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NOTIFICATION

Port Blair, dated the 24th August, 2023.

No. 83/2023/F.No.7-15/2022-Home.— in exercise of the powers conferred under Section 7 and 12 of the Police Act, 1961 read with Govt. of India, *late* Home Department Notification No.126/37-Public dated 1st April, 1937 and in supersession of Notification No.70/F.22-1/58-63-J dated 30.05.1963 and subsequent Amendments made therein and in compliance of order dated 20.04.2021 passed by Hon'ble Supreme Court in *Suo Motu Writ* (Crl.) No. 01 of 2017, the Lieutenant Governor (Administrator), Andaman and Nicobar Islands hereby makes the following Rules namely :—

SHORT TITLE AND COMMENCEMENT

- i. These rules may be called the Andaman and Nicobar Islands Police Manual, 2023
- ii. They shall come into force from the date of its publication in the Official Gazette of A & N Administration.

By order and in the name of the Lt. Governor of
UT of Andaman & Nicobar Islands.

Sd./-

(Dr. Prashant Kumar)
Joint Secretary (Home)

Andaman & Nicobar Police



Andaman & Nicobar Police Manual 2023

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Chapter - 1

ORGANIZATION AND ADMINISTRATION

1.1 Constitution

The A&N Islands comprises of 836 islands and Islets/rocks, of which only 38 islands are inhabited and 798 are uninhabited. The archipelago spreads over an area of 8249 Sq. Km. The total coastline of these islands is 1962 Kms, which is about 1/4th of the total coastline of our country. The Andaman and Nicobar archipelago is located at a distance of 1200 Km away from the mainland India. It is spatially closer to Myanmar, Thailand and Indonesia. The Landfall Island is the northernmost island of the North Andaman, which is 40 Km from Coco Island of Myanmar. The Great Nicobar Island is the southernmost island of Nicobar district, which is about 150 Km from Sumatra Island of Indonesia.

The geographical location of the islands confers a vast area of territorial waters and Exclusive Economic Zone (EEZ) which is nearly 30% of the India's total EEZ. These Islands have coral reefs on the eastern side and barrier reef on the western side endowed with rich marine wealth. The large maritime area, provides rich potential for marine resources including crocodiles, sea cucumbers, seashells. The islands are located in a region identified as seismic zone-V which corresponds to the highest level of seismic activity resulting in earthquakes, Tsunamis, cyclones and landslides but these islands are also huge attraction for foreign fishing vessels and poachers from neighbouring South-East Asian countries. The creeks and natural hideouts of thick forest offer ideal conditions for poachers.

The Andaman & Nicobar Police was originally raised as SEA BUNDRY CORPS in 1858 for protection of penal settlements in the Andaman. It was reconstituted in 1867 with a strength of 02 Inspectors, 03 Head Constables, 12 Sergeants and 285 Constables. The Police Act (V of 1861) was extended to the Andaman and Nicobar Islands by the Government of India vide Notification No. 377 of 24th August 1875. In terms of the provisions of Section 2 and Section 3 of the said Act, the Andaman and Nicobar Police has been established in the Union Territory of Andaman and Nicobar Islands and shall be constituted in such manner as prescribed from time to time by the Ministry of Home Affairs and Administration of the Union Territory of Andaman and Nicobar Islands.

1.2 Territory of A&N Police

The Andaman & Nicobar Islands comprises of 03 districts, which are again divided into 07 sub-divisions, supervising 23 Police stations, 23 outposts, 07 Look Out Posts and 12 Jarawa Protection Posts.

The territory of A&N Police is divided broadly under three different districts

namely

1. South Andaman District
2. North & Middle Andaman District &
3. Nicobar District

The administration of these districts vests with Superintendents of Police.

1.3 Superintendence of Andaman and Nicobar Police and its administration

The Andaman and Nicobar Police service of the Union Territory of Andaman and Nicobar Islands will be under the general control of the Director General of Police appointed by the Govt. of India, Ministry of Home Affairs. The Police service shall work under the overall direction and supervision of the Director General of Police and he shall exercise powers and perform such functions and duties, as provided by the Police Act 1861. The Director General of Police, A&N Islands shall be assisted by Additional Director Generals of Police, Inspector Generals of Police, Deputy Inspector Generals of Police and Superintendents of Police who are transferred and posted to this territory by the order of the Government of India, Ministry of Home Affairs. Notwithstanding anything contained in this manual, the Director General of Police reserves the right to alter/modify/add or delete any provision of this manual as per requirements.

The scope of this Manual shall extend to all personnel of Andaman& Nicobar Islands Police as well as to the personnel of Police Communication, Fire Services and to the personnel of IRBn, except those provisions which are related to raising of IRBn and other special provisions issued by MHA from time to time in respect of IRBn.

1.4 Hierarchy of A&N Police

The rank and hierarchical structure of the Andaman and Nicobar Police shall be the following: -

1. Director General of Police.
2. Addl. Director General of Police/Inspector General of Police.
3. Deputy Inspector General of Police.
4. Superintendent of Police.
5. Deputy Superintendent of Police.
6. Inspector of Police.
7. Sub-Inspector of Police.
8. Assistant Sub-Inspector of Police.
9. Head Constable.
10. Police Constable.
11. Follower Constable.

1.5 Andaman and Nicobar Police Formations

The structural formation of Andaman and Nicobar Police is following:

1. Police Headquarters
2. Police Districts
3. Police Sub-division
4. Police Stations
5. Police Outposts, Look Out Posts, Jarawa Protection Posts.
6. Allied units like Police Training School, Crime Investigation Department, Communication etc.

1.5.1 Allied units headed by Superintendents of Police that assist A&N Police are as follows:

i) Police Training School

This unit shall carry out training of recruits and promotees. This unit also conducts refresher courses for empowerment of Police officers regularly by inviting faculties from within the organization and other experts from outside the organization.

ii) Crime Investigation Department (CID)

Following are the functions of CID unit: -

- a. Collection, collation and dissemination of criminal intelligence, statistics and data.
- b. Investigation of important cases having inter-state ramifications and coordination with CBI and other sister agencies.
- c. Investigation of specialized cases relating to economic offences, counterfeit currency, terrorism, narcotics, smuggling, etc. and cases relating to custodial deaths.
- d. Investigation of sensational/heinous offences and other cases, as assigned by the Union Territory of Andaman and Nicobar Administration and Senior officers of the Andaman and Nicobar Police Department.
- e. Criminal Intelligence gazettes.
- f. Handling matters related to crisis management.

iii) Security Cell

The Security cell aims to provide high standard security to the respectable dignitaries of these islands and various VIPs and VVIPs visiting to this Union Territory of A&N Islands. The unit also conducts searching and frisking of passengers at helipad, anti-sabotage check and access control with security gadgets during

the visit of VVIPs and other important functions. A bomb detection and disposal squad is also attached with this unit.

iv) **Communication**

This unit is responsible for establishing and ensuring secure and smooth communication with all the constituents of Police and others, even at times of emergency like natural disasters, law and order crisis management and even during elections in remote areas.

v) **Traffic**

This unit regulates the traffic in the UT by ensuring regular education, engineering and enforcement on motor vehicles plying on road.

vi) **Police Motor Transport**

The Police Motor Transport looks after plying and maintaining the fleet of motor vehicles for the use of the Police in the performance of their duties.

vii) **Armed/Special Armed Police**

This unit serves by guarding the Look Out Posts, provides for DGP's reserve and static guards.

viii) **Vigilance Cell**

This cell is responsible for enquiry on allegations made on serving Police officers.

ix) **Immigration & Foreigner Registration Office**

This unit deals with Immigration of foreign tourists, their registration and checking of valid documents. It also deals with clearance of foreign vessels entering into the Indian territory.

x) **Police Marine Force**

Total 21 coastal Police stations are operational in UT of A&N Islands. PMF ensures that no illegal immigrants and poachers/criminals enter the country through the sea route.

xi) **Fire Service**

This unit takes care of any fire accidents and is equipped to deal with disaster management as well. It also focusses on fire hazard mitigation and training of general public, businesses in fire safety matters.

xii) **Disaster Management Cell**

Andaman and Nicobar Islands are one of the Multi hazard prone areas of India. Coastal areas are particularly prone to hydro-meteorological disasters such as Tsunamis, cyclones, storm surges. This is also one of the most seismically active parts of the world and is classified under Seismic Zone-V.

The Disaster Management cell is headed by SP (Comm.) as Nodal Officer, Disaster Management and Dy.SP(DM) as Assistant Nodal Officer respectively. The main functions of this cell are to monitor Disaster Preparedness and operation at ground level i.e Rescue, Relief, Evacuation, First Aid, Fire Fighting etc in the wake of a disaster and to provide training to all the members of Police personnel including Fire Service, Police Radio, IRBn, Home Guards etc., as well as to other departments like Forest, APWD, NGO's etc.

xiii) **India Reserve Battalion (IRBn)**

IRBn has been raised by Central Government to meet short term requirements during elections, festivals and other natural and manmade disasters. This force is available for providing reinforcement to district Police and other agencies besides carrying out regular training.

Chapter - 02

APPOINTMENT

2.1 Appointment of Gazetted officers:

Appointments to the posts of Group- 'A' and 'B' (Gazetted) are made by the Government of India.

2.2 Appointment of Upper & Lower Subordinates: -

- a) Appointments to the ranks in Group 'B' (Non-Gazetted) posts are made by the Director General of Police and the appointment to the rank of Group 'C' posts are made by the Superintendent of Police, in accordance with the Recruitment Rules (RR) and Standing Orders framed from time to time and approved by the UT Administration.
- b) Candidates for the direct appointment to the ranks of Group – B (NG) & Group – C shall conform to the physical and other general requirements laid down in rule 2.4 and shall possess educational and fulfill other general requirements laid down in the Recruitment Rules/Standing Orders/guidelines.

2.3 Physical and other requirements for enlistment:-

A Candidate for enlistment in the Police service in any rank shall be an Indian Citizen of good character and antecedents. Any persons 'dismissed' from Government employment is prohibited.

Physical Standards & Medical Standards: Further, the candidate will be required to meet the physical standards and medical standards as prescribed in the prevailing Recruitment rules notified in the Gazette issued by the A&N Administration and Standing Orders from time to time.

- 2.4 Due care shall be taken to ensure that the age of every Police officer is correctly ascertained and recorded at the time of his enrolment.

2.5 Appointment by deputation

The appointment by deputation will be made in accordance with the recruitment rules.

2.6 Appointment to Ministerial Cadre

The appointment to Ministerial Cadre will be done as per the recruitment rules for the direct appointment in the rank of Head Constable. A candidate

applying to this post will be required to separately qualify the physical standards and proficiency test for selection into this cadre.

2.7 Method of recruiting

Recruits may be enlisted through open competition by advertising vacancies in the Print Media as well as Police website.

All enlistments in the force shall be subject to verification of character and antecedents of the candidate through the Police of home district of the candidate.

2.8 Appointment Letter

A letter of appointment under section 8 of the Police Act shall be issued to each member of the force on enrolment. The appointment letter shall be surrendered on the suspension of the holder or on his dismissal or discharge from the force. An appointment letter issued as above will become null and void, whenever the person named in it, ceases to belong to the Police force. A member of the force losing his appointment letter shall at once report the fact to the Superintendent of Police who will then issue a duplicate. Appointment letter to lower subordinates shall be issued by the Superintendent of Police and to upper subordinates by the Director General of Police or by the Superintendent of Police under the authority of the Director General.

2.9 Verification of character, preparation of character roll and service book.

Soon after enlistment, but subject to verification of character, a Character Roll/Service Book in the prescribed form shall be prepared for each recruit in his presence. The gazetted officer before signing the roll, shall satisfy himself that the recruit understands the purport of the agreement and that the recruit is satisfied that his age has been correctly recorded. As soon as possible after the completion of basic training, every recruits shall make and subscribe in the corresponding form the oath of loyalty and allegiance which shall also be administered at a formal ceremony held during passing out parade.

2.10 Every enrolled Police Officer will be on probation for a period of two years from the date of appointment. The period of probation includes the period of training of a recruit in the Police Training School or the period of training of an officer in the Police training College in the mainland.

- 2.11** Every person promoted to a higher rank from any group "C" posts to any group "B" posts shall be on probation for a period of two years from the date of such promotion.
- 2.12** If the post to which a person is appointed either directly or by promotion is a temporary post, he shall be appointed to that post on officiating basis and the period of successful officiating in that post shall be counted as probation period for the purpose of rule 2.10.
- 2.13** Any enrolled Police officer appointed or promoted may within the period of such probation, be discharged or reverted to his substantive rank as the case may be without formal departmental proceedings, if he fails to maintain an exemplary standard of conduct and efficiency or if he fails to pass the tests or examinations as may be prescribed for each category or post by the appointing authority or a higher authority.
- 2.14** If, at the conclusion of the period of probation, the authority empowered to make the appointment or promotion, as the case may be, considers that the standard of work by the Police officer concerned has been such as to justify neither discharge or reversion nor confirmation, or for any other reason considers that an equitable decision cannot immediately be made, that authority may, for reasons to be recorded in writing and formally communicated to the Police officer concerned extend the probationary period for not more than one year.
- 2.15** The decision on whether an employee should be confirmed or his probation extended should be taken soon after the expiry of the initial probationary period, that is, ordinarily within six to eight weeks and communicated to the employee together with the reasons in case of extension. A probationary who is not making satisfactory progress or who shows himself to be unfit for the service in any way should be informed of his shortcomings well before the expiry of the original probationary period so that he can make special efforts on self-improvement.
- 2.16** Concentration of attention on the probationer's ability to pass the probationary or the departmental examination tends to obscure the wider object of probation. In judging the fitness for confirmation of employees selected on the result of a rigorous written examination, passing the probationary of a departmental examination should be an essential, but not the most important part of the qualification for confirmation. There should be a very careful assessment of the outlook, character and aptitude for the kind of work that has to be done in the service before a probationary is confirmed, and only

those who possess qualities of mind and character needed in the particular service and the constructive outlook and human sympathy acceded in the public service generally should be confirmed. A probationary should be given an opportunity to work under more than one officer during the period of his probation and reports on his work obtained from each one of those officers. The reports for the whole period may then be considered by the Superintendent of Police for determining whether the probationary concerned is fit to be confirmed in service.

2.17 (I) Seniority: -

Seniority of a direct recruit to be determined by the order of merit indicated at the time of initial appointment. Where promotions are made on the basis of Non-Selection seniority-cum fitness, subject to the rejection of the unfit, the seniority of persons considered fit for promotion at the same time shall be the same as the relative seniority in the lower grade from which they are promoted. Where, however, a person is considered unfit for promotion and is superseded by a junior, such person shall not, if he is subsequently found suitable and promoted, take seniority in the higher grade over the junior persons who had superseded him.

(II) Seniority of Absorbees

- (a) The relative seniority of persons appointed by absorption from a Central Service from the Subordinate Officer of the Central Government or other departments of the Central or of a State Government shall be determined in accordance with the order of their selection for such absorption.
- (b) Where such absorbees effected against specific quotas prescribed in the Recruitment Rules, the relative seniority of such absorbees vis- a-vis direct recruits or promotes subject to the provision of para 2.18(III) below shall be determined according to the rotation of vacancies which shall be based on the quotas reserve for absorption, direct recruitment and promotions respectively in the Recruitment Rule.
- (c) The principle laid down in para 2.18(II)(a) above will not present in any difficulty where recruitment by absorption is made singly and at intervals but it will be found wanting in case where two or more persons are selected from different sources on the same occasion and the selection spread over a number of days. It will, therefore, be necessary for the authorities responsible for approving appointments by absorption to indicate the inter se order of merit of the selected persons in such cases.

Where a person is appointed by absorption in accordance with the provisions in the recruitment rules providing for such absorption in the

event of non-availability of suitable candidate by direct recruitment or promotion, such absorbee shall be grouped with direct recruits or promotees, as the case may be. He shall be ranked below all direct recruits or promotees, as the case may be, selected on the same occasion.

(III) Seniority of persons absorbed after being on deputation

- (a) In the case of a person who is initially taken on deputation and absorbed later (i.e, where the relevant Recruitment Rules provide for “deputation/ absorption”), his seniority in the grade in which he is absorbed will normally be counted from the date of absorption.
- (b) If he has, however, been holding already (on the date of absorption) the same equivalent grade on regular basis in his parent department, such regular service in the grade shall also be taken into account in fixing his seniority, subject to the condition that he will be given seniority from-
 - The date he has been holding the post on deputation.
 - (or)
 - The date from which he has been appointed on a regular basis to the same or equivalent grade in his parent department, whichever is earlier-
- (c) The fixation of seniority of absorbee in accordance with the above principle will not, however, effect any regular promotion to the next higher grade made prior to the date of such absorption. In other words, it will be operative only in filling up of vacancies in higher grade taking place after such absorption.
- (d) In cases in which absorbees are not strictly in public interest, the transferred officers will be placed below all officers appointed regularly to the grade on the date of absorption.
- (e) It is also clarified that purpose of determining the equivalent grade in the parent department, the criteria contained in DoPT Office Memorandum No.14017/27/75-Estt.(D), dated the 7th March 1984 & other subsequent issued by DoPT, which lays down the criteria for determining analogous posts, may be followed.

2.18 The appointing authority, may at the time of passing an order appoint two or more persons simultaneously to a rank or grade, fix the order of precedence among them in accordance with the principles laid down below; and, where such order has been fixed, seniority shall be determined in accordance with it.

The following principles will be observed in determining seniority of officers of the same rank or grade.

- a) Officers who are officiating or on probation in any rank or grade take seniority below officers confirmed in that rank and among themselves in accordance with the date of appointment to that rank or grade.
- b) If the date of appointment is the same, an officer on a higher rate of pay shall take seniority over an officer on a lower rate in the same scale.
- c) If the rate of pay is also the same, seniority will be determined in accordance with the length of service.
- d) If the length of service is also the same, seniority will be determined in accordance with age.

2.19 The transfer of a person from one class or category of the service to another class or category carrying the same pay or scale of pay shall not be treated as first appointment to the latter for the purpose of seniority and the seniority of a person so transferred shall be determined with reference to the date of his first appointment to the class or category from which he was transferred. Where any difficulty or doubt arises in applying this sub-rule, seniority shall be determined by the appointing authority.

2.20 Where a member of the service in any rank, category or grade is reduced to a lower rank, category or grade, he shall be placed at the top of the latter unless the authority ordering such reduction directs that he shall take rank in such lower rank, category or grade next below any specified number thereof.

2.21 The general principles in determining seniority of officers of the same rank or grade will be followed in accordance with the guidelines issued by the DoP&T, Government of India from time to time in this regard.

2.22 Seniority for each rank of Executive branch and PMT unit will be maintained in Police Head Quarter. Seniority of each rank of all other units will be maintained by the respective units. A copy of the seniority list of each rank issued by the concerned unit will be sent to the Superintendent of Police Head Quarter for record.

Chapter 3

TRAINING AND EXAMINATIONS

Introduction

Training happens to be an important instrument and process of human resources development. The objectives of the Police training should be the inculcation of knowledge and professional skills and the development of attitudes appropriate to their work and the people they come into contact with. Police training should work as a change agent to bring about the requisite changes at the level of knowledge, skills, attitudes and values. The Police training as a continuous process should help the Police personnel in their overall career development and should acquaint them with their overall organizational and professional climate while familiarizing them with their overall professional milieu with a necessary bias for Science and Technology.

Objectives of training: The objectives of Police training as a whole should be the following:

- a) To prepare professionally sound and operationally competent Policemen of various ranks
- b) To develop physical fitness and competence for handling various Police equipment and weapons.
- c) To create an adequate level of awareness in the trainee participants, about their roles, responsibilities and duties, along with the requisite responsiveness and accountability expected from the Policemen working in a democratic society.
- d) To instill sound knowledge about law and procedure, so as to equip the trainees to handle their various tasks of order maintenance and crime management.
- e) To evolve requisite professional skills, so very essential to perform their roles in a democratic and free society
- f) To develop requisite attitudes, norms and values in the Police trainees
- g) To foster loyalty to the Constitution, commitment to the aspirations of the nation, the concept of an egalitarian society, and the needs for national integration.
- h) To create an awareness in the Policemen that they are friends of the people and they can win the confidence and cooperation of the community only with service orientation and by respecting the needs, demands and rights of the people.

3.1 Training of the Constabulary:

A Constable is the most frequently seen Police officer and the first to come in contact with the people, who expect him to use his authority for safeguarding their rights and rendering them assistance in the solution of their problems. His powers of arrest though limited, give him much scope for the use of his authority. His training should concentrate on imparting professional skills and developing his abilities and attitudes in such a way as will enable him to discharge his functions effectively. He has to deal with individuals as well as groups of people. The one aspect which deserves the maximum attention in his training, therefore, is his behaviour and attitude towards the common man. He must be physically fit and fully trained in unarmed combat.

3.1(A) Basic Training of Constables:

Every recruit constable on enlistment for the Police (Executive) will report to the Police Training School, Prothrapur, Port Blair, to receive training in drill, musketry, law and Police duties. The period of training will be of twelve months including nine months basic foundational training course and three months attachment to various units with examination and passing out parade.

3.1(B) Procedure of Training

(a) For the training of recruits in law and Police duties (Indoor), regular training classes are established under a Chief Law Instructor not below the rank of Inspector. For the training in drill and musketry and in other armed duties (Outdoor), regular training classes are established under a Chief Drill Instructor not below the rank of Inspector. The training of all recruits shall be carried out under the direction and personal control of Vice-Principal, Police Training School, Prothrapur. The training will, however, be under the overall control and supervision of the Principal, Police Training School.

(b) The Police training of Constables is divided into two categories, i.e., indoor training and outdoor training.

Indoor & Outdoor Training

The Indoor & Outdoor syllabus shall be reviewed time to time based on the evolving need of policing.

(c) The syllabus & subjects to be taught during basic training will be decided by the competent authority and notified time to time.

The training will be carried out according to the prescribed syllabus. The Principal (PTS) and Vice-Principal (PTS) will exercise close supervision on overall training and they will ensure that recruits are fully and comprehensively trained.

(d) **Practical Exposure:-** Apart from theoretical classes on the important topics like the scene of the crime, scientific-technical aids and finger & footprints, sufficient periods shall be allocated for practical exposure including visits to Forensic Science Laboratory, Mobile Forensic Unit and Finger Print Unit so that recruits can co-relate practical with theory.

(e) **Sensitization modules** like gender sensitization, service orientation in public dealing, community policing, dealing with Victims of Crime, visit Old Age Home, visit Children Home and capsule courses like Personality Development & Public Speaking, visiting a Vital Installation/Airport, Relief and Rescue during disaster shall be included with the objective to sensitize the recruits and fine tune their attitude and behaviour towards the different sections of society including women, senior citizens, children and weaker sections.

(f) **Training Methodology:** - Interactive Lecture, Case Study, Group discussions, Practical Exercise and Simulation of the scene of the crime, Demonstration, Audio-Visual aids and presentation of papers on professional subjects will be used for training purpose. The teaching methodology shall include more case studies, practical exercise, role-plays, demonstrations, examples, illustrations, films, etc. apart from routine lectures. All theories shall be explained in the context of ground realities.

(g) **Assessment of Recruits:-** Training performance report of each recruit in Indoor & Outdoor subjects shall be submitted to the Principal, PTS by Vice Principal, PTS in consultation with Chief Law Instructor & Chief Drill Instructor for individual assessment of the recruits on every 3rd of the Month. A personal dossier of each trainee shall be maintained by the CLI and CDI separately.

(h) **Performance Register** shall be maintained by CDI/CLI and shortcomings/ observations/weaknesses etc. of the recruits will be entered. In this regard, a weekly report shall be sent to the Principal (PTS) through VP (PTS).

(i) Every recruit shall maintain notebooks for individual subjects. The Chief Law Instructor and the Assistant Law Instructors shall ensure that all recruits make full and intelligent use of these notebooks by jotting down important points in each lecture for revision and refreshing their memory from time to time. The Instructors and the Chief Law Instructor shall check the notebooks of all recruits carefully from time to time and ascertain if they have been attentive in classes and following the lecture. When any notebook is checked, the initial of the officer with the date of checking shall be entered therein. If any recruit has not written any notes satisfactorily, the checking officer will ascertain the reason therefore and take suitable action.

(j) The Vice-Principal shall obtain details of progress made by each recruit in (a) Indoor and (b) Outdoor from the Chief Law Instructor and Chief Drill

Instructor at the end of every month and compile a consolidated "Progress Report of Recruits under training as prescribed to the Principal, PTS.

3.1(C) Examinations

The recruits shall be periodically assessed through Unit tests and examination in both indoor and outdoor subjects, in both theoretical and practical mode. The method and mode of assessment shall be as per prescribed norms laid down in the Standing Orders. Marks of Unit tests, Final Examination and Principal's Assessment Marks would be considered for preparing the final mark sheet.

The Vice Principal (PTS) and Chief Law Instructor & Chief Drill Instructor of PTS shall carefully scrutinize the performance of trainees in these examinations/tests and in all cases where any recruit found lacking, special attention will be paid, so that he/she can be brought at the desired level.

3.1(D) Disciplinary Action/Termination of Service

The Principal/Vice Principal/PTS shall be the Competent Authority for initiating and finalizing (if the recruit is still in the PTS) any disciplinary action against the recruit constables. Principal PTS shall be the competent authority to pass orders regarding the termination of the service of a recruit Police constable.

The services of recruits who fail to qualify in the final examination will be terminated by the Principal (PTS). However, maximum of two additional chances will be given to the unsuccessful recruits. IGP will be the appellate authority.

3.1(E) Posting of recruits on completion of recruit course

On completion of the course, a recruit should be posted to Police Line for 06 months and various units of A & N Police for 06 months on rotation basis until completion of probationary period. During the remainder of probationary period, he/she should be posted under SHO/Sub-Inspector who should be required to give them careful and regular attention and to submit reports every two months regarding their progress. The Dy. Superintendent of Police/SDPO should also be required to see and question him/her frequently and keep him/her under close supervision so that they can acquire proficiency through the experience of fieldwork.

3.2. Types of training

3.2(A) Training of Head Constables for the Armed and Civil Police

- a) All Head Constables promoted from lower ranks, will be required to undergo 03 months training at Police Training School, Prothrapur. The duration of the course would be 03 months and the name of the course

would be “Lower School Course”. Schedule for Lower School Course will be as prescribed from time to time.

- b) After promotion to the rank of Head Constable the officer is assigned with investigation of only minor offences and preparation of Kalandara under Cr.PC/other relevant Acts and needs to know about the method of GD writing. He is also required to work as Duty Officer and in charge of Malkhana, records, guards, PSO, mess, warrant and summons, JPPs, OPs and also I/C LOPs of remote areas.
- c) The main objectives of such training shall be to impart and enhance the professional knowledge to hone their skills and to cultivate an appropriate attitude to serve the community.
- d) The training of Head Constables at Police Training School is two-fold, i.e Indoor for gaining professional knowledge and skills and Outdoor shall be for physical fitness, sharpening reflexes inculcating and strengthening of the fibre of discipline and building team spirit.

3.2(B) Training of Upper Subordinates in the Armed Police and Civil Police

- a) An Upper Subordinate, whether directly recruited or promoted to the rank of Sub-Inspector, shall be required to undergo a course of training in a Police Training College (Syllabus as per Training College).
- b) A lower subordinate, who is promoted to the rank of Assistant Sub-Inspector needs to undergo Intermediate School Course at PTS.
- c) Sub-Inspectors who are directly recruited may, on successful completion of the course at a Police Training College, be posted at PTS for 45 days course on Local & Special Laws and subject specific to A&N Islands.

3.2(C) Practical Training Programme of Sub- Inspectors

Sub-Inspectors who are directly appointed may, on successful completion of the course at a Police Training College, be posted for practical training for a period of 01 year as follows:

- a) 08 months in Police Stations of South Andaman & N&M Andaman and 01 month in Nicobar Districts.
- b) One month to court under the Public Prosecutor to learn all duties connected with the prosecution of cases and maintenance of records, etc. in his office.
- c) 02 months practical training at Traffic Branch, PHQ, Security Cell, PMF, Immigration & Foreigners Branch, CID Unit, Fire Brigade, Police Radio & Police Lines.

The probationer should keep a personal diary. The Officer-in-charge of his training in the respective sections as stated above should submit a report to

the Principal (PTS) on his/her progress and work. The Sub-Divisional Police Officer, DySP and SHO should examine the work of probationer whenever opportunity offers and take steps to prevent him/her being used merely to lighten the work of those under who he/she serves.

However, the programme of training may be revised from time to time with the approval of the Director General of Police, A & N Islands.

3.2(D) Refresher Training Course

- a) Police Training School shall organize refresher training for in service Police personnel of A&N Police periodically. A batch of Police personnel consisting of such number of Sub-inspectors, ASIs, Head Constables and Police Constables as decided by the Principal PTS, shall be called from different units including Police Stations and Outposts to PTS, Prothrapur periodically for refresher course.
- b) The Chief Law Instructor will maintain a register of Upper and Lower subordinates of A & N Police and will submit a list of Police personnel for the Refresher Course to the Principal, PTS, for the issue of necessary orders.
- c) Upper and Lower subordinates of A&N Police should undergo periodical firing practice.

3.3 Training of Follower Constables:-

Every Follower Constable shall on enlistment be required to undergo training in drill and musketry for a period of three months.

3.4 Training of PMF personnel:-

Every person appointed to a post in the Police Marine Force shall on enlistment be required to undergo training in drill and musketry for a period of three months in accordance with the syllabus as prescribed from time to time.

Chapter - 4

PAY AND ALLOWANCES

4.1 The pay and allowances of all the ranks of Andaman & Nicobar Police shall be governed by the Central Pay Commission or as per the Government of India's decision issued from time to time, in this regard.

4.2 Increments

The increments will be applicable in accordance with updated CCS (Revised Pay) rules and orders issued by Government of India from time to time.

4.3 Allowances

Allowances such as Island Special Duty Allowance, Tough Location Allowance, Hard Area Allowance, Ration Money Allowance etc., may be given as per the rates decided by the Govt. of India, from time to time.

4.4 Free Sea Passage (FSP)

Locally recruited Government servants serving in non-vacation departments under the A & N Administration, who are domiciled in the Union Territory of Andaman & Nicobar Island, be allowed for FSP as per the existing rules.

4.5 BHAVISHYA Portal for pensioners

Department of Pension & Pensioners Welfare has launched an Online Pension Sanction & Payment Tracking System called 'BHAVISHYA' with a vision of ensuring active and dignified life for pensioners by ensuring payment of all retirement dues and delivery of Pension Payment Order (PPO) to retiring employees on the day of retirement itself.

The system provides for on-line tracking of pension sanction and payment process by the individual as well as the administrative authorities. The system captures the pensioners personal and service particulars. The forms for processing of pension can be submitted online. It keeps retiring employees informed of the progress of pension sanction process through SMS/E-Mail. The system obviates delays in payment of pension by ensuring complete transparency.

Chapter - 5

PROMOTIONS

- 5.1. Promotion from one rank to another and from one grade to another in the same rank shall be made by Selection/Non-Selection. The seniority-cum-fitness, efficiency, honesty and general conduct shall be the main factors governing selection, but specific qualifications, whether in the nature of training courses passed or practical experience shall also be carefully considered in each case.
- 5.2. **Promotions to Gazetted ranks:**
Promotions to Gazetted ranks in the Police force, shall be made by the Government of India.
- 5.3. Promotions to the ranks of Upper Subordinates & Lower Subordinates, whether officiating or probationary, executive or technical shall be recommended by the Departmental Promotion Committee (DPC) in accordance with notified RRs. The Police Establishment Board (PEB) will approve the recommendation of the DPC for promotions up to the rank of Inspector within the UT of A&N Islands.
- 5.4. Every promoted person from Group-C to Group B (Non-Gazetted) shall be on probation for a period of two years from the date of such promotion.
- 5.5. **Modified Assured Career Progression Scheme (MACP)**
The MACP scheme is introduced by the Government of India to give adequate promotional avenues to government employees by giving them earlier financial benefits. Accordingly, the Government introduced the MACP Scheme in which there shall be three financial upgradations, counted from the direct entry grade on completion of 10, 20- and 30-years of services respectively, or 10 years of continuous service in the same level in Pay Matrix, whichever is earlier. The latest guidelines as issued by DoPT, GOI shall prevail.
- 5.6. **Out of turn Promotion**
Out of turn promotion for the next higher rank up to Sub-Inspector may be made by the Director General of Police in case of those who have shown outstanding work in the Anti-poaching, Anti-Smuggling, arrest/apprehension of proclaimed offenders, recovery of missing children, in rescue work during disasters or in any special field of Police work including performance in games and sports and also have an exceptionally good and unblemished record of service with integrity. Detailed guidelines/criteria for out of turn promotions

may be issued through a Standing Order by the Director General of Police, A&N Islands.

Chapter 6

LEAVE, RESIGNATION AND TRANSFER

6.1. Leave

The grant of leave to members of the Police force shall be governed by the CCS (Leave) Rules, 1972.

6.2. Leave not a matter of right

Leave cannot be claimed as a matter of right. When the exigencies of public service so require, leave of any kind may be refused or revoked by the authority competent to grant it, but it cannot alter the kind of leave due and applied for except at the written request of the Government servant. The earned leave should not ordinarily be denied to any employee, especially in the last ten years of his service.

6.3 Kinds of Leave

The following kinds of leave may be sanctioned by the sanctioning authorities of the Police Department.

(i) Earned Leave: The credit of E.L. will be afforded in advance at a uniform rate of 15 days on the 1st of January and 1st of July every year, which can be accumulated upto 300 days.

(ii) Half pay Leave: This leave can be granted on calculation of 20 days for each completed year of service which includes periods of duty and leave including extraordinary leave with or without medical certificate, but does not include periods of suspension treated as dies-non, overstayed or AWL (Absent Without Leave).

(iii) Commuted Leave: Commuted leave not exceeding half the amount of half pay leave due can be sanctioned on Medical Certificate, provided that the leave sanctioning authority is satisfied, as regulated by the Central Government Leave Rules.

(iv) Leave not due: Leave not due may be granted to a permanent servant with no half pay leave at credit. However, such leave may be granted to temporary officials with minimum of one-year service if they suffer from T.B., Leprosy, Cancer or Mental illness.

(v) Extraordinary Leave: This leave may be granted to an official, when there is no leave admissible

(vi) Maternity Leave: Maternity leave is admissible to Police women and other female employees working in the Police Department.

(vii) Paternity Leave: A Male official with less than two surviving children may get this leave for a period of 15 days.

(viii) Special disability leave: All employees of the Police Department, when disabled by injury intentionally or accidentally inflicted or caused in consequence of the due performance of official duties or in official position or when disabled by illness.

(ix) Study Leave: May be granted to officials with not less than five years of service for undergoing a special course consisting of higher studies or specialized training. For this kind of leave, the maximum period i.e. 24 months in the entire service and may be granted at a stretch or in different spells.

(x) Casual Leave:

Causal leave is not a recognized form of leave and is not subject to any rules made by the Government of India. Causal leave can be combined with

(a) Special Casual Leave,

(b) While on tour,

(c) Joining duty during the middle of a year,

(d) LTC

(e) Casual leave can be taken for half-a-day also.

(f) The maximum limit of casual leave which can be granted to an individual in a calendar year shall be 10 days.

(g) The address of the Government servant while on casual leave should invariably be indicated in the application for casual leave, if he is away from home during the period of casual leave.

Note:- A register of casual leave register should be maintained by every officer to grant causal leave to his subordinates.

(xi) Special Casual Leave:

Special Casual Leave will be granted to Police personnel for the purpose of participation in

(a) Sports events,

(b) Cultural activities,

(c) Mountaineering / trekking expeditions,

(d) Undergoing family planning operations, which will be admissible upto a maximum of 30 days in a calendar year.

(xii) Child Care Leave:

Subject to the provisions of Central Civil Services leave rule, if a female government servant and single male government servant may be granted child care leave by an authority competent to grant leave for a maximum period 730 days during entire service for taking care of two eldest surviving children, whether for rearing or for looking after any of their needs, such as education, sickness and the like.

- a) Child care leave may be combined with leave of any other kind.
- b) Child care leave shall not be debited against the leave account.

6.4 Leave Account

A leave account in the prescribed form shall be maintained by the Head of office for each Police personnel whose pay and allowances are drawn and disbursed by him. The leave account of the Head of office shall be maintained by the next higher administrative authority.

- (a) The members of the service applying for leave shall furnish their mobile phone number and leave address in their leave applications. Any change in address while on leave should also be reported to their immediate superiors and to the sanctioning authority.
- (b) A member of the service who remains absent after the end of his leave is not entitled to leave salary for the period of such absence and that period shall be debited to his leave account as though it were half-pay leave to the extent such leave is due and as extraordinary leave to the extent the period of half-pay leave falls short of the period of such absence unless the leave is extended by the competent authority.

6.5 Combination of different kinds of leave

Any kind of leave due and admissible to a Police Personnel may be granted in combination with or in continuation of any other kind of leave. Casual leave, which is treated as duty and is not any recognized form of leave, shall not be combined with any other kind of recognized leave.

6.6 Granting of leaves

All kind of leaves shall be governed by the Standing Order/Circular issued by the DGP from time to time.

6.7 Resignation:-

Circumstances under which Police officer of subordinate rank may resign—

1. Resignation of any Police officer of subordinate rank may be accepted only by the officer empowered to appoint (the officer so empowered to

appoint being hereafter in this section referred to as the appointing authority) officers of such subordinate rank.

2. A Police officer of subordinate rank who intends to resign from Police service shall give to the appointing authority notice in writing to that effect and shall not be permitted to withdraw himself from duty unless he has been granted permission to resign by such authority and two months have elapsed from the date on which he tendered his resignation: Provided that the appointing authority may at his discretion, permit a Head Constable or a constable to withdraw himself from duty on his crediting to the Government two months' pay in lieu of notice.
3. No Police officer of subordinate rank whose resignation has been accepted by the appointing authority shall be permitted to withdraw from duty until he has fully discharged all debts to the Government or to any Police fund and has surrendered his letter of appointment, arms, accoutrements, uniform and all other Government property in his possession and has also rendered a complete account of all Government money and property for which he is responsible.
4. Notwithstanding anything contained in this section if any Police officer of subordinate rank tenders his resignation on medical grounds and produces a certificate signed by a medical officer authorized by the Administrator in this behalf declaring him to be unfit by reason of disease or mental or physical incapacity for further service in the Police, the appointing authority shall forthwith permit him to withdraw from duty on his discharging, or giving a satisfactory security for the payment of, any debt due from him as such Police officer to Government or to any Police fund: Provided that he shall forthwith return the certificate of appointment, arms, accoutrements, uniform and all other Government property in his possession before he is permitted to withdraw from duty.
5. A Police Officer found by a medical board to be permanently unfit for any form of duty will be liable for compulsory retirement in accordance with the procedure laid down.
6. If any such Police officer of subordinate rank resigns or withdraws himself from the duties of his office in contravention of this section, he shall be liable on the orders of the appointing authority to forfeit all arrears of pay then due to him.

6.8 Desertion

- (a) Absence without leave for 21 days completes the offence of desertion, after which the officer's name shall invariably be struck off from the date of absence.

- (b) An application for reinstatement from an officer who has been struck off as a deserter shall not be entertained unless it reaches the concerned Superintendent of Police within two months of the date of the commencement of the absence without leave. The Superintendent of Police shall not reinstate a deserter until the deserter has attended in person not later than the date prescribed by the Superintendent of Police and has given his explanation for his absence without leave and unless the Superintendent of Police is satisfied after such enquiry as may be necessary that the case deserves reconsideration. At the end of the two months, if no application for reinstatement is received, the Superintendent of Police in the case of lower subordinate and the Director General of Police in the case of an upper subordinate will record a formal order confirming the dismissal. In other cases, a charge should be framed and departmental enquiry held in accordance with rules laid down in this manual before confirming the dismissal or reinstating the deserter with or without punishment.
- (c) A deserter may also be prosecuted for an offence punishable under section 29 of the Police Act.
- (d) The above mentioned provisions as regards desertion will be applicable to all police officials of A&N Police including India Reserve Battalion. (as per order no 2742 dated 25/05/2021).

6.9 Postings and transfers:

The transfer & postings of all Police Personnel upto the rank of DySP/ASP within the UT will be done by the State Police Establishment Board in accordance with the transfer policy existing at that time. The State Police Establishment Board comprises of the DGP who is the head of the department and four senior most Police officers.

6.10 Charge Certificates of Non-Gazetted Officers

When a Non-Gazetted officer hands over charge of his office station or outpost as the case may be, he shall prepare a charge certificate in form 6.10 containing a memorandum of all money handed over and signed by himself and the relieving officer. The charge certificate shall be prepared in duplicate, the original to be forwarded through the proper channel so as to reach the Superintendent of Police within a fortnight of the transfer of charge. The following lists in duplicate will be prepared and signed both by the relieving officer and the relieved officer and attached with the charge certificate:-

- (a) List of Government Property.
- (b) List of indisposed papers.

- (c) List of registers, files or other records
- (d) List of case property in 'Malkhana' (in the case of Police Stations, Outposts and Police Prosecutor).

The office copy of the charge-certificate together with a copy each of all lists shall be filed in the concerned office station or outpost. Any deficiency will be noted in the lists mentioned above.

6.11 Reporting of joining and relieve of Police Officers: -

Whenever a Police officer joins duty at a Police Station, Outpost, Radio Station, Office or other post of duty or is relieved from such station or post either on transfer or leave, the officer in charge of such station or office or post shall make an immediate report thereof either in writing or by radio message whichever is quicker to the concerned Superintendent of Police. This will be in addition to any charge certificate that may be required to be sent under the proceeding rule.

6.12 Charge-Certificates of Gazetted Officers

When charge of a post is assumed or relinquished by a gazetted officer, a charge-certificate in G.F.R 33 will be prepared and signed both by the relieving officer and relived officer, and sent to the Director General of Police, Andaman and Nicobar Islands and to the concerned offices.

Form 6.10**Andaman & Nicobar Police****REPORT OF TRANSFER OF CHARGE OF
(Designation)**

1. Charge or Station.
2. Officer relieving and his Rank
3. Officer relieved and his Rank.
4. Date and time of transfer
5. Reference
6. Money handed over.

Signature of relieving Officer

Signature of relieved Officer

Copy submitted to the Superintendent of Police.

Chapter – 07

DECORATION AND REWARDS

7.1. Rewards:

- (a) The nature of work in Police Organisation involves a level of danger to life and a superior level of self-discipline and service to the society as a whole. The morale of the Police Officers needs to be boosted from time to time with rewards and appreciation.
- (b) Rewards may be given to encourage members of public for assisting the law enforcement machinery.
- (c) Rewards may be granted to Police Officer in recognition of conspicuous good work done by him in any branch of Police activities, or to an officer who has displayed exceptional smartness, alertness, keenness skill, courage, honesty or hard work during investigation, handling law and order situation, VVIP visits, intelligence input, disaster management, ceremonial functions, other specific executive/operational duties assigned to a particular unit. The criterion shall be the work done, and not the result obtained. Rewards should be given generously but not in a routine manner, that it loses its value.
- (d) Rewards may also be sanctioned to Police Officers showing special merit in sports and cultural activities with the prior approval of the Director General of Police, A&N Islands.

7.2. Powers to Sanction Rewards and Commendation Certificates

The Director General of Police, Additional Director General of Police, Inspector General of Police, Deputy Inspector General of Police, Superintendent of Police and Deputy Superintendent of Police will have the power of granting Commendation Certificates and Cash Rewards as laid down in orders issued by the Director General of Police from time to time.

7.3. (a) Payment of Rewards:-

Rewards can be given under any of these categories and shall be given as promptly as possible.

- 1) Cash Rewards
- 2) Appreciation/ Commendation letters
- 3) Commendation Certificates
- 4) Rewards/ Medal by State or Central Government
- 5) Other rewards

(b) Sanctioning beyond financial powers/splitting of rewards–

The sanctioning authorities' sanction Commendation Certificate alongwith Cash Reward on a single Reward Roll to a large number of Police Personnel/ Civilians beyond their capacity. For example, if five personnel are sanctioned Reward of Rs.1000/- each by a Dy.SP on a single Reward Roll, it amounts to a tune of Rs. 5000/- which is beyond the sanctioning powers vested with the Dy.SP. In such cases rewards are split up at the time of order booking. Such sanctions are undesirable and incorrect. Another method of splitting up of rewards is by obtaining more than one Reward Roll for the same case i.e. a good case is worked out and 5 different reward rolls are sanctioned beyond the sanctioning competence of the concerned officer which again is incorrect.

7.4. Rewards offered by private persons

Police Officers of all ranks should not accept monetary or other rewards offered to them by private persons. When rewards are offered by private persons, the concerned Superintendent of Police shall receive the sum offered and deposit in police cash chest and disburse according to his own judgement and in his public capacity. Further the Superintendent shall obtain the sanction of the Director General of Police before accepting offers or disbursing amounts higher than that which he is himself empowered to sanction as per Standing Order issued by the DGP in this regard.

7.5. Procedure for Grant of Commendation Certificate/ Cash Rewards

The procedure for the grant of Commendation Certificate and Cash Reward shall be governed by the Standing Order, as may be issued by the DGP.

7.6. Communication of Rewards

All orders of grant of Reward or Commendation Certificate shall be published in the Police Order Book. All such orders of cash reward/commendation certificate/ appreciation letter and/or other rewards shall be communicated to the officer concerned and copy of the order be filed in his personal file and the entries be made in the service book.

7.7. Medals

The Govt. of India has instituted following Medals for Police personnel. All the criteria and procedure of medals are governed by Government of India as issued, from time to time.

1. Ashoka Chakra series of Gallantry Awards.
2. President's Police Medal for Distinguished Service (PPM) Police Medal for Meritorious Service.
3. President's Fire Service Medal for Distinguished and Fire Service Meritorious Service.

4. Jeevan Raksha Padak series of awards.
5. Police (Special Duty) Medal and Bar.
6. Union Home Minister's Medal for Special Operation.
7. Union Home Minister's Medal for Excellence in Investigation.
8. Union Home Minister's Medal for Excellence in Police Training (Indoor/Outdoor).
9. Union Home Minister Medal for Asadharan Aasuchana Kushalata Padak.
10. Utkrisht Seva Padak.
11. Ati-Utkrisht Seva Padak.

7.8. The Order and manner of wearing Decorations and Medals

The order of precedence of wearing various medals and decorations as per rules should be strictly followed.

7.9. Loss of Medal to be Reported

All losses of medals should be reported by the recipients to the Director General of Police through proper channel. They will be replaced on payment of the cost by the recipient subject to the orders of the Government after due enquiry.

Chapter - 8

CONDUCT AND DISCIPLINE

8.1 Introduction

Police personnel must, at all times, exhibit high standard of official and personal conduct and must maintain prescribed norms of discipline under all circumstances. Norms of conduct and parameters of discipline should, therefore, be prescribed and laid down.

Seniority among officers of the same rank or of the same grade will be reckoned in accordance with the principles laid down in Chapter (Appointment) of A&N Police Manual or as per seniority lists published from time to time.

8.2 Saluting and Official Greetings

- 1) A salute is the Police method of greeting superiors and not a servile act. It is an outward sign of inward spirit of discipline and respect for superior. The unity and discipline of a force are indicated by the manner in which the men salute and the officers return them.
- 2) Failure to salute shows disrespect, idleness and a low standard of discipline. Failure by an officer in uniform to insist on being saluted is a breach of discipline.
- 3) A Subordinate officer will always salute a superior officer first. It is good manners for a junior officer to salute a senior officer, when they meet, though they may be of the same rank.
- 4) Any Police officer who is saluted will smartly acknowledge the salute.
- 5) Police officers when on motor will not salute. They will keep both hands on the handle bars and look straight to the front. The same procedure will be adopted when driving a motor vehicle. When the vehicle is stationary the officer will salute by turning the head towards the officer passing him, but will not remove his hands from the handle bar or the steering wheel.
- 6) Subordinate Police Officers in uniform should salute all Gazetted Officers of the Government and Commissioned Officers in uniform of Navy, Army, Air and Auxiliary Forces, when addressing them or being spoken to by them.
- 7) If the nature of the duty such as regulating traffic or other special circumstances make it undesirable, a Police officer will not be required to salute unless spoken to by a person entitled to be saluted.

- 8) When a senior officer enters a room in a Police Station or Classroom etc., the men in the room will pose attention while seated or stand to attention until they are told to resume their seats or occupation. The senior officer present will call the men to attention; otherwise, the first man who observes any senior officer entering a room should give notice to the others by calling them to attention.
- 9) When two or more officers are together, the senior only, whether in uniform or not, will return the salute.
- 10) Officers or men passing the troops with uncased standards, guidons or colours will salute except when they are carried by units forming part of the escort at a Military/Police funeral.
- 11) Cased standards, guidons and colours will not be saluted.
- 12) Officers, men and colours, passing a Military Police funeral will salute the bier. When two or more officers are standing in a group or in a line, the senior most of them will salute after calling the others to attention.
- 13) When appearing in a conference or assembly of superior officers, only the senior most officer will be saluted. It is incorrect to salute in turn other officers.
- 14) An officer in uniform, wearing a head dress and appearing in an office or orderly room before a senior officer, will salute, retain his head-dress and stand to attention unless he is asked to sit down. On being asked to sit down, he should remove his head-dress. It is highly improper to place the head-dress on the table of the superior officer, or to retain it on one's head while sitting. It is similarly improper to wear dark glasses when addressing or being addressed by a senior officer.
- 15) All officers and constables will salute the court (the Magistrate or Judge) on entering the Courtroom.
- 16) When wearing western style civilian dress, it is etiquette and good manners to remove the head-dress before entering the room of a superior officer or a dwelling place of any kind.
- 17) When a senior officer comes to a function accompanied by a lady, the officer will be greeted first if the function is an official parade and the officer is to be the reviewing officer. Otherwise, on all other occasions the lady will be greeted first.
- 18) When officers are in a body apart from the parade, all of them will salute independently on the approach of a superior officer. If, however, they are on an official parade, they will be called to attention by the senior-most officer among them who alone will salute.

- 19) When a senior officer arrives on parade, he is greeted by the parade commander who calls the parade to attention and salute. It is not necessary for an officer on the parade to salute when the senior officer is going round to inspect the parade unless addressed by him or having occasion to address him.
- 20) If the senior officer arrives after the parade has started, the parade will not be called to attention. The parade commander will himself salute the superior officer and obtain instructions from him.
- 21) When the superior officer goes round the parade ground, the sub-unit commanders only will salute, if they are not engaged in instructing their squads. They will otherwise continue without diverting their attention to greet the officer. If, however, the superior addresses any squad commander, the latter will immediately stop his instructions, bring his squad to attention, and will himself salute. After having done with the superior officer, he will proceed with his squad in accordance with the programme.
- 22) When at a ceremonial parade the command 'National Salute- Present Arms' is given, and the national anthem is not played, all Police officers present but not on parade will stand to attention until the order 'Slope Arms' is given. When, however the national anthem is played all officers of and above rank of Assistant Sub-Inspector not on parade except those officers attending or accompanying the personage taking the salute, will salute. Other non-Gazetted officers will stand to attention without saluting. Officers attending or accompanying the personage will stand to attention but will not salute.
- 23) All those who are not wearing uniform will stand to attention when the national anthem is played. Those wearing hats will take them off.
- 24) The following orders should be observed when the national anthem is played:
 - i) While on parade, all officers of the rank of Assistant Sub-Inspector and above will salute, and the men will come to attention. This does not apply to ceremonial parade when men will present arms.
 - ii) While on the move, the party commander will halt the party and will salute, whereas, the rest of the men will remain at attention.
 - iii) If standing in an organized party, the salute will be given only by the officer of the rank of Assistant Sub-Inspector and above, except that a Head Constable will salute, if he is in charge of a party and the others will come to attention.
 - iv) All ranks wearing Indian style civilian dress will stand to attention.

- v) All sentries on duty will slope arms.
 - vi) All officers carrying a drawn sword will remain at the carry.
- 25) When Police are posted for street lining on public occasions such as Presidential or Governor visits, mounted and dismounted officers of and above the rank of Inspector will salute. Officers below the rank of Inspector will not salute, but stand to attention.

8.3 Police Officer's Behaviour while on Duty

It is improper for Police officers, while on duty in uniform to smoke, chew pan, be unnecessarily engaged on his mobile phone or talk leisurely with friends in public. Such exhibition creates an unfavourable impression in the minds of the public who cannot distinguish whether such men are on or off duty at that time.

While on duty in plain clothes, officers should invariably carry with them their identity cards. It is essential that a plain clothed Policeman is not identified as a Policeman. If, however, anybody questions his identity when taking any action, the identity card should be shown to him.

8.4 Behaviour of Police Officers towards the Public

- (a) Every member of the Police force should regard himself as a servant and guardian of the general public and treat all law-abiding citizens, irrespective of their social position, with unfailing patience, courtesy and tact. While addressing members of the public, all officers and men must use the honorific plural to the person addressed. The aim should be to make the Police force trusted and respected by the people.
- (b) The heads of offices should ensure that their subordinates treat the members of the public approaching them on official business with consideration and courtesy, so as to encourage them to represent their grievances to them. They should also take steps to ensure that members of the public, when they come to see them on business are not kept waiting unnecessarily and their complaints and applications are promptly looked into and disposed of.

8.5 Behaviour of Police Officers towards subordinates and superiors

- (a) Senior Police officers must strictly avoid the use of unduly harsh language while addressing or talking to their juniors and subordinates. They should show their subordinates the same consideration, as they themselves would expect from their superiors. It is essential that members of the subordinate staff, in turn, should behave respectfully towards their superiors and do their duty satisfactorily.

- (b) No Police officer shall pass intemperate comments towards the subordinate officers or superior officers.
- (c) If any Police officer considers that an erroneous view has been taken of his conduct in any matter, he may refer the question in a temperate manner through the proper channel.
- (d) Any Police officer making complaints or allegations, which he cannot substantiate or prove, against any officer shall render himself liable to disciplinary action.
- (e) No Police officer shall place any obstacle in the way of an officer junior to him wishing to communicate with higher authority through the proper channel.

8.6 Taking part in Gambling or accepting bribe

- (a) No Police officer shall take any part in any form of gambling or lottery, or otherwise conduct himself in any manner calculated or likely to bring the force into contempt and disrepute.
- (b) No Police officer shall accept bribe in the form of cash or kind or in any other manner whatsoever, in lieu of discharging their duties. Any Police officer who may at any time be offered a bribe in cash or any kind shall make an immediate report of the fact to his official superior. Failure to comply with this order shall in itself constitute a breach of discipline.

8.7 Consumption of Alcohol/Drugs

No Police Officer shall consume or be under the influence of intoxicating drug or liquor or toddy while on duty or otherwise.

8.8 Behaviour Towards Officers of Other Departments

The Police officers should treat the officers of the other departments and organizations such as Judiciary, Home Guards, Administration and the Armed Forces with respect and courtesy.

8.9 Individual & collective responsibility

- (a) Police officers usually act individually in the execution of their duty. They should remember that on the behaviour of each individual depends the reputation of the force and the degree to which the law-abiding section of the public will be willing to cooperate against law breakers. In particular, the following matters shall receive constant attention: -
 - (1) All ranks shall at all times carry themselves smartly, and be cleanly and decently dressed. Special attention being paid to the cleanliness and proper wearing of uniform.

- (2) All ranks shall wear uniform when on duty, except for those men employed on detective and similar duties where the wearing uniform might be prejudicial to the successful execution of the duty concerned.
- (3) Every Police officer shall keep his temper thoroughly under control and shall act with courtesy on all occasion, irrespective of the behaviour of others towards him.
- (b) No Police officer shall, in any place and whether on leave or on duty, conduct himself in any manner, or take part in any activities, calculated or likely to bring the force into contempt; or to be prejudicial to the maintenance of good order and discipline of the force; or to be prejudicial to the proper performance of duties of the force.

8.10 (a) The Police must bear faithful allegiance to the constitution of India and respect and uphold the rights of citizens as guaranteed by it.

- (b) The Police are essentially a law enforcing agency. They should not question the propriety or necessity of any duty enacted by law. They should enforce the law firmly and impartially, without fear or favour, malice or vindictiveness.
- (c) 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 judgement on cases. Nor should they avenge individuals and punish the guilty.
- (d) The Police must recognize that they are members of public, with the only difference that in the interest of the community and on its behalf, they are employed to give full time attention to duties which are normally incumbent on every citizen to perform.
- (e) In securing the observance of law or in maintaining order, the Police should use the methods of persuasion, advice and warning. Should these fail, and the application of force become inevitable, only the absolute minimum force required in the circumstances should be used. The Police shall not take recourse & custodial violence under any circumstance to secure evidences in an investigation.

8.11 Bar on Political Activities

- a) No Police Officer shall be a member of, or join or be otherwise associate with, any political party or trade union or any organization which takes part in politics nor shall take part in, subscribe in aid of, or assist in any other manner, any political movement or activity.
- (b) It shall be the duty of every Police officer to endeavour to prevent any member of his/her family from taking part in subscribing in aid of or

assisting in any other manner any movement or activity which is or tends directly or indirectly to be subversive of the Government as by law established, and where a Police officer is unable to prevent a member of his family from taking part in or subscribing in aid of, or assisting in any other manner, any such movement or activity, he/she shall make a report to that effect through the proper channel to the Administration.

- (c) If any question arises whether any movement or activity falls within the scope of this rule, the decision of the Government thereon shall be final.
- (d) No Police Officer shall canvass or otherwise interfere or use his influence in connection with, or take part in, an election to any legislature or local authority;

Provided that :

- (i) A Police officer qualified to vote at such election may exercise his right to vote, but where he does so, he shall give no indication of the manner in which he proposes to vote or has voted;
- (ii) A Police officer shall not be deemed to have contravened the provisions of this rule by reason only that he assists in the conduct of an election in the due performance of a duty imposed on him by or under any law for the time being in force;

Explanation: - The display by a Police officer on his person, vehicle or residence of any electoral symbol shall amount to using his influence in connection with an election within meaning of this sub-rule.

8.12 Association of Police Officers in Trade Union Movement

No Police officer should: -

- (a) pay or contribute towards the expenses of any trade union.
- (b) be a member of or be associated in anyway with, any trade union, labour union, political association or with any class of trade unions, labour unions or political associations.
- (c) be a member of, or be associated in anyway with, any other society, institution, association or organization that is not recognized as part of the Force of which he is a member or is not of a purely social, recreational or religious nature.
- (d) shall participate in or address any meeting or take part in any demonstration organized by any body of persons for any political purpose or for such other purposes as may be prescribed.

8.13 Participation in Hartals, Strikes etc

No Police officer shall directly or indirectly participate in any form of strike or hartal or picketing. Refusal to take food resulting in physical inability to discharge his duties efficiently or refusal to receive pay or allowances shall also be construed to be 'strike' and will render the officer resorting to it liable to severe disciplinary action.

- 8.14** Section 10 of Act V of 1861 absolutely forbids any Police Officer from taking up any employment whatsoever, other than his official duties under the Act, save with the express and written permission of the Director General of Police. This restriction is binding throughout every officer's service whether on leave or on duty.

8.15 Membership in Co-operative Societies

Police officers may take part in the promotion of co-operative societies, but no Police officer shall, except with the sanction of the competent authority, hold office in any co-operative society or serve on any committee appointed for the management of its affairs, unless the society is composed wholly of Police officers or partly of Police officers and partly of other Government servants in the Police Department. The superior Police officer should get the previous sanction of the Director General of Police, while the subordinate officers should get the written sanction of the Superintendent of Police concerned. A Police officer who is a member of a co-operative society composed wholly of Police officers or partly of Police officers and partly of other Government servants, in the Police department may accept remuneration for keeping the accounts of the society, with the sanction of the Director General of Police.

8.16 Prompt Attention to and Disposal of Complaints from the Public

Prompt and efficient disposal of public grievances is the primary duty of every Police officer. Officers should be ready to hear complaints requiring immediate attention at any time of the day, as far as possible, so that members of the public would feel confident that they can always approach the Police officers concerned for redressal of their grievances in a sympathetic manner.

8.17 Receiving Gifts

- (a) Except for the farewell entertainment on the occasion of a Police officer's retirement or transfer, no Police officer shall accept gifts of more than trifling value as specified in Conduct Rules at the time of transfer or retirement.
- (b) Provided that gifts of a value, reasonable in all circumstances of the cases, may be accepted from relations and personal friends or presented to such persons on occasions such as weddings, anniversaries, funerals and religious functions, when the making or receiving of such gifts is in conformity with the prevailing religious or social customs; but acceptance

of such gifts other than those of a trifling value shall be reported to the Government and the gifts shall be disposed off in such manner as the Administration may direct.

(c) Prohibition of Receipt of Rewards from Public:-

No Police officer shall accept any reward, fee or honorarium, other than rewards authorized under these rules, without the prior sanction of the Director General of Police.

8.18 Insolvency and Habitual indebtedness

(a) If a Police officer is adjudged or declared insolvent or has incurred debt aggregating to a sum which in ordinary circumstances, he could not repay within a period of two years or if a part of his salary is frequently attached for debt or has been continuously so attached for a period of two years or is attached for a sum which, in ordinary circumstances, could not repay within a period of two years, he may, unless he proves that the insolvency or indebtedness is the result of circumstances which, with the exercise of ordinary diligence, he could not have foreseen or over which he had no control and has not proceeded from extravagant or dissipated habits, be presumed to have contravened the provisions of conduct rules. In case of willful default by Police officer the Director General of Police may by written order divert part of the salary of such officer to service the borrowing.

(b) No Police officer shall borrow money from or otherwise become in any way indebted to: -

i) any other Police officer;

ii) any member of the public residing or carrying on business in the Andaman and Nicobar Islands; or

An agent, dependent, relation or surety of the persons mentioned at (i) and (ii) above.

Provided that this rule shall not apply to ordinary shop debts relating to the purchase of articles and commodities of essential day-today use.

(c) No Police officer shall, directly or indirectly, loan money to any other Police officer or to any person who is, or may be, subject to his official authority.

(d) All Police officers shall report to their immediate superior officers any instance amongst their subordinates of prohibited pecuniary transactions, insolvency, or indebtedness to an extent exceeding 6 month's pay.

8.19 Canvassing of non-official or other outside influence

No Police officer shall bring or attempt to bring any political or other outside influence to bear upon any superior authority to further his interest in respect of matters pertaining to his service.

8.20 Bigamous marriage

No serving Police officer who has a wife/husband living shall contract another marriage.

8.21 Neglect of Family and Children

Police officers should maintain a decent standard of conduct even in their private lives and should not neglect to take proper care of their dependent parents, wives and children. Disregard by them of obligations towards their wives and children tend to injure their reputation and thereby undermine the trust and confidence which the public repose in them.

Complaints by family against such Police officer will invite departmental action.

8.22 Behaviour of Police parties during journeys

When Police parties are sent from one district to another on duty, officers In-charge of the parties must keep their men under proper control throughout the journey.

8.23 Tendering Evidence

While giving evidence and on every other occasion, a Police officer should speak the truth, the whole truth and nothing but the truth. He must not be swayed by any desire to assert his own importance or to secure a conviction or an acquittal by any other temptations. When repeating a conversation or statement, he should not exaggerate, misrepresent or suppress any part of it. Every Police officer should adopt every legitimate means in his power to assist in raising the prestige of the service in the estimation of the public and in securing its good will and respect by right behaviour on or off duty. He should always be available to those who seek his aid.

8.24 Vindication of Acts and Character of Police Officers

No Police officer shall, except with the previous sanction of the Administration, have recourse to any court or to the press for the vindication of any official act which has been subject matter of adverse criticism or any attack of defamatory character.

Explanation: - Nothing in this rule shall be deemed to prohibit a Police officer from vindicating his private character or any act done by him in his private capacity.

No Police officer should, except with the previous sanction of the Government accept from any person or body of persons, compensation of any kind for any malicious prosecution brought against him or for any defamatory attack made on his public acts or character, unless such compensation has been awarded by a competent court.

8.25 Association of Government Servants Name with Public Institutions

The association of the names of serving Police officers with public institutions or works, such as libraries, hospitals, schools, roads, buildings, etc., is prohibited. Similarly, Police officers are prohibited from associating their names with such objects as shields, trophies, prizes, medals and cups. In exceptional circumstances, prior sanction of DGP should be obtained.

8.26 Communication with the Press, Radio or Television

No Police officer shall, in his personal capacity in any radio broadcast, social media post or in any document published anonymously or his own name or in the name of other person or in any communication to the press or in any public utterance make any statement of fact or opinion which has the effect of an adverse criticism of any current or recent policy or action of the Central Government or State Government or the Administration or which is capable of embarrassing the relations between the Central Government and the Government of any state; or which is capable of embarrassing the relations between the Central Government and the government of foreign State:-

Provided that nothing in this rule shall apply to any statements made or views expressed by a Police officer in his official capacity or in the due performance of the duties assigned to him.

8.27 Employment other than Police duties

No Police officer, except with the previous sanction of the Government, permit his son, daughter or dependent to accept employment with any private firm with which he has official dealings or with any other firm having official dealings with the Government.

Provided that where the acceptance of the employment cannot await the prior permission of the Government or is otherwise considered urgent the matter shall be reported to the Government and the employment may be accepted provisionally subject to the permission of the Government.

No Police Officer shall take up any employment whatsoever, other than his official duties, save with the express and written permission of the Director General of Police. This restriction is binding throughout every officer's service whether on leave or on duty.

8.28 Movable, Immovable and Valuable property

i) Every Government servant shall on his first appointment to any service or post submit a return of his assets and liabilities, in such form as may be prescribed by the Government, giving the full particulars regarding -

(a) the immovable property inherited by him, or owned or acquired by him or held by him on lease or mortgage, either in his own name or in the name of any member of his family or in the name of any other person;

(b) shares, debentures and cash including bank deposits inherited by him or similarly owned, acquired, or held by him;

(c) other movable property inherited by him or similarly owned, acquired or held by him; and

(d) debts and other liabilities incurred by him directly or indirectly.

NOTE 1.- Sub-rule (1) shall not ordinarily apply to Group 'D' servants but the Government may direct that it shall apply to any such Government servant or class of such Government servants.

NOTE 2.- In all returns, the values of items of movable property worth less than Rs.10000 may be added and shown as a lump sum. The value of articles of daily use such as clothes, utensils, crockery, books, etc. need not be included in such return.

NOTE 3.- Where a Government servant already belonging to a service or holding a post is appointed to any other civil service or post, he shall not be required to submit a fresh return under this clause.

ii) Every Police official belonging to any service or holding any post included in Group 'A' and Group 'B' shall submit an annual return in such form as may be prescribed by the Government in this regard giving full particulars regarding the immovable property inherited by him or owned or acquired by him or held by him on lease or mortgage either in his own name or in the name of any member of his family or in the name of any other person.

iii) Where a Police official enters into a transaction in respect of movable property, either in his own name or in the name of any member of his family, he shall, within one month from the date of such transaction, report the same to the prescribed authority, if the value of such property exceeds two months' basic pay of the Government servant:

iv) Provided that the previous sanction of the prescribed authority shall be obtained by the Govt. servant if any such transaction is with a person

having official dealings with him.

- v) All requests for obtaining prior sanction and making intimation about transactions in immovable and movable property may be made in the standard FORM No.-I 18(2) and FORM No.-II 18(3) of CCS (Conduct) Rules, 1964 or any other law/rules in force by the Govt. of India from time to time.
- vi) Subject to the condition which follow, any Police officer may possess or acquire land and other property.
- vii) Every Police officer on appointment or promotion to a rank above that of constable shall report to the concerned authority in prescribed form of CCS (Conduct) Rules details of all immovable property held by him, or by his/ her spouse, children, father, brothers or nephews at the time of such appointment or promotion. Any interest held by the officer in a joint Hindu family property should also be shown by him in the declaration.
- viii) No Police official shall, except with the previous knowledge of the prescribed authority, acquire or dispose off any immovable property by lease, mortgage, purchase, sale, gift or otherwise either in his own name or in the name of any member of his family:
- ix) Provided that the previous sanction of the prescribed authority shall be obtained by the Police official if any such transaction is with a person having official dealings with him.

8.29 Return of Immovable Property

- a) By each calendar year, a report in the prescribed form should be prepared by every upper subordinate/Police officer and sent directly to the officer or the government, as the case may be in accordance with the rules and provisions made in this regard by the respective State govt. or the Police organization.

On 31st January each year, every Police officer shall write up a fresh declaration form containing details of additional immovable property acquired, or previously declared immovable property disposed of, during the previous year by him or by the relatives as noted sub-rule above.

- b) The declarations of immovable property of Lower Subordinates shall be recorded with their character rolls. Those of upper subordinates with the declarations as to sources of income shall be recorded with their Confidential Files.

8.30 Guidance by Superior Officers

Superior officers should encourage the subordinate officers to be upright, honest and faithful. They should put down with a firm hand arrogant, overbearing, rough or unmannerly conduct on the part of the subordinate Police officers whenever it comes to their notice. It should be realized that no matter how successful one may be in the detection of crime or proficient in any field of Police work, he/she is liable to be punished if he/she shows himself incapable of treating the public properly.

8.31 Audience with senior officers & DGP

All subordinate Police officers must obtain the written permission of the Superintendent of Police before seeking an interview with the Director General of Police or any higher authority on any matter. Such written permission must be produced at the time of the interview. Failure to observe this order constitutes a breach of discipline. When the Superintendent of Police grants permission to an officer to interview the Director General of Police, he should forward to the Director General of Police with his remarks an application from the officer concerned stating the reasons for which the interview is required and should at the same time inform the applicant that he should not go for the interview until orders have been received by him.

8.32 Orderly Room

(a) Orderly Room shall be held by the officers of and above the rank of Dy. Superintendents of Police. The Officer presiding in Orderly Room is required:

- (i) to hear, and, so far as empowered, to pass orders on all requests and representations preferred by subordinates in proper manner.
- (ii) to hear, and, so far as empowered, to dispose without delay of defaulters' cases.

A Police Officer wishing to appear at Orderly Room to make a request or representation shall obtain the permission of his/her immediate superior officer to do so.

Defaulters shall be produced in Orderly Room by the Officer preferring the charge against them.

It shall be the duty of the Reader to be present at Orderly Room, and to produce the character rolls and personal files of all request men and defaulters if required for reference by the presiding officer.

(b) A "Requests Register" in form 8.32 (b) shall be maintained for use in Orderly Room in which the Gazetted Officer presiding on each occasion

shall record brief details of each request or representation made, and the orders passed thereon by him/ her.

- (c) A "Defaulter's Register" in form 8.32 (c) shall also be maintained for use in Orderly room in which the Gazetted Officer presiding on each occasion shall record brief details of charges preferred against each defaulter and the orders passed thereon by him/ her.
- (d) When Orderly Room is held by a Gazetted Officer other than the Superintendent, the Request Register and the Defaulter's Register shall be submitted without delay to the Superintendent for his information and any orders which he may have to pass.
- (e) After the Superintendent of Police has seen the Request register and the Defaulters Register, they shall be sent to the concerned Inspector who shall be responsible that all orders passed thereon are given effect to in the proper manner. The registers shall then be returned to the Reader in whose custody they shall usually remain.

8.33 Petitions

- (a) Petitions includes a memorial, representation, letter or an application of the nature of a petition. The following instructions shall be followed in the matter of submission, receipt and transmission of petitions addressed to the Hon'ble Lieutenant Governor or to the President in respect of matters arising out of service in the Police Force or the termination of such service etc.
- (f) Manner of submission of petition
Every petition shall be legible and may preferably be typed. Every petition shall be authenticated by the signature of the petitioner and shall be submitted by him in his own behalf. Every petition and the documents accompanying it shall be in the official language of the Union.
- (c) Contents of Petition
Every petition shall (a) contain all material statements and arguments relied upon by the petitioner; (b) be complete in itself and include a copy of the order complained against, as well as copies of orders, if any, passed by subordinate authorities; (c) Contain no disloyal, disrespectful or improper language; and (d) end with a specific prayer.
- (d) Method of Submission
Every petition shall be submitted to the concerned authority through the Superintendent of Police and shall be accompanied by a letter requesting the Superintendent of Police to transmit it to the said

authority. The Superintendent of Police shall forward the petition to the authority through the usual channel together with a concise statement of the facts, material thereto and all relevant papers and unless there are special reasons to the contrary an expression of his opinion thereon.

(e) Withholding of Petitions

The Superintendent of Police may in his discretion, withhold a petition when (a) the petitioner has not complied with any of the provisions stated above or (b) the petition is a representation against an order communicated to the petitioner more than six months before the submission of the petition and no satisfactory explanation of the delay is given; or (c) a previous petition from the petitioner on the same subject has been disposed off by the authority to which the petition is addressed, discloses no new facts or circumstances which afford grounds for a reconsideration of the matter; or (d) the petition is a representation against a decision which is declared to be final by any law or statutory rule; or (e) the petition is an application for an employment under the Government not made in pursuance of any rule or announcement calling for applications for such employment; or (f) the petition relates to a subject on which the Superintendent of Police is competent to pass orders and no application for redress has been made by the petitioner to him or (g) the petition is a representation against the non-exercise in favour of the petitioner of a discretion vested in the Superintendent of Police (h) the petition is a representation against the discharge or termination of service by a competent authority of the petitioner having been appointed on probation, during or at the end of such probation or having been appointed to hold temporary post on the expiration of the period of such appointment or having been engaged under an agreement or contract in accordance with terms of such agreement or contract, or (i) the petition is a representation against an order from which the petitioner has already exercised or has failed to exercise a right of appeal available under the rules or against an order by a competent authority in the exercise of appellate or revisional powers conferred by any rule, or order, regarding his condition of service or (j) the petition is a representation against an order of a competent authority refusing to grant or recommend a special pension or any pecuniary or other concession to which the petitioner is not entitled under any rules or orders or contract regulating his conditions of service.

(f) The authority which withholds a petition shall inform the petitioner of the withholding thereof and the reasons therefore. A quarterly return specifying particulars of all petitions withheld and reason for withholding the same shall be submitted to the Administration by the Superintendent of Police.

In the rules under this chapter, the term 'members of the family' in relation to a Police officer includes: -

The wife, child or stepchild of such Police officer whether residing with him or not, and any other person related, whether by blood or by marriage to the Police Officer or to such Police officer's wife and wholly dependent on such Police officer, but does not include wife legally separated from the Police officer, or child or stepchild who is no longer in any way dependent upon him or of whose custody the Police officer is deprived by law.

- (g) As regards possessions other than immovable property, Government reserves to itself the right to demand from any Police officer, should the public interests require that such a demand should be made an account of investments made or movable property acquired by him or by any of the near relatives specified in rule 8.33.
- (h) The proper channel of communication between enrolled and Gazetted officers is through their immediate and intermediate superiors and the preferment of requests representations and other communications save through this channel shall not ordinarily be permitted.

Form 8.32 (b)

Andaman & Nicobar Police

REQUEST REGISTER

S. No	Date	Rank & No.	Name	Summary of request made	Order by	
					Officer presiding in OR	SP

Form 8.32(c)**Andaman & Nicobar Police****DEFAULTER'S REGISTER**

S. No	Details of Defaulter			1) No. rank and name of officer making the charge	Defaulter's reply to charge (to be thumb marked or signed by him)	Orders passed by the disciplinary authority	Order Book No. and date, if any and initials of the superintendent of Police
	Rank	No.	Name				
				2) Nature of Charge			
				3) No., Rank & name of officers heard in support if any			

Note: - A serial Number will be given to each defaulter. In the event of a second or subsequent appearance the defaulter's serial number will take the form of a fraction having the serial number originally allotted as the numerator and the number of his appearance as the denominator, e.g., if the defaulter originally entered at serial no. 20 appears a second and third time the number allotted to him on these occasions will be 20/2, 20/3 and so on.

Chapter - 9

DEPARTMENTAL ACTION, PUNISHMENTS AND APPEALS

9.1 Introduction

Reward and Punishment are two essential tools of administration and management. That good and commendable performance must be suitably rewarded and the dereliction of duty should be punished, are the two universally accepted principles of Administration. Use, utility and inevitability of these principles become more apparent for the organization like Police, where code of conduct, discipline and performance expectations occupy significant place in the overall professional milieu. The parameters, procedures and methods of punishment and departmental proceedings like those of the rewards, should also be based on judicious, objective and just foundations. For every category of personnel, separate rules and provisions are made for this purpose and Police organizations are no exception to this general rule.

9.2 Classification of Punishments and Penalties

The following penalties may for good and sufficient reason and as hereinafter provided, be imposed on a Police officer, namely:

9.2.1 Minor Penalties

1. Censure.
2. Punishment drill not exceeding 15 days.
3. Forfeiture of increment without cumulative effect
4. Recovery from Pay of the whole or part of any pecuniary loss caused to the Government by negligence or breach of orders.

9.2.2 Major Penalties

1. Dismissal from service which shall ordinarily be a disqualification for future employment.
2. Removal from service which shall not be a disqualification for future employment.
3. Compulsory retirement.
4. Reduction to a lower rank, grade or post or to a lower time scale or to a lower stage in a time scale for a specified period.
5. Withholding of increments or promotion for a specified period with cumulative effect.
6. Fine not exceeding one month's pay.

The table at Appendix 9.2 shows the authority by whom and the extent to which the above penalties may be awarded to Police officers of various ranks.

Explanation:- The following shall not amount to a penalty within the meaning of this rule.

- i. Withholding of increment of a Police officer for failure to pass departmental examination in accordance with rules governing the post as contained in this manual or the terms of his appointment;
- ii. Non promotion whether in a substantive or officiating capacity of a Police officer after consideration of his case, to a rank, grade or post for promotion to which he is eligible ;
- iii. Reversion to a lower rank, grade or post of a Police officer officiating in a higher rank, grade or post on the ground that he is considered, after trial, to be unsuitable for such higher rank, grade or post or on administrative grounds unconnected with his conduct ;
- iv. Reversion to his permanent rank, grade or post or a Police officer appointed on probation to another rank, grade or post during or at the end of the period of probation in accordance with the terms of his appointment or the rules and orders governing probation ;
- v. Replacement of the services of a Police officer whose services have been borrowed from a State Government or an authority under the control of a State Government at the disposal of the authority which had lent his services;
- vi. Compulsory retirement of a Police officer in accordance with the provisions relating to his superannuation or retirement.
- vii. Termination of the services of a Police officer appointed on probation during or at the end of the period of probation in accordance with the terms of appointment or the rules and orders governing probation.

Note :- “Disciplinary Authority in relation to the imposition of a penalty on a Police officer, means the authority competent under Appendix 9.2 to impose on him that penalty.

9.3 Procedure for imposing minor penalties:

No order imposing any of the penalties specified in rule 9.2.1 shall be passed except after :-

- a) The Police officer is informed in writing of the proposal to take action against him and of the allegations on which it is proposed to be taken and given an opportunity to make any representation he may wish to make ;

- b) Such representation, if any is taken into consideration by the Disciplinary Authority or other officer empowered to award the penalty.
- c) If the disciplinary authority does not find merit in the representation by the erring officer then the disciplinary authority may take formal action by awarding censure.

9.3.1 Censure

An order of “Censure” is a formal and public act intended to convey that the person concerned has been guilty of some blameworthy act or omission for which it has been found necessary to award him a formal punishment. A record of the punishment so imposed is kept on the officer’s confidential roll and the fact that he has been ‘censured’ will have its bearing on the assessment of his merit or suitability for promotion to higher posts.

9.4 Suspension

The department may place an officer under suspension in following circumstances:-

- i. Where continuance in office of the Government Servant will prejudice the investigation, trial or any inquiry (i.e., apprehended tampering with witnesses or documents).
- ii. Where continuance in office of the Government Servant is likely to seriously subvert discipline in the office in which the Government Servant is working;
- iii. A Police officer who is detained in custody whether on a criminal charge or otherwise for a period exceeding forty-eight hours shall be deemed to have been suspended with effect from the date of detention, by an order of the authority empowered to suspend him and shall remain under suspension until further orders.
- iv. Corruption, embezzlement or misappropriation of Government money or money of a foreign employer under whom the Government Servant has worked on deputation or otherwise, possession of disproportionate assets, misuse of official powers for personal gain.
- v. Return to duty after desertion cause to unauthorized absence.
- vi. Refusal, or deliberate failure, to carry out written orders of superior officers.

Suspension is not to be considered a specific punishment but where continuance of an officer in a specific office, pending enquiry into his conduct, is prejudicial to public interest.

- 9.5 (i)** A Police officer under suspension shall be transferred to the Lines or any other place as mentioned in the suspension order if not already posted there, and shall normally reside in Lines if he is not with his family or allotted a Government quarter. If he has his family with him or has been allotted a Government quarter in Port Blair, he will be permitted to reside in his quarter. In any case an officer, who is under suspension shall attend all roll calls held in lines daily and shall be required to perform such duties and to attend such parades as the Superintendent of Police (APU) may direct. Provided that a suspended Police officer shall not be required to perform guard duty or any other duty entailing the exercise of the power and of responsibility. He shall, immediately on his suspension and transfer to the Lines, deposit his belt appointment letter, arms and ammunition or other Government property issued to him, except articles of his uniform.
- (ii)** A Police Officer under suspension, shall be given a subsistence grant of an amount equal to the leave salary on half average pay or on half pay and in addition dearness allowance based on such leave salary. If, as the result of the enquiry of trial, he is either acquitted or punished, the assessment of subsistence grant shall be made in accordance with F.R -54. The subsistence allowance can be increased or reduced when the period of suspension exceeds or reduced when the period of suspension exceed 12 months under F.R -53.

9.6 Period of Suspension

The period of suspension will be treated in accordance with Guidelines/ Circulars/ instructions issued by DoP&T/CVC/Govt. of India from time to time.

9.7 Disciplinary Authority

The Disciplinary Authority as stated in Appendix 9.2 is competent to take departmental action against erring officers is as under:-

9.8 Preliminary Enquiry

The Police officer appointed by the Disciplinary Authority will conduct a preliminary enquiry and shall record the statement of witness examined by him after satisfying himself as to the veracity of each witness. Every statement so recorded shall be read over and if necessary, explained to the witness making it, who when he is satisfied that it has been correctly recorded, shall be required to sign or affix his thumb impression on it, under attestation by the Preliminary Enquiry officer in token of its correctness. When all the evidence has been recorded, the Preliminary Enquiry officer shall record and submit his finding and opinion as to whether or not the allegations are prima facie established, to the Disciplinary Authority along with all relevant documents collected during the course of preliminary enquiry.

9.9 Aspects of Departmental Enquiry before imposing major punishment

9.9.1 Memorandum of charge

The Disciplinary Authority shall frame definite charges on the basis of the allegations on which the inquiry is proposed to be held. Such charges together with a statement of the allegations on which they are based shall be communicated in writing to the Police officer and he shall be required to submit within such time as may be specified by the Disciplinary Authority, to him or to such inquiring officer appointed by him, a written statement of his defence and also to state whether he desires to be heard in person.

9.9.2 Defence statement of charged official

The Charged officer shall, for the purpose of preparing his defence, be permitted to inspect and take extract from such official records as he may specify, provided that such permission may be refused, if for reasons to be recorded in writing, in the opinion of the Disciplinary Authority such records are not relevant for the purpose or it is against the public interest to allow him access thereto.

9.9.3 Enquiring Officer

On receipt of the written statement of defence, or if no such statement is received within the time specified, the disciplinary authority or as the case may be, the inquiring officer may inquire into article of charges.

9.9.4 Presenting Officer

Where the Disciplinary Authority itself enquires into any article of charge or appoints an inquiring officer for holding an inquiry into such charge, it may, by an order, appoint a government servant to be known as the "Presenting Officer" to present on its behalf the case in support of the articles of charge.

- a) Presenting officer should verify that the Charge sheet has been actually delivered to the Charged Officer so that no problem arises as the enquiry begins. He should also verify that the reply of the Charge Sheet if any given by the Charged officer is on record and duly considered by the Disciplinary Authority.
- b) Presenting Officer should have discussion with the officer who investigated the matter and also have a look on the report of preliminary enquiry along with connected reports for first-hand knowledge of the case.

- c) Presenting officer should acquaint himself fully with the departmental rules and technical aspects of the issues in dispute.
- d) Presenting officer should examine all documents to be produce in support of Article of Charge and to arrange for proof of the documents which the charged officer does not admit to the correct and hence, need to be proved.
- e) Presenting officer should examine carefully the defence documents permitted by the Enquiry officer for the Defence of the Charged Officer.
- f) Presenting officer should be polite towards the Charged officer and Defence witnesses.
- g) Presenting officer should take care that his written brief (Prosecution brief) is based on only on evidences adduced during the enquiry. He should avoid reference to any extraneous matter.

9.9.5 Defence Assistant

The Charged Officer may present his case with the assistance of any other Police officer approved by the Disciplinary Authority, but may not engage a legal practitioner for the purpose unless the person nominated by the Disciplinary Authority is a legal practitioner or unless the disciplinary authority having regard to the circumstances of the case, so permits.

- a) When the Defence Assistant is a government employee he cannot have more than 03 cases on hand in which he is rendering defence assistance and he must be posted in any office either at the headquarters of the charged employee or the place where inquiry is held. This condition is relaxable in suitable case by the enquiry Officer for the reason to be recorded by him in writing.
- b) When the Defence Assistant is a retired civil servant, he should not act as Defence Assistant in more than 07 cases at a time. The retired govt. Servant should satisfy the enquiry officer that he does not have more than 07 cases at hand including the case in question.

9.10 Manner of holding enquiry by enquiry officer

9.10.1 The Inquiring Officer shall, in the course of the enquiry consider such documentary evidence and take such oral evidence as may be relevant or material in regard to the charges. The accused officer shall be entitled to cross-examine witnesses examined in support of the charges and to give evidence in person. The Enquiring Officer or the person presenting the case in support of the charges shall be

entitled to cross examine the charged officer and the witnesses examined in his defence. If the Inquiring Officer decline to examine any witness on the ground that his evidence is not relevant or material, he shall record his reasons in writing.

Provided that the Inquiring Officer may bring on to the record the statement of any witness whose presence cannot in the opinion of such officer, be secured without undue delay, or expense or inconvenience, if he considers such statement necessary and provided that it has been made or recorded and attested by a Gazetted Officer.

9.10.2 After the completion of DE proceeding, the Presenting Officer will submit his report in support of charges framed in memorandum of charge to the Inquiring Officer based on documentary and oral evidences as recorded in course of DE proceeding.

9.10.3 The Inquiring Officer will forward the prosecution report/brief to the charged official, who will then submit his report as defence brief in support of his cause to the inquiring officer.

9.10.4 The Inquiring Officer will then conclude his inquiry and prepare inquiry report, recording his findings on each of the charges together with reasons therefore. If in the opinion of such officer the proceedings of the inquiry establish charges different from those originally framed it may record findings on such charges provided the finding on such charges shall not be recorded unless the accused officer has admitted the facts constituting them or has had an opportunity of defending himself against them. The inquiring officer will then submit the findings of departmental enquiry proceeding to the disciplinary authority.

9.10.5 The Disciplinary Authority will thereafter supply the findings of inquiry officer to the charged official for submission of defence statement.

9.10.6 The Disciplinary Authority after examining the inquiry report and defence statement may impose any major penalty in the following manner.

S. No.	Major punishment	Show cause to be given by disciplinary authority after departmental enquiry proceeding before imposing penalty
1	Dismissal from service	Yes

2	Removal from service	Yes
3	Compulsory retirement	Yes
4	Reduction to a lower rank, grade or post or to a lower time scale or to a lower stage in a time scale for a specified period	Yes
5	Recovery from Pay of the whole or part of any pecuniary loss caused to the Government by negligence or breach of orders	Direct punishment
6	Withholding of increments or promotion for a specified period	Direct punishment
7	Fine not exceeding one month's pay	Direct punishment

Where the penalty proposed is of major nature as given in table, the person charged should be supplied with a copy of the report of the Inquiring Authority and be called upon by the competent authority or such other officer authorized by it in this behalf to show cause within a reasonable time, not ordinarily less than one week, but not exceeding one month, against the findings of the Inquiring Authority. Any representation in this behalf submitted by the accused Police Officer shall be duly taken into consideration and if he so desires should be heard in person before final orders are passed.

9.11 The Final Order

The final order containing the decision of the authority competent to impose the penalty should be a self-contained order. The order should set out briefly the relevant facts, findings of the Inquiring Authority. Disciplinary Authority's decision thereon with reasons in brief for any departure from the findings of the Inquiring Authority and it should be signed by the Disciplinary Authority.

9.12 Entry of Punishment in Service book and in confidential personal file

All punishments including judicial, awarded to subordinate Police Officers of the ranks of Police Inspectors, Sub-Inspectors and corresponding ranks will be entered in their service registers and also in their confidential personal files. In the case of subordinate Police Officers of other ranks, all punishments shall be entered in the Service registers and defaulter sheets attached to

confidential personal sheets. Similar action shall be taken in respect of all punishments including judicial, awarded to senior Police Officers.

9.13 Joint Inquiry

- a) Where two or more Police officers are concerned in any case the authority competent to impose the penalty of dismissal from service on all such Police Officers may make an order directing that disciplinary action against all of them may be taken in a common proceeding.
- b) All officers facing joint enquiry shall be posted in the same station till the completion of proceedings.

9.14 Special procedure in certain cases:

Notwithstanding anything contained in these rules:-

- i. Where a penalty is imposed on a Police Officer on the ground on conduct which has left to his conviction of a criminal charge ; or
- ii. Where the Disciplinary Authority is satisfied for reasons to be recorded in writing that it is not reasonably practicable to follow the procedure prescribed in the said rules, or
- iii. Where the President is satisfied that in the interest of the security of the State, it is not expedient to follow such procedure.

The Disciplinary Authority may consider the circumstances of the case and pass such orders thereon as it deems fit.

9.15 Provisions regarding officer lent to State Governments etc.

- a) Where the services of a Government servant are lent to local or other authority (hereinafter in this rule referred to as “the borrowing authority”), the borrowing authority shall have the powers of the Appointing Authority for the purpose of placing him under suspension and of the Disciplinary Authority for the purpose of taking a disciplinary proceeding against him.

Provided that the borrowing authority shall forthwith inform the authority which lent his services (hereinafter in this rule referred to as “the lending authority”) of the circumstances leading to the order of his suspension of the commencement of the disciplinary proceeding as the case may be.

- b) In the light of the findings in the disciplinary proceeding taken against the Police officer, the disciplinary authority may impose any punishment in accordance with CCS (Punishment and appeal rules)

Explanation :- The Disciplinary Authority may make an order under this clause on the record to the inquiry transmitted by the borrowing authority, or after holding such further inquiry as it may deem necessary.

9.16 Provisions regarding officers borrowed from State Government, etc.

- a) Where an order of suspension is made or a disciplinary proceeding is taken against a Police officer whose services have been borrowed from a State Government or an authority subordinate thereto or a local or other authority, the authority lending his services (hereinafter in this rule referred to as 'the lending authority') shall forthwith be informed of the circumstances leading to the order of his suspension or the commencement of the disciplinary proceeding, as the case may be.
- c) In the light of the findings in the disciplinary proceeding taken against the Police officer, the disciplinary authority may impose any punishment in accordance with CCS (Punishment and appeal rules)

Explanation :- The Disciplinary Authority may make an order under this clause on the record to the inquiry transmitted by the borrowing authority, or after holding such further inquiry as it may deem necessary.

APPEALS

9.17 Appeals against orders imposing penalties

- i. A Police Officer may appeal against an order imposing upon him any of the penalties specified in rule 9.2 to the authority specified in Appendix 9.2.
- ii. An appeal against an order in a common proceeding held under rule 9.13 shall lie to the authority to which the authority functioning as the Disciplinary Authority for the purpose of that proceeding is immediately subordinate.

9.18 Appeal against other orders

- 1. A Police Officer may appeal against an order which:-
 - a) Denies or varies to his disadvantage his pay, allowances, pension or other conditions of service as regulated by any rules or by agreement or
 - b) Interprets to his disadvantage the provisions of any such rules or agreement, to the Hon'ble Lieutenant Governor if the order is passed by the authority which made the rules or agreement, as the case may be or by any authority to which such authority is subordinate, and to the authority which made such rules or agreement, if the order is passed by any other authority.
- 2. An appeal against an order :-

- a) Reverting to a lower rank, grade or post a Police officer officiating in a higher rank, grade or post, otherwise them as a penalty ;
- b) Reducing or withholding the pension or denying the maximum pension admissible under the rules; and
- c) Determining the pay allowances for the period of suspension to be paid to a Police officer on his reinstatement or determining whether or not such period shall be treated as a period spent on duty for any purpose, shall lie – to the authority to whom an appeal against an order imposing upon him the penalty or dismissal from service would lie.

Explanation- In this rule :-

- a) The expression, “Police Officer”, includes a person who has ceased to be in Government service ;
- b) The expression ‘pension’ includes additional pension, gratuity and any other retirement benefit.

9.19 Period of Limitation for Appeals

No appeal under these rules shall be entertained unless it is submitted within a period of three months from the date on which the appellant receives a copy of the order appealed against.

Provided that the appellate authority may entertain the appeal after the expiry of the said period, if it is satisfied that the appellant had sufficient cause for not submitting the appeal in time.

9.20 Form and Contents of appeal

- 1) Every person submitting an appeal shall do so separately and in his own name.
- 2) The appeal shall be addressed to the authority to whom the appeal lies shall contain all material statements and arguments on which the appellant relies, shall not contain any disrespectful or improper language and shall be complete in itself.

9.21 Records to be sent with Appeals

Every appeal shall be forwarded to the appellate authority with an expression of opinion and with remarks on each paragraph of the appeal in regard to the accuracy of the statements made and inferences drawn. In forwarding

appeals, the records connected with the order appealed against and records of inquiry in the case of penalties should be forwarded to the appellate authority.

9.22 Submission of appeals

Every appeal shall be submitted to the authority which made the order appealed against :-

Provided that if such authority is not the head of the office in which the appellant may be serving or, if he is not in service, the head of the office in which he was last serving, or is not subordinate to the head of such officer, the appeal shall be submitted to the head of such office who shall forward it forthwith to the said authority.

9.23 Withholding of appeals

1) The authority which made the order appealed against may withhold the appeal if:

- i) It is an appeal against an order from which no appeal lies; or
- ii) It does not comply with any of the provisions of rule 9.20 ; or
- iii) It is not submitted within the period specified in rule 9.19 and no cause is shown for the delay or
- iv) It is a repetition of an appeal already decided and no new facts or circumstances are adduced :

Provided that an appeal withheld on the ground only that it does not comply with the provisions of rule 9.20 shall be returned to the appellant and, if resubmitted within one month thereof after compliance with the said provisions, shall not be withheld.

- 2) Where an appeal is withheld, the appellant shall be informed of the fact and the reasons therefore.
- 3) At the commencement of each quarter, a list of the appeals withheld by any authority during the previous quarter together with the reasons for withholding them shall be furnished by that authority to the appellate authority.

9.24 Transmission of Appeals

- 1) The authority which made the order appealed against shall, without any avoidable delay, transmit to the appellate authority every appeal which is not withheld under rule 9.23 together with its comments thereon and the relevant records.

- 2) The authority to which the appeal lies may direct transmission to it of any appeal withheld under rule 9.23 and there upon such appeal shall be transmitted to that authority together with the comments of the authority withholding the appeal and the relevant records.

In the case of an appeal against an order imposing any of the penalties specified in rule 9.2.1 & 9.2.2, the appellate authority shall consider –

- a) Whether the procedure prescribed in these rules has been complied with and, if not whether such non-compliance has resulted in failure of justice.
- b) Whether the findings are justified; and
- c) Whether the penalty imposed is excessive, adequate or inadequate and pass orders.
 - i. Setting aside, reducing, confirming or enhancing the penalty; or
 - ii. Remitting the case to the authority which imposed the penalty or to any other authority with such direction as it may deem fit in the circumstances of the case.

Provided that –

1. The Appellate Authority shall not impose any enhanced penalty which neither such authority nor the authority which made the order appealed against is competent in the case to impose :
2. No order imposing an enhanced penalty shall be passed unless the appellant is given an opportunity of making any representation which he may wish to make against such enhanced penalty ; and
3. If the enhanced penalty which the Appellate Authority proposes to impose is one of the penalties specified in 9.2.2 of Rule 9.2 and an inquiry under rule 9.9 has not already been held in the case, the appellate authority shall, subject to the provisions of rule 9.14, itself hold such inquiry or direct that such inquiry be held and thereafter on consideration of the proceedings of such inquiry and after giving the appellant an opportunity of making any representation which he may wish to make against such penalty, pass such orders as it may deem fit.

In the case of an appeal against any order specified in rule 9.18, the Appellate Authority shall consider all the circumstances of the case and pass such orders as it deems just and equitable.

9.25 Travelling Expenses to the witnesses

Private witnesses summoned in departmental enquiries shall be entitled to journey expenses and, if detained for more than twelve hours, to suitable

detention allowance. Such expenditure shall be paid out of the allotment for 'contingencies' Government servants who are called as such witnesses shall be entitled to travelling allowance in accordance with the following instructions :-

- a) Every person, whether he is a central or state Government servant or not, who is called to give evidence in a departmental inquiry by either the Government or the government servant against whom the inquiry is being held, shall be entitled for payment of travelling and other expenses as laid down in these instructions.
- b) Where the witness is a Central Government Servant, he shall be entitled to receive, in respect of the attendance before the authority holding the departmental inquiry, from the Department or Ministry under which he is serving for the time being payment of a traveling allowance as on tour under S.R. 154.
- c) Where the Government Servant is called in the departmental inquiry to give evidence as to facts which have come to his knowledge in the discharge of his public duties the minimum time required to be spent by him on the journey to and from the place where the inquiry is held and the days on which he is required to remain present before the authority holding the inquiry shall be treated as on duty.

Provided that if the Government servant is on leave then entire time spent shall be treated as a part of the leave and he shall not be deemed to have been recalled to duty.

