

Police Organisation in India



Commonwealth Human Rights Initiative



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Police Organisation in India - At a Glance



Introduction

India, with an area of 32,87,782 Sq.Kms and a population of 1.02 billion, is a union of 28 states and 7 union territories¹. The powers and responsibilities of the union and states are demarcated in the Constitution of India. Article 246 of the Constitution distributes the legislative powers between the Parliament and the State Legislative Assemblies. It refers to three lists of subjects given in the Seventh Schedule of the Constitution:

- ◆ List 1: Union List - includes subjects in respect of which the Parliament has the sole power to make laws.
- ◆ List 2: State List – includes subjects in respect of which the State legislature has exclusive powers to make laws.
- ◆ List 3: Concurrent List - consisting of subjects on which both the Parliament and the State Legislatures have concurrent powers to make laws.

Article 246 of the Constitution of India places the police, public order, courts, prisons, reformatories, borstal and other allied institutions in the State List.

Understanding the criminal justice system is a prelude to understanding the police. It is important to discuss a few important *characteristics of the system* before explaining the organisation and working of the police in India.

¹ **States** are - Andhra Pradesh, Arunachal Pradesh, Assam, Bihar, Chhattisgarh, Goa, Gujarat, Haryana, Himachal Pradesh, Jammu & Kashmir, Jharkand, Karnataka, Kerala, Madhya Pradesh, Maharashtra, Manipur, Meghalaya, Mizoram, Nagaland, Orissa, Punjab, Rajasthan, Sikkim, Tamilnadu, Tripura, Uttar Pradesh, Uttaranchal and West Bengal. Union Territories are areas, which do not form part of states' jurisdiction and are under the control of the central government. These are Andaman and Nicobar Islands, Chandigarh, Dadra & Nagar Haveli, Daman & Diu, Delhi, Lakshadweep Islands and Pondichery.

Criminal Justice System

Criminal Law

The criminal law consists of the substantive law contained in the Indian Penal Code (IPC) as well as the special and local laws enacted by the central and state legislatures from time to time and the procedural law laid down mainly in the Code of Criminal Procedure, 1973 (Cr.P.C) and the Indian Evidence Act, 1872.

These three major Acts, i.e. the IPC, Cr.P.C and the Indian Evidence Act were enacted by the British during the second half of the 19th century. Of these, the only major law that has been revised since Independence is the Cr.P.C, which was revised in 1973 on the recommendations made by the Law Commission of India. The other two laws, except for some minor amendments, have remained unchanged.

Substantive Law

The IPC defines different types of crimes and prescribes appropriate punishment for offences. Offences are classified under different categories- offences against state, armed forces, public order, public justice, public health, safety, morals, human body, property and offences relating to elections, coins, government stamps, weights and measures, religion, documents and property marks, marriage and defamation. The IPC has 511 Sections, of which 330 are about punishments.

Besides IPC, the local and special laws (SLL)² also contain penal provisions. These laws have been enacted from time to time mainly to deal with new emerging forms of crime

² Local Law is applicable to a specific area/jurisdiction and Special Law is applicable to a particular subject.

“Be you ever so high, the law is above you.”

Milestones in Legislation Making (1850-1900)

Indian Penal Code, 1860
The Police Act, 1861
Indian Evidence Act, 1872
Criminal Procedure Code, 1898

In cognizable offences, the police have a direct responsibility to undertake investigation and the power to arrest a person without warrant. Non-cognizable offences cannot be investigated by the police on their own, unless directed by the courts having jurisdiction to do so.



FIR is the report of information that reaches the police first in point of time and that is why it is called the First Information Report.

and to protect the interests of the weaker sections of society. A large number of criminal offences are registered under these laws, some of which relate to possession and manufacture of arms, ammunition and explosives; drugs; gambling; immoral trafficking in women; atrocities against scheduled castes and tribes; excise and prohibition; smuggling; hoarding and profiteering in essential commodities; food adulteration; traffic offences etc.

Procedural Law

Procedural law describes the procedure to be followed in a criminal case from registration, investigation and to its final disposal after a proper trial by a court of law. The police are not empowered to take cognizance of all penal offences. Criminal law makes a distinction between two categories of offences- cognizable and non-cognizable³.

The Process of Criminal Justice

The process of criminal justice has the following main steps:

Step- 1: Registration of the First Information Report (FIR)

The process of criminal justice is initiated with the registration of the First Information Report. The FIR is a written document prepared by the police when they receive information about the commission of a cognizable offence.

Step- 2: The police officer proceeds to the scene of crime and investigates the facts of the case. Police investigation mainly includes:

³The First Schedule of Cr.P.C lists all offences in the IPC and mentions whether they are cognizable (255 of the offences) or non-cognizable (122 of the offences).

- ◆ Examination of the scene of crime
- ◆ Examination of witnesses and suspects
- ◆ Recording of statements
- ◆ Conducting searches
- ◆ Seizing property
- ◆ Collecting fingerprint, footprint and other scientific evidence
- ◆ Consulting records and making entries in the prescribed records, like case diary, daily diary, station diary etc.
- ◆ Making arrests and detentions
- ◆ Interrogation of the accused

Step-3: After completion of investigation, the officer in charge of the police station sends a report to the area magistrate. The report sent by the investigating officer is in the form of a charge sheet, if there is sufficient evidence to prosecute the accused. If sufficient evidence is not available, such a report is called the final report.

Step-4: On receiving the charge sheet, the court takes cognizance and initiates the trial of the case.

Step- 5: The charges are framed. The procedure requires the prosecution to prove the charges against the accused beyond a shadow of doubt. The accused is given a full opportunity to defend himself.

Step- 6: If the trial ends in conviction, the court may award any of the following punishments:

- ◆ Fine
- ◆ Forfeiture of property
- ◆ Simple imprisonment
- ◆ Rigorous imprisonment
- ◆ Imprisonment for life
- ◆ Death Sentence

The Death Penalty

There are only 8 offences in the IPC, which are punishable with death. In respect of seven such offences, the punishment prescribed is either death or imprisonment for life or imprisonment for 10 years. It is only in respect of one offence, i.e. murder committed by a person serving a sentence of life imprisonment, that death penalty is mandatory in case of conviction. Though death sentence has not been abolished, it is uncommon and is to be given in 'rarest of rare' cases.

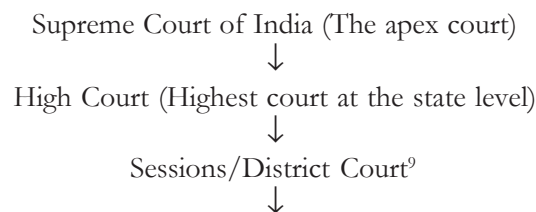
Judges per million population in different countries:

India - 10.5
Australia - 41.6
Canada - 75.2
England - 50.9
USA - 107.0

(Source: "Department-related Parliamentary Standing Committee on Home Affairs - Eighty Fifth Report on Law's Delays - Arrears in Courts", New Delhi, December 2001)

Courts

The Judiciary has the Supreme Court (S.C) at the apex having three-fold jurisdiction namely, original⁴, appellate⁵ and advisory⁶. Below the S.C are the High Courts at state level, followed by subordinate courts in the districts. The judiciary in the state functions under the supervision of the High Court⁷. The Constitution empowers the High Courts to issue directions, orders or writs for the enforcement of fundamental rights and for any other purpose.⁸



⁴ Original jurisdiction of the S.C is over disputes between the centre and states and between two or more states, provided the dispute involves any question on which the existence or extent of a legal right depends. Article 32 of the Constitution gives it the power to issue directions/ orders / writs for the enforcement of fundamental rights.

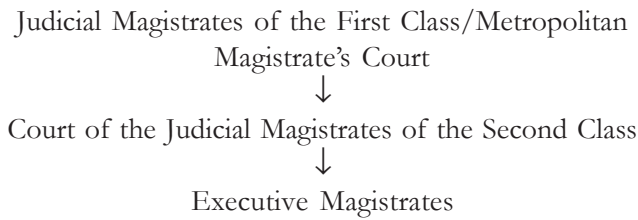
⁵ The appellate jurisdiction of the S.C. covers constitutional, civil and criminal cases. In criminal matters, an appeal lies to the Supreme Court from any judgement or order of the High Court if the latter (a) has on appeal reversed an order of acquittal and sentenced the accused to death or imprisonment for life or for a period of not less than 10 years; or (b) has withdrawn for trial before itself any case and has in such trial sentenced the accused person to death; (c) certified that the case is fit for appeal. In any case, the Supreme Court, under Article 136 of the Constitution, can grant special leave to appeal from any judgement, decree, determination, sentence or order in any matter passed or made by any court or tribunal in the territory of India.

⁶ The consultative jurisdiction of the S.C. is in respect of matters, which are referred for its opinion and advice by the President of India under Article 143 of the Constitution

⁷ Article 226 of the Constitution

⁸ Article 227 of the Constitution

⁹ The courts of session exercise both original and appellate jurisdiction. Major offences like murder, dacoity, robbery, rape etc cannot be tried in a court below the sessions.



One of the Directive Principles of the State Policy laid down in the Constitution required the State to separate judiciary from the executive.¹⁰ This separation was effected through the revised Code of Criminal Procedure in 1974 with regard to criminal justice. It also effected the separation of the prosecuting agency from the police. Prior to this the prosecuting officers at the district level used to function more or less as part and parcel of the district police set-up.

Justice Delayed is Justice Denied - Some Frightening Figures

A major failure of the judicial system in the country has been its ineffectiveness in ensuring speedy disposal of cases under trial. Though the right to speedy justice has been declared a fundamental right under Article 21 of the Constitution by the Supreme Court, the courts have failed to effectively dispose off cases and the arrears of pending cases keep on accumulating. On 1.1.1999, 13.4 million cases were pending with sessions and subordinate courts, 4,04,236 cases with the High Court and 3,674 with the Supreme Court.¹¹

¹⁰ Art.50, Constitution of India.

¹¹ Information given by the government in response to Lok Sabha Question No. 192 dated 29.11.1999

Article 50:
Separation of the judiciary from the executive: The State shall take steps to separate the judiciary from the executive in the public services of the State.
Constitution of India

The police is a state subject and its organisation and working are governed by rules and regulations framed by the state governments. These rules and regulations are outlined in the Police Manuals of the state police forces.

