

9. SPO should report the activities of the criminals / anti-social elements residing in his area to the SHO and should also help the police in the organizing self-defense camps for girls a measure to check eve teasing.
10. SPO should inform SHO / ACP about the activities of terrorists and keep an eye on their hideouts, hotels, guest houses and boarding houses being run without valid licenses in the respective areas.
11. An SPO should accompany an ASI/ Police party during night patrolling.
12. SPO should inform the SHO / ACP about persons keeping illegal fire arms, country made bombs explosives and other lethal weapons.
13. SPO should list the names and address of school drop-outs, drug addicts and Juvenile delinquent from school authorities and also record the names and addresses of new tenants from local residents / welfare association.
14. Although the police order calls for a 6 monthly evaluation of their performance to decide the suitability of their continuance, its implementation needs to be done more strictly to achieve better results.

## 86. Functioning of the ‘Crime Against Women Cells’ in the Police Forces in States/Union Territories (1993)



GP Joshi, NP Gupta and T Chakraborty\*

### Objective

To examine the organisation and working of these specialised cells, with a view to identify the inadequacies, shortcomings and problems and suggesting measures for reform.

### Methodology

1. Collection of data from States/Union Territories

\* BPR&D, MHA, New Delhi (In-house Study).

2. Collection of data through interview and questionnaire
3. Survey of available literature and State Manuals

### Important Findings

1. There is a lack of uniformity in the functions being performed by the Cells in some States/UTs.
2. The procedure for registration of cases in these Special Cells also varies. While some

Cells have powers to register cases of crimes against women and undertake investigations, few Cells get the cases registered at the respective Police Stations having jurisdiction and then undertake investigation after the approval of the competent authority.

3. The Special Cells are headed by the officers of different ranks. There are variations in respect of other details relating to organisation structure.
4. The absence of adequate staff in the Cells encourages a tendency on the part of the officers in the Cell to re-direct some of the complainants back to the respective police stations where the normal jurisdiction lies.
5. There are more male police personnel than females in Special Cells. Women police personnel have been found better suited in dealing with the problems of crime against women.
6. Police personnel posted to these Special Cells have not undergone refresher or specialised training programmes for improving their skills to deal with crime against women.
7. Inadequacy of transport and communication facilities have been reported by the Specialised Cells.
8. No qualified psychologist or social worker is available to the Cells. The counselling work is mostly done by the police personnel, who do not have such expertise.
9. There is lack of infrastructure and other facilities like office building or adequate space required for smooth functioning. Even some of the women police stations do not have their own lock-ups and are forced to depend upon other police stations in times of need.
10. Quite a large number of cases of crime against women are falling in Courts of Law and a larger number are dragging on in Courts for

a very long periods and the record does not generate sufficient confidence in the ability of these special agencies.

## Recommendations

1. An increasing number of women police personnel well versed in law and investigative techniques should be posted in the Special Cells.
2. The organisational structure and strength of the Special Cells must be reviewed with a view to remove inadequacies or shortcomings.
3. The Special Cell must have adequate strength to discharge its functions effectively and it should be headed by an officer of the rank of at least a Superintendent of Police.
4. The District branches of the Cell in bigger States should be headed by an officer of the rank of Dy.Suptd. of Police and each Cell should be provided at least one investigating officer of the rank of Sub-Inspector/Asstt. Sub-Inspector for every 50 cases. Besides one Head Constable/Constable should be provided to each investigating officer to provide necessary assistance during investigations or enquiries.
5. Postings in the Special Cells should be for a sufficiently long period to enable the staff to achieve the required expertise.
6. Services of a trained psychologist should be made available to Special Cell, particularly in heavy crime prone areas.
7. The possibility to establish branches of the Special Cell or Women Police Station in rural areas should be explored.
8. The Cell must be authorised to register and investigate crime against women.
9. The adequate facilities of transport and communication and other wherewithal

required to deal with the problem in an effective manner must be provided to the Special Cell.

10. Police personnel posted in the Cells must be put through specially designed courses of training of short duration before their posting. It should train them in Social Welfare aspects of their role, with emphasis on gender sensitisation in police work.
11. Publicity and educational campaigns should be launched with an aim at breaking the reluctance of the public to share information with police and enlisting their voluntary support and cooperation in investigating crime against women.
12. The investigating and prosecuting machinery must be strengthened and improved and they must work in a co-ordinated manner so as to ensure that cases are not allowed to fail in Court of Law.
13. The Special Cells and non-governmental organisations and voluntary bodies should cooperate to prevent and control crime against women.
14. With the help of mass media, the Special Cells should also disseminate information about the legal rights of women.
15. The investigating and prosecuting machinery must be strengthened and improved and they must work in a co-ordinated manner so as to ensure that cases are not allowed to fail in Courts of law.
16. Publicity and educational campaigns should be launched with an aim at breaking the reluctance of the public to share information with police and enlisting their voluntary support and cooperation in investigating crime against women.
17. The Special Cells and non-governmental organisations and voluntary bodies should cooperate to prevent and control crime.