- d) Where a Government servant is called by any authority holding the departmental inquiry to give evidence as to facts which have come to his knowledge at a time when he was not in Government service he may be paid travelling allowance.
- e) Where the witness is a State Government Servant, he shall be entitled to receive in respect of the attendance before the authority holding the departmental enquiry, from the State Government such travelling allowance and/or daily allowance as may be admissible to him under the rules applicable.
- f) Where a person who has been a Government servant is called to give evidence as to facts which have come to his knowledge in the discharge of his public duties or a person who is not a Central Government or a State Government servant is called to give evidence before any authority holding a departmental inquiry such person shall be entitled to claim from the Ministry or Department under who the Government servant against whom the enquiry is being held is for the time being serving travelling allowance under S.R. 190.

- g) The foregoing instructions shall also apply to a person nominated by the Disciplinary Authority to present the case in support of the charge before the authority holding the departmental inquiry, or assisting the Government servant against whom the inquiry is held in presenting his case.
- h) All expenditure on travelling allowance paid to a Government servant under these instructions shall be debited to the Travelling Allowance grant or the Contingent grant as the case may be.

9.26 Reinstatement and Payment of Arrears

In cases where an order of dismissal, removal or compulsory retirement passed by the competent authority is set aside in appeal or revision or under an order of court of law and the Police Officer is reinstated in service on grounds of equity, the questions as to what pay and allowances should be allowed for the intervening period and whether or not the period should be treated as duty will be dealt with under Rules.

9.27 Register of Punishments

All the Superintendent of Police and Unit In charges will maintain a register of punishments in which the details of all the inquiries instituted against the Police Officers in the charge will be entered.

Appendix-9.2

Disciplinary and Appellate authority:- the table below shows the authority by whom and the extent to which the punishments stated in rule 9.2 may be awarded to Police Officer of various ranks; and the Appellate Authority in each case.

SI No.	Penalties	Inspectors of Andaman & Nicobar Police		Sub-Inspectors or equivalent rank, Assistant Sub-Inspectors or equivalent rank		Head constable, Police Constable, Follower	
		Disciplinary Authority	Appellate Authority	Disciplinary Authority	Appellate Authority	Disciplinary Authority	Appellate Authority
1.	Dismissal from service which shall ordinarily be a disqualification for future employment.	DGP	HLG	ADGP/IGP	DGP	SP	DIGP
2.	Removal from service which shall not be a disqualification for future employment.	DGP	HLG	ADGP/IGP	DGP	SP	DIGP
3.	Compulsory retirement.	DGP	HLG	ADGP/IGP	DGP	SP	DIGP
4.	Reduction to a lower rank, grade or post or to a lower time scale or to a lower stage in a time scale for a specified period.	DGP	HLG	ADGP/IGP	DGP	SP	DIGP
5.	Fine not exceeding one month's pay.	DGP	HLG	ADGP/IGP	DGP	SP	DIGP
6	Withholding of increments or promotion for a	DGP	HLG	ADGP/IGP	DGP	SP	DIGP

	specified period with cumulative effect.						
7	Censure.	SP and above	HLG	SP	ADGP/IGP	SP	DIGP
9	Forfeiture of increment without cumulative effect	DGP	HLG	SP	ADGP/IGP	SP	DIGP
10	Recovery from any of the whole or part of any pecuniary loss caused to the Government by negligence or breach of orders.	DGP	HLG	ADGP/IGP	DGP	SP	DIGP
11	Punishment drill not exceeding 15 days	Not applicable	Not applicable	Not applicable	Not applicable	DySP	Not applicable

Chapter - 10

PROSECUTION AND SUITS

The provisions of Article 311 (2), Section 197 Cr.PC. and also the provisions of limitation, as available in the Police Acts provide certain safe guards to Police Officers, when criminal or departmental proceedings are initiated against them. A proper appreciation of the above provisions would ensure the ends of law and natural justice, while dealing with complaints against Police Officers.

10.1 When a disciplinary offence on the part of a Police Officer can be adequately punished departmentally such officer shall not be prosecuted under Section 29 of the Police Act nor shall an upper subordinate under any circumstances be so prosecuted without the sanction of Director General. Prosecution of Police officer for non-cognizable offences are to be deprecated. A criminal court may award either imprisonment which involves dismissal or fine. Both fine and dismissal can be awarded departmentally and all that can be gained by a criminal prosecution is a few months' imprisonment which ruins the man's reputation and may possibly turn him into a bad character for life. The only cases which form an exception are:-

- (a) Cases in which the offender is incorrigibly bad character and it is desirable to make an example of him;
- (b) Cases of escape from lawful custody due to culpable negligence or collusion in which case an officer concerned should as a rule be prosecuted and if convicted should be dismissed from the force;
- (c) Cases of peculiar aggravation in which the interests of public justice demand a public prosecution and trial.

10.2 Punishment after conviction

1) The following guidelines should be followed in awarding punishments to the accused Police Officer after he is convicted for any offence by a court of law.

- (i) A conviction on a criminal charge does not automatically entail dismissal, removal or reduction in rank. The penalty imposed upon should not be arbitrary or grossly excessive or out of all proportion to the offence committed or one, not warranted by the facts and circumstances of the case. The disciplinary authority is to take the conviction as sufficient proof of misconduct on the part of the officer and has thereafter to decide

(a) Whether the conduct which has led to the conviction on a criminal charge was such as to warrant the imposition of any penalty and

- (b) If so what should be the penalty or quantum of penalty.
- (ii) The disciplinary authority must study the judgment of the criminal court and take into consideration all the facts and circumstances of the case and also factors such as
 - (a) The entire conduct of the officer
 - (b) The gravity of the offence committed by him
 - (c) The impact of his misconduct which is likely to have on the administration
 - (d) Whether the offence for which he was convicted was of a technical or trivial nature and
 - (e) The extenuating factors if any present in the case.
- (iii) The Disciplinary Authority should do this exercise ex-parte (Suo Moto) and he need not hear the Police officer concerned before deciding upon the punishment to be imposed.
- (iv) If an officer appeals to a higher court and gets a stay order and is in the meanwhile dismissed or any other punishment awarded by the department, the stay will be infructuous. Even in case he appeals to higher court and gets a stay for the suspension of sentence, the process of dismissal or other punishment can be taken up by the department, irrespective of the stay of sentence, unless the conviction is also stayed.
- (v) Conviction and sentence to pay fine or released on probation under P.O. Act. Police officers convicted but released on probation of good conduct under section 4 of Probation of Offenders Act can be dismissed or removed from service or otherwise punished on the ground of misconduct which led to conviction on criminal charge. In criminal trial the conviction is one thing and sentence is another. The court while invoking the provisions of section 3 or 4 of the Probation of Offenders Act does not deal with the conviction. It only deals with the sentence, which the offender, has to undergo. Instead of sentencing the offender the court releases him on probation of good conduct. However the conviction remains untouched and the stigma of the conviction is not obliterated. Section 12 of the Act does not preclude the department from taking action for misconduct, which leads, to the offence and to his conviction thereon as per law.

10.3 Procedure on acquittal in a Criminal case

When a Police Officer has been tried and discharged or acquitted on a criminal charge, he shall not be punished departmentally on the same charge

or on a charge based on evidence which has been rejected by the court. Provided that when a criminal charge against a Police officer has failed solely for technical reasons or when the court notes the facts as suspicious but gives the accused the benefit of doubt or records the opinion that witnesses have resiled through the exercise of influence upon them ; or when though an acquittal is ordered on the main charge, facts are brought to light in the course of the trial which justify a separate departmental charge the acquittal or discharge (either as a result of the case having been compounded or otherwise) shall not in itself be a bar to departmental action, nor shall such an acquittal be regarded as an honorable acquittal for the purpose of Fundamental Rule 54. In such cases the Superintendent of Police may, with the concurrence of the Director General of Police in the case of an upper subordinate proceed to take departmental action in accordance with these rules. Before deciding to launch a departmental enquiry or while disposing a pending enquiry in the case of a Police Officer, who is acquitted by the Criminal Court, the competent authority is under an obligation to apply his mind to the requirements prescribed to decide whether it is a fit case to defer from the rule of verdict of the Court or not.

10.4 Rule for the defence of Police Officers in Criminal Prosecutions and Civil Suits for acts done by them in their official capacity

- (i) Police Officers will always be protected when it appears to the UT Administration/ Police Department that they have acted in good faith.
- (ii) If the UT Administration/ Police Department decides not to undertake defence or to act on behalf of the Police Officer the officer may take such measures, as he considers necessary at his own expense to conduct prosecution on his behalf or to defend himself. If the verdict is in his favour the Government will ordinarily reimburse his reasonable expenses.
- (iii) When criminal proceedings are instituted against a Police Officer, either by UT Administration/Police Department or with their sanction, the UT Administration/ Police Department as a general rule, decline to undertake his defence. However in exceptional cases where the Police Officer concerned is unable to arrange his defence at his own expense on account of financial or other valid reasons, the UT Administration/Police Department may sanction the defence, provided that,
 - (a) The Police Officer undertakes to refund the entire sum incurred by the UT Administration/Police Department in connection with the conduct of his defence, if the case does not end in his favour and
 - (b) The UT Administration/Police Department are satisfied about the possibility of recovering such sum from the Police officer.

- (iv) When in pursuance of these rules a Police Officer engages, and is permitted to engage, a counsel for his defence, the UT Administration/Police Department will reimburse the expenditure to the extent it is allowed to the UT Administration/Police Department counsel in the concerned court as per rules prevailing.
- (v) When a Civil suit is threatened to be launched against a Police Officer for acts done in the discharge of his official duties and if a notice is given prior to the filing of suit and/ or if a written statement is to be filed by the Police officer in connection with the suit pending, a copy of his reply to such notice or his written statement shall be submitted to the DGP through proper channel. If the unit head decides to defend the Police Officer, he should examine the reply submitted and issue suitable guidelines after taking legal advice.

10.5 Proceedings in respect of matter not connected with official duties or position of the Police Officer.

Government will not give any assistance to a Police Officer or reimburse the expenditure incurred by him in the conduct of proceedings in respect of matters not arising out of or connected with, his official duties or his official position irrespective of whether the proceedings were instituted by a private party against the Police Officer or vice versa.

10.6 Criminal Prosecution & Civil Suits by Police Officer

- (i) **Defamation:** Sometimes a Police Officer faces defamatory remarks, statements or imputations in respect of his conduct in discharge of his official functions, made by individuals or published in newspapers. In such cases they may decide to launch a criminal case of defamation u/s 500 I.P.C. and they may apply to the UT Administration/Police Department for sanction to prosecute. Every complaint referred to, the UT Administration/Police Department shall set forth the facts which constitute the offence alleged, the nature of such offence, and such other particulars as are reasonably sufficient to serve notice to the accused of the offence alleged to have been committed. If the UT Administration/Police Department accord sanction, the Public Prosecutor shall file a complaint in the Sessions Court directly without being committed to it through the lower court and the Public Prosecutor will conduct the prosecution at the cost of A & N Administration. Whenever the Head of the Department or Unit comes across such derogatory remarks published in press or otherwise they should take initiative in the matter in this manner.

(ii) If the sanction of the UT Administration/Police Department could not be obtained, the Police Officer may file a complaint on his own in the court as per the ordinary procedure.

(iii) The institution of a civil suit on behalf of the State requires the sanction of the UT Administration/Police Department. In all such suits and in suits by or against Police Officers which go to the UT Administration/Police Department for sanction the plaints and written statements should except in cases of emergency require approval of the UT Administration/Police Department, before they are filed. After the approval, the DGP can act further on behalf of the UT Administration/Police Department and if a civil suit is instituted against the UT Administration in connection with a matter concerning the Police department, the district Superintendent of Police, shall refer the matter to the DGP for orders. As the defence of such suits ordinarily falls upon the Government Pleader of the area.

10.7 Under Article 351 of the Civil Service Regulations, future good conduct is an implied condition of the grant of every pension and Government has the right to withhold or withdraw a pension or any part of it if the pensioner is convicted of a serious crime or found guilty of grave misconduct. It is, therefore, necessary to ensure that cases where pensioners are convicted by a Court of any crime are also brought to the notice of Government. Police Prosecutor shall ensure the prompt intimation of such cases to the administrative authorities concerned.

10.8 Assistance to be given to Police Officers - when they sue or be sued, prosecute or be prosecuted for acts done in discharge of their Official duties

The Police Department and the Administration should protect and support officers who are harassed by litigation discharging his/her legitimate duties. False and malicious allegations are often made against Police Officers with a view to hamper and embarrass them in the proper discharge of their duties. He/She shall be given all protection by extending legal aid, financial support and such other departmental / administrative assistance as may be deemed proper in each case.

10.9 Anonymous/Pseudonymous Complaint: In case of an Anonymous/Pseudonymous complaint, DoPT's OM & Chief Vigilance Commission's (CVC's) Circular in this regard shall be followed & the complaints are to be closed accordingly.

10.10 Claims for loss of services against members of the public for injury caused by them to Police Officers

Police Officers should report promptly to DGP through their superior officers the full facts regarding any injury sustained incapacitating them from service either temporarily or permanently, whether on or off duty owing to the negligence of a member or members of the public.

10.11 Legal advice to be obtained in regard to litigation affecting the UT Administration/ Police Department

The UT Administration considers it desirable that, in regard to litigation by or against the Administration, legal advice should always be obtained before a suit is instituted or the defence of a suit undertaken on behalf of the UT Administration. It is not necessary that such advice should be obtained merely because the notice of a suit against the Administration is given under section 80 of the Code of Civil Procedure but in important cases it may be desirable for the Officer dealing with the notice to obtain legal advice regarding it. The Officers though are competent to sanction the filing or defence of suits on behalf of the Administration they are not bound to follow the legal advice, and if they decide to reject it, they must place the reasons for their decision clearly on record.

10.12 Appearance and preparation of affidavits and counter-affidavits in writs filed against the Police Department.

- (i) In cases where the Police has been impleaded as party, the HOD/DGP will approve counter-affidavit and swear to it before filing it in the High Court.
- (ii) In other cases involving small matters of local importance, of which the Police has no special knowledge or where no general issues are involved, no useful purpose will be served by the counter affidavit being approved by the DGP. In such cases, the draft counter-affidavit need not be submitted to the DGP for approval, provided that the IGP ensures that the public interest is safeguarded, that the counter affidavit brings out the views of the department clearly.

10.13 Writs against Police Officers

Whenever any writ is filed against a Police Officer, the respondents concerned who are directly involved, should promptly prepare a well drafted reports for preparing a counter affidavit, and if necessary by consulting the prosecuting officer or can take opinion from legal cell, before taking the approval of Government Pleader (GP).

Chapter – 11

SERVICE RECORDS

11.1 Records of Service

The Service Book of a Government servant is a document to record all the events in his/ her entire service period and career, recording each and every administrative action qua the Government servant right from the stage of his recruitment till his retirement to reflect the history of service of a Government employee.

11.2 Contents of Service Book

11.2.1 Part I of the prescribed format of the Service Book reflects the Bio data of the employee and will include the following details

- a) Individual record sheet containing birth proof, education qualifications and other certificates.
- b) Health Certificate and Medical Examination certificate.
- c) Attestation form/Character and Antecedent certificate.
- d) Offer of Appointment.
- e) Appointment Order.
- f) Oath of Allegiance.
- g) Marital Status.
- h) Home Town Declaration.

Soon after enlistment and after verification of character, a “Character Roll” also known as Part I of service book in form 11.2 shall be prepared for each recruit in his presence. When the roll is otherwise complete, the recruit shall be taken before a Gazetted officer and shall in his presence sign the form or agreement printed as item 4 in the roll and affix his signature. The Gazetted officer before signing the roll, shall satisfy himself that the recruit understands the purport of the agreement, and that the recruit is satisfied that his age and other details been correctly recorded.

11.2.2 The Part II A of the Service Book includes entries of the following certifications/nominations in respect of a Government employee

- a. Family Particulars with due certification from the Government servant that he has furnished the details of the family members for filing nomination in GPF/NPS, UTGEIS(Union Territory Government Employee Insurance Scheme), DCRG and Family pension).

b. Nomination for Central Govt. Employees Group Insurance Scheme (CGEGIS) with similar certification as indicated above. Further leave encashment details, testimonials and other documents referred to and relied upon will be maintained in this part.

c. Declaration of Movable and Immovable property

Rule 18 (1) (i) of the CCS (Conduct) Rules, 1964 prescribes that every Government servant shall on his first appointment to any service or post submit a return of his assets and liabilities, in such form as may be prescribed by the Government, giving the full particulars regarding-

- i. The immovable property inherited by him, or owned or acquired by him or held by him on lease or mortgage, either in his own name or in the name of any member of his family or in the name of any other person;
- ii. Shares, debentures and cash including bank deposits inherited by him or similarly owned, acquired, or held by him;
- iii. Other movable property inherited by him or similarly owned, acquired or held by him; and
- iv. Debts and other liabilities incurred by him directly or indirectly.

11.3 Maintaining Service Book

- (a) Service Books in Form F.R. 10 as required by Articles 73 and 74 Civil Account Code, shall be maintained for all upper subordinates and establishment appointed otherwise than under the Police Act to whole time pensionable employment.
- (b) Service Books shall be kept in the office in which the pay of the person concerned is drawn. Entries in Service Books shall be in Hindi/English and shall be properly attested by the Superintendent of Police.
- (c) Service Books shall be taken up for verification of pensionable service in January each year. After satisfying himself that the services of the Police officer concerned are correctly recorded in his service book, the Superintendent of Police should record in it a certificate in the following form over his signature: -

“Service verified from.....to..... according to Pay Bill Register & other records (The record from which the verification is made)”.

- (d) When a Police officer is transferred from the force to another office, the Superintendent should record in the service book over his signature, the result of the verification of service with reference to pay bills and acquittance rolls, in respect of the whole period during which the officer was employed under him.
- (e) There shall be mandatory revision of entries in service book every 10 years of service. The Establishment In-Charge shall be responsible for the same, and the concerned officer shall counter verify the information as submitted by him.
- (f) Service Book must be shown to the Government servants once every year and their signatures obtained therein as a token of their having inspected the Service Book.

11.4 Personal Files

A personal file shall be maintained by the Character Roll Clerk for every enrolled Police officer. These files are intended for the record or original orders and papers concerning officer's service and conduct and are supplementary to the Character Roll. The personal file of Police officers who have quit the service or died shall be kept in a separate bundle for three years, after which they will be destroyed.

11.5 CONFIDENTIAL REPORTS

The performance of every Government servant is assessed annually through his/her Annual Performance Assessment Report (earlier Annual Confidential Report), which is an important document providing the basic and vital inputs for assessing the performance of the Government servant and for assessing suitability for further advancement in his/her career on occasions like confirmation, promotion, selection for deputation, selection for foreign assignment etc. Performance appraisal is a tool for human resource development in order to enable a Government servant realize his true potential.

1. The performance in respect of Upper and Lower Subordinates is assessed annually through the Assessment Report that is written by their reporting Officer. Performance appraisal is meant to be a joint exercise between the Government servant reported upon and the Reporting Officer. The Reporting Officer should, as a rule, have sufficient knowledge of the work and qualities of the employee reported upon, and submit it to the Reviewing Officer. If the reviewing officer does not fully agree with the Reporting Officer, he should indicate the nature and extent of such difference.

2. The Assessment Report guides the defects and shortcomings, of the officer reported and decides the future career advancement.
3. Thus, the system of APAR has two principle objectives. First and foremost is to improve the performance of the subordinate in his present job. The second one is to assess his potentialities and provide him appropriate feedback and guidance for correcting his deficiencies and improving his performance.
4. If a Reporting/Reviewing Officer is under suspension when the Annual Performance Assessment Report has become due to be written/reviewed, it may be written/reviewed by the officer concerned within two months from the date of his having been placed under suspension or within one month from the date on which the Report was due, whichever is later.
5. The full APAR including the overall grade and assessment of integrity shall be communicated to the concerned officer after the Report is complete with the remarks of the Reviewing Officer and the Accepting Authority wherever such system is in vogue.
6. The concerned officer shall be given the opportunity to make any representation against the entries and the final grading given in the Report within a period of fifteen days from the date of receipt of the entries in the APAR. The representation shall be restricted to the specific factual observations contained in the report leading to assessment of the officer in terms of attributes, work output etc. While communicating the entries, it shall be made clear that in case no representation is received within the fifteen days, it shall be deemed that he/she has no representation to make.

11.6 Maintenance of APAR

APAR rolls shall be arranged according to district constabulary numbers and kept in a locked cupboard under the custody of I/C Confidential Cell (PHQ), who will be responsible that they are neither damaged nor tampered with.

11.7 Uniform year (Financial) for writing APAR

The reporting period of the confidential reports shall be co terminus with the financial year (April-March) in order to fall in line with the majority of the Services and to coincide with the period of Annual Action Plan of the Ministries/Departments of the Government of India.

11.8 Periodicity of writing

1. The assessment of the performance of Police officers should cover a definite period over which it is possible to form a reasonably correct assessment. With this end in view, APARs are recorded for the period covered by the financial year.

2. Normally there should be only one report covering the year. There may, however, be occasions where it becomes necessary to write more than one report during a year by different Reporting Officers, when the Reporting Officer or the officer reported upon, is transferred or deputed elsewhere for a period of more than three months, etc. In that event, the condition stipulated is that, the Reporting Officer has at least three months' experience on which he can base his report on the officer reported upon. When more than one report is written, each report should indicate precisely the period covered by it. If the period of observation happens to be less than three months, this fact only need be indicated in the report. At any rate, a report must be written invariably at the end of the year which must be done within one month.
3. The annual report should be recorded within one month of the expiry of the report period. Any delay in this regard should be adversely commented upon. If there is delay in submission of self-appraisal by the officer reported upon, the Reporting Officer should give the report without self-appraisal making a suitable note.
4. If two or more Reviewing Officers are working during the year, The Reviewing officer whose period is more than other Reviewing Officer should be reviewed in Annual Performance Assessment Report.

11.9 Representation against adverse remarks

1. The Competent Authority for considering adverse remarks under the existing instructions may consider the representation, if necessary in consultation with the Reporting and Reviewing officer and shall decide the matter objectively based on the material placed before him within a period of thirty days from the date of receipt of the representation.
2. All representations from lower subordinates and upper subordinates against adverse remarks should be examined by the Reviewing officer in consultation with the Reporting Officer.
3. The decision of the officer and the final grading will be communicated to the concerned officer reported upon within fifteen days and a copy of communication of final grading will be kept in the dossier.

11.10 Transfer of Reporting and/or Reviewing Officer in the middle of the reporting year

1. If an officer is transferred during the middle of the reporting year, he should immediately write the APAR of his subordinates in respect of the year for the period up to the date of his transfer, provided that the period is at least four months and the reports should be submitted to the reviewing officer who will retain them in his custody and record his remarks in the

reviewing portions in the last of the reports for the year, taking into account the reports for the previous portions of the year also, submitted to him by the transferred officers, at the time of their transfer. If the reviewing authority is transferred not simultaneously with Reporting Officer, but after sometime, he will hand over such reports to his successor and the successor will review the reports if he happens to have three months experience. Otherwise, the previous reviewing officer will review the report at the end of the year.

2. If, however a reviewing authority retired while there is no change in the Reporting Officer and the subsequent reviewing authority does not have three months experience of the work and conduct of the reportee, the reviewing portion will be left blank with a suitable note, recorded therein. This note can be recorded by the new reviewing authority who could not review the report because he did not have even three months experience or by the Reporting officer himself.

11.11 Reporting of APAR

1. The annual report should be recorded within one month of the expiry of the report period.
2. When there is no reporting officer with the requisite experience of three months or more during the period of report, the reviewing officer himself may initiate the report as a reporting officer, provided the reviewing officer is the same for the entire period of report.
3. If the reporting officer/reviewing officer is under suspension, then the confidential report may be got written/reviewed by the officer concerned within two months of his being placed under suspension or within one month from the date on which the report was due, whichever is later.
4. With respect to officers who have undergone training in approved or at institutions in India or abroad the following procedure should be adopted:-
 - a. Whenever an officer attends an approved course of study or training the fact of his leaving done so should be entered in his confidential report.
 - b. The report, if any, received from the head of the institution should either be placed in original in the confidential dossier of the officer or the substance of it.
 - c. An entry about the report submitted by the officer on his study/training done should also be mentioned in his confidential report, if it is either outstanding or of poor quality, indicating how the officer made use of his period of study or training.

5. When the reporting officer retire or demits office, he may be allowed to give the report on his subordinates within a month of his retirement or demission of office. However, a reviewing officer cannot review the APAR after his retirement.
6. In the case of Central Government officers who are deputed to other Department/State Governments or are on foreign service, the APAR should be maintained by their parent departments and the periodicity of such APAR should be the same as in the parent department. It will be the responsibility of the parent department to obtain the reports of their officers on deputation and maintain them.

11.12 Time schedule for preparation of Confidential Reports

1. Time lines are prescribed to ensure timely completion of writing the APAR of Central Government employees, for various stages. Any failure on the part of the Reporting/Reviewing Officers to comply with the time-schedule should be viewed seriously and in the absence of proper justification for such delay.
2. A Reporting Officer should not wait till the expiry of the time-limit for self-appraisal of the officer to be reported upon. After the expiry of the first week, if self-appraisal is not received, the Reporting Officer should take it upon himself to remind the officer to be reported upon in writing, asking him to submit the self-appraisal by the stipulated date. It should also be made clear in the reminder that if the officer to be reported upon fails to submit the self-appraisal by the stipulated date, the report will be written without self-appraisal. If no self-appraisal is received by the stipulated date, the Reporting officer can obtain another blank APAR form and proceed to write the report on the basis of his experience of the work and conduct of the officer reported upon.
3. When the Reporting Officer completes his part of the report and submits the reports to the Reviewing officer for review, a copy of the same be forwarded to Confidential Cell (PHQ). Thereafter, it shall be the duty of the Confidential Cell to keep in touch with the Reviewing officer to secure the timely completion of the APAR.

Time Schedule for Preparation of Annual Performance Assessment Report

S.No	Nature of Action	Date by which to be completed
1.	Distribution of blank APAR forms to all concerned (i.e to officer to be reported upon where self-appraisal has to be given and to reporting	31st March (This may be competed even a week earlier)

	officers where self-appraisal is not to be given)	
2.	Submission of self-appraisal to reporting officer by officer to be reported upon (where applicable)	15th April
3.	Submission of report by reporting officer to reviewing officer. - Where self-appraisal by officer reported upon is prescribed. - Where self-appraisal by officer reported upon is not prescribed. - Where officer reported upon is himself a reporting officer for subordinates under him	7th May. 21st May. 22nd May
4.	Report to be completed by Reviewing officer and sent to I/C Confidential Cell (PHQ).	• 23rd May where the due date for the reporting officer is 7th May. • 7th May where the due date for the Reporting Officer is 21st April. • 5th June where the due date for the reporting officer is 22nd May

11.13 NRC (No Report Certificate)

Wherever there is any gap in the APAR during a particular reporting period, it is the responsibility of the officer in-charge for maintaining the APAR to place a no report certificate indicating the reasons, e.g. the officer has not worked for minimum 3 months under a reporting officer; he was on leave/training during the period; he was on unauthorised absence if it is a fact; the APAR could not be completed by lapse of the time limit for making remarks by the reporting/reviewing officer etc.

Note:-In the matter of APAR, NRC etc. the latest instructions/OM as issued by DOP&T shall prevail over the provisions mentioned in the Police Manual.

11.14 APAR channel for Upper and Lower subordinates of A&N Police

Officers Reported upon	Reporting Officer	Reviewing Officer	Accepting Officer

Inspector	SP	IGP/ADGP	DGP
Sub-Inspector	Dy.SP/SDPO	SP	ADGP/IGP Concerned
Assistant Sub Inspector	Dy.SP/SDPO	SP	ADGP/IGP Concerned
Head Constable	Inspector/In-charge /SHO	Dy.SP/SDPO	SP
Constable	Inspector/In-charge/ SHO	Dy.SP/SDPO	SP
Follower Constable	Inspector/In-charge/ SHO	Dy.SP/SDPO	SP
Follower Messenger	Inspector/In-charge/ SHO	Dy.SP/SDPO	SP

11.2 Part-I Contents of Service Book

Sl. No	Particular
1.	Name in full (In Block Letters)
2.	Father's Name
3.	Husband's Name
4.	Nationality (If not a citizen of India, number and date of eligibility certificate)
5.	Whether a member of Schedule Cast/Tribe/OBC.?
6.	Date of Birth by Christian Era and wherever possible also in Saka Era (both in words and figures)
7.	Education Qualification
	a) At the time of first appointment
	b) Subsequently acquire
8.	Professional and technical qualifications and covered by 7
9.	Exact height by measurement (without shoes)
10.	Personnel marks of identification
11.	Permanent Address
12.	Signature of left hand thumb impression of the Government Servant (with date)
13.	Signature and Designation of attesting officer(with date)

11.2 Part-II Contents of Service Book

Sl. No	Subject	Certificate	Signature and Designation of the Certifying officer
1.	Offer of appointment	The employee has been accepted the offer of appointment and the acceptance letter filed at Sl. No...of Vol-II of the service book	
2.	Appointment order	Appointment order of the employee filled at at Sl. No...of Vol-II of the service book	
3.	Medical Examination	The employee was medically examined by on..... and found fit. The medical certificate has been kept in safe custody vide Sl. No...of Vol-II of the service book	
4.	Character and Antecedent	His/her Character and Antecedent have been verified and the and the verification report kept in safe custody vide Sl. No...of Vol-II of the service book	
5.	Allegiance to the constitution	He/she taken the oath of allegiance/affirmation to the constitution vide Sl. No...of Vol-II of the service book	
6.	Oath of Secrecy	He/she has read the official secrets act and central service (conduct) rules and has also taken the oath of secrecy vide Sl. No...of Vol-II of the service book	
7.	Marital Status	He/she furnished declaration regarding his/her not having contracted bigamous marriage. The relevant declaration has been filled at Sl. No...of Vol-II of the service book	
8.	Declaration of Home Town	He/she has furnished the declaration of home town which has been accepted and filed at Sl. No...of Vol-II of the service book	
9.	Verification of entries in	The correctness of the entries against sl. No. 5-8 of Part-I "Bio-Data" has been verified from original certificates considered as valid	

	Part-I	documentary evidence for the respective purpose. Attested copies of this certificates have been filed at Sl. No...of Vol-II of the service book	
10.	(a) GPF/PRAN No.	He/she has filed a nomination for GPF/PRAN and the following related notices which have been forwarded to the accounts officer on dates shown against them, have been filed in Vol-II of the service book	
	(b)Nomination of GPF/PRAN	1. 2. 3.	
11.	Family Particulars	He/she has furnished details of the family member which have been filed at Sl. No...of Vol-II of the service book	
12.	D.C.R Gratuity and Family pension	He/she has filed nomination for D.C.R gratuity and family pension and this following related notices which have been filed in Vol-II of the service book vide sl. Nos. shown against them 1. 2.	

Form No. 12.17

Andaman & Nicobar Police**CRIME REGISTER**

(Note: Case details of the FIR to be recorded till final disposal of the case from court)

FIR No.	U/s & Date (Brief description of the offence)	Place of occurrence & distance direction from PS	Name, Parentage, Age, & Residence of the Complainant/ Informant	Name, Parentage, Age, & Residence of the accused person	Name & Signature of the I.O.	Brief facts of the Case	Sign of SHO	Result of the case

NON-COGNIZABLE CASE REGISTER

[illegible]

Form No. 12.19**Andaman & Nicobar Police****UDFIR REGISTER**

UDFI R No.	U/s &Date (Brief descriptio n of the offence)	Place of occurrenc e & distance direction from PS	Name, Parentage, Age, & Residence of the Complainant / Informant	Name, Parentage , Age, & Residenc e of the deceased person	Name & Signatur e of the I.O.	Brie f fact s of the case	Sig n of SH O	Resul t of the case

CHARGESHEET/ FINAL REPORT REGISTER

[illegible]

SUPPLEMENTARY CHARGESHEET REGISTER

[illegible]

UDFIR FINAL REPORT REGISTER

[illegible]

CFSL/FSL Register

[illegible]

Form 12.22

Andaman & Nicobar Police**MALKHANA REGISTER****POLICE STATION.....**

Yearly Serial No.	F.I.R. No. date of offence or GD No. of entry and date of daily diary (as the case may be)	Description and value of property	Order of Magistrate for disposal	Signature of person receiving it	Signature and remarks of Station Officer or P.P., if any

ARREST REGISTER

[illegible]

FORM 12.25

Andaman & Nicobar Police

PETTY CASE REGISTER

Sl.No	Challan NO., Date & U/s	Complainant Name and Details	Name &Details of accused	Place, Date and Time of offence	Brief facts of the case	Result of the case	Remarks & Sign of SHO

STOLEN PROPERTY REGISTER

[illegible]

SUMMON REGISTER

[illegible]

WARRANT REGISTER

[illegible]

Form 12.28

Andaman & Nicobar Police**QUARTERLY CRIME ABSTRACT**

S. No	IPC case		Excise case		Other Local and Special Law		UD case		Case property		Total pending as on				
	Registered	Disposed	Registered	Disposed	Registered	Disposed	Registered	Disposed	Added	Disposed	IPC	Excise	Other local & Special Law Case	Case Property	UD Case

Details of cases disposed:

SI no.	Case	Crime no.	Date	U/s
01.	IPC			
02.	EXCISE			
03.	LOCAL & SPECIAL LAW			
04.	UD CASE			

Form 12.30

Andaman & Nicobar Police**PROCLAIMED OFFENDER REGISTER**

Sl. No.	Name, age and parentage of offender	Description	Residence	Section of offence	FIR No. and date	Police Station and District	Detail of Stolen property	In case of conditionally released who has been declared proclaimed offender (i) Offence in which conditionally released (ii) Village in which conditionally released (iii) Jail from which conditionally released (iv) Date of release	(1) In his own accused has visited (2) Or is expected to visit	Name of relations whom the proclaimed offender is expected to visit or enter in communication		Reward offered for Arrest	Remarks
										In his own district: - 1) Names 2) Relations 3) Residence	In his own district: - 1) Names 2) Relations 3) Residence		

VILLAGE ROSTER

[illegible]

VILLAGE CRIME REGISTER (PART- I)

POLICE STATION DISTRICT.....

Male

Female.....

No. of houses

Names of outlying hamlets with number of houses in each

Revenue

Market Day, fairs and festivals

Principal Castes and tribes

Headmen	Other leading men	Beat watchmen

Form 12.32

Andaman & Nicobar Police**VILLAGE CRIME REGISTER (PART- II)**

SI No. in First Information Register	Date of occurrence and name of complainant	Section of law, nature of offence and class of property attached	Name, parentage, age and residence of accused/ suspect	Place where property was recovered and where criminals were found	person suspected of having helped to conceal property of criminals by furnishing bail or otherwise	Result of the case

Form 12.32

Andaman & Nicobar Police**VILLAGE CRIME REGISTER (PART- III)**

Cases traced to the village during the year

Sl No. in First Information Register	Date of occurrence and name of complainant	Section of law, nature of offence and class of property attached	Name, parentage, age and residence of accused suspect	Place where property was recovered and where criminals were found	Names and particulars of person suspected of having helped to conceal property of criminals by furnishing bail or otherwise

Form 12.32**Andaman & Nicobar Police****VILLAGE CRIME REGISTER (PART- IV)**

Notes of crime in the village with special reference to fractions, land or water disputes presence of criminal tribes or gangs. Occurrence of obstructions on or damage to railway line within the jurisdiction, special outbreaks of crime in the jurisdiction etc.

VILLAGE CRIME REGISTER (PART- V)

Name

of Beat/Area.....

Name of residents who have been convicted of certain offences

[illegible]

PCR/ ERSS REGISTER

[illegible]

MLC REGISTER

[illegible]

MISSING PERSON REGISTER

[illegible]

Form No. 12.36

Andaman & Nicobar Police**REGISTER OF UNIDENTIFIED DEAD BODY (UIDB)**

Sl No.	UD FIR No., Date & U/s	Name of the deceased (if Known), Sex, Age	Body found (place, date & time)	Identifying marks	Wearing apparels at the time of recovery	Whether identified or not	To whom handed over (Name, Contact details, G.D. No., date & Time)	Remarks & Sign of SHO
1.								
2.								
3.								
4.								
5.								
6.								
7.								
8.								
9.								
10.								

MOTOR ACCIDENT CLAIM TRIBUNAL (MACT) REGISTER

[illegible]

Form No. 12.38

Andaman & Nicobar Police**WOMEN & CHILD HELP DESK REGISTER**

SI No.	Name & contact details of Victim	Name and contact details of opposite party	Brief facts of complaint	Action taken	Signature of I.O./ E. O	Remarks & signature of SHO
1.						
2.						
3.						
4.						
5.						
6.						
7.						
8.						
9.						
10.						

Form 12.39

Andaman & Nicobar Police**COMPLAINT REGISTER**

Sl. No.	Name of Complainant	Subject line	Reference No.	Name of Enquiry Officer	Date of Handing over complaint	Signature of EO/EOs	Dispatch No.	Remarks

POSTING REGISTER

[illegible]

Form 12.41

Andaman & Nicobar Police**DUTY ROSTER**

DATED: / /20__

POLICE STATION : SUB-DIVISION : DISTRICT :

SHO : INSPR/SI.

Particulars	INSP.	SI	ASI	HC	PC	PC(D)	HG	FC	FS
Sanctioned strength									
Present Strength									
Shortage									
Casual Leave									
Earned Leave									
Absent									
Medical Rest									
Out Station Duty									
Other Duty									
Training Course									
Total									

S.No.	NATURE OF DUTY	0800 Hrs to 1200 Hrs		1200 hrs to 0800 hrs.	
1.	DUTY OFFICER				
2.	HEAD CONSTABLE	HC		HC	
3.	G.D. WRITER 'B'	0700-1400 hrs	1400-2120 hrs	2120-0700 hrs	
4.	LOCK-UP DUTY	PC		PC	
5.	SENTRY DUTY [	0600-0900 hrs	0900-1200 hrs	1800-2100 hrs	2100-0000 hrs
		1200-1500 hrs	1500-1800 hrs	0000-0300 hrs	0300-0600 hrs
		PC/	PC/	PC/	PC/
6.	SECOND OFFICER				
7.	HM/STATION WRITER				
8.	OFFICE DUTY				
9.	CHILD & WOMEN HELPDESK				
10.	MALKHANA MOHIRAR				

11.	DAK DUTY/MLC/CCTNS	
12.	SUMMON & WARRANT DUTY	
13.	TOURIST POLICE	
14.	CASUAL LEAVE	
15.	EARNED LEAVE	
16.	MEDICAL REST	
17.	CCL/MATERNITY/PATERNITY	
18.	ABSENT	
19.	TRG. COURSE/REFRESHER PTS	
20.	PS DRIVER	
21.	OTHER UNIT OFFICE DUTY	
22.	SPORTS/POLICE ENTERTAINMENT	
23.	OTHER DUTY/EXCISE RAID	
24.	PERMISISON LEAVE	
25.	FS/AC	
26.	MESS DUTY	
27.	RECORD SECTION	
28.	SDPO OFFICE	
29.	PARADE AT POLICE LINE	
30.	LAW & ORDER DUTY	

DIVISION OFFICERS AND BEAT STAFF

BEAT –I	BEAT –II	BEAT – III	BEAT –IV
AREA			
BEAT –V	BEAT – VI	BEAT – VII	BEAT – VIII

AREA			

PICKET DUTY

Sl. No.	Name of Picket	2100 hrs. to 0500 hrs.	2200hrs. to 0400 hrs.
		Name of Staff	Name of Staff
1.			
2.			
3.			
4.			

Signature of SHO
Dated

SENTRY RELIEF REGISTER

[illegible]

Form 12.43

Andaman & Nicobar Police**REWARD REGISTER**

SI No.	Name of Police Personnel recommended	Brief statement of work and reference to cause if any	Recommendation by forwarding officer, if any	Sanctioning Authority order

Form 12.44

Andaman & Nicobar Police

REGISTER OF GOVERNMENT PROPERTY

Date of receipt	Voucher No.	Description of Property	Nos.	Remarks	Signature of HM	Sign of SHO

Signature of SHO

Form 12.45

Andaman & Nicobar Police**ARMS LICENSE REGISTER**

SI No .	Licens e No. and date of issue	Name and addres s of license	Description including number and identificatio n marks of weapon	Purpos e for which granted	Place s for which valid	Names of retainer s	Date of expiry of licens e	remark s

Form 12.46

Andaman & Nicobar Police**ARMS DEPOSIT REGISTER**

SI No.	Particulars of Arms	Name of owner	License No.	Valid upto	Date of Deposit	Signature of depositor

DISPATCH REGISTER

[illegible]

Form 12.47(b)

Andaman & Nicobar Police

RECEIPT REGISTER

RD No.	Number and Date of Documents Received	From whom Received	Brief Subject	Address to whom	Remarks
	Number and Date				

Form 12.49

Andaman & Nicobar Police

MEMO BOOK

Memo No.	Number and Date of Memo Received	From whom Received	Brief Subject	Address to whom	Remarks
	Number and Date				

Form 12.50

Andaman & Nicobar Police

GO's Visit BOOK

Date and time of Visit	Name and designation of Visiting Officer	Observation

LOCKUP REGISTER

[illegible]

CHAPTER-12

POLICE STATION

12.1 Police Station

1. Police Station is the most important unit of the Police organization. It is the hub centre of all Police activities. A person, while in need and difficulty, comes to the Police Station and, thus, this is the first contact point of people with Police. Police Station being an approachable point and frequently visited place by people, plays a very vital and significant role in providing relief to the people in need, and thereby, contributing in a big way in building positive image of Police along with creating positive, cordial and reciprocal Police community relations, which happen to be so essential for effective and efficient Police functioning.
2. Section 2(s) of Cr PC, defines Police station as any post or place declared generally or specially by the State Government to be a Police Station and includes any local areas specified by the State Government in this behalf. The State Government may in consultation with the Director General of Police and by notification, create as many Police Stations with as many outposts, in a Police district as deemed necessary, duly keeping in view the population, area, crime situation, the work load in terms of law and order and distances to be traversed by the inhabitants to reach the Police Station.

12.2 Police station should have the following officials and functionaries to look after its various activities:

1. SHO (Station House Officer)
2. Additional SHO
3. In-charge Investigation (Inspector/ Sub-Inspector)
4. Duty Officer
5. Emergency officer
6. Investigating Officer
7. Station Clerk/ Head Moharrar
8. Incharge Store including Malkhana
9. Divisional officer
10. Beat Officer/Beat Incharge
11. Patrolling staff
12. Driver
13. Women and Child helpdesk staff
14. CCTNS Operator
15. Wireless Operator

16. Mess In-charge
17. MTS staff
18. GD Writer
19. PCs
20. Follower Constables
21. Sentry
22. Lock-up PC
23. Court duty staff
24. Summon and Warrant staff
25. Diary dispatch
26. Escort duty staff for accused.

12.3 Work routine of Police Station

Police station functions round the clock and is expected to be alert, active and vigilant during all 24 hours of the day & night. This time is structured into various phases like morning roll call, evening roll call, day duty, night duty, gasht/patrolling and other duties pertaining to prevention, detection and investigation of crime, maintenance of law-and-order duties and other miscellaneous Police tasks. All activities taking place at the Police station and all happenings including arrival and departure of the Police station staff should be recorded in the General Diary of the CCTNS. The General Diary provides an overview on the working routine with regard to the concerned Police station.

12.4 Officer-in-charge / SHO of a Police Station

A. The SHO is the in charge and most important functionary of the Police Station. As per Section 2(o) of Cr PC, “officer in charge of a Police station” includes, when the officer in charge of the Police station is absent from the station-house or unable from illness or other cause to perform his duties, the Police officer present at the station-house who is next in rank to such officer and is above the rank of constable or, when, the State Government so directs, any other Police officer so present.

Duties of Station House Officer (SHO): The SHO is the Chief Officer/supervisor of the Police Station, who is responsible for the effective and efficient functioning of the Police Station and controller of the Police station. Within the limits of the Police Station jurisdiction, the SHO is primarily responsible for the effective working, management, good conduct and discipline of the local Police, for the preservation of peace and the prevention and detection of crime. He is also responsible for the due performance of all Police duties and for the proper exercise of Police powers granted by law. The correctness of all registers, records and reports prepared at the Police station is also the responsibility of the SHO. For compliance of all the administrative

and other directions/instructions and matters received at Police station the SHO is expected to be essentially answerable. There should be a balance in the allocation of staff for the various duties in view of the magnitude, gravity, frequency and recurrence of various activities on routine days and special occasions.

B. In order to check crime, his first aim should be to obtain correct information about criminals, criminal classes, vagrants and wandering gangs resident in or passing through the Police Station, and either to watch them effectively or to take such active measures against them as may be necessary. The foremost means to this end are :-

- i) An intimate knowledge of the area committed to his charge and of its inhabitants and the enlistment of their sympathy and co-operation.
- ii) The regular and early reporting of the facts as to crime and criminals, suspicious characters and strangers by chaukidars.
- iii) The Active surveillance of registered criminals and suspects.
- iv) The careful maintenance and study of Village Crime Note Book.
- v) The efficient use of patrols and
- vi) Generous cooperation with Officer-in-Charge of neighboring Police Stations.

C. An Officer-in-Charge of a Police Station shall neglect none of these means, and by constantly moving about within the limits of his jurisdiction and by visits to respectable residents shall assure himself that he receives regular and complete information and is in touch with the active criminals. An officer who takes these precautions will have little difficulty in tracing the preparations of specific offences, but without them his success in investigation will be spasmodic and uncertain.

E. In the neighbourhood of much-frequented ferries, the SHO of a Police Station shall exercise constant supervision personally and through his subordinates, in order to prevent the overloading of boats.

12.5 (i) Duties of Additional SHO:

The Additional SHO of the Police station is in fact second-in-command and will step in the shoes of the SHO in his absence, but would work under his command and control, when the SHO is present at the Police station. When the SHO is present, he will look after the following aspects of policing in the Police Stations:

1. Beat patrolling.
2. Collection of intelligence at Police station level.

3. Ensure that all Bad Characters and History sheeters are regularly checked as per manual.
4. Supervision over all Police staff on preventive duties.
5. Continuous liaison with all the stakeholders and security audit of potential Complexes, Hotels/ Lodges, Guest houses, petrol pumps, Shopping/Mall Complexes, Cinemas, Banks, Women/ Child/ Old age homes etc.
6. Continuous meetings and liaison with Resident welfare associations, market associations, Fishermen Watch group, Police Mitras and Mahila Police Volunteers.
7. Ensuring implementation of all orders issued under section 144 Cr.P.C.
8. Any other specific order issued from time-to-time to achieve the above.

(ii) In-charge Investigation:

In order to ensure professional investigation and monitoring of cases on a daily basis, there shall be an In-charge Investigation of the rank of Inspector or Sub-Inspector in all the Police stations. His duties are:

1. Checking of Inquest proceedings.
2. Supervising Investigation of UDFIRs.
3. Supervising and monitoring of all IPC and other Local & Special law cases.
4. Supervision of Missing Persons cases.
5. Monitoring Cyber complaints in a Police station.
6. Ensure that all the records of the Police stations are updated and as per the format.

12.6 Duties of Station Clerk:-

The Station Clerk/Head Moharrir is an important functionary of the Police station and works as a clerk, accountant, Record keeper and custodian of Government and other properties at the Police station under the overall supervision and command of the SHO.

As clerk of the Police Station, the Head Moharrir performs the following duties:-

1. He receives and opens the dak, and hand it over to the SHO of the Police Station, all the papers intended for him.
2. He keeps the register of correspondence, writes all reports and returns called for by the Superintendent's office, and is responsible for all the pending papers, and to ensure that they are promptly disposed off.

3. Every morning, he brings to the notice of the Officer-in-Charge of the Police Station Orders and pending papers awaiting execution and reply. Before the morning roll-call, he records the orders of the Station House Officer as to the distribution of duties for the day in the Duty Roster.
4. He writes up all routine entries in the general diary and all the other Police Station registers except those which the Station House Officer is personally required to write. He sees that all orders and notices which concern the staff or the work of the staff are carefully noted by them.

He is also responsible for the safe custody and proper care of all Government properties in the Station. He is in-charge of the 'Malkhana' along with its keys and is responsible for the care and safety of property in Malkhana.

As a record-keeper, he should ensure that all registers and other records are safely kept and that they do not suffer injury from damp, vermin or other causes.

12.7 Other important Police Personnel.

(i) GD Writer : There shall be one Police personnel of the rank of Constable and above who shall make entries in the General Diary as per the directions of the Duty Officer.

(ii) Emergency officer: There shall be one Police personnel round the clock of the rank of Head Constable and above who shall be known as Emergency Officer and he/she shall attend all calls and complaints which are received in Police Station during his/her shift.

(iii) Duty Officer: There shall be one Police personnel of the rank of Head Constable and above in the Police Station who shall supervise the entries made in the General Diary by the GD Writer. He shall assign the calls and complaints received in the Police Station to the Emergency Officer and ensure that the corresponding GD entries about the action taken on the calls and complaints are properly recorded by the GD writer. He shall be also responsible to keep the SHO informed about all the calls and complaints as well as the action taken by the Emergency Officer on them.

12.8 Duties of Constable:

(1) A Constable is one who has maximum interface with public. As the most accessible person for public, he is expected to protect the needy, rescue people from danger, apprehend offenders and assist in securing prompt help and justice. Some of the important roles assigned to him are organising and securing community participation, activating himself in prevention and detection of crime and maintenance of law and order. Another main role of the Constable is, performance of all tasks connected with beat area and thereby help in prevention of offences and breach of peace. The constable on traffic

duty has the task of regulating traffic. All constables in their dealings with public should inspire confidence in the efficacy of Police to protect them. The Police image is directly proportionate to their good conduct and behaviour in the public as they are the persons who are basically and directly in touch with them. At all costs they must avoid ill treatment either to the victims or to the accused as a first step to build a better Police image.

(2) The main duties of Constables are :

- a) To perform duties in beats, patrols and pickets;
- b) Surveillance over history sheeted and other potential criminals as per orders;
- c) Collection of information and intelligence relating to crimes and criminals, subversive, terrorist and other anti-social elements in their areas primarily and communication of the same to the authorised superiors;
- d) Developing cordial relations with local Community Liaison Group/voluntary organisations and knowledge of households in the beat area;
- e) Convey information relating to persons and events that cause or likely to cause law and order situation or wide spread disturbances;
- f) Keep in touch with local disputes, caste/communal overtones and inform SHO;
- g) Assistance to investigating officers in the matter of arrests, recoveries, searches, identification and securing of witnesses or verification of information;
- h) Execute warrants and serve summons promptly;
- i) Escort prisoners and arrested persons;
- j) Escort injured or dead to the hospital;
- k) Guard for prisoners in custody and all station properties;
- l) Help and assist in dealing with calamities like Landslides, Floods, Earthquakes, Fires, Accidents, Epidemics, extremist/terrorist attacks etc. and put in responsible efforts to save lives and property;
- m) To perform allotted duties in Fairs, Festivals, Bandhs, Agitations, Riots, Large assemblies, Elections, band bust and security duties;
- n) To preserve and guard the scene of occurrence until necessity ceases;
- o) To behave courteously with all sections of public and treat poor people, children, women, aged and all weaker sections of society with consideration, sympathy and helpful attitude;

- p) To be regular and punctual in his duties, physical training and weekly parades;
- q) To work as data entry operators in Computers and in the areas of photography etc. wherever they have necessary skill;
- r) Make entries in the prescribed register and forms and maintain records entrusted to him particularly those relating to beat area;
- s) Any other duties allotted by SHO or other superior officers or elsewhere in this manual.

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

12.9 Functions of Police Station

The Police station is an embodiment of Police administration and each and every duty, activity, role and function expected to be performed by Police administration is executed and carried out by the Police station. Police station naturally is the most visible, known and approachable place, and for any and every help, assistance and relief, the common man gets in touch with the Police station. Following are the important functions performed by every Police station:-

1. Handling and dealing properly with the complaints received at the Police station.
2. Providing adequate relief, advice and guidance to the people visiting Police station.
3. Registration of cognizable offences on the reports received.
4. Taking appropriate action on the reports pertaining to non-cognizable offences.
5. Prevention of crimes by adequate and efficient use of crime prevention measures likes Gast, patrolling, ambush, nakabandi, raids, searches, and preventive arrests.
6. Speedy, impartial, and competent investigation and detection of cases by quick visit to the spot of crime, collection of evidence, recording of statements, arrest of accused persons and by putting the cases before the concern court.
7. Serving the processes actively and quickly.

8. Proper and flawless maintenance of the various records at the Police station.
9. Handling of various law and order situations, demonstrations, agitations, processions and strikes etc.
10. Timely processing of Character antecedents, passport verification etc.,.
11. Maintenance of peace, and tranquility in the area.
12. Ensuring safety and security in the jurisdiction.
13. Attending to various regulatory duties and social gatherings.
14. Executing various ceremonial, VIP and protocol duties.
15. The SHO of Police Station shall collect and communicate Intelligence on all matters of public importance happening in their jurisdiction even though such matters may have no connection with any criminal offence.
16. Protection of human rights and the interests of the weaker sections of the community.
17. Ensuring friendly, cordial and harmonious relations with the various segments of the societies and building positive image of the Police.
18. Other miscellaneous and contingency duties required by the exigencies of administrative, Policing, and other demands of the circumstances.

POLICE STATION RECORDS

12.10 Station Name Board

Every Police Station and Outpost shall be provided with a name board in which the name of the Station or Outpost shall be displayed in English and Hindi. The name board shall be displayed in a conspicuous place outside the Police Station or Outpost as the case may be.

12.11 Notice Board

Every Police Station and Outpost shall be provided with a board dimension measuring at least 4X4 Square feet for display in the entrance of the Station or Outpost for affixing of notices of persons wanted, reward offered etc. Every Police Station shall contain Boards mentioning DK Basu Guidelines regarding arrest, Juvenile Justice act guidelines, MACT Board containing contact details of Insurance companies, Vigilance board containing contact details of concerned officials and any other guidelines recommended by the Hon'ble courts or Govt.

12.12 Map

At every Police Station and Outpost there should be a map showing the position of all villages included in its jurisdiction and all the vital places in the jurisdiction. Efforts should be made towards digitalization of the information.

12.13 Notices

The following lists (mounted on paste board) both in English and Hindi shall be displayed in every Police Station or Outpost:-

1. List of villages in its jurisdiction.
2. List of Missing persons
3. List of Unidentified dead bodies.
4. List of absconding offenders.
5. List of Proclaimed offenders.
6. List of persons ordered to notify residence under Section 356 Cr. P.C.
7. List of prisoners conditionally released.
8. List of licensed dealers in arms and ammunition.
9. List of licensed dealers in explosives or explosive substances.
10. List of prohibited areas, illustrated by a sketch, under the Protection of Aboriginal Tribes Regulation, 1956.

12.14 Records

Various types of Police records are maintained at the Police station. These can be classified as record pertaining to crime and criminals, record and returns pertaining to law and order, record of administrative and procedural nature and record registers and returns of general and special nature. Normally the following registers and documents are maintained at every Police station. Each Police station can maintain records as per its administrative and Policing requirements. Other than the registers maintained in this chapter, some registers which needs to be maintained in PS are mentioned in other chapters. A list of records and registers to be maintained in each Station and Outpost is given in appendix 12.14. DGP/ Competent authority can at any point of time add/delete/modify any register. The following instructions govern the maintenance of a few of these registers.

12.15 General Instructions regarding maintenance of records

Proper maintenance of Police Station records is a pre-requisite for the smooth functioning of a Police Station. These records are of immense help in the prevention and detection of crime and in keeping track of the movements of

criminals. Since these records are of paramount importance, it is the duty of SHO of a Police Station to ensure that these records are safely kept and do not deteriorate from damp, vermin or other causes. Every Police Station register is required to be paged in English and certified by SDPO about the opening of register with paging from beginning to end. No page should be torn-out of a register. Any correction required to be made should be made by drawing a line rough the mistake so as to leave the words erased and by writing the corrected words after words or in the margin. A piece of paper should not be pasted over a mistake. All entries should be neatly and clearly written, and all the corrections should be attested by the signature of the officer making them. All registers and records shall be written in Hindi or English.

12.16 General Diary (GD)

The GD is maintained in accordance with section 44 of Police Act. With the commencement of CCTNS (Crime, Criminal Tracking & Networking System) portal, all the entries which were made in the GD in a Police Station are mandatorily required to be entered in it in online mode.

The SDPO concerned is responsible for scrutiny of general diaries. This is an instrument of information, record of work and events as well as of supervision.

This is one of the important records of the Police station. The SHO is responsible for its up-to-date and accurate maintenance. In his absence the additional SHO or the next in-charge of Police station present will be the in-charge of the General Diary.

Any Police officer who enters or causes to be entered in the general diary a report which he knows or has reason to believe to be untrue, whether he has or has not been directed to make such entry by a superior officer, shall ordinarily be dismissed from service.

The following information and related matters shall be entered in the General Diary:

- a) The taking and handing over of charge by the officers maintaining the Diary;
- b) The name of accused person with the details including whether in custody or remand;
- c) Information regarding commission of non-cognizable offences including reports of enmities likely to lead to the breach of peace;
- d) The Gist of FIR giving the number of FIR, gist of offence and section of law under which the case is registered;

- e) The effecting of searches;
- f) The seizure of property and its disposal;
- g) The effecting of arrests with or without warrants;
- h) The receipt and manner of execution of Magistrate's order u/s 154, 156 and 159 Cr.P.C and section 17 of the P.C Act, 1988;
- i) Every officer returning from any investigation shall record his arrival regarding the investigation made, places visited, the details of property seized and deposited in malkhana;
- j) All case property received or released from Police station malkhana;
- k) All arrivals and dispatches from Police stations of persons in custody and all admissions to and removal from Police station lockup, whether temporary or otherwise;
- l) It is mandatory for SHO to check the malkhana and properties therein twice a week and make a report of the same on the day after checking.
- m) Routine entries like arrival and departure of patrolling staff, Policemen sent for process service duties, deployment of sentry, accused guard duty etc. shall be made.
- n) All important incidents either political/processions/dharna etc. shall be entered by SHO himself.

The following instructions are issued for the maintenance of General Diary:

1. The SHO shall examine the vehicle(s), communication equipments, telephones, fax, and other equipments and record the maintenance details and damages if any. He should countersign the vehicle log books daily;
2. He shall scrutinize the diaries of each beat and note in the station GD any important matter requiring attention;
3. He shall leave specific instructions for the next 24 hours in the general diary and also where necessary, in the diaries of any beat or the outpost;
4. When detailing HCs and PCs for any duty, he should specify the time of their departure and return to the station after assessing the time required for the duty proposed to be performed;
5. Whenever he goes out, he should record the duty on which and the place to which he is proceeding, and hand over charge of the GD to the next officer in-charge;
6. When the SHO goes out on any work including court work, he should, after completing the work, return to the station and record in the general diary, the work turned out by him. Whenever the SHO goes out, he

should see that his absence from the station is to the barest minimum, a necessity to ensure efficiency and discipline in the staff;

7. HCs or PCs sent outside the town on duty should be issued with a command certificate under the SHO's own signature, specifying the work he is to perform and the hour at which and date on which he is to return;
8. Whenever the SHO returns to the station, he should take follow up action as per entries made in the general diary or beat diaries and record the fact of his having done so therein;
9. The days, on which the SHO does not propose to check night patrols, he should direct, through an entry in the station general diary, the next in command to carry out the check.

12.17 Crime Register

All the details of cognizable offences in which FIR has been registered shall be entered in the register with information of Complainant, Accused, date & time of report, Property, Brief of case & investigation details. This register shall be maintained as per Form No. 12.17

12.18 Non-Cognizable case register

A separate register shall be maintained at every Police Station for maintaining all the details of non-Cognizable cases. This register shall be maintained as per Form No. 12.18

12.19 UD FIR Register

A separate register shall be maintained at every Police Station for maintaining all the details of UD FIR cases. This register shall be maintained as per Form No. 12.19.

12.20 Charge sheet/ Final Report, Supplementary Charge sheet & UDFIR Final Report Register

A separate register shall be maintained at every Police Station for maintaining all the details of Chargesheets/Final Reports and supplementary charge sheets and UDFIR Final Reports. These registers shall be maintained as per Form No. 12.20(a)/12.20(b)/12.20(c).

12.21 CFSL/FSL Register:

All the properties sent to FSL/CFSL shall be entered in this register with date & time of receipt & dispatch of property. It shall be maintained as per Form No. 12.21.

12.22 Malkhana Register:

All the properties seized shall invariably be deposited in Malkahana & details of properties shall be maintained in this register. This register shall be maintained as per Form No. 12.22.

12.23 Arrest Register:

The details of arrestee shall be maintained with time of arrest & bail. This register shall be maintained as per Form No. 12.23.

12.24 Circulars/ SOPs File Book:

Part I. - All standing orders/circulars issued by the senior officers shall be entered in a file book. These standing orders/ circulars shall be continuous for five years and the file shall be indexed. These orders will be checked annually.

Part II. - In each Police station an annual file shall be maintained of all circular and other orders issued for the instruction and guidance of the Police and not being standing orders or orders on which a reply is returned in original. Each paper before being placed on this file shall receive a registration number in the correspondence register, where the subject and the fact of its being placed in the file shall be noted.

12.25 Petty Case Register

(a) Petty cases which are dealt with by the Police on their own motion or otherwise shall be registered in Form 12.25, which are not reported in the Case diaries. The record shall be in duplicate; one form will serve as a charge-sheet or complaint for presentation to the court and the counterfoil will be for the Station record. Copies of petty case charge-sheet and all relevant documents shall be supplied to the accused.

(b) At the end of each month an abstract of petty cases shall be prepared and submitted to the SDPO. A copy of the abstract shall be attached to the Petty Case Register.

12.26 Register of Stolen Properties

(a) All properties stolen, whether recovered or not, and all properties and articles of which the Police take charge under Section 102 Criminal Procedure Code, shall be entered in this register.

(b) The term "stolen property" is defined in Section 410, Indian Penal Code.

The amount of property to be entered as stolen and recovered shall be the amount accepted by the Magistrate and shown in the final report of the case.

Property in cases which are treated as false, or mistake of fact or law shall be scored out in red ink.

When promissory notes, bonds and other similar property are stolen, only the intrinsic and the nominal value of the article stolen should be entered. This register shall be maintained as per Form No. 12.26.

12.27 Register of Summons and Warrants

(a) Separate registers of summons and warrants shall be maintained at every Police Station and Outpost. Unexecuted processes shall be brought forward in the register at the beginning of every month, and this shall be entered in red ink.

(b) At the end of the month, an abstract shall be entered in the register.

This shall be maintained as per Form No. 12.27(a)/12.27(b)

12.28 Quarterly Crime Abstract

An abstract of crime shall be made out quarterly in each station and a copy forwarded to the SDPO within a week after the expiry of each quarter.

In every quarter abstract of all the crimes for the year up to the end of the quarter shall be shown. Cases pending from the previous year will be shown separately to the year to which cases belong, until they are finally disposed off. After the final disposal of such cases has been shown in any abstract, mention of them will be discontinued in any subsequent abstract. This shall be maintained as per Form No. 12.28

12.29 Weekly Station Crime Report and Weekly Diary of Sub-Inspector and Assistant Sub-Inspector:-

All Police Stations will send their weekly crime reports under various heads to the SDPO every Monday, of cases reported during the previous week. Apart from this, every Sub-Inspector and Assistant Sub-Inspector shall submit to the Superintendent of Police through the SDPO.

12.30 Proclaimed Offenders Register

A proclaimed offenders register shall be maintained in Form 12.30 in each PS. This register shall be maintained, in two parts: - Part I --- In part-I the names of proclaimed offenders who are residents of that Police Station shall be entered irrespective of the Police Station by which they were declared as proclaimed offenders. Part II --- Shall contain the names of proclaimed

offenders of the Police Station irrespective of the fact that they are not the residents of the Police Station.

12.31 Village Roster

Important villages for which regular beats are detailed with their hamlets should be shown first in the Village Roster grouped into beats and the remaining villages subsequently as a miscellaneous beat. The number of constables should be noted against such villages as are actually visited by them on beat duty. This register shall be maintained as per Form No. 12.31.

12.32 Village Crime Register

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

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

Part II- Any crime registered in the area of the Village shall be entered in this register. In this register shall be entered the names of persons residing in a Village who have been arrested or against whom strong suspicion of involvement in cognizable cases, whether the case occurred in the Village or not, exists.

Part III- Any crime registered in the area of the Village. In this register shall be entered the names of persons residing in other Village who have been arrested or against whom strong suspicion of involvement in cognizable cases, whether the case occurred in the Village or not, exists shall be entered in this.

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

- (i) Notes regarding influential individuals residing in or having connection with the area who habitually abet or share in the proceeds of crime or shelter criminals.
- (ii) Special types of lawlessness or crime to which the inhabitants of the area are addicted.
- (iii) Notes on gangs operating in the area.
- (iv) Notes on personal, land, communal and other feuds, which are liable to

cause breach of peace.

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

Part V - The Conviction Register. It is a permanent record of the crime and criminals and of previous convictions. It is to a great extent the basis for the preparation of History sheets and other measures of surveillance. In this register entries shall be made by the Officer In-charge of the Police Station personally or under his special or general orders. Each entry shall be signed by the Officer In- charge of the Police Station personally. This shall be maintained as per Form No. 12.32.

12.33 PCR/ ERSS Call Register

A PCR/ ERSS call register shall be maintained at every Police station with details of the date and time of call, call attended by whom, Caller name and number, Brief facts of the call, what action was taken or result of the Call. This register shall be maintained as per Form No. 12.33

12.34 MLC Register

An MLC register shall be maintained at every Police station with details of the date and time of MLC case, Information given by whom, Hospital and Patient name, Brief facts of the MLC, what action was taken or result of the MLC. This shall be maintained as per Form No. 12.34

12.35 Missing Persons Register

All Police Stations shall maintain missing persons register in which all the information regarding missing person reported at the Police Station shall be recorded as per Form No. 12.35

12.36 Register of Un-Identified Dead Bodies

All Police Stations shall maintain a register of unidentified dead bodies, in which all the information regarding unidentified dead bodies found in the Police Station jurisdiction shall be entered as per Form No. 12.36

12.37 Motor Accident Claim Tribunal (MACT) Register

All Police Stations shall maintain a MACT register in which all information regarding accident cases occurred in the Police Station jurisdiction including the details of sending MACT report to the insurance company as well as to MACT by the I.O. shall be entered as per Form No. 12.37

12.38 Women and Child Help Desk Register

All Police Stations shall maintain a Women and Child help desk register, in which details of all complaints regarding any crime against Women/Children or any such information pertaining to women and children which require Police intervention or assistance and the action taken thereof shall be entered as per Form No. 12.38

12.39 Complaint Register:

All the complaints received head wise shall be maintained with details of Enquiry officer, complainants & timeline for enquiry. This register shall be maintained as per Form No. 12.39

12.40 Posting Register:

A register of Officers and staff posted at the Police Station or at the Outpost shall be maintained at each of these places. Particulars required under various columns of the register shall be entered for each rank separately, i.e. the register shall be divided into five parts, one each for Inspector, Sub-Inspectors, Assistant Sub-Inspectors, Head Constables and Constables. It shall be maintained as per Form No. 12.40

12.41 Duty Roster

(a) In all Police stations the Duty Roster shall be filled up before the staff are detailed for duty.

(b) Staff should ordinarily start for all the duties from the Station only. Similarly, they must return from duty and report at the Station before going home.

This register shall be maintained as per Form No. 12.41.

12.42 Sentry Relief Books

The Sentry Relief Book in a Police Station where there is no standing guard, shall be entered with respect to the constables deputed for Station sentry duty. When a prisoner is confined in the lock-up, a regular guard shall be posted, and the necessary entries made in the sentry relief book. This register shall be maintained as per Form No. 12.42.

12.43 Reward Register

A reward register shall be maintained in which entries of all particulars in brief as contained in reward rolls submitted to the Superintendent of Police from time to time. As soon as rewards are sanctioned, a reference to that effect and nature of reward sanctioned will be entered in the remarks column of the register. This register shall be maintained as per Form No. 12.43.

12.44 Government Property Register

This register shall be maintained in five parts. Part-I will include all arms supplied to the Station or Outpost as the case may be, Part – II will include ammunition and Part – III will include dead stock such as furniture, etc. Part – IV Library, i.e. books and publications and Part – V expendable stores such as Diesel, Petrol, Kerosene oil, flannelette rifle oil, cells, etc. This shall be maintained as per Form No. 12.44

12.45 Arms License Register

(a) SHOs of Police stations shall be supplied with lists of persons exempted from the operation of the Indian Arms Act, 1959, to enable them to ascertain whether any particular person is or is not exempted. A list of such person shall be kept as an appendix to the Arms License Register.

(b) A register of persons licensed to carry or possess arms shall be kept at each Police station. The entries shall be arranged village by village, the villages being grouped according to beats. Additions and alterations in lists of licenses made during the year shall be reported promptly by the District Magistrate to the SHOs of Police Stations and a list of unexpired licenses shall also be furnished to Police station officers at the end of the year as soon as renewal of license is over.

This shall be maintained as per Form No. 12.45

12.46 Register of Arms Deposited

Arms deposited in Stations shall be entered in the Register and, if not returned or otherwise disposed of within one month from the date of their deposit, be removed to and lodged in the Police Armoury, unless the application for renewal of license is pending disposal. The Station House Officer will send such arms with an extract from the register which is in duplicate with a trefoil for the Station record. One copy will be retained in the Police Armoury and the other returned to the SHO as an acknowledgement. This acknowledgement should be pasted with the corresponding trefoil in the Station and the number allotted for each weapon in the Police Armoury should

be noted against the respective arms in the Register of Arms Deposited. This shall be maintained as per form No. 12.46

12.47 Correspondence

(a) All correspondence received at or dispatched from a Police Station or Outpost shall be registered in the correspondence registers. The correspondence register shall be maintained in two parts, viz. one for incoming correspondence (Receipt Diary) and the other for outgoing correspondence (Dispatch Diary). Every correspondence shall be given an annual serial number. In the "remarks" column of the register, cross-references to the serial number of the receipt or dispatch diary as the case may be, will be given to facilitate reference.

(b) All confidential, secret and top secret letters should be invariably sent in double cover. The inner cover should distinctly bear the security marking "Confidential", "Secret" or "Top Secret", as the case may be, and should be properly sealed and addressed by name to the officer for whom it is intended, while the top cover should bear only the usual official address of the officer. In no case should the security marking be indicated on the top cover. A "Confidential" or "Secret" or "Top Secret" communication shall be opened only by the officer for whom it is intended. For all correspondence of a confidential, secret, or top-secret nature the SHO shall maintain a separate correspondence register in two parts as stated above which should be written in his own handwriting and kept in his personal custody.

(c) Every SHO shall submit to the Superintendent of Police a monthly return of pending correspondence.

These shall be maintained as per Form No. 12.47(a)/47(b).

12.48 Fine Amount Register

This register is for entering details regarding fines realized under various provisions/ laws/ orders. The details shall be entered head wise in this register. SHO should regularly review the depositing of the fine collected in Govt. treasury.

12.49 Memo Book

The Memo book is intended for all correspondence including correspondence with the magistracy, for which no particular form is prescribed. This shall be maintained as per form No. 12.49

12.50 Gazetted Officers Visit book

This is maintained on a blank register. The Gazetted Officers on their visit to a Police Station shall give their remarks which requires the attention of the officer In-charge in this register. This shall be maintained as per Form No. 12.50.

12.51 File Book of Inspection Reports

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

12.52 Beat Book and Division Officer

An area under the jurisdiction of any Police station is divided region wise into beats and they are supervised by Division Officers of the rank of Sub Inspector or ASI. They are responsible for checking illegal activities in their division like sale of illicit liquor, drug trafficking and other crimes. The division officers will supervise the staff deployed in their beats and ensure the presence of beat staff in the field at least twice in a day. The division officer along with the beat staff shall maintain beat book which shall contain details of that beat.

12.53 Lockup Register

The details of arrested person in lockup shall be maintained with time of detaining in lockup & releasing from lockup. This register shall be maintained as per Form No. 12.53.

12.54 Police Outposts

(a) Outposts are established for the purpose of patrolling and surveillance and generally for the prevention of crime. They are not Investigating centres and the Officer-in-Charge, usually a SI or ASI or Head Constable, is responsible for the functioning of the outpost. The Outpost in-charge is under the control and direction of the SHO of the parent Station. He shall detail duties to his men at roll call to be held at 0800 hours daily and shall supervise the work of his men. He shall also maintain a GD in accordance with instructions laid down in rule 12.15 and submit a copy of the diary to the SHO daily. As regards his powers of recording first information in cognizable cases, investigation and inquiry into cases of sudden and unnatural deaths, instructions are given in the respective chapters dealing with these subjects.

A crime register as per rule 12.17 shall be maintained at each Outpost wherein all cognizable crimes occurring within their jurisdiction shall be entered. Copies of history-sheets concerning any bad characters living within the outpost limits shall also be maintained.

(b) It is the duty of SHO to inspect the outposts under them at least once every month, except that in case of Nicobar Islands he shall do so once every quarter.

12.55 Look-Out Post (LOP)

Lookout posts have been established in the remote islands to ensure the Police presence in all the strategic places. Their functions are to do patrolling, and check that no illegal activities take place in those islands. They have been established to prevent smuggling of drugs, forest products and wildlife. They also check that the foreign poachers mainly from Myanmar and Thailand do not engage in any illegal trade. This also ensures that no illegal immigrants are inhabited in these remote islands. These posts are important from the point of view of security as they prevent the terrorists from using these uninhabited islands and strengthens the strategic significance of their islands. They help in protecting our marine resources also.

12.56 Jarawa Protection Post (JPP)

- JPPs have been established in the Jarawa reserve forest area to protect the Jarawas and to implement the Jarawa Policy. They have the duty to prevent Jarawa-General Public interaction during convoys and in other Jarawa reserve areas.
- They are usually in remote areas and carry out patrolling in the forest areas to ensure that no unauthorized human contact takes place. They also ensure that the Jarawas are not exploited, and their rights are protected. They do coastal patrolling and ensure that natural products are not exploited. They enforce PAT Regulations by keeping a check on Poachers/ Outsiders.
- They also regulate the traffic by convoy system in the Andaman Trunk Road passing through the Jarawa Reserve Forest. Joint patrolling must be carried out by JPP staff along with AAJVS and Forest staff.

12.57 Marine Police Operational Centers (MPOCs):

Under Coastal Security Scheme-II of MHA, 10 MPOCs will be setup at various locations across the Islands from East Island in the north to Campbell Bay in the south. The other MPOCs will be Interview Island, Diglipur, Kadamtala, Swaraj Dweep, Port Blair, PongiBalu, Hutbay and Nancowrie. These MPOCs have been envisaged as nerve centers for patrolling and surveillance collection in the jurisdiction. The marine vessels under the operational control of MPOCs would work in close coordination of the coastal Police stations to secure the coastal waters.

DAILY ROUTINE IN POLICE STATION

12.58 Roll-call, Drill and Class: The SHO or other officer for the time being in charge of a Police Station will hold Morning or evening roll-call based on the duties of the staff allocated and necessary briefing, de-briefing and instructions or orders are communicated to them.

Every Friday drill/ parade shall be conducted for one hour following the roll-call.

Every Saturday the staff/men will be required to do fatigue duty instead of drill. Fatigue duty consists of cleaning and keeping in order the area around the Station and Government quarters, generally maintaining the orderliness of the station premises including Parade ground and garden. With exception of the Station sentry on duty and those out on duty, all staff will attend parade or fatigue duties.

Fortnightly all staff except on essential duty shall be given training or legal awareness class; They shall be made aware of every change or addition to law which concerns the Police and all Standing orders or Circular Orders which are useful.

SECTION IV – OUTPOSTS

12.59 Sentry: There will be a sentry round the clock at every Police Station. It will be the duty of the constable on watch to guard the Strong-room, Malkhana, the Treasure-chest if any, and all properties generally available in the Station House. The treasure chest should ordinarily be kept in the strong-room and the lock of this room (or the treasure chest or malkhana) should invariably be examined by the relieved sentry in the presence of the relieving sentry. A separate guard should be deployed to guard the prisoners in the lock-up. Prisoners in the lock-up are to be counted by both the relieved and relieving sentry. The SHO shall post every Sentry on the guard personally.

Appendix 12.14**ANDAMAN AND NICOBAR POLICE**

Records to be maintained in Police Station

SL No.	NAME	FORM NO.	PERIOD OF RETENTION
1.	Crime Register	12.17	Permanent
2.	Non-cognizable Case Register	12.18	Permanent
3.	UDFIR Register	12.19	Permanent
4.	Chargesheet/Final Report Register	12.20(a)	Permanent
5.	Supplementary CS Register	12.20(b)	Permanent
6.	UDFIR Final Report Register	12.20(c)	Permanent
7.	CFSL/FSL Register	12.21	Permanent
8.	Malkhana Register	12.22	Permanent
9.	Arrest Register	12.23	05 years
10.	Hawalath/Lock up register	12.24	03 years
11.	Petty case Register	12.25	03 years
12.	Stolen Properties register	12.26	5 years
13.	Summon	12.27	3 years
14.	Warrant Register	12.28	3 years
15.	Quarterly crime abstract	12.29	05 years
16.	Proclaimed Offender Register	12.30	permanent
17.	Village roster	12.31	03 years
18.	Village Crime Register	12.32	permanent
19.	PCR/ ERSS Register	12.33	03 years
20.	MLC Register	12.34	05 years
21.	Missing Person Register	12.35	permanent
22.	Register of Unidentified Dead Bodies	12.36	permanent
23.	MACT Register	12.37	05 years
24.	Women & Child Helpdesk Register	12.38	05 years
25.	Complaint Register	12.39	05 years
26.	Posting Register	12.40	Permanent
27.	Duty roster	12.41	03 years
28.	Sentry Relief Book	12.42	01 year
29.	Reward Register	12.43	03 years
30.	Govt. Property Register	12.44	Permanent
31.	Arms license register	12.45	03 years

32.	Register of arms deposited	12.46	03 years
33.	Correspondence register (Dispatch and Receipt Register)	12.47(a) and 12.47(b)	02 years
34.	Memo book	12.49	03 years
35.	GO's Visit Book	12.50	10 years
36.	Lockup Register	12.53	
37.	File Book for Inspection report		03 years
38.	FIR for UD	15.1	05 years
39.	Inquest Report	15.4.1	05 years
40.	Final Report of UD	15.11	05 Years
41.	Beat Book	19.21(2)	03 years
42.	Notes on villages	20.4	Permanent
43.	Village Crime Sheet	20.5	Permanent
44.	Professional crime register	20.6	Permanent
45.	General Conviction Register	20.7.(a)	Permanent
46.	History Sheet	20.8	Permanent
47.	Index to History sheet	20.8(f)	Permanent
48.	Rowdy Sheet	20.9	Permanent
49.	BC Roll (A)	20.10(a)	03 years
50.	BC Roll (B)	20.11	03 years
51.	Hue and Cry Notice	20.14	03 years
52.	Release of foreign prisoners	20.15	10 years
53.	A & B list of absconding Warantees	20.17	permanent
54.	Budding Criminal Register	20.19	05 years

Form 13.3.1(b)

Andaman & Nicobar Police

Sl.No.	Date & Time	Incident/Information	Complainant	Type of incident Cog./Non-Cog.

Sig. of I/C OP

Form 13.3.1(b)

Andaman & Nicobar Police

Sl.No.	Date & Time	Incident/Information	Complainant	Type of incident Cog./Non-Cog.

Sig. of I/C OP

FORM 13.16

ORIGINAL

ReLML No./PES:.....Date:.....

Certificate of Examination by a Medical Officer

As per requisition from.....
 dated.....physical examination of S/o
(address)

involved in crime number.....of police station
 was done at.....am/pm on..... at

Consent :

Identification marks :

(1).....

(2).....

History (Related to illness / injury if any) :

Findings of physical examination :

A. General : Height : cm. Weight : kg. Build & nourishment : Poor/Moderate/Obese,
 Pallor : Present/Absent. Physical deformity if any :
 Others if any :

B. Systemic Examination : Pulse :/min. Blood Pressure : mm of Hg.
 CVS, NS, RS & GIS :

C. Injuries (If any) :

D. Investigations if any :

Opinion :

There is no evidence of any clinically identifiable illness.

There are no injuries on the person / Injuries on the person could be caused as alleged.**

Suggestions if any :

Date :

Place :

Name of Institution. :
 (strike off which is not applicable)

Signature :
 Name :
 Designation :

FORM 13.16(a) (i)

(a) Name of deceased _____
 (b) S/O, D/O, W/O _____
 (c) Address: _____
 Age _____ Male/Female _____

Mark on charts

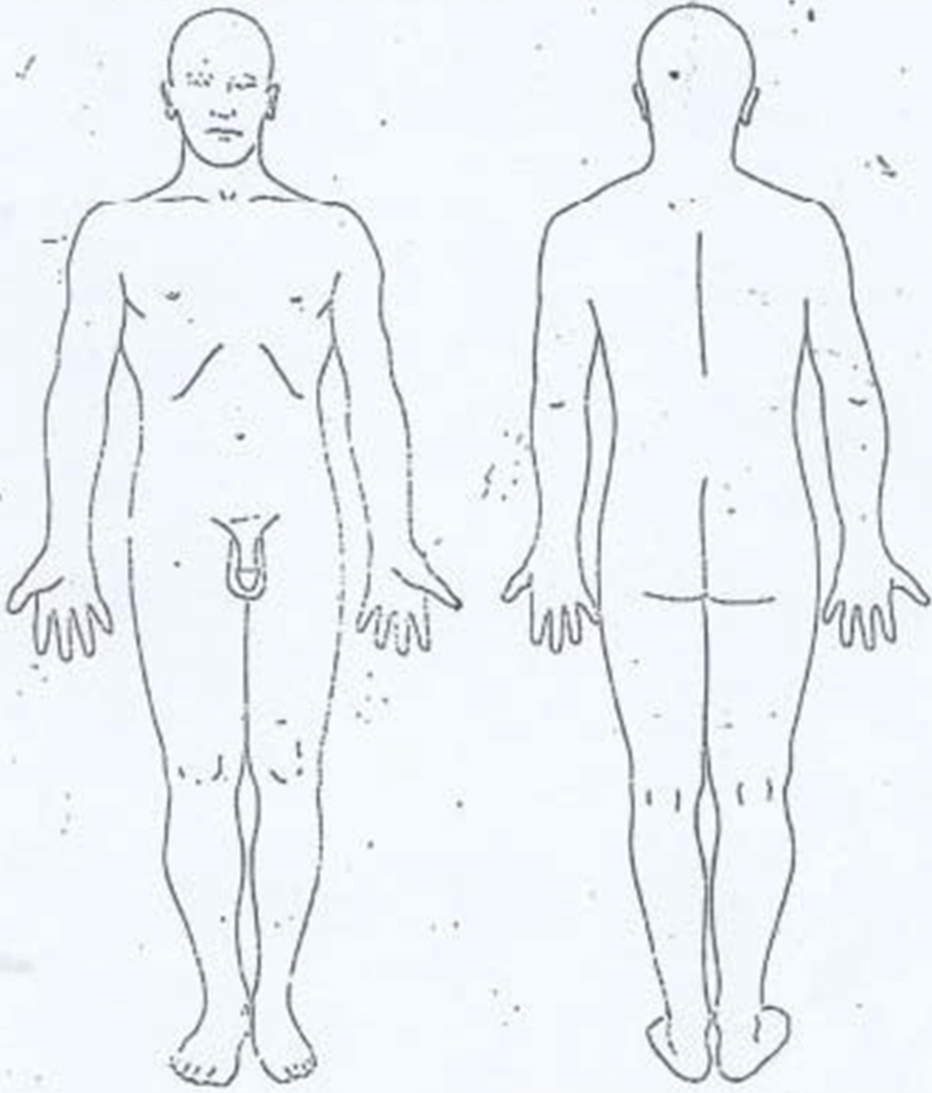
Damaged	
Burnt	
Decomposed	
Skeletonized	
Missing	
Loose	
Scars/Piercing	
Skin marks	
Tattoo marks	
Malformations	
Amputations	

RIGHT

LEFT

FORM 13.16 (a) (ii)

Full Body: Male-Anterior and Posterior Views (Ventral and Dorsal)



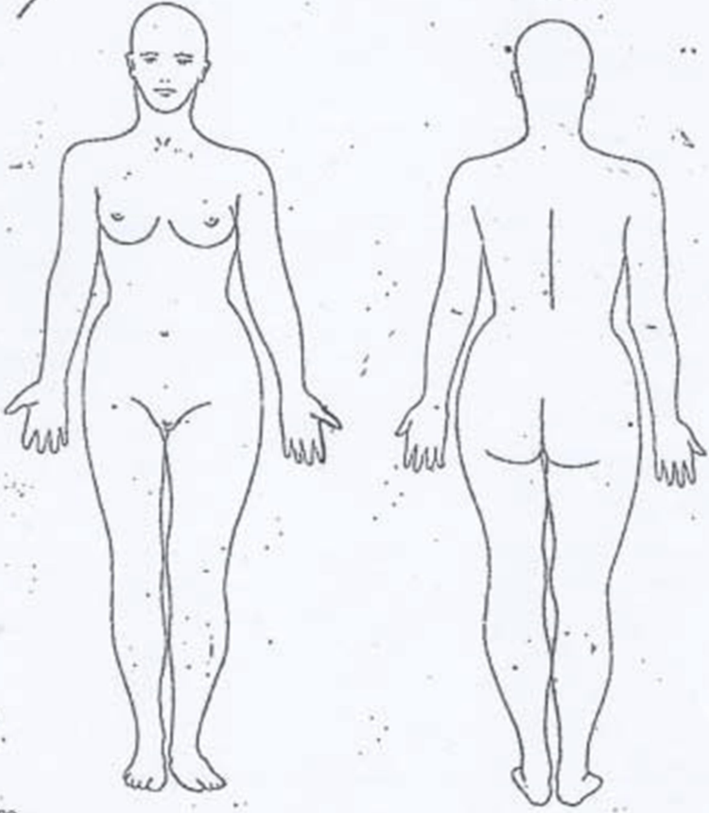
Name _____ Case No. _____

Date _____

23

FORM 13.16 (a) (iii)

Full Body: Female-Anterior and Posterior Views

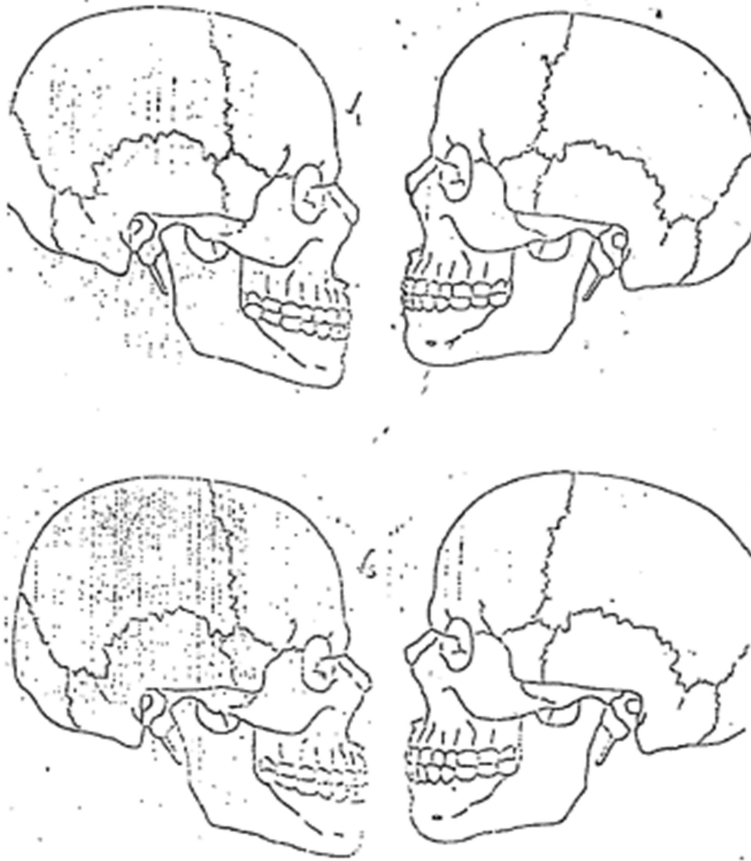


Name _____ Case No. _____
Date _____

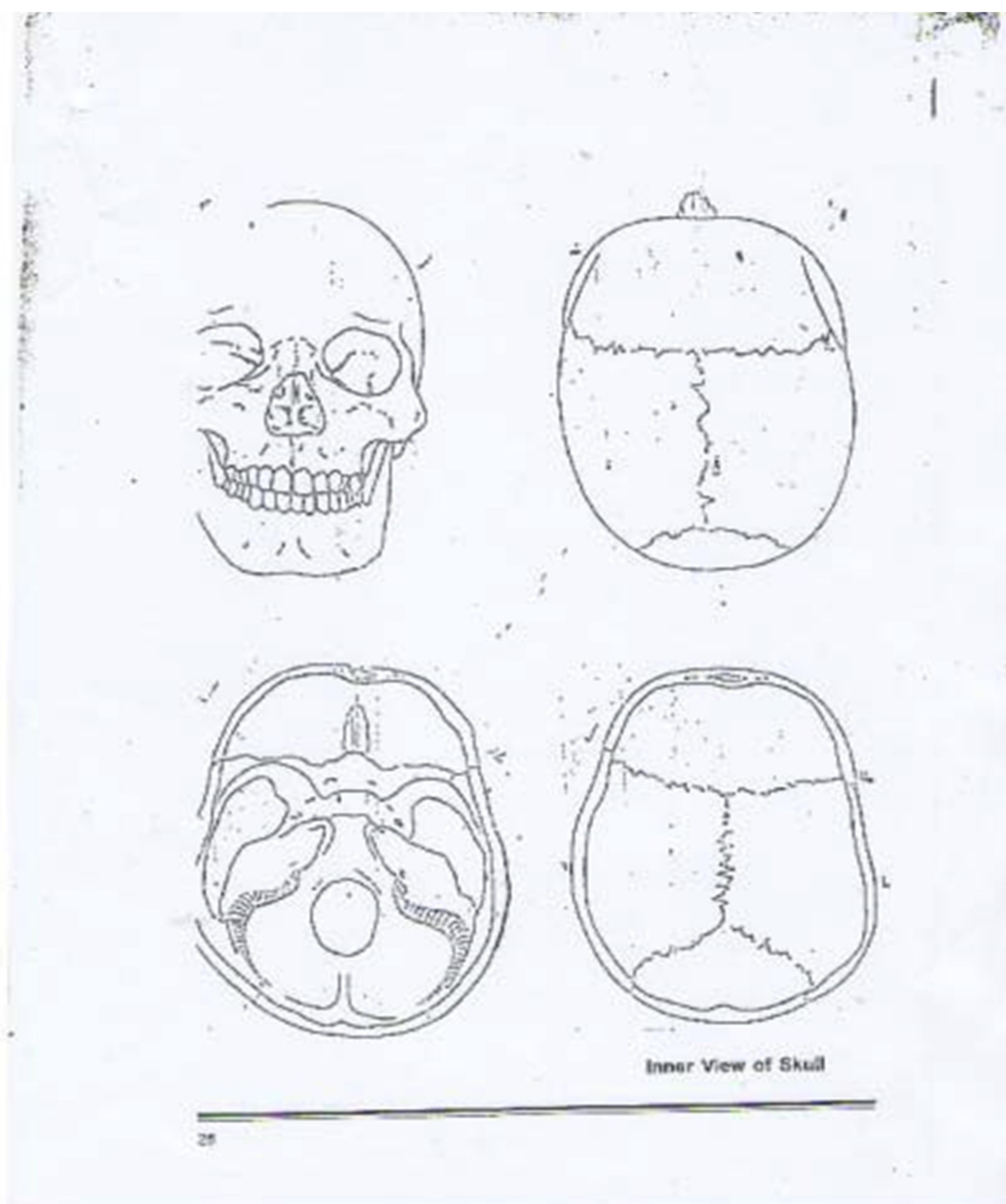
24

FORM 13.16 (a) (iv)

Head - Surface and Skeletal Anatomy : Lateral view



FORM 13.16 (a) (v)



Form 13.40(a)/(b)

I.I.F.-V FINAL REPORT FORM (Under Section 173 Cr.P.C.)

IN THE COURT OF

1. District P.S. Year..... FIR No..... Date

2. Final Report / Charge Sheet No 3. Date.....

4. (i) Act..... Sections

(ii) Act Sections

(iii) Act Sections

(iv) Other Acts & Sections

5. Type of Final Form/Report: Charge Sheet / Not charge sheeted for want of evidence /
FR True, Undetected / FR True, Untraced / FR True, offence abated / FR Unoccurred
.

6. If FR Unoccurred: False/Mistake of Fact/Mistake of law/Non cognisable /Civil
nature.

7. If Charge sheet : Original / Supplementary. (tick ' 3 ' applicable portion).

8. Name of I.O Rank
No. (at the time of charge sheet)

9. (a) Name of complainant / informant

(b) Father's / Husband's name

10. Details of Properties/Articles/Documents recovered/seized during investigation and relied upon (separate list can be attached, if necessary).

Sl. No.	Property description.)	Estimated value Rs.	P.S. Property Register No.	From whom/ where recovered	Disposal
1	2	3	4	5	6

11. Particulars of accused persons charge-sheeted: (Use separate sheet for each accused) Sl. No. (i) Name Whether verified

(ii) Father's/Husband's name (iii) Date/ Year of birth (iv) Sex (v) Nationality (vi) Passport No.

Date of Issue Place of Issue

(vii) Religion (viii) Whether SC/ST/OBC ... (ix) Occupation

Address

..... Whether verified

(xi) Provisional criminal No. ..

(xii) Regular criminal No. (if known) (xiii) Date of arrest

(xiv) Date of release on bail (xv) Date on which forwarded to court.....

(xvi) Under Acts & Sections.....

.(xvii) Details of bailers / sureties: Name Father's/Husband's name

Occupation Address

Identification

.....

(xviii) Previous convictions with case references

.....

.....

(xix) Status of the accused: Forwarded / Bailed by police / Bailed by court / Judicial custody / Absconding / Proclaimed offender (tick ' 3 ' applicable portion).

12. Particulars of accused persons - not charge sheeted (suspect) : (Use separate sheet for each suspect) Sl. No. (i) Name Whether verified.....

(ii) Father's/Husband's Name (iii) Date/Year of birth

(iv) Sex (v) Nationality (vi) Passport No.

Date of Issue..... Place of Issue

(vii) Religion (viii) Whether SC/ST/OBC (ix) Occupation

(x) Address..... Whether verified.....

(xi) Provisional criminal No.

(xii) Regular criminal No. (if known) (xiii) Date of arrest

(xiv) Date of release on bail (xv) Date on which forwarded to court.....

(xvi) Under Acts & Sections

. (xvii) Details of bailers / sureties:

Name Father's/Husband's name Occupation

..... Address

Identification

(xviii) Previous convictions with case references.....

(xix) Status of the accused: Forwarded / Bailed by police / Bailed by court / Judicial custody / Absconding / Proclaimed offender .

12. Particulars of accused persons - not charge sheeted (suspect) : (Use separate sheet for each suspect) Sl. No. (i) Name..... Whether verified.....

(ii) Father's/Husband's Name (iii) Date/Year of birth

(iv) Sex (v) Nationality (vi) Passport No.

Date of Issue..... Place of Issue

(vii) Religion (viii) Whether SC/ST/OBC (ix) Occupation

(x) Address..... Whether verified.....

(xi) Provisional criminal No. (xii) Suspicion approved :

Yes/No

(xiii) Status of the accused (suspect): Bailed by police/Bailed by court/ Judicial custody/Not arrested (tick ' 3 ' applicable portion).

(xiv) Under Acts & Sections.....

(xv) Any Special remarks including reasons for not charge sheeting

13. Particulars of witnesses to be examined:

Sl NO.	Name	Father/Husband's name	Date/Year of birth	Occupation	Address	Type of evidence to tendered
1	2	3	4	5	6	7

14. If FR is false, indicate action taken or proposed to be taken u/s 182/211 I.P.C

15. Result of Laboratory analysis

.....
 16. Brief facts of the case (Add separate sheet, if necessary)

17. 17. Refer Notice served : Yes/No Date..... (Acknowledgement to be placed)

18. Dispatched on

No. of enclosures

List of enclosures: As Annexed

Forwarded by Officer in charge

Name

..... No.

Rank No. ...

Signature of Investigating Officer

submitting Final report/Charge sheet Rank

Name

Chapter 13

INVESTIGATION

13.1 Power to Investigate Cognizable and Non-cognizable Offences

- i. A Police officer in charge of a Police station is empowered to investigate every cognizable offence within the jurisdiction of that Police station. Even if the Police officer investigates a cognizable offence registered in his Police station but beyond that jurisdiction, it cannot be questioned.
- ii. If a Police officer intends to investigate a non-cognizable offence, he can take the orders of the court and investigate, but he shall have no power to arrest without a warrant.

13.2 Action When Instructions Received From the Court

The Magistrate may, under section 156(3) Cr.P.C., order the Police officer to investigate any cognizable offence. Further, any Magistrate may direct an investigation to be made by a Police officer on a private complaint received by him, of an offence, which may be either cognizable or non-cognizable. In both the cases referred for investigation either under section 156(3) or under section 202 Cr.P.C. the Police officer has to necessarily register the crime in his Police station and issue FIR immediately before taking up investigation. After completing the investigation, the Police officer in both the types of cases, has to submit his Police report to the Magistrate under section 173 Cr.P.C.

