

ESTIMATES COMMITTEE
(1982-83)

(SEVENTH LOK SABHA)

FORTY-NINTH REPORT

ON

MINISTRY OF HOME AFFAIRS

POLICE

(Including C. B. I.)



28 APR 1983

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(1982-83)

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INTRODUCTION

1. The Chairman of Estimates Committee having been authorised by the Committee to submit the Report on their behalf, present this Forty-Ninth Report on the Ministry of Home Affairs—Police (including CBI).

2. The Committee took evidence of the representatives of the Ministry of Home Affairs on 17 and 18 November, 1982. The Committee wish to express their thanks to the Officers of the Ministry for placing before them the material and information which they desired in connection with the examination of the subject and giving evidence before the Committee.

3. The Committee also wish to express their thanks to the following Non-official witnesses for giving evidence and making valuable suggestions to the Committee:--

(i) Shri Dharma Vira

(ii) Shri S. M. Diaz, Hon. Professor of Criminology, University of Madras.

4. The Committee also wish to express their thanks to all other individuals, who furnished memoranda on the subject to the Committee.

5. The report was considered and adopted by the Committee on 14th April, 1983.

6. For facility of reference and convenience recommendations and observations of the Committee have been printed in thick type in the body of the Report, and have also been reproduced in a consolidated form in the Appendix to the Report.

NEW DELHI;
April 19, 1983

Chaitra 29, 1905 (S)

BANSI LAL,
Chairman,
Estimates Committee.

CHAPTER I

PARA-MILITARY FORCES

A. Sanctioned Strength

1.1 The Central Government have established the following Central para-military forces:—

- (i) Central Reserve Police Force
- (ii) Border Security Force
- * (iii) Central Industrial Security Force
- (iv) Assam Rifles
- (v) Indo-Tibetan Border Police

1.2 The Ministry of Home Affairs have intimated that the strength of these forces is as under:—

Name of the Forces	Year 1978	Year 1979	Year 1980	Year 1981	Year 1982
(1) Central Reserve Police Force.	74,646	72,345	74,739	84,197	85,197 (66 Bat- tallions)
(2) Border Security Force	84,256	84,256	84,272	86,260	85,265 (79 Bat- tallions)
(3) Central Industrial Security Force.	27,819	27,104	26,523	29,730	30,800
(4) Assam Rifles	34,484	34,485	35,553	35,565	35,663 (21 Bat- tallions)
(5) Indo-Tibetan Border Police	13,820	13,578	13,578	13,540	13,540

*At the time of factual verification, the Ministry of Home Affairs clarified that "CISF is not an armed force of the Union and is, therefore, not a para-military force in the strict sense. It is only a Security force."

1.3 During the last 5 years, the Annual Expenditure in Para-Military Forces has been as under:—

Name of the Forces	Year Expenditure in Crores of Rs.				
	1977-78	1978-79	1979-80	1980-81	1981-82
(1) Central Reserve Police Force	57.74	58.53	62.88	75.27	96.35
(2) Border Security Force	72.00	76.48	85.24	93.58	110.37
(3) Central Industrial Security Force	14.62	14.83	16.69	22.42	6.06
(4) Assam Rifle	32.75	34.38	34.95	39.13	42.37
(5) Indo Tibetan Border Police	12.04	13.39	14.28	17.22	20.42

1.4 The Ministry of Home Affairs intimated that in 1978, the strength of the CRPF was reduced by two Battalions but subsequently in the years 1980 and 1981, as many as 8 Battalions were raised. Asked about the circumstances that led to disbandment of two battalions in 1978 and raising of 8 Battalions in 1980 and 1981, a representative of the Ministry of Home Affairs recalled that in April, 1977 the Cabinet Committee on Economic Policy and coordination had decided that the strength of the various para-military forces should be reduced with a view to effect economy. This decision was considered by the Secretaries' Committee which decided to reduce the strength of this Force by two battalions, i.e. from 60 to 58. Later, in 1980-81, on consideration of the internal security situation, the strength was raised by 8 battalions.

1.5 The Committee pointed out that it should have been possible to make a realistic assessment of internal security requirements in 1978 itself to avoid such drastic changes in strength. In reply, the representative of the Ministry of Home Affairs conceded:—

“I agree, but I am not in a position to throw more light on this.”

1.6 The Committee pointed out that the total strength of the BSF had increased only marginally since 1978 (from 84,256 in 1978 to 86,265 in 1982). Asked if keeping in view the enormity of the border area problems, the increase in strength was adequate, the representative of the Ministry of Home Affairs stated that they had divided the borders into different sectors—On the western side, at Jodhpur, Jullunder, Jarhmu and Srinagar and in the eastern sector at Cal-

cutta and Shillong. Each IG handled between 10 to 12 battalions and DIG commanded between 3 to 4 battalions of BSF. While in Punjab, the distance between one Battalion and another was not much; the distance in Rajasthan was sometimes as much as 30 to 40 Kms.

1.7. The Committee, therefore, wanted to know if it was physically possible for one DIG to command 3 to 4 Battalions and cover such a long border, the witness said that "he (DIG) has to go to two or three places."

1.8 Asked if Government was contemplating increase in the number of BSF Battalions and if so for what area, the representative of the Ministry of Home Affairs revealed:

"Our experience has been that in Bengal a sense of security can be obtained only if we increase the force for which we have requested the Government. Government was considering sanctioning of three more battalions one for Tripura and two for West Bengal."

1.9 The Committee desired to know if construction of a road along the border from Sunderbans to Silliguri could make patrolling by BSF more effective. In reply, the witness said:—

"Yes Sir, it should be there...we cannot give the proposal It is for the Border Roads Organisation".

1.10 A statement showing State-wise break-up of recruitment made during the last three years (1980 to 1982) in Border Security Force, Central Reserve Police Force, Indo-Tibetan Border Police and Assam Rifles is given below:—

Name of States/UTs	BSF	CRPF	ITBP	Assam Rifles
1. Andhra Pradesh	194	445	1	13
2. Assam	793	616	4	548
3. Bihar	898	1606	44	295
4. Gujarat	55	590	..	5
5. Haryana	923	2229	1141	64
6. Himachal Pradesh	289	348	194	459

Name of States/UTs	BSF	CRPF	ITBP	Assam Rifles
7. Jammu & Kashmir	565	598	20	125
8. Karnataka	201	312	..	4
9. Kerala	468	818	33	124
10. Madhya Pradesh	660	475	35	3
11. Manipur	35	145	1	163
12. Meghalaya	178	22	..	52
13. Maharashtra	137	569	..	8
14. Nagaland	16	6	..	475
15. Orissa	103	584	3	49
16. Punjab	606	526	64	44
17. Rajasthan	606	1503	17	20
18. Sikkim	..	3	..	14
19. Tamil Nadu	251	535	11	117
20. Tripura	87	181	4	14
21. Uttar Pradesh	1,768	3,274	902	3,740
22. West Bengal	135	780	6	115
1. Andaman & Nicobar	130	38	..	..
2. Arunachal Pradesh	..	49	..	185
3. Chandigarh	..	2	4	..
4. Delhi	59	132	18	..
5. Goa, Daman & Diu	..	7	..	..
6. Lakshadweep	..	..	..	..
7. Mizoram	3	6	..	281
8. Pondicherry	..	10	..	..
9. Dadra & Nagar Haveli	..	..	..	..
Total	9,160	16,409	902	6,817
Nepalese	19	31	2	..
Grand Total	9,179	16,440	904	6,817

1.11 As regards appointment of Ex-servicemen in para-military forces, the Ministry of Home Affairs have intimated that Ex-Servicemen (Re-employment in Central Civil Services and Posts) Rules, 1979 are applicable to the Ministry of Home Affairs in so far as Ex-Servicemen in para-military forces are concerned. Rule 4(1) of these Rules stipulates that:

“Reservation of vacancies—(1) Ten per cent of the vacancies in the posts of the level of Assistant Commandant in all para-military forces; ten per cent of the vacancies in each of the categories of Group ‘C’ posts and of such posts in each group ‘C’ Service; and twenty per cent of the vacancies in each of the categories of Group ‘D’ posts and of such posts in each Group ‘D’ service, including permanent vacancies filled initially on a temporary basis and temporary vacancies which are likely to be made permanent or are likely to continue for three months and more, to be filled by direct recruitment in any year shall be reserved for being filled by ex-servicemen.

1.12. A statement showing cadre strength of IPS officers of various States and Union Territory cadres and the number of officers on deputation from each State to the Centre as on 22-3-1982 is given below:

Sl. No.	State	Total cadre strength as on date	No. of officers from each State on deputation to Centre as on 22-3-82
1	2	3	4
1.	Andhra Pradesh	150	25
2.	Assam and Meghalaya	98	16
3.	Bihar	195	17
4.	Gujarat	135	19
5.	Haryana	88	11
6.	Himachal Pradesh	54	12
7.	Jammu and Kashmir	49	8
8.	Karnataka	110	18

1	2	3	4
9	Kerala	93	8
10	Madhya Pradesh	226	60
11	Madharashtra	178	32
12	Manipur and Tripura	72	9
13	Orissa	111	25
14	Punjab	110	13
15	Rajasthan	122	24
16	Sikkim	14	..
17	Tamil Nadu	130	21
18	Union Territory	93	19
19	Uttar Pradesh	350	70
20	West Bengal	219	45

1.15 The total strength of para-military forces was 2.51 lakh in 1982, the break up being Central Reserve Police Force 85,197; Border Security Force-86,265; Central Industrial Security Force 30,800; Assam Rifles 35,663; and Indo-Tibetan Border Police 13,540. There has been marginal reduction in Indo-Tibetan Border Police in 1979, some increase in Assam Rifles and Border Security Force in 1980 and 1981 respectively and though there was some reduction in Central Industrial Security Force in 1979 and 1980, its strength was increased in 1981 and 1982. In the case of Central Reserve Police Force pursuant to a decision of the Cabinet Committee on Economic Policy and Coordination in April, 1977, the strength was reduced from 60 to 58 battalions in 1978 to effect economy but the strength was subsequently raised to 66 battalions during 1980-82. The precise reasons for this considerable augmentation of the force could not be ascertained by the Committee except that it was stated to be on consideration of internal security situation. However, the Committee have noted elsewhere the Central Reserve Police Force was fully deployed on demand by the States. The Committee learnt that Government were considering sanctioning three more battalions of BSF one for Tripura and two for West Bengal. While the Committee appreciate the need based strengthening of forces, they would suggest that it should be done having due regard to economy consideration and consistent with precise role of each force so that there is no duplication of functions.

