

REPORT
OF THE
Uttar Pradesh Police Commission
1960-61



ALLAHABAD
SUPERINTENDENT, PRINTING AND STATIONERY, UTTAR PRADESH, INDIA
1962

OFFICE OF THE SECRETARY, U. P. POLICE
COMMISSION, 8. KALIDAS MARG,
LUCKNOW

No III/PRC—1-61, dated August 1, 1961

To

GRIHA SACHIV,
UTTAR PRADESH SHASAN,
LUCKNOW.

SUBJECT: U. P. Police Commission's Report 1960-61.

SIR,

I AM desired by the Chairman and members of the U. P. Police Commission to submit the report of the Commission to Government for perusal and such action as Government considers necessary. Along with the report, I enclose three copies of the Questionnaire in Hindi, Urdu and English.

Enclosure—As above.

Yours faithfully,

A. J. KHAN,

Secretary, U. P. Police Commission,

8. Kalidas Marg, Lucknow.

INTRODUCTORY

APPOINTMENT AND TERMS OF REFERENCE

The U. P. Police Commission was appointed by the Government, *vide* Resolution no. 426/VIII-A—250-57, dated January 23, 1960, to enquire into the various aspects of the working of the Police and the administration of the Force in the State and to make recommendations for improvement therein with a view to making the Police Force more suited to modern needs. A copy of the Resolution containing the names of the Members and the terms of reference is given in Appendix I.

MEMBERSHIP

The Commission initially consisted of 15 Members with Sri Ajit Prasad Jain, M. P., as Chairman and Sri Abdul Jamil Khan (retired D. I. G. of Police) as Member/Secretary. Sri B. D. Jayal, who was initially one of the Members, was transferred from the State soon after the inauguration of the Commission and the Government appointed Sri Prem Kumar, Deputy Secretary (Home Department), U. P. in his place. The Commission subsequently co-opted Sri L. C. Jain, Commissioner, Lucknow Division, and Sri Gian Prakash, District Magistrate, Kanpur, as Members of the Commission on July 8, 1960. Sri L. C. Jain continued to take part in the deliberations of the Commission till he took over as Chief Secretary to U. P. Government on July 4, 1961. Finally, in February, 1961, Sri Shanti Prasad took over as Inspector General of Police and in his place Sri Jia Ram, Deputy Inspector General of Police, was appointed by the Government as Member of the Commission. Thus the total membership of the Commission remained for a major period of its working at 17. The names of the Members and their attendance in the meetings of the Commission are shown in Appendix II.

INAUGURATION

The inaugural meeting of the Commission was held on February 2, 1960, in Lucknow and it was addressed by the then Chief Minister, U. P., Dr. Sampurnanand. He stated during his speech that the Commission had been set up because it was considered desirable that the strength of the Force, the equipment available to it, the methods of recruitment and system of investigation and prosecution should be examined with a view to introduce

changes necessary to combat the general phenomenon of increase in crime. The detailed text of his speech is given in Appendix III. The Commission was allowed a total period of 15 months from the date of its inauguration for the submission of its report. This period finished at the end of April, 1961. Unfortunately, due to certain circumstances, the meetings of the Commission could not be held during October and November, 1960, and the period had, therefore, to be extended up to May 31, but as the report could not be finalised by that date, this period was again extended up to July 31, 1961. The Commission, however, submitted an interim report in the beginning of February, 1961, on questions of recruitment and training, pay scales and buildings and certain other amenities so that, if Government accepted these, provision could be made for the same in the budget for the year 1961-62.

QUESTIONNAIRE

The terms of reference of the Commission were wide and covered almost every aspect of the police administration. To be able to ascertain the views and suggestions of the members of the public in different walks of life and those of officials connected with administration, the Commission first took up the drafting of a Questionnaire in March, 1960. The tentative Questionnaire was drafted and sent to selected persons from the services and the public. It was finalised on receipt of their suggestions for amendments. It was divided into six parts namely (1) General, (2) Organisational, (3) Law, Investigation and Prosecution, (4) Conditions of Service, Training, Equipment and Communications, (5) Pay and Amenities and (6) Public Relations. Appendices were included to explain the various existing rules and regulations and to supply relevant data to the person who was to answer it. The Questionnaire was printed in Hindi, English and Urdu languages. In all 8,000 copies of the Questionnaire were distributed in May, 1960, and six weeks' time was allowed for the replies to be received, although replies continued to be received till the end of September, 1960. A list of persons and organisations to whom the copies were sent is given in Appendix IV. It must, however, be admitted that the response was rather disappointing. Apart from the officials, the number of persons, who replied, was very small. Out of 650 members of the Legislature and Parliament to whom the Questionnaire was sent, only 13 sent their replies. Only 4 Chairmen of Municipal Boards and 1 Chairman of Town Area and 5 Presidents of the District Bar Association sent their replies.

PROCEDURE OF WORK

The Commission set up the following six Committees to examine in detail the different aspects of the problems concerning the Police administration :

- (1) Services Committee,
- (2) Organization Committee,
- (3) Pay and Amenities Committee,
- (4) Law Committee,
- (5) Public Relations Committee and
- (6) Hill Committee.

The names of the persons constituting these Committees are given in Appendix V. These Committees studied the details of the subjects with which they were concerned and drew up reports giving existing position in these matters and their tentative suggestions. They also prepared their draft replies to the questions concerning them and also selected points which were to be clarified through oral evidence. These reports were considered by the Commission and tentative decisions were taken, which were subject to revision in the light of closer scrutiny later and the oral evidence.

TOURS

With a view to acquaint themselves with the first hand knowledge of the working of certain departments of Police and problems of some important localities, the Commission visited the following places :

- (1) Armed Training Centre, Sitapur, on April 24, 1960.
- (2) Police Training College, Moradabad, on May 2, 1960.
- (3) Kanpur Town and Central Stores, Kanpur, on April 27, 1960 and April 28, 1960.
- (4) Bareilly Jail, on December 7, 1960.
- (5) Police Headquarters, on March 9, 1961.

Besides, some Members of the Commission paid a surprise visit to a rural Police Station in district Bareilly. They also visited a Police Station in Lucknow City. During the course of their visit for the purpose of recording the oral evidence, the Commission also visited the Police Lines at several places. To study the system of policing in Bombay, the Chairman and subsequently Sarvsri Shanti Prasad and Jia Ram visited Bombay. The report of these two officers is at Appendix VI.

ORAL EVIDENCE

The Commission visited all the Headquarters of the Commissioners' Divisions in the State excepting Gorakhpur and Naini Tal to record the evidence of witnesses. Persons belonging to Gorakhpur Division were called to Varanasi and so far as Hill Region is concerned, Members of the Hill Committee themselves visited places in the Hills. Usually, only those persons were called for interview, who had replied to the Questionnaire, but exceptions were made in the case of prominent public men, Judges of the High Court and a few senior officers of the Administrative Service. The Commission spent 33 days in recording the oral evidence. Out of 224 persons, who were requested to give evidence, 163 responded. The detailed list is given at Appendix VII. Questions were usually put to the witnesses on the subject of their interest and if they had replied to the Questionnaire to clarify the points raised by them.

After recording the oral evidence, the Commission held 15 sittings in which the evidence was sifted and the report was drafted and finalised. The final writing of the report was completed from July 21 to 29, 1961. We have not examined the system of Police with a view to scrapping it. It was introduced in 1861 and has stood the stress and strain reasonably well, but our suggestions have been made mainly with a view to adjust that system to the needs of a democratic society. The system of policing in the rural areas almost broke down after the abolition of Zamin-dari and suggestions have therefore, been made to fill in the gap thus created. Suggestions have been made with a view to improve supervision and control at different levels and to relieve the specialised Police Officers from the burden of routine and office duties. Emphasis has been laid on the development of proper public relations and removal of the usual causes of complaint from the public. We have also considered the question of the strength of staff of different categories, their recruitment, training, pays and allowances and the various amenities. We have felt that efficiency and effectiveness of the Police Force has to be raised to improve the existing law and order and crime situation, and have made recommendations in this regard.

It is our pleasant duty to thank the large number of people, who took the trouble of giving us the benefit of their advice in writing and orally. We must also express our sense of the deep obligation which we are under, to our Secretary, Sri A. J. Khan, and Deputy Secretary, Sri Shiva Swarup. They have been untiring in their attentions to the Commission in organising our meetings and assisting us on all matters, which required intimate

knowledge of the department. In the concluding phase of our Commission, our thanks to them have been more doubly earned. They and the office staff have been indefatigably industrious in the collection and analysis of material for us and have at all times helped us cheerfully, expertly and without sparing themselves:

(1) AJIT PRASAD JAIN.

30-7-'61.

(2) C. D. PANDE.

(3) JIA RAM.

(4) MAHI LAL.

(5) NAWAB AHMAD SAID KHAN OF CHHATARI.

(6) BECHAN RAM GUPTA.

(7) A. J. KHAN.

(8) SANKAR SARAN.

30-7-'61.

(Subject to an explanatory note)

(9) SARDAR JOGENDRA SINGH.

(Subject to note of dissent)

(10) SURESH PRAKASH SINGH. }

(11) GIAN PRAKASH. }

(12) R. S. YADAVA. }

Subject to the
note of dis-
sent.

30-7-'61.

(13) PREM KUMAR. }

(14) P. C. AZAD. }

(15) MADAN MOHAN VARMA. }

(16) NARAIN DUTT TEWARI. }

(Signed note of
dissent only
and the
report).

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PART I
BACKGROUND

CHAPTER I

SOME BASIC FACTS

Introductory—The present Police system was organised by the British to suit the needs of a colonial rule and was used essentially to maintain the power of alien rulers. It paid scant regard to law or rights of citizens. Democracy is basically the rule of law and the Police must necessarily work within the limitations of law. We had posed a question to witnesses whether they considered the present set up of police satisfactory and fit to meet the needs of a democratic society. What in their opinion were its main shortcomings and how they could be remedied? More than three-fourth of witnesses, who have replied, did not consider the present set up to be satisfactory. This opinion was supported by the Inspector General of Police (Sri M. S. Mathur), who thought that the present set up was out-dated. The remaining less than one-fourth witnesses thought they by and large the system was all-right and required only minor adjustments. We agree with the first view. The Indian Constitution, with its directive principles and fundamental rights, many of which were enacted to secure personal liberties for the Indian citizens, has created new tasks requiring fresh approach and outlook from policemen. The duties of a policeman now are confined not merely to the maintenance of law and order and investigation and detection of crimes, but he is equally responsible for preserving the fundamental rights of the citizens. He must also discharge his duties keeping in view of the directive principles of the State policy. Since the Independence there has been considerable increase in the number of educated persons. An educated society demands higher standards of intelligence, courtesy, tactfulness, behaviour and demeanour from policemen. We have been informed by a number of witnesses that unfortunately more educated persons are now participating in crimes, and crime techniques have also become more complex and advanced. Fast moving vehicles and fire-arms find greater use with these criminals. The old methods of investigating crimes, based on crude interrogation and use of third degree methods, have now become obsolete. The growth of industrialization, which invariably leads to concentration of labour in towns and factory areas, has led to an increase of urban population. Apart from the traffic and allied problems, new types of criminals and new crime technique have grown up. Numerically the Police Force has failed to keep pace with the growth of population. In 1951 there was one policeman for every 1,094 people whereas in 1960 one policeman was available for every 1,136 people. If we exclude the Provincial Armed Constabulary, which is a reserve force meant for use in emergencies and not available for normal duties, the position is still worse. In 1960 there was one policeman to 1,439 people as against 1,351 in 1951. Compared to some other major States, the allocation of Police in Uttar Pradesh per mille of population is lower, for instance while there is .98 policeman per mille of population in Uttar Pradesh, in West Bengal it works out to 1.43, in Bombay to 1.89, in the Punjab to 1.98 and in Madhya Pradesh to 1.36. We have no intention of dealing with all the shortcomings pointed out by witnesses and in what follows we hope to deal only with such of them as in our opinion are important,

2. *Role of police during the struggle for independence*—During the last days of the British rule in India, for almost three decades beginning from 1920, the national struggle for liberating the country had become more aggressive and assumed the form of mass movement. The Congress did not believe in secrecy; its activities were open. Nevertheless the police was required to keep watch over Congressmen. Other publicmen also, who were moderate by temperament, did not always escape its surveillance. Cases are not wanting when history-sheets of less conspicuous public workers were opened only because of their political activities. There have been instances when volunteers picketing liquor shops had been convicted of having robbed buyers of liquor bottles. The policeman was mostly untrained in shorthand reporting and more often he gave an incorrect and sometimes false version of speeches, which formed the basis of prosecution of prominent publicmen. There was hardly a known Congressman of public worker who had not at one time or another suffered physical injury or mental humiliation at the hands of the police. In dealing with the terrorists and conspirators, the police methods were naturally more harsh and severe.

3. *Suppression of national movements leading to unpopularity of police*—The Congress agitations were primarily non-violent and normally they took the form of mass demonstration such as Hartals, processions and meetings. Occasionally, however, programmes for the non-payment of taxes and wilful violation of laws, considered to be offensive or immoral, were taken up. There were no less than three major struggles between the Congress and the Government the non-Co-operation of 1922, the Civil Disobedience of 1931 and the Quit India of 1942, all of which were organized on a country-wide scale and led by Gandhiji. The Uttar Pradesh Congress had the reputation of being heavily inclined towards the left and had built up a massive following among peasants and workers. It was responsible for the Agrarian Agitations of 1931-32, which tolled the death knell of Gandhi-Irwin Pact and led to a country-wide conflict. Besides, there were numerous small and local skirmishes between the nationalists and the Government. The police was charged with responsibility for suppressing these movements and occasions are not wanting when it indulged in acts of wanton cruelty, including severe lathi charges and firing on unarmed crowds. Pandit Jawaharlal Nehru has given a graphic description of what happened to him when he joined demonstrations against the Simon Commission at Lucknow. He writes in his Autobiography that "I felt pain all over my body and great fatigue. Almost every part of me seemed to ache, and I was covered with contused wounds and marks of blows. But fortunately I was not injured in any vital spot. Many of our companions were less fortunate and were badly injured. Govind Ballabh Pant, who stood by me, offered a much bigger target, being six foot odd in height and the injuries he received then have resulted in a painful and persistent malady which prevented him for a long time from straightening his back or leading an active life." The police had clashed not only with hosts of Congressman and other patriots actively participating in the violation of law and other anti-governmental activities but it also incurred intense unpopularity among the vastly large number of people who had generally kept away from the struggle but sympathised with fighters of freedom. Little wonder that when Freedom dawned the police was highly unpopular among the people and although a decade and half has dimmed the old memories, a substratum of feeling of hostility against the police has not completely disappeared.

4. *Effects of partition*—The partition of the country in 1947 dealt a heavy blow at the Police Force in Uttar Pradesh, the like of which had never been known in the annals of our administration. The higher ranks of the police had been virtually the preserve of the British Officers. It also contained a fairly large number of Muslims. The Inspector General and six out of eight Deputy Inspectors General of Police were all Englishmen and the seventh Deputy Inspector General was a Muslim. All of them left India and either retired or opted for Pakistan. Of the 56 senior Police Officers, working as Superintendents of Police, no less than 30 similarly withdrew from India. The Police Force was thus deprived of its leadership and the vacancies had to be filled by the promotion of junior and less experienced officers. Of the 42 junior I. P. Officers, who were acting as Assistant Superintendents and would in due course have been promoted as Superintendents of Police, no less than 40 per cent retired and thereby dried up a valuable source of supply of personnel to higher ranks. We do not mean that the British Officers provided necessarily the right type of leadership. But the fact remains that the damage suffered by the police by the loss of experienced superior ranks has not been fully repaired. In spite of the depletion of leadership, it is a matter of some credit that the U. P. Police Force could boldly and successfully face the holocaust of communal rioting, which followed the partition. The police in the western districts of the State had to face the influx of refugees from the Western Pakistan, which created very serious problems, but the law and order situation was never allowed to go out of control. The part played by the police received recognition not only from the State Government but also from Sardar Patel, Union Home Minister.

5. *Leadership in police*—Like a good fighting army, an effective Police Force requires three essential elements—leadership, equipment, training. We shall now proceed to examine how far they exist in the U. P. Police Force. The officers who should be considered as operational leaders of the Police Force are the Inspector General of Police, the Superintendent of Police and the Station Officer. We are definitely of the opinion that the Inspector General of Police should be in exclusive charge of the Police Force. He should not share his powers with anybody and all other officers must be his subordinates. We regret that we did not find qualities of real leadership in some of the Superintendents of Police. This is understandable, for the vacuum in the superior services of the police caused by partition, had to be filled up hastily by officers, who had been released from the Army, or recruited under the Emergency Scheme from other walks of life. Qualities of leadership take time to develop. In former days the officers of the Indian Police received close supervision and advice from senior officers before they were given independent charge and thus they got through a grounding not only in the police work but also in man management. This was not possible in the post-Independence era, because in the first place very few senior officers were left and secondly many of the officers released from the Army or taken through the Emergency Recruitment Scheme came to the police at far too advanced an age to 'break' them into proper traditions. Now that a regular cadre of I. P. S. has taken shape, the position is likely to improve. The Superintendent of Police is in charge of the district executive force and occupies a key position in the police administration. He must be a man possessed of dynamism and drive, a model of integrity and uprightness, able to inspire faith and win the loyalty of his subordinates. The present police administration suffers from a sort of class rigidity. There is

not enough of fraternisation between the superior officers and the non-gazetted staff. We should like that rigid barriers to be relaxed. We suggest that there should be an improvement in 'Man-Management' and senior officers should look after the comforts and personal difficulties of junior officers and men placed under their charge. They should meet them more often outside the office and on parade ground so that they understand each other better. They should attend social functions organised by the subordinate ranks, and play games with them. The Station Officer occupies another key position and should be a man possessed of the qualities of leadership. Some discontent was noticed at certain places regarding the method of posting of Station Officers. This may be due to the fact that, in some districts, a larger number of Second Officers of good quality is available with the result that some good Second Officers are not able to get charge of Police Stations, while, in certain other districts, the general quality of the Second Officers is not so good and poorer class of man get charge of Police Stations. It will be desirable therefore, that the Range Deputy Inspectors General review the records of service of all Second Officers in their ranges once a year and make necessary transfers in their ranges so as to ensure an equitable distribution of good Second Officers in all the districts. During his Mansoon and Annual Inspection, the Range Deputy Inspector General should scrutinise the orders issued by the Superintendent of Police regarding the postings and transfers of Station Officers to ensure that suitable men have not been passed over for posting as Station Officers. We do not think that the selection of Station Officers should go by seniority alone; other equally important considerations should be initiative, drive and energy of the officer.

6. *Police equipment and training*—The old methods of police investigation have become obsolete and must yield place to scientific and advanced techniques. We note with regret that in a State like the Uttar Pradesh, with a population of nearly seven crores, there does not exist a Forensic Science Laboratory. In another part of the report we have made detailed recommendations in this behalf. In time the Uttar Pradesh may need more than one Forensic Science Laboratory. Again the means of communication have improved and the use of faster vehicles has become popular, but the State has failed to treat modern communication and transport as a part of the police organisation. A large number of Police Thanas are neither on telephone nor on the wireless. Much of the time and energy of Police Constables is spent in running errands and carrying letters and messages. In the absence of a push-bike, the Constable has to walk to the periphery of his beat and before he reaches there, he feels exhausted, especially when the beat happens to be situated far away. We consider arms, scientific equipment, telephone, wireless and vehicles as much a part of the police system as men. The operational technique and methods of policemen must be improved and modernised. The educational standards laid down for recruitment of constables are low. With the vast increase in education, which has come about since the Independence, there will be no dearth of more educated persons offering themselves for recruitment as policemen, in particular when, as we have recommended elsewhere, there would be substantial improvement in their pay, allowances and living conditions. We are not satisfied with the initial or the in service training of policemen. There is no such thing as a precedent for a policeman. The facts of any two situations are never the same. A policeman has, therefore, to find a fresh solution for every new situation. He must be possessed of initiative, alertness and imagination. These

qualities can be developed only by proper training. In a free democratic society a policeman must possess considerable qualities of patience, forbearance, good behaviour and sympathetic outlook towards the public. At the same time he must be unrelenting in dealing with criminals and anti-social elements. We regret to note that there is considerable apathy and want of co-operation and responsiveness from the general public but we have no doubt in our mind that a policeman, by his upright conduct, honesty and courtesy can win with the trust and confidence of the people.

THE POLICE IN FUNCTION

7. *Powers and responsibilities of the police*—The Police Force in Uttar Pradesh, as in other States, has been organised under and derives its authority from the Indian Police Act of 1861. It is conceived as “one Police Force for the whole of the State”. Its administration at the State level is vested in the Inspector General of Police, who is assisted by a number of Deputy Inspectors General and an Assistant Inspector General. In districts the Police functions under the general supervision and direction of the District Magistrate but the operational control of the District Executive Force vests in the Superintendent of Police, who is assisted by Assistant Superintendents of Police and Deputy Superintendents of Police. The bulk of the Force at the bottom consists of non-gazetted ranks, that is, Inspectors, Sub-Inspectors, Head Constables and Constables. The Police Officers have by law been charged with the duty to collect and communicate intelligence affecting the public peace; to prevent the commission of offences and public nuisances, to apprehend and to detect offenders and bring them to justice. It is lawful for the Police Officers in the discharge of any of the above duties to enter without a warrant and inspect any drinking shop, gaming house or other place of resort of loose and disorderly characters. They must obey and execute orders and warrants lawfully issued to them by a competent authority. They can lay any information before a Magistrate and obtain summonses, warrants, search warrants and other legal processes against offenders. The Superintendent of Police has been vested under sections 30 and 30-A of the Police Act with power to regulate public assemblies and processions and licensing them. Any Police Officer may stop a procession which violates the conditions of the licence and order the assembly to disperse. An assembly which refuses to disperse becomes an unlawful assembly and can be dispersed by force. The Police must keep order on public roads and in the public streets, thoroughfares, ghats, landing-places and at other places of public resort. On enrolment to the Police Force, a person is issued a certificate which vests him with powers, functions and privileges of a Police Officer. Any Police Officer of subordinate rank, who discharges his duty in a careless or negligent manner or by any act of his own renders himself unfit to discharge any of his duties is triable under section 7 of the Police Act. He is also punishable for violation of duty or wilful breach or neglect of any rule or regulation or lawful order made by a competent authority, or for withdrawal from duty without permission and like offences and for cowardice under section 29 of the Indian Police Act.

8. *Crime in Uttar Pradesh*—Nearly all persons who have replied our question whether the incidence of crime in the State is increasing against person and property, have definitely stated that the crimes are on the increase. During the course of interviews we have pointedly put this question to senior Police Officers, including the Inspector General of Police, Deputy Inspectors General of Police and Superintendents of Police, who have mostly expressed the same view. We have no doubt in our mind

that the incidence of crime is increasing both against person and property and especially against person. Curiously, however, the official statistics of crime against person and property during the period 1950 to 1959, the last year for which figures are available, have for the State shown a progressive decline of about 10 per cent. The total of offences against person and property have dropped from 81,881 in 1950 to 73,832 in 1959. We also examined in detail the crime statistics of the district of Kanpur and Lucknow. The total of offences against persons and property in Kanpur has fallen from 5,128 in 1951 to 3,377 in 1959 a decline of about 33 per cent. In Lucknow the total of similar offences has fallen from 3,774 in 1951 to 3,168 in 1959. The Police Officers of these districts have at the same time been complaining of inadequate allocation of the Police personnel. We have tried our best to secure an explanation as to how more allocation could be justified when the crime situation has improved but we have not been able to get satisfactory explanation. We are informed that as a result of new instructions issued by the State Government ordering that the crimes must be fully and correctly recorded, the official figures of crimes for the first quarter ending 31st March, 1961 have shown a big spurt. The number of dacoities, robberies, riots and murders during this period has gone up by 78 per cent, 94 per cent, 73 per cent and 23 per cent, respectively compared to the corresponding quarter of 1960. The figures speak for themselves. Concealment and minimization of recorded crimes is a natural corollary of a system where the work of the Station Officer is judged by number of crimes committed in the area of his jurisdiction. We have no doubt that the figures of recorded crimes suffer from defects of both concealment and minimization and we are not fully sure whether even now the crimes are being fully recorded. We are of opinion that the efficiency of the Station Officer should be judged not so much by the number of recorded crimes as by cases successfully worked out and the general efficiency of the Police Force under him. Correct recording of crimes, in our opinion, is essential for effectively controlling the crime situation. The Deputy Inspector General of Police, Superintendent of Police and Circle Officer on tour should meet publicmen and get a general idea of the crime situation. Any officer wilfully suppressing or minimizing the recording of crimes should be held guilty of misconduct and dealt with severally.

9. *Reasons of increase in crime*—The reasons for deterioration in the law and order situation are many. The traditional fear of the Police, inherent in a colonial regime, has rightly disappeared, but unfortunately the respect for Law, necessary for the successful functioning of democracy, has not yet developed. The old Village Police system, based on the Mukhiya and Chaukidar, has broken down and no new agency has been set up in its place. The ineffectiveness of the Police, poor quality of investigation and prosecution, interference on the part of publicmen, prevailing party-factions and the association of criminals, history-sheeters and bad characters with political parties are among some of the reasons which have led to increase in criminality. The figures given by the Home Minister, Uttar Pradesh, for a certain district of the number of history-sheeters and ex-convicts, who are on the rolls of political parties during 1961-62 Budget Debate are highly revealing. A large number of witnesses, who have personal knowledge of the rehabilitation work of tribes which were formerly notified as criminal tribes, have told us that the work of rehabilitating these tribes has been far from satisfactory. They continue to lead the old life of criminality and in the absence of old surveillance by the Policemen prey freely upon the people,

We are of opinion that the denotification of these tribes is a step in the right direction but we see no reason why they should not be given full facilities to rehabilitate. Young children of the tribesmen, we are told, have not been weaned away from the influence of elders. They do not get proper schooling and are prone to take to the traditional profession of the family. We strongly recommend that effective and immediate steps should be taken to rehabilitate tribes formerly classified as criminal tribes and in particular their children should be insulated against the evil practices of elders.

10. *Commission of crime by educated men*—There is generality of opinion that more educated youngmen are now participating in crimes and that they are resorting even to heinous types of crimes. Some important and experienced Police Officers and other officials and non-officials however feel that with the increase in education it is but natural that numerically more educated people should be involved in the commission of crimes. We have been given instances of young students having organised themselves for committing heinous crimes. In some cases even the teachers had joined them. In a recent case of dacoity in a certain district on investigation it was found that four college students were the members of a desperate gang of dacoits, which had committed several dacoities. In another district a junior professor, a graduate and a matriculate were members of a gang, which was posing a Policemen dressed in Khaki. One of them gave himself out as the Kotwal. The gang made search and collected valuable property including ornaments on the allegation that it was stolen property. They decamped in a jeep, firing in the air to terrify people. After investigation the three educated persons were arrested. In the case of a railway dacoity a gang of criminals, including a graduate and an Intermediate, shot the cashier and the Treasure Guard of the State Bank of India and decamped with the cash-box of the Bank containing notes worth Rs.2.5 lacs. They were subsequently prosecuted and convicted. Many other similar instances have come before us. There is no doubt that numerically more of educated persons are resorting to crimes and some of the offences committed by them are of extremely heinous nature. Nevertheless there is no barometer to judge as to what extent the increase in crime by educated persons is due to sheer increase of numbers and to what extent to a greater tendency among educated persons to take to the life of crime. Crimes committed by educated youngmen, however, create infinitely more difficult problem for the Police both during the investigation and prosecution. Socially it is a dangerous phenomenon. The rising trends of crimes can be traced to improper education, lack of control of parents and teachers, exploitation of students by unscrupulous persons, including some politicians, poverty, social insecurity and want of avenues of employment and the evil effects of cinemas dealing with crime life, etc. The removal of these causes falls more within the educational and social sphere and are not Police problems. The Police must deal with educated offenders as with other types of criminals.

11. *Juvenile delinquency*—We have also reason to believe that juvenile delinquency has been on the increase particularly due to the improper home life poverty and social disabilities. The Uttar Pradesh Government have already enacted the Uttar Pradesh Children's Act of 1952 to deal with the problem of child delinquency. We have, however, reason to believe that the Act has more or less remained a dead letter.

We would like the Stat Government to take effective steps to implement the law.

12. *Functions of Police*—The functions of the Police can be summed up as (a) watch and ward, (b) prevention of crimes, (c) investigation and detection of crimes, and (d) prosecution of offenders. Besides, the Police has to serve processes in all criminal cases including processes in complaint cases filed by individuals. It has also to enforce certain municipal by laws and orders of Rent Control Officers. The Fire Services in the five KAVAL towns of Uttar Pradesh also form part of the Police Department. In regard to offences falling under certain specialised laws such as the State Excise Act and the Motor Vehicles Act, there are specialized departmental agencies for detection, investigation and prosecution of offences. This, however, does not absolve the Police from its statutory responsibility and the duties of the specialised agency and the general law and enforcement agency (Police) are in regard to these offences concurrent.

13. *Deployment of police on non-police jobs*—The Police is a specialised cadre. It is given an intensive training. In another part of the report we have made recommendations for improving the initial and inservice training of Policemen. We have also recommended an increase in their emoluments and have also prescribed a higher minimum standard of education. All this has been done with a view to attract better type of men. We are of the opinion that Policemen should be deployed normally on duties requiring use of their specialised skill and training and should not be wasted on duties which do not require the use of those qualities. The service of summonses in criminal cases calls for no special type of training or skill. The Policemen have to undertake long journeys in the rural areas only to serve the processes, which take away a considerable portion of their time. During the year 1960, no less than 6,72,279 summonses were issued in the State to the Police for service and if on an average 1,000 processes per year can be served by one person, the work must have occupied 670 Constables. We, therefore, recommended that the regular Policemen should be relieved of this work by providing a separate process serving staff. The assistance of the Gram Rakshaks may also be taken in process serving. (We have defined his functions in Paragraph 77). However, it will still be necessary for regular Policemen to execute warrants of arrest and attachment etc. The Police is also responsible for enforcement of certain municipal by-laws, which is primarily the responsibility of the Municipal staff, but as there is no adequate provision for such staff their enforcement has almost wholly become the responsibility of the Police. We are of opinion that Municipalities should maintain adequate staff for the enforcement of by-laws and orders and it is only when there is danger of breach of peace in the process of executing orders that the Police should be called in. We also considered the question whether the work of traffic control should be handed over to local boards and a beginning made with one of the KAVAL towns. Control of traffic has become a specialised work which grows in complexities with urbanization. Inefficiency in traffic control may cost more lives than all the use of firearms in Police operations. We do not feel that the time has arrived when the traffic control could be transferred to local bodies.

14. *Police and Fire Service*—Fire Service, by the nature of its work, is not a Police function. We have made enquiries from other States

and are informed that, barring one exceptional case, Fire Services do not form part of the Police Force. In Maharashtra, Fire Service is under the control of the Corporation in Bombay and of the local Municipalities in districts. In Andhra Pradesh, Fire Services are under the control of the Director of Fire Services, who is the head of the department. In Madhya Pradesh, excepting the fire brigade unit of Indore, which is under the Police, other Fire Services have nothing to do with the Police. In West Bengal, Fire Services function as a separate unit under the control of the Secretary of the Local Self-Government and Panchayat Department. There is also a Director of Fire Services. In the Punjab, Fire Services constitute independent units under the control of Municipal Boards. In Madras and Bihar, Fire Services are separate departments but they function under the control of the Inspector General of Police. We are informed that in Bihar the Inspector General of Police has proposed that the Fire Services organization should be placed directly under the Government. We understand that the Fire Advisory Committee, set up by the Government of India, also recommended that the Fire Service Organization should be independent of the Police control and that this recommendation has been endorsed by the Government of India. In Uttar Pradesh, Fire Services in the KAVAL towns are under the control of the Police, while Fire Services in other towns are controlled by local Boards. We see no reason why the Police should continue to handle the Fire Services in the KAVAL towns. We also understand that the Fire Services in many of the Municipal areas are not working efficiently and that some of the Municipalities have expressed a desire to be relieved of the responsibility. We would, therefore, recommend that the Police should be relieved of the responsibility of controlling the Fire Services in the KAVAL towns and Government should set up a State Fire Service Department to supervise and control all the Fire Services throughout the State.

15. *Police and Excise Enforcement*—The responsibilities of the Police to prevent crimes and detect offenders extend to the Indian Penal Code and all other penal enactments, unless its jurisdiction is expressly excluded by law. Even where a specialised agency is created, such as in the Excise or Transport Departments of Uttar Pradesh, for dealing with offences under special laws, the responsibility of the Police does not cease. The administration of the Excise Department both in respect of the fiscal policy and prevention, detection and prosecution of excise cases now vests in the District Magistrate, who functions under the general control and direction of the Excise Commissioner. The District Magistrate must ensure that both the Police and Excise staff pay adequate attention to detection of excise offences. The Excise Inspector is the main enforcement agency of the Excise Department. His duties consist in the supervision of the shops and prevention, detection and prosecution of excise offences. He is assisted by a number of Excise Peons. The appointment of the Excise Inspector, however, has not relieved the Police of the duties of prevention, detection and prosecution of excise offences. By and large the Police functions in co-operation with the Excise staff. The Uttar Pradesh Government have enforced prohibition in 11 districts and in dry areas the work of prevention, detection and prosecution of excise crimes has been entrusted solely to the Police. In Kanpur, some Excise Inspectors have been retained who work under the control of the Police. In other districts where prohibition has not been enforced, and which

for the sake of convenience we may call 'wet' districts, the Excise Staff as also the Police share the responsibility in relation to excise crimes. Under section 23 of Indian Police Act, Police Officers have been given the power to enter and inspect without warrant any drinking-shop. This power is now exercised by Station Officers. We were told that the power to inspect is often abused and Police Constables and Head Constables, who in law do not enjoy any power in respect of liquor shops, visit those shops and make unlawful gains. It was suggested that the power of Station Officer to enter and inspect the drinking-shops without warrant should be taken away. We have given considerable thought to this suggestion but we regret that we cannot accept it. The drinking-shops are the rendezvous of professional and hardened criminals and the time spent in getting search-warrant from the Magistrate would render surprise raids on drinking-shops infructuous. We would recommend that the Circle Officer and the Superintendent of Police should exercise greater supervision over raids by Station Officers on drinking-shops but it would not be in the public interest to take away the power of inspection. Officers subordinate to the Station Officer should not make unauthorised visit to the liquor-shops. The excise offences, according to our understanding, fall into two categories, namely, offences relating to breach of licences, such as shopping hours, stocking and sale of excise commodities and offences which constitute violation of other specific provisions of the Excise Act. At present the Police enjoys concurrent power both in regard to the offences relating to the conditions of licence and general offences under the Excise Act. We see no reason why the Police should involve itself in dealing with the offences relating to the breach of conditions of the licence and we recommend that the Police should be formally relieved of those duties.

16. *Police and Transport Enforcement*—The State Transport Department maintains an Enforcement Branch. Until recently the Enforcement Branch was manned by the Police personnel and functioned under the control of a Deputy Transport Commissioner (Enforcement) who used to be of the rank of a Senior Superintendent of Police. He was assisted by a number of Deputy Superintendents of Police, Inspectors, Head Constables and Constables. The Government have, however, recently sent back the Police Officers and men of the Enforcement Branch to their regular duties. The Deputy Transport Commissioner is no longer a Policeman. The Regional Transport Officers (Enforcement) are also not Policemen. All the officers and enforcement peons are now recruited directly by the State Transport Department. The main functions of the Enforcement Branch are to detect cases of evasion of taxes and to check leakage or pilferage of revenue and to devise means to educate the public in road and traffic sense. It also enforces the provisions of transport and traffic legislations. On principle we consider it undesirable that any other department should have a specialised machinery, when the work involved is in the nature of Police duty. The Government Railway Police is manned by persons drawn from the State Police Force but the Government Railway Police deals exclusively with offences on railways. The case of the State Transport Department to recruit its own enforcement branch is much weaker, for while the Railway Police have exclusive jurisdiction of policing over the area under the control of the Railway, the Enforcement Branch of the State Transport Department works in the territory where the Police not only deals with all offences

under the I. P. C. but enjoys concurrent powers of dealing with transport and traffic offences. A specialised force of the nature of the Enforcement Branch employs only limited numbers of personnel. The chances of promotion and scope of work being limited, the Enforcement Branch may in time stagnate. Its officers would be lacking in the larger outlook, which grows from working over a wider field. We have, however, been informed that the present system is working efficiently and the Members of the Commission representing the Police Department are not keen that the Enforcement Branch of the State Transport Department should be manned by the Police personnel. We, therefore, refrain from making any specific recommendation but we would suggest that the State Government should keep a close watch over the working of the Enforcement Branch and if the apprehensions, which we have expressed, come out true, a change might be effected.

17. *Transfer of Police functions to Local Bodies*—We have enquired from a large number of witnesses whether they would like any of the functions of the Police to be transferred to Corporations, Municipal Boards, Panchayats, Zila Parishads or any other local body or authority. The replies cover a very wide range of opinions. On one extreme, a prominent member of the Uttar Pradesh Legislative Assembly, advocated that all the powers of the Traffic Police and Civil Police, namely watch and ward, prevention of crimes, investigation and detection of crimes, prosecution of offenders etc., should be handed over to local bodies namely Corporations, Municipal Boards and Zila Parishads. The Civil Police should be broken up and services of officers and men serving in the KAVAL towns should immediately be transferred to Corporations, of officers and men serving in Municipal areas to Municipal Boards after one year and of officers and men serving in districts excluding KAVAL towns and Municipal areas to Zila Parishads after three years. The Criminal Investigation Department, the Armed Police and the Pradeshik Armed Constabulary would continue to operate as State Forces. The services of the Criminal Investigation Department would be available to local bodies for the investigation of complicated and important cases and the services of the Armed Police and the Pradeshik Armed Constabulary could be requisitioned by the Local Boards when the situation gets out of control of the local Police or there is a danger of its getting out of control. He was not deterred by the fact that the local bodies had not shown any very creditable record of working and some Boards had to be kept superseded, nor by the fact that the law for establishing Zila Parishads had yet to be enacted. "In a democracy it is essential that the Police be decentralized and should not be under the direct control of the Government", he said. He maintained that the transference of the Police Force to local bodies immediately and in the near future would add to its efficiency and reduce corruption. He also maintained that the breaking up of the Police Force into a large number of detached units will not have adverse effect on the operational efficiency of the Police or investigation of cases. He refused to admit that groupism in the local bodies would reduce the effectiveness of the Police Organization. The Head of the Police in the area of a local Board will be appointed with the approval of the Home Ministry and other officers and men by a Committee of the Local Board. He drew support for his suggestion from the County and Borough Police system of the United Kingdom. At the other end, was the Inspector General of Police, who, though not opposed to the ideal that some day the Police may pass under the control of local bodies, was firmly of the opinion "that no functions (Police) be transfer-

red to local Bodies as they are at present". The Police in the Uttar Pradesh has grown as a unitary force for over a hundred years. It has developed its own spirit and form. Whatever holds good in the conditions and climate of U. K. which has long traditions of decentralized working of the Police and a highly educated and responsible public, necessarily does not hold good in the case of India, where the reputation of the Police for efficiency and honesty is not too high and the law and order situation and the response of the public are none too satisfactory. Institutions which have grown in one country cannot be physically transplanted in another.

18. *Police to remain as one Unified Force*—We are not out to try experiments, particularly when they happen to be full of hazards and risks. We shall like to reproduce a question put by one member of the Commission to the witness referred to above and his reply thereto, which will illustrate the danger underlying his scheme:

Q.—There was recently a strike by the Central Government employees when the State Government had to take certain decisions. It is likely that a Corporation may not agree with the Central Government and refuse to arrest strikers. In that case situation may become all the more worse, because supersession will take time. What could be done under such a situation?

A.—In my opinion the sphere of action of the Municipal Boards etc. is limited. Within that limit the State Government has no right to interfere. If they misuse their powers, then only the State Government may interfere. You have stated that a Corporation may refuse to arrest strikers. It is their sphere. They can do whatever they like, and not do what the State Government would like. In this I would first of all submit that the State Government should not worry, for it is the sphere of action of the Municipal Board. You have to put yourself under the local Police. There would hardly be a local body which would frame a policy, which may be suicidal for our country. Personally, I do not believe it. Moreover, it applied equally to State Governments, who may not follow the Central Government.

We cannot agree that the State Government and local bodies can be equated. Moreover there is one State Government in Uttar Pradesh and the number of Municipal Boards and Zila Parishads runs into hundreds. It is easier to deal with one body than with hundreds. In the U. S. A. the necessity has already arisen to strengthen the local Police Force by the creation of a State Police Force. We have, therefore, no hesitation in rejecting the scheme. We are firmly of the opinion that the Police Force must continue to be a unified force for the whole State and work under the command of the Inspector General of Police. Even as an ideal we find it difficult to visualise the time when local bodies in the Uttar Pradesh would be in a position to take over the responsibility of policing their areas.

DISTRICT MAGISTRATE AND POLICE

19. *Introductory*—The office of the District Magistrate has from the earliest days of the British rule occupied a key position in the administrative system. The District Magistrate represented the might and majesty of the Crown in the district. He exercised effective control over the Police and subordinate magistracy. In colonial administrations there is always a tendency for powers to concentrate in the hands of a few trusted persons. However, the British officers in their homeland had been brought up under traditions of an independent judiciary and occasionally some of them felt qualms of conscience and objected to the District Magistrate combining in him powers of the Police and Magistracy. Nevertheless the principle of the separation of the Police and judiciary could not be accepted or implemented so far as the Magistracy was concerned. On the contrary the old system was reaffirmed in the Police Act of 1861, which enacted the principle that the Police shall work under the general control and direction of the District Magistrate. The District Magistrate legally continues to enjoy those powers but as we shall see later the contents and the implications of those powers have greatly changed. In 1902 the Maharaja of Darbhanga, who was a member of the Indian Police Commission, forcefully urged the separation of judicial and executive functions. He suggested two alternatives, namely that either the District Magistrate should become the Chief Police Officer and the Chief Revenue Officer and be deprived of powers of supervision over the subordinate Magistrates or he should be relieved of all powers of control over the Police. In other words, the District Magistrate should not exercise control over both the subordinate Magistracy and the Police. The Police Commission, however, rejected both the proposals. The following extract from the report of the Police Commission is of interest:

“The Commission consider that in the interest of the people the Police must remain under the general control and direction of the District Magistrate. He is the officer in every way marked out for the discharge of duties of supervising both the Magistracy and the Police. No other officer could discharge those duties so well. No other can exercise so well the beneficial influence of personal supervision, advice and encouragement in case of both Magistrates and the Police: and no officer can have the same knowledge of people as he ought to have, or be as well known to them as he ought to be. He is the connecting link between the executive and judicial functions of the administration.”

It is somewhat surprising that the question of the relationship between the District Magistrate and the Police, which has produced so much of heat and controversy before us, should have gone almost unnoticed by the Police Reorganization Committee, 1947. We take it that the controversy did not exist at that time and is of later origin. We may also make it clear that the reasons for advocating the separation of the executive and

judicial powers in the earlier days were very different from what were put up before us. In those days the separation was advocated in order to ensure the independence of the judiciary, for so long as the District Magistrate combined in himself the power of controlling both the Police and the judiciary the freedom of judgment of the Magistrates would be impaired by Police considerations. In the form as it has come before us, the objection to the control of the District Magistrate over Police has not originated from the up-holders of independence of the subordinate judiciary but from the Police, who think that the exercise of supervisory powers by the District Magistrate weakens the authority and reduces the position of the Superintendent of Police.

20. *Changes in powers of District Magistrate over subordinate Judicial Magistracy*—The position of the District Magistrate has in substance and reality considerably changed. In the Uttar Pradesh, a scheme for separation of executive and judicial functions has been introduced by executive orders in some districts. The Finance Minister in his Budget Speech of 1961-62 has stated that all the districts will be covered by this scheme in the ensuing year. Under this scheme Judicial Magistrates have been appointed who do not do any executive work. They are not under the control of the District Magistrate, but work under the Commissioner of the Division, who exercises his powers through an Additional District Magistrate (Judicial). The Judicial Magistrates devote their time exclusively to trial of cases, but the High Court has no control over them. Powers under preventive sections and sections 144 and 145 of the Criminal Procedure Code and powers to try cases under Special Acts are exercised by Executive Magistrates. The Law Commission did not feel happy with this scheme of separation, for in effect it did not free the Judicial Officers from the executive control. We support the opinion of the Law Commission and suggest that the separation of the executive from the judiciary must be enforced by law and it must be effective both in fact and in law. All Judicial Magistrates should be placed under the control of the High Court. Nevertheless it must be recognised that the District Magistrate, who exercises certain powers in relation to the Police, no longer enjoys old powers over subordinate Judicial Magistracy.

21. *Powers of District Magistrate over Police*—The District Magistrate is the head of the criminal administration in the district and in that capacity controls and directs actions of the Police. His powers can broadly be classified into two groups, namely (1) control of the Police Force, and (2) supervision over crime and law and order. The powers falling under the first group are that the Village Chaukidar is appointed and dismissed by the District Magistrate. Whenever the Superintendent of Police propose the dismissal or removal of an Inspector or Sub-Inspector, he has to report the case to the Deputy Inspector General through the District Magistrate, who forwards the report with his comments. The proposals for the promotion of Sub-Inspectors to the rank of Circle Inspector or Reserve Inspector and for the promotion of Assistant Public Prosecutor to the rank of Public Prosecutor are also routed through the District Magistrate, who sends them with his comments. The Superintendent of Police can order transfer of Inspectors and Station Officers within the district only with the approval of the District Magistrate. In case of disagreement between the two, the matter is referred to the Deputy Inspector General. In the second group, namely supervision over crime and law and orders, the powers are that the District Magistrate has

to be kept informed of the occurrence of serious crimes and of any sudden increase in the volume of crimes as also of all events of importance from the Police point of view. He has the power to inspect police Stations and to direct his Sub-Divisional Magistrates to make inspections. He can recommend rewards and entries in the Character Rolls of Inspectors and Sub-Inspectors. No crime can be expunged from the crime register except under the orders of the District Magistrate, nor the name of any absconder, excepting those whose offences are exclusively triable by the Court of Sessions, can be expunged except under the orders of the District Magistrate. All enquiries made by the Superintendent of Police on strictures passed by courts under para 500 of the Police Regulations are routed to Government through District Magistrate, who forwards them with his comments. The Superintendent of Police communicates with the Inspector General in matters affecting general administration through the District Magistrate. The District Magistrate also exercises control over the Superintendent of Police's powers of licensing and regulating processions. The matters relating to buildings are referred by the Superintendent of Police to the Inspector General through the District Magistrate. The District Magistrate is not a technical officer, and we see no reason why any correspondence relating to buildings should pass through him. We recommend that the Superintendent of Police should address all such correspondence direct to the Inspector General of Police. When we started our work the Superintendent of Police had the power to forward recommendations for the dismissal or discharge of Inspectors and Sub-Inspectors in disciplinary cases arising from insubordination such as disobedience of orders, absence without leave e.c. direct to the Range Deputy Inspector General, but as we were investigating, the State Government issued orders that these cases should also be routed through the District Magistrate.

22. *Examination of the problem*—Almost all the superior Police Officers, including the Inspector General of Police (Sri Mathur), who appeared before us, have strongly urged that the control of the District Magistrate over the Superintendent of Police is indicative of want of confidence in the Superintendent of Police. The Superintendent of Police was responsible for law and order and the power must go with responsibility. The control of the District Magistrate lowers the position of the Superintendent of Police in the eyes of his subordinates and causes loss of morale in the Police Force. Some Police Officers have been very outspoken and said that both the I.P.S. and I.A.S. officers are recruited from the same class of people. The educational qualifications prescribed for the two Services were almost the same. Candidates for the two Services had, barring a few papers to pass through almost similar tests. In the early days of the British administration, the District Magistrates were more educated, generally university men, while education was not much of a qualification for recruitment of Europeans to the Indian Police. Whatever justification may have existed in those days for vesting the District Magistrate with supervisory control over the Police, the old reasoning has now lost force. The District Magistrate was too busy with planning and other developmental work to devote adequate attention to the Police work. He had little knowledge of the work of subordinate Police officials. Exercise of power without sufficient knowledge and time was ineffective and in practice provocative. On the other hand, a large number of officers, who were serving as District Magistrates or have formerly served as District Magistrates, who met us, were of the opinion that the District

Magistrate should continue to be the head of the criminal administration. The system has stood the test of times and has functioned satisfactorily. The District Magistrate has more intimate contacts with the public, and functions as a shock-absorber between the Police and the public. It is better to have two agencies, one for policy and the other for its execution, for the combination of both the powers may increase the tendency of misuse. Some of them, however, agreed that some powers of control over the Police Force now exercised by the District Magistrate were unnecessary. We have given anxious thought to the two points of view and are of the opinion that democracy, unlike autocracy which rests on concentration of powers, decentralises powers and functions. It is a system essentially based on checks and balances. Various governmental organs and authorities are assigned different functions, in exercising which they co-operate and adjust with one another. The control of Parliament over the executive and the power of the judiciary to sit in judgment over laws enacted by Parliament are healthy checks but by no means indicative of want of trust or confidence. We are unable to appreciate the argument that because the Superintendent is the head of the District Police Force, he must have exclusive and absolute power to use it. The mere fact that the I.P.S. and the I.A.S. are recruited from the same strata of society or possess equal educational qualification, or pass similar tests are no arguments that the I.P.S. Officers should not be placed under any type of control of the I.A.S. Officers. The powers exercised by the District Magistrate must be determined in the public interest and not because of the origin or source or education of members of any Services. We have been informed by a number of Police Officers, including a former Inspector General of Police, that in the days of the British the District Magistrate and the Superintendent of Police used to work with abundant mutual understanding. They would discuss major problems in the club or in informal meetings and there were few occasions when matters could not be settled by mutual talks. The club life has fallen into desuetude and the practice of informal discussions has become rare. Also, it appears that some officers of the two Services are over conscious of their importance and position. We have no doubt in our mind that if the District Magistrate and the Superintendent of Police work in co-operation and with understanding, most of the difficulties, which have arisen of late, will disappear. Still, we recommend that when the District Magistrate finds it necessary to enforce his judgment against the views of the Superintendent of Police, he should communicate his decision in writing and should be prepared to shoulder full responsibility for it.

23. *Recommendation of the Commission*—In principle we do not agree that there is anything basically wrong with controls exercised by the District Magistrate over the Police. However, we cannot ignore the fact that the Police is one unitary force for the whole State, which must function in a highly disciplined manner under the control of the Inspector General of Police. The Indian Police Act gives the power of appointment and disciplinary control to the Police Officers and not to District Magistrates. It also gives the Inspector General of Police, subject to the approval of the State Government, the power to frame such orders and rules as are considered expedient for the organisation, classification and distribution of the Police Force, the places at which the members of the Police Force shall reside and particulars of services to be performed by them. their inspection, the description of arms, accoutrements and other necessities, the collecting and communicating by them of intelligence and information and for preventing abuse or negligence of duty, etc. etc. We

are, therefore, inclined to think that it is the intention of law to vest the internal control of the Police Force with the Police Officers. We find that the Police Commission of 1902-03 was inclined to the same view and deplored the formulation of rules by some Provinces, as the States were known those days, which provided for the approval of the District Magistrate in the appointment of certain Police Officers. We fully endorse the following observations made by the Indian Police Commission 1902.03 which, in our opinion, lays down the principles of relationship between the District Magistrate and the Police.

"It is true that the absolute necessity for maintaining the responsibility of the District Magistrate demands that he should receive the fullest assistance from the Superintendent of Police, and that the latter should promptly carry out his orders. But the administration of the Police is vested in the Superintendent of Police. He is the head of the Police in the district. Though he must carry out all lawful orders of the District Magistrate, he is not his assistant in the sense in which an Assistant Collector is; and it destroys Police work to put him in that position. No unnecessary interference with the Superintendent of Police should be allowed. The Police Force, though bound to obey the Magistrate's orders in regard to criminal administration, should be kept as far as possible departmentally distinct and subordinate to its own officers. And the District Magistrate should avoid acting so as to weaken the influence and authority of the Superintendent of Police; for discipline is one of the most essential features of Police work."

We agree with the Inspector General of Police (Sri Mathur) that some of the powers exercised by the District Magistrate over the Police Force have for long been the cause of constant "nagging and pricking" between the District Magistrate and the Superintendent of Police. If the Police has to function as a disciplined and efficient Force, it must work under the exclusive control of the Superintendent of Police. We, therefore, recommend that the powers now exercised by District Magistrates falling under the group which we have named 'Control of the Police Force' should no longer vest in the District Magistrates. If the District Magistrate notes any defect in the working of the Police Force or any of its officers, he should bring it to the notice of the Superintendent of Police who, we trust, will take corrective action. If, however, the District Magistrate finds that no action or inadequate action has been taken, he may report the matter to the Deputy Inspector General of Police. We would like to emphasize that mutual trust and spirit of cooperation accompanied by informal consultations, will be more helpful in smoothening the relationship between the District Magistrate and the Superintendent of Police than all the rules and regulations.

PART II
ORGANISATIONAL

ADMINISTRATIVE SET UP

24. *Existing set up*—The Uttar Pradesh has one centralised Police Force for the whole State. The Inspector General of Police is the highest official at the apex of its organisational pyramid. He is assisted by a number of Deputy Inspectors General of Police, who are either incharge of Ranges or of different departments of the Police at the State level namely Criminal Investigation, Intelligence, Pradeshik Armed Constabulary, Training and Police Headquarters. In the district, the Superintendent of Police is the top executive authority and Assistant Superintendents of Police or Deputy Superintendents of Police, known as Circle Officers, help him in the discharge of his duties. At the Police Station, the Sub-Inspector incharge controls the operations with the help of Second Officers, Head Constables and Constables. His work is supervised by the Circle Inspector. In addition, there are Reserve Inspectors in every district, who are in charge of the Reserve Lines.

25. *Principles for organization*—The basic idea behind the organization is to provide a prompt and efficient service. This can best be achieved by assigning definite tasks to different persons and holding them responsible for their fulfilment. The authority responsible for giving directions should be clearly defined and should have the power to take necessary action for achieving the objective. In the Police Organization it must be ensured that effective control and supervision and coordination exists at all levels. We will examine the present set up in the light of these principles.

26. *Inspector General of Police*—The Inspector General of Police is an Officer specially selected by Government. He is the head of the entire Police Force for the State and is also adviser to Government on all questions of Police Administration. He lays down broad policies at which are to be implemented by Superintendents of Police. Some of these policies are initiated by him and some others are entrusted to him by administrative orders of Government. He has to handle the larger questions of administration and to exercise personal control, without which the Police service would disintegrate. He is responsible to Government for the efficient organization and functioning of the entire Force. We realise that the task of the Inspector General has become more onerous with the increase in volume and complexity of Police work. Increase in responsibility must be accompanied by increase in power to deploy men and material according to the exigencies of the situation. We are of the opinion that more administrative and financial powers should be delegated, in order to enable him to discharge his duties more promptly and effectively. We, therefore, recommend that a small Committee consisting of representatives of the Police, the Home and the Finance Departments of the Secretariat may be appointed to examine whether any powers to create temporary and permanent posts, transfer of Gazetted Officers, reappropriation of grants included in the budget may be transferred to the Inspector General.

27. *Range Deputy Inspectors General*—There are twelve Deputy Inspectors General. Seven of them are in charge of Ranges in which the State is divided for administrative purposes. The remaining five are in charge of the Departments of Police, as mentioned earlier. The working of the Departments has been discussed in Chapter VIII and we will concern ourselves here only with Range Deputy Inspectors General. The Range Deputy Inspector General is responsible for efficiency of Police within his Range. He must see that the district administration is maintained at a high level. He is also responsible for general supervision of crime in his Range. He inspects each district at least twice a year and gives directions to Superintendents. He is the directing, controlling and coordinating authority over the Superintendents of Police of the Range. He must ensure that the Police becomes responsive to the public opinion. Our concept of the Deputy Inspector General is one of an inspecting field officer who should spend considerable time in touring districts, study the working of Police on the spot, advise and direct the Superintendent of Police and stay over-night in the rural areas to build contacts with the public. In our opinion, the Range Deputy Inspector General should spend at least 180 days in a year on touring, camping more frequently in the rural area. He should be provided with a quick means of transport to enable him to tour extensively. It was suggested to us that, the Deputy Inspector General should have a regular office attached to him. The suggestion goes counter to our proposal that he should spend more time on touring. We would, on the other hand, suggest that the Police Department should examine whether the Range Deputy Inspector General should not be relieved of some minor administrative duties so as to give him more time to move about in his Range.

28. *Ranges*—At present there are 7 Ranges in the State having headquarters at Varanasi, Gorakhpur, Lucknow, Kanpur, Bareilly, Meerut and Agra. There are 6 to 9 districts in a Range (Appendix VIII). The newly created Hill Districts of Pithoragarh, Chamoli and Uttarkashi are not included in any Range. Up to 1957, there were 5 Ranges in the State together with a temporary Hill Range, when the Hill Range was abolished and two more new Ranges were created "in order to provide for the adequate supervision of the District Police administration and to enable the Deputy Inspectors General of Police to pay sufficiently frequent visits to their district to advise the local Superintendents of Police on the various day to day problems of administration". We do not suggest any change in the number of Ranges, but recommend that the Inspector General may examine the question of re-arranging the Ranges, particularly as Tehri-Garhwal and Pauri-Garhwal will now cease to be independent districts for policing purposes.

29. *Superintendent of Police*—The Superintendent of Police is the executive head of the District Force. He is responsible for the efficiency and discipline of the Force and ensuring maintenance of peace. He must devise ways and means to keep crime in check. He must have the widest possible contacts with the people of the district and have full knowledge of happenings in his jurisdiction. This can be achieved only by more extensive touring of the district. We find that the Superintendent of Police has to devote a considerable portion of his time on office work such as routine replies, reminders, accounts, etc. We are keen that a trained Policeman should be engaged only on work which provides scope for the use of his special skill and training. This holds good more forcibly in the case of the Superintendent of Police, who is not only the

head of the District Police Administration, but receives highly specialised training. His pre-occupation in the office work is, in our opinion, a waste of skill and specialised talents. It hinders his freedom of movement and cuts through the time, which can more usefully be spent in out-door duties. We, therefore, recommend that the Superintendent of Police should be relieved of the routine office duties, which may be entrusted to an administrative officer to begin with in districts, where the work is particularly heavy. We have dealt with this question more in detail elsewhere.

30. *Assistant and Deputy Superintendent of Police*—The Superintendent of Police is assisted by Assistant and Deputy Superintendent of Police. They are responsible for the efficient working of Police Stations in their circles and are expected to make surprise inspections frequently and at least one detailed inspection in a year. The inspection of records at the Police Station cannot, however, give a correct estimate of the law and order and crime position in the circle. We would, therefore, like them to camp more frequently in the rural area, to get in closer touch with the people and to know their opinion about the state of Police administration. They keep records of investigation of cases, but it is seldom that they take up investigations personally. We recommend that Circle Officers should take up investigations of highly important cases themselves and in particular of Sessions Cases in which Police Officers are involved. We suggest that Circle Officers should be given intensive training so that they are able to make investigations personally and exercise effective supervision and control over investigations done by their subordinates. We also recommend that the Circle Officers should have the power to transfer Constables within the Circle under intimation to the Superintendent of Police. This would enable them to post right type of men and to remove Constables speedily in case of complaint.