13.3 Information and Registration of Offences

13.3.1 First Information of a Cognizable Offence

- a) Section 154 of the Criminal Procedure Code requires that every information of the commission of a cognizable offence, when given to the Officer-in-charge of a Police Station should, if given orally, be reduced to writing by the Officer himself or under his supervision. It is not necessary that the information must be given necessarily by the person aggrieved by the commission of the offence.
- b) Every Outpost will be supplied with books in Form 13.3.1(b) according to its requirements, the pages of which should be divided into two foils. The Officer in charge of the Outpost should enter therein all occurrences reported to him e.g., offences, both cognizable and non-cognizable, and all other information which, it is necessary, should be communicated promptly to the Police Station. The foil on the right hand side should be cut and sent to the Police Station to which that outpost is subordinate. When however, any report, oral or written, of a cognizable offence is made to the officer-in-charge of the outpost, he should merely enter the name of the

person who brings the information, the name of the aggrieved person, if known the nature of the offence, the name of the offenders, if known, and the time and date of receipt on both the foil of the book and send one foil duly completed to the Police station for further action. If the aggrieved person himself appears at the Outposts he should, if willing, be directed to proceed forthwith to the Police Station. The fact that he is so willing or not should be recorded on both the foils.

- c) As a 'First information' can legally be recorded only by the Officer-in-charge of Police Station, the foil sent by the Officer-in-charge of the outpost to the Police Station under sub-rule (c) above will be treated as mere intimation that an offence has been committed and it will then be for the Officer-in-charge of the Police Station, acting on such intimation, to contact the person who wishes to give first information and record his information for the purpose of section 154 of the Criminal Procedure Code.

13.3.2 Recording of First Information

- a) With the commencement of CCTNS (Crime, Criminal Tracking & Networking System) portal, all the entries shall be made in IIF-1 in CCTNS online mode and 4 printouts of the FIR shall be taken. The information shall be entered verbatim if the informant appears and gives information orally
- b) One copy of FIR should be retained in the Police Station and One copy of FIR should be sent to the Magistrate as required by section 157 of the Criminal Procedure Code and One copy of FIR will be sent to the Superintendent of Police through the SDPO and a copy should be given to the Informant free of cost as per section 154(2) CrPC.
- c) The integrated form prescribed at national level, for registration of FIR, for digitalization of the record, shall be deemed permissible under the Manual.

13.3.3 Procedure when jurisdiction is of different Police station

Crime of one PS reported at other PS: - If a crime committed in the jurisdiction of one Police Station within the UT of A&N Islands is reported to the Station House Officer of another Police Station, a Zero First Information Report should be issued and its substance entered in the Station House Diary and it should be sent to the concerned PS.

13.4 Information of non-cognizable offences

When information of a non-cognizable offence is received by an Officer-in-charge of a Police Station, he shall record it as a non-cognizable information report in CCTNS (**Form IIF-16**) and take out printouts as required. One copy shall be given to the complainant free of cost.

13.5 Power to Investigate Non-cognizable Offences: -

If for any special reasons, Police Officer want to investigate a non-cognizable offence they must obtain prior consent of a competent magistrate, after obtaining permission, may exercise all the powers of investigation of a cognizable offence except power of arrest.

13.6 Qualitative Investigations

- a) Investigation, as defined in the Code of Criminal Procedure 1973, is the process of collection of evidence. The focus of investigation should therefore be to collect evidence as opposed to merely effecting arrests and filing charge sheet with insufficient or no evidence.
- b) The aim of the investigation shall always be to collect evidence in the form of statements of witnesses, expert opinion, physical evidence, documentary evidence. Conducting Identification Parades to enable witness to identify suspects. Quest for truth shall be the guiding principle in all Police investigations.

13.7 Investigation to be Impartial and local

Police investigation should always be impartial. It is the duty of the Police to do all they can to find out the **evidences related to the offence**. An investigating officer is to aim at discovering the actual facts and arresting the real offender, **if required as per the provisions of CrPC**. He ought not prematurely to commit himself to any view of the facts, for or against any person. He should consider carefully all evidences rendered to him on behalf of an accused person. He should not make any set on a man but keep, as far as possible an open mind to be influenced by evidence.

13.8 Visit and Examination of the scene of offence

- a. As soon as the information about an offence is reported, the SHO shall, by quickest available means, proceed to the scene of offence after registering the FIR or making arrangements for the same depending on the nature of offence reported. Particular care should be taken for preservation of the scene of crime, collection of all material and other evidence. Steps should also be taken for arrest of accused or pursuit of the accused if warranted and justified for the investigation of the case.
- b. The search of the scene and its surroundings should be made patiently, methodically and in a definite order and not in a hurried or haphazard way

least valuable clues are missed or lost. Special attention should be paid to the floor, walls, ceiling, window sashes and all protuberances and edges, which are likely to bear traces. Nothing capable of bearing fingerprints or other trace should be ignored.

13.9 Protection of Crime Scene

- a) The investigating officer, on reaching the scene of crime, should secure the crime scene from getting disturbed or being changed by any persons, intentionally or unintentionally. The best physical evidence is normally found at the place where use of force against persons or property has taken place. Sometimes valuable pieces of evidence may be discarded or dropped or it may fall off accidentally or inadvertently at some distance from the scene of crime. Such spots also need proper protection. All such critical areas should be secured from intruders and stray animals or neighbours, friends, sympathizers, curious onlookers, newspaper reporters, press photographers and others who are not officially connected. The whole area should be cleared of all unauthorized persons in quickest possible time. The Press and other Media should be requested to keep beyond the barricaded/secured area. The following steps should be taken for protection of the scene of the crime:
- b) Cordon off the scene and surroundings, access and exit points effectively.
- c) Identify and persuade to retain the person who first informed the Police. Or, note his address, telephone number etc.
- d) Persons who are likely to provide information, investigation leads and other pertinent details should be segregated and examined for collecting all possible information, Eye-witnesses should be requested and allowed to stay at earmarked place for examination.
- e) Physical evidence should be protected from pet animals like dogs, cats, rabbits, etc., and also rats, mice and birds, as also from adverse environmental influences such as wind, rain, sunlight, dust, smoke moisture, etc.
- f) No physical evidence should be disturbed from its original position without properly recording it. Jewellery, keys currency notes and other valuable items with evidentiary value, vulnerable to theft from the scene, should be removed and preserved after a seizure list is drafted.
- g) During the preliminary inspection of the crime scene care should be taken to ensure that nothing is inadvertently dropped such as cigarette butts, match sticks, empty packs of cigarettes, match boxes, ash, etc. and nothing is touched that may cause interference with the fingerprints, footprints, etc., and nothing is added such as hair etc.
- h) All physical evidence/traces should be lifted only after recording and

thoroughly searching the crime scene. Where traffic is to be restored or place required for use, the examination of scene and other work should be completed as expeditiously as possible but with thoroughness.

- i) It should be borne in mind that evidence may not always be visible to eye. Even if visible, it may escape a non-observant eye or may not appear relevant. It is therefore necessary that the scene or places be subjected to close scrutiny both by experts and the Investigating staff.

13.10 First Aid to the Injured-

In the event of a person being dangerously wounded, the primary duty of the Police officer who first arrived at the scene is (while noting the position and nature of the wounds) to take immediate steps to procure medical aid or send the wounded person without loss of time to the nearest hospital or dispensary for treatment. This should be done before entering on the formalities of a panchnama, etc., as the delay thereby incurred might cause serious risk to the life of the person so wounded.

13.11 Preservation of evidence

Simultaneous steps should be taken to preserve all valuable items or objects of evidentiary value at the scene. This is vital, as certain types of evidence is likely to get evaporated, decomposed, putrefied, degenerated or may undergo other chemical or biological changes with time and other environmental factors. Suitable containers like polythene or glass bottles, polythene bags, paper envelopes, aluminum foils, etc. and preservative substances should be kept ready for proper preservation of evidence.

13.12 Recording of the Crime Scene

The Police have a limited time and opportunity to make an in-depth study of the crime scene in an undisturbed state. No time should therefore be lost to record as accurately as possible the conditions existing when the investigating officer arrives at the scene. Such a record will help the on-going investigations, reconstruction of the scene of crime and also presentation in the Court. It is therefore necessary to make a visual presentation that shows the various evidentiary items, witnesses and their interrelationship with the scene of crime. The methods of crime scene recording are Photography, Sketch, Video Recording and Audio tape recording.

Photography is a useful method to make a permanent record of the crime scene and facilitates the reconstruction of the crime scene and description of the method by which the crime was committed. The IO should record:

- a) Name of the photographer and address
- b) Date and time each photograph was taken

13.13 Video and Audio Tape Recording

Like photography, video and audio tape recording are useful in making a record of a crime scene, which helps in scene reconstruction at a later stage. In certain crimes like arson, video recording provides an overall view of the scene and allows investigators who could not be present at the scene to visualize the important pieces of evidence and their relationship to one another. Videotaping should be used to supplement the information that is collected from other recording procedures viz., photography, digital photography, sketching and observation notes. It is also possible to locate certain minute pieces of evidence recorded immediately after the incident but overlooked for collection.

13.14 Sketching the Crime Scene

1. After the scene is photographed, it should be sketched, to provide measurements indicating the relative distance and position of the various items of evidence and their inter-relationships.
2. The sketch is the first visual record of the condition of the crime scene. It portrays the crime scene and items within that scene that are of interest to the investigation. The sketch complements the photographs and notes made while observing the crime scene. The ultimate purpose of the crime scene sketch is to represent the facts of the crime with such clarity and precision that the crime itself may be reconstructed from the details. Courts rely to a great extent on sketches of the scene prepared.
3. The rough sketch once drawn should not be altered. A smooth or fair sketch should be prepared on the basis of the rough sketch. The smooth sketch also known as crime scene plan drawing is prepared as per a convenient scale and plan from the details of rough sketch. Colour drawing will be helpful to distinguish various objects or the features of an object.

Guidelines for making Scene Mahazar/Spot Panchanama

- i. A site plan of the place of occurrence of an incident shall be appended by the Investigating Officer to the scene mahazar or spot panchnama.
- ii. The site plan shall be prepared by the Investigating Officer by hand, and shall disclose
 - a. the place of occurrence,
 - b. the place where the body (or bodies) was / were found,
 - c. the place where material exhibits and/or weapons,
 - d. blood stains and/or body fluids had fallen,
 - e. the place where bullet shells, if any, were found or have caused impact,

- f. the source of light, if any and
 - g. adjoining natural and man-made structures or features such as walls, pits, fences, trees/bushes, if any and
 - h. elevation of structures and their location.
- iii. In case of heinous crime and fatal MV/road accident, the preparation of this sketch by the Investigating Officer shall be followed by a scaled site plan prepared by a nominated/authorized draftsman of APWD/Revenue/Police Department who shall prepare the scaled site plan after visiting the spot, at the request of investigating officer.
 - iv. The relevant details in the mahazar or panchnama shall be marked and correlated in the said site plan.

13.15 Searching the Crime Scene for Physical Evidence

1. The primary purpose of inspecting the scene of crime is to search for any evidence left behind by the criminal while committing the crime. It is, therefore, the primary responsibility of Investigating Officers to search, identify and collect such evidence independently or with the assistance of experts.
2. A competent search of a crime scene requires a thorough understanding of crime, its nature, and extent of damage, people aggrieved, property lost or damaged and the manner in which the offence was committed. All items should be searched with equal care and concentration. The search should be carried out carefully, avoiding unnecessary disturbance of the scene.
3. By the time an initial survey of the scene is completed, the investigator should have noted the obvious items of evidence to be collected, and decide in what order he will collect evidence, what should be searched for, and how the tasks and areas have to be divided.

13.16 Medical Certificates

When called upon, medical officers, immediately after examination, will supply the Police with certificates regarding cases of injury brought to hospitals and dispensaries in Form 13.16 which shall accompany every wounded person in cognizable case.

Every Medico Legal Certificate, Post Mortem Report shall contain a printed format of a human body on its reverse and injuries, if any, shall be indicated on such sketch.

Explanation: The printed format of the human body shall contain both a frontal and rear view of the human body as provided in the Form 13.16(a).

13.17 Post-mortem Examination

For instructions regarding post mortem examination of a person who has met with homicidal death see Chapter 15.

13.18 PHOTOGRAPHS AND VIDEO GRAPHS OF POST MORTEM IN CERTAIN CASES

- i. In case of death of a person in Police action [under section 46 Criminal Procedure Code, 1973(Cr.P.C) or section 129 to 131 Cr.P.C] or death while in Police custody, the magistrate or the Investigation Officer as the case may be, shall inform the hospital or doctor in charge to arrange for photographs or videography for conducting the post-mortem examination of the deceased. The photographs of the deceased shall also be arranged to be taken in all cases.
- ii. Such photograph and video graph shall be taken either by arranging a Police photographer or a nominated photographer of the UT Administration, and where neither of the above are available, an independent or private photographer shall be engaged.
- iii. Such photographs or video graphs shall be seized under a panchnama or seizure memo and all steps taken to ensure proper proof of such photographs/video graphs during Trial.
- iv. The investigating officer shall ensure that such photographs and videographs, if taken electronically, are seized under a panchnama or seizure memo and steps are taken to preserve the original and ensure that certificate under section 65 B of Indian Evidence Act, 1872 is obtained and taken to be proved during trial.
- v. The video of photographs shall be stored on a separate memory card, accompanied by a duly certified certificate under Section 65B of Indian Evidence Act 1872.
- vi. Where Post Mortem are recorded in electronic form, the file containing the post mortem proceedings, duly certified , should be placed with a memory card as an attachment unless individual memory cards are not capable of being produced before the Court.

13.19 Examination by Finger Print Expert

- a. If, in an inspection of the scene of offence or at any Inter stage of the investigation fingerprints on glass bottles, window panes, brass, vessels, tin boxes etc., or prints from blood stained, greasy or dirty fingers on other articles are visible to the naked eye, they should be carefully preserved for being examined by a fingerprint expert, if the presence of fingerprints on any articles is suspected they should be developed by :-

- i. dusting the surface with powdered graphite, grey powder or aluminium powder, and
- ii. in the case of prints on paper, by iodine fumes.

When finger impressions have been found they should, if possible, be sent to the Finger Print Bureau for examination, due care being taken to protect them. The finger impression slips of the investigating officer or any other innocent person, who might have handled the article in question, should also accompany the finger impressions sent for examination.

- b. Any palm prints found or suspected to be on any object should be treated in the same way as fingerprints and subjected to examination by a fingerprint expert.

13.20 Expert opinion on Forged Notes and Coins

- a) Coins suspected to be counterfeit coming to the notice of the Police should be sent to the Director, Central Forensic Science Laboratory for his opinion as to whether they are counterfeit or not.
- b) Whenever currency notes suspected to be forged or counterfeit come to the notice of the Police, they should be sent along with a report regarding the circumstances in which the notes were found, to the Director, Central Forensic Science Laboratory for examination and expert opinion.

13.21 Chain of custody of physical evidence

Continuity of possession or the chain of custody of evidence is an important aspect whenever evidence is collected, until it is presented in the court as an exhibit. The chain of custody assures continuous accountability. If it is not properly maintained, an item may become inadmissible in the court.

13.22 Forwarding Authority and Time period for forwarding the samples

Physical Evidence can be forwarded for examination, to concerned experts by investigating officers through the concerned Superintendent of Police. Physical evidence should be forwarded at the earliest to FSL or other test laboratories as the case may be. In case of delay over one month, a D.O letter from the concerned SP should be sent.

13.23 Special Crimes Case

The following offences will be designated "Special Report crimes" in which SHO and the SDPO shall personally supervise the investigation:-

- i) Murder
- ii) Attempt to murder

- iii) Culpable Homicide
- iv) Rape
- v) Dacoity
- vi) Robbery
- vii) Kidnapping for ransom
- viii) House-breaking and theft of property worth Rs.1 lakh and over or Government Arms and Ammunition.
- ix) Theft of property worth Rs.2 lakh and over or theft of Government Arms or Ammunition.
- x) Any serious disturbance or riot.
- xi) Any serious motor accident or a motor accident involving loss of life.
- xii) Escape from lawful custody.
- xiii) Serious cases of assault on a Police officer in the discharge of or in consequence of his duties as a public servant.
- xiv) Cases of alleged extortion or bribery or torture by a Police Officer.
- xv) Any other case of a specially grave nature.

Immediately upon registration of any case falling under any of the above categories, it is the duty of the Officer-in-charge of a Police station to send a copy of First Information report by a special messenger as expeditiously as possible to the **SDPO** and Superintendent of Police. Two additional copies of First Information Report shall also be sent to the Superintendent of Police for onward transmission to the Judicial Magistrate and the DGP through Inspector General of Police; where there is no postal communication, contents of the First Information Report shall be transmitted in full through Police Radio. On receipt of such information the **SDPO** shall visit the spot as early as practicable. The **SDPO** shall-

- a) ascertain the facts of the case as far as possible, from complainant, witnesses and other sources of information;
- b) Ascertain what investigation the Police on the spot have made;
- c) Assist and direct the investigation and to see that it is being correctly and vigorously prosecuted;
- d) Prevent irregularities on the part of the subordinates and to encourage and guide them in their enquiries.

The **SDPO** shall immediately after his visit to the scene in such cases, submit a special report within 24-48 hours to the Superintendent of Police giving full details of the case so far ascertained from his enquiries and the nature of instructions given to his subordinates for proper investigations of the case. The **SDPO** shall thereafter submit fortnightly progress report of the cases to the Superintendent of Police until the investigation has been completed.

13.24 Special Crime Report

- a) Superintendent of Police should visit the spot of the special crime report mentioned in the proceeding rule, as far possible and may supervise and lay down the guiding principles on which the investigation should proceed or in sifting and apprising the value of evidence or clues obtained.
- b) The Superintendent of Police shall, in the following, submit to the Inspector General of Police a "Special Report Crime Report" showing the progress of investigation :-
 - i. Murder
 - ii. Attempt to murder
 - iii. Rape
 - iv. Dacoity
 - v. Robbery
 - vi. Kidnapping for ransom
 - vii. Any serious disturbances or riot
 - viii. Any other cases of specially grave nature in which the DGP considers necessary to ask for such a report.

13.25 Examination and recording the statement of Witnesses

- a) The investigating officer is empowered under Section 161 CrPC to examine orally any person (including a suspect) who is likely to be acquainted with the facts and circumstances of the case. He may reduce to writing the statement of each such person, and when he does so, he shall make a separate record of each such person whose statement he records. The person so examined shall be bound to answer all questions relating to such case put to him, other than questions the answers to which would incriminate him to a criminal charge or to a penalty or forfeiture.
- b) The statement of each witness should be recorded separately, in direct form and as far as possible in his own language and with the full version of what he states.
- c) As per proviso of Section 161(3) of CrPC, statements may be recorded by audio-video electronic means. Further, statement of a woman against whom an offence under section 354, section 376, section 37A to section 376E or section 509 of IPC is alleged to have been committed or attempted, shall be recorded by a woman Police officer or any woman officer.
- d) In order to examine a witness, the investigating officer should, as far as

possible, contact him at his place, but may, if necessary, require the attendance before himself, of any person being in the limits of his own or adjoining Police station. If a person so called intentionally fails to attend in spite of a written order served on him, he is liable to be prosecuted under section 174 IPC.

- e) However, under proviso to section 160 Cr.P.C., no male person under the age 15 years or above the age of 65 year or a woman or mentally or physically disabled person shall be required to attend at any place other than the place in which such male person or woman resides.
- f) When a Police officer finds it necessary for the purpose of any Police investigation to require any employee of any essential services, he shall give previous notice of the fact to the official concerned in order that the latter may take steps to replace the employee, and shall, at the same time, take all necessary measures to ensure that the object of the investigation is not thereby defeated.

13.26 Recording statements of the accused

It is important and necessary for an investigating officer to record the statement of an accused person, more so, if it contains lengthy details in a complicated case, so that these details may not be forgotten or overlooked in the course of enquiries for their verification. The statement may sometimes disclose his line of defence and may also at times indicate sources from which independent evidence may be available and provide clues for further investigation. Verification of all details given by the accused is a vital exercise in investigation and should be diligently done and entered in case diary from day to day.

13.27 Recording of statements of witnesses and confessions of accused by a Magistrate under Section 164 CrPC

- a) In important cases, witnesses may be produced before Judicial Magistrate; competent to record such statements under section 164 CrPC. Such statements can be used to contradict the statements given by the same person during the course of enquiry or trial. If he retracts later, he can be prosecuted for giving false evidence.
- b) If an accused person on being arrested, expresses his willingness to make a confession, his confession may be recorded under section 164 of CrPC by the competent Magistrate. As far as possible he must be taken before a magistrate other than the one who has jurisdiction to try the case.

13.28 Confessional statements made to the Police

Though confession made to Police officers are inadmissible, but under section 27 of the Indian Evidence Act, if a statement is given by an accused to a Police officer while in custody and that statement reveals the discovery of any material fact and in consequence of that statement if that material fact is discovered, that statement is admissible to the extent of such discovery.

13.28.1 Recording of the Confessional statements

1. As soon as it appears to the investigating officer that an accused is likely to make a confession leading to the discovery of a fact, the investigating officer should secure the presence of two respectable and independent witnesses of the locality and in their presence record the confessional statement himself, obtaining the signatures of the witnesses on the record. Stock witnesses or those who figure as witnesses in previous cases should not be taken. If it is not possible to secure the presence of witnesses, the investigating officer should himself record the confessional statement and afterwards when he is able to secure the presence of witnesses, he should read over the statement to the accused before the witnesses and, if it is agreed to by the accused as correct, note this fact on the record and obtain the signatures of the witnesses on it. The statement of the accused should be in the first person and in the very words of the accused. When a discovery is made as the result of the statement of the accused, a separate recovery memo should be drawn up for the discovery. Giving information and recovery that follows it are two different transactions and a separate recovery memo should be recorded for each of them. The information given by an accused person should not be mixed up in the recovery memo drawn up for the recovery made in consequence of such information. It is the information given by an accused person that determines his knowledge about that fact discovered and that has a direct bearing on his guilt.
2. When one of several accused persons who have taken part in an act, for example, the burial of property at a certain place, offers to point out the place and the property is found in consequence, his confessional statement is relevant against him under section 27 of the Indian Evidence Act. But if other accused persons suspected to have taken part in burying the property at the place also give the same information subsequently the discovery cannot be attributed to a second person. These confessional statements cannot be said to have led to the discovery of the property which has already been discovered and are not, therefore, relevant under that section. Though there is nothing objectionable in the

investigating officer trying to see for his moral satisfaction whether such persons point out the same place as the one previously shown by one of them, no attempt should be made to utilize that evidence against subsequent persons. If two or more accused give statements under section 27 of Evidence Act, simultaneously, it is inadmissible, as it cannot be attributed to any single person.

3. Where the place of recovery is a public place accessible to all and sundry a discovery from which a place cannot entirely be attributed to the exclusive knowledge of the accused and therefore much reliance cannot be placed.
4. The accused must be in custody of Police for a confession to come under purview of section 27 of Evidence Act. Even a man released on bail and giving information leading to discovery of a fact can be deemed to be in Police custody within the meaning of section 27. Arrest and custody are not synonymous. A person can be in custody without being formally arrested.

13.29 Dying Declaration

The statement given by a dying person is called a dying declaration. Whether the statement is given expecting death or not, is not very relevant. Only those portions of the statement explaining the cause of person's death or the circumstances resulting in that person's death are relevant:

- a. That portion showing to the cause of person's death or;
- b. To the circumstances of the transaction resulting in that person's death.

13.29.1 Recording Dying Declaration : Process & Precautions

- i. The declaration may be recorded by any person. It should preferably be recorded by a Magistrate, if available. If this is not practicable, the doctor or if he is not available the investigating officer may record it, in the presence of a witness. Even if the declaration is made to a Police officer, it is admissible in evidence and its use is not barred by section 162 of the Cr.P.C. Even if it has been made orally in the presence of any person, it may be proved in court by the oral evidence of that person. The declaration becomes admissible, only if the declarant subsequently dies. If he survives, it will be useful, if made before a Magistrate or anyone other than a Police officer, to corroborate his oral evidence as a witness in court. If it was made before a Police officer, it will be treated as a statement u/s 161 Cr.P.C.
- ii. Before taking down the declaration the persons recording the dying declaration should also ask the declarant whether he is

mentally capable of making a declaration. He should obtain whenever possible a certificate from the Medical Officer as to the mental condition of the declarant.

- iii. As far as possible, audio-video of the dying statement be recorded.
- iv. The declaration should be in the form of questions and answers and in the very words of the declarant. The signature of the declarant should invariably be taken on the dying declaration wherever possible. If the declarant is an illiterate or is incapacitated from signing for any reason, his thumb impression should be taken. When a declarant dies while giving a statement, the declaration is valid even though he does not put his signature or thumb impression. A note should be made in the dying declaration giving reasons why the signature of the declarant was not taken.
- v. When the declarant, being in a serious condition and unable to speak, makes signs by hand or head, the person recording the dying declaration must record the precise nature of the signs which the declarant made.
- vi. Incomplete dying declarations are not by themselves inadmissible in law. Though a dying declaration is incomplete by reason of the deceased not being able to answer further questions in his condition then, yet the statement to that extent is admissible provided it is proved he has given it consciously and the statement is not vague.
- vii. An FIR can be recorded on the basis of a dying declaration.

13.30 Documentary Evidence - Directions to produce a document or thing

1. Whenever any Officer in-charge of a Police Station or Officer entrusted with the investigation of a case considers that the production of any document or other thing is necessary for the purpose of investigation, such Officer may issue a written requisition to the person in whose possession or power such document or thing is believed to be, requiring him to attend and produce it or cause to produce it at a time and place stated in the order (Section 91 of CrPC).
2. If the statement of the person, in whose possession the document or thing is, is to be recorded, he should be directed to appear in person and produce such document or thing. If his statement is unnecessary, such person can be asked to cause the document or thing produced on his behalf by any other person.

3. If the document or thing is in the possession of an accused, an order for its production shall not be issued as it contravenes clause (iii) of Article 20 of the Constitution of India. It should be seized after conducting a search of a place where such a document or thing is kept.

13.31 Instructions for the guidance of investigating officers while dealing with cases involving documents which form subject matter of examination by the Government Examiner of questioned documents, Government of India

- a) Care of documents- From the moment an Investigating Officer takes possession of documents, the genuineness of which is either questioned or the authorship of which is to be determined, they should be handled, and cared for in a manner that will not impair in the slightest degree its value as evidence. The following negative directions are necessary and should be scrupulously adhered to.
 - i. Documents should not be subject to frequent careless handling and should from the very beginning be protected either by placing between the sheets of blank papers or preferably between thin, transparent sheets of celluloid.
 - ii. Documents should not be cut, torn or trimmed or in any manner mutilated in the slightest degree.
 - iii. Documents should not be exposed to moisture of any kind or to strong sunlight and should never be carried in the pocket where they are likely to be affected by bodily heat or moisture or become worn, wrinkled or soiled.
 - iv. Document should not be folded or unfolded unnecessarily and a new fold should never be introduced.
 - v. Documents should not be touched with an eraser of any kind nor should adhesive labels be applied.
 - vi. Documents should not be punched or pinned but paper clips should be used where necessary.
 - vii. No additions, such as underlying features thought to be significant, should ever be made in the documents. The identification marks should be applied with coloured pencils where they are least likely to be interfered with the writing and which should be as limited as practicable and clearly recognized as such.
 - viii. Tracings of documents should never be resorted to. For purposes of record, photography is the advisable and safe method.

b) Submission of Documents-

- i. Documents intended for laboratory examination should be sent by registered post to the Government Examiner of Questioned Document, after being properly packed and sealed in stout cover or packing to avoid damage during transit. While it is generally not possible to assess the value of documents involved in a criminal case, it is advisable that documents should also be insured. This procedure will ensure extra precautions on the part of the officers.
- ii. Documents submitted for examination should be accompanied by a forwarding letter which should clearly indicate as to which of the writings are "Questioned" and which of the writings are "Standard". The Questioned writings should be clearly encircled with a coloured pencil without touching or crossing any part of the questioned writing. Identifying marks such as Q1, Q2, Q3, Q5 etc should be put for each of the questioned item. In case a questioned item consists of a body-writing followed by a signature which is alleged to be of one person, it is advisable that separate identifying marks be put for the body-writing and the signature. The standard writings should also be similarly enclosed in a coloured pencil and identifying marks such as S1, S2, S3, S4, S5 etc., be put. The standard writings of one person should be in continuation of the series adopted e.g., the standard writings of a person 'A' should be marked as S21 to S40 and so on.
- iii. The specific points on which an opinion is sought be clearly indicated in the forwarding letter.
- iv. It is worthwhile keeping in view the fact that once a writing or a signature is treated as a questioned item, it can never be used again by the Government Examiner of Questioned Documents as a standard writing for comparison with other questioned items. Inter se examination of two questioned items does not generally yield any fruitful result and questions relating to such inter se examination should be avoided as far as possible.
- v. The history of the case should never be narrated in the forwarding letter.

c) Standards for Comparison -

- i. The quality of the standard writings submitted for comparison has a great influence on the result of examination; without suitable standards the Examiner is unable to express and identify any worthwhile opinion as to the authorship of a questioned writing. As to what constitutes the most satisfactory standard, the answer is very simple. In every case the aim should be to provide an opportunity for the Examiner to compare "LIKE WITH LIKE". For example the best

standard, when the signature of a person is in dispute, consists of his admittedly genuine signatures written before the date of the disputed signature on similar documents. With regard to the amount of standard writings to be submitted it must be borne in mind that whilst no documents' examination has ever been prejudiced by too much standard materials, the reverse has often been the case. The majority of the failures has often been the case. The majority of the failures on the part of the examiner to furnish definite opinions are due to the standards being either too scanty or unsuitable for the purpose. With an abundance of standard materials the Examiner is able to make the most effective comparison with the questioned writings.

- ii. As a general procedure the Investigating Officers should submit to two types of standard writings as detailed below:-
 - a) Request writings, i.e. writings or signatures written to dictation by the suspect for the purpose of comparison with the questioned writings.
 - b) Previous writings, i.e., admittedly genuine writings or signatures written in ordinary course of business by the suspect when he had no knowledge that these writings and signatures will be used for comparison with the questioned writings.

The writing produced in the ordinary course of business is generally an unconscious act. Request writing produces consciousness in the writer which tends to make the writing formal. Request writings may also be deliberately disguised and distorted by the writer. Such request writings are therefore not always suitable for comparison with the questioned writings executed in ordinary course of business. The importance and necessity of obtaining previous writings for comparison with the questioned writings can thus be well realized. The previous writings are found to be useful writings of the suspect without any attempt at disguised or formal execution, as the writer had no knowledge that these writings will ever be used as standards for comparison. It is of utmost importance that such writings should be capable of being proved in a Court of Law as the standard it purports to be. The usual method of proving the previous handwriting of an accused is by the evidence of a person who is well acquainted with his writings and can identify them. The previous writings of these persons who are to appear as witnesses in the case can be proved by their own admissions in the court.

iii. If the suspect is willing to give specimens of his handwriting. The following procedure should be adopted :-

- a) Examine the document and note whether it is written in cursive (i.e. freely written having connected small letters) or pen-printing or block lettering style or is a mixture of all. Make it clear to the suspect which style of handwriting you desire him to use but never show him the questioned writings.
- b) Obtain paper similar to that of the questioned document and try to match the paper especially with respect to size and ruling if any, Never allow a large sheet of paper if the questioned document is small or plain paper if the questioned document is lined and vice-versa. If the questioned document is an envelope supply envelopes for the dictation to be written on; if an endorsement on cheque supply blank cheques and ask them to be endorsed leaving it to the suspect as to where and how he does it if the questioned document is in the nature of an official form, the most strenuous efforts should be made to obtain similar blank forms on which the suspect should be invited to write. If blank forms cannot be obtained, endeavour to duplicate them on a type-writer taking care to keep the dimensions the same.
- c) Provide the suspect with a writing instrument similar to that used for writing questioned documents. Where-in-writing is concerned try to match the nib width. The ink used need not be matched as this has very little influence on the writing.
- d) Dictate the questioned writing to the suspect at a reasonable speed. This will allow the suspect, if he so attempts an opportunity to disguise his hand-writing, which will tend to make him much slower than usual. The time taken should be carefully noted.
- e) When the first dictation has been completed, the writing should be removed from the sight of the suspect who should be persuaded to give a second specimen. The second dictation should be given as fast as the suspect will allow, because if the speed is kept up and he has disguised his first specimen, he will have difficulty in remembering the details of the disguise previously used.
- f) The procedure, detailed in aforesaid paragraphs (d) and (e) should be repeated with two different pens on two different dates. In this way, specimens of the writings of the suspect on six different sheets are to be obtained.

- g) The age of the writer, his name and any of his physical conditions (such as extreme illness, infirmity or injury to his hand or fingers etc) Likely to affect the writing should be endorsed in each sheet by the officer obtaining the request writings who should also sign such sheet in taken thereof.
- iv. In obtaining previous writings also the guiding principle “LIKE TO BE COMPARED WITH LIKE:” should be borne in mind, For example -
 - a) In case of questioned signatures on cheques, admittedly genuine signatures of the same type on previous cheques, issued on the same bank and of the same period, should be obtained.
 - b) In case of questioned endorsement on Money Order vouchers, admittedly genuine endorsements on similar Money Order vouchers or acknowledgements of the same period should be obtained.
 - c) In case of questioned writings in receipts or other official forms efforts should be made to obtain admittedly genuine writings of the suspect on similar receipts of official forms.
 - d) Only the papers bearing the previous writings should be sent to the Examiner and not the whole lot of connected papers.
- v. Finally it deserves emphasis that investigations rarely confirm to exact pattern. The instructions given here are in regard to general principal only; they must be intelligently applied to the special consideration of the case.

13.32 Documents and Articles in the Custody of the Postal or Telegraph Authority:-

1. To obtain protection under section 94(3), 92(1), 92(2) of the Criminal Procedure Code, documents and articles in the custody of the Postal or Telegraph authorities must be of the nature of a letter, post-card, telegram, parcel, or other things. To obtain protection under section 123 and 124 of the Indian Evidence Act, documents must relate to affairs of state or must be communications made in official confidence, by the disclosure of which the public interests would suffer. The bulk of the records of the Post Office do not come under any of these exceptions and consequently they will be produced on the written requisition of any Police Officer making an investigation, but only to the extent of those entries which relate to the person accused in the case and which are relevant to the offence, documents and articles covered by Section 94(3) must if necessary, be obtained in accordance with the procedure laid down in Section 95, Criminal Procedure Code.). The reference to Posts and

Telegraphs authorities in this section may be interpreted to include Bharat Sanchar Nigam Limited (BSNL) and any other basic telephone service provider or cellular operator whether Private or Government

2. The district SPs & SP/CID are authorized to call from the concerned service providers the call records of any person in connection with any enquiry/investigation undertaken by the Police.

13.33 Inspection of Criminal Court Records –

If it appears to a Police officer that the inspection of records of any criminal trial would facilitate the detection or prevention of crime or is desired for the examination of the conduct of the Police Officer connected with the case, such officer may apply to the Judge or Magistrate for permission to inspect the records. The application should be in writing and shall state why the inspection is to be made. On being permitted to do so, the records are to be allowed to be inspected by the Police Officer within the court precincts. If permission is refused for any reason, the Judge or Magistrate shall assign reasons therefore and send a copy of the same to the Police Officer making the requisition.

13.34 Expert Opinion

1. In the large array of the list of witnesses, the expert witnesses have a special significance. The expert opinion and their evidence is taken to be more objective, impartial and scientific as compared to the ordinary witnesses. The IO should have deep knowledge about the role, significance and relevance of the expert witnesses. Evidence and opinion of an expert are relevant as per the provisions of the Indian Evidence Act (Section 45 to 51). These provisions deal with various facets of evidence by experts and admissibility thereof.
2. An IO should suitably evaluate, analyze and assess as to which part of his investigation would require help and assistance from an expert. At the scene of crime there are a number of exhibits and pieces of evidence, which might be relevant for the investigation and which may require expert opinion. The IO should prepare a list of such objects and should collect those objects for scientific examination and obtaining expert opinion. An IO should have knowledge about various categories of experts and the subjects with which they deal. He should also know where to send the exhibits for examination and which institutions, organizations and forensic labs are there to render the requisite help.
3. The experts who have given an opinion on a particular matter should be cited in the list of witnesses with correct address and the issue on which they will tender their expert opinion.

4. Extreme care and caution should be exercised in identifying, lifting, packing and forwarding the exhibits for experts' opinion because during any of the above stages if the exhibit is distorted, disturbed or destroyed, it may cause serious damage to the quality of evidence because either the expert opinion will not be available at all or if one is available then on the ground of it being not foolproof, it may be rejected by the court of law.

13.35 Circumstantial Evidence

1. There are occasions when direct evidence is not available. In such a situation, in order to prove the case, an IO has to depend on the circumstantial evidence. Circumstantial evidence pertains to the various facts, situations and conditions, which would establish connection between the crime and the criminal. Such facts, conditions and situations which may form the basis of circumstantial evidence are dealt with in the various provisions of the Indian Evidence Act.
2. Any fact, condition, or situation, which is relevant with relation to the fact in issue, that is, the investigation in question, may form part of the circumstantial evidence. The facts, which are so connected with each other that they form part of the overall transactions of crime are relevant and may form part of the circumstantial evidence. Likewise the facts, which are the occasion, cause or effect with regard to the crime under investigation can also form part of the circumstantial evidence. In the same manner the facts, conditions and situation, which prove the motive, preparation and previous or subsequent conduct of the accused persons can also form part of the circumstantial evidence. An IO should have deep knowledge of the various provisions of the Evidence Act, which deal with the various facts, conditions and situations which may become part of the circumstantial evidence.
3. Collection of circumstantial evidence is a tough task and the IO has to work hard to collect such evidence. The evidence so collected should be corroborated by some supporting evidence. The circumstantial evidence must provide a complete chain of events connecting one another to become cogent, succinct and reliable. The connecting of the various facts, conditions and situations must provide a complete chain and no link of which must be missing. They must unequivocally point the guilt on the accused so as to exclude any point, which may be consistent with his innocence. The circumstantial evidence in order to secure conviction must be complete and conclusive in nature and prove the guilt of the accused person beyond every reasonable shade of doubt.
4. In order to make the circumstantial evidence valid foundation of conviction, the IO should collect various types of corroborative

evidence, which may be oral, documentary, incidental, occasional or intentional. The circumstantial evidence may be corroborated with the help of expert opinion and scientific examination of various types of exhibits.

13.36 Identification

Identification is one of the methods of collecting evidence. Witnesses see the individual or objects which are relevant for the investigation. In order to authentically connect such individuals and objects, the Investigation Officer prepares a profile on the basis of the statements of the witnesses. The witnesses later on are required to identify such individuals and objects to verify the authenticity of the version of the witnesses. This process is called identification and for conducting this process an identification parade is held often in the presence of a Magistrate. This process is relevant under Section 9 of the Evidence Act. The standing order issued in this regard is to be followed in case of collecting evidence through Identification.

13.37 Case Diary

1. Section 172(1) CrPC requires that every Police Officer making an investigation shall enter his proceedings for the day in a diary, setting forth the time at which the information reached him, the time at which he began and closed his investigation, the place or places visited by him and a statement of the circumstances ascertained through his investigation.
2. A gist of the statements of witnesses recorded during the course of investigation u/s 161 shall be inserted in the case diary. (Sec -172(1A) CrPC)
3. The case diary shall be a volume and duly paginated.

Contents of Case Diary

Every case diary should contain the following information:

1. Date and hour of taking action;
2. Date of report of the case;
3. Name of the complainant or informant;
4. Names of accused known, if any;
5. Property lost;
6. Property recovered;
7. Date and last page of the previous case diary, if the case diary is not the very first one;
8. Name of the deceased, if any, and names of witnesses examined.

The First Case Diary

The first Case Diary should commence with a brief summary of the FIR, the time of receipt of the complaint, delay if any, in starting for the scene, the time of departure for and arrival at the scene,' and description and plan of the In cases where there is no scene as such like in Financial Crimes, the records and places where such records or data recording, storage or retrieval systems are located, the method of crime as reflected at such places, objects, computers, documents etc. and the plan or sketch or diagram representing the crime scene so to say may be described or drawn up as is possible.

Details & Description

A statement of circumstances ascertained through the investigation at the place or places visited by the investigating officer, and the date and hour of closing the investigation shall be noted. Every step taken by the IO shall be mentioned as concisely as possible. Every clue obtained, even if at the time it appears likely to be of no value, houses searched with reasons for the search and the names of witnesses to the search, property recovered, its description and place where it was found, arrests, information obtained which is likely to prove of value, and methods adopted by the suspects/accused are among the things to be mentioned in the case diary. -The substance of the statements of witnesses shall find place in the case diary.

The case diary shall be written incorporating the investigation done on each day. Statements of witnesses should be reduced to writing on the spot in the prescribed Form. If it is not possible they should be written in the IO's note book, and transcribed in the prescribed form as soon as he returns to the Station House. If, for any unavoidable reason, notes had to be taken on separate sheets of paper, these should not be destroyed after the case diary is written but preserved in the case file.

Copies of Case Diary

Case diaries and statement of witnesses should be maintained in duplicate. The original is retained in the station and through SHO, other copy is sent to the SDPO concerned who shall deal with the case diaries in the manner prescribed. The SDPO concerned who in turn shall after scrutiny and passing necessary instructions to the I.O., dispose them off as prescribed.

Role & Responsibility of the Subsequent IOs

Succeeding investigating officer should verify investigation made by the previous I.O. and to re-examine all the important witnesses already examined, to ascertain the facts and circumstances of the case. He may record and reduce such statements into writing as prescribed u/s 161 (3) CrPC or use the earlier record as appropriate.

Case Diary in Inquest Case

In inquiries under section 174 CrPC relating to suicide and accidental deaths, statements of witnesses examined during the inquest will be recorded separately and attached to the inquest report. However, in a case where it has not been clearly established that it is a suicidal or accidental death, a case diary should be written discussing the evidence gathered and available during the inquest and the grounds for treating the case as an accidental or suicidal death not warranting investigation. When a Head Constable holds an inquest, the Sub-Inspector should subsequently verify the investigation, and the result of such verification should be embodied by him in a case diary. A case diary should also be written summarizing the result of the post-mortem examination, if conducted.

13.38 Completion of Investigation and Final Disposal

1. Every investigation should be completed without unnecessary delay.
2. It is the duty of Superintendents of Police and Sub-Divisional Police Officers to see that investigations are promptly and vigorously carried out by officers-in-charge of Police Stations.
3. When any subordinate Police officer has made any investigation, he shall report, the result of such investigation to the officer-in-charge of the Police Station.
4. All investigations must be completed within the time limit provided under section 468 Cr PC as no court will take cognizance of an offence after the expiry of that period.
5. The prosecution will have to explain the reasons for the delay if the charge sheet is filed after the expiry of the period of limitation. The Court has to be satisfied with reasons adduced for delay.
6. In cases where the accused are caught red-handed with property, there should normally be no delay at all in the submission of charge sheets. In such cases, the accused should be forwarded, in custody to the Magistrate having jurisdiction along with the charge sheet, unless the accused is a stranger and his antecedents need verification or there is information of his having committed other offences or is a member of an organized crime gang.
7. Section 167(2)(a) Cr.P.C empowers the Court to order release of the accused in custody if the charge sheet is not filed within 60 days or 90 days as the case may be. Hence, the IO should complete the investigation in the above cases within the time prescribed.
8. Sections 173(8) Cr PC provides for a supplementary or additional charge sheet. This provision is not a substitute for original charge sheet. This

provision is meant for filing a subsequent charge sheet only when there is fresh and further evidence about the offence or offender, which is not known at the time of filing the first charge sheet.

13.39 Disposal of cases

1. The investigation must be completed without unnecessary delay. However, investigation in relation to rape of a child shall be completed within 2 months from the date on which the information was recorded by the officer in charge of the Police station. The investigating officer should scrutinize the evidence and fix the liability of each accused by independently arriving at a decision.
2. The charge sheet shall be forwarded to the court by the officer in charge of the Police station through such superior officer as appointed by general or local order time to time.
3. The IO should prepare a report in prescribed Form giving the details of the case, discuss the nature of evidence and the liability or otherwise of each accused, the probable defence and its plausibility or otherwise and finally the action proposed by him.

13.40 Charge-Sheet

- a) The reports required by Section 173, Criminal Procedure Code, to be submitted on the completion of an investigation are of two kinds, viz., (i) charge-sheets in Form 13.40(a)/IIF-V (ii) final reports in Form 13.40(a)/IIF-V.
- b) When there is sufficient evidence to justify the sending of an accused person to a Magistrate, a charge-sheet should be sent to the Magistrate direct. In addition to the information to be filled up in X the columns of the charge-sheet, the following points should be observed: -
 - i) The correct, home address of each of the accused, the place, time and date of his arrest together with the name of the officer arresting him should be shown in the column for accused persons sent for trial or at the foot of the foil sent to the Magistrate as well as of the counterfoil retained at the Police Station. The officers conducting the prosecution should examine all such witnesses by taking help of the legal provisions. All eye-witnesses should normally be examined in the Committal Court. The depositions recorded in the Committal Court can be taken on record as substantive evidence in the Sessions Courts under Section 288, Criminal Procedure Code in case the witness turns hostile in Sessions Court.
 - ii) The value of property stolen and recovered should be shown in a prominent place.

- iii) The charge-sheet in prescribed Form should be sent to court accompanied by a separate memorandum of evidence giving the names and addresses of the witnesses cited and specifying clearly the points each witness is called upon to prove. The original documents, if not already submitted to the Court, shall be submitted along with the charge sheet.
- c) When absconding accused persons present themselves before the Magistrate or are arrested after a charge-sheet has been sent up, a supplementary charge sheet should be submitted against them.
- d) The charge-sheet should be accompanied by-
 - i) the accused, if in custody,
 - ii) the bail bond of the accused, if he is on bail,
 - iii) a descriptive roll and marks of identification of the accused,
 - iv) any weapons or articles of evidentiary value,
 - v) the bonds of the complainant, if any, and witnesses for their appearance before the Magistrate, and
 - vi) Remand order, if any.
- e) It is open to the Police to take security under Section 170, Criminal Procedure Code, without a formal arrest. Sub-section (1) of that section lays down two alternatives, viz., (a) forwarding the accused under custody, or (b) taking security from the accused for his appearance before a Magistrate. Although the Police may arrest and then take security, yet it is not obligatory on the Police to make a formal arrest in a proper case where security is taken. Apart from the fact that Section 170 (1) does not necessarily contemplate an arrest in connection with the second alternative, there is no point in making a formal arrest when security is taken.
- f) After the Police officer has forwarded a report under Section 173, Criminal Procedure Code to the Magistrate he shall furnish to the accused, free of cost, copies of (1) the report forwarded under Sub-Section (1) ; (2) the first information report recorded under Section 154, and (3) all documents or relevant extracts thereof, on which the prosecution proposes to rely, including statements and confessions recorded under Section 164 and the statements recorded under Sub-Section (3) of Section 161 of all prosecution witnesses intended to be examined.

13.41 Absconders and Proclaimed Offenders

1. Where an accused person is absconding, the officer in-charge of the Police station shall request the Magistrate to issue a non-bailable warrant for the apprehension of the accused. If the warrant cannot be executed within a reasonable time, the IO shall move the court for instituting proceedings under sections 82 and 83 of Cr PC. If it is proved that there is no immediate prospect of arresting the accused even after action has been taken under sections 82 and 83 of Cr PC, the court may, in the absence of the accused, examine the witnesses produced on behalf of the prosecution and record their depositions under section 299 Cr PC. If, at any future time, the accused person is apprehended or appears before the court, the case against him shall be dealt with according to law. Any such deposition recorded in the absence of the accused may, on the arrest of such person, be given in evidence against him in the inquiry into, or trial for, the offence with which he is charged, if the deponent is dead or incapable of giving evidence or his attendance cannot be procured without an amount of delay, expense or inconvenience which, under the circumstances of the case, would be unreasonable.
2. Proclamation orders under section 82 of Cr PC can be issued against any person for whose arrest the Magistrate has issued a warrant. The investigating officer has to convince the court with all details of the efforts made and that the warrantee is evading arrest and has gone into hiding, and that the warrant could not be executed. Hence, the initiative has to be taken by the investigating officer. Once the proclamation orders are issued, they should be immediately promulgated. Orders of attachment under section 83 of Cr PC can also be issued simultaneously along with the proclamation orders. The period of 30 days mentioned in section 82 of CrPC is the time allowed to the accused to surrender. The court issuing a proclamation may at any time order the attachment of any property movable or immovable or both belonging to the proclaimed person. Attachment should be carried out promptly after the proclamation has been issued and the property of the proclaimed person seized before he has time to transfer, alienate, mortgage or conceal it.
3. It is necessary that the proclamation order issued under section 82 of Cr PC is widely published in the manner provided for in that section. In order to facilitate the arrest of an absconding warrantee or a proclaimed offender, it is also necessary that an effective watch be maintained over his harbourers. Persons who willfully or knowingly harbour such offenders could be prosecuted under section 216 IPC. It is, therefore, necessary that the widest publicity is given to the proclamation order issued under section 82 of Cr PC so that its knowledge can be conclusively proved against the harbourer for prosecution u/s 216 IPC.

4. The observance of formalities under sections 82 and 83 of CrPC does not serve the purpose unless the Officer in Charge and IO make all out efforts to trace the offender, not only in their jurisdiction but outside jurisdiction too. Information should be gathered through sources and action taken to work it out eliciting cooperation of Police of the place where the offender is known to be hiding.

13.42 Final Reports.

- a) Whenever a case is referred, it shall be forwarded to the magistrate in prescribed Form for his acceptance and proceedings.
- b) The Officer in Charge of the Police station will then submit a final report to the Magistrate empowered to take cognizance of an offence on a Police report through the Superintendent of Police or the Sub-Divisional Police Officer, as the case may be.
- c) The final report should be written up carefully by the officers in-charge of the Police Station personally and should be accompanied by all the case papers numbered and indexed methodically. He should also be requested to pass orders regarding the disposal of property attached, unless any of the articles, e. g., blood stained clothes, are required for further use in true but undetected cases.

When a final report is sent to the magistrate, the Officer in Charge of the Police station informs the complainant about the action. The magistrate also sends notice to the complainant directing him to show as to why the report should not be accepted.

13.43 Revival of Investigation

- a) If, in any case in which a final report has already been made any information or clue is obtained, the investigation shall be reopened and shall be conducted by such officer as may be detailed by the Officer in charge of a Police Station or by himself.
- b) When the investigation of any case is revived, the foregoing regulations shall apply to such further investigation in like manner as to the original investigation.
- c) If a revised investigation leads to the collection of evidence sufficiently to justify a trial, a charge sheet shall be drawn up in accordance with the foregoing rules, Otherwise a supplementary final report shall be prepared and dealt with in the same manner as an original final report.

13.44 Reopening of the Case

When the magistrate has issued proceedings closing a criminal case and at a later stage the SHO finds some credible evidence about the case forthcoming, he can re-open the case after obtaining the formal permission of the court.

13.45 Prosecution of complainant in false cases

When the investigating officer reports a case as willfully or maliciously false, he should state in the final report whether he intends to proceed against complainant or not, and if not, he should give his reasons for not doing so.

Chapter 14

PROSECUTION

Public Prosecutor is a legal representative of State/UT Govt. to appear for the state. He/She prepares and prosecutes police cases in courts and also assists Investigating officers with advice on matters affecting law.

The prosecution is purely a part of UT Administration and works with Police Department. It's vital role is to impart fairness and truthfulness in Criminal justice system. The prosecution branch in itself is an independent agency handled by A&N Administration and this chapter is not meant to govern their working, rather to inform and educate Police Officers about the role of Public Prosecution in Criminal Justice System.

14.1 Sanction to Prosecute

- (1) Whenever any public servant not removable from his/her office except by or with the sanction of a State Government or some higher authority is to be prosecuted for any offence alleged to have been committed by him/her in the discharge of his/her official duty, the sanction of the Governor or the President of India, as the case may be, must be obtained as required by Section 197, Criminal Procedure Code.
- (2) When a public servant is to be prosecuted for an offence under Section 161 or Sections 165 and 165-A of the Indian Penal Code or Section 7 of the Prevention of Corruption Act, 1988 the sanction of the Central Government, the State Government or any other authority competent to remove him/her from his/her office must be obtained before sending up a charge sheet, accordingly as the public servant is removable from his/her post by the Central Government or the Government of the State or any other authority (vide Section 19 of the Prevention of Corruption Act).
- (3) As Government do not want to discourage members of the public giving information against Government servants, utmost care should be taken before prosecutions are launched under Section 182, Indian Penal Code against persons making false complaints about the misconduct of Government officials and in no case should such prosecutions be launched without the sanction of Government.

14.2 A. Appointment

1. The Public Prosecutors are appointed in accordance with the provisions of section 24 of the code of Criminal Procedure, 1973. The Public Prosecutor appears for the State and conducts prosecution in all session's cases, contests bail application, and argues appeal and

criminal miscellaneous petitions in the Sessions Court and gives advice on legal matters.

2. The Assistant Public Prosecutors are appointed in accordance with the provisions of section 25 of the Code of Criminal Procedure, 1973. The Assistant Public Prosecutors conduct prosecutions in the Courts' Courts. It shall be the duty of the APPs to advise the Investigating Officers in case advice is sought for.

B. Duties and Responsibilities

1. It will be their duty to properly examine the statements recorded by the Investigating Officer and the charges suggested. If a lacuna is found in the investigation, they must request the Investigating office to rectify the matter.
2. He/She will see that all relevant and necessary papers are attached to a charge-sheet; that the identity and previous convictions for the accused persons have been established; that witnesses are according to the list entered in the charge-sheet that no omissions or defects in the investigation remain un-rectified or unexplained;
3. The Prosecutor, before presenting a charge-sheet, will carefully scrutinize it and ensure that it has been properly prepared, the accused have been charged under correct sections of law and that all the witnesses necessary for proving the prosecution case have been cited. He obtains from the Investigating Officer, all necessary instructions before the presentation of the charge-sheet and prepares to go on with the conduct of the case on the day the charge-sheet is presented to the Court.
4. The Prosecutor as well as the Investigating Officer bears in mind the relevant provisions regarding limitations for taking cognizance of certain offences as laid down in Chapter 36 of the Criminal Procedure Code Section 467 to 473.
5. Recording of confession and statement U/s 164 of CrPC. The Public Prosecutor and the Investigating Officer ensures that the confessional statement of the accused which is to be recorded before a magistrate in a manner provided U/s 281 of CrPC and is signed by the accused and the magistrate making it. Special attention shall be given to confessional statement with regard to victims under POCSO and Sexual Offences under Supreme Court guidelines
6. With regard to charge-sheeting of a case, where any person is arrested and detained in custody and the investigation cannot be completed in 24 hours, the provisions of Section 167 Cr.P.C. Sub-Section 2 should be kept in mind.

7. On receipt of complaint the legal opinion of the Public Prosecutor and the Assistant Public Prosecutor may be taken before registration of the case regarding provision of Law.

14.3 Trials to be expeditious

- a) Priority should, as a rule, be given to Criminal work over other work and every effort made to reduce as far as possible, the hardship to parties and witnesses, which the proceedings entail. The hearing of a case should usually go on from day to day excepting authorized holidays. Adjournments when necessary should be as short as the circumstances will permit.
- b) To avoid needless harassment of witnesses by detention for cross examination after the charge has been framed, Courts will usually find it convenient not to wait for the completion of the evidence for the prosecution, but to frame the charge as permitted by section 251(A) Criminal Procedure Code at an earlier stage, as soon as, from the examination of the prosecutor or complainant or otherwise, it is apparent that there is a prima facie case.
- c) Police officers should give due priority to court attendance. The fact that they were called away by superior officers, should not be made an excuse by them for late attendance or non-attendance in court.

14.4 Prosecutors press for appropriate sentences or orders in the certain cases

- i) The Investigation Officers & SHOs should coordinate with Prosecution Branch to ensure proper *Pairavi* of important cases & also press for deterrent sentences in the following cases: -
 - a) In all cases which are heinous in nature.
 - b) Sexual Offences including POCSO Act 2012
 - c) Cyber crime.
 - d) Economic offences.
 - e) Offences regarding Cheating, forgery and money laundering.
 - f) Cases under the NDPS Act 1985.
 - g) Offences related to Aboriginal Tribes.
 - h) In Acid attack cases
 - i) Cases related to Anti National Activities.

- ii) As a more extensive use of Section 356 of the Code of Criminal procedure will assist the police in preventing offenders from returning to the place of their former activities, and in curtailing crime, all Public Prosecutor may bring prominently to the notice of the courts the necessity of passing orders under section 356 in suitable cases.
- iii) In a trial of any person for an offence against public tranquility (excepting offences under section 143, 149, 153A and 154 of the Indian Penal Code) or for assault or other offence involving a breach of the peace, the prosecuting officer to remind the court of the advisability of demanding security for keeping the peace under section 106 CrPC in the event of the person being convicted of any such offence.
- iv) Naib Court: The police staff posted at GRO office shall function and act as a liaison between local police station, jail authorities, and the court having the jurisdiction of a particular area. They maintain the register of summons issued or directions given to police officers connected to a case to ensure compliance of the court's orders. He shall be responsible for the above act in coordination with PP/APP.

14.5 Track the trial of important cases

The Superintendent of Police concerned shall ensure that all heinous crime cases are tracked till they have been finally disposed by courts. There being no doubt that in many cases the guilty, escape punishment merely through the negligence with which the cases are prepared for trial and because no person acquainted with them from their beginning watches them in their latter stages. The Superintendent of Police should require a brief report from the officer tracking each such case. He/She shall confer, in particular cases with the Public Prosecutor and shall give such instructions as may prevent a recurrence of errors and defects injurious to the success of prosecutions.

14.6 How to give evidence in Court

The following may serve as some of the useful hints for the guidance of Police officers in the matters of giving evidence in courts.

- a) Always appear in uniform for giving evidence in court.
- b) Always salute the court both when entering and leaving the court.
- c) Be attentive never fidget.
- d) Be calm and dignified in giving evidence so as to impress favorably by manner and appearance the court and counsel.
- e) In giving evidence look neither to your right nor to your left but look towards the court.

- f) When questioned by the adverse party, never turn towards the prosecution counsel.
- g) Do not answer a question by means of a question.
- h) Answer no question at random without understanding it. If the question is not clear enough to be understood, say so and politely ask counsel to repeat it in a simple form.
- i) If you do not remember any fact, say so at once, rather than attempt a random answer.
- j) Never show irritation and do not be offended if the cross-examiner questions you in a way you do not like.
- k) If the questions are unnecessarily vexatious, or obnoxious, represent the matter to the court and seek its protection. Above all do not quarrel with counsel.
- l) Carefully distinguish between what you know personally from what you may have heard from others.
- m) In answering a question volunteer no unnecessary information, i.e. if asked whether the color of a certain article is white, do not say "no", it is black" say simply 'No' or 'Yes'.
- n) If you consider that some of your answers requires an explanation which counsel failed to elicit, you may, when both sides have finished, represent the matter to the court.
- o) Remember that all that the court wants to ascertain is the guilt or innocence of the accused, and not any intelligence displayed by you.
- p) Give no more details regarding the source of your information that "from information received, I did this or that".
- q) Avoid lengthy answers, as they furnish more material for cross examination. Your replies should be commendably short.
- r) Do not leave the Court without the permission of the Court unless all evidence adduced by the party summoning you have been finished.

14.7 Duties of Investigating Officers

- 1) On every date of hearing, the Investigating Officer shall attend the court in proper uniform with the case diary files and assist the PP/APP/Senior APP in the conduct of the cases by giving him/her necessary instructions. If the Investigating Officer is not able to attend the court in the cases on any date of hearing, he/she shall instruct his/her assistant (ASI or HC, as the case may be) to attend the court with the C.D. files, contact the P.P. and give necessary instructions.

- 2) Where a case is adjourned for more than six hearings, an extra copy of the court C.D. shall be made for the seventh and subsequent adjournments and sent to the SP concerned. It shall be the responsibility of the SP concerned to examine such cases and take all necessary action for speedy disposal of the cases.
- 3) Whenever a PSI/PI incharge of P.S. or a P.I. in charge of a Police Station is transferred/ promoted, he/she shall prepare a list of cases, which are pending trial in the courts in which he/she is the I.O./Witness and in which his/her evidence has not yet been taken. It shall be prepared in triplicate. The first copy shall be sent to the Superintendent of Police of the district along with the charge report. The second copy should be kept in the PS in a separate file. The PSI shall carry with him/her the third copy and maintain it in a separate file in the PS/Unit to which he/she is transferred.
- 4) If there are several cases in which a police officer has to give evidence either as Investigating Officer or as witness, he/she shall, in consultation with the APP so arrange the posting of cases that he/she is not summoned to court too frequently. During the monthly conference, the Unit Officers shall ascertain from the SHOs the particulars of the cases in which the Investigating Officers have not appeared before the court, and pursue the matter to ensure their appearance before the court.
- 5) In the case of Investigating Officers who have been transferred out of the district, the Superintendent of Police shall arrange with his/her counterpart for prompt attendance. The watch register shall be kept up-to-date by making relevant entries. It shall be referred to often, to ensure that Investigating Officers who stand transferred, attend the courts promptly on dates of hearing and have the cases disposed of by the courts as early as possible, so that within a reasonable time the Investigating Officers are relieved of their court duty arising out of work in their previous place of posting.

14.8 Procedure to be followed when a Government Servant is summoned by a Court to produce official documents for the purpose of evidence
Government servants when summoned by a Court to produce official documents for the purpose of evidence should be guided by the following instructions:-

- a) The law relating to the production of unpublished official records as evidence in Courts is contained in Section 123, 124 and 162 of the Indian Evidence Act, 1872 which are reproduced below:-

123. No. one shall be permitted to give any evidence derived from unpublished official records relating to any affairs of State except with the permission of the officer at the head of the department

concerned who shall give or withhold such permission as he/she thinks fit.

124. No public officer shall be compelled to disclose communication made to him/her in official confidence when he/she considers that the public interests would suffer by the disclosure.

162. A witness summoned to produce a document shall, if it is in his/her possession or power bring it to Court, notwithstanding any objection which there may be to its production or to its production or to its admissibility. The validity of any such objection shall be decided on by the Court.

The court if it sees fit, may inspect the document, unless it refers to matters of State, or take other evidence to enable it to determine on its admissibility.

If for such a purpose it is necessary to cause any document to be translated, the court may if it thinks fit direct the translator to keep the contents secret, unless, the document is to be given in evidence and, if the interpreter disobeys such direction, he/she shall be held to have committed an offence under Section 166 of Indian Penal Code.

- b) For the purposes of Section 123 above the expression “officer at the head of the department” may be held to mean the head of the office in whose custody the document required by the Court is, and vis-à-vis the court which demands its production, that offices should be treated as the authority to withhold or give the necessary permission.
- c) In respect of documents emanating
 - i) From a higher authority, viz., the Government of India or the State Government, or which have formed the subject or correspondence with such higher authority, or
 - ii) From other Governments, whether foreign or not, the head of the department should obtain the consent of Government through the usual official channels before agreeing to produce the documents in Court or allowing evidence based on them, unless the papers are intended for publication or are of a purely formal or routine nature, when a reference to higher authority may be dispensed with.
- d) In the case of papers other than those specified in Sub-Rule (c) above the head of the department should not allow production of the correspondence, if it relates to matters which are generally regarded as confidential or the disclosure of which would in his/her opinion be detrimental to public interests, or to matters which are in dispute in some other connection or have given rise to controversy between Government and some other party.

- e) In case of doubt, the head of the department should invariably refer to higher authority for orders.
- f) These instructions apply as well to cases in which Government is a party to the proceeding. In such cases, much will depend on the legal advice as to the value of the documents but before they are produced in Court, the consideration stated above must be borne in mind, and reference to higher authority made, when necessary.
- g) The Government servant who is to attend a Court as witnesses with official documents should, where permission under Section 123 has been withheld, be given on order duly signed by the head of the department. He/She should produce it when he/she is called upon to give his/her evidence and should explain that he/she is not a liberty to produce the documents before the Court or to give any evidence derived from them. He/She should, however, take with him/her the papers which he/she has been summoned to produce.
- h) The head of the department should abstain from entering into correspondence with the presiding officer of the court concerned in regard to the grounds on which the documents have been called for. He/She should obey the Court's orders and should appear personally or arrange for the appearance of another officer in the Court concerned with the documents and act as indicated in Sub-rule (f) above and produce the necessary certificate, if he/she claims privilege.
- i) Examination of Medical Officers and making them wait for a long time in the court without examination or sending them back without their evidence being recorded should be resisted. The prosecutor should take steps to promptly bring to the notice of the court the presence of the Medical Officers and request that the cases in which they have appeared may be taken up first so that they may be examined as soon as possible and enabled to return to their duties.
- j) Summoning of Experts: Only the experts cited in the charge sheet should be summoned to give evidence, the prosecutor should move the court well in time for the issue of process to the experts giving them sufficient time to adjust their programmes to attend the court on the dates fixed for their evidence. Messages should not be sent at the last minute to get the expert witnesses to the court.

14.9 Appeal and Revision

The deficiency and lacunas made during investigation by the Investigating Officer at the end of the case whether discharge or an acquittal, the evidence on record as well as technical evidence should be projected out before filing out an appeal and revision before the Hon'ble Court.

14.10 Procedure for the expunction of strictures made in Judgments

Whenever, Instance of remark by the lower court against any Police Officer or Police Force come to notice, a general representation by Police Officer through their senior Public Prosecutor should move in writing to Administration for expunction of such remarks by filing appropriate appeal/revision in the competent court.

14.11 Base insinuations or false allegations against Police

Whenever any question containing base insinuation of false allegations is put by defence pleader to a Police Officer in the witness box, the later shall at once appeal to the court for the source of the insinuation or allegation to be disclosed, so that he/she may be in a position to run a defamation case against the person making it. Public Prosecutors should also file petitions to this effect and have them placed on the record of the case in order that appellate court may be made aware that the insinuation or allegation has been challenged.

14.12 False Cases

- a) When an investigating officer is satisfied that a case is intentionally or maliciously false, he/she shall make a special endeavor to collect evidence to secure the conviction of the informant under section 182 or 211 IPC. As soon as the final report reporting the case as intentionally or maliciously false is accepted by the Court, the investigating officer shall, with the concurrence of the Superintendent of Police submit a complaint to the court praying that the complainant be prosecuted under Section 182 or 211 IPC as the case may be. Such formal complaint shall be accompanied by a list showing the names, father's name and residence of the witnesses to be summoned to prove the falsity of the case and a précis of the points each witness will prove. The complaint shall be submitted to the Court through the Public Prosecutor.
- b) Sanction of the Court under Section 195 Cr.PC to prosecute under Section 211 of the IPC is required on the following occasions:-
 - i) When the Court has taken any judicial proceedings in a case in which the original complaint was made to the Police and the case was reported by them as false. The dismissal of a case under Section 159 Cr.PC without investigation or after having heard the complainant alone without allowing him/her to call his/her witness does not constitute a judicial proceeding.

- ii) Sanction U/s 195 Cr.PC is not required in case of complaints with respect to heinous cases made directly to the Police.

14.13 Withdrawal of cases

In context of section of 321 of CrPC, it permits withdrawal from Prosecution by Public Prosecutor or Asst. Public Prosecutor incharge of a case with consent of the court any time before judgment is pronounced. This power of Public Prosecutor is derived from the statute and must be exercised in the interest of the Administration of Justice. The public prosecutor shall put up details of the case for approval of the case before the UT Administrator (Hon'ble LG) before submitting in the court.

14.14 Registers to be maintained

There shall be prosecution set-up in each district under the name GRO (General Register Office) under the administrative control of concerned District SP. It shall be headed by an upper subordinate to function in the PP and APP office under their supervision. The Public Prosecutor (or the Assistant Public Prosecutor) shall with the help of his/her assistants, maintain the following registers:-

- i) The Malkahana Register shall be maintained by the Police staff deputed in the court under the supervision of Assistant Public Prosecutor under the overall supervision of CJM. All case properties deposited in the courts Malkahana are under the control of Chief Judicial Magistrate.
- ii) The General Record registers shall be maintained by Police staff deputed in the court in the GRO (General Registering Office). They shall enter all cognizable offence/M.V Challan under Motor Vehicle Act, Police Act and Petty cases.
- iii) Except for the case under NDPS Act., POCSO Act., SC/ST Act., Prevention of Corruption Act. And JJ Act. Which shall be entered in the session court under the supervision of Public Prosecutor.

14.15 Duties in connection with property

- a) The Public Prosecutor (and the Assistant Public Prosecutor) shall take charge of the weapons, articles and property connected with cases sent for trial and shall be responsible for their safe custody until the case is decided. When final orders are passed in the case such weapons, articles and property shall be made over to the owner, if any, or disposed of in accordance with the orders of the court concerned.
- b) Property connected with a case in which the accused is at large and has been proclaimed shall, if likely to be of material advantage to the

prosecution, be kept by the Prosecutor in a strong box in Malkhana or if such property, excepting valuables, is too large to be kept in the strong box, it may be kept on separate racks. When there are claimants to the property who would suffer hardship through its retention the orders of the Court shall be taken.

- c) Unclaimed property sent by the Police shall be made over to the bailiff as soon after arrival as possible and a receipt thereof taken in Malkhana register.
- d) Within the first ten days of each quarter the Prosecutor shall verify all property of which he is incharge and shall submit a certificate to the Superintendent of Police that he has duly carried out the verification.

14.16 Safe custody of property

- a) Weapons, articles and property sent in connection with cases shall on receipt in the Prosecutor's Malkhana be entered in the Malkhana register and shall be properly stored in the Store-Room or Malkhana. When required for production in court such articles shall be taken out by the Malkhana Moharir and handed over to court orderly (a) Head Constable or a Constable authorized by the Prosecutor) for being produced in court in connection with the case under trial or otherwise. Whenever it is so taken out an entry shall be made in the register of issue to be maintained; when the property is received back necessary entries shall be made in the register by the Malkhana Moharir who shall keep them back in the Malkhana for safe custody. Property taken out of Malkhana for production in court shall be signed by the court orderly concerned in this register.
- b) In all cases in which the property consists of bullion, cash, negotiable securities, currency notes or jewellery exceeding in value Rs.500/- the Prosecutor may deposit them for safe custody in the Treasury with the permission of the District Court.
- c) All cash jewellery and other valuable property and opium be kept in a locked strong box in the Malkhana.
- d) Everyday, when the courts close, the Prosecutor shall see that the articles produced in court are returned to the Malkhana and properly stored in accordance with these instructions.

The PP/APP shall take charge of all case property connected with the cases sent for trials and shall be responsible of the safe custody till the final order of the court is passed to dispose the case property. The PP/APP shall take the assistance of GRO Police staff and also court Munshi under the direction of the Court.

14.17 Prosecutor's staff to attend office when courts are closed

On days on which the courts are closed, an officer of the Prosecuting Branch not less in rank than a Head Constable shall attend the Prosecutor's Office to receive accused persons, weapons, articles and property and to transact urgent business.

14.18 Protection of Witness

The SP's of all districts shall direct the Investigating Officers, SHO and SDPO's in their concerned districts to adopt adequate measures to comply with the Witness Protection Scheme, 2018.

The ability of a witness to give testimony in a judicial setting or to cooperate with law enforcement agencies and investigating officers without fear of intimidation or reprisal is essential in maintaining the rule of law. The objective of this Scheme is to ensure that the investigation, prosecution and trial of criminal offences is not prejudiced because witnesses are intimidated or frightened to give evidence without protection from violent or other criminal recrimination. It aims to promote law enforcement by facilitating the protection of persons who are involved directly or indirectly in providing assistance to criminal law enforcement agencies and overall administration of Justice. Witnesses need to be given the confidence to come forward to assist law enforcement and Judicial Authorities with full assurance of safety. It is aimed to identify series of measures that may be adopted to safeguard witnesses and their family members from intimidation and threats against their lives, reputation and property.

Chapter-15

UNNATURAL DEATH

15.1. Introduction

Section 174 to 176 Cr.PC. lay down the procedure for holding the inquests. Inquest means legal examination of dead body. Inquest is to be held on the bodies relating to unnatural deaths. The purpose of the inquests is to ascertain the apparent cause of death in cases where the police receive information that a person has met with an unnatural death. These incidents of death are required to be handled carefully by the police.

15.2. First Information-

The Officer-in-charge of a Police Station or some other police officer especially empowered by the Local Administration in this behalf, on receiving information that:-

- a. a person has committed suicide; or
- b. a person has been killed by another; or
- c. a person has been killed by an animal; or
- d. a person has been killed by machinery; or
- e. a person has been killed by an accident; or
- f. a person has died under circumstances raising a reasonable suspicion that some other person has committed an offence shall record such information. The information shall be recorded in the same manner as a first information in a cognizable case and the provision of chapter 13 shall also apply to such cases.

15.3. Information to be sent to Magistrate and Superior Officers

Immediately after recording such information, a copy of the report prepared under the preceding rule shall at once be forwarded to the nearest Magistrate empowered to hold inquests. Another copy of the said report shall be dispatched at once to the Superintendent of Police through the SDPO. A Police Station who cannot at once send a copy of such report to a magistrate or to the Superintendent of Police shall convey the information by telephone or wireless if available sending a copy of such report by post by the first available opportunity.

15.4. Inquiry on the Spot

- a. Immediately after sending the information in accordance with the preceding rule, the Officer-in-charge of the Police Station or some other officer specially empowered shall proceed to the place where the body of

such deceased person is and summon two or more respectable witnesses of the neighbourhood.

- b. The inquest proceedings are to be conducted under section 174 Cr.PC and involve a close and minute examination of the dead body, examination of persons acquainted with the facts and circumstances of the case and an inspection of the spot where the body is lying and of its surroundings. The most important thing in such an investigation is the identification of the body which should be done by assembling relations and other persons among the villagers who are likely to have known the deceased. In case the body is not identified, a photograph, finger impressions, a descriptive roll and marks of identification should be taken.

c. Body sketch to accompany Medico legal certificate, Post Mortem report and Inquest report:

Every Medico Legal Certificate, Post Mortem Report shall contain a printed format of the human body on its reverse and injuries, if any, shall be indicated on such sketch. The prescribed format for sketch is at Appendix 15.4(c).

Explanation: The printed format of the human body shall contain both a front and rear view of the human body as provided at Appendix 15.4(c).

15.5. Inquest

- a. In the presence of the panch witnesses, a minute inspection should be made of every part of the body. All external injuries such as wounds, fractures, bruises, contusions, scalds, burns and any other marks on it should be noted with following details:-
 - i) The position and the condition of the corpse should be fully noted and described;
 - ii) The details of wearing apparel, colour of hair or other peculiar or characteristic marks, ornaments, documents or any other articles found on it should be mentioned.
 - iii) The size of wounds, their number, nature, shape and dimensions, whether bleeding or not, the direction from which, the manner in which and the probable weapons with which they were caused and the absence or presence of ants or maggots on the body should be specified.
 - iv) The spot where the body is lying and its surrounding area should be carefully inspected to find an indication as to the cause of death.
 - v) The situation of the place where the body has been found should be examined to ascertain whether death occurred there or

somewhere else. In case of a house or room, mention should be made as to whether it was closed from inside or from outside.

- vi) The circumstance under which the body was found, whether suspended from a tree or roof of a house, floating in water, etc. should be mentioned.
- vii) The details and description of the weapons, bullets and their marks, poisons, clothes, shoes and any other articles and their identity, the apparent means employed to cause death and any marks or engraving on it which could establish the ownership should be carefully noted.
- viii) The existence (or non-existence in certain cases) of any marks of struggle, blood, foot-prints or finger impression should be observed and noted.

A detailed report in triplicate containing information on the points indicated above should be drawn up. The panch witnesses can express their prima facie opinion as to the apparent cause of death. The inquest report shall then be signed by the officer who prepared it and by the panch. A copy of the report shall at once be forwarded to the District Magistrate or the Sub-divisional Magistrate.

- b. When several persons have died at the same time or place or in the same occurrence, there shall be a separate inquest report on each body, even though the first information may be the same.

15.6. Special Precautions About Inquest

1. Inquest must be held immediately after inspection of scene
2. Independent witnesses of the locality must act as panchayatdars and they must be present all through the inspection of the IO.
3. Inquest must be drawn at the scene:
4. When different parts of the body are found at different places separate inquests must be drawn, steps should be initiated to establish the identity of the body. If the identity is not known a colour photograph and colour video graph should be taken in an undisturbed position. Then different photographs should be taken in different angles. Finger impression also should be taken. When several bodies are there, number of police officers may be engaged to hold inquest on different bodies. Body and the wounds should be described methodically and systematically from head to foot.
5. The description of clothes found on the body and the exact place of blood or stains found should be noted.
6. If any article is seized packing and sealing shall be done on the spot,
7. Every detail touching the apparent cause of the death shall be recorded.

8. Exact measurements must be given and vague expressions should be avoided.

15.7. Inquest by Executive Magistrate

1. In the following cases, the Executive Magistrates shall hold inquest under section 176 of Cr.PC.
 - a) Where the case involves suicide by a woman within 7 years of her marriage; or
 - b) Death of a woman within 7 years of her marriage and there is suspicion that some other person committed the offence;
 - c) Death of a woman within 7 years of her marriage and any of her relative has made a request in this behalf;
 - d) The police officer for any other reasons considers it expedient to do so;
 - e) In all cases of deaths under custody of police and encounter deaths.
2. In all above cases, it is necessary that the body is sent for post mortem. The inquiry by the Magistrate in the cases a, b, and e mentioned above shall be either instead of or in addition to the investigation held by the police officer. The guidelines issued by NHRC and Hon'ble Court from time to time regarding inquiry and investigation of cases of death in Police action or encounter or custody should be followed.
3. All District Hospitals under the State Government are authorized by the Government to conduct post mortem examinations by the qualified medical officers.
4. Ayurvedic, Unani and Homeopathy doctors are not authorized to conduct post mortem examinations.
5. Medical practitioners working in primary health centres also can issue wound certificates. Ayurvedic licentiate in Indian medicines cannot issue wound certificate.

15.8. Disinterment (Exhumation)

- a. If it becomes necessary to disinter a body which has been formally buried the sooner it is done the better. No such order is, however, required, if the body has been merely hidden or concealed underground or buried without any ceremony. When there is a Magistrate authorized to hold inquests, it shall be the duty of the police office to guard the grave and ascertain whether such Magistrate will attend for disinterment. The disinterment of the body shall be postponed pending such Magistrate's reply; if such Magistrate is unable to attend the disinterment such police

officer shall proceed to disinter the body with the permission of the Magistrate under Section 176 Cr.PC.

- b. In every case in which a body has been laid for a period exceeding three weeks, no disinterment shall be caused or effected until the opinion of the Civil Surgeon has been obtained, and with the concurrence of the District Magistrate.
- c. On receipt of the Magistrate's permission, such police officer shall, in the presence of two or more respectable inhabitants of the neighborhood cause the body to be disinterred. Such police officer shall then comply with the provisions of section 174 Cr.PC
- d. The dates of burial and disinterment should be noted and the identity of the body should be established.

15.9. Site Plan

A map of the scene of occurrence should always be prepared and all the necessary points and circumstances relating to the incidents of the case should be accurately noted in it. Detailed guidelines on site plan are mentioned in Chapter 13.

15.10. Preservation of corpse

1. All fresh bodies should be preserved in morgue.
2. If such facility is not available they should be kept on ice blocks.
3. In the absence of the above, it should be placed up on a layer of powdered charcoal from which it is separated by a cloth. A cloth with another layer of charcoal should then cover it. The whole body being covered by another cloth and a mat.
4. After the post mortem examination, unless there are orders to the contrary, the police shall hand over the body to the relatives or friends of the deceased. In their absence, they shall arrange for the disposal of dead body as prescribed.

15.11 Points for Enquiry in Death Caused by Various Reasons & Modes

The following important points must be observed during inquests –

- (a) Suspected poisoning –
 - A. Collection of food remains, vomiting.
 - B. Ascertain exact time of taking food
- (b) Hanging or strangulation –
 - (i) Before cutting or removing note the strangulating medium lividity of face, especially of lips and eyelids, any projection of the eyes, the state of the tongue, whether enlarged or protruded, flow of any fluid from the mouth or nostrils.

- (ii) Note the state of the neck, whether there are any marks, state of the thumbs whether crossed over the palm.
- (iii) If possible, bring away the materials by which hanging or strangulation has been effected.
- (c) Body found in Tank or Well:
 - (i) Note for marks of blood around the mouth or sides of well or tank.
 - (ii) Details of clothing and the manner of wearing
 - (iii) state of skin, whether smooth or rough and any external marks of injury.
 - (iv) Note the condition of the hands and feet. Sand or weeds under nails if any should be removed and preserved.
- (d) Body found murdered in open:
 - (i) Note the location, character and number of injuries
 - (ii) If weapon is found pack and seal it carefully without disturbing the prints if any
 - (iii) In the case of an exposed infant, note the state of umbilical cord, and any marks of violence. Examine the skull for any fracture.
 - (iv) If the sex is not definite seize and collect the Jaw and the bones of the Pelvis and samples of skin.
 - (v) If the body is burnt, collect the pieces of bones.
- (e) Death due to firearms and explosives;
 - (i) Exact shape, location and number of entry and exit wounds
 - (ii) Marks of burns of hair or skin around the wounds
 - (iii) Recovery of pellets, spent cartridges or any firearms from the scene
 - (iv) Remains of explosive devices
 - (v) Show in the sketch the damage caused by firing or explosion in the scene.

15.12 Post-mortem examination

- a. After the inquest is over if there is no suspicion as to the cause of death and if no offence is suspected, the body should be handed over to the relatives of the deceased for disposal, or be disposed of by the Police at Government expense unless the Municipal or other private body or institution for the disposal of such bodies arranges to do so.
- b. In every case where death appears to have been due to suicidal, homicidal or accidental or suspicious causes, and where any doubt exists

as to the cause of death, or for any other reasons the police officer considers it expedient so to do he shall forward the body to the nearest medical officer empowered to hold post-mortem examination with a requisition in Form 15.11 (b) It must be remembered that the existence of an apparently fatal wound does not necessarily establish the cause of death. In cases where investigation establishes the accidental or suicidal nature of the event which led to the death and the history of the deceased and of the case suggests no reasons to suspect that expert examination of the body will reveal any cause of death other than the apparent one, such examination may be dispensed with. In all cases where suspicions exists that the death was due to an act rendering the perpetrator thereof liable to a criminal charge the body must be examined by a medical officer.

- c. The body must be for PME through Assistant Sub Inspector or Head Constable as in charge or if neither of them is available, a senior constable. He should remain in charge of it until examination is completed. If necessary, additional guard shall be detailed to place as a sentry on the mortuary, but the officer who accompanies the body shall hand it over personally to the medical officer. He should be present in court when the medical officer's testimony is given in order that the identity of the body examined may be established. Whenever possible, the investigating officer shall attend the post-mortem examination.
- d. Where, owing to advanced putrefaction or the circumstances in which the corpse was found, movement of the corpse may make it impossible for the medical officer to form a correct opinion as to the nature of the injuries or the exact cause of death, the investigating officer shall require the medical officer empowered to conduct post-mortem examination or to conduct such examination of the body at the scene of occurrence.
- e. On completing the post-mortem examination, the medical officer shall fill up the whole of the post-mortem report in triplicate. One of the copies shall be sent to the investigating officer through the police officer who brought the corpse. The original report with the requisition form shall be forwarded to the Superintendent of Police through the Senior Medical Officer for his/her remarks, if any.
- f. If the investigation officer wants the viscera or any part of the body to be preserved for further examination or chemical analysis he should specifically mention so in the form of requisition for post-mortem. If he has any doubt in regard to any part of the post-mortem report he shall refer to the medical officer concerned or to the civil surgeon.
- g. After post-mortem examination has been held, the body should be taken charge of by the police officer who escorted it to the mortuary and disposed of in the manner prescribed in clause (a) above. A receipt from

the person to whom the body is handed over shall be obtained.

- h. At the time of post mortem of unidentified dead bodies, blood or other suitable biological sample shall be collected for DNA profiling, and stored in a database to be maintained centrally at the Central Forensic Science Laboratory to facilitate cross matching with the DNA of family members of unidentified person.

15.13 Photographs and Video Graphs of Post Mortem in certain cases

- i. In case of death of a person in police action [under section 46 Criminal Procedure Code, 1973("Cr.P.C") or section 129 to 131 Cr.P.C] or death while in police custody, the magistrate or the Investigation Officer as the case may be, shall inform the hospital or doctor in charge to arrange for photographs or videography for conducting the post-mortem examination of the deceased. The photographs of the deceased shall also be arranged to be taken in all cases.
- ii. Such photograph and video graph shall be taken either by arranging a police photographer or a nominated photographer of the UT Administration, and where neither of the above are available, an independent or private photographer shall be engaged.
- iii. Such photographs or video graphs shall be seized under a panchnama or seizure memo and all steps taken to ensure proper proof of such photographs/video graphs during Trial.
- iv. The investigating officer shall ensure that such photographs and videographs, if taken electronically, are seized under a panchnama or seizure memo and steps are taken to preserve the original and ensure that certificate under section 65 B of Indian Evidence Act, 1872 is obtained and taken to be proved during trial.
- v. The video of photographs shall be stored on a separate memory card, accompanied by a duly certified certificate under Section 65B of Indian Evidence Act 1872.
- vi. where Post Mortem are recorded in electronic form, the file containing the post mortem proceedings, duly certified, should be placed with memory card as an attachment unless individual memory cards are not capable of being produced before the Court.

15.14 Examination of Witnesses-

After the inquest is held, investigating officer shall record the statements of any person who appears to be acquainted with the facts of the case and of any relatives of the deceased person who may give evidence relating to the cause of death.

15.15 Case Diaries-

Case diaries shall be written in the manner prescribed under chapter 13. They shall be prepared in duplicate and entered in CCTNS also; the original being submitted to the Sub Divisional Police Officer and the duplicate being retained as office copy. Copies of statements recorded under the preceding rule together with copies of inquest report, post-mortem examination report and other relevant documents should be attached with the case diaries submitted to the SDPO.

15.16 Final Report -

After completion of investigation, a final report shall be submitted to the District Magistrate or Sub-divisional magistrate. The substance of the final report shall be embodied in the last case diary and submitted to the Sub Divisional Police Officer.

15.17 Unidentified Bodies

If a body is unidentified, the IO shall take the following steps:

- (1) Take photographs (face, lateral and length wise) of the deceased through which body can be identified.
- (2) If face is smudged due to bloodstains etc., one photograph be taken as such and another photograph after cleaning the face, for identification purpose.
- (3) Find out whether the dead body is of a Hindu or Muslim or Buddhist or Christian.
- (4) Search for identification marks, tattoo marks, tailor marks and any physical deformity or any physical peculiarities.
- (5) Search for tyre marks or other incriminating evidence in and around the dead body to ascertain whether the body was brought from outside and thrown at the scene or otherwise.
- (6) Inform the local press to publish photo and also the local cable T.V. network to broadcast the news.
- (7) Send photographs and descriptive particulars to all SHOs of bordering P.Ss and those P.Ss where there is reason to identify the body.
- (8) Send a detailed message to all the SHOs of the District, besides sending a copy of message to bordering SHOs and SPs concerned to inform, whether any men / women missing cases were reported prior to noticing the dead body.
- (9) Take fingerprints of the dead body. If the body is putrefied, address letter to Medical Officer to preserve all the 10 phalanges so that FPs can be taken.

- (10) At the time of post mortem of unidentified dead bodies, blood or other suitable biological sample shall be collected for DNA profiling, and stored in a database to be maintained centrally at the Central Forensic Science Laboratory to facilitate cross matching with the DNA of family members of unidentified person.
- (11) Send Finger Prints to the State Finger Print Bureau to locate the person if he / she is having any criminal record.

15.18 Disposal of Dead bodies:

The unclaimed dead bodies shall be disposed off in a dignified manner after waiting for a week. Wide publicity shall be given for the body and information shall be dispatched to all the Police Stations of the district. Fingerprint and DNA may be preserved and the body shall be cremated if there are no claimants.

Appendix 15.4(c)

(a) Name of deceased _____
(b) S/O, D/O, W/O _____
(c) Address: _____
Age _____ Male/Female _____

Mark on charts

Damaged	[Hatched pattern]
Burnt	[Cross-hatched pattern]
Decomposed	[Horizontal lines]
Skeletonized	[Vertical lines]
Missing	[Diagonal lines]
Loose	[Dotted pattern]
Scars/Piercing	[Please draw]
Skin marks	[Please draw]
Tattoo marks	[Please draw]
Malformations	[Please draw]
Amputations	[Hatched pattern]

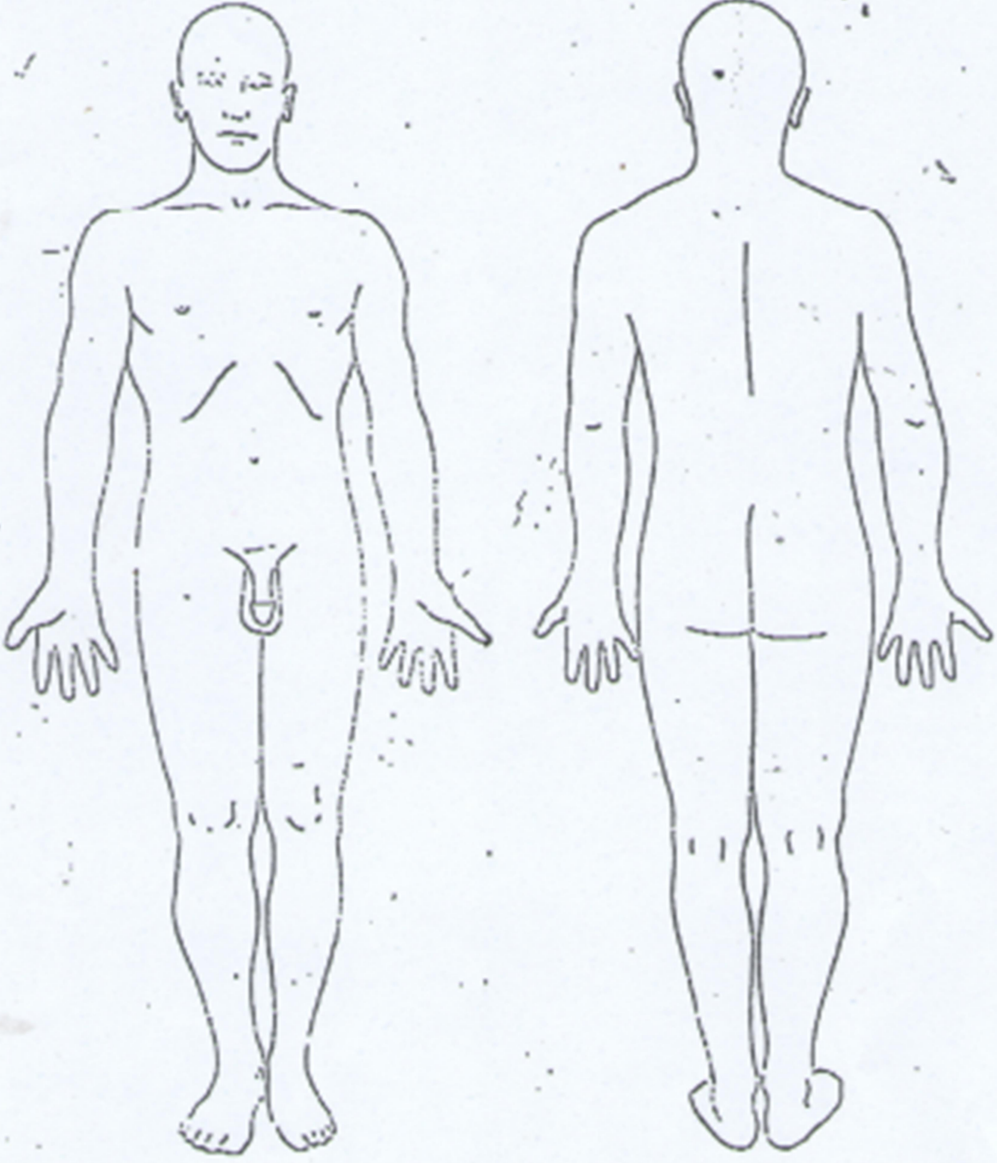
RIGHT

LEFT

8

Appendix 15.4(c)

Full Body: Male-Anterior and Posterior Views (Ventral and Dorsal)



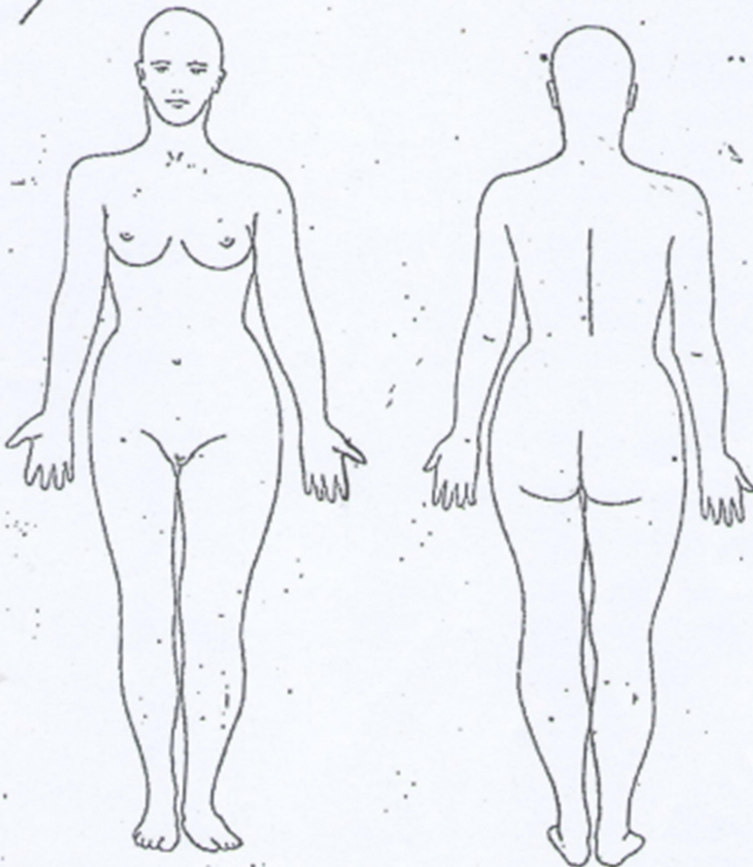
Name _____ Case No. _____

Date _____

23

Appendix 15.4(c)

Full Body: Female-Anterior and Posterior Views



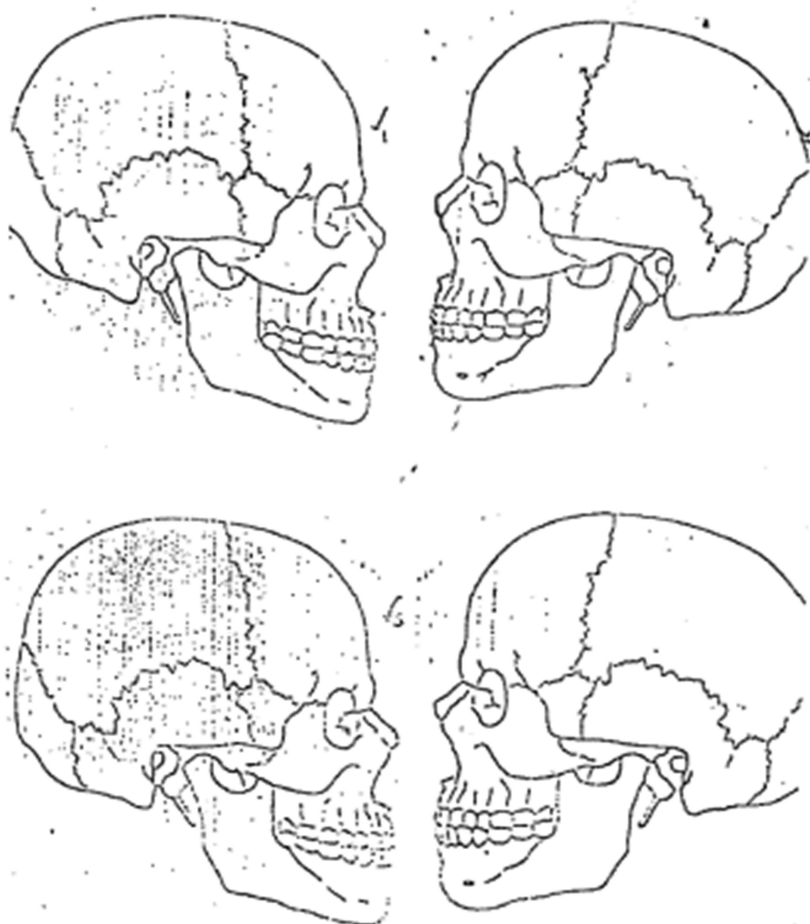
Name _____ Case No. _____

Date _____

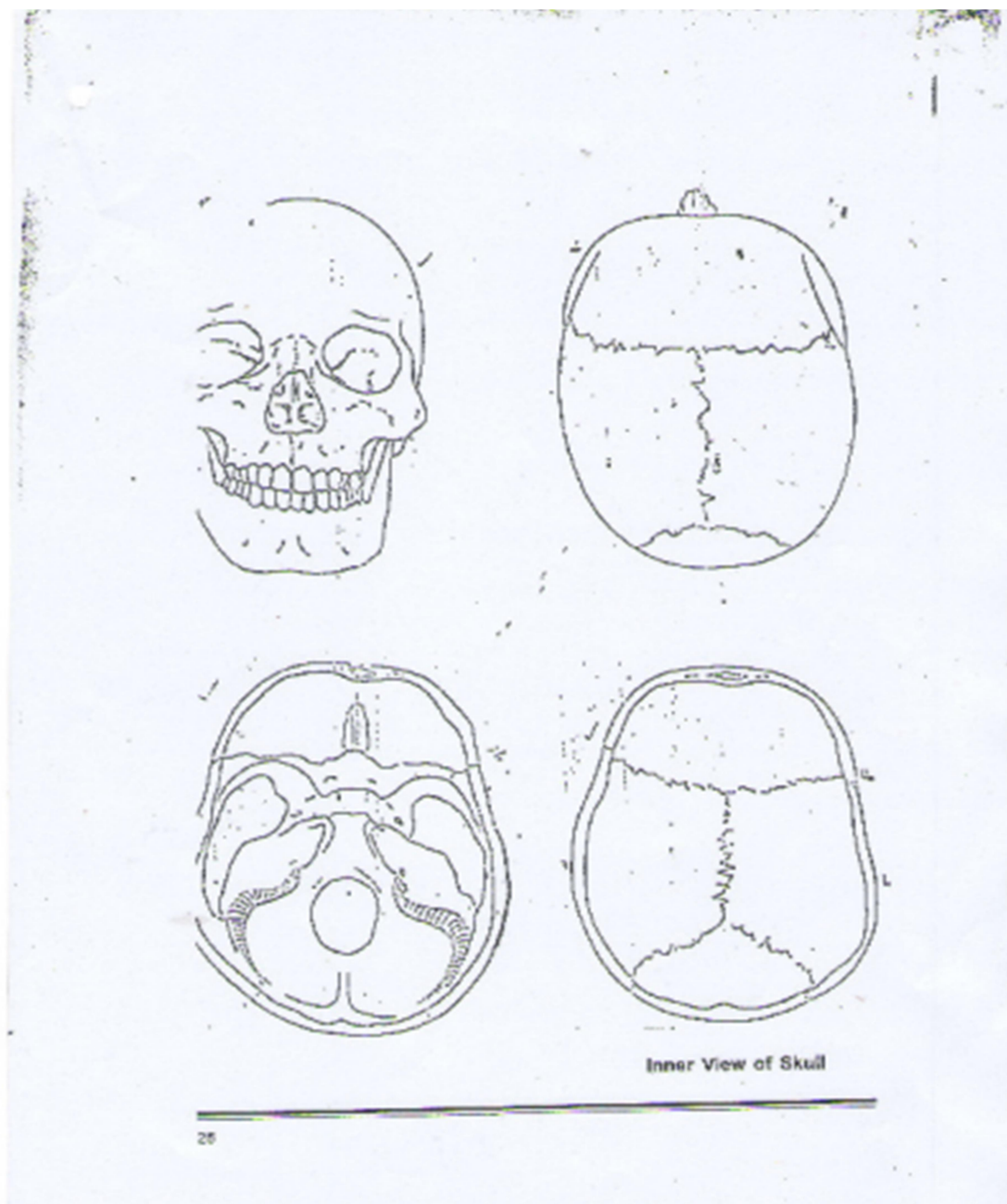
24

Appendix 15.4(c)

Head - Surface and Skeletal Anatomy : Lateral view



Appendix 15.4 (c)



FORM 15.11(b)**ANDAMAN & NICOBAR POLICE****FORM- I (PME REQUEST LETTER)**

From,

.....