Some amendments in law, which are under consideration, are as follows:

- (a) Insertion of a new sub-section (4) in Section 46 Cr.P.C. to prohibit arrest of a woman after sunset and before sunrise except in unavoidable circumstances.
- (b) Insertion of a new section (53-A) in Cr.P.C. to provide for a detailed medical examination of a person accused of an offence of rape or an attempt to commit rape, by a Registered Medical Practitioner, employed in a hospital run by the Government or a local authority and in the absence of such a practitioner by another Registered Medical Practitioner.
- (c) Insertion of a new Section (164-A) in the Cr.P.C. to provide for Medical examination of the victim of a rape with her consent, by a Registered Medical Practitioner employed in a hospital run by the Government or a local authority or in his absence by any other Registered Medical Practitioner.
- (d) The Law Commission in its 135<sup>th</sup> Report on 'Women in Custody' has recommended insertion of a new Chapter in Cr.P.C., 1973 relating to arrest and custody of women, seeking to make a number of specific provisions so to arrest, interrogation and custody of women and children including amendments of certain other provisions of Cr.P.C.
- (e) To amend IPC for providing penalty for the violation of the mandate contained in Section 160 (1) Cr.P.C. to the effect that a woman or a person below 15 years of age shall be examined only at his or her residence.

## 87. Career Planning of Personnel of Different Ranks in the Para Military Forces (1993)



JN Saksena\*, Arun Bhagat\*\*, Ashok Patel\*\*\*, TN Mishra†,  
TR Kakkar‡, BL Vohra£ and Brig. Surender Shah\*

### Objectives (Terms of Reference)

To determine:

1. The level of direct recruitment.
2. Percentage of posts to be filled at that level.
3. Level upto which an entrant can expect to be promoted
4. The length of service in each rank for promotion to higher rank.
5. The level at which he can have option to retire
6. Feasibility of departmental promotion examination.
7. Percentage of posts to be filled by deputation/transfer/re-employment at various levels.
8. Availability of officers at various levels, some problems of major gaps and stagnation.
9. Measures to ensure fair degree of uniformity regarding promotional prospects.
10. The requirement of wastage reserves at various levels fo offset the problems caused by VRS.
11. Ratio of officers to jawans.

### Methodology

1. Study of Organisational Structure
2. Examination of Recruitment and Promotion Procedure

### Recommendations

The Group made appropriate recommendations to the MHA on the eleven points given in the Terms of Reference.

\* DG, BPR&D, MHA, Chairman.

\*\* Addl. DG, CRPF, Member.

\*\*\* IG (Admn.), ITBP, Member.

† IG (Pers), BSF, Member.

‡ IG (Admn), NSG, Member.

£ IG (HQ), CISF, Member.

\* Dir. Assam Rifles, Member.

## 88. Implementation of TADA, 1987\* (1994)



It contains the following articles:

- |  |                      |  |   |
|--|----------------------|--|---|
| 1. Human Rights & Terrorist & Disruptive Activities Act, 1987      | Dr. T.D. Tripathi    | 4. Army and the Law Judicial Intervention in the Hazratbal Case.                           | Lt. Gen. S.K. Sinha                     |
| 2. Rationalising Provisions of TADA, <i>Vis-à-vis</i> Human Rights | Shri V.K. Singh      | 5. Police and Human Rights Issues with Special Reference to TADA, Police and Human Rights. |   |
| 3. TADA Act—Whether it has Outlived its Utility.                   | Shri R.P. Srivastava |  | Shri R.C. Dikshit<br>Shri V.M. Tarkunde |

### Summary by Count

- 
- |   |  |
|---|--|
| 1. Recording of evidence in absence of accused<br>Sec. 14(5) TADA Act | Provision does not affect the Human Rights.  |
| 2. Accused to prove his innocence Sec. 21 TADA Act                    | Provision does not affect the Human Rights.  |
| 3. Attachment of property Sec. 7A TADA Act                            | Provision does not affect the Human Rights.  |
| 4. Abetment Sec. 2 (1) TADA Act                                       | Words “Knowledge or reason to believe” be added in the definition of word “abet” in Sec. 2 (a) of TADA Act.  |
| 5. Exclusion of Jurisdiction of High Court<br>Sec. 19 TADA Act        | A person tried under TADA Act and other penal provisions, but convicted under other penal provisions, should have a right to prefer an appeal to High Court. If State files an appeal to the supreme Court the apex Court may recall the appeal from High Court and decide both the appeals. Necessary amendments be made in TADA Act. |
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\* It contains papers presented in a Seminar entitled “Human Rights & TADA” was held on 15 and 16 Jan. 1994 at Lucknow. The programme was organized by UP Institute of Judicial, Training and Research, Lucknow and sponsored by the BPR&D, MHA, New Delhi. A copy of this report is available with this Bureau.

## 89. Coastal Patrolling in Goa (1995)

SC Yadav\* and SB Singh\*\*



### Objective

To conduct on the spot study and provide technical expertise regarding the suitability of vessels to be acquired for the State Police forces.

### Methodology

Hiring of experts, interviews with senior officers and field study.

### Important Findings

Since the Findings of the study are restricted in nature, detailed report is available with the BPR&D for reference.

## 90. Survey of Research in Forensic Science (1995)

M Jauhari†



### Objective

To undertake a survey of research in the field of Forensic Science in India with a view to provide a useful reference document to future researchers.

### Conclusions

Of the various branches of forensic biology, research work on trichological problems has made tremendous progress in India. Hair of different anatomical sites of human body have been studied for histomorphological variation and quantitative

microscopically and statistical analysis. Scale count index, hair index, medullary index, diameters or shaft and medulla, pigmentation, incidence of medullation, effect of signing, etc. have been studied on a large quantity of strands. Fetal lanugo hair, spiral growth and root deformities of hair/micro technique have been improved, rate of diameter variation from root to tip has thrown light on site determination, and certain measurements and indices have been found useful for the determination of age, sex etc. The discovery of double, triple and even quadruple medulla in human hair has provided information of utmost importance.