31. *Origin of the provincial Police service cadre*—The Assistant Superintendents of Police belong to an All-India Service, while Deputy Superintendents of Police are recruited by the State. The necessity of keeping these two cadres of Gazetted Officers in the Police has been questioned. The origin of the cadre of the Provincial Police Service has an interesting background. Before the Police Commission of 1902 was set up, all recruitment to superior services in the Police was made in U. K. However, in India there was a persistent demand that educated Indians should get their share of the superior Police posts. The Government of those days was not sure about the efficiency and loyalty of Indian Officers. Nevertheless the Commission could not altogether ignore the aspirations of Indians, and recommended the creation of a Provincial Police Service, to be recruited in India and manned by Indians. It was to be inferior in rank to the superior Police Service recruited in U. K. but could hold some comparatively unimportant superior posts such as the posts of Superintendents of Police in smaller districts.

32. *Arguments for one cadre of Gazetted officers*.—There was a positive case for the perpetuation of the Provincial Police Service so long as recruitment of the Indian Police Service was done either wholly or substantially in U. K. We found that officers of the Provincial Police Service suffer from a feeling of dissatisfaction. They have complained to us against slow promotions and lack of avenues of promotion as compared to other Provincial Services of the State such as the Judicial and Executive. Some of them have suggested that if their pay scales and chances of promotion could not be improved, it would be better to abolish the Pro-

vincial Police Service. It was argued that both the Indian Police Service and Provincial Police Service Officers are recruited in India, both have the same qualification, do the same type of work and are drawn from the same strata of society and there was, therefore, no need to maintain two gazetted cadres.

33. *Recommendation*—We have given anxious thought to this proposal. The recruitment of officers to Indian Police Service is done on an All-India basis and all the Indian citizens are equally eligible for recruitment. There is no quota fixed for the recruitment of people from different States. The recruitment of Provincial Service is, however, made, by the State Government and although no domicile restrictions are prescribed, in actual practice candidates come only from Uttar Pradesh. The effect of abolishing the cadre of the Provincial Police Service would be that posts now ordinarily held by the officers of Provincial cadre may in future not necessarily go to residents of Uttar Pradesh. Thus there is likelihood that the educated youngmen of Uttar Pradesh may be deprived of a portion of their present share in higher Police Services. We understand that other States are also maintaining their Gazetted Provincial Cadre and the question of the abolition of the U. P. S. can arise only when other States agree to the abolition of their Provincial Cadres. In that case youngmen from all States would have equal opportunity of entering the superior Police Cadre. We, therefore, recommend that the two cadres of Gazetted Officers should continue to exist as at present.

34. *Circles*—The District is divided into Police Circles comprising on an average of 7 to 8 Police Stations. The charge of a Circle is held by an Assistant or Deputy Superintendent of Police. The Superintendent of Police also holds charge of a Circle in most districts of the State. The size of the Circle in relation to Circle Officer has not been discussed in the past by any Committee or Commission. In fact, Gazetted Officers were expected to guide Circle Inspectors, who were there to ensure compliance of orders by personal supervision. Therefore, reference to Circles is found only in connection with Circle Inspectors for determining their work-load and size. We are recommending the abolition of the post of Circle Inspector. The work of supervision of subordinate Policemen and Police Stations would thereafter be entrusted to a single agency of Gazetted Officers. We have already recommended above that Circle Officers should not only supervise investigations but also investigate some highly important cases personally. In short, all the work now done by Circle Inspectors shall be taken over by them, and we recommend that the present area of jurisdiction of Circle Officers should be reduced and an average Circle should comprise of four Police Stations. If this scheme has to succeed the Circle Officer must reside within the Circle.

35. *Sub-Deputy Superintendent of Police*—Government had in 1957 sanctioned the creation of 15 posts of Sub-Deputy Superintendents of Police in the scale of Rs.250—25—375—E.B.—25—500 but the scheme has not so far been implemented. The rationale of the scheme appears to have been that Circle Inspectors, being non-gazetted officers, are not able to exercise effective supervision and control over Sub-Inspectors. They are inclined to take lenient view of acts of omission and commission of their subordinates. We, however, feel that the scheme of Sub-Deputy Superintendents of Police is not likely to improve matters. In effect it will only mean that some existing Circle Inspectors will be promoted to the rank of the Sub-Deputy Superintendent of Police and thus there will be a change in form but not in substance. Moreover, we are not in favour

of multiplying ranks by creating a new rank of Sub-Deputy Superintendent of Police. We recommend that the scheme of Sub-Deputy Superintendent of Police should be abandoned.

36. *Inspectors*—There are three categories of Inspectors in the Police Force—Reserve Inspector, Circle Inspector and Prosecuting Inspector. The Reserve Inspector is in charge of Police Lines in the district. We have no changes to propose in his functions and powers. The Circle Inspector is in charge of Circles consisting of a number of Police Stations and his duties are mainly to supervise the work of prevention and investigation of crimes. He also inspects Police Stations. He works in subordination to the Circle Officer and thus exercises an intermediate supervisory control. There are at present 93 Circle Inspectors including 5 in the Government Railway Police. We have received overwhelming evidence to the effect that the control exercised by the Circle Inspector over the subordinate Police is not satisfactory. There is also some overlapping between the work of the Circle Officer and the Circle Inspector. The duplication of supervisory work does not tend to produce a healthy effect on the subordinate staff and we are of opinion that the post of Circle Inspector should be abolished. We are not, however, recommending the abolition of the post of Inspector of Police as such. We recommend that special Police Stations selected on the basis of crime situation, population and administrative problems which require superior control should be put under the charge of Inspectors.

We shall deal with the functions and powers of Prosecuting Inspectors in the Chapter on Prosecution.

37. *Sub-Inspector*—There are three categories of Sub-Inspectors (1) Reserve Sub-Inspector, (2) Sub-Inspector, Armed Police, and (3) Sub-Inspector, Civil Police. The Reserve Sub-Inspector and Sub-Inspector, Armed Police, are posted in Reserve Police Lines to assist the Reserve Inspector in the discharge of his duties. The Sub-Inspector, Civil Police, is the linchpin of the Police Force. He is attached to a Police Station as Officer Incharge or as Second Officer. Sub-Inspectors incharge of Police Stations are usually men of standing and experience. They are responsible for maintaining law and order and controlling the crime situation in the Police Station circles. Any weakness on the part of Station Officer can have serious repercussions. He must, therefore, be efficient, honest and courteous. He must be able to exercise effective control over his subordinates. With growing consciousness, people are demanding more of him. We, however, regret to note that the change in the attitude of the Sub-Inspector as generally not appreciable and compliants of torture, rude behaviour and harassment are not wanting. We have recommended that the superior officers should exercise more intimate and stricter control and supervision over the Sub-Inspectors. We hope that with better emoluments and training and increase of numbers, the Sub-Inspector would improve in quality and give fewer causes of complaint.

38. *Rural Police Stations*—The Indian Police Commission of 1902-03 had laid down the standard that area of a Police Station circle should be about 150 sq. miles. Mr. C. J. Hoskins, Superintendent of Police, was specially deputed in 1904-05 to implement the recommendations of the Police Commission. He found that density of population, communications, natural boundaries, compactness of the areas were factors, which were to be taken into account in determining the size and location of Police Stations. He, therefore, laid down the standard that besides an

area of about 150 sq. miles a Police Station circle should have a population between 75,000 to 90,000. We are broadly in agreement with Mr. C. J. Hoskins regarding the factors which should determine the size and location of Police Stations. We, however, consider that the standard size of a Police Station circle as laid down by Mr. Hoskins is too large. In determining the standard size, we must also take into account the distance which an aggrieved person or the complainant has to cover to seek redress. The distance between the scene of occurrence and the Police Station plays an important part in the effectiveness of the Police in maintenance of law and order and in investigation of crime. The conditions of law and order in some parts of the State require the control of Police to be made more effective. Taking all these factors into consideration, we consider a reduction in the standard size of Police Station to be necessary. We realize that a wholesale reduction throughout the State would mean a redrawing of the map. After a scrutiny we have, however, found that in a larger number of cases even the standard prescribed by Mr. Hoskins has been exceeded both in area and population. Some circles are even double the standard size. Such Police Station Circles require a reduction to proper size. We recommend that a Departmental Committee should carry out a detailed survey and suggest a suitable reduction in the standard size of the Police Circles, and adjustments of existing circles to the standard size. In making its recommendation the Committee should bear in mind that we have recommended the replacement of existing buildings of some Police Stations by new ones, and if in such case by shifting the site of the building the size of Police Station Circles can be readjusted, it may be done.

39. *Rural outposts*—There are 144 permanent and 39 temporary Rural Outposts. Rural Outposts are generally created for the following reasons:

- (1) In accessibility of an area from the Police Station.
- (2) Distance from the Police Station.
- (3) Criminality of the area.
- (4) Increase in law and order problems due to increase of population in newly developed business or trading centres.
- (5) Prevalence of communal tensions, subversive activities.

Some of these Outposts will no longer be needed in view of our recommendation for making suitable adjustments in the Police Station Circles. The other Outposts, which are necessary, due to local crime or law and order situations will have to continue.

40. *City Police Stations*—No standard seems to exist for determining the number of Police Stations in cities. The Police Force for Watch and Ward duties and investigation work in Urban areas is quite large. This Force has to be adequately controlled and guided in the performance of their duties. In our opinion, an Officer Incharge of a Police Station can effectively control and supervise about 100 men. We have worked out the total strength of Watch and Ward and Investigation Staff for cities and are of the opinion that about 100 men are needed for a population of approximately 50,000. We, therefore, recommend that ordinarily there should be a City Police Station for a population of approximately 50,000. There should be no rigidity in regard to this standard and considerations of law and order, crime position, distances, etc. will also have to be taken into account. It has also been brought to our notice that in some cases substantial Rural areas are attached to City Police Stations. We are not

in favour of attaching Rural areas to City Police Stations, as the nature of duties to be performed in the city differs from that in the rural area. We, therefore, recommend that as far as possible rural area should not be attached to City Police Station and wherever possible it should be separated from the Urban area and attached to Rural Police Stations. The Departmental Committee which we have recommended above should also do this work.

41. *Urban Outposts*—Urban Outposts have been created for Watch and Ward. Generally a Head Constable is incharge of the Outposts. The rationale for creating so many Outposts is not clear. Cities are thickly populated and large number of people are concentrated over smaller areas. The problem of distance does not operate to the same extent in urban areas as it does in the rural. Due to lack of intimate supervisory control the staff at Outposts indulges in all sorts of malpractices. In our opinion, the effectiveness of Police Force depends on numbers and unless there are sufficient reasons to the contrary, we would like the Police Force to be concentrated in Police Stations. It would result in better supervision and develop a sense of comraderie among Policement. We, therefore, recommend that as a general rule urban areas should have only Police Stations and Outposts may be retained only in exceptional circumstances.

42. *Head Constables*—The Head Constable, Armed Police, is put incharge of guards. His main function is to ensure that men under him carry out their tasks efficiently and expeditiously. Similarly, each Head Constable, Civil Police, dealing with Watch and Ward work, is incharge of 6 Constables and has to check that they do the patrolling satisfactorily. The Head Constable, Watch and Ward, should also be made responsible for collection of information in his areas. He must see that each Constable, in his charge, maintains a Register and notes down in it relevant information. This information must be put up before the Sub-Inspector concerned daily unless there is something urgent, which must be conveyed at once. The Head Constable, Civil Police, posted at Police Stations, known as Head Moharrir, has more important functions to perform. He is responsible for the maintenance of records in the Police Station Office as also for recording First Information Reports. We have received a large number of complaints of concealment or minimization of offences and we recommend that the work of Head Constable should be carefully supervised and in case of default he should be heavily punished. The main function of Head Moharrir should continue to be the maintenance of records and he should rarely be used for executive duties.

43. *Constables*—The District Executive Force is made of Constables. Armed Police, and Constables, Civil Police. The Constable, Armed Police, is used on guard and escort duties. He generally works under the control of a Head Constable. The Constable, Civil Police, is posted in Police Stations and Outposts and as a rule he has to perform his duties individually or in pairs. At present, his duties consist of surveillanced of history sheeters and carrying out orders of the Station Officer in his beat. The Indian Police Commission had laid down that the Constables should patrol roads and areas which become unsafe due to increase in crime but he could collect information only when the Sub-Inspector specially ordered him to do so. The duty of collecting information in the rural area was entrusted to Headman and Chaukidar. The rural policing system depending on Headman and Chaukidar has now broken down and we are elsewhere recommending the posting of Gram Rakshak. We would like to place full responsibility for the collection of information in

the beat on the Beat Constable. He should maintain a Note Book in which all incidents which may lead to subsequent breach of peace or activities of persons who may be becoming wayward should be noted. In towns, a Constable should look after the security and protection of a number of specified houses. If there is any organised crime like gambling or illicit distillation, etc. in any area, the Constable concerned would be under an obligation to report it. If he fails to do so, he should be taken to task. This system would enable the Sub-Inspector to take timely action and prevent breaches of peace and violation of law. A timely warning from the Sub-Inspector may bring a potential criminal on the right path. We consider the work of collection of information very important and recommend that much greater emphasis should be placed on it by the Department.

44. *Beats*—The area of a Rural Police Station is ordinarily divided into three or four beats. An average beat covers roughly 30 sq. miles and has about 25 villages. At present two Constables are allotted for each beat. We have elsewhere suggested that the Beat Constables should be provided with the facility of having a push-bike for reaching the periphery of their beat. Even so the area of beat appears to be excessive for the collection of information and checking of bad characters. We think that there is a case for reducing the area of beat. We are of opinion that the Police Circle should have on an average four to five beats instead of three to four and the area of beats should be reduced accordingly.

ALLOCATION, AND STRENGTH OF THE POLICE FORCE

45. *Historical*—All the senior officers of the Police and other Governmental departments, who appeared before us, were unanimous in emphasising the inadequacy of the Police Force in the State. In 1946 when the strength of the Police Force for Watch and Ward was last determined on the basis of standards laid down by Mr. G. A. Pearce in 1945, the census figures of 1941 were used for determining allocations. During the last two decades which have passed since, the population of the State has gone up by 1.72 crores, but there has been no revision of these allocations. We have already mentioned in the First Chapter that as compared to some other major States, the allocation of Police in this State per mille of population is lower. The strength of the Police Force needs revision.

46. *Classification of Police Stations*—The District Executive Force comprises of the Civil Police and Armed Police. The Civil Police provides man-power to Police Stations and Outposts, Watch and Ward, Contingent Reserve and miscellaneous duties such as the office, of the Superintendent of Police, the Public Prosecutor etc. We have already recommended that the Police Stations should be classified into special and ordinary categories according to their importance. The special stations should be put in charge of Inspectors and the ordinary ones shall continue to be held as at present by Sub-Inspectors. These Stations will have Second Officers (Sub-Inspectors), Head Constables and Constables, whose strength we propose to discuss.

RURAL POLICE STATIONS

47. *Investigating Officers Work-Load*—At present senior Sub-Inspectors hold the charge of Rural Police Stations. They are assisted by junior Sub-Inspectors, known as Second Officers, whose allocation depends on the number of crimes to be investigated. The standard prescribed for an Investigating Officer is 75 investigations per year. A Second Officer is posted to a Police Station where the number of investigations is 100 and an additional Sub-Inspector is given for every 75 cases in excess of this number. It has been pressed before us that this standard is too high and makes it impossible for a Sub-Inspector to do satisfactory investigation. Investigation must be prompt. It requires persistent and continuous effort—specially scientific investigation in which relevant clues must be traced and recorded at once. In actual practice, we are told, the Investigating Officer cannot devote more than day or two to the investigation of the majority of cases with the result that the quality of investigation has deteriorated. In recent year the work of the Sub-Inspector has become more difficult. With the growth in consciousness of their rights by the people, the old crude and rough and ready methods can no longer be used in investigation. Obviously some relief must be provided to Sub-Inspectors, if the standard of investigation is to improve. We have examined the position existing in other States. In West Bengal the standard is 60 investigations each year for a Sub-Inspector. In the Punjab one Sub-Inspector and one Assistant Sub-Inspector are together assigned 75 cases and for every 50 cases in excess an additional A.S.I. is given. Thus the average number of investigations handled by an Investigating Officer

come to about 50 or less. In Maharashtra, where Head Constables have been given powers to investigate one Sub-Inspector and one Head Constable are provided for every 50 cases. The Conference of Inspectors General of Police (1958) considered this question and came to the conclusion that a Sub-Inspector should not be entrusted with more than 60 cases in a year. We, therefore, recommend that the number of cases to be investigated by a Sub-Inspector in rural areas should be reduced from 75 to 60 and allocations made accordingly. The same standard will apply to Inspectors Incharge of rural Police Stations.

48. *Supervision in rural Police Stations*—It was brought to our notice by a large number of witnesses that often the Sub-Inspector is not available at the rural Police Station. He is out touring in the countryside or attending to prosecution of cases and, therefore, urgent problems are not attended promptly. On occasions the investigation of serious and heinous offences is delayed. In the absence of the Sub-Inspector, the junior staff tends to become careless and indifferent and sometimes rude to people, who come to the Police Station. This appears to us to be unsatisfactory, but we cannot blame the Sub-Inspector for not staying at the Police Station. We recommend that within a period of five years every Police Station should not have less than two Sub-Inspectors. We would expect that one Sub-Inspector should ordinarily be present at the Police Station.

49. *Head Constables (Rural)*—There is ordinarily one Head Constable, Civil Police, posted in a rural Police Station for scriptory work. He is responsible for the maintenance of records and for writing First Information Reports. He is assisted in this work by a Constable Writer. It has been urged by Police Officers that scriptory work has considerably gone up in recent years and permanent records at the Police Stations are not being properly maintained. It has been suggested that the number of Head Constables, Civil Police, should be increased at Police Stations in proportion to the work-load. We regret that we cannot support the proposal. The responsibility for all scriptory work should continue to be placed squarely on the Head Constable. If there is more of work-load, he may be given Constables as assistants, amongst whom he should distribute work. A departmental committee should be set up to work out allocation on the basis of work-load.

50. *Constables (Rural)*—The strength of Constables at Rural Police Stations is determined as follows:

- (i) 3 Constables for sentry duty.
- (ii) 1 Constable for clerical duty.
- (iii) 1 Constable for each Investigating Officer.
- (iv) 2 Constables for each beat.

Thus in a 4-beat Police Station the usual strength would be of 13 Constables. In actual practice, the full strength is seldom available in Police Stations. Leave, Refresher Training, sickness, injury, etc. deplete the strength and on an average about 10 Constables are on duty at a time. This has resulted in delays in enquiries, service of summonses and warrants and collection of information. The sentries are often used for miscellaneous duties, the Police Station being often guarded by Village Chaukidars. The Police Stations are further rendered unsafe, due to the absence of Beat Constables for considerable periods on account of the large and unwieldy size of beats. It has, therefore, been suggested

that the number of Constables should be increased so that sentries may not have to be used for miscellaneous duties and some Beat Constables always remain available at Police Stations as a striking force, to be utilised by the Sub-Inspectors. Prima facie the proposal seems to be reasonable. We have, however, relieved the Constables of the duty to serve summons. We have recommended a new system of policing in rural areas, which we hope would reduce the problems for the regular Police. We have also recommended that Constables should be provided with pushbikes which will relieve them of strain of walking. In view of these recommendations, we think that the number of Constables need not be increased, except as a result of the increase in the number of beats. We would, however, recommend that the Leave, Refresher Course and Sick Reserve should be increased to enable the full sanctioned strength to remain posted at the Police Stations.

URBAN POLICE STATIONS

51. *Officer Incharge*—The duties of the Officer Incharge of an urban Police Station are more onerous than those of the rural. He has to see a large number of people with numerous petty complaints. He has to make arrangement for procession and meetings, which are becoming more common on account of increase in political and general activities. We are of the opinion that he should be left with more time to develop public contacts and relationship, and recommend that the standard of sixty investigations should be suitably relaxed in his case. He would of course be expected to investigate heinous offences and cases of public importance and also certain types of cases under Special Acts, such as the Excise Act, which can under Law be investigated only by him.

52. *Sub-Inspectors (Urban)*—We have elsewhere recommended the separation of Watch and Ward duties from Investigation in towns of over 1 lac population. The Investigating Sub-Inspectors in such towns shall in future devote their whole time to the investigation of cases and we are of the opinion that the existing yardstick of 75 cases should hold good in their case. The law and order duties shall be performed by Sub-Inspectors, Watch and Ward, whose strength will be determined according to recommendations made elsewhere (para 57). In determining the strength of Sub-Inspectors where separation of law and order from investigation has not been recommended the two standards for determining the strength of Sub-Inspectors are laid down as follows:

(i) 1 Sub-Inspector for every 60 investigations; and

(ii) 1 Sub-Inspector for every 3 Head Constables and 18 Constables for Wath and Ward duty.

It is not our intention that in the case of these towns the number of Sub-Inspectors for Watch and Ward and Investigation duties should be determined separately. Sub-Inspectors allocated for supervision over Watch and Ward Staff shall also investigate 60 cases each year. There may be cases where the number of Sub-Inspectors worked out on the basis of Watch and Ward duties may differ from number worked on the basis of investigations. In such cases, the number of Sub-Inspectors will be worked out on the basis of the combined need for Watch and Ward and Investigation. Keeping these principles in view the strength of the Sub-Inspectors should be fixed.

53. *Head Constables (Urban)*—The present strength of Head Constables at Urban Police Stations is fixed on the basis of standards laid down by Mr. G. A. Pearce. We do not recommend any change in their strength and the increase in work should be met by posting additional Constable Clerks.

54. *Constables (Urban)*—The duties of Constables at Urban Police Stations are of a routine nature. Mr. G. A. Pearce had determined the number of Constables for each City Police Station after visiting the Police Stations and judging the work-load on the spot. He had kept in mind the following duties:

(i) Sentry duty—3 Constables are sanctioned for this duty and this should continue.

(ii) 1 Constable for each Investigating Officer. This should also continue.

(iii) Constables for clerical work—We have already recommended that a Departmental Committee may examine the work at rural Police Stations and determine the number of Constable Clerks according to actual requirements. The same Committee may look into the cases of Urban Police Stations.

(iv) Telephone duty—We do not consider it necessary to recommend any separate allocation for this duty. The Head Constable and the Constable Clerk working in the office must attend to telephone calls.

(v) Escort duty—In the rural Police Stations the duty of escorting prisoners is performed by Beat Constables. At Urban Police Stations an extra allocation for escort duty is made. It is difficult to lay down principles for determining allocation for escort duty, which will have to be done on the basis of actual requirement. We recommend that the actuals of the last two years should be collected for urban Police Stations and allocations worked out.

55. *Watch and Ward Staff*—The existing standard for determining the strength of the Watch and Ward staff was laid down by Mr. G. A. Pearce as follows:

(1) In towns with a population between 5,000 and 10,000 the strength of the Watch and Ward Police should be one Under Officer and Constables on the following scale:

5,000 to 8,000 . . . 4 Constables.

8,000 to 10,000 . . . 6 Constables.

(2) In towns with a population between 11,000 and 19,000 the strength of the force to be calculated in the ratio of 1 to 1,000 in units of one Under Officer and 6 Constables.

(3) In all towns and cities with a population of over 19,000 the strength of the Force to be calculated in the ratio of 1 to 600, in units of one Under Officer and 6 Constables.

This recommendation was endorsed by the Police Reorganization Committee with a minor alteration inasmuch as in serial (2) the numerical 11,000 was replaced by 10,000 in order to give the proposals a continuity. We are of the opinion that on the whole the recommendations of Mr. Pearce are sound and do not call for any change. We must, however, take note of the fact that the growing populations has tended to cluster

in the existing areas, and that the area of cities has not increased proportionately to increase in population. We, therefore, recommend that the Watch and Ward strength should now be determined on the following principles:

(1) In towns with population between 5,000 and 10,000 the strength of the Watch and Ward Police should be one Under Officer and 6 Constables.

(2) In towns with population between 10,000 and 25,000 the strength to be in the ratio of 1 to 1,000 in units of 1 Under Officer and 6 Constables.

(3) In all towns and cities with a population of over 25,000 the strength of the Force to be calculated in the ratio of 1 to 700, in units of 1 Under Officer and 6 Constables.

56. *Supervision over Watch and Ward Staff*—The state of law and order affects the whole population and its importance cannot be over-emphasised. The subordinate staff must, therefore, work under proper supervision and guidance. We endorse the recommendation of the Police Reorganization Committee that one Sub-Inspector should be responsible for the work of 3 Head Constables and 18 Constables. All the law and order problems and routine duties should be tackled by the Sub-Inspector and not left to Head Constables. We do not recommend any additional allocation for law and order duties.

ARMED POLICE

57. *Escort, Havalat etc. Allocation*—The Armed Police is composed of three units, namely (a) Constables with specific duties such as fixed and permanent guards, havalat guards, escort and miscellaneous lines duties (b) security reserve which is meant to meet emergent situations of law and order and (c) contingent reserve. The standards for determining the strength of the Armed Police were laid down by the Pearce Committee (Appendix IX). The Police Reorganization Committee endorsed those proposals except in the case of the Security Reserve. It was of the opinion that the strength of the security reserve should be determined in each district after taking into account the changed circumstances and the formation of the Provincial Armed Reserves. We are in broad agreement with the recommendations of Mr. Pearce in regard to specific duty of Constables. Mr. Pearce had, however, determined the escort and havalat guard strength on the basis of actual requirements for years 1943 and 1944. Since then the conditions have considerably altered and it is necessary that the re-allocation of the strength for these two duties be made on the basis of actual requirements for years 1959 and 1960. In the Lines' miscellaneous duties, Mr. Pearce also made provisions for orderly duty and sick attendance duty. We have already expressed the opinion that the specialised skill of Policemen should not be wasted on works, which are not of the nature of Police duty and we recommend that peons should be employed for orderly duties and male nurse appointed to replace Constables for sick attendance duty.

58. *Armed Security Reserve*—On the basis of the recommendation of the Police Reorganization Committee the Police Headquarters had submitted to Government in 1949 proposals to increase the Armed Security Reserve by 3 Sub-Inspectors, 119 Head Constables and 714 Constables. However, in 1950 Government sanctioned an increase only of 3

Sub-Inspectors, 64 Head Constables and 384 Constables. The proposal was based on actuals and we are unable to understand why a reduced allocation was made. In fact the Armed Security Reserve is now called out for more often to deal with increasing law and order and other problems. We, therefore, recommend that the requirement should be worked out on the basis of actuals of the last three years and the strength of the Security Reserve fixed accordingly.

CONTINGENCY RESERVE

59. *Historical*—The Indian Police Commission had recommended 15 per cent of the total force to be kept as Contingent Reserve. It included 4 per cent as Training Reserves and 11 per cent for other absences, like sickness, hospitalisation, suspension and deputation leave etc. Subsequently the Civil Police Committee (Uttar Pradesh 1919) reported that the Contingent Reserve for the Armed Police should be raised to 15/85ths of the requirements, while the Civil Police Contingent Reserve should continue at 15 per cent. Mr. Pearce recommended that the Contingent Reserve should be divided into two parts—(1) a training reserve, and (2) a leave and casualty reserve. He suggested a training reserve of 8 per cent and a leave and casualty reserve as follows:

(i) *Leave*— $12\frac{1}{2}$ per cent of all duty requirements, including the Armed Security Reserve.

(ii) *Hospital Admission*—2 per cent based on actuals.

(iii) *Sickness*—2 per cent Reliable figures were not available and Mr. Pearce himself considered it to be an under-estimate.

(iv) *Suspension and Deputation*—1 per cent of duty requirements.

The above gives a total of $17\frac{1}{2}$ per cent as a leave and casualty reserve over both the branches of the Force. The Police Reorganization Committee endorsed the views of Mr. Pearce. Government, however, did not accept the recommendations of these two Committees and the Contingent Reserve continued to be 15 per cent for the Civil Police and 15/85ths of the total requirements for the Armed Police.

60. *Recommendation*.—We have examined the question of Contingent Reserve in detail. The system recommended by Mr. Pearce of dividing the Contingency Reserve in two parts seems to us to be sound. The need of training reserve has always been recognised. As far back as 1902 the Indian Police Commission had recommended a training reserve of 4 per cent. We have recommended that recruits should be given training for a period of six months in Recruit Training Schools. According to our estimate the number of trainees in the Force would be approximately 5 per cent of the sanctioned strength and not 8 per cent as recommended by Mr. Pearce. The duration of the training course being six months, the trainees force in the Police should be calculated at half of 5 per cent, i.e. 2.5 per cent of the combined strength of the Armed Police and the Civil Police. As no vacancies are permitted to exist in the Armed Police the entire Reserve in connection with trainees will form part of the Civil Police. Regarding leave and other casualty reserve, we collected information from districts and make the following recommendations which are based on actuals:

Leave— $12\frac{1}{2}$ per cent of all duty requirements as recommended by Mr. Pearce. This should, however, be the same for the Armed Police as for the Civil Police because Armed Police do not take more leave than the Civil Police.

Hospital Admissions.— $2\frac{1}{2}$ per cent based on actuals. This will mean an increase of 5 per cent over the recommendation of Mr. Pearce.

Sickness.—The Police Reorganisation Committee, 1947, the Pearce Committee Report and the earlier reports have all provided for sickness reserve in the District Executive Force. We have not been able to find any rules or Government Orders clarifying the position in this regard. Normally, a person, who is sick, will either be on casual or earned leave or would be admitted to Hospital and for all these eventualities, separate reserve is being provided. Sickness leave has nowhere been defined in the Leave Rules. It, however, appears that a system is prevalent in the District Police Forces that if a Policeman living in the Lines at the Headquarters has got some minor injury or ailment because of which he is able to perform only very light duty but not the regular Police work, then he is treated as "sick" and available for light duty but not on leave. So far as Civil Police is concerned, it is mostly stationed in Police Stations excepting for a small number which is in the Reserve Lines. For such cases of sickness of staff of the Police Station no substitutes are provided. We, therefore, do not consider it necessary to have any 'sickness reserve' for the Civil Police. In case of Armed Police, however, if any person has got sprain or minor injury he may be able to perform light duty but may not be able to carry his musket or go with escorts. For such men, a reserve has to be provided. We, therefore, recommend the provision for sickness reserve only for Armed Police. The figures vary from district to district but we consider the average of 2 per cent to be adequate.

Suspension and Deputation.—Mr. Pearce had recommended 1 per cent on allocation with which we agree.

The total leave and casualty Contingent Reserve would come to 18 per cent for the Armed Police and 16 per cent for the Civil Police Force in the State. To this should be added the training reserve recommended by us.

KANPUR CITY POLICE

61. *Introductory*—Of the 73·75 million people inhabiting the Uttar Pradesh, 5·2 million or barely 7 per cent live in towns of over one lac population. These towns accounts for 55 per cent of the total urban population of the State, the remaining 45 per cent being contributed by other municipal towns, cantonments, town areas and smaller towns of more than five thousand population, which can be deemed to be urban on account of density of population and occupational pattern. Kanpur with 9·5 lacs leads the State. The remaining four KAVAL towns of Lucknow, Agra, Varanasi and Allahabad have each about half a million people living. Meerut and Bareilly occupy an intermediate position with population ranging between 2·5 and 3 lacs, and the remaining ten towns of Moradabad, Saharanpur, Dehra Dun, Aligarh, Rampur, Gorakhpur, Jhansi, Mathura, Shahjahanpur and Mirzapur have populations ranging between one lac and two lacs. Kanpur is the industrial metropolis of U. P. and presents complicated Police problems of traffic control, labour and others. Lucknow, which is the seat of Government, comes next after Kanpur, Agra and Varanasi attract large number of tourists from abroad. Allahabad is a centre of Hindu pilgrimage.

62. *Bombay City Police*—The Police Re-organization Committee, 1947, was specially asked to examine the question whether, with a view to meet the needs of the growing population of Kanpur, it was necessary to remodel its Police Organization on the lines of the Bombay City Police. Along with it, they also considered whether the organization of Police in other cities of the State needed overhauling. At the time the two distinguishing features of the Bombay City Police were:

(i) The Commissioner of Police held the rank, performed the functions and exercised the authority of an Inspector General of Police, and

(ii) In matters of law and order, he was not subordinate to any executive authority, the Presidency Magistrate or the District Magistrate or the Deputy Commissioner. Since then two major changes have occurred in the Bombay Policing System. In 1951, the Commissioner of Police of Bombay City was brought under the general supervision and control of the Inspector General of Police State. It also authorised the State Government to create Commissioner of Police for areas other than Greater Bombay. The main characteristic feature of the Bombay City Police left over is that the Commissioner of Police exercises almost all the powers which in districts are shared between the Deputy Magistrate and the Superintendent of Police. The system of Bombay City Police has also been extended to the city of Ahmedabad, but the working of the system there is of too recent an origin to provide any guidance for us.

63. *Visit to Bombay*—We have carefully examined as to whether the City Police of Kanpur should be re-orientated on the model of the Bombay City Police. Our Chairman paid a visit to Bombay to see the

working of the policing system personally. Another team consisting of Sri Shanti Prasad, Deputy Inspector General of Police, intelligence at that time, and now Inspector General of Police of Uttar Pradesh and Sri Jia Ram, Deputy Inspector General of Police, who was specially co-opted for the purpose, paid a visit to study in greater detail the working of the Bombay policing system.

64. *Metropolitan Policing*—The Bombay policing system has been based on the pattern of the Metropolitan Force of London, which was organized in 1829 by Sir Robert Peel to supplant the ineffective and old watchman system, which was supposed to protect the life and property of the citizens. In London, the control of the Force is vested in the Commissioner of Police, who is appointed by and functions under the control of the Home Secretary. England, unlike the States of India, has not got one centralised Police Force. The Boroughs and Counties maintain their own Police Forces controlled by local authorities which differ in constitution and work independently of one another. The Metropolitan Police is the only Force maintained and controlled by the Government. The U. P. Police Re-organization Committee, 1947, has commented that "the London system *was* the outcome of certain historical causes peculiar to England. The system was introduced in the presidency towns of India in blind imitation of what had been done for London and without any heed being paid to the fact that India was not England."

65. *Powers of Commissioner of Police*—The Commissioner of Police for Bombay has been given special powers for maintaining peace and having effective control over crimes and criminals in Bombay City. He enjoys almost all the administrative powers regarding law and order and allied subjects which are vested in the District Magistrate in the mofussil districts. Several Central and State Acts and rules too confer on him the same powers which are given to District Magistrates in the mofussil areas. There is no District Magistrate in Greater Bombay and the Commissioner of Police is directly and solely responsible for law and order. He has the power to make rules for the regulation of traffic and preservation of order in public places. He can prohibit carrying of arms or explosives or collection of missiles or public signing with a view to prevent disorder. He can extern persons likely to commit or abet commitment of offences under Chapters XII, XVI and XVII of I. P. C. and beggars and persons convicted of gambling. He can disperse assembly of persons by use of Armed Forces under section 129, Cr. P. C. and also exercises powers of Magistrates under section 130 of the Cr. P. C. He can also issue orders under section 144 Cr. P. C. He grants licences for arms and sanctions prosecution for breach of offences under the Arms Act. He issues and renews licences for public conveyances, and exercises considerable powers with regard to the Entertainment Act and licensing and controlling of theatres and other places of public amusement, use of loudspeakers, processions and public meetings. He is vested with many special powers under a number of Union and State laws.

66. *Opinion of the Team*—The team consisting of Sri Shanti Prasad and Sri Jia Ram was of the opinion that the system of Commissioner of Police in Greater Bombay was conducive to promptness and efficiency in administration. The system of single control enables the Commissioner of Police to take quick decisions with full responsibility. If the Police is efficient and commands respect and admiration of the public, it is mainly because it comes into direct contact with the public in all matters that affect their civic life. The Police have both the powers—power to help

the public in their interest and power to haul them up for their wrong deeds. Thus, there is a judicious balance of power and action and the Bombay City Police have justified the trust reposed in them as is evident from the popularity and effectiveness of Police in Greater Bombay. Many of the problems that the Police has to face in the cities of Kanpur and Lucknow are similar to those prevailing in Bombay. In particular Kanpur is a large growing industrial city with its intricate and increasing law and order and crime problems. The team has recommended that the Bombay system of policing should be introduced in the cities of Kanpur and Lucknow.

67. *Bombay and Kanpur Compared*—We agree that as a growing industrial town, Kanpur has to face some intricate and difficult problems which are similar to those of Bombay. We must, however, point out that Kanpur has only about one-fourth of the population of Bombay and both in volume and intensity the problems of Kanpur are of much smaller magnitude. There are also two other distinguishing features, which do not seem to have attracted sufficient notice. The City of Kanpur has a big rural area of the Kanpur District surrounding the city. The City of Kanpur and the rural area of the district of Kanpur are served by the same set up of Police. If there are two separate sets of Police—one for the city of Kanpur and the other for the rural area of Kanpur, apart from other things we shall need one reserve for the city and another for the district and the headquarters of both the City Police and the district police will be located in the city of Kanpur. The city and the rural areas of Kanpur are inextricably mixed up both in political and social spheres and the two sets of the Police having their headquarters in the town of Kanpur may create confusion in the mind of the people. The other distinguishing feature is that the Bombay City Police works under the direct control of the Home Secretary, who is available on the spot for directing the Police operations and consultation and guidance. In the case of Kanpur there will be no such authority locally available. Under the English system, which seems to be guiding those who want to re-orientate the Kanpur Police Force on the Bombay City model, there is always an authority present on the spot in the form of the Home Secretary in London and the County or Borough Council in the other areas, which control the action of the Police. In the case of Kanpur there will be no such local authority and if any executive control of the Home Secretary has to be exercised, it would be in the nature of remote control from Lucknow. A remote control, in our opinion, would not be a proper machinery for dealing with operations vitally concerning large masses of people.

68. *Recommendation*—It will be recalled that as a policy we have come to the conclusion that there is nothing wrong or objectionable with certain controls exercised by the District Magistrate over the Police. We must, however, examine whether in the case of the city of Kanpur any special circumstances exist or any countervailing advantage would accrue, if the District Magistrate is divested of his powers of general supervision and control and the Police Officer is given full responsibility for the maintenance of law and order. We have put a straight question to the Inspector General of Police (Sri Shanti Prasad) as to whether he could give us any specific instances, when any delay or difficulty hindered the Police operations at Kanpur because the powers of supervision and control were exercised by the District Magistrate and he was good enough to tell us frankly that he knew of no such instance. In the report of the Reorganization Committee, however, we find that Sri D. P. Kohli, who had the

personal experience of working as the head of the Police in Kanpur for over three years from 1937 to 1940 favoured the idea of introducing the pattern of Bombay City Police at Kanpur. He has argued that by vesting all the powers now exercised by the District Magistrate and Superintendent of Police, in the Head of the City Police, there would be saving of efforts and public funds. We are not quite sure whether the introduction of the Bombay system in the Kanpur City will really effect economy. On the contrary our impression is that it may lead to increase in cost. We are also not quite sure to what extent the efficiency of working of the Bombay City Police is due to concentration of greater powers in the Commissioner of Police and to what extent it is due to the more elaborate and efficient methods of the working of the Police Force. We have also been reminded that the District Magistrate is coming more and more occupied with the development and planning work and has little time to spare. The State Government have not so far enacted laws for the establishment of Block Samitis and Zila Parishads, but if the All-India pattern is followed both the Block Samiti and the Zila Parishad will have non-official Chairman and the work of development and planning will be handled by the elected representatives of the people, the District Magistrate being largely relieved of responsibility for development and planning. We are not in a position to assess as to what is going to be the effect of new changes on the work of the District Magistrate. After giving full consideration we are of the opinion that no changes are required in the existing system of Police Administration in Kanpur City.

CHAPTER VII

POLICING IN VILLAGES

69. *Origin*—The British had placed the responsibility of policing villages on the Village Headman or Mukhiya. He was assisted by the Village Chaukidar. With the abolition of the Zamindari system, the Mukhiya has disappeared and the Rural Police system has broken down. In our opinion, this has been largely responsible for increase of lawlessness in the country-side. It is, therefore, necessary that the system of policing in the rural area should be reorganised and put on a sound footing immediately.

70. *Existing Agency*—At present the Village Chaukidar is the only Police agency in the village. He is appointed by the District Magistrate under the North-West Provinces Village and Road Police Act (Act XVI of 1873), or under the Oudh Laws Act (Act XVIII of 1876). His primary duties include Watch and Ward, carrying of messages and information to Police Stations, surveillance of bad characters and general assistance to the Police. He is a part-time servant and not a member of the regular Police Force. The total permanent strength of the Village Chaukidars in the State is 45,577. He is given a salary of Rs.5 per month. The annual expenditure on Village Chaukidars in the State comes approximately to rupees 30 lacs.

71. *Abolition of Village Chaukidar*—The feeling that the Chaukidari system has outlived its utility is not new. In 1923 the Police Decentralisation Committee, U. P. recommended the abolition of the Chaukidars in selected areas. The Police Reorganization Committee was also emphatically of the opinion that the Village Chaukidar was too meagrely paid and had no place in a modern Police system. The officials and public opinion before us clearly show that the Chaukidari system has become out of date. We have, therefore, no hesitation in recommending the abolition of the post of the Chaukidar.

72. *Proposals of Reorganisation Committee, 1947*—There must, however, be an alternative system of policing for the rural areas. The Police Reorganisation Committee had recommended the substitution of the Village Constable in place of the Chaukidar, and in 1955 Government sanctioned on an experimental basis the replacement of Village Chaukidars by resident Constables in Police Circle Baghrai in district Pratapgarh and Police Circle Sikanderabad in district Bulandshahr. In the former Circle 80 Village Chaukidars were replaced by 18 Police Constables and in the latter 73 Village Chaukidars by 15 Constables. On an average, the beat of a Constable extended to 7 villages. This trial has been in operation for over 5 years, but we are unable to draw reliable conclusions about its merits because the experiment was made on much too small a scale. The major defect of the system pointed out to us is that the area of jurisdiction of the Constables, extending to about 7 villages, is much too large. It makes his personal contacts with the people less effective than those of the Chaukidar, who generally resides in the village. A single Constable cannot visit all the seven villages daily. He is not a local resident and thus not so near to the people as the Chaukidar. In fact, we are told that in Pratapgarh the Constables felt serious difficulties in obtaining residential accommodation.

Finally, it has been stated by some witnesses, including Sri M. S. Mathur, Inspector General of Police, that the introduction of this scheme would considerably reduce man-power which is needed during elections, fairs, security duties, emergencies, etc.

73. *Gram Raksha Dal*—We recommend that the responsibility for policing the country-side should be placed on Gram Raksha Dals. These Dals should draw their sanction and authority from law, which should soon be enacted by the State Government. The area covered by a Gram Raksha Dal should ordinarily be a Village Panchayat. Youngmen between the ages of 25 and 45, residing in the Village Panchayat area, would be eligible to become members of the Dal. The members will be expected to organise the public against criminals, goondas and bullies; to arrange for protection of public and private property in an emergency, and to fight dacoits and armed criminals. They would also assist the Station Police in the maintenance of law and order. The Dal would have a small Executive Committee which may be given the name of Gram Raksha Samiti. It should ordinarily consist of five members. The Pradhan of the village should be the *ex officio* Chairman of the Samiti. The remaining four members should be appointed by the Superintendent of Police in consultation with the Sub-Divisional Magistrate. In making appointments, care should be taken to give representation to various interest in the village. The members of the Samiti shall hold office for a period of three years. They would be given the assistance of the Gram Rakshak, who will function as *ex officio* member-secretary of the Samiti and carry out its orders.

74. *Training and Supervision*—The Superintendent of Police should be responsible for organising Gram Raksha Dals in his district. He will exercise supervisory control over them. He must make periodical inspections to ensure proper functioning of the Dals. He should also organise training for the members of the Dal. Selected members of the Dal may be given short courses of training in the Police Lines ranging from 10 to 15 days in a year. Other members of the Dal may also be given shorter training at the Police Station in the use of simple arms such as lathi, ballam, etc. We appreciate that some Instructors may have to be appointed for giving training to the members of the Raksha Dal. The requirements may be worked out by the Department.

75. *Arms from Gram Raksha Dal*—Now-a-days dacoits and many other criminals carry firearms. It is, therefore, necessary to provide the Raksha Dals with arms too. The issue of licences for 12 bore guns has, under the new Arms Act, been considerably liberalised and the members of the Dal should have no difficulty in taking out licences for keeping 12 bore guns. Members of the Dal who are given training in the Police Lines should also be taught to use the guns effectively. We understand that in the district of Bulandshahr the villagers have themselves collected money for purchasing 12 bore guns. We do not think that it would be difficult to raise funds locally for the purchase of guns. In areas where it is not possible to raise funds locally and the need for guns is established, the responsibility of supplying the minimum number of guns would rest on Government.

76. *The Gram Rakshak*—The present Village Chaukidar will be replaced by a functionary known as Gram Rakshak. His jurisdiction will cover two or three Panchayat Circles depending upon the size of villages. He will assist the Gram Raksha Dals within his jurisdiction in discharge

POLICING IN VILLAGES

69. *Origin*—The British had placed the responsibility of policing villages on the Village Headman or Mukhiya. He was assisted by the Village Chaukidar. With the abolition of the Zamindari system, the Mukhiya has disappeared and the Rural Police system has been broken down. In our opinion, this has been largely responsible for increase of lawlessness in the country-side. It is, therefore, necessary that the system of policing in the rural area should be reorganised and put on a sound footing immediately.

70. *Existing Agency*—At present the Village Chaukidar is the only Police agency in the village. He is appointed by the District Magistrate under the North-West Provinces Village and Road Police Act (Act XVI of 1873), or under the Oudh Laws Act (Act XVIII of 1876). His primary duties include Watch and Ward, carrying of messages and information to Police Stations, surveillance of bad characters and general assistance to the Police. He is a part-time servant and not a member of the regular Police Force. The total permanent strength of the Village Chaukidars in the State is 45,577. He is given a salary of Rs.5 per month. The annual expenditure on Village Chaukidars in the State comes approximately to rupees 30 lacs.

71. *Abolition of Village Chaukidar*—The feeling that the Chaukidari system has outlived its utility is not new. In 1923 the Police Decentralisation Committee, U. P. recommended the abolition of the Chaukidars in selected areas. The Police Reorganization Committee was also emphatically of the opinion that the Village Chaukidar was too meagrely paid and had no place in a modern Police system. The officials and public opinion before us clearly show that the Chaukidari system has become out of date. We have, therefore, no hesitation in recommending the abolition of the post of the Chaukidar.

72. *Proposals of Reorganisation Committee, 1947*—There must, however, be an alternative system of policing for the rural areas. The Police Reorganisation Committee had recommended the substitution of the Village Constable in place of the Chaukidar, and in 1955 Government sanctioned on an experimental basis the replacement of Village Chaukidars by resident Constables in Police Circle Baghrai in district Pratapgarh and Police Circle Sikanderabad in district Bulandshahr. In the former Circle 80 Village Chaukidars were replaced by 18 Police Constables and in the latter 73 Village Chaukidars by 15 Constables. On an average, the beat of a Constable extended to 7 villages. This trial has been in operation for over 5 years, but we are unable to draw reliable conclusions about its merits because the experiment was made on much too small a scale. The major defect of the system pointed out to us is that the area of jurisdiction of the Constables, extending to about 7 villages, is much too large. It makes his personal contacts with the people less effective than those of the Chaukidar, who generally resides in the village. A single Constable cannot visit all the seven villages daily. He is not a local resident and thus not so near to the people as the Chaukidar. In fact, we are told that in Pratapgarh the Constables felt serious difficulties in obtaining residential accommodation.

POLICE DEPARTMENT

79. *Preliminary*—The main unit of the Police administration is the district, and the District Executive Force is responsible for discharging the normal law and order duties and for investigating crimes. Long years of experience had, however, proved that there is need for creating some centralised departments to do specialised jobs needing high degree of skill and training. Consequently, the Indian Police Commission recommended the creation of the Criminal Investigation Department, which was set up in 1906. Similarly the Government Railway Police was created in 1867. The Pradeshi Armed Constabulary, formerly known as the Military Police, was created in 1941, so that a highly trained and disciplined Force may be available to meet grave law and order emergencies throughout the State.

(A) CRIMINAL INVESTIGATION DEPARTMENT

80. *Bifurcation*—The Criminal Investigation Department was set up initially for investigating certain types of difficult and important cases and for collection of intelligence. With the passage of time, the work of both the branches became heavy and in 1958 a separate department had to be created for the collection of the intelligence. Now the Criminal Investigation Department looks after the investigation work only. For reasons of administration convenience, the Scientific Section and Finger Print Bureau of the State have been put under this Department.

81. *Organisation and Function*—The Department works under the charge of a Deputy Inspector General, who is responsible for its working. He is assisted by three Superintendents of Police in the Investigation Branch and one Superintendent to supervise the Scientific Section and Finger Print Bureau. The Superintendents are assisted by Deputy Superintendents, Inspectors, Sub-Inspectors, Head Constables, Constables and Public Prosecutors. The whole State is divided for administrative purposes into seven Sectors, each Sector being coterminous with a Range. The duties of the Superintendents and Deputy Superintendents are of a supervisory nature, though they also enquire into important cases personally. The Officer who normally conducts the investigation of cases in the Range is the Sector Inspector. The Department also maintains a cell at the Headquarters for investigating cases, which for any reason cannot be investigated by the Sector Staff. The Department investigates cases and makes enquiries into complaints which are sent to it by Government or the Inspector General. The Heads of Departments in the State are also authorised to send up cases and the Deputy Inspector General, Criminal Investigation Department, can initiate enquiries on his own account into cases, which he considers of sufficient importance. The departmental officers have told us that with the present staff they cannot cope with all the work which they are expected to do. We have been greatly impressed by the work of the Department. Apart from handling more difficult cases, the Department sets an example for the District Staff to improve the quality of investigation.

82. *Cases of local importance*—Numerous cases have been brought to our notice where local influences have been brought to bear on the local Police in the investigation of cases. We have no doubt in our mind that this tendency is on the increase. It is highly dangerous. We urge upon the Investigating Officers in the district to do their work impartially and independently. Even so, there are cases which should be handled by an agency which is free from local influences, and we recommend that the Criminal Investigation Department should also take up investigation of cases, which are locally important and in which there is danger of the local influences being brought to bear upon investigation.

83. *Strength*—The present strength of the Crime Branch of the Criminal Investigation Department consists of 3 Superintendents of Police, 12 Deputy Superintendents of Police, 39 Inspectors, and 16 Sub-Inspectors. One of the Deputy Superintendents of Police is Incharge of the Establishment Section of the Criminal Investigation Department and one Deputy Superintendent of Police, 2 Inspectors and 2 Sub-Inspectors have been specially sanctioned by the Government on a temporary basis for the investigation of certain special cases. Thus the actual working strength is of 3 Superintendents of Police, 10 Deputy Superintendents of Police, 37 Inspectors and 14 Sub-Inspectors. It is noteworthy that the number of Inspectors, who, as we have already said are the main investigating agency, has remained 31 from 1948 to September, 1959, in which year 6 more posts were sanctioned.

84. *Work-load and strength*—It has been urged by the Police Department that either the number of enquiries entrusted to Criminal Investigation Department should be reduced or the staff should be increased on the basis of the number and nature of enquiries. In support of their demand they have quoted the following figures for the last five years:

Year	Number of fresh enquiries entrusted to C. I. D.	Number of enquiries pending at the close of the year
1956	130	57
1957	111	56
1958	135	84
1959	168	119
1960	205	156

It will be seen that the number of enquiries entrusted to Criminal Investigation Department has been going up and the number of cases pending at the close of the year has also been increasing. We are of the opinion that concentration and singleness of purpose is very necessary for proper investigation. If too many enquiries are entrusted to an Investigating Officer, all the enquiries suffer and get delayed. We cannot, however, agree placing restriction on the number of enquiries handled by Cri-

minial Investigation Department. We have, on the other hand, recommended that the services of Criminal Investigation Department should be utilised in a larger category of cases. It is, therefore, necessary that the strength of Criminal Investigation Department should be increased to cope with the increase in work. We recommend that there should be a provision for expanding or reducing the number of Investigating Officers according to changes in the workload. If in any period the number of enquiries goes up, the Inspector General of Police should have the power to temporarily increase the number of Investigating Officer. Similarly, if in any period the workload is reduced, he should withdraw Officers and utilise them elsewhere. We recommend that the position should be reviewed every quarter by the Inspector General in consultation with Deputy Inspector General of Police, Criminal Investigation Department.

(B) GOVERNMENT RAILWAY POLICE

85. *Organisation*—The Government Railway Police is a separate branch of the U. P. Police, working directly under the control of the Inspector General. The whole area covered by this Force, consisting of 5,077 miles of railway lines within the Uttar Pradesh, has been created into a general Police district under an Assistant Inspector General of Police with Headquarters at Allahabad. The Assistant Inspector General is a senior officer of the rank of the Superintendent of Police and exercises supervisory control over the whole of the Railway Police. He co-ordinates the work of the five sections, corresponds with the Railways and controls the budget allotments. The area of the Government Railway Police has been divided into five sections, each under a Deputy Superintendent of Police, designated as Section Officers with Headquarters at Agra, Lucknow, Gorakhpur, Moradabad and Allahabad. In addition, each Section has a small staff known as the Criminal Investigating Agency. It is used for collecting intelligence, shadowing criminals and investigating cases, which have ramifications over wider areas. This staff works in plain clothes. They also maintain records of criminals, who commit crimes on the Railways.

86. *Strength*—The total staff attached to the Railway Police consists of 6 Inspectors, 93 Sub-Inspectors, 218 Head Constables and 1,716 Constables. Further demands for increase in the staff to the extent of about 59 Sub-Inspectors, 144 Head Constables and 1,312 Constables are pending consideration with different Railways. In general, we are in agreement with the proposed increase and we would like this matter to be expedited.

87. *Co-ordination between Railway and District Police*—Some witnesses have complained before us that the proper type of co-ordination between the Railway Police and the District Executive Forces does not exist. A few of them have suggested that we might revert to the district system, which consists of placing the responsibility of policing the railways within the limits of the administrative district on the District Executive Force. This system had been found wanting and was discarded about 18 years ago. We have carefully examined the relative merits of the existing system and the district system and are of the opinion that the present system is definitely better. It has shown good results. The Inspector General has already issued orders for ensuring better co-ordination between the district force and the Railway Police. We are informed that by and large these orders are being complied with. We, therefore, see no reason to suggest that the existing system should give place to the district system.

88. *Upgrading of A. I. G., Railways*—We have examined the powers given to the Assistant Inspector General, 'Railways' and find that except in the matter of departmental proceedings he has all powers of a Deputy Inspector General of Police. At first glance it appeared reasonable that his post be upgraded to that of a Deputy Inspector General of Police, but on a closer scrutiny we are satisfied that there is no real need for upgrading this post to a higher rank.

89. *Supervision*—We have recommended the abolition of the posts of the Circle Inspector, and consistent with our policy, we recommend that in the Railway Police also the post of Circle Inspector should be abolished. In the case of the District Executive Force, we have recommended that the area of the Circle should be four Police Stations. In the Railway Police, however, the work at the Police Stations is much less than in districts and we are unable to recommend that four Police Stations should ordinarily form a Circle. We propose that each of the five sections should be treated as a Circle and put under the charge of a Deputy Superintendent of Police who should be assisted by another Junior Deputy Superintendent of Police. We also recommend that important Police stations of the Railway should be put under the charge of Inspectors.

90. *Training Centre*—At present the Railway Police recruits its own Constables and has a small Training Centre at Moradabad for their training. We have suggested the establishment of two Training Schools for Constables in the State. We see no reason why a separate Training Centre should in future be maintained for the Railway Police and we recommend that the Training Centre for the Railway Police at Moradabad should be abolished. We suggest that Constables who are allocated to the Railway Police should be given a course in the Railway Manual and the working of the Police on the Railways, in addition to normal courses.

91. *Armed Police*—The Railway Protection Police was created in the year 1947 for guarding the Railway property, protecting passengers in trains, maintaining law and order and for providing escorts. This Force was disbanded in 1957 and thereafter the Railway Protection Force was created which has its own Armed Wing and is used for the protection of Railway property. Wherever Armed Police is needed for performing any of the duties except the protection of the Railway property, men are drawn from the District Armed Police. We are informed that the Railway Police have approached Government for sanctioning an Armed Force consisting of 1 Inspector, 5 Sub-Inspectors, 35 Head Constables and 180 Constables, 5 Constables Armourers, 15 Followers and 1 Orderly Peon for the Inspector. We are opposed to the creation of a small Armed Force, for if it is concentrated at a few places, it may not always be available where needed and if it is distributed in many places, it will be too thinly dispersed. The system of drawing Armed men from the District Executive Force is a sound one inasmuch as it allows of elasticity and is economical. There is also no need of keeping any separate reserve. We are of the opinion that the present system has worked quite satisfactorily and there is no need to have a separate Armed Police for the Railways. At present, however, in making allocation to districts provision is not made for the Railway duties. We recommend that in making allocation for the Armed Security Reserve, due consideration should be given to the Railway Police duties.

92. *Criminal Investigating Agency*—The small units attached to Railway Police Sections, known as the Central Investigating Agency, appear

to have done satisfactorily. They maintain records and investigate cases with wider ramification. We have only one suggestion to make, namely that the Railway Police should have a small nucleus at the Headquarter consisting of 1 Inspector, 1 Sub-Inspector, 1 Head Constable and 2 Constables for investigating cases, which after taking their importance into account, the A. I. G., 'Railways' may like to have investigated through this agency.

93. *Prosecution*—We have looked into the system of prosecution of Railway cases. A staff of one Prosecuting Inspector at the Headquarters of Railway Police, Allahabad, and seventeen Assistant Public Prosecutors are posted to work in various sections. The Railway cases are tried in districts. We cannot, therefore, understand the necessity of having a separate Prosecution Staff for the Government Railway Police. We recommend that the Public Prosecutor of the district, where the case is to be tried, should see that a brief is prepared and the case is conducted properly.

94. *Ticketless Travelling Squad*—The Railways have created a Ticketless Travelling Squad for suppressing the evils of ticketless travelling. This Squad has a number of Magistrates, who are constantly on the move in trains. It has a strength of 13 Sub-Inspectors, 47 Head Constables and 307 Constables, who are distributed over the five sections. This Force works under the Government Railway Police but its operational movements are controlled by the Railway Magistrates. There are also some Railway officials of subordinate rank attached to this Squad. We recommend that the Policemen put on the Squad should be withdrawn and that it should be manned by persons recruited by the Railway Department. We understand that the Railways have a Protection Force and a part of the personnel for checking ticketless travelling can be drawn from this Force. In any case we are opposed to trained Policemen being deployed on this work.

(C) PRADESHIK ARMED CONSTABULARY

95. *History*—The Uttar Pradesh Military Police was formed in 1940 to meet the threat of serious riots and disturbances that occurred in the State during the years 1937 to 1940. Subsequently, Mr. Pearce and the Police Reorganisation Committee recommended the establishment of an adequate permanent Provincial Reserve for the maintenance of internal peace and tranquillity. Government, accordingly, enacted the Pradeshiik Armed Constabulary Act and the Provincial Armed Constabulary, now called the Pradeshiik Armed Constabulary, was raised in 1947 to act as a highly mobile Armed Reserve. Since its formation, the Pradeshiik Armed Constabulary has been entrusted with heavy responsibilities and difficult tasks. The Government of India has utilised this Force to suppress disturbances in Hyderabad, Calcutta, Madhya Pradesh, Bombay, Assam, Manipur, etc. In all these places the Pradeshiik Armed Constabulary has invariably come out well. The personnel of the Pradeshiik Armed Constabulary have worked for long hours under trying circumstances, showing exemplary loyalty, discipline and devotion to duty. The Constabulary has fully justified its existence.