.....

To,

The Professor & Head

Department of Forensic Medicine,

(Hospital Name).

Sir,

I am herewith sending a dead body of deceased namely through self, investigating officer in connection with FIR/ UDFIR No. dated..... U/s IPC/ CrPC of PS..... Kindly do the postmortem examination and give your report.

Sign of Investigation Officer

Received the dead body of at hrs. on from Police Station through

Sign Forensic Medicine Dept. with Seal

FORM 15.11(b)

ANDAMAN & NICOBAR POLICE**FORM 2 (PARTICULARS OF DECEASED)**

Name of the deceased :

Sex :

Religion :

Length of the body :

Identification Marks :

Complexion of the body :

Sent through :

Police Station :

FIR No. :

Date :

Inquest timing :

Injuries found on the body :

Brief facts:

Signature of the Investigation Officer

Chapter 16

ARREST & CUSTODY

16.1 Introduction

Arrest means “the deprivation of a person of his liberty by a legal authority or at least by apparent legal authority”.

16.2 Power of Arrest

Chapter V of the Code of Criminal Procedures, 1973 deals with various provisions of arrest (Section 41 to 60). Police officers derive their powers of arrest without warrant from sections 41, 42, 43(2), 60, 129 and 151 CrPC. Provisions of sections 46, 47, 49, 50, 51, 56, 57, 167 and 169 of CrPC deal with various procedures and precautions during and after arrest.

1. Police officer shall bear in mind that the arrest is permissive but not obligatory. He may submit final report under section 173 Cr.PC without affecting the arrest of accused.
2. While affecting arrest of any person, he shall ensure strict compliance of guidelines issued by National Human Rights Commission and the higher judiciary, and safeguards provided under recent amendments of the provisions of Cr.PC 1973.
3. After an arrest of person, during the custody, the officer arresting shall ensure necessary arrangements and precautions that the person in custody is neither physically harmed by anybody or by the person himself.

16.3 Arrest Warrants

The warrants are either bailable or non-bailable. In respect of bailable warrants, the arrestee should be released on bail when he offers the required security and in respect of non-bailable warrants, the police officer has no discretion, and the person must be produced before the concerned jurisdictional Court. Prompt execution of warrant is one of the foremost duties of the police and should receive high priority. The warrant must be executed by the officer to whom it is endorsed. If that officer wants warrant to be executed by his subordinate officer, he must make endorsement by name accordingly.

16.4 Arrest with Warrant

- a. Section 70-81 under Chapter VI of Cr.PC, 1973 deals with the issue of warrant of arrest.
- b. Warrants directed to a Police Officer for execution under Section 77 Cr. PC shall be addressed to him by name and title of his office. Section 79 Cr.

PC prescribes that all subsequent endorsements shall be by name. If therefore, the officer to whom the warrant is addressed desires to entrust the execution of the warrant to some other Police Officer, the endorsement shall be by name.

- c. The officer entrusted with the service of a Warrant shall be informed of the date on which he is required to return; and on his return the warrant if it has been executed shall be returned to the court with a report endorsed on its back by the officer to whom the warrant was first directed stating how and by whom it has been served.
- d. A warrant of arrest of an accused person remains in force, and shall be retained at Police Station, till the arrest is made or individual surrenders or till the warrant is formally cancelled or withdrawn by the court which issued it.
- e. When a Police Officer to whom a warrant has been entrusted for execution fails to find the accused person, or has reason to believe that he has absconded or is concealing himself, the warrant cannot be executed, he shall submit a report in writing stating clearly reasons for such belief.
- f. A Magistrate issuing a warrant is required to fix a date by which the warrant is to be executed, or failure to execute reported. If it is not possible to return the warrant duly executed to the issuing court by the date fixed in the warrant, the Officer-in-Charge of the Police Station to whom the warrant has been addressed or endorsed, shall submit so as to reach the issuing court not later than the morning of the date fixed, a report stating the reason why the warrant has not been executed. If the accused is absconding, he shall also send with his report the original report referred to in clause (e) above of the officer to whom the warrant was made over for service together with the list of property belonging to the absconder. It will then rest with the Public Prosecutor to apply for proclamation and attachment if necessary.
- g. An unexecuted warrant for the arrest of a witness shall be returned to the Magistrate on the date fixed therein so that he may take any further steps he may deem fit.
- h. Unexecuted warrants for the arrest of accused person shall be kept in a file until they are arrested or the warrants are cancelled or withdrawn.

16.5 Arrest without warrant

The powers of arrest without warrant possessed by Police Officers are laid down in Sections 54, 55, 57 (1), 128, 151 and 401 (3) Cr. PC.

16.6 Discretion to arrest

A Police Officer has discretion whether or not to arrest a person of his own

motion in a cognizable case and shall be careful to abstain from unnecessary arrests. While making arrest, IO should observe and follow the provisions of Chapter V of the CrPC and guidelines issued by the Hon'ble Court from time to time.

16.7 Procedure for making arrest as provided under Cr.PC.

Provisions of Chapter V of CrPC and guidelines issued by NHRC and Hon'ble Court from time to time be observed while effecting any arrest by the IO. Followings are general precaution and guidelines to be followed while making any arrest:

- i. Every police officer while making an arrest shall bear an accurate, visible and clear identification of his name which will facilitate easy identification. (Section 41-B of Cr.PC)
- ii. Every police officer while making an arrest shall prepare a memorandum of arrest which shall be attested by at least one witness, who is a member of the family of the person arrested or a respectable member of the locality where the arrest is made, and countersigned by the person arrested. (Section 41-B of Cr.PC)
- iii. Every police officer while making an arrest shall inform the person arrested, unless the memorandum is attested by a member of his family, that he has a right to have a relative or a friend named by him to be informed of his arrest. (Section 41-B of Cr.PC)
- iv. Every police officer shall forthwith give the information regarding such arrest and place where the arrested person is being held to any of his friends, relatives or such other persons as may be disclosed or nominated by the arrested person for the purpose of giving such information. (Section 50A (1) of Cr.PC). The police officer shall inform the arrested person of his rights as soon as he is brought to the police station. (Section 50A (2) of Cr.PC). An entry of the fact as to who has been informed of the arrest of such person shall be made in a book to be kept in the police station. (Section 50A (3) of Cr.PC)
- v. No person who is arrested shall be detained in custody without being informed, as soon as may be, of the grounds for such arrest. (Article 22 (1) of the Constitution of India)
- vi. Every police officer or other person arresting any person without warrant shall forthwith communicate to him full particulars of the offence for which he is arrested or other grounds for such arrest. (Section 50 (1) of Cr.PC)
- vii. Where a police officer arrests without warrant any person other than a person accused of a non-bailable offence, he shall inform the person arrested that he is entitled to be released on bail and that he may arrange for sureties on his behalf. (Section 50 (2) of Cr.PC)

- viii. A police control room shall be established in every district and at UT level. The names and addresses of the persons arrested shall be displayed on the notice board of the control rooms at every district. (Section 41C of Cr.PC)
- ix. Section 46 of the CrPC lays down that the police officer making the arrest of a person shall do so by actually touching or confining the body of the person to be arrested, unless there is submission to the custody by word or action. When a person is to be apprehended and if he resists by force or tries to evade, the arresting police officer may use necessary force to arrest him except causing death. But if the accused to be arrested is involved in an offence punishable with death or imprisonment for life, the force can be even to the extent of causing death depending upon the circumstances.
- x. Every person who is arrested and detained in custody shall be produced before the nearest magistrate within a period of twenty-four hours of such arrest excluding the time necessary for the journey from the place of arrest to the court of the magistrate and no such person shall be detained in custody beyond the said period without the authority of a magistrate.(Article 22 (2) of the Constitution of India)
- xi. A police officer making an arrest without warrant shall, without unnecessary delay and subject to the provisions herein contained as to bail, take or send the person arrested before a Magistrate having jurisdiction in the case, or before the officer in charge of a police station. (Section 56 of Cr.PC)
- xii. No police officer shall detain in custody a person arrested without warrant for a longer period than under all the circumstances of the case is reasonable, and such period shall not, in the absence of a special order of a Magistrate under section 167, exceed twenty four hours exclusive of the time necessary for the journey from the place of arrest to the Magistrate's court. (Section 57 of Cr.PC)
- xiii. No person who is arrested shall be denied the right to consult, and to be defended by, a legal practitioner of his choice. (Article 22 (1) of the Constitution)
- xiv. When any person is arrested and interrogated by the police, he shall be entitled to meet an advocate of his choice during interrogation, though not throughout interrogation. (Section 41-D of Cr.PC)

16.8 Guidelines issued by Supreme Court in *D. K. Basu Vs State of West Bengal* case for making arrest:

- i. The 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 insist be recorded in a register.

- ii. That the police officer carrying out the arrest of the arrestee shall prepare a memo of arrest at the time of arrest and such memo shall be attested by at least one witness, who may be either 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 counter signed by the arrestee and shall contain the time and date of arrest.
- iii. 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 witness of the memo of arrest is himself such a friend or a relative of the arrestee.
- iv. 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 in the District and the police station of the area concerned telegraphically within a period of 8 to 12 hours after the arrest.
- v. The person arrested must be made aware of this right to have someone informed of his arrest or detention as soon as he is put under arrest or is detained.
- vi. 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.
- vii. The arrestee should, where he so requests, be also examined at the time of his arrest and major and minor injuries, if any present on his/her body, must be recorded at that time. The "Inspection Memo" must be signed both by the arrestee and the police officer affecting the arrest and its copy provided to the arrestee.
- viii. 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 of the concerned State or Union Territory. Director, Health Services should prepare such a panel for all Tehsils and Districts as well.
- ix. Copies of all the documents including the memo of arrest, referred to above, should be sent to the illaqa Magistrate for his record.
- x. The arrestee may be permitted to meet his lawyer during interrogation,

though not throughout the interrogation.

- xi. A 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 at the police control room it should be displayed on conspicuous notice board.

16.9 Other instructions regarding Arrest

- i. The Investigating Officer, shall keep the officer-in-charge of the Police Station informed, and ensure corresponding entries in relevant record, of all major steps undertaken during the process of investigation.
- ii. Police Officer making an arrest should record the reasons for making the arrest to justify it, if required. The Police Constables and Head Constables who make the arrest should submit a report detailing the circumstances of the arrest to the SHO or IO concerned who should incorporate the contents of such reports in the General Diary, Case Diary etc. All Police Constables, Head Constables and Sub-Inspectors working in the field and empowered under law to exercise the powers of arrest without warrant, should exercise their powers with prudence and be accountable for the arrest made in the discharge of their assigned tasks and duties.
- iii. In the light of these instructions, the action of Police Officers of all ranks in arresting persons, if not necessary and not arresting when it is necessary, will amount to misconduct, and may call for suitable disciplinary action. No arrest should be made in a routine manner simply because the law empowers the police officer to do so. The existence of the power to arrest is one thing, while justification for the exercise of power of arrest is quite another.
- iv. When a police officer proceeds to arrest a person and cannot identify him personally, he should secure the services of a person who knows the person to be arrested and should also provide himself, if available, with a photograph, a descriptive role and the marks of identification of that person. He should be sure of the identity of the person to be arrested.
- v. The police officer should be in uniform with his name and number if any, on the pocket, besides carrying his identity card, or, if in plain clothes, carry his identity card and should disclose his identity. He may arm himself with such firearms and accessories required for his defence, if the circumstances demand such a precaution.
- vi. The person to be arrested with or without warrant should be informed of the grounds for making the arrest. The arrest should be affected without unnecessary violence or publicity.

- vii. When a person to be arrested is concealing himself in a closed place, the police officer has every right to enter such places even by force to affect the arrest. He can even arrest every one who obstructs him from discharging his duty. However, he must behave decently with women inmates. Police officer can exercise the right of private defence of his body and others while resisting arrest.

16.10 Arrest of Persons Employed in Public Utility Services-

(a) When the immediate arrest of persons employed in a public utility service (such as the Telegraph, Postal, Railway, Ferry service) would cause risk or inconvenience to the public, the investigating officer shall make immediate arrangements to prevent escape and apply to the proper authority to have the accused relieved. In cases where immediate arrest can be made, without risk or inconvenience to the public notice of the arrest shall at once be sent to the official superior of the accused to enable him to arrange for his duties.

(b) In every case in which a Government Servant is arrested, a notice of his arrest shall be sent forthwith to his immediate superior or to the head of his office or department. Such officer shall also be informed of the result of the case in which the Government Servant was arrested.

16.11 Arrest of Deserter

A deserter shall on arrest or surrender be taken to the Officer-in-Charge of the nearest Police Station who shall communicate to his commanding officer as soon as possible. The deserter shall then be taken to the nearest Magistrate for orders.

16.12 Requisition to Arrest by any other Police Officer

Any police officer may cause any person whom he is empowered to arrest under section 54(I) clause 9, Cr. PC to be arrested by giving to any other Police Officer the information which will justify that officer in making the arrest in the exercise of his own powers under that section. The requisition shall specify the person to be arrested and the offence or other cause for which the arrest is to be made.

16.13 Order to a Subordinate Police Officer to Arrest

The Officer-in-Charge of a Police Station or any investigating officer may also cause any person whom he is empowered to arrest without a warrant by issuing an order in writing.

Section 56 Cr. PC

- (a) A Police Officer in-charge of a police station, or any Police Officer making an investigation, under Section 55 of the CrPC, depute any officer subordinate to him to arrest the person. He should give an order in writing

specifying the person to be arrested and the offence or cause for which the arrest is to be made. The officer so authorized shall notify to the person to be arrested, the substance of the order and, if so required by such person, shall show him the order. This section, however, does not take away the statutory power vested in all Police Officers by Section 41 of the CrPC.

- (b) A Head Constable in-charge of an outpost or a beat area or check post, without the intervention of the SHO, may take action in offences under special and local enactments, which empower the Head Constable to take action. When a private person arrests any person who commits a non-bailable and cognizable offence in his view, he shall be taken to the nearest police station immediately and such person be re-arrested by the police.

16.14 Hints for the Guidance of Police Officers making an Arrest

When a Police Officer proceeds to arrest a person and cannot identify him personally, he should secure the services of a person who knows the person to be arrested or provide himself with a photograph or a descriptive roll or the marks of identification of that person, as far as possible. The police officer should be in uniform; if not, he should carry with him a revolver or other means of defence, if the circumstances demand such a precaution. If necessary they should carry handcuffs and ropes with which to secure prisoners. The person arrested should be informed of the grounds for making the arrest. The arrest should be effected without unnecessary violence or publicity and strictly in accordance with the provision of Sections 46 to 53 Cr. PC. The officer making the arrest should not be lulled into a false sense of security by the manner of the prisoner and should always remain alert.

16.15 Treatment of the Arrested Persons

- i. Whenever any person is arrested by a Police Officer or by a private person and is brought to the police station, the SHO shall examine the body of the arrested person and note whether he has any injuries over his body. If any, injuries are observed irrespective of their nature, he should forward the said person to the nearest Medical Officer of the Government Civil Hospital or other Hospitals of local bodies authorized for medico-legal work, for treatment and injury certificate. The Medical Officer should be requested to specify the age of each injury.
- ii. When any person with injuries in a serious condition or a drunken person in uncontrollable condition, who is unable to take care of himself, is brought to the police station, the SHO shall immediately forward such persons(s) to the Government Hospital. Any delay may cause death, in which case the police officer in-charge of the police station will be held responsible. The statement of the injured person should be recorded in

the hospital and further action taken.

- iii. When an arrestee demands examination of his body, which will afford evidence to disprove the charge leveled against him and establish his innocence or evidence of an offence against his own body, the Police Officer should forward him to the Medical Officer of the Government Civil Hospital for the examination and injury certificate. Such a certificate shall be forwarded to the Magistrate concerned.

16.16 Search of the Arrested Person

Whenever a person is arrested and not released on bail by a police officer, a thorough search of his clothes and belongings should be made before putting him in lockup. Articles found upon him other than necessary wearing apparel should be placed in safe custody and if any articles are seized from his person, a receipt showing the articles taken possession by the Police Officer shall be given to such person. The personal articles of the person should be kept in safe custody in the Property Room (Malkhana) and entries made in concerned registers. If there are any incriminating articles or objects or materials, which might be necessary for investigation, they should be separated and the procedure for recording and dispatch of case property to courts should be followed. The other property should be returned to him or his nearest kith or kin when he is remanded to custody.

16.17 Arrest in Special Cases:

Arrest of Female:

In addition to all the safeguards and procedure to be followed while arresting a male suspect/accused, following additional requirements are to be observed while arresting a female suspect/accused:

1. Save in exceptional circumstances, no woman shall be arrested after sunset and before sunrise, and where such exceptional circumstances exist, the woman police officer shall, by making a written report, obtain the prior permission of the Judicial Magistrate of the first class within whose local jurisdiction the offence is committed or the arrest is to be made. [Sec. 46 (4) Cr.PC]
2. Where a woman is to be arrested, unless the circumstances indicate to the contrary, her submission to custody on an oral intimation of arrest shall be presumed and, unless the circumstances otherwise require or unless the police officer is a female, the police officer shall not touch the person of the woman for making her arrest. [Proviso to sub-section (1) of section 46 Cr.PC]
3. Whenever it is necessary to cause a female to be searched, the search shall be made by another female with strict regard to decency. [Sec. 51(2) Cr.PC]

4. Female suspects should not be kept in a police lock-up in which male suspects are detained. They should be guarded by female constables (*Sheela Barse vs. State of Maharashtra*¹)
5. Interrogation of female suspects should be carried out only in the presence of female police officers/constables. (*Sheela Barse vs. State of Maharashtra*)

A. Apprehension of a juvenile in conflict with law

The Juvenile Justice (Care and Protection of Children) Act, 2015 provides for certain special provisions in case of apprehension of a juvenile in conflict with law².

- a. As soon as a juvenile in conflict with law is apprehended by police, he shall be placed under the charge of the designated Child Welfare Police Officer, who shall produce the juvenile before the Juvenile Justice Board (JJB) without any loss of time but within a period of twenty-four hours of his apprehension excluding the time necessary for the journey, from the place where the juvenile was apprehended, to the JJB. In no case, a juvenile in conflict with law shall be placed in a police lockup or lodged in a jail."
- b. Where a juvenile is apprehended, as soon as may be after the apprehension, inform the parent or guardian of the juvenile, if he can be found, of such arrest/apprehension and direct him to be present at the JJB before which the juvenile will appear.

B. Arrest of Deserter

A deserter shall on arrest or surrender be taken to the Officer-in-Charge of the nearest Police Station who shall communicate to his commanding officer as soon as possible. The deserter shall then be taken to the nearest Magistrate for orders.

C. Arrest of Public Servant

Information of the intended arrest of a public servant shall, if possible, be given to such public servant's immediate superior officer before the arrest is made; otherwise information shall be given immediately after arrest.

D. Arrest of Persons Belonging to the Indian Army, Navy or Air Force and Instructions regarding Military Criminal Jurisdiction:-

On the arrest by the police of a person subject to Military, Air Force, Naval law charged with the commission of an offence early intimation shall be sent to the Officer Commanding the Unit to which such person belongs.

¹(1983) 2 SCC 96; 1983 SCC (Cri) 353; AIR 1983 SC 378

²The term "juvenile in conflict with law" has been defined under sub-clause (1) of section 2 of the aforesaid Act as a juvenile who is alleged to have committed an offence and has not completed eighteenth year of age as on the date of commission of such offence.

- E. Where the arrested person is **foreigner**, then in accordance with the provision of Vienna Convention on Consular Relations, he/she has a right to contact and inform about the factum of arrest to the diplomatic or consular officials of his or her country.³
- F. **Arrest of Judicial Officer:** The Supreme Court in the case of *Delhi Judicial Service Assn. vs. State Of Gujarat*⁴ has laid down the following guidelines for the police while arresting a judicial officer:
- a. If a judicial officer is to be arrested for some offence, it should be done under intimation to the District Judge or the High Court as the case may be.
 - b. If facts and circumstances necessitate the immediate arrest of a judicial officer of the subordinate judiciary, a technical or formal arrest may be effected.
 - c. The fact of such arrest should be immediately communicated to the District and Sessions Judge of the concerned District and the Chief Justice of the High Court.
 - d. The Judicial Officer so arrested shall not be taken to a police station, without the prior order or directions of the District & Sessions Judge of the concerned District, if available.
 - e. Immediate facilities shall be provided to the Judicial Officer for communication with his family members, legal advisors and Judicial Officers, including the District & Sessions Judge.
 - f. No statement of a Judicial Officer who is under arrest be recorded nor any panchnama be drawn up nor any medical test be conducted except in the presence of the Legal Advisor of the Judicial Officer concerned or another Judicial Officer of equal or higher rank, if available.
 - g. There should be no handcuffing of a Judicial Officer. If, however, violent resistance to arrest is offered or there is imminent need to effect physical arrest in order to avert danger to life and limb, the person resisting arrest may be over-powered and handcuffed. In such case, immediate report shall be made to the District & Sessions Judge concerned and also to the Chief Justice of the High Court. But the burden would be on the Police to establish the necessity for effecting physical arrest and handcuffing the Judicial Officer and if it be established that the physical arrest and handcuffing of the Judicial Officer was unjustified, the Police Officers causing or responsible for such arrest and handcuffing would be guilty of misconduct and would also be personally liable for compensation and/or damages as

³ According to Article 36 of Vienna Convention on Consular Relations, 1963 read with office Memorandum No. T. 4415/1/91 (CPO/CIR/9) dated 1st June, 1991 of the Government of India, Ministry of External Affairs (SPV division), the Government have "to inform the concerned foreign diplomatic missions in New Delhi about arrest of their Nationals as well as grounds of arrest".

⁴ 1991 AIR 2176, 1991 SCR (3) 936

may be summarily determined by the High Court.

G. Arrest of Medical doctor- a medical doctor accused of rashness or negligence may not be arrested in a routine manner (simply because a charge has been levelled against him). Unless his arrest is necessary for furthering the investigation or for collecting evidence or unless the investigation officer feels satisfied that the doctor proceeded against would not make himself available to face the prosecution unless arrested, the arrest may be withheld.⁵

H. Arrest, Detention, Release of Members of Parliament/Members of Legislative Assembly

- a. Information about the arrest, detention, release, etc., of the members of the Parliament or State legislative Assembly should be sent immediately by fastest means of communication to the Speaker/Chairman, as the case may be, by the Superintendent of Police concerned.
- b. As per Section 222 A of the Rules of Procedures and Conduct of Business of the Rajya Sabha, the Police, Judge or Magistrate would, have to intimate the Chairman of the Rajya Sabha about the reason for the arrest, the place of detention or imprisonment in an appropriate form.
- c. The main privileges of Parliament/MPA are in civil cases. As per section 135 of the Code of Civil Procedure, they have freedom from arrest during the continuance of the House and 40 days before its commencement and 40 days after its conclusion. However, privilege of freedom from arrest does not extend to criminal offences or cases of detention under preventive detention.
- d. No arrest can be made within the precincts of the House without the prior permission of the Chairman/Speaker of the House. Similarly, no legal process, civil or criminal, can be served within the precincts of the House without obtaining the prior permission of the Chairman/Speaker whether the House is in Session or not.
- e. The only protection from arrests is to the President of the India, who is immune from civil and criminal proceedings until his/her term is over.

16.18 Search of Arrested Female

Whenever it is necessary to cause a female to be searched, search shall be made by a Woman Police Officer or another female with strict regard to decency. The officer or other person making any arrest, shall seize from the arrested person any offensive weapons, which she has on her person and

⁵*Jacob Mathew vs. State of Punjab & Anr [(2005) 6 SCC 1]*

shall deliver all weapons so taken to the court or officer before which or whom she is produced.

16.19 Instructions for effecting arrest in jurisdiction of Police Station of other States/UTs

In addition to guidelines for arresting any accused, following instructions should be followed when any accused is arrested in the jurisdiction of Police Station of other State/UT:

- i. The IO and other police officer/staff should take the prior written permission of the superior officer, to go out to other State/UT. He can take permission on the phone only in case of urgencies. Further, DD/GD entry be made in the police station in this regard.
- ii. A lady police officer should be made part of a team if the arrestee (the person to be arrested) is a female.
- iii. The local police in whose jurisdiction accused is to be arrested should be informed and assistance and cooperation from the concerned police station should be sought. However, in case of exigency or apprehending his/her escape or for reasons to be recorded in writing, prior intimation may not be made.
- iv. The police officer shall prepare an arrest memo specifying the time and date of arrest and the name of the relative or friend to whom the information of arrest is given.
- v. After arrest, the IO/police team must visit the local police station, and an entry in the Daily Diary must be made indicating the name of the persons arrested. Articles (things) must also be mentioned in the Daily Diary, if anything is recovered. In case, victim is recovered, details of victim must also be given.
- vi. Transit remand must be obtained after producing the arrestee before the jurisdiction magistrate. The arrestee must be produced in front of the magistrate before 24 hours.
- vii. The IO/police officer must make an arrival entry in the record after arriving at the police station. Details of person arrested and the articles recovered, if any, be entered in the DD/GD. Further, he must also inform the concerned SHO or senior police officer about it immediately.
- viii. After arrival, the arrested person must be produced at the earliest before the Jurisdictional Magistrate (within 24 hours of the arrest, excluding the time of the journey).
- ix. If during investigation, any victim is recorded, then statement of the victim must be recorded at the earliest. If the victim recovered is minor, he/she should be produced before the local Child Welfare Committee for a further decision concerning the custody. In any circumstance, minor

victim shall not be made to stay in the police station during the night hours.

16.20 Guard for Lock-up

- a. On the arrival of an arrestee, the Officer-in-charge of a Police Station shall put a guard and place a Head Constable or a Constable as in charge. He shall enter their names and their hours of duty in the Sentry Relief Book.
- b. At the time of relieving sentries, the officer-in-charge of the guard and the relieving sentry shall count the arrestee and see that all is well.
- c. The key of the Lock-up shall remain with the sentry and except in urgent cases, such as an outbreak of fire, he shall not unlock the door without first calling the Officer-in-charge of the Police post. Arrestee/inmate shall be permitted to leave the lock-up after nightfall except in special or emergent circumstances which shall be recorded in the sentry relief book.
- d. There shall be proper lighting to illuminate the interior of the lock-up.
- e. If it becomes necessary to take out a arrestee/inmate, the Officer-in-charge of the guard shall be called and the assistance of other Constables may be taken, if required.

16.21 Police Lock-Ups and treatment of persons in custody

- a. Once a person is in custody of the police, the responsibility for his life and safety is on the police. The physical and psychological condition of every person in custody is a major factor that should determine the precautions, facilities and arrangements required to be made. The other factors such as the nature of the offence in which he is involved, the investigation required to be done, the antecedents, age, sex, ignorance and vulnerability are all vital and crucial. While every case has its peculiar features and circumstances, certain important stipulations should be observed.
- b. The first requirement is physical safety of the person in custody. This includes safety from injury and death, whether self inflicted or otherwise. As the psychological state of each individual cannot be accurately gauged, it is necessary to realize that the general mental state of a person arrested and brought to police station would be fear, shock, trauma, sense of guilt and shame etc., suicidal tendencies may therefore develop. Hence the place where he is lodged should not contain anything including his apparel or belongings that afford him any opportunity to attempt or commit suicide.
- c. There should be a watch on the person all the time. The room or place

where he is kept should be as such as to afford a full view to the Police Officer posted to watch him.

- d. Wherever any attempt or suspicion about the movements or action comes to notice, the lock up room should be opened and searched. There should be effective intervention to prevent attempt at suicide and injuries. The whole episode should be recorded in the station General Diary and the person should be sent for Medical examination with a report.
- e. The statements of other persons in custody and those present should also be recorded and enclosed to the report.
- f. Since the person is in custody, sometimes even self-inflicted injuries or suicides can be interpreted as those caused by police. Hence effective and timely intervention, contemporaneous recording of events, reporting to all concerned of such attempts by persons in custody are important.
- g. No Police Officer or IO shall use any force or cause any physical injury during interrogation of the person in custody. If such injuries are caused and result in death of the person, the Police Officers concerned will be liable for prosecution as per law.
- h. No one shall be subjected to torture, or to cruel inhuman or degrading treatment in custody.
- i. Appropriate number of blankets should be supplied for the use of persons in police custody for each lock-up. These should be kept clean, washed and dried. These articles will be treated as station property and the officer in-charge of the station will be responsible for their custody and issue to arrestees.
- j. The police lock-up, toilets, blankets etc. should be kept clean.
- k. The persons in custody shall be given daily food as prescribed at government cost. If food is brought by their relatives, each item of the food should be tested by the family member in the presence of police.

16.22 Confinement of other department prisoners/arrestee in lockup

- a. When any person arrested and escorted by officers of other units such as police stations & CID, Excise, Customs etc., are brought for confinement in the police station lock-up, a written requisition shall be given to the officer in-charge of the police station and the latter shall keep such arrestee in the lock-ups. The Officers of the other units will keep their subordinates also besides the police station guard. If there are no arrestees in the concerned police station lock-up, the key of the lock-up shall be given to the officers of other branches or units or departments and they will be responsible for the arrestee safe custody.

- b. In the lock-up if there are already arrestee of the concerned police station, the key shall remain with the in-charge of the guard of the police station.
- c. In all circumstances, the duty of supplying the arrestee with food and guarding them, when taken outside the lock-up, shall lie with the outside officers.

16.23 Escape from Custody

- a. In all cases of escape of arrestee/prisoners from police custody including those from jails where police guards are posted an FIR should be registered for investigation and search immediately launched.
- b. The radio or telephonic report shall immediately be followed by a detailed report furnishing the circumstances under which the person escaped, whether the escape of the arrestee/prisoner was accidental or as a result of collusion or negligence, the action taken to apprehend him, the person or persons responsible for the escape, the exact quantum of responsibility to be attached to the Police personnel involved and the action taken against them, and other relevant particulars.
- c. Copies of the reports shall be sent by the Superintendent of Police to the IGP/DGP.

16.24 Use of Handcuff

The use of handcuffs or leg chains should be avoided and if at all, it should be resorted to strictly in accordance with the law repeatedly explained and mandated in judgment of the Supreme Court in *Prem Shanker Shukla v. Delhi Administration* [(1980) 3 SCC 526] and *Citizen for Democracy v. State of Assam* (1995) 3 SCC 743]. The Court expressly declared, directed and laid down the following as a rule regarding handcuffing:

- i. Handcuffs or other fetters shall not be forced on a prisoner - convicted or under-trial-while lodged in a jail anywhere in the country or while transporting or in transit from one jail to another or from jail to court and back.
- ii. The police and the jail authorities, on their own, shall have no authority to direct the hand- cuffing of any inmate of a jail in the country or during transport from one jail to another or from jail to court and back.
- iii. Where the police or the jail authorities have well-grounded basis for drawing a strong inference that a particular prisoner is likely to jump jail or break out of the custody then the said prisoner be produced before the Magistrate concerned and a prayer for permission to handcuff the prisoner be made before the said Magistrate.

- iv. Save in rare cases of concrete proof regarding proneness of the prisoner to violence, 'his tendency to escape, he being so dangerous/desperate and the finding that no other practical way of forbidding escape is available', the Magistrate may grant permission to handcuff the prisoner.
- v. In all the cases where a person arrested by police, is produced before the Magistrate and remand - judicial or non-judicial - is given by the Magistrate, the person concerned shall not be handcuffed unless special orders in that respect are obtained from the Magistrate at the time of the grant of the remand.
- vi. When the police arrests a person in execution of a warrant of arrest obtained from a Magistrate, the person so arrested shall not be handcuffed unless the police has also obtained orders from the Magistrate for the handcuffing of the person to be so arrested.
- vii. Where a person is arrested by the police without warrant the police officer concerned may if he is satisfied, on the basis of the guide-lines given above, that it is necessary to handcuff such a person, he may do so till the time he is taken to the police station and thereafter his production before the Magistrate. Further use of fetters thereafter can only be under the orders of the Magistrate.

16.25 Look Out Notices/Circulars

1. In case it is suspected that the absconding accused may flee the Country, look out notices/circulars may be got issued to prevent his escape and to monitor effectively the entry or exit of persons who may be required by law enforcement authorities.
2. The basic substantive guidelines regarding publication of the LOCs in relation to the Indian citizens issued by the MHA enunciate the following principles:
 - i. The request for opening of LOC is required to be made to all immigration check posts in the Country in the Official Format prescribed by the MHA.
 - ii. The request for opening of LOC must invariably be issued with approval of an officer not below the rank of Superintendent of Police concerned at the district level
 - iii. The originating agency must ensure that complete identifying personal particulars of the person, in respect of whom the LOC is to be opened, are clearly mentioned in the prescribed proforma. The LOC will not be opened for less than three identity parameters other than name of the subject.
 - iv. A LOC is valid for a period of one year. However, in case the

originating agency wants to extend the validity beyond one year it can ask for the extension before the expiry of the one year period. If no request is made for the extension of the LOC within the stipulated period of one year, the immigration officer concerned is authorized to suspend the LOC.

3. Further, Ministry of External Affairs, New Delhi may also be requested not to provide passport facilities to the absconding accused and also for the revocation of the Passport, if already issued as provided under section 6 and 10 of the Passport Act, 1967. SP/CID will be the nodal officer for such matters in the State.

16.26 Feeding of Arrestee:-

- a. The Officer-in-charge of a Police Station or Outpost shall ensure that **arrestees** in police custody are properly fed. Whenever arrestee is fed, an entry shall be made in the General Dairy of the station or outpost as the case may be. The bill for expenditure incurred in connection with such feeding shall be submitted to the Superintendent of Police through the **SDPO/DySP**.
- b. All food brought for a prisoner by relatives or friends shall be made over to the Guard Commander and shall be examined for prohibited or injurious articles. After such examination the food shall be given to the prisoner by a police officer. The person bringing the food shall have no access to the **arrestee**.

16.27 Report of Arrest

1. An officer in charge of a police station is required to report all arrests without warrant made by himself or in his jurisdiction, to the District Police Control Room.
2. Reports of such arrests shall be submitted to the State Crime Record Bureau.

16.28 Bail

Bail broadly means security for release of a person who is arrested. A person is released on bail with or without sureties. Offences are of two types as far as bail is concerned, bailable and non-bailable.

1. **Bail in bailable offences:** The SHO is competent to release a person on bail when arrested for bailable offences. If the arresting police officer is not the SHO, the arrestee shall be produced before the SHO with a written report for release on bail. If the accused jumps bail in a bailable offence and when he is arrested again, it should be treated as a non-bailable offence. In case bail is given by SHO in bailable offence the bond

should be taken. The detailed addresses of the sureties have to be noted there in.

2. **Bail in non-bailable offence:** When a person is arrested for a non-bailable offence ordinarily he shall be produced before the court.

3. **Points for opposing bail in non-bailable offence:**

- a. Likelihood of absconding.
- b. Possibility of tampering with evidence, intimidation and threat to witnesses.
- c. Likelihood of repeating the offence.
- d. Nature of the offender and the seriousness of the offence.
- e. Likelihood of breach of peace and tranquility in the locality.
- f. Likelihood of retaliations by the victim party.

4. **Bailable warrants:** When a person is arrested under a bailable warrant, he should not be compelled to come to the police station to give bail. He should be given bail at the place of arrest if he offers security.

5. No police officer has powers to re-arrest an accused person in the same case, who has been released on bail u/s 437 CrPC 1973. When re-arrest is deemed necessary, an application should be made to the competent Court for the cancellation of the bail bond and issue of a warrant of arrest in accordance with the provision

Chapter 17

SEARCH AND CUSTODY OF PROPERTY

17.1 Introduction

Personal and House search are important tools of investigation. Police Officers are empowered to conduct these searches as per the various provisions under chapter VII of CrPC. Personal search is conducted immediately after a person is arrested and taken into custody. House search can be conducted prior to arrest or after the arrest as per the needs and demands of the investigation.

17.2 Power of Search

- i. An Officer in-charge of a Police Station or an Investigation Officer, have reasonable grounds for believing that anything necessary for the purpose of investigation may be found in any place within the limits of the Police Station, and that such thing cannot in his opinion be otherwise obtained without undue delay may search the place under Section 165 of the Code of Criminal Procedure. Before making the search, the Police Officer must record in writing the grounds of his belief, specifying there the thing for which the search is made the investigating Officer is unable to conduct the search person, he may after recording in writing his reasons for so doing in the General Diary, require any officer subordinate to him to make the search. Police Officer so deputed should be given an order in writing specifying the place to be searched, and so far as possible, the thing for which the search is to be made. Copies of records made above should be sent to the nearest Magistrate empowered to take cognizance of the offence.
- ii. When a search has to be conducted in the jurisdiction of another station, whether in the same or a different district, an officer in charge of a Police Station making an investigation may require under Sub-Section (1) of Section 166 of the Code of Criminal Procedure, the officer in charge of the former station to make a search or cause search to be made. But, where there is reason to believe that the delay occasioned by such a procedure might result in evidence being concealed or destroyed, the investigating officer may, under Sub Section (3) of Section 166 of the Code of Criminal Procedure, make the search himself or cause the search to be made, in which case, he shall forth with send a notice of the search together with a copy of the list prepared under Section 100 of the Code of Criminal Procedure to the Officer in charge of the Police Station, within the limits of which the place searched is situated and to the nearest Magistrate empowered to take cognizance of the offence. When a search is made under Section 165 or Section 166 of the Code of Criminal Procedure, a

copy of the list prepared under Section 100 of the Code of Criminal Procedure, signed by the witnesses, shall be delivered to the owner or occupier of the place searched.

17.3 Precautions for Conducting Searches

The following precautions should be taken while conducting search:

1. Searches, as far as possible, be conducted during daytime, except when circumstances otherwise warrant. Before proceeding to conduct a search, there should be reasonable grounds for making the search, place(s) to be searched, the thing or things for which search is to be made, and why such thing or things cannot otherwise be obtained without undue delay.
2. The witnesses to search should be respectable and inhabitants of the locality. When it is not practicable to do so, witnesses have to be selected from other place(s), making a record of the reason in case diary. Avoid calling the same witness in several searches. If, for any reasons, the same witnesses have witnessed for more than one search, make a record of those reasons in case diary. When the witnesses are selected, serve an order on each of them requesting them to attend and witness the search.
3. Search is to be commenced only after securing the presence of witnesses and explaining to them the object of the search and the articles for which it is conducted. The occupant of the place to be searched should be asked to be present and to attend the search. If the occupant is not willing or fails to be present to attend the search, make a record of it in the case diary as well as in the search list.
4. If there is reasonable apprehension that the delay caused in securing the attendance of the occupant frustrates the very object of search, search may be conducted in the presence of whosoever present on his behalf and record the reasons for so proceeding, in case diary and search list. Get yourself and the witnesses searched in the presence of the owner or occupier or any other adult male member of the house, if available, before the commencement of the search. Once the search is started, do not allow persons inside the house to go out or those outside to come in. Conduct the search in each room in the presence of the witnesses.
5. After the search is completed and the thing or things for which the search was conducted and any other incriminating articles are found or brought out, and make a record in the search list. Should be clearly mentioned in the search list every item of property seized, the exact place where it was found/recovered and how and by what means it was taken out from that place. Descriptive particulars and identification marks of the incriminating articles recovered be noted down in the search list. Make out the search list on the spot even if no article is seized. Record the number of the

house and other particulars including the occupant's name, parentage and occupation.

6. Recover documents, if any, to prove the ownership or occupancy of the person from the place where incriminating articles are recovered and record such recovery in the search list. Sign with date on all pages of all copies of the search list and obtain the signatures of the witnesses on all pages of all the copies. Give under acknowledgment a copy of the search list immediately to the occupant of the house searched.
7. On completion of the proceedings, send without delay one copy of the search list to the jurisdictional Magistrate, attach another copy to the case diary of the relevant date to be sent to your officer, file the third copy in case diary file, and attach the fourth copy to the final report to be sent to the court.

17.4 Procedure on Seizure of Animals and Perishable Property :-

- a. If the property consists of animal or animals they shall be kept in a cattle - pound attached to the Police Station or outpost. Where no such cattle-pound exists, they may be made over to the charge of the village head-man or the owner or other respectable person of the locality on his signing agreement to produce the same before the court as and when required to do so. Bills for expenses for feeding and watering such animals shall be submitted to the Superintendent of Police together with particulars of the case in which they were seized.
- b. In order to avoid loss to the parties, property which deteriorates very rapidly such as fruits, etc., may be disposed of after obtaining the orders of a Magistrate.

17.5 Motor Vehicles Detained or Seized

A motor vehicle detained or seized by the police in connection with a case or accident shall be produced before a Magistrate along with the identity or condition of the vehicle. The Magistrate may then exercise the discretion vested in him by Section 451 Cr. PC to order it to be sold or otherwise disposed of. Pending order of the Magistrate, the vehicle shall be kept in safe custody either in the station or in a police transport garage or any other suitable place.

17.6 Panchnama

- a. The only occasion on which a document which is popularly styled as a panchanama is required by law to be drawn up are when (i) some articles are seized in the course of search of a place under Section 100 of Criminal Procedure Code or (ii) an investigation into the cause of death is made under Section 174, Criminal Procedure Code.

- b. The holding of panchnamas on other occasions is not a duty imposed upon a Police officer by law, though in practice a Police officer resorts to it as a mode of procuring independent evidence to corroborate the results of his own inquiry and observation. In such cases a panchnama by itself has no evidentiary value. It is merely a memorandum of what has been observed by the panch and the investigating officer, who are apt to forget many of the details observed by them, in the interval between the events themselves and the day on which they are called on to testify to them in Court. Hence a panchnama is useful only as a piece of corroboration of the oral evidence of the panch and the investigating officer (Section 157, Evidence Act) or as a memorandum of facts observed by them, which they may use to refresh their memory while giving evidence of those facts (Section 159, Evidence Act). For the latter purpose, it is essential that the person using the panchnama must either have written it himself immediately after having observed certain facts or must have personally read it soon after it was written up by someone else, and found it to be correct.
- c. The following general hints should be borne in mind in holding panchnamas:
 - i. The panchnama should be written up at the place where and immediately after, the proceeding concerned, e.g., a search, is held.
 - ii. It should be held ordinarily during day, but if the circumstances demand it, even during night time.
 - iii. As many fair copies are supposed to be made, it should be written up very carefully, so as to avoid the need for insertions or erasures. All erasures or insertions, if inevitable, should be initialed by at least two of the panch. Copy of the panchnama should be given to the person concerned without his asking for it.
 - iv. In all murder cases the investigating officers should themselves draw the panchnamas.
 - v. In case of the attachment of currency notes or documents, the identification of which is a material point, the initials of the panch should be taken on them, and in case of currency notes, the numbers should also be noted in panchnama.
 - vi. Where the complainant or informant is present, the identification of property attached should be done in the presence of the panch and the fact noted in the panchnama.
 - vii. When ornaments are concerned, they should be got properly weighed by a goldsmith who may be included among the panch
 - viii. Where any property is produced by the accused, the exact place where

it was found and the fact that the panch accompanied the accused producing it should be mentioned.

- ix. Care should be taken to avoid the inclusion in the panchnama of-
 - a) any statement of accused person except to the extent admissible under Section 27 of the Evidence Act, or of other persons except when the statement is coupled with some relevant conduct, e.g., the owner of property in identifying it makes a statement that it is his own. Statements of accused should be incorporated in the panchnama only) if the accused has made the statement in the presence of the panch witnesses. It should be borne in mind that the value of such a panchnama is reduced to a great extent, if some part of it is found to be untrue.
 - b) the opinions of the panch or the investigating officer except to the extent permitted by Section 174, Criminal Procedure Code.
- x. For certain specific duties the Home Guards are a part of the Police Organization and as such member of the Home Guards cannot be regarded as an independent person in the judicial sense. In view of this, Police officers should refrain from using Home Guards as Panch witnesses.
- xi. A fresh panchnama should be drawn up every time when the offender is approached by a bogus customer in a trap case.

17.7 Guidelines for Search and seizure of electronic/digital evidence

- i. Digital evidence or electronic evidence is “any probative information stored or transmitted in digital form that a party to a court case may use at trial”. Section 79A of IT (Amendment) Act, 2008 defines electronic form evidence as “any information of probative value that is either stored or transmitted in electronic form and includes computer evidence, digital audio, digital video, cell phones, and digital fax machines”. The main characteristics of digital evidence are, it is latent as fingerprints and DNA, can transcend national borders with ease and speed, highly fragile and can be easily altered, damaged, or destroyed and also time sensitive. For this reason, special precautions should be taken to document, collect, preserve, and examine this type of evidence. When dealing with digital evidence, the principles that should be applied are, actions taken to secure and collect digital evidence should not change that evidence; persons conducting the examination of digital evidence should be trained for this purpose and activity relating to the seizure, examination, storage, or transfer of digital evidence should be fully documented, preserved, and available for review.

- ii. During the seizure of digital evidence in the course of investigation of a cyber crime (or conventional crime with digital trails), the seizure procedure involves several precautions that are required to be taken in addition to the precautions and care taken during seizure of conventional articles.
- iii. Since digital evidence is an evolving subject, detailed Standard Operating Procedure/Standing Order on search and seizure of digital/electronic evidence will be issued by the DGP delineating the modalities, procedure, precaution, handling and custody of digital/electronic evidences.

17.8 Chain of Custody

Continuity of possession or the chain of custody of evidence is an important aspect whenever evidence is collected, until it is presented in the court as an exhibit. The chain of custody assures continuous accountability. If it is not properly maintained, an item may become inadmissible in the court. Failure to substantiate the chain of custody may lead to serious questions regarding the authenticity and integrity of the evidence and the examination rendered upon it, making the whole process an exercise in futility. There are cases where failure to mark the items for subsequent identification in the court of law has resulted in the acquittal of the accused. Similarly, failure to account for certain items during a certain period or with a particular agency such as court, laboratory, police station, etc., at a particular time results in inadmissibility of the evidence itself.

- a. When any property is seized by Police, it shall be brought to the Police Station concerned and kept in the Malkhana pending the orders of Magistrate or court regarding its disposal.
- b. Every item that is so received shall be entered in the Malkhana Register. The Head Moharir is directly in charge of the 'Malkhana' and is responsible for the care and safety of property received and for the correctness of accounts thereof. Each article in the Malkhana shall be labeled. The label shall contain a reference to the entry in the Malkhana register and a description of the article itself and a reference to the case number and serial number off the seizure list.
- c. When any property is seized by Police and brought to an outpost it shall be kept in the Malkhana of the outpost. The Head Constable in charge of the outpost shall maintain a Malkhana register in accordance with these rules and shall forward the property with the least possible delay to the Officer in charge of the Police Station to whom he is subordinate.

17.9 Forwarding of property to Court Malkhana

- a. All property connected with criminal cases shall be forwarded from the

police station to the court malkhana at the time of submitting charge sheets unless otherwise directed by the Magistrate. The property relating to a criminal case which is not sent up for trial and any other property not connected with a case shall be retained in the police station malkhana and disposed of in accordance with the orders of the Magistrate.

- b. Whenever any property is forwarded to the court, the officer forwarding the property shall prepare a list of such property in duplicate and the list will accompany the property sent. The Court malkhana Head Constable shall check the property received with the list and acknowledge receipt on the duplicate thereof. The original list shall be retained in the Court Malkhana Office and the duplicate containing the acknowledgement shall be returned to the officer forwarding the property through the person who brought it. If any article is sent in a sealed cover, a sample of the seal used shall be fixed.

17.10 Conveyance of Property :-

When the articles connected with criminal cases are easily portable, the practice of making the Police or the parties interested or willing to convey them to the Police Station or Outpost or to the court malkhana may be continued. In no circumstance shall the accused or persons interested in him be used to convey them. When they are bulky and it is found necessary to engage a conveyance, the cheapest available conveyance shall be used. A bill for such conveyance supported by vouchers and a certificate showing the necessary for incurring the charge, shall be submitted to the Superintendent of Police for payment out of his office contingencies.

17.11 Disposal of case properties pending completion of trial

Section 451 Cr.PC states that "When any property is produced before any Criminal Court during any inquiry or trial the Court may make such order as it thinks fit for the proper custody of such property pending the conclusion of the inquiry or trial, and if the property is subject to speedy and natural decay, or if it is otherwise expedient so to do, the Court may after recording such evidence as it thinks necessary order it to be sold or otherwise disposed of."

CHAPTER – 18

PREVENTIVE ACTION

Introduction

1. Law empowers the Police and the Executive Magistracy to prevent offences, breach of peace, and maintain public order. These powers inter alia include preventive arrests, security proceedings, removal of public nuisances, prohibitory orders and also deal with disputes that threaten peace. The powers are meant to provide a sense of safety, security and confidence in all sections of society. Prevention is as important as punitive action.
2. Section 132 CrPC provides protection for certain acts done in good faith. This is a shield for bold and proactive initiatives taken in public interest for preventing offences and breach of peace.

18.1 Collection of Information

One of the most important duties of the Police is to collect information about every movement, state of feeling, dispute or incident which may lead to a breach of the peace and on the basis of such information preventive measure is to be adopted and also to communicate such information to superior officers for further necessary action.

18.2 Prevention of Breaches of the Peace

(a) The majority of riots and other disturbances of the peace take place in connection with disputes regarding processions, festivals, fairs, right of way and other easements and similar matters. In order to prevent such breaches, the following steps should be taken according to the circumstances of each case :-

(i) A Police Station Officer must always keep in touch with the information recorded in his records relating to crime in villages and acquaint himself with the occasions on which a breach of the peace is likely to take place.

(ii) When a probable disturbances is within sight, he should visit the place in question and try to ascertain the condition of public feeling by getting into touch with influential party and non-party men.

(iii) The Outpost Police and village headmen should be instructed to keep a vigilant watch on meetings held, handbills disturbed and rumours set afloat, very often by outside agitators.

(iv) Action may also be suitably taken under Section 108 Criminal Procedure Code against persons who may be delivering inflammatory speeches or indulging in similar activities.

(v) Higher Officers, especially in the Gazetted ranks, should interpose by contacting the influential leaders of parties and even by distributing leaflets containing advice and warning, and should try to avert trouble with their assistance (vide Section 149 Criminal Procedure Code).

(vi) If the prospects of averting trouble are not encouraging steps should be taken to concentrate sufficiently large Police strength in the vicinity of the scene where a breach of the peace is anticipated, as a mere show of strength is sometimes likely to be sufficient to avoid untoward developments. For this purpose all available strength of the Police Force, especially armed men of the district, should be concentrated at the place. The Magistrate having jurisdiction, may, if necessary, be requested to appoint Special Police under Section 17 of the Police Act, 1861.

(vii) If the breach of the peace is likely to arise out of a dispute in connection with any procession etc. steps should be taken under section 30 of the Police Act.

(viii) If time permits, proceedings may be started against the ring leaders under section 107, Criminal Procedure Code and in case the cause of the trouble is a dispute in connection with any land, temple or other immovable property, under section 145 of the Criminal Procedure Code.

(ix) If none of the steps proves or is likely to prove effective, the Magistrate concerned may, as a last resort, be requested to issue orders under section 144 of the Criminal Procedure Code, temporarily prohibiting persons from doing certain acts, even if they are perfectly lawful.

(x) Higher Supervisory Officers, such as the Assistant Superintendent of Police and the Superintendent of Police, should invariably be present on the scene of the apprehended trouble and should not leave the matter to be dealt with by subordinates.

18.3 Action under Section 106 Cr. PC

Security for keeping the peace can be demanded by a trying Magistrate from an accused person convicted of an offence involving a breach of the peace in addition to the sentence passed for it.

18.4 Action under Section 107 Cr. PC

A. (i) Proceedings under section 107 are an effective means for preventing a breach of the peace or a disturbance of public tranquility which is reasonably apprehended in connection with religious processions, festival, fairs, elections or any political movement. It is not always essential in every case that there need to be two parties fighting against each other. It must, however, be clear that a breach of the peace is imminent unless averted by proceedings under the section.

(ii) Before starting proceedings under this section, the police should collect evidence oral or documentary of persons (including Police Officers) acquainted with the circumstances of the case, regarding: -

(a) the specific occasion on which the breach of the peace is anticipated.

(b) the existence of cause, quarrel or other circumstances which is likely to lead to the breach and the period of its duration.

(c) the declarations of the parties indicating their determination to carry out or to prevent certain things in connection with the subject matter of the quarrel.

(d) the strength and the following of the party or parties; and

(e) attempts made for conciliation, with their results, etc.

(iii) It is not necessary to record elaborate statements of witnesses, short notes are sufficient. The provisions of Section 162, Criminal Procedure Code, do not apply to any statements or notes made in connection with such an inquiry. In fact, the inquiry is not governed by any of the provisions of Chapter XIV of the Criminal Procedure Code.

(iv) The proceedings should be initiated by a Police Officer lodging personally or sending by post to the Magistrate having jurisdiction information in writing, specifying the name with full address of the person from whom security is sought to be demanded, the occasions on which the breach of the peace is apprehended, and the circumstances calculated to lead to the same, and praying for security being demanded. The period and the nature of the security may also be suggested. The names with addresses of witnesses to be examined in the case should be mentioned in the information.

(v) The Magistrate will then issue process for the attendance before him of the person to be proceeded against. If it is necessary to prevent an imminent

breach of the peace, action may be taken according to Section 151 Criminal Procedure Code; otherwise, the Magistrate may be requested to issue a warrant of arrest. The Magistrate dealing with the case will issue a preliminary order under Section 112 Cr. P.C. calling on the person to show cause why he should not be ordered to furnish security specified in the order. The Magistrate will then record evidence tendered by the Police and also by the person proceeded against and make such final order as he deems fit in the light of the evidence recorded, if, pending the completion of an inquiry, it appears necessary to take immediate steps to prevent a breach of the peace or the commission of an offence, the Magistrate should be requested to take interim security from the person.

(vi) Care should be taken to see that action under this Section is taken against the party who is about to play an aggressive part calculated to lead to a breach of the peace and not against a person who is acting within his rights, though a breach of peace may be apprehended as a result of the activities of a person or persons who may feel aggrieved by the lawful exercise of such rights.

(vii) Order under Section 107 may be passed upon the plea and consent of the person proceeded against without recording evidence, as the procedure to be adopted is that of a summons case.

(viii) Against two contending parties two separate proceedings should be instituted, as persons proceeded against in both cannot be said to be associated with one another.

(ix) In proceedings against opposite parties (factions), perhaps proceeded against in the one may be cited as witnesses against the other and vice versa.

B. Prevention Action Under Section 107/151 Of The Code Of Criminal Procedure

Section 107 CrPC deals with Security for Keeping the Peace. Similarly, Section 151 CrPC deals with arrest to prevent the commission of cognizable offences, which provides:

- (i) A Police officers knowing of a design to commit any cognizable offence may arrest, without orders from a magistrate and without a warrant, the person so designing, if it appears to such officer that the commission of the offence cannot be otherwise prevented.
- (ii) No person arrested under sub-section (1) shall be detained in custody for a period exceeding twenty-four hours from the time of his arrest unless his further detention is required or authorized under any other provision of this code or any other law for the time being in force.

The main object of these sections is preventive in nature to prevent the commission of any cognizable offence. The action under these sections includes security through a bond as well as arrest by a police officer.

A combined effect of these provisions is that it is not a punishment as under any substantial law but to prevent commission of a cognizable offence either through the fear of a civil liability, i.e., executing a bond for keeping peace or arresting the person before the actual commission of a cognizable offence.

All the Police Officers while dealing with cases U/s 107/151 CrPC should keep in the mind the above-mentioned guidelines/directions mentioned above before initiating any action. They must have the prior concurrence from the concerned SDPO concerned before effecting any arrest U/s 151 of CrPC. This must be meticulously observed. The SDPOs should not give their approval in a mechanical manner but must act strictly as per the law/directions given by various court to ensure that there is no misuse of these provisions of the law. The Executive Magistrate must realize the onerous responsibility they carry and act in a fair and transparent manner in accordance with guidelines laid down by the Court.

18.5 Action Under Section 108 Cr. PC

- (i) Proceedings for security for good behaviour under this Section are generally taken against
 - (a) political agitators disseminating seditious matter by making speeches or distributing pamphlets, handbills etc., or matter which is calculated to promote racial hatred between different communities;
 - (b) editors, printers, publishers etc., of newspaper or other books, disseminating such matter.

In (b) the sanction of Government is necessary.

- (ii) The Police should collect evidence of speeches delivered or pamphlets distributed, etc., and note in their reports persons present at the meetings at which the speeches were delivered or those to whom the pamphlets were distributed. It is immaterial whether the objectionable activities of the person proceeded against took place within or without the jurisdiction of the Magistrate before whom the information is lodged. All that is necessary is that the person must be within the Magistrate's jurisdiction at the time when the information is lodged.

The procedure for initiating the proceeding and the stages of the inquiry in Court will be substantially the same as outlined in rule above in the case of proceedings under section 107, Criminal Procedure Code.

18.6 Action Under Sections 109 and 110 Cr. PC

Proceedings Under Section 109 and 110, Criminal Procedure Code, are among the most useful means at the disposal of the Police for checking and controlling crime and should be resorted to in suitable cases. The evidence on the following points will be useful in a proceeding under section 109:-

Clause (a): (i) The person proceeded against was found by a Policeman or any other person at an unusual time and in suspicious circumstances at a place where he had no business.

- (ii) His movements, costume or disguise indicated an attempt to conceal his presence or identity at the time and place.
- (iii) When questioned, he gave a false name and residence.
- (iv) His conduct e.g., an attempt to run away, highly suspicious.
- (v) He was making an attempt or exhibited conduct suggesting that his object was to commit an offence.
- (vi) Letters or documents had passed between him and any other person suggesting that the concealment was for the commission of an offence.
- (vii) He was in possession of implements of house-breaking, bunches of keys or master keys etc.

Clause (b): (i) The person proceeded against does not follow any profession or occupation or any other kind of employment being his apparent means of livelihood.

- (ii) He lives in a style entirely inconsistent with his apparent means of livelihood.
- (iii) He lives in a licentious life, e.g., indulging in liquor, gambling, etc.
- (iv) His income is totally inadequate to meet the requirements of himself and his family.
- (v) He gave an unsatisfactory explanation of his presence at the place at which he was found.
- (vi) He evaded replying to questions or gave inconsistent false replies.
- (vii) He was found in company of persons of reputedly bad character, when he had no valid reason for being in their company.

(c) **Section 110 Cr. P.C:-** For a proceeding Under Section 110, evidence should be collected as follows :-

- (d) A Police Station Officer should prepare the ground well before starting proceedings under this section. It is desirable to prepare a History Sheet of a bad character to be proceeded against, taking care to note, therein from time to time the reports against his character. Patrol Policemen should also inquire and note in their patrol books everything they learn against the individual so that the entries may later be useful in a proceeding under the Section.

- (e) In addition to the materials collected as above, the following types of evidence will be highly useful: -
 - (i) Evidence of previous convictions in respect of offences of a similar nature.
 - (ii) Evidence of person who testify to their having seen the person committing an offence or to their suspecting him to have committed it, in view of his presence at or near the scene or movement from or to it, etc., though the statements of such persons may be uncorroborated and insufficient to sustain a prosecution in respect of that offence.
 - (iii) Evidence regarding the bad repute of the person proceeded against of respectable witness who, owing to their residence in the locality or otherwise, have means for knowing it.
 - (iv) Evidence of the unaccountable absence of the person proceeded against, especially at night time.
 - (v) Evidence of his association with other bad characters, receivers or disposers of stolen property.
 - (f) If the person to be proceeded against under section 109 or 110 is covered by Section 55 Cr. PC, he may be arrested by a Police Station Officer and produced before a Magistrate. In other cases, the Magistrate will issue process for his attendance after information has been lodged against him. The procedure regarding the collection of evidence by the police and the lodging information and the inquiry to be made by the Magistrate will be substantially the same as outlined in Sub-Rule (2) above.
 - (g) The following points should be carefully observed in taking proceedings under sections 109 and 110 Cr. P.C. :-
 - (i) It is inappropriate to proceed against a person simply because a prosecution against him has failed.
 - (ii) A person who is already undergoing imprisonment ought not to be proceeded against as, while in jail, he is incapable of committing any offence.
 - (iii) Proceedings under both the Sections cannot be taken against one and the same individual at one and the same time.
 - (iv) Two or more persons may be jointly proceeded against under Section 100 if there is evidence to prove their association in their criminal activities.
 - (v) The statement of a witness examined in proceedings under section 110, Criminal Procedure Code, deposing to the commission by the

person proceeded against of a certain offence does not amount to a first information of a cognizable offence and it is not necessary to register the offence.

- (vi) Proceedings under section 110 should be initiated by lodging information as soon as possible after the inquiry into character of the person has been finished, as the absence of evidence of any offence committed by him in the meanwhile indicates that there is no necessity to demand security from him.
- (vii) Mere evidence of previous conviction unassisted by evidence of reversion to crime on the part of the person proceeded against, after undergoing his last sentence, will not be sufficient to support a demand for security.

18.7 Breach of Bond

According to Section 121 Cr. PC., the bond to be executed by any person shall bind him to keep peace or to be of good behaviour, as the case may be, and in the latter case the commission or attempt to commit, or the abetment of, any offence punishable with imprisonment, wherever it may be committed, is a breach of the bond. The commission of any act which is likely to provoke a breach of the bond in case of person bound down under section 106 or 107 Cr. P.C.

18.8 Assemblies and Processions

(a) The duties and powers of the Police in respect of the control of assemblies and processions are set forth in sections 30, 30A, 31 and 32 of Police Act, 1861. The SDPOs and Police Station Officers shall cause timely information to be sent to the Superintendent of Police of any projected gathering, procession or festival or other event that is likely to make the exercise of his power under section 30 of the Act advisable.

(b) If the Superintendent of Police considers it necessary to call upon any person or class of persons under section 30 (2) of the Act to apply for a license in respect of an assembly or procession he shall obtain from the District Magistrate a statement in writing that in his judgment the assembly or procession is likely, if held during a certain period and uncontrolled to cause a breach of the peace. He shall thereafter cause a general or special notice to be issued directing the persons concerned to apply for a license in Form No.18.8(b).

(c) The license to be issued under Section 30(3) of the Act shall be in a specified Form No. 18.8(c).The officer issuing the license may alter or omit any of the conditions printed in the form and may impose any other conditions to suit the needs of any occasion or locality.

(d) Under Section 30 (1) of the Act, the Superintendent may issue directions regarding the conduct of an assembly or procession whether it is licensed or not and whether there has been a notice requiring, or an application requesting a license or not. Unless he proposes to take action under section 144 Cr. P.C., he should issue such directions whenever any person gives notice of his intention to convene or collect an assembly or to direct or promote a procession regarding which no notice has been issued requiring an application for a license. Directions under Section 30 (1) of the Act, should be given in writing, whenever possible; but disobedience of verbal directions also, by any person who is aware of them, is punishable under section 32 of the Act. The Superintendent of Police may alter or omit any of the directions printed in the form and may issue any other directions to suit the needs of any occasion or locality.

(e) When a license is issued or directions are issued, the Superintendent shall satisfy himself that they include, in addition to the particulars indicated in the form any special conditions or directions necessary for the preservation of the peace. He shall not allow persons taking part in an assembly or procession to carry those things which, in his opinion are not required for purposes of display or are not a necessary feature of the assembly or procession. In order to check the indiscriminate use of fire-works, the Superintendent should specify the number and type of fire-works, if any, that may be let off in any assembly or procession. Such licenses or directions shall be issued in triplicate ; one copy shall be given to the licensee or the person to whom the directions are addressed, one retained in the Superintendent's office and one sent to the Police Station concerned.

(f) If, notwithstanding the issue of a notice under Section 30 (2) of the Act, an assembly or procession is held without a license, a prosecution under section 32 of the Act will lie against any conveners or collectors of the assembly or any directors or promoters of the procession who have disobeyed the notice to apply for a license, but not against any other person merely because he is a member of the assembly or takes part in the procession.

(g) It is the duty of the police officers who are present at an assembly or procession to give reasonable orders under Section 31 of the Act, and to note the name and address and the actions of any person who disobeys any such orders, or any orders issued under Section 30 (1) of the Act, whether the orders are verbal or in writing. Since an offence under Section 32 of the Act is non-cognizable a police officer has no power forthwith to arrest a person who commits such offence unless an arrest is justified under section 57 (1) Cr. P.C. or a Magistrate is present and issues orders of arrest under section 167-A Cr. P.C. or the person who disobeys such orders also commits a cognizable offence.

(h) An order to disperse may be given under section 30(1) of the Act only if an assembly or procession has violated the conditions of a license issued. It is not a substitute for an order under Section 129(1) Cr. P.C. and, before force can be used to disperse an assembly or procession which has disobeyed it, a second order to disperse must normally be given under Section 129 (1) Cr. PC when, therefore, there is no time for more than one order to disperse, such order should be given under

Section 129 (1) Cr. P.C. The advantage of giving an order under Section 30 A (1) of the Police Act are (i) that an assembly or procession which disobeys it becomes at once an unlawful assembly and Sections 129 Cr. PC. then become applicable even though the circumstances would otherwise not permit their use, and (ii) that the members of such an assembly or procession may be arrested without warrant as being guilty of an offence under Section 143 IPC.

(i) An assembly or procession, whether licensed under Section 30 (3) of the Act or not, may be dispersed by force only under Section 129 (2) Cr. PC that is to say only – if it has duly been ordered to disperse under Section 129 (1) Cr. PC. and has not dispersed or if it has conducted itself in such a manner as to show a determination not to disperse.

(j) A prosecution will lie under Sections 32 of the Police Act against any person who violates the conditions of a license issued under this rule and any member of an assembly or procession whether licensed or otherwise who knowingly disobeys directions issued by a Superintendent of Police under Section 30 (1) of the Act or disobeys the reasonable orders of a Police Officer under Section 31 of the Act.

(k) A prosecution will lie under Section 143 IPC against any person who is a member of a licensed assembly or procession which neglects or refuses to obey an order under Section 30A(1) of the Police Act and thereby becomes an unlawful assembly.

(l) A prosecution will lie under Section 145 IPC against any person who joins or continues in an unlawful assembly after it has been duly ordered to disperse under Section 129 (1) Cr. P.C.

18.9 Dispersal of unlawful assemblies

(a) The Police Officer who learns that a riot or other disturbance has broken out or is about to break out or that he has to disperse an unlawful assembly, he shall inform the nearest Magistrate and give him an opportunity of accompanying the police party. The departure of the Police party must, however, on no account be delayed with a view to obtaining, the presence of a Magistrate Under Sections 127 and 128 of the Code of Criminal Procedure, an officer in-charge of a Police Station may command any unlawful assembly to disperse, and if any such assembly does not disperse or conducts itself in such a manner as to show a determination not to disperse, may proceed to disperse such assembly by force. Police Officers superior in rank to Station House Officers can exercise these powers, under Section 551 of the said Code, and all Police officers acting in good faith under criminal Procedure are protected from penal consequences by Section 132 of the said Code.

(b) It is impossible to lay down detailed orders for the dispersal of unlawful assemblies as the circumstances of different cases may vary within the widest limits. One assembly may be ;merely technically unlawful and with tact and patience may be dispersed without the use of force, while another may be armed with dangerous weapons or so violent as to demand the use of instant

force. The Police Officer-in-Charge must decide what steps are appropriate in each particular case, giving due allowance to the principles :-

- i) Force must not be used unless it is absolutely necessary.
- ii) No more than the minimum amount of force may be used.
- iii) The use of force must cease the moment the assembly shows signs of dispersing.

The SOP to be followed for dispersing an unlawful assembly are:

Note:- (The senior most police officer must update the district control room about the situation report, gathering figures and the action proposed at every stage)

- As far as practicable, efforts should be made to disperse the unlawfully assembly without using force i.e. through persuasion, negotiations, mediations etc.
- At the very outset announcement for dispersal should be made through PA system or other available means.
- If they persist with their illegal act, their assembly should be declared unlawful.
- Consequently, they should be ordered to disperse, if they do not, they should be arrested using minimum necessary force.
- If this doesn't work, they should be cautioned that force shall be used.
- If the unlawful assembly still persists, then force should be used to disperse them.
- Force is to be used by first using non-lethal means followed by harsher ways, if required till the situation is brought under control. Use of lethal means should be the last option, only when everything else fails.
- The senior most police officer present on the spot should assess the feasibility of charging at the unlawful assembly with lathis and shields first. The assessment would depend upon the relative strength of the unruly mob and police force and whether the police party is equipped properly with anti-riot gear so that police personnel do not suffer disproportionate injuries.
- If the unlawful assembly persists, the Police contingent should, as far as practicable, use water cannon and tear smoke shells and attempt should be made to avoid hitting directly on vital parts of their body by the shells to minimize casualties.
- If use of tear smoke is not effective, other non-lethal should be used exercising caution and discretion.
- Some of the other Non-lethal methods are Stingers, stun and dye- marker Grenades, Plastic Bullets for Mob Dispersal, Various Forms of Teaser, The LRAD, Laser Dazzlers, Net Guns and Stink Bombs.

- When all above options turn unsuccessful and use of firearms becomes necessary, the procedures envisaged in Criminal Procedure Code are to be followed.
- At the outset, the unlawful assembly be warned through P.A System/loud hailers. etc. About the use of firearms
- When the unlawful assembly does not respond positively and use of firearms becomes unavoidable, it is advisable that the initial round of firing be made in air.
- As far as practicable, attempt should be made to fire below the waist, when resorting to firing becomes necessary to disperse unlawful assembly. If he is compelled to have to resort to the use of firearms, he should follow the following instructions.

(d) If the use of firearms is necessary, the armed squad will be supplied with 20 rounds of ball per man. Arrangements must be made to have a reserve supply of ammunition available on the spot. When armed police are used the party should ordinarily be accompanied by the District Magistrate or a Magistrate specially selected by him.

- (i) Before firing is actually commenced a Magistrate, supported by a file with fixed bayonets, shall proceed to within speaking distance of the mob and order it to disperse; should the order be disobeyed, the Magistrate shall distinctly warn the assembly or the mob that firing will be resorted to and will be effective. Should the mob still refuse to disperse, the Magistrate will fall back on the main police party.
- (ii) The responsibility for ordering the opening of fire will rest on the Magistrate and no order for firing should be given until some overt act of violence has been committed by the mob.
- (iii) Firing must cease the instant it is no longer necessary. The Magistrate will direct the Police Officer-in-Charge to cease fire as soon as the mob shows the slightest indication of retiring or dispersing.

Note – 1. Should a Magistrate for any unavoidable reason not be present the duties of the Magistrate will devolve on the senior Police Officer present.

Note – 2. Before the Magistrate advance to warn the mob, the whole squad will be ordered to load and keep their muskets at safe.

Note – 3. No Police Officer is empowered to disperse an unlawful assembly unless he ranks as an Officer-in-Charge of a Police station or above; or, in the absence of such officer in-charge, any police officer, not below the rank of a sub-inspector.

- Proper briefing should be done by the officer in-charge conveying the instructions in clear terms before the deployment is made.
- Efforts should be made to carry out videography/photography of entire dispersal exercise.

To restore confidence among the public the administrative machinery should get activated in their areas and establish contact with the respectable of the area and address the problems responsible for any Law & Order situation.

18.10 Action on Conclusion of Riot

- (a) When an unlawful assembly has been dispersed, first aid should be rendered by the Police, and arrangements be made to remove the dead and wounded to the hospital. A supply of first aid kits and few stretchers should be kept in police station/ headquarters to be sent out whenever necessary. If an unlawful assembly has been fired upon, the senior Police Officer shall draw up a report indicating the following details:-
 - i. **Serial Number-** Each incident of firing should be shown as a separate serial.
 - ii. **Date and time of firing**
 - iii. **Place** – Only the area of concerned may be indicated.
 - iv. **Ordered by** – This should indicate whether firing was done on the orders of a magistrate or a Police Officer. The name and rank or designation of the person who ordered fire will also be given.
 - v. **Public casualties** - This is only meant for casualties which occurred because of police firing. It would not take into account casualties inflicted on any member of the public by other person or members of the riotous assemblies.
 - vi. **Casualties in Police-** This should only include casualties which were inflicted on the Police during the incident.
 - vii. **The type of Fire-arms and weapons used** – This should show whether rifles or muskets or revolvers or any other weapons were used.
 - viii. **Whether warning was given or not** - The warning should refer to firing.
 - ix. **Whether tear smoke and lathi charge were ineffective and if so, for what reason** - This is meant to indicate whether tear smoke and lathi charge were unable to deal with the trouble.
 - x. **Brief details of the incident** – Circumstances in which the firing was ordered with a brief account of the agitation preceding it.
 - xi. **Effect on the crowd** - The effect of firing on the crowd may be mentioned with special reference to its reaction on the agitation.
- (b) A copy of the report shall at once be sent to the Director General of Police, District Magistrate and the Chief Secretary, if the officer drawing up the report is an officer other than the superintendent of Police, the report shall be submitted

to the Superintendent of Police for being transmitted to the Director General of Police, District Magistrate and the Chief Secretary.

18.11 Police Action During strike or similar Disturbance

- (a) It is the primary duty of the police to preserve law and order and not to interfere in or arbitrate on the economic issues which may be involved.
- (b) In particular the police shall prevent breaches of the peace, secure the safety of property secure the safety of non strikers, deal with any cognizable case of which they may obtain information.
- (c) It should be remembered that peaceful picketing to prevent by persuasion (as distinct from force or intimidation) non-strikers from resuming work is not an offence.

18.12 Action to Prevent Offences

(a) Under Section 149 Cr. P.C. every Police Officer may interpose for the purpose of preventing, and shall, to the best of his ability, prevent the commission of any cognizable offence. Under Section 150 Cr. P.C. every Police Officer receiving information of a design to commit any cognizable offence shall communicate such information to the Police Officer to whom he is subordinate, and to any other officer whose duty it is to prevent or to take cognizance of the commission of any such offence.

(b) According to Section 23 of the Police Act, 1861, it shall be the duty of every Police Officer to prevent the commission of offences and public nuisances.

18.13 Prevention of injury to Public Property

Committing injury to public property is punishable offence under sections 431 to 434 IPC. The Police Officer has a duty cast upon him under Section 152 Cr. P.C. to interpose and prevent any injury attempted to be committed in his view to any public property, movable or immovable, or the removal or injury of any public landmark or buoy or other mark used for navigation.

FORM 18.8(b)**APPLICATION FOR LICENSE UNDER SECTION 30(2) READ WITH SUB SECTION (1) &
(3) OF POLICE ACT, 1861, A & N ISLANDS**

1. Full name of the applicant with :
Phone No.
2. Father's Name :
3. Profession :
4. Full Address of the applicant :
5. Full particulars and description of :
procession /public meeting
6. Date :
7. Time :
8. Particulars of any license :
previously held
9. Particulars of application if any, in :
which a license was applied for but
was reject.

10. Likely Gathering :

11. Numbers of Volunteers :

I have carefully read the terms and conditions laid down by the Superintendent of Police, _____ District, under the above provisions of law and I hereby undertake to abide by them.

I understand that in the event of any violation of terms and conditions found my license is liable to be cancelled and I shall be liable for legal action.

Place:

Date:

Signature of the Applicant

Mobile No.:

OFFICE OF THE SUPERINTENDENT OF POLICE

_____ District

In exercise of the powers conferred under section 30(2) read with sub section (1) & (3) of Police Act, with permission obtained from the District Magistrate, _____), **Shri.** _____, is hereby granted license to organizing “_____ **Procession/Rally**” in connection with “_____ **Function**”. Which starts from _____ and follow the route _____ and culminate at _____ in _____ area, on _____ from _____ hrs. to _____ hrs subject to the following terms & conditions:-

1. The license is issued for organizing “_____”.
2. The route of rally shall be from _____ and follow the route _____ and culminate at _____ in _____ area.
3. The organizer(s) shall ensure that only **1/3 rd** of the road be used.
4. The organizer(s) shall ensure that all the guidelines/advisories issued by GoI/MHA/A&N Administration shall be followed strictly.
5. The members so organized shall strictly adhere to the timing specified.
6. The organizer(s) shall be responsible for smooth dispersal of event after the conclusion of the procession.
7. The organizer should also ensure that no inconvenience shall be caused to the general public during the procession.
8. The organizer shall be responsible for any mishap happened to the members during procession.
9. Any health issues of the participants/volunteers during the procession shall be the sole responsibility of organizer.
10. The participants shall not carry any weapon, lathi, spray, chemical, acid etc. with them and should not burst crackers during the procession.
11. The members shall not cause hindrance to the vehicular traffic and pedestrians.
12. No unparliamentary/abusive slogans shall be used by the members of such procession, against any person by name during time of procession.
13. The members of procession shall not raise any offensive or loud slogans in front of any public office or carriageway.
14. The license for loudspeakers issued from the District Magistrate should be carried by the organizer during the procession. The organizer shall adhere to the sound level imposed for the use of loudspeaker.
15. Any members of such procession shall not indulge in any unlawful activity.
16. That no poster having provocative/objectionable slogans and banners should be displayed by the procession.

17. It shall be the duty and responsibility of the organizer(s) to whom this license is issued to maintain discipline among the members of such procession and not to allow any breach of peace.
18. Any violation of the above condition(s) shall be liable for cancellation of this license and appropriate legal action will be taken under relevant section(s) of law.

Superintendent of Police

_____ District

To

Chapter 19

BEATS AND PATROLS

19.1 Beat and Patrol System:

The principal functions of the police are the prevention, detection of crime and bringing offenders to justice. Preventive work must receive higher priority than other police work. Intimate knowledge of people and the conditions prevailing in the jurisdiction, the willing involvement and cooperation of all sections of the local community, knowledge about the nature of crimes and the movements and activities of criminals of various categories are conditions precedent to the successful prevention of crime. To gain such knowledge, and build cooperation of the people and interpose between the criminal and his opportunity, an efficient beat system is vital.

19.2 Meaning of Beats and Divisions

Beat means a segment or part of the jurisdiction of a Police Station consisting of a village or group of villages or a locality in a town. Each beat will be given a name in the name of Village/Area/Panchayat in a police station. Beat service means performance of any of the functions and responsibilities of the police officer assigned to the beat, in that beat area. These beats will further be grouped as Divisions (usually a group of two-three contiguous beats will constitute a division) which will be headed by an upper subordinate of the rank of Assistant Sub Inspector or Sub-Inspector.

19.3 Organisation of Rural/Town/Municipal Beats

I. The beats should be organised taking into consideration of the crime, the vigilance required, factions prevailing, clandestine activities being organised in the area etc. The frequency of visits and period of stay will depend upon the sensitive or hypersensitive nature of the area. The classification keeps changing from time to time.

II. The following are the types of villages/bazaar/locations to be classified as sensitive or hypersensitive within the general beats.

A. Villages/bazaar/locations in which bad characters reside i.e., offenders, criminals, or members of organised crime gangs or syndicates or those who foment or incite caste, communal violence, for which history sheets are maintained and require surveillance.

B. Villages/bazaar/locations in which there have been in the immediate past frequent incidents or outbreaks of crime, either against persons or property.

C. Villages/bazaar/locations in which there are acute factions due to group rivalries, political, communal or caste or other tensions, and

D. Villages/bazaar/locations in which organised criminal or drug related activity or manufacture, trafficking in firearms and explosives exists or shelterers of terrorists and other organised criminals exist. A shelter need not be a place. It would include a person as well.

III. A village/bazaar/location which is neither sensitive nor hypersensitive, but must be traversed en-route is called route village/bazaar/locations. There may be one or more such villages in each beat. Their names have to be entered in the column entitled, "Route villages /bazaar/locations" in the beat book of that beat.

IV. District Superintendents of Police shall issue orders dividing the jurisdiction of every police station, including that coming under the outposts/picket posts, into a certain number of divisions and beats, taking into consideration the geographical requirements, crime, law & order and other problems. Each such beats shall be identified by a name.

V. Entire police station area in a town should be divided into such divisions and beats keeping convenience, geographic contiguity, accessibility and ability to cover all the roads/ streets in the beat in one day or night on foot. A Beat Book will be maintained for each general beat.

VI. The selection and grouping of villages/bazaar/locations as outlined above should be reviewed by SDPO every year during annual inspections. They may order such changes as necessary, according to the circumstances. When the necessity ceases a sensitive/hyper sensitive village/bazaar/locations may be converted as route village/bazaar/locations.

VII. The SDPO, during the annual inspection, must particularly ensure whether the beats have been organised conventionally and based on all relevant and realistic factors. He should personally tour in one or two beats along with SHO and the police officers assigned to the beat in the same manner as a beat Constable does, to make sure that it is organised properly and can be served in the manner prescribed.

VIII. Two police officers i.e., either two police Constables or one Constable and one Head Constable should be allotted to each beat of rural area. For urban areas, 3-4 constables/Head constables may be allotted to each beat. They are responsible to visit and patrol sensitive village/bazaar/locations. The hyper-sensitive villages/ bazaar/locations should be more frequently visited. It is not necessary that all villages in a beat should be covered every time the constables go to that beat. They should cover the villages in the beats at least once a week not only in the day time but also at nights. They should proceed for beat duty at least 4 times a month. The SHO should ensure that they are ordinarily not allotted any other duty in the PS when the Constables/HCs in charge of a beat proceed on beat duty once a week. The SDPO shall make a surprise visit to at least one beat in a PS in a month in addition to regular inspections.

IX. If with the prevailing staff position of a police station in urban area, there comes any difficulty in implementation of the beat system recommended for urban areas, the beat system recommended for rural areas may also be implemented in these areas.

X. Depending on the strength and the rank composition in each police station, an SI or an ASI shall be appointed the supervisor of each beat or a group of contiguous beats i.e. the Division.

XI. SHO to decide the interval of Beat visits:- The Station House Officer should decide the intervals at which he should send men on the different beats in his jurisdiction according to the importance of the beats. Constables should be deputed to beats as often as possible visits to more important beats being more frequent than to others. It should however, be ensured by the SHO that every village/location/bazaar whether of class A,B,C,D in the jurisdiction of the station is visited by Beat Constable at least once a month.

19.4 Duties and Responsibilities of Beat Constables

The Constables assigned to a beat should perform the following duties:

1. Identify through discreet enquiry, observation and verification about habitual offenders, especially dangerous criminals, the nature of crime they are addicted to, or gangs, including members of organised crime syndicates requiring surveillance irrespective of their area of operation;
2. Collect information from or about travellers at camping grounds, rest houses and other places of public resort;
3. Ascertain or verify any definite piece of information concerning crime or criminals;
4. Service of summons and execution of warrants;
5. Gather information about movement of bad characters, suspicious strangers and wandering gangs in the village;
6. Enquire about the movements and good and bad activities of all ex-convicts and history sheeted persons specially with reference to their lavish expenditure or of other persons connected with them beyond their normal means;
7. Find out the existence of any receivers of stolen property and contacts by bad characters or strangers with them;
8. Identify liquor shops, illicit sources of liquor, vice dens, gambling houses, drug peddlers, and unlicensed weapons;
9. Collect intelligence about agitational activities of political parties or other organisations and clandestine activity of any organisation or their associates, or members or supporters;

10. To notice and ascertain any fresh settlers in the village or visitors and the places from where they have arrived and their friends and relatives in the village with whom they are staying or providing support to them;
11. To liaise with community elders, respectable members of the Community the residents of each village under his charge, and to review, during every visit, the crime prevention measures in the village;
12. To collect information relating to activities of subversive, militant and anti-social nature, if any in the village and communicate the same to the Station House Officer;
13. To acquaint himself with local disputes having potential for violence or with caste or communal overtones, and inform the Station House Officer of the same with all available details;
14. Collection of information and evidence in the cases reported from that particular beat;
15. Tracing absconding criminals and suspects;
16. Verification related to issue of passports and gun licenses, tenants and domestic/ professional helps, and character and antecedents of candidates selected for government service;
17. To carry out any other policing task in respect of the village assigned by the District Superintendent of Police or by SDPO through general or special order;
18. To record any public grievances and complaints in relation to policing; and
19. To maintain a record of aforesaid duties and responsibilities carried out by him during his visit and submit the same regularly to the Station House Officer.

19.5 Details of Information to be gathered on each important item

- 1) Crime - Crimes include all offences and all undetected crimes and hushed up/unreported crime;
- 2) Gangs - The names of the criminals of organised crime or terrorist gangs that have passed through the village/town area, whether they stayed there, if so, the number and duration of their stay, conduct of any activity by those gangs during such sojourn, their source of livelihood during their stay, whether they belong to particular caste and organized gang, the number of males, females and children, the name of leader;
- 3) Suspicious strangers - Their arrival in the village/town area and all their activities and doings and any information of interest from police point of view; the object of their visit; the place, relationship and antecedents of the person with whom they stayed; any suspicious activity during their stay and basis for the suspicion; any crime that occurred during their stay;
- 4) Receivers of stolen property - Existence of any receivers of stolen property in the village/town area; those who visit them and any suspicion about them; their frequent absence and the places and purpose of their visits outside the

village; method of disposal of stolen property, by sale outside or by melting it (jewellery etc.) immediately and persons who help them. In respect of other property like antiquities or art pieces his contacts outside;

- 5) Suspects - his presence in the village/town area or otherwise; the work in which he is engaged, the place of his work and his earnings there from; the earnings of his dependents, and whether the total income is sufficient for him to maintain his family above want, or whether he lives too extravagantly for his income; whether female members have, or wear valuable jewels or ornaments; the period of his absence if any from village/town area and details of places visited, persons contacted, purpose and date of return; whether, after the last visit of the police to the village/town area, he was absent at any time from the village/town area, either by day or night and if so, the duration of stay and his last absence and how he accounted for his absence; and the names of his associates, frequent visitors and their antecedents; Discreet enquiries from reliable persons about his way of life and earning.
- 6) Habitual Offenders & History Sheetters – The beat Police Officers should be fully conversant with the movements or changes of residence of all persons for whom history sheets of any category are maintained. They shall promptly report the exact information to the SHO, who will make entries in the relevant registers. The SHO on this basis of information should report by the quickest means to the SHO in whose jurisdiction the concerned person/persons are going to reside or pass through. The SHO who receives the first communication should acknowledge the communication and inform the concerned beat Police Officers of the area. If the subject is moving out to another area he should initiate the same procedure of intimating the concerned SHO. The receiving officer shall acknowledge the first and second communications. When replies are received the SHO shall make necessary entries in the history sheet and records.
- 7) Proclaimed offenders - A person against whom arrest warrant has been issued can be declared a 'proclaimed offender' if the court has reasons to believe that he/she is absconding or is in hiding, blocking execution of the warrant. It is necessary that the proclamation order issued under section 82 of CrPC is widely published in the manner provided for in that section. In order to facilitate the arrest of an absconding warrantee or a proclaimed offender, it is also necessary that an effective watch be maintained over his harbourers. Persons who willfully or knowingly harbour such offenders could be prosecuted under section 216 IPC. It is, therefore, necessary that the widest publicity is given to the proclamation order issued under section 82 of CrPC so that its knowledge can be conclusively proved against the harbourer for prosecution u/s 216 IPC. The observance of formalities under sections 82 and 83 of CrPC does not serve the purpose unless the SHO and IO make all out efforts to trace the offender, not only in their jurisdiction but outside jurisdiction too. Information should be gathered through sources and action taken to work it out eliciting cooperation of Police of the place where the offender is known to be hiding.

- 8) Bad Characters- In the case of a BC who is known to have gone to another State, a BC Roll 'A' shall be sent directly to the Station House Officer of the station in the other State preceded first by communication through quickest means. Entries in the concerned record should be made when reply is received. If similar communication is received from other States, action should be taken to verify and enter in the concerned records. A reply should be sent to the concerned based on enquiries.
- 9) Bad Character going out of view- When a BC absents himself or goes out of view, whether wanted in a case or not, the information should be disseminated to the police stations having jurisdiction over the places likely to be visited by him and also to the neighbouring stations, whether within this State or outside. If he is traced and intimation is received of his arrest or otherwise arrangements to get a complete and true picture of his activities should be made and the concerned record updated.
- 10) Liquor Shops - whether any illicit sale or manufacture of liquor is prevalent; the persons frequenting the shop most; the character and antecedents of the illicit liquor seller; and whether the person running these shops is a receiver of stolen property or harbourer of thieves or other offenders. Apart from this, information on organised gangs of illicit liquor manufacture, or trade, and their active members should be gathered;
- 11) Unlicensed weapons - The persons suspected to be possessing unlicensed arms; The sale and delivery of weapons by license-holder to an unlicensed person; and whether the license-holder purchased the weapon from an unlicensed seller; whether there is manufacture, trading in unlicensed weapons, explosives and explosive substances; demand of license from a suspected person carrying arms or ammunition, and seizure of the same under a seizure memo for any contravention detected;
- 12) Public gathering and Gram Sabhas - Meetings held and subjects discussed;
- 13) Collection of money - Whether any collections are made from public, the person collecting it, the purpose, the name of the treasurer and the use of such collections and whether it is voluntary or by force or intimidation. All information relating to collection of money whether clandestine or open, whether for religious purposes or development works should be gathered. The analysis of the information and action to be taken will be decided by SHO;
- 14) Matters affecting the public peace - The important points on which information should be gathered and nature of action to be taken in respect of communal, caste and group tensions, factors likely to affect public order are detailed below;
- 15) Communal - The nature of relationship between minority and majority communities, whether enmity prevails or points of friction and tensions exist, the details of disputes of long standing nature, whether dormant or active - efforts of village/town area community to settle amicably, militant groups who under religious garb foment trouble and their active supporters, their activities and grievances specific to the village, important impartial and sober elements or Community Liaison Group members of both communities who can resolve

problems and help maintain peace, preventive measures at local or higher level that would be necessary to prevent breach of peace. The constable in-charge of beat should be in constant touch with SHO to enable him to deal with situations according to the need.

- 16) Caste Problems -
 - a) Number of offences reported or unreported under SC & ST Prevention of Atrocities Act, 1989; possibility of any atrocity taking place against Scheduled Caste or Scheduled Tribe members;
 - b) Necessity or otherwise of DM or SP to visit and intervene personally;
 - c) Need or otherwise for granting or cancellation of weapons license for any person to remove the imbalance or to ensure self defense of any person or group;
 - d) The activities of Village/Town/Defense Parties, Fisherman watch groups and other non-government organisations if any in the village/Town, their composition and work to maintain cordial relations and improve awareness of the problem;
 - e) The names and antecedents of militant persons, who foment, incite and take advantage of tensions in all communities, and their antecedents;
 - f) To keep the SHO informed from time to time about caste tension if any to enable the SHO or other supervisory officers to take necessary steps to maintain peace in such a situation;
- 17) Political rivalries - In almost all villages, people have political affiliations with one or the other party. In most villages the public in general do not actively participate in political activities on a regular basis. Majority of them show interest only during election time, while a very small group may be active throughout. The police is concerned only with violent clashes or possibility of offences due to intense political rivalries - generally prior to elections or as an aftermath, and in some instances even at other times. The political factions quite often get aligned with communal or caste or village/town factions. Such situations are often a serious threat to law and order. The beat area constables have a duty to clearly understand these factors and keep detailed information of possible clashes in each village. A report should be made on the existence of such rivalry and the list of anti-social elements who take advantage of such situations;
- 18) Factions - The existence of a faction, political, social, or communal, the latest moves and plans of the factionists, their supporters likely developments or offences, the opinion of the residents of the area, the names of active members, their resources and weapons and their involvement in cases in the area or outside, are the important factors which influence factious crime and public peace;
- 19) Agrarian unrest - The villages in which there are serious land disputes, occupation of Government or private property, possession or dispossession, sale or transfer of land in scheduled areas, owner-tenant disputes, agricultural

wages, water disputes etc. are causes of unrest. Information of all such issues with a potential for law and order situations or clashes or offences either spontaneous or instigated is required to be collected and recorded in the village history note book. The beat area constables with the help of Panchayat secretary and contacts with local people will be in a position to collect this information. In the event of likelihood of the breach of peace, the names of parties, the object of dispute or conflict, the extent to which the village and its residents are likely to be affected should be assessed and regularly informed to the SHO.

19.6 Beat Area Policing

- 1) Two officers of the rank of police constable/head constables should be assigned for the rural beat and 3-4 constables/head constables should be assigned as far as possible to a beat in urban area.
- 2) The police constable/head constables assigned to a beat should be thoroughly briefed by the SHO. He should bring to their notice personally and in writing the standing instructions and responsibilities, and should give specific instructions to the officer regarding such matters as the nature of the work they have to perform, the manner in which it should be performed and the time by which they should return to the station, after each spell of duty. He should give them the benefit of his own knowledge and explain the purpose and specific problems that require to be looked into in each village.
- 3) Constables kept in charge of a beat should not normally be changed for two years and may be continued up to three years if possible so as to enable them to acquire thorough knowledge of the area, population, nature of its crime and criminals, and other matters of police interest.
- 4) Efforts should be made to establish Village/Town Defence Parties and sound police-public cooperation and interaction which in turn help in building up relevant data and intelligence regarding all categories, suspicious strangers and other activities of police interest in the beat area. This is the bedrock of police, crime, criminal and police information systems as well as the preventive and detective strategies of police.
- 5) Constables going on beat duty should proceed to the beat direct from the station. Likewise on return they should report at the station before going home, hand over reports and arms and ammunition and other equipment, if any, issued. Any other information that deserves to be communicated should be informed by quickest means like telephone or fax or any other means.
- 6) The departure of a constable on beat duty should be noted in the general diary, together with the special instructions given to him by the SHO.
- 7) During the day, the beat constables will make enquiries about bad characters, but during the night, bad characters will only be checked to know their presence or absence from the village. No enquiries should be conducted during the night.
- 8) Lurking points should be identified and constables of the beat should spend sufficient time there during patrol duty.

- 9) **Division officer:-** Area wise beats be clubbed into one division which may be headed by one SI or ASI to supervise the staff deployed in the beats and conduct visit to the beats at least once on a day. Division officer shall be responsible to check the illegal activities in his division like sale of illicit liquor, drug trafficking and other crimes etc.

19.7 Checking of Beats

- 1) Checking of Beats means verification of work done by beat area PCs including information brought by them and secondly physical check during night patrolling. The first part is done through enquiries by SHO himself or SI/ASI (Division Officer). The second part is also done by the SHO or an officer deputed by him as prescribed herein. If the SHO is Inspector or SI, SIs or ASIs respectively should conduct surprise check of the officers on night patrol duty.
- 2) The SHO or SI or ASI should visit selected villages/locations (not the same every time) with the beat books and compare the dates and hours of the entries in the beat books with those in the point books. Such verification should be made even when the SHO or ASI/SI or officer in-charge of the outpost goes to a village on any other work, such as petition enquiry or investigation. If beat books are not available, the checking officer will note down the particulars in his notebook and compare them with the beat book on his return to the station. Verification of information may also be done in the same manner.
- 3) The SHO should also make enquiries with villagers other than point-book holders regarding the beat police officers presence on the days noted in the beat book. Such enquiries should be more in the nature of acquainting himself with actual field realities rather than out of any distrust.
- 4) The SHO should personally check the patrols in each beat area in his jurisdiction at least twice a month. ASIs or OP in-charge should do so more often.