Research work on hair of animals, wild and domesticated, has also been found notable.

Research work on blood and blood stains contributed the most convenient confirmatory

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\*\* Asstt. Director, BPR&D, MHA, New Delhi

† BPR&D, MHA, New Delhi (In-house Study).

spectro secpical tests for detection of blood and provided facilities of detection at the crime scene. Commendable progress has been made in the identification of blood from stains mixed with interfering substances. Actual problems faced in the detection of blood from partially washed clothings have been brought out and have also been studied for morphological characters.

Interest at the outset has been centered around the methods of determination of species origin of blood as well as on phytoagglutinin studies.

Disintegrated bloodstains and presence of certain interfering substances in stains have often been posing difficult problems for forensic serologists. To obviate such shortcomings, research has been conducted and the validity of grouping from disintegrated stains has been substantiated.

The technique of identification of skull by photographic superimposition has also been enriched by notable contributions.

Research work done on semen and seminal stains has also been exhaustive. A bulk of work has been done on the detection of acid-phosphates enzyme of seminal plasma based on azo-dye coupling methods.

The bulk of research work done in the field of forensic botany is also found to be original and significant. Studies on plant sap stains on clothing's for the identification of species, morphological observations on plant hair for their salient diagnostic features, identification of powdered pulses, dried leaves, papaver capsules and dried pollens, new method of staining of bast fibres, anatomical studies on seed coats of poisonous plant and saw dust for wood identification, ultra violet fluorescence microscopy of poisonous roots, selective staining of paper fibres and studies on different varieties of cotton and other textile fibres have unearthed new horizons.

Certain other avenues of research in forensic biology have been opened during the past few years. Fish scale characters have been studied for the species identification, haemoflagellates such

as trypanosomes have been demonstrated in blood of feline animals of the zoo in course of investigation of the cause of their death and histological changes in liver and brain tissue of goat have been observed for changes under different environmental conditions in order to correlate such changes with the time of death.

A forensic analyst is very often required to give an opinion regarding the commonness of origin of two or more samples. One of the methods to arrive at such a conclusion is to study the trace element composition of samples by spectro chemical analysis. The opinion in such case is to be guided by background data on the trace element composition of various types of samples encountered in criminal investigation. The requirement of this background data has been met to some extent by intensive spectro chemical studies of a large number of samples of paints and soils. The results of such studies have also shown the usefulness of semi-quantitative analysis in establishing the commonness of origin of two samples. A rapid method of qualitative spectro chemical analysis based on the use of "Master Plate" of R.U. Powder spectrum has been developed for quick identification of spectral lines of different elements.

Frequent use of density gradient column and back-line method is made in forensic science laboratories to study the density distribution and refractive index respectively. The beck-line method has been simplified by the use of an inverted microscope and a thin bottom cell. This improvement has made the work of determining the refractive index of samples much less laborious than that involved in the conventional method.

A photometric evaluation of the distribution of particles in a density gradient column has also been suggested.

Examination and comparison of paper is involved in many forensic investigations. Authentic paper samples collected from thirteen leading paper manufacturers of India have been

examined for their fluorescence, elemental composition, percentage transmission of light and speaks and sports. An inexpressive oblique light source has been developed for illuminating large areas of a document.

The use of radiology in the identification of forged currency notes has also been demonstrated.

The problem of determining the commonness of origin of two places of telegraphic wires has been tackled by having recourse to qualitative spectrographic analysis and neutron activation analysis.

Certain other problems such as comparison of hacksaw cut marks, restoration of obliterated marks on copper and copper alloys, qualitative estimation of silica in India rocks and minerals and estimation of ratio of speeds of two vehicles during a grazing collision have also been studied.

## Chemistry

Research in the field of forensic chemistry has been practically oriented as it appears to have been carried out mostly keeping in view the problems encountered during the course of examination of case exhibits.

Detection and quantitation of alcohol in body fluids such as blood and urine are of paramount importance to show whether or not a person is under the influence of alcohol. Work on the separation and isolation of alcohol by both high and low diffusion method and subsequent oxidation with oxidant like potassium di-chromate has been carried out.

The problem of isolation and quantitative determination of methyl alcohol in gas-liquid chromatography and interferometric studies.

Adulteration of liquors and other beverages with chloral hydrate for added sedative and hypnotic effect is widely practiced. Detection and isolation of this adulterant both in the liquors and in the visceral matter in combination with other interfering materials has been achieved by colorimetry, thin-layer chromatography and spectrophotometry.

The mineral oils have been studied from two angles adulteration and use in arson including homicidal and suicidal burning. GLC and spectro-photometric methods have been established for the identification of the burning residues and the influence of adulteration on various physico-chemical parameters has been studied to detect adulteration and its quantum.

The Forensic importance of ink examination cannot be over emphasized. Extensive TLC studies and TLC combined with spectrophotometric studies have been made with almost all the brands of inks including the ball point refills with a view to identifying the brand used.

In India the various indigenous poisons like Nerium indicum, Abrus precatorius, Mushrooms, various species of Solanaceae Rhododendrons, Calotropis gioantia, Plumbago rosae, various species of Aconitum, Semi carpus and cardium, Sapindves laurifolius etc. are in common use. In some of these cases as in Nerium and Abrus poisoning there are no chemical methods for their specific identification .