Each State/Union Territory has its separate police force. Despite the diversity of police forces, there is a good deal that is common amongst them. This is due to four main reasons:

- ◆ The structure and working of the State Police Forces are governed by the Police Act of 1861, which is applicable in most parts of the country, or by the State Police Acts modeled mostly on the 1861 legislation.
- ◆ Major criminal laws, like the Indian Penal Code, the Code of Criminal Procedure, the Indian Evidence Act etc are uniformly applicable to almost all parts of the country.
- ◆ The Indian Police Service (IPS) is an All India Service, which is recruited, trained and managed by the Central Government and which provides the bulk of senior officers to the State Police Forces.
- ◆ The quasi-federal character of the Indian polity, with specific provisions in the Constitution, allows a coordinating and counseling role for the Centre in police matters and even authorizes it to set up certain central police organisations.

The Organisational Structure

Superintendence over the police force in the state is exercised by the State Government.¹² The head of the

¹²Section 3, The Police Act, 1861.

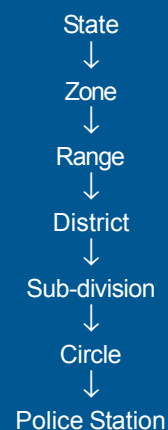
police force in the state is the Director General of Police (DGP), who is responsible to the state government for the administration of the police force in the state and for advising the government on police matters.

Field Establishment

States are divided territorially into administrative units known as districts. An officer of the rank of Superintendent of Police heads the district police force. A group of districts form a range, which is looked after by an officer of the rank of Deputy Inspector General of Police. Some states have zones comprising two or more ranges, under the charge of an officer of the rank of an Inspector General of Police.

Every district is divided into sub-divisions. A sub-division is under the charge of an officer of the rank of ASP/ Dy.S.P. Every sub-division is further divided into a number of police stations, depending on its area, population and volume of crime. Between the police station and the sub-division, there are police circles in some states - each circle headed generally by an Inspector of Police.

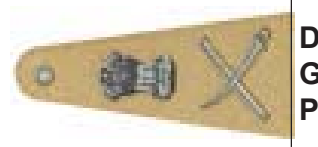
The police station is the basic unit of police administration in a district. Under the Criminal Procedure Code, all crime has to be recorded at the police station and all preventive, investigative and law and order work is done from there. A police station is divided into a number of beats, which are assigned to constables for patrolling, surveillance, collection of intelligence etc. The officer in charge of a police station is an Inspector of Police, particularly in cities and metropolitan areas. Even in other places, the bigger police stations, in terms of area, population, crime or law and order problems, are placed under the charge of an Inspector of Police. In rural areas or smaller police stations, the officer in charge is usually a Sub-Inspector of Police.



Rank of Police Officers - Badges

A police officer is required to wear his name tag with his uniform. His rank can be recognised by the badges he wears. The badges of ranks are shown below:

Director General of Police
Crossed Sword, Baton and
State Emblem



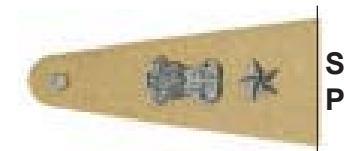
Inspector General of Police
Crossed Sword, Baton and
One Star

**Deputy Inspector General
of Police**
State Emblem and Three Stars

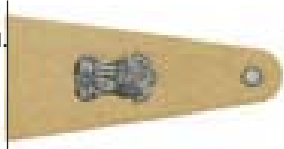


**Senior Superintendent of Police
(Selection Grade)**
State Emblem and Two Stars

Superintendent of Police
State Emblem and One Star

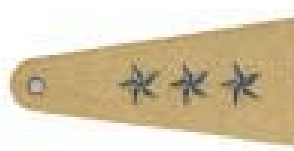


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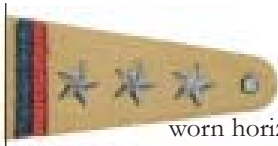
Additional Superintendent of Police
State Emblem

Assistant/Deputy Superintendent of Police
Three Stars



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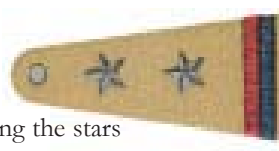


Inspector

Three Stars and a Ribbon 1/2" in width, half red and half blue worn horizontally, red colour facing the stars

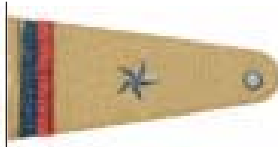
Sub Inspector

Two Stars and a Ribbon 1/2" in width, half red and half blue worn horizontally, red colour facing the stars



S
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Assistant Sub Inspector

One Star and a Ribbon 1/2" in width, half red and half blue worn horizontally, red colour facing the stars

Head Constable

Three Stripes on the upper part of the arm sleeve



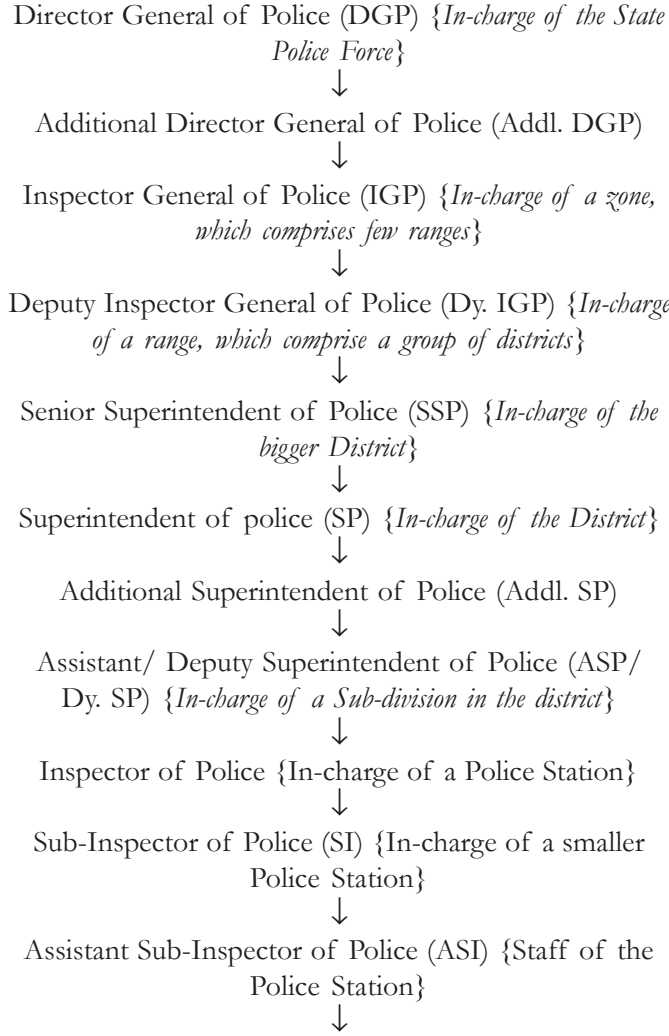
H
C

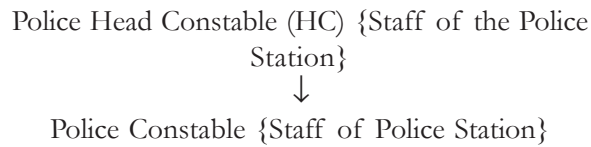
To enable the police have greater and speedier reach and the public to gain easier access to police help, police posts have been set up under police stations, particularly where the jurisdiction of the police station, in terms of area and population, is large.

The Field Establishment of the Police Force



The Inspector General of Police





On 1.1.2002, the number of field units¹³ at different levels in the country was:

Number of Police Units	
Zones	64
Ranges	157
Districts	635
Sub-divisions	1481
Circles	2452
Police Stations	12248
Police Out-posts	6980

System of Dual Control at the District Level

Section 3 of the Police Act, 1861 vested the superintendence of the state police force in the state government. A system of dual control at the district level is introduced under Sec.4. It places the police forces under the District Superintendent of Police, but subject to the “general control and direction” of the District Magistrate. The District Magistrate was not a professional but a general administrator, whose charter included not merely the executive but even some judicial functions. This was done deliberately because the functioning of the District Magistrate as the chief

¹³Source: Data on Police Organisations in India, published by the Bureau of Police Research & Development, Ministry of Home Affairs, Government of India, February, 2001



Police Head Constable

There are two main differences between the district and the commissionerate systems-

The Commissioner of Police does not work under any other functionary except his departmental heads in the organisation and the government, while the District Superintendent of Police functions under the general control and direction of the District Magistrate.

Unlike the head of the district or the state police force, the Commissioner of Police is vested with magisterial powers of regulation, control, licensing etc. in addition to the usual police powers.

officer of the district was considered essential for the maintenance of British rule in India. The British had realised that to perpetuate their rule in the country, they must have a police force that was totally subservient to the executive. Thus a system of dual control at the local level was introduced- one under the head of the police force in the district and the other under the chief executive of the district i.e. the District Magistrate.

Commissionerate System of Policing

There was considerable opposition to the system of dual control at the district level even at the time it was introduced. In fact the British Government realised that the district system would not work efficiently in metropolitan areas, which faced different police problems. Therefore, another system i.e. the commissionerate system of policing was introduced in certain metropolitan areas like Calcutta, Bombay, Madras and Hyderabad. Under this system, the responsibility for policing the city/area is vested in the Commissioner of Police.

While the commissionerate system initially existed in four cities in the last century, it has been extended to many areas since Independence. The system now exists in the following cities:

- ◆ Andhra Pradesh - Hyderabad, Vijayawada and Visakhapatnam
- ◆ Gujarat - Ahmedabad, Anand, Junagarh, Rajkot, Surat and Vadodara
- ◆ Karnataka - Bangalore, Dharwad, Hubli and Mysore city

- ◆ Kerala - Kochi, Kozhikode and Thiruvananthapuram
- ◆ Maharashtra - Aurangabad, Amravati, Mumbai, Nagpur, Nasik, Pune, Solapur, Thane and New Bombay
- ◆ Tamilnadu - Chennai, Coimbatore, Madurai, Salem, Tirunelveli and Trichy
- ◆ Union Territory of Delhi.

Police Headquarters Establishment

In addition to the field establishment, there is functional distribution of work too. Senior officers assist the Director General of Police in looking after different aspects of police work.