19.8 Duties of supervising officers in relation to Beats

Officers of and above the rank of SDPO visiting or inspecting a Police Station should not only see whether beat villages/locations have been properly selected, but also ensure that the function of beats are being achieved and the data required is being compiled on sound lines. The fact of having done so should be embodied in the inspection or visiting notes, together with the instructions, if any, given to the Station House Officer. He shall go through the village permanent information book and see if entries are made as per proforma and the information is authentic and record his comments wherever necessary in the register.

19.9 Road Patrols

It is incumbent upon the Police to ensure the safety of the roads and strict attention must, therefore, be paid to road patrolling. Policemen on road patrol should observe all passengers and vehicles, take special note of persons of suspicious appearances etc. As far as possible, beat Constables/Head Constables should be assigned for

patrolling in their own beats only. They should check motor vehicles for the observance of Motor vehicles Act and Rules and prevent any breach of traffic regulations, public nuisance and mischief or other crime. They should be sent out with definite instructions which may be varied, as circumstances permit, with respect to the time to be passed at particular spots. If possible two constables should patrol together. To secure the due performance of road patrolling, constant checking is absolutely essential. The Assistant/ Deputy Superintendent of Police must see that all subordinates perform their fair share of this duty.

19.10 Pickets

Two or more Policemen shall be sent to important junctions or strategic points where smugglers or criminals are likely to pass. Such policemen should post themselves in unobservable parts of the locality, alert and ready to pounce upon a criminal. It might be advantageous to have such men in plain clothes depending upon the time, nature of the locality and the circumstances in each case. But whenever they are sent in plain clothes they should carry with them their appointment certificates and preferably one or two men of the party may be required to be in uniform and in hiding. The places at which they post themselves should be shifted from one corner to another for specified periods. They shall be able to spot their checking officer while they pass. Specific directions as to the locality and time at each spot should be noted in their duty certificates/picket duty register.

19.11 Night Patrol in towns

Two constables in uniform shall be given a specific area to go round every night, noting the exact streets or lanes or routes to be patrolled. The route for patrolling should be changed every night. Care must be taken to limit the extent of these patrols, the number of such patrols depending on the area to be patrolled. Night patrols should ordinarily be for a period of five or six hours; patrolling should normally be between the hours of 2200 and 0600. Night patrolmen should always carry lathies and an electric torch may be provided to each patrol. Bad characters should not be checked by night as a routine, unless they are actually under suspicion of being engaged in night crime. The Police Station Officer shall give suitable instructions to the patrolmen before they are sent out. The Superintendent of Police may draw up detailed schemes of patrolling towns according to local conditions and other facilities available.

19.12 Night Patrol in Rural Areas

It is not necessary to patrol villages by night as a routine unless there is any special reason to do so such as an outbreak of crime or other disturbance. Men should, however, be sent as and when information is received, to hide themselves in unobservable parts of a specified place to prevent smuggling of contraband articles and to apprehend smugglers. It is for the Police Station Officer to issue suitable instructions in this regard to the men of his Station and outposts under his charge.

19.13 Checking of Night Patrols

The Sub-Inspector, Assistant Sub-Inspector, Head Constables and constables in a Station shall go on night patrols by means of surprise visits as frequently as possible. Whenever men are sent out from out posts for night patrol or picket the Officer-in-Charge of the Outposts shall similarly check them by surprise. The Superintendent of Police shall himself go the rounds at night occasionally and depute his Deputy Superintendent to do so. This is part also of the regular duties of the Reserve Inspector and his Assistants and the Superintendent of Police shall lay down the number of times that each officer has to go monthly or weekly.

19.14 Procedure on return of police officers from patrolling or Beat etc.

1. When a Police Officer returns from beat duty, he should report to the SHO. An entry should be made about the time of return of the constable/HC from beat duty in the general diary. The SHO should verify and satisfy himself that the Police Officer has contacted point book holders. The SHO should debrief the beat police officers and take report on the following;
 - A. Collection and updating of information;
 - B. Surveillance over history sheeted persons;
 - C. Meeting public, Fisherman watch group members, village Panchayat officials and representatives of panchayats;
 - D. Service of summons and execution of warrants;
 - E. Petition enquiries entrusted;
 - F. Assessment of possible breach of peace and public nuisances;
 - G. Their observation relating to the absence of ex-convicts, bad characters and history sheeted criminals.
2. The information brought by the beat constable should be verified by the SHO by contacting the concerned police officer where the absentee criminal is said to have gone. Similarly he must himself verify if he is elsewhere in his jurisdiction. If there are any strangers found in the area with suspected movement, he shall make a report immediately to the concerned SHO.
3. The information relating to the absence or a temporary change of address given by the ex-convict or history sheeted person shall be verified by the SHO with the concerned police stations for the correctness of the information.

19.15 Records pertaining to Beats

The information furnished by the beat area police should be entered by the SHO in the following records:

- A. Beat Visiting Book:** All the villages/localities earmarked in the beat should be first arranged alphabetically leaving some pages of the book for each village/locality. On the pages allotted for a village/locality, the usual signatures of five or six inhabitants with good antecedents of that village/locality where point books are kept should be obtained. The inhabitants should cover all important localities and

sections of people. Three of the five persons may be a (i) Member of Panchayat, (ii) Panchayat Secretary and (iii) member of Fisherman watch group. The first page should carry an index to the villages/locality with the page numbers noted against them. The night patrolling by beat area constables to each village will also be noted in the pages meant for each village and signed by them on their return to the PS. The sample signature book will be in the form 19.15.A.

B. Beat Books:

- I. Every beat should have a beat book in Form 19.15.B(i). In the beats having more than one beat officer, the SHO shall entrust the responsibility of maintaining the beat book to one of the more intelligent and literate officers.
- II. The beat book shall contain the following information:
 1. Crime Map of the beat showing the location of murders, dacoities, robberies, burglaries, cable, vehicle, and other thefts for the current and preceding two years;
 2. Crime map showing the automobile accidents for the current and the preceding two years;
 3. Address, telephone number, name of guards and working hours of every bank;
 4. Details of schools/colleges of the area especially girls schools and colleges;
 5. Details of markets, bazaars, haats etc. and their working hours also any vegetable markets-many are illegal and obstructing traffic;
 6. Details of jewellery shops and their working hours;
 7. Complete information about slums and crime prone areas, their residents, complete details of criminals, local dons etc;
 8. Details of all hotels, lodges and restaurants with telephone Nos;
 9. A list of monasteries/gumpas, temples, mosques, churches and other religious places with prayer timings, annual festivals etc;
 10. General information about bus stops;
 11. Information about all festivals celebrated in that area;
 12. Details of all professional criminals and anti-social elements;
 13. Names, addresses and telephone Nos. of members of Fisherman Watch Group and peace committee;
 14. Areas which are prone to communal/caste conflicts;
 15. List of persons helpful to the police and their telephone nos;
 16. Names and addresses of those persons who usually are hindrance to police work;
 17. List of industries in the beat, along with names and addresses of their owners/CEO, the strength of the labour force and details of unions and their office bearers;
 18. Offices of the print/electronic media along with names of journalists and their telephone Nos;

19. Details of hospitals, clinics, blood banks and dispensaries along with name and telephone No. of the Chief Medical Officer/Doctor;
 20. Details of multiplexes, cinemas, theatres and video parlours;
 21. Details of offices of various political parties active in the beat;
 22. Details of Fire Stations, Electric Sub-stations, Doordarshan/AIR Kendra, Telephone Exchange, TV tower- with address and telephones nos;
 23. Details of Petrol pumps;
 24. Details of Scrap dealers;
 25. Details of gas and explosive go-downs;
 26. List of individual holding arms license;
 27. List of bus/taxi stands;
 28. Details of Govt/Semi-Govt. offices;
 29. List public playgrounds for the children and what are the hours when the rush is more;
 30. List of mega markets and other commercial establishments having large footfalls.
 31. List of Cyber cafes;
 32. List of beauty parlours;
 33. List of 10 most influential persons from each community residing in the beat area with their address, telephone number etc;
 34. List of addresses of suspects residing in the beat;
 35. List of known drug peddlers residing in the beat;
 36. List of address of Modus Operandi Criminals residing in the beat;
 37. List with address of ex-convicts residing in the beat;
 38. Gist of important law and order incidents that have taken place in the beat in the last two years. As and when any law and order incident takes place in the beat, the same should be entered for the current year by the Beat in charge officer;
 39. List of liquor shops;
 40. List of used car dealers.
- III. Constables in-charge of beats whenever they proceed to the area should take the beat book along with them and note in the appropriate columns, the information they gather, during each visit. The beat constables are required to sign the point books (P.B) during night patrol duty and obtain signatures of PB holders while on such duty.
 - IV. The beat book should also be carried and action indicated as mentioned in the previous Order, if a constable goes on any other duty to any of the villages in the beat. Urgent visits where a specific work is performed and return is immediate, will not count as beat duty.
 - V. The beat books should contain in the appropriate column, the names of suspects, and habitual offenders, proclaimed offenders, ex-convicts, receivers and other history-sheeted persons.

19.16 Point Books

Books in Form 19.16 should be supplied to Panchayat Secretaries/Municipal or Nagar Panchayat councillors and selected inhabitants of every village with good antecedents including a few members of the Panchayat and Fisherman Watch Group in the station limits. Constables in charge of beats and officers overseeing their work or visiting the village for any purpose should sign the point books whenever they visit the village, noting the date and time.

19.17 Digitization of Beat Book

In future, E – Beat system shall be implemented with digital point books and beat books. The respectable members of the society can be taken on board and their feedback on the functioning of beat staff taken online. The location of beat staff can be monitored and digitally recorded.

SAMPLE SIGNATURE BOOK

[illegible]

Form 19.15.B(i)

Andaman & Nicobar Police**BEAT BOOK**

Sl.No. and Date	HC/Constable's Rank & Number & Name	Instructions, Specify the names of villages to be visited and work to be done	Report of the Constable regarding hour of arrival and departure at each village, work done, crimes, occurrences, strangers gangs, epidemics, etc., since last visit of police.	Names of suspects seen, and where.	Signature of panchayat Secretary or any other respectable resident of the village.	REMARKS. (where Constables of two different beats are to meet, signature of the other Constable should be taken under this column)
1	2	3	4	5	6	7

***List of suspects of Beat**

Name of village	Name of suspects

*Should be on the inside cover of the Beat book.

POINT BOOK

Name of person with whom kept

[illegible]

CHAPTER – 20

SURVEILLANCE

20.1 Surveillance

Surveillance is the process of keeping suspected persons and their premises under observation for learning as much as possible about their activities, operations and contacts. The purpose of surveillance is to prevent the commission of an offence or to apprehend persons in the commission of an offence or to learn the identity of all persons involved in a certain criminal enterprise and to make their apprehension.

20.2 Method of surveillance

Surveillance may, for practical purposes, be defined as consisting of the following measures:-

- (a) Thorough periodical enquiries by the Station House Officer as to the suspect's reputed habits, association, income, expenses and occupation.
- (b) Domiciliary visits both by day and night at frequent but irregular intervals.
- (c) Secret picketing of the house and approaches on any occasion when the suspect is found absent.
- (d) The reporting by village headmen, village watchmen and other sources about the movements and activities of the suspect.
- (e) The verification of the suspect's movements and absences by means of Bad Character Rolls.
- (f) Shadowing of a suspect, whenever necessary, in order to ascertain his movements and contacts.
- (g) The collection in a history-sheet of all information bearing on the conduct of a suspect.
- (h) Technical surveillance and CDR analysis can be done when it is necessary and with the prior approval of competent authority.
- (i) Surveillance should never be an impediment to steady employment and should not be made unnecessarily irksome or humiliating. The persons under surveillance should, if possible, be assisted in finding steady employment and the practice of warning against employing him must be discouraged.

20.3 Records

In order to deal effectively with crime it is necessary to have a continuous record of the criminal history of individuals and localities. To secure this, each Police Station shall maintain the following records.

1. Notes on villages

Every Station House Officer shall maintain confidential notes on villages in Form – 20.3.1. Information relating to different villages shall be recorded on separate sheets, headed by the names of the villages. One or more sheets, as may be necessary, should be kept for station information of a general nature. These will contain particulars of the population, outlying hamlets, principal castes and communities, names of village headmen and watchmen, Chief landowners and leading men of the village, notes on religious or other festivals, disputes over property, factions, prevalence of organized crime, important facts about the history of the village, persons bound down to keep the peace, police bandobust necessary for any occasion and in short, any information which may be useful to a new Station House Officer having no previous experience of the station. All entries in this record shall be compiled by the SHO himself and checked and initialed by the SDPO who shall ensure by frequent checks that it is kept up-to-date.

2. Village Crime Sheet

Village crime Sheet shall be maintained at every station as per Form – 20.3.2 in which all cognizable cases registered in the station will be entered. The cases occurring in different villages shall be recorded on separate sheets, headed by the names of the villages. Only important particulars need be entered therein such as the F.I.R. Number, date of registration, place and date of occurrence, section of law, name and residence of the accused and the result of the case. The village Crime Sheets shall be kept together in a single file for five years after which they may be removed and filed with the Confidential Note Sheets of the respective villages.

3. Head wise Crime Register

A Head Wise Crime Register should be maintained in Police Station in Form 20.3.3. In this shall be entered in the order of their occurrence all true cases of crime coming under the following classes as well as attempts to commit these offences which are known or believed to be the work of habitual criminals.

Crime - Major Classification

(A)	Indian Penal Code
1.	Dacoity
2.	Murder

3.	Attempt to Murder
4.	Robbery
5.	Rape
6.	377 IPC
7.	Riots
8.	Kidnapping for Ransom
9.	Snatching
10.	Day Burglary
11.	Night Burglary
12.	Pick Pocketing
13.	MV Theft
14.	House Theft
15.	Servant Theft
16.	M.V. Accessary
17.	Shop Theft
18.	Other Theft
19.	Simple hurt
20.	Grievous Hurt
21.	Simple Accident
22.	Fatal Accident
23.	Kidnapping
24.	M.O. Women
25.	Extortion
26.	Abduction
27.	Eve Teasing
28.	Dowry (498-406 IPC)

29.	Dowry Death
30.	Attempt to Culpable Homicide (308 IPC)
31.	Culpable Homicide
32.	Cheating
33.	Drugging
34.	Criminal Breach of Trust
35.	188 IPC
36.	279 IPC
37.	283 IPC
38.	186/353 IPC
39.	447-448
40.	506 IPC
(B)	Others
41.	Arms Act
42.	Excise Act
43.	NDPS Act
44.	Gambling Act
45.	POCSO Act 2012
46.	Foreigners Act
47.	MZI Act
48.	Prevention of Corruption Act

4. General Conviction Register

(a) A General Conviction register in form 20.3.4(a) shall be maintained in every Police Station in which the names of the following persons shall be entered provided, except in case of persons coming under clause (iv) below, their finger prints have been ordered to be retained by the Superintendent of Police:

- i) All true cases of crime relating to theft of automobiles and automobiles accessories, burglary, snatching, robbery, dacoity, travel, misappropriation, criminal breach of trust, cheating, extortion. Cases under Arms Act & Explosive Act, kidnapping, abduction, culpable homicide, organized crime, possession & receipt of stolen property reported and registered in the police station including attempts to commit these offences, should be entered in this register, in the order of their occurrence chronologically.
 - ii) Persons convicted under Chapters XII, XVI, and XVII of the Indian Penal code, for which a punishment of three years or upwards is described.
 - iii) Persons convicted of offences under Sections 489 – A to 489-D Indian Penal Code (forgery of currency notes and bank notes).
 - iv) Persons convicted under the Telegraph Wires (Unlawful Possession) Act and other special enactments like Immoral Traffic (Prevention) Act, 1986, Forest Act, Excise Act and FEMA, if their finger prints have been ordered to be retained by SP
 - v) Persons bound over under Sections 109 and 110 Cr. P.C.
 - vi) Unconvicted persons reasonably suspected to have committed offences with the approval of the Superintendent of Police or the Deputy Superintendent of Police. These shall be retained only so long as reasonable suspicion exists against them.
- (b) The conviction of a person, whose place of residence is in the limits of another station, shall be communicated to that station by means of a Bad character Roll for entry in the General Conviction Register of that Station. The Roll will be returned with the page of the General Conviction Register in which the entry is made in the other station and this will be noted in the last column of the GCR of the first station. The same procedure shall be followed when a person changes his place of residence after release.
- (c) This Register will contain convictions in cases registered at the stations and of persons living in the Station limits, convicted elsewhere. If a conviction is reversed on appeal, the entry should be crossed out unless the person is brought under clause (iv) of para (a) above. In the remarks column of the register shall be entered a broad classification of crime committed by the criminal. The names of persons registered in the General Conviction Register shall be struck off after a period of ten years from the expiry of their last sentence, provided in the case of persons for whom history-sheets have been opened, the history sheets have been discontinued. The Superintendent of Police or the Deputy

Superintendent of Police may, however, sanction the removal of names at any time within the period mentioned above, if the retention of such names is considered unnecessary. Convicted and un-convicted persons not removed from the General Conviction Register shall be enquired atleast once a year.

- (d) An alphabetical index of persons entered in the General Conviction Register shall be maintained.
- (e) A check Register of person entered in the General Conviction Register shall be maintained village-wise, villages being arranged alphabetically.

5. History Sheets

(a) History sheets are maintained as per Form No. 20.3.5 for ex-convict, person bound over for good behaviour and for suspects who should be kept under regular surveillance. History sheets shall not be opened for person of no fixed residence. A person for whom a history sheet is maintained should be closely but quietly and discreetly watched and relevant checking entries be made on monthly basis. Information may be collected about him from village officials and others.

A history sheet should not be subjected to any annoyance of obtrusive inquiries nor must the fact that an account is being kept of his doings be divulged. History sheets shall be maintained in English and written up personally by the Station House Officer. The first part of the history sheet will consist of a brief account of the criminal's life, his habits, means of livelihood, relations in the village etc. In the second part will be entered a detailed account of each of the offences for which the criminal was convicted or which he was suspected of having committed. The method of commission in each case should be carefully described and the names of proved or suspected associates be mentioned. The third part will be the current history of the criminal which will be entered up by the Station House Officer from the notes in the index to history sheets. This record must be an absolutely fair one and any information favourable to the history sheet must also be duly recorded.

- (b) History sheets shall be opened automatically by a Station House officer at the time of conviction for the following :-
 - (i) Persons released from life-imprisonment under Chapters XII, XVI and XVII of the Indian Penal Code. – Once
 - (ii) Professional poisoners. – Once
 - (iii) Members of organized crime syndicates and gangs – Once

- (iv) Drug Traffickers and Smugglers – Once
- (v) Illicit distillation – Once
- (vi) Trafficking women, girls and children – Once
- (vii) Cheating, forgery for gain, misappropriation and breach of trust - Of individuals – Twice or Of organized crime involving public funds – Once
- (viii) Persons convicted for Excise cases – Thrice

(c) History sheets shall be opened after monthly review of crime and criminal on the recommendation of Station House Officer through SDPO and should be approved by SP.

(d) In any case, as soon as the period of retention of a history sheet expire, the Station House Officer shall submit a report to the Deputy Superintendent of Police stating whether the history-sheet should be closed or retained in accordance with the orders of the Superintendent of Police or the Deputy Superintendent of Police. The history sheet of a person who has died shall be closed automatically. When a history sheeteer changes his residence, his history sheet will be sent to the Officer in-charge/SHO of the station in whose jurisdiction he is residing and an acknowledgement obtained. When the transfer of a history sheet is made to another State or Territory, it shall be done through the Superintendent of Police.

(e) Personal Files

The starting of a personal file should always be the first in compiling the record of a history sheeteer. As soon as suspicions have come into record regarding an individual to an extent which indicates that he is addicted to crime or the associate of criminals, such record should be tabulated to form the foundation of a personal file. Subsequently all information obtained about such person, whether in his favour or against him, shall be added to his file. The personal file shall form the main material by which officers will be guided as to whether to open a history sheet or not. It follows that a personal file must be maintained for every person for whom a history sheet exists. On such file, bad character rolls, papers relating to information sheets etc. shall be recorded. All personal files shall be paged and indexed. The personal files for whom history sheets have been opened shall be given the same serial number as the history sheets and

clubbed with the history sheet. The personal files of persons for whom no history sheet exists shall be kept in a separate bundle.

- (f) Index to history sheets and personal files:** A register in Form No.20.3.5 (f) shall be maintained at every station. It will contain a general index to history sheets and personal files. When a history sheet is opened it shall be given a permanent serial number and entered in the general index register. Such number of a history sheet shall not be changed unless the history sheet is destroyed or transferred to another Police Station. A history sheet received on transfer from another Police Station shall be allotted a fresh serial number of the receiving station.

6. Rowdy Sheets

The following persons may be classified as rowdies and Rowdy sheets in Form No.20.3.6 may be opened for them under the orders of the Superintendent of Police:-

- a) Persons who habitually commit, attempt or abet the commission of offences involving a breach of the peace.
- b) Persons bound over under Sections 106 and 107 Cr. P.C.
- c) Persons who have been convicted under Section 34 (Clause vi) of the Police Act, 1861, or under Section 510 IPC twice in two consecutive years.

Persons for whom Rowdy Sheets have been opened shall be kept under surveillance in the same manner as history sheeters.

7. Bad Character Roll – A

- (a) The Officer– in-charge/ SHO of a Police Station shall at once, on receipt of information that a person under surveillance is absent, fill in a Bad Character Roll 'A' as per Form 20.3.7 and shall add a brief précis of the habits and manners of such bad character and forward it by the quickest possible means, to the Officer-in-charge of the Police Station within which is situated the place to which the bad character is alleged or believed to have gone.

- (b) If the destination of the bad character is not known, a copy of the roll shall be sent to every Police Station within or outside the district to which there is any likelihood of his having gone.

(c) If the surveille is a member of a known gang of criminals, the Officer-in-charge shall, besides taking action as above, at once arrange a special watch to be maintained on the other members of the same gang, whether residing in his own or other Police Station until the surveille returns.

(d) A Police officer who receives the roll shall immediately take steps to ascertain whether the bad character has arrived within the limit of his jurisdiction. If the bad character is found, the Police Officer shall note the date and hour of his arrival, the name of the person with whom he is staying, and the names of any persons with whom he associates and he shall arrange to have his proceedings watched in the same way as if he was a registered bad character of his own station. If he has not been traced on the expiry of one week from the receipt of the roll, the officer receiving the roll shall return it with a statement to that effect on the back of it to the Police Station which issued it.

(e) When the bad character leaves the limits of the station for his home or elsewhere, within or outside the district, the Officer-in-charge shall forward the roll to the officer-in-charge of the Police Station to which the bad character has gone noting on the back of it all the information regarding the individual's movements which was collected while he was residing within the limits of the station and sending intimation to any intermediate Police Station or stations falling on his route. If the bad character goes to a Police Station other than that in which he is registered, the Officer-in-charge of the latter shall be informed of the fact.

8. Bad character Roll – B

(a) On receipt of information that a suspicious stranger has arrived within the station jurisdiction it shall be the duty of the Officer-in-charge of the Police Station to send Bad Character roll – B as per Form- 20.3.8 with the utmost possible dispatch to the Police Station limits of which the stranger alleges that he resides. If before the receipt of the reply to the roll, the stranger leaves the place for another jurisdiction, a copy of the roll shall be sent to that Police Station.

(b) On receiving such a roll, the Officer-in-charge of a Police Station shall at once return it with complete information regarding the individual in question, if he is a resident of that station; if he is not a resident, the roll shall be returned with a statement to that effect. In such case the officer who issued the roll must take all possible steps to discover the identity of the stranger.

(c) The nature of the information received regarding the stranger will guide the police officer as to the steps that should be taken, whether to institute proceedings under Section 109 or 110, Code of criminal Procedure or to watch the movements of the stranger.

(d) Bad character rolls 'A' and 'B' for reporting the arrival or departure of bad characters on their return to the issuing officer shall be pasted on the foil of the roll book. They shall be destroyed after three years.

(e) The concerned beat officer shall keep an updated list of BC of A&B category and check them on daily basis and make entries in BC Rolls.

9. Organized Crime Register

Organized crime is defined as the act of those criminals who are involved in crime; normally associating themselves with other criminals/ accomplices in continuing serious criminal activities for illegal and illegitimate pecuniary gains. Organized criminals who work together for the duration of a particular criminal activity or activities are what we call an organized crime group/syndicate. A register is to be maintained at Police Station containing the details of accused involved in organized crimes like Drug abuse and Drug Trafficking, Smuggling, Money Laundering and Hawala, Contract Killing, Kidnapping for Ransom, Prostitution, Gambling, Bootlegging, Poachers of Wildlife and Forest products etc.

10. Religious and political activities Register

A register is to be maintained in PS, wherein the details of all the political, religious and social activities shall be maintained and updated by the concerned beat officers on weekly basis.

20.4 Surveillance over declared Proclaimed Offender (P.O.)

A Proclaimed Offender Register (P.O.) shall be maintained in Form 20.4 The register shall be maintained in two parts.

Part – I: The name of proclaimed offenders who are residents of home police station irrespective of the police station in which proclaimed, shall be entered in this part.

Part-II: The name of proclaimed offenders of the cases registered in his home police station but not residents of the home police station.

In addition to this, a list of proclaimed offenders shall also be hung up in the office and notice board of the police station.

20.5 Absconding Warranties/Bail Jumpers/Absconders

A register be maintained in PS level wherein the details of all those criminals, who have absconded themselves or have jumped the bail be entered and the beat officers should collect intelligence about them.

20.6 Jail Release List

(a) The jailor of the District Jail is required to send to the concerned Superintendent, Jail before the 15th of each month, a list of prisoners to be released during the next ensuing month.

(b) In addition to the list to be sent before the 15th, the Jailor shall, if necessary, send a supplemental list containing the names of prisoners admitted after the 15th of each month who will be released during the next ensuing month.

(c) Whenever there is a delay in the receipt of release list from jails, the matter should be reported to the IG/Prison who will bring it to the notice of the Superintendent of the jail.

(d) Extracts from release list shall be communicated by Superintendent of Police through SDPO to the stations within the limits of which the prisoners' homes are situated and Station House Officers shall, after reasonable time return these extracts through their SDPO, noting therein whether the prisoners referred to have returned to their homes or not.

(e) Use of E-Prison and ICJS portal be done for getting the information. The e-Prisons, which aims at computerization of the functioning of prisons in the country, has been operationalized in all States and Union Territories. e-Prisons data has been integrated with Police and Court system under the Inter-operable Criminal Justice System. e-Prisons uses data maintained by the States and Union Territories on the National Prisons Information Portal as per protocols notified for e-Prisons. The system can be accessed through the secure National Informatics Centre (NIC) network, exclusively by the authorized officials of Law Enforcement Agencies and Prisons, through Inter-operable Criminal Justice System (ICJS).

20.7 Rules and Instructions regarding watching ex-convicts ordered to notify residence:

The following are the rules to be framed by the Government under sub-section (5) of section 356 of CrPC.

(a) A convict in respect of whom such an order u/s 356 CrPC has been passed shall, when called upon by the officer in charge of the jail in which he is confined before his release state the place at which he intends to reside after his release, naming the village or town and the street therein. After release and on arrival at his residence, he shall, within 24 hours, notify at the nearest police station that he has taken up his residence

accordingly.

- (b) Whenever he intends to change his residence he shall, (not less than two days before making such change), notify his intention at the nearest police station, giving the date on which he intends to change his residence and the name of the village or the town and street in which he intends to reside and, on arrival at such residence, he shall, within twenty-four hours, notify at the nearest police station that he has taken up his residence accordingly.
- (c) The officer recording a notification shall allow such period as may be reasonably necessary to enable the convict to take up his residence in the place notified. If the convict does not take up his residence in such place within the period so allowed, he shall, not later than the day following the expiry of such period, notify his actual place of residence to the officer in charge of the police station within the limits of which he is residing.
- (d) Whenever a released convict intends to be absent from his residence between sunset and sunrise, he shall notify his intention at the nearest police station, stating the time and purpose of such absence, and the exact address where he can be found during that period.
- (e) Every notice required to be given by the foregoing rules shall be given by the released convict in person unless prevented from doing so by illness or other sufficient cause, in which case the notice required shall be sent either by letter duly signed by him or by an authorized messenger on his behalf.
- (f) Whenever a released convict gives any notice under the rules, he shall be furnished with a certificate to the effect that he has given such notice by the officer to whom he gives it.

Provisions of 356 CrPC:

The following instructions are issued with regard to ex-convicts ordered to notify residence under sub-section (5) of section 356 of CrPC.

- Each Station House Officer is responsible for maintaining a correct list of ex-convicts ordered to notify residence, which shall be displayed in the station. The villages notified and the dates of release will be entered from jail release lists.
- When an ex-convict does not appear at the place notified within a reasonable time, the SHO shall report the fact to the DCRB, which should order for enquiries to be made after approval of SP/DySP.
- Ex-convict ordered to notify shall be watched in the same way as other dangerous criminals and their intended movements, of which

they should give notice and movements communicated through BC Rolls.

- Prosecution of ex-convicts for breach of the rules shall not be undertaken without the sanction of the SP or the SDPO.
- The offence falls under the second part of section 176 of the IPC. Remission grants to heinous offenders

20.8 Surveillance of person conditionally released

(a) A list of all Convicts conditionally released shall be maintained in Form- 20.8.

(b) When a convict is conditionally released the district Superintendent of Police will be supplied by the Administration with a certified copy of the order of conditional release with date of release endorsed on it, and a descriptive roll of the convict. If the release is subject to conditions, which the police are required to take measures to secure the observance issue suitable orders to subordinate officers concerned.

20.9 Hue and Cry Notice

(a) When the immediate dissemination of intelligence and the cooperation of the staff of neighbouring Police Stations is desirable, hue and cry notices in Form No.20.9 shall be issued in the following classes of cases when the person concerned has not been immediately arrested or the property stolen has not been recovered :-

- i) Professional NDPS cases;
- ii) Dacoity and all organized crime in which wandering gangs, foreigners or residents of other jurisdictions are known or suspected to have been concerned;
- iii) Escape of prisoners from lawful custody;
- iv) Cases of cheating by professional criminals;
- v) Cases of shaking off police supervision by wandering gangs; and
- vi) Other cases in which the accused have absconded after committing the offence, or in which identifiable property of considerable value has been stolen;
- vii) Sighting or information of presence of poachers;

(b) Hue and cry notices should ordinarily be dispatched by post, radiograms, telegrams, electronic media or by special messengers, whichever is quicker.

- (c) On receipt of a hue and cry notice the Officer in charge of a Police Station shall at once enter it in red ink in the register of correspondence and shall take all necessary action. He shall cause enquiries to be made about the movements of local bad characters and shall check surveillance reports. He shall also enquire into points mentioned in the hue and cry notice which require particular investigation and shall communicate the result. He shall in all cases communicate the contents of the notice to his subordinates and Chaukidars of his jurisdiction and shall warn them to be on the lookout for the offender or stolen property, as the case may be. All actions taken shall be clearly noted on each notice, which shall be consecutively numbered and filed. Successful detection of culprits or tracing of stolen property should be always rewarded.

20.10 Release of Foreign Prisoners:

Before a foreign prisoner, whose finger prints are taken for record is released the SP of the district where the case is registered should send a report to the Director, I.B. through CID informing the route and conveyance by which he is likely to leave this country.

20.11 (i) Convicts released on medical grounds:

A convict released by the Government on medical grounds is required to follow certain conditions for his release and thereafter. The conditions to which he subscribes before release are set forth below.

- That the said convict will, within fourteen days from the date of his release, present himself to the SP or if he is absent, to the Addl. SP/DySP in charge of Administration and will produce the copy of the conditions of his release given to him by the Jail Superintendent.
- That he will henceforth report himself, once in each month, at such time and to such officer as may be directed by the SP or DySP.
- That he will not leave the district without the written permission of the SP district.
- That he will accept and fulfil the conditions of grant of such permission.
- That he will not commit any offence punishable by law in force in India.
- That he will not associate with notoriously bad characters or lead a dissolute life.
- That he will live peacefully and will endeavour to earn an honest livelihood.

(ii) Budding Criminal/Ruffian Register

A register is to be maintained in four parts. The first part should contain details of ruffians of the area. The second part should be used for entering the details of ruffians of other area. The third part of the register should contain the details of bogus sureties and the fourth part should contain the details of Budding Criminals.

20.12 Berthing of Foreign Vessel:

A register is to be maintained at Police Station, wherein the arrival and departure details of foreign vessel need to be entered. The register should contain the details of date of arrival and departure, number of crew nationality wise, last port and next port of the vessel, type of cargo etc. The beat staff should keep surveillance over the vessel and the crewmembers who come out on shore pass.

Form – 20.3.1

Andaman & Nicobar Police**NOTE ON VILLAGE****Name of Police Station..... Name of Village**

- (1) Notes on special outbreaks of crime: (2) party factions, with nature of differences: (3) important disputes between land-lords, between landlords and tenants, or between tenants, and action taken to stop them: (4) References to operations of suspected receivers of stolen property: (5) name of persons living in the village suspected of committing crime in this or other stations, with grounds for suspicion, and the names of witnesses who can give evidence supporting the suspicions: (6) Visits of criminals and suspects of other villages, with names of persons visited and reasons for such visits: (7) Any other matter of interest which the Superintendent of police considers should find entry, with special reference to local conditions.

Date of entry	Remarks	Signature of officer
1	2	3

Form – 20.3.2

Andaman & Nicobar Police**VILLAGE CRIME SHEET****Part-I**

Population by Census (year)	No. of Houses	Name of outlying hamlet with No. of houses in each Revenue	Market Days	Name of Headsman/Leading Person

Part-II

FIR No. & Date	Date & Time of Occurrence	Offence	Value of stolen property	Property recovered	Name of accused or suspected with parentage, religion and residence	Result of the Case

Part-III

FIR No. & Date	Name of convict and No. of History Sheet	Parentage & religion	Place & Date of convict	Offence	Punish- ment awarded	Place of crime if committ ed outside the village	Remark (Here later modus operandi permanent change of residence membership of known going etc.)

Part-IV

Observation of SHO of the Police Station

Head Wise Crime Register

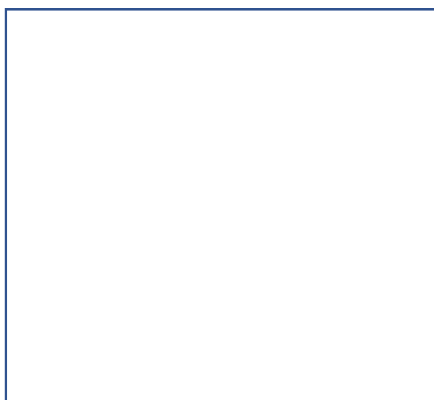
[illegible]

Form - 20.3.4(a)**Andaman & Nicobar Police****General Conviction Register**

Sl. No. and Date	Convict's name, year of birth, present and former address, personal description & caste	Name of father and other relatives, their address and occupation	Date, Sentence, Section, Date of conviction, Court which convicted	FIR No. & date, place of occurrence, name and address of complainant, name of I.O. and identifying jail warden	Previous sentence with date, place of conviction and other details as col. 5	Brief history of the case, name & address of accomplices if any, history sheet No. if any, cross ref. to other registers, PT, PRT & FP; date of release, name of jail from which released, result of annual enquiry in the case of persons for whom history sheet has not been opened.
1	2	3	4	5	6	7

FORM NO. 20.3.5**A & N POLICE**

History Sheet



NAME:

HS No: _____

DATE OF OPENING: _____

PS _____

I. PERSONAL INFORMATION

1	NAME					
2	ALIAS					
3	PARENTS DETAILS					
4	SPOUSE DETAILS					
5	DATE OF BIRTH & AGE					
6	NATIONALITY					
7	RELIGION					
8	CASTE					
9	PERMANENT ADDRESS	ADDRESS -				
		FRONT SIDE	BACK SIDE	LEFT SIDE	RIGHT SIDE	LANDMARKS
10	PRESENT ADDRESS	ADDRESS -				
		FRONT SIDE	BACK SIDE	LEFT SIDE	RIGHT SIDE	LANDMARKS
11	E-MAIL ID & MOBILE NUMBER					
12	EDUCATION DETAILS					
13	OCCUPATION				EMPLOYER DETAILS	

	DETAILS				
14	ID PROOFS DETAILS	AADHAR	VOTER ID	DRIVING LICENSE	PASSPORT

15. BANK ACCOUNT DETAILS

PAN NO -

SL. NO.	BANK NAME & BRANCH	ACCOUNT NUMBER

16. VEHICLE DETAILS

SL. NO.	MAKE AND MODEL	VEHICLE NO.

17. MOVABLE AND IMMOVABLE PROPERTY DETAILS

SL. NO.	PROPERTY DETAILS (INCLUDING DESCRIPTION / ADDRESS)	OWNERSHIP	VALUE/ WORTH

18. IDENTITY MARKS

1.

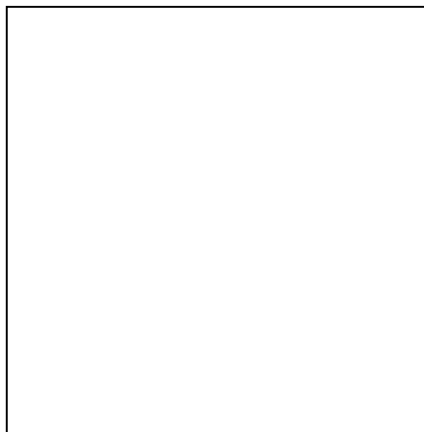
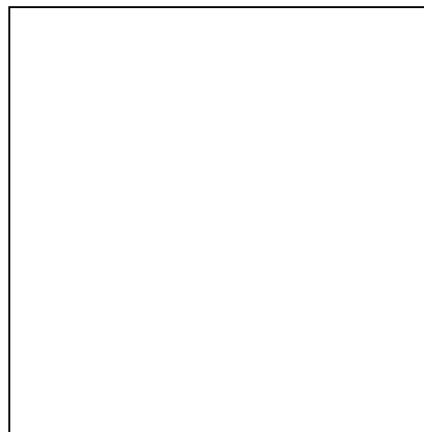
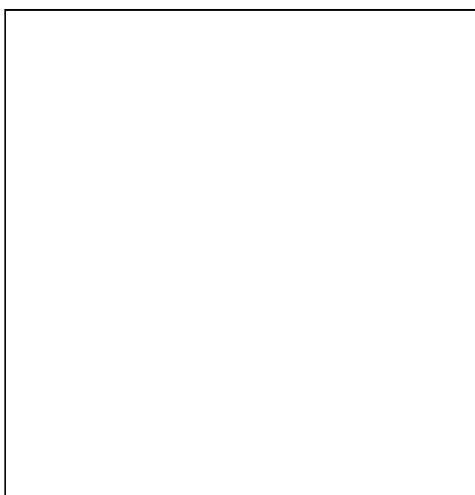
2.

19. SPECIAL FEATURES -**20. REMARKS -****OTHER DETAILS**

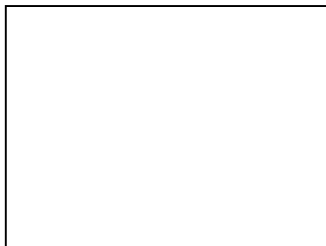
1. SMOKING/ADDICTION	-
2. REGULAR VISITING PLACES	-
3. HIS PECULIAR HABITS	-
4. HIS AREA OF OPERATION	-

II. DESCRIPTIVE ROLL / PHYSICAL FEATURES

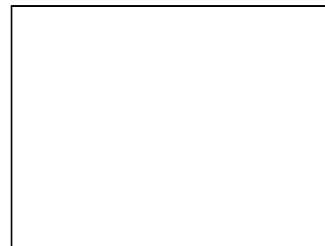
1	SEX	
2	HEIGHT	
3	COMPLEXION	
4	BUILT	
5	EYE COLOUR	
6	FACE	
7	MOUTH	
8	CHIN	
9	HAIR COLOUR	
10	NOSE	
11	TEETH	
12	DEFORMITY	
13	BURN MARKS	
14	LEUCODERMA	
15	MOLE	
16	SCAR	
17	TATTOO	
18	SPEECH	
19	LANGUAGES	
20	REMARKS IF ANY	

III. PHOTOGRAPH OF THE ACCUSED**LEFT POSE****RIGHT POSE****FRONT POSE**

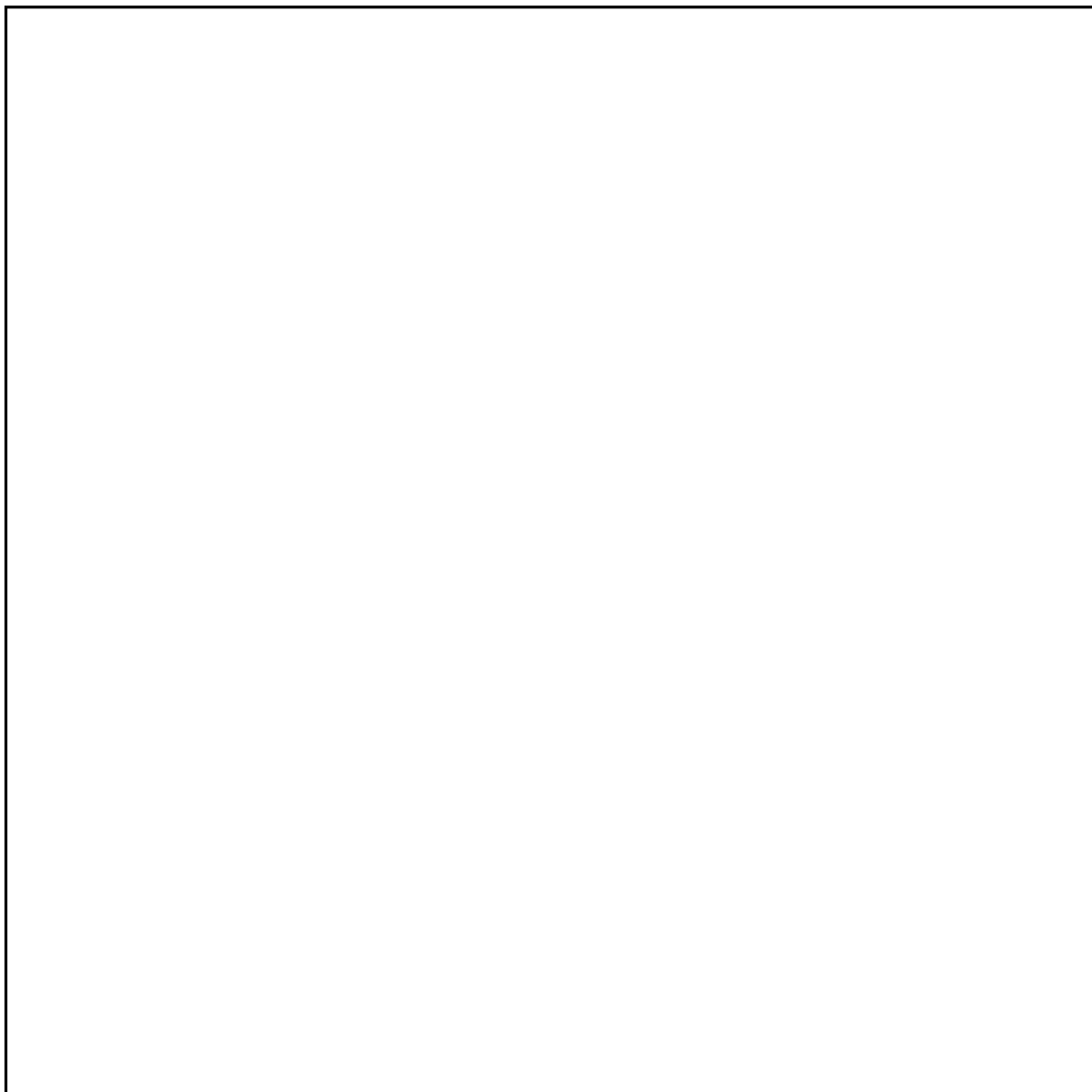
TATTOO IMAGE, IF ANY

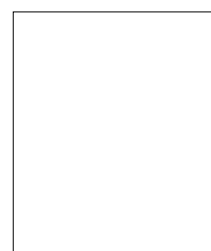
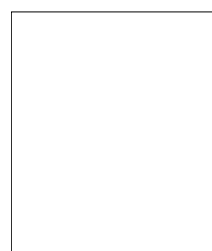
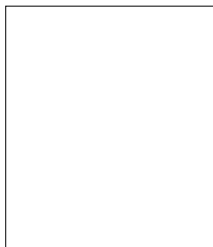


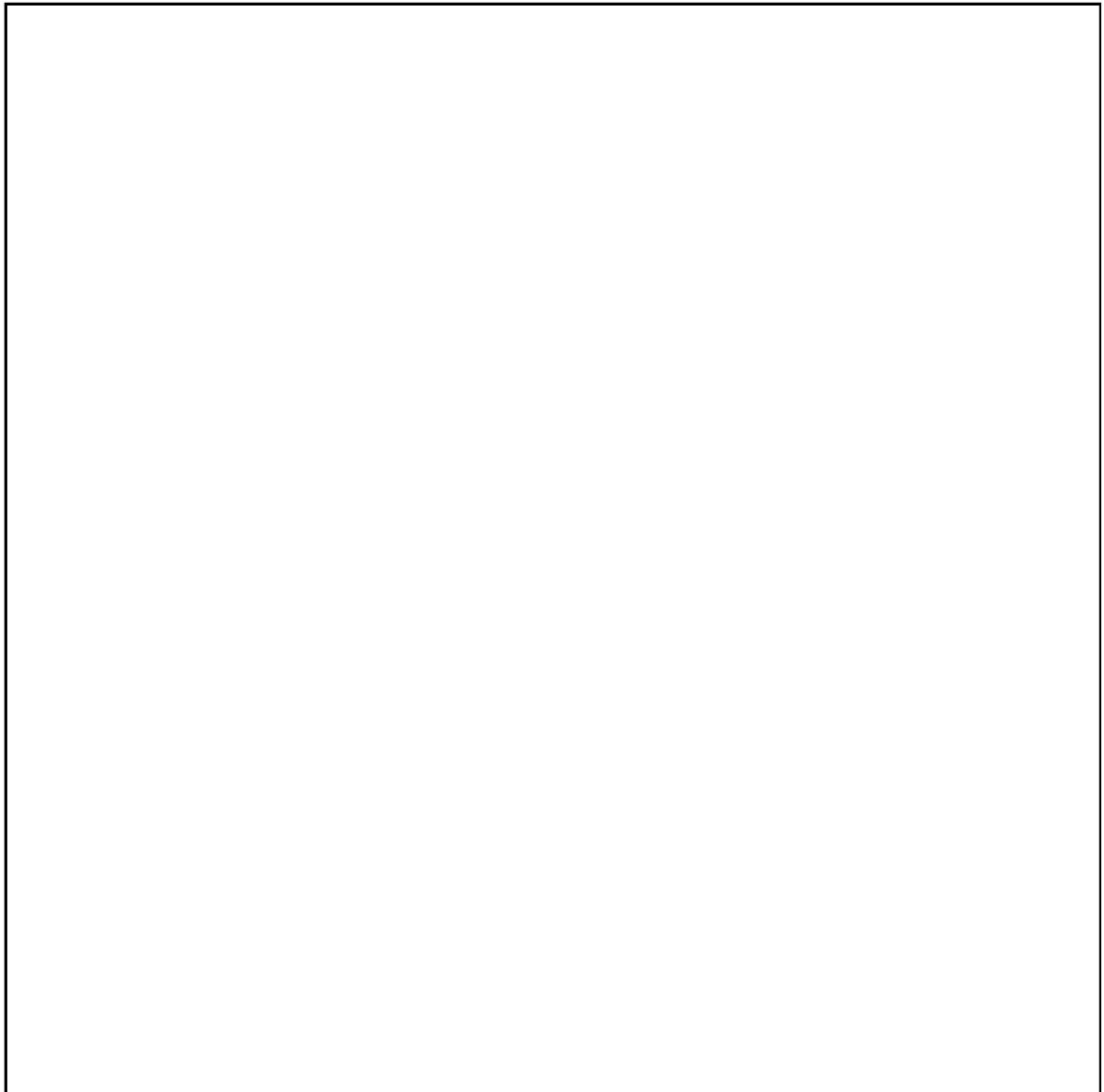
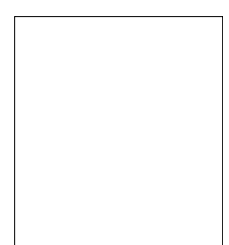
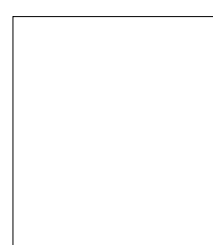
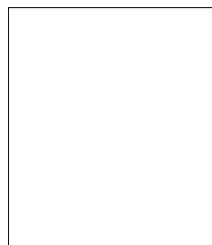
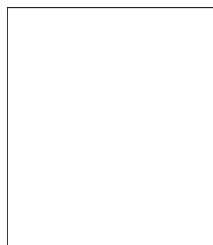
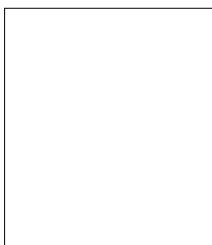
DEFORMITY IMAGE, IF ANY



IV.A. FINGERPRINT OF THE ACCUSED

LEFT PALM

LEFT HAND FINGERTIPS**IV.B. FINGERPRINT OF THE ACCUSED**

RIGHT PALM**RIGHT HAND FINGERTIPS**

V. PREVIOUS CASES / INVOLVEMENTS

SL. No.	FIR No.	Date	Sections	Police Station	Status of Case	Status of Accused	Present Status
1							
2							
3							
4							
5							
6							
7							
8							
9							
10							

VI. FAMILY MEMBERS OF THE ACCUSED

S.NO.	NAME	RELATION	ADDRESS	CONTACT NO.

S.NO.	NAME	PARENTAGE	ADDRESS	CONTACT NO.
1.				

BAILER'S INFORMATION**FRIENDS INFORMATION****DETAILS OF ASSOCIATES**

SL. No.	CH. No.	Date	Sections	Police Station	STATUS
1					
2					

S.NO.	NAME	PARENTAGE	ADDRESS	CONTACT NO.
1.				

DETAILS OF PREVENTIVE CHALLANS**MONTHLY CHECKING**

DATE:

- REMARKS (LIVELIHOOD & RESIDENCE):

S.NO.	NAME	PARENTAGE	ADDRESS	CONTACT NO.
1.				

SIGN OF BEAT OFFICER & DIVISION OFFICER:

SIGN OF SHO

DATE:

- REMARKS (LIVELIHOOD & RESIDENCE):

SIGN OF BEAT OFFICER & DIVISION OFFICER:

SIGN OF SHO:

DATE:

- REMARKS (LIVELIHOOD & RESIDENCE):

SIGN OF BEAT OFFICER & DIVISION OFFICER:

SIGN OF SHO:

Form No.20.3.5 (f)

Andaman & Nicobar Police**Index to history sheets and personal files**

Sl. No. of history sheet	Name, father's name, village	Date of opening of history sheet	Whether a personal file is also maintained, if so reference No.	Date on which the history sheet was closed or transferred to another PS	Reason for closure or transfer of history sheet	Signature of SHO
1	2	3	4	5	6	7

Form No.20.3.6

Andaman & Nicobar Police**ROWDY SHEET**

Name and aliases.....
 No.....Date.....son of.....
age.....year of entry.....
 religion.....Occupation.....Native
 Place.....Police
 Station.....District.....Present
 address.....Type of offender,
 nature of rowdyism and favourite localities for offences,
 etc.....
 Contact/Mob.No.....

Name, father's name	Address	Instances of association	Sheet number, if any
1	2	3	4

CONVICTION PARTICULARS

Serial Number	Petty case number	Brief nature of the offences and date, conviction details; Court and C. Number; Police officers present
1	2	3

Remarks: (Here enter further instances of rowdyism, details of petitions or complaints useful for a security case and present conduct)

Form 20.3.7**Andaman & Nicobar Police****BAD CHARACTER ROLL – FORM A**

(To report absence or departure of a Bad Character)

P.S.....Sub Division.....District.....

- 1) Bad character roll serial number.....Date of report.....
- 2) Name.....Age/date of Birth.....
- 3) Father's/Husband's name.....
- 4) Caste.....Religion.....Occupation.....
- 5) Descriptive marks of the bad character.....
- 6) Contact/Mob No.....
- 7) Address.....
- 8) Surveillance register Sl. No.....
- 9) Particulars of convictions.....
- 10) Class/nature of offences he commits.....
- 11) Places likely to visit, and the purpose of visit.....
- 12) Information about his/her relatives/associates in such places
- 13) Date and hour of leaving the place.....
- 14) date and hour of dispatch of this roll.....

Signature
Designation

Acknowledgement of receipt of Bad Character Roll – Form A

(This portion should be torn off and returned immediately on receipt of the roll)

Bad Character Roll Form A, bearing No..... dated..... of PS
..... was received by me at hours on
.....

The person named therein has not arrived in the limits of this PS. Inquiries are being made

Signature
Designation

Information if any available about the conduct of the bad character during his stay within this PS:

Signature
Designation

Form 20.3.8**Andaman & Nicobar Police****BAD CHARACTER ROLL – FORM B**

(To report arrival of a suspicious stranger)

P.S.....Sub Division.....District.....

1. Bad character roll serial number.....Date of report.....
2. Name.....Age/date of Birth.....
3. Father's/Husband's name
4. Caste.....Religion.....Occupation.....
5. Descriptive marks of the bad character.....
6. Contact/Mob No.....
7. Address.....
8. Previous known conviction if any.....
9. Name and address of the person with whom staying, with information as to his conduct and associates
10. Name of PS and village from which he has reportedly come.....
11. Date on which he reportedly left the said village
12. Date of arrival within this PS Jurisdiction.....
13. If departed, the date and hour of departure, with name of person who reported it
14. Whether the stranger is returning to his home or going elsewhere
15. Date and hour of dispatch of this roll

Signature
Designation

If the stranger is identified, full particulars about him should be entered here and the roll should be returned to the Police Station of issue

Acknowledgement of receipt of Bad Character Roll – Form B

(This portion should be torn off and returned immediately on receipt of the roll)

Bad Character Roll Form B, bearing No..... dated..... of PS
..... was received by me at hours on
.....

Signature
Designation

PROCLAIMED OFFENDERS REGISTER

[illegible]

Form No. 20.8

Andaman & Nicobar Police**SURVEILLANCE REGISTER OF PERSON CONDITIONALLY RELEASED**

Sl No.	Name Father's name Caste/Religion	Village full addresses	Date of entry	Brief reason for entry, conditions of release and signature	History sheet No. if applicable	Any observation or facts which came to light subsequently	Remarks
1	2	3	4	5	6	7	8

Form No. 20.9

Andaman & Nicobar Police**HUE AND CRY NOTICE****POLICE STATION.....DISTRICT.....**

The Station House Officer of.....Police Station gives notice that, son of....., alias....., religion....., resident of village, Police Station.....,District....., whose description is given below (and whose photograph is attached) is evading arrest in a case FIR No.....under section..... of Police Station District....., is absent from his home and is likely to commit offences of.....

Any person giving information leading to his arrest will be suitably rewarded.

Description:

Name.....,age.....years, build....., height....., complexion/characteristics/mannerisms

(Signature)

Station House Officer

.....Police Station

Chapter – 21

FINGER PRINTS & FOOT PRINTS

21.1 Introduction

Fingerprints (FPs) serve as the most valuable, infallible and accurate means of personal identification, and have since long become an indispensable tool in the investigation of crime and administration of justice. Investigation of a crime is primarily meant to identify the person or persons responsible for the crime and fingerprints provide a scientific clue to the identity of criminals. Prevention, detection and maintenance of criminal records (Finger print) pertaining to the criminals is the primary responsibility of the Police.

21.2 Finger Print Bureau

1. The Finger Print Bureau is a wing of the Criminal Investigation Department and is supervised by the SP (CID). The Director, Finger Print Bureau is in-charge of the Bureau. District Finger Print Unit shall function in each district headed by In-Charge, Finger Print under the supervision of concerned SP district
2. In each State, there is a Finger Print Bureau in which the Finger Prints of criminals are kept on record. Finger Print Bureaux of the States are located at their State capitals.
3. The Central Finger Print Bureau at New Delhi, attached to the National Crime Records Bureau is functioning at, Mahipalpur, New Delhi. Correspondence can be made with the Director, CFPB.
4. Two kinds of records are maintained:
 - (i) Ten digit Finger Print records for the purpose of establishing both identity and past criminal history of a suspected individual, to locate wanted criminals who escape from Police, and to know the identity of unidentified dead bodies. In the ten digit type of collections Finger Print slips of all individuals convicted for the offences specified in clause 21.10 are maintained according to the Henry system of classification.
 - (ii) The second variety is the Single Digit Finger Print records for the purpose of establishing the identity of offenders in crimes like house breaking, dacoity, robbery and other crimes through fingerprints traced at the scene of crime. The

single digit Finger Print system provides a means for rapid identification of fingerprints left at the scene of crime in cases where culprits are not known. In Single Digit collections, fingerprints of all ex-convicts whose criminal activity is dacoity, robbery, house breaking, and theft and other professional criminals are recorded according to Batley system of classification.

21.3 Finger Prints

- (1) The Finger Print Bureau (FPB) assists investigating agencies in -
 - (a) furnishing criminal antecedents, providing the background of any individual detained under suspicious circumstances,
 - (b) tracing of out-of-view criminals,
 - (c) establishing the identity of unidentified dead bodies,
 - (d) linking the criminal to the crime through chance prints,
 - (e) identifying accused persons from the records maintained,
 - (f) assisting in apprehending proclaimed offenders, absconders and persons who escaped from prisons,
 - (g) giving opinion in documents bearing disputed fingerprints, and imparting training to Police Officers.
- (2) Fingerprints have a role in prevention of crime and detection of crime, especially in cases of property offences and forgeries and fabrication of false documents.

21.4 Finger Print Slips

Fingerprint slips are of two kinds:

- (A)** Fingerprint Record Slip: The Fingerprint Record Slip is prepared in Form 21.4(A) and is sent immediately after a person is convicted or re-convicted by Court. Station House Officer (SHO) of Police Station shall send Finger Prints Record Slip for record to the Bureau along with the conviction memorandum.
- (B)** The Fingerprint Search Slip: The Finger Print Search Slip of a suspect or arrested person is taken on Form 21.4(B) [Finger Print Search Slip] by the SHO and is sent to the Finger Print Bureau, A&N Islands in order to know the antecedents of the suspect or arrested person. If palm prints are necessary these may be taken on a plain sheet and attached with form 21.4(B).

21.5 Finger Prints—Terminology

1. **Finger Prints:** Finger Prints include prints of the thumb,

either rolled or plain on paper or scanner.

2. **Rolled Prints:** are prints obtained by completely rolling the inked thumb or finger on the paper or scanner.
3. **Plain Prints (Touch Prints):** A plain or touch print is obtained by lightly pressing the inked bulb of thumb or finger upon the paper without any turning movement.
4. **Digit:** Means a finger, thumb or toe.
5. **Ten digit finger print slip:** A sheet of printed proforma (Form No. 21.4- A or B) on which the prints of all ten fingers of a person/criminal/suspect are obtained by the Investigation Officer for being sent to Finger Print Bureau for record/search.
6. **Finger Print Patterns:** The finger print patterns are four types:
 - (i) Arch (ii) Loop
 - (ii) Whorl (iv) Composites.
 - (i) **Arch:** In plain Arch, the ridges flow or tend to flow from one side to the other, with a rise or wave in the centre.
 - (ii) **Loop:** A loop is a pattern in which one or more ridges recurve in the form of staples, with only one delta ordinarily.
 - (iii) **Whorl:** The whorl has two deltas and at least one ridge making a complete circuit, which may be spiral, oval, circular, or any variant of a circle.
 - (iv) **Composite:** A composite is a pattern with combination of two or more patterns either of the same or different types in one print.
7. **Core:** Core is the inner terminus which is the approximate centre point of the pattern.
8. **Delta:** Delta is the outer terminus of the pattern.
9. **Chance Print:** The prints likely to have been left by criminals at the scene of crime are known as “chance prints”. Such prints are of three types. (A) Visible (B) Semi visible or plastic prints and (C) Latent.
10. **Identified:** “Identified” means a person whose residence and antecedents are fully known to the investigating officer.
11. **Unidentified:** “Unidentified” means a person whose residence and antecedents are not known.

12. **Traced:** “Traced” means a person whose antecedents and previous history have been established from the records of the Finger Print Bureau.
13. **Untraced:** “Untraced” means a person against whom no previous convictions could be established from the records of the Finger Print Bureau.
14. **Convicted:** “Convicted” means a person who has been found guilty for the first time by a Court of Law for any offence.
15. **Re-convicted:** “Re-convicted” means a person who, having been convicted on one or more previous occasions, is again convicted.
16. **Finger Print Record Slip:** “Finger Print Record Slip” is the finger print slip of a person prepared in Form 21.4(A) immediately after he is convicted or re-convicted and sent for record to the Finger Print Bureau along with Court Disposal Form (Conviction Memorandum).
17. **Finger Print Search Slip:** “Finger Print Search Slip” is the finger print slip of a suspect/arrested person taken on Form 21.4(B) by the Station House Officer and in order to know his antecedents.
18. **Proficient:** “Proficient” means a Police officer who is well-acquainted with the process of taking clear and well-rolled finger print impressions.
19. **Searcher:** A “Searcher” means an officer who has been declared by the SP (CID), Port Blair to be competent to examine and classify finger impressions.
20. **Expert:** An “Expert” means an officer who has passed the All India Board Examination for Finger Print Experts conducted by CFPB, NCRB, New Delhi, and who has been declared by the In-charge, Finger Print Cell, A&N Islands to be competent to examine, classify and give expert opinion on finger impressions.
21. **Provisional Criminal Number (PCN):** It is a 12 digit number which is given by the Police station to each person arrested on suspicion, in respect of whom a finger print search slip is sent to the Finger Print Bureau for tracing his antecedents.
22. **Regular Criminal Number (RCN):** It is a 12 digit number allotted by the Finger Print Bureau to a criminal when his finger prints slip is received for recording the State Bureau

after his first conviction. This number does not change on subsequent conviction(s) of the criminal.

23. Measurement: Measurement includes Finger and Foot impressions.

21.6 Fingerprints at the scene of crime

Finger prints found at the scene of crime are known as chance prints. These prints are found in three forms, i.e., visible prints, plastic prints and latent prints (Invisible Prints).

21.7 Procedure for preserving the scene of crime and for lifting of chance prints

1. The first duty of a Police officer on arriving at the scene of crime is to instruct everyone to keep his hands off the articles to be examined for latent prints. The search for chance prints should be conducted carefully and systematically. The search should start from the point of entry into the premises, such as windows, ventilators, chimneys, roof holes, skylights where chance prints are most commonly found. Thereafter, the search should extend to all places at the scene where the culprits moved during the commission of crime, ending at the point of exit. All the articles suspected to have been disturbed or handled by the offenders during the commission of offence should be thoroughly examined.
2. Articles bearing chance prints at the scene of crime have to be preserved from damage by unwanted persons and climatic conditions before the expert examines them. Great care is to be taken by the Police Officer reaching the scene first, to keep away-unconcerned persons and by collecting movable articles, left in the open, and placing them in a safe place. A cover should be put over immovable articles, protecting the chance prints from sun, rain and dust. While doing so, no damage should be caused to the prints already existing on the articles. The Police Officer should not leave his own prints on them.
3. When chance prints are found in narrow nooks and corners, or the inner surfaces of jewel cases, jars and flower vases, where it is not possible to photograph them, the clues of evidence should be secured and preserved by the process of lifting. The method adopted in shifting Fingerprints is to press the adhesive surface of a transparent cellophane tape against the developed chance prints without forming air bubbles lift it and

transfer them to a contrast lift cards. Lifting should be resorted to only for those prints where photography is not possible, as there is every risk of the prints getting partly or wholly damaged in the process. Lifting of chance prints also can be done on all surfaces after photography, making use of latest methods like iodine fuming, ninhydrin, glueing and applying multiple wave length light derived from Polilight, Poliray etc. or Laser beams.

21.8 Development & Lifting of Latent Fingerprints

1. Latent (Invisible) fingerprints found on various items at the scene of crime can be developed to render them visible by spraying powders, solutions and gases depending on the background and nature of print.
2. In case the articles are to be sent to the Finger Print Bureau for expert's examination, they should be packed with care and security by the Investigating Officer, so that no damage is caused to the prints or articles during packing or transit either by careless handling or friction from packing material.

21.9 Police Officers must comply with the following instructions in Fingerprint Work:

1. Write the name of the individual on the Finger Print slip before taking his fingerprint.
2. Furnish the address on a search reference as to whom the result of search has to be communicated.
3. Furnish crime number on search reference at the time of arrest and also on conviction memo after conviction of an individual.
4. Always use proper ink and pressure while taking fingerprints. Fingerprints obtained on Finger Print slips to be sent to Finger Print Bureau should be clear and fully rolled.
5. Fingerprint slips along with a conviction memo must be sent to Finger Print Bureau for record after an individual is convicted.
6. Attest the conviction particulars, entered on the reverse of the Finger Print slip, to be sent along with conviction memo to Finger Print Bureau without fail.
7. Remember always to use separate containers for preserving severed fingers of an unidentified dead body.
8. Never allow any unauthorized person to disturb the scene of

crime or articles there and damage physical evidence left on them before the arrival of Finger Print Expert.

9. Always take care of the scene of crime articles which are exposed bearing chance prints by providing shelter or cover to protect them from sun, rain, dust etc., to prevent damage to the clues, before they are examined by a Finger Print Expert.
10. Always make it a point to utilize the services of a Finger print Expert if any chance prints are suspected to exist on any article at the scene of crime.

21.10 Persons whose finger prints are to be taken for record

Finger Prints of all persons mentioned below (adults, males, females or eunuchs) should ordinarily be taken for permanent record:-

- (1) All persons convicted of offences under Chapters XII (Offences relating to Coins and Government Stamps) and XVII (Offences Against Property) of the Indian Penal Code, which are punishable with rigorous imprisonment for a term of one year or more.
- (2) All persons convicted of any offence under Chapter VI (Offences against the State) of Indian Penal Code, or of sabotage or subversive activities against the State.
- (3) All persons convicted of offences under Section 170 (Personating a Public Servant), 302 (Murder) and 304 (murder for gain), 328, 338, 304A, 376, 465 to 477-A and 489-A to 489-D of the IPC, POCSO Act.
- (4) All persons convicted under the Arms Act, NDPS Act or Excise Act, who are suspected to be smugglers in Arms, Narcotics etc. entailing enhanced punishment on reconviction.
- (5) All persons convicted of smuggling gold, currency and valuable articles under the Foreign Exchange Maintenance Act.
- (6) All persons ordered to execute bonds under Sections 109 and 110 of Cr.P.C.
- (7) All traffickers in women and children who are convicted under Section 363 to 373 of the Indian Penal Code or any other act.
- (8) All persons convicted under Section 5 of the Telegraph Wires (Unlawful Possession) Act, 1950, for unlawful possession of telegraph wires.
- (9) All persons convicted under Railway Property (Unlawful Possession) Act, 1966.
- (10) All professional criminals and persons of dangerous character

externed from any area under any State Act.

- (11) All foreigners externed under the Foreigners Act, 1946.
- (12) All members or leaders of organized crime syndicates and approvers in gang, dacoity and criminal conspiracy cases.
- (13) Persons whose measurements or photographs are taken but released/discharged without trial or acquitted shall be destroyed unless the court, District Magistrates or SDM for reasons to be recorded in writing otherwise directs (U/s 7 of Identification of prisoners Act).
- (14) All persons convicted for attempt or abetment (Section 511 or Section 109/114 of the Indian Penal Code) and criminal conspiracy (Section 120-B of the Indian Penal Code) for offences mentioned in this regulation.
- (15) All Indian nationals convicted outside India of any offence for which finger prints have been received at the State Bureau from those countries.
- (16) All international criminals and absconders whose finger prints are sent to the State Bureau from countries outside India.
- (17) All persons convicted under the Explosives Substances Act, 1908.
- (18) All persons convicted under the Official Secrets Act, 1923.
- (19) All persons convicted under Sections 101, 126 and 128 of the Indian Railways Act, 1890.
- (20) Any other person whose fingerprints are ordered to be maintained by the Government of India from time to time subject to the provisions of the Identification of Prisoners Act.
- (21) Foreigners who are convicted for offences punishable with rigorous imprisonment for a term of one year or upward under the Indian Penal Code.
- (22) All persons, not specially provided for above, regarding whom it is considered desirable that there should be a permanent record. These include:
 - (a) persons of disreputable antecedents,
 - (b) persons who take part in violent crimes, whether political or non- political, involving injury to body, life or property, and or indulge in rigging elections by impersonating or booth capturing by violent means and convicted for the relevant offences at least once either under IPC or known habitually to indulge and organize such activities including those for gain or other advantages.
- (23) The following classes of persons connected with political and

terrorist offences:

- (a) Persons who use aliases or otherwise endeavour to conceal their identity to facilitate commission of terrorist crime, or political offences and
- (b) Persons about whom, because of their hidden activities, it is desirable that there should be permanent record.

21.11 Procedure regarding fingerprint slips to be sent by Station House Officers for record in Finger Print Bureau

- (1) It is the responsibility of SHOs to take the finger prints of persons who, on conviction, have to be finger printed in terms of clause 21.9 above.
- (2) Two sets of finger prints shall be taken on the arrest of an accused person and the name and other particulars filled in, immediately after the prints have been recorded.
- (3) Resistance to, or refusal to allow, the taking of finger prints is an offence under Section 186 of the Indian Penal Code read with Section 6 of the Identification of Prisoners Act. If a person, who is required to allow his finger prints to be taken, resists, or refuses to allow, the taking of the same, it shall be lawful, under Section 6 (1) of the Identification of Prisoners Act, to use all means necessary to secure the taking thereof.
- (4) The Station House Officer or the concerned officer will, at the time of arrest, fill up the description of the arrested person in Form 21.4(B), sign on the first page, and send one set for search direct to the State Finger Print Bureau.
- (5) If the person charged is convicted, all the particulars of the conviction should be filled in and, if the convict has previous convictions, all particulars of his previous and present convictions in the chronological order with their Finger Print Bureau serial numbers and Regular Criminal Number (RCN) shall be entered and forwarded to the State Crime Records Bureau, together with the Court Disposal Form (Conviction Memorandum).
- (6) The finger print slips of persons sentenced for a period not exceeding one month or person released under Section 360 Cr.PC and persons who have furnished security immediately after being bound over under Section 109 or 110 Cr.PC will not be tested. All such slips should be sent to the Bureau for record immediately after the expiry of the period allowed for appeal or after the appeal has been disposed of as the case may be.
- (7) In all other cases not covered by the preceding clause, the finger print slips will be forwarded by the Superintendent of Police/Districts as soon as they are received from the Station House Officer to the Finger

Print Bureau, A&N Islands where their receipt will be entered by the Tester in Form No. 21.4(B).

- (8) The finger print slip should be folded in accordance with the directions on the form.
- (9) Should the Superintendent of Police decide on the Court Disposal Form (Conviction Memorandum) that the finger prints of an accused person undergoing imprisonment in a jail are to be recorded, the Court Disposal Form (Conviction Memorandum) will be numbered and forwarded with the finger print slip to the Finger Print Expert, who will proceed according to the instructions in manual.

21.12 Search slips to be sent by Police Stations and Investigation Units

- (1) The finger prints of all unidentified persons who are arrested as suspects or are under trial on a criminal charge will be taken on Form 21.4(B) by the SHO/IO and submitted to the State Bureau for search. In such cases, the search slip should contain full details of the circumstances under which the suspect has come into the hands of the Police and also information regarding convictions, with the Bureau serial numbers, if known. The State Bureau will return the counterfoil of the search slip, duly filled in, for file with the counterfoil in the Police Station.
- (2) For this purpose, every person in custody whose residence and antecedents are not known or have not been fully ascertained during Police investigation, or of persons, who, though known, have been out of view for some time, will be considered to be "Unidentified".
- (3) Action after conviction: If the person is convicted, the counterfoil of the search slip should be returned to the State Bureau with Finger Print Slip for record.
- (4) Where the identity of a corpse of a person killed by accident or who has met with death under suspicious circumstances or in the commission of crime has not been fully ascertained by ordinary enquiries, the finger prints should be taken on Form No. 21.4(B) and sent to the Bureau for search. Ordinarily, there is not much difficulty in taking impressions from the fingers of a corpse, but it sometimes happens that the skin of the fingers is so contracted and wrinkled that decipherable prints cannot be obtained. In such cases, the Medical Officer holding the post-mortem should be asked to remove the skin from the fingers. He should place each piece in a separate envelope marking on the outside the finger to which it belongs. These envelopes should then be sent to the Finger Print Bureau for opinion.

21.13 Submission of Finger Print Slips for search to the Bureau of the State of arrest as well as to the Bureau of Home State of the criminal

- (1) The Finger Print slips of all unidentified persons reasonably suspected to be residents of, or to have extended their criminal operations to another State or States shall be sent for search directly to the Bureau/Bureaux of the State or States of which they are residents or to which their operations are believed to have extended.
- (2) Copies of all such slips should be sent to Finger Print Bureau, A&N Islands as well for search to Finger Print Bureau, to which other Bureaux slips have to be sent for search.

21.14 Information to Finger Print Bureau in certain cases

- (1) When a prisoner escapes from Police or jail custody and his fingerprints have been taken previously to his escape, the finger print slip, whether it would otherwise be forwarded to the State Bureau at once, so that it may be placed on record. When the slip has already been forwarded, it will be necessary to inform the State Bureau of the escape, in order that the slip may be suitably marked.
- (2) If any person whose finger print slip has been sent for record is subsequently declared a proclaimed offender, or escapes from jail or Police custody, or absconds after committing some offence, the Station House Officer will immediately send information to the State Finger Print Bureau.
- (3) When a criminal for whom a History Sheet is maintained in a station goes out of view, same procedure will be followed.
- (4) When a person whose finger-print slip is on record in any Bureau dies, the Station House Officer shall send information to the Bureau.

21.15 Additional Functions of the Finger Print Bureau (FPB) staff

- (1) Visit the scene of crime along with investigating officer if possible or separately for detection and development of chance prints whenever requisitioned.
- (2) Visit the Police Stations and investigating teams in each District for collection of finger print slips of all ex-convicts concerned in property and other grave offences for building of single digit records for the efficient functioning of Finger Print Bureau.
- (3) Comparison of chance prints and search slips received from

Police Stations and investigating teams with Finger Print record and communicate results thereof to sender.

- (4) To scrutinize all fingerprint records slips of the convicts received by SCRB from SHOs and Investigation Units and decide/advise whether they are correctly taken and fit for record; or to return them with suggestions if they are not suitable.
- (5) To visit the District/Central jails once a quarter to test the Finger Print slips of those convicts received by SCRB who are undergoing imprisonment, and to prepare fresh slips for record if the slips are not properly taken on the earlier occasion or worn out.
- (6) To testify in the courts in cases where chance prints are identified with the Finger Print records of Bureau.
- (7) When the chance prints are not identified, to forward them to neighboring/Central Finger Print Bureau for comparison. The SHO and IOs may utilize the services of the Experts from the Finger Print Bureau to visit scenes of crime for development of chance prints and obtain their guidance on various aspects of fingerprint work.
- (8) **Mobile Team:** A Mobile Team, shall be established. The Mobile Fingerprint team shall rush to the scene of crime whenever their services are summoned. The Fingerprint bureau will guide the investigating officer in developing fingerprints, palm prints and foot prints. The Fingerprint unit will maintain the Fingerprint Kit in perfect order at all times and carry the same while in mobile duty.

21.16 Procedure for submission of Finger Print slips for record in the Finger Print Bureau

- (1) Immediately after the conviction of criminals concerned in crimes listed in regulation 21.9, the Station House Officer, (Investigating Officer) who is in charge of the team should take the finger impressions of the ten fingers of the convict on the prescribed form in duplicate and send it to the Finger Print Bureau along with two sets of palm and foot prints of the convict, taken on plain white paper of reasonably thick quality.
- (2) The sets of palm and footprints should also contain respective plain thumb impressions. These should be obtained independently in the respective sets at the right bottom of the form, as shown in Foot Print Form and Palm Print Form.

- (3) The finger impression forms and foot and palm impression forms of the convict should contain the name, parentage, place of residence, address etc, of the convict and invariably with the signature of the Station House Officer. Care should be taken to see that the prints are very distinct and show the whole contour of the bulb of the fingers.
- (4) The fingerprints, palm and foot impressions, which are meant for record in the Finger Print Bureau, should invariably be sent to the SCRB through a name cover clearly marked. Care should also be taken to see that the prints are not damaged in folding the paper containing the prints.
- (5) The services of Finger Print Bureau staff should be requisitioned by SHOs for the development of chance prints left by the criminals at the scenes of serious crime.
- (6) Every Police Station in the district should submit to the Finger Print Bureau a list of all history-sheeted criminals alongwith their fingerprint slips.
- (7) The Single Digit serial numbers assigned to the classified prints of the criminals by the single digit unit should be recorded against corresponding entries in Station Crime History in the Police Stations and Investigating Units.
- (8) The Station House Officers and Investigation Officers must ensure the preservation of the scenes of crime and safe custody of suspected articles, in as-is-where-is condition. In all important cases the Scene of crime (SOC) articles should not be disturbed, touched or tampered with by anybody until the development of chance prints by the Finger Print Bureau unit staff or the expert attached to the team is complete.
- (9) Station House Officers and all Investigation Officers in the districts should visit the Finger Print Bureau regularly during their visits to review:
 - (a) The stage of all such cases in which the services of the Finger Print Bureau unit staff were requisitioned,
 - (b) Whether all the Finger Print slips of the persons sent by the SHO were received in the Finger Print Bureau?
 - (c) Whether the photo chance prints were compared with the Finger Print slips and if so, the results of comparisons, thereof?
 - (d) Any new orders or instructions received from the SP/CID & SCRB for compliance for greater co-ordination between the

Finger Print Bureau and SHOs to update their knowledge of the latest changes, if any, made.

(e) Any other reconciliation.

- (10) The Station House Officers should promptly furnish to the Finger Print Bureau full details of the case in which chance prints were developed, whenever they are finally detected.
- (11) Station House Officers should send the finger print slips of all persons arrested in specific cases or under preventive sections, on monthly basis, to the Finger Print Bureau for comparison with the collection of unsolved scene of crime chance prints.

21.17 Computerization of Fingerprints

Use of Computer Technology in storing and retrieval of data will ensure availability of required information to the IOs in the field with speed and accuracy. The voluminous increase in fingerprint records has become laborious and time consuming. It is also difficult to identify chance prints developed at the scene of crime in the manual system. Several days are required before a search slip can be identified and the result communicated to the field officers. The record slips, which are subjected, to frequent handling, are liable to wear and tear and damaged soon. Diligence and continuous concentration and very careful maintenance is required to prevent mismatch and wrong identification.

- (1) Updating of records is a serious problem, as classification formula or serial number furnished by the Police is not always correct. Every incoming FP slip has to be searched with reference to the main records to avoid duplication. FP slips bearing smudged prints, missing prints, and gradational type prints consume a great deal of time in the main bureau collections. To overcome handicaps in manual searching, computerization of fingerprint records and introduction of computerized search is necessary.
- (2) The computerization system assigns a serial number (Regular Criminal Number, RCN) to each convicted person instead of to the slip based on first crime number. This number consists of 12 digits, the first five indicating the Police station in which the criminal was first convicted, the next two the year of conviction and last five digits for the serial number. This RCN once given to a convict will remain constant throughout his criminal career, irrespective of the number of convictions he may accumulate.
- (3) To derive maximum advantage from the system the SHOs

should ensure that every FP slip sent to FPB for search or record must contain clear and fully rolled fingerprints. The services of fingerprint staff, SDFB or FP trained officer attached to each Investigating Unit should be taken.

- (4) With increase in the volume of finger print records, due to increasing crime rate and criminals, the pressure of expectations of IO's is to provide instant answers to their urgent queries. All these factors necessitated the application of computer technology in the application of fingerprint science.

21.18 Automated Fingerprint Identification Systems (AFIS)

For recording, classifying, coding, searching, and retrieving the ever-increasing fingerprint records, Automated Fingerprint Identification Systems (AFIS) have been developed by many countries during the past decade.

- (1) AFIS is an effective response to the problems of fingerprint search and comparison. Fingerprint matching problems are of two types. Ten print identification involves matching the subject's entire set of rolled impressions against a file of a known ten print impressions. Identification through latent fingerprints involves matching fragments of fingerprint impressions developed at a crime scene against a file of rolled impressions. AFIS can provide speed and accuracy in ten print searches and is the only answer to the problem encountered in search through available latent prints.
- (2) AFIS also improves the effectiveness of latent searches. Where there is no text of possible suspects, latent searches become nearly impossible to conduct by manual methods. Even after spending several man-hours the fingerprint expert cannot ensure the inclusion of the actual offender within a subset of known files small enough to be manually searched. Consequently, much latent evidence remains unused. It is never compared against a known file and does not lead to the identification of a criminal. To conduct these "cold" searches, where a single AFIS matching processor can execute hundreds of comparisons each second, it is possible to search even the largest of files.
- (3) All the computerised systems incorporate automatic scanning devices that can read and code fingerprint characteristics directly from standard fingerprint cards. Such computerization networks will save each Police officer hundreds of investigative hours, by identifying criminals or suspects through latent fingerprints without having to first develop a list of suspects. Latent prints, or even a partial print, or a chance print "lifted" from the scene of a crime can help identify a suspect the very same day. The system can also quickly provide positive identification of wanted

suspects who happen to be in custody before they return to crime thereby eliminating the possibility of further criminal activity. This swift response to fingerprint queries will substantially increase the rate of apprehension of criminals in the coming years. AFIS dramatically accelerates the law enforcement process, comparing one latent print with millions on file in minutes, compared to searches of sub-files, which take very long time, and quite often without success.

- (4) Further it is also envisaged that the Fingerprint Enrolment Devices are to be used at Police stations or the Fingerprint reader device integrated with the Mobile Data Terminal using the public Internet for accessing the Central NAFIS database.
- (5) The National level NAFIS solution would be implemented and managed by the Central Fingerprint Bureau (CFPB) at NCRB, New Delhi. The National level Automated Fingerprint Identification System (NAFIS) shall function as the central information repository of all the crime and criminal related fingerprint data of the country. The NAFIS solution envisaged shall consolidate all the fingerprint information available at all States/UTs in AFIS or any other databases for development of a national level searchable fingerprint information repository.
- (6) The NAFIS solution would also integrate with the Core Application Software of CCTNS project implemented at Central level for extracting relevant crime and criminal attribute data mapped to the fingerprints.

21.19 Finger Print Photography Section

In Finger Print Bureau, there is a well-equipped Photographic Section. This section is entrusted with the work as detailed below:-

- (1) To Photograph Finger impression in respect of document cases received from CBI, and other Central Govt. Agencies.
- (2) To impart training in Finger Print Photography to the trainees.
- (3) To photograph Chance prints on exhibits received from different law enforcing agencies for examination and expert's opinion.
- (4) To photograph blurred & faint finger impressions under transmitted light and oblique light method.
- (5) To photograph chance finger impression on multi coloured surfaces under U.V. Lamp.
- (6) To photograph chance prints in Scene of Crime cases as and

when requisitioned by the Law Enforcing Authorities.

- (7) To conduct research in Finger Print photography for better result and economy.
- (8) Duties of the finger print photographer
 - (a) When a case file is sent to the photographer for photography, he should enter it in the register (Finger Print Bureau) maintained for the purpose.
 - (b) After photography, the case file with all the papers and documents received by him, shall be returned along with the required photo copies of the prints duly certified by him on the back of the photo copies.
 - (c) He shall maintain a dispatch register for documents returned after photography.
 - (d) The photographer shall maintain a stock register for receipt and expenditure of photo materials entrusted to him. He shall also keep a stock register of technical equipments.
 - (e) He shall prepare indents for necessary photographic materials in sufficient time ahead to avoid dislocation of work.
 - (f) He shall be responsible for the negatives of the photographs and the proper storing of the same according to the case file number.
 - (g) He shall be responsible for the maintenance of photographic equipments in good order. He shall, forthwith, bring to the notice of the In-charge, Finger Print Bureau in writing, all damages and breakages of photographic equipment in his custody.

21.20 Footprints and Track marks Guidelines

Following are the guidelines for obtaining good quality footprints.

- (1) Carefully remove extraneous matter (grass, twigs, stone, etc.) from the impression without disturbing it.
- (2) Place a metallic or a wooden frame around the impression to prevent wastage of plaster of paris. Do not apply pressure on the frame, as it will damage the print.
- (3) Spray shellac solution (about 250 gm of shellac dissolved in one litre of alcohol or a thinner solution) from a distance over the impression. Spray enough solution to get a thin film of shellac over the impression and allow the shellac to dry for 10-15 minutes.

- (4) A thin layer of talcum powder is sprinkled on the layer of shellac to separate the shellac from the cast. Mineral oil or sewing machine oil is also employed for this purpose.
- (5) Take a container with 3 mugs of water and slowly pour 3 mugs of plaster of paris into water. Gently mix till it reaches a thick creamy consistency. The water and plaster of paris are taken in a 1:1 ratio. Pour the solution into the impression at an unimportant place e.g. a corner of the frame to avoid damage to the impression due to pouring. It should be allowed to flow slowly till it fills the impression to a uniform thickness of about $\frac{1}{2}$ an inch.
- (6) Reinforce the cast at this stage with wire gauze pieces and pour the remaining solution till it acquires a thickness of about one inch.
- (7) The cast is allowed to set for 10-15 minutes. With the copying pencil engrave the details of the case on the mould including case number, date, Police station, location, right or left foot, time of recording, person responsible for recording, signature of the investigating officer and signature of the witnesses. A sample of the plaster of paris and soil should be preserved for obtaining test prints of the suspect under similar conditions.
- (8) Remove the retaining walls (wooden frame) by digging away the surrounding earth and gently slip your fingers under the cast to lift it very carefully. Pour water over it to remove any adhering earth particles. Care should be taken not to brush it to prevent obliteration of the details of the footprints.

21.21 Records & Register

The following Records and Registers will be kept in the Finger Print Bureau dealing with Fingerprint & Footprint work.

- (a) Register of fingerprint slips received for search.
- (b) Register of identification made by the Fingerprint Bureau.
- (c) Register of fingerprints slips received for record in the Fingerprint Bureau.
- (d) Fingerprint Testing Register.
- (e) Fingerprint Objection Memorandum Register.
- (f) Finger Print Photography Register
- (g) Single Digit Finger Print Register.
- (h) Ten Digit Finger Print Register.
- (i) Palm Print Register.
- (j) Foot print Register.
- (k) Certificate of latent finger print examination Register

(I) Gazetted officers visiting book.

ANDAMAN AND NICOBAR POLICE**FORM NO. 21.4 (A)****FINGER PRINT RECORD SLIP****(to be sent to Finger Print Bureau with conviction memorandum)****MALE/FEMALE****Classification No.****REGULAR CRIMINAL NO.
CRIMINAL NO.****PROVISIONAL**

RIGHT HAND

Right Thumb	Right Index	Right Middle	Right Ring	Right Little

LEFT HAND

Left Thumb	Left Index	Left Middle	Left Ring	Left Little

**Left Hand Plain
Prints of four fingers
fingers****Right Hand Plain
Prints of four**

Left Thumb	Right Thumb

I certify that the above prints were taken by me and that they are the prints of the convict named on the reverse.

Slip prepared on

.....by.....Rank.....Distt.....

Slip tested on by.....Rank.....

Distt.....

Classified at Bureau by.....Dated

Tested at Bureau by.....Dated.....

Station House Officer

FINGER PRINT RECORD SLIP

DISTRICT SERIAL NO. MALE : IDENTIFIED : **DUPLICATE SENT**
 BUREAU NO. FEMALE: UNIDENTIFIED:

1. F.P.B. _____ 2. F.P.B. _____

3. F.P.B. _____

FULL NAME :

First Alias :

Second Alias :

* Date of Birth/Approx. Age:

Father's /Husband's

Height :

Name(with alias) :

Build :

ID-Mark : Deformity :

Address :

No. of copies made :

Conviction (s)

Sl. No.	Name under which Convicted	Distt. & Court with Case No.	Date of conviction	Section	Sentence	Jail and Admission No.	P.S. Case No/FIR No. & Date	Identifying Officer

Signature of SHO in verification of the fact that the convictions in the F.P. slip have been verified from Police, Jail or judicial records and they are correct in their details.

District :

Date :

Station House Officer

ANDAMAN AND NICOBAR POLICE**FORM NO. 21.4 (B)**
FINGER PRINT SEARCH SLIP

SEARCH SLIP NO.....

YEAR

NAME
CRIMINAL NO.**PROVISIONAL**

FATHER'S NAME/ HUSBAND'S NAME:.....ADDRESS:.....

RIGHT HAND

Right Thumb	Right Index	Right Middle	Right Ring	Right Little

LEFT HAND

Left Thumb	Left Index	Left Middle	Left Ring	Left Little

Left Hand Plain
Prints of four fingers**Right Hand Plain**
Prints of four fingers

	Left Thumb	Right Thumb	

Prints taken on.....by.....Rank/No..... PS &
Distt.....

Station House Officer

To

 _____ REFERENCE

P.S. _____

F.I.R. NO. _____ SECTION _____
 _____ DATE _____

NAME _____, AGE _____,

FATHER'S/HUSBAND'S NAME _____

ADDRESS _____

POLICE

STATION: _____ DISTRICT: _____

____ STATE _____

Conviction (s)

**To be filled up in the Bureau, if the result of the search is TRACED

Sl. No.	Name under which Convicted	Distt. & Court	Date of conviction	Section	Sentence	Jail and Admission No.	P.S. Case No/FI R No. & Date

1. RESULT OF SEARCH –
 TRACHED/UNTRACED :

2. IF TRACED, REGULAR CRIMINAL NO.
 :

3. IF TRACED, HENRY'S CLASSIFICATION NO.

DATE: _____

DIRECTOR
 FINGER PRINT BUREAU

Chapter -22

INSPECTION AND SUPERVISION

22.1 Introduction

Observation, assessment and evaluation of the work and performance for analyzing the quality, quantity and standard of work and performance, are necessary to provide speed and dynamism to the functioning of any organization. Inspection is such a tool by which the senior officers not only observe the working of their subordinates, but they also make an evaluation of the positive and negative aspects of their performance. Inspection, thus, becomes an effective mechanism of feedback and follows up with regard to working and performance of any unit and its personnel. Inspection, as an effective and efficient supervisory style for organizational development, personnel growth and performance evaluation, should be used and utilized on a regular basis with objectivity and without any prejudice, bias and preconceived notions.

22.2 Aims and Objectives

Inspection of offices/Police stations/Out Posts/Look Out Posts/Units and other units by superior officers is one of the effective methods and tools by which the efficiency of the force could be raised. It is, in fact, the only way by which the superior officers can come to know their subordinates by personal contact, their standard of work and their personal difficulties on the one hand and the general state of crime, standard of investigation and preventive work on the other.

The object of inspections should, therefore, be not to criticize and find fault with the work of the subordinates but to suggest or take measures for the improvement of Police administration and quality improvement in the service delivery in their work and functioning.

22.3 Scale of Inspection

The heads of offices are required to make a detailed inspection of their offices at least once a year to ensure that their offices are functioning properly and efficiently. The inspections shall be formal (annually) and casual or surprise checks (as frequently as possible). In addition, the officers should inspect every year in detail the Police stations and the offices of their subordinates in accordance with the scale prescribed from time to time. The

Director General of Police will prescribe the scale of inspections, the inspecting authorities, and the mode of inspection of their related matters. The inspections should also be supplemented by surprise checks and visits, with a view to ensure that the defects pointed out at the time of inspection have been rectified and that there is general improvement in the standard of work.

22.4 Programme of Inspection

- (1) Inspection should be conducted in a systematic, scientific and methodical manner. Inspections done by fits and starts and hurried through at the tail end of the year will not serve any real purpose nor do they enable the officers to judge and gauge the work of their subordinates.
- (2) The inspecting officer should make sufficiently long halts and conduct detailed inspections. For this purpose, the inspecting officers should chalk out regular programme of inspections during the ensuing year well in advance and adhere to it.
- (3) Each Superintendent or unit In-charge, as the case may be, should finalize his programme of inspection and obtain the approval of the competent authority. While finalizing the programme of inspections, care should be taken by the Superintendent or the unit officer concerned to see that the inspection of the same office/Police station/unit by more than one officer do not fall on the same day or at the same time. There should be a reasonable gap between two inspections of the same unit.
- (4) The programme should be so chalked out as to include the maximum number of offices in the same visit. The inspection should be done periodically and systematically. Neither the same office should be inspected too often nor do the others be completely neglected.
- (5) All the Police officers should be present in uniform during the inspection unless otherwise ordered by the inspecting officer.
- (6) Annual Inspections (for the calendar year) of Police stations/Offices shall be done by the Deputy Superintendent of Police, Superintendent of Police, Senior Superintendent of Police, Deputy Inspector General and Inspector General of Police as per the programmes to be issued by the office of the Director General of Police. Inspection of Police Out posts will be conducted by the same officer who carries out Inspection of the mother Police Station.

22.5 Procedure to conduct Inspection

- (1) While preparing the inspection note, it shall be remembered that the first page of the inspection note shall contain the following details:-
 - (a) Name of the Police Station/Unit.
 - (b) Period of Inspection.
 - (c) Dates of Inspection.
 - (d) Name and Designation of the Inspecting officer.
 - (e) Name(s) of the SHO(s) of the P.S/ Unit in-charges.
 - (f) Name of the present SHO/Unit in-charge with the date of assuming charge.
 - (g) Name(s) of the SIs / Inspectors during the period under inspection.
 - (h) Date of last annual inspection and name of the inspecting officer
 - (i) Date of last half yearly inspection and name of the inspecting officer
 - (j) Any delay in the inspection and/or details of inspections not conducted
- (2) The inspection will be conducted in a systematic manner dividing the process of inspection as follows:

Part-I (Details about Police Station)

Consisting of (i) Topography of the Police Station and the names of border Police Stations; (ii) Area; (iii) Population of the people (latest / last census will be taken to account); (iv) Number and names of villages; (v) Number of Beats and their details; (vi) Break up of population in terms of religion; (vii) Important government offices and other institutions in the jurisdiction; (viii) important fairs and festival; (ix) vital installations and (x) sensitive law & order incidents in past 5 years.

Part-II (Previous Inspection Notes)

The inspecting officer, under this Head, will discuss various points or remarks (or compliance reports) raised in the previous inspection note. The points which have not been complied clearly should be mentioned with instructions to comply the same immediately without fail.

Part-III (Crime- IPC, Cr.PC, Local & Special Laws)

This part will discuss the incidence of Crimes under the I.P.C., Cr.PC and under Special and Local Laws. A comparison of the

crime figures for the period under inspection with the corresponding period during the past two years should be made. The statement of cases will be accordingly to Heads of Offences as prescribed below:-

IPC Cases:

- (1) Murder
- (2) Attempt to murder
- (3) Dacoity
- (4) Robbery
- (5) Rioting
- (6) Rape
- (7) Kidnapping
- (8) House Burglary day/night
- (9) Other theft
- (10) Breach of trust
- (11) Cheating
- (12) Assault on Government servant
- (13) Hurt cases
- (14) Fatal accident
- (15) Other accident
- (16) Attempt to suicide
- (17) Motor-cycle theft
- (18) Misc. I.P.C.
- (19) Molestation, Eve-teasing

Local & Special Laws cases:

- (1) Police Act, 1861
- (2) Foreigners Act, 1946
- (3) M.V. Act, 1988
- (4) Prevention of Damage to Public Property Act, 1984
- (5) MZI Act, 1976
- (6) Immoral Traffic Prevention Act, 1956
- (7) PAT Regulation, 1956
- (8) A&N Islands Gambling Regulation, 1951
- (9) Explosive Substance Act, 1883
- (10) A&N Islands Excise Regulation, 1872
- (11) NDPS Act 1985
- (12) Dowry Prohibition Act, 1961
- (13) The Juvenile Justice(Care & Protection of children) Act, 2015
- (14) The Prevention of Cruelty to Animal Act, 1960

- (15) The Indecent Representation of Women (Prohibition) Act, 1986
- (16) The Schedule Caste and Schedule Tribes (Prevention of Atrocities) Act, 1989
- (17) POCSO Act, 2012
- (18) Information Technology Act -2000
- (19) The Protection of Women from Domestic Violence Act 2005, etc.