Phytochemical evaluation of some of these poisons have been carried out, unique components in some of them have been isolated and chemical methods based on TLC.

Special mention must be made of the extensive studies of the alkaloids of Papveraceae in relation to forensic work. TLC studies have been extended to include detection of Arsenic, Antimony and Mercury and Reinseh test has been extended to Bismuth. TLC has also been successfully applied in the identification of Pethidine, analgesic tablets, tranquillisers like Chloropromazine, various drugs of Pyrazolone and Pyrazolidine derivatives, various Parasympatholytics, Hypoglycemic agents, artificial sweetening agents like Cyclamate Barbiturates, Meconic acid etc. Suitable spraying reagents have also been developed.

A number of persons die every year in this country as a result of snakebite. Methods have therefore, been developed to detect death due to

snakebite by the study of the tissue extract at the site of snakebite.

On the basic side, mathematical models relating to bullet ricochet, internal ballistics of guns, causality criteria, range estimation and the behaviour of skin under the impact of a projectile have been worked out. A geometrical model that explains the change in the pattern of close range phenomena (burning, scorching, blackening and powder tattooing) and an empirical model representing the dispersion of pellets have also been put forward.

One of the important problems in criminal investigation is the estimation of range of firing beyond the powder range. In case of firearms firing a single projectile such as pistols, rifles and revolvers, the problem has been attacked from various angles resulting into the evolution of simple methods suitable under specific circumstances. For example, the phenomenon of backward fragmentation has been found to provide a useful method for estimating the range of firing involving shooting through glass.

It has also been possible to locate certain new parameters, which appear to have potential for estimating the range of firing. A statistical method of treating pellet dispersion data has been worked out which is expected to go a long way in providing an objective estimation of the range of firing and thus remove the subjectivity inherent in the classical method. Effect of barrel length and the change of firearms on, pellet dispersion have also been studied. Attention appears to have also been paid to the study of flight of wads and their power of penetration and impaction with a view to providing an alternative method of range estimation in cases involving shotguns.

The behaviour of various types of inanimate targets commonly encountered in day to day life such as wood, plastics, metal plates etc. have been studied under the impact of a bullet discharged through a small arm. An important area of research relating to the study of inanimate targets is the study of the penetration and the remaining velocity of bullets after penetrating the target.

Using a system of two electronic timers, accurate measurements relating to striking and remaining velocities for various firearms cartridge target combinations have been recorded.

Effect of climatic conditions on the performance of a cartridge has been made a subject of detailed investigation especially in respect of cartridges of Indian origin.

The problem of identification of a bullet hole is the one that confronts a firearms expert every now and then. Guided by this requirement, characteristics of bullet holes have been studied on various types of targets with a view to identifying them. In addition to this, microscopic study of fibre/hair damage around the bullet hole has also been undertaken.

On the identification side, the important problem of the linkage of projectiles fired through smooth bore guns has been given attention. Work conducted on these lines has shown the possibility of even identifying a shotgun pellet by the scratch marks left on its surface during its passage through the bore. Success has also been reported relating to the identification of bullets fired through smooth bore improvised firearm through the pattern of jumbled striate formed that during the erratic motion of the bullet in the bore.

Attempts have been made for the identification of left-hand writings by comparison with normal written right-hand writings. Methods have been suggested for the analysis of forged signatures and suggestions.

In order to decipher hidden writings, new solvents have been proposed in addition to photomasking. Special attention appears to have been paid to the technique of infrared luminiscence in order to differentiate writings involving large samples of different inks available in India. Interpol typewriter make classification system has also been thoroughly evaluated.

In the field of footprint examination, research work has also not lagged behind. In so far as the comparisons of sunken foot impressions are concerned, the importance of ridges has been

clearly demonstrated. A significant correlation has been found between the length of foot and the height of a person.

A methodological investigation on the identification of finger ball tri-radial has revealed the importance of three-ridge system. A modified technique for the development of latent fingerprints on papers having ink writings has been suggested. A palmer lernatoglyphic study among the Jats of Delhi has also been conducted.

## Conclusions

### Potential Areas of Research and Projection for Future

The general appraisal of the work done in different branches of forensic science would indicate that there are promising areas in which forensic scientists in our country could carry out further research in future. An attempt has been made to define these areas precisely, which are enumerated below:

### Ballistics

1. Wound ballistics with special reference to casualty criteria and development of inanimate experimental models.
2. Determination of time of firing.
3. Application of Neutron Activation Analysis and Atomic Absorption Technique to firearm problems such as estimation of range of firing, identification of shooter etc.
4. Study of improvised firearms.

### Biology

1. Grouping of blood stains under the MN and RH systems.

2. Analysis of blood stains on the basis of serum protein groups and polymorphic enzyme types by modern biochemical methods.
3. Collection of data on changes due to age and sex in bones and teeth among Indian population for application in criminal investigation.
4. Use of plant lectins in determining intra species specificity.
5. Fluorescent antibody technique for the determination of blood groups in hard tissues like nail, tooth, hair etc.
6. Study of histological and histo-chemical changes in various tissues after death with a view to fixing the time of death.
7. Pharmacognostic study of some indigenous vegetable poisons.
8. Studies on hair of Indian animals.

### Chemistry

1. Determination of country of origin of opium and cannabis.
2. Standardization of methods for detecting adulteration in mobil oil, petrol, diesel etc.
3. Standardization of methods for the toxicological analysis of viscera for poisons commonly encountered in homicide, suicide and cattle poisoning in India.
4. Standardization of methods for qualitative and quantitative estimation of ethanol and methanol in cases involving illicit liquor, drunken driving, liquor poisoning etc.