1.14 In the Border Security Force the Inspector-General had under his charge 3 to 4 Deputy Inspectors General, each DIG commanding 3 to 4 battalions. The distance between one battalion and another varied from border to border, sometimes being as much as 30 to 40 kilometres making it difficult for one DIG to oversee the work of 3 to 4 battalions. Sometimes even if distance involved is not much, the area consists of a difficult terrain. With a view to enable greater mobility and easy access to all Border Posts and make our vigil on the border more effective, Government may consider the possibility of constructing roads along the International Border, especially West Bengal Border. The Committee recommend that Government should re-assess the strength of the BSF at various levels with the object of making the Force an effective instrument of vigilance and security at our borders. The Committee further recommend that adequate avenues of promotion should be made available to the direct recruits in the B.S.F.

1.15 The Committee feel having regard to the nature of the Para Military Forces, it will be of definite advantage to induct ex-servicemen into these forces. The Army jawans retire after 17 years of service, whereas the members of the para military forces could continue upto the age of 55|58 years. At present vacancies in the para military forces upto 20 per cent are reserved for ex-servicemen. In order to rehabilitate better the ex-servicemen and to qualitatively strengthen the Para Military Forces, the Committee suggest that the reservation should be enhanced at least to 50 per cent including the Scheduled Castes, Tribes and Physically handicapped persons among the Ex-servicemen.

1.16 The Para Military Forces should truly reflect their national character. The Committee, therefore, suggest that the recruitment to these forces should be so regulated that as far as possible there is balanced representation to all the States on them. The details in para 1.10 would show that this is not the position today.

1.17 It will be mutually advantageous for the State Police forces and the Central Para Military Forces to have a regular system of taking atleast I.P.S. officers from all the States|Union Territory Cadres to the Para Military Forces on tenure basis. For this a quota should be fixed for each cadre on a uniform basis. The present system in this regard should be rationalised to derive the advantage fully. Incidentally the Committee suggest that in view of present imbalance in the cadre strengths of IPS, suitable criteria should be evolved and the State/Union Territory Cadres rationalised.

B. Performance of Para-Military Forces

(a) Central Reserve Police Force:

1.18 The Central Reserve Police Force was initially raised in 1930 as "The Crown's Representative Police Force with a strength of one Battalion to assist the then Princely States in the maintenance of law and order". After Independence, Parliament enacted the Central Reserve Police Force Act, 1949 for the constitution and regulation of an Armed Central Reserve Police Force. The main objective of the CRPF is to assist the State Governments in the maintenance of law and order. As regards achievements, the Ministry of Home Affairs have, in a Note stated that:

"That the force had performed its role in an admirable manner is evidenced by the fact that the demand for the Central Reserve Police Force from States has been so large as to virtually necessitate the deployment of the entire force."

(b) Border Security Force:

1.19 Upto November, 1965 the policing of the International borders was entrusted to the Armed Police Battalions of the concerned State Governments maintained out of Central grants. The training, mobility and effectiveness of these battalions varied from State to State. In order to bring about uniformity in these forces and to have a direct control over them, the Central Government decided to constitute the Border Security Force which came into being on 1st December, 1965. A large number of State Armed Police Battalions were consequently merged in the newly created Central Force.

1.20 Analysis of data of crimes and seizures effected at India's International border during the last 5 years furnished by the Ministry of Home Affairs has revealed that:—

- (i) The number of trans-border crimes of cattle lifting, dacoity and kidnapping has gone up from 1907 cases in 1978 to 2308 cases in 1982 (upto Sept., 82).
- (ii) The number of cases of unauthorised entry into or exit from territory of India has come down from 17429 cases in 1978 to 12510 in 1982 (upto September, 1982).
- (iii) the number of cases of smuggling has increased from 3579 in 1978 to 6505 in 1982 (upto September, 1982).

- (iv) while the number of persons apprehended for attempting to smuggle goods or criminals were 8005 in 1978 the number of such cases in 1982 (upto September, 1982) was 4,547 only.

(c) *Central Industrial Security Force:*

1.21 The CISF was set up in 1969 under the Central Industrial Security Force Act, 1968 for better protection had security of industrial undertakings. The present strength of the force is 30,800 men who are deployed in 112 public sector undertakings. It has been claimed that during the year 1981-82 (upto 31-12-82) 2554 persons involved in theft of property belonging to undertakings were apprehended by the CISF personnel and property worth about Rs. 44.5 lakhs was recovered.

1.22 When asked whether the Ministry of Home Affairs were satisfied with the performance of this Force which had been operating for more than 12 years and if the views of the public Undertakings and their administrative ministries regarding the efficacy of the Force or in regard to measures to bring about improvement in their working were ever elicited, the representative of the Ministry of Home Affairs stated during evidence that:

“Ministry of Home Affairs is satisfied with the role of CISF. CISF could bring under control sabotage, destruction of property, theft and pilferage in the undertakings. More undertakings are pressing for induction of CISF. That is the indication of their high level of efficiency. While we have not specifically elicited views of other public undertakings under Ministries regarding the efficacy of the force, CISF have received letters of appreciation for their performance in specific situations. They have opened an Intelligence Wing to ensure that the industry is not exposed to acts of sabotage and other acts of mischief. By and large the force has succeeded in a very large measure in winning the confidence of the industrial undertaking and that was shown by the number of requests which are still pending with Government, for their deployment.”

1.23 The Committee asked how many cases out of 2554 persons apprehended by the CISF on the charge of theft of property belonging to the undertakings, resulted in the conviction of persons in courts of law. In reply, a representative of the Ministry of Home Affairs stated that out of 2554 persons who were apprehended,

from the feed back which Government got from the police stations, about 419 had been convicted so far. Many cases were pending in the Courts.

1.24 Asked whether any cases of collusion between the Central Industrial Security Force Personnel and unscrupulous elements had come to notice, the Ministry of Home Affairs have in a Note intimated that:—

“During the year 1981 there occurred 45 cases of collusion on the part of CISF personnel with miscreants engaged in theft of property. As against this, only 23 such cases had come to notice during the current year upto September, 1982.”

1.25 As regards action taken in such cases, the Ministry of Home Affairs assured the Committee that:

“In all cases disciplinary action is taken against the delinquent personnel. In addition where sufficient grounds are available legal action is also taken.”

(d) *Assam Rifles*

1.26 Originally the Force was raised in 1835 under the name “Cachar Levy” with 750 men. Over the years it was renamed a number of times. It got its present name ‘Assam Rifles’ after the first world war. The historic role of the force has been to help the administration in tribal areas in the erstwhile composite Assam State in the maintenance of law and order and in curbing revolts and insurgency.

1.27 Prior to January, 1972, the Assam Rifles was being administered by the Central Government through NEFA Administration. However, with the creation of the Union Territory of Arunachal Pradesh in January, 1972, the administration of the force has become the direct responsibility of the Ministry of Home Affairs.

1.28 Initially, the force was officered by Police officers. However, from 1882 onwards Army officers were taken on deputation and they helped in moulding the force on army lines. At present also, the force is officered mainly by army deputations. Some of the posts are, however, manned by officers belonging to the local cadre of Assam Rifles, which mostly consists of ex-Emergency Commissioned officers.

1.29 The present strength of the force is 21 Battalions accounting for around 33663 men. 19 out of 21 battalions of Assam Rifles are under the operational control of the Army, while the remaining two are working in aid of civil administration.

1.30 Details of underground hostiles captured and arms and ammunition seized by Assam Rifles are given below:—

Year	Under-ground Hostiles captured by Assam Rifles	Quantities seized by Assam Rifles	
		Arms	Ammunition
1978	4	17	208
1979	75	20	703
1980	60	35	519
1981	15	1	87
1982	304	85	401
	Total	458	1918

1.31. The Committee referred to the cases of capture of underground hostiles and seizure of arms and ammunition by Assam Rifles since 1978. A representative of the Ministry of Home Affairs gave the following assessment of the situation:

“They have better operating position on the Nagaland border in Burma. The border being jungle-clad, they do get access, came back into the country, mix up with the population. As a matter of fact whenever we get a good intelligence report, ambushes are laid and such people are apprehended. The situation in Nagaland along with Burma border is not that bad because the Burmese Government had also taken steps and had become more active for the last one year along Indo-Burma Border along Nagaland and there have been lot of clashes between Burma Army and underground Nagas.

For the last one year there used to be one company of the Burmese Government opposite to Northern Nagaland Border. Now that has been strengthened and raised to one battalion."

(e) *Indo-Tibetan Border Police*

1.32 The Indo-Tibetan Border Police gave a good account of itself in the 1965 and 1971 conflicts with Pakistan when they conducted mopping up operations in the J&K sector. Indo-Tibetan Border Police have provided a sense of security to the Indian population living along with the Indo-Tibetan Borders where it is deployed. Though, the force is meant primarily for border duties, it was also used on a few occasions for assisting the State Governments in maintenance of law and order in times of need.

1.33 It has been stated that no formal system of evaluation of the functioning of the Central Armed Forces like Border Security Force, Central Reserve Police Force, Indo-Tibetan Border Police and the Assam Rifles exists. During evidence the Committee pointed out that unless a formal system was evolved, any review of the functioning of these forces would be nothing but a perfunctory and subjective exercise. The representative of the Ministry of Home Affairs explained in evidence that—

"Review of functioning of security forces by the MHA is a continuous process. Periodical meetings are held at the level of Home Secretary and Home Minister besides personal visits by them to the headquarters and important units of the Forces. Once or twice a year, the Home Minister also calls a meeting of the heads of Forces and reviews the performance of the forces. This would serve in the task of getting proper evaluation in regard to the performance of the Central Police Forces. Copies of the tour notes recorded by heads of Forces are marked to MHA where they are scrutinised and guidelines issued wherever necessary whenever something is important in regard to policy matter, it is marked to the Home Secretary and it is scrutinised and necessary guidelines issued. An Annual Administration Report is submitted by heads of security forces which after due assessment forms the basis for the preparation of the Annual Report of the MHA. But before the Annual Report is prepared we call for the reports on the functioning of the different Force and evaluate them, assess them and then issue

guidelines and they form the basis of the functioning. Then we also monitor the performance of the Central Police Forces.”

C. Development of Para-Military Forces

1.34 Under the Constitution, the subjects of (1) ‘Public Order’ but not including the use of naval, military or air forces or any other armed forces, of the Union in aid of civil power, and (2) ‘Police’ (including railway and village police) fall in List II-State List of the Seventh Schedule. It is, therefore, the primary responsibility of the State Government to maintain law and order with the help of their police forces.

1.35 The Ministry of Home Affairs functions as the nodal Ministry for law and order in the country. Under Article 355 of the Constitution, it is the duty of the Central Government to protect every State from internal disturbances. Entry 2-A of Union List of the Seventh Schedule to the Constitution reads as under:—

“Development of any armed forces of the Union or any other force subject to the control of the Union or any contingent or unit thereof in any State in aid of the civil power; powers, jurisdiction, privileges and liabilities of the members of such forces while on such deployment.”