Cr.P.C. Cases:

- (1) 151, 107 Cr.P.C. & 150, 107 Cr.P.C
 - (2) 41, 109 Cr.P.C.
 - (3) 41, (102) Cr.P.C.
 - (4) 110 Cr.P.C.
 - (5) 145 Cr.P.C.
 - (6) 174 Cr.P.C.
 - (7) 176 Cr.P.C.
- (3) The inspecting officer should discuss the trend of crimes under various heads and trace contributory factors for the same. The following aspects shall be covered so that clear instructions to SHOs / SDPOs would be made available further (future guidance).
- (a) Was the scene of crime in serious cases have been visited by the SHO/SDPO/SP?
 - (b) Has the investigating officer carried out compliance of instructions given by the SDPO/SP?
 - (c) Was preventive action taken in cases of rioting and hurt cases?
 - (d) Was there any delay in registration of cases, in their investigation and in chargesheeting?
 - (e) Were the entries in the general diary cross-checked so as to find out the instances of non-registration of cases in deserving matters?
 - (f) Were the Pending Trial cases correctly followed and was there any negligence on the part of Police in dragging the prosecution of case?
 - (g) The value of property stolen and recovered should be discussed with the percentage of recovery.
 - (h) If there is increase in the number of accident cases, reasons, therefore, should be critically examined

- (i) Cases which have been sent as undetected (UN) or mistake of fact (MF) should be cross checked to find out if the cases have been investigated properly.
- (j) Cases of unnatural death should be studied carefully with reference to the reasons for such deaths and the means of suicide. In case of unnatural death, the inspecting officer should ensure that:
 - (i) The I.O. has obtained the photographs and finger prints of unidentified dead bodies and sent them to the Crime Record Bureau and Finger Print Bureau.
 - (ii) Whether the I.O. has examined the dead bodies thoroughly and described all injuries, marks of violence, presence of foreign matter such as hair, fibre, torn clothes, shirt buttons, traces of paint, tyre mark, etc.
 - (iii) Whether the postmortem report and the final opinion of the Medical Officer were obtained;
 - (iv) Whether the Magisterial inquest wherever required, was held and if so whether the report of the Magistrate was obtained.
 - (v) Special care and follow-up action in respect of "Missing Person" cases shall be taken by SHOs and ensured by Inspecting Officers.
- (4) In case of dowry deaths. The inspecting officers shall, during the inspection examine whether those instructions were carried out.
 - (a) If a woman dies within seven years of her marriage, the inquest has to be conducted by an Executive Magistrate.
 - (b) The investigation of such cases has to be conducted by a Gazetted Police officer not below the rank of Deputy Superintendent.
 - (c) Post-mortem examination has to be done by a team of doctors.
- (5) The quality of action taken under 107, 109 and 110 Cr.P.C. etc., should be examined to ensure that such preventive action has been taken on cases genuinely required.
- (6) Action taken u/s 182 and 211 IPC should be verified with reference to false complaints already registered and investigated.
- (7) Efforts of the Police Station under the Local and Special Laws should be discussed with a comparative statement. This is to ensure that the SHOs have taken steps to control criminal

activities like bootlegging, drug peddling, gambling, Eve-teasing, prostitution, etc.

- (8) Brief facts of cases under the Dowry Prohibition Act, cases of 304-B, cases of 406 and 498-A involving married women and cases under the Domestic Violence act and those under the NDPS Act, Explosive Substances Act etc., should be discussed to see the interest of the local Police in curbing such menace.
- (9) Cases investigated by various Investigating officers and their performance should be discussed. Cases pending investigation during the previous years should be verified with reference to the FIR Index to ensure that old cases are not pending investigation. Departmental action against Investigating officers only if there is malafide intention and gross negligence in dealing with the case noticed, will be recommended by the Inspecting officer. The interests of the SHOs/CIs in availing or seeking the aid of technical experts should be seen. Random checks should be done to see the use of Village Crime Note books, History sheets, etc., by investigating officers in detecting property offences. The percentage of cases sent to Court and the percentage of conviction should be discussed in the inspection note.
- (10) While discussing court disposal of cases, the inspecting officer should look into the following important aspects relating to the prevention and detection of crimes and successful prosecution of cases:
 - (a) The Investigating officers should take legal advice from the Public Prosecutor after completing the investigation of all warrants cases.
 - (b) Verification in respect of previous convictions should be made in offences and reports u/s 75 IPC for enhanced punishment be filed in deserving cases.
 - (c) No case should be allowed to be pending trial for a long time in the Court due to the omission / negligence of the investigating officer
 - (d) The appeals / revisions should be filed in cases of acquittals.
 - (e) The service of summons and execution of warrants should be in a satisfactory condition. Cases where prosecution is closed or delayed due to improper service of summons and execution of warrants should be discussed and responsibility fixed. Process register should be checked thoroughly for any lapse and detailed comments recorded.

- (f) Attendance of Police officers and Investigating officers in the Courts must be checked with Pending Trial cases to see lapses, if any.
- (g) Whether the SHO/I.O is discussing cases with the Public Prosecutors.
- (h) Acquittals should be checked up to see if they have been due to poor investigation, non-production of public witnesses, non-appearance of Police officers, etc.

Part-IV (Records)

This part of the inspection would comprise of inspection of the Police Station records. The efficiency of an SHO and the effectiveness of the staff in a Police Station can be judged from the records that are maintained in the Police Station and from various types of action taken against criminals, bad characters, History sheets, budding criminals, suspicious persons, etc. The following records are required to be maintained in connection with the prevention of crime, surveillance over bad characters and for gathering intelligence:

- (1) General diary
- (2) **First Information Report book:** Whether the senior officer takes up important and difficult cases himself and whether the provisions of section 157 (b) Cr. P.C. are being used reasonably and beneficially.
- (3) Station Crime History
 - (a) Crime chart
 - (b) General Conviction Register
 - (c) Village Crime Note Book
 - (d) History sheets
 - (e) Crime Register
 - (f) Pink Register
 - (g) Pink Files
- (4) Ex-convicts or Known Deserter check register
- (5) Sentry Relief book
- (6) Duty roster
- (7) Summon & Warrant register
- (8) Arrest Register
- (9) Bail and Security bonds
- (10) Prisoners Search register

- (11) FIR Index in the revised proforma for checking up progress of investigation, charge sheet, final report, disposal in the court, etc.
 - (12) Petty case register
 - (13) Proclaimed offender's register
 - (14) Deserter's register
 - (15) Casual Inspection register
 - (16) Personal files of proclaimed offenders
 - (17) Beat books
 - (18) **Visitor book:** A superior officer's Inspection Book shall be maintained at every Police Station, outpost and Prosecutor's office in which shall be recorded inspection notes of the Superintendent of Police and the Dy.SP/Superintendent of Police. The Inspector General of Police may also record his notes whenever he inspects or visits a station or outpost or office.
 - (19) **Final report book:** Whether cases are promptly disposed of, whether the investigating officer is at fault in failing to detect the case or worked on wrong lines, and whether undetected cases of a serious nature are still kept in view.
 - (20) **Charge sheet book:** Whether all convicted persons have been correctly entered in the crime records, whether the orders of the Superintendent of Police as to surveillance have been complied with, whether necessary action has been taken with regard to absconders shown in the charge-sheet. In cases which have ended in acquittal the reasons therefore should be examined and where the investigation is at fault, advice, and instruction should be given.
 - (21) **Cash Register:** Whether sums received have been promptly and properly disposed of and whether the accounts are in order or not.
 - (22) **General:** The inspecting officer should also inspect the village Crime Register, General Conviction Register and other confidential records. He should also note whether old records have been destroyed according to rules.
- The points to be checked with reference to the above records/registers are given below for the guidance of Inspecting officers.
 - (1) Cognizable cases, if registered as per the information received are entered in the General Diary, the Village Crime Note Book& CCTNS.

- (2) Proper entries of all cases are made in the FIR Index and other connected records and the progress of investigation and final disposal;
- (3) Delay in investigation and pendency of cases;
- (4) Whether copies of FIR have been given to complainants and their signatures obtained in the original FIR foils in token of receipt and whether monthly, quarterly, half-yearly and annual abstracts in the FIR index have been drawn and the figures correctly entered;
- (5) Whether History sheets of persons have been maintained with all requirements? Whether History Sheeters are being checked periodically and entries being made by SHO/PS ?
- (6) The inspecting officer should go through the General conviction register and village crime register and order opening of History sheets;
- (7) Whether the SHO has been exercising proper surveillance by checking the History sheeters, ex-convict & bad characters;
- (8) Entries of arrested persons can be checked up in the GD, Village Crime History, CCTNS, sentry relief book, personal search register, Bail bond register, arrest register etc., sending of information regarding arrest to the SCRB should also be checked up;
- (9) Beat book should be checked up to see if the SHO has arranged effective night patrolling and simultaneous searches in possible places to round up bad characters, absconding criminals etc. This will give an idea to the Inspecting officer if the SHO has made efforts for crime control.
- (10) Cases booked u/s 109 Cr.P.C. etc., should be checked up to see if the action taken by the SHO is genuine or merely to boost up figures;
- (11) Crime registers should be checked up for cross reference of crimes and criminals. The various parts of the village crime history should be checked up to see if the required information has been entered;
- (12) The FIR's should be cross-checked with the various crime registers for entries, as above;
- (13) The release of accused persons on bail by the Court is required to be informed to the Crime Record Bureau by the SHO immediately besides entries in the FIR index, case diary, crime registers maintained by the SHO, SDPO and SP etc. This requires to be checked up by the Inspecting officer in order to ensure completion of the records;

- (14) The register of proclaimed offenders should be checked up and tallied with the crime registers, FIRs, FIR Index having entries of cases regarding trial and the reports of long pending cases to be obtained from the Court.
- (15) The number of Proclaimed offender added since the last inspection and the efforts made by the Police to trace them should be checked up. Personal files of all these POs containing details of name, parentage, permanent and temporary address, finger prints, photograph, details of sureties, places frequented by the Proclaimed Offenders, etc. which is required to be opened should be checked up by the Inspecting officer. In case of POs involved in heinous or grave offences, recommendations to consider the sanction of rewards should be made. A wide publicity which will raise the image of Police should also be made. The Inspecting officers should check up all these aspects.
- (16) Crime charts are required to be maintained for the main heads of crime for the past 3 years and the current year.
- (17) The summons and warrants register should be checked up to see the service of processes. The monthly abstract should be checked up for percentage of process service and to find out if there is any lapse on the part of any Police Station staff;
- (18) Effective performance of day and night patrolling can be checked up referring the General Diary.
- (19) Preparation and sending of conviction memo to Crime Record Bureau should be seen to confirm completion of records.
- (20) The Inspecting officer should see the disposal of case property recovered which are lying in the Police station. He should also pay attention to the disposal of all properties seized u/s 102 Cr.P.C. Instructions should be given to deposit all such property in the Court without delay.
- (21) The Complaint register should be checked up to see the receipt / disposal of complaints and delay, if any, in their disposal.
- (22) The casual inspection reports which are either written in the register or are pasted in the register should be checked up to see if compliance of inspection notes has been made.

Part –V (Staff)

This part of the inspection note shall deal with details of the station/Unit staff and their knowledge in Police works, and the conduct of the kit inspection. Accordingly, the inspecting officer shall check up the following:

- (1) The knowledge of PCs, HCs, ASIs and SIs / SHOs in Laws, Police procedure, duties and responsibilities, etc.
- (2) Where the duties to all men distributed evenly? This shall be cross-checked with the duty roster.
- (3) The staff of the station should be tested on drill with or without arms and on the words of command.
- (4) The Inspecting officer should conduct a kit inspection and identify unserviceable articles and recommend replacement.
- (5) Departmental proceedings pending against the staff in the Police Station should be discussed to see if there is any delay in their disposal.
- (6) It should be checked up if all the members of the Police Station have done their annual range firing practice.
- (7) Availability of recreational facilities, provision of daily newspapers, etc. should be seen and suggestions given for improvement.
- (8) A welfare meeting of the staff should be conducted to find out their difficulties and the ways to redress them.
- (9) Knowledge and duties of Women Help Desk, Juvenile Welfare officer, Emergency Response Support System(ERSS) and Crime & Criminal Tracking Network System(CCTNS).
- (10) Knowledge & procedure for Anti-poaching operation and Disaster Management scenario.
- (11) Weeding out of old records.

Part-VI (Government Property)

This part of the inspection note deals with Government property, maintenance of accounts and fire arms and ammunition. The Inspecting officers should bear in mind the following points with regard to government properties and the government money and arms and ammunitions:

- (1) Every government property supplied to the Police Station/Unit is entered in the government property register with proper initials and dates. Physical verification of the stock should be done to see if there is any discrepancy or

shortage. Obsolete articles should be considered for return to the Quarter Master.

- (2) The accounts of the Police Station/Unit should be checked up for proper maintenance of cash book, permanent advance register, etc. The cash in the Police Station/Unit should be physically verified.
- (3) Proper maintenance of the standing order file and other orders received from the Police Head Quarter should be checked up.
- (4) The register of Gazetted Officers visiting notes should be checked up to see the compliance of observations made there in
- (5) The seized property kept in Malkhana should be checked physically with Malkhana register. The seized property should be intact and should not be tampered. The amount of cash or jewellery should be specifically checked. Whether entries are properly made and receipts duly given
- (6) The digital evidences should be properly kept in a suitable & safe place.
- (7) Vehicles attached to the Police Station/Unit should be inspected to see their maintenance, history sheet, log book, petrol/diesel coupons etc. The physical condition of the Motorcycles, if available, in the Police Station/Unit should be checked up to see their maintenance. Availability of garage facilities should be checked up. In case any vehicle is found to be not road-worthy, the inspecting officer should make his recommendations to the SP (PMT) to take necessary action.
- (8) Wireless sets and batteries should be seen to check up if they are in good working condition. The batteries should be seen to check the distilled water content in them.

Part –VII (Land& Building)

This part of the inspection deals with building, land, its upkeep and cleanliness, carrying out repairs etc., as also vehicles and wireless equipments. Comments of the Inspecting officer about the building would include:

- (1) General appearance of the buildings of Police Station, Marine Operation Centre(MPOC), Police Out Post (OP), Look Out Post (LOP)
- (2) Maintenance with details of repairs required, last date of

whitewashing, etc.

- (3) Drainage and sanitation
- (4) Availability of water supply and condition of electrical and sanitary fittings.
- (5) Whether the records of the land and building including a sketch are available in the Police Station/Unit.
- (6) Maintenance of bathrooms, inventory and the premises in general of the Police Station.
- (7) To see if there is any encroachment on land needing eviction.
- (8) The land meant for the use of the Police Department in the area of Police Station/Unit either for official or residential purposes is free from encroachment or other constructions.
- (9) Adequacy of Police Station and residential accommodation and suggestions for increase in it, if required.
- (10) The condition of the lock up should be seen with regard to its adequacy, provision of lavatory, etc. Lighting arrangement outside the lock up should be seen if they would need any improvement.
- (11) Besides inspecting quarters, it is necessary to ascertain who are actually living in the Police Station Lines, to prevent over-crowding and for the eviction of undesirable visitors. Lockups should be examined with respect to faulty construction facilitating escape or suicide. The inspecting officer should see if the buildings and land are clean and in good repair.

Part –VIII (Public Relation – Resident Welfare Association (RWA)/ Panchayat/ Municipality& Public Representatives, MTA (Market Rate Association) and important persons

Public Relations: During the inspection, the Inspecting officer should hold a meeting of important persons in the area and ascertain their views about the working of the Police Station The crime situation in the area and other matters and record the views expressed by them. These meetings would ensure the public corporation and help to improve the Police and public relations.

Part-IX (Comments of Inspecting Officer)

This part would deal with the comment of the Inspecting officer on the performance of the SHO/Officer in-charge and other members of the staff and their preventive and detective ability,

knowledge of crime and criminals, interest in scientific methods of investigation, control over crime and criminals, maintenance and handling of law and order situation, maintenance of Police Station/Unit records, detection and disposal of cases, opening of History sheets, preparation of dossiers, maintenance of Police Station/Unit building and Government property and all the other aspects inspected by him. He shall in the end give a view on the working of the Police Station/Unit as a whole and give suggestion to improve the same.

22.6 Disposal of Inspection Notes:

Every inspection note shall be prepared in quadruplicate, one copy should be given to the SHO/Officer in-charge, to be kept in the inspection note register and to take action and comply with the points raised in the inspection note. A compliance report in this connection should be sent to the office of Director General of Police, through proper channel within 15 days. The Deputy Superintendent of Police and the Superintendent of Police while forwarding the compliance report should physically check the records once again to see the compliance. A copy of the compliance report shall also be retained by the SHO in the inspection note register. Three copies of the inspection note shall be sent to the concerned Superintendent of Police who shall retain one copy for record and forward the other two with his comments on a covering note to the Inspector General of Police. The IGP will retain one copy and send the other copy to DGP with his observations recorded on the covering note. The office of DGP shall send an extract of the comments of the SP, IGP and the DGP to the concerned Police Station for compliance and report. All instructions will be treated as complete only on compliance of all the points raised in the inspection note and observations of the SP/IGP/DGP made thereof. The Superintendent of Police should call for and carefully read over the DGP/IGP inspection notes immediately on receiving charge of the office and see that the instructions therein given are being duly attended to.

22.7 Inspection by Superintendent of Police:

- (1) The Superintendent of Police should inspect the offices/Police Station/OP/LOP/JPP of his subordinate Police officers at least once in a year. No officer can administer his charge properly until he knows his men and the conditions under which they live and work. The sooner he inspects both, therefore, the better. It is not possible to lay down any rule as to the number of times any Police station or outpost should be inspected in a year, or how long should be taken over each inspection. The superintendent of

Police may not be able to inspect in detail every Police station and outpost in his charge once a year, but it is advisable that in his first year he should inspect, though not necessarily in detail, his whole district as soon as possible to get a general idea of local conditions.

- (2) The inspection by the Superintendent should cover all aspects of Police work including stores, accounts, accommodation and kit. Inspections should be systematic and as far as possible, be carried out by circles and there should be sufficient interval between the inspection of a circle by the Superintendent and that by the Sub-Divisional Police Officer. He should halt at the places of inspection sufficiently long and in the case of Police stations to enable him to get a thorough grasp of local conditions and crime and a full knowledge of the work of his subordinates.
- (3) He should inspect all buildings, residential and non-residential, as well as buildings under construction and sites selected or earmarked for construction of Police buildings. He should study the various welfare activities that are carried out at the headquarters and in the Police lines and take action to step up the activities. He should make a physical check of cash and all the Government properties and the properties seized in cases. He should go through all the station records.
- (4) The Superintendent should take the opportunity of visiting some of the villages including colonies of tribes, meeting and addressing the local people, acquainting himself with the conditions obtaining in those villages, and devising ways and means of improving the law and order situation in the villages. In cases where there are complaints from villagers, particularly in regard to harassment or unnecessary interference by members of the Police force, prompt action should be taken to investigate them and punish the miscreant. Beat villages, which are crime centres or where there are factions or criminals, should receive the special attention of the Superintendent.
- (5) The maintenance of law and order and the prevention and detection of crime depends largely on the efficiency of the subordinate ranks, and consequently it is necessary to see that as far as possible every man is in the right place. An officer is dependent for his success upon his subordinates and he cannot run all over the district, attending to every individual case himself. The superintendent of Police will chalk out systematic tour

programme for the whole year so that inspections may be evenly spread over the whole of the year, owing to inaccessibility or climatically un-favourable condition.

- (6) A welfare meeting of the staff should be conducted to find out their difficulties and the ways to redress them.
- (7) Ensure that marine Police Operation Centre(MPOC) are functioning effectively.
- (8) The Coastal Security logistics & boats are effectively utilized.
- (9) Adequate safe guards &provisions with respect to Tribal population are implemented properly.

22.8 Assistant Superintendent of Police/SDPO/Dy.S.P

- (1) ASP/SDPO/DySP should conduct systematic inspection of all Police Station and outpost etc. under him. The Dy. Superintendent stationed in the district headquarters should also inspect the district armed reserve and all branches of the district Police office once a year.
- (2) If the inspection of a Police Station is interrupted either due to his being required to visit a scene of heinous crime or other law and order duties he should resume his inspection work and ensure that he spends the required number of days at the place of inspection.
- (3) The Sub-Divisional Police Officer/DySP should test the-men in drill and parade and make a detailed inspection of Police Units and Police buildings. He should see each officer and test him in drill, law, procedure, etc., and make entries in the personal confidential sheet of each head constable and constable. A physical check of cash and all government properties and the properties seized in cases should do along with thorough and detailed inspection of Station/Unit records and case diaries maintained in the Police station.
- (4) As and when an inspection of a Police Station, outpost or an office is over, he should send copies of inspection notes within a week of the inspection to the Superintendent and the Police station or office concerned for compliance and report within a period of one month. The Superintendent may, if he considers necessary in any case, forward a copy to the higher officer
- (5) A welfare meeting of the staff should be conducted to find out their difficulties and the ways to redress them.

SUPERVISION

22.9 Supervision by Sub-Divisional Police Officer

- (1) The Assistant Superintendent of Police/Dy. Superintendent of Police is in charge of a sub division for the purpose of supervising investigation of crime and the maintenance of law and order for this he exercises a general control over work of the Station House Officers. Apart from any specific duty that he may be required to perform by the orders of the superintendent from time to time. He shall maintain a crime register. It is the duty of the reader to put up all general diaries, Weekly diaries and case Diaries received in the office before the Assistant Superintendent/SDPO/Dy. Superintendent for scrutiny. Any comments or orders made by him on any diary shall be communicated to the officer concerned by the reader. If the Assistant Superintendent considers it necessary to bring any matter to the notice of the Superintendent, the reader shall put up such papers before him.

- (2) It is the duty of the Assistant Superintendent/SDPO/Dy. Superintendent to supervise the investigation of cases in accordance with instructions contained in the Chapter of Investigation. He shall render all assistance to investigating officers by suggestions and advice and must correct all faults that he observes. He shall also give necessary instructions to the circle inspector and station house officers regarding Police bandobast which may be necessary for any occasion. He is also responsible for the proper observance of all rules contained in chapter of Preventive Action, Beats and Patrols and Surveillance and may give suitable instruction to his subordinates for this purpose.

- (3) The Sub-Divisional Police Officer should take the opportunity of visiting some of the villages, meeting and addressing the local people, acquainting himself with the local conditions in those villages and devising ways and means of improving the law and order situation. It is especially important that the approach to the people should always be marked by a polite and helpful attitude. In cases where there are complaints from villages particularly in regard to harassment or unnecessary interference by members of the Police force, prompt action should be taken to investigate

them with a view to securing the confidence of the public. Villages, which are crime centres or where there are factions or bad characters, should receive the special attention of the sub-divisional Police officer.

- (4) The duties of an Assistant or Deputy Superintendent of Police in charge of a Sub-Division are similar, subject to their limitations, to those of the Superintendent of Police. These Officers function subject to the orders of the Superintendent of Police, whom they are bound to keep fully informed of their doings and of what is going on in the Sub-Division, and to consult him in all matters of difficulty. Correspondence, other than matters of routine, with other departments should be routed through the Superintendent of Police.
- (a) He should work as the head of the office and the drawing and disbursing officer for his own office as well as for the Police stations under his charge.
 - (b) He should exercise effective control, command his staff and provide adequate and timely guidance, help and assistance to his subordinates.
 - (c) He must immediately and quickly reach on the spots of serious crime and handle the law and order situations occurring in his jurisdiction.
 - (d) He is expected to ensure quick and timely disposal of cases and to ensure that matters and issues of various kinds are not unnecessarily pending in the Police stations.
 - (e) He should quickly, impartially and competently investigate the cases, which are expected to be investigated by him or the ones, which have been entrusted to him for investigation.
 - (f) He should complete the enquiry into the complaints received by him and must complete the departmental enquiries speedily, which are entrusted to him.
 - (g) He should ensure that all returns, reports, data and statistical information are sent to all the prescribed places and officers in time by his own office and the Police stations under his charge.
 - (h) He should maintain cordial relations with the magistracy and officials of Government and non-governmental units and agencies and community relations.

- (i) He would ensure that the budget allotted to him for his office and Police stations is properly utilized in the light of financial and budgetary norms and proprietary.
- (j) He would make recommendation for initiating departmental action for the dereliction of duty to the district SP against the Police officers that he is not empowered to punish.
- (k) He would make recommendation for initiating departmental action for the dereliction of duty to the district SP against the Police officers that he is not empowered to punish.
- (l) He would initiate annual performance appraisal of the SHOs and Sub-Inspectors under his charge and, would be a reporting officer for the officers, who's APARs have been initiated by the SHOs.
- (m) He should ensure that the transport, arms and ammunitions, stores and buildings belonging to the Police Department are maintained in good condition;
- (n) He would gain confidence and loyalty of subordinates by personal integrity, impartiality, devotion to duty and a high sense of justice.
- (o) He would get know all officers and men serving under him, redress their grievances, if any, encourage those who are promising and effectively deal with those who are guilty of misconduct or criminal misconduct or remiss in the discharge of duty.
- (p) He would take steps to ensure that the officers in-charge of the Investigation and prosecution show due interest in the prosecution of cases in court and that no case fails on account of apathy or negligence.
- (q) Ensure that Women Help Desk, CCTNs, ERSS are effectively functioning in Sub-Division.

22.10 Supervision by Superintendent of Police

- (1) The administration of the Police throughout a district or part thereof shall be fully vested in the superintendent of Police. His work is of varied nature and in doing it, he should keep in view the following essential requirements:-
 - (a) to keep the district peaceful and the public satisfied with the security afforded to persons and property;
 - (b) to keep the force under control, in good discipline, well-trained, efficient and contented;

- (c) to maintain cordial relations with the magistracy and other officials and non-officials;
 - (d) to ensure that the transport, arms and ammunition, stores and buildings belonging to the department are maintained in good condition;
 - (e) to promote good Police-public relations;
 - (f) to organize good intelligence arrangements.
 - (g) To acquire full and detailed knowledge of the district and its current problems from the Police point of view;
 - (h) to participate, to the extent possible and permissible, in welfare activities sponsored by official and non-official agencies;
 - (i) to gain the confidence and loyalty of sub-ordinates by personal integrity, impartiality, devotion to duty, and a high sense of justice;
 - (j) to ensure by consistent supervision that the prevention, investigation and detection of crime in his district are properly and efficiently dealt with by the force under his command;
 - (k) to get to know all officers and men serving under him, redress their grievances if any, encourage those who are promising and effectively deal with those who are guilty of misconduct or remiss in the discharge of duty;
 - (l) to ensure the honesty and integrity of his subordinate officers;
 - (m) to study crimes and criminals in his district as a whole; and
 - (n) to pay surprise visits to the Police stations at irregular intervals and check up whether officers and men are alert.
- (2) The Superintendent of Police should be fully informed of all activities in his districts that have a bearing on law and order and he must take precautions to ensure that such activities do not result in breach of peace. He should also require his subordinates to keep him fully informed of all the developments and he should use his District Special Branch staff to secure information in regard to such developments. The Superintendent of Police is responsible to prevent problems arising out of communal tensions and to take prompt action whenever there is any communal problem.

- (3) The Superintendent of Police may withdraw subordinate Police Officers temporarily from any of the Police Stations in his district for duty in other Police Stations in the same district at which extra force is required to deal with an emergency or to make arrangements in connection with fairs, festivals, meetings, processions or the visit of VIPs. The Superintendent of Police is responsible for ensuring that his assistants and deputies work efficiently, and it is his duty to bring to the notice of the DIGP, IGP & Director General of Police, any defects of character or temperament or want of zeal, which detract them from their utility as Police Officers.
- (4) The Superintendent of Police should deal with crime as a whole, studying the criminal problems of districts, rather than merely visiting individual scenes of offences, a duty which more properly falls upon the Sub-Divisional Police Officers and other subordinates who have the main responsibility to ensure that investigations are conducted in the manner prescribed. The Superintendent of Police should visit the scene of offences and supervise the investigation of case like: Poaching, Dacoity, Robbery, Murder, Culpable Homicide not amounting to murder, House breaking. and theft of a sensational nature, Any disturbances, riot, or affray of heinous nature, theft of a sensational nature, Case of counterfeit coins and currency notes, Offences under section 400 and 401 IPC, Conspiracy case, any case of specially heinous nature.
- (5) The Superintendent of Police should immediately visit the scenes and enquire personally into serious occurrences endangering life and property such as presence of poachers, heavy floods, train or boat disasters and fires which involve heavy loss of life or property.
- (6) The Superintendent of Police should tour all parts of his district, remaining longer in the troublesome localities. In addition to inspecting the Police stations, he should visit villages and make himself acquainted with the members of the Village, Citizens Committees, Village officials and principal inhabitants, endeavouring to gain their confidence and co-operation and at the same time ascertaining the state of crime and enquiring into the work of his subordinates.
- (7) He should take special steps to improve the rapport between the Police and the public by holding conferences of important and

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

Chapter 23

ARMED POLICE

Introduction

- (1) There are times when law & order problems or situations arising out of natural calamities assume serious proportions and the local Police are unable to cope with them. To meet these situations, Armed Police has been formed to support the executive force in the Andaman & Nicobar Islands. It has been mandated with guarding vital installations, escorting prisoners, treasury and assisting local Police in maintaining law & order, VVIP security and multiple other responsibilities. It shall be used as armed reserves, when they are allotted to District Police for some specific purpose and for a specific period. They also help the district Police to deal with difficult situations. They can be called out to deal with serious civil commotions; crowd control (at the time of visits of VIPs, large fairs or festivals) and any other law and order situation or disaster management functions. They also provide guards and escorts.
- (2) The Armed Police of Andaman and Nicobar Islands is headed by a SP rank officer who is responsible for the administration, training, operational preparedness and welfare of personnel under the overall guidance and supervision of the Director General of Police.

23.1 Organizational Structure of the Armed Police

Andaman and Nicobar Armed Police Unit is headed by an officer of the rank of Superintendent of Police assisted by a Deputy Superintendent of Police and appropriate number of other officers of the ranks of Inspectors, Sub-Inspectors and officers of other rank under the overall supervision of Director General of Police, Andaman & Nicobar Islands.

23.2 Other Officers of the Armed Police

The SP of the Armed Police is assisted by various Gazetted and non-Gazetted officers like the Deputy Superintendent of Police, Reserve Inspector (RI), Line officer, Musketry officer, Head Constable and Constable, who perform various functions in different branches and sections.

23.3 Duties & Responsibilities of SP, Armed Police

1. The role of SP (Armed Police) as head of the Armed Police is supervision of the functioning, inclusive of all administrative, personnel, logistics, provisioning and deployment matters etc.

2. He shall be responsible for keeping the force under him in a state of high discipline, morale and efficiency.
3. High priority should be given to the welfare, allocation of duties, health, equipment and living accommodation.
4. He shall ensure that the concerned DySP and officers under him inspect all the units under them atleast once a year.
5. The SP (Armed Police) is also responsible for the Police Welfare and administration of Welfare activities including the health care, sports and recreational activities of Police Personnel. He is also responsible for the management of Police welfare and other funds.
6. Ensure timely reimbursements from agencies where armed Police deployments have been made on payment basis.

23.4 Duties & Responsibilities of DySP, Armed Police

The DySP, Armed Police will have overall responsibility of deployment and day to day functioning of the Armed Police & Reserve Line force. He will report daily to the SP/AP about the general discipline and deployment for the day of the force. He will prepare the annual training schedule of the force in advance and get it approved from the SP/AP. Apart from training and discipline aspects of the force, he will take active measures to ensure welfare of the personnel and present a quarterly report on the management of various funds to the SP/AP. He will from time to time organise such sports and welfare activity so as to keep morale of the force high and keep them engaged.

23.5 Reserve Inspector

The Reserve Inspector will have the overall responsibility of the maintenance of discipline and the efficient performance of all duties of the Armed Police. He will attend all parades, hold regular inspections of arms and ammunition, stores and buildings. He will attend all practices on the range. He shall pay visits to the hospital occasionally to see that the staff is present and looking after the patients properly. He shall visit all armed guards. He will take stock of all government property in possession of the Police Line area and report deficiencies to the Superintendent of Police. He shall also be in-charge of the buildings and lands in the occupation of the Police in Police Line, and be responsible for their good order and general condition. He shall exercise a general supervision over the working of the Line's Mess, Canteen and all other welfare activities as and when directed by the Superintendent of Police. He is responsible for keeping the Superintendent of Police fully and correctly informed of all matters connected with the Police Lines. He will submit a Daily

Diary to the Dy.SP/Superintendent of Police and all other works assigned to him.

23.6 Lines Officer

The Lines officer is of the rank of Sub-Inspector and is the immediate assistant to the Reserve Inspector. In the absence of the Reserve Inspector, he will assume the duties and responsibilities of the Reserve Inspector and should, therefore, be fully conversant with the duties of the Reserve Inspector.

He will attend all parades as Second-in-Command. He will take charge of the parade from the officer and after satisfying himself of the correctness or otherwise of the parade, will report to the Reserve Inspector with the Parade Statement. He will ensure that the clerical staff posted to the Lines Office carries out their allotted duties regularly and efficiently. He will act as the Training officer and ensure that all the scheduled training programmes are carried out effectively and timely. He will ensure that all orderlies are properly posted. He will receive reports, if any, from officers concerned relating to the misconduct of any of the staff and take suitable action. He will also keep general supervision over the Police Band. He will submit a Daily Diary of his duties to the Reserve Inspector.

23.7 Musketry Officer

The Musketry Officer is of the rank of Sub-Inspector. He will be in overall charge of the Armoury and Magazine and will be personally responsible for the cleanliness and up-keep of ammunition. He will keep in serviceable order all arms and equipment and will be responsible for safe custody of all equipment of musketry and entire arms & ammunition of the Armoury. He will inspect and supervise the issue of all arms and ammunition to guards and other men proceeding on duty and see that they are deposited in Armoury promptly on their return and check its condition and order. He shall coordinate with all type of weapon classes being conducted for the Police personnel. He shall keep the keys of the Armoury and hand over the keys to the Reserve Inspector or Line Officer whenever he leaves the Lines. He will attend all range practices and will be responsible for the proper conduct thereof. He will maintain a Register of Target Practice. He will be responsible for the correct maintenance of all registers of the Armoury and Magazine. He will maintain an Attendance Register for the men under his command.

23.8 Training

1. Apart from the initial training of recruits at the Police Training centre it shall also be ensured that all ranks undergo an annual refresher training programme by rotation, over and above specialized training in different

skills as needed by different categories.

2. The annual refresher training course shall be mandatory, and ordinarily the personnel undergoing such training shall not be withdrawn for deployment on law and order or any other duty.
3. The curricula for the initial as well as annual refresher training courses, besides physical skills and fitness, shall lay due emphasis on the knowledge of Constitutional and legal rights of the citizens as well skills relating to individual and collective interaction with the public, with special emphasis on courteous and impartial behaviour.
4. The content and methodology of the annual refresher training courses as well as the other specialized courses for the personnel of the Armed Police shall be reviewed and revised from time to time by the officer heading the Armed Police set-up, in consultation with the Police Training School, under the overall guidance of the Director General of Police.

23.9 Conduct and Discipline

Every Armed Police Officer on duty shall ensure the maintenance of peace and tranquility to the best of his ability and in addition to the rules/instructions contained in this manual, shall:-

- (i) Obey without delay, all lawful orders of his official superiors;
- (ii) not exercise his discretion to use disproportionate or excessive force;
- (iii) not exercise his discretion to refrain from using appropriate force to maintain the public peace, on extraneous considerations or in pursuance to orders or suggestions from a person other than his official superior;
- (iv) Not use his position, uniform or arms to intimidate any person other than when required in the proper discharge of his duties.

23.10 DGP Reserve

- (1) A DGP Reserve is a component of the Armed Police to be placed at the disposal of the SP/AP and be requisitioned by the district SsP for any emergent situation with the prior permission of the DGP. It may have one or more platoons.
- (2) This reserve force is an active reserve with the ability to be deployed at a very short notice. The DySP, / AP to ensure its striking capability on a day to day basis and take daily reports on its functioning from the Reserve Inspector.

23.10.1 Special Commando Unit

Two sections/One platoon of a Special Commando unit will be formed by training Police personnel (either young recruits or willing personnel chosen from various units of Police force) of A&N Police. These personnel will be trained in commando course from a specialized agency of Government of India like National Security Guard (NSG) and it will be an elite force headed by an officer of appropriate rank. It shall be stationed in the Police Lines and will work directly under the DGP. The commando units will be under the day today command & control of SP/AP but in respect of operations shall be under the direct command of the DGP. This unit will be specially trained for handling

- A.** Emergency situations arising out of unlawful activities of certain groups of lawless persons, terrorists and desperadoes
- B.** To carry out rescue operations and providing security to VIP
- C.** To deal with emergencies arising in the wake of natural calamities

23.10.2 Induction & Training

The SP/Armed Police shall be responsible for their operational readiness, Administration & Training. The executive force will be drawn from all the cadres of Police services in the Islands with approval of the DGP. The selection will be made by the SP/AP from the eligible members of the various Police units. On selection to the Special Commando Unit, every member will undergo such training as per the programme determined by the DGP from time to time. The SP/AP will have the powers to recommend repatriation of any member to his parent unit if he considers him unsuitable for continuation in the force at any time.

23.11 Tear Gas Squad:-

- a) 'A Tear Gas Squad' of appropriate strength will be formed at the Police Lines and will be given training in Tear-Gas in accordance with the time table as decided by the SP/ APU. The men for this squad will be drafted from the Line Reserve. The Training will last for one month. The Line officer will be responsible for carrying out the programme of training with the aid of an instructor to be detailed by the Reserve Inspector. All men in the Armed Police would be trained in the Tear Gas Squad in due course of time on rotation basis, the schedule of which should be chalked out by the DySP, Armed Police with the approval of SP/AP.
- b) The Training officer shall maintain a 'Register of Armed Police Personnel under training in the Tear Gas Squad' in which the number and names of persons under training in each batch shall be written showing their attendance for the full month of training and giving remarks in the last column against each name.

23.12 Functions of Armed Police Force

Some of the functions of the Armed Police Force are following:

- (1) Personnel are being deployed on for Look Out Post like LOP Narcondum, LOP Interview Island, LOP East Island, LOP Luis-in-Let Bay, LOP Thillong Chaung and other LOP's for a period as decided by the DGP from time to time for keeping a look out over the movements of foreign boats/poachers into our territorial water.
- (2) Performing duty at the important Local Static Guards i.e Secretariat, Goodwill Estate, PHQ Guard or any other static guards.
- (3) Supplement the local strength where it is not adequate to deal with law and order disturbances, riots etc.
- (4) Provide specially trained personnel to deal with terrorist and other organized gangs.
- (5) Provide security to authorized persons or places.
- (6) Guard vital installations, arms and ammunition and other important places.
- (7) Escort of prisoners.
- (8) Participate in ceremonial parades and guards of honour.
- (9) Help in rescue operations in the event of natural calamities and other disasters.
- (10) To man armed outposts and conduct armed patrolling where called for.
- (11) Training of its personnel.
- (12) To provide striking forces or mobile squads for special bandobusts including elections.
- (13) Management of arms and ammunition in the districts and units.

23.13 Ordinary duties of the Armed Police

The duties to be performed by the Armed Police can be classified as 'Fixed' and 'Fluctuating', duties. Men required for 'Fixed' duties, i.e. duties the nature of which is such that the men performing them cannot be changed from those duties in times of emergency, e.g. Armory Staff, Line Store. Men required for 'Fluctuating' duties i.e. duties the nature of which is such that the men who perform it can and must be changed frequently, e.g. Guards, Escorts and other miscellaneous duties.

23.14 Utilization and Briefing of the Reserve Contingents

- A. The Reserve Police shall normally be deputed to assist the local Police to meet the exigencies for 'bandobust', preserving order at festivals, large public assemblies and when disturbance to peace is anticipated. The deployment of force for this purpose may be done by the SP/AP on requisition by the district

SP on the assessment of the situation. For deployment for long periods or outside South Andaman district, approval of the ADGP/IGP, Hqrs will be taken subject to confirmation by DGP.

- B. Whenever such reserve is deputed, a thorough briefing should be done by ARSI/Head of the section/Platoon Commander concerned with respect to their specific duties, topography, description of the task, reporting mechanisms, likely difficulties to be encountered and the way to overcome them. The ASP/DySP of the Armed Police is responsible for the performance of the force.

23.15 Movement of the Armed Police units

- a. The SsP in the districts shall have powers to deploy the AP units anywhere in their jurisdiction for any of the purposes stated in the preceding paragraph.
- b. In case of emergency, the district SP may requisition Armed Police unit through the IGP (Law & Order) to the DGP for reinforcements.
- c. The ADGP/IGP, L&O and DGP should be kept informed of the mobilization and demobilization of the Armed Police units.
- d. The deployment for the purpose of riots and serious disturbances shall ordinarily not exceed one week and shall be withdrawn thereafter. The deployment for festivals shall be limited to the duration of the festival. In all other cases rotation should be provided with intervals for rest.

23.16 Armed Police/Reserve Police on Detachment Duty

- (1) A General Diary shall be maintained by the officer in-charge of detachment, in which the movements of the officer in-charge and of all personnel, the duties for which they are employed, any incident and all particulars such as discipline, presence or absence of any personnel, sickness, injuries, use of fire arms or other events shall be entered. A copy of the General Diary should be sent to RI of the Company and to the SP of the district.
- (2) The officer in charge of the detachment should equip himself with the briefing documents and instructions on the task to be performed and brief the personnel thoroughly before proceeding and after arrival. The requisitioning officer is responsible for making available all material in advance and any additional material on arrival.

23.17 Off duty and relief

- 1. All Head Constables and Constables in the Reserve should ordinarily have a weekly off, preferably Sunday. The stand-to and guards who are on duty on a Sunday should be given "off duty" on another day.

2. The personnel of mobilized reserve will have Sundays free, but they shall not leave their places without permission. Whenever permission is given, the RI shall see that 50% of the force is available on Sundays. Normally, it must be seen that Policemen avail their weekly holiday undisturbed but they can be deprived of it in exceptional and unavoidable circumstances.

23.18 Scale, Care, Maintenance and Inspection of Arms and Ammunition

- (1) The BPR&D has worked out scale of arms for various units of Police department. The Armed Police and DGP Reserve should as far as possible maintain weapons, arms and ammunitions according to that scale.
- (2) Distribution of arms will be fixed on the order of the Director General of Police, who by means of Standing Order shall lay down the procedure to be followed for custody and care of arms, ammunition, stock of material for the repairs and maintenance, and the manner in which damaged and unserviceable weapons are to be disposed off, and the procedure in case of loss of any weapon or ammunition.
- (3) The adequacy of arms, equipment, mobility, communication etc. shall be assessed regularly on an annual basis by the ADGP/IGP, Armed Police in consultation with the SP, / AP and the District Superintendents of Police concerned.
- (4) All designated Officers of the Units to which arms and ammunition have been issued shall maintain histories of the fire arms and weapons supplied to them in the prescribed Form. The Quarter master/RI shall also maintain a similar register for all weapons on the charge of the district/city. He shall scrutinize this register and ensure that each firearm is rebrowned in due time and are produced for inspection in accordance with the orders on the subject.
- (5) During the course of the year, the Musketry officer/armourer of the Reserve shall inspect the arms. He shall inspect every weapon borne on the strength of each unit and point out the defects, if any. He shall also attend to the yearly lubrication of arms.
- (6) When weapons are taken out, the Policemen shall dry clean them and before returning them to the armoury, they shall apply oil to all the metallic portions. RSIs shall inspect weapons of their respective personnel after every parade and see whether any parts are missing and whether they are cleaned properly. Any neglect in the care of arms shall not be permitted and such instances should be promptly brought to the notice of the senior officers concerned for suitable action.
- (7) If any rifle is found rusty or any barrel bulged or neglected, the PC or HC to whom the weapon has been issued shall be dealt with in a disciplinary case. All RSIs shall maintain a book wherein details of inspection done and action

taken against any Constable or Head Constable for missing parts or causing damages to his weapon should be entered. The RI/RSI, Quarter Master should effectively supervise the work of armourers and more so, the work of the Platoon Commanders in this regard. Reports of the armourer, after his inspection of arms, regarding losses of and damages to arms due to neglect shall be promptly attended to by the concerned.

- (8) It is not the duty of the armourer to clean weapons but also to repair them. Commanding Officers of the unit shall, therefore, ensure that all arms are cleaned thoroughly before the armourer inspects them. The armourer shall submit report to the SP/AP through the RI on the work turned out by him and the condition of the arms in the armed Police unit.
- (9) The riot control squads of the armed and reserve force should be properly trained, briefed and equipped including with banners, megaphones etc. The riot control contingent should consist of tear gas party, lathi party and rifle party. The sequence of the use of force of the separates should be maintained and efforts must be made to use minimum and adequate force to control the unlawful assembly.

Chapter 24

PROTECTION OF ABORIGINAL TRIBES

A&N Islands are famous for its aboriginal tribes & policing here has a unique aspect to it, which pertains to the regulation of the interaction of general public with these aboriginal tribes, i.e. Jarawa, Shompen, Onges, Great Andamanese, Sentinelese & Nicobarese. Except the Nicobarese tribe, all other (five tribes) tribes have been designated as Particularly Vulnerable Tribal Groups (PVTGs) by the Government of India. Initially Bush Police was an important part of A&N Police but with the passage of time and as the aboriginal tribe i.e. Jarawas residing in the Reserve Areas of South Andaman and North & Middle Andaman have become friendly and are no more hostile, the duties of Police personnel posted in Jarawa Protection Posts (JPPs) have changed drastically. It is now upto Andaman and Nicobar Police to prevent the entry of non-tribal members/people in Jarawa Reserve Area and to protect the interest of Jarawa Tribes.

24.1 Duties of Police:-

- i. To maintain the Jarawa Protection Posts (JPPs) established at various places along the inner line demarcating the reserve area under the A & N Protection of Aboriginal Tribes Regulation, 1956.
- ii. To conduct regular patrolling along the inner line in order to keep the Jarawa tribes within the reserve area and to collect and communicate information regarding the presence or movements of the aboriginal tribes.
- iii. To maintain the convoy discipline on Andaman Trunk Road (ATR).
- iv. To offer protection from the attack of aboriginal tribes to the general population and to government employees working in or near forest.
- v. Prevent violation of laws in all the tribal area of A & N Islands.
- vi. Prevent unauthorized person from shooting, fishing, killing wild life and poaching in the tribal areas & adjoining the tribal area by land and sea.
- vii. Prevent unauthorized contact with the Jarawas and other tribes who are still to react favourably to our gestures by land or by sea and to patrol adjoining area of land and sea.
- viii. Prevent and check entry permits or intrusion of unauthorized people into Jarawas and other tribal areas in the A & N Islands.
- ix. Prevent removal of any jungle or marine products by unauthorized people from any tribal areas of the A & N Islands and from inner coastal creeks etc.

24.2 Control and Supervision

- i. The JPPs, OPs and the Guards established to protect aboriginal tribes are under the direct control and supervision of concerned SHOs and SDPOs who are responsible for management of the JPPs, OPs and the Guards under overall supervision of Superintendent of Police (District). SHOs shall keep the SDPOs and Superintendent of Police (District) informed promptly of the state of discipline and work of the JPPs, OPs and the Guards under his charge.
- ii. The JPP, OP and the Guard In-charge shall submit a report to the concerned SHO in case of any development with regard to intrusion of non-tribals in the Tribal Reserve Area for taking necessary legal action. He shall also submit report of aboriginal tribes people intruding in unreserved populated areas.

24.3 Duties of SDPOs & SHOs

1. SHOs Hut Bay, Swaraj Dweep, Campbell Bay, Humfrygunj, Ograbraj, Bambooflat, Kadamtala, Baratang and Mayabunder shall make proper GD entries at the PS at the time of departure and return from patrolling in coastal areas/tribal reserve areas for the above said purpose.
2. Whenever poachers are apprehended, respective SHOs/patrolling team shall ensure photography/videography and the GPS coordinates Lat/Long data of the position of apprehension is recorded using a GPS instrument for the purpose of evidence.
3. If poachers are found within the range of 5 Km of North Sentinel Island, immediate legal action should be initiated.
4. Proper liaison should be made with AAJVS for better coordination and effective check on intrusion in Jarawa/Tribal Reserve Forest area.
5. A separate patrolling register should be maintained at PS and PMF, containing following information i.e. the date and time of conducting operation, details of staff who conducted sea patrolling, arms & ammunition carried, places where patrolling conducted, number of poachers apprehended and place of apprehension etc.
6. SHOs shall brief the staff before their departure on patrolling duty and also intimate PCR and PMF Control Room about their deployment along with departure and arrival timings and outcome of the patrolling.

7. In view of any incident with respect to the aboriginal tribes, a report indicating the action taken and observations should be forwarded to concerned DySP, Coastal Police/SDPOs i.e. Bambooflat, Rangat, Diglipur, Nicobar and Campbell Bay for their perusal which shall be forwarded to concerned District SPs. A fortnightly report in the prescribed format should be forwarded and in case of any action, report should be forwarded by concerned DySP/Coastal Police and SDPOs immediately to DIGP, Andaman & Nicobar Islands through SP (District).

24.4 Duties of JPP Incharges

Apart from regular policing duties, JPP Incharge have the additional duties of liaisoning with other stakeholders like fisheries, forest department, Social Welfare department (AAJVS) to ensure safety and security of Jarawa tribe people. Regular joint patrolling operations alongwith these stakeholders to be carried out as per surveillance protocol. Further, the JPP incharges of the area from where the vehicle convoy passes and the movement of vehicles is regulated, need to carry out their duties with due diligence. It is the duty of the JPP incharges to effectively implement the convoy discipline and the directions issued in this regard from time to time.

The JPP In-charge shall maintain the following records in his JPP, apart from maintaining the registers as mentioned in the Manual regarding maintenance of records some other specific registers with details are also to be maintained such as:

- a) Jarawa Movement Register
- b) Convoy Register
- c) Foreigners Register
- d) Mortuary Van Register
- e) Repair/Breakdown vehicle Register

Format of registers is annexed as Appendix 24.4

24.5 General Diary to be maintained:

- a) A General Diary as per Form 24.5 will be maintained in JPPs and OPs which shall be recorded day by day with the departures and arrivals of the men on duty, transfer, leave or otherwise, the details of kit, accoutrement arms, ammunition or other Government property issued to the men or to the Jarawa Protection posts and those received either for repair, renewal or deposit, or damaged under any circumstances, orders and instructions received, from the superior officers either by signal or otherwise, visits or inspections of officers to the JPP/outposts, holding of roll-calls parades, etc. for the

Policemen.

- b) The In-charge JPP/OP Guard shall take suitable action for any default or neglect of duty on their part. A copy of the diary shall be sent daily to the SHO concerned for onward submission to Dy. Superintendent of Police daily/SDPO.

24.6 Patrolling:

The preventive and protective measures for the Aboriginal Tribes shall include patrolling along with coast and also through land. There shall be three layers of patrolling along the coast on the basis of watercrafts deployed for the purpose and the personnel onboard as given below:

- (i) The outer layer shall be formed by the Coast Guard and Navy, the middle layer by A&N Marine Police in speed boats and the inner layer by Joint (AAJVS, Police and Forest) Patrolling parties in dinghies/motor boats.
- (ii) The task requirement from the point of view of protection of Jarawas and other aboriginal tribes from the outsiders especially from foreigners needs to be infused/emphasized in each of the stakeholder.
- (iii) In respect of the middle layer, the Director General of Police shall issue necessary directions from time to time to the Superintendent of Police, Police Marine Force to enforce the A & N Islands (Protection of Aboriginal Tribes) Amendment Regulation 2012.
- (iv) The Joint Patrolling Party (JPP) shall provide protection at close proximity to Jarawas and their reserve area. Each Joint patrolling party shall comprise of (a) A Janjati Sevak from AAJVS, (b) an authorized representative from Police and (c) An authorized representative from Forest department.
- (v) The Joint Patrolling Party will cruise close to western shore and into creeks as necessary.
- (vi) At the first instance there shall be three base camps viz. (a) Chouki (Tirur No.4) (b) Kadamtala and (c) Luis-in-Let-Bay from where joint patrolling parties shall cruise along the western coast. Each Joint Patrolling Party shall cover the specific stretch of coast in the normal condition and to any extent as the situation demands.

24.7 Security Measures in an Outpost

In every Jarawas Protection Post/Outpost manned by more than six men, there shall not be less than three men at any time present within the outpost itself. In posts manned by less than six men, which shall as far as possible be avoided there shall be not less than two men at any time so present. All Policemen in their posts will have their arms and ammunition within easy reach. One man shall always be on the watch in every outpost. While leaving the post at least one man will accompany the other fully armed.

24.8 Tribal Laws:

It shall be the duty of the SHO/SDPO to acquaint himself with the provisions of the Andaman and Nicobar Islands protection of aboriginal tribes regulation, 1956 and take necessary action wherever required. He shall instruct his subordinates in the practical use of the provisions of this regulation. Any one contravening the PAT Regulation is liable to be arrested under Section 7/8 of the Regulation. When any one is so arrested, the Policeman making the arrest shall take him to the Officer-in-charge of the nearest Police Station with his report.

24.9 Inspection:

- a) The SHO of the concerned PS under whose jurisdiction JPPs, OPs and the Guard are there shall inspect such posts and Guards at least once every quarter and submit his notes of Inspection to the Assistant Superintendent of Police/Deputy Superintendent of police/Sub Divisional Police Officer immediately after every such inspection. He shall inspect their Kit and accoutrements, arms and ammunition and Government property; he shall see that the Police Outpost and its surrounding area is maintained in neat and proper condition. He shall deal with defaulters and ascertain the health and other living conditions of the men.
- b) The Assistant Superintendent of Police/Deputy Superintendent of police/Sub Divisional Police Officer and the Superintendent of Police shall inspect as many JPPs/OPs/Guards as practicable every year and record their notes in an Inspection Book to be maintained at every outposts.

Note:- Apart from the above, the provisions of the PAT regulation and any other rule/ guidelines made there under shall be applicable.

Appendix 24.4

CONVOY REGISTER

Sl. No.	Bus	Truck	Type of Passenger vehicle	Total Vehicle	Total Passenger's

JARAWA MOVEMENT REGISTER

Sl. No	Date & Time	Vehicle No.	Name Of AAJVS Staff with Ph. No.	Name of Jarawa Personnel	Male/ Female	From	To	Signature of AAJVS Staff	Remarks

REPAIR VEHICLE REGISTER (Breakdown under Jarawa Area)

Sl. No	Date	Vehicle No. & Drivers Details	Area of Breakdown	Time of Convoy	Time of Complaint	Time of Out	Remarks

FOREIGNERS REGISTER

Sl. No	Country	Name	Passport No.	With/Without permission	Arrival date	Departure date	Vehicle no.

MORTUARY REGISTER

Sl. No.	Date	Time	Vehicle No.	Total Vehicle	Total Passenger

Form 24.5

ORIGINAL

GENERAL DIARY**No.**

Book No.....

Unit

.....

Date, Month and Hour	Sl. No.	Abstract of Report	Report

Chapter 25

POLICE MARINE FORCE

Introduction

The UT of A&N Islands has a long coastline and a number of minor ports, fish landing centers, vital installations, vulnerable areas/points and scattered remote islands that hold a prominent place in the National Security domain. In this context, the concept of coastal security has evolved as an important subset of National Security.

Police Marine Force (PMF) is a specialized unit, most of its resources, though procured by PMF unit, are at the disposal of the Coastal Police Stations to assist them in executing their duties as Coastal Police Stations. The manpower of the PMF unit can be categorized into technical staff and the executive staff.

The “Police Marine Force (PMF)” shall comprise of Operational, Maintenance, Administrative and other wings for the fleet of Police vessels of various capacities, each of which is under the command of a Master/In-Charge/ Serang/ Secunny in the rank of Inspector/ Sub Inspector / Asst Sub Inspector / Head Constable of Police Marine Force depending upon the tonnage of the vessel. A Police vessel shall be stationed at such Coastal Police Stations as may be ordered by the Superintendent of Police (PMF) in accordance with actual operational requirements of work and availability of vessels from time to time. The duties of a Police Vessel in general are to carry out routine patrolling in the territorial waters within 12 NM of the jurisdiction of concerned Coastal Police Station of the Andaman and Nicobar Islands under the overall command of the District SP's of respective Coastal Police Stations.

The PMF Unit has been provided with various types of vessels such as Medium Class vessels, Fast Interceptor Boats (FIB), Rigid Hull Inflatable Boats (RHIB), Fibre Reinforced Plastic (FRP) with twin OBMs, Fibre Reinforced Plastic (FRP) with Single OBM, Rubberised Inflatable Boat (Gemini) with OBM and Wooden Engine Dinghy.

25.1 General Duties and Responsibilities of PMF

- a) To provide logistical support to the District Police.
- b) Provide various classes of assets to the District Police for carrying out coastal surveillance, interception, transportation of man & material and logistics.
- c) Preparation of patrolling plans and deployment of technical manpower for maneuvering the vessels.

- d) To train and develop manpower to achieve maximum effectiveness.
- e) To make the best use of the skills and capacities of PMF staff.
- f) To ensure better coordination with all the stakeholders of Coastal Security.
- g) To develop systems and procedures which will ensure that the repair and maintenance of the vessels shall be carried out timely and effectively.
- h) Any other duty, as may be assigned by the Director General of Police, A&N Islands.

25.2 Marine Police Operational Centres (MPOCs)

A total No. of 10 MPOCs are planned at various locations across the Islands at the initial stage from East Island in the north to Campbell Bay in the south. These have been envisaged as nerve centers for patrolling and surveillance collection in their respective jurisdiction. The marine vessels under the operational control of MPOCs would work in close coordination of the coastal Police stations to secure the coastal waters. Following are the mandates of MPOCs :-

1. To function round the clock for prompt dissemination of information to Coastal Police Stations
2. Monitoring and controlling of PMF vessels.
3. Deployment of PMF personnel for coastal patrolling and anti-poaching operation.
4. To protect life and property at sea.
5. To coordinate with the various stake holders during real-time threat and anti-poaching operations.
6. To launch search and rescue operation.

25.3 Jetties

Due to cost and other compulsions it may not be feasible for each coastal Police station to have its own dedicated jetty. The coastal Police Stations may, therefore, have to make use of any jetty which is available/located in their jurisdiction or nearby. However, with the main interest of maintaining secrecy of operations and for security of the boats it would be inevitable for each coastal Police station to have their own jetty/pier. Till the time jetties are built or are made available, all Coastal Police Station may develop capabilities of rolling out their temporary jetties. In this regard, there are two types of jetty i.e. Temporary and Permanent.

- (i) Temporary or Floating:- The jetties which are flexible and can be easily moved from one place to the other. The PMF personnel can easily handle it and place it on as and when required basis. These jetties are made for berthing small type of boats such as Gemini, RHIB etc.
- (ii) Permanent:- These type of jetties are made of fully reinforced concrete cement and involve huge construction cost. The permanent jetties are used for berthing large vessel.

25.4 Duties of the Duty officer & In-charge Marine Police Control Room (MPCR)

- A. The Marine Police Control Room is functional 24X7 in shifts and mainly responsible for communicating with the Police boats and to convey the directions of the senior officer to concerned.
 1. The sensitive information related to Coastal Security received through Fax/Hotline/Telephone and on Coastal Security Helpline Number are to be promptly disseminated to Senior Officers and the concerned Coastal Police Stations for action by the Boats Masters.
 2. The duty officer shall keep an update on the matters related to Anti-poaching operations undertaken to Andaman Nicobar Command (ANC) and Regional Coastal Security Operational Centre (RCSOC) Coast Guard A & N Region.
 3. The duty officer shall collect the details of technical staff present onboard the vessels deployed in A & N Islands, time of patrolling undertaken, area covered during patrolling, timing of entry and leaving harbour of Police boats. The details of the Fuel consumed and available stock of various POL products should be scrupulously mentioned in the register, as furnished in the daily patrolling report.
- B. The In-charge Marine Police Control Room shall ensure the proper functioning and over all supervision of the Marine Police Control Room (MPCR). Some of his duties are:-
 1. The I/c MPCR shall ensure the deployment of assets and movements of PMF personnel & anti-poaching operations in liaison with the Coastal Police Stations and other stakeholders.
 2. The I/c MPCR shall ensure the timely preparation of morning report, weekly status report of the assets, deployment of assets, monitoring the movements of PMF assets & boat staff in the prescribed proforma as amended from time to time. These reports shall be submitted to SP (PMF) on a regular basis as may be prescribed.
 3. Besides, the I/c MPCR shall supervise the various coastal patrolling activities and coordinate in other exercises like Sagar Kavach, Operation (OP) Sajag, Joint Coastal Patrolling exercises etc.
 4. The I/c MPCR shall maintain updates about the apprehension of poachers in the UT of ANI in liaison with SHOs of the CPS.
 5. The inventory available in the Marine Police Control Room shall be properly maintained and any non-functional communication equipments shall be rectified / replaced promptly.

Distress Call:

6. Search & Rescue operation will be initiated in coordination with the other agencies on the receipt of a distress call or signal either directly or from a

distressed vessel or through any third party. Acting immediately on the distress call, the MPCR will deploy PMF assets for conducting search and rescue operations in that location and also share the same information with other stakeholders like Indian Coast Guard, Indian Navy without unnecessary delay for ensuring better coordination & operation. The Marine Police Control room will coordinate with all stakeholders involved in the search & rescue operation. It shall be the duty of the Police whenever they see a boat or other vessel in distress to render all possible assistance consistent with the safety of their own boat or vessel.

25.5.1 Repair & Maintenance Section

The I/c Repair and Maintenance section will look after the repair and maintenance of all the assets of PMF and shall supervise the staff posted in the workshop for ensuring quick repair of minor defects in the assets. The I/c R&M shall maintain the History sheet of Boats/assets, equipment fitted onboard of the vessel and other records relating to the vessel. He will be responsible for carrying out the process concerning the condemnation of PMF vessels and other store articles and other store articles. He shall ensure that various store items like flares, life jackets, GPS etc. are in order and their regular inspection is carried out. He shall submit a weekly status report to senior officers in this regard. The I/c R&M shall maintain the records and funds relating to the requirement, issuance of POL.

Each machine on board a vessel requires maintenance which has to be carried out at regular intervals of time on the basis of check lists prepared. The Repair & Maintenance Section of the PMF Unit is required to plan the schedule of maintenance on a ship as per the Standing Orders to be issued based on the requirements from time to time with the approval of DGP, A&N Islands.

For inspection purpose checklist are often used to ensure that the inspection, test and maintenance are performed according to the guidelines of manufacturers. Most of the problems onboard a vessel can be prevented with routine maintenance, with problems only growing more serious if the ships are neglected for extended periods of time. The routine maintenance as well as minor repair works of the PMF vessels carried out by the ship's crew or onboard engineers/ Technical Team, but other and major repair works is required to be done by third-party professionals raising tender notice as & when required basis to keep the PMF vessels sea worthy to meet the operational requirement of the department safely and efficiently.

25.5.2 Scuba Diving Unit

The Scuba Diving Unit will be functioning under the supervision and control of I/c MPCR. The Scuba Diving Team shall remain on ready to turnout position for carrying out Search and rescue operations as and when required. They shall participate in Coastal Patrolling & Surveillance duties onboard PMF vessels on as and when required basis.

25.6 Duties and responsibilities of Technical Crew

1. Operation of the boats- This includes charting out the sail plan for each of the FIBs and complying with the plan of sailing.
2. They will also liaise with the Indian Coast Guard for the coordinated patrolling.
3. Maintenance of Interceptor Boats

Duties of some of the Technical crew are as follows:-

25.6.1 Inspector/ SI (Master)

He shall be responsible for the following:-

- (a) Overall in-charge of vessel for running, up keep and maintenance of the boat.
- (b) Safety of Vessel, life on board at Sea and harbour.
- (c) Safe navigation while entering and leaving harbour.
- (d) Maintain stock register and inventory available onboard the vessel and keep the vessel ready for sailing without interruption as per schedule/ on short notice.
- (e) Maintenance, Painting, cleanliness of the vessel.
- (f) Proper maintenance of navigation, communication equipment, life saving and fire fighting equipment and keep all equipment in operational condition.
- (g) Ensure maintenance of General Dairy, which will have the details like when out on duty, patrol or otherwise or while in Port. It shall contain entries relating to the departure and return on vessel, the duties performed by the crew and all other matters concerning the boat.
- (h) Ensure timely survey of the vessels.
- (i) Ensure sufficient quantity of POL and logistics such as drinking water, ration articles etc.
- (j) Weekly training and execution of boat and fire drill and maintenance of discipline among staff.
- (k) Safety and effective utilization of arms and ammunition at sea, but under overall command of the senior most Police Officer on board.
- (l) Maintaining communication with the Police Control Room and Port Authorities during sailing or at harbour/Jetty.

- (m) In the matter of the movements of the vessel and for the purpose of the discipline the Chief Engine Driver including his assistants are subject to the overall control of the Master of the vessel.
- (n) In addition to the above he will perform any official assignments as may be entrusted by the senior officers from time to time.

25.6.2 Inspector/ SI (Chief Engine Driver)

He shall be responsible for the following:-

- (a) Proper operation and maintenance of engines, security and safety of the machinery system and equipment fitted onboard the vessel.
- (b) Maintaining the vessel ready for sailing without interruption as per schedule. Also responsible for adequate safety of ship machinery and to its periodical maintenance.
- (c) Efficient running of all machinery of the vessel, cleanliness of the engine room, steering gear compartment and for maintenance of all engines, pumps, starting batteries etc.
- (d) Safe custody of spare gears and tools.
- (e) Accounting of diesel, petrol and lubricants received.
- (f) Timely maintenance of machineries and equipments.
- (g) Ensure engine routines as prescribed in the manual.
- (h) Projection of defects and ensure timely rectification of the same.
- (i) Re-fuelling of HSD as and when necessary. He is also responsible to ensure availability of sufficient spare such as POL, distilled water, tools etc, before sailing.
- (j) Advise Master on operation of engine and machineries.
- (k) Maintenance of Main Engine & Auxiliary Engine and their log books & defect register. He shall be responsible for collection of POL and its proper utilization.
- (l) Monitoring the progress of defects and quality of work being undertaken by private firms.
- (m) The engine crew members are directly subordinate to him and he is therefore responsible for their control and discipline.
- (n) In the matter of the movement of the vessel and for the purpose of the discipline the Chief Engine Driver including his assistants are subject to the overall control of the Master of the vessel.
- (o) In addition to the above he will perform any official assignments as may be entrusted by the senior officers from time to time.

25.6.3 Inspector (Electrical)

The Inspector (Electrical) shall be responsible for the efficient performance of all

electrical machinery and equipment of every Police vessel and for carrying out repairs to them as and when necessary. He is also responsible for the receipt, maintenance of electrical/ communication and navigational equipment fitted onboard the Police vessels. For this purpose he shall maintain a Register for Planned Maintenance of Electrical, Communication and navigational equipment/ Machineries. He shall assist the Dy.SP (PMF) & SP(PMF) in the matters relating to the technical aspects, procurement, deployment of vessels, and extend support to the purchase committee.

25.6.4 Assistant Sub-Inspector (Serang)

He shall be responsible for the following:-

- (a) Overall in-charge of small vessel for running, up keeping and maintenance of the boat.
- (b) Maintenance and repair of the vessel.
- (c) Overall command of the small vessel.
- (d) Ensure safe navigation while entering and living Harbour.
- (e) He is responsible to ensure proper safety of the vessel and supervision over the staff. He will maintain the stocks of life saving appliances, fire fighting equipment and ration articles.
- (f) Ensure maintenance of the General dairy which shall contain entries relating to the time, duration of operation, departure and return of the vessel, the duties performed by the crew and all the other matters concerning this boat.
- (g) Before sailing he should seek a specific order from the competent authority.
- (h) Maintain stock register and inventory available onboard the vessel and keep the vessel ready for sailing without interruption as per schedule on short notice.
- (i) Responsible for safe custody of Arms while on sail, but under the overall command of most senior Police officers available onboard.
- (j) Responsible for conducting fire/boat drill at regular intervals and maintenance of discipline amongst the staff. In the matter of the movements of the vessel and for the purpose of the discipline, the Asst. Sub-Inspector (ED) including his assistants are subject to the overall control of the Master/ ASI (Serang) of the vessel.
- (k) Responsible for maintenance of account, Log Book etc. and other works as may be assigned by the senior officers from time to time.

25.6.5 Assistant Sub-Inspector (Assistant Engine Driver)

He shall be responsible for the following:-

- (a) For proper operation and maintenance of the engine, security and safety of the machinery systems and equipment fitted on board the vessel.
- (b) He is responsible for proper functioning of Main Engine and Auxiliary equipment fitted on board.

- (c) To keep the vessel ready for sailing without interruption as per schedule. Adequate safety of ships machinery and to carry out its periodical maintenance.
- (d) He is responsible for the efficient running of all machineries in the vessel, cleanliness of the engine room and steering gear compartment and for maintenance of all engines, pumps, starting batteries etc.
- (e) For safe custody of spare gears and tools.
- (f) Accounting of diesel, Petrol and lubricant received.
- (g) To ensure engine routines as prescribed in the manuals.
- (h) Projection of defects and ensuring timely rectification of the same.
- (i) He shall be responsible for re-fuelling of HSD for vessels as and when necessary. To ensure availability of sufficient spares such as POL, Distilled water, tools etc. before sailing.
- (j) To advise Master/ASI (Serang) on operation of Engine and machineries.
- (k) Maintenance of record and forwarding of reports pertaining to technical defects.
- (l) To ensure availability of needy machinery and equipment at sea/harbour.
- (m) The engine crews are directly subordinate to him and he is therefore responsible for their control and discipline.
- (n) In the matter of the movements of the vessel and for the purpose of the discipline, the Assistant Engine Driver including his Assistants are subject to the overall control of the Master/ASI (Serang) of each vessel.
- (o) To maintain Engine Log Book. He shall be responsible for collection of POL and its proper utilization and maintenance of the defect register.
- (p) He is responsible for rectifying defects.
- (q) He will be in-charge of the engine room and allied machinery of the small boats.
- (r) Responsible for accounting and maintaining Log Books and other allied works as assigned by the Chief Engine Driver/Sub Insp. Engine Driver and senior officers.

25.6.6 Head Constable (Seacunny)

He shall be responsible for the following:

- (a) Safety of the Vessel/Small Boat, both when under way and in harbour, subject to any orders he may receive from the Master.
- (b) Responsible for general conduct of the vessel i.e when at sea, he shall be careful that the vessel is properly steered and take all precautions for safe Navigations (He will act as Navigator).
- (c) He shall point out to the Master every possible danger in or near the Vessel's course and the way to avoid it.
- (d) He shall keep a sharp lookout and ascertain the Vessel's position frequently by fixing with the available Navigational aids.

- (e) He shall be the in-charge of the Navigational Charts, Maps, Navigational Books and Publications and the custody of Navigational Equipments and for the operational conditions. He shall ensure that all charts, maps etc.. are up to date.
- (f) To ensure closing of Hatches and Doors while at sea.
- (g) Securing items on deck prior to sailing and at sea.
- (h) To assume full responsibility for the safety of personnel onboard by taking all precautions.
- (i) Maintenance of deck, communication equipment and deck equipment, anchors and cables and other associated fittings.
- (j) Ensure maintenance and running of speedboats, wooden dinghies, fibre dinghies and rubberized inflatable boats.
- (k) Maintenance of fire fighting and life saving equipment.
- (l) Cleaning and maintenance of deck and boat.

25.6.7 Head Constable (Greaser)

He shall be responsible for the following:

- (a) Smooth functioning and maintenance of the machinery systems and equipment fitted on the boat.
- (b) Ensure safe custody of gears and tools.
- (c) Accounting of diesel, petrol and lubricants received.
- (d) Timely maintenance of machineries and equipment.
- (e) Ensure Engine routines as prescribed in the manual/vessel Standing Orders.
- (f) Projection of defects and ensuring timely rectification of the same.
- (g) Maintenance of records and forwarding of reports pertaining to technical defects.
- (h) Ensuring availability of needy machinery and equipment at sea/ harbour.
- (i) Monitoring the progress of repairs of defects and quality of work being undertaken by private traders.
- (j) He is responsible for scheduled maintenance of all machinery and appliances and ensures cleanliness of the engine room.
- (k) He will work under the supervision of Chief Engine Driver/SI/ASI (Engine Driver) and ensure safety of all machinery, fire fighting equipment. He will carry out other work as assigned by the Chief Engine Driver/SI/ASI (Engine Driver) or senior officers.
- (l) Ensure maintenance and running of speedboats, wooden dinghies, fiber dinghies and rubberized inflatable boats (Gemini).

25.6.8 Head Constable (Electrical)

He shall be responsible for the following:

- (a) To ensure smooth functioning of all electrical gadgets and maintain all electrical appliances and allied equipment operational condition.
- (b) To ensure maintenance and charging of starting batteries, electrical fitments on board the vessels.
- (c) To work under the guidance of Inspector (Electrical).

25.6.9 Head Constable (OBM)

He is responsible for the following:

- (a) Safety of the small Boat/dinghy, both when under way and in harbour, subject to any orders he may receive from the Master.
- (b) Responsible for general conduct of the small Boat/Dinghy i.e. while at sea, he shall be careful that the boat is properly steered and take all precautions for its safe Navigation.
- (c) Maintenance of small Boat/Dinghy, with allied machinery, anchors and cables and other associated fittings.
- (d) Cleaning and maintenance of Boat/Dinghy.
- (e) To ensure the scheduled maintenance of all machineries and OBMs.
- (f) Responsible for embarkation/disembarkation of the operational party from ship to shore and vice versa.
- (g) To ensure proper safety of boat and OBMs. Maintenance of log book and proper accounting of POL.
- (h) Ensure maintenance and running of speedboats, wooden dinghies, fibre dinghies and rubberized inflatable boats (Gemini).

25.6.10 Police Constable (Lascar)

He is responsible for the following:

- (a) Securing the boat and other items held onboard.
- (b) Cleaning, painting and maintenance of the deck of the vessel.
- (c) Securing fenders and other loose gears while on sail.
- (d) Chipping and painting of corroded areas.
- (e) Handling of ropes, securing of equipment covers while berthing and de-berthing.
- (f) To perform Gangway duty while on sail or at harbour/Jetty.
- (g) Safety and security of the boat by proper vigil.
- (h) To carry out maintenance of vessels under supervision of in-charge Master/ASI (Serang)/ HC (Seacunny). To be at station while berthing/de-berthing and whilst

towing/being towed. Any other works assigned by the Master/ASI (Serang) from time to time.

- (i) Securing offenders and other loose gears. Chipping and painting of corroded areas.
- (j) Ensure maintenance and running of speedboats, wooden dinghies, fiber dinghies and rubberized inflatable boats.

25.6.11 Police Constable (Greaser)

He is responsible for the following:

- (a) To ensure securing of all machineries and other items held onboard.
- (b) Cleaning and maintenance of engine room and surrounding area of the vessel.
- (c) To ensure securing loose gears and machinery.
- (d) Chipping and painting of corroded areas.
- (d) Oiling and greasing of movable parts of main engine and allied machinery.
- (e) Safe-guarding all machineries fitted on deck from direct sunlight and rain water/sea water.
- (f) Safety and security of the engine and its parameters.
- (g) He will perform duties in the engine room as per the direction of Chief Engine Driver/SI (Engine Driver)/Assistant Engine Driver and keep strict vigil over the engine parameters while on sail.
- (h) Schedule maintenance of all machineries and watch keeping duties while on sailing/harbour/jetty.
- (i) Ensure safety, cleanliness of all equipment. Oiling and greasing of movable parts of upper deck fittings.
- (j) Ensure maintenance and running of speedboats, wooden dinghies, fiber dinghies and rubberized inflatable boats.

25.7 Daily Diary

The Master shall maintain a Daily Diary which will be written up when out on duty, patrol or otherwise or while in port. It shall contain entries relating to the departure and return on launch of the Master and every other crew of the launch, the duties performed by the crew and all other matters concerning the boat. After the return, the master to submit his observation from his Daily Diary to the Incharge MPCR so as to enable him to prepare the reports to be submitted to the senior officers in the prescribed proforma.

25.8 Other General Instruction

25.8.1 Checklist for Boarding Operations

Vessel arrival and departure checklists serve as a guide for seafarers to guarantee that all necessary and crucial steps are taken to help promote safety and comply with international regulations and standards.

With the help of arrival and departure checklists, seafarers can make the arrival and departure of ships more efficient and safety precautions.

25.8.2 Daily Protocol

On taking over the charge, the Master of the vessel shall observe the daily routine in the morning hours apart from following the checklist as mentioned at Appendix – 25.8.2:-

- a) Take a review of manpower status and their health condition.
- b) Detailing and briefing of the staff about the day's activities/mission
- c) Check the status of functioning of all main engines and allied machinery.
- d) Availability and quantity of POL and note it down in the log book
- e) Check the Weather Report
- f) Carry out communication checks

25.8.3 Protocol to be followed before casting off the vessel

- a) Receiving instruction from MPCR and Senior officers
- b) Voyage Planning with Navigational charts & determination of the total distance. Availability of sufficient quantity of fuel for to and fro journey with extra 25% fuel.
- c) Checking the status of Navigation system, Communication system, Main Engine & allied machinery with assistance of Engine Driver
- d) Ensure availability in sufficient quantity of Life Saving Appliances, emergency medical kit and Fire Fighting Appliances apart from fresh water and ration.
- e) Communication checks with the Marine Police Control Room, Port Management Board.

25.9 Signals

The following signals shall be used by Police Officers when they desire to call the assistance of a patrol Vessel :-

In day time: The hoisting of a red flag on a long pole.

At night: Two men each waving two torches up and down.

25.10 Vessel's Log Book

- (a) A Log Book in Form No. 25.10 (a). shall be maintained for the vessel. The Master should initial all entries in the Log and affix his full signature at the end of each Night Watch. The book should form a diary of the vessel, and every important detail concerning the vessel should find entry in it. It will also be a means of checking the consumption of oil and stores. Inspecting Officers should check from time to time the actual balance of oil on board and the entries in the vessel's Log and the Engine Log shall be compared.
- (b) The Master shall also maintain a Log Book in Form No. 25.10 (b).

25.11 Making and Taking over charge

Masters and Chief Engine Drivers when making and taking over charge of a vessel shall check the stores under their charge and submit a written report signed by the relieving and relieved officer to the Superintendent of Police (PMF). An entry shall also be made in the Diary and the Log Book.

25.12 Leave of Crew :-

In the case of men going on or returning from leave the Master shall send a report to the Superintendent of Police (PMF).

25.13 Sickness :-

The Master shall promptly report to the superintendent the number and details of men reporting sick or vessel crew laid up and not working owing to sickness.

25.14 Inspection of PMF Assets

The Master of the boat has the responsibility to daily inspect his/her boat before the launch and after patrolling is over. All his observations should be recorded in relevant diary and log books. Apart from this senior officers shall also inspect various vessels on a regular basis and submit their reports for the perusal of the DGP. During such inspection, the instructions, as contained in the Standing Orders/Circulars must be followed.

General directions in this regard are as followed :-

25.14.1 Inspection by DSP-PMF or SDPO concerned

- 1) The DSP-PMF or SDPO shall conduct inspection of the vessels deployed in his/her jurisdiction on quarterly basis as per checklist attached at Appendix-25.14.1 of this chapter and also check the equipment and articles like life saving and fire fighting etc. on board. He should specifically check for adequacy of the life saving equipment on-board different types of vessel and whether these equipment are within their expiry dates or need replacement.

- 2) The DSP-PMF or SDPO shall supervise the routine maintenance and repair of the assets of PMF on monthly basis so as to ensure the stopgap arrangements and shall submit the informal inspection report regarding the condition of the assets, defects, staff and POL to the SP(PMF) or the concerned District SP respectively.
- 3) DSP-PMF or SDPO shall reduce into writing the major defects on the boats and should bring them to the notice of the SP(PMF) or the concerned district SP without delay so that required remedial measures can be taken in time.
- 4) The SDPOs shall monitor the seaworthiness of the vessel deployed at Coastal Police Station under their jurisdiction and maintain a minimum real time response.

25.14.2 Inspection by SP(PMF) and SP Districts

- 1) SP(PMF) and the district SsP shall monitor and regulate the patrolling activities of the assets of PMF deployed under their command and control.
- 2) SP(PMF) and the district SsP shall conduct formal inspection of the vessels and equipments fastened onboard, under their command and control, as per SO issued in this regard and/or Appendix – 25.14.1 of this chapter, on yearly basis and submit a report to the IGP/ADGP(Nodal Officer, Coastal Security).
- 3) SP(PMF) and the district SsP shall review and monitor the weekly patrolling schedule prepared by DSP-PMF and SDPOs respectively and issue necessary directions to ensure its effectiveness.

25.15 HANDLING OF EMERGENCIES AT SEA

Marine Police personnel are physically and mentally trained to face any emergency at sea. Following kinds of emergencies may arise at sea.

- A. Fire
- B. Collision
- C. Agrounding
- D. Flooding
- E. Machinery breakdown

In each case, without exception MPCR should be informed without delay.

A. Fire onboard the Vessel

In the case of a fire on a vessel an attempt should be made to extinguish it with the fire extinguishers or wetted blankets, and then all hatches will be battened down and the Master/In-Charge will steer for the nearest shallow water and anchor away from houses or other vessels. The ASI (Serang) will take charge of the pumping operation. Should the fire occur in the engine room, the Engine Driver will take charge. In the event of a fire breaking out in the daytime the lascar on the watch will give the alarm by ringing the ship's bell immediately. The crew upon hearing the alarm will take up their stations. At night the crew on watch will

raise the alarm and first call the Master/In-Charge, Chief Engine Driver, Engine Driver and then the remainder of the crew who will take up their Stations. For the purpose of extinguishing Fire, each vessel should always have on board at least one fire extinguisher and fire buckets in the proportion of one for each of the crew.

B. Collision

In the course of collision, when a vessel has been badly damaged, the Master/In-Charge will steer for the nearest shallow water and take all possible precautions to stop up the holes with gunny bags, jute etc. The crew on the watch will raise the alarm and awaken any of the crew who may be sleeping. The whole crew will proceed to their Stations, immediately upon the alarm being given. When a fire or collision occurs at night, the electric light should be started as soon as possible to minimize the confusion that might arise and for the better carrying on of the work in hand.

C. Agrounding

When a vessel runs aground, whatever the state of the tide, at once endeavor to get off again if she can (i) run her engines without choking up inlets or (ii) lay out a kedge anchor or (iii) by both (i) and (ii) together. Such incident report shall be directly sent to the MPCR and nearest Police Station without unnecessary delay.

Where there is little or fall of tide, the anchors may be laid as a wedge to assist the engine in refloating the vessel. In this case the position of the anchor should be marked by a dinghy or jolly boat, which at night should carry a bright white light. The Master/In-Charge is responsible for seeing that these precautions are taken and for seeing that anchors are not laid or near the fairway where they are liable to be fouled.

D. Flooding:

In case of heavy flooding the vessel may be lifted to port side / starboard side. When it occurs it is the responsibility of boat in-, charge to maintain stability of the boat in the respective side (Port / starboard), and seek assistance from nearby vessels. If it occurs at night time, switch on NUC (Not Under Command) light and also try to remove the excess water from the boat by available resources and the boat should be brought back to harbour by towing for necessary assistance.

E. Machinery Breakdown:

Breakdown of machinery cannot be avoided at sea and in case of any machinery breakdown / troubleshooting, the boat in-charge should take immediate action along with the crew for defect identification / rectification. If the defect is minor, carry out rectification and if it is major, go for anchoring. Switch on anchor light to avoid drifting, inform Port control, MPS and take assistance from nearby vessels and the boat should be brought back by use of available resources.

25.16 Overhaul at Dockyard:

- (a) Every vessel is to be dry-docked once in six months for bottom cleaning, painting and for checking all underwater fittings. Once in a year, a vessel should be dry-docked for annual refit such as overhauling of machines, bottom cleaning, painting and for checking hull and all underwater fittings after which the Harbour

Master/MMD Surveyor/internal committee of the department shall issue a certificate of seaworthiness. When a vessel is set to the dockyard for overhaul it will remain under the charge of a Master/In-Charge.

- (b) As soon as the vessel is taken charge of after overhaul or repairs the Master/In-Charge shall send the following certificate to the Superintendent of Police (PMF) through the Dy.SP (PMF) :-

“Certified that I have received charge of Police vessel There are no/the following defects that require to be made good.”

25.17 Commissioning of a New Vessel

For any new commissioned vessel to be inducted in the fleet of PMF, its name, place of berthing and allotment will be decided by the DGP, A & N Islands.

25.18 Maintenance of records.

The boat crew shall maintain the following Log Book / Registers:-

- (a) Ship's Log Book
- (b) Main/Aux. Engine Log Book
- (c) POL Register
- (d) Defect Register
- (e) Property Stock Register
- (f) Spare parts stock register
- (g) Register for Planned Maintenance of all Machineries.
- (h) Register for Miscellaneous Stores.
- (i) OBM / Other Machinery log book
- (j) Master Deck Log Book: This should be maintained for each vessel, containing a full history of the vessel such as when commissioned, repairs carried out, expenditure incurred, dates and details of dry docking etc.

25.19 Communications:

- (a) VHF/Satellite Phone/Mobile communications (as the case may be) should be operated by qualified personnel or under supervision of the boat Master/In-Charge.
- (b) Each time before proceeding to sea the concerned vessel has to report to MPCR for giving the following info:
 - i) Call Sign of the boat.
 - ii) Task to be carried out – Coastal Surveillance/Exercise/SAR/ Safety Cover
 - iii) Area of operation

- iv) Number of staff on board (POB)
 - v) Estimated time of completion of task.
 - vi) Expected time of arrival
- (c) When the boat and crew have arrived at their final destination – home base or elsewhere – the concerned vessel must report to the MPCR again to record their safe arrival and end of sea sortie/exercise.

25.20 During operations or exercises:

- (a) The Master/In-Charge should make sure that an Operations Normal Report (**Ops Normal**) or a more detailed Situation Report (**Sit Rep**) shall be transmitted every 20 minutes to the concerned CPS/MPCR. If contact is not established through the VHF radio, other means of communications such as a mobile phone could be used.
- (b) White Flares fired in quick succession from the shore, may be used as emergency recall in the event of a communications failure.
- (c) In the event of a total communications failure boats should return to their vessel point or closest sheltered harbor and establish communications.
- (d) If the boat fails to call in on its Ops normal comm's check, the shore base will endeavor to establish communications with the boat. If after a further 20 mins no contact is made then MPCR is to be informed.

25.21 Protocol in case of a Foreign Vessel/ Yacht in Territorial Waters

1. The Master of the Police patrol vessel first encountering the Foreign origin vessel shall intimate the MPCR about the same and then proceed to inspect the foreign vessel/yacht to ascertain the fact about the purpose of visit, last port details, port of destination, permit for entering territorial waters, details of crew members and other permits etc. The Master shall then communicate these details again to MPCR which in turn will alert Immigration Branch and other stakeholders.
2. Alert MPCR, Coast Guard and Navy ships in the vicinity in case of any suspicion on any foreign vessel
3. PMF unit to provide assistance to Immigration & Foreigners' branch, customs and other stakeholders for conducting search and carry out other formalities on arrival of any foreign vessel.
4. In case of any suspicion conduct a thorough check, search and if need be seize any contraband items like narcotics drugs and other psychotropic substances on board the vessel.

25.22 Personal Safety:

The crew's safety is vital and members of the crew should be aware and are primarily responsible for their own safety. The following issues are just some of the many aspects of safety, which a crewmember may meet and need to be aware of:-

- (a) **Manual Handling:** Manual boating is a potentially hazardous and an arduous activity requiring significant physical effort from crewmember(s). However, this does not negate a Master/In-Charge responsibility to take all reasonable precautions to protect crewmembers from physical injury, particularly back injuries. All activities should be properly supervised to ensure that tasks are within the physical capability and training of the crew.
- (b) **Crush Injuries and Friction Burns:** The Master/In-Charge should brief crewmembers of the dangers on handling sheets and halyards/ropes, especially when these are under extreme load. The chances of severe friction burns or crush injuries to hands and feet where lines are passing through fairleads, around bollards and or cleats also when coming alongside or leaving should be emphasized. Crush injuries and friction burns should be treated as per First Aid Training and the assistance of the Emergency Services should be considered.
- (c) **Sun Burn and Exposure:** The Master/In-Charge is responsible for ensuring that his crew are adequately protected from the sun and are sufficiently hydrated. Sunglasses and Sun Cream should be worn whenever necessary. Master/In-Charges to ensure that their crewmembers are aware of the symptoms and effects of exposure.
- (d) **Hypothermia:** Hypothermia is a very serious condition that can affect any member of the boat crew or other people on board. All crew should be aware of the signs and symptoms of hypothermia and the First Aid required. Each crewmember should try to avoid hypothermia, by being responsible for his own health and welfare and wearing appropriate clothing and PPE.

25.23 Life Saving Equipment on Board

The vessels of PMF shall in sufficient quantities carry the following required lifesaving equipment, Gadget and articles on board as per the carrying capacity of different boats as mentioned at Appendix-25.23 of this chapter:-

- 1) Life Buoys.
- 2) Life Rafts
- 3) Life Jackets
- 4) First aid kit.
- 5) Bullet proof Jackets
- 6) Navigational charts.
- 7) Ropes.
- 8) Hooks.
- 9) SOS signaling guns.
- 10) Fresh water
- 11) Ration

25.24 Training of PMF personnel:

Coastal Security and Coastal Policing are specialized work. Hence all the Police personnel posted to the PMF unit need to be given specialized and intensive training on various aspects of their specialized functions. It is essential that all Police personnel posted in PMF undergo certain Marine Oriented training in order to perform their duties effectively and efficiently.

Further every person appointed to a post in the Police Boat shall on enlistment be required to undergo training in drill and musketry for a period of two months in accordance with syllabus given in Chapter 3 of this manual.. They will undergo this training in addition to their normal duties. Further, the technical courses are being undertaken by the member of PMF at the National Academy of Coastal Policing at Okha, Gujarat which is established by the Central Government to address the training needs of the Marine Police in the states, so as to qualify for the promotion/upgradation and also for improving their technical skills. Besides, special training on Navigation, Equipment Handling, Repair and Maintenance will be arranged for PMF personnel from the Indian Navy and Indian Coast Guard from time to time. Also the training syllabus will be strictly adhered to, as mentioned in the SOP for the Coastal Police Stations in India issued by the BPR&D, MHA.

25.25 Uniform

A new pattern of uniform in the form of blue coloured Dangree has been provided to the PMF personnel in lieu of routine Khaki uniform. The Khaki uniform worn by the PMF personnel consists of Khaki Pant and Shirt, Khaki Peak cap, Sam Browne shoe and belt for upper subordinates. Black belt and black shoe for the lower subordinate Police officers.

(a) Working Dress: Onboard the vessel:

The members of PMF will wear completely dark blue coloured Dangri, printed with PMF logo, Name and rank cloth badge with blood group, yellow colour safety helmet and black colour fire/shock resistant shoes while working onboard of the vessel.

(b) Repair & Maintenance Unit:

The members of PMF will wear completely dark blue coloured Dangri, printed with PMF logo, Name and rank cloth badge with blood group, fire/shock resistant shoes and yellow colour safety helmet while working in the workshop.

(c) Ceremonial Uniform:

For all the ceremonial functions including Parades, National functions, badakhana, sampark sabha, Orderly Room etc the upper subordinates shall wear Khaki Pant and Shirt, Khaki Peak cap, Sam Browne shoes and cross belt. Whereas the lower subordinate will wear, black belt with buckle containing Number, Khaki-Beret Cap, black colour leather shoes for the lower subordinates Police officers as per this Police Manual.

(d) Office Dress:

The members of the PMF deployed in the PMF office shall wear full uniform as per this Police Manual.

25.26 Rewards & Incentives

The members of the Police Marine Force face difficult situations especially during sea patrolling and also while patrolling isolated uninhabited area on the Coast. Considering the vulnerability of the sea and the coastal area to anti-national and terrorist activities, there is a greater degree of risk to the life of Police personnel. During sea patrolling, natural calamities like cyclone, Rough Sea, Tidal Waves, Sea Storms, and above all vulnerability to physical assaults are endured by PMF personnel.

In the face of the above difficulties, it requires tremendous motivation to discharge their duties in a responsible manner. Hence, timely rewards serve as great instruments of motivation. DSP-PMF and SP(PMF) to ensure that deserving staff are rewarded timely.

25.27 Coordination amongst the stakeholders

25.27.1 Joint Coastal Patrolling

The remote and far flung islands of Andaman and Nicobar need to be surveilled and regularly patrolled so as to protect them from foreign intrusion and illegal activities by the poachers as well as local nuisance creators. Hence in order to keep a watch on the remote Islands, a Joint Coastal Patrolling exercise is carried out by the Indian Coast Guard wherein the Police Personnel and Forest Staff join the ICG for patrolling, surveillance and identifying the suspected activities within the territorial waters of A & N Islands. The personnel deployed on such exercises shall furnish a summary report along with photographs highlighting the activities noticed during the joint coastal patrolling.

25.27.2 Joint operations

Joint operations namely “Operation Sajag” and “Sagar Kavach” are being organized by the Indian Coast Guard involving Navy, local Police, PMF and other stakeholders on monthly basis and bi-annually respectively to address the existing loopholes in the existing security mechanism in Coastal Security and to fix the same and validate the SOP for operational preparedness.

In Operation Sajag, PMF vessels are deployed to conduct extensive checking and verification of documents of the private vessels and crew at sea.

In Operation Sagar Kavach (earlier Tat Suraksha), the Red Forces (terrorists) try to infiltrate from sea by hijacking fishing vessel and also sabotage various critical assets like airports, sea ports, electricity station etc. whereas Blue Forces (Law enforcement agencies) try to thwart the attempts of Red Forces.

25.27.3 State and District Level Coordination Committee

The UT Level Coastal Security Committee is headed by the Chief Secretary, A & N Islands and the district level committee is headed by the concerned District

Magistrate to review the coastal security mechanism and to resolve various issues persisting in the security prospects of the UT of A & N Islands. This committee consists of the stakeholders including Indian Navy, Indian Coast Guard, IB, Forest, RAW, Customs, DSS, CISF, DLL, Fisheries, PMB etc for ensuring better coordination and synergy amongst them.

25.27.4 Fishermen Watch Groups

To strengthen the intelligence mechanism and also to alert the fishermen on various issues relating to coastal security, Fishermen Watch Group Meetings in fishermen villages play a vital role. Such meetings are very useful in gathering intelligence inputs from the fishermen and also to sensitize them and create awareness among them on various coastal issues. All Coastal Police Stations are required to conduct quarterly Fishermen Watch Group Meetings in the Coastal villages. Representatives from PMF, Revenue, Forest, Fisheries, Customs, Coast Guard and Navy should be invited to participate in the meetings.

The security of the nation should be highlighted during the meeting and awareness should be created on the role and responsibility of fishermen in ensuring the safety and security of our coast.

The meeting should be video graphed and proceeding for the meeting should be drawn by the officer organizing the meeting. The participant signature should also be obtained in the proceedings and a copy of the proceedings should be sent to the headquarters.

CHECK LIST FOR BOARDING OPERATIONS

Do's

1. Carry latest Weather Report
2. Carry out thorough briefing prior to boarding.
3. Carry Wireless set (spare Walkie Talkie Sets with batteries also), Cell phones, Satellite Phone (make them waterproof by wrapping in Transparent Polythene paper.
4. Carry prescribed scale of arms & ammunition.
5. Carry along Navigational Charts, Maps and Measuring Services.
6. Carry along Binoculars and NV Devices.
7. Ensure all communication equipments are fully charged & Spare batteries & charger taken, along.
8. Get a check report of the Boat from the Master of the Boat.
9. Try to carry out boarding operation in pairs. (One vessel to give cover while the other to carryout boarding).
10. Follow Buddy System (pair) while carrying out Boarding Operation in the Target vessel.
11. It is advisable to establish R/T contact with the Target vessel, so as to know the intention of the vessel prior to boarding. Also let the Target vessel know your intention.
12. Muster (gather) entire crew of the Target vessel in one place and keep a guard for them, and use them as and when required.
13. It may be especially ensured that crew of the Target Vessel does not risk the vessel by scuttling the sea values etc. deliberately.
14. Check thoroughly all documents. (log book, passports if any, permission to fish in case of fishing trawler, charts etc.)
15. Keep continuous R/T communication with buddy ship/shore authority while carrying out boarding operation
16. Ensure that the Target vessel has stopped its engine prior to boarding/while carrying out boarding.
17. Boarding party should be equipped with the following:
 - a. Life jackets
 - b. Bullet proof vests
18. Boarding party should carry important phone numbers of authorities.
19. Carry along your own drinking water.
20. Carry First Aid Kit. All personnel of boarding party should be trained in first aid.

21. All personnel of boarding party must wear nonskid shoes.
22. Carry along narcotics detection kit.
23. Carry along the Investigation Kit.
24. Inform the Coastal Police Station immediately after the Boarding Operation whether successful or otherwise.
25. Maintain courteous and firm conduct.

DON'Ts

1. Don't accept any eatables/drinks from Target vessel.
2. Non-swimmers should not form part of Boarding party.
3. Do not carry any items, which make noise (viz, bunch of keys, coins, etc...)
4. Do not enter any closed compartments without being accompanied by a member of crew of the Target vessel.
5. Do not stop engine of your own vessel.
6. Do not allow any crew of the Target vessel to establish communication with outside (via R/T or cell phone or SATCOM) without the permission of the boarding officer.
7. Do not indulge into loose talk with the Crew members of the Target Vessel.
8. Do not lower your guard in term of alertness till the boarding operation is completed.
9. Do not lose your temper while on board the Target vessel in the face of any provocation.

Date-----

[illegible]

[illegible]

Appendix –25.14.1**CHECK LIST FOR INSPECTION OF VESSELS BY SENIOR OFFICERS:**

1. General clean ship of the vessel.
2. Turn out of the staff
3. Documents maintained and documentation.
4. Professional knowledge and emergency drills.
5. Check whether the log book, fuel register other documents are maintained properly and the registers are indexed and paged properly.
6. Whether the equipment and gadgets are maintained properly and kept under working condition.
7. Whether the vessel requires any major Repair & Maintenance work.
8. Efforts need to be extended to improve the seaworthiness of the vessels.
9. Requirement of any critical spares so as to ensure stop gap arrangements.
10. When the last overhauling and major maintenance was conducted.
11. Any defects available on board.
12. The vessel is properly painted and ensured rust free atmosphere.
13. Ensure the availability of adequate number of life rafts, life jackets, life buoy, ropes, first aid box onboard of vessel.
14. The fire-fighting equipment and fire extinguisher is intact and replaced before expiry.