### Physics

1. Physical analysis of glass, fibres, paint and metals by various instrumental techniques such as spectrographic analysis, atomic, absorption, neutron activation analysis etc. to

- obtain basic data for statistical evaluation of results obtained with case exhibits.
2. Application of X-ray diffraction analysis and differential thermal analysis for study of soils, fibres, paints, plastics etc.
  3. Compilation of dictionary depicting the actual characteristic features found in writing (letters and their combinations etc. of various Indian languages and English as found from the actual examination) and their evaluation and analysis etc.

### Document Examination

1. Physico-chemical studies of paper and ink with a view to determining their age.
2. Classification of typewriter makes of Indian origin/available in India. Classification of typewriters with Indian scripts including methods of comparison and evaluation.

It is hoped that this survey would not only serve as a useful reference work but also help in rationalizing and co-ordinating our research effort in the years to come. I take this opportunity to acknowledge the inestimable assistance given by my esteemed colleagues and the unstinting support forthcoming from all Forensic Science Laboratories in the country.

## 91. Policing in the North Eastern States of India\* (1995) (Status Report on Assam Police)



### Objectives

1. To identify the areas requiring strengthening/ augmentation.
2. To suggest effective delivery system through which the State Police Force of Assam State could be made more effective instrument for dealing with law and order.

1. Collection of data from past records.
2. Collection of data through interviews and questionnaire.

### Methodology

The team for the purpose of study adopted the following approach:

\* BPR&D, MHA, New Delhi (In-house Study).

### Important Findings

1. The State Police is not having sufficient light vehicles to combat the problems like terrorism, insurgency and law & order.
2. Due to the expansion of the Police force in the State, the problem of Police Housing has assumed serious proportion. The similar case has also been seen with regard to the Administrative buildings and buildings of Police Stations and outposts.

3. The Police Training College and Schools does not have modern training aids, forensic science and computer training facilities. The problem of drinking water is also quite serious.
4. All the Police Training Institutes (4) at Dergaon does not have Central Motor Workshop with necessary equipment for undertaking different repair works of the vehicles.
5. The existing stock of arms and ammunition of all the Training Institutes is not sufficient for imparting training to the trainers of various categories.
6. The Police Training Institutes does not possess any modern photographic equipment for imparting training in crime photography to the trainees.
4. The intelligence set up in the State also needs to be augmented in accordance with the guidelines framed by the Intelligence Bureau. A Joint Interrogation Centre should be set up urgently with required amenities and modern interrogation skills.
5. The number of police stations in Assam may be raised from the existing 239 to 500 to improve police response and police efficiency.
6. Large number of police stations/outposts/watch posts do not have proper accommodation and are in a deplorable state. Special budget allocation should be made for its repairs and maintenance.
7. Special funds should be allotted for constructing accommodation for the police officers in Guwahati and office buildings for IGP and DIGP in-charge. New Districts/ Battalions which have been created hardly have any administrative building. Similarly, office buildings for the SDPOs/C.Is are required to be constructed at many places.

## Recommendations

1. The Police force in Assam in order to fight the extremists should phase out old obsolete weapons.
2. They should be provided with modern weapons, bullet-proof equipments including bullet-proof vehicles.
3. All the basic facilities should be provided at the Police Training College and other Police Training Institutions in order to sharpen the skills of the State Police Force to deal with the problems of insurgency.
8. Assam Police should prepare a comprehensive Perspective Plan for a period of ten years covering various important areas of Police functioning alongwith the financial implications.
9. Central garage or workshop should be set up for maintaining Police vehicles and similar workshops should be set up in Districts also.

## 92. Armed Police Requirements of the Union Territories of Lakshadweep, Daman & Diu and Dadra & Nagar Haveli (1995)



GS Pandher\*, Sudhir Kumar\*\*, AK Kathuria\*\*\*, EM Sharma† and ML Verma‡

### Objective

To assess the Armed Police requirements of the Union Territories of Lakshadweep, Dadra & Nagar Haveli Daman & Diu.

### Methodology

1. Meetings.
2. Visit to U.Ts
3. Study of Records.

### Findings

#### Lakshadweep

1. It consists 32 Islands covering an area of 32 square Kms and only 10 Islands are inhabited.
2. U.T is headed by One Superintendent of Police and having 9 police stations and one police outpost.

3. Although these Islands have almost 100% Muslim population but various Islands of Lakshadweep have been facing law and order problems and communal classes of inter religious nature.
4. As the Islands are in the international shipping routes it enhances the possibility of smuggling and other anti national activities and makes them vulnerable from the external and internal security angle.
5. There has been reports indicating LTTEs presence in the area.

#### Daman & Diu and Dadra & Nagar Haveli

1. Due to rapid industrialization the area faces the problem of migrant Labour.
2. Daman is having coastline of about 12 kms which is potential area for smuggling activities.

### General Recommendations

1. A single battalion for all these U.Ts should be raised and it should be kept composite in character by recruiting member from all the 3 U.Ts.
2. The battalion should have the flexibility of interchanging the coy at various location to avoid development of any local interest.
3. The Battalion will be headed by a Commandant who will be an IPS officer from UT Cadre.

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\*\* Joint Director-Member-IB, New Delhi.

\*\*\* Deputy Director (OPS) Member CRPF Hqrs, New Delhi.