96. *Functions*—The Pradeshiik Armed Constabulary is ordinarily used on the following duties:

- (1) Law and order situations arising out of riots, agitations, strikes, etc,

(2) Duties, which required employment of a large number of men, like Kumbh and Ardh-Kumbh Melas, Elections, visits of foreign dignitaries, etc.

(3) Operations against noted dacoit gangs.

(4) Duties in connection with religious festivals like Dussehra, Baqra-Id, Holi, etc.

(5) Guard duties.

Ordinarily the District executive Force should deal with law and order problems and the use of Pradeshik Armed Constabulary should be strictly limited to cases of emergency or when the local Police is unable to deal with the situation owing to lack of man-power. We are also against the posting of Permanent Guards from the Pradeshik Armed Constabulary. For this purpose, separate allocation should be made in the Armed Police of the District concerned.

97. *Strength*—At present, the Pradeshik Armed Constabulary consists of 93 Companies, formed into 13 Battalions (Appendix X). Of these, 28 Companies have been placed at the disposal of the Government of India and only 65 Companies are normally available for duty within the State. Of these 53 Companies on an average are deployed on duties throughout the year and only 12 Companies are available at a time for the prescribed three months' intensive training. In consequence adequate training could not be given to men for maintaining high standards of efficiency. It has been urged by the Police Department that the strength of the Pradeshik Armed Constabulary should be raised, keeping in view the needs both of duty and training. We recommend that one-fourth of the total strength of the Force should be kept as a reserve for training.

CHAPTER IX

SPECIALISED UNITS OF POLICE

98. *Introductory*—The necessity of establishing specialised units arises because certain duties of the Police require special training. The Specialised Units in this State are the Traffic Police, River Police, Mounted Police and the Revenue Police in hill areas. We shall also see if there is need for Women Police and the Police Wing of Prantiya Raksha Dal.

(A) TRAFFIC POLICE

99. *Functions*—The Traffic Police is mainly concerned with directing traffic on busy cross-roads and controlling the parking of vehicles in crowded areas of the city. They check minor violations of Motor Vehicles Act and Rules such as going without lights, neglecting signals, overtaking from the wrong side, etc. and breaches of Municipal By-laws regarding traffic.

100. *Strength*—The existing strength of the Traffic Police is 3 Inspectors, 2 Sub-Inspectors, 24 Head Constables and 676 Constables. (See Appendix XI). A large portion of this force is posted in 8 cities, namely, the five KAVAL towns and Meerut, Bareilly and Dehra Dun, where traffic control has assumed importance. The strength of the Force is determined by the number of traffic points and hours for which each point is manned on the following standard:

- (i) For points manned up to 8 hours ... 1 Constable.
- (ii) For points manned for more than 8 hours 2 Constables.
- (iii) For points manned for more than 16 hours 3 Constables.

In Lucknow allocations have also been sanctioned for parking duties. No traffic Constable should remain on duty for more than 4 hours at a stretch.

101. *Hours of work*—The Police Department has urged that 8 hours of daily duty in two shifts of 4 hours each is too heavy for Traffic Constable in the eight towns named above, especially when he has to attend to busy traffic points. We are of the opinion that there is force in this argument and the Traffic Constable needs relief at certain places both in the total hours of working and hours of working at a stretch. We suggest that the system of circle patrol should be introduced in the State. Under this system a Head Constable would be put in charge of a group of five traffic points. He would visit these points during the duty hours to supervise and relieve the Constable on traffic point for 30 minutes in each shift. The system of circle patrol shall in the first instance apply only to the eight bigger towns and that too in the peak hours and on busy points. This will reduce the total working hours of the Traffic Constable during busy hours on busy points in eight big towns to 7 hours a day. It will also reduce the working shift from 4 hours to 3½ hours in eight big towns and on all points in other towns the present scale of eight hours will continue.

102. *Parking Duty*—With the increase in the number of vehicles, parking is assuming greater importance. At present Constables for this duty have been sanctioned only for Lucknow. We recommend that in the other seven big towns, where traffic control has assumed importance, separate allocation for this duty should be made. No hard and fast rule can be laid down for determining the number of men required for this duty, as it will depend on the place, area and number of busy hours. A survey should be made and the strength determined on the basis of actual requirements.

103. *Supervision*—There is at present a supervisory staff of 3 Inspectors, 2 Sub-Inspectors and 24 Head Constables. No definite rules for determining the supervisory staff seem to exist. We recommend that in towns other than those mentioned in paragraph 104 there should be :

(i) 1 Head Constable to supervise 10 Traffic Police Constables; and

(ii) in all towns of U. P., 1 Sub-Inspector or Inspector for every 10 Head Constables.

The officers should be provided with motor cycles or scooters at Government expense. They should go round the city at periods of traffic peak hours.

104. *Mechanisation*—We have examined the question whether automatic signals should be introduced in any of our towns and have come to the conclusion that the intensity of traffic at present does not justify the introduction of automatic signals. Manually operated signals have been tried at Kanpur and Lucknow and have greatly helped in controlling the traffic. We, therefore, recommend that at points with heavy traffic in the five KAVAL towns manually operated signals should be installed.

105. *Roundabouts and other devices*—The number of traffic points in any city will depend on the intensity of traffic. We would like the number of traffic points to be kept at the minimum. As far as possible, roundabouts, one way traffic, etc. should be introduced to ensure safety and easy passage of traffic. Traffic Police should be provided only when absolutely necessary.

106. *Traffic Advisory Committee*—The Police Reorganization Committee had recommended the formation of Traffic Advisory Committees in order to ensure proper liaison and co-operation between Traffic Police and the local bodies. Unfortunately, the Committees, which were formed in major towns, have remained inactive. We would like these Committees to be reorganised and made more representative. Any recommendations made by this Committee in regard to new traffic points, parking areas, roundabouts, etc. should be given due weight. An important function of these Committees would be to develop the traffic sense of the people.

107. *Prosecution*—The Traffic Police generally prosecutes people for minor offences, many of which are committed inadvertently. We would like that for the first two minor violations of traffic rules, the offender should be let off with a warning. When there are more violations, the accused should be put up before the Court. We realise that the appearance of the motor owner or the driver in the court means loss of time and we recommend that wherever an offence is punishable with fine only the court should enter on the summons a specified sum which the accused may pay instead of appearing in the court. If, however, the accused

denies the charge, he shall have to face trial. We understand that it takes considerable time to trace the name of the car owner, and hence considerable delays occur in the prosecution. We have been struck by the indexing system of car owners in vogue in Bombay and we recommend that it should be carefully studied and a suitable system to trace car owners quickly should be worked out for the State.

(B) THE RIVER POLICE

108. *Special features*—Nature has been generous to the Uttar Pradesh and blessed her with large number of rivers and streams. The two important rivers of Northern India—the Ganga and Jamuna—flow through this State. Since times immemorial a number of cities have grown up on the banks and confluences of rivers and on jhils. Among the Hindus bathing in river carries benediction and a large number of religious congregations, ranging from the great Kumbh to daily bathing are held in riverine cities. Experience has shown that the River Police is effective not only in life-saving, but also in maintaining the law and order. In Varanasi a small unit of River Police has been in existence for the last fifty years and in Allahabad for more than twenty years. We found that these units were not properly organized and neither the numbers nor the training of men working in the River Police was up to the standard.

109. *Functions*—We lay down the following as essential functions of the River Police :

- (1) Maintenance of law and order on the river, water ways and water front.
- (2) Protection of life and property on river.
- (3) Prevention and detection of crime.
- (4) Protection of floats on water.
- (5) Protection of visitors and pilgrims against cheating by touts, boatmen, imposters, etc.
- (6) Enforcement of Municipal Bye-laws on hackney boats and rules made under Ferries Act.

110. *Strength*—The only permanent separate allocation for the River Police in the State is of 2 Mechanic-cum-Drivers, 4 Mallahs and 2 Oilmen for the two motor boats under the control of the Police. In addition 3 Head Constables and 26 Constables, Civil Police, are employed on purely Riverine duties, 1 Head Constable and 9 Constables each being posted at Varanasi and Kanpur and 1 Head Constable and 8 Constables at Allahabad. This Force is drawn from the normal district allocations as no separate staff has been sanctioned. We are against the practice of drawing men from other duties for constant use as the River Police as it adversely affects the efficiency. We, therefore, recommend that provision should be made separately in the District Reserve for men to be utilised on Riverine duties. The strength should be determined on the basis of 2 Constables for each boat. In addition, one Mallah for each boat should be permanently employed for rowing and maintenance. In the case of boats fitted with out-board engines, a mechanic-cum-driver would be needed. One Head Constable should be put in charge of the whole Force in each city.

111. *Equipment, Training and Uniform*—The Police Department has two motor boats and 33 out-board engines. The motor boats are stationed at Kanpur and Varanasi. We recommend that one Motor Boat

should be given to Allahabad as a large number of people visit the Ganga and the Jamuna every day. The number of out-board engines is quite adequate. Each boat should also have a Life Saving equipment and a First Aid Box. We recommend that only trained men should be posted for Riverine duty. Special courses should be organised in each of these districts, once a year, in which volunteers from Civil Police may be trained. Special emphasis in training should be given to rescue operations and First Aid. A distinctive uniform should be provided for men of the River Police. We recommend that blue shorts and white jackets with Police marked on them and the usual Fatigue Caps should be the uniform. It will distinguish the Riverine Police from other people.

(C) MOUNTED POLICE

112. *Functions*—The Sawars constituted one of the earliest forces raised by the British Government in India. They were utilised as guards and orderlies for Magistrates and as messengers and escorts. The following duties are at present prescribed for the Mounted Police:

- (i) Patrolling roads.
- (ii) Escorting prisoners and treasure.
- (iii) Conveying communications of special urgency.
- (iv) Following up criminals.
- (v) Suppressing organised dacoity or other disturbances.
- (vi) Ceremonial escorts.
- (vii) Traffic control duty.

With the development of cement and bituminized roads and motor traffic, the utility of Mounted Police has decreased. In our opinion, it can now usefully be deployed only for patrolling roads, traffic control and ceremonial escorts. The Mounted Police has in the past proved highly useful in controlling crowds, specially in big fairs and festivals.

113. *Existing Strength*—The present strength of the Mounted Police is of 5 Sub-Inspectors, 30 Head Constables and 150 Constables. The following table gives the strength and location of each Troop in the State:

	Sub-Inspector	Head Constables	Constables
1. Meerut	1	4	20
2. Agra	1	4	20
3. Kanpur	1	5	25
4. Allahabad	1	6	25
5. Varanasi .. .. .	..	3	15
6. Lucknow	1	6	30
7. Faizabad .. .. .	..	3	15
Total	5	30	150

In addition a small unit consisting of 1 Sub-Inspector, 4 Head Constables and 1 Constable is attached to the Police Training College at Moradabad for giving training to cadets.

114. *Proposed Strength and Training*—Doubts have constantly persisted regarding the utility of the Mounted Police for the real Police work and, therefore, its strengths has been gradually reduced. We are also of the opinion that the work of the Mounted Police is occasional and restricted and its upkeep is expensive (Appendix XII). We, therefore, recommend that the troops at Meerut and Faizabad should be disbanded but the troops at Agra, Kanpur, Allahabad, Lucknow and Varanasi may be retained in their present strength. They should be pooled together and sent from these five towns to any place wherever needed. The strength left would be 4 Sub-Inspectors, 23 Head Constables and 115 Constables. Sub-Inspectors, Head Constables or Constables of the Mounted Police are provided with horses. We would like to emphasise that horses should be trained and no horse should be sent on duty unless it has been fully broken to sounds and noises. Training in horse riding and management is imparted to all Gazetted Officers and Sub-Inspectors at the Police Training College, Moradabad. We consider this training to be useful and it should continue.

(D) REVENUE POLICE

115. *Police in Hill Regions*—The policing in the hills is done through the Revenue Officials. A number of Committees and Officers have since 1850 examined the system and all of them have come unanimously to the opinion that the system has worked well. The Committee of Officers of Revenue and Police Departments which reported in 1958 observed that "the existing system of criminal administration is very well suited to the area and the people living there. The Committee considers that at this stage, to replace this system with regular Police would be a remedy worse than the disease." We share these views. There are some regular Police Stations in towns of the hill areas, which also look after the main roads and a belt of 50 yards on either side of it. This as well appears to have worked fairly well. Even so, the length of the roads under the jurisdiction of some of these Police Stations may be too long and in appropriate cases Outposts may have to be set up. At present the Patwari looks after a whole Patti, some of which are too big and cover as much as 250 sq. miles in area. The Saddiq Hasan Committee had recommended that the area of the Patti was too big and for policing purposes, the Pattis should be divided into circles of 20 sq. miles with 30 villages. We support the opinion of that Committee and recommend that the whole question of reorganising of Police Circles in Pattis should be decided by Government after consulting Deputy Commissioner. There is a School at Almora for training Patwaris in the Revenue work. The local Assistant Public Prosecutor delivers a few lectures, which is the only Police training given to them. We consider this to be unsatisfactory and recommend that the lectures at the Almora School by the Assistant Public Prosecutor should be discontinued. After finishing the training at the Almora School the Hill Patwaris should receive a further course of training at the Police Training College, Moradabad, for a period of three months and thereafter they should be attached to Civil Police Stations in the hill districts for two months' practical training. During this period they will also see something of the working of the Prosecution Branch. The Quanungos and the Naib-Tahsildars should similarly

receive three months' training at the Police Training College, Moradabad, and two months' practical training at the Police Stations so that they may efficiently supervise the work of Patwaris.

(E) WOMEN POLICE

116. *Women Police in Uttar Pradesh*—In Uttar Pradesh, the necessity of having Women Police appears to have first been felt during the labour strikes at Kanpur in 1938. Some women strikers and picketers had to be lifted bodily or otherwise dealt with. The Government sanctioned the enlistment of about a dozen women in the Police. This small Force consisting only of Constables was hurriedly raised. They were given no training and were disbanded soon after the strike. Again, the Reorganisation Committee of 1947-48 considered the question of organising the Women Police in some detail and recommended their employment on higher salaries. It suggested the raising of a total strength of 8 Inspectors, 98 Sub-Inspectors and 106 Constables. Government did not accept the recommendation but as an experimental measure, one woman Sub-Inspector and two Head Constables were sanctioned for Lucknow. Three women were accordingly recruited and after receiving training at the Police Training College they joined duty early in 1952. With the resignation of one Head Constable, the strength was reduced to two only. The staff proved too small to be effective and the scheme was ultimately abandoned. We understand that units of Women Police are working in the States of Madras, Andhra, Mysore, Madhya Pradesh, Maharashtra and Bihar. West Bengal, Delhi and the Punjab also employ large number of Women Police.

117. *Recommendation*—The Women Police raises special problems regarding recruitment, training and supervisory control. Unless right type of women are attracted to the Police Force, the creation of Women Police will not serve its purpose. We agree that considerable advancement has been made by women in education. Even so, we are doubtful if recruits, with proper mental calibre and social background, would at present be forthcoming for enlistment to the Police Force. Nevertheless, there are certain specialised type of activities connected with the Police work in which women can play an effective role such as child delinquency and immoral traffic. We have come across cases, when women have taken active part in commission of heinous offences. We cannot overlook the possibility of more and more women taking part in the commission of serious crimes. We regret that we are not in a position to recommend the creation of a Women Police Force at once, but would suggest that the question of appointment of women for dealing with certain specialised type of Police-work should be examined and when conditions mature, a regular Police Force of women may be raised.

(F) PRANTIYA RAKSHAK DAL

118. *Prantiya Rakshak Dal Wing of the Police*—Prantiya Rakshak Dal was originally constituted as a volunteer organisation in the nature of Home Guards in 1948, but in 1951 its role was modified. It became one of the agencies for development work for mobilisation of man-power, organisation of volunteer work and activities related to physical culture. Thereafter, men were not recruited to the P. R. D. to work as a part of a disciplined Force and were not trained for this purpose. In 1957, however, due to heavy demand on the regular Policemen, the Govern-

ment considered the question of relieving them from the routine duties like those in fairs and melas, manning of the Lost Children Bureau, emergency relief, night patrolling, etc. It was, therefore, decided to strength the Police by providing selected men from the P. R. D. to share these duties and consequently the P. R. D. Wing of Police was constituted in the districts of Agra, Lucknow and Varanasi. The staff of one Assistant Commandant, 9 Assistant District Organizers, 25 Zone Workers and 100 Halqa Sardars has been sanctioned to each of the three districts. This staff is under the administrative control of the Senior Superintendents of Police. The P. R. D. Wing of the Police is utilized for night pickets and patrolling, manning of Lost and Found Bureau, traffic duty on roads and fixed points, escorting of under-trials, organizing courtesy drives, emergent duties in fairs and public meetings, training gun licencees and so on. It is understood that the cost of maintaining the P. R. D. Wing is more than the cost of maintaining an equivalent Police Force. Except for making investigation, the P. R. D. are being utilised more or less on the same duties as the regular Police. It is not desirable to employ personnel on such duties who are not enrolled under the Police Act. Moreover, there is no saving in funds and it does not matter so long as the expense is the same, if funds are drawn from Police budget instead of Planning budget. We, therefore, recommend that the entire P. R. D. Wing of the Police should be discontinued and wound up. Personnel who are found suitable might be absorbed in the regular Police. The funds saved in this manner might be utilized to meet the cost of additional Police.

OFFICE ESTABLISHMENTS

(A) POLICE HEADQUARTERS

119. *Organisation*—The Police Headquarters is the main office of the Inspector General of Police and Range Deputy Inspector General. It is stationed at Allahabad while only Camp Offices are attached to the Inspector General and Deputy Inspectors General. A Deputy Inspector General is Incharge of the Police Headquarters. He is assisted by a Superintendent of Police and a Deputy Superintendent. The office is divided into 17 Departments, each under the charge of a Head Clerk and dealing with a specified subject (Appendix XIII). There are two Office Superintendents whose main work is to supervise the Departments placed under them, so that efficiency and expeditious disposal of papers is maintained.

120. *Shifting of Headquarters*—The Headquarters is stationed at Allahabad while the Inspector General resides at Lucknow. This results in constant movement of files between Allahabad and Lucknow and is by no means conducive to efficiency. Even urgent information is sometimes not available at Lucknow and has to be obtained from Allahabad by telephone or radiogram or special Messenger. Similarly close contact of the Department with the Government cannot be maintained, resulting in increase of correspondence and delay in disposal. We, therefore, recommend that the Police Headquarters should be shifted from Allahabad to Lucknow.

121. *Offices for Range Deputy Inspectors General*—We have already mentioned in the foregoing paragraph that the Offices of the Range Deputy Inspectors General are kept at the Police Headquarters. It has been argued before us that the Range Deputy Inspectors General should have separate offices at their Headquarters. This suggestion works counter to our proposal that the Range Deputy Inspectors General of Police should be relieved of routine office work so that they may spend more time in touring. We are of the opinion that the existing system of the Range Deputy Inspectors General having a common office at the Headquarters has worked satisfactorily. It has maintained uniformity of procedure all over the State. The centralised control has also led to economy in expenditure, supplies, etc. We, therefore, recommend that the Police Headquarters should continue to maintain office of the Range Deputy Inspectors General and separate offices for them need not be provided.

122. *Headquarters Staff*—The present staff consists of 22 Head Clerks, 48 Noters and Drafters, 39 Record Keepers, 76 Routine Clerks and 6 Paid Apprentices. The Routine Clerks and Paid Apprentices are both utilised for the work of referencing, despatch, etc. We recommend that the post of Paid Apprentice be abolished. It has also been brought to our notice that a number of Routine Clerks are utilised as Noters and Drafters. Obviously, the number of Noters and Drafters is not adequate while there seems to be a surplus of Routine Clerks. We

would like the Department to assess actual requirements of each category of Clerks with the help of the Inspector of Offices and make recommendations for fixing the strength.

123. *Supervision*—Supervision over the work of Departments of Police Headquarters is exercised by two Office Superintendents. All important files have to be checked by them to ensure that rules and regulations have been correctly quoted and interpreted. Routine correspondence with the districts is carried on by them on behalf of the Deputy Inspector General, Headquarters. They are responsible for efficient working of the Departments and expeditious disposal of papers by them. Frequent inspections of Departments are carried out by them. With increase in work at the Police Headquarters the Superintendents are finding it difficult to cope with the work and avoidable errors have begun to creep in. It is, therefore, recommended that a Departmental Committee should examine the workload in consultation with Inspector of Offices and make suitable recommendations.

(B) DISTRICT POLICE OFFICE

124. *Organisation and Strength*—The Police Office in a district is composed of the Confidential Office of the Superintendent of Police, English Office, Accounts Branch and the Readers Office. Secret files are maintained in the Confidential Office, while all other routine work is done in the other branches. Each district office has one Head Clerk and one Accountant. The number of Assistant Clerks varies from 4 in Pilibhit to 18 in Kanpur and Lucknow. The number of Assistant Accountants varies from 2 to 7. Conflicting evidence has come before us regarding the adequacy of staff in offices of Superintendents of Police. The Reorganisation Commissioner, Mr. K. K. Dass, had recommended a considerable reduction in the staff at Police Offices. This view was strongly opposed by the Inspector General. The Inspector of Offices, on the other hand, is of the opinion that an increase in staff is necessary in all the districts. Police Officers have also urged increase in staff and have pointed out that to ensure disposal of papers, Constables have to be posted to Offices. We have failed to find any standard by which the Office Staff is determined. In our opinion, such standards should be laid down. A major part of the work like maintenance of Character Rolls, increments, promotions, transfers, pension, insurance, pay, travelling allowance, etc. is concerned with the Police personnel. The clerical staff should, therefore, be in proportion to the Police Force. We, therefore, recommend that the Inspector of Offices may be required to carry out a survey of work in Police Offices and lay down standards specifying work which can be done by one Clerk, e.g. number of Character Rolls or the number of files that can be efficiently maintained by him.

125. *Office Superintendents*—It has been urged before us that Office Superintendents should be appointed in Police Offices to relieve Gazetted Officers of routine office jobs. We are in complete agreement with the view that Police officers, who are highly trained, should devote most of their time to actual Police duties. But we think that there is no enough work in most of the Police Offices to justify the posting of an Office Superintendent. The number of Gazetted Officers in each district will also increase in view of our recommendation restricting the size of a circle. The work can be easily shared between them without hindering field

work. The circumstances, however, are different in the KAVAL districts and the districts of Meerut, Bareilly, Moradabad and Jhansi. The Police personnel in these districts is well over 1,000. Even routine jobs concerned with Character Rolls, insurance, pension, travelling allowance, etc. are numerous and require the whole-time attention of an Officer. We recommend that in these 9 districts, Office Superintendents may be appointed. He should be a man promoted from the clerical staff. We endorse the pay scale of Rs.250—10—300 recommended by the Reorganization Commissioner, Mr. K. K. Dass. A list of routine jobs that can be performed by him is given in Appendix XIV.

PART III
CRIME, PREVENTION, INVESTIGATION,
PROSECUTION

PREVENTION OF CRIME

126. *Prevention of Criminality*—Criminality depends upon several factors, the most important of which is the intellectual-emotional condition of a person and the fact how well he is socially adjusted. The adult criminal behaviour usually has its origin in experiences of early life that have unfavourably conditioned the mind, especially the experience that creates a sense of insecurity and inadequacy. To prevent criminal behaviour, social maladjustment has to be prevented and the causal intellectual and emotional conditions corrected. This may necessitate the treatment of both the individual and his environment. The Police can play an important role in preventing criminality by attacking the problem from this aspect when young persons are being adversely influenced. The Police Department is in an advantageous position for tackling this problem. The primary purpose of the Department is to prevent the commission of crimes. Police is usually the first to discover persons, situations and conditions that need attention and is in a position to obtain effective co-operation of interested agencies and are thus well positioned to take up this work. Favourable relations with children in their community will facilitate further Police service as a wholesome relationship will be developed with them. Prosecution is sometimes prejudicial action by the Police without jeopardy to public peace and security can be very effective. The Police by themselves, however, cannot achieve the task but it can obtain the support and assistance of the community. Facilities like health and child guidance clinic, professional skills and physicians psychiatrics, help of teachers and laymen are needed. We would also not like the Police to directly take up this work but it can enlist the aid, focus the attention and co-ordinate the activities of every agency. The Police programme should include for this purpose the following activities:

(i) Eradication by patrol, inspection, supervision and investigation of elements that induce criminal tendencies among children and adolescents. They should discover and correct or repress opportunities, temptations and other influences that contribute to delinquency. These influences can be rendered less potent by prohibitions directed against those who may become delinquents; by regulating some enterprises, closing hours, sales, admission and employment of young people, and removing or prosecuting those who contribute to this.

(ii) Discovery of delinquents and those exposed to high-risk situations. Some must be referred immediately to juvenile courts, child guidance clinics, or the special social agencies working for their rehabilitation.

(iii) Planning and promotion of recreational, character building and other group activities that produce wholesome influences. We would not like Police to themselves run recreational centres or organise group activities, but they should draw up plans and help private organisations in taking these up.

(iv) Special patrol and inspection should be organised by specially trained persons for this purpose. There are persons in every community containing individuals who because of their greediness, sexual abnormality, etc., are a grave danger to youth. The patrol will be directed against their repression and discovery. This may even be a part of the normal Police patrol. Training in this respect and this subject should form part of the curriculum even for Constables who will now be educated at least up to High School.

127. *Functions of the Police*—The primary function of the Police is to prevent crimes. Crime has never been eliminated totally but it can certainly be checked by an alert and vigilant Police. The Police must see that every citizen is in a position to pursue his rightful occupations without any hindrance or fear. To achieve this, the Police has been given powers under the Law. The powers of the Police for preventing crimes can be divided into the following three categories:

- (i) Powers to prevent breach of peace.
- (ii) Powers to prevent commission of crime against property or person; and
- (iii) Surveillance.

128. *Preventing Breach of Peace*—The District Superintendent of Police and the Assistant Superintendent of Police have been given under section 30 of the Indian Police Act powers of regulating public assemblies and processions and of licensing them. Section 127 of the Criminal Procedure Code authorises Station Officers to order any unlawful assembly or any assembly of five or more persons likely to cause a disturbance of the public peace to disperse. If on being so ordered, the assembly does not disperse or conducts itself in such a manner as to show a determination not to disperse the Police Officer Incharge of a Police Station may disperse such assembly by use of force. The Police is also vested under section 151, Cr. P. C. with powers to make preventive arrests. It has been urged that powers to issue orders under section 144 Cr. P. C. should be given to some Police Officers for use in emergent cases of apprehended breach of peace. Section 144, Cr. P. C. authorises certain Magistrates to issue orders, in writing, directing any person to abstain from doing certain acts, if he considers that such direction is likely to prevent or tend to prevent danger to human life or a disturbance to public tranquillity or a riot or an affray. The order may be directed to a particular individual or to the public generally. No such order can remain in force for more than two months unless in certain types of cases, the State Government by notification in the official *Gazette* otherwise directs. An aggrieved party has the right to object against the issue of the order, and thus the order is quasi-judicial in nature. The disobedience of the order is punishable under section 188 I. P. C. It is important to note that the powers of issuing orders under section 144 Cr. P. C. are vested only in a District Magistrate, a Sub-Divisional Magistrate or any other Magistrate (not being a Magistrate of third class) specially empowered by the State Government or the District Magistrate to act under this section. In Bombay the Commissioner of Police has been empowered to exercise powers under section 144 Cr. P. C. in emergent cases of apprehended danger. It has been stated by some Police Officers that Magistrates are not ordinarily available in the rural

areas and if the Gazetted Police Officers are given powers of dealing with emergent cases of apprehended danger to peace, delays in taking action could be avoided. We have given due weight to the opinion and have come to the conclusion that it will not be in the public interest to vest these powers in any class of Police Officers. The reasons which have prevailed with us are that Article 19(b) of the Union Constitution gives the Indian citizens right to assemble peacefully and without arms. Sub-Article 3 of that Article, however, provides an exception and lays down that all existing and future laws, in so far as they impose, in the interest of public order, reasonable restrictions on the exercise of the general right to assemble do not come under the mischief of the general rule. The exception has stood the test of the law courts, and orders passed under section 144 Cr. P. C. do not a priori infringe any of the rights guaranteed under the Constitution. The right to assemble is a very valuable right and any exception to it should be confined to the minimum. The application of a law can be extended either by increasing the scope of the principle underlying the law or by making its application more extensive. If the powers to issue orders under section 144 Cr. P. C. are vested in the Police Officers, we have no doubt in our mind that the occasions for the use of this power will increase. Moreover, the gazetted Officers of the Police mostly reside at the District Headquarter and they will have to be summoned to the rural areas when required to issue such orders. There are sufficiently large number of Magistrates posted in each district and in case of apprehended danger of disturbance of public tranquillity or a riot or an affray, the Police can as well request a Magistrate to come. We also feel that as the Legislature has vested these powers only in a specified class of Magistrates, the intention of the Legislature was restrictive. Moreover, we think that the powers with the Police, mentioned earlier, for dealing with people and crowds which threaten disturbance are adequate. We do not, therefore, recommend that any class of Police Officers should be vested with powers to issue orders under section 144 Cr. P. C.

129. *Prevention of Crimes against person and property*—An Officer Incharge of the Police Station has been empowered by section 55 of the Criminal Procedure Code to arrest or cause to be arrested without warrant—

(a) any person found taking precautions to conceal his presence within the limits of such station, under circumstances, which afford reason to believe, that he is taking such precautions with a view to committing a cognizable offence; or

(b) any person within the limits of such station, who has no ostensible means of subsistence, or who cannot give a satisfactory account of himself; or

(c) any person who is by repute an habitual robber, house-breaker or thief, or an habitual receiver of stolen property, knowing it to be stolen, or who by repute habitually commits extortion or in order to the committing of extortion habitually puts or attempts to put persons in fear for injury. Every person arrested under this section has to be put up before a Magistrate for action under section 109 in cases falling under Clauses (a) and (b) and 110 of the Criminal Procedure Code in cases falling under Clause (c). It has been brought to our notice that powers of arrest under Clauses (a) and

(b) are often abused by the Police. Some Police Officers have also frankly admitted that those powers have been misused by Station Officers. It has been suggested that these powers should be taken away from the Police. We have given anxious thought to this proposal. It cannot be denied that these powers are extraordinary and give the Police a right to arrest persons without their having committed any offence. At the same time, the Police must have the power to keep a check on persons, whose movements are suspicious and who are taking precautions to conceal their presence with a view to commit offence. In a Welfare State, it is the duty of the Government to provide employment to people and we see no justification why a man who has no ostensible means of subsistence should be bound down for good behaviour. Article 19(d) of the Union Constitution gives to all citizens of India right to move freely throughout the territory of the Republic. We, therefore, consider the right to bind down one who is unable to give a satisfactory account of himself in spirit violates the provision of Article 19(d) of the Union Constitution. We have also learnt that the powers given under section 55(b) and section 109(b) of the Criminal Procedure Code are often misused. We, therefore, recommend that sub-section (b) of section 55 and sub-section (b) of section 109 of the Criminal Procedure Code should be deleted.

SURVEILLANCE

130. *Crime Note Book*—The present system of surveillance was introduced on the recommendations made by the Indian Police Commission of 1902. A Village Crime Note Book is maintained at every Police Station which contains information about the crime and criminals. History-Sheets are parts these Note Books, and are opened for persons who are or are likely to become habitual criminals or who are aiders or abettors of such criminals. They are personal records of criminals under surveillance. The Village Crime Note Books are useful record of crime and criminals but unfortunately, they do not appear to have been maintained satisfactorily. The Note Books are torn and tattered and there is always a danger of the past record being lost. We recommend that immediate steps should be taken to renovate these Note Books. Officers should invariably take these Note Books, when visiting the rural area to check important entries.

131. *History-Sheets*—The Superintendent of Police may order the opening of history-sheets on (a) suspicion, or (b) conviction and acquittal. Some doubts have been expressed regarding the correctness of opening history-sheets on suspicion or acquittal. It has been argued that opening of history-sheet socially degrades men who are not guilty of having committed any crime. Persons, who have been acquitted by the court or who are suspected to be criminals should not, therefore, be made subjects of history-sheets. It cannot be denied that history-sheets affect the reputation and social standing of a person. At the same time, society has to be protected against anti-social elements. There are persons who commit or abet crime but escape punishment due to cunningness. Similarly, some notorious bad characters who have actually committed an offence get acquitted on technical grounds or for want of sufficient evidence. To allow such persons to prey freely upon society is not good. We cannot, therefore, agree with the suggestion that history-sheets should

not be opened on suspicion or acquittal. In all such cases, however, orders for opening the history-sheet should be issued only after personal enquiries on the spot by the Circle Officer in the character and antecedents of the person concerned.

132. *Classes of History-sheets*—There are two classes of history-sheets. Class 'A' history-sheet is opened for dacoits, burglars, cattle thieves, railway goods wagon thieves. Class 'B' history-sheet is opened for confirmed and professional criminals like cheats, poisoners, railway passenger thieves, pick-pockets, etc. We understand that the classification of history-sheets was originally made on principle that criminals of Class 'A' may reform themselves, while as a rule criminals of Class 'B' are incapable of reform. We are unable to understand how a railway goods wagon thief is different from a railway passenger thief. In our opinion, the distinction is unrealistic and the assumption that a criminal will commit only one kind of crime is not correct. We recommend that this classification should be abolished and all the history-sheets should belong to one class.

133. *Method of Surveillance*—Paragraph 236 of the Police Regulations lays down the methods of surveillance. We generally approve of the prescribed methods. We have been however told that an undesirable practice of calling the history-sheets at night to check his presence has developed. We consider this practice to be wrong as it causes unnecessary harassment not only to the history-sheets but to his family members as well. It is our considered opinion that the practice of calling out a person at night should stop, and as far as possible surveillance should be unobtrusive. We have recommended the establishment of Gram Raksha Dals. The activities of local history-sheets cannot remain hidden from the members of the Dals. We recommend that Gram Raksha Samitis should be required to send monthly reports on the behaviour, activities and reputation of the history-sheets living in the village. These reports would prove useful to the Station Officer in deciding intensification or relaxation of surveillance. They would also help in assessing the closure or continuance of surveillance. The Superintendent of Police and the Circle Officers should check every history-sheet once in a year to find out, whether effective surveillance was being maintained and to decide which history-sheet should be closed. The Superintendent of Police should close the history-sheets of persons against whom no complaint has been received for two consecutive years and who are reported to have reformed themselves.

PREVENTION IN TOWNS

134. *Flying Squads and Mobile Squads*—The larger towns have a special attraction for professional criminals, bullies and goondas as they can for long evade the Police there. Of late, bad characters are reported to have formed gangs in towns. The law and order problem in towns has, therefore, become more difficult and complex. In order to meet it effectively the Police has devised the systems of Flying Squads and Mobile Squads. The Flying Squad is stationed and kept ready all the twenty-four hours in a centrally situated Police Station. It is equipped with a motor vehicle. As soon as the information of an occurrence is received it rushes to the spot. The Mobile Squad differs from the Flying Squad inasmuch as it keeps patrolling in a motor vehicle for the whole day in the area assigned to it. In places where the system

of mobile patrolling prevails, the Police Station should have a Control Room for receiving incoming telephone calls and transmitting information to the mobile vans which are fitted with radio. Mobile Squads have proved to be more effective than the Flying Squads but they are also more expensive. In Uttar Pradesh, the system of Mobile Squads has not so far been introduced in any town. Flying Squads were, however, organised in the cities of Lucknow and Kanpur in 1953. Later on, similar Squads were set up in ten other larger cities of the State. The work of the Flying Squads in the State has been greatly appreciated by public. It has also instilled a feeling among the bullies, roughs and rowdies that the Police will be on the spot before they can escape. We have been greatly impressed by the work of the Flying Squads and recommend that the system should be introduced in all the towns with a population of one lac and more. We are informed that in addition to the Civil Police (One Sub-Inspector, One Head Constable and four Constables) Flying Squad is also manned by a separate Armed Police half section. We consider the allocation of the Armed Police as wasteful. The Civil Police Constables are trained in the use of muskets and we recommend that five muskets of .410 bore should be kept securely locked up in the motor vehicle. When the vehicle is left at some distance from the scene of occurrence the Driver, who should also be trained in musketry and one Constable should be left behind to guard the muskets. We also recommend that in the two towns of Kanpur and Lucknow the system of mobile vans fitted with the wireless equipment and Control Rooms should be introduced. This system is working very effectively in the city of Bombay and as law and order problems in other towns multiply, the system of mobile patrol and Control Room may have to be extended to other bigger towns.

REPORTING AND INVESTIGATION OF CRIME

135. *Quality of Investigation in U. P.*—States' principal agency for investigating crimes is the Police, whose efficiency is to a great extent judged by the success in tracing out criminals and proving their guilt. A comparison of the crime statistics of U. P. with some other States shows that the quality of investigation in our State is comparatively poor. As against 48.9, 48, 38 and 34.9 convictions secured out of every 100 true cases investigated in Andhra, Madras, Mysore and the Punjab respectively, in the year 1959, the corresponding percentage for U. P. is only 28.4. If the higher trends of recorded crimes, the concealed or minimized crimes are taken into account, the percentage of convictions to the total number of crimes would be reduced further considerably. This is disquieting state of affairs, and we must analyse the reasons for it.

136. *Recording of Crime*—The provisions of sections 154 and 155 Criminal Procedure Code lay down the procedure for recording, what is commonly called, the First Information Report by the Police. A large variety of complaints regarding the mal-practices of the Police in recording First Information Reports were brought to our notice some of which are given below:

- (i) Non-recording of First Information Report i.e. concealment.
- (ii) Distorting of facts with a view to lessening the gravity of offence i.e. minimization.
- (iii) Introduction of new facts and distortion of facts in order to create evidence against the accused or for implicating innocent persons.
- (iv) Demand of money or other considerations for recording or prompt recording of report.

It was suggested that some other agency such as the Panchayat should also be authorised to record First Information Reports. We examined this suggestion and found that its only advantage would be that concealment and minimization may disappear. As against this, the disadvantage would be that the writing of report by inexperienced persons would leave lacunae leading to a larger number of acquittals. There would also be delays in transmitting reports to the Police Stations which in its turn would delay the investigation. There may also be a spate of false and exaggerated reports due to personal animosities and party factions. In the absence of any immediate control there would also be danger of greater corruption. We have, therefore, come to the conclusion that no other agency except the Police should record the First Information Report. In order to decrease concealment or minimisation and other defects, we would like to provide additional facilities for lodging the First Information Report. We recommend that a new Reporting Centre under the direct supervision of the Superin-

tendent of Police should be set up at district headquarters. Persons, whose reports are not recorded or who, for some reason, do not want to get their report recorded, at the Police Station concerned should be entitled to lodge their report at this centre. In addition to this, we would like the form no. 44 prescribed in Paragraph 95 of the U. P. Police Regulations to be kept for distribution with all Gram Rakshaks. On a request being made, the Gram Rakshaks should supply this form and also take the written report to the Police Station. We recommend that this form should be simplified for the convenience of country folks. With increasing literacy, written reports would become more popular. We are also of the opinion that concealment, minimisation etc., would be reduced by the exercise of more intimate and closer supervision by Circle Officers. With that end in view we have elsewhere recommended reduction in the size of circles. The Superintendent of Police should personally see that complaints concerning the First Information Report are promptly enquired into and an exemplary punishment given to wrong doers. The concealment and minimisation of crimes is no less due to the existing system than to personal factors, and both concealment and minimisation result to a great extent from the present method of judging the work of Station Officers from crime figures. We recommend that the efficiency of a Station Officer should be judged not only by the number of crime figures but also by faithful recording of crime, by cases successfully worked out and the general efficiency of the Police Force under him.

137. *Importance of First Information Report.*—The First Information Report occupies an extremely important place in the investigation and prosecution of cases. The complainant is required to give motive for the crime, details of the scene of occurrence, names of witnesses and other important facts. The whole investigation is based on facts mentioned in the First Information Report and any deviation, either in the details of the scene of occurrence or of witnesses is generally treated as an introduction of spurious evidence by the Police to prove the prosecution case. This has given rise to various malpractices such as writing of the report at the instance of the investigating officer after he has visited the scene of occurrence and antedating it. It appears to us that the law attaches far too much importance to the First Information Report. In our opinion the First Information Report is only a record of occurrence of a crime and that the details like suspected motive of the crime, value of property stolen, suspected culprits, etc., are matters for investigation. The First Information Report should, therefore, contain only the bare facts about the nature of crime, time, place, etc. Sri B. malik, Ex-Chief Justice, Allahabad High Court, informed us that this system is in vogue in England and he strongly recommended its adoption in India. We, therefore, recommend that the existing provision of law relating to the First Information Report should be modified to bring them in conformity with our recommendations. The First Information Report should contain (1) the name of the complainant, (2) the nature of crime, (3) approximate time of occurrence and (4) place of occurrence. Immediately after the First Information Report has been recorded, the Investigating Officer should interrogate the complainant with regard to the motive of crime, names of witnesses, etc. and the record of this information should be entered in the Case Diary. This change

would, in our opinion, ensure a more impartial and better type of investigation.

138. *Cases not to be Investigated*—Section 157(1)(b) of the Criminal Procedure Code authorises the Station Officer not to investigate a case if it appears to him that there is not sufficient ground for entering into an investigation. Paragraph 104 of Police Regulations lays down that when a report of a cognizable offence is received, the Station Officer must decide whether an investigation is desirable. He must consider whether the case is for the civil rather than that for the criminal courts and whether action by the Police is necessary in the interests of the administration or expedient for the preservation of law and order. It also lays down that no investigation should be made if the subject-matter of the complaint ostensibly falls within the scope of section 95 of the Indian Penal Code, or if the complaint appears to be setting up a technical offence or exaggerating a trivial occurrence in order to obtain the help of the Police in prosecuting a quarrel. Investigation shall not be made in the following cases as well:

- (a) In cases of petty theft or burglary unless there is reason to believe that professional criminals are concerned.
- (b) In cases under sections 324 and 325 of the Indian Penal Code.
- (c) In cases under section 147 of the Indian Penal Code, unless grievous hurt has been caused or there is danger of a further serious breach of the peace.
- (d) In cases under sections 341 to 344 (Unless the confinement continues at the time when the report is made), 354, 447 and 448 of the Indian Penal Code.
- (e) In cases under sections 406 and 420 of the Indian Penal Code, when there is *prima facie* evidence that the case is of a civil nature,

We are of the opinion that the Station Officer is vested with too much of discretion. There are also complaints of abuse of the powers by the Station Officers with a view to earn illegal gratification. Besides of late goondaism and rioting has been on the increase. The bullies beat up people, who do not carry out their wishes. We have reason to believe that the law and order position in some parts of the State, especially in the countryside has reached a perilous stage. It has been common experience that multiplication of minor offences reduce respect for law and order and ultimately leads to bigger disturbances. We would, therefore, recommend that the whole question of the discretion vested in the Station Officer should be carefully examined and that cases which are now not normally investigated, should be investigated. Thus cases under section 324, 325, 341-344, 357, 457 cases of theft unless the value of property is less than Rs.15 and of cheating unless it is a dispute of civil nature should be investigated. A proposal was made by Sri Shanti Prasad, now Inspector General of Police, that Government should have the power to declare certain type of non-cognizable offences as cognizable offences, when in any areas the law and order situation exhibits a tendency to deteriorate. The Magistrates are already empowered to direct the Police to take cognizance of any particular non-cognizable case. We think that this power is not enough and there should,

be a general power with the State Government to declare certain kinds of non-cognizable offences as cognizable offences. We recommend that this matter may be fully examined.

139. *Delays in Starting Investigation*—It has been brought to our notice that investigations are often taken up after considerable delay. Such delay is naturally disappointing to the complainant, who feels that the Police is not taking interest and immediate action in his case. In the absence of prompt investigation, important clues are also often lost. To a certain extent these delays are due to the inadequacy in the allocation of investigating officers. We have already made recommendations in Chapter V for reducing the work-load of Sub-Inspectors and providing at least two Sub-Inspectors at each Police Station. We hope that our proposal would make it possible for Sub-Inspectors to take up investigations promptly. The supervising officers should also see that investigations are made promptly.

140. *Quality of investigation*—We have reasons to believe that the quality of the work of the investigating officers and the quality of supervision shows some fall in standard. Justice V. Bhargava mentioned before the Commission:

“We come across more gaps than there used to be before. In preparing a site plan, e.g., the Sub-Inspector will not bother to put down measurements which he used to do before.”

This shows that full use of the training imparted to the Sub-Inspectors is not made by them. This also shows that there is some deficiency in the scrutiny of the case diaries made by the Circle Officers who allow such defects to remain in the investigation of cases. To improve the quality of supervision it is necessary that the size of the circle should be reduced. We have elsewhere recommended that normally Circle Officer's jurisdiction should cover 4 Police Stations. But this will not be very effective unless the Circle Officers stay in their circle. They should tour and make night halts for a sufficient number of days and give close guidance to the Station Officers and also meet the members of the public. At some places, however, exception may have to be made to provide an additional hand to the Superintendent of Police at the district headquarter because of the problems of the headquarter town or to assist him in administrative work. We regret to note that the old and crude methods of investigation still continue to persist. Complaints of beating, physical torture, mal-treatment and harassment by the Police Officers are not wanting. Most of these complaints are concerned with the investigation of cases. In fact the methods of scientific investigation have not yet found an adequate place in the strategy of the Police. The use of scientific methods would require specialized knowledge, aptitude, research and practice. It would be waste of skill, if policemen with special knowledge and aptitude of the investigation work, including scientific methods, are put on other duties and, keeping this in view, we are elsewhere recommending that in certain places there should be a separate investigation staff. We recommend that all Police Officers, who are expected to do or supervise the investigation work, should, before they are posted, be given adequate training, both in the theory and practice of investigation. The closer supervision by Circle Officers would also help in reducing these evils.

141. *Scheme proposed by P. R. C., 1947-48*—The separation of the law and order staff from the investigating staff was recommended by the P. R. C., 1947-48 for towns having a population of one lac and above. The Committee had, however, made it clear that their suggestion did not amount to having a separate branch for investigation, but only to have additional trained staff exclusively for the investigation work. The Government took up the implementation of this suggestion in 1950 in the five KAVAL towns, and in Meerut and Bareilly. On the basis of proposals made by the Police Headquarters, a total strength of 70 Sub-Inspectors was sanctioned as below:

Kanpur	...	...	...	13
Agra	...	...	...	8
Allahabad	...	...	...	8
Varanasi	...	...	...	9
Lucknow	...	...	...	13
Meerut	...	...	...	5
Bareilly	...	...	...	5
Contingent Reserve	...	...	...	9

This staff was meant to devote its time exclusively to the investigation work and was not to be saddled with administrative law and order duties.

142. *Working of the scheme and proposals*—We have examined in details the working of this scheme at Lucknow and Kanpur, and are constrained to mention that the experiment was not given a serious trial and that the Investigation Staff especially sanctioned by Government was not utilised exclusively for the investigation work. These new Sub-Inspectors were merged in the existing strength and were utilized like any other Sub-Inspector for both law and order and investigation duties. No satisfactory reason has been given by the Police Department for not complying with the clear instructions of Government. As a result of this, unfortunately, no conclusion can be drawn from the experiment. We have once again examined the question of the separation of the law and order and investigation staff. The arguments given by the Police Reorganisation Committee still hold good. The Senior Administrative and Police Officers are generally of the view that the separation would lead to efficiency in investigation because investigation requires a high degree of specialized skill, knowledge and experience. If delays in investigation are to be avoided, and investigating officer should not be encumbered with law and order duties, the permormance of which causes frequent interruption in working out cases. We are of the opinion that a separate investigating staff will result in prompt and successful investigation of cases. It will provide scope for the application of scientific methods of investigation. We are happy to note that the proposal finds support from the Law Commission of India (XIV Report—Reform of Judicial Administration). We, therefore, recommend that law and order staff should be separated from the investigation staff in all towns having a population of a lac and over. We, however, recognise that in certain grave emergencies, it may become unavoidable to use the investigating staff for law and order duties. On such occasions the investigating staff should be put

on law and order duties only under the personal orders of the Superintendent of Police, who should inform the Deputy Inspector General of Police of the circumstances in which it was done.

143. *Strength of Staff*—It has urged by the Police Department that the staff sanctioned for the investigation work was not adequate. We have not been able to find the basis on which the Police Headquarters had asked for 70 Sub-Inspectors to implement the recommendation of the P. R. C. We are of the opinion that in order to effectively enforce this scheme, the strength of the investigating staff should be so fixed that normally it is able to deal with all the investigations, which will be possible only if the strength of the Sub-Inspectors is calculated on the basis of average crime figures. In paragraph 52 we have recommended standards for determining the strength of investigating officers and the allocation for cities of population of one lac and over should be fixed accordingly.

144. *Level of separation*—We have also examined the question of level at which the scheme of separation should apply and we recommend that the scheme of separation should be enforced at the level of Sub-Inspectors only i.e. there should be separate Sub-Inspectors for the investigation work. The work of law and order and investigation is inter-related and the investigating officer has occasionally to obtain the help of law and order staff. In order to ensure proper co-ordination between the work of the investigating staff and Law and Order Staff we recommend the Investigating Sub-Inspector should work under the control of the Station Officer. In important cases he is expected to conduct investigation personally.

145. *Special investigating squads*—We place great reliance on the scheme of separating the Investigating Staff from the Law and Order Staff and we recommend that as soon as the results of the working of the scheme are available, it should be extended to smaller towns and rural areas. As an interim arrangement, we propose the establishment of Special Investigation Squads for areas not covered by the scheme of the separation of investigation and law and order staff. The Police Re-organization Committee had recommended the establishment of Special Investigation Squads for rural areas. These squads were to take up cases having wider ramification of those involving serious offences like dacoity, murder, etc. The Squads were to be posted at the District Headquarters and made available for the assistance of the local staff in rural areas. Government decided to take up the scheme on an experimental measure in ten districts; the five KAVAL districts and the districts of Bareilly, Meerut, Moradabad, Faizabad and Gorakhpur. Each of the squads consisted of four Sub-Inspectors and six Constables of the Civil Police. The Constables were to assist the Sub-Inspectors in investigation as well as in the maintenance of diaries, records, etc. We have examined the work done by these squads and we find that on an average each Sub-Inspector of the Special Investigating Squad investigated 13 to 14 cases in a year. The Police Officers with whom we discussed the working of these squads have emphasized that the work of the squad could not be judged by the number of cases investigated as ordinarily difficult and complicated type of cases were entrusted to them. These cases require prolonged investigation for example, a serious case of embezzlement requiring examination of account books and documents may take several months. Similarly, organised crime like kidnapping and dacoity may involve persons belonging to different Police Circles

and prolonged investigation would obviously be called for. We agree in principle that the work of these squad officers should not be judged only by the number of cases investigated but also by the nature of the cases investigated. We recommend the extension of the scheme and the establishment of Special Investigating Squads in all the districts of the State.

146. *Areas of operation*—Our recommendation for the separation of law and order and investigating staff shall apply only to towns having population of one lac and above. In districts having one or more such town; Special Investigating Squads should be utilised for the investigation of selected type of cases in the rural areas only. In other districts which have no such town, the Special Investigating Squads would function throughout the district. The Special Investigating Squads shall consist of number of teams depending on the size of the district and the volume of work. Each team shall ordinarily consist of one Sub-Inspector and one Constable, Civil Police. These Squads shall work under the direct control of the Superintendent of Police, who should supervise their work and allot cases to them for investigation.

147. *Record of investigation*—The investigating officer is required under section 172, Cr. P. C. to record reports of proceedings relating to investigations done by him in a diary from day to day. Paragraph 109 of the Police Regulations lays down that the diary must be sent to the Superintendent of Police on the day on which any proceedings are recorded. It has been brought to our notice that it is very seldom that investigating officers write diaries from day to day, and that they are generally written when the lines on which the investigation is to proceed become clear. This practice is in direct contravention of the provisions of law and should stop forthwith. The supervising officer must see that diaries are received promptly in the office and the date and time of receipt are written clearly on them.

148. *Statements before investigating officers*—Statements of witnesses examined during the investigation are recorded in case diaries under provision of section 161, Cr. P. C. These statements play an important part in trial of warrant cases as the charges against the accused are based on them. Copies of relevant statements are furnished to the accused at the start of the case to acquaint him with the evidence against him. These statements can be used during enquiry or trial by the accused to contradict the witness for the prosecution. It can also be used by the prosecution with the permission of the court to contradict a witness in the manner provided by section 145 of the Indian Evidence Act.

149. *Signing of statement by witness*—Large number of witnesses are said to have resiled from the statements made before investigating officers. They make new and false statements in the court either out of fear or the favour of the accused. Due to this tendency the number of acquittals is increasing. The Law Commission of India (14th Report) has recommended that in order to combat the tendency of witness turning hostile, the law should authorise the Police to get the witnesses to sign and date the statement, if he can read for himself, what has been recorded. We are in broad agreement with the recommendation of the Law Commission but feel that the time is not yet ripe for authorising Police Officers of all ranks to get the statements signed. Complaints of harassment of witnesses continue to come and it is feared that Sub-Inspectors may force witnesses to sign statements not actually made by them. We would, therefore, like to make a cautious beginning and

recommend that statements recorded by gazetted Police Officers, in the course of investigations conducted by them personally, may be got signed by the witnesses, if he can read for himself, what has been recorded.

150. *Admissibility of statement*—Section 162 of the Cr. P. C. lays down that statements made to Police Officers or any record thereof cannot be used for any purpose at any enquiry or trial except for the purposes of contradiction. The Police Officers have urged that the section, as it stands, shows a distrust of the Police. The Criminal Procedure Code Amendment Bill of 1954 as introduced in Parliament had proposed to delete section 162, Cr. P. C. but the Select Committee did not agree with the proposal. The deletion of the section will do away with the protection enjoyed at present by the accused against the prejudicial use of untruthful statement of witnesses recorded by overzealous officers. The effect of the deletion would be that the statement recorded by Police under section 161 (3), Cr. P. C. could be used by prosecution both for the purposes of corroboration as well as of contradiction. The Committee was of the view that the statement recorded by the Police should not be used by the prosecution for the purpose of corroboration. We have given considerable thought to this question and have discussed it with a number of important witnesses. We reproduce below the views of Justice Sri V. Bhargava of the Allahabad High Court:

“My reaction is that since the Police is not entrusted with powers to record statement, etc., which have evidential value and statements recorded by them are not admissible in evidence, the Police do not bother to be straight forward. Even if the Inspector General of Police records a statement it cannot be used in evidence. To start with, the Police Gazetted Officers should be entrusted and the statement recorded by them under section 162 should have evidential value.”

We agree with Justice Sri V. Bhargava and recommend that statements recorded by gazetted Police Officers in the course of investigations conducted by them personally and signed by literate witnesses should be allowed to be used for purposes other than those of contradiction.

151. *Searches*—The Investigating Officer has in the course of investigation to conduct house-searches in attempts to recover properly, stolen or otherwise connected with the commission of the offence, section 103, Cr. P. C. lays down that the search should be attended and witnessed by two or more respectable inhabitants of the locality, in which the place of search is situate. We have been told that inhabitants of the locality are often unwilling to come and be witness to search in the house of their neighbour. The risk of the search witness turning hostile is also considerable as strong local influences can be brought to bear on him. To remove this difficulty the Law Commission has recommended that “the law should not insist upon the presence of persons of the particular locality and it should be sufficient if respectable persons, wherever they might be found, attended and witnessed the search.” We are in full agreement with this recommendation and suggest that steps should be taken to implement it early. We are of the opinion that emphasis should be on respectability rather than on the place of residence.

152. *Arrest and bail of accused*—At what stage an Investigation Officer may arrest a suspected person has been left to his discretion under section 54, Cr. P. C. The Investigation Officer may choose to

keep a watch on the suspect. After arrest a person can be released on bail under sections 496, 497 and 498 of the Criminal Procedure Code. The theory in regard to the bail is that the accused is released from the custody of law and entrusted instead to the custody of his sureties. The purpose of the bail is to ensure the presence of the accused at the trial. We have received overwhelming evidence that after being bailed out the bullies and goondas tamper with evidence, threaten witnesses and some times commit crimes afresh. It was urged that the powers of the Sessions Court to grant bail are too wide and restrictions similar to those applicable to Magisterial Courts should be placed on its powers. We agree that the Court which has the power to try and acquit an accused should have full powers to deal with interim matters. We also feel that any absolute restriction on the powers of the Sessions Court would lead to inconvenience and expense inasmuch as the accused will have more often to run to the High Court. We, however, recommend that the law should be amended authorising the Sessions Court to grant conditional bail in appropriate cases, relating to specified offences such as dacoity, murder, etc. In granting a conditional bail the Court may impose conditions requiring the person to reside in a particular locality or to abstain from visiting a particular locality, or to report daily to the Police or any other specified authority. It should also be provided by law that in granting bail it should also be considered whether the accused is likely to tamper with the evidence. We regret to note that the Police has not made sufficient use of provisions for getting bails cancelled. We would like the Police to be more vigilant and apply to the Court for getting cancellation of bails in suitable cases. It has also been brought to our notice that in bailable cases, where the Police is under a legal obligation to grant bail, in practice excuses are put forward by Police Officers for refusing bails. These occasions provide an opportunity for getting illegal gratification by causing harassment to the accused. Superior Officers of the Police should specially ensure that the malpractice of refusing bail in bailable cases is eliminated.

153. *Statement of accused*—Paragraph 109 of the Police Regulations lays down that the statement of an accused, including a confession must be recorded in full in the case diary. Section 25 of the Evidence Act lays down that a confession made by an accused to a Police Officer shall not be proved against him and is inadmissible in evidence. Only confessions recorded by a Magistrate in the manner provided by section 164, Cr. P. C. are admissible in evidence. It has been urged by Police Officers that the restriction on the admissibility of confessions should now be removed as in most of the modern democracies statements made before Police Officers are admissible. This question was examined by the Law Commission which came to the conclusion that "the time has not yet come for making confessions to Police Officers generally admissible in evidence". They however, recommended that a beginning might be made by permitting confessions made to Officers of the rank of Deputy Superintendent of Police and above admissible in evidence in cases investigated by such officers personally. We have discussed this matter with the High Court Judges and members of the High Court Bar. The Chief Justice, and the Advocate General were of the view that relaxation be made in case of Gazetted Police Officers in investigations conducted by them personally. Justice Sri V. Bhargava and Sri P. C. Chaturvedi, a leading Advocate, were against such a relaxation. Sri P. C. Chaturvedi, summed up the case as follows:

"So far as the Police is concerned, powers have already been given to them in a large number of matters but they are not being

exercised properly or beyond reproach. Then how can it be assured that the powers which are proposed to be conferred on them will be utilised with any tests of standard of integrity?"

We appreciate the force of views expressed by Sarvasri Bhargava and Chaturvedi and agree that the time has not come, when the powers of recording confessions could be entrusted to any class of Police Officers.

154. *Delays in completing Investigation*—Paragraph 122 of the Police Regulations lays down that the investigation should be completed as soon as possible and in any case the charge-sheet should reach court within three weeks in summons and warrant cases and within six weeks in sessions cases. The time is counted from the date of lodging the First Information Report and includes the period during which the papers remain with the Public Prosecutor. We understand that investigation in a large number of cases is not completed within the prescribed time and the accused is kept in jail for long periods. In our opinion, all investigations should be completed within the prescribed time unless there are special reasons to justify the delay. It has been brought to our notice that one of the important reasons of delay has been the inadequacy of Investigating Staff. These delays should not occur after our recommendations relating to the reduction of the work-load of Investigating Officers have been implemented. Delays in obtaining reports from experts like Chemical Examiner, Imperial Serologist, etc., should also be reduced considerably after the Forensic Science laboratory is set up. The Superintendent of Police and the Circle Officers must, therefore, ensure that in future investigations are finalized promptly and any delays caused due to negligence should be duly noted and action taken. Considerable delays are also often caused due to identification parades of the accused and of property not being held expeditiously. The contractors required to arrange property for mixing with the case property are not paid adequately, with the result that several adjournments have to be given for want of arrangement of property to be mixed. We recommend, therefore, that the remuneration of the contractors should be suitably increased.

