheral in nature.

Thus the science of tracing or traceology includes all kinds of traces found at the crime scene such as footprints, shoe prints, finger prints, tools used for forced entry, human teeth, nailmark, bruises on the human body, hit and run vehicle and ever so many traces left by the offender. As far as possible, the traces found at the crime spot should be removed along with the surface. If it is not possible to remove the surface of the receptor, then photographic methods and plaster methods may be used.

9.7. FORENSIC MEDICAL EXAMINATION

The forensic medical expert is an all pervasive factor in criminal investigation from simple cases of hurt and accident to murder”. Any kind of unnatural death of a person needs the examination by a forensic medical expert. It may be suicide, death by poisoning, forcible hanging, strangling or accidental drowning or due to consumption of toxic consumption or gasified death or due to a fall from a height and ever so many reasons may be there for the unnatural death of a person. The opinion of the forensic medical examiner is needed to establish the cause and nature of death and a number of other particulars required by the IO.

Crime relating to an unnatural death will have two angles of investigation - one by the IO and the other by the M.O. i.e. the medical officer (forensic). It is the duty of the IO (PSO 606 - 615) to seize the body of the deceased after making primary investigation and send for a M.O. or send the body to the forensic M.O. for a postmortem report. The Head Constable who takes the body to the M.O. for postmortem carries form No. which contains all particulars about the dead body. The Medical Officer who conducts the postmortem is not concerned with the nature of the case but is concerned only with the nature of the cause of death.

1) Post - Mortem

Post-mortem refers to the examination of the dead body of a human being, who died an unnatural death due to one or more than one cause, stated earlier. The post-mortem is normally done by a qualified doctor appointed by the Government who is trained in conducting postmortem in Tamil Nadu. The Government Medical colleges situated in important district HQs have a Department of Forensic Medicine, where there are qualified doctors trained in the science of Forensic Medicine. They are authorized to do the postmortem. There is also a Government Forensic Laboratory attached to these hospitals.

The SHO on receiving the information about the occurrence in which a murder has taken place, must immediately rush to the crime scene and conduct the primary investigation. He must make out photographs and sketches of the crime scene with greater focus on the injuries on the body of the dead person. He must then arrange to send the body to the government mortuary under the charge of a Head constable. The Head constable in turn, should meet the expert in forensic Medicine, with the particulars of the dead body stated in form No. and with a request signed by the SHO / IO for conducting the post -mortem on the body deposited in the mortuary.

The duty doctor in the mortuary issues a receipt for the dead body brought in by the Head constable. As per rules the dead body can be brought to the mortuary on any day at any time by the police with minimum loss of time and with the dead body in tact. To the extent possible, the IO Must also send a preliminary report to the forensic expert about the nature of death and the external symptoms found on the body.

As a rule all the post-mortem examinations will have to be conducted between sun rise and sun set. Under any circumstances, no post-mortem is to be conducted after sun set. The mortuary where dead bodies are deposited is kept under freezing temperature in order to maintain the dead bodies till the post-mortem is conducted.

2. Nature of Post-Mortem Examination

The Medical Officer (M.O.) in charge of Forensic Medicine Department may either conduct the post-mortem himself or he may depute his assistant M.Os. to conduct the post-mortem. The M.O. is required to conduct both external examination and internal examination.

Case Law

In the external examination, the M.O. compares the report given by the IO about external injuries, abrasives and other, traces found on the body. If any weapon like a knife, dagger, iron rod, pistol etc. had been used in the act of killing the victim, they must also be produced to the MO for verification and confirmation. In the case of a stab injuries, the MO measures the depth and width of the injuries, to verify if such injuries are caused with a long knife, the MO should measure the length and width of the injury and should examine how many vital nerves and blood vessels have been cut off.

2.(i) Internal Post- mortem and viscera

Internal post mortem is more vital than the external post-mortem and provides vital clues to the IO in his investigation. Internal post-mortem is done to examine to what extent the internal parts are damaged and which of these injuries have been fatal.

Another more important purpose of internal post-mortem is to take samples of the biological parts of the body which are, together called 'viscera' and send the same to the Forensic Science Laboratory for further analysis. The parts to be taken are :

1. Samples of the stomach;
2. Contents of the stomach
3. Suspicious particles, if any, found in the stomach;
4. Vomited substances, if any;

5. A portion of the liver and one kidney;
6. Contents of the small intestines;
7. Samples of urine, if found in the urinal pladder;
8. Samples of lungs and heart.
9. Samples of the parts, which have been damaged.
10. Samples of body serems, such as suliva, blood, semen, sweat etc.

These samples must be collected carefully and put separately in small bottles containing preservatory acids. They they are sent to the forensic experts in the Government Forensic science Laboratory for further analysis.

These reports in turn will be sent to the IO and the magistrate. After the postmortem is over the body is closed and is handed over to the relatives or friends of the victim, for performing the last rituals.

9.8. FORENSIC TOXICOLOGY

Toxicology may be defined as the science of poisons and toxic substances special methods of analytical chemistry are applied in toxicological examinations. For example, the samples of the contents in the stomach of a person who died due to poisoning., by himself or by somebody are sent to the forensic science laboratory for analysis, to confirm the death of the person by poisoning, type of poison and method of poisoning, time at which the poison was consumed, and the toxicological effects on the victim besides the stomach samples, samples from other vital organs such as kidneys, lungs, heart etc., and samples of blood urline, food drink and the suspected poison, if available at the crime scene are sent to the forensic expert for examination.

9.9 FORENSIC SEROLOGY

Serology is the study of body fluids like blood, urine, saliva, semen, sweat etc in crime detection serological procedures are applied to the iden-

tification of a blood stain and its classification. Serological tests on dried bloodstains are applied to confirm the origin of the blood in question whether it could have come from the suspect or the victim a new method of detection called DNA finger printing came into use in the 1980s. With the help of the DNA testing, the serological investigation can determine if the blood or other body fluids found at the crime scene matches as genetic profile similarly, the DNA test can also be used to exclude the possibility of a person's involvement in a crime. N.D. Thiwari - had given his blood for D.N.A. Test to decide the paternity of a person who claims to be his son according to the direction issued by the Supreme Court of India.

9.10. INSPECTOR OF EXPLOSIVES

Rising terrorism all over the world has created the 'explosive culture' That is, most of the terrorists make use of explosive to achieve their purpose. Explosives are being smuggled and used by the terrorists in various forms. These explosives vary from the crude country made bombs, petrol bombs, etc to the most dreadful type of RDX. Its killing radius depends on the type of the bombs.

Inspector of explosives comes to the scene of occurrence to identify the type of bomb exploded by the terrorists, its devices and its fusion system. Subsequently, he will train the Bomb squad / Bomb Detection and Disposal squad to identify the bombs planted stealthily by the terrorists, in some place, and to defuse the same safely. This is followed by other phases of investigation.

9.11.A) MASTER OF THE MINT

When the police seized counterfeit coins, the samples were sent to the Master of the Mints for examination and his report was taken as an important evidence in the case.

The Master of the Mints would compare the metal used for making counterfeit coins and also the types of imprint and emblems made on the duplicate coins with the original ones and confirm the reports.

Reports of counterfeit currency notes have become frequent . This is taken care of by the Indian security Printing press at Nazic.

9.11.B) THE MASTER INDIAN SECURITY PRINTING

With the emergence of desk-top -printing which is computer based, and with help of advanced off-set printing technology, cases of counterfeit currency notes, of not only Indian currencies, but also some foreign currency, particularly, the American dollar and counterfeit printing of stamp papers of higher denominations have been frequent. The counterfeit currencies are now so perfectly printed that it becomes difficult to identify with naked eyes.

However, the currency notes issued by the Nazic security printing press has certain secret security systems in the currency notes which cannot be so perfectly done by others with criminal intention. The policemen are taught to identify the counterfeit currencies in their training course and seize the notes immediately.

Currency detecting devices are now available on sale for anyone. Such detectors are now widely used in big commercial establishments, hotels, government offices with collection centres such as BSNL Electricity Board. When reports are given to the police, the seized notes are initially verified and sent to Nazic security Printing Press for official verification and evidential report.

9.12. DOCUMENT AND HAND WRITING EXAMINER

Criminalistic examination of disputed documents and handwriting helps in identifying the person who had written a text or manuscript which may prove to be an important evidence in a criminal case. Handwriting experts look for individualistic features of a handwriting such as backward or forward strokes, broken words or continuity of words, grammar, vocabulary, freeness in writing, size of handwriting, lay out with margins, headlines and addresses, distance between words and lines etc.

Criminal cases involving important documents call for the help from Handwriting Examiners of the forensic laboratory. This may prove to be an important evidence and may have to be produced in the court. Handwriting is considered to be a stable system of movement found in manuscripts. Document examination comprises four parts, namely, (A) Handwriting (B) Signature (C) Document and (D) Litigants. These are examined by the Master of questioned documents of the state / Central Forensic Laboratories.

A]. Characteristics of Handwriting

1. The handwriting of any two persons cannot have the same system of strokes and movements which is due to many subjective and objective factors.
2. The handwriting of a person reflects the individual's physiological, and anatomical properties.
3. As a person passes through different phases of life, the handwriting style and strokes also change reflecting the maturity of the individual.
4. The skill of handwriting is essentially based on reflex activity. Every individual has his / her own style of handwriting and maintains the individuality throughout his / her life. But, it is subject to noticeable change caused by illness, fear, alcoholic intoxication, writing conditions and other factors. However, there cannot be substantial change in handwriting even if a person tries to change it. A British colonel lost his right hand while fighting in India. So he had to use his left hand to write. Even these the style and stroke and slanting position did not change. This is kept in the museum in Saint George Fort in Chennai.

B]. Identificational Marks of Writing

Identificational marks of handwriting are outer manifestations with reference to stable writing skills. These are to be identified only in their totality

and not individually. Therefore, any two individuals can never reproduce the same handwriting, because of the following individualistic variations : (a) angularity, (b) slope (c) speed (d) Penpressure (e) Letter style (f) word spacing (g) dimensions of letters, (h) connectivity of words (i) movement of the pen and quality of the pen used.

This will also include personal habits of the writer such as (a) skills in grammar, idioms, and phrasing of words, (b) margin space (c) alignment of words and sentences, (d) paragraphing (e) spelling and punctuation marks such as full stops, comma, semicolon, etc. (f) insertions (g) opening and closing styles of the writer, (g) vocabulary (h) lay-out of the text of the matter, direction of lines in relation to the footpage.

C]. Signature examination

A number of factors such as literacy levels, maturity of mind, health, age, muscular control etc. contribute to one's control and style of signature. These features are to be taken into consideration while comparing a forgery. Forgery committed by a professional is very difficult to be detected.

Forgeries are being committed for creating bogus documents such as bogus cheques, property deeds etc. There are cases of forged documents created by false claimants to the properties of same one. Now that all the documents are computer printed, only signatures have to be verified for their genuineness. The writing materials also have a role in detecting the forgery.

d]. Examination of questioned documents

Next comes criminalistic examination of questioned documents. Until the invasion of the computer system, documents had very important role in all the activities of the humanity. The computers are reducing the use of documents by their memory-system. Documents are further reduced to the CDs which, if maintained carefully, can be used at anytime. The banks for example have stored all the details of all the customers in the computer software through appropriate programmes and are minimizing the paper work - However, documents still find a space of importance in the human life, al-

Check Your Progress

11. Define Forensic Toxicology
12. Explain Forensic Serology?
13. What are the characteristics of Hand Writing?

though the administrative and managerial systems are moving towards' paperless system.

Documents are of many types. Documents may be characterized by date of origin, size, form, appearance, colour, text or contents, signature, seal or stamp issuing authority or source of origin.

e]. Types of Documents

A questioned document may be different types of letters, financial documents, various orders, wills, old official records or historical records, or questionable mark sheets, certificates degrees claimed to have been awarded by some Universities.

When the origin or the authority of a document becomes controversial, and enters a case, the other features such as handwriting and signature, official seal, the ink used for writing or stamps, types used etc. may have to be examined with magnifying glasses, infrared or ultraviolet rays, and measuring instruments.

Bogus certificates or degrees claimed to have been awarded by Universities and bogus deeds often enter litigation and are ordered by the court for inquiry. Now that printing technology has advanced, official documents such as passports are duplicated and are taken up for enquiry.

Sometimes, even the original documents may have to be examined for their genuineness when the documents are partially burnt or damaged. Services of document experts may be required to establish the genuineness or otherwise of the questioned documents.

f]. Litigants

Any questioned document will have two litigants or even more than two litigants. While the document examiner examines the document in question, the court examines the background of the litigants and the nature of complaint.

For example, in the case of a title deed of a property, the litigation may be between two brothers or two persons related to the property, one of whom may be an authority such as the government or an University.

The questioned document, especially old documents, have to be carefully handled by the IO. The following points are suggested by Lt. Col. W.R. Mansfield.

- a) Once a folded document is recovered, it should be unfolded and spread out and held in an envelope larger than its size. If the document is of a very large size, it may be given minimum foldings and kept inside a largest possible cover.
- b) In any case, no new foldings should be made;
- c) It should not be cut on the borders for putting it inside a smaller cover;
- d) The document should not be handled with any liquid in hand or fingers like water, glue or paste or paint.
- e) The document should not be bleached;
- f) It should not be marked with pencil or pen;
- g) It should not be subjected to tracing;
- h) It should not be exposed to heat, sun light and damp.
- i) Every bit of the document should be carefully preserved for examination.

9.13.SUMMARY

In this chapter, we have seen the meaning and scope of Forensic Science. Where the Forensic Science Laboratory is situated for the state and the centre. We have also learnt the five fundamental Principles which govern Forensic Science. We have also come across science of criminalistics. According to Mr. V. Aeminov, a Russian expert in the science of criminalistics - examination and generalized criminal practices. We have

(Space for Hints)

also seen in the Forensic science Laboratory of Kerala state out of 28 Forensic scientists 14 are woman scientist to help the Police towards investigation. We have learnt to use Laser, Mass spectrometry spectro photometry and polygraphy.

9.14. KEY WORDS

1. D.N.A. - De Oxidize Nucleic Acid Test.
2. Spectrophotometry - The Technique, electromagnetic beams of selected wavelength are allowed to pass through material under study.
3. Poly graphy - This is simply called "Lie Detector".
4. Toxicology - The Science of poinson and Toxic substances - special methods of analytical Chemistry.
5. Serology - The study chemistry of body fluids, like urine saliva, sweat.

9.15. ANSWER TO CHECK YOUR PROGRESS

1. Refer Para 9.1
2. Refer Para 9.1. ii)
3. Refer Para 9.1. ii) 3
4. Refer Para 9.2
5. Refer Para 9.3. (ii)
6. Refer Para 9.3.A (ii) 8
7. Refer Para 9.3.B. 3.
8. Refer Para 9.4
9. Refer Para 9.5.
10. Refer Para 9.6

11. Refer Para 9.8.
12. Refer Para 9.9
13. Refer Para 9.12 A.

9.16. MODEL QUESTIONS

Short Answer Questions :

1. Explain Forensic Medical examination
2. What is Forensic Toxicology
3. What are the duties of Inspector of Explosives?
4. What are the duties of the Master Indian Security Printing ?
5. Examine the duties of Document and Hand writing Examiner
6. Explain Characteristics of Hand Writing.
7. What is the role of Ballistic Expert in investigation?
8. What is the role of Forensic Medical Expert in investigation?

Long Answer Questions

1. What is the role of the Document and Hand writing expert in investigation.
2. Give an outline of the organisation & functions of State Forensic Laboratory.
3. Write short notes on : a) Master of the Mint and Security Printing
4. Give an outline of the State Finger Print Bureau and its functions.
5. What are the features of finger prints? What are the methods of FP comparison?
6. What are the types of FP classifications?

UNIT - IV -C

LESSON - 10 : FINGER PRINT EXAMINATION

INTRODUCTION

In this lesson we are going to see further about investigation. This investigation is based on pure science. It is a development towards criminal investigation in the Twenty first century. We call them as “Finger Print” science. It is based on only one thing that is - No Finger Print is identical. Two Persons finger print never co-incide. Even Twin brothers or Twin sisters Finger print do not go identical. This is perfect science. We are by reading this chapter can understand how the finger Print helps criminal investigation.

UNIT OBJECTIVE

We have in India two Governments, one at centre and one at state. Both these Governments have finger Print Bureaus. They are tendering mutual help in finding out the criminal. They function as organisation - “ONE UNIT”.

UNIT STRUCTURE

Introduction

Unit Objectives

Unit Structure

10.1. Organisation of the central Finger Print Bureau

(i) State (Tamil Nadu) Finger Print Bureau

10.2. Role of Finger Print experts in investigation.

10.3. Features of Finger Prints.

10.4. Types of Finger Print classification.

10.5. Functions of Finger Prints Bureau

10.6. Summary

10.7. Key Words

10.8. Answer to Check Your Progress

10.9. Model Questions

10.1.ORGANISATION OF THE CENTRAL AND STATE FINGER PRINT BUREAU

A central Finger Print Bureau was established by the Government of India after Independence and it is located at No:30, Gora chand Road, Calcutta. Subsequently, Branches of the Central FP Bureau were established in almost all state capitals to help and guide the state and district FP Bureau. Every state police has its own FP Bureau at the State Police HQs. and district FP Bureaus in all the districts. The TN police has its FP Bureau at Chennai (Madras). The FP slips of all the persons convicted under PSO 802 are sent to the central FP Bureau. The district FP Bureau which forms part of the District CRB are required to send two FP slips of all the persons convicted along with the conviction memorandum to the Central Finger Print bureau through their respective state Finger Print Bureau. In one despatch, not more than Finger Print Slips of 10 persons should be sent to the central Finger Print bureau. PSO Nos. 815, 836, 837, 838, 839, 850, 851, 852 and 854 state the types of criminals whose Finger Print must be taken for investigation and prosecution.

(i) State (Tamil Nadu) Finger Print Bureau

The Tamil Nadu Finger Print Bureau which came into existence in 1905 is one of the oldest Finger Print Bureau of the world. Thiru.E.A. Subramania Iyar, an Inspector of police of the then composite Madras province has done a yeomen service and made remarkable contributions in establishing the FP Bureau at chennai in 1905. The Tamil Nadu Finger Print Bureau is under the command of the DGP of Tamil Nadu and a SP (FP) is in direct control of the FP Bureau. He is assisted by an ADSP, 9 DSPs, 36

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Inspectors and 25 SIs, all belonging to and well trained in FP analysis. There are 11 single Digit FP bureau at the district levels in TN. Similar arrangements are there in other states also. The FP bureau at the city and district levels are under the supervisions of the respective CoP and SP.