† Deputy Director (OPS)-Member-Coast Guards, New Delhi.

‡ Commandant Water Wing-Member-R & G Frontier, BSF, Jodhpur.

The Study Group was constituted by the Ministry of Home Affairs.

4. He will be assisted by the one 2 I/C, 3 Deputy commandants of the rank of Addl. S.P. and 6 Dy SPs/ACPs.
5. The Battalion will have its Hqrs at D & N Haveli and a detachment Hqrs will be located at Kavarati (Kavarathi).
6. The Battalion will have 6 coys 3 being earmarked from Lakshadweep and the rest 3 will be earmarked for Daman & Diu and Dadra & Nagar Haveli.
7. The battalion will have two bomb disposal squads one at Battalion hqrs at Silvasa and one at Kavarathi.
8. It will have a marine wing of 3 medium crafts and five mechanical boats out of which two medium crafts and four mechanical boats are earmarked for Lakshadweep and one medium craft and one mechanical boat for Daman.
9. There should be full-fledged workshop where necessary facilities for minor repairs and regular maintenance of these medium crafts will be available and it should be established at Kavarathi.
10. The Technical cadre of the Marine should be taken on deputation from Coast Guard or BSF Marine wing in the first go and later on the battalion personnel should be trained in Coast Guard /BSF and be inducted.
11. Latest communication facilities should be provided to the UTs and it should be taken care of by the signal component of this Armed wing at Coy Hqrs.
12. Percentage of domicile of 3 UTs in the recruitment of constables should be:
  - (a) 75% general duty constables should be from 3UTs and rest 25% should be recruited from other states.
13. Constables of technical cadre should be recruited through open competition from the UTs as well as outsiders or may be taken on deputation.
14. All these categories will have normal reservation for SC/STs.
15. No direct recruitment should be done at the level of Dy.SP/ACPs level in order to avoid stagnation and frustration and the officials at this level should be taken on deputation from CPOs and the UTs.
16. Direct recruitment at the level of HC may be offered for technical cadres such as stenographers, pharmacists, marine technical etc.

#### Transit Camp at Cochin

17. There should be a transit camp at Cochin to facilitate the movement of staff equipment stores and other amenities for the companies deployed at Lakshadweep Islands.

## 93. Community Policing and Concept of Applications (1995)



GP Joshi and GS Bajpai\*

### Objectives

1. To find out the main problems that are confronted by the police departments in implementing Community Policing programme.
2. To suggest lines on which community policing should be organised in the country.
2. The programme should be flexible enough to accommodate the needs, aspirations and expectations of the country and the requirement of the community in rural/urban context must be kept in mind while designing and implementing the community policing programmes.

### Methodology

1. Field Studies and first hand collection of field data.
2. Interviews.
3. Public documents/records.
3. Organisation climate of the police must be changed and it is desirable to the police personnel charged with the responsibility of implementing community policing programme through special design training courses for improving their communication skills and service oriented attitudes.
4. The community policing programme should be given great thrust in rural areas as they have been found highly economic and successful.

### Coverage of Sample

Thus, the total sample consists of 251 police officials and 295 members of different community policing programmes. In West Bengal and Bombay, data was collected through case study and in Delhi and Karnataka, it was collected from secondary sources.

### Recommendations

1. Due care should be exercised while introducing Community Policing programmes in different areas of the country.
5. To avoid misunderstanding between police and citizens, frequent interaction between the police and community leaders should be initiated so that there is a clear cut understanding about the contents of the programmes and charter of each other's responsibility and jurisdiction.
6. Police should take initiative and harness the resources available in the community for dealing with new areas of communities concern like drug abuse, juvenile delinquency etc. Assistance of voluntary organisations functioning in the community can be always marshalled for this purpose.
7. Police should try to understand and appreciate the fears and problems of the citizens and

\* BPR&D, MHA, New Delhi (In-house Study).

make concerted efforts to reach out to the community and keep on constantly improving the quantity and quality of communication and interaction with community leaders.

8. Emphasis on the service oriented work of the police will break apathy, indifference and the resentment of the public towards the police and will help police not only in carrying out their law enforcement operations but also in mobilising the support and participation of the community in police work.
9. A strict vigil on the functioning of the programme should be maintained so that scheme may not be allowed to lapse or to be misused.
10. A programme of community policing cannot be uniformly appreciable to all the communities or even same community on all occasions as the latter are organic in nature and keep on growing. Hence there can be no model scheme of community policing having universal applications.

## 94. Decline in Professionalism in Indian Police (1995) Causes and Suggested Remedial Actions



Anil Kumar Saxena\*

### Objective

The causes of decline in professionalism in Indian Police and measures for improving the same.

### Methodology

1. By answer to the questionnaire.
2. Review and analysis of related literature.
3. Structured and unstructured interviews were conducted with the eminent people from various strata of society.

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### Sample

The stratified random, sampling procedure was adopted for collecting of data.

### Important Findings

Following reasons of declining professionalism in police were put forward:

1. Misconduct and high handedness in dealing with public.
2. Defective and out dated Criminal Justice based on Principle of distrust on police.
3. Poor Personnel Management, low morale and lack of adequate motivation.
4. Organizations insensitivity poor organizational health and ineffective leadership.