CHAPTER XIII

AIDS TO INVESTIGATION

155. *Importance of scientific investigation*—The need of introducing scientific methods of investigation has for long been felt. The old method of investigation by crude interrogation of the suspect has no place in present times. The Police must depend more and more on the clues left behind at the scene of occurrence for tracing the criminal. It is, therefore, necessary that there should be some agency, where these clues can be examined, checked and compared with a view to guide the Investigating Officers. A small beginning in this direction has been made by establishing the Scientific Section and Finger Print Bureau in the Criminal Investigation Department and the Crime Information Bureau at State level supplemented by the Crime Record Section at the district level. A Dogs Squad has also been formed with a view to help the Investigating Officer in tracing the criminal or finding clues. These Sections have done useful but limited work. The time has now come, when these units should be properly organised and put on a sound footing, so that the Investigating Officer takes more readily to scientific methods of investigation.

FORENSIC SCIENCE LABORATORY

156. *Organisation*—The Police Reorganisation Committee had recommended the establishment of a Forensic Science Laboratory. It is to be regretted that this recommendation has not yet been implemented. The Scientific Section of the Criminal Investigation Department and the Chemical Examiner's Laboratory continue to be the agencies where clues found at the scene of occurrence are examined and compared. The Scientific Section deals only with physical and ballistic work. We recommend that a fully equipped and staffed Forensic Science Laboratory should be established in the State immediately. The proposed Forensic Science Laboratory should have the following five sections, each under an expert:

- (1) Biological.
- (2) Physical.
- (3) Chemical.
- (4) Ballistic.
- (5) Hand-writing.

157. *Serological work*—We find that at present there is no Serologist Laboratory in the State and samples of blood for analysis have to be sent to the Union Government's Serologist at Calcutta. The results of the examination are often received after considerable delay probably due to the heavy pressure of work with the Union Government's Serologist. With a view to avoid delays in the investigation of cases and to give more prompt help to the Investigating Officer, we are of the

view that the Forensic Science Laboratory should deal with serological work. This work could be handled in the Biological Section of the Laboratory. For purposes of evidence formalities required under section 510, Cr. P. C. should be completed by notifying the Head of the Biological Section as a Chemical Examiner.

158. *Chemical Examiner's Laboratory*—We have given thought to the question of amalgamating the Chemical Examiner's Laboratory at Agra with the Forensic Science Laboratory. After considering different aspects of the matter, we are in agreement with the views expressed by the Government of India, based on the advice given by the Central Advisory Committee on Forensic Science, that the Chemical Examiner's Laboratory should remain separate from the Forensic Science Laboratory. The scope of work of Forensic Science Laboratory is much wider than, and in many respects different from, that of the existing Chemical Examiner's Laboratory and hence it is considered necessary to set up a new Laboratory, which could be used exclusively for scientific investigation of crimes. The Chemical Examiner's Laboratory does much work which is of a purely routine nature and does not have any direct connection with Police Investigations. It handles a lot of miscellaneous work like examination of illicit liquor, food adulteration, etc., and if the Chemical Examiner's Laboratory is made a part of the Forensic Science Laboratory, the entire organisation is likely to get bogged up with the voluminous work handled by the Chemical Examiner's Laboratory. We are therefore, of the opinion that the merging of the Chemical Examiner's Laboratory with the Forensic Science Laboratory would, in actual working, hamper the progress of Scientific research in methods of investigation. We are, therefore, of the view that the separate identity of the Chemical Examiner's Laboratory at Agra should be retained and a new Forensic Science Laboratory should be established in which should be merged the Scientific section of the C. I. D.

159. *Finger Print Bureau*—We have also given thought to the question of the amalgamation of the State Finger Print Bureau with the proposed Forensic Science Laboratory. We feel that the Finger Print Bureau should remain outside the Laboratory and under the Police Department as the work carried out in the Finger Print Bureau, though of a technical nature, does not consist of scientific analysis. It consists of identification of finger marks and no scientific tests are required to be done in the identification of finger prints. Moreover, the Finger Print Bureau is directly connected with the District Police, which takes finger prints of the convicted persons and forwards them to the Bureau for the purpose of records. We therefore, recommend that the Finger Print Bureau should continue to remain a part of the Police Department, as at present, and should not be merged with the Forensic Science Laboratory.

160. *Function*—The work of the Forensic Science Laboratory should be classified as follows:

- (i) Research in scientific methods of investigation.
- (ii) Analysis and examination of material and clues relevant to investigation and giving opinion thereon.
- (iii) Assisting in organizing advanced courses on scientific methods.

161. *Head of the Laboratory*—We have given full consideration to qualifications necessary for the appointment of the Head of the Forensic Science Laboratory and are of the view that the Head of the Laboratory should preferably be a person having intimate knowledge of the Police work and possessing high degree of scientific knowledge. It is only a person, possessed of these qualifications who can guide Scientists in developing new techniques which would be of practical use in investigation. There should be live contact between the Police Investigating Officers, in the field and the Scientists in the Laboratory for the solution of crime problems. We, therefore, recommend that the Head of the Laboratory should be a Police Officer possessing requisite scientific qualifications. If, however, no such Police Officer is available, the Government may appoint a suitable Scientist.

162. *Control over Laboratory*—As regards the department which should control the Forensic Science Laboratory, we are of the view that the Laboratory should work directly under the Home Department of the State Government. This will, we think, inspire greater confidence in the public. Since the working of the Laboratory would require close co-operation and co-ordination of the Investigating Police, we feel that it would be advisable for the Inspector General of Police to be associated with the administration of the Laboratory in an advisory capacity. We understand that a new building for Forensic Science Laboratory has already been constructed at Maha Nagar, Lucknow, and recommend that steps may be taken immediately to set up a Laboratory in this building on the lines indicated by us.

163. *Criminal records*—The fact that a criminal repeats himself has lead most of the advanced Police Departments in the world to maintain records of crimes and criminals. With the help of this record the Police can achieve the following objectives:

(i) To suggest to the Investigating Officer names of suspects who may have committed the crime on the basis of similarities in '*modus operandi*'.

(ii) To bring to the notice of the Investigating Officer, old crimes which may have been committed by an arrested person.

(iii) To establish the identity of the criminal and to furnish reliable data about the antecedents, associates, hideouts, previous convictions, e.c., of arrested persons.

(iv) To co-ordinate recovered property with the stolen ones.

(v) To disseminate information to all Police units with a view to keep them alert and on the look out for suspects.

164. *Organisation—State Level*—The State Crime Information Bureau maintains records of crimes, criminals, property, etc., at the State level. The Finger Print Bureau keeps record of finger prints and history of convictions of criminals sentenced for offences enumerated in paragraph 32 of the U. P. Finger and Foot Print Manual. There appears at present to be no direct link existing between the Information Bureau and the Finger Print Bureau. In our opinion, two separate organisations for maintaining records are not needed. We, therefore, recommend that the Finger Print Bureau and the State Crime Information Bureau should be amalgamated and put under the charge of a Superintendent of Police. The prescribed Criminal History Sheet Form should be prepared for every criminal whose finger prints are taken. A copy of finger print and

history sheet of criminals would thus be available at one place for co-ordinating inter-district and inter-State information.

165. *Research and Statistics Section*—The State Crime Information Bureau is doing the work of collection and co-ordination only. No facility exists for studying crime trends or devising means for facing new problems. Realising the necessity of such studies, Research and Statistics Centres have been set up in Bihar, Madras, Maharashtra and Madhya Pradesh. We recommend that a Research and Statistic Section should be set up in the State Crime Information Bureau immediately.

166. *Press*—The success of State Crime Information Bureau rests on the quick dissemination of information to all districts and other States. At present, the *Criminal Gazette* published by the Bureau reaches the Police units with considerable delay due to the long time it takes in getting them printed at the Government Press. Similarly, the reports of the Intelligence Department are received by Officers when they have lost their utility due to delay. Work with the Government Press is heavy and delays there cannot be eliminated. We, therefore, recommend that the Information Bureau should have a small Press in which the *Criminal Intelligence Gazette*, the reports of the Intelligence Department, Research Centre, etc. may be printed for circulation to Police units.

167. *Single Digit Finger Print Section*—The Finger Print Bureau is maintaining record of all the 10 fingers of convicts. The classification is based on the ridge pattern of the all ten prints. This is useful in fixing the identity of the arrested person who may have taken all precautions to conceal his identity. The ten digit system is not effective in tracing out criminals from the chance finger impressions left on the scene of occurrence. This can be done by maintaining a single digit record. We recommended that a single digit section should be established in the Finger Print Bureau for maintaining the following records:

(i) Of persons convicted of a crime in which finger prints are likely to be left at the scene of occurrence such as burglary, dacoity etc., and

(ii) unidentified chance impressions found at the scene of such crimes.

168. *District Crime Record Section*—Every district has a Record Section for collecting and co-ordinating information received from Police Stations in the district and adjoining districts. It is also the main agency for passing on information to the State Information Bureau. We have already recommended amalgamation of Finger Print Bureau with the Information Bureau at the State level. In the districts, we recommend that the Finger Print Section should be merged in the Record Section, so that finger prints and criminal history sheets of convicts are prepared simultaneously.

169. *Photography Section*—The District Crime Record Section should have some men trained in photography, who should photograph persons whose finger prints are recorded. This section can also be used for taking photographs of scenes of occurrence, unknown dead bodies, etc.

170. *Dog Squads*—Dogs were first introduced in the Metropolitan Police, London, about 22 years ago and the experience gained there has clearly established that a trained dog can be the policeman's best friend

and assistant. Dog Squads now form an essential part of Police set up for detection and prevention of crimes in most of the advanced countries. In U. P. the first Squad comprising of two dogs was sanctioned by Government as late as 1956. Later in 1957 Government sanctioned a further addition of five dogs. After hearing the evidence produced before us regarding the work done by dogs, we are satisfied that dogs have in several cases proved of immense help in the detection of serious crimes. The work of the Dog Squads should not be judged merely by the number of cases worked out with their help. Their assistance in tracing the criminal is of the highest value. The Police dogs have been in great demand throughout the State. Their performance is spectacular and has a deterrent effect even on hardened criminals. We, therefore, recommend that the Dog Squad Section should be expanded. The scent left by culprits does not normally last for more than 12 hours (in ideal conditions it has been found to have lasted for 24 to 36 hours), and the Police Dog Squads stationed at a central place, like Lucknow, cannot work throughout the State. We are, therefore, of the opinion that Dog Squads should be located at all Divisional Headquarters except Naini Tal but including Kanpur to enable dogs to reach the place of occurrence in good time. Our proposals with regard to the organisation of Dog Squads are given in Appendix XV.

171. *Clues—their picking up*—The scientific investigation requires trained men, who know where to look for clues and how to pick them up. Some of the work requires a specialist knowledge. It is, therefore, necessary that the Investigating Officers must have a good knowledge of the scientific methods of investigation. Elementary training in scientific methods of investigation should be imparted to all Sub-Inspectors at the Police Training College, and thereafter courses for advanced methods of scientific investigation should be organised by the C. I. D. in conjunction with the Forensic Science Laboratory and the State Crime Information Bureau. To enable Investigating Officers to collect clues in a scientific manner we also recommend that a scientific aid kit should be supplied to all Investigating Officers (Appendix XVI).

172. *Specialised Field Units*—We also recommend that a Mobile Scientific Unit should be located at each Divisional Headquarters (except Naini Tal) and Kanpur, so that properly trained persons may reach the scene of important crimes without loss of time and help the Investigating Officers in lifting and picking up of clues, photographing of scenes of occurrences, etc. They will also do preliminary examinations and analysis of physical clues. The team should be mobile and properly equipped with trained persons. The Deputy Inspector General of Police, C. I. D. has told us that he has already submitted to Government a scheme for the creation of Mobile Units for all KAVAL towns and the Government has sanctioned one unit this year. We have examined the scheme formulated by the Deputy Inspector General of Police, C. I. D. and broadly agree with it.

PROSECUTION AGENCY

173. *Governing Principles*—The duty of the investigating officer is to enquire into the facts of an alleged crime. This is, speaking ideally, designed to bring to light all relevant facts objectively. The process initiated by the Police is continued through enquiry and trial before a magistrate, where the Public Prosecutor discloses all the facts to enable the court to judge the innocence or guilt of the accused. The Public Prosecutors are officers of the court and not agents of the Police in the court. In the Indian system of Law the right of action has been given to the State and the Public Prosecutor represents the State and not any particular person or agency. His aim is to secure justice. Besides, the Prosecutor advises the Police on legal matters arising in the course of investigation. He also advises other Government Departments on questions of law. How far the Police is able to live up to the ideal enunciated above depends not only on quality of men, their training but also on the type of criminal the Police has to deal with. If the criminals which it deals with are desperate and hardened criminals the Police may like any other citizens develop a strong animus or sense of hostility against them. The manner in which the Police work also varies from a democratic to a fascist society. The system of jurisprudence prevailing in our country assumes a person to be innocent unless proved otherwise. The trial must, therefore, be fair and while the guilty should be punished, the innocent should not be harassed. We shall keep these principles in view.

174. *Duties of Public Prosecutors*—The prosecuting agency is now organised at three levels, that is, the Magistrate, the Sessions and the High Court. At the magisterial level, we have the Assistant Public Prosecutors (A. P. P.) and the Public Prosecutors (P. P.) who are members of the Police Force, having been recruited under the Police Act. They work under the control of the Superintendent of Police. Formerly Policemen, who were not qualified in law were allowed to prosecute cases but the practice has been given up. They must now be law graduates. Appointments to the post of the Public Prosecutor are made only by promotion, from amongst the Assistant Public Prosecutors. The Public Prosecutors' principal duty is to look after the prosecution of cases in Magistrate's courts. In important cases he reads Police diaries and consults the investigating officer before putting up the case before the court. He supervises the work of Assistant Public Prosecutors. He prosecutes important cases personally. In Sessions cases and Criminal Appeals the Public Prosecutor is required to instruct the Government Counsel. In important cases pending in the High Court he can be asked to instruct the Government Advocate. He puts up a daily report of convictions and acquittals and failures of cases before the Superintendent of Police. The Public Prosecutors and the Assistant Public Prosecutors supervise preparation of copies of documents which are given to the accused. Apart from the above functions, the prosecuting officers have to discharge certain administrative duties. They arrange for the production of undertrials before the court and for their safe

escort. They also give directions regarding hand-cuffing and use of fetters as also the strength of the escort. It is their duty to have a statement prepared showing the previous convictions and antecedents of the accused convicted in cognizable cases and sentenced to imprisonment to enable the court to classify him as habitual or non-habitual. The Public Prosecutor has to ensure that the orders of the court regarding the disposal of property are carried out. The Police attached to the court is under his control. In the acquittal report he has to inform the Superintendent of Police whether a history-sheet should be opened.

175. *District Government Counsel*—In the Sessions court, the Prosecuting agency is the District Government Counsel. He is appointed by the Government for a term of three to five years. Whenever there is a vacancy, applications are invited from the members of the Bar of the District concerned and of neighbouring districts. The District Magistrate, in consultation with the District Judge considers the applications and recommends names in order to preference to the Legal Remembrancer with his own and the District Judge's opinion. If the Legal Remembrancer, for any reason, does not agree with the District Officers nominations he can recommend the name of any other lawyer giving reasons for his recommendation. The person selected is put on probation for one year and is confirmed if his work is found satisfactory. Normally, the term is renewed by three years, but in special cases where the work has been satisfactory and is likely to be so in future the extension may be for five years. The services of the Counsel cannot be dispensed with during the currency of his term without giving him an opportunity to explain the charges against him. Except in Lucknow and Allahabad, the Counsels are paid Rs.40 fir each working day. Where the work is heavy, additional Counsels are also appointed. It is the District Government Counsel's duty to advise free of cost on all legal matters including appeals against acquittals referred to him by the District Officer. No Government Counsel can appear for any private party in a criminal case either for the accused or the complainant. Subject to the general supervision of the Legal Remembrancer the Government Counsels work under the control and direction of the District Officer. In all cases of acquittal, he submits a report to the District Magistrate giving the reasons for the failure of the case. Government have recently created 12 posts of Senior Public Prosecutors who have been promoted from the rank of Public Prosecutor. They are allowed to prosecute in the Sessions Courts cases involving offences punishable with imprisonment up to 10 years. They are given the rank and pay of Deputy Superintendents of Police.

176. *Government Advocate at the High Court*—In the High Court the Advocate General, the Government Advocate and the Deputy and Assistant Government Advocates attend to the criminal cases on behalf of Government. We shall not concern ourselves so much with the manner of their appointment as with the method of their working. These Advocates are Public Prosecutors within the meaning of section 492 of the Criminal Procedure Code. The Government Advocate exercises general control over the entire criminal work of Government and supervises the work of the Deputy and Assistant Advocates. He himself conducts references and appeals relating to capital sentences and is required to appear in appeals from orders of acquittal and other important cases. The work distributed among other Advocates by him. Normally, one Advocate is assigned to one Bench and he attends to all

the cases which are heard there in a day. The number of cases fixed for a day, we were told ranges from 8 to 10. Although weekly lists of the cases to be heard by a Bench are available a couple of weeks before, the detailed cause list is prepared only on the preceding day and is available to Government Advocates between 4 and 5 p.m. The time at their disposal is so short that they are hardly able to prepare for arguments.

177. *Lack of Co-ordination*—One thing which has struck us is the lack of an integral connection between the agencies for prosecution working at different levels. Some District Government Counsels have complained that they had experienced difficulty in getting the assistance of the investigating officer especially if he had been transferred to another district. On the other hand, some investigating officers have complained that the District Government Counsels have shown reluctance in checking witnesses before producing them in the court. In committal proceedings there is no link between the District Government Counsel and the Public Prosecutor. We were given instances of cases in which, despite repeated efforts the Government Advocate at the High Court could get no response from the District. For the year, 1960 alone, the Advocate General has given 27 such instances. Similarly there were counter-complaints that on numerous occasions when the District authorities wanted to be kept informed about dates and progress of cases in the High Court they could not get the information. This indeed, is a sorry state of affairs and clearly shows the need for having closer connection between the agencies at the different levels.

178. *Appointment and position of D. G. C.*—Several instances have been cited before us of cases in which appointments of the D. G. Cs. have been made on considerations other than those of merit. Occasionally influences have been brought to bear even on the District Magistrates. Such cases have lowered the prestige of the office of the D. G. C. in the eyes of the public and the Bar and has done great harm to the criminal administration. Besides this, it has been complained that in some cases the D. G. Cs. being local men have been influenced on behalf of the accused. Need for stricter supervision over the work of the D. G. Cs. has also been emphasised. Some of the Police Officers who appeared as witnesses were of the opinion that the D. G. C. should be a Police Officer of the rank of a Deputy Superintendent of Police, to be designated as the Deputy Superintendent of Police (Prosecution) and work under the control of the Superintendent of Police. In support of this view they had urged that when the Deputy Superintendent of Police (Criminal Investigation Department) prosecutes cases there have been relatively more convictions. In the alternative, they have suggested that instead of the District Magistrate the Superintendent of Police should recommend names for the appointment of the District Government Counsel and control and supervise his work. We have already stated that the District Government Counsel is not an agent of the Police but represents the State. He should be independent enough to be able to say to the Police that a particular case is manifestly unfit for prosecution. He should also be able to admit correct facts in the court. We know of cases where despite the advice to the contrary the Public Prosecutor has been ordered to send the charge-sheet to the court for administrative reasons. This only results in harassment. The success of cases of the Criminal Investigation Department, we have reason to believe, is due to a large extent to better investigation. We are, there-

fore, of the opinion that the District Government Counsel should be independent of the Superintendent of Police.

179. *Permanent Service for District Counsels*—We have considered at length the question of establishing a separate service for the prosecuting staff. It was contemplated that it should have two grades, one lower and the other higher. Law graduates should be recruited to the lower grade for doing the prosecution work in magisterial courts and fifty per cent of the posts in the higher grade should be filled by promotion from the lower grade and fifty per cent through direct recruitment from the Members of the Bar of not less than ten years' standing. The entire service should be controlled by a Director of Prosecution for the State through the District Magistrates. The recruitment should be made through an independent body like the Public Service Commission. The service would be independent of the Police and thus be able to act freely. As regular Government servants the prosecutors will attend to their work with care and be subject to the discipline. As they will be liable to transfer, there will be no local influences at work. We put this suggestion to Hon'ble Judges of the High Court who met us and to leading Members of the Bar. The general opinion among them was not in favour of creating a service. The Advocate General pointed out that the D. G. C. should command respect of the Bar and as a serviceman he will be wanting in both status and independence. It would not be possible for him to give opinion frankly or to admit facts in the court against the interest of prosecution. The ex-Chief Justice, Mr. Malik, said that men of better quality will not be attracted to the service. Many of them will not apply. Service creates vested interest and people lose incentive. Lawyers who have established good practice, would not like to go in for a post which is transferable. Many of the witnesses did not favour the idea of having a Director of Prosecution. Justice Sri V. Bhargava said:

"Prosecution work is of such a nature that one man sitting centrally at Lucknow can hardly be of any help or guidance to the various District Government Counsels of this State. It is the District Magistrate who can tackle the problem."

We attach great importance to the opinion of the senior Members of the Judiciary and the Bar, and we, therefore, reject the proposal to include the D. G. C. in a permanent cadre. The need for reform of the present system, however, persists. What is needed is an improvement of the present system of recruitment, Quality of personnel and establishment of closer relationship between the Assistant Public Prosecutors, Public Prosecutors and D. G. Cs. and close co-ordination between the prosecuting staff and the investigating agency.

180. *Proposal for reform*—We recommend that the D. G. C. should be appointed initially for a period of 5 years, which term should be renewed if his work is found satisfactory and integrity good. He should be allowed to serve till the age of 60 years. New applications for appointment should be invited by the District Magistrates only when the office of the D. G. C. is likely to fall vacant or it has been decided not to renew contract of the existing incumbent. Applications should be invited from the members of the Bar of the district concerned and of adjoining districts. The applicants should have put in at least 10 years' practice at the Bar. The District Magistrate should obtain the comments of the District Judge and forward the applications to the Selec-

tion Board with his recommendations. We recommend that the Selection Board should consist of a nominee of the Chief Justice, a nominee of Government a Member of the Public Service Commission and a lawyer of the High Court Bar. They should scrutinize the applications and select candidate. If they consider it necessary, they may call any one of the applicants for interview.

181. *Appointing authority for D. G. C.*—The appointing authority for the D. G. C. will be Government but he will work under the direct and immediate control of the District Magistrate, who will supervise his work. It will be one of the duties of the D. G. C. to give his opinion whenever required by the Superintendent of Police including the stage of the investigation. The District Magistrate will maintain a roll in which he will give his remarks about his estimation of the D. G. Cs. work. The remarks of the District Judge regarding the work of the D. G. C. will also be recorded.

182. *Terms of service of D. G. C.*—The D. G. C. should not be allowed to appear in any private criminal case either on behalf of the complainant or for the accused. We consider the system of paying the D. G. Cs. on daily basis to be not quite satisfactory. The D. G. Cs. are now more or less all the time occupied with Government work. They have also to give their opinion on legal matters. We are also giving them responsibility of supervising the work of Public Prosecutor. We, therefore, suggest that the D. G. C. should be given a salary of Rs.500 per month and in the addition Rs.35 per day at Lucknow, Allahabad and Kanpur and Rs.25 per day at other places. In most of the districts there will be need for Assistant D. G. Cs. Their appointment and conditions of service should be similar to those of the D. G. Cs. but they should be paid a basic salary of Rs.300 per month only. The daily rate of payment in addition to this will be the same as for D. G. C. The Assistant D. G. C. will work under the control of the D. G. C.

183. *Co-ordination at different levels*—The problem of co-ordination between the agency at the magisterial and the sessions level cannot be solved unless the D. G. C. has some supervisory control over the work of the Public Prosecutor and the Assistant Public Prosecutor. We recommend that copies of First Information Reports of all offences triable by the Court of Sessions should be sent to D. G. C. who will be required to study briefs of these cases prepared by Assistant Public Prosecutors and Public Prosecutors and give his opinion before the papers go to Superintendent of Police for sanction of prosecution. In these cases he may issue instructions to Public Prosecutor and Assistant Public Prosecutors should invariably consult him about the evidence to be produced in the magisterial courts. The Public Prosecutor/Assistant Public Prosecutor for guidance. In committal proceedings Assistant Public Prosecutor should assist the D. G. C. in preparing briefs in appeals before the Sessions Court. The appellant should by law be enjoined to supply a copy of the grounds of appeals to the D. G. C. He will record his opinion of the work of Public Prosecutor and Assistant Public Prosecutor and forward it to the District Magistrate. The District Magistrate shall have a right to enter his remarks in the roll of Public Prosecutor and Assistant Public Prosecutor and in doing so also consider the opinion of D. G. C.

184. *Public Prosecutors not to be Policemen*—The duty of the Public Prosecutor is to prosecute criminal cases on behalf of the State in the court. He functions as a criminal lawyer. There is thus not much in

common between his work and that of regular Policemen. He must, however, possess intimate knowledge of investigation work. He has also to perform certain administrative duties but all this is no sufficient to warrant that he should be recruited initially in the service under the Police Act as a Sub-Inspector. The Assistant Public Prosecutor should be given training in investigation both at the Training College and in the district. The Public Prosecutor and Assistant Public Prosecutor, both can also be entrusted to discharge administrative functions by making provision in the Police Regulations. The Public Prosecutor and the Assistant Public Prosecutor handle comparatively minor type of cases and we see no objection to their being members of a permanent cadre of servicemen nor do we see any objection to their working under the Superintendent of Police. We, therefore, recommend that the Public Prosecutor and the Assistant Public Prosecutor should be made into a separate cadre working under Superintendent of Police but not recruited under the Police Act. This cadre should be drawn from amongst the law graduates through the Public Service Commission. To attract more experienced lawyers the present age-limit should be raised from 27 to 29 years.

185. *Pay Scales of Public Prosecutors*—We found that right type of men are not offering themselves for recruitment as Assistant Public Prosecutors. We have already mentioned that the qualifications for recruitment to Assistant Public Prosecutor should be a Law degree, which is a much higher qualification than what is prescribed for Sub-Inspectors. We do not think that it is fair to equate an Assistant Public Prosecutor with the Sub-Inspector. We recommend that the pay scales of the Assistant Public Prosecutor should be Rs.200—10—250—E.B.—10—350 and of Public Prosecutor in the scale of Rs. 300—10—450. No house rent or cycle allowance will be admissible to them. In certain districts where the criminal work is very heavy, post of Special Public Prosecutor should be created in the scale of Rs.350—10—450—E.B.—15—600.

186. *Allocation of Public Prosecutors*—The Police Reorganisation Committee had accepted the recommendation of Mr. Pearce about the strength and allocation of the prosecution staff. Accordingly where the number of courts working daily was three, there were to be two prosecuting officers for 4 to 5 courts the number was 3, for 6 to 7 courts 4, for 8 to 9, 5 and for 10 courts 6. This worked out to roughly one prosecuting officer to every $1\frac{1}{2}$ to 2 courts. With the creation of the institution of the judicial magistrates, who do only cases and do not go out on touring, the number of courts sitting daily to hear police cases has increased. The judicial magistrates generally work for five days in a week, if not more, to do criminal case work. We, therefore, think that the allocation of staff for the courts of judicial magistrates and executive magistrates shall have to be fixed on different principles. For the judicial magistrates there will have to be one Assistant Public Prosecutor for every court. This will leave for the Assistant Public Prosecutor one day free in a week to attend to miscellaneous work. The executive magistrates have generally to go to tehsil for two days in a week and they spend another day on revenue or executive work and, therefore, one Assistant Public Prosecutor should be able to attend to two courts of executive magistrates. Wherever honorary or special magistrates do police case work, the number of Assistant Public Prosecutors shall have to be fixed for these courts on the basis of work. We think it will not be possible for a Public Prosecutor to supervise the work of more than seven Assis-

tant Public Prosecutors, and where the number of Assistant Public Prosecutors is larger or the number of cases which the Public Prosecutor has to attend himself is high, he should be given an additional Public Prosecutor.

187. *Police cases at High Court*—So far as work in the High Court is concerned, we think that the present arrangement of distribution of cases is highly unsatisfactory. We have already pointed out its shortcomings. It is unreasonable to expect the Government Advocate to prepare 7 to 10 cases overnight. We suggest that cases should be allotted to Government Counsels as soon as information about the appeal is received and the Advocates should be ready well in time, like private lawyers. If they want any information from the district, it should be obtained well in time. We also suggest that adequate staff under the supervision of a Senior Public Prosecutor should be provided in the Government Advocate's office, so that he may be able to keep touch with District Magistrate and D. G. C. The office should inform concerned District Magistrate and Superintendent of Police of dates fixed for hearing and results of important cases. The rules relating to the deputation of investigating officers and D. G. C. to the High Court should be liberalised. We would like to mention that scale of pay and the daily fee of Government Advocate and panel of lawyers are unsatisfactory, but we refrain from making any specific recommendation in this regard, as these matters do not come within the purview of our enquiry.

188. *Panel of lawyers*—Both at the High Court and at the Sessions Court there exists system of panel of lawyers, who attend to the overflow of work which the Government Counsels cannot attend to personally. We have received innumerable complaints about the working of the panels of the Sessions and High Courts both from the Judges and Bar. Generally briefless lawyers are put on panels and failure of many Government cases are due to the inefficiency. We do not like the system, but we realise that the flow of legal work both at the Sessions and the High Court is not even and occasionally there is surplus of work, which must be entrusted to other lawyers. We do not recommend the abolition of the panel system but are definitely of the opinion that the normal strength of the Government Counsels in the Sessions Courts and the High Court should be fixed in such a manner that the engagement of panel lawyers should be an exception and not the rule as it is today. We would recommend that considerable care should be taken in selecting lawyers for the panel and constant watch kept on their work. If any of them is found to be lackadaisical or inefficient his name should be removed forthwith. The number of lawyers on a District Panel should not in any case exceed three. They should be appointed by the State Government on the recommendation of the Advocate General for the High Court and of the District Magistrate and District Judge for the Sessions Court.

PART IV
RECRUITMENT, TRAINING, TERMS AND
CONDITIONS OF SERVICE

RECRUITMENT AND TRAINING

A—RECRUITMENT

189. *Introductory*—The question of the recruitment and training of Police officials is one of great importance. The efficiency of the Police Force will ultimately depend upon the quality of men, who are recruited to various grades of the Police service and the type of preliminary and inservice training given to them.

190. *Physical recruitment*—(i) The existing physical and age recruitments for different ranks of Policemen are as follows:

Physical

Constables and Sub-Inspectors.	Height	..	5'6" for all men including the tribals but excluding hill men for whom the minimum height prescribed is 5'—4".
	Chest	..	Not less than 34" expanded with a minimum expansion of 2".
Constables	.. Age	..	18 to 25 years.
Sub-Inspectors	.. Do.	..	19 to 23 years.

Physical

Deputy Superintendents	Height	..	5' 4".
	Chest	..	33" (girth when fully expanded with a minimum expansion of 2").
	Age	..	21 to 25 years.

(ii) We see no reason why lower physical standards should be laid down for Deputy Superintendents of Police and we recommend that the physical standards prescribed for Constables both in regard to height and chest should also apply to Deputy Superintendents of Police.

(iii) We feel that Constables should be enlisted at an early age so that they may receive full benefit of training. The present maximum age-limit of 25 years for Constables appears to us to be too high. We, therefore, recommend that the age-limit for recruitment as Constables should be fixed at between 18 and 22 years of age.

(iv) The present minimum and maximum age-limits prescribed for recruitment to the Provincial Police Service are 21 and 25 years. For the I. P. S. Officers the minimum and maximum age-limits prescribed are 20 and 24 years. There is very great similarity between the conditions of recruitment and terms of service of the Indian Police and the

provincial Police Service Officers. The same educational qualifications are prescribed for both and in initial stages they are both called upon to perform the same type of duties. They undergo practically the same kind of training. We are, therefore, of the opinion that the same age-limits should be prescribed for the Provincial Police Service Officers as are prescribed for the Indian Police Service Officers.

191. *Educational qualifications for constables*—The question of the minimum educational qualifications for recruitment to the rank of Constables was discussed at length. At present, the Hindi Middle Examination or the Prathma Examination conducted by the Hindi Sahitya Sammelan, Allahabad, and Government Sanskrit College, Varanasi, are prescribed for the Civil Police Constables but the Armed Police these educational qualification can be relaxed and only literacy is insisted upon. We have examined the desirability of raising the minimum educational qualifications to the level of High School. It has been stressed by some witnesses that a sufficiently large number of matriculates may not be forthcoming from the rural areas and that this may result in giving weightage to towns in the recruitment of Constables. We, however, do not agree with this view for we find that a large number of High Schools, in cases of some districts running into hundreds, are now located in rural areas. Having considered all aspects of this question we are of the opinion that much higher educational qualifications are required, at least, in the case of Civil Police. The Civil Police Constable was to maintain intimate public relations and should therefore, have better education and intelligence. Higher education confers upon man status, dignity and self-reliance. Moreover, the higher pay and more openings for promotion, which we are providing should also prove sufficient attraction for better educated men to join as Constables. We, therefore, recommend that in the case of recruits for the Civil Police the minimum educational qualification should be the High School Examination. The Armed Constable requires more of toughness and good physique. His relations with the public, however, are not always so intimate. We, therefore, recommend that for the Armed Police and the Pradeshik Armed Constabulary the educational qualification should be Junior High School (VIII) Examination. We may be permitted to point out that with the qualifications as prescribed by us now no less than 40 per cent of recruitment will be open to candidates with Junior High School (VIII), qualification.

192. *Relaxation of standards in some cases*—There is a rule which provides that the qualifications prescribed for Police Officers in regard to physical, age and educational standards may be relaxed in the case of recruits belonging to Scheduled Castes, Backward Classes, and for relatives of political sufferers and Policemen. We feel that any relaxation made in regard to physical and educational standards would lower the efficiency of the Police and are opposed to the continuance of relaxations. We have little doubt in our mind that sufficient numbers of fully qualified candidates belonging to backward classes and Scheduled Castes are available in this State. At an average, the intake of Sub-Inspectors per year is about a hundred, half of whom are promoted from ranks. Assuming that we make a reservation of 20 per cent of recruitment in favour of Backward Classes and Scheduled Tribes, the annual reservation in their favour would work out to ten. Can it be said that ten good and fully qualified boys of Backward Classes and Scheduled Castes would not be forthcoming for recruitment as Sub-Inspectors throughout the State? Equally,

we have no doubt that sufficient numbers of Matriculates from Backward Classes and Scheduled Castes would be forthcoming for recruitment as Civil Police Constables, we do not think that after the expiry of more than 13 years since the Independence any justification exists for relaxing any standards, physical, educational or age in favour of the dependents of political sufferers. Nor do we see any reason for making any discrimination in favour of dependents of Police men. We, however, recommend that the present system of relaxation in regard to age-limits may be maintained for the time before in favour of Backward Castes and Scheduled Classes, but in case of no other category of candidates.

193. *Method of recruitment*—(i) Under the present system of recruitment of Police Constables, all intending candidates have to appear in person in the Police Lines on dates fixed for enlistment, when they are physically checked up and those found suitable are sent up for medical examination. The final selection is made by the Superintendent of Police from among candidates who are found medically fit. It is said that this system leaves too much discretion to the Superintendent of Police. We recommend that the method of recruiting Constables should be rationalized and suggest as follows:

(a) Applications of intending candidates for recruitment as Constables should be received by the Reserve Inspector throughout the year. Application forms should be printed and kept in sufficiently large numbers at all Police Offices and Police Stations. Any candidate desiring to join the Police Department as a Constable should be allowed to purchase this form, fill it up and either submit it in person to the Reserve Inspector or send it to him by registered post. On receipt of the application form, the Reserve Inspector should enter the name and particulars of the applicant in a register. The Reserve Inspector should check up the physical measurements of the applicant, who makes application in person, and note them down in the register. An applicant who is found not to satisfy the prescribed physical educational or age standards should be informed in writing by the Reserve Inspector the reason for rejection and his signatures obtained in the register in token of having received the information.

(b) Soon after an information has been received from the Police Headquarters that recruitment of Constables will take place during a particular period, all candidates whose applications have already been registered and who are *prima facie* found to satisfy the prescribed qualifications should be informed in writing of the dates on which they should present themselves in the Police Lines. Candidates who had sent their applications by post would then be measured and those who fulfil the prescribed physical, age and educational qualifications shall be allowed to stay for selection and others who do not satisfy those qualifications shall be rejected.

(c) We considered the question of prescribing a written test for recruitment of Constables. We felt that a written test would not be advisable as the number of candidates applying for the post of Constables is likely to be very large and the resulting advantages would not be commensurate with the cost and efforts involved in holding such tests. We, therefore, recommend that the selection

should be made from among eligible candidates on the following basis:

(i) With the minimum physical standards for the recruitment of Constables as the base, additional marks would be awarded for better physique;

(ii) Similarly, with minimum educational qualifications as the base, additional marks would be awarded for higher division in the same examination and/or for passing a higher examination;

(iii) A physical efficiency test on the same lines as for Sub-Inspector cadets to be held and marks awarded.

(iv) Interview to judge suitability and personality to be held and marks awarded.

The combined marks of all these tests would determine the final selection.

(i) At present each district is asked to recruit Constables on a district basis according to number of vacancies existing there. After completion of training, Constables are, however, not posted to their home district. The existence of vacancies at any particular time in any district is just a matter of chance and we see no reason why it should form the basis of recruitment. Moreover, the system of treating districts as units does not help in ensuring uniformity of standards. We do not think that enlistment of Constables on a centralised basis for the whole State would be feasible or desirable. The area of jurisdiction of Range Deputy Inspector General of Police however, would be a manageable unit. In order to ensure uniformity of standards we, suggest that the Range Deputy Inspector General of Police should go round to all districts for making selections. He and the Local Superintendent of Police should constitute the authority for the selection of Constables. The Police Headquarters should have the authority to allocate seats to Ranges on the basis of vacancies existing in that Range.

(iii) With a view to afford full opportunities to intending candidates to apply, we recommend that as soon as possible after information for recruitment has been received from the Police Headquarters, printed notices giving information about the dates and place of recruitment should be pasted at all Police Stations and Outposts. Tehsil and Collectorate Headquarters, the office of the Superintendent of Police and such other places as are chosen by the Superintendent of Police. Employment Exchange should also be informed about the dates of recruitment.

194. *Army Method of recruitment for Sub-Inspectors*—(i) We have considered whether the Army method should be adopted for the selection of candidates as Sub-Inspectors. The Army method is a prolonged and time consuming process. It is expensive and requires large staff for conducting tests. It would be difficult to obtain sufficiently qualified staff in required numbers for conducting Army tests. We are also doubtful if the result would be commensurate with money and labour spent. We, therefore, do not recommend the adoption of Army method of selection for Sub-Inspectors.

(ii) We, however, feel that the present method of making recruitment of Sub-Inspectors through the Board as at present constituted is not suitable and needs modification. We recommend that the recruitment of Sub-Inspectors should in future be made through a Selection Board presided

over by a member of the Public Service Commission with two Deputy Inspectors General of Police, one Commissioner and one non-official as members.

(iii) We do not recommend any change in the present procedure of calling for applications. The qualifying examination, at present, consists of a written test comprising of papers on General Knowledge, Psychology and Hindi (Hindi for those who did not have it as a regular subject in the High School) and this system should continue with the modification that the written examination should be conducted under the supervision of the Selection Board. We do not recommend any changes in the physical efficiency test consisting of long jump, high jump and one mile race, which is conducted at present by a Board consisting of the Superintendent of Police and the District Magistrate. We, however, feel that the present minimum standard of physical efficiency test is rather low and should be suitably revised.

(iv) The aggregate marks obtained by a candidate in the written and physical efficiency test should determine the eligibility of a candidate for being called for interview by the Selection Board. Candidates should be called for interview strictly in the order of merit based on the combined marks of written and physical tests and for each vacancy ordinarily four candidates should be called in for interview. We further recommend that the marks obtained by candidates in written and physical tests should be added to marks obtained by him in the interview and the final selection should be made on the basis of the total marks so obtained. We recommend that 100 marks each should be allotted to the written and physical, test respectively, and 150 marks should be allotted for interview and personality test.

B—TRAINING

195. *Training Institutions*—The existing institutions for training are—

(i) The Police Training College, Moradabad, for Head Constables and Sub-Inspectors of the Civil Police and Gazetted Officers;

(ii) The Armed Training Centre, Sitapur, for all ranks of armed Forces; and

(iii) Recruits Training Centres for Constables there are 13 centres in the State.

We considered the possibility of amalgamating the two training institutions at Moradabad and Sitapur, so that all the training of Policemen except that of recruit Constables, may be centred at one place. Apparently the proposal is attractive but it was pointed out to us that the two institutions provide different kinds of training suited to the special needs of the Civil and Armed Branches. The requirements of the staff and equipment of the two types of trainings are different. Moreover, there is not enough accommodation for the combined institution at either Moradabad or Sitapur and it would be very expensive to put up additional new buildings and staff quarters at either of the two places. The amalgamation of the two institutions at Moradabad and Sitapur into one appears to us to be neither economical nor practicable. We are, therefore, of the opinion that the two institutions viz., the Police Training College, Moradabad, and the Armed Training Centre, Sitapur, should remain as at present and continue to train the two categories of Policemen.

196. *Recruit Constables training*—(i) The basic training of a Constable is the foundation for building up an efficient Police Force. The annual intake of Constable recruits is approximately of the order of 2,400 per year. The recruits are at present trained in 13 Recruit Training Centres spread all over the State which is not conducive to the maintenance of high and uniform standards. The Recruit Training Centres are supervised by District Superintendents of Police of districts in which they are situated, who due to the multifarious and heavy nature of their normal duties, are unable to devote adequate time and energy needed for supervision. The training of recruits, in our opinion, deserves to be centralized and we recommend that the existing 13 Recruit Training Centres may be replaced by two Recruits Training Schools conveniently situated so that one may serve the Eastern Districts and the other the Western Districts of the State. Each of the two Schools will be training about 1,200 recruits per year. The course of the training of each batch will be six months. Roughly speaking therefore, 600 recruits would be receiving training at a time at each of the Schools.

(ii) A list of the Staff and other personnel needed for each of the two Recruits Training Schools is given in Appendix XVII. The School Teachers in the existing Recruit Training Centres for indoor classes are drawn from the rank of Head Constable. A Head Constable in our opinion, is not sufficiently educated or qualified to teach recruits. We, therefore, recommend that staff for indoor teaching in the Training Schools should be drawn from the rank of Sub-Inspectors. In the proposals for staff the indoor Class Teachers have therefore been drawn from the grade of Sub-Inspectors, Civil Police.

(iii) In working out the staff requirements for Recruit Training Schools, we have kept the need for economy in view. We find that a Physical Training Instructor now imparts physical training to one batch of 30 recruits and an Infantry Training Instructor to a batch of 20 recruits. Thus for a group of 60 recruits five Physical Training and Infantry Training Instructors are needed. Physical Training and Infantry Training both require close and vigilant attention of the Instructor. Nevertheless, we expect Physical Training and Infantry Training Instructors to work for four hours daily in the field in addition to certain miscellaneous duties entrusted to them. We have, therefore, reduced the number of Physical Training Instructors, who would in future be expected to impart training to 60 recruits in two batches of 30 each in a day. They will continue to receive the assistance of the Infantry Training Instructors, as at present. Thus instead of five we shall require only four Physical Training and Infantry Training Instructors for a batch of 60 recruits.

(iv) It has been brought to our notice that great difficulties are being experienced in obtaining services of suitable Instructors specially for subjects like History, Geography, Psychology, etc. An attempt might be made in the first instance to find suitable Instructors from amongst younger Sub-Inspectors having fresh knowledge of these subjects. If a Sub-Inspector with requisite knowledge for teaching these subjects is not available, arrangements might be made with some local college to lend part-time services of its staff.

(v) We cannot over emphasize the need for securing the services of the best available men as Teachers. In order to make the posts of Teachers sufficiently attractive we propose to attach adequate allowances to these posts. At present, there is reluctance on the part of the Superintendents of Police and the Range Deputy Inspectors General to draft

good men to Training Centres. This must be overcome. It is recommended that in order to ensure quality selection for Training Centres, the Deputy Inspector General of Police Training should be empowered to call for applications from the entire Police Force of the State. The Range Deputy Inspectors General or the District Superintendents of Police should have no power to withhold any application. The final selection out of the applicants should be made by the Deputy Inspector General of Police Training.

197. *Text Books, Manual, etc.*—(i) We have noted with considerable disappointment the absence of suitable Text Books, Manual Pamphlets and General Literature required in the course of training and during service by Police men. The Syllabus Committee (1949-50), had prepared a list of Text Books, Manuals and Pamphlets considered necessary for training. Most of these books and pamphlets have not yet been prepared or compiled. The work of preparation of this literature should now be given a high priority. It is time that a small Departmental Committee consisting of the Deputy Inspector General of Police, Training as Chairman and two to four serving and retired Police Officials as members should be set up. The Committee will be responsible for getting books on different subjects prepared by experts who are possessed of experience and knowledge. Most of these books would be prepared by Police Officers. In some subjects it may be found necessary or advisable to take the help of Specialists not belonging to the Police Force. The Departmental Committee will have the power to give final approval to Manuals and Text Books. We recommend that adequate funds should be placed at the disposal of the Deputy Inspector General of Police, Training to enable him to grant allowances or honoraria to those who are entrusted with the writing and drafting of Manuals and Text Books.

(ii) We have gone through the report of the Syllabus Committee (1949), and generally agree with its recommendations both in regard to the syllabi of training and the requirements of staff for the Police Training College, Moradabad, and Armed Training Centre, Sitapur. We, however, recommend that Policemen should have a general idea of the Fundamental Rights and Directive Principles contained in the Union Constitution, and of the Planning and its social and economic objectives and suitable arrangements should be made for the purpose. We also recommend that during the course of training special course should be prescribed in regard to Public Relation and Code of Conduct and Behaviour.

198. *In Service Training*—Besides the initial training of the Civil Police the Police Training College at Moradabad and Recruits Training Schools, proposed to be set up, should be responsible for in service training through Refresher Courses. We lay great emphasis on Refresher Courses as these Courses tend to keep serving Officers fresh and up to date and also give them knowledge of new and latest advancements in technique. We would have suggested Refresher Courses for all Civil Police Constables but in view of the large numbers involved, we do not think that it would be possible to arrange Refresher Courses for them. We are, however, of the opinion that all officers of and above the rank of Sub-Inspector, Civil Police should go through a Refresher Course of six weeks' duration at least once in 5 years. We would also like that seminars and meets for discussing Police Problems should be organized for all Officers of and above the rank of Sub-Inspector.

199. *Training of Deputy Superintendent of Police*—We have at another place proposed that the cadre of Circle Inspectors should be abolished and the supervisory work of Police Station should be entrusted to Circle Officers (Assistant Superintendent of Police/Deputy Superintendent of Police). Even after the increase in the cadre the average annual intake of Provincial Police Service Officers would be of the order of 5 or 6, which is too small a number to constitute a class for training. It would be worthwhile for the State Government to arrange that these Officers are trained by the Union Governments Police Training College at Abu. Other States we believe would be experiencing similar difficulties and as an alternative it would be worthwhile to have a joint college of all or a group of States for the training of Provincial Police Officers. Efforts to give practical shape to the proposal may be made.

CHAPTER XVI

PAY SCALES

200. *Scope*—Of all the problems which confront us, the pay scales, allowances and pensionary benefits of the Police are by far the most important from the point of view of both Policemen and Government. In appointing the Commission, Government had specifically laid down that suggestion for the revision of pay structures of the Police Force should be made “in the light of pay structure of other cadres of Government servants of similar status employed by the State Government”. The pay structure of the Indian Police Service and U. P. Police Service were excluded from the purview of the Commission.

201. *Comparison with other departments*—We have tried hard to find out other Departments of the State which could be considered as comparable with the Police Department and we are of the opinion that similarity of the status of employees is not the only factor which should be taken into account in determining parity. The nature of work, the work-load and the degree of skill and vigilance needed in the discharge of duties are equally, if not more, important considerations. We could think only of three Departments namely the Excise Department, Forest Department and Jail Department, which are doing work bearing some resemblance with the Police Department. On a closer examination, however, it became apparent that the similarity is more superficial. None of these Departments is required to enforce a whole system of numerous and complex laws, enacted both by the Union Government and State Government, as the Police Department is called upon to do. The Excise Department is concerned with the enforcement of the Excise Laws so the Forest Department is concerned with the enforcement of the Forest Laws and the Jail Department of Jail regulations. The employees of Excise, Forest and Jail Departments moreover do not have to deal with as wide a range of the Public as Policemen. The employees of these Departments in their official capacity come across only a small segment of the society. On the contrary a Policeman has to keep touch with all kinds and classes of men within his circle. The powers of the Policeman as also the temptations in his way are much greater than in the case of any other Department. We have come to the conclusion that there are no services under the State Government, which taking account of status, nature of work, work-load and need of skill and vigilance, could legitimately be treated as at par with the Police.

202. *Desborough Committee*—The Desborough Committee (1919-20) of England have admirably summed up special characteristics distinguishing members of the Police from other State employees and we cannot do better than quote the observations of that Committee in this respect:

“(i) A candidate for the Police must not only reach certain standards of height and physical development, but must have a constitution, which is sound in every way. The duties the Police have to perform are varied and exacting, they are increasing and

will probably increase in variety and complexity, and a man cannot make a good Policeman unless his general intelligence, memory and powers of observations are distinctly above the average. His character should be unblemished, he should be humane and courteous and generally he should possess a combination of moral, mental and physical qualities not ordinarily required in other employment. Further, when he becomes a Constable, he is entrusted with powers which may gravely affect the liberty of the subject, and he must at all times be ready to act with tact and discretion and on his own initiative and responsibility, in all sorts of contingencies. The burden of individual discretion and responsibility placed upon a Constable is much greater than that of any other public servant of subordinate rank.

(ii) The Police also stand in a special relationship to the community. Each Constable on appointment becomes one of the duly constituted guardians of law and order for and on behalf of the citizens as a whole. He undertakes special responsibilities in regard to the prevention and detection of crime, and while he does not relieve the citizen from all responsibility for the protection of his own property and for bringing offenders to justice, he claims to be and in the principal agent in the prevention and detection of crime of all kinds, and generally holds a position of trust which it is important he should be able to maintain. We consider it essential that the sense of obligation to the public should be preserved in the Police, and the reason we dwell on those considerations at some length is that they are fundamental to the views we have formed as to the status of the Police and the pay they should receive. A number of Police witnesses have urged that in various ways a Constable is subject to social disabilities by reason of his employment. Moreover he must at all times both on and off duty maintain a standard of personal conduct be fitting his position, and this does impose upon him certain restrictions which do not exist in ordinary employments and hardly apply in the same degree even in the case of other public servants. He is liable to be called for duty at any time in an emergency, and, in order that he may be available for unexpected calls, he may be restricted in his choice of a residence. The special temptations to which a Constable is exposed are obvious and, as any lapse must be severely dealt with, it is only just that his remuneration should be such as will not add to his temptations, the difficulties and anxieties incidental to an adequate rate of pay.

(iii) The Policeman is also put to certain special expenses by reason of his employment, for example he not only requires good and sustaining food but the cost of his house keeping is increased by the irregularity of the hours at which he has to take his meals and the frequent necessity of cooking specially for him and it is generally, and quite correctly, a condition of service that he may be concerned directly or indirectly, in any trade or business so that he is precluded from supplementing his wages by undertaking employment for profit in his spare time.

203. *Oaksey Committee*—The Oaksey Committee of 1948-49 in the United Kingdom not only agreed with the above observations of the Desborough Committee but was also convinced that the responsibilities of the Police were more exacting when they reported than what they were when the Desborough Committee had reported in 1919 and were

not likely to become less. This Committee has further said that "we entirely agree with these (Desborough Committee's) observations. The Policemen's responsibilities are essentially unchanged; but they are now exercised in a wider field. Legislation since 1919 has added to his duties and increased their complexity. More recently, wartime shortages and the resultant rationing and controls have created a whole new range of offences which frequently offend less against the conscience than against the law, and have led to an increase in crime. The organization and technique of modern criminals, their use of cars and their increasing tendency to carry fire-arms, have all added to the difficulties and dangers attached to preventing crimes and capturing criminals. Moreover, the Police have had to deal with a much wider cross-section of the public since motor traffic regulations, the liquor licensing laws, rationing and controls have brought increased chances of wrong doing to even the well-intentioned and the well-to-do. Since 1919, there has been a notable spread of educational facilities and they are to be extended in the near future. A Police Service which has to deal with a better educated public must itself be properly equipped for its task. Some concern has rightly been expressed to us lest the rise in general educational standards should not be adequately represented amongst the recruits to the Police Service. So far the spread of knowledge has not lightened the Policeman's task in fact it has added to his responsibilities. Some of the problems which face the Police in the performance of their duties at the present time may be only temporary and may eventually disappear. But we are convinced that Police responsibilities are more exacting now than they were when the Desborough Committee reported in 1919, and are not likely to become less, and we have had this at the forefront of our minds in all our enquiries into Police emoluments". We are in broad agreement with what the two eminent Committees, Desborough and Oaksey, have said though every detailed observation made by them may not be strictly applicable to conditions obtaining in India. The duties and responsibilities of the Police all over the world are essentially the same. Indeed it may be stated with some degree of confidence that conditions under which the Police have to operate in India are in many respects even more exacting and onerous than those prevailing in England.

204. *New Difficulties and Complexities*—Since the advent of Independence, a large number of complex laws with wide coverage have been enacted by the Parliament and State Legislature. In future more of such laws are likely to be enacted. This is but natural in a growing and developing society. The industrial development has brought in its wake more urbanisation and an urban society raises new and difficult problems for the Police. New types of offences and devices to escape the consequences of law grow up in towns and industrial areas. The labour problems of industrial areas are exacting. Our Constitution has conferred new dignity and status on Indian citizens by enacting Fundamental Laws. A Policeman has now to be vigilant so that those rights are preserved and not infringed. The directive Principles of the Constitution call for higher intelligence in the administration of laws by Policeman. In a democratic set up citizens are sensitively conscious and the Policeman has to be highly tactful and courteous. With the growing number of educated people, society expects higher standard of behaviour by the Police. Yet the first duty of Police remains to be the enforcement of and apprehending those who commit breach of laws. Even minor remission on his part attracts severe criticism from the public and press. We

have been told by a number of experienced Policemen that the enforcement of the Passport Laws particularly in their application to visitors from Pakistan, has added heavily to their responsibilities. Similarly, the prohibition laws now being enforced in several districts of the State have increased their burdens. We have no doubt in our mind that the new India will require from Policemen more of skill, intelligence, courtesy, tact, good behaviour and human qualities.

205. *Pay structure of non-gazetted staff*—In Uttar Pradesh the present structure of pay and allowances for the non-gazetted staff of the Police was last fixed by Government on the basis of the recommendation of the U. P. Pay Commission of 1947. These scales were later quoted with approval by the Police Reorganization Committee 1947-48. The scales of pay laid down by the Committees were as follows:

Constable	...	...	From Rs.30 to 45.
Head Constable	...	...	From Rs.50 to 65.
Sub-Inspector	...	...	From Rs.120 to 200.
Inspector	...	....	From Rs.200 to 400.

Although the system of dearness allowances was rationalised later, these pay scales took account of the compensatory allowance, which was then payable on account of high cost of living. The Committee also recommended payment of certain special pays and allowances such as allowances for Inspectors and Sub-Inspectors of the Criminal Investigation Department, special pay for instructors and Teachers of Training Institutions, city allowance, plain clothes allowance, etc. Since the Committee made its report, a large number of allowances and special pays have been sanctioned for Policemen from time to time. The total emoluments of Policemen now consist of basic pay, dearness pay, special pay, dearness allowance, special allowance, post, pays, allowances attached to posts, allowances attached to persons, city allowance, clothing allowance, etc. Most of these allowances were sanctioned on an *ad hoc* basis to meet the exigencies of new situations. We have tried to find out whether any uniform policy was followed in sanctioning these allowances but we must confess that our efforts have not borne fruit. We are of the opinion that the basic pay fixed for the Police must cover all the normal duties and responsibilities, which a Policeman is expected to perform during the course of his service. The structure of pays and emoluments should be simple with as few grades as possible. Special pays and allowances should be permissible only when the nature of duties is exceptionally arduous or when it requires special training and skill or when the post is particularly unattractive.

206. *An omission*—We feel that the U. P. Pay Committee and Police Re-organization Committee had overlooked one important aspect in fixing pay scales. A Constable, who is not promoted as Head Constable, and bulk of Constables and their career as Constables, would reach the maximum of his grade after 15 years of service. According to the pay scales prevailing, in the last 15 or more years of services a Constable cannot look up to any increment in pay. All this while, his responsibilities would increase. He would, therefore, remain in the later part of his service disgruntled. We are of the opinion that normally a Policeman should continue to receive increments in pay during at least first 20 years of service and we have, therefore, decided to give higher increase in maximum salaries of Constables and Head Constables than in their starting salaries,

207. *Dearness Allowances*—The dearness allowance originated in Uttar Pradesh, as in the rest of India, as a Special Compensatory allowance in 1941, on account of higher prices of foodgrains. Its rate was one anna for each rupee of pay up to Rs.30 per month. Some changes were made from time to time but it was only in 1949 that the scales of dearness allowance were first revised and rationalised. Since then there has been revisions of scales of dearness allowance in 1957, 1959 and 1960 and the rates of dearness allowance after the latest revision are as follows:

Dearness Allowance

Salary up to Rs. 50	...	...	Rs.33 per mensem
Salary from Rs.51 to Rs.150	...	...	Rs.35 per mensem.
Salary from Rs.151 to Rs.450	...	...	Rs.40 per mensem.
Salary from Rs.451 to Rs.489	...	...	Amount by which pay falls short of Rs.490 per mensem.

The Government have issued G. O. no G-1-353/X—116-59, dated Lucknow, June 29, 1959 by virtue of which the following portions of dearness allowances have been treated as dearness pay with effect from April 1, 1959:

<i>Pay Range</i>	<i>Dearness Pay</i>
Up to Rs.50 per mensem	Rs.20 per mensem.
From Rs.51 to Rs.100 per mensem	Rs.25 per mensem.
From Rs.101 to Rs.150 per mensem	Rs.30 per mensem.
From Rs.151 to Rs.450 per mensem	Rs.35 per mensem.
From Rs.451 to Rs.484 per mensem	Amount by which pay falls short of Rs.485 per mensem.

208. *Dearness pay*—The dearness pay is under the existing rules taken into account in fixing pensionary benefits, gratuity, subscription and contribution to provident fund, travelling allowance, etc. It thus virtually amounts to basic pay and we recommend that the question of compulsory merging the dearness pay into basic pay may be favourably considered by Government. We are, however, not making a specific recommendation in this respect because dearness pay is payable to all services under the State Government and not to the Police alone.