Functions of the Finger Print Bureau (Tamil Nadu)

1. Informing the previous convictions if any, of newly arrested persons on suspicion by the IO.
2. Recording and maintaining the classified FP of all those who are convicted and sending a copy to the police station.
3. Sending the FPs of escaped prisoners to the police station which has arrested him, for comparison.
4. When a convicted criminal dies, the Finger Print Bureau has to identify his FP and send the same to the police stations concerned.
5. Helping to identifying the bogus documents and thereby disproving false claims on a property if the document has been executed with thumb impressing only.
6. Services of the FP experts are sought at the airport as a precaution against terrorism.

10.2. ROLE OF FINGER PRINT EXPERTS IN INVESTIGATION

The finger print (FP) examiner has assumed a place of great importance in crime investigation throughout the world on the well-known fact that the FPs of two persons do not coincide. If the FP evidence is strong in a case, the offender is sure to be convicted. And with all other evidences in their position, if the FP does not tally with that of the accused then the accused will have all chances of acquittal. The FPs are also known as hand-prints. The FPs are considered to be most reliable evidence in crime investigation. The value of the FPs in investigation depends on the quality of the skin on the palm and Fingers in the hands.

Characteristics of FP

The FPs of any person has the following important characteristics :

1. Individuality, which means the FPs of any two individuals do not coincide. The FPs of even the twins do not coincide.
2. Stability, which means the FPs do not decay in water air or dust. They last till one dies and until his body gets decomposed.
3. Renewability, which means even when the FPs are damaged by fire they grow again and take the same old shape.

Because of these characteristics the FP traces have greatly helped in many cases of murders and burglaries, bank robberies etc.

10.3. FEATURES OF FPS

The FPs are really one of the wonderful features of the human body. Biologically, they contain many features which together provide a source of importance to researchers and knowledge updating in the spheres of criminalistics with references FP analysis. The major features of the FPs are briefly outlined below :

1. Two basic layers of the skin

The skin of palm consists of two basic layers : the upper layer is known as 'epidermis' and the lower one is known as 'dermis'

2. The Ridges

The ridges are the soft linear rises which appear on the upper skin and which cover the entire palm. These lines never intersect but they may meet and break - off or make various complex designs which are called papillary designs. It is these papillary designs which produce the three qualities of FPs namely individuality stability and tenewablity. These papillary designs are formed in the foetus stage of a baby and they are destroyed only after death. Papillary lines or ridges do not change during one;s life-time.

A Model Finger Print



1. Imprint of Papillary pattern (superficial trace) Pointers indicate

1. inner pattern; 2. line of outer zone; 3. base lines; 4. delta; 5. delta upper branch; 6. delta lower branch; Digits 7-22 denote the specific features of papillary pattern; 7, 8 and 9-mesh; 10, 12 and 14-beginning of the papillary line; 11. bridge; 13. convergence of lines; 15. points; 16 and 18 - whorls; 17 and 22 - line fragments; 19 dots; 20. bifurcations; 21. line endings

3. Furrows

The Minute canal - like hollows in between two ridges or papillary lines are known as 'furrows'. The furrows will also be of the same shape or design as ridges because of the fact the furrows lie in between any two adjacent or successive ridges.

4. Pores

Pores are invisible small holes found the ridges which allow the sweat. The sweat of the palm is also mostly invisible but its oily content acts as preservative of the ridges and their shapes. The sweat may be visible for some people during hard work.

5. Creases

Creases are thick black lines running across the fingers, palm and also in the bottom of the toes and they are easily visible to the naked eyes. However, these lines have a changing character and therefore they are not considered in FP analysis but they provide additional information.

6. Pattern

The ridges start creating the FP designs at the first phalange of all the fingers. In the remaining two phalanges the FP design consist of just horizontal lines without any design. This is called the FP pattern.

7. White Lines

Small buds of white lines are another feature of the palm. These they also be helpful for FP analysis but only in the short period because over a long period they are bound to change. White lines are wrinkles on the surface of the skin.

All these features of the FP impart the quality of individuality of the FP of any individual. It has been proved beyond doubt that the FP of any toe individuals in the world will never coincide and, this has proved to be a great boon to the science of investigation.

Criminals' awareness

However, the professional criminals who commit murders, burglary, dacoity and other kinds of crimes are only too familiar with the FP analysis being done by the FP bureaus. In a bid to avoid the chances of leaving their FP in the crime scene, the criminals may wear gloves while committing the crime. In such cases, the chances for the FP examiner are very limited.

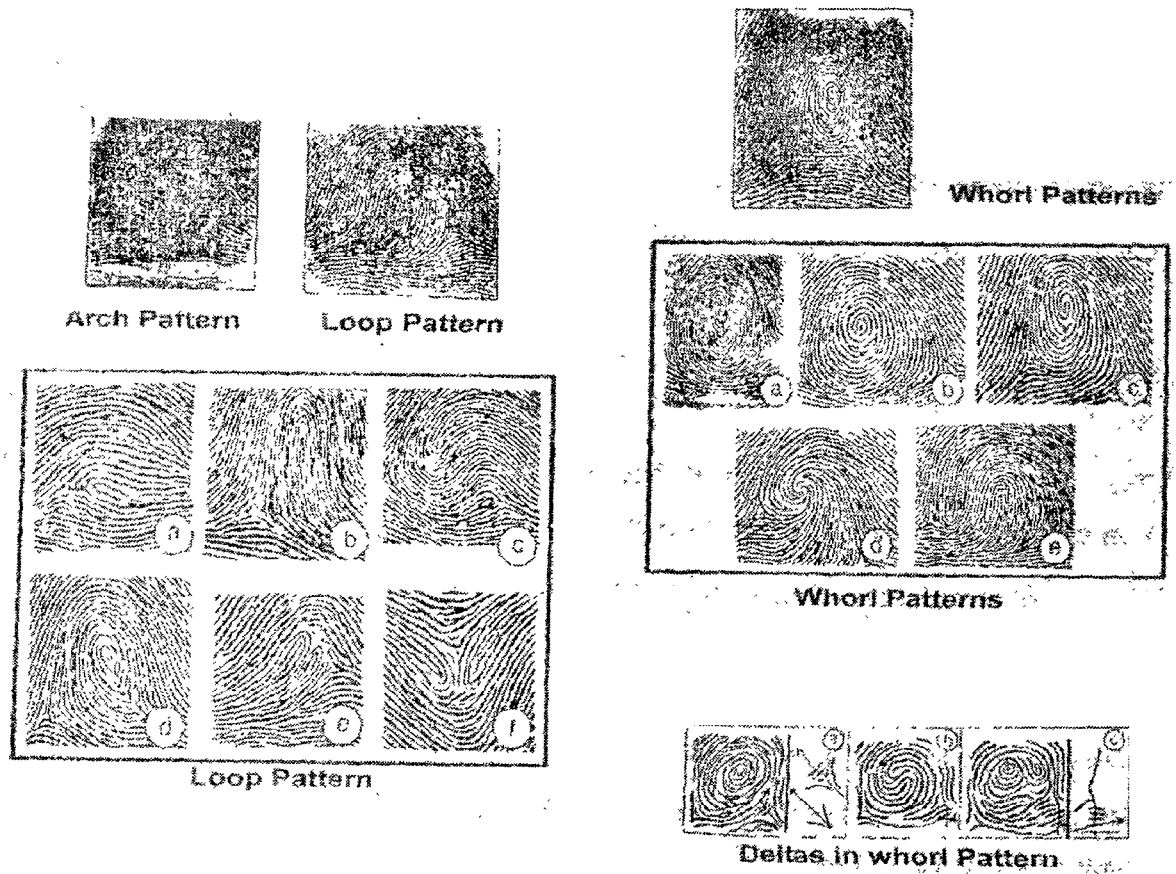
But definitely there are bound to be traces of some other evidences such as foot prints, shoe prints which need to be collected carefully and analyzed. Therefore, one who specializes in Finger Print should also be good in traceology ie with regard to trace elements; rare elements so that he could fill the gaps in the evidences available in the crime scene.

10.4.TYPES OF FP CLASSIFICATION

Experts in FP analysis generally apply the following “four” classifications of the FPs.

1. The Arch Pattern
2. The Loop Pattern
3. The Whirl pool Pattern
4. The Composite Pattern

Fig. 2



1. The Arch Pattern

These are lines or ridges, which run across the finger from one nail tip to the other nail - tip with a slight bend rising towards the top of the finger. Approximately these lines are like the arch and therefore, they are known as arch pattern.

2. The Loop Pattern

These are lines or ridges which rise from a base in the first phalange of the fingers, go up to the top of the finger, then take an 'U' turn and drop almost in same pattern to the right. These lines will also have base lines which appear as if supporting the loop lines.

The loop lines have been further classified by experts as (a) ulnar loop (b) radial loop (c) converging loop (d) mutant loop (e) invaded loop and (f) crested loop. These classifications may be applied when minute Finger Print analysis is needed in the criminal cases.

3. The Whirl pool Pattern

These are lines which take a circular pattern in the crime. They will be like spiral and these spirals may be different shapes such as perfectly centered, elongated and diagonal to the right or left. There may also be single line spiral double - line spiral in the whole pattern.

4. The composite pattern

These are lines which combine two or three different patterns stated above. Composite pattern consists of four types, namely;

- a) Central pocket loop which consists of a small whirl or a circle surrounded by loop
- b) Lateral pocket loop which consists of lines representing two loops with one set leaning on the other

- c) Twinned loop which consists of two sets of loops with each set of loop facing the other i.e., in the opposite direction.
- d) Accidental pattern which consists of two or three cores.

Visibility Classification of FPs

The Finger Prints available on the crime scene may be visible, barely visible or invisible. This depends on the quality of the receptor, that is the surface of the object or materials' surface that is the quality of the top layer of the skin which produces the Finger Prints.

The surfaces which are finer than the papillary lines such as glass, lacquered furniture, chinaware, plastics, metals, with fine surface etc. do exhibit the Finger Prints with clear visibility, sometimes even to the bare eyes. If the Finger Prints are static and superficial, they give the best chances of identification.

Visible handprints are usually produced by foreign substance attached to the palm of fingers such as ink, paint, dirt powder etc. Which gets detached on contact with the receptor.

Barely visible prints are produced by the sweat on the palm or fingers. Sweat is colourless and merges with the receptor. Such prints are usually found on things like hard and non-porous surfaces.

Invisible prints are also produced by sweat, but the receptor surface absorbs them such receptors may be paper, card board, cloth etc. In addition to this, there is one more type of visibility and availability of FPs, that is the ex-foliate traces, which are not found frequently. They are formed when the producer comes into contact with a dusty or newly painted surface. As a result, a portion of the receptor's surface gets removed and is carried away by the producer. There are various tools and methods to collect the FPs.

10.5. FUNCTIONS OF THE FINGER PRINTS BUREAU

(Space for Hints)

There are Finger Print Bureaus at the city, district, state and national levels. At the district level and city level, the Finger Print experts provide all possible help to the IOs in their investigation of a case. It is the duty of the IO to carefully collect the FPs from the crime scene. If the IO has difficulties in collecting the FP from the crime scene he has to seek the help of the FP expert. There are provisions in the Indian evidence act which empower the IOs to collect the FP and the Magistrate to compare the FPs of the accused. further, according to Indian Penal Code Section- 186, if an accused person refuses to give his Finger Print, he becomes liable for punishment. There are also legal provisions in the IPC, the IEA and the Cr. PC, which permit the FP expert to give evidential statement in the court, about an accused persons Finger Print and chance Finger Print of him at the scene of occurrence. .

PSOs 836-839, 851, 854 indicate from whom the Inspectors of police stations can take FPs and send them to the state FP Bureau. There is a systematic co-ordination between the Finger Print bureau of the city, district, state and the national levels. Actually, the FP analysis involves the joint efforts of the IO and the FP expert. This can be divided into two parts i.e. (a) the functions of the IO and (b) the functions of the Finger Print expert.

A. The functions of the IO / Inspector

On receipt of information about a burglary, murder, dacoity, robbery with murder etc, the Inspector of the police station concerned must rush to the crime scene and do the following

1. The IO on reaching the crime scene must see to it that no body touches or meddle with the things touched by or supposed to have been touched by the criminals until the FP expert arrives at the spot.
2. The Object of collecting the FPs is to protect them from any third person's handling or contact.

Check Your Progress

1. What are the functions of the Finger Print Bureau of Tamil Nadu.?
2. Enumerate the Role of Finger Print Experts in Investigation.
3. What are the Important Characteristics of Finger Print.?
4. What are the functions of the Investigating officer in the scene of occurrence with regard to Finger Print.

3. While shifting the object like revolver knife or dagger two wheeler etc the IO must avoid contacting the object in the places which are normally handled by anyone.

For example anyone will hold the revolver gun or knife on its handle or grip. If the accused has used some such weapons, it is better that their holding points are not touched by anyone. Such articles must be collected carefully by holding them with a handkerchief tissue cloth at a point other than their grips or holding points.

4. The IO Should then inform the DSP (FP) for deputing an Inspector from the district to the crime scene for collecting the FPs from objects which cannot be removed such as almiras, tables, staircase grips etc. In the case of a serious burglary, it is therefore advisable that the inmates of the house or shop are asked to remain in a particular place in the premises without touching any object, until the primary investigations are over and all FPs have been collected.

B]. Functions of the Inspector (FP)

The functions of the Inspector (FP) should be on three lines namely (a) Entry of the criminals (b) Places of operation and (c) Exit of the criminals. The FP Inspector should enquire the route by which he escaped. Then, the FP Inspector should look at the object or materials which have been disturbed by the criminal and start taking the FP. He has to apply suitable methods of FP collection. If required services of the forensic photographer may obtained for taking photographs of the available FPs. Also, certain materials may to be taken to the district FP Bureau for FP examination, if necessary.

Besides this, the Inspector (FP) will also conduct classes to the constables and Head Constables on collection of FPs and sending them to the District Bureau. The District FP Bureau receives the FP of all those arrested and convicted on various charges and sends a copy each to the state FP bureau and National FP bureau through the state FP Bureau. Such FPs are

encoded under the state Single Digit Finger Print System It may be pointed out in this connection that the services of the FP experts are required not only in criminal cases but also in document - related civil cases claims or a property based on invalid or false documents can proved with he help of FP experts.

C]. Methods of Comparing the FP

There are different methods of FP comparison and measurement. They are :

1. **Computerization Method** : The Tamil Nadu Finger Print Bureau introduced the computerization of FPs in 1974. As per this method the papillary designs of the fingers are classified into 22 categories and each design is given a double digit number ranging from 1 to 22 and covering 9 types of FPs plus two abnormal types namely scarred finger and amputated finger.
2. **MIRA code system**: This is called Micro film information Retrieval Access code system and refers to verifying the FPs already stored in the computer screen and comparing them with the newly taken FPs in order to fix the criminals. This was introduced by the Tamil Nadu Police computer centre in 1976 followed by other states. This method implied recording the FPs on micro films and bringing them to 'Retrieval Terminal'.
3. **FACTS system** :This is called finger print Analysis and criminal Tracing system. This is considered to be a more advanced method of comparing of FPs. In this method the design and ridges of the FPs and their relationship are recorded in the digital memory of the computer system. On receiving the command, it searches all the FPs of a particular category, compares the FP under question and exhibits them in the screen for identifiable verification by experts. The FACTS methods is considered to be cent per cent perfect in FP comparison. However, the IO and the FP Inspector must be careful not to commit any mistake while collecting and recording the FP because even a very small mistake will have the result invalid.

Check Your Progress

5. Narate the Functions of Finger Print Inspector.?
6. Explain the Methods of Comparison of Finger Print

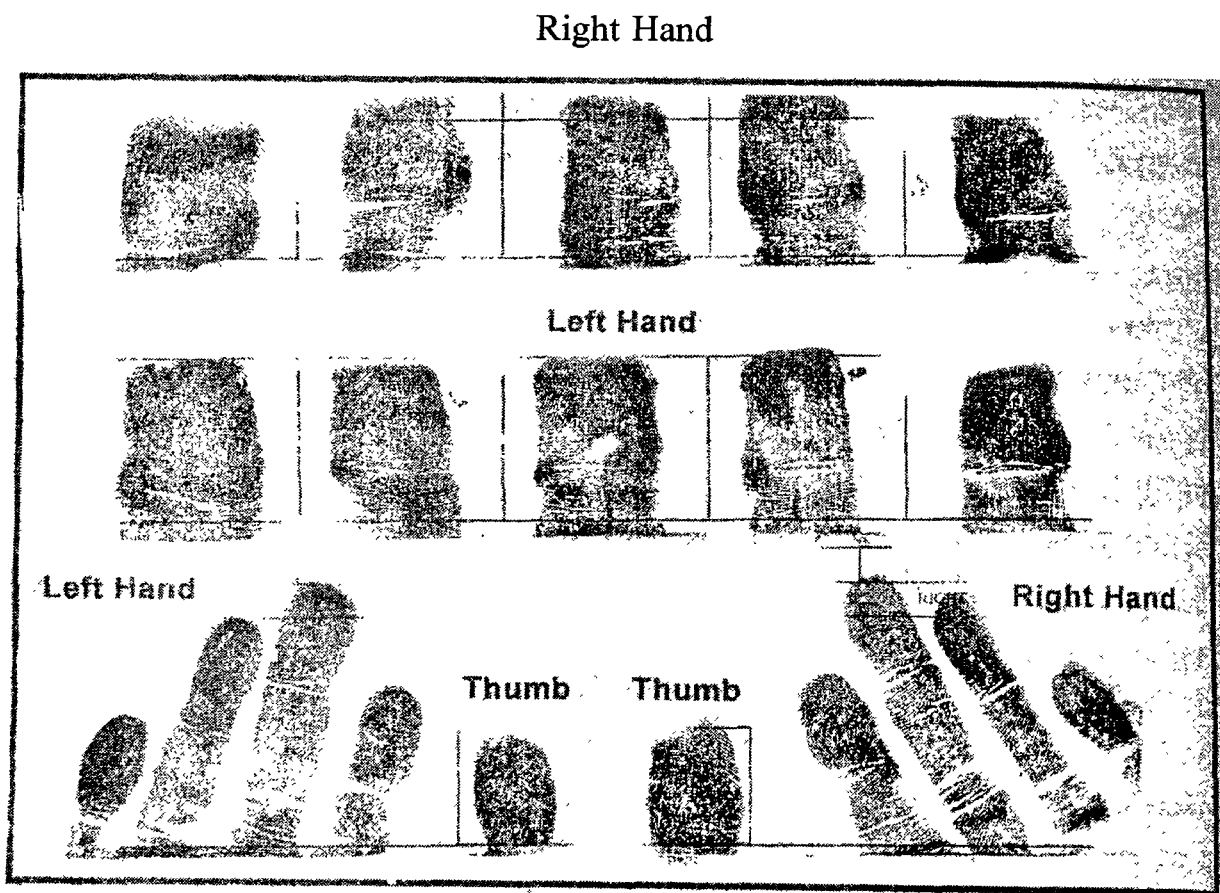
In order to avoid errors in FP collection, live scanner method has been introduced in the place of conventional methods of FP collection. At present there are 19 facts system of computerization FP Bureaus in TN.