5. Inadequate and insufficient training of police men in appropriate behaviour public service and human rights.
6. Lack of duty consciousness, discipline morale and knowledge of law.
7. Multiplicity of role but shortage of man power in police.
8. Non registration of complaints and hostile behaviour towards complaining people.
9. Illegal detentions and custodial violence.
10. Use of third degree methods in investigation.
11. Expanding new challenges to police by ever increasing social legislators and criminal law enactment.
12. Political interference politicized transfers and lack of functional autonomy.
13. Discriminatory behaviour towards poor and under privileged section of the society.
14. Yellow journalism and inadequate support from media.
15. Trade union tendencies in police force.
16. Nexus among criminals, politicians and police.
17. Stagnation in service.
18. Defective transfer policy.
19. Inadequate application of Science and Technology in police work.
20. Ineffective recruitment procedures in police force.
21. No mechanism for effective performance measurement, less recognition and application for good work.
22. Poor reward system.
23. Poor pay and inadequate facilities.
24. Interference by judiciary.
25. Failure of superiors to protect dedicated subordinate officers.
26. Lack of downward communication in the department affecting proper supervision and conduct of subordinates.
27. Corruption and negative image state public
28. Absence of mechanism for communication of recent rulings Constitutional amendments, Judgements and literature of significance to police personnel at all level of hierarchy.
29. Absence of motivational mechanism for police personnel to pursue higher studies and to undertake research studies in police related matters.

## Recommendations

Following are the factors to be controlled for improving professionalism in police:

1. Corruption in police.
2. Extra legal and immoral methods in detection of crime.
3. High handedness with public.
4. Inefficient and ineffective training with no ground reality.
5. Ineffective police community relationship.
6. External influences in police.
7. Communication gap within police department.
8. Violations of human rights by police.
9. Unethical acts by police.
10. Ineffective crime data bank.
11. Inadequate transport communication facilities.
12. Strained police judiciary relationship.
13. Interference in the positions by political bosses.

Professionalism may be improved among police personnel:

1. The National Police Commission's recommendations to bring out structural changes in police should be implemented for ensuring improvement in professionalism, performance, morale and accountability.
2. The training of police personnel should be improved and modernized, professionally oriented in-service training.
3. Training courses should be conducted to include shooting, training in computers, human relations training, etc.
4. Police station and district training must be organized under competent supervisions. Initial training should be both tough and ideal.
5. There should be improvement in recruitment procedure.
6. Police should behave properly with public and they should develop positive attitude towards them.
7. Modern weapons and equipment should be provided in every police station.
8. Good facilities, adequate resources, attractive pay and fixed of hours of duty should be provided to the police personnel.
9. Steps should be taken to ensure adequate compensation to the families of these police personnel who sacrifice their lives at the alter of the duty.
10. Corruption at every level should be curbed.
11. Senior police officers interference, favouritism in giving postings, bad behaviour towards subordinates and indiscipline should be controlled within the police organization.
12. Promotion should be timely and of merit based.
13. Police performance should be evaluated by performance audit by a reliable and professional agency or on committee of representatives of all parities of the State.
14. *Espirit-de-corups* should be fostered among all ranks by better two way communication.
15. Integrity, efficiency honesty and truthfulness should be encouraged in police system.
16. Research in police matters should be encouraged.
17. Separate prosecution wing should be created to ensure harmonious working between the police and judiciary.
18. Intensive supervision of subordinates by subdivision police officers (SDOPs) should be done.
19. More man power resources should be provided in police at with crime rate and only trained police personnel should be provided to police stations.
20. Direct recruitment at all levels by pubic service commission should be done.
21. Magistracy- police relationship needs some change:
  - (a) there should be more exchange of views between magistrates and police.
  - (b) Effective need based structured in service training programs involving both should be conducted.
  - (c) More Magistrate powers to police should be given.
  - (d) Hierarchy should be very well defined between them.

## 95. Formation of Criminal Gangs in Metro Cities (1995)



VK Saraf\*

### Objective

To study the organized criminal activities in the cities of Mumbai and Delhi and formulate a strategy for the control and containment of the organized crime in these two cities.

### Area of the Study

Delhi and Mumbai

### Methodology

1. Study of records.
2. Interviews / Visits.
3. Utilizing the services of serving/ retired police officials.

### Recommendations

1. An organized crime should be treated as a problem of national priority as it operates across jurisdiction of Police Stations, states and even national boundaries.
2. A sound strategy to combat organized criminal activities at home and conscious policy to join the international co-operative efforts by Governments, more particular by law enforcement agencies, should be

\* Retd. DG, Maharashtra. The study was undertaken by the Center of Police Research Pune and sponsored by the Bureau of Police Research and Development, MHA, New Delhi.

formulated without further delay so that a synergistic multi prong attack could be launched with a view to incapacitate the top leadership as well as lower echelons down to the foot soldier.

3. To face the new trend of crime, a Special Task Force (STF) headed by Joint commissioner of Police (JCP) or some senior officer should be created within police force.
4. The Special Task force should consist of experienced police officers duly assisted by trained financial personnel like chartered accountants, financial analysts be either permanent or on job basis.
5. Territorial police should also be required to combat organized crime as one of their priority functions and should continue to assist special unit in this task force.
6. Both police and STF should develop methods and capabilities to administer a multi headed salvo at the gangs.
7. STF officers and men should be provided more intensive and how to do it kind of training in order to develop an acute in-sight and confidence to take actual steps on the ground.
8. STF should develop high degree inter-police force co-ordination and co-operation and should act the clearing house and the nodal agency for dealing with outside agencies.
9. No body in STF should be allowed to stay on for a longer period than his normal tenure.