209. *Rise in cost of living*—For determining a proper pay scale for the Police personnel, we have considered in necessary to examine how the living standard of Policemen have of late been affected by the rise in prices. For this purpose we will consider the Civil Police Constables as representing the entire Police Force as they constitute the bulk of the force. We have already mentioned that it was only in 1949 that the scales of dearness allowance were first rationalised. Before 1949 a special compensatory allowance had been sanctioned which probably did not take into consideration the changes in the cost of living index. In that year the dearness allowance admissible to a Civil Police Constable was Rs. 20 per mensem and in the absence of a rationalised system in 1947, we treat

the 1949 dearness allowance as payable in 1947. In this way, in 1947, the emoluments of a Civil Police Constable at the start of his service, i.e., the basic pay and the dearness allowance would in the aggregate have amounted to Rs.50 per mensem. Since then the consumer's cost of index for the low-wage group has increased by 33 per cent. In order to neutralize this increase in the cost of living, the basic emoluments of a Civil Police Constable at the start of his service shall have to be increased by 33 per cent, i.e., it should be Rs.67 per mensem. We, however, find that his basic pay and dearness allowance now amounts to Rs.63 per mensem. If we add to this the diet allowance of Rs.4 specially payable to Constables and Head Constables, they would just be maintaining their old standard of living on the existing scale of emoluments.

210. *Other factors in fixing pays*—In recommending pay scales for the Police, we have also kept in mind certain other factors. We have already mentioned that the duties of Policemen are becoming more and more exacting and onerous and would require greater skill and intelligence. The traditional awe of Government officials including the Policemen, has diminished or disappeared. We are also recommending considerably higher educational qualifications for the future entrant as constable, both Civil and Armed. As already mentioned we are not in favour of special pays and allowances unless justified by considerations mentioned by us above. We are also of the opinion that the diet allowance of Rs.4 per mensem which has recently been sanctioned by Government for Head Constables and Constables should now be merged in their pay. We have kept all these considerations in view in recommending scales of pay which are as follows:

Constable—Rs.45—1½—60—E.B.—2—80, inclusive of the diet allowance of Rs.4 recently sanctioned by Government.

Head Constable—Rs 65—2—85—E.B.—3—100, inclusive of the diet allowance of Rs. 4.

Sub-Inspectors—Rs.150—5—200—E.B.—10—250.

Inspectors—Rs.250—10—310—E.B.—15—400.

Fire Station officers and fire Station Second Officers—The Fire Station Officer and Fire Station Second Officer should get the same pay as has been recommended by us in the case of officers of the rank of Inspectors and Sub-Inspectors, respectively.

Leading Firemen and Fireman—We recommend the same scale of pay for Leading Firemen and Fireman as we have recommended in the case of Head Constables and Constables respectively.

Fire Service Drivers—We feel that as the nature of duties of the Fire Service Drivers is arduous and difficult as well as risky, a somewhat higher scale of pay as compared to Leading Firemen would be justified. We, therefore, recommend that their scale of pay should be Rs.65—2—85—E.B.—3—115.

FIXATION OF PAY

211. *Head Constable and Constable*—We also examined the question of re-fixation of salaries of Constables and Head Constables now in service, in the new scales of pay suggested by us. We recommend that a constable or Head Constable who has put in 2 years of completed service may be given one increment in the new scale of that rank, i.e., every two years of completed service in the old scale will entitle them to one increment in the new scale. Thus, a Constable who has put in one

year of service will have his pay fixed at the minimum of the new time scale and a Constable who has completed 2 years of service but has not completed 4 years will get the advantage of one increment in the new scale and have his salary fixed at Rs.45 plus Rs.1½ i.e., Rs.46½. A Constable who has put in 8 years of service but has not completed 10 years in the existing scale, will be entitled to the benefit of four increments in the new scale and be entitled to have his salary fixed at Rs.45 plus Rs.6 i.e., Rs.51. This rule will also apply to Head Constables.

212. *Inspectors and Sub-Inspectors*—In the case of Sub-Inspectors too the general rule of allowing one increment for every two years of completed service in that rank shall apply, provided that when the pay is refixed in the new scale no officer would get less than two increments of the new scale on his existing pay. This has been suggested as otherwise in some cases a Sub-Inspector may have his salary fixed at a lower scale than what he is already getting. For instance, a Sub-Inspector, who has put in 10 years of service, is now getting Rs.120 plus Rs.60 i.e., Rs.180. According to the formula now suggested by us, he would be entitled to earn five increments in the new scale aggregating to Rs.25 and his salary would be Rs.175 per month. In this way, he will lose Rs.5 over his present pay. We have, therefore, suggested that his salary in the new scale should be fixed at Rs.180 plus Rs.10 i.e., Rs.190. The principle recommended by us in the case of Sub-Inspectors for refixation of the pay in the new scale should also apply to Inspectors.

213. *Neutralisation of rise in prices*—We may also broadly state that as a result of refixation of existing salaries in new scales, no Policeman shall get less than what he was getting before. The new scales of pay recommended by us will be deemed to have come into force from April 1, 1961. The scales of pay recommended by us are for basic pays. In addition to basic pays, all categories of Policemen are now entitled to get dearness pays and dearness allowances. The dearness pays and dearness allowance shall continue to be payable in addition to basic pays. In order to neutralise future rise in prices, we recommend that if in any preceding 12 months the cost of living has increased by more than 10 points, 50 per cent of the increase in the cost of living should be compulsorily neutralized, and with regard to remaining 50 per cent. Government should have the power to take such decision as it may, after taking into account all relevant factors, consider just and proper.

SPECIAL PAYS AND ALLOWANCES

214. *Basic principles*—We shall treat the Civil Police Constable and his duties as the standard by which the work of officers and men of other branches of the Police should be judged. In examining the question of grant of Special Pays and Allowances in the Pradeshiik Armed Constabulary, Armed Police, Criminal Investigation Department, etc., we have considered carefully the nature of duties in these specialised wings of the Police in comparison to the duties performed by the corresponding ranks of the Civil Police Force. We are not in favour of Special Pays and allowances unless justified by considerations of special and arduous nature of duties or when it requires special training and skill or when the post is particularly unattractive. *While judging the justification or otherwise of the Special Pays and allowances, we have kept our recommendations in regard to higher pay scales in mind and it is on the assumption that these pay scales will be sanctioned that we have recommended the abolition or reduction of some of the special pays and allowances.*

215. *Special Pay defined*—Fundamental Rule 9(25) of the Financial Handbook, Volume II defines Special Pay and enumerates the reasons on the basis of which it should be granted. It lays down that "Special Pay" means an addition, of the nature of pay, to the emoluments of a post, or of a Government servant, granted in consideration of—

- (a) the specially arduous nature of the duties, or
- (b) a specific addition to the work or responsibility, or
- (c) the unhealthiness of the locality in which the work is performed,

216. *Recommendations*—We have made a close scrutiny of all Special Pays and Allowances but have made no mention in the main report of those Special Pays and Allowances, which, in our opinion, should continue as they are. The Special Pays and Allowances, which we desire to continue, are given in Appendix XVIII and Appendix XIX at the end. In the body of our report, we have discussed only those Special Pays and Allowances, which in our opinion should be abolished, reduced or increased. We have also scrutinized recommendations made from time to time by the Police Headquarters to Government about Special Pays and Allowances. We have not included them in our main report, but our opinion on these recommendations is contained in Appendix XX for Special Pays and in Appendix XXI for Allowances:

(i) *Pradeshiik Armed Constabulary Constables*—A Constable in the Pradeshiik Armed Constabulary gets a Special Pay of Rs.6 per mensem. There appears to be no particular reason as to why the amount of Rs.6 per mensem was fixed. We have recommended an increase of pay for the Police Constable and bearing that increase in mind we feel that a Special Pay of Rs.5 per mensem will suffice in his case.

(ii) *Subedar Adjutants*—We see no specific reasons as to why Subedar Adjutant should get Rs.30 per mensem, while his col-

leagues of the same rank in other branches of the Pradeshiik Armed Constabulary should get Rs.25 per mensem and, therefore, we recommend Rs.25 per mensem to all Subedar Adjutants in the Pradeshiik Armed Constabulary.

(iii) *Armed Police Constables*—The Armed Police Constable gets a Special Pay of Rs.2 per mensem. It was first granted in the year 1918 after the World War I and has since continued. The reasons for sanctioning this Special Pay was that no recruits were forthcoming to this Branch at that time. This Special Pay, to begin, with, was known as War Allowance. It was argued that the Armed Police Constables are required to stay away from their families, as they have no married quarters and usually they do not get permission to stay out of the Reserve Lines. The duties of the Armed Police Constable are no doubt somewhat different when compared to the duties of the Civil Police Constable, but on the whole we do not find any essential difference between them. Elsewhere in this report we have recommended an increase in the facilities regarding the housing accommodation and taking note of the increased scale of pay recommended by us, we feel that there is hardly any justification for continuing this Special Pay, which we recommend should be abolished.

(iv) *Instructors*—Training Allowances are given to Armed Police Constables, Head Constables, Sub-Inspectors and Reserve Inspectors in all districts for training recruits. The recruits on enlistment stay in the district for a period of six weeks before going to the Range Training Centres and these officers give them a preliminary training during this period. No allowance of any kind is given, if the number of recruits in a particular district happens to be less than 30. We consider this to be a fair standard and would like these allowances to continue till such time as the two Training Schools are set up. We would, however, recommend that in the case of Armed Police Constable and Head Constable Instructors both instead of the present rates of allowances they should be given Special Pay at the rate of Rs.5 per mensem. We recommend *status quo* in the case of Sub-Inspectors, Armed Police and Reserve Inspectors with the provision that all these Special Pays should be abolished when the two Recruits Training Schools are started.

(v) *Inspectors, Civil Police*—At present most of the Inspectors in the Civil Police are working as Circle Inspectors. Elsewhere in our report we have recommended the abolition of the post of the Circle Inspector. The Civil Police Inspectors will now be required to work only as Station Officers of important Police Stations. Since there will be no supervisory work with them, we recommend that when they work as Station Officers, no Special Pay should be given to them. In our opinion the posts of Station Officer of Special Class and First Class Police Stations are promotion posts to a higher rank and, therefore, no special pay is justified.

(vi) *Sub-Inspectors, Civil Police*—Sub-Inspectors are getting a Special Pay of Rs.40, Rs.30, Rs.25, Rs.20, Rs.15 and Rs.10 per mensem each, when they are required to work as Station Officers or Senior Second Officers in Special, First, Second or Third class police Stations. According to our recommendations Special and First Class

Police Stations shall have Inspectors as Station Officers and Sub-Inspectors will be required to work as Station Officers of Second Class or Third Class Police Stations only. We recommend that a Special Pay of Rs.20 per mensem be given to Sub-Inspectors working as Station Officers in any Police Station and similarly a Special Pay of Rs.15 per mensem may be given to the seniormost Sub-Inspector working as Assistant Station Officer at Police Stations having Inspectors as Station Officers. In towns where there has been a separation of law and order from the investigating staff, it is recommended that the seniormost Sub-Inspector at each Police Station in the Law and Order Branch and the seniormost Sub-Inspector in the Investigating Branch should get the Special Pay of Rs.15 per mensem. All the above recommendations shall apply to Civil Police Sub-Inspectors, who work as Station Officers and Assistant Station Officers and to their counterparts in the Government Railway Police.

(vii) *Readers to Superintendents of Police*—They get a Special Pay of Rs.20, Rs.15 and Rs.10, per mensem according to the districts of posting. We feel that their work is not of an arduous nature and, therefore, we find little justification for this Special Pay, which we recommend should be abolished.

(viii) *Head Constable and Constable Proficients*—They are Civil Policemen. After passing an examination of proficiency in Finger Print, a Constable becomes eligible to work as Constable Proficient. When he actually works as a Constable Proficient, he gets Rs.3 per mensem as Special Pay. Apart from this when he passes the Finger Print Examination, he gets three advance increments over and above his annual increment. As we have already recommended higher educational qualifications for Constables, this extra benefit, which was given in old days to attract educated people, is no longer necessary. We are of the opinion that these advance increments should be stopped and Constable Proficients should be paid a Special Pay of Rs.5 per mensem. In due course Constable Proficients become Head Constables and when they actually work as Head Constable Proficients, they get Special Pay of Rs.4 per mensem. We recommend that Head Constable Proficients should also get a Special Pay at Rs.5 per mensem.

217. *Police Training College, Moradabad*—The efficiency and working of the entire Police Force in the State depends on the standard of training and instructions imparted to Sub-Inspectors in the Police Training College. In order to attract qualified, intelligent and capable Instructors, it is necessary that they should be paid well. There are serious complaints that the calibre of the staff working in this institution and also in the Armed Training Centre, Sitapur, is not of a high order. The Instructors must be chosen with great care. Only men having aptitude for teaching and possessed of ability to lecture and impart knowledge should be selected. The work done by them is not only of a special type, but also fairly arduous and special pay for them is fully justified. The Special Pay now given to them is very low. In fact it is lower than what is given to Sub-Inspectors in I Class Thanas. It is, therefore, not surprising that officers of good calibre and required standard are reluctant to join as teachers or instructors. We feel very

strongly about Special Pays payable to Instructors and have fully considered the question of economy and other matters. In fact the poor quality of the staff posted in the Police Training Institutions is responsible for a large number of failings found in Policemen. We consider the present low scales of Special Pays as extremely inadequate and in order to make these posts more attractive, we make the following recommendations:

(i) *Inspectors, Teachers and Instructors*—The Senior Teacher, who is of the rank of Inspector, should get a Special Pay of Rs.70 per mensem and all other Inspectors, whether of the Armed Branch or of the Civil Police, employed as Teachers/Instructors, should get Rs.50 per mensem. In the Punjab and West Bengal a Special Pay of Rs.50 per month is already being paid to Inspector Instructors.

(ii) *Sub-Inspectors, Teachers and Instructors*—In the case of the Assistant Public Prosecutors, Sub-Inspector, Civil Police Teachers, Assistant Chief Drill Instructors (Sub-Inspector, Armed Police) and Sub Inspectors Remount Training Staff of the Training College, we recommend that instead of the present rate of Special Pay, they should be given Rs.25 per mensem as Special Pay.

(iii) *Head Constables Instructors*—As regards Head Constable Instructors, Armed Police and Mounted Police, we recommend that they should get Rs.15 per mensem as Special Pay.

(iv) *Trumpeters and Farriers*—In the case of Trumpeters and Farriers posted to Police Training College, we recommend that they should get a Special Pay at the rate of Rs.5 per mensem.

218. *Armed Training Centre, Sitapur*—The Commission had visited this Institution and found that the general atmosphere was depressing and the teaching staff was of a poor quality. We make the following recommendations for the staff of the Armed Training Centre, Sitapur:

(i) *Headmaster*—We recommend that the present scale of Special Pay should be improved and that the Headmaster, who is getting Rs.15 per mensem should be given Rs.50 per mensem as Special Pay.

(ii) *Teachers*—All other Teachers drawn from the ranks of Assistant Public Prosecutor, Sub-Inspector, Armed and Civil Police, should get a special pay at the rate of Rs.25 per mensem except the Plan Drawing Instructor who should get Rs.15 per mensem as Special Pay. The Head Constable Instructors, Physical Training Instructors, etc., should each get Special Pay of Rs.15 per mensem.

219. *Training Schools for Constables*—We have recommended the setting up of two Training Schools for recruits instead of the existing 13 Range Training Centres. In Appendix XVII we have given the number of Instructors with their ranks, who would be needed there. When these two Training Schools are started, we recommend that officers of the ranks of the Inspector, Sub-Inspector and Head Constable employed at the Training School, should get Special Pay at the rate of Rs.50, Rs.25 and Rs.15 per month respectively. We also recommend the same

Special Pay for Head Constable and Constable Armourers in these two Training Schools as has been recommended in the case of Head Constable and Constable Armourers posted in the Police Lines.

220. *Central Stores, Kanpur*—Sub-Inspectors Incharge of cotton, woollen and Leather Sections, get Special Pay of Rs.15 per month each. This Special Pay should be raised to Rs.20 per month. Their work is of arduous and difficult nature.

221. *Motor Transport Section*—All Head Constable Motor Drivers get Special Pay of Rs.10 per month each. Constable Motor Drivers and Reserve Motor Drivers get Special Pay of Rs.7 per month each. We recommend that Motor Drivers of both the categories mentioned above should get Special Pay at a flat rate of Rs.10 per month.

222. *Conveyance Allowance to Inspectors*—Inspectors working in the Criminal Investigation Department and Intelligence Department are allowed to draw a conveyance allowance of Rs.24 per month whether they keep or do not keep any conveyance. If they notify that they are keeping a bicycle, they get only an allowance of Rs.3 per month. Similarly, Reserve Inspectors posted in small towns are given a conveyance allowance of Rs.20 per month whether they keep any conveyance or not. If they notify that they are keeping a bicycle, they get an allowance of only Rs.3 per month. We consider the present rules to be absurd, for a person may be drawing Rs.24 without keeping any conveyance but if he notifies that he is keeping a bicycle, his allowance is reduced to Rs.3 per month. We recommend that conveyance allowance at the rate of Rs.25 per month should be given to Inspectors working in the Criminal Investigation Department and Intelligence Department and Rs.20 per month to Reserve Inspectors in small towns.

223. *Motor Cycle Allowance to Inspectors*—Inspectors in the Criminal Investigation Department/Intelligence Department and Reserve Inspectors in big cities are entitled to a motor cycle allowance of Rs.25 per month. Reserve Inspectors in small towns are entitled to motor cycle allowance at Rs.22.50 per month. The price of motor cycle and the cost of its maintenance and running have both gone up. We recommend that a motor cycle allowance to Inspectors in Criminal Investigation Department/Intelligence and to Reserve Inspectors in big districts should be raised to Rs.35 per month and motor cycle allowance to Reserve Inspectors in small towns should be raised to Rs.30 per month.

224. *Conveyance Allowance to Sub-Inspectors*—Sub-Inspectors posted in hill or rural areas get a horse allowance of Rs.55 per month and Rs.45 per month respectively and Sub-Inspectors posted at district headquarters get an allowance of Rs.50 per month. We consider the present rates of horse allowance to be totally inadequate and recommend that the horse allowance should be raised to Rs.65, Rs.75 and Rs.80 per month for rural areas, district headquarters and hill areas respectively. We have elsewhere recommended that Sub-Inspectors should be encouraged to maintain scooters and motor cycles and we give maintenance and running allowance for them. We recommend the following motor cycle and scooter allowances to Sub-Inspectors posted at Police Stations:

(a) at headquarters of small districts Rs.30 per month,

(b) at places other than headquarters of bigger districts Rs.30 per month,

(c), at headquarters, of bigger districts Rs.35 per month,

(d) in the rural areas Rs.35 per month.

The condition of the payment of these allowances would be that the Sub-Inspector maintains a horse, or a motor cycle or a scooter as the case may be. At present a cycle allowance of Rs.3 per month is permissible to Sub-Inspectors who maintain a cycle but no other vehicle. A Sub-Inspector is a sufficiently well paid officer and we do not think that he should be entitled to any allowance.

225. *Fuel Allowance*—Sub-Inspectors, Head Constables and Constables posted in hills are given fuel allowance at Rs.3, Rs.2 and Re.1 per month respectively for five winter months. We are of the opinion that this allowance is necessary but we consider the existing rates to be inadequate. We recommend that this allowance should be raised to Rs.5 per month for all the three categories of officers and men posted in hills.

226. *City Allowance*—The city allowance is payable under the rules to all Head Constables and Constables posted in cities and towns having a population of more than 30,000. We have, however, noted that in practice this allowance has not been made admissible in all the towns having a population of more than 30,000 and only some towns have been selected for the purpose of this allowance. We have not been able to ascertain the reason why this discrimination has been made. The city allowance is given to reimburse the extra expenditure incurred by men while living in towns where the commodities are expensive. We are of the opinion that this allowance should continue. For this purpose we recommend the division of cities and towns of the Pradesh into three categories on the basis of population as noted below:

(i) KAVAL towns and Meerut, Bareilly and Dehra Dun.

(ii) Cities of over 1 lac population excluding category (i) above.

(iii) Cities of over 25,000 population excluding the above two categories.

At present Head Constables are getting a city allowance of Rs.8 per month in Kanpur city Rs.6 per month in other KAVAL towns Rs.4 per month in some other cities and Rs.2 per month in the smaller towns. Similarly Constables posted in towns are getting city allowances of Rs.4, Rs.3, Rs.2 and Re.1 per month. We recommended that Head Constables posted in towns of the above three categories should be paid city allowance at the rate of Rs.8, Rs.6 and Rs.4 per month respectively. Similarly constables should be paid city allowance at the rate of Rs.5, Rs.3 and Rs.2 per month.

227. *Clothing Allowance*—In March, 1941, Head Constables and Constables of the Criminal Investigation Department and Central Investigating Agency of Government Railway Police were sanctioned a clothing allowance at the rate of Rs.2 per month for the reason that these men unlike other Policemen do not get a free uniform or kit. They work in plain clothes ordinarily worn by the common people, and we do not think that there is any justification for the payment of clothing allowance.

228. *Consolidated Daily Allowance*—Head Constables and Constables of the Pradeshik Armed Constabulary get a consolidated daily allowances of Rs.4.50 and Rs.4 per month respectively. Daily Allowance to Head Constables in the Police Department is worked out on the basis of pay and since we have recommended a higher scale of salary to all Head Constables, we recommend that consolidated daily allowance to Head Constables should be raised in the same proportion. As regards Constables, we have taken the average days of cutting (on the basis of actuals) and have worked out the total monthly payment to them on the basis of the lowest and the highest rates. We find that it comes to Rs.5.75 at the minimum rates and Rs.7.50 at the maximum. After taking these two amounts into consideration we, recommend that the consolidated daily allowance of the Pradeshik Armed Constabulary Constable should be raised from Rs.4 to Rs.5 per month.

ACCOMMODATION AND BUILDINGS

229. *Need for Housing*—The Police Re-organisation Committee had commented adversely on the unsatisfactory condition of Police buildings and the inadequacy of residential accommodation available for the non-gazetted staff of the Police, specially of Constables and Head Constables in particular. We have visited a number of Police Stations and Out-posts and have also seen some married quarters. We note that during the last 10 years the State Government has undertaken some programme of construction of few buildings but it is meagre and has not noticeably improved the position. Most of the Constables whom we asked what would be their demand no. 1 replied 'housing'. We are, therefore of the opinion that the question of the improvement of Police buildings and of providing adequate accommodation for the staff should now receive greater attention.

230. *Scale for Married quarters*—We find that Government is already committed to the principle that all non-gazetted Police Officers and men should be provided with rent free quarters. In actual practice the number of married quarters available, especially for Constables and Head Constables in Police Stations and Police Lines fall very much short of actual requirements. This will be borne out from the following figures:

RANK	Sanctioned allocation	Total number of married quarters available
1. Constables	50,836	3,861
2. Head Constables	9,191	1,619
3. Sub-Inspectors	3,686	1,776
4. Inspectors	494	227

Since the Government was not able to provide married accommodation to all non-gazetted Police personnel it had sanctioned house rent allowances to a certain percentage of Police personnel in lieu of married quarters. Persons to whom house allowances are sanctioned stay away from the Police Station or Police Lines, where they are posted. We are of the opinion that for maintaining the effectiveness of the Police, it is necessary that a certain minimum percentage of Policemen must live in the premises of the Police Station or in Police Lines irrespective of the fact, whether adequate quarters in the Station or Lines are available or not. At least 60 per cent of the Civil Police, Head Constables and Constables should reside in the Station premises and in the case of Police Lines at least 70 per cent of the total strength of Armed Police Constables and Head Constables should reside in the Lines. In the case of Pradeshih Armed Constabulary, all Head Constables and Constables should reside within the Pradeshih Armed Constabulary Lines. These percentages would of course be subject to minor variations in exceptional cases depending on local conditions.

231. *Recommendations regarding Accommodation*—We are aware that most of the Constables and Head Constables come from farming families and own a share of the family land. They would not like to cut off their connections totally from the home village, for it may ultimately mean to them the loss of their share in family property. They would, therefore, like to keep their families for the part of the year in place of posting and in the rest of the year in the home village. Some of the Constables are of young age and may have no families. We have enquired from a number of witnesses what percentage of the Constable and Head Constables would need accommodation at a time. The estimates have varied. After giving a good deal of thought we are of the opinion that if married accommodation is made available on the following scales, all the officers and men of the non-gazetted staff of Police would get married accommodation for the period they need:

(1) Inspector and Sub-Inspectors	...	100 per cent.
(2) Civil Police—(a) Head Constables	...	100 "
(b) Constables	...	60 "
(3) Armed Police—(a) Head Constables	...	50 "
(b) Constables	...	50 "
(4) Pradeshik Armed Constabulary—		
(a) Head Constables	...	50 "
(b) Constables	...	50 "

We appreciate that it will not be possible for the Government to build married quarters on the proposed scale for some years as it involves heavy expenditure. We, therefore, suggest that till such time that married accommodation is made available on the above scale, it will be necessary for Government to continue payment of rent allowances to non-gazetted Policemen in lieu of married quarters. We have already indicated the minimum percentage of personnel who must reside within the premises of Police Lines and Police Stations and subject to that condition, we recommend that non-gazetted Police personnel, who cannot be provided with married accommodation on the scale recommended by us, should be entitled to payment of house rents on the following rates:

(1) Inspectors	...	Rs.40 per month throughout the State. This has been worked out a 10 per cent of the maximum pay of Rs.400 of this rank.
(2) Sub-Inspectors	...	(a) Rs.30 per month for the cities of Kanpur, Allahabad, Varanasi, Agra, Lucknow, Meerut and Bareilly.
		(b) Rs.25 for the remaining ten cities with a population of over one lac and for Mussoorie and Naini Tal.
		(c) Rs.20 per month elsewhere.

The above house rent have been worked out on the basis of 15

per cent, 12½ per cent and 10 per cent respectively of the average pay of this rank now recommended.

(3) Head Constables

(a) Rs.15 per month for the cities of Kanpur, Allahabad, Varanasi, Agra, Lucknow, Meerut and Bareilly.

(b) Rs.12.50 per month for the remaining ten cities with a population of over one lac and for Mussoorie and Naini Tal.

(c) Rs.10 per month elsewhere.

(4) Constables

(a) Rs.12 per month for the cities of Kanpur, Allahabad, Varanasi, Agra, Lucknow, Meerut and Bareilly.

(b) Rs.10 per month for the remaining ten cities with a population of over one lac and for Mussoorie and Naini Tal.

(c) Rs.8 per month elsewhere.

The house rents for Head Constables and Constables have been worked out on the basis of 15 per cent, 12½ per cent and 10 per cent respectively of the Maximum pay of these ranks now recommended.

We do not consider it necessary that any separate married accommodation should be constructed for the non-gazetted staff of Criminal Investigation Department and Intelligence Department. The entire staff of these two Departments should be allowed to draw house rent allowance at the above rates.

232. *Design of Married quarters*—The suitability or otherwise of the existing standard designs would naturally have to be examined in detail by the Police Department in consultation with the Chief Engineer, P. W. D. We are, however, of the opinion that no tenement for any rank should have less than two rooms but as the immediate financial implications of buildings on that scale would be heavy we recommend that for the time being single room accommodation may be provided for constables and buildings so designed that they could later be altered and converted into double room accommodation.

233. *Police Stations*—Many of the Police Stations are located in dilapidated buildings which are unfit for work and human habitation. We are definitely of the opinion that proper and neat living and working condition must be provided for the Police Staff. It was felt that on a rough estimate about 25 per cent of the existing Police Stations would require new buildings or substantial renovation.

234. *Programme of Construction*—The building programme should in our opinion, be phased over a period of five years in such a manner that at the expiry of five years 25 per cent of the existing Police Stations, which require replacement or renovation, should have proper buildings and married accommodation on the scale recommended by us. In undertaking the construction programme of married quarters priority should be laid down as follows:

- (i) Sub-Inspectors.
- (ii) Head Constables and Constables.
- (iii) Inspectors.

We are also of the opinion that in formulating the building programme the non-gazetted staff should get priority over the gazetted staff.

235. *Financial implications*—We are informed that a new Police Station building costs roughly one lac of rupees and total cost of building and renovating Police Station would roughly come to two crores. The construction of new married accommodation for non-gazetted staff would involve an expenditure of approximately Rs.6 crores. The total expenditure involved in our proposals in this respect would therefore, be about Rs.8 crores which can be spread over a period of five years:

Financial implications involved in the construction of married accommodation for Head Constables and Constables—

Head Constables, Civil Police 100 per cent	...	3,106	quarters.
Head Constables, Armed Police 50 per cent	...	1,057	„
Head Constables, P. A. C. 50 per cent of 1,262	...	631	„
		4,794	

Deduct number of quarters available	...	1,619	
		3,175	

Cost of 3,175 quarters at Rs.3,500 per quarter—Rs.1,11,12,500.

Constables, Civil Police 60 per cent of 25,754—15,452 quarters.

Constables, Armed Police 50 per cent of 9,326—4,663 „

Constables, P. A. C. 50 per cent of 5,764 .. 3,882 „

22,997

Deduct number of quarters available	...	3,861	„
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19,136

Cost of 19,136 quarters at Rs.2,500 per quarter Rs.4,78,40,000

Total	...	Rs.5,89,52,500	or say
		Rs.6,00,00,000.	

AMENITIES AND WELFARE

236. *Medical*—The Commission has examined the facilities provided by Government for medical treatment of the Police personnel. It also looked into the various welfare schemes run by the Department for their families and the children. There is a Police hospital in every Police Lines where the Policemen are given free treatment. The hospital is run by an officer or P. M. S. II service under the Civil Surgeon. Only in 22 district hospitals this doctor is a whole-time officer and in 28 districts he looks after the Police and Jail both. We are of the opinion that Police hospitals should have whole-time doctors in all districts. We found that the incidence of T. B. patients in the Police Department is quite high and the total number of such patients on an average comes to 433 cases per annum. We have scrutinized the scheme put up by the Department in this connection which is given at Appendix XXII. Briefly, there are already 29 beds for Police T. B. patients in the T. B. Sanatorium at Bhowali and the Department is slowly building there a second Ward, which will accommodate 20 additional beds. There will, therefore, be in the near future, 49 beds for T. B. Patients in the Bhowali Sanatorium. There are, however, a large number of T. B. patients who do not find any accommodation with the result that the disease reaches a final and fatal stage, before the patients are admitted in the Sanatorium. The Department has proposed that there should be an arrangement for 180 beds, and one Ward of 20 beds should be set up at one of the District Headquarters in each Commissioner's Division. This in our opinion will improve matters and we endorse this scheme of the Department.

237. *Medical facilities for families*—There are no medical facilities provided by Government to the families of Policemen. We have examined the departmental proposal and are of the opinion that the families of Policemen, residing in Lines, should get free medical treatment in the Lines hospital and for this purpose, the Police hospitals should be suitably expanded. The scheme (Appendix XXIII) as put up by the Department, has our full approval.

238. *Welfare*—We have examined the question of recreation facilities, particularly sports for Policemen and amenities for their families. The Police has some special features. Large number of Policemen have to live in Police Lines and Police Stations which, generally, is not the case with other Government employees. The question of providing amenities and sports in the Police Lines and Police Stations and also of providing help against unforeseen occurrences must be considered sympathetically. At present Government provides grant for sports fund and amenities fund as given below:

(a) *Sports fund*—A grant of Rs.1,30,500 in 1960 against the usual grant of about Rs.1,20,000 in previous years. The grant is recurring and liable to audit. It is spent on—

(i) purchase of sports gear.

(ii) payment of travelling and daily allowance to officers and men attending sports meets and tournaments; and

(iii) provision of special diet and training facilities to selected sportsmen and athletes.

Rs.25,000 out of this grant are usually placed at the disposal of the Secretary, Central Sports Board, for arranging special diets and training of selected athletes and sportsmen who represent U. P. Police in various competitions and sports meets. He is also given Rs.1,500 for purchase of sports gear and Rs.8,000 for meeting the expenses on travelling and daily allowance to the members of the selected teams. The grant of Rs.8,000 is highly inadequate for the present activities of the Police teams. Various tournaments and competitions connected with both sports and duties such as the Revolver and Rifle Shooting Competitions, First-Aid Competitions, Scientific Aids to Investigations Competitions and Cultural Meets are held in various parts of the country and therefore, the travelling expenses of the teams are very heavy. This grant has, therefore, to be considerably augmented.

239. *Present distribution of Sports Fund*—The remaining grant under this head is divided by the Police Headquarters amongst the Ranges including the Pradeshiik Armed Constabulary in sums ranging between Rs.4,000 and Rs.8,500 for purchase of sports gear and Rs.4,000 to Rs.7,000 for payment of travelling and daily allowance to athletes and sportsmen participating in Police competitions. It means that a district gets something between Rs.600 to Rs.800 for the purchase of sports gear and an equal amount for the payment of allowances. The Lucknow Range is given a little more than others, as they have to hold the finals of most of the tournaments and competitions specially the Athletic Meet during the Police Week. No grant is given to the districts for special diet and training of Athletes. This is essential if the standards of games and sports are to be raised. Unless the selected athlete is given this facility right from the beginning at the district level the availability of this facility only at the State level will not allow scope for full development.

(b) *Amenities Fund*—Government usually provides Rs.2,55,000 as a recurring and auditable grant each year. In the first instance a sum of Rs.2,30,000 is released and the balance of Rs.25,000 is given only when the first sanction has been fully exhausted. This grant is distributed by the Police Headquarters to various districts and units on the basis of their strength. The Government *vide* their G. O. no. 4716-VIII-A—320-57, dated December 6, 1958, have allowed this money to be expended on the following items:

(a) purchase of newspapers, periodicals, books, radio sets, etc. for recreation rooms,

(b) provision of warm clothing to the children of subordinate Police in deserving cases,

(c) provision of articles of games for the children of subordinate Policemen. in children's parks, recreation rooms and clubs, and

(d) financial help in illness and in sudden emergencies such as (i) funeral of a subordinate Police official, who dies suddenly and leaves nothing to meet the expenses and III/lowest class railway/bus fare for every member of the family for sending them home, (ii) damage

of property of the subordinate Police personnel during floods, fire etc., (iii) long illness or death of the Police personnel and their family members, (iv) provision of books for children in deserving cases up to High School, (v) special diet after serious illness or accident or on discharge from hospitals up to a prescribed limit, on the recommendation of the Medical Officer.

We are of the opinion that the scope of spending this money on the amenities of the Policemen and their families is restricted and recommend that the scope of spending this grant be expanded and the following facilities should be provided out of this grant to Policemen and their families:

- (1) establishment and maintenance of children's park,
- (2) provision of milk to expectant mothers,
- (3) provision of water coolers in Lines, etc. for drinking water in summer,
- (4) purchase of newspapers, periodicals and books and radio set for the recreation room,
- (5) help in maternity cases such as employment of part-time mid-wife and lady doctor to attend to maternity cases in the family of low-paid staff,
- (6) provision of medicines, which cannot be provided from the Government Stores, but which are considered essential for treatment of families,
- (7) provision of warm clothing etc. to children of the Police personnel and purchase of articles of games,
- (8) hire of children's information films,
- (9) financial help in sudden emergencies, and
- (10) provision of sewing machines, etc. for welfare centres and such other activities of a general nature, which can prove beneficial to Policemen and their families as a body such as construction of swimming pools, recreation rooms, etc. and putting up of vegetable gardens and poultry farms, etc. etc.

240. *Recommendation*—We are of the opinion that the system of making grants needs revision. It should provide an incentive to the Policemen to have more of amenities through self-help. We recommend that instead of giving lapsable recurring grants, Government should make a grant-in-aid of Rs.4 lacs per year both for sports and amenities. The Policemen would be at liberty to collect funds by voluntary contribution and Government should make a further grant of a sum equivalent to what has been collected by the Policemen. In order to limit the additional liability of Government, we suggest that the entire fund in any year should not be allowed to exceed, including the contribution made by the Policemen, a sum of Rs.7 lacs. The Government grant shall not lapse and any unspent balance shall be carried over to the next year. The Inspector General shall control the expenditure from the funds and submit an annual report to Government on the working of the fund.

TERMS AND CONDITIONS OF SERVICE

241. *Introductory*—We have already made recommendations regarding pay, special pay, allowances and other miscellaneous facilities such as accommodation, medical treatment, etc. Our recommendations should go a long way in improving the morale and efficiency of the Police Force. Several other problems like confirmation, promotion, discipline, right to form association, etc. are of interest to the Police personnel. We propose to examine in this Chapter the existing conditions and procedure in this regard with a view to make suggestions for improvement wherever possible.

242. *Probation and confirmation*—Amongst the non-gazetted staff, Sub-Inspectors and Constables are recruited directly. It has been brought to our notice that there are time lapses before they are put on probation. Thereafter, it takes two years more for them to be confirmed. Until put on probation, they continue to work as temporary Government servants and their services can be terminated by only giving one month's notice. We find that some Sub-Inspectors enlisted in 1953 have continued to be temporary government servants. Security of service is one of the major attractions for Government employment and to deprive the Sub-Inspectors and Constables of it is unfair. The difficulty has arisen because Government have sanctioned a large number of temporary posts for which extension is given from year to year. These posts have not been made permanent though they have been in existence for a number of years and there seems little likelihood of their abolition. We do not think that there is any justification for keeping these posts temporary. We recommend that all posts which have now been in existence for three years should be made permanent. Ordinarily, a recruit should be put on probation immediately after finishing the training course.

243. *Pay to Sub-Inspector, Assistant Public Prosecutor, and Platoon Commander Cadets during training*—The Sub-Inspector, Assistant Public Prosecutor and Platoon Commander Cadets do not get any pay during the course of their training. When they join their training they are required to pay in advance the cost of uniform and books, messing charges and caution money. The reason for not paying any salary to these Cadets during the training period is that they are not appointed at that time to the post for which they are selected unlike the Deputy Superintendents of Police or the Constables who are treated to be in service as soon as they join the training institute and are paid their salary. There appears to be a no reason to make a distinction between the Police Officers of various categories and ranks in this regard. We, therefore, recommend that Sub-Inspectors, Assistant Public Prosecutors and Platoon Commander Cadets should be appointed to the post for which they are selected as soon as they join the training institute and should be paid their salary while they are under training. They should also be provided with uniform at the Government cost at the start of their training as is done in other cases.

244. *Promotions*—Promotions within the Force can be—

- (i) from Constable to Head Constable.
- (ii) from Constable or Head Constable to Sub-Inspector,
- (iii) from Sub-Inspector to Inspector,
- (iv) from Inspector to Deputy Superintendent of Police.

245. *Promotion from the rank of Constable or Head Constable to the rank of Sub-Inspector*—Forty per cent of vacancies in the rank of Sub-Inspector, Civil Police, are at present filled by promotion from the ranks of Constable and Head Constable, Civil Police. The selection is made by a Departmental Committee convened by the Inspector General of Police. The Deputy Inspectors General of Police make the nominations on the basis of recommendations received from the Superintendents of Police. We recommend that the percentage of promotions from the lower ranks to the rank of Sub-Inspector should be raised from 40 to 50 per cent. Some doubts have been expressed about the method of selection for promotion and we would like the Department to carefully examine it and make necessary alterations with a view to ensure that the promotions are made on merit.

246. *Promotion of Sub-Inspector as Inspector*—Every year nominations are invited by the Inspector General from Deputy Inspectors General for inclusion of names of Sub-Inspectors on the following lists of officers:

(a) *List of Sub-Inspectors approved for officiating as Inspector*—Sub-Inspectors having seven years or more of service are nominated for this list. In outstanding cases, even officers, who have put in service of less than seven years and not less than five years, can also be nominated.

(b) *List of sub-Inspectors approved for permanent appointment as Inspector*—Sub-Inspector who is already on the list (a) and has officiated for three years (in exceptional cases for less than three years) as Inspector is put on this list.

We have examined the present procedure and find that this is unnecessarily cumbersome. Every year nominations are invited by the Inspector General and a list of Sub-Inspectors for giving officiating chance as Inspector is prepared. From this list another list for making permanent appointments as Inspector is again prepared. At present there is no minimum and maximum age prescribed for promotion of a Sub-Inspector as Inspector. All Sub-Inspectors who have completed three or more years of service are entitled to be nominated on the list of Sub-Inspectors fit to be given chance as officiating Inspector. We are not satisfied with these conditions and recommend that the minimum and the maximum age limits for Sub-Inspectors who are to be promoted as officiating Inspector should be 30 and 50. Only those Sub-Inspector who have put in a minimum of ten years service and have worked as Police Station Officers for not less than three years should be deemed to be eligible for being put on the list of Sub-Inspectors fit for promotion as officiating Inspector. We do not think that there is any necessity of two lists and officiating Inspectors who are found to have done well should be made permanent when a vacancy occurs.

247. *Promotion from Inspector to Deputy Superintendent*—The existing procedure for the promotion of an Inspector to the rank of Deputy Superintendent appears to us to be cumbersome. The Inspector General prepares two lists (A) and (B), which are sent to Government. These lists are again put before a Board, consisting of a member of the Public Service Commission as Chairman and the Chief Secretary, the Home Secretary, the Inspector General and one Deputy Inspector General, as Members. This Board holds interviews and prepares the final list for officiating promotions. Another list is prepared for permanent appointments from officers, who are working as officiating Deputy Superintendents. All this involves unnecessary waste of time and energy. We recommend a simple procedure, which is as follows:

The Inspector General should forward the names of all the candidates, who satisfy qualifications prescribed for promotion of Inspector to the rank of Deputy Superintendent, with his remarks. These applications should further be screened by the Board and after holding an interview the Board should prepare the final list. Person whose names appear on this list should, in the first instance, be given officiating promotion as Deputy Superintendent and those who work efficiently as officiating Deputy Superintendent shall be made permanent, when vacancies occur.

248. *Departmental proceedings*—Rules in regard to departmental proceedings are contained in Chapter XXXII of the Police Regulations. They have the sanctity of law behind them. We have examined these rules and find that there is a mixture of major rules and minor procedural details prescribed for the guidance of enquiring officers. Unfortunately the minor details have acquired the same legal force as the major rules, for both of them are contained in the same Chapter of the Police Regulations. Small procedural mistakes have, therefore, led to setting aside orders of punishment given by departmental officers. It is a miscarriage of justice if a corrupt, inefficient or undesirable officer should be let off merely on account of procedural technicalities. We, therefore, recommend that the major rules and minor details should be separated from one another and only the major rules should be framed under the provisions of section 7 of the Police Act, so that they have the force of Law.

249. *Delay in departmental proceedings*—Another difficulty experienced in connection with departmental proceedings is that in all complaints, which fall within the category of cognizable offences, a case can be inquired into departmentally only when it has been tried and convicted or acquitted by the court or when a final report has been accepted by the District Magistrate. Similar provisions do not exist in rules for disciplinary proceedings of other departments. The result is that departmental action against a defaulting Police Officer is considerably delayed. During this period, the defaulting officer makes every effort to win over the complainant and witnesses and often he succeeds in doing it. It has, therefore, been suggested that the order of conviction or acquittal or acceptance of final report should not be a pre-condition for starting departmental proceedings as laid down in paragraph 486 of the Police Regulations.

250 *Special casual leave*—No hours of work are fixed for Policemen in our State. They can be called out for duty at any hour of the day

and for any length of time. It is not unusual to find Policemen on active duty for 10 to 12 hours at a stretch. In England, an eight hours duty for the Policemen has been fixed and for overtime work he gets extra allowance. The absence of fixed duty hours causes considerable strain on the Policeman. He cannot get a day off even on occasions of festivals and fairs. On the other hand, on those days he is kept engaged for longer hours. The occurrence of Baqrid and Holi is always a time of trial for our Policemen. We have sympathetically considered the possibility of fixing hours of work but we regret that owing to the non-availability of funds due to poor financial condition of the State, it will not be possible to recommend fixation of duty hours for Policemen. An eight hours duty would mean the increase of the Police Force to more than 200 per cent. Government have sent for our consideration two alternative proposals, namely to give subordinate Policemen one day off in a fortnight or pay special allowance in lieu thereof. We would, however, prefer to recommend that non-gazetted Police Officers and men should be given fifteen days extra casual leave in a year in addition to the leave already prescribed.

251. *Home journey concession*—Since September, 1955, Government have sanctioned payment of fare both ways once a year to such Constables and Head Constables of all branches (with the exception of Government Railway Police and Pradeshik Armed Constabulary) who take leave and go home. Government desired to know the opinion of the Commission regarding this concession. We are of the opinion that this concession should be continued.

PART V
ARMAMENT AND EQUIPMENT

ARMAMENT AND EQUIPMENT

252. *History of Police Arms*—Before going into the particulars of the Police armament, we consider it necessary to give a short history of different varieties of arms issued to the Police from time to time. Up to 1929 the Police had only 410 musket (a smooth bore weapon), which was issued both to the Armed Police and Civil Police. Apart from this, a few .22 bore rifles (a small bore rifle) were issued to the Police for the purpose of sighting practice. In 1930 the Police was given the discarded .303 rifles of the Army, and in 1933 these rifles were suddenly withdrawn as no ammunition for them was available. During the last War, in 1940 the Military Police and Special Armed Constabulary were formed and they were issued .303 rifles (No. 4 Marks I). They were in quite satisfactory condition. In 1944 very light pistol and sten-guns were issued both to the Armed Police and the Special Armed Constabulary. Between 1940-47 some weapons issued to the Police were of the same variety as those in use in the Army but they were in a poor condition. In fact they were weapons considered no longer fit for the Army. The same holds good today. The Army and Police both have .303 rifles. Most of these rifles issued to the Police are Mark IV with one star. This one star is an indication of the fact that these rifles are no longer in a fit condition to be used by the Army at the front. The Police .410 muskets like the carbines they replaced, are but condemned Army rifles whose bores have been smoothened before being issued. Similarly, old ammunition has continued to be issued to the Police.

253. *Scale of arms*—In 1950 the Government of India took up the question of prescribing a uniform scale of arms for the Police throughout India. The scale then fixed is current now. In 1953 for the first time in the history of the U. P. Police 24 sniper rifles fitted with telescopic sights and 450 hand grenades with the requisite demolition sets were issued to the Police for the specific purpose of combating dacoits of the Chambal Valley. We have examined the scale prescribed for different varieties of arms in use by the Police and we do not recommend any change.

254. *.410 muskets*—The weapons used both by the Civil and Armed Police is the .410 musket. Its effective range is about 100 yards. Every Police Station, Rural or Urban, is supplied with eight such weapons. Lately, the scale for this weapon was raised to 12, 10 and 8 for the First Second and Third Class Police Stations, but owing to reasons of economy and non-availability of weapons, the flat rate of eight muskets for a Police Station has continued. The Police Lines at District Headquarters keep a reserve at the rate of one musket for one Constable and Head Constable of the Armed Police and Mounted Police and another reserve at the rate of 10 per cent of the total number of Civil Policemen and the Contingent Reserve. Only the Civil Police and Mounted Police fire their annual practice of this weapon. We consider that 410 musket is a suitable weapon to be issued to Police Stations and the number of

muskets kept at Police Stations is sufficient considering the number of Policemen normally posted there. If, however, any increase is made in the number of Constables at Police Stations, the scale will have to be increased. We are of the opinion that normally these weapons should not be issued to Outposts. If there is need for arms at any particular Outpost, a regular Armed Police Guard should be posted there.

255. *.303 rifle*—The Armed Police Force of the district has been given .303 rifles in addition to .410 muskets for use, while the Pradeshiik Armed Constabulary has only .303 rifles. The Armed Police uses the .410 muskets in dealing with unlawful crowds in towns but for dacoity operations it uses .303 rifles. We are of the opinion that the issue of these two weapons to the Armed Police is necessary. Experiments are being made under the direction of Government of India to produce a .303 rifle cartridge with the same effectiveness as that of the .410 musket. Once that experiment proves successful and those cartridges are produced, the question of retaining or giving up .410 muskets shall have to be examined.

256. *Thompson carbine machine*—Thompson carbine machines are issued at the rate of 9, 6 and 4 to I, II and III class districts, respectively. These are issued to the Pradeshiik Armed Constabulary at the rate of 10 weapons per Company. We do not consider that the number of these weapons should be increased either in the District Executive Force or in the Pradeshiik Armed Constabulary. The ammunition supplied for these weapons is adequate. Thompson carbine machine is used by Head Constables, Platoon Commanders, Sub-Inspectors, Armed Police, Reserve Sub-Inspectors, Reserve Inspectors and Gazetted Officers for practice.

257. *Bren gun*—Bren guns, which are high velocity automatic weapons, are issued to the District Executive Force at the rate of 1 Bren gun per 100 Armed Policemen and to the Pradeshiik Armed Constabulary at the rate of 2 per Company together with 2 in reserve for practice at the Battalion Headquarters. The Police has been given this weapon for use against gangs of dacoits. We see no objection to the Police continuing to use them against Armed gangs of desperate dacoits. Their number is adequate and the ammunition for practice is sufficient.

258. *Revolver*—The revolver is the main weapon of use by all Officers of and above the rank of Sub-Inspector. We do not think that the use of this weapon should go down to any lower ranks of Police Force except Shadows and Gunmen, who are at times of the rank of Constable and Head Constable. There are two varieties of these weapons with the U. P. Police namely .455 and .38 Revolvers. In .455 revolver again there are two varieties—One has a long barrel and the other short. However, in .38 revolver, the two varieties differ basically. One is by Smith and Wassen in which the Chamber rolls outside ways and the other is by Webley and Scott in which the barrel is broken at the top by pressing a spring to put cartridges in the Chamber. A few .32 bore pistols and revolvers and .25 bore pistols and revolvers are issued to Shadows and Gunmen.

259. *Scale of practice ammunition*—We considered the present scale of practice ammunition and found that although adequate ammunition

was supplied in the case of all other weapons, the present scale of practice ammunition for revolvers and pistols is inadequate. Only 60 rounds are issued for practice in a year, which an Officer fires during the course of one practice. It does not make him proficient in the use of revolvers and pistols. We recommend that practice with revolvers or pistols should be done by every Officer once in every six months and the scale of ammunition should be increased to 120 rounds from 60. Officers of and above the rank of Sub-Inspector are also allowed to purchase 50 rounds of revolver ammunition to supplement practice ammunition. The purchase is, however, rarely made as no ammunition is available. It is recommended that these Officers should be allowed to purchase 100 cartridges instead of 50 sanctioned at present.

260. *Some observations about arms*—We have noted that in the same kind of weapon there are varieties. As an example, the Police is armed with .303 rifles, yet there are two varieties of it, and of these, the second variety, which is Mark IV, has also two different kinds. Similarly, we noticed that although the revolvers issued are of only two different bores, yet both of them have two different varieties. In the interest of proficiency and upkeep of the weapons, we strongly recommend that in the same kind of weapon, only one variety should be issued. Efforts should also be made to issue fresh ammunition to the Police.

261. *Tear gas*—We considered the use of tear gas by the Police. At present Tear Gas Squads comprising of 1 Sub-Inspector, 2 Head Constables and 8 Constables each are posted in the cities of Kanpur, Agra, Varanasi, Allahabad, Lucknow, Aligarh, Moradabad, Gorakhpur, Jhansi, Meerut and Bareilly. The tear gas shells and grenades are very expensive and involve expenditure of foreign exchange. The Government of India is, however, now arranging for the production of shells and grenades locally, and it is hoped that ammunition at cheap rates and in large quantities will soon be available. We recommend that Tear Gas Squads should be created in all towns of the State with a population of 1 lac or above, and adequate number of men trained in the use of tear gas.

262. *Uniform*—We have examined the scale and type of uniform supplied to the Police Force. In general we are of the opinion that certain articles of uniform issued are not adequate in number or the period of their replacement is too long. There are also some articles whose period of replacement is too short. These are matters of detail and we would like Government to set up a Departmental Committee to consider the pattern and scale of the uniform for all branches of the Police Force and their serviceability. We would like this Committee to consider whether the Red Safa issued to the Armed Police and the Khaki Safa with red band issued to the Civil Police should not be replaced by Fatigue or another type of Cap. This Committee may also consider the question of issuing Mosquito Nets in malarial areas and waterproof Capes and Hoods to Constables engaged on certain specified duties, such as Traffic Police.

POLICE MOTOR TRANSPORT

263. *General*—The U. P. Police has a fleet of 679 vehicles, most of which, we are informed, are old and worn out. Many of them were obtained from the disposals and a perusal of the history of their working shows that the maintenance of these vehicles is not only costly but also inefficient. Some idea about the condition of the motor transport of the Police Department can be formed by the fact that as many as 240 vehicles are considered definitely unreliable for work. The *ad hoc* Committee, which Government had appointed for (1) determining the strength of motor transport in each district and in each Battalion of the Pradeshik Armed Constabulary and other Branches of the Force, and (2) working out the serviceability of the present vehicles and the manner of replacement, has not yet come to final decisions and the Commission could not have the benefit of its opinion. We understand that according to standards laid down by Government a motor vehicle is expected to last about 15 years and to do 90,000 miles. The Police vehicles have to run on rough and unmetalled roads. In case of emergency they have to be driven too fast. The ideal conditions of loading cannot always be observed and there are occasions when the vehicles are overloaded. We consider that the life of the vehicle and the running mileage are excessive and should be reviewed by a Committee of experts. We recommend that the normal replacement of vehicles due to wear and tear should be done regularly and vehicles, which are now off the road, should be replaced by new ones within a period of 5 years.

264. *Police Motor Workshop*—We have examined the working of the Police Motor Transport Workshop and its usefulness for the Department and have come to the conclusion that the Workshop is both inefficient and expensive. Hence we recommend that this Workshop should be closed and the Department should get its motors repaired by the Transport Department at District Headquarters. We hope that a working agreement will soon be made between the Home Department and the Transport Department. In making this agreement it should be borne in mind that the work of the Police is of an extremely emergent nature, and that the vehicles must be kept in proper running condition for use at all times. We also recommend that the Department should have a Special Officer, who should be attached to the Police Headquarters and whose main functions would be to carry out periodical inspections of all vehicles and tender technical advice for their repairs.

265. *Vehicles for Deputy Inspectors General*—We have already emphasised that the Range Deputy Inspectors General should do more of touring. They should visit not only towns but stay overnight in the rural areas. We have been informed that Staff Cars of the Range Deputy Inspectors General have been withdrawn. If they have to do

touring by road in the rural areas, they must be provided with transport. We, therefore, recommend that suitable vehicles, like jeep, station wagons should be supplied to Range Deputy Inspectors General.

266. *Transport for Superintendents of Police and other Gazetted Officers*—As regards the Superintendent of Police, we are of the opinion that he should not be required to maintain a horse and no horse allowance should be paid to him. Car allowance at Rs.100 per month should continue to be given to Superintendents of Police in KAVAL towns and of Meerut and Bareilly, but they should not be permitted to use Government vehicles within the Corporation or the Municipal limits. In other towns too, the Superintendents of Police should not be allowed to use Government vehicles for routine duty within the Municipal limits. They would, however, be entitled to use Government vehicles while touring in the country-side. The rule which applied to Superintendents of Police shall also apply to other Gazetted Officers of the Police, namely that they shall not be allowed to use Government vehicles within the Municipal limits. However they shall be entitled to use Government vehicles when touring in the country-side.

267. *Transport for Sub-Inspectors, Head Constables and Constables*—We have no doubt in our mind that the Police Officers and men working in the field should be provided with quicker means of transport. With the development of roads and quicker means of transport, in most of the places the horse has become out-moded, and we recommend that the Sub-Inspector should ordinarily be provided with a Scooter or Motor Cycle. There are, however, some Police Station Circles where the roads are not developed and the use of the horse may be found necessary. For such circles the Sub-Inspector should be treated as an exception and may be allowed to keep horses. Sub-Inspectors, who are required to keep horses, shall be entitled to the normal horse allowance. We realise that the Sub-Inspectors are not financially in a position to purchase Scooters or Motor Cycles and that they should be given some subsidy for their purchase. We recommend that the Government may give a subsidy of 50 per cent of the cost of the Scooter or Motor Cycle but in no case it should exceed Rs.750 for a Scooter and Rs.1,000 for a Motor Cycle. This subsidy should be permissible once in every 10 years for a Motor Cycle and once in every 7 years for a Scooter. They should also get an allowance for the running and upkeep of the Scooter or the Motor Cycle at the rates already recommended by us. We also recommend that every Head Constable and Constable of the Civil Police directly concerned with the law and order duties should be given a Cycle Allowance of Rs.3 per month, if he maintains a Cycle.

COMMUNICATIONS

268. *Introductory*—The Police should be organised with a view to ensure prompt action in all law and order matters. The public should have the facility to report incidents and ask for help easily and without delay. The Police authority receiving the information should have the means to disseminate it promptly and to issue instructions regarding action to be taken, as quick transmission of information is an essential adjunct to prevention of crime and apprehension of criminals. The telephone and the radio have, therefore, become necessities for the Police Department. In this Chapter, we will examine as to how far these facilities are available to the U. P. Police and make suggestions for bringing about improvements.

269. *Telephones*—The means of communication at the disposal of the Police in U. P. have not kept pace with modern developments. There are large number of Police Stations and Outposts which have no telephone connections even though a Telephone Exchange exists nearby. We recommend that every Police Station and Outpost without regard to the area in which it is situated should be connected with a telephone, wherever that facility is available. In bigger towns, where telephone traffic is heavy, a Police Exchange (PBX) should be established. The telephone facilities should be provided to Police Stations and Outposts without delay and the programme of installation should neither be phased nor prolonged. The Police Stations and Outposts which are not within reasonable reach of the telephone should be brought on the radio link.

270. *Radio Communication*—Almost all advanced countries in the world have established a net work of radios for its Police. The main function of this network is to ensure prompt and uninterrupted communication of messages with secrecy. Radio communications are used for—

- (1) Transmission of urgent communication over long distances.
- (2) Co-ordinating, patrolling and chase of criminals in larger towns.
- (3) Co-ordinating activities of various Police Units distributed over a large area.

The Uttar Pradesh was the first State in India to organise a State-wide Police Radio Net-work. In the last 20 years of its life the Radio Section has amply justified its existence. The good work done by the Radio Section during the recent strike of Central Government employees, the Kumbh and Ardh Kumbh Melas and floods has been widely appreciated. A time has now arrived to expand the net-work of radio communication for the Police.

271. *Radio stations*—The Radio Section was established with a nucleus of six stations. It has grown rapidly and the present strength of Radio Stations is 300. The net-work consists of Static Stations at district headquarters, mobile stations for the P. A. C. Battalions, radios fitted vehicles in KAVAL towns and similar vehicles for other emergencies. A large number of temporary stations both static and mobile are being utilised for the border security. It has been brought to our notice that the reserve of mobile stations with the Radio Section is now fully booked for dacoity and other operations. These operations have been going on for long and there seems to be little possibility of their being wound up in the near future. As a result it has become very difficult for the Radio Section to send Mobile Radio units to other places in cases of law and order emergencies. It is, therefore, necessary that the strength of the Reserve Mobile Stations should be revised and fixed according to needs. In fact, we would like that the State Radio Section should have Central Control Room and an adequate number of radios fitted on mobile vehicles which could be sent to any part of the State soon after receipt of orders.