Given below is the establishment of police headquarters in the state of UP, which has the second largest police force amongst all states in India:

Police Headquarters, UP (As on 1.1.2002)

- ◆ Director General of Police, UP
- ◆ Director General of Police Training
- ◆ Director General of Crime Investigation Department
- ◆ Director General of Technical Services
 - ◆ Traffic Directorate
 - ◆ Police Motor Transport
 - ◆ Forensic Science Laboratories
 - ◆ Police Computer Center
- ◆ Addl. Director General, Police Telecommunications
- ◆ Addl. Director General, Personnel
- ◆ Addl. Director General, Human Rights
- ◆ Addl. Director General, Police Headquarters
- ◆ Addl. Director General, Fire Service
- ◆ Addl. Director General, Railways

- ◆ Addl. Director General, Economic Offences Wing
- ◆ Addl. Director General, Provincial Armed Constabulary
- ◆ Addl. Director General, Anti-Corruption Organization
- ◆ Addl. Director General, UP - Nepal Border Police
- ◆ Addl. Director General, Intelligence / Security
- ◆ Addl. Director General, Special Inquiries
- ◆ Addl. Director General, CID (Coop. / Agriculture Cell)

Criminal Investigation Department (CID)

Criminal Investigation Departments or CIDs, as they are popularly known, are specialized branches of the police force. They have two main components - the Crime Branch and the Special Branch. The officer in charge of the CID generally supervises the work of both branches, though some states appoint a separate officer in charge of the Special Branch.

The Crime Branch is the most important investigation agency of the state police. It investigates certain specialised crimes like counterfeiting of currency, professional cheating, activities of criminal gangs, crimes with inter-district or inter-state ramifications etc. In fact, when certain major crimes remain unsolved or when the public demands investigation by an agency other than the local police, the government or the head of the police force transfers cases for investigation from the district police to the CID.

The Special Branch, on the other hand, collects, collates and disseminates intelligence from the security point of view. It's main role is to keep a watch over the subversive activities of persons, parties and organisations and keep all concerned informed.

Armed Police

A state police force has two main components-the civil police and the armed police. The primary function of the

civil police is to control crime, while the armed police mainly deal with law and order situations.

The civil police include mainly the district police forces, supervisory structures at the range, zone and state police headquarters and specialised branches to deal with crime, intelligence and training problems.

The district police force also has armed reserves, which are used mainly to meet the requirements of armed guards and escorts. They are occasionally also deployed to meet any emergency situation, before the state armed police arrive to handle it. The armed reserves of districts are treated as a part of the district civil police force.

The armed police is in the form of battalions, which are used as striking reserves to deal with emergency situations.

On 1.1.2001 the strength of the state armed police forces was 372,346. There were as many as 307 state armed police battalions in addition to 8 companies, spread over different states/union territories.¹⁴

A state armed police battalion is divided into companies. Generally, there are six service companies in a battalion. A company is further sub-divided into platoons and platoons into sections. Ordinarily, three sections constitute a platoon and three platoons a company.

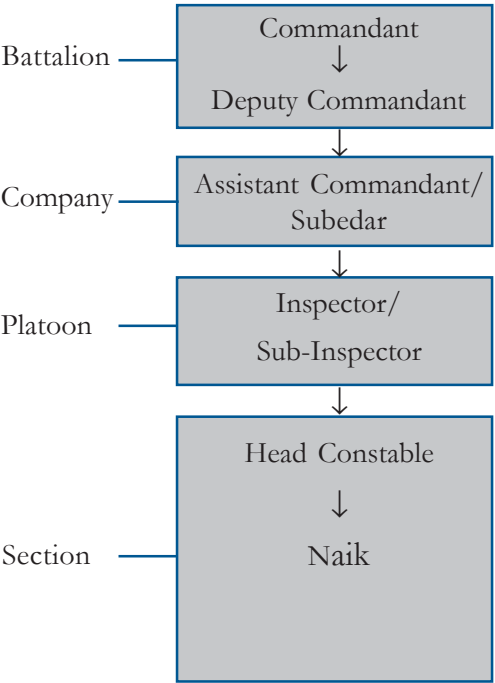
¹⁴ The number of Armed Police battalions in different States was as follows: 13 in Andhra Pradesh; 3 in Arunachal Pradesh; 23 in Assam; 15 in Bihar; 7 in Chhattisgarh, 11 in Gujarat; 5 in Haryana, 5 in Himachal Pradesh; 19 in J&K; 7 in Jharkhand, 10 in Karnataka; 9 in Kerala; 20 in Madhya Pradesh; 13 in Maharashtra; 10 in Manipur, 3 in Maghalaya; 5 in Mizoram; 9 in Nagaland; 8 in Orissa; 18 in Punjab; 12 in Rajasthan; 2 in Sikkim; 12 in Tamilnadu; 8 in Tripura; 31 in Uttar Pradesh; 3 in Uttaranchal; 16 in West Bengal; 10 in Delhi; and 3 Companies in Chandigarh and 5 companies in Pondichery.



Constable in ceremonial dress, J&K Armed Police

The rank structure of an armed police battalion is different from that of the civil police. The head of a battalion is called the Commanding Officer or the Commandant. Generally, he has a second in command, called the Deputy Commandant. An officer known as Assistant Commandant or a Subedar, who is equivalent in rank to a Dy.SP or an Inspector, commands a company in most cases. An Inspector/ Sub-inspector commands a platoon and a section is in charge of a Head Constable. The second in command to a Head Constable is called a Naik. In some cases, between Naik and Constable, there is another rank known as Lance Naik.

Rank Structure of the Armed Police



Women Police

Women police now form a part of the police force of all states and Union Territories, except Daman & Diu. Some states/cities have experimented with setting up police stations managed and run exclusively by women police personnel.

Women police are utilised mostly in performing specialised tasks of dealing with women and children. In this context, the National Police Commission (NPC) has stated that women police have not been given an equal share in various areas of police work and recommended that they be more actively and directly involved in police investigations.

Facts and Figures

On 1.1.2001, the total strength of women police in States/Union Territories was 26,018. Two of them were holding the posts of IGP, 7 of Dy. IGP, 29 of SP and 79 were functioning as ASP/Dy. SP. There were as many as 255 Inspectors, 1343 Sub-inspectors, 777 Assistant Sub-Inspectors, 2649 Head Constables and 20,877 Constables. None had risen to the post of the head of the police force in any state. In fact, since the first entry of a woman in the Indian Police Service occurred in 1972, none had matured to occupy the highest rank in the police force. Though the strength of women police has increased to 26,018, even now they constitute only 1.79% of the total police strength in states/Union territories.

The growth of women police in States/UTs during the last decade is as under:

The women police constitute 1.79% of the total strength.



Woman Police Constable, Tripura Police

Dr. Kiran Bedi was the first woman to join the Indian Police Service (IPS) in 1972.

The *International Association of Women Police* envisions a world where women working in the criminal justice profession are treated justly, fairly and equitably by the agencies they serve

GRP should not be confused with Railway Protection Force (RPF), which is a central armed police force raised and maintained essentially to guard railway property. The RPF works under the control of the Ministry of Railways, Government of India, while the GRP is a part of the State Police Force.

Growth of Women Police in a Decade¹⁵

Year	Police Strength in States/UTs	
	Total	Women
1991	11,52,586	13,654
1992	11,65,872	13,334
1993	12,34,674	14,107
1994	13,06,268	14,467
1995	13,40,983	16,209
1996	13,51,047	18,174
1997	13,46,940	18,690
1998	13,74,608	20,428
1999	14,13,602	21,319
2000	14,79,024	24,713

Railway Police

Policing on the railways is done by the Government Railway Police (GRP). Controlling crime on the railways is their main responsibility. Though the GRP is a part of the state police force, expenditure on this establishment is shared by the State Government and the Railways. An officer of the rank of Addl. DG or IGP supervises the work of GRP. The jurisdiction of the superintendent of a railway police district may cut across the boundaries of several districts.

Forensic Science Laboratories

No full-fledged forensic science laboratory existed in the country during the pre-Independence days. Most forensic work during the British rule was looked after by laboratories of the Chemical Examiners of the Government of India

¹⁵ **Source:** *Crime in India* published by the National Crime Records Bureau and *Data on Police Organisation in India* published by the Bureau of Police Research and Development.

located at Agra, Bombay, Calcutta and Madras, the Finger Print Bureau, Serologist to the Government of India, Chief Inspectorate of Explosives, Government Examiners of the questioned Documents and Scientific Sections of the CID Branches.

The first Chemical Examiner's Laboratory was established in 1853 by the Government of West Bengal. An Explosives Department came into existence with the appointment of a Chief Inspector of Explosives at Nagpur. A Central Serologist Laboratory under the Imperial Serologist to the Government of India was established in Calcutta as early as 1910.

After Independence, State Governments realized the need to set up full-fledged forensic science laboratories. Now almost all big states have them. An average state forensic science laboratory is divided into various divisions or branches like Ballistics, Biology, Chemistry, Documents, Explosives, Physics, Photography, Serology and Toxicology.

In most states, forensic science laboratories function under the head of the state police force. It is only in four states i.e Gujarat, Maharashtra, Tamilnadu and West Bengal that they function directly under the Home Department of the State Governments. Some state forensic science laboratories have set up their regional, district and mobile laboratories too.

In addition, there are five forensic science laboratories and three offices of the Government Examiner of Questioned Documents under the central government.

Duties and Responsibilities of the Police

The Police Act of 1861 laid down the following duties for

The most significant development in the field of forensic science was the setting up of a Finger Print Bureau in Calcutta in 1897. This was the first Finger Print Bureau in the world.

Establishment of Forensic Science Laboratories in different states:

- W.Bengal (1952)
- Maharashtra (1958)
- Tamilnadu (1959)
- Assam (1964)
- Bihar (1964)
- Madhya Pradesh (1965)
- Kerala (1968)
- Orissa (1968)
- Rajasthan (1969)
- Karnataka (1970)
- Andhra Pradesh (1974)
- Gujarat (1974)
- Haryana (1974)
- J&K (1974)
- Uttar Pradesh (1976)
- Punjab (1981)
- Himachal Pradesh (1989)
- Manipur (1989)
- Meghalaya (1989)
- Delhi (1994)

Fourteen additional duties of the police towards the public specifically towards women, children, poor and other disadvantaged segments of society have also been prescribed.¹⁷ These additional duties again emphasize the preventive and service-oriented role of the police. Some of these duties require the police to register all cognizable offences, assist in preventing the poor from being exploited, prevent harassment of women and children in public places, refrain from causing needless inconvenience to the members of the public, ensure that the arrested person is not denied his rights and privileges, see that victims of road accidents are given prompt medical aid without waiting for formalities etc.

the police officers:

- i. Obey and execute all orders and warrants *lawfully* issued by any competent authority;
- ii. Collect and communicate intelligence affecting the public peace;
- iii. Prevent commission of offences and public nuisances;
- iv. Detect and bring offenders to justice; and
- v. Apprehend all persons whom he is legally authorised to apprehend and for whose apprehension sufficient ground exists.