D]. Single Digit FP Classification system

In the place of crime occurrence, invisible FPs may be available for any one finger or part of the finger. It is extremely difficult to compare this with the 10 finger FP classifications recorded and stored in the District FP Bureau. Because it amounts to making comparison with Bureau. Therefore, in every district FP Bureau, the FP of criminals connected with property offence maintain a record of **“one-finger classification”** which in easier to compare with the FP in question. This method was introduced by Harry Battly of scotland yard. According to this method all the 10 fingers are numbered as follows”

Fig. 3

E]. A Model FP Slip of District Finger Print Bureau.



- | | |
|-----------------------------|----------------------------|
| 1. Right Thumb | 6. Left Thumb |
| 2. Right Index Finger | 7. Left Index Finger |
| 3. Right centre Finger | 8. Left Centre Finger |
| 4. Right Finger of the Ring | 9. Left Finger of the Ring |
| 5. Right small finger | 10. Left Last Finger |

Then the FP of every finger is classified on the basis of its ridge pattern, as belonging to the arch loop composite or accidental types. Subsequently the ridge pattern for example arch pattern is further classified and given a single digit by using a device known as “**Bartley disc**”. This method is also widely in use.

10.6. SUMMARY

In this chapter we have come across where the central Bureau of Finger Print was established and its seat. When the Finger Print Bureau was established in the state of Tamil Nadu and who established in the state of Tamil Nadu and who had contributed much to this field in this state. We have also learnt how to compare the Finger Print, got at the scene of crime by chance and the Finger Print of the accused. In this context we also came to know that the accused person is bound by law to give his finger print, whenever the competent court ask, the accused person to give his Finger Print for comparison.

10.7.KEY WORDS

1. Bureau - Method by which Finger Print is arranged by an organisation.
2. Ridges - The ridges are the soft linear rises which appear on the upper skin and which cover the entire palm.

(Space for Hints)

3. Ferrows - The Minute canal - like hollows in between two ridges.
4. Pores - Pores are invisible small holes found on the ridges which allow the sweat.

10.8. ANSWER TO CHECK YOUR PROGRESS

1. Refer Para. 10.1 (i)
2. Refer Para 10.2
3. Refer Para 10.2
4. Refer Para 10.5.A
5. Refer Para 10.5.B
6. Refer Para 10.5.C

10.9. MODEL QUESTIONS

Short Answer Questions

1. State about the Tamil Nadu State Finger Print Bureau - its organisation and functions.
2. Explain the Role of Finger Print expert in investigation.
3. Explain the Features of Finger Prints.
4. What are the types of Finger Print classification.

Long Answer Questions

1. When was the central Bureau of Finger Print established ?
2. Where is its Head Quarters lie ?
3. Who established Finger Print Bureau at Chennai ? and When?
4. What are the wonderful features of Finger Print?
5. What the Types of Classification?

UNIT IV - C

CRIME INVESTIGATION - 3

LESSON - 11 : INVESTIGATION (PROCEDURE)

INTRODUCTION

The Victim may die. The accused who has committed death to the victim may also die. The Investigating officer, investigating that particular crime may also die. But the “Crime” never die. So “investigation” is so much important, because crime is against whole society or whole world. Anderson had escaped - from the clutches of Indian Law, but he is spoken of through the world - as the person who caused “The poisonous gas tragedy” - “Methyl - iso - cyanide” of Bhopal in the year 1984. Recently in 2012 the Supreme Court asked the Union Government to redraft the F.I.R. ie after 30 years, to that extent F.I.R. and investigation is important.

UNIT OBJECTIVE

Unit objective is to introduce to the students - what we intent to show them as “investigation” by the police - the state’s -Agency to investigate -about a crime. Why the state should investigate -about is a million dollar question? In India - the state considers -that crime is against the “State”- It may be that one individual commit a crime against another individual but - state takes up the responsibility to protect the individual victim andpunish the wrong does.

UNIT STRUCTURE

Introduction

Unit Objectives

Unit Structure

11.1. Crime Reporting - and Filing of F.I.R.

(Space for Hints)

- 11.2. Bailable and Non - Bailable offence.
- 11.3. Cognizable and Non-cognizable offences.
- 11.4. Specialized investigations.
- 11.5. Qualities of an efficient investigating officer.
- 11.6. Summary
- 11.7. Key Words
- 11.8. Answer to Check Your Progress
- 11.9. Model Questions

11.1. CRIME REPORTING AND FILING OF FIR

Usually, investigation of a cognizable offence is commenced with a report. When the SHO or an officer of the CW receives an oral report, it must be converted into a written report which shall be treated as FIR. Such FIR must also be entered in the daily diary of the police station when such report is given by a person. He / She must also be given a copy of the report / FIR. Actually, even before the FIR is prepared, the case must be registered and the informant/ complainant must be given the copy of the case slip.

Section 157 Criminal Procedure Code empower the police to launch an investigation without a report if an information or a material has reached the police indicating the occurrence of a cognizable offence. For example, if the SHO receives a telephonic message or telegram about a cognizable offence, he may record the same which then becomes the FIR. A constable in the police station is not authorized to receive and make a FIR. A person above the constable only, such as a Head constable or a SI is authorized to receive and make the FIR. Then it becomes the duty of the IO to scrutinize the genesis of the FIR “with rigorous care” and search for the truth. The police are not only “investigators” but also “the guardians of the liberty of innocent persons”. They must be careful to see that innocent persons are not implicated in any criminal case.

Every case entered in the FIR is given a case number which will become the reference number of the case till the case is over. Also the informants thumb impression is taken in the report. Furthermore, a copy of the FIR is to be given to the informant. Even a phone message will be treated as an F.I.R.

The “process of investigation” consists of the following steps

A) Registration of F.I.R. with the following particulars

- i) Date and Time of reporting of the case and time of occurrence with reason for any delay in reporting and explaining the detail of the nature of occurrence along with the correct section of law;
- ii) Name and address of the informant / complainant
- iii) Motive of the offender as seen in the occurrence;
- iv) Names of the accused, his age, addresses if available;
- v) Names of the witness, their age, and addresses;
- vi) Weapons used by the accused if any, and found at the spot.
- vii) Place of occurrence and the jurisdictional area;
- viii) Details of property involved.

B) Object and scope of FIR (Form No. 73)

“The very object of insisting on a FIR regarding the commission of the offence is to obtain early information regarding the alleged criminal activity and to record the circumstances before allowing time for parties concerned to embellish or develop the case as circumstances present themselves.

The scope of the FIR covers all cognizable, case, including those referred to the police for enquiry by the Magistrate and non-cognizable offences.

The PSO 555 expresses that the following cases will fall under the FIR : (i) Murder (ii) culpable homicide (iii) dacoity (iv) robbery (v) house breaking and theft above Rs.3000/- (vi) theft (vii) Kidnapping of children for purposes of begging (viii) violence committed on adi dravidas (ix) Rape committed on Adi Dravidas (x) serious mischief or arson committed the on properties of Adi Dravidas (xi) offences falling under protection of civil Rights Act 1955 (xii) Serious offences committed on the Adi Dravidas (xiii) Offences of a specially grave nature.

In all these cases, a copy of the FIR should be sent direct to the office of the CoP or SP or sub-divisional officer i.e. an AC / DSP through the circle Inspector. Grave offences such as serious breach of peace or other grave offences shall be informed to the DGP / ADGP (L&O) by the DIG of the range by telegram or through the department, communication system. Now such messages are sent by fax internet and by personalized communication.

C) Crime scene observation

Once the process of FIR registration is over, then the IO is expected to make a systematic crime scene observation in line with the following criteria.

i) Guarding the crime scene

The scene of crime must be protected from being disturbed by any unauthorized person until the primary investigation is over and until all necessary evidences such as finger prints, foot prints and other trace materials related to the case are collected.

Experienced IOs know pretty well that even hardcore criminals and habitual offenders used to leave some evidences behind after committing a crime. Such evidences if any, must be carefully collected, preserved and used in the process of investigation and produced in the court at the time of filing the case for prosecution.

- ii) Positioning the place of occurrence with the victim, witnesses and the accused

Next, the Investigaiton officer must locate the position of the victim in the case of murder or homicide and the position of the witnesses at the crime spot. If the crime had taken place in the dark, nearest place of light should be identified eg a lamp post.

- iii) Observation Report : The IO then, prepares the observator's report and makes a statement of his observation;
- iv) Preparing Rough Sketch of the crime scene : Preparation of a rough sketch of the crime scene including all the details of the crime has a very important place in investigation.
- v) Seizure Report :- The IO must then prepare a seizure report, that is, a statement indicating all the material evidences which have been seized along with the body of the diseased;
- vi) Selection and classification of witnesses

The IO has the responsibility of selecting the witnesses and placing them in order as first order witnesses, second order witnesses, third order witnesses etc. First order witnesses are those who were in close proximity to the scene of occurrence; second order witnesses are those who were a little away from the crime scene but connected with the crime in some way; and the third order witnesses are those who were far away from the crime scene but they have vital information to the crime. It becomes necessary for the IO to classify the witnesses in this order and present them in the court.

D) Taking down dying Declaration

When a person has been fatally injured and is about to die within a short period at the crime spot or in the hospitals, the IO is expected to take a "dying declaration" from the person. They IO should note down the statements made by the dying person about the nature of occurrence, how

it occurred those who are responsible for it and witnesses if any at the spot and the persons who directly committed the offence: All these statements are governed by section 32 (1) of the Indian Law of Evidence. There may be a possibility that the dying person may indicate a person who may not be involved in the occurrence but the law considers that dying persons generally make genuine statements. In warranted or semi conscious statements will have to be judged by the Magistrate.

E) Recording Confessions

Confessions refers to the admission made by the accused regarding the crime he has committed. Such a confession is generally made to the Investigating officer which is not admissible. If it is made to the court or to a member of the Public, it is admissible .

However, the law expects that such confessions to be made not under any threat, inducement or any promise made the accused or the associates of the accused. The confession made by the accused in police custody cannot be used against him. Confession is expected to be spontaneous and voluntary on the part of the accused. The criteria of confession are covered by sections 24 to 30 of the Indian Evidence Act.

F) Test identification Parade

When the criminal i.e. the one who actually committed the offence could not be identified among the suspects who have been taken into custody, the victim or the witness may be required to identify the offender among the suspects and the accused. This is called test identification parade (TIP).

Criteria of TIP

1. The TIP must be conducted as early as possible by I.O.
2. The most ideal TIP is the one which is conducted in the presence of a Magistrate
3. A TIP conducted in the presence of Police Officer alone is not accepted as evidence according to Cr. P.C. section 162.

4. As far as possible the TIP must be conducted in the prison. It should not be conducted in the police station.
5. There must be a ratio 1:9 or 1:10 in the TIP that is, for every suspect other categories of person should be mixed in the TIP so that the identification is done beyond doubt. Definitely, it should be more than 1:5.
6. All details about the suspects who have been brought for TIP must be recorded.
7. Tutoring the witness should be avoided;
8. The Interrogator must be aware of the human rights;
9. The interrogator must have a knowledge of human psychology.
10. The interrogator must maintain his neutrality;
11. The interrogator must try only means of persuasion and not coercion.
12. By T.I.P. the I.O. may know that he is in the right direction of investigation.

Ramanathan - vs - State of Tamil Nadu (AIR 1978. S.C.)

Reasons for the failure of an investigation

There may be a variety of reasons for the failure of an investigation. They are : (a) Inadequate witnesses (b) inconsistent evidence (c) threats on the life of the witness and other kinds of influences (d) Lapse of time in the process of investigation (e) witness turning hostile in the court (f) statement reflecting bias or prejudices (g) IOs yielding to political pressures and influence of money. (h) Low levels of calibre of the IOs when compared to highly qualified prosecutors and judges.

G. Consistency Test

An IO must apply the consistency test at the final stage of investigation and before taking the case to the court. This means, he should look for consistency and cogence in the entire process of investigation from A to Z. That is, there must be truth to the investigation. For example there would be consistency between all the factors and evidence relating to the investigation. For example, there should be consistency between time of occurrence and the pre-occurrence and post occurrence movements of the suspect / accused. Similarly, the IO should maintain consistency between evidence and statements.

For example the accused may produce a cinema ticket and claim that he was in a theatre at the time of occurrence but actually he might have gone to the night show after committing the offence well before the night show starts. This could be verified by enquiring with the theatre on management as to whether the particular number ticket was issued for the evening show or night show. Similarly, there should be consistency between the FIR and the occurrence, between the FIR and the case diary and between the case diary and the final report of the case / Thus, the IO Must satisfy himself regarding the consistency of the factors and facts of a case.

H. Transfer of Investigations

Any criminal occurrence taking place in the city or in the rural area will have to be registered with the nearest police station which should file a relevant FIR. The crime Inspector of the station should immediately commence the investigation as per the provisions of the Cr. P.C. and the police act. The IO is expected to observe all the provisions of the Cr. P.C. and carry out the investigation with all sincerety and with his best possible efficiency.

However, in practice, some of the IOs yield to certain adverse influences and twist the cases. But, when they are not able to face the cross examinations in the court, the Magistrate can exercise judicial powers under

section 482 of the Cr. P.C., can intercept the investigation and order for re-investigation of the case by a superior investigating agency normally the CB-CID at the state level. If the court feels that the first IO has not done the investigation on proper lines, such transfer could be effected only by the high court of the state concerned. Ramajeyam Murder case had been handed over to C.B.- CID now after 100 days of Murder.

Subsequently, if the victims of the case feel that there is partiality and bias and prejudice at CB -CID level also, they can appeal to the apex court of the country seeking the transfer of the case from CB -CID to the CBI. Once the case is transferred to the CBI the state government or its police has no jurisdiction over the case, but the state government will have to furnish all necessary help and facilities, Similarly, the state police will have to provide all the records and evidences relating to the case to the CBI.

I. The Law of arrest

The term 'arrest' refers to imposing a check on the fundamental rights guaranteed to a person by the constitution of India by a competent authority/ Such fundamental rights are freedom of speech, freedom of movement freedom of expression, freedom to choose an appropriate employment, freedom to marry, political freedom, religious freedom etc. Once a person is arrested on charges of criminal offence, he loses all these rights. The arresting authority namely, the police may take arrestee into police custody for interrogation and may detain him in the police station. The ultimate aim of arrest of a person is to bring him to trial before the court of law for criminal offence.

The law of arrest prescribes the authority who can effect an arrest with or without a warrant and sections which are related to it. Under these sections, not only a policeman, but also a military officer and a member of the public have the powers to arrest a suspected person. The law also authorizes a policeman to arrest a person on reasonable suspicion and without a warrant.

Thus, the word 'arrest' when used in its ordinary and natural sense, means the apprehension or restraint or the deprivation of one person's liberty". Under the code of criminal procedure police officers military officers, Magistrates, and private persons are empowered to effect an arrest. It is to be noted that private persons are given the powers to arrest by sections 37, 44(1) 43, 72, and 73 Cr. P.C. The magistrate can issue an arrest warrant to arrest a person under section 44 (1) and 44(2) Cr. P. C

Under section 41 Cr. P.C a police officer can arrest a person independently where as section 55 of Cr. P.C permits a police officer to arrest a person only under orders from his superiors or from a Magistrate. In such a case, the arresting officer will have minimum responsibility and accountability.

In the case of a cognizable offence, a police officer, not lower than the rank of an Inspector of police will have to undertake the investigation. As the IO, he has to proceed on extremely cautious lines in spite of the fact that he has enormous powers to arrest, powers to search, powers to get the witnesses to the police station etc. He has to put every step very cautiously because his powers also mean great responsibility and accountability.

J. Interrogation of the suspects

In the entire process of investigation, interrogation of the suspects and witnesses is the most important and most difficult phase. Almost throughout the world, the police have become notorious for their third degree method of interrogation which simply means torture of all kinds such as beating, hanging the accused upside down, kicking with boots etc. However, all these practices are now scorned at by the society. In spite of this, there are quite a few policemen in the force who avoid all these kinds of third degree interrogations and conduct the investigation on scientific lines. One who resorts to third degree methods is generally considered to be an inefficient IO. Refer Kumari - vs- state of Tamil Nadu (1992 ACJ 283. S.C.) and D.K.Basu - vs- State of west Bengal.

Points of attention for an interrogator :

1. What all the suspect and witness say in relevance to the case should be recorded, noting down the most relevant points;
2. The witness should not be questioned in group;
3. The audio-visual and mental faculties of those who are interrogated must be verified before starting the interrogation;
4. Mistaken identity must be avoided;
5. Lie detector may be used when the witness or the suspect deliberately utters false hood.

See Nandini satpathy - vs- P.L. Dani(1978) 2. S.C.C. 424 and the supreme courts direction to the investigating introgating officer.

11.2 BAILABLE AND NON -BAILABLE OFFENCE

Bail defined: Bail is a conditional liberty granted to an arrestee either by the Station House Officer, the Investigating Office or the Magistrate. "Since the Declaration of Human Rights of 1948 to which India is a signatory, the concept of bail comes in between the powers of the police and human rights of the accused. Minister for communication A.Raja was refused bail by the Supreme court. He was inside the prison nearly for 20 months.

Bail is the method by which arrested person gets himself released by executing a bond by himself alone or along with others. That is, the arrestee is to be released and entrusted to the custody of his sureties on the conditions that the latter should produce him before the magistrate when required.

Offences are broadly classified asailable offence and non -ailable offences Sections 436,437,438 and 439 of Cr. P.C. deals with the bailor no bail in criminal cases.

Check Your Progress

1. Explain the Process of Investigation
2. What are the Particulars that an F.I.R. must contain?
3. What is the object of F.I.R.
4. What is the purpose of crime scene observation?
5. What do you mean by Dying declaration?

Section 436 deals with the provisions of bailable offence. The nature of bailable offences. While non-bailable offences are those offences punishable with death or life imprisonment. Bailable offences are all those offences which are not covered by non-bailable offences.

A. Who can grant bail?

This is a very crucial question in a criminal case. Two authorities namely, police Basically, a person who has been arrested may be released on his own bail or on the bail given by the police officer who has arrested him, by taking a bond from the accused.

The Police officer cannot grant bail in the following offences. Murder, attempt to murder dacoity robbery, major theft cheating and fraud, counterfeit currency causing grievances injury, causing fire, abducting etc. However such arrestees when presented before the magistrate can be granted bail by the magistrate. If the arrestee is considered to be involved in an offence leading to the award of death penalty the magistrate also will not grant bail. However, if the arrestee happens to be below the age of 18 or a woman or a sick person, the court normally grants bail. (officer who has arrested the suspect and or the magistrate are the authorities who can grant bail to an arrestee). Kanimozhi M.P. was granted bail only after a period 6 months and communication Minister was granted bail only after 1 and half years.