272. *Intra District Radio Net-work*—We have recommended that all Police Stations in the State which cannot be brought on telephone should be linked with the wireless. For this purpose, an intra-district net-work shall have to be established. We have examined the relative merits of the radio telegraphy and the radio telephony, and we recommend that for intra-district work radio telephony and V. H. F. band should be used because suitable frequencies shall then be available. Although the initial cost of installing V. H. F. radio telephony will be heavy, it will be off-set by cheaper cost of maintenance. There is the added advantage that V. H. F. telephone equipment including transmitters and receivers are being manufactured in India and no foreign exchange will be involved. Some intelligent Constables attached to Police Stations on the radio link should be trained to handle the equipment, including batteries and terminals. A small Sub-Regional Workshop with adequate spares and technicians shall have to be set up at the District Headquarters, with four to six men. The equipment should be provided with selective callings, which will ensure prompt attention. It is estimated that the initial cost for a Police Station would be roughly about Rs.20,000 and the recurring annual cost about Rs.2,000. It may not be possible to instal the radio equipment in all districts at once and the programme may be implemented gradually in the next five years. In phasing the programme priority should be given to Police Stations and Outposts after taking into account the following factors:

- (a) Law and Order and crime situation;
- (b) Distance from the district headquarters; and
- (c) Accessibility of the area.

273. *Administrative set up*—(i) The Police Radio Section constitutes a complete and self-contained unit of the Police controlled and administered by the State Radio Officer. To assist him a post of Additional State Radio Officer and four posts of Assistant Radio Officers, one of which is temporary, had been sanctioned. The Assistant Radio Officers have been posted to the Section, but the post of Additional State Radio Officer continues to remain in abeyance since 1952. The Radio Section has now considerably expanded and is likely to expand further in view of our

recommendations. The technical efficiency of the organisation must be maintained by continuous planning and co-ordination. The State Radio Officer has also to go out on tours to check the efficiency of field units, and it would not be possible for him to cope with all the work and maintain efficiency. We recommend that the post of Additional State Radio Officer should not any longer be held in abeyance and an officer of the rank of Superintendent of Police should be appointed.

(ii) At present 1,336 subordinate personnel are employed in the Radio Section (Appendix XXIV). The strength of Operators appears to be adequate, but the number of supervisory and technical staff (Radio Inspectors, Radio Maintenance Officers and Technicians) is inadequate. No principles, seem to have been followed in sanctioning the strength of the supervisory staff. The Ministry of Home Affairs, has, however, laid down certain standards and we recommend that these standards should be followed in sanctioning the Radio personnel.

(iii) We regret to note that out of the 1,336 employees of the Radio Section as many as 487, i.e., more than 33 per cent are temporary, which is not conducive to the maintenance of discipline or morale. The temporary staff is always on the look out for outside jobs and we, therefore, recommend that as far as possible the temporary posts should be made permanent without delay.

(iv) Some Civil Police Constables are attached to Radio Stations for being used as Messengers. We have already accepted the policy that Policemen should not be put on non-Police work. We, therefore, recommend that all the Civil Police Constables, who are doing Messengers' work in the Radio Section should be withdrawn and replaced by Messenger Peons. For all Radio Stations, which work for 24 hours, two Messenger Peons should be sanctioned.

(v) The Radio Section has a Workshop at the Headquarters and Small Maintenance Units at the Range Headquarters. The Workshop at the Headquarters has done creditable work in putting up additional stations and by fabricating transmitters and receivers either by cannibalising old equipment or from components purchase from disposals. It has resulted in considerable saving, and we recommend that the Workshops at Lucknow and at Range Headquarters should be adequately staffed and equipped.

274. *Pay scales*—We shall now proceed to examine the pay scales of the personnel engaged in the Radio Section. The Technical Standards Committee appointed by the Government of India had recommended the following scales of pay for the employees of the Union Radio Section:

(i) Assistant Wireless Operator, Rs.75—3—105.

(ii) Wireless Operator, Rs.80—5—120—E.B.—8—200—10—220.
Proficiency Pay of Rs.40 for Grade I and Rs.20 for Grade II.

The Central Pay Commission have revised those scales and at present they are:

(i) Assistant Wireless Operator, Rs.125—3—131—4—155.

(ii) Wireless Operator, Rs.150—5—160—8—240—E.B.—8—280—10—300.

Proficiency Pay of Rs.40 for Grade I and Rs.20 for Grade II.

It is well known that the salaries payable to employees of the Union Government are higher than those payable to employees of the State Government having same qualifications. We should not, however, overlook the fact that there is a scarcity of trained technical personnel and unless the pay scales of the Radio personnel in Uttar Pradesh are improved, trained men working in the U. P. Police Radio Section will have a tendency to migrate to the Union Government Departments or to other States. After considering these points we recommend the following scales of pay :

- (i) Assistant Radio Operator, Rs.75—3—105.
- (ii) Radio Operator, Rs.80—5—120.
- (iii) Head Radio Operator, Rs.120—8—200—10—220.

We do not however, recommend any increase in the proficiency allowance or trade pay of Operators which should remain at Rs.17.50 for Grade II and Rs.20 for Grade I. In addition to the pay and the proficiency allowance, these persons shall be entitled to the usual dearness pay and dearness allowance.

275. *Training tests*—The minimum qualification for enlistment as Assistant Radio Operator should be as laid down by the Technical Standards Committee. Before an Assistant Radio Operator is promoted to the post of Radio Operator, he must have served for a minimum period of three years as an Assistant Radio Operator and should have passed the Second Grade Examination. Similarly, no Radio Operator should be promoted to the post of Head Radio Operator unless he has served for a minimum period of three years as a Radio Operator and has passed Grade I Examination. The present arrangements for giving training to Radio Operators in Radio Technology and Mechanics appear to be working satisfactorily. We recommend that all Head Radio Operators should be required to qualify as Radio Technicians in Grade II and Operators who have passed in Grade I should be legible for an additional pay of Rs.30.

PART VI
INTEGRITY AND MORALE, PUBLIC RELATIONS

INTEGRITY AND MORALE

276. *Special Features of Corruption*—The Police Department has for long been notorious for corruption. Corruption in any form and in any department is bad enough, in the Police it is disastrous. The Policemen is by law vested with great powers. He can deprive men of liberty of person. In other departments generally the bribe takes the form of accepting money for doing some favour; the Policemen, however, has the power to extort money through physical and mental torture. We have noted with some satisfaction that extortion has been on the decline. Corruption in the Police Department also acquires grimness because the Policeman has to deal with a wide section of the people. He is the protector of the life and property of the citizens of India. Corruption is not peculiar to the Indian Police. With the possible exception of the English Police, Policemen all over the world have been known for corruption. Almost all Committees or Commissions, which have sat on the Police, have complained of the prevailing corruption in the Department. The Indian Police Commission presided over by Hon'ble Sir Andrew H. L. Fraser, K. C. S. I., has commented as follows in paragraphs 84 and 85 of the report:

“A matter which was brought prominently to the notice of the Commission at the beginning of their labours is the difficulty of removing officers, who are notoriously corrupt though their corruption cannot be proved by evidence of specific acts. It was suggested that it would be both justifiable and wise to accept in such cases evidence of general repute. Opinion was accordingly invited upon this proposal and the majority of witnesses in every Province were in favour of its adoption. Under section 117(3) of the Criminal Procedure Code, the fact that a person is an habitual offender may be proved by evidence of general repute, and if such evidence is admissible to establish a conclusion which may lead to the infliction of imprisonment for a term of three years, the Commission see no reason to exclude it in an enquiry into the character of an officer when the result of that enquiry will, at the most, result in removal from the public service.”

With certain safeguards the Commission recommended that the proposal would prove extremely beneficial in getting rid of Policemen who have forfeited the confidence of public and of Government and are bringing grave discredit upon the services. Almost 60 years have expired since the recommendation was made by the Indian Police Commission, but the Police Department is no better today. There is little doubt that corruption is rampant in the non-gazetted ranks of the Police Force. Imputations of corruption against gazetted ranks are not wanting, but they are not so pervading in their character. We do not think that corruption has assumed a serious shape among the higher ranks of the Police namely gazetted officers, and we are not prepared to give credit to vague allegations. Before making suggestions for the eradication of corruption it seems necessary that the causes thereof should be analysed,

277. *The past legacy*—It is sad reflection, nonetheless true, that long subjection and methods adopted by the British rulers have left behind a legacy of feeling in the public mind that no subordinate Government servant of any department is capable of discharging his ordinary functions without his palms being greased. A vicious circle has been generated inasmuch as the subordinate Government servants have also begun to believe that the fact of rendering official service entitles the official to some remuneration outside his salary. This has contaminated the entire atmosphere and corruption has become a bane in the subordinate ranks of all governmental departments. Whether the Police Department is more corrupt than other departments yet remains a matter for investigation, but the Police Department has attracted more criticism for its unscrupulousness than any other department. There is good reason for it, for the Police has to come in direct contact with the public at large. It also enjoys vast powers to harass and annoy people. Day in and day out leaders and members of political parties arraign the Police for its corruption but we do not know of instances where any political party has tried to raise the morale of the Police or helped in suppressing corruption. On the other hand that statement of the Home Minister during his Budget Speech of 1961-62 giving figures of ex-convicts and bad characters, who have found shelter by entering the membership roll of different political parties, is a sad commentary on the public life of the country. We are sure unless publicmen and political parties join hands in raising the standard of morality of the Police Department and of the people, there can be no end to corruption.

278. *Improvement of service conditions*—It is a truism that the poor service conditions are an important cause of tempting Police Officers and men to resort to corrupt practices. We agree that a dishonest officer does not become honest merely by improving his service conditions, nonetheless there is no doubt that the improvement in service conditions will remove the argument, however, weak it may be, that the Police Officers have to resort to corrupt practices to meet their family needs. We have made recommendations for improving the service conditions of Policemen in various places in the report. We regret that we could not go as far as we wished, because of the limitations of financial considerations. Nevertheless, we hope that our recommendation would go along way to remove the grievances of the police. We wish to make it clear that much of the success in removing corruption will depend upon the sense of pride, attitude efficiency and integrity of Policemen. The superior officers should constantly bear in mind that their subordinates wield large powers and that power corrupts, all the more when it concentrates in the hands of persons who are economically weak and unsound. We, therefore, recommend that with a view to curb tendencies leading towards corruption it is imperative that strict supervision should be exercised by the superior officers of the gazetted ranks on their subordinates. This supervision should take two-fold form (a) a constant vigilance on the work of subordinates by senior officers, who should take stern action against subordinates, who fail to do their work promptly and honestly, and (b) a constant touch with the general public so that the superior officers may know of the quality of work and character of their subordinates. With those ends in view we have already recommended that the gazetted officers of the Police Department should be relieved of duties which are not of Police nature. We have also made a recommendation for reducing the size of the Police Circles. These proposals should improve the quality

of supervision which in its turn will reduce corruption. It is also necessary that the superior officers set an example to their subordinates by their upright conduct, unimpeachable integrity and qualities of leadership. The superior officers, including the Superintendent of Police must pay attention to man management and the welfare of their subordinates. They should fraternize them more frequently and intimately. They should also keep contacts with the people and acquaint themselves with their feelings. We are of the opinion that while the Superintendent of Police and other superior officers should be extremely jealous of the reputation of their department, they should be firm in the discharge of their duties and insist on the observance of decorum on the part of subordinate Policemen.

279. *Punishment and complaint scheme*—The next obvious step to fight corruption is to put the fear of detection and speedy and effective punishment in all officers and men. We have noted with considerable regret that in many cases where complaints have been substantiated, the punishments meted out were far too lenient. Only the Integrity Certificates of the offenders were withheld. A lenient punishment in cases of corruption places on it a premium.

Since the Independence, the Uttar Pradesh Government has been feeling greatly concerned about complaints of corruption in the Police Department. In consequence the Complaints Scheme was started in February, 1956, when the Administrative Department was set up to provide a machinery for making enquiries into the complaints of corruption and extortion against the non-gazetted personnel of governmental departments. In the case of Policemen, enquiries could also be made into complaints of harassment and acts of wilful vindictiveness. The Deputy Inspector General of Police, Criminal Investigation Department, is in charge of this Department. He is assisted in supervising and controlling the work by a Superintendent of Police and three Deputy Superintendents of Police. Forty-five Deputy Superintendents have been posted in districts to enquire into complaints received by them and have been provided with jeeps, so that they may make enquiries on the spot expeditiously. They work under the control of the Superintendent of Police of the district of their posting and their work also is subject to the Supervision of the Range Deputy Inspector General.

280. *Functions of Deputy Superintendent, Complaints*—The Deputy Superintendent of Police 'Complaints' makes enquiries into applications sent to him by the Superintendent of Police. He has the power on his own initiative to make enquiries against Policemen in emergent cases, when he cannot obtain orders of the Superintendent of Police. The Heads of other departmental offices in the district forward complaints against their non-gazetted staff through the District Magistrate, who hands them over to the Deputy Superintendent 'Complaints'. The report of the Deputy Superintendent is submitted to the Superintendent of Police, who forwards it with his comments to the Deputy Inspector General, Criminal Investigation Department, Range Deputy Inspector General and relevant local Head of Office through the District Magistrate. These reports are carefully scrutinized at the Administration Headquarters to check that the enquiries have been made fully and impartially. It is also the duty of the Headquarters to keep watch that adequate punishment is awarded in complaint cases, and that in case of inade-

quate punishment to move the appropriate authority to take further action.

281. *Working of complaints scheme*—In each of the years 1956, 1957, 1958 and 1959 the number of complaints investigated by the Deputy Superintendents 'Complaints' throughout the State has been more than 5,000. The percentage of complaints against Police personnel found correct, ranged between 22.5 per cent to 26.5 per cent. The low percentage of proved complaints may have been due to two causes. One of them according to the Department, is that the majority of the complaints are false. We are not inclined to agree with this view, for the public at large still labours under the fear of the Police and few persons have the courage to challenge Police Officers, however, just the cause may be. In fact a complaint against a Police Officer is lodged only as the last resort. There is also the general feeling that the Deputy Superintendent 'Complaints' is himself a part of the Police machinery. The real cause of the failure of vast majority of complaints appears to us to be the difficulty of securing evidence against Policemen. After the complaint has been made, numerous influences are brought bear on persons concerned, including the complainant and witnesses. Some interesting cases in this regard have come to our notice. Even so, we are not prepared to denounce the scheme totally. It has done some good. The aggrieved persons feel that after all there is a place, where they could seek redress. We are told that in 5162 complaints that were substantiated during the four years, 1956 to 1959, more than 6,000 Policemen have been punished. The figure includes 242 Police Officers, who were dismissed on the basis of investigations made by the Deputy Superintendent 'Complaints'. Besides, 92 Village Chaukidars were also dismissed or removed from service. The main defect of the scheme is that the Deputy Superintendent 'Complaints' work under the control of the Superintendent of Police of the district of his posting and hence does not inspire confidence in the public. We, therefore, recommend that the Deputy Superintendent 'Complaints' should work under the control of the Deputy Inspector General, C. I. D., and he should not work under the Superintendent of Police of the district of posting.

282. *Anti-Corruption Committees*—Government had set up Anti-Corruption Committees at district headquarters as watch committees to ensure that corruption is reduced. These committees have no power to make enquiries or supervise the conduct of enquiries by the Deputy Superintendent 'Complaints'. As the matters stand, members of these committees have little time to devote to investigating long drawn corruption complaints. In the result the committees have not been successful in eliminating or reducing corruption. We have considered the question whether these committees should be given any powers to conduct enquiries or to control or supervise the progress of enquiries, and we are of opinion that these committees are not suited for the purpose. We do not, therefore, recommend the vesting of any such powers in these committees. The existence of these committees had raised hopes, which in practice have been belied. We do not, therefore, recommend continuance of these committees.

283. *Retirement of inefficient officers*—We would like to refer to another proposal made by the Indian Police Commission which is also

connected with the Police morale. The following observations of the Indian Police Commission are worth noting:

“Another proposal upon which opinion was obtained was the desirability of removing inefficient officers upon reduced pensions or gratuities. No private employer would for a moment submit to the injury to his business caused by the retention of lazy or incapable servants yet the business of administering the country is allowed to suffer incalculably from this cause. The interests of the individual are permitted completely to override the public interests. Up to a certain point the same emoluments and the same pension are secured by laziness and incompetence as by energy and capacity. This is wholly indefensible and has been condemned without hesitation by the majority of the witnesses, who have given opinions upon the subject. . . .”

We have a somewhat unorthodox proposal to make in this regard. It is that the Government should appoint a high-powered Commission consisting of a member of the Uttar Pradesh Public Service Commission, a high officer of the Police Department not below the rank of a Deputy Inspector General of Police and senior of the rank of Divisional Commissioner which should continuously scrutinize the character roll, efficiency and integrity of Policemen. At the end of the tenth year and thereafter at the end of the twentieth year of service, the character roll efficiency and integrity of every Sub-Inspector and other non-gazetted officers above the rank of Sub-Inspector should be carefully examined by this Commission, necessary explanations called for and hearings given and officers who are found to be dishonest or inefficient should be made to retire on proportionate pension. We would like it to be examined if this scheme could be applied to the existing Police personnel. We have no doubt in our mind that if it is applied to all the Police personnel, there is bound to be great improvement in the morale, efficiency and integrity of the Police. The scheme should, in any case, apply to all Sub-Inspectors recruited hereafter. In making this recommendation we are by no means oblivious of the fact that security of service among Government employees is highly prized, but consideration of individual security should not be allowed to outweigh public interest.

284. *Chances of promotion*—We are of opinion that while the inefficient and corrupt officers must be punished, or removed, Policemen entering the lowest ranks that is as Constables, should have the opportunity to rise to the highest level. Those among them, who achieve success and make mark for efficiency and integrity, should be given an opportunity to undergo further education and training and allowed to rise higher. This does not mean that all direct recruitment as Sub-Inspectors and for higher ranks will come to an end. We have already recommended elsewhere that a certain percentage of posts will be reserved for promotion. Here we further recommend that outstanding Constables and Head Constables should at the expense of the Police Department be given an opportunity to get higher education and training.

PUBLIC RELATIONS

285. *Unpopularity of Police*—The Police can never be successful in its mission unless it secures a large measure of co-operation and assistance from the public. Unluckily, however, the U. P. Police does not enjoy the confidence of the public and is rather unpopular. As a result the public remains either indifferent or hostile to it. We shall now proceed to analyse reasons, which have contributed towards the unpopularity of the Police with the public.

286. *Causes of unpopularity*—We cannot overlook the fact that the nature of work done by the Police does invoke on occasions an amount of hostility. In fact the Police is unpopular all over the world, the only exception being England, where it enjoys an enviable position of trust and confidence. The unpopularity or otherwise of the Police is not a constant factor but is subject to oscillations with times and conditions. In fact at times in certain areas the Police is known to have endeared itself to the people by its daring and courage against anti-social elements such as dacoits, professional bullies and bad characters. On other occasions a bitter attitude of hostility has sprung up against the Police by the performance of legitimate acts with over-enthusiasm and extra vigour. Even in England, periods when the Police became highly unpopular have not been unknown. In India for several decades the Police had been engaged in doing unpleasant jobs under the orders of the British rulers. In our own days it is often called upon to deal with political, labour and student agitations arising not from the looseness of law and order but because of certain governmental and other general policies. Recently, the Police was called upon to resist mass raids on Government grain godowns organised by a certain political party. Similarly, another political party started movement known as "Ghera Dalo" to stop the work of officials by surrounding them. The general strike of the Central Government employees is another instance in issue. On such occasions the Police has no alternative but to break demonstration by the use of force and arrest and prosecute agitators. The civic sense of our people has not sufficiently developed and even on deserving occasions they do not side with the Police. Thus there is considerable truth that on many occasions the Police has been maligned for cause beyond its control. We are, however, confident that the feeling of unpopularity and hostility, resulting from the performance of unpleasant duties, can be considerably mitigated by genuine endeavours on the part of the Police to establish cordial relations with the public and by generating an atmosphere of confidence. It makes it necessary for officers and men to work with a spirit of sympathy and cordiality. Cordial relations between the Police and the public shall develop if, besides enforcing law and order, the Police also performed some social services. We know how the English Bobby comes to the rescue of harassed girls, slow-moving old men and lost children. Some advanced countries have created wings of the Social Police, and we are glad to note that the example has been emulated in a few towns of our State. In Naini Tal, we understand, that an "Any Service squad" has been

formed. Smart and intelligent Constables are selected and sent out at peak hours of the traffic to busy places. On their shoulders they carry badges of 'Koi Seva'. These Constables move about and give necessary information or help to needy persons. We have not been able to get full details of the working of the Squad. However, we have no doubt in our mind that such Squads would prove very helpful in popularising the Police. To begin with they can well be introduced in KAVAL Towns.

287. *Politeness and courtesy*—The attitude of hostility created against the Police cannot be attributed entirely to the nature of duties performed by it, for in the ultimate analysis it is the way the Police functions which counts in making it popular and unpopular in the public. The rough and over-bearing behaviour of a Policeman in his dealings with the public and victims of crime and an unsympathetic attitude adopted by the staff of the Police Station in recording the First Information Report are some of the factors contributing to the unpopularity of the Police. Not only criminals but decent citizens too are often treated in an uncivil manner at the Police Station. It is obviously irritating. The Police must be able to assure that criminals would be meted out with just punishment, but the requirements of law abiding citizens would receive prompt and courteous attention. Politeness and courtesy are virtues which must be developed in the Police Force. People, who have suffered at the hands of criminal deserve tenderness which would create a lasting bond between the sufferer and the Police, that will not easily give way even if the Police, despite its best efforts, fails to work out a case. Negligence, indifference and half-hearted approach on the part of the Police create feelings of frustration and disappointment and make the people suspect that the Policemen are hand in glove with criminals. We have no doubt in our mind that if the Police takes a strong attitude towards turbulent and anti-social elements and deals with them with firmness, it will win approbation of the public instead of incurring its displeasure. So far as politeness and courtesy are concerned, they can be developed only through proper training and supervision and example of the superior officers. We suggest that while judging the work of Inspectors, Sub-Inspectors and Head Constables, it should be mentioned whether the officer has been courteous and polite in his behaviour with public.

288. *Delays in investigation*—Numerous complaints have come before us that investigations are taken up with considerable delays and are conducted in a non-chalant manner. Sometimes the complainant besides having to offer money or presents to secure an early attention, has to lodge and feed the Police Officer and his associates. The witnesses have to dalice attendance on him, accompany him from place to place, present themselves at the Thana day after day and submit to numerous inconveniences and suffer loss of their work. They are treated coarsely, particularly when they refuse to make statements in consonance with the wishes of the Investigating Officer. While attending Magistrate's Court the witnesses are not paid adequate diet or travelling allowances. The cases are postponed too often and repeated attendance on days of hearings not only causes personal inconvenience but also loss of vocation to the witness. All these naturally create prejudice against the Department and act as deterrent to sufferers from lodging reports and to witnesses from coming forward for deposing in the court. We have already made our recommendations reducing the work-load of Investigating Officers and recommending that ultimately there should be no

Police Station with less than two Sub-Inspectors. This would remove delays in investigation. We also recommend that the witnesses should be paid adequate diet and travelling allowances. We hope that our recommendations will go a long way in removing most of these difficulties.

289. *Crooked investigations*—Another important cause of the unpopularity of the Police arises from a feeling in the public mind that Policemen are unscrupulous and take recourse to stratagem, Crookedness and falsehoods to get cases convicted. There is also a feeling that in order to win a probation and prizes, Policemen go out of their way to prosecute and get innocent people convicted. These feelings may not be fully justified but there is a sub-stratum of truth in them. In defence of the Police it may be urged that it is often called upon to work out cases, which are shrouded in mystery, and has to glean information from unresponsive, illiterate and timid people, not fully alive to civic duties. The possible remedies to remove these evils are (a) inculcation in the public of awareness of civic responsibilities, (b) equipping the Police with scientific facilities for detection of crime, (c) efficient training in investigation, and (d) simplifying laws to meet the needs of an unsophisticated society.

290. *Police and public demonstration, meetings, etc.*—The relations of the Police with the public are to a large extent determined by the manner in which it deals with public demonstrations such as processions and meetings. The Congress adopted the strategy of fighting with the British through mass rallies, meetings and processions to mobilize the anti-British feeling. Since the Independence numerous processions and meetings are being organised by political parties and others to ventilate public grievances. The tendency is on the increase. Article 19 of the Constitution gives the Indian citizens the right to freely express opinions, and to organise assemblies and associations of unarmed persons. The unarmed mobs in India, says the Inspector General of Police, Sri M. S. Mathur "are somewhat different to mobs in other more developed countries. Here the leadership of the mob always passes on to the goondas and the main issue gets lost in the woofs and warps of hooliganism. The mob in India invariably takes to violence and arson and unless and until better civic sense develops, the present system will be difficult to change." We share the feelings of Sri Mathur that the peaceful and unarmed mobs in India often have a tendency to suddenly take to violence and have the handy weapon of brick-bats always at their disposal though we cannot accept that the Indian mobs invariably take to violence and arson. The task of the Police Officer, therefore, becomes all the more difficult for he has to preserve both the fundamental right of the citizens to ventilate their grievances and assemble peacefully and at the same time to see that there is no breach of peace or tranquillity. This would need on the part of the Police Officer tactfulness, patience and an understanding of human psychology.

291. *Use of force*—The ultimate sanction with the Police is the use of force. It may take the shape of cane charge, lathi charge or firing. Of late water-hose and teargas have also been used. The use of force, whatever may be its shape or form, makes the Police highly unpopular, yet as things stand it is not possible for us to recommend the total abolition of the use of force or even if the use of firearms. Nevertheless, we are of the opinion that force should be used sparingly and only when other means, discussion and persuasion, to disperse the

mob have failed. The law gives ample power to the Police to disperse unlawful assemblies. We have given anxious thought to the question whether any limitation should be placed on the discretion of the Police Officers to use force, and we have come to the conclusion that it will be extremely unwise to do so. A Police Officer must be left to his own resources and good sense. A good officer should be able to understand motives which have prompted the people to collect. Once he has done so, he will be able to know whether the crowd has gathered with any pre-determined plan to disobey the law or create a disturbance or it has just gathered to ventilate grievance and agitate for a cause. In the latter case, there are greater chances that the persuasion will succeed. We have no doubt in our mind that the force used must be the minimum as is already laid down by the rules. Some witnesses have urged that the Police should in no circumstances resort to firing on unarmed mobs. "We cannot follow the principle of U. K. where the Police go unarmed to combat mobs," says Sri M. S. Mathur "As regards Armed Police, it should be sparingly used to deal with unarmed mobs unless the latter resorts to violence. . . . The Armed Police should only be kept as a reserve in strategic places and they should be armed with only 410 muskets for the purpose. They should be called in only at the stage when a lathi charge or tear gas has had no effect and violence has been resorted to." While we cannot rule out the use of arms altogether, we would like to lay down that firing should be resorted to only in exceptional circumstances when such a mob gets out of control, becomes violent and threatens safety of property and life. Invariably after firing there is a demand for judicial enquiry. We have already expressed our strong reactions against the use of the fire-arm. Even so we are of the opinion that all cases of firing should not automatically be followed by judicial enquiry. Such a policy is likely to demoralize the Police and paralyse action. No officer can function efficiently if he suffers from the fear that his actions will always be scrutinized by a Judge, sitting in the quiet atmosphere of the court-room. We recommend that judicial enquiry should be ordered in cases where the *bona fides* of the officer is suspected or the use of firearm is *prima facie* so excessive that an inference could be drawn that the officer concerned has been either motivated by a spirit of retaliation and vindictiveness or was evidently reckless in his estimate of the situation.

292. *Police and students*—In recent times, specially after the advent of the freedom, the Police are being called upon to deal with a new problem of considerable difficulty. From time to time organised agitation by students, particularly in bigger towns, which have a University or a number of educational institutions, become a law and order problem of great complexity. Some times these agitations are confined within the campus of the University and occasionally they are held outside it. The agitation in the Banaras University, three years ago was confined to the University campus except once when students in a body marched to a place three or four miles outside the University campus. The hungerstrike in the Lucknow University a few years ago led to a serious clash with the Police. It was mainly confined to the University Campus. So was the strike in the same University two years ago. But the scene of recent trouble in the Allahabad University was outside the campus, actually in the city in front of a cinema house. It would thus appear that at times the students organise strikes to have grievances, real or imaginary, set right, occasionally they become participants in a sudden affray which assumes serious dimensions. As a

matter of convention the Police do not enter into the University campus unless called upon to do so by the Vice-Chancellor or another appropriate authority. We are told that some student's agitations in U. P. have been directed against teachers and professors and cases are not wanting when one group of teachers has incited students against another. Many Police Officers have complaints that when the trouble is brewing the Police is kept completely out of picture, but when the situation gets out of hand the responsibility for dealing with it is thrown entirely on them. In dealing with student agitators the Policemen hardly get any support from the University staff. Dr. Ranjan, former Vice-Chancellor of the Allahabad University, is of the opinion that the University should keep a small Force for dealing with cases of minor thefts, disorderliness eye-crazing within the University campus. We agree with him. When the Police enters into the University campus for investigating an individual crime, the Police Officer should as a convention obtain the permission of the appropriate University authority. This permission should however be given as a matter of routine. In case of mass agitation the Police should enter the University campus only on the invitation of the Vice-Chancellor or another appropriate authority, but once the Police has been called in, the law and order situation in the University campus should become the exclusive responsibility of the Magistracy and the Police, who should seek such advice from the officer and staff of the University as they consider necessary but will act on their own initiative. The Magistracy and the Police will remain in charge of the situation until normal conditions have been restored. The Universities maintain Proctors, and we have suggested that they should also organise a Force for the purpose of maintaining internal orderliness, something on the lines of Oxford and Cambridge, 'Bull Dogs' or Bullers to assist them in discharge of their duty. When the Police takes over the charge of law and order inside the University campus the services of the Proctor and the University Force should be available to it for assistance in operations. In so far as agitations by students including processions, meetings and demonstrations, outside the University campus are concerned, we think it is not desirable to lay down any rules different from those for other citizens. Experience has shown that a large number of members of the public including some hooligans and bad characters, get mixed up with students and we cannot think of any device by which the two could be dealt with separately.

293. *Use of Police in Labour Disputes*—To what extent and at what stage should the Police intervene in industrial and labour disputes? With a progressive labour policy providing for negotiation, conciliation and arbitration, the number of labour disputes must show a tendency to decline but the tendency may be more than off set by the rising tempo of industrialization, and on the whole Police may have to face more of industrial and labour problems. In the Uttar Pradesh Labour disputes would mostly be confined to Kanpur and the few other industrial towns. For the State as a whole, therefore, they are not a major problem, yet they pose a problem which cannot be ignored. The Union Constitution has given all citizens full freedom to form associations and unions. Collective bargaining through trade union has come to be recognised as a basic right of the labour. Labour disputes may relate to services, such as electricity water supply postal services railways transport etc. which are essential for the maintenance of life and security of the community. The essential services have to be maintained and the Police may have to be used

even for keeping them running. In case of other industrial and commercial concerns, the same consideration would not prevail. We agree with the Inspector General of Police (Sri M. S. Mathur) that in the latter class of concerns the Police should not interfere unless there is danger to person or property.

294. *Police and Political parties*—Evidence was led before us of specific cases in which certain members of political parties have tried to influence the subordinate Police staff in the course of investigation. If the station staff refuses to be influenced, attempts are made to have them transferred or to harass them. On the whole quite a few Police Officers have stood up against such pressure. The practice is dangerous and we are glad that the Home Minister has recently taken the right step to publicly point out the existence of this evil. Great care, is therefore, necessary in taking action in such matters and Government and the senior officers must assure the subordinate staff that so long as they perform their duty with good conscience, they will not come to any harm. While on the one hand it is necessary to keep the Police out of the political influence, it is also essential that Policemen should not try to use the services of publicmen for improving their service prospects and securing of the Personal benefits.

295. *Courtesy Week Padyatras etc.*—The Police Headquarters have already realised the importance of maintaining good relations with the public. In this connection the instructions issued by the Inspector General of Police Sri M. S. Mathur, which are reproduced in Appendix XXV, addressed to all Superintendents of Police and other senior officers deserve notice. The Commission feel that if these orders had been faithfully observed by Police Officers posted in districts much of the hostility and indifference towards the Police would by now have disappeared. One of the instructions to the Superintendent of Police is to invite members of Parliament, M. L. As. and M. L. Cs. of the district once in three months to discuss problems concerning the Police administration. We would like to keep the proceedings informal and recommend that no record of it should be kept. The Superintendents should, however, bear in mind what was said in the meeting in determining the lines of work and administration. Sri Mathur had also suggested the observance of 'Courtesy Weeks'. We have not been able to ascertain what has actually been achieved by the observance of these weeks but we have no doubt in our mind that the suggestion is laudable. Of late, in some districts the Police has gone on Pad 'Yatras'. We do not approve the idea, for the presence of a group of Policemen in the rural are in more apt to give an impression that something is seriously wrong and Police has come for operations. Participation of Policemen in the Shramdan, which is often a part of the 'Pal Yatra' may mistakenly give voluntary work the shape of forced work. We would, therefore, like to discourage 'Pad Yatras'. We strongly recommend that the Policemen should work in alleviating sufferings caused by fire, flood and other natural calamities. We trust that these efforts will prove helpful in establishing good relations between the Police and the public.

296. *Supply of correct information*—Experience has shown that some times the Police is exposed to virulent calumny by interested persons. It is accused of acts of excesses, corruption and misconduct. In the prevailing atmosphere of distrust against the Police people are apt to believe almost anything. It is also a fact that some times superior Police Officers try to cover misdeeds of their subordinates. There can

be nothing more injurious for the reputation of the Police than attempts at suppression. The distrust of the Police will take time to disappear. We, however, recommend as an immediate step, that when there is a public agitation or a serious charge, such as molestation of women or inflicting torture in the Police custody, the officer incharge should immediately take important persons of the town into confidence giving them full facts which should also be published for public information. The upright attitude of the superior officers and quick and effective action against the subordinate guilty of misbehaviour will go a long way to save the Police from criticism.

MINUTE OF DISSENT

Concerning Chapter III of the report.

At the very outset we wish to make it clear that in writing this minute of dissent, we have been impelled entirely by the desire to ensure that while promoting the interest of the Police Department, the overall interests of administration in the State are not lost sight of. We have the highest regard for the judgement, experience and opinion of our colleagues and the fact that we have been compelled to add a discordant note, we trust, will be forgiven by them as while we are broadly in agreement with the bulk of the recommendations, we have found it impossible to subscribe to the view held by our other colleagues regarding the control of the District Magistrate over the Police.

2. We, are afraid we have not been able to find any records, rules or orders on the basis of which the powers of the District Magistrate in relation to the Police could be classified into two groups mentioned in paragraph 21 of Chapter III of the report namely—

- (i) Control of the Police Force, and
- (ii) Suppression of crime.

The law merely describes the District Magistrate as "head of the criminal administration in the district, and gives him certain powers to control and direct" the action of the Police Force for the express purpose of prevention and suppression of crime within his jurisdiction. From the argument subsequently developed in the report it appears that by the "term control of the Police Force" is meant the internal administration of the Police. The report does not recommend any change in the powers of the District Magistrate so far as they are concerned with the second group namely suppression of crime and law and order and therefore, it can be assumed that the District Magistrate, according to their present recommendation will continue to remain the head of the Criminal administration

3. The recommendations contained in the report purport to maintain the position enunciated by the Commission of 1902-03 with the slight elaboration that where there is a difference of opinion between the Superintendent of Police and the District Magistrate the latter should communicate his decision in writing to the Superintendent of Police and bear responsibility for it. Even this elaboration does not create anything new because it is an accepted principle that the person who takes the decision should be responsible for the results thereof. The only change that is proposed is in the matter of details regarding the power of which in the opinion of our colleagues concerns the (internal) control of the Police Force. In other words the District Magistrate should no more have the power to appoint and dismiss the village Chaukidars or be the medium through whom proposals for dismissals or removal of Inspectors or Sub-Inspectors or the promotion of Sub-Inspectors and Assistant Public Prosecutors should be sent to the Deputy Inspector General of Police. He is also not to be consulted by the Superintendent of Police while trans

ferring Inspectors and Station Officers within the district. It has been accepted by the Commission that the District Magistrate would continue to recommend rewards and entries in the Character Rolls of Inspectors and Sub-Inspectors. The institution of village Chaukidars is proposed to be abolished and so is the case with the rank of Circle Inspectors. For the prosecution staff a new scheme is being recommended with greater control of District Magistrate. The only change, therefore, is with respect to the routing of the papers regarding disciplinary action and proposals for promotion of sub-Inspectors and transfer of Station Officers. Now after giving the matter a careful thought we are convinced that in actual practice, in the exercise of these powers by the District Magistrate there could really be no occasion for any serious disagreement or conflict. We have little evidence before us to show that it is the exercise of these powers by the District Magistrate. (Sri Mathur) has mentioned as "constant nagging and pricking between the District Magistrate and the Superintendent of Police". We have not the slightest doubt that if actual statistics were gathered cases of disagreement arising between the two officers out of exercise of such powers by the District Magistrate will be found to be so small, that the proposed cure could hardly be effective. In fact we have serious misgivings that it may produce quite the contrary effect.

4. In making this recommendation our colleagues have placed much reliance on the report of the Police Commission of 1902-03. But this Commission unambiguously expressed itself in favour of the Police remaining under the general control and direction of the District Magistrate. The observation of 1902-03 Commission quoted, conveys out of contest an impression which is not quite correct. The position at that time was that some States had provided for interference by the District Magistrate to a degree which was not contemplated by the law. The Manuals of these States had provided that appointment of Constables was subject to the District Magistrate's approval and in appointing Sub-Inspectors or Inspectors prior approval of the Magistrate was necessary. These rules laid down that appeals in department matters would lie to the District Magistrate and the Commissioner and not to the departmental superiors. The language of the Police Manuals described Magistrate as "entirely responsible for the peace and criminal administration of his district" and the Superintendent as "his assistant for Police duties and as such bound to carry out his order". The District Superintendent's office is virtually a branch of the District Magistrate's headquarters office". The observation of the Commission of 1902-03, quoted in para 3 of the report was made with regard to this position which is obviously untenable and we also think so. But the Commission had clearly laid down that "the Superintendent of Police must recognise that the District Magistrate is the head of the district and, as such responsible for the whole district administration including the work of the Police of which Superintendent is the head". "The minute of Maharaja of Darbhanga quoted in the report was in fact a plea for the principle of separation of judiciary from the executive which we all whole heartedly support and which in no way affects the question before us.

5. The present arrangement has actually been in vogue since after the recommendations of 1902 Commission, i.e. the overall and general control of the District Magistrate over Police remains but he is not to interfere in the internal administration of the Police. Our colleagues have expressed surprise as to why this question, which has produced "so much of heat and controversy", before them, never arose before the Police

Reorganization Committee 1947. Clearly the controversy is of later origin, and the roots and causes thereof must be searched elsewhere.

6. This new feeling obviously has cropped up since 1947 only and the new demand as has been pointed out stems from different direction than the quarters which have been conscientiously objecting to the District Magistrate combining in him powers both of the Police as well as the magistracy. The demand for separation of the judicial powers of the District Magistrate from his executive functions has indeed been accepted in our country in principle. We have unequivocally expressed ourselves in favour of this principle and have in fact said that the present separation does not go far enough. Even at present, however, the District Magistrate no longer enjoys his former powers over the subordinate judicial magistracy. Progressive reduction of the powers over the magistracy conferred under the law upon the District Magistrate has been affected on the plea that as head of the criminal administration in the district he not only controls but also directs the action of the Police. We now see the Police trying to throw aside whatever magisterial control exists over them because they want judiciary to be separated from the executive. We need hardly comment upon this strange logic which actually amounts to saying that the executive powers of the District Magistrate should also be reduced because his judicial powers have been taken away from him.

7. The new feeling referred to above is rather a disturbing development and we are happy that our learned colleagues have not accepted the considerations advanced in justification thereof. The extent of resentment engendered is clear from the first half of para 22 *ibid.* It is a disruptive feeling and bodes good for nobody. In fact, when such feelings are shared even amongst senior Police Officers clearly there is an urgent need for explaining the role of Police and the principle of checks and balances in a democratic society. The Police has always been, and will always remain, a self-contained department which is completely free to build up its own code of ethics, standards of efficiency, internal discipline as also an independent reputation for themselves by virtue of their loyalty, integrity, bravery, courtesy, promptness and service to the people. The Police is, however, a part of the administration, particularly the criminal administration for which the District Magistrate is responsible. The criminal administration of the district covers the Jail administration, the prosecution, the Police and the subordinate Executive Magistrates. The responsibility for maintenance of law and order must also continue to rest with the District Magistrate. In dealing with the question of law and order which may arise out of industrial and labour disputes communal agitations agrarian or political movements, etc. Often the question of the rights of the individuals are involved. In a democracy the right to peaceful agitation which is not unlawful, is guaranteed. Thus the labour has been given the right to strike according to the law and people have a right to peaceful agitation for redeeming their grievances. A question always arises, therefore, at what stage the persons concerned have transgressed the bounds of law. Often the civil rights of the people are also involved, and, therefore, while on the one hand law and order is to be preserved, on the other hand the rights and the freedom allowed by the Constitution have to be safeguarded. A person trained in judicial matters and having a background of executive work would clearly be best suited to do the job. While the Police would look to one aspect of the problem, as is natural, a balance will have to be struck between the various factors

as mentioned above. Besides, there is also the need for bringing co-ordination between the prosecution and Police. In day to day working problems arise between the different branches of criminal administration which have to be resolved. The obvious person to discharge these functions is the District Magistrate. In order to discharge his functions for the maintenance of peace and to bring about co-ordination between the various departments concerned with criminal administration the general power of control over Police (as differentiated from the powers relating to purely internal matters) shall have to be vested in the District Magistrate. This is also necessary in our system of administration where the Police is the single force, for the whole State. Such a force, experience shows tends to become rigid. The District Magistrate who comes into close touch with people of all walks of life and in different spheres of activity is likely to view problems from a broader perspective. His general control over the Police would therefore, be desirable, as it would bring a healthy and restraining influence. Nothing should, therefore, be done to weaken his position. He should in matters concerning law and order have the final authority and should have adequate powers to deal with such matters.

8. The existing arrangement has been evolved after experience of years in administration and is certainly working well wherever the age-old harmony between these two officers has not been disturbed by the emergence of these new feelings among the Police Officers or by the isolated action of some District Magistrate who did not view things in proper perspective or where personal difference have been allowed to affect official relations. We have had occasion to study intimately such situations in several cases and have no hesitation in asserting that every good District Magistrate has as much pride in the reputation and the performance of his Police Force as any Superintendent of Police could ever have. The unique position of the District Magistrate as the chief representative of the Government in the district, as "primas inter paras", as the leader of the district team and as the man who wields the statutory responsibility for the maintenance of law and order in his district demands that he should be given in full measure the confidence, trust, loyalty and support of his Superintendent of Police. The two must always act in complete accord and unison and must make service to the common man their undeterred ideal. Any feelings like these mentioned in paragraph 22 *ibid* can only represent a narrow departmental outlook, or a complex. This is quite out of keeping with modern democratic ideals where public services must have complete mutual understanding of the common objectives of Government, and must strive to achieve them through full co-operation and real team-work. These separatist tendencies, if allowed to gain any ground, will only affect very adversely the homogeneity in administration and eventually harm the public interests. The Police must not be so touchy of the few, comparatively innocuous, powers given to the District Magistrate not because he is an I. A. S., Officer (we must not forget that in a large number of districts we have only P. C. S. Officers acting as District Magistrates) or because he is supposed to be a better man than an I. P. S. Officer, but because his position in the administration hierarchy necessitates it. We are afraid that the present proposal of our learned colleagues will, if accepted, afford a positive stimulus to these unwarranted separatist tendencies and shall act as the thin end of a wedge. In our opinion the correct answer to the problem is for senior Civil and Police Officers to ignore such baseless feelings and treat them as signs of immaturity among their junior colleagues, and strive to pro-

mote and foster a real spirit of co-operation and mutual respect among the Civil and Police Officers at all levels.

9. We may also mention in brief that so far as the specific power regarding the transfer of Station Officers is concerned, is not the question of internal administration of the Police. The Police Station is the basic unit of Police administration. Therefore, it is very important part of the executive machinery for the maintenance of law and order administration. The Station Officer enjoys immense powers not only regarding investigation of crime or making of arrests but for controlling assemblies likely to lead to the breach of the peace. He can even use extreme force for dispersal of unlawful assemblies and has often to take independent decision where the situation takes a violent turn, decisions have to be taken which effect the future course of events. Many of these decisions have to be taken by the Station Officers. There are many circles which have their own special law and order problems; like the communal or labour or agrarian problems and the posting of a S. O. who is not of the right type for that particular circle may adversely affect the situation. The responsibility for maintenance of law and order in the district rests with the District Magistrate. He discharges this responsibility through the Sub-Divisional and subordinate Magistrates, but the powers are finally exercised through the S. O. After a S. O. has worked in a district for some time, the District Magistrate comes to know of his weaknesses and strong points through his close contact with the public and their representatives. Thus he is in a position to form an opinion whether a certain S. O. would be suited for a particular circle within the district or not. He is responsible for maintenance of law and order, and therefore, it is only reasonable that he should have some say in the posting of the Station Officers. This is not a purely internal matter as it is directly related to the problems of law and order of a circle. It is to be noted that the final authority in any case remains with an officer of the Police Department, i.e., the Deputy Inspector General of Police can overrule the District Magistrate in case he does not agree with him.

We recommend that the District Magistrate should continue to be the head of criminal administration and finally responsible for law and order. As such, he should generally control and direct the action of the Police but should not interfere in matters purely of internal administration of the Force. In matters affecting law and order his decision should be final and nothing should be done to weaken his position, Posting of Station Officers is not a matter of internal discipline and the present position should continue. The District Magistrate should also be in a position to record his opinion in the roll of Station Officers.

- (1) SURESH PRAKASH SINGH.
- (2) PRATAP CHANDRA AZAD.
- (3) MADAN MOHAN VARMA.

We agree with the views expressed in the minute of dissent recorded by Sri Suresh Prakash Singh and other colleagues of our regarding Chapter III of the report.

- (1) GIAN PRAKASH.
- (2) PREM KUMAR.
- (3) RAM SWARUP YADAV.
- (4) NARAIN DUTT TEWARI.

MINUTE OF DISSENT

I agree with the report as far as the powers of the District Magistrate are concerned as being head of the criminal administration and responsible for the maintenance of law and order in the district. I also agree that he should in this capacity generally control and direct the action of the Police without interfering in the matters purely of the internal administration of the Force. In matters affecting law and order the decision of the District Magistrate should be final. Since the District Magistrate comes into close touch with people of all walks of life and in different spheres of activity, he is likely to view problems from a broader perspective. His general control over Police would, therefore, produce a wholesome effect. Posting of Station Officers is intimately connected with law and order problems and affects the people of the circle vitally. In matters of posting and transfer of Station Officers, therefore, the District Magistrate should be consulted as at present.

JOGENDRA SINGH.

NOTE

I—DISTRICT MAGISTRATE AND POLICE

I greatly regret that for a variety of reasons I have not been able to attend many of the sittings of the Commission, neither did I have the advantage of participation in the final deliberations of the Commission. In spite of these handicaps I feel that I should record my views of some of the questions which are of vital importance for the proper functioning of the Police, in U. P., which is the largest State in our country.

I should like to make it clear that I am in general agreement with the views expressed by my colleagues. My only justification for writing this note is to emphasize certain aspects of the questions dealt with in the main report and to draw attention to a possible different approach to some of the problems.

There has been considerable difference of opinion on the question of the relationship between the District Magistrate and the Superintendent of Police. This difference was not confined only to the witnesses representing the two Services but also among the non-official members of the Commission. It is necessary, therefore, to approach this problem with care and one's approach should be objective and solely in the interest of proper and efficient functioning of the Police Force.

There can be no doubt that the District Magistrate is the central figure in the administration of the district and there is not a single department of the Governmental machinery in the district with which he can be considered to have no concern. Law and order is, of course, his special responsibility. The Commission, considered the question of withdrawing that responsibility in Kanpur by introducing the system that is in vogue in Bombay, but came to the conclusion that the present system should continue so that in the scheme of things contemplated by the Commission the duty of maintaining law and order is on the District Magistrate. In these circumstances I am clearly of the opinion that nothing should be done to minimise his important role in the district. With the advent of freedom, however, problems of complex nature engage his attention. The old concept of the governance of the State is being replaced by a Welfare State involving not only a lot of administrative readjustments but a totally different mental and emotional approach to problems. The District Magistrate has ceased to be the "ma baap" of the people but like a comrade has to constantly co-operate with it in its effort to establish the socialist pattern of society. If the District Magistrate is to be in a real sense the servant of the people in its various constructive programme and of the schemes sponsored by Government, he must be relieved of much of the present routine responsibilities with which he is overburdened.

In this view of the matter, I am clearly of the opinion that the internal administration of the Police Force in the district should be the responsibility of the Superintendent of Police. He must provide the leadership for his Force in the district and should see to it that the discipline as well as the morale of his men of all ranks is of a high order and they look upon him as the one man who can give them relief in times of need.

On the theory of "one ship and one Captain." I would advocate giving him complete control over his men even in matters like postings and transfers and hold him wholly responsible for the consequences of his decisions.

I should not be meant to suggest that the District Magistrate should be a helpless spectator of all the happenings in the Police Force without any power to intervene. As I have said above, the entire administration of the district revolves round the District Magistrate and as such he must have his finger in every pie, if one might use an expressive though colloquial expression. In matters affecting law and order he must have his say and an important one too. It is he who should lay down the policy concerning law and order. It is he or his subordinate Magistrate, who must see to it that his policy is enforced, when delicate law and order situations arise. Therefore, the Superintendent of Police should realise, if indeed there be any doubt about it, that the District Magistrate's orders have to be carried out.

I fear there has been an unnecessary and rather unfortunate controversy over the question of the status of the Superintendent of Police and the District Magistrate. It would have been better, had this question not been raised but having been raised in the interest of all concerned and better administration, the position should be clarified and put beyond all doubt. There has been, I am sorry to find, a futile diversion of thought on parity of educational qualification. Men equally qualified do in all walks of life take superior and inferior positions. As it happens in the Competitive Examinations, those, who obtain higher marks, are placed in the I. A. S., and other Services come after it.

The decision of the Commission to place the powers of appointment of the Gram Rakshaks, who in a sense replace the old Chaukidars, in the Superintendent of Police, rather than the District Magistrate, is a recognition of the fact that he is the officer who should select men scattered all over the rural areas in his district and thus be in a greater degree responsible for the efficient running of his department in the lowest but the basic level. Further, the punishment of the subordinate staff and other similar matters are proposed to be placed under the control of the Superintendent of Police which will definitely and not only to the power but also to the prestige of the Superintendent of Police in the eyes of his men.

Apart from all this, there can be no doubt that the smooth working of the administration at the district level can only be ensured by a co-operation between the District Magistrate and the Superintendent of Police. Frequent exchange of ideas on all administrative matters, even those of postings and transfers, of the subordinate staff would be conducive to efficiency but the responsibility for all such postings and transfers should be that of the Superintendent of Police. It will always be open to the District Magistrate to address the Deputy Inspector General of the Range regarding the unsuitability of any particular officers posting to any Police Station in the district or his transfer from one district to another.

II—EDUCATION AND CRIME

With the spread of education in Uttar Pradesh, a much larger number of young people are going to Schools and Colleges. They belong to all

strata of society. Men in whose families there was no tradition of education are now to be found in the ranks of the educated unemployed with the result that a larger number of educated men are found participating in crimes of all descriptions. This is a phenomenon which is inevitable and our society has to be prepared for it. All one can say with regret is that education has not changed their moral nature. Various causes have been referred to in the main report for the rising trends of crimes in educated young men. In the list that has already been given in the main report I should like to add one more. It is the absence of moral and religious education which is one of the chief causes of lack of proper behaviour and conduct on the part of young people. When I talk of religious education, I do not contemplate the teaching of Dogmas which divide nor of the various rituals that only formalise worship. I am thinking of ethical teachings that bind people together. The teaching of the essence of all religions which give a meaning and purpose to life to my mind, is of vital importance. I would like the young people to know of lives and teachings of the founders of religions as well as the lives of other great men who have stood for truth, service and compassion. A general raising of moral values should be the ideal.

III—PUBLIC RELATIONS

I would like to say a word about the relations of the Police with the public. The present Police Force in Uttar Pradesh indeed in the whole of this country has had an unfortunate past. It was organised soon after the revolt of 1857 and was naturally based on the pattern of colonial administration. All the leaders of the Force were Britishers who administered the Force just to maintain law and order and not for the purpose of developing national consciousness and proper civic behaviour in the people. In 1947, when India became independent, practically all the Britishers in the Force left the country and a few officers and a large number of other ranks migrated to Pakistan. In one sense it was good that the Police of Free India started in a changed atmosphere. While it is true that before Independence the Police had to perform the unpleasant task of suppressing political agitations of the past. There is no doubt that in the ranks of the officers and men there were a considerable number of persons who had inner sympathy with the struggle for freedom. The result was that they did not find themselves completely out of sympathy with the changed outlook in the country. The new entrants into the Force had a different outlook on life and viewed from a divergent angle the duties of the Police.

In this context of things the praise that was showered on the Police of Uttar Pradesh by Dr. Sampurnanand in the inaugural meeting of the Police Commission at Lucknow is undertsandable. He spoke highly of its discipline, courage and endurance. He mentioned the fact that Policemen from Uttar Pradesh had been commissioned in times of emergency in distant parts of the country like Bombay, Kashmir and NEFA where they had given excellent account of themselves. All the same it cannot be denied that the old attitude of the public of distrust bordering on hostility, towards the Police persists. On the other hand, the Police also continue the old methods of investigation of crime and treatment of the public. The crude and rather unscrupulous attitude adopted by the police in investigation of crimes does a lot of harm to the good name and reputation of the Police. It seems to me desirable that to bring about a change in the old attitude both, of the public and of the Police

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there should *be periodical* conferences and social gatherings at different levels of *the public* and the Police. Unlike the Judicial Officer, the Police cannot *afford to shut* themselves up in ivory towers. They should have *opportunities of meeting* the public not only when difficult situations arise or *disputes are* referred to them but also on occasions of relaxation and *festivities when* they are not on duty. Such occasions would help in *establishing* better relationship.

SANKAR SARAN.

31-7-'61.

APPENDIX I

GOVERNMENT OF UTTAR PRADESH, HOME DEPARTMENT
(POLICE-A)

No. 426/VIII-A-250-57

Dated Lucknow, January 23, 1960

RESOLUTION

The Governor is pleased to appoint a Commission to be styled as the "Uttar Pradesh Police Commission, 1960" and consisting of the following members to enquire into the various aspects of the Police Force and its administration in the State and to make recommendations for improvement therein with a view to making the Police Force more suited to modern needs:

Sarvsi—

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|--|-----|---|
| 1. Ajit Prasad Jain, M. P. | ... | |
| 2. Ram Swarup Yadav, Deputy Minister (Home), U. P. | ... | } |
| 3. Shankar Saran, Retired Judge, Allahabad High Court. | ... | |
| 4. Nawab Ahmad Said Khan Saheb of Chhattari, M.P. | ... | |
| 5. Chandra Dutt Pande, M.P. | ... | |
| 6. Sardar Jogendra Singh, M.P. | ... | |
| 7. Pratap Chandra Azad, M.L.C. | ... | |
| 8. Narain Dutt Tewari, M.L.A. | ... | |
| 9. Madan Mohan Varma, M.L.A. | ... | |
| 10. Suresh Prakash Singh, M.L.A. | ... | |
| 11. Mahi Lal, M.L.A. | ... | |
| 12. Bechan Ram Gupta, M.L.A. | ... | |
| 13. Bidhu Dhar Jayal, I.A.S., Joint Secretary (Home). | ... | |
| 14. Shanti Prasad, I.P., D.I.G., Intelligence O.S.D., | ... | |
| 15. Abdul Jamil Khan, I.P.S. (Retd.), D.I.G. O.S.D., | ... | } |

Chairman.

Members.

Member-Secretary.

2. The terms of reference of the Commission will be—

(1) Whether the strength of the Police Force in the technical and non-technical branches, both armed and unarmed, is inadequate; whether any particular yardstick in respect of the desired strength for the different ranks of the Police Force can be fixed and whether the yardstick evolved by the Pearce Committee in 1945, is of relevance today? To what extent, if any, and in what manner, does the Force at various levels need to be increased to meet its present-day responsibilities, and whether it is possible to estimate the future requirements, for the next ten years? Whether the increases that are required now can be or should be phased over a period of four or five years? The financial commitments involved should also be examined,

(2) Whether the present structure and pattern of the Police Force is suitable for present day needs or whether any changes are necessary? Whether greater decentralization in the control of the Force is desirable?

(3) Whether any changes or improvements by way of separating otherwise the functions of the Police are necessary in (a) investigation, (b) prosecution, and (c) maintenance of Law and Order and prevention of crime? Whether it would be desirable to separate completely the investigating agency from the law and order agency and to constitute for the former a specialised force trained in modern methods of investigation? Also whether the scope of the functioning of the Criminal Investigation Department should be increased and whether this specialised investigating agency visualised above should be amalgamated with, or placed under the supervision of the C. I. D.? Whether the prosecution branch should continue to use Law Graduates or should revert to the older method of using Policemen trained in Law? To examine the cumbersome legal handicaps faced by investigating officer with a view to considering whether legal amendments would be possible or desirable?

(4) To examine the adequacy and the suitability of the equipment provided for the Police Force with particular reference to transport and radio facilities with a view to considering whether there should be increase in these facilities in order to increase mobility and efficiency and save manpower.

(5) Whether the present methods of recruitment and training of both officers and men require to be altered and improved with a view to widening the knowledge of the recruits and creating in them greater awareness of the functions and duties of the police in a democratic society?

(6) To examine the possibility of greater use of scientific methods in investigating by giving proper scientific training to investigation staff, and setting up specially trained and equipped units to help in investigations at divisional and district headquarters.

(7) Whether the institution of Village Chowkidars should be abolished and replaced by a system of Beat constables on the lines of the experiments carried out in districts of Pratapgadh and Bulandshahr?

(8) Whether the present pay structures of the Police Force (excluding the I. P. S. and U. P. P. S.) are adequate and whether they need to be revised? This question should be examined in the light of the pay structures of other cadres of Government servants of similar status employed by the State Government.

(9) To examine the adequacy of the amenities provided for the police force and their living conditions, and to recommend whether any steps for their improvement are needed.

(10) Whether the present system of disciplinary proceedings is satisfactory or whether having regard to the constitutional safeguards, a less elaborate procedure could suitably be evolved?

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(11) To evaluate and assess the tangible results of the various measures promoted by Government during recent years for improvement of police moral, behaviour, outlook and responsiveness to the needs of the public, and to weed out corruption.

(12) To examine and suggest what further steps need to be taken for rooting out corruption in the police force and securing greater co-operation and assistance from the public in combating crime. To examine to what extent Gram Panchayats can usefully be called upon to assist the police for this purpose.

(13) Any other matter which Government may refer for consideration by the Commission.

3. The Commission will have its headquarters at Lucknow and will meet on dates to be fixed by the Chairman. The Commission will submit its report within fifteen months of its inaugural meeting.

By order,

A. SEN,

Griha Sachiv.