Appendix – 25.23

SAFETY EQUIPMENT, LSA & FFA TO BE KEPT ON BOARD

SI No.	Class of Vessel	Equipment	Qty
1.	Medium vessel	Life raft (SOLAS “A” Pack)	02 Nos. (20 person capacity)
		Life Buoy with life line	20 Nos.
		Fire Fighting Appliances (CO2, DCP, Mechanical Foam, AFFF)	02 Nos. each
		Pyrotechnics (Signal orange Smoke, Hand Flare Red, Rocket Parachute Red, Man Overboard Marker)	12 Nos. each
		Static Marine VHF	01 No.
		Hand Held Marine VHF	04 Nos.
		EPIRB	01 No.
		Fire man suit with BA set	02 No.
		SOS Signal Pistol with cartridge	02 Nos.
		Boat Hook	01 No.
		Towing rope	220 mtrs.
		HH Inmarsat (Satellite phone)	01 No.
		Static VHF Police Band	01 No.
		Bullet proof Jacket	06 Nos.
		Hand Held VHF Police Band	02 No.
		First Aid kit box	02 No.
		SOPEP Box	01 No.
2.	Fast Interceptor Boat	Life raft (SOLAS “A” Pack)	02 Nos. (10 person capacity)
		Life Buoy with life line	04 Nos.

		Fire Fighting Appliances (CO2, DCP, Mechanical Foam, FM 200)	01 No. each
		Pyrotechnics (Signal orange Smoke, Hand Flare Red, Rocket Parachute Red, Man Overboard Marker)	12 Nos.
		Static Marine VHF	01 No.
		Hand Held Marine VHF	02 Nos.
		SOS Signal Pistol with cartridge	02 Nos.
		Bullet Proof Jacket	04 Nos.
		Boat Hook	01 No.
		Towing rope	220 mtrs.
		HH Inmarsat (Satellite phone)	01 No.
		Static VHF Police Band	01 No.
		Hand Held VHF Police Band	02 No.
		First Aid kit box	01 No.
3.	Small FRP Boats	Life Jackets	06 Nos.
		Life Buoy with life line	02 Nos
		Hand Held Marine VHF	01 No.
		Hand Held VHF Police Band	01 No.
		DAT	01 No.
		Pyrotechnic (Hand Flare Red)	02 No.
		First Aid kit box	01 No.
4.	Rescue Boats (Geminies)	Sea Anchor	01 No.
		Life Jackets	04 Nos. Minimum
		Life Buoy (02 Nos)	02 Nos
		Hand Held Marine VHF	01 No.
		Hand Held VHF Police Band	01 No.
		DAT	01 No.
		Night Signal Light	01 No.

		Pyrotechnic (Hand Flare Red)	02 No.
		First Aid kit box	01 No.
5.	FRP Wooden Dinghy	Anchor with rope	01 No.
		Life Jackets	04 Nos. Minimum
		Life Buoy (02 Nos)	02 Nos.
		Hand Held Marine VHF	01 No.
		DAT	01 No.
		Hand Held VHF Police Band	01 No.
		Night Signal Light	01 No.
		Pyrotechnic (Hand Flare Red)	02 No.
		First Aid kit box	01 No.

CHAPTER – 26

ARMS & AMMUNITION

26.1 Introduction

Arms and ammunition are an integral part of Policing. They are an important tool to counter extraordinary situations and situations of over power like attack on Police Stations, offices of Police Establishments, Law & Order problems where there is extreme threat to the life of protected persons and general public. They are also means of self defence and important for the protection of property and also as a deterrent force. Hence there needs to be a continuous endeavor to constantly upgrade and modernize our present artillery and train our force well in its usage. The arms and ammunitions are issued to Police Stations, Out Posts, Static Guards, Guard personnel of JPPs/LOPs, Law and Order duties and during anti poaching operations.

26.2 Scale of Arms and Ammunition

The following scale has been prescribed by BPR&D vide letter No D.O No.52/03/2000-DD(W), dated 05 January 2001. However, the scale of arms can be revised from time to time based on evolving needs of Policing.

Service

I. Police Station (including Outposts) – Constable, Head Constable, ASI, SI, Inspector

HC, ASI & Sub-Inspector – Inspectors & Gazetted Officers – 9 mm Pistol/.38 Revolver

40 (Forty) % of the strength of the Constables - 7.62 mm SLR

2 to 4 Nos. Carbine 9 mm/5.56 mm INSAS/AK 47 Rifle

ASI & Sub-Inspector – Inspectors & Gazetted Officers – 9 mm Pistol/.38 Revolver/ Pistol Glock.

All PS and Sensitive Out Posts – 02 Nos. LMG 7.62 mm/ LMG 5.56 mm INSAS, 02 Nos. Tear Gas Gun with 50 Nos. Tear Smoke Munitions, 10/20 Nos. Rubber/Plastic Bullets, Dye Marker Grenade 05 Nos, Stun Grenade 05 Nos.

II. District Armed Police – Constable, Head Constable, ASI, Sub-Inspector, Inspector

PC. 303 Rifle/7.62 mm SLR, HC - Carbine 9 mm/5.56 mm INSAS/AK 47 Rifle, SI & above including Gazetted Officers – 9 mm Pistol/ Pistol Glock.

Two squad of 8 (Eight) persons with 4 (Four) 37/38 mm Tear Gas gun with 50 Nos. Tear Smoke Munitions.

III. VIP Security Duty – Constable, Head Constable, ASI, SI, Inspector, Gazetted Officer

PC/HC – Both 9 mm Pistol/Pistol Glock/ 9 mm Carbine/ AK 47 Rifle/ MP 5, 7.62 mm Assault Ghatak

ASI/SI/Inspector - .Pistol Glock/ AK 47 Rifle

Gazetted officer – Pistol Glock.

IV. Traffic Duty – Constable, Head Constable, ASI, SI, Inspector

ASI, SI – 9 mm Pistol/.38 Revolver as and when required basis.

V. Task Force/Commando Force –

Constable, Head Constable, ASI, SI, Inspector

Constable – 5.56 INSAS/ 7.62 SLR; HC, SI, Inspectors and Gazetted officers – 5.56 INSAS/AK Rifle and 9 mm Pistol (50 (Fifty) % of the INSAS rifles to be equipped with sighting attachment)

+ 1 (One) Very Light pistol per unit/squad

+ 1 (One) Tear Gas gun with Tear Smoke Munitions

VI. CID/Special Branch

Constable, Head Constable, ASI, SI, Inspector

PC, HC, ASI, SI and above including Gazetted officers – 9 mm Pistol holding to be 25 (Twenty five) % of the total strength on as and when required basis.

VII. DG Reserve

Arms and ammunitions for DG Reserve will be issued from Central Armoury, Police Line as and when required basis.

VIII. Ammunition for Service

Rifle 7.62 SLR – 100 (hundred) round per weapon

Revolver/Pistol/Pistol Glock:- 30 (Thirty) rounds per weapon

LMG 7.62 mm/LMG 5.56 INSAS - 200 (Two hundred) round per weapon

AK 47 Rifle/5.56 MM INSAS – 100 (hundred) rounds per weapon

MP 5/7.62 MM Assault Ghatak – 50 (Fifty) round per weapon

Rubber Bullets:- 30 (Thirty) rounds per gun

Tear Gas Shells:-10 (Ten) shells per gun & Grenades – 15 (Fifteen) per gun

IX. Training – Constable, Head Constable, ASI, SI, DySP

1.5 (One and a half) % of the Total Strength of the Police Force of the State/UT

20 (Twenty) % of it with 7.62 SLR of which half will be DP rifles if available

- 20 (Twenty) % of it with 9 mm Pistol
- 5 (Five) % of it with 9 mm Carbine
- 5 (Five) % of it with AK Rifle/5.56 INSAS rifles
- + Very Light Pistol – 5 (Five) % of 1.5 (One and a half) % of the total strength of the Police Force of the State subject to a minimum of 5 per training institute
- + 37/38 mm Tear Gas Gun – 5 (Five) % of 1.5 (One and a half) % of the total strength of the Police Force of the State/UT subject to a minimum of 5 per training institute
- + LMG – 4 LMG per training institute where men of the Armed Battalion are trained

X. Minimum scale of musketry practice:-

Any Police personnel, who is likely to use these weapons must have a minimum practice at the time of recruitment, as per the scale mentioned below before he/she is called upon to use the weapon.

Weapon	Scale of Practice
7.62 SLR	40 rounds
9 mm Carbine	50 rounds
9 mm Pistol	40 rounds
LMG	50 rounds
AK Rifle/5.56 INSAS	50 rounds
.38" Revolver/Pistol 9 mm	36 rounds
MP 5/7.62 Assault Ghatak	40 rounds
37/38 mm Tear Gas Gun :- (Actual) firing of TSMs filled with Team Smoke can be demonstrated once during Training period with 6 shells)	4 rounds practice shells without actual Tear smoke chemical

Renewal Practice

Weapon	Scale of Practice
7.62 SLR	20 round every 3 years
	20 round every 2 years for personnel In

	Armed & Special Armed Police
9 mm Carbine	20 rounds every 3 years
	20 rounds every year for personnel in VIP security duty
9 mm Pistol	20 rounds every 3 years
	20 rounds every year for VIP security duty
LMG	50 rounds every 3 years
AK Rifle/5.56 INSAS	30 round every 2 years
	20 rounds every year for armed Police Battalion
38" Revolver/Pistol 9 mm	20 round every 2 years
	20 round every year for VIP security duty
MP 5/7.62 Assault Ghatak	20 rounds every 2 years
	20 round every year for VIP security duty
37/38 mm Tear Gas Gun (Actual firing of TSMs filled with Tear Smoke can be demonstrated once during training with 6 shells)	4 rounds practice shells without actual Tear smoke chemical every 5 years
	4 rounds practices shells without actual Tear smoke chemical every 2 years for Tear Gas squad of District Police and also for firing of 4 live shells by the squad every 2 years.
	4 rounds practices shells without actual Tear smoke chemical every 2 years for Tear Gas squad of Armed/Special Armed Police and also for firing of 4 live shells by the squad every 2 years.

26.3 Indents

Indents for ammunition shall be drawn up in accordance with the interim and current scales fixed by the BPR&D/ Government of India except case of un-controlled stores, e.g. spare parts of fire-arms lubricants, cleaning materials, etc. for which no current scale has been fixed and which will be indented for in accordance with requirements. Annual indents for arms and ammunition should reach the Government of India by the 31 March of every year.

26.4 Register for Arms, Ammunition and Accessories

- (a) A stock book of arms and accessories will be maintained by Reserve Inspector in Form 26.4 (a to d) All receipt of fire-arms and accessories of each class from and on return to Arsenals shall be recorded in the stock book which should show at any time for exact number of arms and accessories of each class on charge.
- (b) An arms Distribution Register will be maintained in Form 26.4 (e) for all arms. On the inner side of the front cover of the register will be noted the total number of each type of weapon on charge and details of their distribution i.e. the number present in the armoury, the number at each Police Station, Outpost, Look out post and Standing Guards. Weapons issued to men proceeding on duty for short periods should be included in the number shown as present in the armoury. The register will be maintained in separate parts for each type of weapon and each weapon with its number and other details must be separately entered. If a weapon is issued to a Police station or outpost or Look out Post or to a standing guard, the fact should be noted in the prescribed column giving the name of the Police station or outpost to which issued and date of issue. When such weapons are received back in the armoury the entry will be deleted in red ink. No entries need be made in this register of casual issues to men proceeding on duty; such issues from and their return to the armoury will be noted in a manuscript register to be maintained by the Magazine Clerk, under the supervision of the Musketry Officer.
- (c) All issues of arms and accessories shall be entered in the Police lines general diary with details of the type and number of the weapons issued, the name of the Police officer to whom issued and the nature of the duty for which issued. The signature of the officer-in-charge of the party should be obtained against the General Diary entry.
- (d) An ammunition register for all types of ammunition will be maintained in Form No. 26.4 (b) in which provision is made for the following details to be entered in respect of all categories of ammunition:-
 - i) The prescribed amount of ammunition which it is permitted to hold on charge at one time in respect of each category.
 - ii) Receipts from all sources including fresh receipts from arsenals.
 - iii) Issue to all sources, i.e. Police stations outposts, standing guards, Miscellaneous duties, Musketry, etc.

26.5. Distribution of Ammunition:-

- (a) The primary division of ammunition on charge is into 'Service' and 'Practice' stocks, according to the prescribed scales.

- (b) Ammunition shall be supplied from the 'service' stock to Police station. Outposts and standing Guards where rifles are kept at the scale of 100 rounds per rifle. At Police stations and out posts, the whole of this stock shall ordinarily be kept in a locked box in the store room, to be issued as required for use. At standing guards 30 rounds shall be issued to each under officer and sentry of the guard and shall be carried in a bandolier. The balance shall be kept in a locked box in-charge of the Guard commander to be issued only when required for use.
- (c) The remainder of the 'Service' stock and the whole of the 'Practice' stock, shall be kept in the magazine under the personal charge of the Reserve Inspector who shall be responsible for transfer from one stock to another.
- (d) The Superintendent of Police may authorize keeping the parts of the practice stock in boxes or in bandoliers in the armoury for use in emergencies. Rounds issued from the magazine should not ordinarily exceed 30 rounds per under officer and constable of the Armed Reserve and shall be in the custody and care of the Magazine clerk under the supervision of the Musketry officer.

26.6 Custody and Care of Arms

- (a) Arms in charge of the Police are generally kept in clean condition except as regards the actions, which get clogged and dirty owing to want of proper cleaning and lubrication. The weapons should, where possible, be disassembled, cleaned, overhauled and oiled monthly; otherwise they clog and are liable to give misfires, non-extractions and other failures causing an unnecessary expenditure of components in repairs. Moreover, that part of the barrel which is imbedded in the stock fore-end requires lubricating half-yearly with a mixture of 1/2 kg of bees wax to one pint of lubricating oil and unless this is done, the barrels rust and eventually become unserviceable from deep external corrosion.
- (b) All arms when not in use shall be kept in racks in the armoury or other place for the purpose. In the Lines the Magazine Clerk under the direct supervision of the Musketry Officer, at Police Stations, the Station Writer under the supervision of the officer-in-charge of the Police station; and at all other places, the under officer in command of the detachment shall be directly responsible for the custody and care of all arms borne on charge and for the correctness of all issues and receipts.
- (c) The individual Police officer to whom a weapon is issued shall be responsible for cleaning it according to these instructions before and after use. The periodical cleaning and oiling of arms not in use shall be done by a team of personnel provided specifically for the purpose. The "pull off" of

all rifles shall be tested annually.

- (d) Every Police officer is personally responsible for the safe custody and care of every weapon, or accessory thereto, issued to him, until it is returned to the custody of the officer responsible for issuing it.

Arms shall be cleaned once a week or oftener if considered necessary by the Superintendent. All shall be stripped and overhauled once every half year and the Reserve Inspector shall see that this is done by preparing a roster giving against each weapon the approximate date on which its next overhaul should be taken up. He shall also scrutinize as frequently as possible the work of the armourers while they are stripping or taking down actions or reassembling them. To maintain a proper record of the dates of overhaul the reserve Inspector shall enter these dates in the remarks column of the Arms Register. The Superintendent and the, at their inspections.

26.7 Arms Cleaning

The arms used for firing should be cleaned before & after firing. All Arms shall be cleaned once a week or often if considered necessary by the Superintendent of Police. All arms shall be stripped and overhauled once every half year and the Reserve Inspector shall see that this is done by preparing a roaster given against each weapon, the approximate date on which its next overhaul should be taken up. He shall also scrutinize as frequently as possible the work of the armourers while they are disassembling or taking down actions or reassembling them. To maintain a proper record of the dates of overhaul, the Reserve Inspector shall enter these dates in the remarks column of the Arms Register. The Superintendent of Police and the Deputy Superintendent of Police, at their inspections, shall see that the overhauls are duly made and that the arms have been properly reassembled at Police stations, outposts, etc. either by depositing the arms at armoury or by the armourer at Police station, where necessary.

26.8 Care, Loss, Damage, etc., for Arms:

- (a) Every Police Officer issued with arms, accessories thereof and ammunition shall be personally responsible for their cleaning safe custody and care until he returns them on the completion of his duties, or proceeds on leave, or ceases to be a Police officer, to the officer responsible for their issue.
- (b) Every Police officer, who loses or damages the weapon issued to him or any part thereof, shall report such loss or damage without delay to his immediate senior officer who shall submit a report immediately in writing to the Superintendent of Police through the proper channel. An enquiry shall be made immediately in accordance with Rule 26.16.

- (c) Any Police officer who fails to report a forthwith the loss of arms, etc. detailed in sub- para (a) above by his subordinate shall be suspended and charged with neglect of duty.
- (d) An officer, to whom the report of such loss is made shall immediately take all possible steps for the recovery of the arms, etc. lost.
- (e) The Magazine clerk and Armourer who receive back the arms into the armoury shall be responsible for seeing that the arms are not damaged on any component part lost.

26.9 Ammunition Accounts

- (a) Ammunition of any class expended in action against criminals, or in any other manner, including annual musketry practice shall be debited to practice stock.
- (b) The service stock must always be kept complete and all expenditure must be from practice stock.
- (c) In order that the oldest Ammunition on charge may be expended in practice all ammunition received from the arsenal shall be placed in the service stock a corresponding transfer of the oldest of that stock being made to the practice stock. This transfer shall normally be carried out when supply of ammunition is received from the arsenal. It shall be combined with the renewal of all service ammunition on issue in Police stations, Guards, etc. all such ammunition being withdrawn and transferred to the practice stock in the magazine and being replaced from the next older portion of the service stock.

26.10 Control and Inspection of Magazine and storage of Ammunition

- (a) The inspection year is from April 1st to March 31st.
- (b) 100 per cent inspection of the arms of the Police will be carried out in a period of three years. 100 per cent inspection of one-third of the arms of each district/unit will be carried out annually.
- (c) Ammunition in sealed boxes" means ammunition in boxes with the factory or Arsenal seal intact, or in open boxes if the tin lining is unopened and has obviously not been tampered with or, briefly, ammunition in a hermetically sealed box which has not been opened since leaving the factory or Arsenal.
- (d) Loose ammunition" means ammunition other than that held in sealed boxes, e.g., cartridges carried in pouches or stored loose in boxes etc.
- (e) Where no proper magazine is available, cartridges may be stored in any

substantially constructed building, or in any room, cupboard or other compartment in such a building, provided that the following conditions are fulfilled.

- (f) The "place selected" must be free from easily inflammable materials, and must be subject to no undue risk of fire. Provided that these conditions are fulfilled, it is not necessary that the "place selected" should be detached from other buildings.
- (g) The building must be weather proof and kept dry.
- (h) The "place selected" must be in charge of a responsible person, be kept scrupulously clean and designated exclusively for such storage.
- (i) The safe custody of the ammunition must be provided for at all times and the officer in charge of the Head quarters will be responsible that the places selected are suitable in all the above respects.
- (j) Boxes containing ammunition will be raised at least fifteen centimeters from the floor by means of battens or other suitable supports.
- (k) The boxes should be arranged according to date of manufacture (the latest being at the bottom and oldest at the top) and stacked headers and stretchers, each stack being a few inches away from its neighbouring stack. Boxes must be stored away from the wall.
- (l) The service and practice ammunition should be stacked separately. The oldest ammunition should always form the practice stock. Ammunition for training should be included in practice stock.
- (m) To prevent deterioration of ammunition, care must be taken to exclude dampness from the place of storage and the minimum number of boxes only opened at one time; loose ammunition must be kept at a minimum.
- (n) Whenever fresh stocks are received they should be placed in the service stock and the oldest ammunition from service stock should be transferred to the practice stock.
- (o) Where service ammunition must be held loose, ready for use (e.g., guards, during emergency etc.), it should, as far as possible be of the latest date of manufacture available from the service stock. For this purpose a few boxes of latest date of manufacture from the service stock should be kept aside.
- (p) Loose ammunition referred to above should be turned over at least once annually and replaced by new ammunition from sealed boxes, the old ammunition should be expended at the earliest opportunity.
- (q) No lights (other than an electric torch) nor smoking shall on any account be allowed in- side or in the immediate vicinity of the magazine.
- (r) Oiled cotton rags, waste and articles liable to spontaneous ignition shall

not be taken into the magazine.

- (s) Boxes of ammunition shall not be thrown down or dragged along the floor; and shall be stocked on wooden trestles. Where there are white ants, the legs or trestles should rest in shallow copper lead or brass bowls containing a little water.
- (t) The lightning conductor shall be tested at least once a year.
- (u) The person- in charge of the magazine shall be responsible that the magazine is well and securely locked.
- (v) No unauthorized person shall at any time be admitted into the magazine.
- (w) The Superintendent of Police shall make at least one unexpected inspection of the magazine under his charge every half year to see that the above rules are being complied with.

26.11 (a) Each class of ammunition shall be kept together and separate from other classes. In each class, service stock shall be separate from the practice stock, and within each such stock space shall be left between groups of boxes received at different times from the arsenal. Each such group shall be marked with a card showing the date of receipt, date of entry in service or practice stock as the case may be, the ordnance mark and the date of manufacture. A Gazetted officer shall verify the stock at least once every six months.

(b) The magazine in the Police Lines shall be provided locks with duplicate keys, one set remaining with the Reserve Inspector and the other set with the Deputy Superintendent of Police or when he is absent from headquarters the Superintendent of Police. The Reserve Inspector will be present for the opening and closing of the magazine. In his absence, the Lines Officer will be entrusted with the keys and he will be present at the opening and closing of the magazine. When the keys are made over by the Reserve Inspector to Lines officer, an entry will be made in the General Diary and signed by both officers.

26.12 Deposit of Private Arms

Arms belonging to persons other than members of the force may be kept in the KOT of the concerned Police Station under orders of District Magistrate in special circumstances like prior to Elections, VVIP/VIP visits etc. The SHO's of concerned Police Station shall intimate the details of Private Arms deposited with name of the owner to District Magistrate under intimation to Superintendent of Police of the concerned District.

26.13 Disposal of empty Fired Cartridges and Defectives

The entire stock of EFCs that have accumulated till date shall be sold by auction through open tender to be processed through MSTC Limited, A Govt. of India undertaking (A Standard Selling Agency Agreement to be entered into with M/s MSTC Ltd.) (Metal Scrap Trade Corporation Ltd.) Subject to the conditions that:-

- (a) Organizations should mutilate the EFCs before selling.
- (b) The sale proceeds of empty fired cartridges shall be duly accounted for and credited in the Government Account. i.e. "055-Misc. Receipts".

The procedure prescribed shall be as per MHA letter No.U-13034/11/99-ANL, dated 31st August 1999.

26.14 Disposal of misfired Ammunition & Explosives:

The misfired and unserviceable ammunition & explosives has to be deposited with Central Weapon Store, CRPF, Rampur (UP) in pursuance of letter No.VII.38/89-Pro-ord-II dated 24.11.1992 received from Assistant Director (Prov) for Deputy Director (Prov) CRPF, Directorate General, CRPF, CGO Complex, Lodhi Road, New Delhi – 110003.

26.15 Component Parts, Armourer's Tools and Cleaning Materials:-

- (a) Records of stock of component parts, armourer's tools and cleaning materials shall be maintained in a stock register in Form No. 26.4 in parts, a. b. c and d. respectively.
- (b) Component parts shall be kept in a locked cabinet under the personal charge of the Musketry Officer and the armourer's tools and stores for cleaning and lubricating by the armourer. Issues from the stock of components shall be made to the armourer only on the authority of the Superintendent of Police which shall be noted in the remarks column of the stock register.
- (c) A Gazetted officer shall check the stock of component parts, armourer's tools and cleaning and lubrication material with the equipment tables once a year and have indents prepared under his personal supervision.

26.16 Care and Repair of Arms

- (a) The Superintendent of Police shall be responsible that the efficiency of the armourers is maintained. All such armourers shall be trained at centres decided by Government and shall be sent for refresher courses under arrangements made by Government from time to time. Armourers are required to know the names and uses of all components, tools and stores referred to in Rule 26.4 above and to be able to carry out all

replacements of components and minor repairs, special cleaning and periodical lubrication of arms and accessories held on charge.

- (b) Ordinary replacements of components lost or damaged in the course of duty, and of ammunition not exceeding 5 rounds lost in any one case, may be authorized by the Superintendent of Police who shall in each case prepare a loss statement and pass orders whether the cost is to be borne by Government or by the individual responsible. In the latter case, an order for the recovery of the sum involved shall be issued in the order book and recovery shall be made in the acquaintance roll of the pay next due to the officer concerned after the priced vouchers have been received and replacement made.

When any weapon forming part of Police armaments is lost or seriously damaged, or when ammunition or fired cases exceeding five in any one case, are lost, a committee of three officers, of whom at least one shall be a gazetted officer shall be appointed by to enquire into the circumstances under which the loss or damage occurred.

- (c) When loss, destruction or damage of any weapon is found by the committee assembled in accordance with sub-rule (a) above to be due to the neglect or malice of any Police officer, such committee shall record its opinion whether the cost of repair or replacement should be borne wholly or in part by the officer at fault. Unless there are special reasons to the contrary, the whole cost shall be charged to the officer at fault.

26.17 Loss or serious damage to Arms

- (a) When any weapon forming part of Police armaments is lost or seriously damaged, or when ammunition or fired cases exceeding five in any one case, are lost, a committee of three officers, of whom at least one shall be a Gazetted officer who shall be appointed by the Superintendent of Police (AP)/ District SsP for Executive Police & Commandant (IRBn) for IRBn to enquire into the circumstances under which the loss or damage occurred.
- (b) The report of the committee shall be submitted to the Director General of Police for approval and orders. To the report shall be attached a loss statement in approved Form 26.17(b) on the reverse of which the Director General of Police will pass his orders. This statement shall be attached to the indent sent for replacement of arms lost or damaged.
- (c) It is not necessary to hold committee proceedings in connection with the loss of empty paper cases of blank cartridges or component parts of arms such as screws.
- (d) When loss, destruction or damage of any weapon is found by the committee assembled in accordance with sub-rule (a) above to be due to

the neglect or malice of any Police officer, such committee shall record its opinion whether the cost of repair or replacement should be borne wholly or in part by the officer at fault. Unless there are special reasons to the contrary, the whole cost shall be charged to the officer at fault.

26.18 Issue of Arms and Ammunition

- (a) The Musketry officer shall equip and arm all guards, escorts or other parties proceeding on duty with such arms and equipment as the nature of duty may require. Ammunition for the range practices shall be issued and empties, etc. received back by the Reserve Inspector personally from the practice stock in the Magazine.
- (b) Pistols signal and ammunition shall ordinarily be kept in the armoury and magazine at Police Line Armoury and shall only be issued under special circumstances or as specially sanctioned under the orders of Superintendent of Police.
- (c) All issues and receipts of ammunition and empties etc. shall be shown in the ammunition register in Form 26.18 (c).

26.19 Returns of Arms and Ammunition

- (a) There are four returns to be prepared by the officer-in-charge of every section in a year commencing from 1st April and ending with March 31st. The returns are to be sent in the first week following each quarter from July, October, January and April in Form No. 26.19 (a).
- (b) In the first, second and third returns, only those items are to be shown for which transactions have been made during the quarter. The fourth return is the annual stock return in which all the items held on charge by every officer of concerned section for the quarter ending 31st March is to be prepared and sent. If no transaction took place in any of the quarter, a nil statement may be sent.
- (d) **Stock taking:-** All arms, ammunition and ordnance stores are required to be checked twice a year, together with other government property on charge. As soon as the returns have been received from the Police Stations or sections, the Reserve Inspector shall personally check the whole stock of arms, ammunition, accessories, appliances, stores, tools and components kept in the Lines and at standing guards, etc. Having noted or reconciled any discrepancies in those stocks immediately in his charge, he shall compare his accounts and the returns from outside detachments with the distribution statements of arms and ammunition for the whole district and with the Equipment Tables, and shall report the result noting any discrepancies to the Superintendent of Police. On

receipt of this report by the Superintendent of Police, a Gazetted Officer shall be required personally to verify it. Such Gazetted officer shall enquire into and pass orders on any discrepancies, taking the orders of the Superintendent of Police if necessary and shall personally satisfy himself of the correctness of all the articles reported on. The report, when duly verified by a Gazetted officer, shall be attached with the reports of the general stock taking of Government property in the district.

- (e) All arms, ammunition and ordnance stores on charge shall be thoroughly checked on transfer of charge of the Reserve Inspector, and when the Musketry officer or magazine clerk or armourer is transferred, the stock for which they are directly responsible shall be checked.

26.20 Procedure for declaring weapons/ammunition as obsolete / service / unserviceable / unserviceable other than obsolete

The category of weapon/ammunition may not be obsolete but some arms/ammunition may be rendered unserviceable due to fair wear and tear, accident, completing of shelf life, mishandling, damaged beyond repair etc. In CRPF the officer who undergone Assistant Inspectorate of Arms (AIA) Course shall be authorized to carryout technical examination of the fire arms and sentence them unserviceable. The qualified AIA is acceptable as competent authority for conditioning the arms as unserviceable/BER (Beyond Economical Repair).

26.21 Receipts of Arms from Arsenal

- (a) Armourer along with escort party shall receive the arms from the arsenal/ordnance factory.
- (b) The arms to be collected shall be inspected by the incharge escort party & armourer, before packing of the arms.
- (c) The seals and weight as shown in the invoice of all items received from an arsenal shall be carefully checked.
- (d) Every package received from the arsenal shall be taken over by the incharge escort party after verifying the vouchers.
- (e) Every package received from an arsenal through escort party shall be opened in the presence of a Gazetted officer or the Reserve Inspector, who shall personally check the contents and sign the invoice in token of having done so.
- (f) Full boxes of ammunition shall not be opened on receipt, if the weight is correct and the seals intact. If the seal has been damaged in transit, the pin with which the lid is attached shall be withdrawn and the lid removed to permit inspection of the inner tin casing; provided the latter is hermetically sealed, the contents shall be assumed to be correct.

26.22 Return of arms to Arsenal etc.:

- (a) Un-serviceable tools and components, empty cartridge cases, empty oil drums and packing cases shall not be returned to the arsenal without previous intimation. Defective ammunition and unserviceable or repairable arms shall not be returned till the authorization of the ordnance officer concerned has been obtained on a committee report.
- (b) Arms, ammunition and other ordnance stores returned to the arsenal shall be sent under armed escort in strong boxes – the cases in which consignment have been received from the arsenal being used if possible and suitably sealed with the official seal of the Superintendent of Police.
- (c) Every precaution shall be taken to prevent the inclusion of live or mis-fire rounds with empty cartridge cases returned to the arsenal. Should the arsenal report the inclusion of live or mis-fired cartridges in a box of empty cases, disciplinary action will be taken against the officer responsible for the packing of the box.
- (d) Refund should be obtained from the ordnance stores for all empty cases returned.

26.23 Precautions against issue of Dummy or Blank cartridges with Live

Every officer who issues ammunition to armed men or parties proceeding on duty and the commander of each such party shall exercise special care to prevent dummy (Drill) or blank rounds getting mixed up with live rounds, either at the time of issue or return of ammunition, and to prevent the substitution of rounds of local or other non-government manufacture.

26.24 Requisition for or return of Arms, Ammunition, etc.

Requisition for the supply of arms, ammunition, and accoutrements must be prepared in Form 26.24 and when stores are returned the Form 26.18 (c) should be used and sent to Reserve Inspector. The items which are sent to Armoury for repair need not be removed from the charge of concerned Register but a note on the last page of the register with the remarks that the items are sent to Armoury for repairs may be given. When submitting requisitions and returning stores the Officer-in-charge of the section must give his serial number in the forms. The requisition and the list of articles returned to armoury by the officer-in-charge of every section will bear serial number of the Armoury in order of supplies made and stores received in armoury. The officer-in-charge when preparing returns must always note down the Store number in the columns where receipt and issue numbers are required to be given.

The requisition for arms and ammunition must always come through the concerned Inspector or the officer-in-charge of the section and similar procedure should be adopted when arms, ammunition etc. are returned to store.

STOCK LEDGER OF ARMS

Name of Articles.....

[illegible]

STOCK LEDGER OF AMMUNITIONS

Name of Articles.....

[illegible]

STOCK LEDGER OF EMPTY CASES & MISFIRES.

Office of

Name of Empty Cases

[illegible]

STOCK LEDGER OF ARMS ACCESSORIES & ACCOUTREMENT

Name of Articles.....

[illegible]

ARMS DISTRIBUTION REGISTER

Name of Arms.....

[illegible]

Form 26.17 (b)

Andaman and Nicobar Police
INQUIRY FINDINGS

1. The form being applicable to any board of officers or committee or court of inquiry. This blank to be filled accordingly.	Proceeding of a committee assembled at on
2. The Signature of each officer composing the board etc, should be attached at the end of the proceedings.	Copy enclosed.
3. Then this form issued for medical board a statement or case by the medical officer who being the patient before the board will be prepared on the next page of this form . The attention of the court is directed to RP 125 A loss of (B) and 1 AA rule 158 (F) which direct the presence throughout a court of enquiry of any officer or soldier who character of military reputation maybe affected.	By order of Vide order No..... dared For the purpose of enquiry into the loss of Nos. Empty Cases and Nos. Empty Cases by Police party of
4. S.A.A boards will certify on the form in manuscript that they (a) Have examine IAPO 1444-A and that they entries are correct (b) Have examine squadron/company B 293s (c) Have counted the ammunition in the regimental magazine and certified that then sworn on charge in IAPO 1444-A after deducting the members shown on squadron/company B-295's on (date) (d) Have examined the B-293 of (one) squadron/company and certify that the number of round counted store agree with the numbers shown on B-293.	President Name..... Designation..... Member Name..... Designation.....

	Name..... Designation.....

Finding
report.....

Chairman
Signature

Member
Signature

Member
Signature

Form -26.18 (c)**RECEIPT/ ISSUE VOUCHER**

To be completed by issuing officer

Issue Voucher No.....

Unit... ..

Station... ..

To be completed by receiving officer

Receipt Voucher No.....

Unit.....

Station.....

The article enumerate below have been Issued to/Received from
 In
 compliance with.

1. Name of Arms - Quantity in Nos.
2. Bearing No. - Arms Regd. No.
3. Name of Ammunition - Quantity in Nos. & in word
4. Magazine - Quantity in Nos.
5. Name of Accessories - Quantity in Nos.
(Items five only)

Signature of Issuing officer
officer

Signature of Receiving

Designation.....

Designation.....

Station.....

Dated.....

Station.....

Dated.....

Note:- Please return one copy of ISSUE VOUCHER after duly signed for record.

Form -26.19 (a)

No.

Dated

Sub:- Quarterly return ending __/03/____ – reg.

The quarterly return for Arms, Ammunitions and accessories held with Police Station/Out Post for the quarter ending 31/03/2020 is furnished herewith please.

SL. No.	Type of Arms, Ammunitions and accessories	Quantity	Remarks
1	Name of Arms		Arms bearing No.
2	Magazine		
3	Pull through		
4	Siling		
5	Magazine Pouch		
6	Name of Ammunition		
7	Name of Arms		Arms bearing No.
8	Magazine		
9	Pull through		
10	Name of Ammunition		
11	Details of Arms/Ammunitions deposited in ArmouryP/Line for repair/replacement if any..... Mention Voucher No. & date.		

Submitted please

Signature.....
 Designation.....
 Station.....
 Dated.....

Form -26.24

No.

dated

Sub:- Requisition for supply of Arms, Ammunitions and Accessories -reg.

Madam/Sir,

It is to submit that vide DGP's order Book No. dated PS/OP/LOP/Guard under the jurisdiction of

..... District has been established as per the sanctioned strength. In this regard kindly supply of the following Arms, Ammunitions and accessories to this PS/OP/LOP/Guard for all kind of duty purpose.

SL. No.	Type of Arms, Ammunition and accessories	Quantity	Remarks
1	Name of Arms		Sanctioned strength of PS/OP/LOP/Guard Sub Inspector – 02 Head Constable – 03 Police Constable – 08
2	Magazine		
3	Pull through		
4	Siling		
5	Magazine Pouch		
6	Name of Ammunition		
7	Name of Arms		
8	Magazine		
9	Pull through		
10	Name of Ammunition		
11	Rifle oil		
12	Flannelette		

Submitted please

Signature.....

Designation.....

Station.....

Dated.....

Chapter - 27

CLOTHING & EQUIPMENT

Clothing is the most influential factor in making a first impression because it signals a person's social status, occupation, group membership and, in some cases, special status or authority. Likewise when a Police personnel/officers wears a Police uniform it symbolizes a certification of legitimacy and a suppression of individuality, the public believes they embody the stereotypical traits of all Police personnel/officers and rate them as being more competent, reliable, intelligent, honest, trustworthy and professional than people wearing other clothing. Police uniform/clothing plays an important part in the public perception of the Police and also formulate an impression about a Policemen/officer. When Police personnel/Officers wear their smart uniform and perform his duty, they have a sense of authority over all the members of public. Due to the smartness and high standards that uniformed Police personnel exhibit, the public automatically respect them and is aware of how they should behave around them. Thus every Police personnel/officer appointed/posted in the Union territory of A&N Islands shall wear his uniform with great pride, authority and with discipline as prescribed in this manual.

27.1 Uniform for all Units

The uniform of Police officers for Civil Police/AP&SAP Unit, Police Training School (Recruits) and other Specialized Units of A& N Police shall be as per Appendix-27.1.

27.2 Uniform pattern

Pattern of uniform for all ranks of Police personnel shall be as follows:

(a) **Shirts:** Khaki cotton-cellular cotton terrene and will have: -

- i) Two breast pockets with three point flaps fastened by one Button and two press Buttons having a seamless centre pleat with bottom rounded corners;
- ii) Folded sleeves for khaki cotton-cellular and cotton terrene.
- iii) Plain back without pleats;
- iv) The shirt will be open all the way down the front with five buttons (excluding one button for collar) showing and fastened by button holes in the seamless centre pleat.
- v) Shoulder straps each having one button.
- vi) Pointed cuffs strap at the back for lanyard & Whistle cord.

(b) **Trousers (Slacks):** Khaki drill/gabardine, cotton, terrene with one pleats each in the front on both sides. Two straight side pockets, one pocket with

flap and one concealed button in the back on the right side. No turn ups and shaped from instep to heels. Three loops of Army pattern fastened by khaki bone button at the waist for belt.

(c) **Badges of Rank –**

Inspector: Three five pointed stars and a ribbon $\frac{1}{2}$ " in width half red and half dark blue which should be worn horizontally (red colour facing the stars) and an inch from the base of the shoulder straps.

Sub-Inspector: Two five pointed stars and a ribbon $\frac{1}{2}$ " in width half red and half dark blue which should be worn horizontally (red colour facing the stars) and an inch from the base of the shoulder straps.

Assistant Sub-Inspector: One five pointed stars and a ribbon $\frac{1}{2}$ " in width half red and half dark blue which should be worn horizontally (red colour facing the stars) and an inch from the base of the shoulder straps.

Head Constable:-Head Constable will wear red chevrons (three stripes) on both arms midway between the elbow and the point of the shoulder, the outer points being uppermost.

- (d) **Medals:** Special duty medals will be awarded to Police personnel having prescribed length of Service as per MHA notification No9/11/69-PIV, dated 27/08/1969 & notification 9/78/74-GPA.II(III), dated 03/12/1976.

Medals and Medal Ribbons:

- a) **Description and method of Wearing:** - The medals will be fixed on a piece of hard buckram or metal plate covered with scarlet lining. The size and method of wearing full medals are as under: -
 - i) Horizontal dimension of the backing will be a maximum of 20 Cms (though where possible it should be restricted to 15 Cms) and the vertical dimension 7.5 Cms
 - ii) The vertical length of the medal ribbon upto the top of the medal will be 4 to 4.5 Cms and at the back of the medal it should cover the whole of the backing i.e. 7.5 Cms The medals will be so stitched that half the medal hangs outside the backing and all medals are uniformly dressed in line at the bottom.
 - iii) When the medals cannot, on account of their numbers, be stitched on so as to be fully visible, they will overlap from right to left so that the senior most decoration or medal is fully visible.
 - iv) Full medals will be worn over the left pocket of the shirt or tunic so that the bottom edges of the medals fall in line just above the top of the pocket flap button.
 - v) The medals will be worn so that the backing is symmetrical on

either side of a vertical line drawn through the middle of the pocket button.

- vi) The backing will be affixed to the shirt or tunic with Velcro and supported at the top by a hinged metal bar fixed to the backing, the bar running through threat loops on the shirt or tunic and fastened to the backing with a hook.
- b) **Occasions for wearing:** - Full medals will be worn on all ceremonial occasions with shirt terrykotKhaki. They will also be worn with mess dress, while attending Official functions at RashtrapatiBhawan, Raj Bhawans, Raj Niwas and formal receptions at the residence of the all CPOs chiefs.

Miniature Medals:-

- a) **Description and method of wearing:** - Miniature medals will be fixed on a piece of hard buckram covered with scarlet lining. The size and method of wearing miniature medals are as under: -
 - i) Horizontal dimension of the backing will be a maximum of 17 cms (though where possible it should be restricted to 15 cms) and the vertical dimension 4.5 cms
 - ii) The vertical length of the medal ribbon will be 3.5 to 4 cms upto the top of the medal. At the back of the medal to cover the whole backing it would be 4.5 Cm. The medals will be so stitched that half the medals hang outside the backing and all medals are uniformly dressed in line at the bottom.
 - iii) When the miniature medals cannot, on account of their numbers, be affixed so as to be fully visible they will overlap from right to left so that the senior most decoration or medal is fully visible. Miniature medals will be worn over the left pocket of winter or summer mess dress jackets so that the bottom edge of the medals fall in line with the top edge of the pocket.
 - iv) The medals will be worn so that the backing is symmetrical on either side of the vertical line drawn through the middle of the pocket button.
- b) **Occasions for wearing Miniature Medals:** - With mess jackets, summer and winter between retreat and reveille.

Medals Ribands:-

- a) **Description and Method of Wearing:** - Medal ribands will be mounted on a flat bar -
 - i) Each medal riband will be fully visible. There will be no overlap.

- ii) The vertical dimension of the visible portion of each riband will be 1.3 Cms.
 - iii) A maximum of four medal ribands will be worn in each row. When larger numbers are authorized they will be worn in two or more rows.
 - iv) The shorter row will be worn upper most and displaced symmetrically on either side of the centre of the longer row.
 - v) Except when only one medal riband is authorized, a single medal riband will never be worn as a row. Where necessary, the top two rows will be adjusted that the top row has two medal ribands and the one below has three medal ribands.
 - vi) Ribands will be worn in order of their precedence, with the one having the highest precedence being worn at the right extreme of the top row, and the one with the lowest precedence worn at the left extreme of the bottom row.
 - vii) Plastic medal ribands will not be worn. Backing underneath the ribands to give them a curved appearance will not be used. Ribands will not be encased in transparent plastic material.
- (b) **Occasions when worn:-** On all occasions when wearing uniform, except when wearing the following:
- i) Over Garments (Great Coat, Short Great Coat, Coat Parka, Denison Smock or Jersey Pullover)
 - ii) Field Service Marching Order
 - iii) Full Medals or miniature medals

27.3 Uniform to be worn:-

1. Working uniform

Trouser and shirt cotton terrene (shirt Angora during winter), brown ankle/oxford, shoes, khaki socks, leather belt, peak cap/beret cap with badge (pagari for Sikh officers), rank badges, title shoulder, formation sign, dark blue /khaki lanyard with whistle, name tab, ribbon as per entitlement and decoration.

2. Ceremonial uniform

Trouser khaki drill, shirt khaki cellular (khaki cotton terrene trouser and shirt), brown ankle boot/shoes, khaki socks, sambrown belt, (with or without sword), Peak cap with badge (Pagri for sikh officers), rank badge,

title shoulder, Name tab, formation sign, dark blue/khaki lanyard with whistle and medals with ribbon as per entitlement and decoration.

Police officers of all ranks shall wear uniforms on all Parades and on all duties of ceremonial nature or which involve the exercise of their powers as Police officers; provided that this rule shall not apply to Police officers specifically deputed on plain clothes duties. The wearing at any time of a mixture of uniform and plain clothes or of unauthorized variations of uniforms is absolutely prohibited.

3. Related Uniform Rules:

- (a) The nature of uniform to be worn-on duty shall be regulated by the order of the Director General of Police according to climatic conditions and nature of the duty, subject to the rules in this chapter and provided that all men Parading or proceeding on duty together shall be clothed alike.
- (b) For all duties performed in the public view, Police officers of all ranks shall be so turned out that there can be no possibility of mistake as to their being Police officers. For such duties, though the comfort of officers and men in climatic and other circumstances must be considered, smartness shall not be sacrificed.
- (c) Officers and men appearing in courts of law a, witness, orderlies or escorts, and clerks on duty at Police stations, shall wear uniform. All officers on plain cloth duty attending court shall be neatly and properly dressed.
- (d) Police regulation uniform shall not be worn at fancy dress balls, nor shall such uniforms be lent for use or worn by their owners in dramatic performances or other entertainments. There is, however, no objection to uniform of obsolete pattern being worn on such occasions.

27.4 Dress & appearance

- (a) Police personnel shall ensure that they are correctly dressed when in uniform at all times and that uniforms are kept clean and neatly ironed.
- (b) No Police personnel shall appear in public, wearing an incomplete uniform.
- (c) Cross belt:-Cross belt is authorized for officers only and will be worn with mess dresses or ceremonial dresses when taking part in or while witnessing parades. The leather should be properly polished and the metal parts also properly polished. The belt should be adequately tight, it should neither be very loose nor very tight. The length of the belt should be kept correctly measured so that no extra portion of the belt projects.
- (d) Peak Cap:-Peak Cap should not be loose. In case it is loose, sufficient packing should be given so that it fits correctly on the head. There should

be no stains. It should have a fresh look. All leather and metal parts should be properly polished. The badge should be fitted properly in the centre of the cap.

- (e) Shoes:-The shoes should be properly polished and the blackish tinge of polish should be removed. Laces should be new and not twisted. Laces should be properly tied and the eyelet holes should be together and not kept loose. Khaki socks should be worn and this should be of sufficient height so that it is visible even if the pant comes above the boot level.
- (f) Security Cell: -Security cell staff should wear navy blue safari suit with navy blue socks and brown/black shoes by the upper/lower subordinates respectively.
- (g) Pink Police: -Pink patrol is a concept adopted by the Andaman & Nicobar Police for women safety/security and to establish a positive relationship between the Police and the society at large. Pink patrol is an all women Police unit headed by women Sub-Inspector and equipped with all communication system.
- (h) Tourist Police: - Tourist Police is a concept adopted by Andaman & Nicobar Police to facilitate the tourist coming to the islands. Dress code for the tourist Police personnel includes- Trouser and shirt cotton terrene, brown ankle/oxford, shoes, khaki socks, leather belt, peak cap/beret cap with badge (pagri for Sikh officers), rank badges, title shoulder, formation sign, dark blue / khaki lanyard with whistle, name tab, ribbon as per entitlement and decoration along with Tourist Police Badge on right shoulder.
- (i) Police Radio :-Dress code for the Police Radio personnel includes- Trouser and shirt cotton terrene, brown ankle/oxford, shoes, khaki socks, leather belt, peak cap/beret cap with badge (pagri for Sikh officers), rank badges, title shoulder, formation sign, dark blue / khaki lanyard with whistle, name tab, ribbon as per entitlement and decoration.
- (j) Police personnel shall not expose any undergarment to public view, when in uniform.
- (k) Ordinarily, no visible jewellery shall be worn with uniform other than a wrist watch and two finger rings. Women officers may wear 'Mangal Sutra' wedding rings and ear studs. But these shall be as inconspicuous as possible. No other ornaments should be worn by lady officers when in uniform.
- (l) All officers whether or not required to wear uniform, shall keep their hair tidy and neatly trimmed. All Women Police officers shall keep their hair neat, tidy and above the collar of the shirt in hair net bun.

- (m) All male officers in uniform or otherwise shall be clean shaven. Moustaches are permitted subject to the general principle that flamboyant moustaches should not be worn.
- (n) It shall be the responsibility of all supervisory officers to ensure that the dress and appearance of officers under their command reflect credit on the force.

27.5 Alternative uniform for lady officers in advanced stage of pregnancy

Lady officers with about 16 weeks of pregnancy may switch-over to the following alternative working dress:

- (a) Khaki Saree – Khaki cotton or khaki terry-cot saree to be draped over the left shoulder passing under the shoulder straps with badge.
- (b) Khaki blouse – Khaki cotton blouse of waist length worn upto the elbow, buttoned up all the way down in the front with front buttons or concealed hooks; stand and fall collar; shoulder straps to be sewn at the outer end and fixed by a single button at the inner end; two breast pockets; and back plain without pleats.
- (c) Khaki Salwar-Kurta with Dupatta
- (d) Badges of ranks:- to be worn on the shoulder straps of the blouse.
- (e) Footwear:- Brown leather Sandals/Shoes with straps toes not visible heels not exceeding 2 ½”.
- (f) Khaki Socks
- (g) Head-gear (optional):- Same as worn in normal times

27.6. Dress allowance

- (a) Consequent upon the decisions taken by the Government on the recommendations of the Seventh Central Pay Commission, all Uniform related Allowances viz. Clothing Allowance, Initial Equipment Allowance, Kit Maintenance Allowance, Robe Allowance, Robe Maintenance Allowance, Shoe Allowance, Uniform Allowance and Washing Allowance have now been subsumed in a single Dress Allowance.
- (b) Consequent upon implementation of O.M vide MoF, GOI, OM No. 19051/1/2017-E.IV dated 2/08/2017, Police personnel who were earlier being provided uniforms, will not be provided with uniforms.
- (c) The rates of dress allowance shall be as per MoF, GOI, OM No. 19051/1/2017-E.IV dated 02/08/2017 and as amended from time to time, which shall be credited to the salary of employees directly once a year in the month of July.

- (d) Ceremonial Uniform and other accessories (not covered under Dress Allowance) as well as specialized items/accessories for specific nature of duties shall be purchased as per GFR and supplied to Police personnel.
- (e) Ceremonial dress items for A&N Police Brass Band & all Women Pipe Band shall also be procured and issued by the Quarter Master Store, Police Lines.

27.7 Ceremonial Dress

Ceremonial dress is the clothing worn on special occasions, such as National, State & Police functions and inspection by senior officers. Ceremonial dress items not covered under uniform allowance are to be issued to the Upper & lower subordinates of A&N Police is at **Appendix 27.7 (A)**

The details of ceremonial dress items for Brass Band and all women Pipe Band listed at **Appendix- 27.7 (B)**

The requisition for Ceremonial Uniform and other accessories shall be submitted to Quarter Master Store, by various units & Police Stations by 31st March.

27.8 Procurement of Ceremonial Dress

The Requirements of the Ceremonial kit items of different units shall be compiled by Quarter Master Store, Police Line. The same will be procured as per prevailing Financial Rules with the approval of competent authority.

Before purchasing, the Quarter Master Store shall first obtain samples and get them approved by the concerned Superintendent of Police.

27.9 Sizes of Ceremonial Dress

The Ceremonial dress items to be procured for the force will be of the standard sizes. The ceremonial articles of uniform pertaining to Brass & all women Pipe band shall be the bespoke stitched.

27.10 Receipt of Ceremonial Dress items

On receipt of the consignment (ceremonial dress) from suppliers, the same shall be inspected under the orders of Superintendent of Police to match the same with approved samples/quality. Dress items so received shall not be accepted, if they are not as per approved sample or designated quality.

27.11 Replacement of Ceremonial Dress

The average/expected life period of the ceremonial dress items is (at least) of 02 years or depending upon its durability.

In case if the concerned unit/station officer feels that the existing ceremonial dress/ items are not in good condition and need replacement the same is to

be submitted to the Quarter Master Store after approval from the concerned Superintendent of Police and procurement of new dress may be initiated with the approval of Competent authority as per prescribed rules & proceedings.

27.12 Ceremonial Dress items Registers

The Quarter Master Store shall maintain the following registers:

- (a) **Stock register:** details of ceremonial dress purchased with their prices and name of suppliers Quantity etc. are to be entered in this register as per Form 27.12(a)
- (b) **Distribution register:** unit/stations wise details of items issued with dates should be entered as per Form 27.12(b)
- (c) **Register of Ceremonial items deposited:** The unserviceable ceremonial dress items deposited by the various stations should be properly entered as per Form 27.12(c)
- (d) **Register of material:** The details of stitching materials procured for stitching works of ceremonial dress for Band unit should be properly entered as per Form 27.12(d).

27.13 Inspection of Register and verification of Stock

All the stock registers of Quarter Master Stores will be checked and verified by DySP (AP) before 31st March of every year and necessary entries to be made in the registers. A report to the effect shall be submitted to the Superintendent of Police.

27.14 Mode of Issue of the Ceremonial Dress items

Ceremonial dress items procured by Quarter Master Store, Police line duly accepted by the committee is to be issued to the concerned units/stations with proper issue vouchers. Ceremonial cloths along with stitching materials procured for Band personnel may be issued from Quarter Master Store directly to the tailors for stitching.

Appendix – 27.1**(a) Upper Subordinates of Civil Police, Armed Police and SAP Unit****Full Dress**

Sl. No.	Male	Female
1.	Khaki shirt & Slack	Khaki shirt & Slack
2.	Peak Cap Khaki with brown leather strip & Badge	Peak Cap Khaki with brown leather strip & Badge
3.	Rank Badge	Rank Badge
4.	Khaki whistle lanyord	Khaki whistle lanyard
5.	Name plate with designation in both English & Hindi script	Name plate with designation in both English & Hindi script
6.	Shoulder title (A&NP)	Shoulder title (A&NP)
7.	Shoulder Ribbon (Red & Blue)	Shoulder Ribbon (Red & Blue)
8.	Sam brown Cross belt	Sam brown Cross belt
9.	Brown shoe	Brown shoe
10.	Socks Khaki	Socks Khaki

Working Dress

Sl. No.	Male	Female
1.	Khaki shirt & Slack	Khaki shirt & Slack
2.	Peak Cap khaki with brown leather strip & Badge	Peak Cap khaki with brown leather strip & Badge
3.	Rank Badge	Rank Badge
4.	Shoulder Ribbon	Shoulder Ribbon
5.	Khaki whistle lanyord	Khaki whistle lanyard
6.	Name plate with designation in both English & Hindi script	Name plate with designation in both English & Hindi script
7.	Shoulder title (A&NP)	Shoulder title (A&NP)

8.	Sam brown belt	Sam brown belt
9.	Brown shoe	Brown shoe
10.	Socks Khaki	Socks Khaki

(b) Lower Subordinates of Civil Police and Armed Police

Full Dress

Sl. No.	Male	Female
1.	Khaki shirt & Slack	Khaki shirt & Slack
2.	Beret Cap khaki with Badge	Beret Cap khaki with Badge
3.	Chevron(for Head Constable)	Chevron(for Head Constable)
4.	Name plate with designation in both English & Hindi script	Name plate with designation in both English & Hindi script
5.	Shoulder title (A&NP)	Shoulder title (A&NP)
6.	Black belt	Black belt
7.	Black Ammunition shoe	Black shoe
8.	Socks Khaki	Socks Khaki
9.	Khaki whistle lanyord	Khaki whistle lanyard

Working dress

Sl. No.	Male	Female
1.	Khaki shirt & Slack	Khaki shirt & Slack
2.	Beret Cap khaki with badge	Beret Cap khaki with badge
3.	Chevron(for Head Constable)	Chevron(for Head Constable)
4.	Name plate with designation in both English & Hindi script	Name plate with designation in both English & Hindi script
5.	Shoulder title (A&NP)	Shoulder title (A&NP)

6.	Black belt	Black belt
7.	Black shoe	Black shoe
8.	Socks Khaki	Socks Khaki
9.	Khaki whistle lanyord	Khaki whistle lanyard

(c) Traffic Police

Upper Subordinates

Full Dress

Sl. No.	Male	Female
1.	Khaki shirt & Slack	Khaki shirt & Slack
2.	Peak Cap Khaki with brown leather strip & Badge	Peak Cap Khaki with brown leather strip & Badge
3.	Rank Badge	Rank Badge
4.	Khaki whistle lanyord	Khaki whistle lanyard
5.	Name plate with designation in both English & Hindi script	Name plate with designation in both English & Hindi script
6.	Shoulder title (A&NP)	Shoulder title (A&NP)
7.	Shoulder Ribbon (Red &Blue)	Shoulder Ribbon (Red &Blue)
8.	Sam brown Cross belt	Sam brown Cross belt
9.	Brown shoe	Brown shoe
10.	Socks Khaki	Socks Khaki

Working Dress

Sl. No.	Male	Female
1.	Khaki shirt & Slack	Khaki shirt & Slack
2.	Peak Cap Khaki with brown leather strip & Badge	Peak Cap Khaki with brown leather strip & Badge

3.	Rank Badge	Rank Badge
4.	Khaki whistle lanyard	Khaki whistle lanyard
5.	Name plate with designation in both English & Hindi script	Name plate with designation in both English & Hindi script
6.	Shoulder title (A&NP)	Shoulder title (A&NP)
7.	Shoulder Ribbon (Red & Blue)	Shoulder Ribbon (Red & Blue)
8.	Sam brown belt	Sam brown belt
9.	Brown shoe	Brown shoe
10.	Socks Khaki	Socks Khaki

Lower Subordinates (Constables & Head Constables)

Full Dress

Sl. No	Male	Female
1.	Beret cap Blue with badge	Beret cap Blue with badge
2.	Shirt white full sleeves	Shirt white full sleeves
3.	Shoulder titles (A&NP)	Shoulder titles (A&NP)
4.	Rank Chevrons for HC	Rank Chevrons for HC
5.	Whistle with lanyard Khaki	Whistle with lanyard Khaki
6.	Slacks Blue	Slacks Blue
7.	Black leather number belt	Black leather number belt
8.	Socks nylon (blue)	Socks nylon (blue)
9.	Ammunition boot	Black shoe
10.	Name plate with designation in both English & Hindi script	Name plate with designation in both English & Hindi script

Working Dress

Sl.No.	Male	Female
1.	Beret cap Blue with badge	Beret cap Blue with badge
2.	Shirt white full sleeves	Shirt white full sleeves
3.	Shoulder titles (A&NP)	Shoulder titles (A&NP)
4.	Rank Chevrons for HC	Rank Chevrons for HC
5.	Whistle with lanyard Khaki	Whistle with lanyard Khaki
6.	Slacks Blue	Slacks Blue
7.	Black leather number belt	Black leather number belt
8.	Socks nylon (blue)	Socks nylon (blue)
9.	Shoes black	Shoes black
10.	Name plate with designation in both English & Hindi script	Name plate with designation in both English & Hindi script

(d)Immigration & Foreigner Branch:**Upper Subordinates:-****Full Dress**

Sl. No.	Male	Female
1.	Khaki shirt & Slack	Khaki shirt & Slack
2.	Peak Cap Khaki with brown leather strip & Badge	Peak Cap Khaki with brown leather strip & Badge
3.	Rank Badge	Rank Badge
4.	Khaki whistle lanyard	Khaki whistle lanyard
5.	Name plate with designation in both English & Hindi script	Name plate with designation in both English & Hindi script
6.	Shoulder title (A&NP)	Shoulder title (A&NP)
7.	Shoulder Ribbon (Red & Blue)	Shoulder Ribbon (Red & Blue)
8.	Sam brown Cross belt	Sam brown Cross belt
9.	Brown shoe	Brown shoe
10.	Socks Khaki	Socks Khaki

Working Dress

Sl.No.	Male	Female
1.	Shirt sky blue full sleeves	Shirt sky blue full sleeves
2.	Slacks Grey	Slacks Grey
3.	Tie Dark Blue	Tie Dark Blue
4.	Black leather belt	Black leather belt
5.	Socks nylon (blue)	Socks nylon (blue)
6.	Shoes black	Shoes black

Lower Subordinates (Constables & Head Constables)**Full Dress:**

Sl. No.	Male	Female
1.	Khaki shirt & Slack	Khaki shirt & Slack
2.	Beret Cap khaki with Badge	Beret Cap khaki with Badge
3.	Chevron(for Head Constable)	Chevron(for Head Constable)
4.	Name plate with designation in both English & Hindi script	Name plate with designation in both English & Hindi script
5.	Shoulder title (A&NP)	Shoulder title (A&NP)
6.	Black belt	Black belt
7.	Black Ammunition shoe	Black shoe
8.	Socks Khaki	Socks Khaki
9.	Khaki whistle lanyard	Khaki whistle lanyard

Working Dress

S.No.	Male	Female
1.	Shirt sky blue full sleeves	Shirt sky blue full sleeves
2.	Slacks Grey	Slacks Grey
3.	Tie Dark Blue	Tie Dark Blue
4.	Black leather belt	Black leather belt
5.	Socks nylon (blue)	Socks nylon (blue)
6.	Shoes black	Shoes black

(e) Security Cell & Dog Squad staff:**Upper Subordinates****Full Dress**

Sl. No.	Male	Female
1.	Khaki shirt & Slack	Khaki shirt & Slack
2.	Peak Cap Khaki with brown leather strip & Badge	Peak Cap Khaki with brown leather strip & Badge
3.	Rank Badge	Rank Badge
4.	Khaki whistle lanyard	Khaki whistle lanyard
5.	Name plate with designation in both English & Hindi script	Name plate with designation in both English & Hindi script
6.	Shoulder title (A&NP)	Shoulder title (A&NP)
7.	Shoulder Ribbon (Red & Blue)	Shoulder Ribbon (Red & Blue)
8.	Sam brown Cross belt	Sam brown Cross belt
9.	Brown shoe	Brown shoe
10.	Socks Khaki	Socks Khaki

Working Dress

Sl.No.	Male	Female
1.	Safari suit Dark Blue	Safari suit Dark Blue
2.	Shoe Black	Shoe Black
3.	Socks blue	Socks blue

Lower Subordinates**Full Dress:**

Sl. No.	Male	Female
1.	Khaki shirt & Slack	Khaki shirt & Slack
2.	Beret Cap khaki with Badge	Beret Cap khaki with Badge
3.	Chevron(for Head Constable)	Chevron(for Head Constable)
4.	Name plate with designation in both English & Hindi script	Name plate with designation in both English & Hindi script

5.	Shoulder title (A&NP)	Shoulder title (A&NP)
6.	Black belt	Black belt
7.	Black Ammunition shoe	Black shoe
8.	Socks Khaki	Socks Khaki
9.	Khaki whistle lanyard	Khaki whistle lanyard

Working Dress

Sl.No	Male	Female
1.	Safari suit Dark Blue	Safari suit Dark Blue
2.	Shoe Black	Shoe Black
3.	Socks blue	Socks blue

(f) Pink Police

Upper subordinates

Full Dress

Sl. No.	Full Dress	Working Dress
1.	Khaki shirt & Slack	Shirt full sleeve (pink)
2.	Peak Cap Khaki with brown leather strip & Badge	Black waist coat
3.	Rank Badge	Full pant (black)
4.	Khaki whistle cord	Shoe Black
5.	Name plate with designation in both English & Hindi script	Socks Nylon (Black)
6.	Shoulder title (A&NP)	
7.	Shoulder Ribbon (Red & Blue)	
8.	Sam brown Cross belt	
9.	Brown shoe	
10.	Socks Khaki	

Lower Subordinates

SI No	Full Dress	Working Dress
1.	Beret cap Blue with badge	Shirt full sleeve (pink)
2.	Shirt white full sleeves	Black waist coat
3.	Shoulder titles 'A&N P (in Hindi/English Script)	Full pant (black)
4.	Rank Chevrons for HC	Shoe Black
5.	Khaki Whistle lanyard	Socks Nylon (Black)
6.	Slacks Blue	
7.	Black leather number belt	
8.	Socks nylon (blue)	
9.	Black shoe	
10.	Name plate with designation in both English & Hindi script	

(g) POLICE RADIO**Full Dress:**

Sl. No.	Male	Female
1.	Khaki Shirt & Slack	Khaki shirt & Slack
2.	Peak cap khaki with brown leather strip & Badge	Peak cap khaki with brown leather strip & badge
3.	Rank badge	Rank badge
4.	Khaki whistle	Khaki whistle lanyard
5.	Name plate with designation in both English & Hindi script	Name plate with designation in both English & Hindi script
6.	Shoulder title (A&NPR)	Shoulder title (A&NPR)
7.	Shoulder Ribbon(Red & Blue)	Shoulder Ribbon(Red & Blue)
8.	Sam brown cross belt	Sam brown cross belt
9.	Brown shoe	Brown shoe

10.	Socks khaki	Socks khaki

(h) Recruit Constables

Activities	Male	Female
Physical Training	Lower- Black shorts Top-White T-Shirt with Collar Shoes- white sports shoes with white socks.	Lower- Black track Suit& Slacks Top - White T- Shirt with Collar Shoes- white sports shoes with white socks.
Parade	Khaki Pant Cotton and top white T Shirt, Ammunition /DM Shoes, web belt, brown socks, khaki beret cap	Khaki Pant Cotton and top white T Shirt, Ammunition /DM shoes, web belt, brown socks beret cap
Indoor classes	Navy Blue pant, full sleeves sky blue shirt, black belt, black shoe, white socks.	Navy Blue Pant, full sleeves sky blue shirt, black belt, black shoe, white socks.
Fatigue	White T shirt and black shorts and Brown PT shoes and khaki cotton socks.	Black track suit white T shirt with collar brown PT shoe and khaki cotton socks
Field Craft	Khaki Cotton Uniform, Commando cap/ Jungle hat, web belt, jungle shoe, black anklet	Khaki Cotton Uniform, Peak cap/ Commando hat, web belt, jungle shoe, black anklet
Mufti Dress	Navy Blue Pant, full sleeves sky blue shirt, black belt, black shoe, white socks.	Navy Blue Pant, full sleeves sky blue shirt, black belt, black shoe, white socks.
Firing	Khaki Teri Cotton full Pant, and half shirt Khaki, jungle shoe, anklet, army commando cap, Khaki socks.	Khaki Teri Cotton full Pant, and half shirt Khaki, jungle shoe, anklet, army commando cap, Khaki socks.

Appendix 27.7 (A)

Ceremonial Dress items that are not covered under uniform allowance are to be issued to the Upper & lower subordinates of A&N Police are as follows:

1. Readymade Safa
2. Neck Scarf
3. Kamarband with Jhallar
4. Anklet white
5. Hackle (Red & Blue)(for SAP & ladies)
6. Beret Cap (blue) (for ladies)
7. Whistle cord(red) (for ladies)
8. Hand Gloves (white).

Appendix 27.7 (B)

The details of ceremonial dress items for Brass Band and all women Pipe Band are as under

1. Peak cap blue rounding golden zari with A&N Police badge (Band Master)
2. Peak cap blue with A&N Police badge
3. Cloth for Coat tunic white Terricot
4. Cloth for Pant blue Terricot
5. Dress cord golden zari
6. Brown Leather belt with A&N Police monogram (Band Master)
7. Ceremonial golden zari star (Band Master)
8. Shoulder epaulets with golden zari
9. Tunic Button with A&N Police monogram (Brass round)
10. Kamarbandh Red & Blue with side zhallar and A&N Police monogram
11. Anklet (White) in rexin cloth
12. Black Leather belt with A&N Police monogram
13. Cloth red for strap
14. Socks (Blue colour)
15. Derby shoe brown (Band Master)
16. Derby shoe black

The details of ceremonial dress items for all Women Pipe Band is as under:

1. Peak cap air force colour (Band Master)
2. Nehru cap cloth (Maroon colour)
3. Blazer (coat) cloth, Maroon colour
4. Round neck T-Shirt (white colour)
5. Cloth for Mini skirt (Maroon check-check)
6. Lagans white colour
7. Long Chain Shoe (Black)
8. Socks (White)
9. Long Chain shoe (Brown colour) (Band Master)
10. Stocking (White)
11. Royal-Blue cloth for coat (Band Master)
12. Maroon colour cloth for Pant (Band Master)

Office of

Name of Articles.....

[illegible]

Form 27.12(b)**DISTRIBUTION REGISTER**

Office of

Name of Articles.....

Date of issue	Existing Stock	Name of PS/OP/LOP/ Units/JPP	Un- serviceable	Serviceable	New in Stock	Total	Remarks

Form 27.12(c)

CEREMONIAL ITEMS DEPOSITION REGISTER

Office of

Name of Articles.....

Date of issue	No. of articles issued	Name of PS/OP/LOP/ Units/JPP	Serviceable/ Un- serviceable	No. of article deposited	Remarks

Form 27.12(d)

**DISTRIBUTION OF STITCHING MATERIALS OF CEREMONIAL DRESS (BAND
UNIT) REGISTER**

Office of

Name of Articles.....

Date of issue	Existing Stock	Name of unit	Un- serviceable	Serviceable	New in Stock	Total	Remarks

Chapter 28

GUARDS & ESCORTS

28.1 Introduction

Police are expected to provide safety, security and protection to persons and properties. Guards and Escorts are integral parts of the overall Police working. Police Guards are provided to persons, places, prisoners, jails and other vulnerable establishments that require protection. Escorts are provided for prisoners, cash and important persons as a security measure.

28.2 Functions of Police Guards

- (1) (A) Protection of the person, premises, records and properties for which guards are posted.
- (B) Protection of Police arms and ammunition and effective repulsion of any attacks on armories.
- (C) Ceremonial guards of the Unit of VVIP or on important occasions.
- (D) Protection of vital installations and communication entrusted to Police.
- (E) Prevention of escape of prisoners and guarding of prisoners in jails for which Police guards are provided.
- (2) Guards are generally posted in uniform. In special cases Police guards may be posted in plain clothes under specific orders of the concerned Superintendent of Police.
- (3) The weapons to be issued depend on the subject of guard and also special circumstances. The SP will determine the nature of weapons to be issued subject to guidelines in this chapter.
- (4) The personnel of the guard can be from Civil Police, or the armed Police.
- (5) Guards are also provided by the personnel of the Paramilitary Forces and other security organizations of the State or Central Government and their Corporations.

28.3 Classification of Guards:-

The guards are classified into the following categories.

A. Category Guard

Guards posted at armories, or for protection of Police establishments in areas where threat perception is high.

B. Category Guard

- (a) Police Establishments like Police Headquarters, Police Stations, SP Office, Camp office of Senior Police Officers, Goodwill Estate, Hawalath Guard at Court Premises, ISPW, Secretariat, Strong Room, Jail Guards, Quarter Guard (Armory), Court Guard and LOPs.
- (b) Guards for protection of persons and VIPs at their residences or while in camp classified in X, Y, Z and Z+ categories.
- (c) Treasury and Bank Guards
- (d) Vital installations
- (e) Essential Services
- (f) Guards at Government offices where public generally have access and where threat perception is high.
- (g) Ceremonial Guards including guard of honour
- (h) Any other guards which are of miscellaneous nature and/or on occasions like guarding of ballot boxes, examination papers etc.

The general rules for the guards mentioned herein apply to various types of guards with special provisions wherever applicable.

28.4 Static Guards:

The strength, role, supervision, duration etc will be governed by the SOP issued by the DGP Andaman Nicobar Police.

- (1) A guard should ordinarily consist of 1 HC and 4 Constables with 1 sentry point with the strength being increased when the sentry posts are more or the threat perception is high. The sentry post may include a fixed point or a given area within or immediately outside the premises being guarded. The Head Constable also known as the guard officer will be in charge of the guard. In the absence of the Head Constable, the senior most constable will be In-charge. Men are ordinarily deputed on guard duty for two or three months at a stretch. The hours of sentry duty for each member of the guard will be fixed in advance for a day of 24 hours.
- (2) All static guard in the headquarter area of Port Blair shall be furnished from the Police Lines AP/SAP/ IRBn and shall be relieved at periods fixed by the concerned SP/Commandant (IRBn). All Static guards at headquarter area shall be under the immediate supervision of the Reserve Inspector/Reserve Inspector (IRBn).
- (3) Static guards outside Port Blair shall be as per the Standing Orders issued from time to time.

28.5. General Instructions as to Guards

- 1. For all Static guards printed or typewritten orders in English and Hindi shall

be framed by the Superintendent of Police and hung up in the guard-room. These orders shall contain the following instructions:

- (a) The main purpose of the guard.
 - (b) The nature of threat, likely targets of attack and methods.
 - (c) The strength of the guard.
 - (d) The number of Rifles/ weapons of other description and the quantity of ammunition.
 - (e) The number of Police officers to be present during the day and during the night.
 - (f) The number of sentries required to be posted during the day and during the night, specifying their exact position, the extent of their beats, and their duties and responsibilities.
 - (g) The arms to be carried by sentries by day and night
 - (h) The periods of sentry duty.
 - (i) The posting and relief of sentries.
 - (j) The maintenance of Sentry Relief Book
 - (k) The premises and articles for which the sentry is responsible.
 - (l) Maintenance of a Guard Duty Roster
 - (m) The duties of the officer-in-charge.
 - (n) Instructions to report immediately to the Station House Officer & Reserve Inspector or any officer of any important occurrence and instructions to meet emergencies and contingency plan.
 - (o) The inspection of the guard by the Station House Officer or an Officer of equal rank and above.
 - (p) A warning that neglect of guard duty will entail severe punishment.
 - (q) The equipment and facilities provided and their use.
 - (r) The period of Sentry – go is ordinarily 3 hours in all guards. However, it will be 2 hours for “A” Category Guards or on the discretion of the Superintendent of Police concerned.
2. The whole guard must be present in the Guard Room along with the Guard In-charge except those on Sentry duty.
 3. The guard personnel should be changed periodically normally every two to three months. However “A” Category guard may be changed more frequently or on the discretion of Superintendent of Police concerned.
 4. The Guard party deployed for Armoury shall be changed in every 24 hours.

5. Sentries shall be posted by the Guard Officer. At each relief the guard officer shall go round the premises with the sentry on duty and the relieving sentry and examine the guarding place thoroughly, noting whether seals are intact and prisoners are present. A note of anything wrong shall be made at once in the Sentry Relief Book.
6. In normal situation, sentries may leave the guard, as soon as relieved, for a period equal to the duration of their sentry –go. On return they must remain in waiting and may be employed on any light duty, not involving absence from the premises. The guard officer shall on no account quit his guard when on duty except to obey a call of nature and, before quitting the guard; he shall place the next senior officer in-charge by an entry in the Sentry Relief Book. He shall not permit any officer from quitting the guard, Leave, with prior intimation to the SP or Company Commander as the case may be, is granted only for special purpose and for the shortest possible period. An entry regarding the grant of leave should be made in the Sentry Relief Book.
7. During spells of sentry-go sufficient Arms & Ammunitions shall be in-charge of the sentry and kept in his pouch. The remainder of the ammunition shall be kept under lock and key by the guard officer.
8. The absence without leave of any member of the guard or neglect of duty by the sentry shall be immediately entered in the Sentry Relief Book by the Guard Officer.
9. The guard officer shall send Guard Duty Roster weekly (Friday) to the Reserve Inspector or to the Station House Officer concerned. This report will be forwarded to the Superintendent of Police with the General Diary of the Police Lines or the Police Station concerned.
10. The guard shall sleep in uniform near their arms at night and be ready to turn out at a moment's notice. They shall turn out at night for the inspection of any Police officer going on rounds.
11. The guard should have all the basic facility like drinking water, toilet so that the sentry doesn't have to leave his post.
12. Smoking/Alcohol is prohibited on guard duty.
13. None other than a Police Officer will be permitted to enter Guard Room.
14. The officer-in-charge of the guard, except when he is on the duty must be present with the guard constables when the prisoners are taken out of the jail and he and the guard constables will be jointly responsible for the custody of the prisoners taken out for production in the Courts.
15. In order to ensure that the prisoners have nothing on them except their clothes, they must be searched every time before they are put into or after they are taken out from Jails. The commander of the guard shall, on every

such occasion make an entry in the Sentry Relief Book that the prisoners were searched and that no contraband articles, cell phone, liquor bottles, weapon or other article likely to facilitate escape is left with them.

16. The sentry must be on the alert during his turn of sentry duty;
 - a. must be in uniform;
 - b. must not lounge about;
 - c. must not converse with any one;
 - d. must on no account quit his arms;
 - e. must not leave his post till relieved;
 - f. should move at a measured pace in the assigned area keeping a watch all the time on the sentry point.
17. The lighting in the guard premises shall be so placed that its light may be diffused and illuminates only the main approach to the premises and at the same time will not enable any undesirable person or persons to easily spot out the sentry and attack him. The guard should have a torch light during night.
18. The Guard officer shall post the sentries. During nights, the sentry on duty is responsible for waking up the Guard Officer five minutes before he is due to be relieved for the latter to mount the next sentry.
19. Negligence during guard duty, absence or sleeping while on sentry duty will be met with severe punishment.
20. In case where the responsibility for any loss of or damage to the property guarded by an armed guard cannot be fixed on any particular member or members of the guard, then the entire guard should be held jointly responsible for the loss or damage.

28.6 Duties and Responsibilities of the Officer detailing a Guard or Escort

The duties of the Guard Officer:

1. He is responsible for the regularity and good conduct of the guard, for the correct performance of their duties and for seeing that the men are at all time properly dressed. He shall also acquaint himself thoroughly with the orders on the guards.
2. He shall ensure that all standing orders regarding duties of the guard are duly observed and shall satisfy himself, as soon as the guard is mounted, that all such orders are known and understood by the men.
3. Ensure that the Constables on guard duty are not under influence of liquor or intoxicating substances. Should any such incident be reported, the Guard Officer shall report the matter to his superior officer without delay.

4. He shall detail the duties for men constituting the guard for the next 24 hours making entries in duty roster.
5. He should conduct mock exercises to deal with situations that may arise specific to each guard. The concerned SHO and Company Commander should personally associated with these exercises and also ensure that they are carried out from time to time.
6. No officer shall be employed on guard duty over any prisoner in the lock-up between whom and the prisoner relationship or friendship exists. The Officer detailing the guard shall acquaint himself on this point and shall arrange, so far as possible not to depute any such officer on guard duty so long as such prisoner are in the lockup.
7. The Officer-in-charge of a Guard shall, upon assuming charge, ascertain that all Government property recorded in a separate list including arms, ammunition and accoutrements, have been received and is in good order and enter a report in the Sentry Relief Book accordingly.
8. All guards and escort parties shall be carefully inspected before they go on duty by the officer who sends them on duty. He will be held responsible that they are efficiently and properly equipped.
9. He shall post his sentries in the positions prescribed in Guard rules and make no change in this respect.
10. He shall be responsible for the safe custody of all prisoners or property committed to his charge. He shall be conversant with Rules relating to the custody of prisoners. He shall search every prisoner before confining him and satisfy himself that nothing likely to facilitate escape or suicide or any unauthorized article is concealed on his person. He shall see that no prisoner leaves the lock-up without an adequate escort and report to the Officer-in-charge of the Police Station in case a prisoner falls ill.
11. He is responsible for the regularity and good conduct of the guard or the escort party, for the correct performance of their duties and for seeing that the men are at all times properly dressed and sober. He is also required to acquaint himself thoroughly with orders for the guard or the escort party.
12. In the event of the guard officer or any constable on guard duty becoming incapacitated by sickness or otherwise for remaining at his post, the fact shall immediately reported to the Reserve Inspector/Reserve Inspector (IRBn) or the Station House Officer concerned who shall forthwith take measures to relieve the incapacitated person.
13. The guard or escort officer shall ensure that the constables on duty have not in their possession any opium, liquor, ganja or other stupefying or intoxicating substance. Should any such substance be found with any or

them the officer shall seize the same and report the matter to his superior officers without delay.

28.7 Guard Commander or Sentry, Guard Party not to leave the Guard

The guard officer shall on no account quit his guard except to obey a call of nature and before quitting the guard he shall place the next senior officer in charge to be recorded in the Sentry Relief Book. He shall also prevent any constable from quitting the guard without leave which shall be granted sparingly, only for special purpose and for the shortest possible period.

28.8 Relief of Guards

The relieved and relieving guard commander shall both carefully examine the charge of the guard and satisfy themselves that all property or prisoners in charge of the guards are correct and that all locks and seals are intact.

28.9. Guard not to take off clothing or Accoutrements :-

No officer on guard duty shall on any account take off his clothing or accoutrements. This rule does not apply to occasions when an officer is taking his meals or answering call of nature, nor does it prohibit him from taking off his head – dress or belt when lying down to rest while not on actual duty.

28.10 Daily Routine for Guard Duties of guard hoisting the National flag

- a) At places where it is the duty of the guard to hoist the National flag at sunrise and lower it at sunset, the hoisting will be carried out with proper ceremony, when the entire guard falls in at sunrise. The flag shall be lowered before the guard is dismissed to the guardroom at sunset in accordance with instructions.
- b) Arms shall be issued at 'Retreat' and from that hour till the hour of the morning inspection of the guard they shall remain with men of the guard, men off-duty sleeping with their arms beside them.
- c) Sentries and the next relief for duty shall be in uniform and accoutered day and night. During the day the next relief for duty shall sit outside the guardroom near the sentry.
- d) A duty roster shall be maintained for each standing guard in which shall be recorded the rotation of duties and the particular hours of duty of each man of the guard. An entry once made in this duty roster will stand so long at the time and rotation of duties remains the same. Any alteration in the time or rotation of duties will necessitate a fresh entry in the duty roster.

28.11 Compliments by Guards

- A. During the day, sentries will give compliment on the approach of any senior officer as per entitlement i.e. butt salute/savdhan for DySP rank and present arms for SP rank and above.
- B. The procedure for paying complements will be as follows:
On the approach of the officer the sentry on duty and the guard commander will take Salami Shastr position (present arms) only when the officer takes up his position in front of the guard. The guard will not take Salami Shastr (present arms) position when the officer is still in the car. But, if the officer does not get down from the car, the guard will take Salami Shastr (present arms) position when the car passes in front of it.
- C. When an officer, on whose first appearance the compliments as stated above have been presented appears again during the same day, the sentry above will present arms. Gazetted Officers below SP rank will be given butt salute by the sentry.
- D. Guard will fall in, and do 'Salami Shastr" (present arms) to anybody of troops or Police passing the guard.
- E. When a guard is provided for a VIP, he will do Salami Shastr (present arms) only to the VIP and persons of higher rank and give butt salute to all other entitled to a salute.
- F. Turning out of all guard for compliments should normally be confined to visits by Police officers of SP Rank and above to outstation district headquarter or armed Police camps district headquarters, armoury and also the other A Category guards. The intention of turning out is to enable the officer to judge the alertness, turnout and response of the guard and the Unit as a whole. It is not a ceremony to be repeated in every guard except as specified as above. All other guards posted at other places including the residences of the VIPs should pay compliments to the VIP or the officer when he goes out for the first time and come in at the end of the day. On other occasions clicking the heels to attention should be sufficient.

28.12 Duties of a Sentry

1. The sentry will take charge of his post and all Government property in the vicinity. He will walk about in a brisk and soldier-like way and converse with no person except on matters of duty as a sentry. He will carry out the orders issued for guards. He will enforce strictly the orders given to him without distinction of persons. He will leave his post only when property committed to his charge is correct and the locks secure. He will allow none to converse with prisoners unless ordered by competent authority. He will report at once to the guard commander any defect in security, no

matter how trivial, in the lock-up or treasury or other place which he guards. He will see that no liquor tobacco/contraband items, drugs or any articles of similar nature are smuggled into the lock-up. He will not allow anyone to open the treasury or other building or property that may be locked without the presence of the Guard commander and of the concerned authority.

2. If the approaching person is a visiting Officer and replies 'visiting rounds', the sentry, after satisfying himself regarding his identity, should call out the guard. The guard and sentry will pay appropriate compliments by Salami Shastr (present arms) by day, and will stand Bajus Shastr (at the slope) by night, after which the guard will be dismissed to the guard room.
- 3 The Guard Officer shall post the sentries. During nights, the sentry on duty is responsible for waking up the Guard Officer five minutes before he is due to be relieved for the latter to mount the next sentry. Neglect of guard duty, Absence from, or sleeping, while on sentry duty will normally entail departmental proceedings. In case where the responsibility for any loss of or damage to the property guarded by an armed guard cannot be fixed on any particular member or members of the guard, then the entire guard should be held jointly responsible for the loss or damage.

28.13 Challenge

- A. On the approach of a person or persons, the sentry should call out in a sharp tone, "THUM, KAUN ATA?" (Stop! Who goes there?) and simultaneously take up "On guard" (TAN SHASTR) position. When there is reasonable apprehension of an attack from him or when two or more persons approach, the sentry should call out the guard.
- B. If the approaching person or persons at once halt and reply satisfactorily, the sentry will say "PEHCHAN KE LIYE EK AAGE BADHO" advance one at a time (in the case of two or more persons) and be recognized. After the person(s) have been recognized by means of passes or otherwise" the sentry or the Guards Commander will say "CHALO SAB THEEK HAI" (pass all is well). After the person or persons have passed, the sentry will slope arms and the guard, if turned out, will be dismissed to the guard room.
- C. If a person fails to halt and reply when challenged, the sentry should turn out the guard and the Guard Commander will then institute enquiries and take such action as is required to deal with the situation. Fire may be opened only in self-defence when there is an apprehension of being over-powered or when there is a reasonable belief that the intruder is armed with fire arm or explosives or when there is an imminent danger of the

property under guard being destroyed or sabotaged. Otherwise if a person cannot satisfactorily explain his presence there, he should be detained in the guard room and the SHO to be informed at once by telephone or other quickest means available followed by a report with a copy, in the case of a Reserve Lines for armed Police guard, to the concerned GO's in the lines or the Company Commander as the case may be.

- D. If the approaching person is a visiting Officer and replies 'visiting rounds', the sentry, after satisfying himself regarding his identity, should call out the guard. The guard and sentry will pay appropriate compliments by Salami Shastr (present arms) by day and will stand Baju Shastr (at the slope) by night, after which the guard will be dismissed to the guard room.

28.14 Checking of Static Guards

Police Headquarters shall depute DySP's & Inspectors as day & Night Checking officers for checking all guards in the headquarters area. They shall visit each guard in the headquarter areas. The officer who checks a guard shall note in the Sentry Relief Book the time at which he checked the guard and if the turnout was prompt and satisfactory and whether there are any complaints or defaulters in the guard. They shall also make a record of this in the General Diary maintained at Police Lines and should submit a report to the Superintendent of Police through the Reserve Inspector mentioning the date and time of checking with remarks if any.

28.15 Rules for the Presentation of Guard of Honour

The following rules governing the procedure for the presentation of Guard of Honor should be followed:

(a) Composition of Strength of Guard of Honour

The Guard of Honour to be mounted will depend on the status of the personage as well as on the occasion (Appendix –28.15(a)).

Composition Strength & Occasions

Sl. No.	Personage Entitled	Strength (Rank & File)	Remarks
1.	President	150	Two Bands to be in attendance
2.	Vice President	100	One Band to be in attendance

3.	Prime Minister	100	-do-
4.	Governor	100	-do-
5.	Union Home Minister/MoS Home/Dy. Minister (Home)	50	-do-
6.	Chief Minister	50	-do-
7.	State Home Minister	35	-do-
8.	****DGP/ADGP	20-35	One band to be in attendance when available
9.	****IGP	12-20	Two Buglars
10	****DIG	12	Two Buglars
11	Head of Foreign State	150	Two Bands be in attendance
12.	Vice head of Foreign State	100	One band to be in attendance
13	Head of Diplomatic Mission	100	-do-
14.	Head of a Foreign Police Force	20-35	-do-

All Small Districts have less strength so flexibility of strength has been kept.

(b) Occasions

SI. No.	Personage Entitled	Occasions
1	President	On arrival and/or departure when public. All official visits are not public. Only formal visits notified as such by the Central Govt. through local civil authorities and/or Army Hqrs' will be treated as public.
2.	Vice President	At special occasion concerned with Police forces.
3.	Prime Minister	-do-
4.	Governor	ii. On special occasions, Governor will be presented with Guard of Honor

		within jurisdiction. iii. On arrival to take over appointment once only. iv. On departure on relinquishing such appointment once only.
5	Union Home Minister/MoS (Home)/Dy. Minister (Home)	On special occasions connected with Police, which should include a visit to a State Police/CPO/Office/establishment.
6	Chief Minister	-do-
7.	State Home Minister	-do-
8.	Director General of Police/Addl DGP	On official visits to a Distt/ Hqrs/Armed Police Establishment/Police Training Schools, when the visit is for Inspection/Ceremonial purposed both on arrival and on departure.
9.	Inspector General of Police	-do-
10.	Dy. Inspector General of Police	-do-
11.	Foreign Dignitaries	Foreign dignitaries will be presented the Guard of Honor only when they are on official visit to a State Police/CPO Office/Establishments.

28.16 Escorts & its Duties

In common parlance the word escort means accompanying a person, property and thing for carrying him/it to a destination by providing adequate security and protection. In policing contexts the concept of Escorts means that a duly armed contingent is provided for the safe passage and carriage of persons, properties, items and things. All Under trials/Prisoners/deteneus etc. are properly Escorted and produced in time before the respective Courts and are taken safely and securely to other authorized places. Safe Custody of the under trials/Prisoners/detenus will primarily be the responsibility of all duty staff detailed for this job. Police Escort is responsible for the safe custody of the prisoners from the time they are handed over to Police at the out gate of the Jail till they are returned.

28.17 Classification of Escorts

Requisitions are received for providing Escorts by the Police for various reasons from different departments and organizations. However, looking to the general practice of use of Escorts, the Police Escorts can be classified into the following categories.

- A. Escorts for the prisoners and criminals
- B. Escorts for carrying cash, treasuries and other valuables
- C. VIP Escorts
- D. Miscellaneous Escorts

28.18 Modes of Travel

- (1) The Police Escorts may adopt any of the modes of travel as per the need, necessity and urgency pertaining to the subject matter in question. Rail, road, sea or air travel modes can be resorted to for Escort purposes. The Escort in-charge and the Escort party should keep in mind the advantages, disadvantages, difficulties entailed in the specifically selected mode of travel and should exercise all care and precaution to avert and prevent happening of any untoward incident and should ensure that under all circumstances safe passage up to the destination is available.
- (2) Whenever travel by road is undertaken it should be ensured that journeys are completed before dusk. It should also be ensured that communication facilities are available.
- (3) If there is need for break in the journey, it should be ensured that night stay arrangements are adequately made and there is sufficient provisions for prisoners/criminals who are being escorted for lock up etc. if journey is required to be made by train, reserved accommodation should be arranged in advance. For air and train journeys necessary permission of the Ministry of Civil Aviation/Railways or their designated authorities may be necessary if prisoners/criminals are being escorted and this should be tied up in advance. The strength of the Escort party should be carefully fixed in the light of journey time and number of prisoners and sensitivity of the item, thing or person being escorted.

28.19 Escorts for the Treasury, Cash and Valuables

- (a) With regard to the duties of Police deputed on escort of treasure, so much

of the rules for the guard as are applicable shall be followed.

- (b) The strength of escort is calculated on the scale laid down in Appendix. 28.19(b)
- (c) The Police shall decline to receive charge of money or notes whether enclosed in a locked box or not. They shall however accept a locked box or bag which has been properly sealed and it shall be the duty of the guard to see that the seal is intact both at the time of taking over and at the time of handing over. They shall be responsible for the seal alone and not the contents of the bag or box.
- (d) It is the duty of the Police to guard and not to carry such sums of money.
- (e) Transport and labour for the conveyance of treasure and the guard and the baggage of the guard shall be arranged by the department or person concerned and the Police shall not assume the duty of escort unless and until such arrangements have been satisfactorily made.
- (f) The Charges shall be levied for providing Private Guards/Escorts and Escort to the treasuries as per the mandated/prevaling rates fixed by the GOI / A&N Administration.
- (g) The treasure shall be made over to the officer or person to whom it is consigned, or to someone to whom written authority has been given to receive it.
- (h) Escorts shall be armed with rifles and bayonets, except where otherwise laid down and shall carry sufficient arms and ammunitions.
- (i) Persons attacking and attempting to loot treasure may be fired upon when the use of arms becomes necessary for the protection of the person, property and the treasure. The escort commander shall take adequate and effective decisions in this regard.

28.20 Escort of Treasure from and to the Mainland

Escorts when travelling by Ship shall post sentries over the treasure by day or night. In the event of an escort having to be provided by the Andaman and Nicobar Police Force to escort treasure being conveyed from and to mainland ports by Ship, the following rules will apply:-

- (a) When the treasure is to be escorted from a mainland port, the Agent of the treasure will be responsible for informing the Superintendent of Police sufficiently in advance to allow the escort being dispatched by the outward sailing of the Ship, for arranging with the dispatching authorities that the treasure is delivered under escort on board the Ship, and that the Master of the Ship arranges for a grill room to be specially provided on the Boat/Ship for the storage of the treasure or for the treasure to be stored in

the mail bag room. The number of boxes or chests made over and their condition will be jointly inspected by the Andaman and Nicobar Police escort and the escort to be relieved in the presence of a ship's officer who will then lock the grill room or mail bag room and retain the key or make it over to the Master. Receipt for the boxes or chests will be provided by the ship's officer responsible, as in the case of other cargo, or by the staff accompanying the treasure. The responsibility of the Police escort will be only to guard the room in which the treasure is stored in transit. The taking over the treasure on arrival at Port Blair and its transport to the Treasury will be arranged by the Agent of the treasure, a Police guard being provided for its escort from ship to the Treasury by the Superintendent of Police on requisition by the Agent treasure.

- (b) When the treasure is to be escorted from Port Blair to mainland port, the same procedure as in (a) will apply, the Superintendent of Police provided an escort from the Treasury to the ship and for the journey by sea. The Agent of the treasure will arrange with the receiving authority for the Andaman and Nicobar Police guard to be relieved on board.
- (c) In case of travel by air the guidelines of DGCA should be scrupulously followed.

28.21 Escorts beyond mainland ports

The Andaman and Nicobar Police shall not be required to escort treasure, prisoners, beyond mainland ports, and as far as possible, arrangements must be made in advance by the Superintendent of Police for the relief of escorts on board the Ship on arrival at its destination.

28.22 Escort of Arms and Ammunition

- (1) All consignments of arms should be sent or taken delivery of under Police escort. For arms and ammunition in large number brought from outside the State, the strength of the escort should be 1 SI, 1 HC and 8 other ranks. This scale should be increased if the situation so warrants and in case arms are being brought or taken outside A & N Islands.
- (2) Arsenal authorities should be contacted in advance for confirmation of the following particulars.
 - A. The date on which the consignments will be ready for delivery;
 - B. Name & Designation of the officer to be contacted;
 - C. Number of arms and ammunition to be issued;
 - D. Documentation necessary; and
 - E. Other instructions, if any.

- (3) On receipt of confirmation from the Ordinance Depot, immediate arrangements should be made to depute necessary escorts as per the prescribed scale to take delivery of the consignments from the arsenals. A separate escort party should be sent to each arsenal.
- (4) At least 24 hours notice of the date and approximate time of arrival of escorts should be given to Chief Ordinance Officer, so that arrangements may be made for transfer of consignments at the other end.
- (5) On receipt of the articles, the officer will check them and bring to the notice of the Chief Ordinance Officer the deficiencies, if any. The printed arsenal vouchers, which will be received by the officers from the arsenals, should be duly countersigned and returned without any delay, if the articles are correctly received.

28.23 Prisoner Definition of the Expression

The expression “prisoner” or “prisoners” as used in these rules means any person or persons under Police escort in custody.

28.24 Escort of Prisoners

- i) The provisions of The Prisoners (Attendance in Courts) Act, 1955 and chapter 22 of the Cr.PC are relevant in the contexts of these escorts.
- (ii) The Superintendent of the jail is responsible for the production in court, at the appointed time of a prisoner remanded pending a magisterial inquiry or trial and shall make suitable arrangements with the Police for providing necessary escort.
- (iii) The duty of escorting under trial prisoners from jails and lock-ups to courts for trial devolves on the Police. The prison officer should give timely intimation to the Police of the date and the number of prisoners to be escorted to allow necessary arrangements to be made.
- (iv) The strength of Police escort parties/guards for escorting prisoners need to be reviewed and strengthened in the context of the escorting terrorists, extremists, dangerous criminals and other high security/escape risk prisoners.
- (v) Whenever an order for the production of a person confined in a prison is received from the competent court by the officer in charge of a prison, such officer shall send a copy of the court's order to the UT of A & N Islands and the local Police authority in case of other places who thereupon shall cause the necessary Police guard to be details in accordance with the terms of the order and the person confined in a prison shall be entrusted to the custody of that guard.

- (vi) Whenever, a person confined in a prison is produced before a court situated outside the district in which he is confined, the officer in charge of the prison shall report the fact of such production to the concerned Superintendent of Police.
- (vii) The Police party should be thoroughly briefed by the jail authorities and senior Police officials with regard to antecedents of prisoners, their habits, past modus operandi and whether they are high security/escape risks before handing them over.
- (viii) Thorough physical search of prisoners should be conducted by both jail staff and escort party before taking them over. They should not be allowed to carry any articles, which can be used for offensive/escape purposes.
- (ix) A receipt in the prescribed form of the Prison shall be obtained from the senior Police officer of the escort whenever a prisoner, whether committed to the Sessions or under remand, is made over to the charge of such Police officer for production in court.
- (x) Only vehicles in good condition should be used for escorting prisoners. Two vehicles should be deployed if necessary or where the distance is long with one acting as an escort vehicle in which a wireless set must be installed to report, at prescribed intervals if necessary the location and position of the party.
- (xi) The Police are responsible for the safe custody of any prisoner committed to their charge till he is returned to jail or discharged from custody in the due course of law. Hand cuffing of prisoners can be done only with permission of court. In respect of prisoners who are dangerous, likely to escape, unruly, rebellious, it will be Jail administration's responsibility to bring the same to the notice of the court and take permission to hand cuff such prisoner from jail to court and back. In case the Police authority think that any prisoner is dangerous or difficult to manage they may also on the basis of this information as also keeping in view the nature of the offence, the background of the offender etc. and on their own enquiries move the court through the prosecutor and escort the personnel with court's orders for hand cuffing the prisoner.
- (xii) The Guard/Constable in immediate custody of the prisoners(s) should be unarmed to obviate the chance of getting overpowered and losing his weapon. However, other armed guards at the hand reach of the prisoner can cover the prisoner adequately.
- (xiii) During transit, glass bottles for water should be avoided and only plastic bottles should be permitted. Items of equipments like

chains/ropes/torches should be so placed that the prisoners have no ready access to them.