B. Under what conditions

1. Section 436 states if a person is accused of bailable offence, is prepared to give bail and if other conditions are satisfied the magistrate shall grant bail and refusal to grant bail is illegal;
2. Bail could be granted by the police only when the accused is in custody and he is prepared to give surety provided the offence is bailable
3. Bail is a matter of right if the offence is bailable
4. In the case of non-bailable offence, granting bail is a matter of judicial discretion;

5. When a person arrested by the police for offence other than non-bailable offences such person shall be released on bail on executing a bond.

There are many amendments introduced by the states to the law of bail. The court should be satisfied that the accused would not resort to tampering with the witness if released on bail.

C. Powers of police officer to grant bail

Whereas the power of arrest can be exercised by any police officer the power to grant bail can be exercised only by the an officer in charge of a police station or any higher police official. The police officer of a police station is expected to grant bail in the following five cases under Cr. P.C. Sections.

1. Section 436 : In respect of bailable offence that is offences other than those which invite death sentences or life imprisonment.
2. A Person arrested for non bailable offence and subsequently during investigation found to have committed only bailable offence.
3. If the investigation officer finds no adequate evidence to forward the case to the magistrate or when the available materials only lead to bailable offence.
4. Section 71: when a person is arrested under bailable warrant
5. Section 42: when a person gives false name and address and when his correct name and address are verified and confirmed

D. General Consideration for granting bail

1. Nature and gravity of the offence committed by the accused
2. Severity of punishment if convicted
3. The negative of evidence against the accused

E. Considerations in favour of the accused

1. Character of the accused, his means, behaviour, social respectability and position of the accused;
2. Procedural delays in the court;
3. Opportunity given to the accused to prepare his with his counsel;
4. Release of a member arrested after looking health of the accused;
5. The position of the accused in his family;
6. State of physical and mental health the accused;
7. Age of the accused; and
8. Timing of arrest e.g. arresting a cultivator during harvest time.

However, if the magistrate feels that or gets a report from the IO that the accused may abscond or may tamper with prosecution witnesses or influence them with money power of muscle power, he need not grant bail to the accused. Normally bail application should be moved in the session court first. In exceptional cases, the High Court entertains direct applications. In the background of these general considerations every bail application needs to be examined on its own merits and demerits.

F. Cancellation of Bail

Bail granted to an accused by the session court can be cancelled by the high court on the following grounds.

1. If he repeats the offence or committs some other offence;
2. If he tempers with the evidence;
3. If he disturbs the investigaiton in any manner;
4. If he goes beyond sight;

5. It commits acts of violence in revenge; and,
6. If new material evidences or witness are found to confirm the offence committed by the accused.

Y.S.R. Jagan Mohan Reddy's bail was cancelled and he was taken to custody by the A.P. Police in connection with 400 crores of unknown assets case.

G. Types of Bail

Bail is of four types, they are,

1. Immediate bail granted by the police officer who has arrested the suspect against a bond executed to the police officer or to the magistrate.
2. Giving a notice to the prosecution and going on bail
3. Surrender bail
4. Anticipatory Bail - A.B. cannot be granted to a person when he violates law relating to offences against SC and S.T.

Offences involving violence are generally treated by law as non-bailable offences, under normal circumstances the rule followed by the court is bail and not jail. Bail is a matter of Right.

11. 3. COGNIZABLE AND NON - COGNIZABLE OFFENCES

A cognizable offence implies according to section 2 (c) of the Cr. P.C. that the police may arrest a person without a warrant. The offences in respect of which the police cannot arrest a person without a magisterial warrant are non cognizable offences. This classification of offences is of vital importance to the police officers as it provides a guidance to them as to which cases they could investigate. While section 155 (2) Cr. P.C. Lays down that no police officer shall investigate a non cognizable offence without the magisterial order, section 156 Cr. P.C. empowers the police to investigate into cognizable offence without the magisterial orders.

The Power to investigate a cognizable offence is an absolute power which according to section 3 of the police Act the Magistrate also cannot intervene. However, if found necessary, the superior officers of the department may intervene and control the investigation. Only after submission of the final report to the magistrate, the latter can intervene in the investigation and order for more evidences, if required.

Krishnamurthi says, "The power of investigation of a cognizable offence is thus a statutory power conferred on the police by law and in this sphere, the police are almost uncontrolled except by their own departmental superiors". The magistrate has no powers over the police during investigation of a cognizable offence.

The distinction between cognizable offence and non-cognizable offence starts from the moment the case is registered. In the case of cognizable offence, the police officer should get the information reduced to writing, if the information is received, orally. The information should then be signed and the contents of the information entered in the General Diary. The IO, if convinced that a cognizable offence has been committed, should take steps to arrest the suspected person in connection with the commission of a cognizable offence.

In the case of a cognizable offence, the procedure followed is..... simpler. The IO need not insist on for a written report. However, the substance of information should be entered in the General Diary and the information should also be submitted to the magistrate. And, the police officer, as stated above, can investigate into a non-cognizable offence only under the authority of a competent magistrate. Section 155 (2) Cr. P.C. empower the Magistrate to order the police to investigate into a non-cognizable offence. Section 155(3) of Cr; P.C. empower officer, who receives such an order, may exercise the same powers as in the case of cognizable offence. However, if the police officer wants to arrest somebody, he needs to obtain an arrest warrant from the Magistrate. The Cr. P.C makes a clear distinction between cognizable and non-cognizable offence.

Instead of having cognizable offence; Non cognizable offence. Bailable offence and Non Bailable offence - 4 divisions, it is better to have English Model of Arrestable offence and Non arrestable offence - only Two divisions. This will make the job of the Police, People and the courts - very easy.

When the police officer receives a report about a cognizable offence, he can take a definite step such as examining the witnesses, or the accused and inspecting the spot of occurrence, making a search etc. Before that, he has to verify the veracity of the report.

Regarding the authority who can investigate a cognizable offence: Section 156 Cr P.C. empowers any police officer, in-charge of a police station or a higher rank.

Pre -cognizable Investigation and Post cognizable Investigation

Krishnamurthy distinguishes between the two kinds of investigations, namely, pre-cognition investigation and post -cognition Investigation. There are two different sections of Cr. P.C. which deal with these two investigations separately section 156(3) of the code empowers the Magistrate to order the police to undertake a pre-cognition investigation. The pre-cognition investigation is undertaken to fix the nature of the occurrence and to see whether it falls under cognizable offences or not and the various sections of IPC and Cr. P.C. under which the case may be investigated Thus, the aim of pre-cognizance investigation is to make a good start. Once the police officer finds the case falls under cognizable offence, then the Magistrate has no powers to interfere the investigation until the case is brought to the court in prosecution with the FIR and case diary, The IO is expected to observe all the procedures when he investigates a cognizable offence, depending on the nature of offence and evidences available. It may be long drawn and more complicated when compared to the investigation of non-cognizable offence, Bail is closely related to the nature of offences Generally offences which involve violence are non-cognizable.

11.4 SPECIALISED INVESTIGATIONS

Under specialized investigations, we may refer to investigations of murder for gain, dacoity or robbery, thefts of various magnitudes burglary, cybercrimes etc. Although every crime has its individuality and peculiarity, it is possible to group them under certain common M.O. for purposes of Investigation. In this section, a few specialized investigations will be discussed in the following pages.

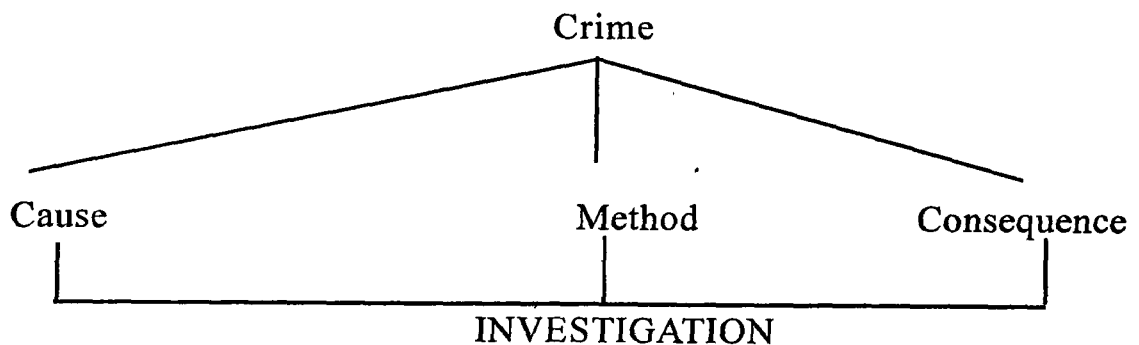
A]. General methods of crime investigation

The general methods of crime investigation have been discussed In Lesson 11.1 In addition to that, following principles given by Aeminov also may be consicsred.

- a) Strict and direct observance of the relevant sections of law;
- b) Planning the entire course of investigations as per established methodology;
- c) Showing utmost efficiency and quickness;
- d) Effective use of crime detection and natural science methods and technical means of investigation.

A crime is always viewed as a negative social phenomenon. Therefore, it can be described from different angles such as, sociological, criminological criminal-cum-legal, psychological, ethical and criminalistic points of view.

B]. The Crime Chart



The Crime Chart given above shows the three important angles of any crime namely, the cause, the method (or the M.O.) and the consequences. Individually, the cause is the concern of the sociologist, the method is the concern of the criminologist and consequence is the concern of prosecutor. But, the IO is concerned with all these three in the sense that he has to establish the links between these three. As such to start with, the IO faces the following questions in all crime investigations at the first instance.

- 1) What is the nature of crime as reported and whether the information coincides with the actual crime scene?
- 2) What kind of methods or M.O. was applied to commit the crime?
- 3) What are the consequences of a particular crime?

The IO as shown in the chart is concerned with all the three questions in relation to any crime, be it a murder, or murder for gain, or robbery. The IO then looks for evidences for these three questions.

1) Investigation of murder:

The starting point of the investigation of a murder is the discovery of a dead body with signs of violent death, or dismembered body or reports about a missing person who is suspected to have been murdered.

Mere discovery of a dead body need not lead to the conclusion that it is a case of murder. There may be number of causes for the unnatural death of a person. Broadly, the various causes may be grouped as (a) murder (b) accident, and (c) suicide. Overlapping evidences, called 'alibi' may mislead the IO in the first instance be staged as accident or suicide. The term For example, a murder can murder implies it is preplanned and the assailants would carry in all probability, some kind of weapons.

This is to be confirmed by the following steps:

- a) Inspection of the crime scene;
- b) Collection of primary evidences; .

Check Your Progress

6. What is the object of Test identification Parade?
7. What do you mean by consistency Test?
8. What is arrest ?
9. What is the difference between Bailable and Non-Bailable Offence?
10. Discuss the Powers of High courts and Supreme Court in granting Bail in Non-Bailable Offences?

(Space for Hints)

- c) Identifying the victim;
- d) Arranging for the post-mortem of the dead body and sending the viscera to the forensic science laboratory, for examination.
- e) Confirming the case, whether it is a murder or accident or suicide, with available evidences;
- .f) Filing the FIR with necessary particulars and commencing further investigation within the legal boundaries.

Murder, defined by IPC: Murder is defined by section 300 IPC as causing death or causing injury leading to death. Once it is fixed, the IO has to proceed on one track. The investigation that follows shall lead to finding out answers for the following questions.

2) Questions relating to murder :

1. What is the nature of occurrence?
2. Do the primary collection of evidences coincide with nature of the occurrence ?
3. What is the identity of the victim? .
4. What is the time of death and mode of death of the victim?
5. What are the details of the perpetrator of murder? And what was the M.O. applied for this murder?
6. What could be the cause / motive behind this murder?
7. What are the consequences of this murder?
8. Whether it is an open murder or secret murder?
9. If secret murder, whether the body was left in the same place and situation where the person was murdered, or dumped in some other place?

10. If the victim is a women, whether she was raped and murdered?
11. What are the possible sources of additional informations?
12. What are the antecedents of the victim?
(While the IO tries to find answers for these questions, the forensic Medical Officer and the forensic expert who examines must confirm the nature of death)
13. What are the legal sections which encompass the case?
14. Whether the victime was murdered by professional killers or non-professional killers?
15. Whether any firearm was used to commit the murder?
16. What is the correlation between the M.O. and the forensic report?

In Naavukkaru Murder case - a M.B.B.S. Student Annamalai University - the accused John David - had thrown the dead by cutting it in to pieces and the head in the near by canal. Forensic Medical science professor used super imposition Technic Photograph, to identify the dead person. The "Last seen theory" was used to pin down the Criminal John David.

The IO then must establish correlation and consistency between all the answers to all these questions in the case of a murder. The IO must confirm and stand by what he has investigated and prepare himself for presenting the case in the court.

3. Murder for Gain: Murder for gain is the most serious of the property offences. Other property offences are decoity, robbery, burglary, major and minor theft. When a group of dacoits murder the victim or victims in the process of dacoity or robbery, it becomes murder for gain.

In the case of murder for gain, the IO in addition the steps indicated for murder faces the following questions, which was followed in Narvakkarasu case also.

(Space for Hints)

- a. If the murder has taken place in a residential building or a commercial complex, what are the things reported to have been removed by the assailants?
- b. How the victim was done to death and with what weapons?
- c. What are the entry - exit tracks of the assailants?
- d. How many of them have committed the offence?
- e. What kinds of traces such as FP and footprints they have left?
- f. What is the M. O. applied to the occurrence by the assailants? It is a new one or old one?
- g. Do the assailants belong to TN or some other state?
- h. What is their mode of transport?
- i. What is the medical and forensic report regarding the weapons used?

Answers for these questions will lead the IO on the right track in the investigation murder for gain.

3. Dacoity and Robbery, Cheating and Theft.

In the legal parlance, dacoity means five persons or more removing one's property by force and by using weapons and even causing grievous injury to the victim. If the same act is committed by less than five persons, or even by one person, it is robbery. Theft is committed by depriving a person of his movable property.

The IO has to proceed in the case of dacoity or robbery with all the questions raised in the case of murder for gain, except the questions relating to murder. Here the focus is on the amount or value of property lost by the victim and its possible recovery. For example, the IO looks to the entry-exit points of the dacoits, their FP and other traces, extent of violence used by

the criminals, their M.O. and whether the M.O. is already known and registered in the police records or a new one. But the Punishment does not vary if the value of the property is more.

The IO then has to identify the dacoit-group or the robber-group by their M.O. and try to give them a hot pursuit. Throughout India, and in almost every state, including Tamilnadu there are criminal settlement areas. The criminal tribes may be criminals, but there is no criminal tribes in India. They do all types of M.O. but some are careful not to cause death or even resort to violence, so that, if caught and prosecuted, they get the minimum period of conviction. Such acts of crime do not come under the classification of dacoity or robbery but they may be called cheating and theft. For example, there are frequent news reports about the 'biscuit bandits' in the running trains. In Tamilnadu, some nomadic peoples known. For their non-violent crimes, resort to treating silk saris and costly dress materials from textiles shops during festival seasons like Deepavali. In such cases the IO is mainly guided by the M.O. of the criminals.

4. Other specialized investigations :

Other specialized investigations include investigation of corruption and bribery, in which, on receiving the complaint from the person concerned, the Vigilance & AC officials lay a trap for the corrupt official, by using chemicals and powders on the currency note. Here the process, once fixed, is very simple and the corrupt official is immediately arrested. Along with the legal proceedings, departmental actions are also taken against him. Hence there are two actions on them.

The special units such as The Narcotics Intelligence Bureau (NIB) is concerned with the cases relating to cultivation, smuggling and distribution of narcotics and drugs. In such cases, the IO and his team of officers and men generally proceed only on strong clues and evidences and therefore, there is every possibility for the investigation to end up in prosecution. A Police man was caught in Madras for possessing 800 grams cocaine.

Check Your Progress

11. What are the considerations in Favour of the Accused in Granting Bail?
12. What is the difference between cognizable and Non-Cognizable Offences?
13. What do you mean by specialised Investigations?
14. What are the stages in the Investigation of Murder Cases?

5. Vehicle Theft:

In the urban areas, and to a smaller extent in the villages adjoining the urban areas, theft of two-wheelers has become very common. In big cities like Delhi, Mumbai, Chennai Bangalore etc. thefts of four wheelers, particularly small cars and vans are common, Vehicle thefts are only too common in the western countries. Oflate, some new devices such as auto-alarm systems are installed in the vehicles to check the vehicle thefts.

The IO concerned, generally is expected to be too familiar with the M.O. of the gangs involved in vehicle thefts. In the major cities, the police undertake special drives by constituting STF to round up the criminals by their M.O. and recover dozens of two wheelers and few cars every time. However this has become a continuing process. There is continuous war between law enforcing police and criminals from the beginning of the history but nobody has won.

11.5 QUALITIES OF AN EFFICIENT INVESTIGATING OFFICER (IO)

Crime is the result of the interplay of aggressive psychology of human beings. Investigation means a thorough overhauling of a criminal occurrence from all possible angles, the most important being the “motive” of the accused. The law says, a person considered to be an accused shall be treated as innocent. UNTIL He/ She is proved guilty of the offence on the strength of available evidences. “Motive” may be good but his intention may be bad. Law is bothered only about criminal intention.

Every occurrence relating to a crime is unique by itself, especially when committed by different persons, because every offender has his own line of thinking. On the basis of the M O of a similar of occurrences, they may also be grouped. For example, we hear about the cases of serial killers in the U.S. or those who commit series of dacoities on the highways or on the running trains. In such cases, the criminals are governed by “**group psychology**”. Crime has many angles and many faces. Therefore, it becomes imperative that an IO must have the following qualities to prove himself / herself to be an efficient IO.

1. Enthusiastic, 2. Energetic, 3. Seeking perfection, 4. Personal integrity, 5. Flair for truth and accuracy, 6. Time conscious, 7. Sharp observation, 8. Analytical brain, 9. Knowledge of Social Environment, 10. Regard for the society, 11. Adequate knowledge of law and 12. Patience and perseverance.

In practice, however, all these qualities cannot be found with all the IOs. It is desirable that an IO has as many of these qualities as possible. It also depends on how the policemen are trained in investigation.

Investigation Powers of the police:

- a) Right to decide when to start the investigation
- b) Discrete powers to decide every step of Investigation such as spot inspection, search, arrest etc.
- c) Right to examine the witness, recording their statements, citing them as witness for prosecutions.
- d) The right to drop proceedings of a case at any stage if the IO feels that there is no significant evidence to conduct the Investigation.
- f) Section 173 Cr. P.C empowers the police to include a non - cognizable offence in the investigation of a cognizable offences, if the same is related to such investigation.

11.6. SUMMARY

In this lesson we have studied about - F.I.R - who can give an F.I.R.; who can record an F.I.R. whether a telephone message can be treated as an F.I.R.

We have also studied - Registration of F.I.R. and what are the particulars necessary for an F.I.R. to be registered. Here we have studied about the object of F.I.R. We have also studied whether F.I.R. is an Important document and what are the uses of F.I.R. We have studied how the investi-

gating officer selects a witness and who is a competent witness. We have also come across confessions and recording of confession. Who can record a confession etc.,

11.7. KEY WORDS

Investigation :-

Investigation starts as soon as the investigation officer proceeds to the scene of occurrence collecting the Material Evidence and oral evidence is also called investigation. It is highly technical now -9 - days.