APPENDIX II

Total number of meetings of the Police Commission attended by each member

Serial no.	Name of member	Total number of meetings held	Total number of meet- ings attended
1.	Sri Ajit Prasad Jain, M. P., Chairman	73	69
2.	Sri A. J. Khan, I.P.S., Secretary	73	71
3.	Sri R. S. Yadava, Member, Deputy Minister, Education	73	30
4.	Sri Shankar Saran, Member, Retired Judge, Allahabad High Court.	73	26
5.	Sri Nawab Ahmad Sayed Khan of Chhatari, Member	73	19
6.	Sri Sardar Yogendra Singh, M.P., Member	73	22
7.	Sri C. D. Pande, M. P., Member	73	4
8.	Sri P. C. Azad, M.L.C., Member	73	45
9.	Sri Narain Dutt Tewari, M.L.A., Member	73	31
10.	Sri Madan Mohan Varma, M.L.A., Member	73	37
11.	Sri Suresh Prakash Singh, M.L.A., Member	73	40
12.	Sri Mahi Lal, M.L.A., Member	73	6
13.	Sri Bechan Ram Gupta, M.L.A., Member	73	55
14.	Sri Prem Kumar, I.A.S., Member	73	55
15.	Sri Shahti Prasad, I.P., Member	73	32
16.	Sri Ram, I.P., Member	73	17
17.	Sri L. C. Jain, I.C.S., Member	73	41
18.	Sri Gian Prakash, I.A.S., Member	73	28

डा० सम्पूर्णानन्द—गृह मंत्री जी, अजित प्रसाद जी और दोस्तो, मुझे इस बात की खुशी है कि अब जब कि पुलिस कमिशन अपना काम शुरू करने वाला है, मुझे तो उसके सदस्यों से मिलने का थोड़ा सा अवसर मिला है। जैसा कि अभी कमिशन के चेयरमैन श्री अजित प्रसाद जी ने कहा कि गवर्नमेंट ने कमिशन के कन्धों पर बहुत बड़ी जिम्मेदारी डाल दी है ? लेकिन यह दायित्व हमने यह जानते हुये डाला है कि कमिशन के चेयरमैन और उसके सदस्यों के कन्धे मजबूत हों और वह इस जिम्मेदारी को बोझ को अच्छी तरह उठा सकते हों। कमिशन में ऐसे लोग हों जिनको गवर्नमेंट की कठिनाइयों का पूरा-पूरा ज्ञान है। ऐसे लोग हों जिनको पुलिस विभाग के काम की पूरी-पूरी जानकारी है और ऐसे लोग हों जिनकी उंगलियाँ जनता की नब्ज पर बराबर रही हों और जो जनता की धारणाओं से, उसकी आशाओं से पूरी तरह से परिचित हों। मेरा ऐसा विश्वास है कि ऐसी समिति की तरफ से जो भी तज्जबोजें, जो भी संस्तुतियाँ हमारे सामने पेश होंगी, वह हर दृष्टि से गम्भीरता के साथ विचार करने के योग्य होगी और न केवल हमारे लिये बल्कि शायद देश के दूसरे भागों के लिये उपयोगी सिद्ध होगी। कमिशन को जो काम करने हैं उनका अन्दाज तो टर्म्स आफ रिफरेन्स से स्पष्ट हो जाता है और इसमें कोई सन्देह नहीं कि टर्म्स आफ रिफरेन्स काफी व्यापक है। पुलिस से संबंध रखने वाले सभी महत्व के प्रश्न इसमें निहित हैं। इस किस्म के कमिशन नियुक्ति की मांग बहुत दिनों से हमारे सामने रही है। एसेम्बली और काँसिल के सदस्यों ने समय-समय पर इस प्रकार के विचार प्रकट किये हैं। अखबारों में और दूसरे प्रकार से जनता की तरफ से ऐसी इच्छा प्रकट की गई और सच बात तो यह है कि कितनी की तरफ से ऐसी मांग होती, या न होती यह मांग तो समय की मांग थी वक्त का तकाजा था कि इस प्रकार का एक कमिशन नियुक्त किया जाय। कमिशन की नियुक्ति का यह अभिप्राय है कि हम उत्तर प्रदेश की पुलिस से खासतौर से नाराज हैं ऐसा नहीं है। उत्तर प्रदेश की पुलिस की डिस्प्लिन की तारीफ सारे देश में है। हमारे पुलिस की बहादुरी उसकी सहनशीलता और डिस्प्लिन का दिक्का सारे देश में बँटा हुआ है। जब कभी दूसरे प्रदेशों में कोई दिक्कत का सामना होता है या कठिनाइयों का सामना करना होता है तो अक्सर हमारी पुलिस याद की जाती है। कई बार प्रदेश के बाहर हमारी पुलिस जा चुकी है जैसे बम्बई है, हैदराबाद, काश्मीर, नेफा और राजस्थान। इन जगहों में हमारी पुलिस गई है और इस समय भी बाहर गई है। जहाँ-जहाँ हमारी पुलिस गई उसने यश प्राप्त किया है। आज भी देश के सरहद्दी इलाकों में हमारी पुलिस काम कर रही है और ऐसा काम कर रही है, जो साधारण तौर से सेना को सौंपा जाता है और जिस तरह से हमारी पुलिस काम कर रही है उसकी पूरी-पूरी मुक्तकंठ से फौज के अफसरों ने प्रशंसा की है। लेकिन केवल डिस्प्लिन, बहादुरी और सहनशीलता और कष्ट सहने की क्षमता ही काफी नहीं होती है। और भी कई बातें आवश्यक होती हैं मिसाल के लिये पुलिस की संख्या। यह एक महत्व का सवाल है। उत्तर प्रदेश की आबादी बहुत बढ़ गई है, लेकिन उस अनुपात से पुलिस में कोई बढ़ोत्तरी नहीं हुई है। आप पिछले दस-त्रिस वर्षों के बजट को देखें तो आपको आश्चर्य होगा कि जिस तरह से आबादी बढ़ी है उसके अनुपात में पुलिस में जो वृद्धि हुई है वह नहीं के बराबर है। यही नहीं कि आबादी बढ़ गई बल्कि आज जैसा कि सारी दुनिया में वरों है वैसे है इसका मौका नहीं है, लेकिन सारी दुनिया में आज क्राइम बढ़ रहे हैं। जो देश हल्से बहुत आगे समझे जाते थे वह क्राइम के मामले में भी हमसे बहुत आगे हैं। सोशल इकनामिक और बहुत से दूसरे कारण हैं जिनकी वजह से ऐसा है। इतना ही नहीं कि आबादी बढ़ी और क्राइम बढ़े। आप कहेंगे कि क्या वादा साइंटिफिक ढंग के क्राइम होते हैं, लेकिन जैसा कि मैंने निवेदन किया, इस नई परिस्थिति का मुकाबला करने के लिये काफी पुलिस नहीं है। दूसरे देशों को आप देखें कि कितने आदमियों के बीच कितनी पुलिस होती है और तब आपको मालूम होगा

कि हमारी पुलिस कितनी है। इस बात पर गौर करना है कि किस तरह से पुलिस का नश्वर बढ़ाया जाय। यों नहीं कि इस हजार, पन्द्रह हजार बढ़ा दिया जाय। कीर्ति साइंटिफिक बेसिस निकल सके तो अच्छा होगा। फिर पुलिस प्रेड्स में देखा जाय कि किसी ग्रुप में कितना नम्बर बढ़ाया जाय, कितने अधिकारी बढ़ाये जाय और कितने कान्टेबिल बढ़ाये जाय। इस तरह से एक साइंटिफिक बेसिस की जरूरत है। इस चीज को यह कमीशन देखे। तरकीब करने को ध्यान में रख कर किया जाय। रिक्टमेन्ट के कुछ हमारे तरीके हैं, अच्छे हैं, उन्हीं तरीकों से पुलिस में आफिसर्स आये हैं। लेकिन यह देखने की जरूरत है कि वह तरीके आज कल के टाइम में ठीक हैं कि नहीं। शिक्षा बढ़ी अच्छी चीज है। हम सब चाहते हैं कि जनता में शिक्षा बढ़े। जहाँ अच्छाइयाँ होती हैं, वहीं बुराइयाँ भी नजर आती हैं। यह जरूर है कि जब लोगों को शिक्षा मिली है तो अगर वह क्राइम करना ही चाहें तो उस काम के करने में लियाकत भी बढ़ जाती है। दूसरी तरफ कुछ लोग विकायत करते हैं कि पुलिस के कान्टेबिल पढ़े-लिखे होने लगें। जब यह पढ़े-लिखे नहीं होते थे तब अच्छा काम करते थे। बहरहाल, देखने की बात है कि हम किस किस्म के लोग रिक्ट करें। एजुकेशन की दृष्टि से, फिजिकल दृष्टि से और कोई साइकोलोजिकल तरीके हो सकते हैं तो वह खासतौर से आफिसर्स जो लिये जाते हैं उनके लिये कोई साइहोलोजी टेस्ट लिया जा सकता है तो वह ठीक होगा। जितना हमारे पास पैसा है, उसको ध्यान में रखते हुये अगर हम कर सकें तो बड़ी खुशी की बात होगी।

इन्विपमेंट की बात है। जो इन्विपमेंट है वह पुराने चले आते हैं। यह देखने की बात है कि आजकल के जमाने में यह इन्विपमेंट काफी है या नहीं। अदालतों में मुकदमों में जाते हैं वे खारिज हो जाते हैं। बहुत से हममें से आधसी जाते हैं कि जितने मुकदमों खारिज होते हैं वे सब झूठे नहीं होते। सचबे भी खारिज हो जाते हैं। किसी ने जुर्रम किया लेकिन वह छूट जाता है, कोर्ट के कामने काफी सबूत नहीं मिल पाता। इस पर भी गौर करने की जरूरत है कि हमारे जो प्रोसीक्यूटर की मशीनरी है उसमें क्या त्रुटि है और क्या कमी है। यह बात ठीक है कि झूठे मुकदमों नहीं चलने चाहिये, खारिज हो जावे चाहिये, जैसे कि जैन साहब ने बताये ऐसे मुकदमों नहीं चलने चाहिये, लेकिन अगर जुर्रम करने वाला छूट जाता है तो वह सोसाइटी के लिये घातक बात होगी। यह भी सोचने की बात है कि जो एजेन्सी प्रासीक्यूशन में जाती है, जो एजेन्सी इन्वेस्टिगेशन करती है वह एजेन्सी एक हो, या अलग-अलग हो, कोऑर्डिनेशन हो या न हो इस पर गौर करने की जरूरत है। मैं आशा करता हूँ कि कमीशन इस पर गौर करेगा।

क्राइम के इन्वेस्टिगेशन के बहुत से साइंटिफिक तरीके निकले हैं। कुछ हमारे आफिसर्स जानते हैं, लेकिन यह सोचने की बात है कि हम उनसे वहाँ तक काम ले सकते हैं। कुछ बहुत महंगे हैं। जो बहुत महंगे हैं, उनको शायद अभी हम इस्तेमाल न कर सकें। अब यह सोचने की बात है कि क्या ऐसा हो सकता है कि कुछ सिम्पलीफिकेशन हो सकता है या जो हमारे पुराने तरीके चले आते हैं उन्हीं से काम लें, यह गौर करने का सवाल है।

अभी अजित प्रसाद जी ने अपने भ्रमण में जिक्र किया उस खाई का, जो जनता और पुलिस के बीच में है। इस बात का कहना है कि खाई नहीं है, ऐसा कहना गलत है। अप्रैजी जमाने में क्या होता था। उसका जिक्र करना बेकार है। अपने मुकदमों का अजित प्रसाद जी ने जिक्र किया। हम लोगों में से अपनी बेवकूफी से समझिये आये-लनों में शरीक थे, बहुतों को अनुभव हुये हैं, अच्छे थे कभी याद आ जाते हैं, थोड़ी देर हंस लेते हैं, लेकिन उन बातों की चर्चा करना ज्यादा फायदेमन्द नहीं होगा। लेकिन यह सही बात है कि उन कार्यों की वजह से भी पुलिस और जनता के बीच और खाई बढ़ गई। एक तो विदेशी शासन होगा तो सही बात है कि जो पुलिस

होगी उससे और चाहे जो कुछ काम लिया जाय, लेकिन यह काम तो जरूर ही लिया जायगा कि जिनके ऊपर राज्म करना है उनको दबाया जाय। अगर हम किसी दूसरे देश पर शासन करें तो जरूर ऐसा करना पड़ेगा। अंग्रेज भी मनुष्य थे उन्होंने ऐसा किया। अब जो ऐसी मशीनरी है, उसमें कई खराबियां आ जाती हैं। न केवल डिमारेलैंडेशन आता है बल्कि उसको अपने देश के लोगों को दबा कर रखना पड़ता है। और यह चीज ऐसी है जो उनको फरेन गवर्नमेंट की इच्छा की पूर्ति के लिये करनी पड़ी। जो आदमी उसके अन्दर जाता था, वह करता था। लेकिन वह क्या कायम है, उसकी मजबूरी थी, सर्वस की वजहसे करता था। फिर हमारे जो आन्दोलन का जमाना हुआ उसमें पुलिस को ऐसे काम करने पड़े इच्छा से या बिना इच्छा से जो किलोगों को न पसन्द आयें और इस वजहसे यह खाई बड़ी हुई है। अब इस खाई को पाटने की जरूरत है। पुलिस के आफिसर्स को विश्वास करते हैं। नये आदमी जो आते हैं न समझता है कि वह भी करते हैं, लेकिन दूसरी तरफ यह भी मानना पड़ता है कि एक हाथ से ताली नहीं बजती है। जनता की तरफ से भी हमारी गलती है कि हम इस बात को भूलने के लिये तैयार नहीं हैं और उसी पुराने चक्कर में हमारा दिमाग घूरता रहता है। हम एक बड़ी जगह पर हैं, पब्लिक के लीडर हैं। हम हिम्मत करके आगे बढ़ सकते हैं, लेकिन बढ़ते नहीं। अपने दिमाग में वही बात रखते हैं कि वही पुलिस अब भी है, इस बात को भूल जाते हैं कि पुलिस में हमारे यहां के ही लड़के हैं। चाहे पुलिस कान्स्टेबिल हो या आफिसर्स हों, हर कंट्रेगरी में हमारे यहां के ही लड़के हैं। कल तो एक विदेशी को खूश करने की बात थी, लेकिन आज नहीं है। अगर सब पुलिस करण्ट हो जाती है, सब बेईमान हो जाते हैं तो जिस खान से यह लोग निकले वह हमारा घर कंसा है? तो यह भी सोचने की बात है। दोनों तरफ से गलती है। हमको इसी देश में रहना है, पुलिस को भी आगे बढ़ना है। इस कमीशन को ऐसे तरीके निकालने पड़ेंगे कि जिससे जनता और पुलिस में प्रेम हो सके। आज पुलिस का आदमी इस देश का नागरिक है जैसे कि और नागरिक हैं। इस देश के सुख में उसका सुख है और दुःख में दुःख है। पुलिस का आदमी फौज का आदमी नहीं है। पुलिस के आदमी को वह अधिकार नहीं है, वह सुविधायें नहीं हैं और उसका वह कर्तव्य नहीं है जो फौज के आदमी का होता है। एक पुलिस कान्स्टेबिल अगर कहीं बाहुक चलता है तो जिस तरहसे सिविलियन के ऊपर मुहम्मद चला सकता है, ठीक उसी तरह से उसके ऊपर चलता है। उसको ठीक वैसे ही अपने को डिफेन्ड करना पड़ेगा जो कि एक साधारण नागरिक को करना पड़ता है। यह उसही कठिनाइयां हैं। पुलिस वाले के हाथ में हथियार होते हुये भी वह उसे चला नहीं सकता है। जहां यह सब शत्रुवर्तें हैं, लोग यह मल जाते हैं कि वह जनता का एक सेवक है। उसको तरफ ले ग कैसे सहानुभूति से देखें, उसको कठिनाइयों को देखें और उसही कैसे मदद करें। यह सब बातें बड़ी महत्व की हैं। पुलिस अपनी बहादुरी को कायम रखते हुये, अपनी एफिसियेंसी को कायम रखते हुये अपनी डिस्प्लिन को कायम रखते हुये आजकल के जमाने में जो हमारा डिमोक्रेसी का जमाना है इसमें जनसेवा का काम कर सके, यह हम सब लोगों की इच्छा है और टर्म आफ रेफरेंस में जिनकी बातें हैं घूब फिर कर उन सबका यही जैसा मैंने कहा मुझे विश्वास है कि कमीशन के सदस्य इस मामले पर गौर करेंगे और हमको ऐसा विश्वास है कि आपकी गौर खोज के बाद जो बातें हमारे सामने आयेंगी उनसे हमारे प्रदेश का भला होगा ही। साथ ही देश के और लोग भी लाभ उठा सकेंगे।

(अ.योग की बैठक ५ बजे समाप्त हुई)

APPENDIX IV

Details of questionnaire issued and replies received thereto

	Number of Questionnaire issued	Number of replies received
Members Parliament, Members Legislative Council and Members, Legislative Assemblies.	650	13
All Members of the Commission (20 copies each for distribution).	300	..
Mayors of Corporation 5×5 (4 copies each for distribution).	25	..
Deputy Mayors 5×5 (4 copies each for distribution)	25	1
All Chairmen, Municipal Boards 113×5 (4 copies each for distribution).	565	4
Vice-Chairmen, Antarim Zila Parishad 45×2 (1 copy each for distribution).	90	5
Chairmen, Notified Areas	50	1
Chairmen, Town Areas 50×5 (4 copies each for distribution).	250	1
Presidents/Secretaries of all important Social and Service Organization and all Secretaries of Political Parties including Women Organization.	214	8
Provincial Social Workers	300	3
Judges of High Court and District Judges, U. P. ..	150	7
Advocate-General and Law Officers of High Court and District Government Counsels.	85	8
Presidents of Bar Association 65×6 (5 copies each for distribution).	390	5
Prominent Members of High Court Bar	15	..
Vice-Chancellors of all Universities and some important educationalists.	50	5
All Commissioners	10	4
All District Magistrates	50	4
Block Development Officers (1 copy each for distribution).	150	5
Inspector General of Police, U. P.	1	1
Deputy Inspectors General of Police, U. P. ..	11	10
All Superintendents of Police, U. P.	50	35
Commandants, P. A. C, Bns.	13	2

	Number of Questionnaire issued	Number of replies received
Assistant Superintendents of Police and Deputy Superintendents of Police.	300	34
Non-Gazetted Police staff in all the districts ..	200	117
Organized Chambers of Trade and Commerce ..	250	..
Industrialists and Businessmen	400	3
Inspectors General of Police of other States and Commissioners of Police, Bombay, Ahmedabad, Madras and Calcutta.	37	1
Deputy Inspectors General of Police outside U. P. ..	27	3
Civil Surgeons	50	2
Prominent Medical Practitioners	153	5
Retired Officers (Gazetted and Non-Gazetted) ..	179	4
Transport Organizations	150	1
Automobile Associations	16	..
Presidents, Anti-Corruption Committee	25	1
I. P. S. Officers' Association	1	..
U. P. Police Service Officers' Association	1	1
Ministerial Staff Association	4	..
U. P. Police Stenographers Association	4	..
Recognized Labour Organization	125	..
District Information Officers	50	1
Prominent Journalists, Editors and Press Representatives.	300	10
Pradhan and Surpanches, selected persons for Village Defence Societies and other public.	2,274	148
Total ..	8,000	483

APPENDIX V

Names of persons constituting various Committees of the U. P. Police Commission

1. Organization Committee:

Sri Ajit Prasad Jain, M.P.	...	President.
Sri Shanti Prasad, I.P.	...	Secretary.
Sardar Jogendra Singh, M.P.	...	Member.
Sri Ahmad Said Khan Nawab of Chhat-tari.	...	Member.
Sri Ram Swarup Yadav, Deputy Minis-ter.	...	Member.

2. Services Committee:

Sri Ram Swarup Yadav, Deputy Minis-tari.	...	President.
Sri A. J. Khan, I.P.S.	...	Secretary.
Sri Mahi Lal M.L.A.	...	Member.
Sri P. C. Azad, M.L.C.	...	Member.
Sri M. U. Ahmad, I.P.S.	...	Co-opted Member.
Sri A. Gupta, I.P.	...	Co-opted Member.

3. Public Relations Committee:

Sri Bechan Ram Gupta, M.L.A.	...	President.
Sri Shiva Swarup, I.P.S.	...	Secretary. (Non-Mem-ber).
Sri Suresh Prakash Singh, M.L.A.	...	Member.
Sri C. D. Pande, M.P.	...	Member.
Sri Madan Mohan Verma, M.L.A.	...	Member.
Sri Narain Dutt Tewari, M.L.A.	...	Member.

4. Law Committee:

Sri Shankar Saran Retd. Judge, Allah-abad High Court.	...	President.
Sri Prem Kumar, I.A.S., Deputy Secretary (Home).	...	Secretary.
Sri Madan Mohan Verma, M.L.A.	...	Member.
Sri P. C. Azad, M.L.C.	...	Member.

5. Pay and Amenities Committee:

Sri Narain Dutt Tewari, M.L.A.	...	President.
Sri A. J. Khan, I.P.S.	...	Secretary.
Sri Mahi Lal, M.L.A.	...	Member.

6. Hill Committee:

Sri Narain Dutt Tewari, M.L.A.	...	President.
Sri Shiva Swarup, I.P.S.	...	Secretary (Non-Mem-ber).
Sri Mahi Lal, M.L.A.	...	Member.
Sri P. C. Azad, M.L.C.	...	Member.

APPENDIX VI

Police Set up, in Greater Bombay

The Bombay State is divided into mofussil districts and Greater Bombay, the City of Bombay being called Greater Bombay. The entire Police in the Bombay State is now governed by the Bombay Police Act, 1951. This is a comprehensive Act which governs both the Police of Greater Bombay and that of the mofussil areas. This revised Bombay Police Act, 1951, became necessary as, after 1947, certain States were re-organised and certain territorial jurisdictions were added to the Bombay State. One particular change brought about by this revised Act was that, although previously the Commissioner of Police of Bombay City was independent of the control of the Inspector General of Police, Bombay State, by the passage of this Act, he was brought under the general supervision and control of the Inspector General of the State. The Bombay Police Act of 1951 contains most of the provisions of Police Act, 1861, but, in addition, various other powers have been given to the Police in order to make them more effective in dealing with rowdies, criminals and crimes.

The special feature of Police Act, 1951, is the provision for creation of Commissioner of Police for such other areas apart from Greater Bombay which already had a Commissioner of Police, as from time to time, the Government of Bombay may consider it necessary to appoint. Subsequently, the Bombay State Commission of Police Act, 1959, was also passed to make provision for matters consequent on the appointment of the Commissioners of Police for any area in the State of Bombay outside the Greater Bombay.

Commissioner of Police for Greater Bombay—The Commissioner of Police has been given some special powers in order to enable him to maintain peace and have an effective control over crime and criminals in Bombay City. He enjoys all the administrative powers regarding law and order and allied subjects which are vested in District Magistrates in the mofussil districts. Many of the Central and State Acts and rules contain provisions vesting the Commissioner of Police in Presidency towns and the District Magistrates in mofussil towns with the same powers. The Commissioner of Police in Greater Bombay is directly and solely responsible for law and order of Bombay City. There is no District Magistrate as such in Greater Bombay. The Chief Presidency Magistrate of Greater Bombay has only judicial functions and exercises no executive functions or executive responsibilities.

Special powers under the following Acts, have been given to the Commissioner of Police of Greater Bombay.

1. *Bombay Police Act*

- (i) Power under section 33 ... Powers to make rules for regulation of Traffic and for preservation of order in public place, etc.

- (ii) Power under section 37 ... Prohibits certain acts, viz. carrying of arms or explosives, collection of missiles, public singing, etc. for preventing of disorder.
- (iii) " 43 (1) ... To take special measures to prevent outbreak of epidemic disease at fair, etc.
- (iv) " 56 (1) ... Removal of persons about to commit offences under Ch. XII, XVI, or XVII of I. P. C. or abetment of any such offences (Externment).
- (v) Powers under section 57 ... Removal of person convicted of certain offences, viz. offences under Ch. XII, XVI or XVII I. P. C. s. 9 of Bom. Beggers Act, S. 4 of Gambling Act or under Bombay Prohibition Act (Externment).
- (vi) " 85 (1) ... To issue proclamation regarding the articles not covered by S. 83 and s. 84 to appear and establish his claim (Sl. 83 and 84 refer to Inter State property over Rs. 100 and regarding which report is sent to the Magistrate).
- (vii) " 90 ... Power to establish cattle pounds and appoint pound keepers.
- (viii) " 96 ... (1) Power to disperse assembly by use of Military under Section 129 Cr. P. C.
(2) Exercise powers of Magistrate under sec. 130 of Cr. P. C. to require the Officer Commanding to disperse and arrest and confine such persons forming part of such assembly.
- (ix) " 131-A(4) ... To take steps to secure compliance with court's direction given under Section 131-A(2) (Penalty for not obtaining a licence in respect of place of public entertainment and Court's order to close such place).
- (x) " 143-B ... Power to give permission for Dangerous performances.

2. *Criminal Procedure Code*—Exercise powers under Section 144 Cr. P. C. in urgent cases of nuisance or apprehended danger.

3. *Indian Arms Act*—(i) Grant licence under Arms Act, Rules 29, 30, 31, 32, 35, 36.

(ii) Sanction prosecution for offences under section 19 (f) of the Arms Act, under Section 29 of the Indian Arms Act.

4. *Bombay Public Conveyances Act, 1920*—Issue and renewal of owners and drivers, licences in respect of public conveyances such as Hack Victorias Horse carriages, Bullock Carts and hand carts.

5. *Bombay Entertainments Duty Act, 1923.* (i) Exemption from payment of entertainment tax.

(ii) Permission to canvas the sale of tickets.

(iii) Licence to sell tickets at the place of public amusement.

6. *Rules for licensing and controlling theaters and other places of public amusement*—(i) Exemption from payment of entertainment tax.

(ii) Permission to canvas the sale of tickets.

(iii) Licence to sell tickets at the place of public amusement.

(iv) Licences for premises and for Dramatic performances.

7. *Issue of Loudspeaker permits.*

8. *Permission to take out processions and hold meeting in a Public Place.*

9. *Rules for keeping places of Public entertainments.*

Issue and renewal of licences in respect of places of public entertainments, such as lodging and boarding houses, hotels, eating houses, Tea shops, sugar-cane juice stalls, cold drink houses and tea stalls.

10. *Indian Lunacy Act, 1912.* Issue of detention and reception order in respect of lunatics who are found wandering at large in any public place, who are likely to be dangerous to themselves or to the members of the public.

11. *Poisons Act, 1919.*

12. *Indian Explosives Act, 1884.*

13. *Prevention of Corruption Act, 1947.*

14. *Preventive Detention Act, 1950.*

15. *Cinematograph Act, 1918.*

16. *Indian Extradition Act, 1903.*

17. *The Cattle Trespass Act, 1871.*

18. *Suppression of Immoral Traffic in Women and Girls Act, 1956.*

19. *Identification of Prisoners' Act, 1920.*

20. *Bombay Prevention of Gambling Act, 1887.*

21. *Bombay Beggars Act, 1945.*

22. *Bombay Provisional Municipal Corporations Act, 1949.*

Deputy and Assistant Commissioners of Police—The Commissioner of Police is assisted by a number of Deputy Commissioners and Assistant Commissioners of Police, who under orders of the Commissioner; can exercise and perform some of the powers, functions and duties of the Commissioner of Police as given to him under the Bombay Police

Act, 1951. There is thus a clear provision under the Bombay Police Act for the delegation of certain powers of the Commissioner to his Deputies and Assistants.

Creation of the post of Commissioner of Police for Ahmedabad— The Bombay Government was fully satisfied with the effectiveness of the City Police of Greater Bombay under a Commissioner of Police and could see its relative advantages in actual working. The city of Ahmedabad, another industrially growing town of Bombay State, had begun to present certain administrative problems akin to Greater Bombay and, therefore, the Government of Bombay decided in 1959 to put the City of Ahmedabad under a Commissioner of Police with powers similar to those enjoyed by his counter-part in Greater Bombay. The Government of Bombay passed the Bombay State Commissioners of Police Act, in 1959.

While introducing this Bill, the Chief Minister of Bombay State made the following observations :

“This is a very important Bill, as it facilitates the appointment of a Commissioner of Police outside the City of Bombay.

The special problems of the Metropolitan City of Bombay necessitated the creation of a separate organisation of the Commissioner of Police, which has some basic differences with the police organisation in the Mofussil districts where the functions of the District Magistrate are exercised by a separate officer who holds the post of the District Magistrate as such in the district, while in the case of the City of Bombay all these powers are vested in the incumbent holding the office of the Commissioner of Police. We have found by experience that in the case, of certain cities, particularly in the case of the City of Ahmedabad, the complexity of the problems and the complexity of the organisation of Police work also have gone on the same lines as in the case of the City of Bombay.

There is another consideration which prompted the Government to think about this proposition and that is that the work of the District Magistrate who is also the Collector of the District has enormously grown in recent times particularly in the field of developmental activities. And the person who has to look to this developmental work in rural areas has also to look after the complex problems of law and order in the City with the result that either of the two gets ignored. We have found by experience of recent years that normally he was required to ignore developmental activities in the rural areas in its different forms.

These are the two considerations which propted Government to think about and take decision on this proposition this time. I may also give a piece of information to this House that it is not for the first time that this proposition was considered, it was considered once, or twice before and postponed for one person or another. This time we thought it better to go ahead with this measure so that neither the law and order problems of Ahmedabad City are ignored nor the work of development activities in the rural areas is treated indifferently. Therefore, this decision has been taken.

I anticipate one argument against this Bill and I think I should say a word about it in advance. Sometimes it is feared that vesting more powers in a police officer would rather go against the traditions of the

Administration which have been prevailing so far. The reasons why formerly the British Government vested too much power in the District Officer, namely the Collector or the District Magistrate, was that perhaps they wanted to concentrate every piece of power and every piece of administration in one man, because possibly they wanted to control the populace and the administrative machinery through one man. That was perhaps one of the reasons why so much power was vested in one man, but, Sir, I think we have now reached a stage when we need not consider this aspect.

Then there was another reason, that probably in those days it was thought that an Indian constable may become some superior Police Officer, and as such, possibly he might have been treated with suspicion and not given the powers of law and order. It may be mentioned here that in the case of those persons who take the course in I. P. S. and I. A. S., it will be found that as far as subjects are concerned they may differ but the fundamental and basic qualities and qualifications of a man who takes up the I. P. S. or I. A. S., course are the same. So, there need not be any unfounded fear about giving more powers to a man who becomes a police officer. I have known of many cases wherein the results of the two examinations, many times a person who has appeared for the I. P. S. and I. A. S., has passed in both the examinations but for some reason or the other the man is not selected for the post of I. A. S. I am only mentioning this to show that some sort of a fetish has been made in certain quarters that it is wrong to give powers of a District Magistrate to a person who becomes a police officer. I do not know why we should have extraordinary fear and reason to suspect such a person. I may particularly mention that a person who comes to occupy the post of a Commissioner of Police is a very senior officer. He has gone through the thick and thin of administration and he has reached a stage when he can be vested with responsibility.

These, Sir, are some of the pros and cons of the Bill that has been brought before this House. Certainly this Bill facilitates the appointment of the officer outside the City of Bombay. Our present intention is to appoint such an officer only for the City of Ahmedabad, and if we take an objective look at the conditions in Ahmedabad. I am not talking of any happenings in recent times in Ahmedabad, but the labour problem and the industrial growth of Ahmedabad the fast growth in the population of Ahmedabad, all these indicate that it is necessary that some senior police officer should be exclusively in charge of the police administration of that City.

It is for these reasons that Government has thought it fit to come before this August House requesting for the acceptance of such a measure, and I hope the Hon'ble House will accept it.

Ahmedabad City now has a Commissioner of Police with almost all those powers which are enjoyed by the Commissioner of Police, Greater Bombay.

Recommendations—We found that the system of having a Commissioner of Police in Greater Bombay was conducive to promptness and efficiency in administration. The system of single control with full powers enables the Commissioner of Police to take quick decisions with full responsibility. If the Police in Bombay is efficient and commands the respect and admiration of the public, it is mainly because the

police come into direct contact with the public in all matters that affect their civic life. The police have both the powers—power to help the public in their interest, and power to haul them up for their wrong deeds. Thus there is a judicious balance of power and action and the Bombay City Police have justified the trust reposed in them as is evident from the popularity and effectiveness of police in Greater Bombay.

Considering the effectiveness of Police in the City system as prevails in Greater Bombay, we recommend that this system should be introduced in the cities of Kanpur and Lucknow. Many of the problems that the Police face in these two cities are similar to those prevailing in Bombay. In particular, Kanpur is a large growing industrial city with its intricate and increasing law and order and crime problems. In area and population it is in fact bigger than even Ahmedabad city where the Bombay State Government found it necessary to introduce the City Police system under a Commissioner of Police.

BOMBAY CITY POLICE

CONTROL ROOM

Set Up—The Control Room is situated in the main building of the office of the Commissioner of Police, Bombay, so that it may be easily accessible to the higher police officers. The actual wireless transmission equipment has been located in Wireless Section compound at Byculla as good facilities for proper aerials, maintenance, etc., are available there. The wireless transmission is remotely controlled from the Control Room. In the Control Room, telephones are arranged on one side and the four wireless operating bays on the other. The supervisory officers' table is in the centre. A large table map is placed centrally in the room on which the location of the mobile vans from time to time places of incidents, headquarters of the reserves and striking forces available, are shown by tokens.

Divisional maps of Greater Bombay are fitted on hinged frames in the corners of the Control Room for easy reference to lanes and by-lanes.

In order to reduce the reverberations and to keep the general noise level low, the Control Room is provided with sound proof absorbant walls and insulating doors. The ventilation and the necessary temperature control are provided by an air-conditioning plant.

The Control Room works all the 24 hours of the day. The utility of the Control Room is based on the fact that the higher police officers have, centrally, at their disposal, all the facilities for communication with the strategic points in the city and for efficient co-ordination amongst them. They are also in direct touch with the public through special telephones all the 24 hours of the day.

Communication Facilities—The following communication facilities are centralized at the Control Room:

(1) *The "00" Emergency telephones*—The members of the public can contact Control Room in any emergency by dialling "00". Normally, 3 lines are available on this number so that the possibility of the public finding this number engaged is minimised. During a widespread emergency, the number of lines can be increased several times. The calls made by the public on this number are not charged. An officer is constantly available at the Control Room to attend to these calls.

(2) *The Wireless Mobiles Patrolling City Network*—The city is divided into nine divisions for purposes of administrative patrolling. Each of these divisions is patrolled by one wireless mobile van throughout the day and night. The mobile vans are not actually on the move all the time. They stop for long periods at suitable places, including the Police Stations in their jurisdiction. These mobile vans are in wireless communication with the Control Room where a wireless operator is constantly in attendance. The mobile vans are directed to trouble spots in answer

to calls on the "00" telephone or as required by situations reported to Control Room *via* the other communication facilities. The constant patrolling by the mobile van in their jurisdiction and arrival of the police on the spot within a few minutes of a reported emergency, allows little time for the miscreants to start any trouble on a large scale or for any other kind of emergency to develop beyond control. These mobile vans keep the Control Room posted with on-the-spot reports until the police from the Police Station arrives and takes over charge, when the mobile vans leave the spot for usual patrolling. The vans are manned by 1 S. I., 1 H. C. and 4 Contables, in addition to the driver and the wireless operator. They are also equipped with loud-speakers for controlling crowds, when necessary, and are fitted with sirens to enable them to have priority over other road traffic when they are on their way to an emergency. Light vans are used for this purpose.

(3) *The telephone broadcast network*—This is an arrangement at the Control Room which, when switched on, automatically connects one instrument from each of the Police Station in the city to the telephone broadcast equipment at the Control Room and immediately gives a ring simultaneously to all Police Stations. An indicator on the operator's table shows when all have lifted their handsets, when the operator can broadcast any short message of emergent nature to all Police Stations. The broadcast Ring is given top priority at the Police Stations and thus a message can be cleared to them in a few minutes.

(4) *The Wireless broadcast network*—VHF Wireless receiving equipment is installed at Police Stations and police check posts at all outlets of the city (including Railway terminals) and from a transmitter, controlled from one of the operating bays at the Control Room the lookout message are broadcast at 4 fixed schedules during the day. Lengthy message of emergent nature may also be broadcast, out of schedule, by asking the Police Stations to switch on their receivers via the telephone broadcast net work. This avoids the possibility of the Police Station telephone instruments remaining engaged for considerable time, and thus frees them for other work. During an emergency, the concerned Police Stations keep continuous watch on their wireless receivers.

(5) *Direct Telephone lines to Emergency Services Headquarters*—Direct telephone lines are available from Control Room to the Headquarters of Home Guards, Fire Brigade, Army and the B. E. S. T. Services. This affords unhampered contact with these Headquarters all times.

(6) *Other telephones*—There are two telephone instruments at the Control Room connected to the police telephone exchange and 3 on the public exchange.

Thus there are adequate facilities both for the police and the public to contact the Control Room in an emergency.

WORKING OF THE CONTROL ROOM

About 50 calls per day are received by the Control Room. On an average about 20 per cent of these calls have been found to be false.

As soon as a call is received, the substance of the information is noted down in a register and the Inspector incharge immediately takes a decision as to what action he should take. He may direct a mobile van patrolling in the vicinity to the scene of trouble or he may direct the nearest Police Station concerned to take suitable action. In all serious cases, he is also in a position to immediately inform the Commissioner of Police and the Deputy Commissioner of Police concerned. The action decided by the Inspector incharge is noted down in the register and the result of the final Police action is also in due course reported to the Control Room and recorded. The overall staff sanctioned for the Control Room is 3 Inspectors, 8 Sub-Inspectors, 3 Head Constables and 3 Constables, one Head Wireless Operator and 9 Wireless Operators of which 1 Inspector, 2 S. I's, 1 H. C., 1 Constable and 3 Wireless Operators remain on duty at one time. The total number of vehicles at the disposal of the Control Room is 27, out of which 9 are cars and 18 light vans. As already indicated earlier in the note, 9 mobile vans are on patrol duty all the 24 hours as a general routine. In emergencies more mobile vans are put into operation.

At any one time, one S. I., one H. C., 4 Constables and one wireless Operator are on duty on the vehicle in 12 hours shifts. The drivers however, do only 8 hours shift. Thus for 9 vehicles, there are only 3 drivers each. For the remaining 18 vehicles, there are only two drivers each. On an average, each vehicle does about 30—40 miles a day.

Recommendations—After a careful study of the Control Room system in Bombay city, we are of the opinion that Control Room should be established in KAVAL towns in U. P. The staff provided for each Control Room need not be on the scale as provided for Bombay City. We feel that KAVAL towns should have two vehicles each patrolling all the 24 hours. The Control Rooms, to start with, should be placed under the charge of senior Sub-Inspectors but, later on, in order to make them more effective, it may be necessary to place them under Inspectors. Suitable wireless and telephone facilities should be provided at these Control Rooms and the requirements of the staff should be worked out accordingly.

Apart from quick communication of information of all incidents and speedy Police action the existence of the Control Room with mobile vans moving all the time in the city also has a great psychological effect. The public in Bombay city are fully aware of the fact that mobile police parties are on the patrol and can reach any scene of incident within a few minutes of their putting in a call to the Control Room. Criminals and rogues and rowdies of the city, at the same time, do not feel the same amount of freedom as they would do otherwise if they knew that the police would not be able to reach the scene for considerable time allowing them thereby enough opportunity to indulge in their activities.

We also examined the question whether by providing Mobile patrols, based on Central Control Room, it would be possible to make some corresponding reduction in the strength of the police force for beat duty in the city. We, however, came to the conclusion that the functions performed by beat constables are important in themselves and these functions cannot be replaced by mobile vans. Therefore, the establishment of the Control Rooms, will mean extra expenditure, but,

in our opinion, this extra expenditure will be fully justified by the confidence that the public will begin to feel in the promptness of the police in arriving at the scenes of occurrence.

In the City Police Stations in Kanpur and Lucknow, we also recommend the establishment of wireless and telephone broadcast networks. The telephone network will not cost much whereas there will be no recurring expenditure for wireless network, the clerk constables and head moharrirs at Police Stations being trained in receiving messages. The facilities of communication provided by the two networks will increase the effectiveness of the Control Room in alerting all Police Stations simultaneously and promptly passing on necessary messages to them.

GREATER BOMBAY

POLICE STATION

We studied the working of the Police Stations in Greater Bombay. We did not notice any great difference in the system of their actual working from the system that is prevalent in Uttar Pradesh. Therefore, we do not deem it necessary to go into the details of the working of the Police Stations in Greater Bombay. We will confine ourselves only to a few striking points which came to our notice.

Inspectors in charge of Police Stations—All the Police Stations in Greater Bombay are under the charge of an Inspector. This was found necessary because of the large number of Sub-Inspectors sanctioned for each Police Station and for the sake of better supervision and efficiency. The need of having Inspectors as officers in charge of the bigger Police Stations in KAVAL towns is also being felt by us for sometime. We recommend that the time has now come when, in the interest of efficiency, better control and better discipline, the important Police Stations in KAVAL towns should be put under the charge of Inspectors. It is also relevant in this connection to point out that really good and experienced S. Is. are not available for posting at Police Stations for sufficiently long periods because such S. Is., these days, get promoted as Inspectors quickly. The net result is that, at present, big Police Stations in KAVAL towns are under the charge of mediocres or otherwise half-fits.

General Diaries written by S. Is.—In all the Police Stations of Greater Bombay, the General Diary is written by a Sub-Inspector whereas in our Police Stations the General Diary is written by an Officer of the rank of Head Constable. In view of the importance of the First Information Reports recorded at the Police Stations and with a view to ensure that there is the minimum amount of complaint in this respect on the part of the public we feel that it will be good idea if Sub-Inspectors are sanctioned for this job for Police Stations in KAVAL towns only. In this way, we can also ensure the presence of a S. I., at the Police Stations at all hours which will be desirable from every point of view.

Investigation of cases—All the Sub-Inspectors at the P. S. in Greater Bombay are put on duty of writing the General Diary by turn. They themselves investigate all the cases that get registered during their respective periods of duty. The idea is that the complainant, who has come into contact with one Sub-Inspector at the time of recording of his F. I. R., should continue to remain in contact with the same Sub-Inspector till the final disposal of the case. This is supposed to lead to better liaison between the Sub-Inspector and the public. The disadvantage, however, that came to our notice was that whereas one Sub-Inspector at one time may have a large number of cases on his hands because, incidentally, a large number of cases got reported during his term of duty, the other Sub-Inspectors may not have a sufficient number of cases on their hands. The Inspector Incharge rarely, but, still sometimes, redistributes the cases amongst the other Sub-Inspectors to lighten the load on one particular S. I. The utility of this system was, however, felt by us to be doubtful and we got the impression that the Bombay Police, in due course would revert to the system that is prevalent in Uttar Pradesh, namely that the officer who records the F. I. R. need not necessarily investigate the case. In U. P.,

cases are distributed to the Sub-Inspectors according to their availability and the importance of the cases.

Bobby System—The system of patrolling, known as Bobby System, was introduced in two Police Stations in Greater Bombay about 5 years back. A number of posts of beat constables were reduced and the posts of certain number of Sub-Inspectors were created. The main idea of the scheme was that for sometime of the day, one S. I., would be on patrol duty in the beat.

The main duty of the Sub-Inspectors in the Bobby System is to patrol their beats for seven or eight hours a day. During their patrolling, they would look into non-cognizable type of complaints that had been made at the P. S. with a view to amicable settlement or necessary warning on the spot. They would do surveillance of anti-social elements. They would enforce prohibition and check gambling. They would dispose of papers given to them at the P. S. for necessary action. These S. Is. *do not* investigate any cases.

We noticed that opinions of Police Officers were varied regarding the efficacy of this system. One set of opinion was that the Bobby System was good in that a responsible officer of the rank of Sub-Inspector was available in his beat to deal with various law and order problems. The other set of opinion, however, was that the Bobby System was good only if the individual S. Is. placed on this duty were of a high calibre both as regards their efficiency and their honesty. If not this system, like many other systems, led to various abuses and complaint against officers. Secondly, they felt that the system of reducing a large number of beat constables in order to provide for one beat Sub-Inspector had created, psychologically, an adverse effect on the public. If 5 Constables were reduced in order to replace them by one Sub-Inspector, it meant that whereas 5 constables could be seen patrolling in their beat at one time, now there would be only one S. I., moving in that beat. What was possibly gained in quality—if officers were honest and efficient—was lost in numbers. It was better for a larger number of men even if they are of lower rank to be seen patrolling, than one single S. I., in such a big area. Further, by practical experience, they found that only third rate S. Is. could be spared for this job and, as such, the Bobby system was not producing satisfactory results.

We got the impression that there was little inclination for extending the Bobby System to other Police Stations in Greater Bombay. The mere fact that this system, though introduced 5 years ago, has remained confined to 2 Police Stations only goes to show that the system has not been found as useful as, perhaps, it was originally thought of. We have considered the system from all angles and we are unable to recommend its introduction in U. P., in the form in which it has been introduced in Bombay.

Accommodation—We were agreeably surprised to see that the whole police force of Greater Bombay has been provided with family quarters. There are multi-storeys buildings at Police Stations accommodating hundreds of constables with their families. With the growing strength of Bombay Police, accommodation has also been hired at some places outside the Police Station premises for the staff but the main fact remains that each and every constable, Head constable and Sub-Inspector has been provided with married accommodation. Apart from the

great psychological effect that this system has on the mental peace and well-being of a police officer, we found that the system led to a higher degree of discipline and better control over the men by the Inspector and Senior Sub-Inspectors of Police Stations. In addition, the location of all the force at one place has resulted in providing automatic reserves of force at any given hour of day or night because all the men are living in the premises of the Police Stations and even if they are not on duty at a particular hour they can, in an emergency, suddenly be called out for duty.

Police Outposts—There are 31 Police Stations in Greater Bombay but there are no Outposts in the sense as we have in our towns in Uttar Pradesh. All the staff of the Police Station stays within the Police Station precincts, operators from the police stations and is controlled from the P. S. There are no small parties of policemen distributed in Outposts as is the system prevalent in U. P. towns. The existing system in Greater Bombay, we were told, was conducive to greater discipline and better supervision over the men because all of them received greater attention from the superior than a staff. However, in our discussion with some of the Police Officers, it came to our notice that though the system was good in many ways, yet, it was defective in the sense that it did not enable the Police Officers to develop contact and acquire very intimate knowledge about men and things in their beats which they would have been able to do, in case they had lived in Outposts in their own beats. Thus, whereas the Bombay system has one advantage in that there is better control over the men, it, apparently, has a disadvantage in that they, inspite of their large number of Police Stations and consequent narrowing down of jurisdiction, are not able to get on to as familiar terms with the public in their beat as is necessary for police duties. The Outposts in our towns in U. P. are suffering from the draw back of better supervision and control from the police station but are reaping the advantage of having greater intimate local knowledge.

We have given careful consideration to the question of abolition or retention of Outposts in the urban areas of this State. The Bombay City Police has a large number of Police Stations and consequently their jurisdiction in terms of area controlled by them is fairly small. Even so, it was felt by some Bombay Police Officers that it would have been better if some Outposts had been created in the Bombay City so that Police personnel could be available in important localities all the time and could also have the advantage of coming into closer contact with the public. The Bombay Police have, to a certain extent, tried to overcome this difficulty by the Chowki system which will be explained in detail subsequently in this note. The Chowki system was introduced because the Bombay Police found it necessary to have some Policemen available in certain important localities most of the time, an object which is achieved by Outposts in this State. We are of the opinion, therefore, that a balance needs to be struck between the two opposite views, one advocating retention and the other abolition of Outposts. Where feasible, Outposts may be abolished and a group of them may be replaced by new police stations and bigger outposts, but in areas where this is not possible, the existing Outposts should be retained. We are, however, of the opinion that all urban Outposts should be under the charge of a Sub-Inspector who must live at the Outposts itself.

Chowki System—We were told that a system known as 'Chowki' system was prevalent in Greater Bombay. To certain important fixed places beat constable are sent out from the Police Station. These constables stand near-about the fixed place which is known as the 'Chowki'. At certain of these fixed places, the police have been able to build up small sheds, which are known as 'Chowkis'. These sheds or "Chowkis" are provided with benches. About 100 of these 'Chowkis' are also equipped with telephones. At other places, there are no sheds or telephones yet the place is known as 'Chowki', because police constables go to and stand there on duty. In short, 'Chowki' is a small shed or centre where constables, between certain fixed hours of the day, would be found present to deal with any local situations. During riots, most of these sheds get easily burnt or destroyed. This is, perhaps, one of the reasons why there are now no sheds at some 'Chowkis'.

The advantage of having such 'Chowkis' are many. They provide a shelter place for the beat constables. The public also know that a beat constable is likely to be available at the Chowki in case they need his help. It appears to us that the 'Chowki' system became necessary in Bombay as they did not have any Outposts and the need was felt to have easily accessible centres of contact between the police and the public. We feel the 'Chowki' system, can, with advantage, be introduced in our towns also. Of course, the number of 'Chowkis' in our towns will have to be considerably less as we have Outposts which serve the same purpose.

Beat Books—One useful system we noticed in Greater Bombay was that every constable was provided with printed pocket beat books in which he had to write down any thing that came to his notice. We recommend the introduction of this system in U. P. also. It appears to us that beat books used to be supplied to constables in U. P. about 30 years ago, but, somehow the system went out of vogue.

Powers of Externment—The Bombay Police Act, 1951, gives power to the Commissioner of Police, and District Magistrates, to extern from any town, for specified periods certain categories of persons who had come to adverse notice. This Act is an honest help to the Bombay Police in dealing with their criminals and other hazardous type of persons. We were told that but for this Act, the crime and law and order position in Greater Bombay would have been very difficult to control. We find that the provisions of similar powers to the police in KAVALTowns will considerably strengthen their hands in dealing with undesirable anti-social elements and, therefore, we feel it necessary to suggest that the enactment of such an Act may be considered for our KAVALTowns also.

BOMBAY CITY POLICE

TRAFFIC CONTROL

The strength of the Traffic Police in Greater Bombay is 3 Inspectors, 3 Senior Sub-Inspectors, 21 S. Is, 5 Jamadars, 85 Head Constables, 391 Constables, 3 H. C. Writers and 40 Constable Writers. One Deputy Commissioner of Police looks after the Traffic Police in addition to certain other duties allotted to him. His main concern, however, is with the efficiency of the Traffic Police in Greater Bombay.

Fixed Traffic Points and Patrolmen—We were surprised to find that the number of fixed traffic points in Greater Bombay was very limited. Actually, they have only 17 dual control and 37 single control fixed points. At the rest of traffic crossings they do not have a Constable standing and directing traffic all the time. The Traffic Police Constables posted at these crossings are called *patrol men* to distinguish them for Traffic Constables on fixed point duty. Their duties are to move round about the road crossing—the flow of traffic being almost automatic and to ensure that there is no hold-up of traffic or any violation of traffic laws by the motorists. There are such 150 patrol men. 97 of these patrol men are for particular crossings, another 19 are to look after pedestrian traffic crossings and 40 of them are for what is called *circle patrolling*—They have a very good system of circle patrolling in Bombay in that one Constable or Head Constable is in charge of a number of patrol men and fixed point Constables and it is his duty to go round the crossings and relieve them of their duty for half an hour during each 3 hour period of duty. Thus, no Traffic Constable is on continuous duty, either on fixed point duty, or, as a patrol man for 3 hours continuously. He is bound to be relieved in between the period of his duty by the circle patrol men and in this period of relief of half an hour he is at liberty to go and sit down, smoke and relax. The circle patrol men are also able to reinforce Traffic Constables or patrol men in case traffic conditions are difficult and heavy at any particular time. Thus, help to the Traffic Police in the form of circle patrolman is always available in Greater Bombay. A Traffic constable, on an average, does about 7 hours' duty per day in two shifts. Between the period of these two shifts, he is relieved for half an hour in each shift.

Uniform—There is no difference in uniform of the Constables who work at the Police Stations or the Traffic Constable, who stand at fixed crossings or work as patrol man. The Traffic Police Constables, while performing their duty, put on white sleeves in the day and white tunics at night, so that their signals are visible to the on coming traffic.

Accommodation—The Traffic Police have no separate accommodation as such for them. They have been located at Police Stations and Lines as and where residential accommodation has been available for them.

Automatic signals—There are only 4 crossings where there are automatic traffic control signals. The Bombay Traffic Police are thinking of putting in more of such automatic traffic control signals. We noticed that there were no hand-operated traffic control signals in Bombay as have been introduced, during the last few years, at some crossings in Lucknow and Kanpur. The Bombay Traffic Police do not appear to be in favour of hand operated control signals. Their main argument

was that the Psychological effect on the public was greater when a Constable was seen on the road than it would be if he were sitting in a cabin at the side of the crossing manipulating electrical switches to regulate traffic. Even at crossing having automatic signals, patrolmen and circle patrol men are bound to be present most of the time.

Special features of traffic problem in Bombay—The traffic problem in Bombay is entirely a problem of controlling motor vehicular traffic. There are very few cyclists, no cycle rickshaws and practically no other slow moving type of vehicular traffic on the main busy thoroughfares of Greater Bombay. Thus, the traffic problem has been reduced to the problem of controlling fast moving traffic only. We noticed, and, we were considerably surprised to find that, at many busy crossings, there was no regulation of traffic at all though, literally, hundreds, of motor vehicles were found passing the crossing. The drivers in Bombay it appeared to us, have a highly developed traffic sense. They know fully well that the slightest carelessness or mistake on their part will invite punishment by way of an accident and they would be in trouble. They are, therefore, not only cautious, alert and wide awake, but also very considerate towards the other fellow drivers. They all follow the rule "Right of way for the right", which means that any vehicle coming on the right has a right of way over other vehicles. We felt that if we had in our own towns in Uttar Pradesh certain crossings of the type that we saw in Bombay with heavy traffic and no regulation by the Police, there would be, for want of adequate traffic sense amongst us, no end of accidents.

The higher traffic sense amongst motor drivers in Greater Bombay has not developed during the course of a year or two, but is the result of persistent and consistent traffic regulations that have existed and have been enforced in Greater Bombay for the last 50 years.

The main reasons why such heavy motor vehicular traffic in the main streets of Bombay goes on without much jamming and hold-ups are the higher sense of responsibility and alertness amongst every motor driver in Bombay, the absence of any slow moving traffic on the roads and the building of comparatively wider roads to enable traffic to move two abreast in both directions. We noticed that traffic conditions of Greater Bombay had no resemblance with the traffic conditions in our towns and therefore, we felt that we were not in a position to copy very much from the system of traffic regulation of Greater Bombay. We will have to find out our own solution for the traffic problems that exist in our cities. We have traffic of all kinds—cyclists, Thelas, horse driven vehicles, bullock carts, cycle-rickshaws etc., etc., cluttering our narrow roads. The number of cycle rickshaws in every big city of U. P. is near about 7 to 10 thousands. Our roads are not as wide as those of Greater Bombay. In most of our towns, the pedestrians find it convenient to walk on the main road rather than keep on to the foot-paths. All these complexities of traffic problems face us in our towns and defy any easy solution. The Traffic Police in our towns do their best, in our opinion, to control traffic under the existing circumstances and the results are only as satisfactory as the conditions permit. The Police of Greater Bombay had been planning during the last 25—30 years to ensure that all slow moving traffic was gradually and virtually eliminated from the streets of Greater Bombay. Cyclists are not in a happy position in Bombay and they find cycles of little use considering

the long distances and the risk of personal injury due to the very heavy motor vehicular traffic on the roads. The city Bus transport system is efficient and the public find it more convenient to travel by buses than push along the roads on cycles. Horse driven vehicles are only confined to a few victorias, mainly used for carrying passengers from and to Railway Station, some of them may be seen in suburbs. No man driven thela etc. are allowed on the main roads of Greater Bombay, all goods traffic being carried by trucks and buses. No licences have been issued for cycle rickshaws at all with the result that there is not a single cycle rickshaw. Even motorcycle rickshaws are not finding favour with Greater Bombay Traffic Police. Licences have been issued to 40 such motorcycle rickshaws only as the Traffic Police finds that manoeuvring of motor cycle rickshaws is not good in the traffic conditions that exist in Greater Bombay.

Problems of Bombay Traffic Police—The main problem of Bombay Traffic Police is the difficulty of finding sufficient parking places for parking vehicles. The Bombay Corporation is thinking of putting up a multi-storeyed lift-operated building for parking as many as 500 motor vehicles in a limited space. This they feel, will be ultimate solution of parking in Greater Bombay. The strength of the Traffic Police in Greater Bombay is according to their officers, inadequate and they are going up to their Government for increasing it. We were surprised to find that the total strength of the Traffic Police in Greater Bombay, as compared with the strength of Traffic Police in some of our own big towns, was very modest indeed. We noticed that the majority of their traffic crossing were not manned by traffic policemen and that was why they were able to carry on with the limited staff that was available to them.

Lest our narration of traffic conditions in Bombay may create the erroneous impression that the Bombay traffic conditions are excellent all round, we would like to point out that in suburbs and less developed and less modern areas of Greater Bombay, the traffic conditions are just as good or as bad as in our towns in U. P. There is enough of slow moving traffic in these areas and the Bombay Traffic Police, like us, are still grouping for a solution.

Accidents—We studied the figures of accidents that occur every month in Greater Bombay. The following chart would indicate the number of accidents during the first six months of 1960:

			Number of accidents	Accid nts with injuries	Accid nts fatal
January	..	..	1694	499	35
February	..	..	1447	487	30
March..	..	..	1947	467	22
April ..	..	..	1580	418	20
May ..	..	..	1712	496	24
June ..	..	..	1685	435	17

A study of these figures would indicate that the number of accidents in Greater Bombay is quite large. The number of persons who get injured and the number of persons who die every month is also considerable. These accident figures, however, have to be judged keeping in view the fact that no less than 74 thousand motor vehicles are on the road in Greater Bombay. The Bombay Traffic Police, therefore, have their hands full with their existing problems in a growing fast-moving traffic town. Really, what we felt was that Bombay had reached the 'Motor Age' whereas most of our towns in U. P. were still in the 'Cycle Age'.

Number of traffic offences—The average number of traffic offences in one year is not less than 1,39,000. Out of these about 75,000 cases are prosecuted annually. The Deputy Commissioner, Traffic, on behalf of the Commissioner of Police, issues a very politely worded warning in the remaining cases of minor traffic offences. The Police have no powers of compounding offences by realising fines on the spot.

Traffic Advisory Committee—There is a Traffic Advisory Committee appointed by Government from year to year for Greater Bombay. This Committee is presided over by the Commissioner of Police. The Traffic Advisory Committee meets every month and takes decision on all the major traffic problems in Greater Bombay.

Traffic Control Room—At the Traffic Police Headquarters of the Greater Bombay a Control Room is maintained, which is in touch both by radio and telephone with a couple of mobile radio fitted Traffic vans moving about on the roads controlling traffic. This Control Room is also in a position to keep touch with the main Control Room in the Office of the Commissioner of Police.

Propaganda Division—A Propaganda Division has been established at the Traffic Police Headquarters. This Propaganda Division is in the charge of an Inspector of Police. The duties of the Propaganda Division are to inculcate knowledge regarding traffic rules in the general public and in schools. The staff write articles and seek the help of the press in publishing these articles for the guidance of the general public. They visit schools and deliver lectures to children with the help of charts and other audio-visual aids. They also deliver lectures arranged by the various Associations for the benefit of their members. Thus, the Propaganda Division, which also maintains proper office with charts, figures and diagrams giving various statistics of the traffic problems of all nature, is a very useful adjunct of the Traffic Police in Greater Bombay.

Carding System—We found that in the Headquarters of the Traffic Police, a very efficient carding system is maintained giving details about every vehicle, registered in Greater Bombay or that happens to be in Bombay for some time. Similarly, cards for all drivers who had come to adverse notice are maintained. Thus the Office of the Deputy Commissioner of Police Traffic has all the necessary information available with them and, at a moment's notice, they can easily locate either the car or a particular driver if need be. The Regional Transport Authority regularly sends all the necessary information to the Office of the Deputy Commissioner Traffic so that they may keep their cards up to date, regarding registration of new vehicles, etc.