1.36 It has been stated that Central Armed Forces like BSF and the CRPF are made available to the State Governments when they have reason to believe that the State Police reserves will have to be adequately supplemented to deal with likely situations of serious disturbances. Services of these forces are also made available as a preventive measure has the presence of such forces has a salutary effect and their early appearance often prevents a situation from assuming serious proportions. The exact quantum of force to be made available depends on the assessment of the situation by the Central Government and the availability of the force with the Centre.

1.37 The number of occasions during the last two years when the Police Forces under the Ministry of Home Affairs were deputed for assistance of State Government in maintaining law and order were as under:—

Name of the Force	No. of occasion
Border Security Force	108
Central Reserve Police Force	119
Indo-Tibetan Border Police	7
Assam Rifles	4

1.38 The Committee desired to know whether considering the number of occasions when the Centre had to rush para military forces to assist the State Governments, the Ministry of Home Affairs agreed that the schemes for modernisation of State Police Forces had not made much headway and that State forces still were not in a position to cope with the law and order situation independently, the Ministry of Home Affairs have, in a Note pointed out that:—

“Even the Seventh Finance Commission has not recommended any special assistance to the State for raising more armed police battalions by them. The Commission instead had suggested that the additional requirements of the States for armed police battalions, to meet the special emergencies should be met by requisitioning the Central Forces like the CRPF. The Police Modernisation Scheme is not meant for raising additional police strength and as such the deployment of central forces by the States cannot lead to any inference that the scheme for police modernisation had not made much headway in the State.”

1.39 Commenting on the lack of manpower planning a non-official has, in his memorandum to the Committee, pointed out that (i) where the requirement is one company, the Centre is asked to spare a Battalion, (ii) duties are so badly distributed and supervised that often there is excess of officers at one place and a total deficiency at another and (iii) there is overlap of State and Central Forces. Asked whether Ministry of Home Affairs were conscious of such deficiencies in the existing system of manpower planning and if so, what steps had been taken to place manpower planning on a more scientific and rational footing. A representative of the Ministry of Home Affairs conceded in evidence:—

“There is a tendency on the part of some State Governments to ask for more force than what is warranted by the situation. However, the Central Forces are deployed by the M.H.A. after carefully assessing the law and order problems in the States. Senior Officers of the forces maintain a close liaison with the local authorities and ensure a proper deployment of forces and allocation of duties. The Central Forces are deployed in aid of the civil forces and they work under supervision and control of the local authorities. Guidelines have been issued by the Government to the States. In respect of deployment of Central Forces, the M.H.A. makes every effort to

see that they are utilised in such a way so as to achieve optimum advantage. The position is reviewed every week by a Committee consisting of the representatives of the M. H. A. and the Central Police Forces."

1.40 Denying that deployment of Central Forces had led to lethargy in armed police forces of States, the witness said in evidence that "the Government have been pointing out to the State Governments that over dependence on the Central Reserve should be avoided and a number of State Governments have increased their own strength of armed police battalions. It has not led to any lethargy on the part of the State Governments."

1.41 In a memorandum to the Committee a non-official expressed the view that:—

"Many State battalions had been taken over as nucleus for the formations of the BSF as well as the expansion of the CRP. One dramatic consequence had been a chronic sense of inadequacy of manpower resources in most of the States. Secondly, the frequency, duration and extent of deployment of unit of CRP and also increasingly of BSF, has been such as to affect the training, welfare and moral of the forces."

1.42 Asked what steps, were taken to augment the manpower resources of the States which were depleted as a consequence of setting up of the BSF and CRP, a representative of the Ministry of Home Affairs explained that:—

"Formerly the State border force was manned by State Armed Police and then in 1965 they were absorbed in one force called BSF. The border force duties have also been taken over by the Centre. So it is not correct to say that as a result of the creation of BSF the State Governments have lost their resources. They have only lost direct control over the border battalions. As far as CRPF is concerned earlier we were maintaining Central Reserve battalions and the Centre paid for them. Then it was decided as a policy matter that creation of India Reserve Battalions should be given up. New raising should be part of CRPF. Along with the conversion, the State Governments might have lost some resources but now the States have many provincial Armed Constabulary battalions."

1.43 Asked if Government shared the view that the frequency, duration and extent of deployment of CRPF and BSF had been

such as to affect the moral of the forces and if so, what measures the Government had in view to reorient the deployment of CRPF and BSF, the witness stated during evidence that:—

“About the frequency of using these forces, these are the forces which are to be used in emergency for a short-period. So, we keep a very close watch. Every week the Committee meets in the Ministry of Home Affairs with the representatives from CRPF, BSF, etc. and they decide as to how long the forces should continue in a particular area. When the situation cools down, the forces are immediately withdrawn.”

1.44 In a memorandum to the Committee, a non-official cautioned that “in no case should the reserve be allowed to drop below a certain specified figure, say 10 Battalions and the training companies should not be deployed at all. We will pay a very heavy price some day if we deviate from this dictum.”

1.45 An analysis made in 1980 is stated to have revealed that out of the 58 operational Battalions of the CRPF, 56 Battalions had been deployed at any point of time on requisition from the States. The Committee asked if instead of all the battalions being deployed at the same time, would it not be better if a few battalions were kept in the reserve for this purpose, the witness said:—

“It is generally admitted that we should have reserve of 10 per cent of the battalion force. But the demand is so much from the States that we have not been able to maintain that reserve. However, the exercise is on.”

1.46 The Committee asked whether Ministry of Home Affairs had fixed any minimum limit beyond which the reserve should not be allowed to drop and whether some guidelines had been issued to regulate the deployment of central forces. In reply, the Ministry of Home Affairs intimate in a note that:—

“It has not been possible for the Ministry of Home Affairs to fix any minimum limit beyond which the reserve in Central forces should not be allowed to drop. However, reserve are maintained keeping in view the assessment of threat to law and order on both long and short terms basis. As per MHA instructions, only 5 companies of a battalion are made available to States for operational duties while the remaining 6th company serves as training company. This company after training gets deployed on

operational duties and another company is withdrawn as training company. The training company is called out for duties only in emergencies."

1.47 The Committee desired to know whether deployment of BSF for assisting State Governments in maintaining law and order detracted from the purpose and aim of the Border Security Force. A representative of the Ministry of Home Affairs stated in evidence that :—

"It is only when CRP forces are not available, that we fall back upon reserve battalions of the BSF. So, there is no question of our border security being in jeopardy or disrupted on account of the commitment of BSF in internal security."

1.48 The Committee wanted to know at to which industrial area was more prone to crimes and had large deployment of the Central Industrial Security Force. In reply, the representative of the Ministry of Home Affairs stated :—

"A larger deployment of industrial security force has been made in the Eastern Zone which is a crime prone area."

1.49 Asked when a force like ITBP which was primarily meant for guarding the borders was diverted for maintenance of law and order, did it not lessen vigil on the borders, the representative of the Ministry of Home Affairs stated that a border force had a special relationship with the people of the border state or states in which they were deployed. On rare occasions in 1965 and 1971 conflicts with Pakistan the ITBP had also been used for maintaining law and order and carrying out mopping operations in J&K Sector. During 1965 and 1971 conflicts, it had been used in the J&K sector and the contiguous areas. This was done largely by diverting the reserve battalion from the Ladakh sector for law and order duties for a very short period. The duration of these duties, he asserted, had been very brief and it had no impact or adverse effect on the efficient performance of the duties by the border force.

1.50. The CRPF is intended to assist the State Governments in the maintenance of law and order. The BSF is entrusted with the policing of international borders. The CISF was set up for better protection and security of industrial undertakings. The role of the Assam Rifles is to help the administration in tribal areas in the erstwhile composite Assam state in the maintenance of law and order and in curbing revolts and insurgency. The ITBP is meant for duties on the Indo-Tibetan Border. The Committee note that no formal system

of evaluation of the functioning of the para-military forces exists. They desire that having regard to the role of each force, suitable criteria for evaluation of their performance should be evolved and a system of formal periodical performance appraisal by the Ministry introduced.

1.51 Though under the Constitution, it is the primary responsibility of the State Governments to maintain law and order with the help of their Police forces, Articles 355 of the Constitution makes it obligatory on the Central Government to protect every State from internal disturbances. Therefore, Central Government deploys its para military forces whenever State Governments requisition such forces to deal with law and order situation. During the last two years alone, BSF was deployed on 198 occasions, CRPF on 119 occasions, ITBP on 7 occasions and Assam Rifles on 4 occasions. These forces are entrusted with distinctly different functions and only the Central Reserve Police force is meant for assisting the State Governments in the maintenance of law and order. It is unfortunate that other Forces should have also been deployed for this purpose and in the case of Border Security Forces this has come to be a rule, rather than an exception. If BSF and Indo-Tibetan Border Police which are meant for Border duties are withdrawn and made available frequently to States for maintaining law and order, there is bound to be less of vigil on the borders. The Committee, therefore, wish to caution that it is not conducive to maintaining the distinctive character of each force to allow overlap of functions. In their view it should be possible to attend to the needs of the States fully for maintaining law and order by deploying Central Reserve Police Force especially in view of the considerable strengthening of the Force recently during 1980-82.

1.52 Accordingly to a knowledgeable source the existing system of deployment of para-military forces in States left much to be desired. Where the requirements was one company, the Central Government was asked to spare a Battalion. Duties were so badly distributed and supervised that often there would be excess of officers at one place and deficiency at another. The representative of the Ministry of Home Affairs conceded that there is a tendency on the part of some State Governments to ask for more force than what is warranted. As regards assignment of duties, it has been pointed out "the Central Forces are deployed in aid of the civil forces and they work under supervision and control of the local authorities." The Committee would suggest that on the basis of experience gained so far, the Ministry of Home Affairs should evolve guidelines to avoid such shortcomings in deployment and utilisation of para-military forces.

1.53 What has surprised the Committee is that Central para military forces are often deployed in States to such an extent that the reserve falls much below 10 per cent. A view has been expressed that "in no case should the reserve be allowed to drop below a certain specified figure say 10 battalions and the training companies should not be deployed at all. We will pay a very heavy price some day if we deviate from this dictum." The Ministry of Home Affairs have intimated that "it has not been possible for them to fix any minimum limit beyond which the reserve in a Central force should not be allowed to drop." The Committee feel that it should not be too difficult for Central Government to lay down a minimum reserve in the interest of maintaining the morale and fitness of the forces. Once a minimum reserve is specified it should under no circumstances be depleted. Reserve should be pressed into service only as a last resort.