The charter prescribed by the National Police Commission goes far beyond the 1861 charter, taking into account not only the changes which have occurred within the organisation during this period, but also in the socio-political environment in which the organisation is required to function. The NPC's Model Police Bill prescribes the following duties to the police officers¹⁶:

- i. Promote and preserve public order;
- ii. Investigate crimes, apprehend the offenders where appropriate and participate in subsequent legal proceedings connected therewith;
- iii. Identify problems and situations that are likely to result in commission of crimes;
- iv. Reduce the opportunities for the commission of crimes through preventive patrol and other prescribed police measures;

¹⁶ National Police Commission: Eight Report, Police Bill, Section 43

¹⁷ Ibid, Section 44

- v. Aid and co-operate with other relevant agencies in implementing the prescribed measures for prevention of crimes;
- vi. Aid individuals who are in danger of physical harm;
- vii. Create and maintain a feeling of security in the community;
- viii. Facilitate orderly movement of people and vehicles;
- ix. Counsel and resolve conflicts and promote amity;
- x. Provide necessary services and afford relief to people in distress situations;
- xi. Collect intelligence relating to matters affecting public peace and crimes in general including social and economic offences, national integrity and security; and
- xii. Perform such other duties as may be enjoined on them by law for the time being in force.

Code of Conduct for the Police

The code of conduct for the police in the country was adopted at the Conference of the Inspectors General of Police in 1960. This was later approved by the Government of India and circulated to all the State governments. The National Police Commission examined the subject and recommended changes in clause 12 of the earlier Code. The final Code as recommended by the NPC and accepted by the Government of India and circulated to all state governments is reproduced below:

United Nations Code of Conduct for Law Enforcement Officials

Article 1- Law enforcement officials shall at all times fulfil the duty imposed upon them by law, by serving the community and by protecting all persons against illegal acts, consistent with the high degree of responsibility required by their profession.

Article 2- In the performance of their duty, law enforcement officials shall respect and protect human dignity and maintain and uphold the human rights of all persons.

Article 3- Law enforcement officials shall use force only when strictly necessary and to the extent required for the performance of their duty.

Article 4- Matters of confidential nature in the...

... possession of law enforcement officials shall be kept confidential, unless the performance of duty or the needs of justice strictly require otherwise.

Article 5- No law enforcement official may inflict, instigate or tolerate any act of torture or other cruel, inhuman or degrading treatment or punishment, nor may any law enforcement official invoke superior orders or exceptional circumstances such as state of war or threat of war, a threat to national security, internal political instability or any other public emergency as a justification of torture or other cruel, inhuman or degrading treatment or punishment.

Article 6- Law enforcement officials shall ensure the full protection of the health of persons in their custody and, in particular, shall...

1. The police must bear faithful allegiance to the Constitution of India and respect and uphold the rights of the citizens as guaranteed by it.
2. The police should not question the propriety of necessity of any law duly enacted. They should enforce the law firmly and impartially without fear or favour, malice or vindictiveness.
3. The police should recognise and respect the limitations of their powers and functions. They should not usurp or even seem to usurp the functions of the judiciary and sit in judgement on cases to avenge individuals and punish the guilty.
4. In securing the observance of law or in maintaining order, the police should as far as practicable, use the methods of persuasion, advice and warning. When the application of force becomes inevitable, only the irreducible minimum of force required in the circumstances should be used.
5. The prime duty of the police is to prevent crime and disorder and the police must recognise that the test of their efficiency is the absence of both and not the visible evidence of police action in dealing with them.
6. The police must recognise that they are members of the public, with the only difference that in the interest of the society and on its behalf they are employed to give full time attention to duties which are normally incumbent on every citizen to perform.
7. The police should realise that the efficient performance of their duties will be dependent on

the extent of ready cooperation that they receive from the public. This, in turn, will depend on their ability to secure public approval of their conduct and actions and to earn and retain public respect and confidence.

8. The police should always keep the welfare of the people in mind and be sympathetic and considerate towards them. They should always be ready to offer individual service and friendship and render necessary assistance to all without regard to their wealth and/or social standing.
9. The police should always place duty before self, should maintain calm in the face of danger, scorn or ridicule and should be ready to sacrifice their lives in protecting those of others.
10. The police should always be courteous and well-mannered; they should be dependable and impartial; they should possess dignity and courage; and should cultivate character and the trust of the people.
11. Integrity of the highest order is the fundamental basis of the prestige of the police. Recognising this, the police must keep their private lives scrupulously clean, develop self-restraint and be truthful and honest in thought and deed, in both personal and official life, so that the public may regard them as exemplary citizens.
12. The police should recognise that their full utility to the State is best ensured only by maintaining a high standard of discipline, faithful performance of duties in accordance with law and implicit obedience to the lawful directions of commanding ranks and absolute loyalty to the force and by keeping themselves in the state of constant training

...take immediate action to secure medical attention whenever required.

Article 7- Law enforcement officials shall not commit any act of corruption. They shall also rigorously oppose and combat all such acts.

Article 8- Law enforcement officials shall respect the law and the present Code. They shall also, to the best of their capability, prevent and rigorously oppose any violations of them. Law enforcement officials who have reason to believe that a violation of the present code occurred or is about to occur shall report the matter to their superior authorities and, where necessary, to other appropriate authorities or organs vested with reviewing or remedial power.

On 1.1.2001 there were 10.49 civil police personnel per 10,000 of population and 34.03 per 100 sq.kms. of area. In terms of the total police strength (civil plus armed), the ratio worked out to 14.12 per 10,000 population and 45.79 per 100 sq. kms area.

and preparedness.

13. As members of a secular, democratic state the police should strive continually to rise above personal prejudices and promote harmony and the spirit of common brotherhood amongst all the people of India transcending religious, linguistic and regional or sectional diversities and to renounce practices derogatory to the dignity of women and disadvantaged segments of the society.

Police Strength

On January 1, 2001, the total strength of the State Police Forces was 1,449,761, out of which civil police constituted 1,077,415 and the armed police 3,72,346.

The police strength varied from state to state. While Maharashtra had the largest police force (1,59,888), Dadar and Nagar Haveli had the smallest contingent (only 213 persons).

Sanctioned strength of the Police Forces in States/Union Territories (As on 1.1.2001)¹⁸

Sl.State/Uts	Civil Police	Armed Police	Total Strength	Police per 10,000 Population	Police per 100 Sq. Kms.
1. Andhra Pradesh	68,889	13,483	82,372	10.88	29.95
2. Arunachal Pradesh	2,985	2,383	5,368	49.20	6.41
3. Assam	18,533	35,838	54,371	20.41	69.31
4. Bihar	68,937	15,499	84,436	10.19	89.67
5. Chhatisgarh	15,296	9,698	24,994	12.02	18.49
6. Goa	3,306	723	4,029	29.98	108.83

¹⁸ Data on police Organisation in India, 2001 published by the Bureau of Police Research and Development.

7. Gujarat	51,056	12,419	63,475	12.55	32.38
8. Haryana	37,949	4,707	42,656	20.23	96.48
9. Himachal Pradesh	8,822	5,238	14,060	23.14	25.25
10. Jammu & Kashmir	40,278	18,759	59,037	58.63	58.23
11. Jharkhand	26,917	6,202	33,119	12.31	41.55
12. Karnataka	55,597	9,509	65,106	12.35	33.95
13. Kerala	44,468	8,248	52,716	16.56	135.65
14. Madhya Pradesh	51,280	19,494	70,774	11.72	22.96
15. Maharashtra	144,581	15,307	159,888	16.53	51.96
16. Manipur	5,425	8,209	13,634	57.07	61.07
17. Meghalaya	9,367	2,995	12,362	53.61	55.12
18. Mizoram	3,266	4,745	8,011	89.91	38.00
19. Nagaland	7,544	8,462	16,006	80.47	96.54
20. Orissa	28,973	8,245	37,218	10.14	23.90
21. Punjab	52,322	17,972	70,294	28.94	139.58
22. Rajasthan	44,899	25,442	70,341	12.46	20.55
23. Sikkim	2,040	1,439	3,479	64.43	49.03
24. Tamil nadu	80,110	11,669	91,779	14.78	70.57
25. Tripura	8,666	8,810	17,476	54.77	166.66
26. Uttar Pradesh	89,297	65,577	154,874	9.33	64.28
27. Uttaranchal	9,485	3,182	12,667	14.94	23.68
28. West Bengal	41,776	15,633	57,409	7.16	64.67
29. A & N Islands	2,155	527	2,682	75.34	32.51
30. Chandigarh	4,190	419	4,609	51.15	4042.98
31. D&N Haveli	118	95	213	9.68	43.38
32. Daman & Diu	264	-	264	16.71	235.71
33. Delhi	46,383	10,622	57,005	41.36	3843.90
34. Lakshadweep	351	-	351	57.54	1096.88
35. Pondicherry	1,890	796	2,686	27.58	559.58
TOTAL	1,077,415	372,346	1,449,761	14.12	45.79

Growth of police strength

There has been significant growth in police manpower since Independence. In 1947, the total strength of the police in different States/UTs was about 3.81 lakhs. By 2001, the strength had increased to 14.49 lakhs.

Police Fatalities

A large number of police personnel have been killed in line of duty. As many as 21, 428 police personnel lost their lives during the last four decades (1961-62 to 1999-2000).

(Source: Intelligence Bureau)

October 21 every year is observed as the police commemoration day.

During the period 1947-2001, the police strength registered an increase of 280.5%. While the civil police strength increased by 351.9%, the armed police increased only by 161.2%. Presently the civil police accounts for about 74.2% and the armed police for about 29.8% of the total police force.