Prosecution in Court—When a traffic offender is prosecuted and his papers have been sent to court, the court issues summons for the offender giving him, at the same time, option in case he is a first offender, to pay

a particular fine if he does not want to defend his case. This procedure in many cases is found to be very convenient by the motor drivers because in case they accept the offence, they readily agree to pay the fine and save themselves the additional trouble of attending the court.

Recommendation—(1) We recommend that the system of circle patrols should be introduced in our cities. There should be a Head Constable or a Constable for 5 to 6 fixed traffic points. He should go round these points regularly and should relieve the Traffic Constable on those points for 15 minutes during each spell of duty. In this way, the Circle Patrol Officer will be able to supervise the work of the Traffic Police Constables and will also be able to relieve them for necessary rest, etc.

(2) We also recommend that instead of having all Traffic Constables on fixed point duty, we should, after examining each traffic point, be able to decide which points can do without a Constable on fixed point duty. At such crossings, we recommend that the Constable should remain moving about the crossing and need not remain on fixed point duty all the time. In this way he will be able not only to keep an eye on the traffic at the crossing itself but also on the traffic round about it. We feel this experiment is worth trying in our towns.

(3) We suggest that there should be a Traffic Advisory Committee in all the KAVAL towns. The S. P. should be the Chairman of this Traffic Advisory Committee.

(4) We recommend that a Propaganda Division, on the Lines of Bombay Traffic Police, should also come into existence in all the KAVAL towns of U. P. It is very necessary that propaganda and education regarding traffic rules should be consistent and persistent. In this way alone can we hope, during the course of years, to have a better traffic-minded public.

(5) The system of indicating fine by the courts with the summons, in our opinion, can be usefully adopted in our State also.

(6) As regards the traffic congestion on the main roads in our cities, it appears to us necessary that the number of cycle-rickshaws in big towns should be considerably reduced as compared to their present strength. The main problem, however, will be that there will be no other means of conveyance available to substitute for the reduced number of cycle-rickshaws. We, therefore, suggest that if the number of buses run by the Nagar Palikas in the towns is suitably increased, the general public will not be inconvenienced at all by the reduction of cycle-rickshaws. The two suggestions, in our opinion, should be correlated and introduced at the same time, and not one after the other.

(7) Automatic traffic signals are very efficient and do away with the necessity of a large number of Constables at heavy crossings. We, however, suggest that such automatic signals, in view of the cost involved, should be installed only at very heavy crossings in towns of Kanpur and Lucknow. The other crossings should continue to be manned by hand-operated signals or by Traffic Constables by themselves.

(8) We find that the system of issuing written warnings by the Police to owners/drivers of motor vehicles for minor traffic offences exists in this State. The Police do not appear to have any legal authority for issue of such warnings but the system prevails and is generally accepted. We recommend that this system should continue but the wordings of the warning letter may be suitably amended to make it more polite on the lines of the warnings issued by the Bombay Police.

BOMBAY CITY POLICE

WOMEN POLICE

The strength of Women Police in Greater Bombay consists of 3 Sub-Inspectors, 8 Head Constables and 98 Constables. Their main duties are: (a) welfare of juvenile delinquents, (b) rendering help to the local Police in vice cases, (c) search of women suspects, (d) rendering help to Police in prohibition work, (e) political surveillance where required, (f) guarding and escorting women and child prisoners.

The Vigilance Branch of the C. I. D. employ a staff of one S. I., 5 Head Constables and 6 Constables of Women Police. They move about in a Police van visiting important centres in the City, picking up children, waifs, strays and destitutes up to 16 years and getting them admitted to the Remand Homes.

The Bombay Police are finding the Women Police very useful. They have no difficulty in getting suitable recruits for enlistment. We have pleased to see the efficiency and the smart turn-out of the Women Police of Greater Bombay.

We recommend that, to start with, Women Police should be created in towns of Kanpur and Lucknow.

Prohibition Branch—The Prohibition staff of Greater Bombay consists of one Deputy Commissioner of Police, one Superintendent of Police, 7 Inspectors, 7 Senior Sub-Inspectors, 55 S. Is., 174 Head Constables, 8 Head Constable Writers and 635 Constables. 34 Women Police are also attached to them. They are divided in 7 sections including an Intelligence Section. The Excise Department has no responsibility regarding prohibition in Greater Bombay. The expenditure on Prohibition Scheme in Greater Bombay is about 13 lacs per year. The Prohibition staff is facing the same difficulties in the enforcement of prohibition law, as are well-known to us. The Prohibition staff is waging a constant war against boot-leggers, illicit smugglers and distillers. It is a perpetual problem which has found no easy solution. We could not see anything specifically of merit in their prohibition enforcement system which would be worth recording.

MOTOR TRANSPORT

The Greater Bombay Police has as many as 255 vehicles of various types to constitute its transport system. One vehicle has been provided for each Police Station. There are 12 small cars, 16 medium cars, besides a large number of jeeps, light vans, station wagons and other light and heavy vehicles. In short, the transport position of the Greater Bombay Police is very happy as they have been provided with enough mobility.

APPENDIX VII

*Detail regarding persons called for oral evidence
and the number actually turned up*

	Number of persons requested to appear before the Commission for oral evidence	Number of persons actually turned up
M. P., M. L. As. and M. L. Cs.	15	12
Mayors	1	1
Deputy Mayors.. ..	1	1
Chairman, Municipal Boards	1	1
Chairman, Antarim Zila Parishad	1	1 (Member).
President/Secretary of all important Social and Service Organisations and all Secretaries of Political Parties including Women Organisation.	6	3
Judges of High Court and District Judges ..	4	3
Advocate-General and Law Officers of High Court and D. G. Cs.	11	10
Presidents of Bar Associations	5	5
Vice-Chancellors of Universities and some important educationalists.	2	1
Commissioners of Divisions	10	5
Transport Commissioner	1	1
Excise Commissioner	1	1
District Magistrates	15	10
Presiding Officer, Industrial Tribunal ..	1	1
Certain Senior Administrative Officers ..	5	5
Inspector General of Police, U. P.	1	1
Deputy Inspectors General of Police U. P.	8	8
Superintendents of Police	16	14
Commandants of P. A. C. Bns.	1	1
A. Ss. P. and Deputy Superintendents of Police ..	7	7
Non-Gazetted Police Staffs	25	18
Industrialists and Businessmen	1	1

	Number of persons requested to appear before the Commission for oral evidence	Number of persons actually turned up
D. I. G. of Police and other officers outside U. P. . . .	5	1
Medical Practitioners	2	1
Retired Officers (Gazetted and Non-Gazetted) ..	5	4
Presidents, Anti-Corruption Committees ..	2	2
U. P. Police Officers' Association	1	1
Prominent Journalists, Editors and Press Represent- ative.	5	3
Pradhan and Sarpanches; selected persons for V.D.S. and other public.	65	41
	224	163

APPENDIX VIII

Serial no.	Name of range	Name of district allotted to each range
1	Meerut Range ..	(1) Meerut, (2) Bulandshahr, (3) Muzaffarnagar, (4) Saharanpur, (5) Dehra Dun, (6) Tehri-Garhwal.
2	Varanasi Range ..	(1) Varanasi, (2) Mirzapur, (3) Ghazipur, (4) Jaunpur, (5) Ballia, (6) Azamgarh.
3	Lucknow Range ..	(1) Lucknow, (2) Sitapur, (3) Hardoi, (4) Banda, (5) Banki, (6) Kheri, (7) Rae Bareilly, (8) Unnao.
4	Kanpur Range ..	(1) Kanpur, (2) Fatehpur, (3) Allahabad, (4) Banda, (5) Hamirpur, (6) Jalaun, (7) Jhansi.
5	Bareilly Range ..	(1) Bareilly, (2) Bijnor, (3) Pauri-Garhwal, (4) Budaun, (5) Naini Tal, (6) Moradabad, (7) Pilibhit, (8) Shahjahanpur, (9) Rampur.
6	Agra Range ..	(1) Agra, (2) Mathura, (3) Etawah, (4) Aligarh, (5) Mainpuri, (6) Etawah, (7) Fatehgarh.
7	Gorakhpur Range ..	(1) Gorakhpur, (2) Basti, (3) Gonda, (4) Bahraich, (5) Faizabad, (6) Deoria, (7) Sultanpur.

APPENDIX IX

Standards laid down by the Pearce Committee, 1945 for determining the Strength of the Armed Police

1. *Fixed and Permanent Guards*—On actual requirements.
2. *Escort strengths*—On actuals for the years 1943 and 1944.
3. *Hawalat Guard duty*—On the average daily requirements over a period of 2 years.
4. *Miscellaneous Lines duties*:
 - (i) *Instructors*—(a) One Head Drill Instructor for each district.
 - (b) One combined Infantry training and Musketry Instructor for every 20 trainees.
 - (c) One Physical Training Instructor for every 40 trainees.
 - (ii) *Buglers*—A minimum of two per district with additional men in large districts were considered necessary.
 - (iii) *Day Officer*—One Sub-Inspector, One Constable each in larger districts and one Head Constable each in smaller districts.
 - (iv) *Armourers, Maganize Moharrir and Cycle repairers*—One Head Constable and 2 Constables in 11 largest districts and one Head Constable and 1 Constable in other districts.
 - (v) *Officer incharge defaulters*—One Head Constable for each district.
 - (vi) *Duty Distribution*—One Head Constable and one Constable for smaller districts and 2 Head Constables and 2 Constables for bigger districts.
 - (vii) *Lines Police*—One Head Constable and one constable for each district.
 - (viii) *Officer's Orderlies*—Three Constable Orderlies each for Superintendents of Police of 12 first class districts and 2 for Superintendents of Police in the remaining districts. One Constable each for junior Gazetted Officers.
 - (ix) *Sick Attendants*—Two Constables for each district.
 - (x) *Escort to Accountant*—One Head Constable each to accompany the Accountant where the Bank is a mile or more from the Police Office.
 - (xi) *Mess Supervisory duties*—One Head Constable and one Constable for each mess.
 - (xii) *Dak Orderlies*—These Orderlies have been sanctioned where office peons have not been sanctioned.
5. *Armed Security Reserve*—On actual requirements.
6. *Leave and Casualty Reserve*—
 - (1) *Leave*—Twelve and half per cent of all duty requirements including the Armed Emergency Reserve.
 - (2) *Hospital Admission*—Two per cent based on actuals.
 - (3) *Sickness*—Two per cent.
 - (4) *Suspension and Deputation*—One per cent of duty requirements.

APPENDIX X

Distribution of the 93 Companies sanctioned for the Pradeshiik Armed Constabulary Battalions

Serial no.	Name of Unit	Present strength		
1.	II Bn. P. A. C., Moradabad	..	..	.. 7 Companies.
2.	III Bn. P. A. C., Lucknow	..	..	.. 8 "
3.	IV Bn. P. A. C., Allahabad	..	..	.. 7 "
4.	V Bn. P. A. C., Ramnagar, Varanasi..	..	..	.. 8 "
5.	VI Bn. P. A. C., Meerut	..	..	.. 7 "
6.	VIII Bn. P. A. C., Bareilly	..	..	.. 6 "
7.	XI Bn. P. A. C., Sitapur	..	..	.. 7 "
8.	XIV Bn. P. A. C., Kanpur	..	..	.. 7 "
9.	XV Bn. P. A. C., Agra	..	..	.. 8 "
10.	On. Govt. of India duties	..	..	.. 28 "
Total		..	..	.. 93 "

APPENDIX XI

Strength of Traffic Police

Serial no.	Name of district	Inspr.	Sub-Inspr.	Hd. Consa.	Conss.	Remarks
1.	Kanpur	1	..	1	103	
2.	Agra	..	..	1	60	
3.	Varanasi	..	1	2	53	Includes 1 S. I. 1. H. C. and 10 Conss. sanctioned temporarily.
4.	Allahabad	1	..	2	55	
5.	Lucknow	1	1	5	82	Includes 2 Hd. conss. and 16 Conss. sanctioned temporarily.
6.	Meerut	..	..	1	36	Includes 6 Conss. sanctioned temporarily.
7.	Bareilly	..	..	1	39	Includes 8 Conss. sanctioned temporarily.
8.	Muzaffarnagar	..	..	..	8	
9.	Saharanpur	..	..	1	14	
10.	Dehra Dun	..	..	1	42	Includes 6 Conss. sanctioned temporarily
11.	Tehri Garhwal	..	..	..	..
12.	Mirzapur	..	..	..	4	
13.	Ghazipur	..	..	..	..
14.	Jaunpur	..	..	..	..
15.	Ballia	..	..	..	..
16.	Azamgarh	..	..	..	5	
17.	Sitapur	..	..	..	..
18.	Hardoi	..	..	..	..
19.	Bra Banki	..	..	..	1	
20.	Kheri	..	..	..	1	
21.	Rae Bareli	..	..	..	..
22.	Pratapgarh	..	..	..	2	
23.	Unnao	..	..	..	2	

Serial no.	Name of district	Inspr.	Sub-Inspr.	Hd. Conss.	Conss.	Remarks.
24.	Fatehpur	..	..	..	2	
25.	Banda	..	..	..	..
26.	Hamirpur	..	..	..	..
27.	Jalaun	..	..	..	3	
28.	Jhansi	..	..	1	11	
29.	Bijnor	..	..	..	1	
30.	Pauri Garhwal	..	..	..	8	
31.	Budaun	..	..	..	6	
32.	Naini Tal	..	..	2	14	
33.	Moradabad	..	..	..	13	
34.	Pilibhit	..	..	..	1	
35.	Shahjahanpur	..	..	1	13	
36.	Rampur	..	..	2	15	
37.	Mathura	..	..	1	10	
38.	Etah	..	..	..	4	
39.	Aligarh	..	..	1	16	
40.	Mainpuri	..	..	..	8	
41.	Etawah	..	..	..	4	
42.	Farrukhabad	..	..	..	5	
43.	Gorakhpur	..	..	..	6	
44.	Basti	..	..	..	4	
45.	Gonda	..	..	..	3	
46.	Bahraich	..	..	..	1	
47.	Faizabad	..	..	1	9	
48.	Deoria	..	..	..	2	
49.	Sultanpur	..	..	..	2	
50.	Bulandshahr	..	..	..	..
Total		..	3	2	24	676

APPENDIX XII

Details of expenditure incurred on Mounted Police Horses in Uttar Pradesh.

Serial no.	Name of Troop	Headquarters	Total no. of Horses
1	Meerut	.. .. .	25
2	Agra	.. .. .	25
3	Kanpur	.. .. .	31
4	Allahabad	.. .. .	31
5	Varanasi	.. .. .	18
6	Lucknow	.. .. .	37
7	Faizabad	.. .. .	18
	Police Training College, Moradabad	.. .. .	54
	Total	.. .. .	236
(i) Cost of maintenance of 100 Sargodha horses at the rate of Rs.70-p. m. per horse (This includes wages of syce at Rs. 6 p. m. per horse).			7,000
(ii) Cost of maintenance of 136 Country horses at the rate of Rs. 60 p. m per horse (This includes wages of syce at Rs. 6 p. m. per horse*).			8,160
	Cost p. m.	.. .. .	15,160
			×12
	Cost p. a.	.. .. .	1,81,920

NOTE—(1) *A syce is required to look after 6 horses. For looking after 6 horses he earns a total sum of Rs. 36 p. m.

(2) Every year approximately 20 new Mounted Police horses at an approximate cost of Rs. 1,000 per horse are purchased to bring the sanctioned number of horses up to date).

(3) The cost of articles required for the saddlery of a Mounted Police horse is Rs. 472. Every year new saddleries are purchased according to actual requirement.

APPENDIX XIII

U P. Police Headquarters, Allahabad

Depart- ment number		Subjects dealt with
II	..	.. Uniform and accoutrements.
III/A	..	.. Reforms, allocation and schemes.
III/B	..	.. Budget.
IV	..	.. Pension
V	..	.. Civil Police and P. T. C.
VI	..	.. Crimes and Statistics.
VII	..	.. Receipts, supply of Typewriters, Cycles, Telephone, etc.
VIII	..	.. Copying Department.
IX	..	.. Appeals and petitions.
X	..	.. Armed Police and Training.
XI	..	.. Buildings.
XII	..	.. Accounts.
XIII	..	.. Pay Section.
XV	..	.. Arms and Ammunition and tentage.
XVIII	..	.. District Police and Police Headquarters (Ministerial Establishment.
XIX	..	.. Motor Vehicles and Motor Drivers.
XX	..	.. Record and Library.

APPENDIX XIV

List of work that should be entrusted to office superintendents in districts

1. Disposal of entire dak (both local and outside) of routine nature not requiring personal attention of Superintendent of Police.

2. Checking and signing of all letters and dockets other than D. Os. addressed to the Inspector General of Police, Deputy Inspector General of Police and Gazetted Officers of the other Departments.

3. Works connected with verification rolls, military verification rolls and General Registers.

4. Routine works connected with the character roll branch, e.g. checking and initialling of all entries in character rolls and service books, checking and signing of insurance and pension cases, leave account, medical examination results, quinquennial verifications etc. etc.

5. Noting of increment orders on the nominal rolls.

6. Preparation and checking of all important drafts to be signed by the Superintendent of Police.

7. Checking and signing of all periodical returns and statements.

8. All works pertaining to buildings, e.g. issue of tenders, filling of contracts and deeds, etc. except passing final orders on tenders which should be done by Superintendent of Police.

9. Checking and signing of cash-book, credit orders and all bills as also all works pertaining to accounts branch.

10. Checking and passing of payment orders on diet cheques, permanent advance, travelling allowance bill and vouchers pertaining to the contingencies and sanctioning advance travelling allowance.

11. Ensuring compliance of orders passed on Inspection Notes of office by the Deputy Inspector General of Police, Inspector of Offices and Audit Report, etc.

12. Supervision of work relating to private funds, viz. Sports Fund, Police Club Fund, Band Fund, Garden Fund, Dod Benevolent Fund, Mess Reserve Fund, Police Co-operative Society, etc.

13. Matters connected with the record-room including passing of orders on applications for copies of reports etc.

14. Routine monthly inspections of different branches. English Office, Accounts Office and Record Room.

15. Preparation of comments on appeals and revisions of departmental cases for being put up before Superintendent of Police.

16. Routine works pertaining to Reserve Lines, viz., Estimates for purchases and repairs, arms and ammunition, indents for various requirements.

17. Disposal of gun licence applications.

18. Submission of reports received on various applications and complaints to Superintendent of Police.

19. Signing General Diaries, Case Diaries, Credit Order Book, etc. before issue.

20. Checking and signing indent of Stationery, Uniform, etc.

21. Giving orders for weeding out old records.

22. Checking and payment of rewards sanctioned to Police personnel.

APPENDIX XV

One unit should consist of 2 dogs and 2 handlers. A dog is inseparable from its handler and both have to work as one team. We have been advised that Dog Squads should be located as follows:

Kanpur	...	...	2 units 4 dogs and 4 handlers.
Varanasi	...	...	2 units 4 dogs and 4 handlers.
Agra	...	...	2 units 4 dogs and 4 handlers.
Faizabad	...	...	1 unit 2 dogs and 2 handlers.
Gorakhpur	...	...	1 unit 2 dogs and 2 handlers.
Meerut	...	...	1 unit 2 dogs and 2 handlers.
Bareilly	...	...	1 unit 2 dogs and 2 handlers.
Jhansi	...	...	1 unit 2 dogs and 2 handlers.
Allahabad	...	...	1 unit 2 dogs and 2 handlers.
Lucknow	...	...	1 unit 2 dogs and 2 handlers.

Only 2 dogs have been provided for Lucknow although actually unit of 4 dogs would be required. There will, however, be a reserve of trained dogs at the C. I. D. Headquarters and whenever more units are required, they can be indented from the reserve.

Dog Squads should be located in the Police Lines but they should work under operational control of the Superintendent of Police. The entire Police Dog Section in the State should be controlled by the Deputy Inspector General of Police, C. I. D.

For the type of work which the Police Dogs are required to do, it is obviously necessary that they should be of good breeds. The two species of dogs, which have been found very useful for this kind of work, are Dobar-man and Alsatian. The present Dog Squad of the C. I. D. consists of these species. So far Dogs for the Police have been purchased from market. As the Dog Squads section would now be considerably expanded, it would be more economical for the Police to breed its dogs. This would also ensure that proper traits in the dogs are retained and improved by selective breeding.

The dog has a short span of life and casualties among Police Dogs are frequent. For regular replacement, it would, therefore, be necessary to maintain a reserve of trained dogs at the C. I. D. Headquarters. For this purpose, we recommend that 6 dogs should be kept as reserve and under training at the C. I. D. Headquarters and 3 dogs (1 male and 2 females) of a really good breed for breeding.

The dog is inseparable from his handler and, therefore, there should be one handler to each dog. Whenever there is only one team of two dogs, the strength of handlers should be one Head Constable and one Constable but at places where there are two teams of 4 dogs, there should be one Sub-Inspector, one Head Constable and two Constables. At all places where dog squads are stationed, one sweeper should be sanctioned to look after their feeding and care.

At Lucknow altogether 11 dogs will be stationed 2 for the district work and 9 for reserve and breeding. For this team of 11 dogs, 11 handlers would be required. The handlers should be composed of 4 Constables, 4 Head Constables and 3 Sub-Inspectors. For normal supervision and for work at the time of whelping, it will be necessary to allot 3 sweepers for 11 dogs.

Deputy Inspector General of Police, C. I. D., is of the opinion that a technical staff of one Deputy Superintendent of Police and one Inspector should be provided at the C. I. D. Headquarters to impart initial and advanced training to dogs as well as to handlers and to look after refresher courses which will be arranged periodically. The expansion of the Dog and Squad Section would also require study of a latest literature on the subject in order to introduce methods which are being utilized in other countries. Sri C. B. Carns, Deputy S. P., who is now incharge of Dog Squads is reported to have a special aptitude for the work. He should continue to be incharge of the enlarged Dog Squad Section, and train an Inspector specially for the work, who may on his retirement take charge of the Section.

APPENDIX XVI

1.	Crime Kit Box wooden	..	..	..	..	1
2.	Hammer with nail-puller	..	..	..	..	1
3.	Camel Hair Brush round	..	..	..	..	1
4.	Camel Hair Brush Flat	..	..	..	..	1 Pair.
5.	Hand Gloves	..	..	..	..	1
6.	Scale	..	..	..	..	1
7.	Horn Sheo	..	..	..	..	1
8.	Tape measuring	..	..	..	..	2
9.	Spoon	..	..	..	..	1
10.	Screw Driver	..	..	..	..	1
11.	Plaster of Paris	..	..	..	..	5 lb.
12.	Finger Print Powder	..	..	..	..	..
13.	Wooden frame foot size	..	..	..	..	1
14.	Plastic Sheet foot size	..	..	..	..	1
15.	Hand Magnifier	..	..	..	..	1
16.	Insufflator (atomizer)	..	..	..	..	1
17.	Phials (2 oz.)	..	..	..	..	3
18.	Phials (4 oz.)	..	..	..	..	1
19.	Phials (3 oz.)	..	..	..	..	1
20.	Pliers	..	..	..	..	1
21.	Forceps	..	..	..	..	1
22.	Torch Complete	..	..	..	..	1
23.	Bowl	..	..	..	..	1
24.	Lock for the Kit Box	..	..	..	..	1

APPENDIX XVII

Staff required for one recruits training school capable of training 600 recruits at a time.

A	Administrative		
	(1) Commandant (Rank of a S. P.)	1	
	(2) Reserve Inspector	1	
	(3) Sub-Inspector (Armed Police)	5	

NOTE—It is visualized that the 600 recruits shall be divided into five Companies of 120 each. Each Company will be divided into 6 squads of 20 each.

B	Instructional Staff		
	(a) Public Prosecutor (Headmaster)	1	
	(b) P. T. Instructors (Head Constable	10	
	(c) I. T. Instructors (grade)	30	
	(d) School Teachers (S. I. grade)	20	

C	Other staff		
	(a) Quarter Guard to be provided from local Police Lines	2	
	(b) Buglers	2	
	(c) Kot Moharrirs	4	
	(d) Armourers	2	
	(e) Office Orderlies	2	
	(f) Orderly Peons for Officers	3	

D	Class IV Staff		
	(a) Cooks	15	
	(b) Kahars	10	
	(c) Dhobis	10	
	(d) Cobblers	3	
	(e) Barbers	6	
	(f) Sweepers	6	

NOTE—(i) Mess utensils consisting of five complete sets for 120 recruits each shall be provided.

(ii) The requirement of six sweepers has been worked out on the assumption that flush latrines shall be provided in accordance with the normal scale laid down for hostels or similar accommodation. It is estimated that about 50 to 60 seats shall be required.

E	Office staff		
	(a) Stenographers	1	
	(b) Head Clerk	1	
	(c) Accountant	1	
	(d) Assistant Accountant	1	
	(e) Assistant Clerk	1	
	(f) Typist Clerk	1	
	(g) Despatcher	1	

NOTE—The instructional staff and the class IV staff for mess etc. have been worked out on the following scale:

I. T. Instructor ..	..	One for 20 recruits.
P. T. Instructor ..	..	One for 60 recruits.

APPENDIX XVIII

Special pays which are recommended to continue

Designation and rank	Rate of special pay
<i>Pradeshik Armed Constabulary.</i>	
	Rs.
1. Quartermaster (Inspector)	75 per mensem
2. Company Commanders and Assistant Quartermaster, XI Bn., P. A. C. Sitapur	50 per mensem each.
3. Subedar Quartermaster, Subedar, M. T., Subedar Head P. T. I. and Subedar M. I.	25 "
4. Platoon Commanders	15 "
5. Company Havildar Major	15 "
6. Havildar	10 "
7. Havildar M. T.	10 "
8. Constable Bugler	4 "
<i>District Executive Force—</i>	
1. Senior Reserve Inspectors in districts of Allahabad, Lucknow Kanpur, Agra and Reserve Inspectors in Varanasi, Jhansi, Meerut and Bareilly.	50 "
2. Sub-Inspector posted for Pilot duty at Government House at Lucknow and Naini Tal.	30 "
3. Sub-Inspector, District Crime Record Section	15 "
4. Assistant Public Prosecutors I/c Lock-ups at Karvi, Roorkee Mahoba, Kashipur, Kasia, Chakia, Lalitpur and Lansdowne.	10 "
5. Head Constable, Traffic Police	5 "
6. Head Constable 'A' Grade and 'B' Grade Photographers	12.50 and 10 "
7. Head Constable Lines Schools Teachers	15 "
8. Constable Buglers	4 "
9. Motor Boat mechanic at Varanasi	5 "
10. Constable 'A' Grade and 'B' Grade Photographers	8 and 6 "
11. Constable, Traffic Police	3 "
<i>Criminal Investigation Department, Intelligence Department and Scientific Section of the C. I. D.</i>	
1. Inspectors, C. I. D. and Intelligence Department	70 per mensem
2. Inspectors, F. P. B. and Scientific Section of the C. I. D.	60 "

Designation and Rank	Rate of Special pay
	Rs.
3. Inspector, Shorthand Reporters, Intelligence Department)	30 per mensem.
4. L. I. U. Inspectors	70 Do.
5. Public Prosecutors	70 Do.
6. Sub-Inspector, C. I. D. and Intelligence Department ..	60 Do.
7. Sub-Inspectors, Shorthand Reporters (Intelligence Department).	30 Do.
8. Sub-Inspectors, Incharge, L. I. U.	60 and 50 Do.
9. Second Officers, L. I. U.	40 and 30 Do.
10. Sub-Inspectors, F. P. B.	30 Do.
11. Head Constables, C. I. D., Intelligence and L. I. U. ..	15 Do.
12. Head Constables, F. P. B. and Scientific Section ..	10 Do.
13. Constables, C. I. D., L. I. U. and Intelligence Department	10 Do.
14. Constables, F. P. B. and Scientific Section	3 Do.
15. Shadow Constables	5 Do.
<i>Government Railway Police</i>	
1. Sub-Inspectors of the C. I. A.	Rs. 30 to the S. I. Incharge and Rs.20 per month to the Second Officer.
2. Detective allowance to Head Constables	7 per mensem.
<i>U. P. Police Central Stores, Kanpur</i>	
1. Assistant Quartermaster (R. I.)	50 Do.
2. Head Constables	10 Do.
<i>Motor Transport Section</i>	
1. Head Constable Motor Drivers	10 Do.

APPENDIX XIX

COMPENSATORY ALLOWANCES WHICH ARE RECOMMENDED TO CONTINUE

C. I. D. and Intelligence Department

	Rs.	
1. Conveyance allowance to Inspectors without prescribing any means of conveyance.	24	per mensem.
2. Cycle allowance to Sub-Inspectors of the L. I. U.	8	Do.
3. Cycle allowance to Sub-Inspectors of the C. I. D., Intelligence Department.	3	Do.
4. Cycle allowance to Head Constables of the C. I. D. Intelligence and L. I. U.	3	Do.
5. Cycle Allowance to Constables of the C. I. D. Intelligence and L. I. U.	3	Do.
<i>District Executive Force</i>		
1. Conveyance allowance to Reserve Inspectors in big cities without prescribing any means of conveyance	24	Do.
2. Conveyance allowance to Reserve Inspectors in small towns without prescribing any means of conveyance.	20	Do.
3. Frontier allowance to the non-gazetted staff posted to Indo-Tibetan Border.	100 per cent of the basic pay subject to a maximum of Rs. 200 per mensem and to a minimum of Rs. 30 per mensem.	
4. Conveyance allowance to Public Prosecutors in big cities without prescribing any means of conveyance.	24 per mensem.	
5. Cycle allowance to Public Prosecutors in small towns . .	3	Do.
6. Cycle allowance to S. I. Civil Police posted to Hills or Rural areas.	3	Do.
7. Cycle allowance to S. I Civil Police at District Headquarters	3	Do.
8. Pilgrim Route allowance to S. Is. posted on Pilgrim routes in the Kumaun Division.	10 and 5.	Do.
9. Cycle allowance to S. Is. A. P., posted to District Headquarters.	3	Do.
10. Cycle allowance to Assistant Public Prosecutors	3	Do.
11. Pilgrim Route allowance to Head Constables posted to Pilgrim routes.	5 and 2.50	Do.
12. Compensatory allowance to one Head Constable posted for Traffic duty at Kineraig in district Dehra Dun.	6	Do.
13. Cycle allowance to Head Constables of the Fast Traffic Police	3	Do.
14. Pilgrim route allowance to Constables posted on Pilgrim routes in Kumaun Division.	3 and 1.50	Do.
15. Compensatory allowance to 4 Constables for traffic duty at Kineraig in district Dehra Dun.	3 each.	Do.
<i>Government Railway Police</i>		
1. Conveyance allowance to Inspectors without prescribing any means of conveyance.	24	Do.
2. Conveyance allowance to R. I. Incharge Training Centre, Moradabad without prescribing any means of conveyance.	20	Do.
<i>U. P. Fire Service</i>		
1. Cycle allowance to Fire Station Officers and Second Officers	3	Do.

APPENDIX XX

Recommendation of the Commission on several police headquarters proposals regarding special pays

Serial no.	Police Headquarters letter and date	Subject	Recommendation of the Commission
1	2	3	4
1	III/A—81-54, dated November 17, 1958.	Payment of special pay at Rs. 60 per mensem each to 4 Sub-Inspectors of the self-contained specialized cadre of shadows in the Intelligence Department.	These 4 Sub-Inspectors have been provided from the existing cadre of the local Intelligence Units and they are getting special pay at Rs. 40 per mensem each at Second Officers of the L. I. U. In our opinion payment of special pay at Rs. 60 instead of Rs. 40 per mensem is justified and we recommend that special pay at Rs. 60 per mensem each should be sanctioned for these four Sub-Inspectors.
2	III/A—164-54, dated February 19, 1959.	Increase in the rate of special pays to the Instructional Staff at P. T. C., Moradabad and Armed Training Centre, Sitapur.	In the body of the report we have already given our recommendations regarding increase in the existing rates of special pays to the Instructional Staff at the Police Training College, Moradabad and A. T. C., Sitapur.
3	III/A—64-59, dated October 5, 1959	Payment of special pay at Rs. 10 per mensem each to 4 Constable Drivers of the Intelligence Department in addition to the M. T. special pay of Rs. 7 per mensem.	These motor drivers, apart from special pay as driver, get Rs. 2 per mensem as clothing allowance. The post is not popular, as the special pay, given to all other members of Intelligence Staff, is not given to these drivers. While it is a fact that in the P. A. C., a motor driver gets special pay of the P. A. C., it has to be borne in mind that he also signs the P. A. C. Bond, which binds him to certain difficult conditions. That is not so in the case of motor drivers of the Intelligence Department. Besides, we have already recommended a higher salary, a higher clothing allowance and a rise in the motor drivers' special

pay, and taking all these facts together, we are of the opinion that no case is made out for the grant of special pay of the intelligence Department to these drivers.

- 4 III/A—15-43, dated July 29, 1960. Payment of special pay at Rs. 6 per mensem each to Constable packers of the U. P. Police Central Stores, Kanpur. We do not agree with this recommendation Rs. 6 per mensem paid to the Constables in P. A. C. Bns. for an altogether different kind of work and the duties of the P. A. C., Constables are arduous and difficult. We, therefore, do not recommend the grant of special pay to the Constable packer.
- 5 III/A—95-44, dated August 9, 1960 Grant of Farrier Allowance at Rs. 8 per mensem each instead of Rs. 4 per mensem to Constable M. P. Farrier at the P. T. C., Moradabad. In the body of the report we have already given our recommendation in this connection.
- 6 III/A—279-48, dated October 20, 1960. Grant of special pay to Head Constable and Constable Armourers. We are in agreement to this proposal and recommend that Head Constable and Constable armourers be given special pay at Rs. 10 and Rs. 5 per mensem respectively.

APPENDIX XXI

Recommendation of the Commission on several Police Headquarters proposals regarding compensatory allowance

Serial no.	Police Headquarters letter and date	Subject	Recommendation of the Commission
1	2	3	4
1	III/A—199-57, dated June 9, 1958	Cycle allowance at Rs.3 per mensem to Assistant District Organizer of P. R. D.	We have elsewhere already recommended the abolition and merger of the P. R. D. Wing of the Police with Police. In our opinion the need for this allowance would then not arise. In case, however, Government chooses to keep the P. R. D. Wing of the Police, we do recommend that the Assistant District Organizer of the P. R. D. Wing of the Police be given a cycle allowance at the rate of Rs. 3 per mensem.
2	III/PRC—262-48, dated may 30, 1959.	Increase in the rates of horse allowance to Sub-Inspectors, Civil Police.	In the body of the report we have already given our recommendations regarding increase in the rates of horse allowance to Sub-Inspectors, Civil Police.
3	III/A—74-12, dated October 8, 1959 and November 27, 1959.	Payment of city allowance to Head Constables and Constables of all towns and cities (including Almora whose population is over 30,000).	In this connection we have already given our recommendations in the body of the report.

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- 4 III/XVIII—172-44, dated October 13, 1959. Payment of city allowance to the drivers of the U. P. Fire Service. We do not see any difference in this regard between the drivers of U. P. Fire Service and that of a D. E. F. and we, therefore, recommend that the same allowance as is given to the drivers of the D. E. F. be given to them.
- 5 II/A—38-52, dated December 26, 1959 Payment of fixed T. A. at Rs.24 per mensem to the 2 Sub-Inspectors, posted at Narendranagar in Tehri-Garhwal and Pauri-Garhwal and one Assistant Special Intelligence Officer posted at Askote in the Almora District. There is no doubt that the travelling expense in the Hill areas is high and the request for sanctioning the payment of a fixed travelling allowance at Rs.24 per mensem to the 2 Sub-Inspectors and one Assistant Special Intelligence Officer in the Almora District is very fair. We recommend its sanction.
- 6 III/A—229-57, dated December 31, 1959 Payment of Cycle allowance at Rs.3 per mensem to all Head Constables and Constables posted in the Rural Police Stations. In our opinion payment of cycle allowance to both Head Constables and Constables posted to rural Police Stations is justified and essential. We strongly recommend its payment at the rate of Rs.3 per mensem.
- 7 III/A—134-44, dated October 10, 1960 Grant of special diet and fuel allowance to Police personnel of the Hill districts. We have already recommended a fuel allowance to Police personnel of hill districts and we do not consider that there is any case for a special diet allowance apart from it. We recommend the rejection of the proposal.

APPENDIX XXII

Copy of letter no. XII—644-56, dated January 3, 1959, from the Deputy Inspector General of Police, Headquarters, U. P., Allahabad, to Up Sachiv, Uttar Pradesh Shasan, Home Department (Police-A), Lucknow.

SUBJECT: Provision of T. B. Wards for Police Patients

I have the honour to refer to Government D. O. no. U. O. 2652/VMI-A, dated December 5, 1958, on the above subject and to submit for the orders of Government, a proposal for establishing nine T. B. Wards of 20 beds each.

2. We have a Ward for Police T. B. Patients in the Sanatorium at Bhowali with accommodation for 29 beds and are also in the process of building a second one there which will accommodate 20 additional beds. Therefore, there will be provisions for a total number of 49 beds for T. B. Patients in the above Sanatorium.

3. The waiting list for beds in the Bhowali Sanatorium has increased considerably with the result that many patients cannot get admission. These patients are usually admitted into the local Police Hospital and given whatever treatment is possible there. As no proper accommodation and arrangement exist for them in District Police Hospitals, the result is that patients in the first stage of disease soon reach the 3rd stage. Consequently most of the Police T. B. patients are in advance stages of the disease when they are admitted to the Ward at Bhowali. Their cure, therefore, takes a longer time and also the treatment of other men suffering from T. B. is held up for want of accommodation in our Ward. I attach herewith, for the information of Government, the annual average number of T. B. cases diagnosed in the Police Force for the last five years. The total comes to 433 cases per annum. It is obvious that the accommodation available or likely to be available in the Bhowali Sanatorium is quite insufficient. The present arrangement is, therefore, most unsatisfactory and uneconomical. Patients have to be kept under treatment for a longer duration resulting in heavier expenditure on their medical treatment, leave salary and loss of man-power. Eventually a large number of men have to be invalided out of the force prematurely which means loss of trained men and extra burden to Government in payment of their pension.

4. The question of providing more T. B. beds to men has, therefore, been under correspondence for some considerable time with the Director of Medical and Health Services, U. P., Lucknow and the proposal contained in his D. O. no. XV—826-C, dated June 27, 1958, received with the D. O. under reference is the out-come of the same.

5. In view of the prevailing financial stringency, it is proposed to have for the present 180 beds against the requirement of 400. It is, therefore, proposed to have one Ward of 20 beds at one of the district Headquarters in each Commissioner's Division. As such it would be advisable to instal one Ward at the following places:

- (1) at Deoria for Gorakhpur Division.
- (2) at Ramnagar for Varanasi Division.

- (3) at Gonda for Faizabad Division.
- (4) at Allahabad for Allahabad Division.
- (5) at Rae Bareilly for Lucknow Division.
- (6) at Firozabad for Agra Division.
- (7) at Etawah as an additional one for Allahabad Division.
- (8) at Saharanpur for Meerut Division.

besides our T. B. Ward at the Bhowali Sanatorium.

It has not yet been decided as to where such a Ward for Bareilly Division is to be located. The matter is under correspondence with the Director of Medical and Health Services, Uttar Pradesh, and the result will be intimated to Government in due course.

6. As regards financial implications, the Director of Medical and Health Services had a line plan for the proposed 20 bedded Wards prepared by the Executive Engineer attached to his Directorate. According to his calculations the cost of one such Ward comes to Rs.70,000. In this connection I herewith attach a copy of his D. O. no. XV-F—905/52—3785, dated July 23, 1958, for the perusal of Government. A sum of Rs.6,30,000 is, therefore, required to meet the construction cost of 9 Wards. This project has already been included at item 107 of the Schedule of New Demands—Major Buildings project for the financial year 1959-60, sent to Government *vide* Police Headquarters, letter no. XI—50-58, dated October 7, 1958. I request Government to be pleased to sanction this amount of Rs.6,30,000 over and above the normal grant for Police Department.

7. In order to keep the expenditure to the minimum, it is proposed that the medical staff-in-charge of the hospital or of the T. B. Section in that hospital where Police Wards are located may look after Police T. B. Patients also. The Director of Medical and Health Services, Uttar Pradesh, has agreed to this and provision is needed to meet the pay, allowances of medical staff excluding M. O. and contingencies details of which are given in Appendix 'A'. These estimates are entirely based on the data given by the Director. The total for each Ward comes to Rs.39,600 recurring and Rs.15,000 non-recurring. Accordingly a sum of Rs.3,56,400 and Rs.1,35,000 will be needed to meet recurring and non-recurring expenditure for all the nine Wards.

It is most urgent and imperative that something must be done to improve the deplorable condition of T. B. Patients in Police Force. I urge and request Government to be pleased to sanction the scheme and to make necessary budget provision in the next financial year.

Statement showing annual average number of T. B. Cases diagnosed in Police units over last five years.

Varanasi	..	..	..	..	..	11
V Bn., P. A. C., Ramnagar..			..	..	..	8
Ghazipur	..	..	..	..	..	2
Jaunpur	..	..	..	..	..	2
Ballia	..	..	..	..	..	6
Azamgarh	..	..	..	..	..	4
Mirzapur	..	..	..	..	..	7
Basti	..	..	..	..	..	6
Gorakhpur	..	..	..	..	..	8
G. R. P., Gorakhpur	..	..	..	..	..	1
Deoria	..	..	..	..	..	3
Gonda	..	..	..	..	..	3
Bahraich	..	..	..	..	..	3
Allahabad	..	..	..	..	..	19
G. R. P., Allahabad	..	..	..	..	..	2
IV Bn., P. A. C., Allahabad			..	..	+	5
Pratapgarh	..	..	..	..	..	4
Sultanpur	..	..	..	..	..	3
Banda	..	..	..	..	..	2
Kanpur	..	..	..	..	..	42
XIV Bn., P. A. C., Kanpur			..	..	..	5
Etawah	..	..	..	..	..	5
Jhansi	..	..	..	..	..	5
Jalaun	..	..	..	..	..	3
Hamirpur	..	..	..	..	..	2
Fatehgarh	..	..	..	..	..	3
Unnao	..	..	..	..	..	7
Agra	..	..	..	..	..	11
XV Bn., P. A. C., Agra	..	..	..	..	..	6
G. R. P., Agra	..	..	..	..	..	1
Etah	..	..	..	..	..	10
Mainpuri	..	..	..	..	..	3
Mathura	..	..	..	..	..	3
Aligarh	..	..	..	..	..	8
Lucknow	..	..	..	..	..	61
III Bn., P. A. C., Lucknow..			..	..	..	17
State Radio Section Lucknow	..	..	..	..	..	3

U. I. D., Lucknow	..	..	..	..	2
G. R. P., Lucknow	..	..	..	..	2
Faizabad	..	..	..	..	5
Bara Banki	..	..	..	..	2
Sitapur	..	..	..	..	6
XI Bn., P. A. C., Sitapur	..	..	..	..	7
Hardoi	..	..	..	..	7
Kheri	..	..	..	..	3
Rae Bareli	..	..	..	..	4
Bareilly	..	..	..	..	5
VIII Bn., P. A. C., Bareilly..	..	..	..	..	2
Pauri-Garhwal	..	..	..	..	1
Bijnor	..	..	..	..	8
Moradabad	..	..	..	..	9
II Bn., P. A. C., Moradabad..	..	..	..	..	3
S. P. F., Moradabad	..	..	..	..	2
G. R. P., Moradabad	..	..	..	..	1
Rampur	..	..	..	..	2
Budaun	..	..	..	..	3
Shahjahanpur	..	..	..	..	8
Pilibhit	..	..	..	..	2
Bulandshahr	..	..	..	..	3
Dehra Dun	..	..	..	..	12
Tehri-Gahrwal	..	..	..	..	2
Saharanpur	..	..	..	..	9
VI Bn. P. A. C., Roorkee	..	..	..	..	3
Muzaffarnagar	..	..	..	..	6
Meerut	..	..	..	..	12
Naini Tal	..	..	..	..	6

APPENDIX 'A'

Details of recurring and non-recurring expenditure on the maintenance of 20 Bedded Police Wards proposed to be constructed at certain district Hospitals :

Serial no.	Particulars	Cost	
		Recurring	Non-recurring
		Rs.	Rs.
1.	Cost of 20 bedded ward at Rs. 70,000 per ward.		
	For one ward .. .. .	..	70,000
	Total cost for nine wards . . . . .	..	6,30,000
2.	<i>Pay of Establishment—</i>		
	1 Compounder in the scale of Rs. 45—100 p.m.	Rs. 45	
	1 Laboratory Assistant in the scale of Rs. 45—100 p.m.	Rs. 45	
	3 Staff Nurses in the scale of Rs. 65—120 p.m. each (65×3).	Rs. 195	
	1 Ward Master in the scale of Rs. 160—200 p.m.	Rs. 160	
	3 Ward boys	} In the scale of Rs. 27.— $\frac{1}{2}$ —32 p.m. each (10×27)	
	3 Sweepers		
	1 Cook		
	1 Food Distributor		
	1 Dhobi.		
	1 Laboratory Attendant		
	—————	270	
	10	715	
		×12	
		8,580	
	<i>Allowances and Honoraria—</i>	Rs.	
	D. A. to above staff	5,100	
	Board and Uniform allowance to Nursing Staff at the rate of Rs 36 p. m.	1,584	
	House rent	834	
		—————	
		7,520	
	<i>Contingencies.—</i>	Rs.	
	Medicine	5,000	
	Clothing and bedding	500	

Particulars	Cost	
	Recurring	Non-recurring
X-ray films and Dark Room requirements ..	4,500	
Instrument and surgical dressing ..	1,000	
Book and Periodicals	100	
Articles of recreation	100	
Electric charges including miscellaneous	1,000	
Ward contingencies	500	
Diet at Rs. 45 p.m. per patient ..	10,800	
	23,500	
Purchase of equipment		15,000
Total ..	39,600	15,000
	39,600	
Total cost for one ward ..		39,600
		39,600
Total cost for nine wards		3,56,400
		3,56,400
		1,35,000

APPENDIX XXIII

Copy of letter no. XII—624-36, dated June 23, 1960, from U. P. Police Headquarters, Allahabad, to Up Sachiv, Uttar Pradesh Shasan, Home Department (Police-A), Lucknow.

SUBJECT: Reimbursement of Medical treatment charges to the families of Head Constables and Constables

I have the honour to invite a reference to the correspondence resting with Sri Khandelwal's D. O. letter no. 7005-D/VIII-B—1202-52, dated February 13, 1958, and my predecessor's D. O. no. XII—624-36, dated March 14, 1958, on the above subject, and to state that the points raised by Government have been examined in detail in consultation with the Director of Medical and Health Services, U. P., Lucknow and his views are noted below *seriatim*:

(1) When families of Police and P. A. C., personnel will be treated in the Police and P. A. C. hospitals, the work will increase considerably and with a view to cope with the increased work a wholetime doctor will have to be provided at all the places where at present there are part-time medical officers and the ancillary staff will also have to be increased by 50 per cent at least at all Police Hospitals. Besides, in order to help in conducting the examination of female patients it will be very essential to appoint one Ayah in each hospital. Accordingly the following additional staff will be required.

(a) Doctors	...	...	...	...	26
(b) Compounders	...	...	...	...	38
(c) Male Nurses	...	...	...	...	13
(d) Ayah	...	...	...	...	57

This involves a recurring expenditure of Rs.1,82,112 as per details given in Appendix 'A'.

(2) The present recurring grant under head 'Medicines' and 'Diet' will have to be doubled and the present non-recurring expenditure for equipments will have to be raised by 50 per cent for providing the required additional equipments. The additional recurring and non-recurring expenditure on this account comes to Rs.4,40,000 and Rs.1,80,000 as per details given in Appendix 'B'.

(3) It is considered very essential that the female dependents of the Police personnel who are afflicted by general diseases like typhoid, pneumonia etc. (and not from strictly female diseases) are admitted in the Police/P. A. C. hospital and it will, therefore, be imperative to construct a separate female ward in each hospital. The Director of Medical and Health Services has, therefore, suggested that a 10 bedded female ward should form the basis, out of which 4 children beds should be provided. The new female

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ward should have sanitary annexe attached to it and should also have an attached consultation room where, with the help of a female Ayah, the Medical Officer will examine patients needing examination of abdomen or chest. With this construction 3 cubicles will also have to be built for providing facilities of intra-red exposures, diathermy and ultra violet so that the patients may not have to go to District or Women's hospitals. The non-recurring expenditure on this account has been estimated to be Rs.10,47,700 as per details given in Appendix 'C'.

Thus the total recurring and non-recurring expenditure for the implementation of this scheme would come to Rs.6,22,112 and Rs.12,27,700 respectively.

Government are, therefore, requested kindly to issue early orders in the matter.

Encls: 3.

APPENDIX 'A'

	Recurring	Non-recurring
	Rs.	Rs.
(1) <i>Doctors</i> —26.		
(i) Pay at Rs. 200 p.m. each in the scale of Rs. 200—10—310—E. B.—15—400.	5 200	
(ii) D. A. at the rate of Rs. 35 p.m. each	910	
(2) <i>Compounders</i> —38.		
(i) Pay at Rs. 75 p.m. each in the scale of Rs. 75—5—100—E. B.—5—120.	2,850	
(ii) D. A. at the rate of Rs. 30 p.m. each	1,140	
(3) <i>Male Nurses</i> —13.		
(i) Pay at Rs. Rs. 65 p.m. each in the scale of Rs. 65—5—90—E.B.—5—120.	845	
(ii) Uniform allowance at the rate of Rs. 6 p.m. each.	78	
(iii) Boarding allowance at the rate of Rs. 30 p.m. each.	390	
(iv) House ren at the rate of Rs.15-p.m. each.	195	
(v) Conveyance allowance at the rate of Rs. 3 p.m. each.	39	
(vi) D. A. at the rate of Rs. 32·50 p.m. each.	422·50	
(4) <i>Ayahs</i> —57.		
(i) Pay at Rs. 27 p.m. each in the scale of Rs. 27— $\frac{1}{2}$ —32.	1,539	
(ii) D. A. at the rate of Rs. 27·50 n.p. p.m. each.	1,567·50	
Total cost p.m.	15,176	
	× 12	
Total cost per annum	1,82,112	1,82,112

APPENDIX 'B'

	Recurring	Non-recurring
	Rs.	Rs.
(a) Additional expenses on medicines	3,00,000	.. ..
(b) Additional expenditure on account of 50 per cent increase in the present equipments.	..	1,80,000
(c) Additional expenses on diet	1,40,000	
	4,40,060	1,80,000

APPENDIX 'C'

	Recurring	Non-recurring
		Rs.
(a) Total cost of constructing 57 female wards of 10 beds each for 57 Police Hospitals, along with sanitary annexe, consultation room and three cubicles, for infra-red exposures diathermy and ultra violet.		8,55,000
(b) Cost of infra-red diathermy and ultra violet machines		1,92,700
		<hr/>
		10,47,700

APPENDIX XXIV

Rankwise strength of Radio Section Personnel

Serial no.	Rank	Perma- nent	Tempo- rary	Total
1	2	3	4	5
1	State Radio Officer	1	..	1
2	Additional Radio Officer ..	1	..	1
3	Assistant Radio Officers ..	3	1	4
4	Radio Inspectors	2	2	4
5	Radio Maintenance Officers ..	13	16	29
6	Radio Station Officers ..	46	19	65
7	Head Operators	386	289	675
8	Assistant-Operators	219	105	324
9	Telephone Operators	4	..	4
10	Apprentice Workshop	3	..	3
11	Constables	113	45	158
12	M.T. Constables	26	..	26
13	Officer Peons	5	..	5
14	Orderly Peons .. ..	..	5	5
15	Followers	21	5	26
16	Daftari	1	..	1
Total ..		849	487	1,336

APPENDIX XXV.

I. You are doubtless aware that we have to keep the closest contact with the public in order to improve our law and order situation and to enlist public co-operation. It would, therefore, be advisable if you would invite all M. L. A's. and M. L. C's. of U. P. Legislature belonging to your district to your place and discuss with them subjects closely related to law and order and crime situation in your district. In the same connection you may also discuss with them the efficiency or otherwise of the Village Defence Societies and ask them if they have anything to suggest to improve conditions having direct bearing on the crime situation in your district. Incidentally in this manner you will also be able to find out from them if they have any complaints against individuals belonging to your Police Force and if, so, you might carefully look into those complaints for necessary redress.

II. I am sorry to have press home once again a topic on which several instructions have already been issued in the past from time to time. But the subject of "Behaviour of Policemen" is so important that it needs our greatest possible attention. The subordinate ranks do not appear to have shown the same adaptability yet as was expected of them. There had been some little improvement in this regard amongst them but a few incidents which have happened in some districts in recent times suggest that the improvement had not been maintained. The main reason for it appears to be that our subordinate ranks still suffer from false notions of prestige. It is wrong to try to command respect through striking awe and fear in the public. Our aim ought to be to win respect by inspiring confidence in the public through our devotion to duty, steadfastness, singleness of purpose and conscientious work. A little tactlessness on the part of Police officials *vis-a-vis* the public at the very outset of a problem gives cause for vituperation and villification of the Police which must necessarily be avoided. In a democratic set up, it is the primary and foremost duty of every Policeman to create an atmosphere of cordiality with the public. I do not deny that on certain occasions some publicmen get misled by false or exaggerated complaints which are made to them about Police matters and cases but any such misunderstanding could be quickly dispelled by having a personal talk with the publicman concerned after a thorough and dispassionate enquiry into the matter and explaining the circumstances to him to his satisfaction. When I write this I do not overlook the possibility of occasional pragmatic interference in the discharge of the Policeman's duties by certain interested parties, but such eventualities can also be met by proper and tactful handling. In order to achieve our ends it is absolutely essential that an impression be created in the districts that the Police only believes in the natural course of justice and that it depends on public co-operation in its efforts to eliminate anti-social and unruly elements of society for the general good of the public. Adverse news-item about District Police administration is another matter which needs serious attention. In such cases where facts are vaguely or incorrectly given, it is best to write to the papers concerned in every polite and courteous language giving them the correct facts. In cases where vague reports appear, you might ask them to give more specific details to

enable you to make thorough investigations with a view to punishing the defaulters. In the latter case it would always be best for you to visit the scenes of alleged occurrences yourself. If you make an enquiry yourself, it would mean the immediate end of at least half the trouble. If on enquiry the allegation is found to be incorrect or highly exaggerated it should be brought to the knowledge of the paper concerned. The same should apply in the case of serious complaints by publicmen. Care must, however, be taken to satisfy the complainants as to the reasons which led you to arrive at a different conclusion in the matter. I am sure that with a little more consideration and bearing in mind the shortcomings of our subordinates, it should not be difficult to create a more wholesome atmosphere of cordiality and confidence in districts and thus conduce towards more healthy relations between the Police and the public and consequential good and firm administration. It has also to be realized that in a democracy, the M. L. A's., the M. L. C's., and the M. P's., whatever may be their party affiliations possess some status and position in the hierarchy of society and any complaints which may be made by them against Police administration deserve attention and proper enquiry and they do not have to be just brushed aside summarily. If any complaints of this nature, which are made to them by their constituents, are found to be incorrect or exaggerated or motivated by personal interests, they need to be satisfied on that score after a proper and thorough enquiry. At the same time your subordinates need to be told to be careful and not to commit any acts of commission or omission which might unnecessarily create an impression that they are not impartial in dealing with situations in the country-side which require immediate Police intervention to avoid riots, 'marpit' or other crimes.

It is also not an uncommon feature that some subordinates indulge in mud-slinging to screen their own faults and shortcomings and this is a contingency which you must always be prepared to see through and sit on in order to maintain happy and cordial relations and ensure public co-operation.

If we direct our actions accordingly, we should quite easily enlist proper public co-operation and narrow down the gulf which exists at present between the Police and the public. Incidentally, it will also help us in securing witnesses in Police cases more easily. The institution of Police 'dalals' must be rooted out where it exists even now and confidence extended to the public in the larger interest of administration. The institution of Police 'dalals' only tends to narrow down the scope of activity of the Station Officer to the exclusion of public confidence in him. I would like you to act on these instructions in the spirit in which they are meant and I am sure success will be yours.

III. The Lucknow District Police is observing these days a 'Courtesy Fortnight' with a view to train Police personnel in proper behaviour towards the general public to enable them to enlist their sympathy and co-operation in their day-to-day work. Incidentally this will also bring instances of rude and impolite behaviour on the part of the Policemen to the notice of the higher officers. If the 'Courtesy Fortnight' is observed in a proper spirit, it is likely to produce a certain moral effect on the Policemen in general and will also impress on the public the necessity of co-operating with the Police. It may also succeed to a certain extent in removing the gulf that now exists between the Police and the public.

I am, therefore, to suggest that S's. P. of KAVAL towns and other big cities may organise similar 'Courtesy Fortnights' in their districts.

During this fortnight they should invite the public to report to them freely any instances of rudeness and discourtesy on the part of the Policemen towards them.

Such 'Courtesy Fortnights' should be observed once a quarter at least in future.

IV. In order to strengthen our relations with the public and to bring home to the latter that our Police Force can be really useful to the public, we have adopted many new things in the past yet still more needs to be done to popularise the Police and to dispel any feelings of apathy which some people might still bear towards the Police. The Policeman can best and most easily win the sympathy of the public by doing little things for the latter in a courteous and helpful manner. There is no doubt that the main job of the Police is to prevent crime, to protect life and property and to bring to justice those who break the law, but little things if attended to by the Policeman to help the publicman in his day-to-day life in a missionary spirit, of necessity must go to make the Policeman very much more popular. They might be insignificant things to look at and yet most important to bring the two together. It is this aspect of Police work which is open to public scrutiny whereas the real professional side of Police functioning is neither discernible nor can be to the common man and that makes all the difference. A Policeman must be seen doing good acts in order to seem useful and helpful to society. If questions put to Policemen by publicmen regarding a particular road, a particular house, a medical practitioner, a hospital, a railway station, a particular shop, &c. &c., are answered politely and helpfully, it must go a long way to bridge the gulf and inspire confidence.

On the same analogy if Policemen take good care to deposit dropped and lost articles at their Police Stations and ultimately help in restoring to the public their lost property, it would indeed be one step further in the right direction. But in order to achieve the objective it is most imperative that this habit of depositing dropped and the lost articles is included in the rank and file most scrupulously. A few such instances have been brought to my notice and I was indeed most happy to see the effusive appreciation shown by the owners through letters of appreciation. We are already doing it but not in a systematic manner so far. It is amazing the number of things people lose in the streets, particularly in big towns, such as spectacles, purses, shoes, caps, bags, sticks, umbrellas, valuable brooches, rings, necklaces, to say nothing of varying sums of money. If all such dropped or lost articles are promptly deposited at every Police Station in a special room and the whole scheme publicised and popularised, I feel confident that not only will we be helping the public in this plight of theirs but we shall also be radically improving our relations with the common man, to a large measure.

Lost children are often brought to Police Stations or they are found on the streets. The Policeman must take up a very sympathetic attitude with them. He should give them sweets and stop them from crying, re-assure them and make earnest efforts to restore them to their parents in the least possible time. There are a host of other similar kind acts which the Policeman can profitably perform, apart from his main duty, to make himself popular and thereby the entire Force. All that is wanted is creation of a little interest and a proper psychoses in the subordinate ranks in this direction. I would much rather leave the details to you as to how best to achieve this objective.