CHAPTER II

CENTRAL BUREAU OF INVESTIGATION

2.1 The Delhi special Police Establishment was created in 1941. In pursuance of the recommendation of the Committee in Prevention of Corruption headed by Shri K. Santhanam, it was decided by the Government of India in 1963 to set up the Central Bureau of Investigation (CBI), since it was felt that the SPE alone would not be able to cope with the problems arising out of the country's expanding economy. The Delhi Special Police Establishment was merged in the CBI as one of its Division.

2.2 The sanctioned strength of the CBI has been as under :—

As on 1st March

	1978	1979	1980	1981	1982
Police Posts	2126	2240	2229	2133	2133
Prosecuting posts (Law Officers)	126	130	126	125	124
Ministerial posts	782	814	812	792	791
Technical and Misc. Posts	122	125	126	129	130
Total :	3156	3309	4293	3179	3178

2.3 The reason for increase of staff strength during 1979 was that a separate unit was set up for taking follow-up action relating to various Commissions of Inquiry. These posts have since been abolished in phases during 1980 and 1981.

2.4 The Annual expenditure of the CBI during the last 5 years as also the reasons for variations are indicated below :—

Year	Expenditure in crores of Rs.	Reasons for variations
1977-78	3.66	Mainly due to sanctioning of additional DA from time to time general increase in establishment charges and contingencies.
1978-79	4.01	
1979-80	4.44	
1980-81	4.59	
1981-82	4.88	

2.5 The Central Bureau of Investigation is headed by a Director with Headquarters in New Delhi. He also functions as Ex-Officio Inspector-General of Police, Special Police Establishment. At the headquarters, he is assisted by four Joint Directors (officers of IPG rank), 12 DIGs and a number of other officers.

2.6 The CBI has the following eight Divisions:—

- (i) Delhi Special Police Establishment Division:
 - (a) General Offences Wing ;
 - (b) Economic Offences Wing ;
- (ii) Legal Division
- (iii) Policy Division
- (iv) Technical Division
- (v) Administration Division
- (vi) Co-ordination, Crime Records and Interpol Division:
 - (a) Co-ordination Wing;
 - (b) Crime Record Wing;
 - (c) Interpol Wing.
- (vii) Central Forensic Science Laboratory, New Delhi
- (viii) Central Finger Print Bureau, Calcutta.

2.7 The Ministry of Home Affairs (Proper) is directly concerned with the Divisions mentioned at (vi) to (viii) above. The remaining portion of the CBI is under the administrative control of the Department of Personnel and Administrative Reforms.

2.8. The main objectives and functions of the CBI are as under:—

- (1) the investigation of offences specified by the Central Government under section 3 of the Delhi Special Police Establishment Act (Act XXV of 1946);
- (2) investigation of or assistance in respect of offences having international ramifications.
- (3) collection of intelligence relating to certain types of crime;
- (4) participation in the work of the National Central Bureau and the International Criminal Police Organisation;
- (5) maintenance of selected crime statistics and dissemination of information relating to crimes and criminals;
- (6) the study of specialised crime of particular interest to the Government of India or crimes having all-India or inter-state ramifications or of particular importance from the social point of view.

2.9 A statement indicating the work done by the Central Bureau of Investigation during the last 5 years furnished by the Ministry of Home Affairs is reproduced below:

Year	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)
	Number of cases registered	Traps	Disproportionate assets	Number of cases prosecuted in Courts	Total number of cases decided by Courts	Number of cases ending in conviction	Percentage of cases ending in conviction decided by Courts	Number of cases referred for regular departmental action	Number of cases decided in Departmental proceedings	Number of cases ended in punishment	Percentage of cases ending in punishment
1977	1186	101	46	985	425	349	82.1	624	839	715	85.2
1978	1069	109	32	963	370	284	76.7	684	733	612	83.5
1979	1179	111	41	958	348	257	73.8	662	730	594	81.3
1980	1194	121	86	294	303	219	72.3	553	521	429	82.3
1981	1229	96	63	357	274	186	67.9	468	531	422	79.5

2.10 The CBI is required to collect intelligence about corruption in the public services and the projects and undertakings in the public sector of Central Government. Besides collecting such intelligence about corruption, CBI also collects intelligence about Narcotics offences. The offences in respect of which CBI maintains statistics are:—

1. Cheating
2. Counterfeit Currency
3. Kidnapping of Children for begging/ransom.
4. Thefts/recovery of firearms and ammunition.
5. Theft/recovery of automobiles
6. Offences committed by foreigners.
7. Robbery/dacoity in running trains
8. Murder in running trains
9. Professional poisoning on the railways
10. Murder of foreigners
11. Passport frauds
12. Robbery/dacoity in banks
13. Theft of mail
14. Theft/recovery of idols and antiques (cultural property)
15. Sabotage in railways—explosion on rail tracks, causing derailment and disrupting railways
16. Cases of wagon breaking, pilferages; and
17. Fraudulent diversion of Railway wagons securing release of goods on bogus RRs, bogus parcels brokers at Railway Stations.

2.11 The Committee wanted to know the rationale behind placing 3 Divisions of CBI under the Ministry of Home Affairs proper and 5 Divisions of the CBI under the Department of Personnel and Administrative Reforms. A representative of the Ministry of Home Affairs during evidence explained that:

“Out of the 8 divisions of the CBI, 5 divisions dealing with corruption cases come under the Department of personnel and Administrative Reforms. The other 3 divisions, dealing with normal conventional offences; IPC crimes and all that, come under the Ministry of Home Affairs. Also, important crimes which the State machinery want the CBI to handle, where the State Government want the CBI to take them up to inspire the confidence of the

people, they are partly handled by these three divisions, which come under the Home Ministry. We have not faced any problem with regard to coordination."

2.12 The Committee pointed out that though the number of cases registered with the CBI had gone up from 1186 in 1977 to 1229 in 1981, the percentage of cases ending in conviction (out of the cases decided by courts) had come down from 82.1 per cent in 1977 to 67.9 per cent in 1981. The Committee therefore enquired whether Government had analysed the reasons for this decline. In reply, representative of the Ministry of Home Affairs informed the Committee that:

"It is true that there has been some decline in the percentage of convictions. In 1977 as against 349 convicted, the number of convictions in 1982 is 186. The percentage has come down from 82 per cent to 68 per cent. We had also analysed this why there had been some decline. We found that now the CBI is not taking simple and petty cases where the proof is easy to obtain. The corruption is direct, among petty officers while the corruption indulged in by higher officers is indirect."

2.13. Asked if decline in the number of CBI cases ending in conviction did not indicate deterioration in the standard of investigation, the witness pleaded that—

"Our analysis shows that in respect of normal IPC cases the conviction rate is 55 per cent. Whereas in respect of CBI cases it is 68 per cent. So, we do not feel too much apprehensive that the standard of investigation has gone down."

2.14 The Committee wanted to know how for CBI had been able to contain and minimise corruption in the Country. A representative of the Ministry of Home Affairs during evidence stated that:—

"The number of Central Government and Public undertakings employees is around 70 lakhs and the CBI's strength is of the order of 3178 constables and higher officers all inclusive. Out of this the investigating officers are 539. This is a small force and the idea is that they should take up only important cases, so that the manpower is utilised as best as possible. Even with this limited strength, CBI has been able to detect a sizeable number of cases over the years. The number of cases investigated by the CBI during its existence from 1964 to 1981 is 29435, of which 3421 were convicted and 1731 were punished departmentally. In addition 3248

other persons were got convicted and 2188 firms were fined or blacklisted. In spite of this the corruption has substantially increased, but what we feel is that, had there been no CBI, the size of corruption would have been perhaps much more. It has played an important preventive role."

2.15 Asked whether the incidence of corruption was on the increase in recent years, the witness conceded:—

"With the increase in the Government expenditure tremendously, opportunities for corruption have also increased. Today, the general social climate is somewhat different and there is greater spread of materialistic culture which has given rise to corruption, but the Government are aware of it and are taking measures to contain it."

2.16 Giving an idea about the specific measures taken or proposed to be taken to fight the menace of corruption, the witness stated:—

"We have taken measures to strengthen the CBI. Some more wings are proposed to be added. For example, the State wing. In addition to the corruption cases CBI have been called upon to investigate non-corruption cases also. For example, Bhagalpur blinding cases or the Aligarh riot case, CBI resources are being utilised. Keeping this in view, we are now thinking that the anti-corruption work of the CBI requires more manpower. In addition, the Ministries have been asked to strengthen their vigilance wings. Certain Ministries where there is potential of corruption—their vigilance wings are being strengthened. The CBI also in consultation with the Ministry draws up annual vigilance programme where they want to keep surveillance over areas where there is possibility of corruption, over persons who are corruption prone. Lists of such persons are prepared and watch over their activities is kept to reduce corruption. These are broadly the measures that we are thinking of. Annual meetings are also held with the State Vigilance Organisations to see that in their areas also corruption goes down. CVC also keeps an eye and whenever it get reliable reports of corruption, it asks the CBI to investigate."

2.17 The Committee desired to know if there was any possibility of eliminating corruption altogether from our country, the witness said:—

"Although the ideal should be to eliminate it, but it does not seem to be within the realm of possibility."

2.18 The Committee enquired if Government was aware of the allegations that Banks had been indulging in corruption. While granting loans even to small farmers. In reply the representative of the Ministry of Home Affairs conceded:—

“Cases of corruption have gone up since nationalisation of Banks.”

2.19 Another representative of the Ministry added that normally only big cases of fraud involving Rs. 25 lakhs or more were handled by the CBI and that the cases of Small loans were looked into by the local police. When asked if it was not unfair to deny the services of the CBI to the poor people, the witness assured the Committee that in future “CBI would certainly take up this kind of cases.”

2.20 Asked if it was a fact that a number of people held movable and immovable properties disproportionate to their known services of income; the representative of the Ministry of Home Affairs during evidence stated that:

“We are conducting studies. It was as a result of the study we made that we found that we should now concentrate more and more on disproportionate property. We have taken up recently more than double the number of cases. Now they are in the region of 80. Similarly, we also conduct studies to determine the various legal difficulties which prevent us from acting effectively and efficiently and we keep on making suggestions to the Government that such difficulties may be removed.”

2.21 Asked if it was a fact that the Liaison Officers of Industrial Houses approach Government officials and try to corrupt them, the witness stated during evidence that:—“CBI keeps a watch on their contact men and maintains a list of those people who tried to influence the senior officers with corrupt methods.” The witness added that “a list of vulnerable people, prone to corruption was also kept.”