F.I.R.

First Information Report :- It is report about the crime to the Police in Point of time. The first information is called F.I.R. others are called by the name "Statement" about the happening of a crime.

Dying Declaration :-

The statement of a person "dying" as to his cause of death. If the person making the statement does not die - it is only a statement. Dying declaration is a strong evidence because truth will be in the lips of the dying person.

Arrest :-

Arrest is depriving a persons Liberty fully, according to law following the law of arrest.

11.8. ANSWER TO CHECK YOUR PROGRESS

1. Refer Para 11.1.A.
2. Refer Para 11.1.A.
3. Refer Para 11.1.B.
4. Refer Para 11.1.C.
5. Refer Para 11.1.D

6. Refer Para 11.1.F.
7. Refer Para 11.1. G
8. Refer Para 11.1. I.
9. Refer Para 11.2
10. Refer Para 11.2. A
11. Refer Para 11.2. E
12. Refer Para 11.3
13. Refer Para 11.4
14. Refer Para 11.4.1

11.9. MODEL QUESTIONS

Short Answer Questions

1. What is the purpose of crime scene observation?
2. What is the object of Test Identification Parade?
3. What is arrest ?
4. What are the considerations in favour of the accused in Granting Bail?

Long Answer Questions

1. Differentiate between bailable and non-bailable offences and cognizable and non-cognizable offences.
2. Explain the stages in the investigation of a murder.

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UNIT - V

POLICE IMAGE

LESSON -12 : POLICE - PUBLIC RELATIONS

INTRODUCTION

In this lesson we are going to study about the Police. Who are Police? They are among the People. Only those person who are qualified are selected as Police and are asked to look after his brothers and sisters. So Police are very thankful to the society. They are saviours of the good people, calm People, Law obedient citizens. They are terrors to the Thief and Non-Law obedient People. For that purpose, how the Police behave with their Brothers ans Sisters, how is their relationship with them. This lesson deals with that difficult relationship.

UNIT OBJECTIVE

The Unit Objective is to make the students to understand the difficult relationship of Police with his ownman. What is the impact Police on the daily life of people around him. Police man is not from Moon or Mars. He is also man with nerve and blood and brain. He is not a Abnormal Man. He is not a Superman. He is not dog to snuff and find out the thief. What is a Police? Who is a Police - We have to find out.

P - Polite

O - Obedient

L - Learned

I - Intelligent

C- Careful;

E - Educate

This is Police!

UNIT STRUCTURE

Police - Public Relationship is studied by this unit structure.

Introduction

Unit Objectives

Unit Structure

12.1. Public Perception

12.2. Scope for improving Police

12.3. Self image of the Police

12.4. Measures to improve Police image

12.5. Police and Human Rights

12.6. Need for Professionalism.

12.7. Police and Association

12.8. Community Police.

12.9. Summary

12.10. Key Words

12.11. Answer to Check Your Progress

12.12. Model Questions

12.1 PUBLIC PERCEPTIONS OF POLICE

The Police department occupies a pivotal position in the society. The role of police has been gradually changing from what it was during the British rule in India. The importance and image of police in the public eyes depends on how it carries out the three major functions, namely. (1.) L&O maintenance (2.) Crime control and (3.) Traffic management, because, these three spheres of activities have greater impact on the daily life of the people than other functions of the police. Other functions of the police will have only sporadic and momentous influence.

Negative factors and Positive factors of the Police

Every Government department has two sides relating to its structure, organisation and functions. They are the negative side and positive side and it is the difference between the two sides which governs the public perceptions of the department. This is largely true in the case of the police Department as well. The social psychology the negative factors will have more dominating influence on the society than the positive factors. For example, the impressions of very efficient investigation conducted by a police station will be totally marred by an unusual event like lock -up death taking place in the police station.

The following negative factors are generally visible to the public eyes about the functioning of police. These negative factors pose very big challenge to the police. They are:

1. Police Custody

Legal police custody has given rise to several malpractices and abuse of powers. Till the 1980s, third degree methods of interrogations such as various kinds of torture, kicking the accused with boots and hitting him with the rifle butt; and 'lathi,' hanging the accused upside down and still so many things which cannot be described in words.

2. Abusive Language .

The Police men in the stations are very notorious for their abusive language which they use to the accused and co -accused. Very often they use so unbearably bad language that it has resulted in the suicide of some accused, especially if the accused happen to be women.

3. Arbitrary Powers of Arrest

In spite of the laws focused by the Apex court of the country, the police are exercising arbitrary powers of arrest. In the name of arresting the suspects. The Police can arrest anyone in connection with a cognizable offence and take him into custody. But many times those arrested are let off.

This makes the person feel extremely uneasy and he feels psychologically upset.

4. Corruption

Corruption and misuse of power are common features of the police force. Even some of the higher level officers are not free from corruption. It is a common sight to see the policemen on traffic beats, check posts or highway patrols collecting money from lorry drivers, bus drivers, tourist vans, and loaded vehicles. Not only this, the traffic police going to the tiffin stalls and taking tiffin or going to the fruit stalls and taking fruit but does not pay the cost is also a commonly seen in the cities and towns. They think that they have this privilege by the uniform which they wear, forgetting what kinds of comments they get on their back by the common people.

Higher level corruptions take place among the IOs such as SIs Inspectors, DSPs/ ACs even SP and above for changing the course of a criminal case to the favour of their favorites. The Director fire service got money as commission for purchasing new equipment - in Tamil Nadu. He was arrested for corruptions. D.I.G. of Police was arrested and convicted for stamp paper fraud - it is Mohamed Ali.

5. Connivance with the Criminals :

The public generally believe that the cops know the M.O, of the criminal and they are suitably 'rewarded' in advance otherwise they would in no minute round up the criminals in connection with a case. This is partly true because, the cops know the criminal by their M.O., and more So, by their Finger Prints. Some Cops are not only close to the "dad as" has and antisocials but get regular payments from them. This is also well known to the public.

6. Mis-behaviour with Women

The Policemen mis-behaving with the women arrestees is not anything uncommon. This is more so in the case of women belonging to the lower income group of society. There are too many media reports about

rape in custody followed by guilty policemen being prosecuted and convicted. Such incidences smear the public image of police for a longtime, not only among those who are victimized but also in society around them,

7. Illicit Relations within the department

With a view to giving women equal rights in all walks of life, the women police scheme was introduced in India during the 1960s and 1970s. Women now find a place in the police department at all levels. The Women police, no doubt helps in improving the performance of the department with devotion to duty. But, there are also sporadic reports of inter -departmental illicit relations in the police stations. And the media also do not miss them. One can understand what kind of public image this will create.

8. Political Nexus

Policemen at the state level are biased towards the politicians who helped them in getting selected to the post. This kind of political nexus creates many other problems. Till today the police is afraid of Chotta Rajan of Mumbai. What to do, we are living in a democratic country.

9. Violation of Human Rights

Violation of Human Rights is not anything uncommon. This results in policemen getting prosecuted. Kumari - Vs - State of Tamil Nadu (1992 AC.J. 283 S.C) Kumari's Husband was beaten by the police of Tamil Nadu and died. The Supreme Court ordered to give compensation.

10. Drunken Policemen

Now and then reports about drunken policemen are coming in the media. Even in the police stations, some policemen could be seen in drunken mood. One can understand the impact of this on the society.

11. Non -registration of cases or delayed registration:

The Crime Wing of the police station normally does not register the ordinary cases and make the complainants to come to the station repeat-

edly. Only very serious and sensational cases are registered and investigation is commenced.

12. Disregard for poor and helpless people:

Poor and helpless complainants are not given due regard in the police stations while complainants from higher strata of society are accorded warm welcome.

13. Fleecing the Complainants

People who report about the theft of a motorcycle, burglary in the house, snatching, robbery or dacoity. etc. are asked to spend considerable amount of money before the case comes to the final stage.

12.2.SCOPE FOR IMPROVING POLICE -PUBLIC RELATIONS

It may be pointed out that a positive approach to Police, Public-Relations must be initiated by the police, other than by the public, because,

- a) The Police constitutes only a small fraction of the population, Therefore it is only the police who must take the initiative in this regard.
- b) It is the police who have great authority and therefore, it will be appropriate only if the police take the initiative in his regard.

Three categories of measures may be suggested for improving police public relations. They are :

1. Relinquishing the negative factors;
2. Strengthening the positive factors
3. Functioning with a futuristic outlook

1. Relinquishing the Negative factors

Nearly thirteen factors were stated on the police side as negative

factors. Many of them are negative factors of policemen in connection with public relations, If only the policemen have a mind and will to relinquish these negative factors, the police -public relationship would definitely improve a lot. The policemen may find it extremely difficult to shed their unwanted characters in the beginning, This will have to be achieved only through awareness and motivational programmes. A sample survey to assess the humanness in policemen may be conducted by researchers. This may be followed by periodic counseling sessions conducted by the sociologists, psychologists and criminologists, The policeman must be made to understand that they need to change themselves in view of the changing socio-economic environment, When they resort to human rights violation in the name of investigation, they will have to face prosecution. Policemen always used to have a justification for human rights violation. An investigating officer who resorts to third degree interrogation cannot be an efficient police man. Therefore, it may be emphasized that the move towards better police public-relations must start with an orientation programme as stated above.

2. Strengthening the Positive factor

There are many positive characters in the human behaviours. Our common sense will tell us what they are, For example, keeping a smiling face to anyone is a positive character and it will help in building up good relationship with the people around, The policemen in the police stations must keep smiling face to people coming to the station with a complaint, This may be combined with a few kind words and a positive gesture.

- i) The Police now maintain-an isolationist policy, by keeping themselves away from the public. This attitude needs a change. The policemen must develop a positive attitude and must take opportunities to meet at least the cross section of the people around them. In fact, the police men must try to become familiar with local population. This will help in enlisting public support to the police when needed.
- ii) Functionally, the policemen must try to minimize the third degree approach in interrogation and try to apply more scientific and evidence-based investigation. The policemen at the middle and lower levels learn

more from their seniors and superiors. Therefore the superior officers have greater responsibility in this respect. The latest development in the forensic science must be disseminated to the policemen at the low and middle levels.

- iii) Anti-stress counseling programmes will also help the policemen in maintaining better relations with the public. Stress is something very common in the modern life. But advanced counseling programmes have also been designed to release one from stress. A policeman's job definitely involves greater stress.
- iv) Sincerity in investigation is a positive factor which will help in strengthening the public confidence in the police. The policemen in the station must understand the anxiety and agony of the person who might have lost his bike or bicycle or one whose house has been burgled during the absence of the intimates of the house. Even in high profile crime, cases such as homicide or murder for gain, the investigating officer must show sincerity without bias or prejudice.

3. Futuristic Outlook

Fast changes are taking place all around us. The policemen must be shrewd enough to understand the trends in the society with reference L & O, crime etc. For example, "Cyber Crimes" are now in the forefront throughout the world. It is said that the criminals are always ahead of the police. This should be reverted and the policemen must be ahead of the criminals and be more on the proactive and pre-active sides than on the reactive side. By effecting such a strategic change police men can gain public confidence. See wicky Leak, he is able to break the american network and makes known to the world about the bad deeds of America.

12.3. SELF IMAGE OF THE POLICE

Self -image refers to what one thinks of himself. This is in other words looking inwards, which is called "intuition". Self -image has a prominent place in the management science in relation to the employees of an

organisation. Some organisations which are practicing modern management principles expect the new candidates to declare their positive side and negative side, so that the management of the organization is able to see the real cross section of its employees at the point of entry. Self -image enables a person to understand himself in relation to others. People in every profession and occupation need to have self -image and must try to understand his position in relation to others. It

Policeman of any rank needs to have self-image and have “**intuition**” of himself. He is sovereign by himself individually. This will help in maintaining cordial relations with the public. Every individual in public life is governed by three categories of characters, namely, personal character, occupational character and social character. These three types of characters make one react to and reflect the society around him.

Personal character refers to one’s basic character irrespective of what he is as, for example, personal integrity, basic manners, courage etc. Occupational character is partly derived from personal character and partly from the occupation.

They are the character like punctuality, honesty, good turn out, clear perceptibility, work ethics etc. And social characters are dignified reception to the public and understanding the public expectations, helping tendency, getting on with the public etc.

In fact self -image of a Policeman is subject to or is shaped by all these characters. Every policemen should know how far he is positive and how far he is negative. Negative characters are such as short-temper, disrespect to the public, resorting to unwarranted third degree interrogations, resorting to misuse of power, indifference to work, lack to time sense etc. It is easy to understand the impact of these tendencies on public perceptions.

Counseling Sessions

Policemen who are on the negative side or who have dominating negative characters must be identified and must be given counseling by counsel-

ing experts. This will help them come to the positive side. Orientation courses in attitudinal changes are conducted for policemen now and then. Along with these courses, updating of knowledge must be ensured for policemen periodically. Strengthening the hierarchical relationship will also help in developing the self-image of policemen.

12.4 MEASURES TO IMPROVE POLICE IMAGE

It has been stated in the previous topic on Public Perceptions of Police (11.1) and also in the topic Self-Image (11.2) that the police as a whole needs to be transformed from its negative characters to positive characters. Police subcultures like torturing the accused in the name of interrogation, police corruption and its unwarranted justification, behaving as a symbol of authority and using bad language, mis-behaving with women and ever so many characters are being condemned all over the world. Policemen with appreciable character are like islands in the midst police population. No doubt, in India police subculture has tarnished the police image.

Role Models

There are always some policemen among the general lot who are like role models, like S.M. Diaz M.Sc., I.P.S former D.I.G. C.I.D. Crime and Prof. of Criminology of Madras University. be it a constable or a commissioner of police. In fact, it is the higher officers who should be like role models. Such officers are spoken in praise of by the subordinates and people in this country. Such role models may be exemplified to others. It may be pointed out that every individual in the department contributes to the image. At the same time the image built up over a period of time may be spoiled and damaged by one individual by his misbehaviour with the public. (Like D.I.G. Rathor)

Functional Excellence

The image of any individual, any organisation or any department is very much governed by the functional excellence of the individual or the organisation. A school boy is generally admired for his excellence in his studies and / or games. Every government department has its own functions and

an output which go to the people. The functional excellence of the Highways Department is reflected in its output, namely the roads it constructs i.e. The city highways, state highways and the national highways NHAI (National Highways Authority of India).

Similarly, the functional excellence of the Police Department is reflected in its output with reference to the three most important functions namely, (a)L&O maintenance (b) Crime Control and (c) Traffic Management. These are the three spheres of activities which bring the police into public contact And, the image of the police very much depends on their functional excellence in these three areas.

Other functional areas such as prohibition, narcotics control, anti terrorist functions only create a momentary sensation and then fade away. The public also expect the police to perform more pre-active policing. The very word 'Image' can be taken to mean the following.

- I - Intelligence
- M - Management
- A - Accessibility
- G - Gentility Person
- E - Enforcement

Intelligence refers to the intelligence functions of the police, employed to counter crime terrorism, L&O problem etc. Intelligence is an important function of the police. Excellence in intelligence may help in preventing many untoward incidents. This will keep the police more on the pre-active side.

Management refers to application of management principles to policing, as for example the concept of quality control circle, skill development etc.

Accessibility implies giving greater access to general public for giving complaints or seeking permissions etc.

Gentility refers to gentle behaviour extended to the general public.

“E” refers to enforcement of the laws of the land without bias or prejudice.

If every policeman observes these principles in his career as a policeman. He will be elevating the image of the police.

12.5. POLICE AND HUMAN RIGHTS

Evolution of human rights in India

The constitution of India which came into effect in 1950, incorporated “Fundamental Rights” of the citizens.

In India the Protection of Human Rights Act, 1993 defines Human Rights as the rights relating to liberty, equality and dignity of the individual guaranteed by the Indian constitution as embodied in the Fundamental Rights and the International Covenants.

The Scope of the concept of Human Rights is expanding day by day. Human rights fall under the following broad categories.

- A. Civil and political Rights
- B. Economic, Social and Cultural Rights

Persons, who are arrested have certain rights -both at the time of arrest and immediately thereafter which are inherent in article 21 and 22(1) of the Constitution. The Supreme Court has observed in Dilip K. Basu - Vs- State of West Bengal (AIR 1997 S.C.3017) that these rights are to be recognized and scrupulously protected. These rights are:

1. Police personnel carrying out the arrest and handling the interrogation of the arrestee should bear accurate, visible and clear identification and name tags with their designations. The particulars of all such police personnel who handle interrogation of the arrestee must be recorded in a register.

2. That the police officer carrying out the arrest shall prepare a “**memo of arrest**” at the time of arrest and such memo shall be attested by at least one witness, who may either be a member of the family of the arrestee or a respectable person of the locality from where the arrest is made. It shall also be countersigned by the arrestee and shall contain the time and date of arrest.
3. A person who has been arrested or detained and is being held in custody in a police station or interrogation centre or other lock-up, shall be entitled to have one friend or relative or other person known to him or having interest in his welfare being informed, as soon as practicable that he has been arrested and is being detained at the particular place, unless the attesting of the memo of arrest is himself such a friend or a relative of the arrestee.
4. The time, place of arrest and venue of custody of an arrestee must be notified by the police where the next friend or relative of the arrestee lives outside the district or town through the legal Aid organisation of the District and the police station of the area concerned telegraphically within a period of 8 to 12 hours after the arrest.
5. The person arrested must be made aware of his right to have someone informed of his arrest or detention as soon as he is put under arrest or is detained.
6. An entry must be made in the diary at the place of detention regarding the arrest of the person which shall also disclose the name of the next friend of the person who has been informed of the arrest and the names and particulars of the police officials in whose custody the arrestee is kept.
7. The arrestee should where he so requests be also examined at the time of his arrest and major and minor injuries, if any of his, must be recorded at that time. The “Inspection memo” must be signed both by the arrestee and the police officer effecting the arrest and its copy provided to the arrestee.

(Space for Hints)

8. The arrestee should be subjected to medical examination by a trained doctor every 48 hours during his- detention In custody by a doctor on the panel of approved doctors appointed by Director, Health Services (D.H.S.) of Tamil Nadu should prepare such a panal for all Tahsils and districts as well.
9. Copies of all the documents including the memo of arrest referred to above, should be sent to the magistrate who have jurisdiction over the place for his record.
10. The arrestee may be permitted to meet is lawyer during interrogation, though not throughout the interrogation.
11. Police control room should be provided at all district and State headquarters, where information regarding the arrest and the place of custody of the arrestee shall be communicated by the officer causing the arrest, within 12 hours of effecting the arrest and the police control room it should be displayed on a conspicuous notice board.