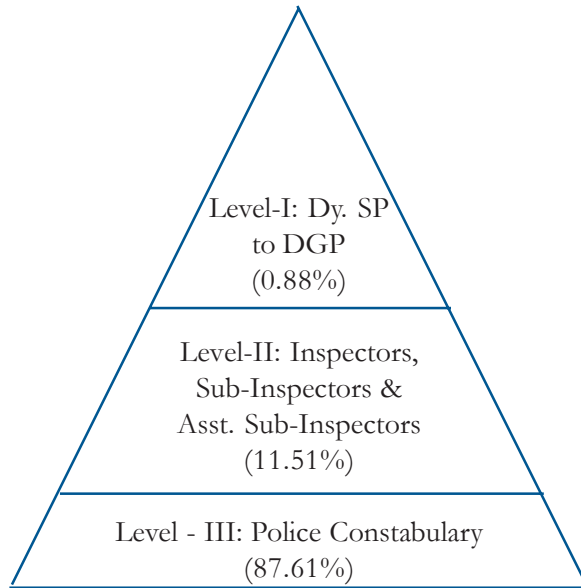
Growth of Police over the Decades¹⁹

Year	Civil Police	Armed Police	Total Strength
1947	238,368	142,550	380,918
1951	272,156	195,584	467,740
1961	299,750	226,399	526,149
1971	534,236	172,659	706,895
1981	692,132	205,698	897,830
1991	903,849	248,747	1,152,586
2000	1,098,471	380,553	1,479,024
2001	1,077,415	372,346	1,449,761

Police Pyramid

The police has a hierarchical structure, with the police constable and the Director General of Police at the two extremes of the organisation. The base of the police organisation is very heavy, with constabulary accounting for about 87.61% of the total strength. The upper subordinates i.e Inspectors, Sub-Inspectors and Assistant Sub-Inspectors constitute about 11.51% of total strength. The officers from the rank of DySP/ASP to the DGP account for less than 0.88% of the total police strength.

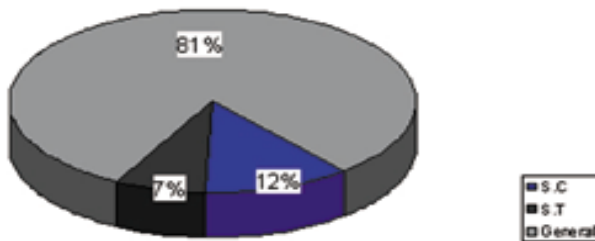
¹⁹ *Crime in India* published by the National Crime Records Bureau and *Data on Police Organisation in India* published by the Bureau of Police Research and Development and the records of the National Police Commission.



Representation of Scheduled Castes and Scheduled Tribes in the Police Force

On 1.1.2001, out of the total police strength of 14.79 lakhs in States/Union Territories, 1.64 lakhs or 11.3% belonged to the Scheduled castes and 100,369 i.e. about 6.9% were from the scheduled tribes.

Representation of the Scheduled Castes and Scheduled Tribes in the Police Force



Though there has been considerable increase in expenditure on police in absolute terms, as a proportion of the total government budget it has registered a decline.

The break up of police expenditure shows that some areas are not being accorded due priority while allocating funds. Only 1.20% of police expenditure in states was incurred on Police Training in 2000-01.

Police Expenditure in States

Expenditure incurred on State Police Forces has been rising every year. During a ten year period from 1990-91 to 2000-2001, the total expenditure incurred on police forces in different states registered an increase of about 280.06%. Information about actual expenditure incurred during different years is given in the following Table:

State Police Expenditure²⁰

Year	Police Expenditure in States (Rs. in Crores)
1990-91	4045.8
1991-92	4543.66
1992-93	<i>Not Available</i>
1993-94	6098.79
1994-95	6766.27
1995-96	7198.00
1996-97	7711.15
1997-98	9899.20
1998-99	12511.73
1999-00	14922.22
2000-01	15,538.47

²⁰ Extracted from Data on Police Organisation for different years published by the Bureau of Police Research & Development.

Recruitment

The police in India is one of the biggest employers of manpower. The State Police Forces are about 14.49 lakhs strong, while the five Central Para Military Forces (BSF, CRPF, CISF, ITBP and Assam Rifles) alone have a combined strength of 5.28 lakhs. The total strength of the police thus is round about 2 millions.

Recruitment to the state police is done generally at three levels - Constable, Sub-Inspector/Asst. Sub Inspector and Deputy Superintendent of Police. In addition, there is recruitment to the IPS at the level of Assistant Superintendent of Police.

Since Police Constable is the lowest rank in the force, recruitment to this rank is done directly. For the other ranks, vacancies are filled either by direct recruitment or by promotion.

Educational Qualifications

For recruitment to the rank of Constable, most states have prescribed High School as the minimum educational qualification, though in some states like Bihar, Nagaland and Tripura, even primary or middle class passes as the minimum standard of qualification. The Committee on Police Training (1973) had recommended the High School examination or its equivalent to be the minimum qualification for recruitment to the rank of constable both in the civil and armed branches. The National Police Commission (NPC), 1980 had endorsed this recommendation. However it is evident that some states have not implemented these recommendations.

The minimum educational qualification for recruitment to the level of Sub-Inspector and Dy. SP is generally



graduation in many states, except in the states of Andhra Pradesh, Arunachal Pradesh, Sikkim and Tripura.

Age Limit

The NPC had recommended that the minimum age for a constable's recruitment should be 17 years and the maximum 21 years. These recommendations too have not been implemented in most states. The minimum age limit is 18 years in almost all the states and the upper age limit for general category candidates ranges from 20 to 27 years. There is considerable variation in states about the age prescribed for recruitment to Sub-Inspectors. The minimum age limit is 19 to 21 years while the upper age limit varies from 24 to 31 years. There is usual age relaxation for the candidates belonging to Scheduled Castes and Scheduled Tribes.

Physical Standards

There are variations in physical standards prescribed for recruitment. Generally for Constables, the minimum height is in the range of 165cm (5' 5") to 170.18cm (5' 7"), with relaxation of 2 cm for persons belonging to hilly and tribal areas. The minimum chest measurement is generally 78.70 cm (31") unexpanded and 86.3cm (34") expanded.

Process of Recruitment

Constables are recruited on a district/battalion basis. Recruitment is generally made by a Board presided over by the District SP or the Commandant of an armed police battalion. In some states such as Rajasthan and Tamilnadu, the selection board is headed by an officer of the rank of a DIG or IG. The selection process involves physical measurement, efficiency test, written examination, interview, medical examination and police verification.

Usually the State Public Service Commission centrally recruits Sub-Inspectors. The procedure involves passing a physical efficiency test and a written examination followed by a mental ability test and an interview. Recruitment to the post of Deputy Superintendent of Police is made through a written examination followed by an interview. The Commission prepares a list of candidates in order of merit as determined on the basis of marks obtained and sends it to the government.

Recruitment to the Indian Police Service is done on the basis of a combined examination conducted by the Union Public Service Commission for all India and other allied services. A preliminary test is first conducted, which results in weeding out a large number of candidates. Those who qualify are allowed to appear in the main examination. The successful candidates are then put through a personality test at the time of interview. A final list is prepared on the basis of performance in the main examination and in the interview.

Recruitment of Sub-Inspectors and Dy. SP is done both by direct recruitment and by promotion. The quota for direct recruitment again differs from state to state, but generally it is 50%. Direct recruitment to the IPS is done only to the extent of $66\frac{2}{3}\%$ of the cadre strength and $33\frac{1}{3}\%$ of the posts are filled by promotion of officers from the State Police Service cadre.

There is reservation of posts for candidates belonging to different categories in direct recruitment as well as promotions. For instance, in UP, 18 % of posts at the level of Sub-Inspector are reserved for Scheduled castes, 15% for Backward Castes, 20% for Scheduled Tribes and 30% for freedom fighters and ex-servicemen. For the posts of Constable, the reservation quota in that State includes 21% for Scheduled Castes, 20% for Scheduled Tribes and 27% for Backward Castes. In addition, there is reservation

of 5% for Home Guards, 2% for sportsmen and 5% for freedom fighters and ex-servicemen.

Training

Most states have their police training colleges or academies that impart training to directly recruited Sub-Inspectors and Deputy Superintendents of Police and training schools for the training of constabulary.

In addition, most central police organisations have established their own training institutions, which organise not only basic training for their officers but also specialised courses for them and for others. There are three Central Detective Training Schools under the Bureau of Police Research and Development, which organise special courses to train investigating officers in advanced scientific methods of investigating crimes. The National Institute of Criminology and Forensic Science under the Ministry of Home Affairs, Government of India runs training courses not only for police and forensic science personnel, but also for officers from other agencies of the criminal justice system.

Four types of training courses are organised by police training institutions. These include:

1. basic induction level courses for fresh recruits.
2. pre-promotion in-service courses for those about to be promoted.
3. refresher courses.
4. specialised courses.



In all, there are 162 police training institutions in the country, 105 belonging to states and 57 to the centre.

Basic Training Course for:

Constables

Duration: 9 months

Subjects taught: Police Organisation and Administration, Law, Crime Prevention, Maintenance of Law and Order, Code of Conduct and Behaviour, Police–Public Relations etc.

Outdoor training: Basic Physical Training, Drill, Weapons and Explosives, Field Craft and Tactics, First Aid, Riot Control; Unarmed Combat etc.

Sub Inspectors/Deputy Superintendents of Police

The training of directly recruited Sub-Inspectors and Deputy Superintendents of Police is conducted at the police training colleges of the states.

Duration: 12 months

Subjects taught: Modern India and the Role of Police, Organisation and Administration, Leadership and Supervision, Human Behaviour, Police Attitudes, Police Image and Police Public Relations, Law, Criminology, Police Science etc.

Outdoor Training: Physical Training, Drill, Weapons Training, Crowd Control, Maintenance and Mechanism of Automobiles and Driving, Field Craft and Tactics, Unarmed Combat etc.

For the Deputy Superintendent of Police, the basic subjects remain the same with additional focus on developing qualities of management and leadership.



Weapons training is a part of the police training courses

IPS Officers:

Officers recruited to the IPS are trained in the National Police Academy at Hyderabad, after a foundational training course with officers of other All- India Services at the Lal Bahadur Shastri National Academy of Administration at Mussorie in Uttar Pradesh. The purpose of the foundational training course is to provide an understanding of the constitutional, economic and social framework within which the All India Service officers are required to function and to give them an idea of the basic principles of administration, functioning of the government machinery etc. This is followed by a basic training course of 44 weeks, after which they are attached to some organisations. They come back to the Academy for a second phase of two weeks training after completing their field attachments and district training.