2.22 The Committee enquired if CBI was adequately equipped to deal with economic offences, the witness said:

“the point is very valid. This point has received our attention. We have set up in the CBI a special wing to deal with economic crimes, namely, the Economic Offences Wing (EOW). The officers posted in this wing are specially selected to deal with economic offences. We also take people on deputation from Departments like Customs, Accounts etc. so that we have the technical advice

available to us. This is how we are trying to deal with the cases of economic offences of complex and complicated nature."

2.23. The CBI used to undertake study of specialised crimes of particular interest to the Government of India—crimes having all India or Inter-State ramifications or crimes of particular importance from the social point of view but now this work is being done by Bureau of Police Research and Development. When asked about the specialised crimes which had been studied at the instance of the Government of India and the crimes the study of which was undertaken because of their importance from the social point of view and the findings of these studies, the representative of the Ministry of Home Affairs informed the Committee during evidence that—

"Since the Bureau of Police Research and Development was created in 1970, a number of studies have been taken up and a number of reports have been prepared which were submitted to the Government and also circulated to the States, so that the findings would be of use to the State Police."

2.24 As regards the subjects covered by these studies the witness said that—

"the studies that were undertaken covered the causes of increase in crimes in Delhi which study was done in 1974. Study on the automobile theft in 1975 and study on kidnapping of children in 1977. Regarding studies which had importance from the social point of view, a study was undertaken on the enforcement of the Untouchability Offences Act. Recently we have undertaken a study on crime against women."

2.25 Asked in what manner and at what level this coordination with the International Criminal Police Organisation took place and in what way the CBI had benefited from such coordination, the Ministry of Home Affairs intimated, in a Note that—

"Against the background of a fast increasing volume of crime transcending national borders and criminals increasingly seeking refuge in foreign countries—the services of the INTERPOL had been found to be valuable as the only alternative to a world police agency. The limitations of this Organisation stem from the limitations imposed by the concept of Sovereignty in international law.... The benefits accruing to the CBI as a result of its participation in the International Criminal Police Organisation cannot

be accurately quantified as the purpose of the Organisation was to create a brotherhood of policemen all over the world in their fight against crime, both national and international. During the last 5 years the CBI had sought the assistance of Interpol agency in the investigation of about 200 cases including 150 paid police agencies. In addition CBI had sought the assistance of Interpole on its own behalf and on behalf of the States regarding identification of foreigners in India checking their antecedents, etc. in 1897 instances in the years 1977—81."

2.26 The Committee regret that the Central Bureau of Investigation has, despite two decades of its existence, failed to make any significant dent on the problem of corruption. The deterrent effect of CBI has not been felt to the extent that it could be said that corrupt practices are on the decline if not on the way out. In fact the representative of the Ministry of Home Affairs admitted before the Committee in evidence that despite investigations and convictions "the corruption has substantially increased." According to him, elimination of corruption "does not seem to be within the realm of possibility." The failure of the CBI in regard to prevention and control of corruption compels the Committee to recommend that the role, functions and the working of the CBI should be comprehensively reviewed and measures taken to tune up its working so as to make it an effective agency devoted inter alia to the task of rooting out corruption in administration.

2.27 The Committee find that CBI handles only big cases of fraud involving Rs. 25 lakhs or more. Smaller cases are left to be investigated by the local police. In the context of reference made to complaints of corruption in the matter of grant of loans to small farmers, the representative of the Ministry of Home Affairs admitted in evidence that "cases of corruption have gone up since nationalisation of Banks" and assured the Committee that in future "CBI would certainly take up this kind of cases." The Committee recommend that cases of corruption in nationalised banks should also be attended to by the CBI even though the amount involved may be relatively small. The Committee would also like the CBI to pay greater attention to the role and conduct of industrial and business houses in spreading corruption among servants and also to cases of public servants whose assets are found to be highly disproportionate to their known sources of income. A strict watch should be kept on the liaison officers and contact men of business houses.

2.28 At present, three out of 8 Divisions of the CBI are under the control of the Ministry of Home Affairs and the remaining 5 under the Department of Personnel and Administrative Reforms. The division of the CBI between the Ministry of Home Affairs (proper) and the Department of Personnel and Administrative Reforms appears to the Committee somewhat artificial. The Committee do not consider this arrangement as sound from the point of view of the cohesive working of the CBI. Besides, this duality of administrative control could also result in diffusion of responsibility. The Committee therefore recommend that, as the CBI is essentially a Police Organisation, it should be brought exclusively under direct control of the Ministry of Home Affairs. ..

CHAPTER III

TRAINING AND RESEARCH

A. Police Training

3.1 The following Police Institutes are engaged in imparting specialised/professional training to police personnel in the country:

- (i) National Police Academy, Hyderabad runs basic course for newly appointed IPS Officers, in-service training of officers of the level of SPs, top-managerial development programme for officers of the rank of DISG refreshed courses for Asstt. SPs, etc.
- (ii) Directorate of Co-ordination (Police Computers) organises courses for hard core professional staff to man computer centres;
- (iii) Central Police Radio Training Institute, New Delhi conducts refresher/up-grading familiarisation and advanced level courses. (The Cryptography Branch of this Institute is located at Mt. Abu).
- (iv) Central Detective Training Schools at Calcutta, Hyderabad and Chandigarh impart training in the use of scientific aid, in investigation.
- (v) Institute of criminology and Forensic Science imparts in-service training in the field of criminology and Forensic service.
- (vi) CBI Training Centre, New Delhi has investigation courses on prevention of cases of Homicide, railway sabotage and hijacking, etc.

3.2. Each of the Armed Forces of the Union under the administrative control of Ministry of Home Affairs namely BSF, CRPF, ITBP and CISF have their own training institutes for imparting

initial as well as refresher training to its personnel. Details are given below:—

(a) Border Security Force

(i) BSF Academy, Tekanpur, (ii) BSF Training Centre and School, Hazaribagh and (iii) BSF Central School of Weapons and Tactics, Indore.

(b) Central Reserve Police Force

(i) Internal Security Academy, Mt. Abu, (ii) Central Training College-I, Neemuch, (iii) Central Training College-II, Avadi, (iv) Recruits Training Centre, Barwaha (MP), and (v) Recruits Training Centre, Avadi.

(c) Indo-Tibetan Border Police

(i) High Attitude Defence and Survival Academy, Mussorie (UP), (ii) Winter Craft Wing at Auli (UP), (iii) Basic Training Centre, Kulu (HP).

(d) Central Industrial Security Force

(i) CISF Training College, Hyderabad, (ii) CISF Training Centre, Bhilai (MP).

3.3. The Ministry of Home Affairs have in a note intimated that as recommended by the Gore Committee (1971), Directorate of Training has been established in the BPR&D to advise the Government on training matters and coordinate the efforts of the different States. A Standing Committee on Police Training under the Chairmanship of Prof. Gore has also been set up.

3.4. The Committee wanted to know whether the National Police Academy, Hyderabad has been able to achieve a measure of uniformity in the system of policing and fostering an All India outlook among police officers. In reply, the Ministry of Home Affairs have, *inter alia*, explained in a Note that the courses conducted by the Academy helped to bring about a measure of uniformity in the system of policing and as officers from each State become aware of the problems of the other States and as inter-State coordination among States was essential to meet any problem, they fostered an All India outlook.

3.5. Giving details of the programmes for IPS Probationers at NPA, Hyderabad, the Ministry of Home Affairs have intimated in a note that:

- (i) The programmes include the study of needs and problems of the rural folk. A 3-day capsule course on 'Rural Dynamics' is organised by the National Institute of Rural Development for IPS Probationers.

- (ii) The topic of tribals is not included in the current syllabus of the training course for IPS Probationers. It is proposed to include this topic in the new syllabus of this course.
- (iii) The topic of protection of women is not separately included in the syllabus of the IPS Probationers' training course.

3.6. Referring to the Gore Committee's recommendations (1971) for teaching of social legislation, the Ministry of Home Affairs have, in a Note, stated:—

“As recommended by the Gore Committee, much greater emphasis is now given at the NPA to the teaching of social legislation, management, human relations and higher administration and the topics suggested by the Committee have been incorporated in the syllabus. Most of the Police Training Colleges have included social legislation as part of the syllabus for training of subordinate police officers. As suggested at the last meeting of the Standing Committee on Police Training, a list of relevant social legislation for teaching at the various State Police Training Colleges is being compiled for circulation to the various State Governments.”

3.7. Asked if the existing Training Programme for IPS Probationers at the Academy was formally evaluated by any independent body, the Ministry of Home Affairs have intimated in a Note that—

“The existing programme for IPS Probationers had not been formally evaluated by any independent body so far”.

Vacancies in Training Institutes

3.8. The Study Group of the Estimates Committee visited National Police Academy, Hyderabad and was surprised to learn that as many as 42 posts including those of Director, Dy. Director, Asstt. Director, Professor, Readers, etc. were lying vacant. The Study Group was given to understand that the Academy were unable to attract suitable people to man these posts. The Committee wanted to know whether posts were lying vacant at other police training Institutes also. The Ministry of Home Affairs stated in a Note that:

“Only a few posts are vacant in the Training Institutes of the various Central Police Organisations. Government

are fully conscious of the need for filling up vacancies in the NPA and other Training Institutes as early as possible. Some proposals for grant of better incentives have been received from the NPA recently and are under examination. These include grant of high special pays, provision of rent free accommodation etc."

3.9. The Committee wanted to know if any career plan had been formulated for IPS officers and if so whether it gave any weightage to posting to a training institute. The Ministry of Home Affairs have intimated that:—

"The MHA has issued a number of circulars formulating a systematic career plan for IPS officers. The career plan indicates the periods during which IPS officers should be deputed for attending different courses on professional skills as well as in general management techniques. The career plan, however, does not take into account a posting on the staff of a training institution. Posting at a training institution needs to be given added weightage in selections for promotion." s

3.10. During their visit to the NPA, Hyderabad, Study Group learnt that while the total marks for the IPS (Entrance) Examination held by the UPSC had been increased from 1050 to 2050, those for the final IPS examination after the NPA training had remained at 1050, thus creating a serious imbalance in these two stages of evaluation. The IPS trainees, therefore, did not take their training at the Academy seriously. It was understood that the Board of the Academy had recommended to Government in October, 1981, that the total marks for final examination at the end of the Academy's training should also be raised to 2050.

3.11. Asked if a final decision had been taken in this matter, the representative of the Ministry of Home Affairs said in evidence:—

"The question is whether the Academy marks also should be raised to 2050."

3.12. The Committee note that an elaborate institutional framework for imparting specialised/professional training to police personnel already exists. Besides, the National Police Academy, Hyderabad which runs the basic course for newly appointed IPS officers, there are other Institutes which impart training in specialised branches such as Internal Security, Radio Communications, appli-

cation of scientific aides in police work, criminology and forensic science and computer applications. In addition, para-military forces have set up training schools of their own to cater to their specific training needs. The Committee have been informed that a Directorate of Training has been set up to advise Government on training matters and coordinate the efforts of the different States in this field. A Standing Committee on Police Training has also been constituted.