HUMAN RIGHTS IN POLICE TRAINING IN TAMIL NADU

The Government of Tamil Nadu has been at the forefront as far as observances and enforcement of Human Rights are concerned. Tamil Nadu Police have been organizing continuous in-service training programmes for police personnel of all ranks. These programmes are designed to inculcate in police personnel, Human Right values, qualities of sensitiveness etc.

Some training high rights are as follows:

1. Seminar on Human Rights in the theme” Rapport of the police Force with Human Rights Awareness.
2. Seminar on violation of traffic regulations/ violation of Human Rights
3. Training of Trainers Course in Human Rights conducted by Padmashri Dr. Subramanian IPS (retd.)

4. Training Programmes for police officers in International Humanitarian Laws(IHL) and Human Rights Law:
5. United Nations development Programmes (UNDP) Aided Project conduction of regional workshops for 3 days at the Police Training College, Ashok Nagar Chennai.
6. Police training College -Pilot Programme for “Adventures in attitude” for senior police Officers Organized by National Institute of Sports (NIS) Patiala.
7. Reference received from Tribunal Human Rights Commission and State Human Rights Commission are being Properly acted upon.
8. The Government have introduced the subject “Human Rights” in the training syllabus of all ranks PCs,Slis, Dy.SPs and service training of HCs, Slis, Inspectors of Police, Dy.SPs, to Stress the importance of human rights to police so that they can take necessary action for the protection of human rights.
9. All Police Stations are being upgraded in a phased manner to UNDP standards, in order to ensure that the police personnel and public function in an environment conducive to maintenance of human rights.

Code of conduct for police personnel

- i) The Police must bear faithful allegiance to the constitution of India and respect and uphold the rights of the citizens guaranteed by it.
- ii) The Police should not question the propriety or necessity of any law duly enacted. They should enforce the law firmly, impartially, without fear or favour malice or vindictiveness
- iii) The Police should recognize and respect the limitations of their powers and functions. They should not usurp or even seem to usurp the functions of the judiciary and sit in judgment on cases to avenue individuals and punish the guilty. Likewise they have to follow the code of

conduct for law enforcement officials adopted by the General Assembly of U.N. more particularly article 2, which is as follows. In the performance of their duty, law enforcement officials shall respect and protect human dignity and maintain and uphold the human rights of all persons.

12.6 NEED FOR PROFESSIONALISM IN THE POLICE FORCE

In common parlance 'professionalism' denotes perfect knowledge and proficiency of a person in his field of activity. This implies normal values, latest technical knowledge and intellectual as well as professional competence. On the whole, it means high quality of performance of a given job. This is possible by undergoing relevant education and training.

The doctors for example, are called professionals because they undergo a relevant course in the form of M.B.B.S and further M.D or M.S. They also undergo specialized training courses such as ortho, ophthalmology (eye) neuro, heart (cardio) etc. which make them more professional, as in the case of advocates who undergo B.A., B.L and M.L. with a particular branch of Law.

There is a long-felt need for professionalism in the police force of the country. There is a widespread feeling in the country that professional excellence, ethical norms and moral values of police are at low ebb. Researchers in Police Science over the world have been insisting on giving exposure to the police in special education commensurate with their job and responsibilities. In fact, the policeman needs to be a blend of the three qualities, namely, trustworthiness freedom and specialization, which means work efficiency and technical knowledge.

Police professionalism needs to be viewed from two points. One is professionalism of the individual policeman and professionalism of the department as a whole. From the viewpoint of police-public relations, it is pointed out that only a professionalised police will be able to achieve it.

Changing scenario of our country and challenges faced by our police

The socio-economic picture we get today is different from what it was yesterday.

1. Changing patterns of M.O. and emergence of new types of crime;
2. Changing political system of the country;
3. Changing socio-economic order;
4. Changing demographic structure;
5. Rise of human rights activism;
6. Rising levels of literacy and awareness;
7. Rising judicial activism;
8. Changing value of the society and domination of commercial values;
9. Growing nexus between politicians, bureaucrats, businessmen and criminal gangs and mafia group;
10. Emergence of organised crimes, dadharaj like Mumbai Chotta Rajan, terrorisms, naxalite and maoist movement, political rowdism, professional killers etc.

Any organisation of the government, needs to adapt itself to the changing scenario of our country. But, many organisations, do not easily change, and, the police department is one among them. The policeman needs to have updating of knowledge to understand these changes, because these changes have their own impact on the police force. Only a professionalised police force can understand these changes and adapt itself accordingly.

Professionalism at the higher levels

The police force of our India has some professionalism and refinements in the higher cadres. There is better refinement and professionalism

among the IPS cadres, but, not many of them apply their mind to create professionalism at the lower levels. In fact, all is not well with the intra-departmental relations. The three levels of policemen; the higher levels, i.e. from DIG onwards, the middle level i.e., the S.I.s Inspectors, DSPs and SPs, and the lower ranks i.e., the constables and head constables are like three islands. The intra-departmental relationship between the three levels is not praiseworthy.

Of the three levels of policemen, the IPS cadres, because of the professionalised training they get at the Sardar Vallabai Patel National Police Academy and at other centres, they imbibe professional talents. Some of the IPS officers are also sent to the Scotland Yard for advanced course in investigation. But how far their professional talents are explained to the subordinates and lower ranks is doubtful.

In-service training programmes are being conducted for the lower ranks periodically, but, such programmes also do not reflect the spirit with which they are conducted.

The Invisible Barrier

Lack of professionalism at the individual levels and departmental levels has created an invisible barrier between the police and the public for a long time, leading to general public aversion to police. Even for genuine complaints, people do not want to go to the police for fear of harassment. In fact, the people have two kinds of fears-one, fear of criminals and two, fear of police. The invisible barrier also prevents the people from understanding the problems of the police, i.e. both occupational problems and operative problems as well. Why in the metropolitan of Chennai alone the Autos do not have Meter? Because it is owned by Police personal's wife, brother, brother in-law and likewise. People of Chennai are suffering. Who will stop the sufferings?.

Measures for infusing professionalism into the police:

Every activity in every phase of the police functions must reflect professionalism and refinement. This must start from the very recruitment of personnel. Often, it is expressed by the experts that it is possible to infuse professionalism in the police force through managerial approach and by encouraging frequent interaction between the higher officers and the subordinates. Increasing application of R & D outputs to police on the human side and non-human side is essential.

Various measures for infusing professionalism must start at the very entry point i.e. at the time of recruitment itself. The recruitment process must be scientific. It is advisable that a pre-recruitment orientation is given to the aspiring candidates. The Railway Department is offering some orientation courses to the aspirants with its own syllabus and curriculum for some technical jobs. At the end of the course, the candidates are tested and inducted into service in the appropriate section.

The 29th All India Police Science congress held at Lucknow in 1997 recommended for launching a separate university for police services like University for Teachers in Tamil Nadu. Police Academies have been started in different states on the patterns of the S. V. P. National Police Academy. The congress also recommended for including personality and psychological tests as in the Army selection. Specialised police training may be given to college students on the pattern of NCC training.

The police force also needs modernized equipment modern vehicles, communication system, latest small arms, most important of all is the scope for specialization. Many new wings and branches have been created. Service in police is transferable from one wing to the other. This reduced the scope for specialisation. For example those who join the Crime Wing of a police station should be allowed to continue in the same wing for atleast five years so that they could specialise in criminal investigation. But, the police department is witnessing and awkward situation of politicised transfers not only at the higher levels, but also at the lower levels. This is against specialization.

Another serious drawback, is most of the investigations done at the stations levels are being done by promotees Sis or Inspectors, who do not have adequate knowledge of law and Forensic Science and Medicine and they prepare the FIR, and the case diary in the most crude manner. When the case comes for trial, it is examined by highly qualified prosecutors and magistrates who find many flaws in the investigation. This needs to be overcome by making the services of legal experts available to the department so that IOs may verify their cases before they are taken to the court. Hence a trained advocate in the rank of Legal advisors must be posted in every police station.

Thus, on the whole, professionalism in the police force means qualitative improvement. In other words, the department henceforth must be known as '**police service**' and not as police force. It does not mean that the policemen should be soft and compromising with the criminals and anti socials. They have to be dealt with severely within the legal boundaries. All these are possible only when the police becomes more professional and people friendly.

12.7. POLICE AND ASSOCIATION (RIGHTS OF THE POLICE PERSONNEL)

At present, in most states there is no machinery at the state level to articulate grievances of policemen and to seek their redressal at government level except that the Inspector. General of police writes to the state Government from time to time regarding certain matters which have a bearing on the morale and welfare of the forces and they are dealt with in corresponding in a routine manner. In certain states there are associations of policemen, unrecognized as well as recognized, which enable collective representation of grievances. In the context, it has been looked into the concept of associations for policemen and their recognition under our constitution. In pursuance of this Article the Police Forces (Restriction of Rights), Act, 1966 was enacted by the parliament. According to section 1 of that Act, it extends to the whole of India. The act has been brought into force in all the union territories and in all the states excepting Maharastra, Meghalāya and

Sikkim. This act does not outright prohibit a member of a police, force from being a member of a trade union; labour union or similar association. It merely state that such membership would require express sanction of the prescribed authority. One hundred intelligent people will form an association with gooe motive and intention; but hundred and one idots will spoil the enire atmosphere. The Police Force in lower level is mostly concerned with caste and community. Therefore if the Police is allowed to form an associa- tion it will spoil the entire sprite of Police. In this country BC and MBC has got sixty percent of the population. Hence it will supress the fellings of O.C's and S.C.'s and S.T.'s and the Minority Muslim's there was an Association for officers and an Association for Non-Gazeltd officers at the Tamil Nadu secretariat chennai. What happened to it. Because it has divided and shown its ugly face, it was dismandeled by the state Government. Even MUTA (Madurai University Teachers Association) had a spilt, though the Teachers are highly educated. The formation is no good to Indian Society.

Views of Police Commissions

Police commissions constituted from time to time in different states have also expressed different views on this subject. The Bihar police com- mission and West Bengal Police commission were in favour of the Whitely Council pattern and endorsed the recommendations of the central pay com- missions. The Bihar police commission recommended that every district council composed of six members. Three members of the council were to be selected through secret ballot by all the constables of the district and three nominated by the superintendent of police. These six were then to elect a chairman. The commission added that for the time being there was no need to start an association. "The Tamil Nadu Police Commission thought condi- tions were not suitable to change the rules which prohibit these associations. The police committee and the two commissions of the state (1960-61 and 1971-72) did not express any view in the matter.

While the rights of police personnel to form association is already recognized in law, subject to prescribed rules and regulations, it would be useful to examine some general principles which should govern the formation

and working of such associations having regard to the paramount need and the maintenance of discipline among them. The following guidelines can be kept in view by the prescribed authorities while granting recognition to policemen's associations.

- i) Membership shall be restricted to serving policemen only.
- ii) Members shall not have the right to strike work.
- iii) The association shall not resort to any coercive method of agitation for obtaining redressal of grievances
- iv) The association shall not do anything which may affect the efficiency of the force.
- v) The association shall be absolutely non -political in character.

It would be desirable to have the above stipulations embodied in the memorandum of association of these bodies before they are recognized. Four categories of Police Associations are suggested. They are:-

- i) One association may cover constables and Head constables and equivalent ranks
- ii) A second association may cover all Assistant Sub -Inspectors, and Inspectors and equivalent ranks
- iii) A third association may cover all officers of state police service upto and above the rank of Deputy Superintendent of police.
- iv) Existing Indian police service association will cover all I.P.S. Officers.

Associations covering the ranks of constables Head constables, Assistant Sub - Inspector / Sub -Inspector may be formed at district levels. Representatives of the District Associations may constitute the state level associations for these ranks.

The association of state Police service officers of and above the rank of Deputy Superintendent of police may be organized at state levels.

The existing police associations only facilitate collective articulation of grievances but that would not by itself help in evolving practicable solutions. The office bearers of the association here effectively voiced the grievances of policemen but they have not always been able to get the Government to sit with them in earnestly for quick remedial measures. The existing system does not provide an adequate sense of participation for all members of the police force, particularly at the lower level. In the evolution of professionalism, norms and techniques for handling police problems and for removal of grievances, the constabulary are progressively getting alienated from the system and they lack a sense of belonging to the police force. There are growing indications of developing gap between the supervisory cadres and subordinates. It is necessary to devise a forum at which representatives of policemen associations can sit together in a kind of federal body and discuss the problems for evolving concrete and practicable solutions.

The Central Civil Services have the scheme for joint consultative machinery and compulsory arbitration which provide them a forum but this scheme specifically excludes police personnel from its purview.

Associations of BSF

The Border Security Force have a scheme of Border Security Staff Council with the Director General as the Chairman and with 17 members drawn from different ranks.

In this scheme the staff council holds meeting with the Home Minister once in six months to discuss important matters pertaining to morale, welfare and other establishment problems. Home affairs problems are presented during these discussions with the Home Minister. There is satisfaction all round that all the relevant factors connected with the issues raised at the meeting are objectively discussed and mutually understandable and acceptable decisions are taken thereon. These meetings have been a great morale booster for the -division force and quite a number of pending problems have been sorted out to mutual satisfaction. The most significant and satisfying element in this scheme is the facility it affords to the rank and file of the force for direct discussions with the Home Minister across the table.

Staff Councils

Some of the study groups set up in the states to examine various issues arising from the terms of reference have also expressed their views on this subject more or less reiterating the need for associating the rank and file in the working of staff committees or councils for redressal of grievances.

There shall be police staff council at the district level. This shall be called the District Police Staff Council (DPSC) and shall be made up of the following:

Superintendent of Police	1	(ex -officio Chairman)
Dy. Superintendent of Police	1	(member Secretary)
Inspector of Police	1	(Member)
Sub -Inspector and Assistant Sup -Inspector	2	(Member)

The four members from the rank of head constables / constables can be nominated by the recognized policemen's association in the state which covers these ranks. If no such association exists, these members shall be elected from representatives drawn from each police station or comparable units in the district police. Each of such representative shall be elected in a primary election from amongst themselves by the constables and Head constables in each such unit. Primary elections in all such units must be communicated to all police stations and similar units with not more than three and comparable units shall thereafter be assembled in the district headquarters on a notified date and the Head Quarters constable! constable members shall be elected from among them / This secondary election at the district level shall be supervised by the SP or one of his subordinates nomi-

Members in the rank of Sub -Inspector shall be nominated by the recognized policemen's associations in the state which covers these ranks. If no such associations exists. They shall be elected by and from and electoral

college consisting of representative of these ranks who come up through a process of primary election conducted at the sub divisional level covering all Sub -Inspectors! Assistant Sub Inspectors working in the sub -division or comparable unit. Secondary election from these representatives shall be held at the district level under the supervision of the superintendent of police or a senior deputy superintendent of police nominated by him.

Members in the rank of Inspector and Deputy Superintendent of police shall be nominated by the respective policemen's associations which cover these ranks or in the absence of such associations shall be elected from all officers of the respective rank, serving in the district. Elections for this purpose shall be held at the district head'quarters under the Superintendent of Police.

At the state police Head quarters there shall be a State Police State Council (SPSC) composed of the following:

Director General of Police	1	(Ex officio chairman)
Inspector General of Police in charge of Welfare wing	1	(ex-officio Members)
Superintendent of Police/ Asst. Superintendent of police	2	(members)
Deputy Superintendent of Police	2	(members)
Inspector	2	(Members)
Sub -Inspector and Assistant Sub -Inspector	4	(Members)
Head Constable and constable	8	(Members)

Members in the rank of ASP can be nominated by the state branch of Indian Police Service Association. Federation of Policemen's Associations can be formed by members in the ranks of

Check Your Progress

1. What are the Positive Factors of the Police?
2. What are the steps to improve Police Public Relationship?
3. What are the measures to improve the Police image?
4. Examine the evolution of Human Rights in India.

(Space for Hints)

- i) Deputy Superintendent of Police
- ii) Inspector of Police
- iii) Sub Inspector and Asst. Sub Inspector and .
- iv) Head constables and constable

Who can be nominated by the recognized policemen's association in the state which covers these respective ranks. If no such association exists, these members shall be elected from amongst themselves, by the personnel of the respective rank who are members of the DPSCs. Elections for the SPSCs shall be held at the state headquarters under the Supervision of the Assistant Inspector General of Police in charge of administration.

A candidate has to satisfy the following conditions to be eligible for membership of these councils either through election or nomination as described above.

- i) Five years of service in the police force on the first day of January of the year in which the election is held.
- ii) He shall not have received any major punishment in the previous three years.

Elected members of the DPSCs and SPSC shall hold office for a term of two years at a time. On expiry of one term, a member shall be eligible for re-appointment in either of these councils if he comes up again through the same process of election as detailed above, but no such member shall hold office for membership of the other council under this rule. Vacancies caused by death, retirement or transfer shall be filled for the unexpired term.

DPSC shall meet once in three months and the SPSC shall meet once in six months and discuss matters pertaining to morale, welfare and other allied establishment problems which fall within the administrative purview, of the state government. They shall however be precluded from discussion, In-

dividual cases of disciplinary proceedings or posting or transfer or similar establishment matters the DPSC shall dispose of feasible at the district level. Matters requiring further consideration and decision at higher levels shall be sent to the SPSC. Service conditions of officers of the Indian Police Service or any other matter which will require decision at the central government level shall be beyond the purview of DPSCs and SPSCs.

There shall be a Joint Consultative Council (JCC) at the state head quarters to deal with matters which require consideration and decision at the government level. This council shall consist of an official side and a staff side. The official side shall be appointed by the government and may consist of upto 7 members including the Chief Secretary, Secretary in -charge of police, Finance Secretary and Personnel Secretary in the state Government. The entire body of the SPSC, as described earlier, shall constitute the staff side of the joint consultative council. The Minister in- charge of police shall be chairman of the joint consultative council. It shall meet as often as necessary to deal with matters that arise from the deliberations of the SPSC.

The officials side shall conclude matters at the meeting of the council and shall not reserve them for later decision, by the government.

The JCC may appoint committees to study and report any matters falling within its scope.

JCC shall frame its own rules for the conduct of its business.

Arbitration shall be limited to

- i) pay and allowances;
- ii) leave and
- iii) any other matter that the SPSC and the state government mutually agree to refer to arbitration.

Cases of individuals shall be subject to arbitration. A dispute shall not be referred to arbitration unless it has been considered by the JCC.

In determining a dispute, the board of arbitration shall examine the merits of the of case presented by both the officials and staff side and take into account all other relevant factors including the principles enunciated in any recent report of commission of inquiry etc. ,

Matters determined by the state government in accordance with the recommendation of a commission will not be subject to arbitration for a period of five years from the date of the recommendation.

Subject to the overriding authority of the State Legislative Assembly, -- recommendations of the Board of Arbitration shall be binding on both side.

The staff councils and the joint consultative council as detailed above may be brought into being in the first instance through administrative orders. After gaining practical experience, appropriate modification and additions to the Police Forces (Restriction of Rights) Rules 1966, and other rules may framed there under.