In the case of lower ranks, successfully completing prescribed training courses is mandatory to get promotion to the next rank. Training courses conducted for this purpose are called pre-promotion courses.

Besides the above, refresher courses are also conducted at periodic intervals to sharpen the professional skills of police personnel and bring about the required changes in their attitudes.



Horse Riding is a part of police training

Specialised training courses are also conducted on different subjects. These are organised both by the police and other training institutions. Since the focus of the Indian Police Service is to train officers to be sound administrators and managers, institutes that specialise in management, public administration and behavioural sciences are often used for the purpose of imparting specialised training. Some of the subjects covered by the specialised training courses include:

- ◆ Advanced Techniques of Scientific Investigation
- ◆ VIP Security
- ◆ Dealing with problems of Insurgency/ terrorism

- ◆ Detection and Disposal of Bombs/Explosives
- ◆ Computer Applications
- ◆ Management/Public Administration
- ◆ Forensic Science
- ◆ Vigilance and Anti corruption
- ◆ Dealing with special crimes, like those against women and children
- ◆ Drugs/Narcotics
- ◆ Training of Trainers
- ◆ Human Rights
- ◆ Radio Wireless
- ◆ Traffic
- ◆ Commando Training
- ◆ Intelligence
- ◆ Rock Climbing/ Mountaineering
- ◆ Cyber Crimes
- ◆ Field Craft/ Tactics

The State Governments have not been able to spare adequate resources to bring about the desired improvements in the state of police training. The percentage of expenditure incurred on police training to total police expenditure ranged between 1.09 to 1.41 during the last decade:

Percentage of Expenditure on Police Training against the Total expenditure on Police²¹

Year	Total Police Expenditure (Rs. in Crores)	Expenditure on Police Training	Percentage to total expenditure (Rs. in Crores)
1990-91	4045.84	NA	NA
1991-92	4296.27	50.12	1.17
1992-93	NA	NA	NA
1993-94	6,098.79	79.70	1.36

²¹ Extracted from Data on Police Organisation for different years published by the Bureau of Police Research & Development

A survey of 100 out of 145 police training institutions in the country done by the Bureau of Police Research and Development in June 1995 revealed the following:

- Methodology of outdoor training is largely modeled on the regimented military style with emphasis on timing, uniformity and adherence to the set ritualistic and ceremonial procedures.
- In case of indoor subjects, training is imparted through the chalk and talk method.
- Very few training institutions have published training material for use by the trainees.
- The quality of the trainers is generally poor.
- Out of 100 police training institutions 23 were functioning without class rooms, 18

without black boards, 16 without over head projectors, 57 without conference rooms, 76 without seminar or assembly halls, 20 without library, 70 without auditorium, 93 without simulation facilities, 95 without forensic units, 72 without computers and 4 did not have even lavatory facilities.

- There is invariably a shortage of funds.

1994-95	6,766.27	73.69	1.09
1995-96	7,198.00	79.22	1.10
1996-97	7,711.15	93.92	1.22
1997-98	9,899.20	116.80	1.18
1998-99	12,511.73	165.60	1.32
1999-00	14,922.22	210.64	1.41
2000-01	15,538.47	186.02	1.20

Though the Constitution of India has mandated 'Police' and 'Public Order' to be State subjects, there are certain provisions in the Constitution, which empower the Central Government to intervene in some situations or perform special functions in police matters. It is the duty of the Centre to protect the states against internal disturbances and to ensure that the governance of every state is carried on in accordance with the provisions of the Constitution (Article 355).

As per List 1 of the 7th Schedule, the Parliament has exclusive powers to make laws with respect to:

- ◆ the armed forces of the Union, which includes the Central Para-Military Forces (Entry 2A);
- ◆ the Central Bureau of Intelligence and Investigation (Entry 8);
- ◆ the Union agencies and institutions for training of police officers, promotion of special studies or research, scientific and technical assistance in the investigation or detection of crime (Entry 65);
- ◆ all-India Services (Entry 70); and
- ◆ extension of the powers and jurisdiction of members of one state police force to another with the consent of that state or to outside railway areas (Entry 80).

The Ministry of Home Affairs' Role

The Ministry of Home Affairs, Government of India is responsible for the internal security of the country as a whole and performs the following duties in matters concerning police:

- ◆ recruiting and managing the Indian Police Service;
- ◆ operating the Intelligence Bureau, the Central Bureau of Investigation and other Central Police Organisations;
- ◆ raising, maintaining and deploying Central Para-Military Forces to assist the civil police;
- ◆ maintaining a Directorate of Coordination of Police Wireless to provide an independent channel of communication to police forces in the country and a National Crime Records Bureau to ensure computerisation of police forces;
- ◆ establishing and maintaining institutions for research, training and rendering of scientific aids to investigation;
- ◆ enacting laws for the functioning of the criminal justice system in the country;
- ◆ rendering advice and assistance to the state governments in dealing with crime, law and order and other related matters;
- ◆ coordinating the activities of various state police organizations; and
- ◆ providing financial assistance for the modernisation of State police Forces.

Indian Police Service

At the time of Independence, India inherited from the British two All India Services – the Indian Civil Service (ICS) and the Indian Police (IP). These were subsequently

renamed the Indian Administrative Service (IAS) and the Indian Police Service (IPS) respectively. These services were constituted under Article 312 of the Constitution of India and a legislation was framed to govern them.

Recruitment of officers to the IPS is done by the Central Government on the basis of a competitive examination conducted by the Union Public Service Commission annually. Depending on the vacancies available, the number of officers selected for the IPS varies every year, with the average intake at approximately 65 each year. After selection, the officers receive their professional training in the National Police Academy, Hyderabad.

The IPS cadre is controlled by the Ministry of Home Affairs of the Government of India. The officers selected to the IPS are allotted to the various state cadres. They join as Assistant Superintendents of Police and remain on probation for a period of two years, after which they are confirmed as Assistant Superintendents of Police. It is the IPS officers who man the senior posts in the police forces of all States/Union Territories and in Central Police Organisations. All matters relating to postings, transfers or promotions of IPS officers in the states are handled exclusively by the State governments, while similar administrative control is exercised by the central government in respect to officers working under the central government. An IPS officer can be removed or dismissed from service only by the central government.

Central Police Organisations (CPOs)

The Central Government has established a number of police organisations known as the Central Police Organisations (CPOs). The CPOs, which function under the control of the Ministry of Home Affairs, Government of India can be broadly divided into two groups. One consists of armed

The total sanctioned cadre strength of IPS on 01.04.2001 was 3516.

It was set up as a small unit of 750 men in 1835, mainly to guard the British settlements and tea estates in Assam and other neighbouring areas. It was named in 1917 as Assam Rifles, mainly for its contribution to the First World War effort.

police organisations, also known as Central Para-Military Forces (CPMFs), like the Assam Rifles, Border Security Force, Central Industrial Security Force, Central Reserve Police Force, Indo-Tibetan Border Police and the National Security Guards. The other group includes organisations like the Bureau of Police Research and Development, Central Bureau of Investigation (CBI), Directorate of Coordination of Police Wireless (DCPW), Intelligence Bureau (IB), National Crime Records Bureau (NCRB), National Institute of Criminology and Forensic Science (NICFS), and the National Police Academy (NPA). A Brief description of these organisations is given below:

Central Armed Police Forces (CPMFs)

Assam Rifles

Assam Rifles is the oldest of the Central Para Military Forces. Presently, it is headed by a Director General, who is an officer of the rank of Lt. General from the Army. Though the organisation has a cadre of its own officers, most senior positions are filled by taking officers on deputation from the Army.

The Force functioned under the control of the Ministry of External Affairs till 1965. Its control was then transferred to the Ministry of Home Affairs and has since been functioning under that Ministry. The Assam Rifles Act, 1941, presently governs the Force.

Its charter of functions include:

- ◆ maintaining security of the North Eastern sector of the international border;
- ◆ helping states in the North East to maintain law and order and other states as and when needed; and

- ◆ taking counter insurgency measures in states of the North East.

Border Security Force (BSF)

Prior to the Indo-Pak war of 1965, maintaining security on the Indo-Pak border was the responsibility of the Armed Police Forces of the concerned States. The 1965 war led the government of India to recognize the need to setup a specialised force to maintain security on the Indo-Pak international border. This led to the establishment of the BSF on December 1, 1965. All the twenty five and a half State Armed Police Battalions posted on the Indo-Pak border at that time were merged into this Force. Increasing security concerns in the area have since led to consistent and considerable expansion of the Force.

The BSF has a peace as well as war- time role. Their tasks include:

Peace time

- ◆ To prevent trans-border crimes, unauthorized entry into or exit from the territory of India;
- ◆ To prevent smuggling and related illegal activities;
- ◆ To promote a sense of security amongst the people living in the border areas; and
- ◆ To help civil administration in maintenance of public order.

War Time

- ◆ To hold ground in less threatened sectors so long as the main attack does not develop in a particular sector.

The 1965 war led the Government of India to recognize the need to setup a specialised force to maintain security on the Indo-Pak international border.

BSF personnel are often deployed on United Nations peacekeeping missions.

The CRPF was known at that time as the Crown Representative Police and utilised to maintain law and order in the then princely states of central India.

- ◆ To protect vital installations against enemy commandos and para-troop raids.

The Force is governed by the Border Security Forces Act, which was passed by the Parliament in 1968 and came into effect on June 9, 1969.

Central Industrial Security Force (CISF)

The CISF was set up through an Act of Parliament (Central Industrial Force Act, 1968) to provide security to public sector undertakings. It was made an armed force of the Union subsequently in 1983. The concerned public sector undertakings bear the expenses of the CISF personnel deployed for their security. The Force is also deployed in States/ Union Territories to help them maintain public order.

Central Reserve Police Force (CRPF)

This Force was formed in 1939 and was known at that time as the Crown Representative Police and was utilised to maintain law and order in the then princely states of the central India. After Independence, the Force was given statutory status with the passage of the Central Reserve Police Act in 1949. Its main role is to help the States/ Union Territories in maintaining law and order. Besides dealing with various types of riots occurring in different parts of the country, it has over the past few years also been deployed on anti-insurgency and anti-terrorist operations, VIP security, aviation security, election duties, guard duties and army convoy protection duties.