3.13. The Committee are, however, concerned to find that the training programme for IPS Probationers at the National Police Academy, Hyderabad leaves out many current and pressing social problems; as for example the problems of Tribal and crimes against women. The Committee recommend that the syllabus for training of IPS probationers should be suitably modified to include study of all such topics.

3.14. The Committee find that the existing training programme for IPS probationers has not been formally evaluated by any independent body so far. The Committee recommend that a system of periodical evaluation for not only this programme but all other programmes of police training by an outside independent body of experts and professionals may be evolved and introduced soon.

3.15. When a Study Group of the Committee made an on-the-spot visit to the National Police Academy, Hyderabad in 1982 it learnt that as many as 42 posts including those of Director, Dy-Director, Asstt. Director, Professor of Business Management, Reader etc. were lying vacant. The Ministry of Home Affairs have intimated that a few posts are lying vacant in the training institutes of other Central Police Organisations also. Since vacancies in training institutes of Central Police Organisations remaining unfilled for long cannot but adversely affect the training programmes, these should be filled up on urgent basis. If the terms and conditions attached to any post are not attractive enough, suitable incentives could and should be made available. The Committee learn that some such proposals have already been mooted by the NPA, Hyderabad. The Committee would urge an early decision in this matter.

3.16 The Committee find that while the total marks for the written examination and interview held by the Union Public Service Commission for the Civil Services has been increased from 1050 to 2050, the marks for the Examination conducted after the training of IPS probationers at the National Police Academy, Hyderabad continue to be 1050. This has created an imbalance in the two stages of evaluation. When the study group of the Committee visited NPA, Hyderabad, in 1982, it was given

to understand that because of this imbalance in the marks, IPS probationers did not take their training at the Academy seriously. They were also given to understand that in October, 1981, the Academy had recommended to Government that marks for training may be raised to 2050 to restore parity in marks at two stages of evaluation. The Committee recommend that an early decision may be taken by Government in this matter.

B. Research and Development

3.17 A Bureau of Police Research and Development was set up in August, 1970 with a view to taking a direct and active interest in the modernisation of the police forces in the country; promoting a systematic study of problems in changing society, and bringing about a rapid application of science and technology to the methods and techniques of the police. The Bureau is headed by a Director with Headquarters at New Delhi and has a total staff strength of 388. During the last 5 years its annual expenditure ranged between Rs. 58.36 lakhs and Rs. 84.31 lakhs. The performance of the Bureau is overseen by an Advisory Council under the Chairmanship of Home Secretary. Only 2 meetings of the Council were held during the last 5 years.

3.18 The Ministry of Home Affairs have in a Note claimed that the Research Division of the Bureau had completed the studies on a wide range of subjects including atrocities on Harijans in Bihar, Police image in India, misuse of system of bail, incidence of cost of criminal justice system in India, crime against women, etc.

3.19 While the Central Forensic Science Laboratories, New Delhi is administered by the Ministry of Home Affairs, the three regional Central Forensic Science Laboratories located at Hyderabad, Calcutta and Chandigarh are administered by the Bureau of Police Research and Development. Three offices of the Government Examiner of Questioned Documents located at Calcutta, Simla and Hyderabad also function under this Bureau.

3.20 Asked whether the State Governments were responsible for modernisation of police forces and if so, how was it that the Bureau of Police Research and Development at the centre was entrusted with the task of taking "direct and active interest" in this work, the Secretary of the Ministry of Home Affairs during evidence stated that:—

"It is a fact that the State Governments were responsible for modernisation, that is, the implementation part. But the impulse, the direction, some guidance and some support, including financial support, do come from the Government of India. The implementation part takes into account the variations in conditions in various States. We have asked the

States to make a 10 year perspective plan and we give them the guidance and support”.

3.21 When asked to what extent the modernisation achieved so far was attributable to the efforts of the Bureau, the witness claimed that the impulse had been provided, the consciousness or the awareness had been created; otherwise most of the States never thought that there should be some research there; they only thought that it was a question of controlling a crowd or dealing with theft or burglary. This awareness now on the part of the State Governments had been created by, or flown from the efforts that were initiated by the Government of India after the establishment of the Bureau at the Centre. The Bureau was having a number of research studies. Some were being done by them on their own; that is the police officers with special insight or experience were doing directly under the Bureau, the others were being farmed out to Universities or research institutions or even to the Research Bureau in the States; they might even go to an Institution like the Tata Institute of Social Sciences.

3.22 Asked if the Bureau had succeeded in bringing about rapid application of science and technology to the methods and techniques of the police and if so, to what extent, the Home Secretary during evidence stated:—

“The Bureau has done development work for Traffic and Transport Branches, introduced the concepts of modern management and cost effectiveness in police services, provided effective liaison between the Centre and the States and undertaken futuristic studies”.

3.23 When asked why the Advisory Council for the Bureau had been almost dormant for the last 5 years and whether it could not be provided in the constitution of the Council that it should meet at regular intervals, the witness during evidence stated that:—

“It was rather unfortunate that it had met only twice. It was meeting again. There was no harm in prescribing that it would meet once or twice a year”.

3.24 The Committee note the claim of the Ministry of Home Affairs that the efforts of the Bureau of Police Research and Development, which was set up in August, 1970 with a view to taking a direct and active interest in the modernisation of the police forces, promoting a systematic study of problems in changing society and bringing about a rapid application of Science and Technology to the methods and techniques of the police have met with some success. The subjects covered by the studies undertaken by the Bureau include atrocities on Harijans in Bihar, Police image in India, crime against women etc. The Com-

mittee would suggest that important changes made in the structure, methods or approach of the police on the basis of these studies may be given wider publicity to inspire confidence among the public.

3.25 The Bureau of Police Research and Development has a total staff strength of 388. During the last 5 years expenditure of the Bureau had ranged between Rs. 58.36 lakhs and Rs. 84.31 lakhs. It is indeed surprising that Advisory Council which oversees the performance of the Bureau of Police Research and Development held only 2 meetings during the last 5 years. The Council is headed by the Home Secretary. The Committee recommend that the Council should meet twice a year to take stock of the Bureau's achievements and to provide guidance to it.

CHAPTER IV

POLICE REFORMS

A. National Police Commission

4.1 Under the Constitution, the following subjects have been included in the List II—State List of the Seventh Schedule:—

(i) Public Order (but not including the use of naval, military or air force or any other armed forces of the Union in aid of Civil power);

(ii) Police (including railway and village Police).

4.2 Hence, it is the primary responsibility of the State Government to maintain law and order with the help of their Police Forces and also to take adequate measures for the prevention and detection of crimes. The Ministry of Home Affairs under Central Government are, however, directly responsible for these functions in respect of Union Territories.

4.3 The Ministry of Home Affairs also functions as the nodal Ministry for law and order in the country. Under Article 355 of the Constitution, it is the duty of the Central Government to protect every State from internal disturbances. The Ministry of Home Affairs keeps a close watch on the overall law and order situation in the country and gives suitable advice.

4.4 The Indian Police System and structure as presently organised are essentially based on the Police Act of 1861.

4.5 For reaching changes have taken place in the country after the enactment of the Indian Police Act, 1861 and the setting up of the Second Police Commission of 1902, particularly during the last thirty-five years of Independence. Though a number of States have appointed Police Commissions after Independence to study the problems of the police in their respective States, there has been no comprehensive review at the national level of the police system after Independence. A fresh examination of the role and performance of the police both as a law enforcement agency and as an institution to protect the rights of the citizens enshrined in the Constitution was considered necessary. With this objective in view, a National Police Commission was set up in November, 1977 to examine all the major issues of an all India character pertaining to police administration in the country and to suggest measures for implementation as would not only enhance its functional efficiency but would also transform it into an instrument of public service. The Commission has so far submitted 8 Reports to Government.

4.6 The matters dealt with in the first Report of the Commission were discussed in the Chief Ministers' Conference on Police Reforms held on 6th June, 1979. The conclusions arrived at in that Conference were communicated to the State Governments on 12th June, 1979 for expeditious implementation.

4.7 The First Report of the National Police Commission dealt with matters like (i) Police Association (ii) Machinery for redressal of grievances (iii) Working conditions, Housing, complaints against policeman, etc.

4.8 During evidence, the Committee wanted to know as to what progress has been made in implementing the conclusions reached in the Conference of Chief Ministers on the first Report of the National Police Commission. Home Secretary stated:—

“The conclusions that were reached in the Conference about which you have mentioned were conveyed to the States on 12th June, 1979. Apart from that we have had some other Conferences also where the senior officers from States and the officials of the Home Ministry met and discussed some of the problems which formed the basic elements in the First Report. I would also mention that, only recently, in October, the present Home Minister has again written to the States in this regard. We have set up a Cell which is monitoring the progress in the implementation of the various recommendations made and the suggestions that were accepted. Of course, by and large, most of them relate to, and are the responsibility of the State Governments. But we have made efforts to send some officers to the various States to talk to them and to see how far, qualitatively, these suggestions have been implemented. It is not just a question of formal acceptance by the various State Governments, but it is also seen to what extent they are implemented. We are sending officers.”

4.9 The Committee inquired as to when the remaining 7 Reports of the National Police Commission were submitted to Government and why the same had not been laid in Parliament so far. In reply the Home Secretary explained that:—

“The Commission has submitted eight Reports from time to time from 1979 to 1981. The Second Report was submitted on 16th August, 1979 and the Eighth Report on 31st May, 1981. One of these Reports is some kind of a compendium of the various recommendations made in the different Reports. I would like to mention that much cannot be done because the report is yet to be discussed by the Cabinet and is to be submitted to the Parliament. I think

so far as I am concerned—that it not by March, but latest by June we will be able to process all these reports and submit them to the Cabinet for their decision and once the Cabinet takes the decision, we will go through the usual procedure, because most of them relate a very large number of them relate to the State Governments also or at least the law and order aspect and so we will be referring them to the State Governments.”

4.10 The Committee pointed out that delay in implementation of the recommendations made in the First Report of the Commission and in the processing of the remaining 7 Reports, was creating frustration and discontentment among the Police Force. In reply the Home Secretary pleaded:

“It is difficult for the States to take decision regarding police as they had some financial problems. But there were other reasons also. They have got a scheme of modernisation of police and other schemes. If care is not taken in utilising the allocations made by the Centre for this purpose, the task would not be completed. It has been seen that on many occasions, such care was not taken.”