Under rule 8 of the Rules of 1966, an association of policemen cannot get recognition if it covers more than one rank. In other words, the statutory rules as they stand at present, envisage a separate association for each rank. This would mean that even head constables and constables cannot together remain in the same association. Under the Rule number 11 of the same rules, any recognition granted to any association prior to 19th December, 1970 (the date on which thee rules came into force) shall automatically stand revoked in expiry of 30 days from that date in the articles of association are not recast to conform to the revised rules of membership. There is an immediate case for amending the aforesaid act and rules to set right these anomalies and deficiencies.

The arrangements detailed in the foregoing paragraphs would deal with collective grievances of police personnel. Individual grievances have to \e looked into by the departmental authorities at the supervisory levels. A rigid insistence on rituals of discipline, before a subordinate police officer could approach the senior ranks for redressal of his grievances should be minimised

Any officer with a grievance should feel free to articulate it before his own superiors. Any attempt to stifle such articulation would only result in the undesirable results. Supervisory officers should take the initiative and avail every opportunity to identify individual grievances in the normal course of their tours and inspections and take effective remedial measures. One of the points for assessing the supervisory capacity of an officer should be the measure of success achieved by him in identifying and redressing the grievances of his subordinates. The sanction and payment of increment and such other allowances as fall due from time to time, prompt settlement of leave, pension, provident fund, gratuity etc., are matters that require close and constant attention from the supervisory officers to avoid individual grievances on that account.

12.8 COMMUNITY POLICE

The concept of Community Police and its practice is not new to India. It was in practice during British period in areas where Government police forces could not reach. The people in rural areas in particular had their own governance in the form of 'panchayats' headed by the village chief who was assisted by his band of men. This Village administrative set up was responsible for collection of revenue for the Government and also for maintaining public order and crime prevention as well you can see it from Raja Nanda Kumar's case. The Village chief in many places also acted as a magistrate and awarded punishments decided by the village panchayat.

During the British period, the 'zamindar' exercised these functions. With the emergence of the modern policing system during the British rule the government police forces assumed greater powers. Therefore, the significance of the community police declined during the British rule.

The traditional system of policing had the following drawbacks.

1. Community was kept at a distance;
2. Lack of mutual faith between the police and the community;
3. Centralised policy decisions;

4. **Authoritarianism with no transparency;**
5. **Police made accountable to the department.**

These drawbacks created a great invisible barrier between the police and the community. No doubt, these drawbacks continue even today, after nearly sixty years of Independence. However, certain changes are visible now and an awareness to the need for creating and strengthening the community policing system is seen in recent years,

Need for Community Police

The need for community police can be understood from the following points:

1. The modern police is called the civil police and therefore, it should form an integral part of the community.
2. Community's cooperation is required for the civil police in the law enforcement, crime prevention, traffic control and other police-related functions.
3. From cost point of view, it is the community which has to meet the cost of policing and the overall cost of the criminal justice system. Therefore, the community must be made to understand this and participate in community police to reduce the cost of policing.
4. With increasing application of management science, and the principle of participative management, the concept of participative policing is gaining importance.
5. Community policing has already been accorded a great significance in many other countries like the U.S.A. the U.K. Japan.

From these points of view, it is imperative to strengthen the organization of community police in India. Already refined officers of the department in many states have been insisting on the implementation of community police in various forms. In the years to come, the police force may have to depend heavily on the services of the community police in different forms.

The Concept and Names

The term community police to the members of the community performing certain basic policing functions, not with the idea of replacing the formal civil police, but only as a complimentary to it. The aim of community police is to strengthen the existing policing system and ensure better safety to the community.

Community Police is given different names suchs as Community-Oriented Policing (COP), Community Policing, Self-Policing, Participative policing etc. There is some difference between these concepts. It becomes necessary to understand the differences among them. Often these names are being interchangeably used. However, for the purpose of this topic, the following conceptual clarification is given:

1. Community Police

This refere to the creation of a community policing system by the government in which a certain groups of people are enrolled and trained to perform some policing as for example, the Home Guards, Traffic Warden etc. They may be given uniform and their services may be required on certain important occasions.

2. Community Policing

The term community policing is a concept with a broader connotation in that, the members of the community, take initiative to form their own security system either permanently or temporarily to safeguard their lives and properties. Good examples for this are the private security systems created in the shopping and commercial complexes, University like Madurai Kamaraj University, Coimbatore Barathiyar University, Banks, ATM's of Banks and residential complexes. Actually, the trend towards community policing is on the increase throughout the world. A lower profile of community policing is one's own awareness to the security of his place and belonging , as for example, the degree of awareness with which people undertake train or bus journeys for a long distance.

3. Community Oriented Policing

This refers to stepping up the community Orientation of the existing policing system of the country with a view to reducing the distance between the two sides. In short, instead of always expecting the people to go to the police, the police must go to the people. This is attempted by the police in Japan, the USA. and U.K. In India, this culture is yet to be seen on the part of the police.

4. Participative Policing

This is a latest concept of community policing with a hi-profile approach. This implies, the police and the public joining together to solve certain issues and problems relating to security, public order, crimes, traffic problem etc. No doubt, some refined, police officers, try this method, by convening meeting of the public representatives for solving such problems. This needs to be given a good shape and a definite policy frame.

5. Friends of Police (FoP) .

The Tamil Nadu Police introduced the scheme of FoP in 1992. Under this scheme, selected volunteers from the public are enlisted and they are oriented to certain policing functions like crime prevention and public order, with police guidance and lead.

6. Rationale for introducing Community -Policing

1. It is not always possible to rely on the state mechanism alone. People must know to safeguard themselves and their properties.
2. People must participate voluntarily and willingly in security arrangements.
3. The community has vast human resource and skills which if utilized properly, can even check terrorism.
4. With ever increasing new and violent Types of crimes there is ever increasing demand for police services. But, the existing police force is not able to cope with the present situation.

7. What are the areas of Community Policing?

The members of a community can participate in the following areas:

- a) Crime prevention and control
- b) Creating awareness to L & O
- c) Creating awareness among children
- d) Exchanging information
- e) Serving as a source of public intelligence.
- f) Assistance during crises and disasters.

7. A. Community Police in other countries

Many other countries have successfully introduced the community policing. In Japan, for example, the Koban, a Japanese name for community police was introduced in the 1980s with the help of police beat boxes for community contacts and resident police officers.

In the U.S.A. in Kansas city, community preventive patrols have been created with police help to prevent and check crimes. Similarly, in New York, a system known as 'Low Visibility Patrol' which is a community patrolling system is functioning to check crimes. Similarly, in the U.K. 30,000 Neighbourhood Watches have been created with police guidance. Police-public consultation committees have been formed to discuss certain issues relating to public order, crime and traffic in New York.

In India different systems prevail in different states. The panchayats are seen in Tamil nadu, Manipur and some other States. It is called Pacha Fay'ada in Nagaland, Kedong in Arunachal Pradesh Village Defence Courts in Mizoram, Mohalla committees in Maharashtra, Da/pathi in Karnataka and so on.

12.9. SUMMARY

In this lesson we have seen the hard relationship between Police and Public, which is not easy to say. However we have divided our lesson into small small topic like public perception of Police by the Public. What the Positive factors that the Police should improve. What the Negative factors that the Police should relinquish - are very important factors to be studied. Still there is time for improvement. Policeman carries in himself - sovereign power - No body to question - because he is the man on that dangerous spot. The spot decision should be taken at a given Moment. So he is sovereign by himself. See also Ralia Ram Jain - Vs - state of Uttar Pradesh.

12.10. KEY WORDS

1. Intuition - Self image
2. Futuristic - Future ideas
3. Human Rights - Rights - Which are natural to all human beings.
4. Fundamantal Rights - Rights which are fundamental to man - Guaranteed under the constitutional Law of India.

12.11. ANSWER TO CHECK YOUR PROGRESS

1. Refer Para 12. 1
2. Refer Para 12.2
3. Refer Para 12.4
4. Refer Para 12.5

12.12. MODEL QUESTIONS

Short Answer Questions

1. What is intuition ?

2. What are the Measures to improve Police image.
3. What is U.N.D.P.
4. What is community Policing?

Long Answer Questions

1. Examine the public views of police and suggest remedial measures to improve police-public relations
2. What is self-image? Suggest measures for improving the police image.
3. Examine the issues of Human Rights of an arrested person. State how the policemen are trained in Human-Rights giving the example from TN Police?
4. What is meant by professionalism? Examine the need for professionalism in the police force.
5. What are the grievances of police personnel? Examine the pros and cons of a Police Association?.

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UNIT -V

LESSON -13 : COMPARATIVE POLICE SYSTEMS

INTRODUCTION

In this lesson we are going to study a complicated system of Police. Every country is special according to its Political and Economical conditions. A country's culture is apart from its economic condition, has a special effect. Therefore every countries police force is acting according to its financial capacity and the technological improvement it has got. Why the price of food articles had gone up? One American said - the prices had gone up because "Indians started to eat" That is the "data" they have got.

Sri Sasi tharup - M.P. of Kerala said - why crime rate in Kerala has gone up - because in Kerala all the cases are filed with an F.I.R and in other states they are not filed. So there are comedies like this in every country.

Why it is difficult to study Police system of one country and compare it with another - because the criminal Justice Administration is different. Common Wealth countries - which were once under British Rule are called common - Law countries. America, Anstralia India - Come under this banner. Police is the only agency of the state to investigate the crime.

UNIT OBJECTIVE

To have a comparative study of Police system of different countries. Even in the same country - Police system is different because of the Policy of the State Government. So we have to find out a common platform to compare the police system with that of another. Every country wants the help of "Inter - Pol"; But no country is "Ready" to show its "Police system". Example civil law countries like Germany, RSFSR (Russia) and France.

UNIT STRUCTURE

Introduction

Unit Objectives

Unit Structure

13.1. Policing system of England (United Kingdom)

1. The City of London Police
2. The Scotland yard.

13.2. Policing system of the united states of America.

- A. Divisions of the U.S. Policing system.
 - i. The Department of Justice.
 - ii. The Department of Treasury
 - iii. The United States Customs Service
 - iv. The United States Postal Service
 - v. The County Police
- B. Police Functions.
- C. Police Technology
- D. Citizen Policing

13.3. Singapore Police Force (SPF)

- A. Origin and Growth
- B. Organisation of Singapore Police Force.
- C. Functional Division.
 - i) Security Planning
 - ii) The Licensing Divisions.
 - iii) Conceptual and Implementations and Planning
 - iv) Organisation and establishment Divisions
 - v) Development planning Division
- D. Staff Development programs.
- E. Functional Departments.

13.4. Policing in other countries

- a) Canada
- b) France
- c) Germany
- d) Israel
- e) Interpol.

13.5. Summary

13.6. Key words

13.7. Answer to Check Your Progress

13.8. Model Questions

Police system differs from country to country. The existing policing system and its administration are governed by many factors: They are,

1. Political system of the country in the past and present;
2. Socio-economic culture of the people;
3. Factions and divisions among the people;
4. Traditions of the policing system;
5. Relationship between the Legislature, Executive and the Judiciary;
6. Crimes of the past and present;
7. The laws of the land and their status;
8. External security -Internal Security relations
9. Application of Science and Technology to the policing system.
10. Police -Public Relationship

Subject to these conditions and background, the policing systems are vastly different from country to country. In the following pages an account is given about the policing systems of the U.K., the U.S.A. Singapore and a few other countries to illustrate the variations in the policing systems of different countries.

13.1. POLICING SYSTEM OF THE UNITED KINGDOM

1. The city of London Police

The city of London Police is responsible for the safety of everyone in London 'Square Mile'. The force is organised into six command areas in two territorial divisions of "Snow Hill" and "Bishopsgate". There are about 1200 people in the city of London Police, supported by about one-third of the staff, in a wide range of professional, administrative and some operational support roles.

The force of 1,200 personnel are under the command of a Commissioner of Police. The city of London Police was brought into existence in 1839 by the Parliament's "City of London Police Act". It functions at 26, Old Jewry, London - Like Delhi Police Establishment.

Corporate support to the city of London Police:

The city of London Police is governed by the policy decisions of the London Municipal Corporation. The Director of Corporate Support who holds the highest civilian post plans and devises policies to link the policies of the corporation with the strategic priorities at the city of London Police. The Corporate Support to the City of London Police is, in turn governed by the objectives set out in Government Agenda like the National Police Reform and the National Competency Framework. The links between the Government and the Force are further strengthened by the key decision-making forum, the Strategic Management Board and its senior co-coordinating team the Diamond Group, which consists of three chief police officers and which is headed by an Advisor.

Impact of World wars

In the post-war years the strength of the force fell by one third. In 1949, therefore, when new recruitment was made to the force, women were included for the first time at the levels of both “**Chief Police Officer**” and constables. In 1995 the City of London Police had its first ever woman police chief.

Organisation of the city of London Police:

The city of London Police is headed by a commissioner who is assisted by two Assistant Commissioners -one for support and the other for operations. The operations AC is the chief of staff while the AC -support is in-charge of professional unit.

Functions of the two ACs are shown below:

a) AC-Support : is assisted by Director of Corporate support who provides the link to the London corporation. The AC- support looks after (1)Strategic Planning, (2) Financial Services, (3) Facilities Management, (4)Corporate Communication, (5) Technology and (6) Police Federation. .

b) AC-Operations: AC-operations functions as immediate deputy to the commissioner and is assisted by the Heads of (1) Anti-Terrorism and Public Order, (2) Specialised crime operations, (3) Snow Hill Division, (4) Bishopgate Division and (5) Economic Crime. Each one of these five heads has their respective sectional administrations. The City of London Police is different from Scotland Yard, which is famous for its hi-profile investigating strategies.

(2) The Scotland Yard

Origin of the modern crime investigation dates back to 1829 when the Metropolitan police was established in Great Britain by Sir Robert Peel (known from Mc. Naughton’s case). The London Metropolitan police which not only became the world’s first modern organised police force, also became a model for the American police and the police forces of almost all

industrial countries. The Great Britain which was ruling over the colonial countries established the British system. The Royal Irish Constabulary was formed after several years and Australia, India and Canada soon established similar organisations in other countries, impressed by the model of Great Britain, had adopted police systems based on the British model.

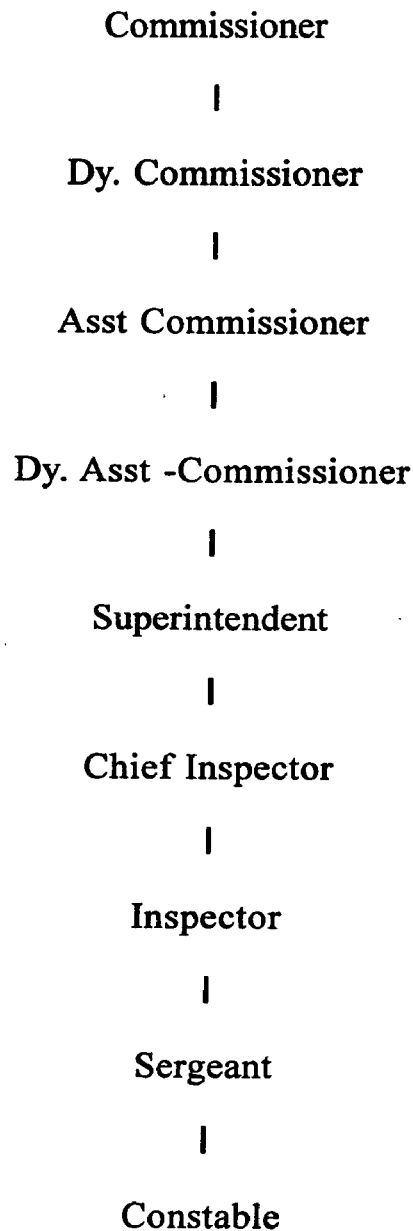
The very name Scotland Yard is well known throughout the world and it stands out with its own uniqueness among the police forces of the world. The New Scotland Yard, often referred to simply as Scotland Yard, is the head quarters of the Metropolitan police service for policing Greater London (excepting the City of London Police). The Scotland Yard is located in a 20-storey office block along Broadway and Victoria Street in Westminster, which is about 450 meters away from the House of Parliament.

The name Scotland Yard is often mistaken to represent the entire British Police. It is in fact the administrative HQs of only the Metropolitan Police and not the U.K's many other independent police forces. The Commissioner of Police of the Metropolis has his office there along with several of the Met's specialist branches and many civilian administrative offices. It is to be pointed out in this context that the Scotland Yard is the administrative HQ and not a police station in the usual sense of the term. (Those who are familiar with Sherlock Holmes's detective fictions may understand that they were centered around the Scotland Yard)

Organisational Structure of the Scotland Yard (Metropolitan Police)

The Hierarchy of Ranks

The hierarchical structure of the Scotland Yard.



Functional Departments of the Scotland Yard

The Scotland yard which covers the greater London, is made up of many different departments, each with a different focus. However, all the departments work together with the vision of making London the safest city in the world. All departments have their individual data base. (Which is a parallel to the comparative crime statement of the police stations in India) The data base of all the departments are linked to the terminal of Scotland yard's crime data base called the "Home Office" (Like Home Department) Large Enquiry System; shortly known as "Holmes" in honour of the great detective fiction novelist Sherlock holmes. 370

There are about 30 departments in the Scotland yard's administrative office, but the important ones are listed below.

1. Air support limit
2. Anti-terrorist Branch
3. Computers Police National Bureau
4. Child abuse investigation command
5. Department of investigation
6. Diplomatic protection Group
7. Drugs Directorate
8. Economic and. specialist crime
9. Firearms Enquires Team
10. Forensic Services
11. Homicide investigation
12. Intelligence
13. Mounted Order
14. Serious and Organised Crimes
15. Traffic Operational Command limit
16. Wildlife crime

Each of these departments conducts the investigations separately in relation to the cases of their respective department.

13.2.POLICING SYSTEM OF THE UNITED STATES OF AMERICA

In the United States, the origin of a full- fledged policing system can be traced back to the New York city of 1845, followed by the city of

Check Your Progress

1. Who is responsible for the safety of every one in London square Mile ?
2. What are the departments in the Scotland Yard?

Boston and other cities. Unlike the British Police, the American police is involved in Dirty party politics.

The present policing system of the U.S is highly Fragmented with about 19,000 separate municipal and county law enforcement agencies, in addition to about 21,000 Federal, state and local agencies. Each one has specialized jurisdictional responsibilities.

A. Divisions of the U.S. Policing System

The principal law enforcement agencies of the U.S. are i. The Department of Justice. ii. The Department of Treasury iii. The United States Customs Service iv. The United States Postal Service v. The County Police. Their functions are:

i. The Department of Justice

The agencies of the Department of Justice the well-known Federal Bureau Investigation FBI which deals with bank robbery, kidnapping and violation of other federal laws.