The Force is divided into Sectors, each headed by an Inspector General. The Sectors have Group Centres under them. Five to seven battalions are attached to each Group Centre. The head of a Group Centre is a Dy. IG. The

Sectors and Group Centers are located at different places in the country so that the Force can be speedily mobilized and deployed at any place in time to deal with an emergency situation.

In addition to the sectors, there is also a Rapid Action Force whose primary function is to deal with communal riots.

Indo-Tibetan Border Police (ITBP)

The ITBP was formed in the wake of Chinese aggression in 1962 to police the Indo-Tibetan border covering a vast expanse of 2115 Kms. The Indo-Tibetan Border Police Act, enacted by the parliament in 1992, presently governs the force.

The main role of this Force is to:

- ◆ maintain vigil on northern borders, detect and prevent border violations, and promote a sense of security among the local populace;
- ◆ check illegal immigration, trans-border smuggling and crimes;
- ◆ provide security to sensitive installations, banks and protected persons; and
- ◆ restore and preserve order in any area in the event of disturbance;

The ITBP mans forward border posts at altitudes ranging from 9000 to 18000 feet. While the primary role of the ITBP continues to be that of policing the Indo-Tibetan border, the force is also deployed on internal security duties.

The ITBP was originally set up under the CRPF Act. Now, it is governed by the Indo-Tibetan Border Police Act, 1992

The NSG has no cadre of its own. It is manned by officers and men on deputation mainly from the army and the CPMFs.

The National Security Guards (NSG)

The National Security Guards was established in the aftermath of the 'Blue Star' operation in 1984 to deal with the problem of terrorism in its various forms, like hostage taking, hijacking of aircraft, kidnapping etc. It has two main components- Special Action Group (SAG) and Special Rangers Group (SRG).

The functioning of the Force is regulated by the National Security Guards Act of 1986 and the Rules framed under the Act in August 1987.

Strength of the Central Para -Military Forces on 1.1.2001²²

Sl. No.	Name of the CPMFs	No. of Battalions	Total Strength
1	CRPF	141	1,67,757
2	BSF	160	1,85,944
3	CISF	306	89,612
4	ITBP	29	31,262
5	Assam Rifles	67	53,795
	Total	635	5,28,370

Other Central Police Organisations

Bureau of Police Research and Development (BPR&D)

The BPR&D was set up under the Ministry of Home Affairs in August, 1970 to promote a systematic study of police problems in a rapidly changing society and to facilitate application of new developments in science and technology to police work. The BPR&D in its existing form consists of the following four Divisions:

²² Data on Police Organisation in India, 2000.

- i. Research Division
- ii. Development Division
- iii. Training Division
- iv. Forensic Science Division

Two Fellowship Schemes are administered by the BPR&D- one by the Research Division and the other by the Forensic Science Division. To promote research amongst students of social sciences in police problems, the Research Division awards six fellowships to post-graduate students for Ph.D. work. Besides, 12 fellowships are awarded every year for Ph.D. work in forensic Science. Both the Fellowships operate more or less on the pattern of the University Grants Commission.

Central Bureau of Investigation (CBI)

What is known today as the CBI was originally set up as the Special Police Establishment (SPE) in 1941 to investigate cases of bribery and corruption involving the employees of the War and Supply Department of the Government of India during the Second World War. Even after the war was over, the need to continue the agency to investigate corruption charges involving government servants was felt. The Delhi Special Police Establishment Act was passed in 1946 to give the organisation a statutory base. Its jurisdiction was extended to cover cases of corruption involving employees of all departments of the Government of India. The role of the SPE was gradually extended and by 1963, it was authorised to investigate offences under 97 Sections of the Indian Penal Code, offences under the Prevention of Corruption Act and 16 other Central Acts.

In 1963, the Government of India set up the Central Bureau of Investigation.²³ This new organisation's charter included

²³ It was constituted by the Government of India's Resolution No. 4/31/61-T dated April 1, 1963.

To review and guide the BPR&D in its work there is a Police Research and Development Advisory Council under the Chairmanship of the Union Home Secretary. In addition there are standing committees to oversee and guide the work of each division.

not only the work done by the Delhi Special Police Establishment but also additional investigation work relating to breach of central fiscal laws, major frauds in central government departments, public joint stock companies, passport frauds, crimes on the high seas and in the air and organised crimes committed by professional gangs. It was also given the work of maintaining crime statistics, collecting intelligence relating to certain types of crimes, working as the National Crime Bureau (NCB) of the country for the International Police Organisation (INTERPOL). Presently, the CBI consists of the following divisions:

- i. Anti Corruption Division
- ii. Economic Offences Division
- iii. Special Crimes Division
- iv. Legal Division
- v. Coordination Division
- vi. Administration Division
- vii. Policy and Organisation Division
- viii. Technical Division
- ix. Central Forensic Science Laboratory

The legal powers of investigation of the CBI are derived from the Delhi Special Police Establishment Act, 1946 (DPSE Act). The organisation can investigate only such offences as are notified by the central government under Section 3 of the DPSE Act. The powers, duties, privileges and liabilities of the members of the organisation are the same as those of the police officers of the union territories in relation to the notified offences. While exercising such powers, members of the CBI of and above the rank of Sub-Inspectors are deemed to be officers in charge of the police station. The Central Government is authorised to extend the powers and jurisdiction of the members of CBI to any area, including railway areas, for the investigation of offences notified under Section 3 of the District Special

Police Establishment Act, subject to the consent of the government of the concerned state.

Even though the CBI has been in existence for so long, it is still governed by the old Delhi Special Police Establishment Act of 1946. Section 4 (1) of this Act vests the superintendence over the organisation in the Central Government. An important development in this regard occurred in December, 1997 when the Supreme Court delivered its judgement in Writ Petitions (Criminal) Nos. 340-343 of 1993, commonly known as the Havala Case. The Court directed that the responsibility of exercising superintendence over the CBI should be entrusted to the Central Vigilance Commission (CVC) and that the CVC should be given a statutory status.²⁴ The judgement of the apex court is yet to be implemented. The CVC Bill has not yet been passed.

The Single Directive

The term '*Single Directive*' is commonly associated with the role and functioning of the CBI. The Single Directive was a set of executive instructions issued by the Central Government, prohibiting the CBI from undertaking any inquiry or investigation against any officer of the rank of Joint Secretary and above in the Central Government including those in the public sector undertakings and nationalised banks without the prior sanction of the head of the department. The Supreme Court's judgment in the Havala Case had declared the single directive null and void. The Court found it unacceptable in law on two grounds. It required a police agency to seek permission from the executive to initiate investigation into a criminal offence, which

²⁴ The CVC was set up by the Government of India in 1964 by Resolution No. 24/7/64-AVD dated February 11, 1964.

Under Section 6 of the DPSE Act, the CBI has to obtain the consent of the State Government to exercise its powers and jurisdiction in that State.

Amongst the existing intelligence agencies, the IB is probably the oldest in the world. It was established as the Central Special Branch by an order of the Secretary of State for India in London on December 23, 1887.

is contrary to law. Secondly, it violated the canon of equality in the application of law. However, attempts are being made to bring the Single Directive back on the ground that officers at the decision making level in the government require protection.

Directorate of Coordination, Police Wireless (DCPW)

The need for an independent and reliable telecommunication system had been recognised by the Government of India early in 1946 when an Inspectorate of Wireless was set up under the Ministry of Home Affairs.

The charter of the organisation is fairly wide and comprehensive. Responsible for coordination and development of police telecommunication systems in the entire country, the DCPW is the premier police telecommunication organisation, which provides vital communication amongst its Inter- State Police Wireless Stations (ISPW) and the national capital. It provides round the clock communication between the centre and states on subjects relating to law and order and other matters.

Intelligence Bureau (IB)

Amongst the existing intelligence agencies, the IB is probably the oldest in the world. It was established as the Central Special Branch by an order of the Secretary of State for India in London on December 23, 1887. Following the recommendations of the 1902-03 Indian Police Commission, the organisation was renamed as the Central Criminal Intelligence Department. Gradually, the security tasks of the organisation started overshadowing its responsibilities in respect of criminal work. The word 'criminal' was therefore dropped from its name in 1918 and its present nomenclature (IB) was adopted in 1920.

The IB's role is vast and extensive covering a broad range of issues and has to deal with many problems, like terrorism, subversion and insurgency on the one hand and espionage and attempts to undermine the democratic fabric of the country by external agencies on the other. Its main task is to collect intelligence about the subversive and terrorist activities of people and organisations, disseminate such information in time to the concerned authorities and adopt strategies to counter threats to internal security of the country and its institutions.

National Crime Records Bureau (NCRB)

The charter of the NCRB includes the following:

- ◆ To function as a clearing-house of information on crime and criminals;
- ◆ To store, coordinate and disseminate information on inter-state and international crime and criminals;
- ◆ To collect, compile and publish crime statistics;
- ◆ To develop and modernise the Crime Records Bureau in the states;
- ◆ To develop computer based systems for police organisations and to cater to their data processing and training needs for computerisation; and
- ◆ To function as storehouse of finger print records.

National Institute of Criminology and forensic Science (NICFS)

The NICFS was originally set up as a Central Institute of Criminology and Forensic Science by the Government of India in 1973 as a part of the BPR&D. The need for such

The National Crime Records Bureau was set up in 1986 through a merger of the following four units:

- i) Directorate of Coordination of Police Computers
- ii) Crime Records Section of the CBI
- iii) Central Finger Print Bureau of the CBI
- iv) Statistical Section of the BPR&D

**Extracts from the
Mission
Statement of the
Academy**

“The primary purpose of the Sardar Vallabhbhai Patel National Police Academy is to prepare leaders for the Indian Police, who will lead/command the force with courage, uprightness, dedication and a strong sense of service to the people.”

an institution was recommended by a sub-committee set up by the University Grants Commission in 1969. In 1976, it was separated from the BPR&D and given an independent status under the Ministry of Home Affairs. Its charter was defined in the Government of India's Resolution dated September 25, 1976. According to its charter, it has to act towards advancement of knowledge in the field of criminology and forensic science; to organise in-service training courses for officers in the police, judiciary and correctional services and to act as a reference body in the field of criminology and forensic science for national as well as international institutions.

Sardar Vallabhbhai Patel National Police Academy (NPA)

The National Police Academy, named after the former Deputy Prime Minister of India (1947 - 1950) Sardar Vallabhbhai Patel, is the premier police training institution in the country. The NPA trains officers of the Indian Police Service.