4.11 The remaining 7 Reports of the National Police Commission have since been laid on the Table of Lok Sabha on 30 March, 1983. The salient recommendations made by the Commission in these Reports are :—

- (i) Replacement of outmoded Police Act of 1861.
- (ii) Setting up of a Central Police Committee and Security Commission in States to advise the Government and the State Security Commission on matters relating to police organisation and police reforms of a general nature. The Central Police Committee would also advise them on matters relating to central grants and loans and budgetary allotments to the State Police Forces;
- (iii) establishment of an All India Police Institute on the lines of similar bodies of professionals, engineers and Chartered Accountants;
- (iv) Grant of statutory tenure of office to Police Chiefs in States;

4.12 The Committee find that the Indian Police system and structure as presently organised are still governed by the Police Act of 1861. Since the enactment of that Act, not only has the country achieved Independence

but a number of socio-economic changes of far reaching importance have taken place. There is a clear need to redefine the role of the police, to enhance its functional efficiency and to transform it into an instrument of public service. The Committee are of the view that Police Forces cannot be expected to perform their new role in Independent India well if they have to function within the framework of an Act passed more than 121 years ago. The Committee, therefore, recommend that Government should bring forward a comprehensive Bill in consultation with State Governments to reorient the role, duties, powers etc. of police forces.

B. Law and Order Situation

4.13 The Committee wanted to know what was the assessment of the Government about the law and order situation in the country. In reply, the Secretary, Ministry of Home Affairs deposed that:

“Law and order situation is not only a police function but in the total ecological society in proper perspective this question has to be somewhere linked with the social justice. Sometimes as it has been called by somebody that it is the question of politics of agitation. Sometimes there are individual grievances and in the law and order situation also, we have to think about the question of individual crime. Secondly, these individual crimes are most common and then it is necessary to create a sense of security. The third thing is the question of different kinds of agitations, unrests, demonstrations and so on. There are different factors. That is why I said this is a very wide question. My submission is that so far as the assessment of the Ministry is concerned, I think there is a need for continuing the vigilance all the time because of the kind of regional imbalance, the kind of problems that arise from time to time, the kind of composition, the kind of expectations of the people, economic frustrations, etc. Now, the grievances of the people seem to be in a more aggressive form and there is a need just to anticipate all the problems arising and try to bring to the notice of the authorities concerned because everything does not lie with the Police or the law and order machinery or the Ministry of Home Affairs. Sometimes the malady has much deeper roots. If there are social roots, they have to be looked into. That particular angle is not only of social justice but there is also an angle of equity.”

4.14 Asked that if the law order situation was becoming too wide spread and had struck deep roots, what corrective steps Government

~~and~~ in mind to protect the life and property of the people. In reply, the Home Secretary said:

"I would, as a representative of the Ministry of Home Affairs, submit that I do not think there is anything to be complacent and I do not think there is any reason to be panicky, either. But law and order situation will have to be viewed in the totality of the situation even in the interest of the country, in the context of different nature which develops from place to place in different parts of the country. As for the corrective steps, there are two or three things. If we have got any report of any brewing trouble, either the communal trouble which causes tensions or the industrial unrest, we try to bring to their notice this particular problem and we try to keep in touch with the State Governments. Apart from this we have even worked out what we consider the sensitive areas, the districts, even the period when that sensitivity increased."

4.15 Asked what were the States where the law and order situation was more acute and therefore called for greater vigilance, the witness said:

"It may not be fair for me to pick any particular state but at different times, some times in Assam it is more acutely pronounced, sometimes in Punjab, some times in parts of UP and recently in Punjab, UP and Gujarat. So different kinds of problems depending upon the nature arise but it differs from place to place. Now in Tripura and Manipur there are problems because of the insurgency operations and Manipur is having some problem. So it is very difficult in each State, the law and order is prone for some reason or the other. In West Bengal, recently, there have been a large number of complaints. There were deaths and assassinations of a large number of political workers. We have also brought it to the notice of the West Bengal Government and some of the Police Officers have become the victim of this activity. So, it is not possible to pin-point the State. The position differs from time to time in various States."

4.16 In this connection the Home Secretary, however, pointed out in evidence that:—

"One of the strong points about most of the State Police is the State Armed Police. There have been problems about some and at some level we have given suggestions to the States as to how they should be further revamped and improved. So, basically corrective steps will have to be taken

by the States themselves. We can only reinforce and strengthen the efforts in this regard."

4.17 The primary responsibility to maintain law and order in a State rests with the State Government concerned. The Ministry of Home Affairs is directly responsible for maintenance of Law and Order in the Union Territories. The Ministry functions as the nodal Ministry for law and order in the country as a whole and keeps a close watch on the situation. It also gives suitable advice to States. The Committee were given to understand that States which have been facing serious law and order problems are Assam, Tripura, Manipur, Punjab, UP and Gujarat. The Home Secretary observed in evidence: "I do not think there is anything to be complacent and I do not think, there is any reason to be panicky either." According to him, "there is a need for continuing vigilance all the time." He attributed the climate of unrest to regional imbalances, rising expectations and economic frustration of the people. While the Committee agree that law and order question cannot be viewed in isolation from the larger question of social justice they feel that the law and order situation can be dealt with much more effectively by re-orienting the outlook and methods of police forces in the changed context as recommended earlier and modernising the forces.

C. Modernisation of State Police Force

4.18 A Scheme for Modernisation of State Police Forces was undertaken as a non-plan scheme by the Government of India in 1969-70. Central assistance of the order of Rs. 52.24 crores was released to the State Governments under this scheme from 1969-70 to 1979-80. The scheme stood terminated during 1979-80. However, keeping in view the importance of the modernisation programme, the Government decided to revive the scheme for another period of 10 years with a total outlay of Rs. 100 crores from 1980-81 to 1989-90.

4.19 Asked why the Scheme of Modernisation was suspended in 1979-80, the Ministry of Home Affairs explained in a note that:—

"Even when the first phase of police modernisation scheme was in force, a Study Group was constituted to review the working of the scheme. This Study Group submitted its report in December, 1976 and recommended the need for further continuance of the scheme for modernisation of State police forces for a further period of 8 year and further Central assistance to the States to the extent of Rs. 94.61 crores over and above the sum of Rs. 50 crores earlier agreed to. Based on the recommendations of the Study Group and the performance of the States, the continuance of the police modernisation scheme was taken up. The matter was under

examination during 1979-80. The examination of the proposal in consultation with the States and the Ministry of Finance took some time. The revival of the Scheme was taken up without delay during 1980-81 instead of in 1979-80."

4.20 In this connection, the Ministry of Home Affairs also intimated that since April, 1981 a Central team on Police Modernisation had visited Karnataka, Madhya Pradesh, Punjab, Haryana, Orissa, Maharashtra, Gujarat and Tamil Nadu to assess the progress made by these States at ground level in the modernisation of their police forces.

4.21 According to the assessment of the Central Team on Police Modernisation, the Central assistance had been utilised by the States in a proper manner by and large. Further improvements considered necessary by the Central Team were indicated in the reports which had been forwarded to the State Governments for consideration and implementation. The State Governments had been reminded to send their progress report of implementation.

4.22 The Committee are of the view that State police forces can achieve a reasonable degree of functional efficiency only if they are organised on modern lines and provided with latest arms, ammunition and equipment. The Committee learn that a scheme for modernisation of State Police Forces was undertaken as a non-plan scheme by the Government of India way back in 1969-70. Central assistance of the order of Rs. 52.24 crores was released to the State Governments under that scheme from 1969-70 to 1979-80. As the Central Team had reported in April, 1981 that Central assistance had been utilised by the State in a proper manner by and large, it has been decided by Government to revive that scheme for a further period of 10 years from 1980-81 to 1989-90 with a total outlay of Rs. 100 crores. The Committee feel that apart from going into the manner of utilisation of central assistance made available to States for modernisation, there should be a periodical qualitative appraisal of the scheme to gauge its impact on the functional efficiency of the police force.

D. Police Reforms

4.23 A non-official has opined that the persistent grievances alleging discrimination, interference, neglect and delay on the one hand and the outcry against brutality, callousness, partisanship and inefficiency on the other hand constitute a vicious circle. It has to be broken and sooner the better. Stressing the need for police reforms, non-official witness has cautioned that the need for police reforms is so imperative that if we do not attend to this subject now, it may be too late to prevent police ineffectiveness in several parts of the country.

4.24 Agreeing with the need for police reforms, the Home Secretary said in evidence that—

“the structural, organisational and procedural reforms along with institutional and behavioural reforms are needed in this regard and I think that the effort is in this direction”.

4.25 Pointing out that police was facing lot of criticism from various quarters and that there was a need to understand the role of police in a democratic set up, the Home Secretary pleaded:

“I find that the police is under pressure in the press, the police is under pressure by us in the Ministry in respect of all kinds of criticisms. Then there are various voluntary organisations through which there is a criticism, but in a democratic set up it is inevitable, but it is here that there are limitations of the police and there are limitations of their authority and functioning. But unfortunately, it is the negative side of the police which is always emphasised and the positive aspect is not emphasised. It is in the process of re-moulding the public has to be educated about the police. There is a need for better understanding of the past background of the police because it was a coercive instrument of an alien authority and the police has to be educated about the reactions, the sensitivities and the difficulties of the common people. I think this is some kind of a police philosophy in the democratic context. That has to be worked out and it has to be percolated at different levels. This is a much wider issue and that is why a continuous and sustained effort in this direction has to be made.”

4.26 The Home Secretary claimed that Government had introduced in recent times, following major police reforms:—

1. Modernisation of police, particularly of wireless and communications.

Almost 80 per cent of the police stations in the country now some kind of communication.

2. Computerisation is a little bit different method by which crime analysis can be kept, at the Headquarters level and from the point of view of sophistication.
3. We have done a bit in scientific aids—forensic Science development hand writing expertise.
4. Now the scientific attempts to go into the problems of police research is of conventional type. We have a number of institutions of our own which are doing this work.

There is a collaborative effort with academic and social sciences in the country. This kind of effort will bring academies and the police together. Many of the misgivings about the police can be removed.

5. We have given a very sustained support to Indian Police Science Congress in the country. We have sponsored it. The university people, social institutions, all are members. There is interaction between the socially enlightened sections—intellectuals, academicians, and people of public life with the administration and police officers.

These meetings will give very important points to the State Governments. The Ministry of Home Affairs and many of the police organisations work upon their suggestions and recommendations."

4.27 According to an expert body "the role of police has become very difficult during the present times because of the conflict and considerable gap between the role prescribed in the statutes and the role expected by various groups." Asked what measures have been initiated at the Central level to insulate the Police Organisations under the Central Government from outside pressure, the Home Secretary said in evidence:—

"In one sentence I can say that I do not find this kind of problem so far as Central police organisations are concerned. But such difficulties do exist in some places in the States and the broad framework keeping in view the democratic accountability, and the political accountability has been emphasised by the Central Government and also by various commissions and committees."