The FBI (Which is the parallel to the CBI of the India) undertakes the investigation of sensational cases, provides training, identification, and laboratory services to local police. The Drug Enforcement Administration investigates cases involving illicit narcotics, and drugs several branches of the immigration and naturalization services enforce immigration NS. The U.S. Marshals Service is responsible for safeguarding and transporting federal prisoners and acting as marshals for U.S courts.

ii. The Department of Treasury

The agencies of the treasury department include the Bureau of alcohol, tobacco, enforces the laws concerning prohibition or control of firearms and provides investigations of bombing; the Secret Services, whose primary responsibilities include the protection of the President and Vice President of the USA and their families and investigation of counterfeiting.

iii. The United States Customs Service

The U.S. Customs service deals with smuggling activities.

iv. The United States Postal Service

U.S. Postal Inspection Service deals with such crimes as mail frauds and misuse of mails.

Basically two kinds of state police exist in the U.S. those with general functions similar to the local police and those with limited responsibilities such as highway patrols on state roads.

City police force is organised as one of several departments within the local government. The police are part of the local criminal justice system.

There are thousands of private and industrial security forces in the U.S. which employs persons engaged in police work. The use of private security system by business houses and individuals is increasing rapidly. Large corporations maintain security to curb internal thefts, shoplifting, robberies and trespassing.

v. The County Police.

The County police is an imperfect parallel to the village policing system in India with some difference. The U.S. County police is uniformed whereas the Indian village police headed by the VAG is not uniformed. The appointing authorities also are different in both the cases.

At the county level, the police head is usually the sheriff who is a parallel to the Sheriff in Madras and Mumbai, The sheriff and his deputies often provide law enforcement services. They generally perform functions not performed by the municipal police. These functions include maintaining the council jail, providing courtroom security and serving legal documents such as court summons,

B. Police Functions

Functions of the U.S. Police with reference to “Patrol Division”, are prevention, criminal investigation, traffic control and handling special problems such as terrorism drug trafficking etc., and non criminal services, such as locating missing person and lost children, marital disputes, ambulance calls etc. Traffic law enforcements and accident investigations are carried out by Highway Patrol officers. In large cities, however, specialists may handle serious or hit- and run -accidents.

C. Police Technology

The U.S. has a hi-tech police service and employs advanced methods of crime detection. Advanced communication system is maintained to transmit the request for police services. The U.S. Police strongly believe and apply the theory quick response leads to more arrests and less victimization. All the police vehicles are fitted with computer terminals and an officer, for example, can key in the licence number of a suspect vehicle and receive an immediate response from the computer as to the status of the vehicle and the owner’s identity with all these Technology - They have allowed to demolize the Twin-Towers by the international Terrorist.

D. Citizen Policing

In addition to the police forces outlined above there is citizen police (which is reserve or auxiliary police force). Such voluntary police is generally employed for patrolling the streets and residential areas. Some of them are uniformed and some are not uniformed.

13.3.SINGAPORE POLICE FORCE (SPF)

A. Origin and Growth

The Singapore police force came into existence in 1965 when Singapore attained Independent Nation status after the liberation from the British rule. Singapore as a small city state has been trying to achieve excellence in all walks of life with a meticulous planning implemented through

a rigid system of democracy of rules and regulations. Singapore is not only a global tourist and shopping centre but it also tries to provide a model of public policy and governance.

The SPF which made a humble beginning in 1965, like many other public services have been elevating itself of global standards, imbibing the best practices of the world over. Commitment, knowledge and integrity are the watch words of the SPF's goal of professionalism in the police force. The SPF is well aware of the greater exposures of the last century and always tries to keep itself aboard with a vision on the new challenges posed by the changing society. Having been a British colony till 1965, Singapore has absorbed the British system and has slightly modified it to suit the conditions of Independent (Singapore) "Nation".

B. Organisation of Singapore police Force

The SPF functions under a Board of management which comprises a Chairmen, a Dy. Chairman and seven members all drawn from the SPF. While the chairman is the commissioner of SPF, the Dy. Chairman is a Dy -Commissioner and the seven members represent other ranks from Dy. Commissioner to Inspector. The Board of management is responsible for policy decisions concerned with the SPF.

The SPF is placed under the command of the commissioner of police assisted by a Dy. Commissioner of police who looks after the Inspectorate Department and a Chief of Staff who looks after the administrative side. The Inspectorate Department headed by a Dy. Commissioner, looks after the police stations.

Entire Singapore is divided into six police divisions, each placed under the charge of a commander of the rank of a DSP. The SPF altogether has 13 departments of the following categories.

1. Operations
2. Planning & Organisations
3. Administration and Finance
4. Manpower
5. Logistics
6. Training
7. Public Affairs
8. Police National service
9. Electronics, Computer and Communications
10. Criminal

investigations 11. Traffic Police 12. police intelligence and 13. Volunteer special constabulary.

Besides these department the SPF also has the following branches.

1. Airport Police 2. Police Coast Guard 3. Security Branch 4. Special Operations Command 5. Gurkha Contingent 6. Police Academy.

With these departments and branches, the SPF is applying management principles to upgrade the force continuously under the development programmes for SPF officers, Incidents management training was introduced in 1995 to give greater exposure to newly recruited officers in incident management in real life.

The SPF has a police psychological unit which has five psychologists. This unit has developed two referral systems to enhance its counseling services. They are (a) the Supervisor referral system and (b) the "Help line" referral system. It has also developed a training package on basic counseling to equip front line supervisors with counselling skills.

The SPF conducts a number of training programmes and healthy lifestyle programmes to keep the rank and file physically and mentally healthy. A number of welfare programmes are offered by the welfare divisions of the SPF Some of them are:

- a) Subsidized holiday resorts
- b) Entitled to discounts at about 250 retail outlets. -
- c) Easy financing for certain purchases
- d) Insurance coverage for SPF members and their spouses;
- e) Commissioner of police study awards and scholastic achievements awards to the children of the members;
- f) Arranged tour programmes;

C. Functional Divisions .

SPF has the following functional divisions:

1. Operations planning divisions, which prepares the SPF for emergencies
2. Operations control divisions, which handles the day to day control and coordination of all police -operations These include on scene management of major cases deployment and security planning for large scale public events and the monitoring of major events and incidents.
3. Radio Division, which activates and transmit messages to groups personnel simultaneously to improve operational response.

i.Security planning Division

Which plans coordinates monitors and supervises the implementations of security measures for key installations, essential establishments. It also extends supporting programmes to the auxiliary police forces.

ii.The Licensing Divisions

Which regulates all public entertainment, arms and explosives material arts associations, instructors and trainees, message establishments, private investigations agencies, security guard agencies, second hand dealers and fund raising activities.

iii.Conceptual and Implementations and Planning Divisions

Which is engaged in long -range planning development of new project and the organisation or structure of the SPF and prepares a budget for the same performance. This division also reviews the functioning of the Neighborhood police posts (NPPs) which are the parallel of the grassroot police stations of India.

iv.Organisation and establishment Divisions

Which looks into the functioning of the SPF's outfits such as police

National service, Volunteer Special Constabulary the Police Coast Guard and the Police Academy. It helped in upgrading the Intelligence Division in 1996.

v. Development planning Division

Which is responsible for implementing the key projects such as new police complex, new traffic police HQ etc., by forming project teams each with its own director.

D. Staff Development Programmes of the SPF

Many staff development programmes are being organised by the SPF now and then, in order to update the knowledge and skill of the members of the SPF. These programmes include courses in other institutions and abroad. These courses assist in personal and professional development of the participants, and also ensure constant influx of new ideas that contribute to the development of SPF. Such programmes include, Police research (on leave) Diploma Programme for' undergoing management courses in the Singapore Institution of Management, Joint Police and Temasek Polytechnic Diploma Courses etc.

Besides these, the SPF has also introduced overseas training courses and programmes for selected officers of the SPF in countries like Australia, Brunei, Canada, Hongkong, Indonesia, Malaysia, Thailand, the U.K. and the U.S. A. This includes also personnel exchange and attachment programme to the ASEAN police officers, attachment programme to the Royal Brunei Police and that Exchange programme and Japan -Singapore Partnership programme. The SPF also offers, advanced courses in investigation to the members some of foreign police forces like that of Nepal, Sir Lanka etc.

E. Functional Departments of SPF

1. Criminal Investigation Department (CID)

The CID of the SPF has different branches which are specialised in the investigation of different types of crimes, The special investigation section and the organised crime branch constitute the major crime division of

the SPF. The specialized crime division checks the gambling/ Secret societies, vices etc. The commercial crime division looks into currency frauds, credit card frauds and other commercial crimes. This division also looks into cases relating to intellectual property rights. There is a comprehensive computer support system that helps investigators and management in the SPF. The SPF maintains inter forces liaison with the police forces of countries such as Malaysia, Indonesia and Britain in the pursuit of trans -national criminals.

2. Traffic Police Department

There is a well -equipped Traffic Police Department in the SPF which conducts road safety talks at the secondary schools. Community centers and work places. It conducts various road safety programmes such as 'ride' safely and stay alive', Anti -Drink Drive Campaign etc. to bring down the road accident rate.

3. Logistics Department

The logistics Department of the SPF consists of three divisions namely, Procurement, Planning and Budget. The Department publishes a quarterly in-house bulleting called In -Tune to promote greater awareness of development and issues-related to logistics. There is also a Police Uniform Committee which constantly reviews the existing uniform and gives suggestions for upgrading it.

The Development introduced the Automated Fuel Managed system in 1975, which operates round the clock with no manpower, to fuel the police vehicles. In order to overcome the problem of shortage of drivers the department officers of the force are trained in private transport schools in driving and mechanism. Logistics training in logistics relating to armoury stores etc. with a focus on operational requirements during emergency.

4. Police Intelligence Department (PID)

The PID was upgraded into a full-fledged department with a view to serving the needs of the SPF. The intelligence is now independent of the

enforcement and operations view. The PID is now highly specialized with all intelligence analyses brought under one professional body called Intelligence Analysis Division which controls and monitors all intelligence report. Divisional intelligence units were established in the police land divisions police Coast Guards. Airport Police and selected entry / exit points. Further, the PID has been creating intelligence awareness among the members of the SPF by conducting professional and general development courses not only for the SPF officers but those from the Central Narcotics, Bureau Prisons Customs and also the officers from the neighbouring countries like Brunei. The PID has conducted a number of operations successfully, busted many ATM fraud syndicates, vehicle theft syndicates, passport fraud syndicate etc.

5.Public Affairs Department

This department functions to educate the public on crime prevention awareness among people of all categories - from primary school students to the senior citizens and housewives. It provides emergency phone call on 999 which is a parallel to the emergency call No. 100 in TN.

Systematic public relations are maintained by this development. It launches campaigns like

- Don't Misuse 999 service
- Low crimes Do not mean no crimes
- Dont' be an easy target for crime
- Festival season crime prevention campaign etc.,

The PID and the National Crime Prevention Council together organised public campaigns to alert the public to increased crime over the festival periods spanning christmas, New Year, the Lunar New Year and Hari Raya Prasa Besides a multi media publicity is made to educate the youth on the consequence of crime and punishment. Crime watch serials are also telecast to educate the public on crime prevention.

Besides these departments the SPF has other departments like the Inspectorate Department which looks into complaints against the members of the SPF, police national service department which performs general duties relating to law and order. Volunteer special Constabulary department which takes care of voluntary police force and Electronics communications and Computer Department which maintains the computer systems divisions ASEANA POL Data Base SPF Internet Radar system the Mobile Data terminal office automation, command control and communication system, computerized criminal intelligence system and computerized investigation management system. etc.,

With all these facilities the SPF stands out as one of the advanced police systems of the world. However, it does not mean that there are no crimes in Singapore. In spite of a very efficient policing system and stringent laws, crimes like, property offence, organised crimes social vices do prevail but at a low ebb.

Neighbourhood Watch Zone (NWZ) NWZ is the name given to the community policing system of Singapore The NWZ was launched in 1997 April with the following objectives:

- a. Encourage mutual help among neighbours
- b. Keep neighbours safe from crime
- c. Instill awareness of potential threat in the area;
- d. Enhance civil -mindedness, neighbourliness and social responsibility.
- e. Give the Resident Council members a more important role in the community.
- f. Give residents a greater sense of security, participation and stake in the community.

With these objectives, the NWZ organises crime prevention campaigns, talks and discussions with the officials of the NPP, crime prevention exhibi-

Check Your Progress

3. What are the departments in Department of Justice of America?
4. What are the Police functions of U.S.A.?
5. Explain the staff Development Program of the S.P.F.
6. Explain the French Police System.

tion and many other social programmes and activities. The NWZ works in collaboration with the NPP to strengthen the community's sense of security.

13.4 POLICE IN OTHER COUNTRIES

a) Canada

About 800 police forces operate in Canada today. This operations resemble those of the United Kingdom and the United states. Two provinces Quebec and Ontario have provincial police with general law enforcement responsibilities. In the other provinces rural policing is assumed by the Royal Canadian Mounted Police.

b) France

Most European countries have police forces that are organized on a "National Basis". Policing in France for example is primarily the responsibility of two national law enforcement bodies; the Gendarmerie Nationale which polices rural areas and small towns and the Police Nationale, which is responsible for policing Paris and provincial urban areas with populations of more than 10,000. The French police system has influenced other countries, especially those that were formerly part of the French colonial empire. In France Inquisitorial system of ciminal Justice system is followed. Hence the Polioce has a great role to play. The accused is presined to have committed the crime. He must prove his innocence. The Police has greater force than the Indian Police.

c) Germany

After world war II the allied occupational forces introduced the British American style of decentralized police forces to West Germany (now part of the United Federal Republic of Germany) Partly to prevent a return to a national military force. The experiment was not totally successful however, and a compromises currently exists between a national force and decentralization. Germany is organized into semiautonomous provinces or states each with its own independently elected state government judiciary and police. There is also a federal investigative bureau, the Bundeskriminalamt, which

is renowned for its sophisticated computerized records system and technology. In Germany Inquisitorial system of criminal Justice System is followed. It is the National Police who has the difficult task in bringing the criminal to the court. It is the accused to prove his innocence. He is presumed to have committed the crime.

d) Israel

In the Middle East, Israel has a single national police force that has been patterned after elements of the British Palestine police. Following independence in 1948, attempts were made to demilitarize the force, but recurrent conflicts with neighbouring Arab states have compelled the police to maintain security against terrorist actions, as well as carrying on the usual law enforcement activities. The battle-hardened Israeli police have developed highly effective investigative methods and technical capabilities.

e) Interpol

Little is known about the operation or organization of the police in Communist nations, as details of the system are generally kept secret. The International Criminal Police Organization (Interpol) was established after World War II, with headquarters in Paris. Interpol does not conduct worldwide criminal investigations; rather, it is a records clearinghouse that serves as a means of communicating information from the police of one country to those of another. The majority of nations in the non-Communist world, including all major Western powers, are members of Interpol.

13.5. SUMMARY

In this lesson we have studied about different countries and its Police systems. All the countries wanted to have calm society for that purpose they wanted to have Police system. The People wanted to sleep the people wanted to work under peaceful circumstances. For that purpose they wanted to have a police system which does not sleep which works day and night which works all the 24 hours with their sophisticated equipments to safeguard the interest of their citizens and Non-citizens.

(Space for Hints)

We have studied a comparative system as a common platform -ie the safety of people. How the Police works with their Divisions.

13.6. KEY WORDS

1. Common Law Countries - Countries which are following common Law of England. Common Law is unwritten law of England.
2. Bishop- Gate - An Area in England carrying on London Administration.
3. Scotland Yard - Police famous for its hi-profile investigating strategies. It is located 20-storey block along the Broadway and Victoria Street in Westminster 400 meters away from the House of Parliament.
4. Sir Robert Peel - Former Prime Minister of England - (1829).
5. VAG - Village Administration God.
6. Lunar New Year - New year of Muslims.
7. PID - Police Intelligence Department
8. Interpol. - The International Criminal Police Organisation.
9. Syndicate - Criminal Group.

13.7. CHECK YOUR PROGRESS

1. Refer Para 13.1
2. Refer Para 13.1.
3. Refer Para 13.2.

4. Refer Para 13.3
5. Refer Para 13.3
6. Refer Para 13.4

13.8. MODEL QUESTIONS

Short Answer Questions

1. Explain the corporate support to the city of London Police.
2. Write short Notes on scotland yard Police.
3. Write short Notes on the Treasury Department of U.S.A.

Long Answer Questions

1. What are factors which govern the police organisation of a country?
Mention the salient features of the Scotland Yard.
2. Give the major features of the city of London Police.
3. What are the salient features of the U.S. Policing system.

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MODEL QUESTIONS

POLICE ADMINISTRATION AND INVESTIGATION

Time : Three Hours

Maximum : 100 Marks

Answer any Five Questions

1. முந்தைய காலங்களில் காவல்துறையினை பற்றிய பொது கொள்கை பற்றி விளக்குக.

Explain the concept of Policing during early periods.

2. சுதந்திரத்திற்கு பிறகு காவல்துறையின் அமைப்பு மற்றும் ஒழுங்குப்படுத்துதலில் உள்ள மாற்றங்கள் பற்றி விளக்குக.

Explain the Change in structure and organisation of Police after independence.

3. காவல்துறையில் காவலர்களின் பயிற்சி மற்றும் தேர்ந்தெடுத்தல் முறையினை விளக்குக.

Explain the process of recruitment and training of Police Personnel.

4. சட்டம் மற்றும் ஒழுங்குகளை காப்பதில் காவல்துறையின் பங்கு என்ன?

Explain the role of Police in maintaining law and order.

5. சுருக்கி எழுதுக.

அ) கட்டுப்பாட்டு அறை

ஆ) மருத்துவம் சார்ந்த தடய அறிவியல் பிரிவு.

Write short notes on

a) Control room

b) Forensic Medical Wing.

6. காவல்துறை மேற்கொண்டுள்ள பல்வேறு குற்ற தடுப்பு முறையினையும் அதன் பணிகளையும் விளக்குக.

What are the various crime prevention functions adopted by the Police?

7. செல்வாக்காளர்கள் குற்றம் என்பதை வரையரை செய்யவும். செல்வாக்காளர்கள் குற்ற தடுப்பு மற்றும் புலன் விசாரணையில் காவல்துறையின் பங்கு என்ன?

Define white collar crime. Explain the role played by the Police in Prevention and investigation of white collar crimes.

8. விவரிக்க

அ) முதல் தகவல் அறிக்கை (எப்.ஐ.ஆர்)

ஆ) குற்ற பத்திரிக்கை

Explain about

a) F.I.R.

b) Charge sheet

9. சமுதாய காவல் என்றால் என்ன? அவை எந்த அளவிற்கு வெற்றிகரமாக உள்ளது?

What is community policing ? How far community Policing has been successful.

10. இங்கிலாந்து மற்றும் பிரான்ஸ் ஆகிய நாடுகளில் காவல்துறை அமைப்புகள் எவ்வாறு உள்ளன என்பதை விளக்குக.

Explain the Police Systems Prevalent in UK and France.