After selection, IPS officers are sent to the Sardar Vallabhbhai Patel National Police Academy, Hyderabad for professional training. The trainees are put through a training schedule for 44 weeks in both indoor and outdoor subjects.

The training programmes conducted at the Academy are the basic course for IPS. Officers; three in-service Management Development Programmes for officers of SP, DIG and IG levels of the Indian Police Service; Training of Trainers' Courses for the trainers of various police training institutions in the country; IPS Induction Training Course for State Police Service Officers promoted to the IPS and short specialised thematic Courses, Seminars and Workshops on professional subjects for all levels of police officers.

Foreign police officers and other officers belonging to Army/IAS/IFS/Judiciary, Public Sector Undertakings, Nationalised Banks, Insurance Companies etc. also attend various specialised courses conducted by the Academy from time to time.

The Academy has total staff strength of 427. An Academy Board headed by the Union Home Secretary and comprising of senior civil and police officers and eminent educationists as its members periodically reviews the syllabi and training methodology of various courses conducted in the Academy. The Board oversees the work and problems of the NPA

The Ministry of Home Affairs, Government of India introduced a scheme in 1969-70 to extend financial support to the State Governments for the modernisation of their police forces. The pattern of assistance under the Scheme initially was 75% loan and 25% grant. In 1973-74, this was changed to 50 % grant-in-aid and 50% loan on the recommendations of the Sixth Finance Commission. Under the Scheme, financial assistance was given for purchase of:

- ◆ data processing machines for crime records;
- ◆ equipment for forensic science laboratories, finger print bureaus, centers for examination of questioned documents and scientific aids to investigation;
- ◆ wireless equipment for police;
- ◆ equipment for police training institutions; and
- ◆ vehicles for increased police mobility.

In the first phase of the Scheme, covering the period 1969-70 to 1979-80, an amount of Rs. 52.24 crores was released to the state governments.

The National Police Commission in its third report (February, 1980) examined the working of the Scheme. The Commission recommended that the Scheme should be extended for another period of ten years from 1978-79, with substantial increase in allotment. The Government of India extended the Scheme till 1989-90 with an outlay of Rs. 100 crores. In this phase, the States were asked to adopt an area-based approach by identifying problem areas and formulating plans to improve policing in such areas. During this phase, an amount of Rs. 89.29 crores was released to the States.

The Scheme was further extended to its third phase, which covered the period 1991-2000. The outlay was increased and an amount of Rs. 120 crores was sanctioned for release during the five-year period 1991-95 at an annual rate of Rs 30 crores. The funds were allocated to the states as per the following criteria:

Criteria	Weightage
Population of State	35%
Sanctioned strength of police	25%
Number of Police Stations	15%
Crime per lakh of population	25%

Item wise allocation fixed during this phase was as follows:

- ◆ Police Training- Buildings & Equipment 20 %
- ◆ Forensic Science- Buildings & Equipment 20 %
- ◆ Light Weaponry/Aids for Crowd Control/
Traffic Control/VIP Security 20 %
- ◆ Acquisition of New Vehicles 20 %
- ◆ Communication 10 %
- ◆ Aids to Investigation/ Data Processing/
Office Equipment 10%

The Police Modernisation Scheme has been in existence for more than three decades now. Though it has brought about some improvement in mobility and communication facilities available to the police, the Scheme has not succeeded in giving a comprehensive modern look to the state police forces. There are various reasons for this. The requirements are huge and the central government has not been able to spare enough funds. Inflationary pressures

combined with the expansion of police forces have also reduced the impact of whatever increase in grants occurred. The state governments have not provided enough funds out of their budgets. The monitoring of the utilisation of funds released under the scheme has not been effective. The Scheme did not give enough consideration to the need to modernise the working of the police stations in the country.

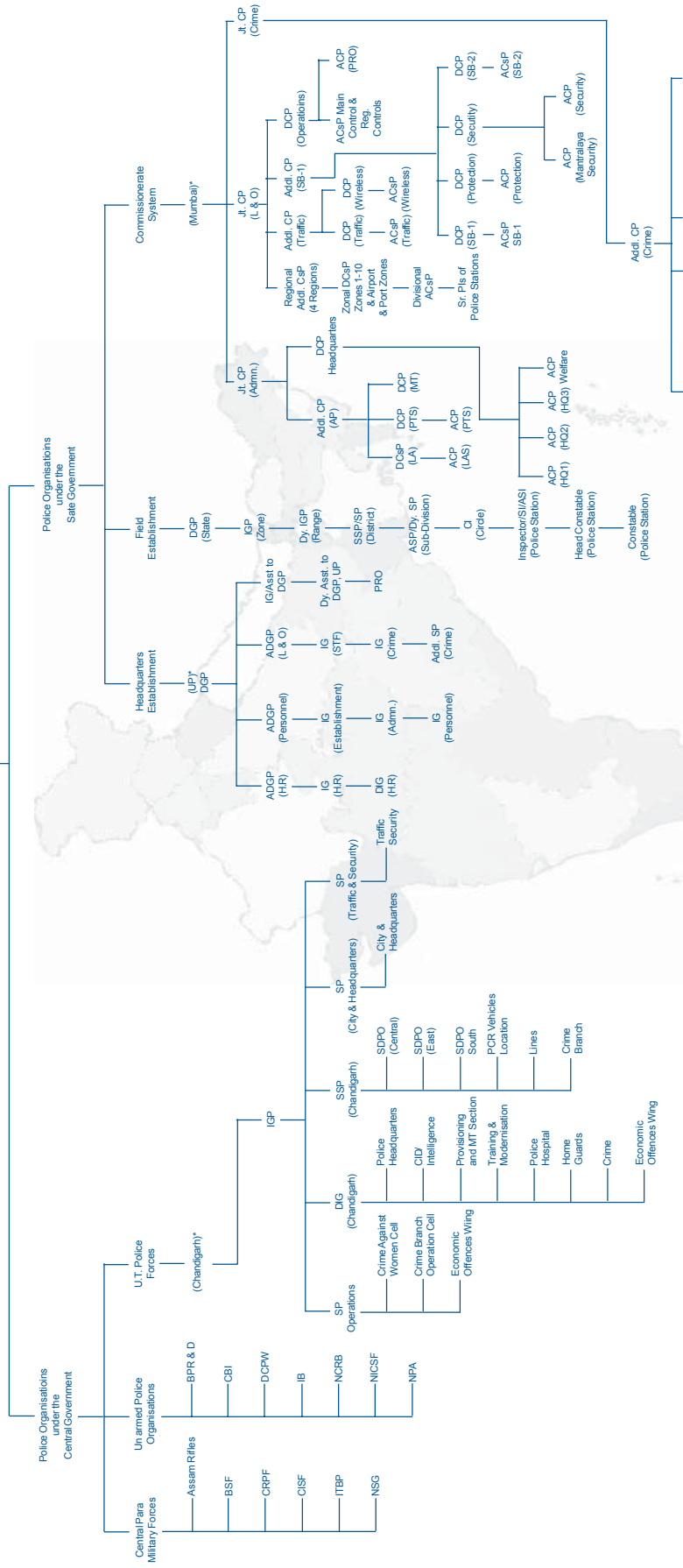
It is learnt that the Government of India has decided not only to extend the Scheme but to really revamp it. The Government is reported to have increased the amount of financial assistance under the Scheme to Rs. 1200 Crores per year from 2001-02 onwards for the modernisation of the Police Forces in the country.

Police Organisation in India – At a Glance

The police organisation in India both under the Central and State Governments can be viewed at a glance on the map attached.



POLICE IN INDIA



- * Chandigarh - The Organisational Structure of Chandigarh Police is taken as an example of Police Organisation in the Union Territories. (Source: <http://www.chandigarhpolice.com>)
 - * Uttar Pradesh - The Organisational Structure of Uttar Pradesh Police is taken as an example of Police Organisation in the States. (Source: <http://www.uppolice.com>)
 - * Mumbai - The Organisational Structure of Mumbai Police is taken as an example of Commissionerate System of Police. (Source: <http://www.mumbai.police.com>)
- | | | | |
|---------|---|------|--------------------------------------|
| BSF | - Border Security Force | ACSP | - Additional Commissioners of Police |
| CRPF | - Central Reserve Police Force | DI | - Division-1 |
| CISF | - Central Industrial Security Force | CU | - Central Industrial Units |
| ITBP | - Indo-Tibetan Border Force | SOS | - Special Operation Squad |
| NSG | - National Security Guards | GB | - General Branch |
| BPR & D | - Bureau of Police Research and Development | SI | - Sales Tax |
| DCPW | - Central Bureau of Investigation | SP | - Special Branch |
| IB | - Intelligence Bureau | SP | - Special Branch |
| NCRB | - National Crime Records Bureau | CR | - Central Region |
| NICSF | - National Institute of Criminology and Forensic Sciences | NER | - North East Region |
| NPA | - National Police Academy | NWR | - North West Region |
| UT | - Union Territory | | |
| SP | - Superintendent of Police | | |
| ADP | - Deputy Superintendent of Police | | |
| SSP | - Sub-Inspector | | |
| CD | - Criminal Investigation Department | | |
| MT | - Motor Transport | | |
| SDPO | - Sub-Divisional Police Officer | | |
| PQR | - Police Control Room | | |
| UP | - Uttar Pradesh | | |
| DCP | - Director General of Police | | |
| AS | - Assistant Director General of Police | | |
| HR | - Human Rights | | |

The Commonwealth Human Rights Initiative

The Commonwealth Human Rights Initiative (CHRI) is a non-partisan, non-profit independent international non-governmental organisation mandated to work towards the practical realisation of human rights in Commonwealth countries. Human rights advocacy and education are at the core of all CHRI's activities, and the aims and ends of all its reports and investigations.

CHRI aims to raise awareness of and adherence to internationally recognised human rights instruments and declarations made by the Commonwealth Heads of Governments, and more particularly the values embodied in the Harare Declaration.

CHRI was based in the United Kingdom until 1993, when the head office moved to India. The Trustee Committee office in London continues to support the work of the headquarters based in New Delhi. In May 2001 CHRI opened a new office in Accra, Ghana in order to develop human rights interventions particularly appropriate to the context of Commonwealth Africa.

CHRI is working in the following areas:

- Right to Information
- Police Reforms
- Prison Reforms
- Constitutionalism
- Human Rights Advocacy

Biennial Report on Human Rights Issues to the Commonwealth Heads of Government Meeting (CHOGM).



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