- (xiv) The Police escort party should be cautioned to prevent any contact, exchange of articles or conversation with all (including friends and relatives) in transit and also in court premises. They should be warned against attempts by prisoners to gain their confidence resulting in laxity in custody and also against accepting food, drinks, or hospitality while escorting prisoners.
- (xv) As far as possible, feeding of both prisoners and the escort party should be completed before commencement of the journey. Whenever food on route becomes necessary the convoy should be stopped as far as possible at the Police Station/Police lock-up premises and not in congested areas/bazaars. Food before being consumed by the prisoners shall be tasted/checked.
- (xvi) For answering calls of nature etc. Police stations/Police lock-ups en-route should be used. However, if it becomes necessary to stop en-route, the leader of the escort party should select the spot. Under all circumstances, it has to be ensured that the prisoner(s) is always in close proximity and under the direct gaze of the guards at all time.
- (xvii) Jail doctors should be instructed to recommend outside treatment only in the most deserving/critical cases. As far as possible separate and secure accommodation in the hospital outside jail premises should be arranged for the prisoner and for the guards in the immediate vicinity.
- (xviii) Police escort for women prisoners shall include adequate number of women Police officers.
- (xix) Conveyance and other incidental charges of under trial prisoners sent from this State to other States and vice versa shall be borne by the State sending such prisoners.
- (xx) Whenever a prisoner is sent for examination to, or has to halt at night en route at a station where there is a central or district jail, he should be confined there. Where there is no central or district jail he should be confined in the Police lock-up. If the escort is unable to reach a Central or District Jail before sunset, the Police should make necessary arrangements for the safe custody of the prisoner in the lock-up of the local Police station, if available.
- (xxi) If the prisoner is taken to a Central or District Jail, the jail or Police establishment guarding it will be responsible for the custody of the prisoner. Whenever the escort desires to proceed the prisoner will be handed over for that purpose. Prisoner escorted under these rules will ordinarily not be admitted into a jail after sunset, and ordinarily not handed over to the escort before the sunrise. In exceptional

circumstances they may be admitted and handed over after sunset and before sunrise with the prior approval of the IG Prison.

- xxii) When a person confined in a prison has to travel by rail/air/sea, the entire cost of the fare for the prisoner and the escort will be arranged by the prison administration/Home (Prisons) department to ensure that the required court orders are complied with.
- (xxiii) Persons confined in a prison under 'A' Class, if escorted singly, shall be permitted to travel, if they so desire, in any class of accommodation higher than that, which is permitted to them at their own expense, which shall include any extra cost on account of the escort accompanying them.
- (xxiv) When a person confined in a prison is sent from one prison to another or for treatment/production outside the State it shall be the responsibility of the Jail administration to ensure that warrant or warrants of commitment and other necessary documents (including necessary permission from railways or civil aviation authorities if the journey is by rail/air) are sent with the prisoner(s) through the Police escort party.

28.25 When prisoners are to be conveyed from mainland port to Port Blair, Rule 28.24 will apply. A Police guard will be provided from Port Blair if notice is given sufficiently in advance to allow the guard being dispatched on the outward journey of the Boat/Ship from Port Blair, otherwise the Police of the port concerned will be required to provide the escort.

Appendix – 28.15 (a)**(a) Composition Strength & Occasions**

Sl.No.	Personage Entitled	Strength (Rank & file)	Remarks
1	President	150	Two Bands to be in attendance
2	Vice President	100	One Band to be in attendance
3	Prime Minister	100	-Do-
4	Governor	100	-Do-
5	Union Home Minister/ MOS Home/ Dy. Minister (home)	50	-Do-
6	Chief Minister	50	-Do-
7	State Home Minister	35	-Do-
8	**** DGP/ADGP	20-35	One band to be in attendance when available
9	**** IGP	12-20	Two Buglars
10	****DIG	12	Two Buglars
11	Head Of Foreign State	150	Two Bands be in attendance
12	Vice Head Of Foreign State	100	One band to be in attendance
13	Head of Diplomatic Mission in	100	-Do-
14	Head of a Foreign Police Force	20-35	-Do-

As Small Districts have less strength so flexibility of strength has been kept.

(b) Occasions

Sl.No	Personage Entitled	Occasions
1.	President	On arrival and/or departure when public. All official visits are not public. Only formal visits notified as such by the Central Govt. through local civil authorities and/or Army Hqrs' will be treated as public.
2.	Vice President	At special occasions concerned with Police forces.
3.	Prime Minister	-Do-
4.	Governor	(i) On special occasions, Governor will be presented with Guard of Honor within jurisdiction. (ii) On arrival to take over appointment once only. (iii) On departure or relinquishing such appointment once only
5.	Union Home Minister/ MOS (Home)/ Dy. Minister (Home)	On special occasions connected with Police, which should include a visit to a State Police/ CPO/Office/ establishment.
6.	Chief Minister	-Do-
7.	State Home Minister	-Do-
8.	Director General of Police/ Addl. DGP.	On official visits to a Distt. Hqrs/Armed Police Establishment/Police Training Schools, when the Visit is for Inspection/Ceremonial purposed both on arrival and on departure.
9.	Inspector General of Police	-Do-
10.	Dy. Inspector General of Police	-Do-
11.	Foreign Dignitaries	Foreign dignitaries will be presented the Guard of Honor only when they are on official visit to a State Police/ CPO Office/Establishments.

Appendix 28.19 (b)**Scale of Escorts for Treasure and Prisoners****(1) For Treasure****Within State**

Amount		Escort Strength		
Over	Not Exceeding	SI	ASI/HC	PC
--	25 lakh	-	1	4
25 lakh	1 crore	-	1	6
1 crore	5 crore	1	1	8

Inter-State

Amount		Escort Strength			
Over	Not Exceeding	PI	SI	ASI/HC	PC
10 lakh	1 crore	-	1	1	8
1 crore	5 crore	-	1	2	10
5 crore	10 crore	1	1	2	15

(2) For Prisoners

Strength of Prisoners	Strength of Head Constables	Strength of Constables
1-2	--	2
3-5	--	3
6-7	1	3
8-10	1	5
11-15	1	8

Chapter 29

A&N POLICE BAND

29.1 Introduction

The A&N Police Band is an integral part of A&N Police, which also caters to the needs of Armed Police Battalions. The two components of Band i.e. Brass Band and Women Police Bagpiper band perform separately as well as a combined band. The band master is ordinarily an Inspector/Sub Inspector rank officer and reports directly to the Reserve Inspector.

29.2 Composition of the Band.

Brass Band: The Police Brass Band shall consist of a minimum strength of 01 Sub-Inspector, 04 Head Constables and 18 Constables, which can be amended as per requirement.

The Brass band of A&N Police are part of the Armed Police and its members will undergo the same basic training as other Recruit Constables of A&N Police, so as to remain available for duty. The Brass Band of A&N Police will be supervised by the Deputy Superintendent of Police (Armed Police) through Reserve Inspector, Police Lines. They shall perform such other functions and duties, as may be entrusted to them, in addition to daily practice and attending parade, according to schedule.

29.3 Band Fund

The Police band may be provided to the public/Police personnel (serving/retired) on the basis of prescribed rates and conditions as laid down by the DGP. The revenue so collected will become part of DGP's Discretionary fund, which will be utilized as per the standing order/byelaws of DGP's discretionary fund and can be used for improvement of Band & welfare of band personnel with the approval of Director General of Police.

Band Management Committee:

The receipt, expenditure accounts and stock of the two bands shall be managed by a Management committee. A Band Committee would be constituted as per Standing order issued by the Director General of Police, A&N Islands.

Instruments-

The Brass Band and the Women Pipe Band shall have the instruments as decided by the Band Management Committee.

29.4. Uniform :**Working Dress**

The members of A & N Police Brass Band and all Women Bag-Pipe Band will wear working uniform of A & N Police.

Ceremonial Dress

For all ceremonial functions including parades, national day participation functions etc. they should wear uniform as per the Standing Order.

Kit & Instruments:

The Band Masters shall indent all the requirements of kit, instruments and other items through Reserve Inspector to Deputy Superintendent of Police (AP) and Quarter Master Stores.

29.5 Recruitment:

Ordinarily a member of the force who has an ear for music will be considered for selection to the Brass Band by the Band Management Committee. The post of the Bandmaster (Inspector/Sub-Inspector) will be filled by promotion of qualified and experienced band men/women, if any, or by securing the service of a suitable bandmaster from any other Police Force or Para Military Force or Armed Forces with the approval of DGP.

29.6 Training:

The Bandmaster (Inspector/Sub-Inspector) will be responsible for the training of bandsmen. If the Band Management Committee considers it necessary they may depute any bandsman/bands-women for training at any Band Training Centre of Police or Armed Forces at Port Blair or Mainland with the approval of DGP.

29.7 Duties & Responsibilities of Band Master/ (Inspector, Sub-Inspector)

- (a) He shall be responsible for the discipline of the men/women of the Band Unit.
- (b) He shall take proper care and maintenance of the band instruments and its accessories. In case of any loss or damage, he shall report immediately to their respective Supervisory Officers.
- (c) He shall ensure proper turnout of the Band staff at the occasions- Departmental, State and private functions.
- (d) He shall ensure that each members of the band carryout practice daily.

- (e) The Brass Band Master will impart regular daily practice to the Buglers attached to various units of A&N Police.
- (f) He shall ensure proper maintenance and cleanliness of the premises/work area of the Band Unit.
- (g) He shall personally supervise proper maintenance of all records as per standing order.
- (h) He shall personally attend all the roll calls and regularly brief the band staff about all recent circulars, orders and instructions of senior officials being issued from time to time and any other relevant information pertaining to the Band Unit in the daily roll calls.
- (i) He shall be responsible for maintenance of following records.
 - i) Govt. Property Register
 - ii) Posting Register
 - iii) Leave Register
 - iv) Musicians Progress Register
 - v) Private Engagement Register
 - vi) Government Engagement Register
 - vii) Duty Register
 - viii) Roll Call Register
 - ix) Correspondence Registers (Receipt Register & Dispatch Register)
 - x) Informal Inspection Book
 - xi) Formal Inspection Book.

29.8 Private Functions:

The Police Brass Band may be engaged for private function. The booking of private functions shall be done through Secretary A&N Police Band on payment of fees. The rates for the private/public band display will be as fixed and decided by the Band Management Committee from time to time. All Women Pipe Band will not perform in any private function under any circumstances. The Pipe Band is strictly for official and ceremonial functions. Any permission for the Brass Band display for any public or private function shall be granted by the SP (AP) (Secretary, A&N Police Band) and during his/her absence shall be granted by the Dy.SP (AP) (Joint Secretary).

The Director General of Police, A&N Islands, may in special case permit band display free of cost or at concessional rates at various functions organized by the Govt. Departments for welfare, sports and allied purposes.

29.9 Honorarium

For attending private functions, the Police brass Band personnel would be paid honorarium as per the rates decided by the Band Management committee and duly approved by the Director General of Police.

29.10 The members of the Band are prohibited from playing individually or in numbers at any private function without the sanction of the Superintendent of Police.

The Superintendent of Police may permit in any private function subject to the following conditions:

- (a) that the member is permitted to play while he is off duty:
- (b) that the member does not receive any fee or remuneration for so playing.
- (c) that no instrument belonging to the Police Band is used for the purpose.
- (d) that the function at which member of the Band is requested to play in is un-objectionable morally, legally and politically.

29.11 All correspondence on matters relating to the Band will be addressed to the Superintendent of Police.

Chapter 30

CRIME AGAINST WOMEN & CHILDREN

30.1 Introduction

Crime Against Women can be broadly classified under two categories.

(A) The crime under the Indian Penal Code (IPC)

- i. Rape (Sec. 375, 376 IPC and all sub-sections of 376)
- ii. Kidnapping & Abduction for different purposes (Sec. 363 - 373 IPC)
(Note: Some of these provisions are applicable for both men and women but these crimes are generally committed against women)
- iii. Dowry Deaths (Sec. 304B IPC)
- iv. Torture, both mental and physical (Sec. 498A IPC)
- v. Molestation (Sec. 354 IPC, 354A – 354D IPC and all its sub-sections)
- vi. Insulting modesty of a woman (Sec. 509 IPC)
- vii. Trafficking and Importation of girls (upto 21 years of age)

(B) The Crime under Local & Special Laws

- i. Immoral Traffic (Prevention) Act, 1956
- ii. Dowry Prohibition Act, 1961
- iii. The Child Marriage Restraint (Amendment) Act, 1979
- iv. Indecent Representation of Women (Prohibition) Act, 1986
- v. Commission of Sati (Prevention) Act, 1987

30.2 Rape/Sexual Assault

According to section 375 IPC, a man is said to commit 'rape' who has sexual intercourse with a woman under any of the six circumstances described under section 375 of the IPC.

30.2.1 Aggravated Forms of Rape

The more aggravated forms of rape have been defined under various sub-sections of section 376 of IPC as mentioned below with enhanced punishments.

- A. If a Police officer commits rape within his Police station limits or in the premises of any Police station or on a woman in his custody or in the custody of his subordinate;

- B. If any other public servant taking advantage of his official position commits rape on any woman in his custody or in the custody of his sub-ordinate;
- C. Whoever being on the management or on the staff of a jail, remand home, or other place of custody established under/by law or of a woman or children's institution takes advantage of his official position and commits rape on any inmate;
- D. Whoever, being on the management or on the staff of a hospital, takes advantage of his official position and commits rape on a woman in that hospital;
- E. Whoever commits rape on a woman knowing her to be pregnant;
- F. Whoever commits rape on a woman under 12 years of age; and
- G. Whoever commits gang rape;

30.3 Registration & Investigation of FIR

1. On receipt of complaints of crime against women, FIR shall be promptly registered U/S 154 CrPC. Failing to do that in certain cases, makes the concerned officer liable for action under section 166A of IPC.
2. As far as possible, investigation of crimes against women shall be conducted by a woman officer.
3. Comprehensive amendments in Sec. 154 CrPC in respect of FIR of offences against women has also been brought in Criminal Law (Amendment) Act, 2013, the same must be scrupulously followed. The salient features are as follows:
 - i. The information pertaining to offences given by a woman victim shall be recorded by a woman Police officer or any woman officer as per the provision of section 154 CrPC.
 - ii. In case the victim is temporarily or permanently mentally or physically disabled, as per the provision in section 154 CrPC the information shall be recorded either at the residence or at a convenient place in presence of an interpreter or a special educator. Videography of such statements of the victim shall be done.
4. The investigating officer must make careful enquiries to find out other evidences to corroborates the statement of the victim. Corroboration may be by direct or circumstantial evidence, which should, in addition to confirming that the offence was committed to establish that the accused has committed it.
5. **Medical examination of victim**

- a) The Section 164A Cr.PC imposes an obligation on the part of Investigating Officer to get the victim of the rape medically examined immediately. A copy of the report of such medical examination should be immediately collected from the medical officer and handed over to the Magistrate who records the statement of the victim under section 164 Cr.PC.
- b) The victim as well as the accused person(s) should be sent for the medical examination by the I.O immediately under properly filled in prescribed medical examination forms. As far as possible, the victim should be medically examined only by a lady doctor.
- c) A rape victim above 18 years of age can be examined only after her written consent and a rape victim under 18 years of age can be examined only after a written consent from her parents / guardians.
- d) The examination of the private parts of both the victim and the accused for injuries, presence of blood, semen or hair and evidence of a venereal disease should be done by a medical officer. Under no circumstances IO himself at the place of occurrence or in Police station or at any other place should attempt this examination.

6. Inspection of the Scene of Crime

- a) Inspection and collection of valuable clues from the scene of crime play a vital role in the successful investigation and prosecution of a case. It shall be the foremost duty of the I.O to safeguard the scene of crime so that available clues are not disturbed/tampered.
- b) The scene of crime should be thoroughly inspected and all-out effort should be made to collect maximum evidence from the spot. The Sexual Assault Evidence Collection Kit provided to all the Police stations should be used for proper evidence collection.
- c) Scientific/FSL team must be called to scene of crime to collect finger/ foot prints and other suspected items i.e. hair, blood, semen, body fluid, ornaments etc. found at the spot.
- d) The scene of crime should be photographed from all angles.
- e) As the Sketch Map of the place of occurrence is an important document, it must be drawn properly, indicating the distance between items found at the spot. The position of witness, if any, must be shown.
- f) Exhibits collected/lifted should be properly packed/ preserved as per the norms, sealed and sent to FSL for chemical analysis as early as possible.
- g) The accused should be sent with his wearing apparel for medical examination if the apprehension is immediately after the commission of

offence. If there is a delay in arrest, the clothes, which he was wearing at the time of the commission of offence, should be seized and sent for medical examination.

7. Following aspects should be kept in mind while investigating a rape case :

A. In the case of the victim

- i. The exact time and duration of the incident
- ii. Age
- iii. the place where the offence was committed, and whether anyone in the vicinity heard her cries (in case of forced intercourse);
- iv. whether she was drugged, if so, by whom;
- v. injuries to the body, their nature and position, particularly nail or teeth marks on the cheeks or on the other parts of the victim's body, injuries around the wrist, forearms or other parts caused by broken bangle pieces;
- vi. presence of marks on external clothing, including torn portions of clothing to connect it with the alleged place of commission of the offence;
- vii. presence of semen or blood stains on her person or on the clothes;
- viii. injuries to private parts, presence of blood or semen or any foreign hair in or near the vagina or other parts of the body or on the clothes
- ix. whether the victim has been infected with any venereal diseases,
- x. the condition of pubic hair, whether traces of semen or blood.

B. In the case of the Accused

- i. age and physical development;
- ii. injuries to his person, face, neck, and around his genitals;
- iii. tearing of clothes, marks on the clothes;
- iv. presence of blood or semen stains on his person or clothes or pubic hair. Blood and saliva should be collected for DNA if necessary, after following due procedure;
- v. injuries to the male organ ;
- vi. presence of foreign hair on the body/clothes of the accused;

C. The Place of Occurrence

- i. marks of struggle like trampling of the ground if it is grassy or marshy.

- ii. broken bangle pieces etc.
 - iii. examine the scene of offence for primary or corroboratory evidence. It is especially important to examine the scene of crime during the time of day/night at which the alleged crime has been committed to correlate it with the vulnerability of the victim. The scene of offence may be photographed and videographed to corroborate the incident as narrated by the victim.
8. Precautions should be taken to ensure that the identity of victim is not revealed in any publication. Violations in this regard are liable for penal action u/s 228 A IPC.
 9. Examining the victim on the same aspects of incident and make her narrate the incident again and again should be avoided. Help of a professional counsellor may be sought during the process. Examine and record her statement in the presence of a female attendant.
 10. Collect the wearing apparel worn by the victim at the time of commission of offence under panchnama and send immediately for medical examination.
 11. Collect evidence regarding the previous relationship between the accused and the victim, if any.
 12. Protect the victim and her parents from the possible intimidation, threats, coercion and reprisals by the accused or their supporters. Also render the help that is possible to the victim in her rehabilitation.
 13. The determination of blood groups may prove to be of invaluable help in the detection of rape cases. The DNA profiling provides convincing scientific proof in cases of rape. Wherever necessary the samples should be sent for DNA analysis and opinion should be taken in the manner prescribed in this regard.
 14. Procedures laid down and guidelines issued from time to time for such offences by the courts or other competent institutions should be followed.

30.4 Unnatural Sexual Offences

- 1) Unnatural offence, as defined in section 377 of the IPC, is carnal intercourse against the order of nature with a man, woman or animal.
- 2) Sodomy is anal intercourse between two males, or between a man and a woman.
- 3) All the guidelines for the investigation of Rape cases are applicable here also.

30.5 Subjecting a woman to cruelty by husband and/or his relatives and Dowry Deaths

- 1) Relevant provisions of the IPC covering these aspects are 498A and 304B. Section 498A IPC deals with cruelty and harassment to a woman by her husband or relatives of the husband. Cruelty can be physical or mental. Section 304B IPC, provides for cases of unnatural death of a woman within 7 years of marriage due to cruelty and harassment by husband or his relatives if that cruelty/harassment is for the purpose of dowry. Sections 113A and 113B of Indian Evidence Act talk about presumption of guilt in such cases, thereby shifting the burden of proof of innocence on the accused. Section 174 (3) Cr.PC provides for inquest by the Magistrate in cases of death of women under suspicious circumstances within 7 years of her marriage. Section 2 of the Dowry Prohibition Act defines the word 'Dowry'. These are some of the legal provisions, which should be thoroughly understood for investigation into the cases of 498A and 304B IPC.
- 2) The main ingredients of section 304B are the death, of a woman within 7 years of marriage and secondly that it was occasioned by cruelty on account of demand for dowry. The cruelty is defined in explanations (a)&(b) of section 498A. While both explanations apply to 498A, only explanation (b) is applicable in case of section 304B.
- 3) If the complaint discloses a dowry death it should be registered under section 304B and 498A IPC may also be added. Where it is a suicide due to cruelty or harassment, a case under section 498 A and 306 IPC should be registered. The inquest proceedings in such cases should be held by an executive magistrate according to 174(3) CrPC. Prompt intimation should be sent to the concerned Executive Magistrate to visit the scene and hold the inquest. The Police should associate with the inquest/enquiry conducted by the executive magistrate. As soon as the inquest is completed, the body should be sent for post-mortem examination.
- 4) The investigating Officer should visit the scene of occurrence promptly, inspect it, collect all relevant material and evidence, record the statements of witnesses and take all possible steps to secure scene of offence and avoid tampering of evidence. The IO should particularly look for evidence in the form of letters and other communications or documents and all other material, which show evidence of harassment and cruelty. He should also collect evidence relating to the receipt or agreement regarding the dowry. Evidence in proof of marriage should also be collected.
- 5) While examining the relatives of the victim, effort should be made to inspire confidence in them to disclose all details and evidence of cruelty or harassment and details concerning dowry.

- 6) Independent evidence has to be collected by examining the neighbours of the area particularly near the victim's residence and other persons known to the deceased. It may not be entirely safe to rely only on the evidence of the close kith and kin of the victim, particularly in the absence of some other circumstances. It is also possible that the victim might not have disclosed all the instances to her parents. In such cases, it is possible that the friends and other acquaintances can provide more information.
- 7) The offence u/s 304B is non-bailable and non-compoundable. If there is any risk of the accused to abscond, action should be taken to keep them under surveillance if necessary till the initial investigation is completed. The initial investigation means inquest and post-mortem and examination of important witnesses. When the prima facie case is established against any accused, arrest should generally be effected in these cases.
- 8) The evidence of cruelty and linking that cruelty with the demand of dowry is the vital aspect in the cases of dowry deaths. Closest examination of independent witnesses apart from the relatives, letters/SMS/WhatsApp Message/email etc indicating the state of relationship between the victim and her husband, the transfer of money through banks to the husband or his relatives and their accounts, the purchases and assets acquired after the marriage and their source would be important in establishing that.
- 9) In investigation of dowry deaths by burning, the remnants and all evidence relating to the burning of the victim should be carefully collected. The investigation should be conducted on a day-to-day basis without any delay and completed promptly. During the trial, it is necessary that the witnesses are produced and their evidence recorded in the court as early as possible.

30.6 Matrimonial Cruelty and Harassment

- 1) Many of the aspects related to section 498A have already been discussed in the section above. The key difference is that the stipulation of 'within 7 years of marriage' is applicable to section 304B but not to 498A and 306 IPC; and for section 304B, cruelty/harassment has to be for the demand for dowry.
- 2) Section 113A of Evidence Act raises presumption against her husband and his relatives of abetment of suicide by a married woman. If the cruelty, as defined in this section, prior to the woman committing suicide within seven years of marriage is established, there is a presumption of abetment against her husband and other accused.
- 3) In the investigation of cases of this nature, IO should pay attention to the following points.

- A. The complaint from the affected woman or her parents or siblings should be registered promptly.
- B. The prosecution should establish that she is a married woman, that she was subjected to cruelty and that it was by her husband or his relatives.
- C. The evidence collected, particularly the letters, social media/SMS/WhatsApp, notes, diaries, bank accounts and other material objects should be examined and properly appreciated. All witnesses who are likely to testify to the acts of harassment or cruelty should be promptly examined.
- D. The husband and his relatives should be examined.
- E. Where there are injuries, the procedure prescribed for medical examination and certificate should be complied.
- F. Very often allegation of persistent demands for money or property is made. Normally oral assertions are made. In such case, IO should skilfully, by examining as many witnesses as possible ascertain the correct situation. Circumstances such as the woman being sent away or going away to her parents' place, her disclosures to relatives and friends would be useful evidence.

30.7 The Dowry Prohibition Act 1961

- 1) Dowry, under this Act, is defined as any property or valuable security given or agreed to be given directly or indirectly by one party of the marriage to the other party at, before or after the marriage and in connection with the marriage.
- 2) Section 3 makes giving or taking or abetting dowry punishable with a minimum and maximum of 5 years.
- 3) Section 4 makes demanding dowry an offence punishable with a minimum of 6 months and a maximum of 2 years.

30.8 Juvenile Justice (Care and Protection of Children) Act, 2015

- 1. The Juvenile Justice Act is the primary legal framework for the protection, treatment and rehabilitation of children in India. This law, brought in compliance of Child Rights Convention, repealed the earlier Juvenile Justice Act of 1986. This Act has been further amended in the years 2006 and 2010.
- 2. Juvenility refers to the anti-social acts of children. Such acts could either be a deviation from normal behavior (such as incorrigibility, disobedience, running away from home, reading obscene literature and viewing obscene or crime prone movies); or doing acts that are forbidden by law (such as,

committing offences which could range from petty crimes to the most heinous ones).

3. Juvenile Justice Board is an authority constituted under the Act to deal with the matters concerning children who have committed crimes i.e. Children in Conflict with law. Cases of children in conflict with the Law can only be heard in the Juvenile Justice Boards and not by another court.
4. When a Police officer comes in contact with a juvenile he must place the child with the Child Welfare Police Officer (CWPO) who must report the child to the Juvenile Justice board within 24 hours without delay. Till the inquiry is pending, the child is kept in an observation home, unless otherwise his custody is given to parents/guardians by the competent court. On conviction, the child is sent to the special home or place of safety.
5. Under the Act, the Child Welfare Committee in a district is the authority to deal with cases concerning Children in Need of Care and Protection. The Committee has a chairperson and four other members. The purpose of the Child Welfare Committee is to provide for the care, treatment, protection, rehabilitation and development of the child and in doing so, uphold the rights of the child. The Committee may commit a child to the Children's home or Shelter home if the child has no family or support system immediately available. The main aim of this system is to restore the child to his family or family environment.

30.8.1 Role of Police under the Juvenile Justice Act:

- a. For the purpose of achieving rehabilitation and social integration, elaborate procedures are prescribed under the Act. Under Section 63 of the Act provides that Police Officers with adequate aptitude and appropriate training and orientation be designated as Juvenile or Child Welfare Officer to handle the juvenile in coordination with the local Police.
- b. The key responsibility of Police Officers, whether designated as a Juvenile or Child Welfare Officer or not, is that the Officer should always keep in mind that a juvenile in conflict with law or a child in need of care and protection is required to be handled gently and cannot be treated at par with persons, who are, otherwise, called criminals.
- c. To take serious cognizance of adult perpetrators of crimes against children and to see to it that they are apprehended and booked without delay under the appropriate provisions of law.
- d. Police officers should as far as possible be in plain clothes while handling children in conflict with the law and children in need of care and protection.

- e. The Police or the Juvenile/Child Welfare Officer shall exercise the power of apprehending the juvenile only in cases of his alleged involvement in serious offences (entailing a punishment of more than 7 years imprisonment for adults).
- f. In dealing with cases of juveniles in conflict with law, the Police or the Juvenile/Child Welfare Officer from the nearest Police station, shall not be required to register an F.I.R. or file a charge-sheet, except where the offence alleged to have been committed by the Juvenile is of a serious nature such as rape, murder or when such offence is alleged to have been jointly with adults; instead, in matters involving simple offences, the Police or the Juvenile/Child Welfare Officer from the nearest Police station shall record information regarding the report containing social background of the juvenile and circumstances of apprehension and the alleged offence and forward it to the Board before the first hearing.
- g. No security proceedings under sections 107 to 110 Cr.PC shall be launched against a juvenile.
- h. Section 21 of the Juvenile Justice (Care and Protection) Act, 2015 prohibits the publication of name, etc., of juvenile or child in need of care and protection involved in any proceeding under the Act. Any person who contravenes this provision, shall be liable to a penalty which may extend to twenty-five thousand rupees.

30.9 Protection of Children from Sexual Offences Act, 2012

The Protection of Children from Sexual Offences (POCSO) Act, 2012 protects children from offences of sexual harassment and pornography, while safeguarding the interests of the child at every stage of the judicial process. The POCSO Act, 2012 provides a comprehensive definition and procedures to be adopted in case of sexual crimes and exploitation of children.

30.10.1 General Instructions/Guidelines to be followed by Police:

- a) The SHO/ IO shall ensure that as and when any information or complaint is received pertaining to a sexual offence involving a child victim, he shall register the First Information Report (FIR) promptly and accurately as per the provisions of the Protection of Children from Sexual Offences Act, 2012 and other laws in force.
- b) The SHO/IO shall ensure that guardians/parents of the victim child must be informed immediately after the reporting of incident and copy of FIR & other relevant documents shall be handed over to the complainant or guardian of the victim child.
- c) The SHO/IO shall ensure that no accused or suspected accused shall be brought in contact with the child.

- d) The SHO/IO shall ensure that the names and contact details of the Magistrates, SJPU and CWO, CCIs, CWCS, JJBS and the Children's Courts shall be available and displayed at Police Station.
- e) The SHO/IO shall ensure that cases of POSCO Act will be dealt by a Police Officer, not below the rank of Sub-Inspector, preferably a lady Police Officer.
- f) The SHO shall ensure that the Child Welfare Police officer/ Investigating Officer shall be in plain clothes while dealing with victim child.
- g) In case, the child is abandoned, against whom offence under the POSCO Act, has been committed and such child has no guardian, then SHO shall make all the arrangements to give the victim child such care and protection as required by the circumstances i.e. admitting the child into shelter home or to the hospital etc. The SHO shall also give information to the Child line Services or to a Child Welfare Committee or to the District Child Protection Unit within 24 hours (excluding the time necessary for the journey) and hand over the Child to a Child care institution registered under the Juvenile Justice (Care and Protection of Children) Act, 2015.
- h) Child Welfare Police Officer/Investigating Officer shall ensure that the statement of the child victim shall be recorded at the residence of the victim or at any other place, where the victim can make a statement freely without any fear/pressure.
- i) Wherever possible, the Investigating Officer shall ensure that the statement of the child victim is also recorded by Audio-Video electronic means.
- j) SHO/Investigating Officer shall ensure that the statement of the victim shall be recorded verbatim and in simple language so that the child understands contents being recorded.
- k) SHO/investigating Officer preferably within 24 hours, shall ensure that the statement of the victim child shall be got recorded promptly before the Magistrate U/S 164 Cr.P.C. and in the event of child victim being in the hospital, the statement shall be recorded in the hospital.
- l) SHO shall send the special report of such cases to the Child Welfare Committee and designated court of POCSO within a period of 24 hours. In such report, the SHO must mention the need of the child for care and protection and steps taken in this report.
- m) SHO/Investigating Officer shall ensure that the medical examination of the child victim is got conducted at the earliest in accordance with Section 164A Cr.P.C from the nearest Government Hospital.

- n) In case the victim girl child is abandoned then the SHO/Investigating Officer shall ensure the presence of lady member of NGO or Lady Social Worker during medical examination.
- o) Investigating Officer shall promptly refer for forensic examination of clothing and articles necessary to be examined, to the forensic laboratory, which shall deal with such cases on priority basis to make its report available at an early date.
- p) SDPO shall also ensure that the investigation of such cases involving sexually abused child shall be investigated on a priority basis. The charge sheet in such cases shall be put before the designated court of POCSO within the period allowed as per legal provision of the Code of Criminal Procedure.
- q) SDPO/SO shall ensure that the identity of the child victim is protected from media as per existing laws in this regard, unless otherwise directed by the special court in the interest of child.

30.10 Other Legislations for the Children

There are some other legislations to protect the interest of children.

- 1) The Child Labour Prohibition And Regulation Act (1986) prohibits children below 14 years from employment in railway, in such other processes as beedi making, carpet weaving, cement manufacturing, cloth printing, dyeing and weaving, bagging, manufacture of matches, explosives, fire-works, mica cutting and splitting, shellac and soap manufacture, tanning, wool cleaning and building construction. In other cases where children are employed, certain precautions have to be taken in the interest of their safety and health as per section 13. Violation of provisions entails punishment of 3 months up to one year. The offences however are not cognizable.
 - A. Section 16 empowers any person and Police officer or inspectors appointed under the Act to file complaints in a competent court.
 - B. Whenever violation of the Act comes to notice, duty of the Police officer should be to make a record in the General Diary and file a complaint before the Metropolitan Magistrate or first class Magistrate who is competent to try the case. For every second offence, the punishment is 6 months to 2 years of imprisonment.
 - C. The main duty of enforcing this Act is that of the inspectors appointed for this specific purpose. The Police officer needs not therefore undertake the job of going round the factories or places of work with a view to detect and prosecute the violation.

- D. The Police should make thorough inquiries when they come across organized, deliberate employment of children against the provisions of this Act, and a proper FIR should be registered under appropriate sections of IPC and the Act. The example of such racketeering is the middle men who gather children and make them work taking advantage of the poverty of the parents.
- E. Every Police station should maintain missing children register and make efforts to trace them. The register should be kept up to date with details of inquiries conducted.

30.11 Role and responsibilities of Crime Against Women Cell:

The function of CAW cell is to provide counselling, mediation and enquiry services to those women who are victims of domestic violence, matrimonial disputes, eve teasing, molestation or sexual assault (offences U/s 304B, 305, 306, 354, 376, 498A, 509 IPC) and to provide them legal assurance, wherever needed, by way of registration, investigation and prosecution of criminal cases or by way of assistance during proceedings for maintenance or under the Domestic violence Act, etc.

30.11.1 Salient features of CAW Cell

The Cell should take cognizance of complaints in the following manner:-

- 1) When a complainant approaches the Cell directly. In such cases, a detailed report shall immediately be forwarded by the I/c CAW Cell to the concerned SHO.
- 2) Upon a reference made by any SHO, duly forwarded by the concerned District SP to the SP(CID) for taking necessary action.

30.11.2 Duties of the CAW Cell

- a) To enquire into all complaints wherein there is an allegation of, demand of dowry or of cruelty or harassment in connection with the same or of eve teasing, molestation or sexual assault and dowry death,
- b) To enquire into all complaints wherein there is an allegation of Domestic Violence. Where the Cell finds allegations to be prima facie substantiated upon enquiry, it shall forward its enquiry report through the Dy.SP(CID) to the concerned SHO for further submitting a report in the concerned Court for necessary legal proceedings under the Domestic violence Act.
- c) Upon directions from the superiors officers for the same, to actively involve itself in specified cases of missing, runaway or stray children and women with the purpose of tracing and restoring them to their families or to rehabilitate them through special institutions recognized in this behalf.

- d) To provide counselling and mediation services in complaints of domestic discords concerning women and children.
- e) To sensitize the general public, students and female community regarding the special rights of women and children under the Indian Constitution, various International Treaties & Conventions and other laws in force.
- f) To conduct surprise and regular checking in public transports, cyber cafes, places of entertainment, and other public places to prevent sexual harassment and to apprehend mischievous persons for legal action.
- g) To associate with the PS Staff, whenever called upon to do so, in heinous crimes involving female or child victims, with a view to counsel and console the victim and get her/his co-operation in the effective investigation of the crime. The CAW Cell shall also associate with reputed NGOs of these Islands for the same.
- h) To operate and respond promptly to the information/complaints on the Women Helpline (operational 24x7).

30.11.3 Duties of the Local Police

- a) The setting up of the CAW Cell in no way dilutes the responsibility of the local Police to initiate action whenever a women victim of a crime approaches them for assistance. They will continue to register and investigate all cases up to the time these are transferred to the CAW Cell and will later also extend all necessary help to the officers of the CAW cell for successful investigation and prosecution.
- b) The local Police will ensure that information in all cases are promptly communicated to the CAW Cell to enable the staff of the CAW Cell for further necessary action.
- c) On the recommendation of CAW cell, local Police should register the case without any delay.

30.12 Immoral Traffic

- 1) The trafficking of women and abuse of children is a very heinous crime. The Immoral Traffic (Prevention) Act (ITPA), 1956 as modified in 1988 contains various new provisions to effectively deal with the menace of this problem. The very definition of prostitution has been altered and the status of the prostitute more as a victim has been recognised in the modified Act. Stringent penal provisions are provided to deal with the exploiters of these victims. The victims include poor and illiterate persons, those who have domestic and marital problems, widows etc. Procuring minor girls and boys has also become serious form of crime. Wrongful confinement,

kidnapping and abduction are sometime the accompanying offences along with the offences under ITPA.

- 2) In ITPA, prostitution is defined as sexual exploitation or abuse of persons for commercial purposes. As per this definition, the prostitution is not confined to only women. Further it includes not only exploitation of one person by another but also abuse of one's own self for commercial purposes. Exploitation or abuse for purposes other than commercial is not covered under this definition.

30.12.1 Investigation Guidelines

- 1) The IO should keep in mind the following guidelines in the investigation of cases under this Act.
 - a. The rescued women should be examined in great detail, with sympathy and not with derision and hostility. The grip of the procurers would be so strong and possibility of their acceptance in society or family being bleak, they tend not to disclose any details. Hence the IO should first take all steps in coordination with the Advisory Bodies, voluntary Social Welfare Organisations in the field, the Governmental agencies in charge of correctional and Protection homes to give confidence to the women to be able to tell the details of persons who exploited them.
 - b. The law is intended to punish those who exploit the women and trade on them and not the victims. The evidence of victims is therefore extremely important.
 - c. The names and identities of women are often changed, and hence, the correct identity should be established by gathering information about their native village/town.
 - d. The persons doing odd jobs in the brothel or place where the women are kept and used as sex workers would be a useful corroboration.
 - e. The chits, papers or bank transactions if any, house owner's title, the rental documents true or false, municipal records, details of previous cases in which the accused may be involved should be collected.
 - f. The means of livelihood of the accused should be thoroughly investigated including the adequacy or otherwise of such means to the style of life being led by him.
 - g. The circumstances under which the girl has disappeared or left should be brought out clearly.
 - h. Medical examination of persons found whether women or minors, male or female should be got conducted.

- i. Where offences under this Act or the Indian Penal Code are part of organised crime, 120B IPC should be added.
- j. Photographic or video graphic evidence whenever possible should be secured during investigation of the cases. The IO should take special care to produce the witnesses and in consultation with the APP/PP ensure the posting of case on a day-to-day basis. It should be remembered that a sense of shame, reluctance and even fear very often prevents the witnesses from deposing either during investigation or trial. Necessary precautions should be taken to prevent undue publicity. For necessary publicity, permission of the concerned court should be taken.

30.13 PS Anti Human Trafficking, A& N Islands:

The Anti-Human Trafficking Police Station in Andaman & Nicobar Police has been established to check the recruitment, transportation, transfer, harboring or receipt of human beings by means of threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of by the abuse of power or of position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for exploitation and to provide them legal assistance, whenever needed, by way of registration of FIRs, investigation and prosecution of criminal cases or by way of assistance during proceedings for maintenance or by providing psychological and motivational support to the rescued persons, with a view to empower them.

Combating human trafficking requires joint efforts to mount pre-rescue operations, post rescue operations and repatriation along with providing psychological and motivational care in a professional, transparent and accountable manner for which concerted action by all stakeholders are required for prevention and prosecution.

30.13.1 Functions of AHT

Human Trafficking involves the recruitment, movement and exploitation of a person. The initial consent by a person obtained by means of fraud, deception or coercion is irrelevant. Today human trafficking has reached beyond the boundary and jurisdiction of any state.

There are increasing reports of human trafficking, particularly of women and children for various purposes such as commercial sexual exploitation (CSE), forced labour, domestic servitude, adoption, begging, drug trafficking, public sports and other forms of commercial and sexual exploitation. People are now also trafficked for the purpose of illegal organ removal. This has become a

matter of deep concern, particularly as law enforcement response to the crime has not yet been very effective.

The Anti- Human Trafficking Unit is established in A & N Islands as a Police Station with its Headquarter at Port Blair under the supervision of SP (CID) as Nodal Officer. The Anti- Human Trafficking Police Station will work as an integrated task force to prevent and combat trafficking in person and will function as a coherent unit with the active assistance and association of other civil department, such as the Women and Child Development, Health and Family Welfare, Labour and Employment, Prosecution Branch and reputed NGO's whenever it is required.

Anti-Human Trafficking Police Station shall take cognizance of all complaints for registration of cases in the following manner:-

- a) Suo Moto.
- b) When a complainant approaches the Police Station directly.
- c) Upon a reference made by any SHO, duly forwarded by the concerned District SP to SP (CID) for necessary action.
- d) When information is received by any other source or agency.

The Anti- Human Trafficking Police Station will attend all three aspects of trafficking viz. prevention, protection and prosecution.

30.13.2 Duties of the Anti-Human Trafficking Police Station

1. Detection against all criminal aspects of the crime of human trafficking particularly against women and children and weaker sections of society.
2. Promptly register FIRs after ascertaining all the facts and make efforts for the rescue of victims.
3. Extend post rescue care and attention to the rescued persons by providing psychological and motivational measures to empower them.
4. Develop a detailed database on the criminals involved in human trafficking by effective use of information and communication techniques.
5. Share information across stakeholders, states and organization for effective implementation of Anti-Human Trafficking measures.
6. Enhance cooperation between law enforcement agency and Government departments/NGOs who have the expert knowledge, capacity and experience to assist the victims.

30.13.3 Responsibilities of the Anti-Human Trafficking Police Station

1. Ensuring focused attention in dealing with offences of human trafficking and providing a multi-disciplinary approach and a joint response by all stakeholders.
2. Ensuring an organized crime perspective in dealing with trafficking crimes.
3. Developing inter-departmental collaboration among the Police and all other Government Agencies and Departments, such as Women and Child, labour, Health etc,
4. Conducting rescue operation with the assistance of NGOs whenever they receive information about trafficking activities either from Police sources or NGOs or Civil Society.
5. Ensuring a victim-centric approach which ensures the best interest of the victim and preventing secondary victimization or re-victimization of the victim as well as ensuring a gender-sensitive and child rights-sensitive approach in dealing with trafficked victims.
6. Functioning as grass roots unit for collection and development of an exhaustive data base on all enforcement aspects of the crime, including information on Traffickers and Trafficking gangs which will be conveyed to District and State Crime Record Bureau for further transmission to National Crime Record Bureau. Thus the Anti-Human Trafficking Police Station will facilitate availability of a comprehensive national level data base on this criminal activity.

30.13.4 Duties of local Police

1. The setting up of Anti-Human Trafficking Police Station in no way dilutes the responsibility of the local Police to initiate action whenever a trafficked victim approaches them for assistance. They will continue to register and investigate all cases up to the time these are transferred to the Anti-Human Trafficking Police Station and will later also extend all necessary for successful investigation and prosecution.
2. The local Police will also ensure that information in all cases related with Anti-Human Trafficking is promptly communicated to Anti-Human Trafficking Police Station to enable the staff of Anti- Human Trafficking Police Station to visit the spot and get acquainted with the facts and take further necessary action on the matter.

Chapter 31

CYBER CRIME AND POLICE

31.1 Introduction

Use of ever upgrading technology in every aspects of our life has become a reality. Since the start of civilization, society has undergone paradigmatic changes centred around technology. The technology proliferating towards the use of internet activity results in on the one hand ease of accessing information and transforming information landscape and on the other hand creating exploitation, vulnerability and also making a easier for transferring the confidential data illegally to commit offences. This poses a new challenge for the Police and other law enforcement authorities that are being called upon to ensure that users of computer and computer networks do not become victims of computer/cyber crime and also to take up investigation of this new generation of offences.

1. In dealing with criminal activity and also computer related crime, it is essential for the Police to have the basic knowledge of computers. In the paragraphs that follow, the functions of the computers and computer networks have been briefly explained for the benefit of Police officers.
2. A computer is a machine that carries out logical instructions in a predetermined manner. It is programmed to perform certain operations and store large amount of information depending upon its capacity. The computer networks consist of number of computers connected with each other by various means and are capable of sharing and transferring information between each other. The information or data stored in a computer can be retrieved or transferred, or used in an output form in number of ways.
3. The **Central Processing Unit (CPU)** can be described as heart of the computer. It carries out the instructions that have been pre-programmed into it either by the user or by software. In a typical personal computer, the central processing units may consist of one or more microprocessors – also called chips. It generally has a memory store which is measured in units known as Kilobytes (Kb), Megabytes (Mb), Gigabytes, (GB) and Terabytes (Tb). It also has unit which processes the information. Central processing systems use “operating systems”, which govern the way the computer operates. Some of the popular operating systems are MS DOS, Windows, UNIX, Linux etc.
4. The memory is important component to the investigator-for this is where evidence is likely to be obtained. The memory is generally classified as temporary memory and permanent memory. Temporary memory is known

as Random Access Memory (RAM) or read/write memory, which can be altered or erased. The information contained in RAM is not saved or transferred to other storage media and it is lost the moment power source is disconnected. The permanent memory, known as Read Only Memory (ROM) cannot be altered or erased.

Computer Hardware

5. The mechanical devices that constitute the computer are called hardware. The hardware can be seen and felt. The hardware consists of various inter-connected electronic devices such as processors, video screens, printers and several other peripherals such as disk drives, CD writers etc.

Computer Software

6. The hardware by itself cannot do any data processing. It requires electronic instructions that drive a computer or any other hardware component to perform specific tasks. Any computer software, information / data are organised in a structure of files, software in programme files and information in data files. Though there are number of software programmes, these can be broadly categorized into 'system software' and 'application software'.
7. The descriptions of various types of computers is given in the following paragraphs:
 - A. **Super Computers:** Super Computers are generally the largest and most powerful computers made to process huge amount of data and carry out large number of calculations per second. The Scientists and Engineers generally use the Super Computers. Due to their size and cost, Super Computers are very rare and only used by large corporations, universities and government agencies.
 - B. **Main Frame Computers:** The largest computer, which is commonly used for processing huge volume of data are called Main Frame Computers. These are normally used in large organizations like insurance companies, banks and airlines, where same data need to be accessed by several people. Main Frame Computers are also used for providing services on the internet. Retrieving evidence from a Main Frame Computer may require a high degree of expertise.
 - C. **Mini Computers:** Mini Computer systems are smaller computers but have large capacity for processing the data. These are normally used as servers and provide network to number of users and are capable of data sharing with the linked computer systems.

- D. **Work Stations:** Work Stations are normally used for specialized purpose by single user. These normally have processing power of a mini computer and are used by scientists, engineers, graphic artists, programmers etc.
 - E. **Microcomputers / Personal Computers:** These are generally used by individuals for various applications. These days, with advanced technology, processing power of microcomputers often drives that of workstations or mini computers. These computers may also be used with network interface card to connect to the network of an organization or to the Internet.
 - F. **Note Book / Laptop computers:** Note Book / Laptop computers, as the name suggests, are smaller portable versions of micro computers and can perform any function of a micro computer. These computers can be carried anywhere and can be connected to the network through physical or wireless interface.
 - G. **Hand held computers:** The past few years have seen introduction of many hand held personal computers, which are also called on Palmtop Computers or Personal Digital Assistants (PDAs). These are small portable computers less powerful than microcomputers providing services on the internet.
8. **Network Computing:** A network of computers can be defined as several computers connected with each other through cables or wireless, so as to capable of sharing various kinds of information / data. Generally, two main types of networks i.e. Local Area Network (LAN) and Wide Area Network (WAN) are in use these days.
- A. **Local Area Network (LAN)** can be defined as a network of computers located in vicinity. These are normally connected by cable, an Infra red link or through a radio transmitter. The data is normally shared by these computers through certain software protocols, which are a set of rules and forms for sending and receiving data. TCP / IP is one of the most popular protocol, which is in use these days for exchange of data.
 - B. **Wide Area Network (WAN)** can be defined as network of two or more LANs connected together covering a wide geographical area. WAN may link computers situated in one country or across various countries. The computers in WAN maybe connected through high speed telephone lines, fibre optics, undersea cables or through satellites.
9. **Storage Devices:** The data / information is often stored on what is known as storage media. The hardware component, on which, data can be written and read from it, is also known as storage device. There are two main categories of storage technology, which exist today i.e. magnetic storage and optical storage. Certain storage devices/media may employ both kind of technology. For detailed description, any standard book on storage devices may be referred to.
- A. The primary type of magnetic storage devices are as follows:

- Diskette
- Hard Disk (could be fixed or removable)
- High capacity floppy disks
- Disk cartridges
- Magnetic tape
- Cards (credit and debit cards etc.)

B. The various types of Optical Storage devices are as follows:

- Compact Disk Read-Only Memory (CD-ROM)
- Digital Video Disk Read-Only Memory (DVD-ROM)
- CD-Re-recordable (CD-R)
- CD-Re-Writable(CD-RW)
- Photo CD

31.2 Computer Crime

(1) Given the dynamic nature of information technology, communication infrastructure and ever changing legal measures towards better effort to prevent computer/cyber offences the paragraphs that follow are not a comprehensive description of computer crime.

(2) There is no universal accepted definition of computer/cybercrime but broadly in general parlance, the computer crime is any illegal or unauthorized activity involving computers. The crime can be against an individual or organization or against the nation end angering or threatening to end anger its integrity and security. Such an illegal or unauthorized act may manifest in preventing the computer to perform its duties as designed, or slowdown its operations, or corrupting or copying the data or software. A computer crime can thus be broadly defined as commission, or attempt or abetment to the commission of any one or any combination of the following illegal/unauthorized activities.

- A. Unauthorized access, alteration, addition, deletion or hiding data;
- B. Unauthorized access, alteration, addition, deletion or hiding programme or information;
- C. Stealing of data, programme in any manner;
- D. Unauthorized (physical/logical) entry into computer work environment;
- E. Change or alter the defined system.
- F. Introducing or causing to be introduced any computer contaminant or computer virus into any computer, computer system or computer network;
- G. Disrupting or causing disruption of any computer, computer system or computer network;

- H. Denial or causing denial of access to an authorized person, to any computer, system or computer network by any means;
- I. Providing assistance to any person to facilitate access to a computer, computer system or computer network in contravention of the provisions of Information Technology Act, 2000 or the rules or regulations made there-under;
- J. Charging the services availed of by a person to the account of another person by tampering with or manipulating any computer, computer system or computer network;
- K. Destroying or deleting or altering any information contained in a computer resource, or diminishing its value or utility, or affecting it injuriously by any means;
- L. Stealing, concealing, destroying, altering or causing any person to steal, conceal, destroy or alter any computer source code used for a computer resource with the intention of causing damage.

31.2.1 Tools and Techniques used to Commit Cyber Crimes

Cyber Crimes make use of various tools and techniques and many of these tools are used for the commission of the cyber crimes and are installed on the victim's systems which may include physical access or by making use of the intermediary systems or by deceiving the victim to allow access to his system or by gathering the victim's information.

- i. **Buffer overflow:** The condition when a program or process tries to store more data in a buffer (temporary data storage area) than it was intended to hold. Since buffers are created to contain a finite amount of data, the extra information- which has to go somewhere - can overflow into adjacent buffers, corrupting or overwriting the valid data held in them.
- ii. **Data Diddling:** Involves altering the raw data just before a computer processes it and then changing it back after processing is completed.
- iii. **Malware:** A program that is inserted into a system, usually covertly, with the intent of compromising the confidentiality, integrity, or availability of the victim's data, applications, or operating system or of otherwise annoying or disrupting the victim.
- iv. **Phishing:** Using spoof e-mails or directing the people to fake websites to deceive the victim divulging personal financial details so that criminals can access their account.
- v. **Root kit:** Asset of tools that enables continued privileged access to a computer, while actively hiding its presence from the administrator. Typically, a cracker installs a root kit on a computer after first obtaining user-level access, either by exploiting a known vulnerability or cracking a password. Once the root kit is installed, it allows the attacker to mask intrusion and gain root or privileged access to the computer and, possibly, other machines on the network.
- vi. **Salami Attack:** A programmed attack which is implemented in small (meant to be unnoticeable) increments. This attack involves making alteration so in significant that it is easily concealed and would go completely unnoticed. Such

attacks are used for commission of financial crimes.

- vii. **Sniffer:** A program and/or device that monitors data traveling over a network. Sniffers can be used both for legitimate network management functions and for stealing information off a network. Unauthorized sniffers can be extremely dangerous to a network's security because they are virtually impossible to detect and can be inserted almost anywhere.
- viii. **Social Engineering:** A hacker term which involves non-technical intrusion for deceiving or manipulating unwitting people into giving out information about a network or how to access it.
- ix. **Spoofing:** Refers to a situation in which the incoming information from an attacker is masqueraded as one that appears to come from a trusted source to the recipient or to the recipient network. Often the messages from the fraudster appearing to be from a genuine source (like bank), seeks personally identifiable information to perpetrate fraud on the victim.
- x. **Spyware:** It is a type of malware that is secretly or surreptitiously installed in to an information system to gather information on individuals or organizations without their knowledge; a type of malicious code.
- xi. **Steganography:** The art and science of writing hidden messages in such a way that no one, apart from the sender and intended recipient, suspects the existence of the message. An image file may contain hidden messages between terror groups, which will be known only to the intended recipient and the sender.
- xii. **Trojan:** A malicious program that masquerades as a benign application and can take complete control of the victim's computer system.
- xiii. **Virus:** A self-replicating program that runs and spreads by modifying other
- xiv. Programs or files.
- xv. **Worm:** A self-replicating, self-propagating, self contained program that uses networking mechanisms to spread itself.
- xvi. **Zombie:** A program that is installed on a system to cause it to attack other systems.

31.2.2 Other type of Computer Crimes

Software Piracy and other Copyright Violations, Cyber Pornography, Cyber Terrorism and introducing deliberately the virus, using Social Media for spreading misinformation like fake news, hate speeches, obscene content etc. are the other type of Computer Crimes Social Media has become an integral part of our lives. It is the new way of communicating, sharing and informing people about the events in our lives. We share our day to day lives on social media in the form of self and family photographs, updates on our locations/whereabouts, our views/thoughts on prevalent topics etc. One can understand the entire history of an individual through their social media profile and can even predict future events based on patterns in the past. This poses a threat to an individual as unwanted access to social media profile can cause loss of information, defamation or even worse consequences such as physical/sexual assault, robbery etc. Hence,

protection and appropriate use of social media profile is very important. Recent trends show that social media frauds have exploded and there are many ways in which these are being propagated. Some of the social media frauds are:-

1. **Sympathy Fraud** - The attacker becomes friends with the victim on social media. The attacker gains trust by frequent interactions. The attacker later extracts money/harms the victim.
2. **Romance Fraud** - The attacker becomes friends with the victim on social media. Over a period, the attacker gains victim's affection. The attacker later exploits the victim physically, financially and/or emotionally.
3. **Cyber Stalking** is a crime in which the attacker harasses a victim using electronic communication, such as e-mail, instant messaging (IM), messages posted on a website or a discussion group. A cyber stalker relies upon the fact that his/her true identity is not known in the digital world. A cyber stalker targets the victim with threatening/abusive messages and follows them/their activities in the real world.
4. **Cyber Bullying** is bullying that takes place over digital devices. Cyber bullying can occur through SMS, social media, forums or gaming apps where people can view, participate or share content. Cyber bullying includes sending, posting or sharing negative, harmful, false content about someone else. The intention is to cause embarrassment or humiliation. At times, it can also cross the line into unlawful criminal behavior.

31.2.3 Crimes targeting Computer systems

- (1) **Hacking**: Hacking is a broader term and can be defined as gaining entry into a computer system without permission, with an intention to cause loss, steal, or destroy the data contained in it. It is often done by people who are well versed with computer technologies by exploiting some of the vulnerabilities that are present in the computer system. This involves various methods of acquiring sensitive information like user names, passwords, Internet Protocol (IP) addresses and using them to access the computer system.
 - (i) **Hacking** is defined under section 66 of I.T Act, 2000 as destroying or deleting or altering any information residing in a computer resource or diminishing its value or utility or affecting it injuriously by any means, with the intent to cause or knowing that he is likely to cause wrongful loss or damage to the public or any person. In cracking, normally the perpetrator makes minor changes in the programme, in violation of the copyright restrictions with the objective of extracting information illegally.

- (2) **Denial of Service (DoS) attack or Distributed Denial-of-Service (DDoS) attack:** In this kind of attack, an important service offered by a Web site or a server is denied or disrupted thereby causing loss to the intended users of the service. Typically, the loss of service is the inability of a particular network service, such as e-mail to be available or the temporary loss of all network connectivity and services.
- In some cases, DoS, attacks have forced the Web sites to temporarily cease operation. This often involves sending large amount of traffic in the form of e-mails and other requests to the targeted network or server so that it occupies the entire bandwidth of the system and ultimately results in a crash.
 - The above description speaks about high-level sophisticated attack, but in general, there are cases where the attacker causes the denial of access to a computer/ computer system/computer network by changing/inserting a password.
- (3) **Spreading viruses and malware:** Spreading viruses and malware is the biggest crime that is happening today and most of the Internet users are affected by it. These can be generic or targeted to a specific computer system. Injecting and spreading malicious code also can come in the form of viruses, worms, Trojans, spyware, adware, and root kits. These get installed secretly in the victim's computer system and can be used to access and transmit sensitive information about the system, and in some instances, the infected systems can be used as tools to commit other types of cyber crime.
- (4) **Website defacement:** It is an attack on a Web site, which will change the visual appearance, and the attacker may post some other indecent, hostile and obscene images, messages, videos, etc., and sometimes make the Web site dysfunctional. It is most commonly done by hackers of one country to the Websites of enemy or rival neighboring country to display their technological superiority of infecting with malware.

31.3 Investigation of Computer Crime

- In the following paras, brief instructions are given, which will be useful to the investigators. But these, by no means are exhaustive in nature especially as the technology and the nature of the computer crime keeps on changing and therefore the investigators are advised to refer to computer/cyber crime manual prepared and updated by Crime Investigation Department (CID) from time to time.
- Unlike collection of evidence in normal crime, the collection of computer evidence on any scene of crime requires special skills. Serious problems could arise if the computer evidence is not collected properly and with necessary specialist care. Therefore, the investigators are advised that they may call for specialist from NIC, specialist of Cyber cell unit of Crime

Investigation Department or Computer Forensic Scientist from the Forensic Science Laboratory.

- (3) Whenever the investigators comes across a computer during investigation of any crime, he should remember that it could be a valuable piece of equipment and could contain quantity of data, which could lead to valuable evidence for the crime being investigated. Therefore, preservation of the same becomes important from the point of view of evidence. Any mistake in preserving the evidence could result in loss of valuable evidence. On the other hand, any mishandling could also result in huge economic loss to the owner of such computer, which also must be avoided. The investigator must remember that computers could frequently be connected in a network and the vital necessary evidence might have been transmitted or store data location different from the site of the search. The information could be stored even across the boundaries of the country. The investigating officer must therefore be extremely careful whenever he comes across a network of computers. It may also be necessary to involve a computer expert at the earliest as investigator may not be equipped to collect various kinds of data storage on magnetic or optical media.

31.3.1 Pre-Investigation Assessment

- (1) It is very important for every Investigating Officer (IO) to do a pre-investigation assessment for each cyber crime/incident that is reported. It should be generally remembered that, before the complainant approaches the Police officer or any agency for addressing their problems, they may have made attempts to set the things right all by themselves or with the help of their friends or some other persons. However these very acts may result in destruction of crucial digital evidence(s). Similarly, sometimes the criminal act may be a crime in progress, which can potentially cause further damage. All these factors will have an impact on the outcomes of the investigations.
- (2) Depending on the nature of each incident reported, the IO should collect necessary information from complainant(s)/victims as part of the pre-investigation assessment, to understand the full scope of the incident and, the possible outcomes. This will help the IO to build the plan of action/next steps in the investigation. Investigators and technical personnel are aware of the fact that, the digital evidence is very critical and volatile; hence it is necessary to protect and collect the right evidence for the pre-investigation assessment.
- (3) The pre-investigations assessment should consider various aspects of crime including the location and the circumstances.
- (4) A set of questions have been compiled to help IOs to elicit information on

the nature of the case, which will enable them to quickly gauge the scope of the incident and, understand the systems set up at the crime scene. Such a pre-investigation assessment will help the IO to decide on the priority actions that are necessary in the interest of securing all the digital evidences without giving scope for their destruction, loss or tampering.

- a. While enquiring such complaints, first and foremost question that needs to be answered is – Is that particular act is a crime (as per IT Amendment Act, 2008) in the first place?
- b. The ITAA 2008, contains explicit penal provisions for certain offences (66 A to F). However, Section 66 stands on a different footing, in relation to other penal provisions, Section 66 of the IT Act makes it amply clear that only when a person, dishonestly, or fraudulently, does any act(s) referred to in Section 43 of the IT Act, he shall be punishable with imprisonment for a term which may extend to three years or with fine which may extend to five lakh rupees, or with both. Thus, for an act to be investigated under Section 66 of the ITAA 2008 as a Cyber Crime, it needs to satisfy two conditions:-
 - (i) Firstly, it has to be an act as defined under Section 43 of the IT AA, 2008 and,
 - (ii) Secondly, it should have been done by a person with dishonest or fraudulent intentions. The explanation of the words, dishonestly and fraudulently shall have the same meaning as in Section 24 and 25 of the Indian Penal Code.
- c. Thus, to an IO, if the complaint reveals acts as defined under Section 43 of IT AA, 2008 only but does not reveal commission of these acts with dishonest and fraudulent intentions, then it cannot be investigated as a Crime under IT Act. Under these circumstances, these reports of the acts under section 43 need to be resolved before the adjudicating officers, who were notified under Section 46 of the ITAA, 2008.
- d. It is suggested that the Cyber crime cell team or any other expert in this field be consulted before registering the FIR to determine the right section of law, especially under IT AA, 2008.
- e. Once the information reveals the commission of cognizable offence under the ITAA, 2008 and other acts, the IO should
 - i. Elicit the information regarding the act under report in detail and, ensure that the details of the offences are captured in the complaint, in full.
 - ii. Indicate the nature/modus operandi of the cyber crime in detail (include thee-mail address, systems, time zones etc).
 - iii. Indicate all the details that can be identified from the complaint

like,

- a. IP address in case of e-mail and Internet.
- b. Profile name or user name in case of social networking abuse.
- c. Bank details/Internet banking branch, etc., in case of online fraud.
- d. Credit card details and nature of purchase, etc., in case of card fraud, etc.
- iv. Include the time and date in the exact format the complainant mentioned or noted in any of the documentation attached with the complaint (such as e-mails) and, Time zone conversion will have to be taken care during the course of investigation.

(5) Preliminary Review of the Scene of the Offence

Typically, the scene of offence can be broadly dealt under,

- (i) Home of individuals with one or more computers.
- (ii) Cyber Café/Public places.
- (iii) Companies/organizations, with one or more computers and in some cases with vast and complicated network of systems.

- (6) At the scene of offence (irrespective of the type of the scene of offence), the IO should carefully survey the scene, observe and assess the situation and decide on the steps for proceeding further. The pre-investigation assessment will help the IO to understand the local situation, circumstances and technical details of the systems/network at the scene of the crime before proceeding to seize/preservation of evidences. As mentioned earlier, the digital evidence is highly fragile and volatile. It will be available in a number of devices, locations and in various formats. For example, the copiers, fax machines, routers, hubs etc., a part from the standard storage/compute devices can also contain vital information relevant to the case /incident. Hence, it is utmost important for the IO to do a preliminary review of the entire scene of offence and also take some additional steps before identifying the evidence and conduct search and seizure. It is very important to include such observations/preliminary review notes in the questionnaire that needs to be sent to FSL for expert opinion.

31.3.2 Evaluating the Scene of Offence

- (1) After identifying the scene of offence, IO should secure it and, take note of every individual physically present at the scene of offence and, their role at the time of securing the scene of offence.

- (2) From the information gathered and based on visual inspection of the scene of offence, IO should identify all the potential evidences. These physical evidences may include conventional physical evidences like the manuals, user guides and, other items left behind like passwords on slips, bank account numbers etc. It is also important to note the position of the various equipment and items at the scene of offence. For example, a mouse on the left hand side of the desktop possibly indicates the person operating the computer is a left-handed user.
- (3) While identifying the digital evidence, IO should make sure that, the potentially perishable evidence is identified and, all the precautions are put in place for its preservation. At the time of review, disturbing or altering the condition of electronic evidences should be avoided.
- (4) If the systems are OFF, they should not be turned ON for the inspection. If systems are on, it is advised to leave them ON.
- (5) If systems are ON at the scene of offence, IO should take appropriate steps to photograph it, plan for the seizure of the evidences at the earliest and document it. IO should notify appropriate technical personnel to support during the seizure process, so that the perishable evidences (volatile data) are appropriately recovered without loss.
- (6) IO should make note of the attached network cables and power lines to the systems. With the help of the complainant or the technical personnel at the agency, make a note of all the network connections, modems, telephone lines and, mark them both the equipment connection end and, from the source in the walls.

31.3.3 Preliminary Interviews at the Scene of Offence

- (1) Conducting preliminary interviews at the scene offence will help IO to identify and seize potential evidence during pre-investigation. Some of the interview questions that IO can make use are:
 - a. What steps were taken to contain the issue? (Physical access denied for suspected persons, disconnecting the suspected computers from network, suspending the employee access and soon) alongwith list of all suspected names, address, etc.
 - b. Whether there are any logs (system access, etc.) present that cover the issue? Are there any suspicious entries present in them?
 - c. Did anyone use the system after the issue occurred?
 - d. Did you observe any similar instance before?
 - e. Were there any alarms that were set off by the firewall/IDS/network security devices?
 - f. Please give a detailed documentation on the set of commands or processes run on the affected system or on the network after the

- issue occurred. (Request a letter of confirmation from complainant)
- g. Do they have similar systems in any of the branch/other offices?
 - h. Whether log register of the Internet users/other users is maintained? (It is very crucial to fix the responsibility. In case of cyber café, it is a must to maintain log register of users as per the rules framed by state government.)
 - i. Are there any questions about the issue that have not been answered? (Affected system list, number of people involved, etc.)
 - j. What are the further plans for analysis of the issue?

(2) At the scene of offence, IO should:

- a. Identify the complainant/owner(s) of the various devices and obtain the access details, usernames, and service providers' details. IO should ensure that these persons are available alongwith the search and seizure team for accessing various password protected/secured information in the presence of the panch witnesses.
- b. Gather information as provided in the questionnaire(s) above, on all the security systems including encryption policies and, off-site data storage and, data centre and disaster recovery policies of the organization or back –up plans etc.
- c. Identify the list of the people who can identify the network and a schematic diagram of the network will be useful to be prepared during the interviews.

31.3.4 Pre-Investigation Technical Assessment

As discussed in the previous section, the pre-investigation assessment should be commenced by eliciting all the right and relevant information which will give the IO an idea about the full scope of the incident/crime. With a view to guide the IOs, a set of questions have been compiled which potentially can lead to holistic understanding of the large networks. While the pre-investigation assessment questionnaire gives the IO a set of questions, each IO needs to keep in mind that this list can further be expanded depending on the crime/crime scene situation.

A. Scene of Offence: Cyber Café

- Identify number of computer systems present in the cybercafé.
- Identify number of computer systems connected to Internet.
- Obtain details about the network topology and architecture (client-Server)
- Obtain the CCTV/Web camera clippings, if any.
- Whether any user management software is used by the cyber café owner?
- Obtain the log register of Internet users for the relevant period.

- Check the policy of formatting storage devices adopted by the cyber café owner.
- Check the hardware replacements done by the cyber café owner.
- Check the policy regarding removal of media usage on the cyber café systems.

B. Scene of Offence: Home

- Identify the type of connection (Wi-Fi/Ethernet)
- How many computer systems are used for Internet connection?
- Location of the system and details of persons with access to systems
- Obtain the details about the removable storage media (including external hard disk) used/owned by the user.
- Obtain details about the network topology and architecture (client-Server), if any.
- Obtain the details about other computer peripherals (printer/scanner/modem, etc.).

C. Scene of Offence: Corporate Environment

This questionnaire will help the investigating officer to gather the basic information where crime is committed using the computer systems.

- Location of the system and details of persons with access to systems
- Steps that were taken to contain the issue? (Physical access denied for suspected persons, disconnecting the suspected computers from network, suspending the employee access and soon) alongwith list of all suspected names, address, etc.
- Where there any logs (system access, etc.) present that cover the issue? Are there any suspicious entries present in them?
- Did anyone use the system after the issue occurred?
- Identify the type of connection (Wi-Fi/Ethernet)
- How many computer systems are used for Internet connection?
- Obtain the details about the removable storage media (including external hard disk) used/owned by the user.
- Obtain details about the network topology and architecture (client-Server), if any.
- Obtain the details about other computer peripherals (printer/scanner/modem, etc.).

The above format(s) for pre-investigation assessment will help the IO(s) to understand the incident in totality. The above questionnaire is in no way an exhaustive list but a broad guideline. As every situation is different, IOs are

encouraged to reach out Cyber cell for a detailed guideline and consult the experts at every step. At the end of the pre-investigation assessment the IO will be able to decide on the issuance of preservation notices for the designated/authorized persons (in case of a company or large establishment with number of systems) or individuals who are owners of the systems and victims. Similarly it will allow the IO to decide on the kind of technical support to be requisitioned, to proceed with the acquisition of evidences. Above all, the Investigating officer decides how to proceed with investigations.

31.3.5 Issuance of preservation notice

- A. Based on the information gathered, the IO should come out with issues to be complied immediately by issuing specific do's and don'ts to the complainant/company/agency-e.g.:- stopping the access, taking backups, or preserving login formation, etc. till further orders. For example, continuing access to the e-mail by the accused can enable him to delete the mails which are in criminating in nature.
- B. A preservation notice needs to be sent to all affected parties to make sure that they do not deletes any data that could be relevant to the case. It is ideal to issue this notice, which is necessary for preserving evidence.
- C. The preservation notice could be prepared on the basis of the procedural framework outlined by the Court in *Simon Property Group vs. my Simon, Inc.* 94 F.R.D.639 (SD Ind. 2000) in USA, to ensure retention of all privileges while properly preserving and processing computer evidence as mandated by the court in *Gates Rubber Co. vs. Bando Chemical Indus., Ltd.* 167 F.R.D. 90, 112 (D. Col. 1996). The preservation instructions may be adapted from the above and Section 91Cr.PC can be invoked to issue such instructions. IOs are free to amend the notice to suit the local requirements.

31.3.6 Containment of the incident/Offence

- (1) It can be embarrassing for the investigating agencies, if after lodging of the complaint and before effectively starting the investigations, any additional incident occurs. Also, it is possible that the issue that is reported to the agencies may be one incident out of a series of incidents which are part of an ongoing crime or crime in progress. Also, some criminal links in the chain of the original incident may still be active and, necessary steps to isolate the crime and its various links have to be undertaken.
- (2) Incident containment refers to the determination of the nature and scope of the incident and then minimizing the damage, if any. Containment steps may include having more rules on the firewalls to block access, taking the affected machines off the network, disabling user access controls, or creating a black hole for the affected machines. These measures are taken by the victim or organization, in consultations with the

investigators/agencies.

- (3) In case of financial frauds, the IO should immediately contact the concerned branches of the banks to freeze the beneficiary/suspect/accused person's bank accounts in case of fraudulent money transfers.
- (4) The IO should request the Service Providers to block/remove and at the same time preserve the access details the fake/defamatory profiles in social networking/community Web sites. The IO should also notify the Service Providers to preserve the access details of the defamatory/obscene contents.
- (5) If the targeted system is to be restored by the affected party immediately for commercial reasons or in public interest, the IO should obtain the services of technical personnel from the Cyber Forensics divisions and, obtain the image copy of the affected system and permit restoration of the system, only after that. These actions need to be documented with enough justification and should be used under rarest of rare circumstances. Normally, the restoration is done after the seizure of the evidences and not at the stage immediately following the reporting of the crime.

31.4 Avoiding alteration of evidence

The primary aim of the pre-investigation assessments is to “avoid alteration of evidences”, crucial in successful prosecution of the cyber crimes. Please reach out for forensic examiner's assistance from any regional forensic labs as quickly as possible, if you are not clear or have any doubt regarding incident and, the understanding of the networks.

31.4.1 Preparation for collecting evidence at the scene of crime and search

The following precautions are advised to an investigator, if he comes across to a computer or computer network suspected to be involved in computer crime:

- A. If the investigator has prior knowledge that the scene of crime which is going to be searched would have computer systems or computer network in place, it is advisable to contact the specialist computer crime unit of Crime Investigation Department or computer forensic scientist of Forensic Science Laboratory. In case it is possible, advanced information may be collected regarding the make, model, operating system, network connections etc. being used by the organization or individual, whose premises is being searched, as this information could prove valuable. The information so collected must be passed on to the expert, who can make necessary preparation that may be required to collect evidence. This is necessary, as many a times, it may not be possible to remove the

computer systems physically and the data or programme may have to be copied as per provision of Indian Evidence Act on the crime scene itself. The investigator or the expert, who may accompany the Police personnel going for search should carry necessary media in the form of disk, floppy disks, optical disks, tapes, tools, software, labels and other specialized items and should carry necessary packing material, which can prevent loss of evidence collected as offered on such media as data on magnetic media can be destroyed by media, dust and electrostatic environment.

- B. In case computer equipment is to be removed, necessary care would have to be taken to pack it properly and if necessary the material which will prevent any damage, as sometimes read-write heads could malfunction if subjected to sudden jerk or force, should be arranged for packing. If the computer system at crime scene happens to be large, special attention may be required for proper transport and storage arrangements, so that, data contained therein is preserved for the purpose of evidence. If necessary and possible, the place which contains such computers could be sealed and guarded properly till arrangement is made to collect the evidence.
- C. During the course of the search, the investigator must not, under any circumstances, allow a suspect or accused to touch any part of the computer system. It must be remembered that even a press of a key could erase the entire data. These days, it is even possible to enter or delete data with the help of remote keyboards and mouse. Hence care should be taken that suspect or accused does not have possibility of passing any instructions to the computer through any of such devices. Sometimes, it may be desirable/necessary for suspect or accused to be present during the search to collect valuable information especially if data is protected by user identities or passwords. In such situations, the investigator must be careful to keep the suspect/accused out of reach of computer system and must not try to recover data by using the identities or passwords told by such person. He should invariably take help of an expert under such circumstances.
- D. Now-a-days, most of the computers are part of the network, which may be connected through cables, radio links, telephone, fibre optics etc. In a network, individual computer systems may function as standalone machines also and may contain significant data/programmes. On the other hand, the information could be found elsewhere—in a physically remote area—as server connected in the network. Therefore, it is important that help of an expert is taken to identify where the storage is located. The type of storage arrangement in use in a network would determine the search and seizure procedures. It is, therefore, necessary that when a network environment is to be searched, adequate technical personnel along with general investigator must be assigned for the job. In case, it is found that

the server or data storage is located outside the boundaries of India, prompt necessary action has to be taken through a competent court to issue a “*letters rogatory*” under the provisions of section 166A CrPC. The assistance of National Crime Bureau (N.C.B.) represented by Central Bureau of Investigation may be taken in this regard. It may therefore be necessary to ensure that the suspect / accused is not able to tamper with the information contained in the computers at the time of the search. The investigator is well advised to take help of an expert to ensure that all such connections are removed and data communication facilities disabled at the earliest.

31.4.2 Procedure to be adopted during search and seizure of evidence contained in computer systems

The actual collection/seizure of evidence should take place after all steps mentioned in previous paragraphs have been taken. As mentioned above, it may be necessary to associate an expert or a forensic specialist before carrying out the search and seizure procedure. However, in the following paragraphs, few of the precautions and steps taken during the search have been detailed:

1. The system should be observed carefully and the name and the model number of the system should be noted. It is necessary to prevent loss or corruption of evidence and to ensure preservation of quality of evidence.
2. Under no circumstances, crime suspect / accused should be allowed to touch a computer system or use remote control devices, which can manipulate the data /programmes contained in the computer systems.
3. The suspect / accused or anybody else must not be allowed to remove anything from the scene or carryout any activities on the computers. It must be remembered that the computers, video screens, printers and other peripheral devices may also contain valuable evidence, which could be destroyed, if anybody is permitted to handle these equipments. In case, no technical/expert assistance is available, and the investigator is not trained to handle such computer systems, it may be advisable to leave computers on the scene as it is, till technical assistance arrives.
4. If the computer systems are found working, it may be necessary to power down these with the help of experts. In case of non-availability of expert the following procedure should be adopted: (i) Desktop Computers: Power cord should be removed, (ii) Laptop: Remove the battery, (iii) Mobile: Remove the battery. This is required because if we shut down the computer system it will change the time log of the last time a data was accessed in the

computer system. This may be treated as tampering with evidence during the course of trial.

5. Before disconnecting and dismantling any computer component, everything must be labeled, initialed with date along with the signatures of witnesses as per provisions of law. Special care should be taken to label and document all the cables. The corresponding labels must be placed on the devices, which are connected with particular cables and if necessary a descriptive labeling system i.e. LPT1, Serial Port etc. may be used.
6. It may be extremely useful and necessary to take close up photography – both still and video – of all the individual pieces of hardware and connections. The investigator may also draw a diagram of the location of the various computer systems.
7. The equipment available at the scene, must not be dismantled by the investigator and the job shall be best left to a specialist, who may disable a network/remove the peripherals first and then the computer system.
8. Any documentation or notes or scratch paper etc. found at the scene must be scrutinized properly and seized. Many a times, these could give important clues regarding passwords and other information.
9. In case, the scene of crime contains multiple computer systems, care must be taken to keep one system separate from the other and the peripherals attached to such system must be marked and packed separately, so that they do not get mixed-up.
10. The investigator is cautioned that when no expert is available, he should not try to handle the system as due to any improper handling, there is a risk of tempering the evidence available therein. Switching or disconnection of power may result in loss of temporary memory (RAM), which will create difficulties in re-gaining access to the system and collection of evidence by the expert. Even if the investigator is conversant with computer, keying in instructions could overwrite data and can be construed as interfering with the evidence. Therefore, care should be taken to have expert assistance available also for preserving the evidence.
11. The investigator should remember that sometimes the computer may appear not to be working but actually it could be in hibernation/sleep mode and it might not have been turned off. Some computer especially laptops work with the help of batteries and therefore care should be taken for handling such systems for collecting the evidence.

Chapter 32

CRIME & CRIMINAL TRACKING NETWORK & SYSTEM (CCTNS)

32 Introduction

CCTNS is a mission mode project under the National e-Governance Plan of Government of India. Keeping in view of an urgent National need for digitization of database on Crime and Criminals for sharing information with all the stakeholders in the system and to meet challenges of crime control and maintenance of public order effectively and also with a view to give major thrust on technology up-gradation in Police, the Planning Commission of India had included the New Scheme of CCTNS in XI Five Year Plan (2007-2012). This project is being extended with country wide network covering almost all the 15,000 Police Stations and about 6,000 other Higher Police Offices.

CCTNS aims at creating a comprehensive and integrated system for enhancing the efficiency and effectiveness of policing through adopting of principle of e-Governance and creation of a nationwide networking infrastructure for evolution of IT-enabled-state-of-the-art tracking system around 'Investigation of crime and detection of criminals'.

32.1 The objectives of the CCTNS are as follows:

1. Make the Police functioning citizen friendly and more transparent by automating the functioning of Police Stations.
2. Improve delivery of citizen-centric services through effective usage of ICT.
3. Provide the Investigating Officers of the Civil Police with tools, technology and information to facilitate investigation of crime and detection of criminals.
4. Improve Police functioning in various other areas such as Law and Order, Traffic Management etc.
5. Facilitate Interaction and sharing of Information among Police Stations, Districts, State/UT headquarters and other Police Agencies.
6. Assist senior Police Officers in better management of Police Force
7. Keep track of the progress of Cases, including in Courts
8. Reduce manual and redundant Records keeping

32.2 The followings are the main features available in CCTNS project:

A. Core Application Software (CAS)

CAS State system has been implemented in the centralized architecture form at the State Data Centers (SDCs) and it supports the remote

managed client environment (at Police stations) to work in online/offline mode. CAS State includes following modules covering business processes in Police stations and at higher offices:

- i) **Registration** : The Registrations can be of general service petitions or general complaints. This service is initiated once the citizens register their complaints or petitions with Police personnel. Based on nature of the petition (General Service Petition, Cognizable Complaint, Non-Cognizable Complaint) the service to citizens will be honored by issuing general service petitions like No Objection certificates, Permissions etc., or registering a complaint and issue FIR/NCR. Based on the evidence and facts, the Police personnel will proceed for investigation.
- ii) **Investigation**: After a complaint is registered, Police initiates the investigation process. The identified Investigating officer will visit the crime scene and record the crime details. The Investigating officer will send the collected evidences to external agencies for further verification. The IO will arrest the accused if any and proceed for interrogation and later file a charge sheet/final report and submit the accused in the court.
- iii) **Prosecution**: Interfacing with the courts during the prosecution of cases is an integral part of the responsibilities of Police personnel. After filing the charge sheet the Police personnel will update the Trial details and execute the summons/warrants issued by court. The Police personnel will also record the court disposal details include persons involved, attendance, examination, court order, details about bail and status of accused.
- iv) **Search and Basic Reporting**: Since the inception of the case, the Police personnel can search different registers to track/identify the criminals involved in different cases/crimes. This helps the Police personnel to map the missing cases with un-known dead bodies and enable them to generate different reports like NCR's, NBW's, PT cases, UI cases etc.
- v) **Description of Modules and Functional Requirements**: Registration comprises of functionalities which gathers/stores the information and decides their importance/priority. All of these functionalities are performed by Police personnel mainly on the inputs from civilians.

B. Integrated Investigation Forms and other Forms:

National Crime Records Bureau has prepared standardized formats for Integrated Investigation Forms in Core Application Software and provided the same to the State which is being used by the Police Officers throughout the Country. These IIFs are

1. IIF-I- First Information Report,
2. IIF-II- Crime Details Form,

3. IIF-III- Arrest Memo,
4. IIF-IV- Seizure Memo,
5. IIF-V- Final Form,
6. IIF- VI- Court Disposal Memo,
7. IIF-VII- Result of Appeal,
8. IIF-VIII- Man Missing Report,
9. IIF-IX- Un-identified Found Person,
10. IIF-X- Un-identified Dead bodies and
11. IIF-XI- Registration of Unnatural Death.

The goals of the system are to facilitate collection, storage, retrieval, analysis, transfer and sharing of data and information.

C. Reports :-

One of the main objectives of CCTNS Project is to reduce redundant record keeping and to reduce the work load. In order to provide better and real time reports on crime and criminal analysis, the following reports are available in Core Application Software for use by Police Personnel:-

1. Analysis of Status of Missing persons
2. Cases Against Police
3. Cognizable Crime Under SLL
4. Crime Against Women
5. Crime Cases & Action Taken
6. Death in Police Custody
7. Detail of accident cases registered
8. Detail of rape cases registered
9. Details of Cases charge sheeted
10. Details of Cases Registered
11. Details of Dowry Dead Cases
12. Details of Motor Vehicles Stolen
13. Details of Motor Vehicles unclaimed/recovered
14. Details of NBW Pending
15. Details of NBW Received
16. Details of Suicide Cases
17. Details of Summons Received & Executed
18. Details of Unnatural Death Cases
19. Disposal of SLL Crime Cases by Courts
20. Disposal of SLL Crime Cases by Police
21. Foreign National Report
22. Grave Crimes Pending Investigation
23. Heinous Cases
24. Juvenile Report
25. Kidnapping & Abduction
26. Mobile Theft

27. Motive for Kidnapping & Abduction Cases
28. Motive for Murder Cases
29. NCR to FIR
30. Organized Human Trafficking cases Detected
31. Pending Trail Cases
32. Police Firing Detail
33. Police Personnel Killed
34. Property Stolen & Recovered
35. Recoveries under NDPS Act
36. Reports on Cases Under Investigation
37. Reports on Cases Under SC/ST Act
38. Reports on Complaints
39. Reports on escape from Police Custody
40. Reports on Missing Persons
41. Reports on Missing Persons during the Period
42. Reports on NBW
43. Reports on PCR Calls
44. Reports on Petition/Verification Requests
45. Reports on Summons
46. Under Investigation Cases
47. Vehicles Stolen & Recovered

Also following are the custom reports available under CCTNS :-

1. Accident Report
2. Arrested Person Report
3. Cases Registered Details Report
4. Crime Data under Heinous Cases Report
5. Crime Head Case Details Report
6. Crime Head Report Workout
7. Final Report Prepared (Only for SHO/SDPO)
8. FIR upload Status Report
9. IIF Entry Against Fir Started Report
10. IIF Entry Chart SDPO Report (Only for SDPO)
11. IIF Status Report
12. List of persons reported missing/traced
13. Missing Kidnapping Statistics Report

D. Crime and Criminal Information

- a) It is an investigation support and repository for crime and criminal related data.
- b) It facilitates in identifying and short listing details of most probable Criminals involved in crime along with their personal details.

- c) Provides details about Arrested persons, Missing persons, Unknown Dead bodies.
- d) It provides various Reports and Registers related to crime and criminal analysis required by State Police.

E. Search and Query:

It is an advanced analytical search engine. This helps in accelerating the process of identification of criminals involved in Crime through various search parameters like Accused Name, Relative Name, Crime Number, Act/Sections, Police Station, and District etc for fetching the data available from CAS Database. Crime Search can also be done through various search parameter's like Act/Section, FIR Date Range, Police Station, District, State, Place of Occurrence, Major Heads, Crime Methods and Property Type etc. This feature helps in Crime and Criminal analysis, and investigation process.

F. Crime Reports for Senior Officer;

- i) Senior Police Officer can view the total Crime details in real time.
- ii) FIR management: Bodily Offences, Property offences, SC/ST, Women Harassment through ITSSO portal, White Collar Crimes, Road accidents, Cyber Crimes,
- iii) Status of the FIR: Arrests, Seizure, Charge Sheets, Final Reports, Pending investigation etc.
- iv) Case status: Month, Year, PS Wise, District wise *etc.*
- v) Status of Police related Services under Citizen Portal : Month, Year, Received, EO assigned, pending.

G. Citizen Portal:

The following Police Services are being provided to the citizens under Citizen Portal :-

1. Filing of Complaints to the concerned Police Station.
2. Obtaining the status of the complaint.
3. Obtaining the copies of FIRs.
4. Portal for sharing information and enabling citizens to download required forms.
5. Details of arrested persons/wanted criminals, missing/kidnapped persons details
6. Details of unidentified persons and dead bodies.
7. Details of stolen/recovered vehicles, arms and other properties.

8. Submission of requests for issue/renewal of various NOCs.
(Event / Performance Request, Protest / Strike Request, Procession Request)
9. Tenant/PG Verification Request & Character Certificate Request

32.3 Duties and responsibilities of CCTNS Cell & Police Station Staff

For implementation of CCTNS Project in A&N Islands and data entry in CCTNS software (CAS), proper maintenance & troubleshooting of the issues pertaining to hardware, software & networking, the following will be the duties & responsibilities for CCTNS Cell and the respective Police Station staff while carrying out the daily-to-day task. CCTNS Cell shall function under the supervision of Dy.SP(CID)/Asst. Nodal Officer, CCTNS and overall supervision of SP(CID)/Addl. Nodal Officer, CCTNS. The Police Station Staff for CCTNS shall function under SHO and under supervision of concerned SDPO/ Superintendent of Police.

I. CCTNS Cell

- a) CCTNS Cell Port Blair shall act as CCTNS Core Team.
- b) The cell shall monitor all CCTNS activities across A&N Islands and shall assist PS CCTNS staff as and when its help is sought.
- c) The cell shall monitor and ensure proper data entry in various IIF forms is being done in all the Police Stations.
- d) The cell shall be responsible for repair of faulty hardware, installation of operating systems & other necessary software, resolving issues related to Core Application Software, restoration of connectivity with the help of PS CCTNS staff.
- e) The cell shall maintain an Incident Reporting System for hardware maintenance.
- f) The cell shall oversee and ensure data synchronization from Police Stations to State Data Centre and State Data Centre to National Data Centre on regular basis.
- g) The cell shall maintain the administrator credentials of all Offline Servers as well as client systems.
- h) The cell shall maintain Servers of CCTNS installed at State Data Centre.
- i) The cell shall coordinate with other stakeholders of CCTNS project for its smooth functioning.
- j) The cell shall provide training to the Police personnel on basic IT awareness, hardware/software/network troubleshooting, role based training of CAS etc.
- k) Staff of this cell shall visit to all Police Stations and higher offices as and when directed so as to ensure effective implementation of CCTNS.

- l) The cell shall act as a key for coordinating with NCRB for any software update.
- m) Maintenance of the Data Centre and Applications / Databases hosted on Intranet,
- n) Identifying various areas in Police Department for computerization and providing necessary domain knowledge to the Software Development teams and facilitating them in testing and implementation.
- o) Organizing trainings on Basics of Computers and other specialized technical areas and usage of various applications developed and implemented by the Police Computer Services to the IT Core Team Members in districts/ Units.
- p) Coordination with various Government agencies like IT Department, NIC, BSNL etc for taking technical solutions, guidance in respect of networking all Police Stations in the Islands with the Data Centre through Broadband/ Dial-up connectivity etc.
- q) All correspondence regarding CCTNS shall be handled by this team.

II. Police Station Staff for CCTNS

Police Officers of all ranks shall ensure implementation of CCTNS Project as per instruction issued by SCRB/SP-CID./Government from time to time. Concerted efforts shall be made by Police Officers of all the ranks to switch over to maintenance of Case records and Crime records in digital format as envisaged under CCTNS Project. It is envisaged that every staff in the PS should be able to operate CCTNS and will take turns to handle the system. In this regard, the PS staff detailed for CCTNS duty for the day shall have the following duties:-

- a) PS CCTNS Staff shall be deployed in each Police Station and shall work under direct supervision of the concerned SHO.
- b) PS CCTNS Staff is responsible for carrying out all CCTNS related activities at PS level such as feeding data in the Core Application Software (online/offline mode) on regular basis, maintenance of the CCTNS equipment, helping IOs in taking out printouts of IIF forms for court files etc.
- c) PS CCTNS Staff will ensure the availability of user IDs of the Investigating officers posted at their Police Stations.
- d) PS CCTNS Staff will also be responsible for maintaining a hardware register keeping a record of all CCTNS hardware in the PS.
- e) PS CCTNS Staff should inform any issue noted in software/hardware/network to CCTNS Cell for early resolution.
- f) PS CCTNS Staff shall inform to CCTNS Cell and co-ordinate with BSNL in case network connectivity fails between the PS and SDC.

- g) If connectivity fails due to some unavoidable circumstances and not restored on time, then the data entry is to be done in offline mode and send it to the CCTNS Cell, Port Blair for updation in SDC.

32.4 Training

The CCTNS project envisions that all Police station staff will have the basic understanding of handling the Core application software, both in online or offline mode. Moreover, all the Investigation Officers (IOs) and Station House Officers (SHOs) have been provided with their user ids and passwords so as to update their cases and complaint status on real time. It is also expected that various services, forms and modules of the project like search of criminal, previous involvement etc. would be used extensively by the Police station staff in their day to day surveillance and investigation duties. Keeping this in mind, new recruits are being imparted basic training of CCTNS like data entry in all available forms of Core Application Software (CAS), taking of offline backup of CAS in MSSQL, Basic troubleshooting in CAS etc. in coordination with Police Training School. Advanced training is also imparted to officers of A&N Police in coordination with NCRB at regular intervals as per the course calendar of NCRB via online/offline module. In particular Station Writers, Court Constables and Literate Constables shall be targeted and imparted training in IT applications. IT Training shall be mandatory for Police recruits during their Induction Training.

Chapter - 33

POLICE COMMUNICATION

33.1 Introduction

A&N Police Radio organization was established in the year 1946 with 3 land stations (South Andaman, Car Nicobar, Long Island) and 6 mobile (on board vessel) stations. Initially, it was reorganized as Island communication in the year 1952 with the strength of one (1) Inspector, twelve (12) Radio Technician and Sixty four (64) Radio Operator.

33.2 Objective

The Islands of the union territory are geographically scattered and are prone to natural calamities and disasters such as tsunamis, earthquakes, cyclones, landslides etc. Considering the topography of the Islands, importance of establishing and maintaining seamless communication between these Islands is a big challenge. The Police Communication embraces a significant role in the Islands as illustrated below:

- Provides communication support to Police establishments in crime, law & order, assistance during VVIP security and protection of aboriginal tribes.
- Provides assistance to A&N Administration for Inter-Department co-ordination.
- Pass information during medical evacuation and emergencies in remote Islands.
- Provides communication coverage during anti-poaching operations through nearest PR stations/PS/OPs/JPPs and LOPs.
- Collects weather data from remote observatory stations viz PR Mayabunder, Long Island, Hut Bay, Car Nicobar & Nancowry and passes to Meteorology department.
- Extends communication assistance to A&N Fire Service, Traffic Branch, IRBn and Police Marine Force for smooth functioning of the organization.

33.3 Structure

The structure of Police Communication is divided in two categories: the Head quarter and Island based field formation. The headquarter of Police Radio Organization is situated at Port Blair.

33.4 Classification & Type:

Police Radio communication is classified in following category:

- A. High Frequency (HF) Communication
- B. Very High Frequency (VHF) Communication

- C. Satellite Phone Communication
- D. Landline Communication
- E. Polnet 2.0

A. High Frequency (HF) Communication

HF Communication is a long-distance communication existing between the PRHQ to all the other stations.

The main mode of the Communication in this system is:

- 1) Radiotelephony
- 2) Data Transmission &
- 3) Morse Code(CW).

B. Very High Frequency Communication

VHF Communication system is a line-of-sight Communication provided within the district. The District Head Quarter is linked with all the Police Stations of the District.

All the Police Stations, Fire Stations, Traffic Branch, Police Control Room(PCR), Emergency Response Support System(ERSS), Police Marine Force as well as important Police Out posts in the Islands are provided with VHF Communication.

C. Satellite Phone Communication

There are places in Andaman & Nicobar Islands where there is no mobile network connecting to the Head quarter. In order to communicate during Anti-Poaching, Disaster and in emergency situations, Satellite Phone is being used.

D. Landline Communication

Besides Land Line telephonic communication, Police Telephone Exchanges (EPABX), Mobile Telephone Systems are also in use in the Police department.

E. POLNET 2.0 –

It is a VSAT based satellite Network using Star topology. It is installed in the office of Director General of Police. Multimedia services such as Voice, data and Video conferencing are possible through this medium under all weather conditions.

33.5 Organization:

- A. SP(Communication)
- B. Dy.SP(Communication)
- C. Inspector Operational and subordinate staff

D. Inspector Technical and subordinate staff

E. Inspector Cipher and subordinate staff

33.6 Signal Centre: Signal centre is located at Police Radio HQ, Marine Hill and is working 24x7 for transmitting and receiving messages between the Islands and the Headquarter.

33.7 Message Writing Instructions:

- (1) The officers entitled to use Police communications Network should send messages pertaining to Law & Order, crime prevention, investigation, prosecution and all connected matters therewith. Messages about natural calamities, accidents and missing of persons, women or children, dissemination of information or criminal intelligence also come within the purview of Law & Order, for the purposes of use of the Radio Grid. However, A&N Police Radio also extends its services to civil administration for maintaining Inter-department and Inter-state communication. The communication staff has instructions not to accept any messages, which does not have the specified authorized originator.
- (2) Radio message should be treated on a par with telegrams. Messages must be written legibly preferably typewritten in the standard form.
- (3) Messages should not be communicated by telephone to the operating staff for transmission over the grid.
- (4) Normally, each message should be sent in duplicate to the Radio station, one copy of which will be retained in the Radio station and the other is returned to the sender with acknowledgement. In case of messages addressed to more than one authority, the number of copies required would be the number of nets on which the messages have to be transmitted plus an office copy to be returned to the sender with acknowledgement. The officer-in-charge of the Radio station should be consulted as to the number of copies required for transmission to multiple addressees. This will avoid delay, in as much as no time would be wasted in the Radio station in making out copies of the messages for transmission by different nets.
- (5) Normally, messages are cleared according to the serial order of their receipt at a Radio station. However, to ensure faster clearance, the messages are given priorities (a) CRASH (b) MOST IMMEDIATE (c) IMMEDIATE (d) ORDINARY, according to the urgency and importance of the message.

33.8 Radio Telephony

- (1) All Police Stations and authorised officers may be provided with VHF communication facility for quick exchange of information related to Law &

Order, crime prevention and investigation, Any emergency situation etc.,

- (2) The SHO of PS is responsible for the safe custody of the static station equipment. The officer to whom a mobile station or a hand held set is provided is responsible for its safe custody. The Inspector (Communications) is responsible for accounting and or carrying out repairs of the equipment.
- (3) Officers should respond from the mobile/handheld sets whenever they are called. They should be well conversant with the handling and maintenance of equipment. They have to ensure daily maintenance of equipment. If any defect is noticed, they should inform to the Control station as well as Inspector Communications. They should pursue the matter with Inspector Communications till the technical staff rectifies the defect.
- (4) Officers provided with Mobile/ Handheld VHF sets will ensure that their batteries are charged and no communication breakdown occurs due to discharged battery.
- (5) Every care should be taken to protect the VHF equipment. In case it is lost or damaged it should be immediately reported to the concerned PS and the Inspector Communication.
- (6) Set should be used only for official conversation.

33.9 Officers authorized to use Wireless Facilities

Only the authorized persons can use the wireless communication facilities. The DGP or ADGP/IGP, may issue instructions in this regard and modify them as and when required. No person, except the ones who are included in such lists, should be allowed to make use of wireless facility