- This will prevent developing of vested interest, corruption and officers joining hands with gangsters. With their experience in the STF, they can continue to contribute from outside.
10. A Special Criminal Intelligence wing should be set up in the force, which should use all covert and overt methods including technological sources for getting information about organized gangs. The wing should work out an integrated computer records system for storing information, which will help in bringing speed to data verification.
  11. A small cell comprising officers of known integrity and dedication should be created under STF chief for internal security. It should have authority to see that officers posted in STF don't get contaminated by corrupt influences from outside and they don't share sensitive information to unauthorized persons.
  12. Intelligence information should be obtained as a standing arrangement on a give and take basis from other states and central agencies.
  13. While investigation the violent activities of a gang, STF should systematically go into working of the non violent illegal and legal business activities acquired illegitimately or used by the gang directly or through its henchmen in order to mark out comprehensive cases against the gang as opposed to its individual operations.
  14. Organized crime should be made as a part of syllabus at the basic police training schools and should be followed up with periodic in-service short term briefing courses that would up date the knowledge of participants.
  15. The whole criminal Justice system should be sensitized to the need for active co-operation in curbing organized crime. Special orientation courses should be designed for judges, prosecutors as well as jail authorities and for those who cannot attend the course, briefs can be prepared on the crimes that is currently occurring with all their ramification properly highlighted so that they sufficiently grasp the implication of the crime. In additions, seminars should be organized from time to time for educating the participants.
  16. Legal provisions must be framed that will enable the law enforcement agency to investigate all benami assets of a gang and take appropriate measures to seize and ultimately confiscate such assets.
  17. Confession made to police officer should be made admissible in the Trial Court and witness should be given adequate protection. Secondly, those witnesses who turn hostile should be legally made accountable for it in a manner that would deter others from following the same path.

## 96. Effective Policing of the National Capital Territory and Adjoining Areas (1995)



Jayatilak Guha Roy\* and Yatish Mishra\*\*

### Objective

To examine the emerging problem of effective policing in the NCT of Delhi and adjoining areas and suggest suitable measures/remedies to overcome them.

### Methodology

1. Answer to questionnaire.
2. By workshop.
3. Study/survey of available literature/records.

### Area of Study

Delhi.

### Salient Findings

#### Crime and Criminals

1. Sensational/organized crimes have shown an increasing trend. Of these, the highest rate of increase was in ransom.
2. There has been decreasing trend of terrorist acts because of control of terrorism and restoration of normalcy in Punjab.
3. There has been an increasing involvement of outsiders/resident of adjoining states in the crime.

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\*\* Research Associate, IIPA.

(The study was conducted by the Indian Institute of Public Administration, New Delhi and sponsored by the BPR&D, MHA, New Delhi).

### Major Operational Problems

1. The major operational problems affecting the effective policing of the region have been identified as follows:
  - (a) Lack of modern equipments & sophisticated weapons.
  - (b) Political interference, especially by local bodies.
  - (c) Lack of Public co-operation and responsiveness.
  - (d) Burden of VVIP and VIP security duties.
  - (e) Winning over of witnesses.
  - (f) Inadequate communication facilities.
  - (g) Inexperience regarding performance of different types of field duties, particularly relating to the types of organized crimes emerging in the NCR Delhi.

### Coordination

1. Majorities of the field actors are not satisfied with the existing arrangement of intelligence collection and sharing.
2. More number of middle level officers viz DCPs, ACPs, Dy. SPs are not satisfied with existing arrangements of co-ordination with National level agencies like CBI, NCRB & DCPW.

3. Inter-agency co-ordination in the adjoining areas of UP and Haryana has not been found so extensive as in Delhi.

## Recommendations

### Manpower

1. To meet increasing workload of police force in the region, there should be substantial increase in the total strength of the force.
2. The Law & order and investigation should be separated at the Police Station level.
3. Periodic review of threat perceptions to various persons who are no more on sensitive and important assignments should be carried out to reduce the deployment of reserve force and improve their availability for operational purposes.
4. The Police should take assistance from private detective agencies by engaging them on contract basis in the field for intelligence collection and for peripheral police services such as serving of summons, maintenance of transport etc., to save manpower for operational purposes.

### Personnel Policy

1. The personnel policy should be suitably worked out so as to ensure optimum utilization of manpower thereby reducing the workload and minimizing the working hours.
2. The personnel policy should also ensure better living conditions, housing facilities, and staff welfare schemes.
3. The personnel policy should have a minimum of three promotions in his/her service career and it should be ensured that time bound promotion from one rank to another at every stage one career.

4. Every good work done by the subordinate should be appreciated and rewarded so as to boost up their morale and working spirit.
5. Job allocation should be commensurate with individual efficiency and organizational needs and postings in special units such as CID, operation cell etc. should be made on voluntary basis.
6. Official and political interference in the working of police as well as their transfers and postings should not be allowed at any level.
7. The policy of golden hand shakes to get rid of unwilling, inefficient and corrupt personnel.
8. Field staff should not be encouraged to work as personal staff of officers.

### Training

1. There is a need for specialized training of police personnel from all the concerned States to deal with organized crime in view of changing pattern of urban crime and the unconventional *modus operandi* of the perpetrators.
2. Delhi Police should organize and evolve suitable training curriculum and background material for specialized training courses.

### Community Involvement

1. Community policing schemes in Delhi and adjoining areas should be institutionalized with adequate legal and organizational framework.
2. Police officials at different levels should undergo short term training programmes from time to time and BPR&D being the nodal agency for police Research and training.