4.28 In a memorandum to the Committee, it has been suggested that "Public harassment and third degree methods even at the risk of incurring public displeasure for lower percentage of detection should be avoided." Asked if there was any law which permitted use of such methods, the Home Secretary said in evidence:—

"No law of a democratic country, which respects human dignity, will allow this kind of thing. There is no law of this kind which states or permits torture, abuse or violence. So far as training is concerned, the effort is always to emphasize on more scientific methods of investigation and providing facilities to the accused. We always lay emphasis on this problem of human dignity. That is why psychological tests on behavioural changes are being introduced. It is unfortunate that some-

times these things are happening. Perhaps there is a little bit of streak of human cruelty in some people. Sometimes there is too much of pressure for statistical computation of cases, which also causes this kind of thing happening. But it is now more and more on the decrease. Further, this kind of thing happening is getting wide publicity, drawing the attention of the public and the administration to this, which is having an inhibiting effect on this."

4.29. The Committee on Police training (Gore Committee) had made special mention in their report, about improving the Police-Community relations and had suggested a number of measures including the appointment of public relations officers in the State Police Headquarters. In a memorandum to the Committee a suggestion has been made for "converting the police into a broad-based and wide-spread agency for social service without prejudice to their primary functions."

4.30. Asked whether Government shared this view and, if so, what steps were proposed to be taken to inculcate the spirit of social service among the police personnel, the Ministry of Home Affairs have, in a Note, intimated that:—

"The Government appreciate the need for making the police a useful instrument of social service without prejudice to the primary function of maintaining law and order. The Gore Committee on Police Training had made certain recommendations which had been forwarded to the States for implementation. The recommendations of the National Police Commission on the same matter, if any, would be considered by the Government along with other recommendations and appropriate action would be taken."

4.31. The Committee have been assured by the Home Secretary that efforts are being made to bring about structural, organisational, procedural, institutional and behavioural reforms in the police system in India. The steps are also being taken in the direction of modernisation, computerisation, development of forensic science and handwriting expertise, research and development, greater rapport with universities, scientific institutes, social organisations etc. The Committee urge that those efforts should be intensified. There should be greater appreciation of the redefined role of the police by the policemen themselves and by the general public.

4.32. The Committee are, perturbed to find that some of the police personnel resort to third degree methods to extort confessions. There is no law which permits torture, abuse or violence. Commenting on the use of such methods, the Home Secretary was frank enough to concede that there

were some people who had a "streak of human cruelty" while some others, under pressure for statistical computation of cases, employed such inhuman, uncivilised and undignified methods. Police personnel are guardians of law. Even in their anxiety to solve cases, and bring the culprits to book, they cannot be permitted to take to illegal and barbarian methods. The Committee, therefore, recommends that clear instructions should be issued to the police in this matter and police personnel found guilty of using third degree methods should be suitably punished.

CHAPTER V.

MISCELLANEOUS MATTERS

A. Organisational set up in the Ministry

5.1. The Ministry of Home Affairs' functions in relation to the subject of 'Police' are being performed by two Divisions in the Ministry viz. (i) the Police Division and (ii) the Centre-States Division. While the Joint Secretary in-charge of the Police Division is assisted by four officers of Director/Deputy Secretary level, the Joint Secretary incharge of Centre—States Division is assisted by one Deputy Secretary.

5.2 The Centre-State Division deals with all matters connected with State Police, like modernisation, police housing, crime and law and order situation.

5.3. In reply to a query whether it was desirable that each of the two Divisions should be headed by Additional Secretaries instead of Joint Secretaries to enable independent decisions being taken on crucial matters, the Home Secretary said in evidence—

“I fully share your anxiety as Secretary of the Ministry, that we should have some more staff here.”

5.4. The Committee desired to know if existence of two separate Divisions in the Ministry to deal with Police did not result in overlapping.

5.5. In reply, the witness conceded “There is always the possibility of overlapping because of the nature and the limitation of the work of each division.”

5.6 Admitting that some times difference of opinion did arise between the two Divisions, the witness said:

“Even if there are any temporary differences, they are resolved in the very momentum of urgency or importance of the problems which these two Divisions face, the differences are only temperamental or over a particular view point.”

5.7. The Committee find that the functions relating to the subject of 'Police' are being performed by two separate Divisions in the Ministry of Home Affairs, viz. (i) Police Division, and (2) Centre-States Division. Each Division is headed by an officer of the rank of Joint Secretary. The Centre-States Division looks after all matters connected with State Police like modernisation, police housing, crimes, and law and order situation. The Home Secretary conceded in evidence that there is always the probability

of overlapping because of the nature and the limitation of the work of each Division and also that sometimes these Divisions had expressed conflicting view points. The Committee recommend that in order to ensure better coordination both the Divisions may be placed under the charge of a single officer. Such an officer may be of the rank of Additional Secretary so that he can take independent decisions and lessen the burden of Home Secretary.

B. Legal Reforms

5.8. In order to leave the Police relatively free to attend meaningfully to the more serious cases, a non-official has suggested inter alia—

- (i) A moratorium on new laws unless there was real need for it, was broadly acceptable and it was also effectively enforceable.
- (ii) Decriminalisation of as many simple offences as possible.
- (iii) Removal of legal distrust on the police in the Indian Evidence Act.

5.9. When asked about the reaction of the Ministry of Home Affairs, to the aforesaid suggestion Secretary, Ministry of Home Affairs during evidence stated that:

- (a) "So far as moratorium is concerned, I do not feel it is possible because laws are the need of the changing society. It will depend upon the political parties getting a particular mandate. Again it is a question of social consciousness alongwith the law, institutional structure must be devised."
- (b) "The second point about decriminalisation of as many simple offences as possible, I think, it is a question of some of the offences though they have not been spelt out. But there has been some discussion . . . unless we have the specific instance it is very difficult to comment on this particular aspect."
- (c) "I think this legal distrust is a very important point and, if I may say so, this legal distrust goes to much more extent even to the Executive Magistrate though by and large, the High Court and the higher judiciary can always revise the judgement . . . What has happened today is that so far as a very few people are concerned, they realise that bail is an easy way and it is an easy bail. The crime is committed in one State, and the bail is given in another State Sometimes, without giving notice to the Police, the bail is accepted at odd hours. Then, to that extent, the police get demoralised."

5.10. The Committee agree that while there could be no moratorium on enactment of new legislation enforceable by the police, at the time of considering proposals for new legislation, Government should consider the

burden that the proposed legislation was likely to cause on the police in enforcing the same and, if necessary, either create a new institutional frame work for enforcement of the new law or suitably augment the existing machinery.

C. Redressal of Grievances

5.11. It has been reported by the Ministry that "traditionally, the paramilitary forces have maintained high standards of discipline except for a brief spell in 1979 when a section of the members of the CRPF and the CISF went on agitation." The Ministry of Home Affairs have claimed that "the agitation was handled by the Government tactfully but firmly." A number of persons belonging to these Forces were dismissed but later on all those who were neither ring leaders nor activists were taken back into service.

5.12. Asked what were the main demands for which a section of the CRPF and the CISF had resorted to agitation in 1979 and since when these demands were pending with the authorities and whether it was not possible to take an early decision on these demands and thereby avert that agitation, the Ministry of Home Affairs have in a Note intimated that:—

"The main demands of CRPF and CISF related to revision of pay-scales, grant of various kinds of allowances, higher leave entitlement, provision of better uniform, grant of more leave travel facilities, right to form Association, abolition of Personal orderly system etc.

These demands first came to notice in 1979 in the wake of the agitational atmosphere created by unrest in a few State Police Forces.

Most of the demands of CRPF and CISF were an off-shoot of the police agitation in several States. Since these demands had substantial financial implications and were also linked with the question of maintenance of discipline in the Forces, it was not possible to take decisions without adequate examination. Moreover, a number of demands were not reasonable and it was not practicable to accede to them. However, at the Staff Council meetings of CRPF and CISF held in 1979 under the Chairmanship of the then Home Minister, the legitimate demands of the Forces were discussed in a frank and cordial atmosphere and further follow-up action taken on the decisions arrived at these meetings. A few cases which need deeper examination and consultation with other authorities, were being pursued."

5.13 Giving details of the machinery for redressal of grievances of para-military forces, the representative of the Ministry of Home Affairs said in evidence that:

“We have a Cell where grievances of the personnel can be ventilated for redressal. There are Staff Councils. The Commandant of the individual battalions would hold a ‘darbar’ every month to hear the grievances for redressal. Wherever the Commandant is not in a position to redress the grievances he has to forward it to the superiors. That way the emphasis to look into the grievances is there. Now, we have the Staff Councils and the Home Minister himself presides over them and addresses the Staff Council meetings once a year. The Staff Councils are represented by the Constables, Head-Constables and other ranks and they assemble in the Home Ministry and they put forth their grievances. Suitable appropriate answers are given to them.”

5.14. The Committee recall that a section of the Central Reserve Police and the Central Industrial Security had resorted to agitation in 1979 to press their demands for revision of pay scales, grant of various kinds of allowances, higher leave entitlement, right to form Association, etc. The Ministry of Home Affairs have stated that these demands were discussed in the Staff Council meetings of CRPF and CISF held in 1979 under the Chairmanship of the then Home Minister and follow up action on the decisions arrived at these meetings has been taken. The Ministry has, however, pointed out that “a few cases which need deeper examination and consultation with other authorities, were being pursued.” The Committee stress the need for an early decision on all pending demands.

New Delhi

April 19, 1983

Chaitra 29, 1905 (S)

BANSI LAL

Chairman,

Estimates Committee.

APPENDIX

Statement of Recommendations and Observations

S. No.	Para No.	Recommendations and observations
1	2	3
1	1.13	<p>The total strength of para-military forces was 2.51 lakh in 1982, the break up being Central Reserve Police Force 85,197; Border Security Force 86,265; Central Industrial Security Force 30,800. Assam Rifles 35,663 and Indo-Tibetan Border Police 13,500. There has been marginal reduction in Indo-Tibetan Border Police in 1979, some increase in Assam Rifles and Border Security Force in 1980 and 1981 respectively and though there was some reduction in Central Industrial Security Force in 1979 and 1980, its strength was increased in 1981 and 1982. In the case of Central Reserve Police Force pursuant to a decision of the Cabinet Committee on Economic Policy and Coordination in April, 1977, the strength was reduced from 60 to 58 battalions in 1978 to effect economy, but the strength was subsequently raised to 66 battalions during 1980-82. The precise reasons for this considerable augmentation of the force could not be ascertained by the Committee except that it was stated to be on consideration of internal security situation. However, the Committee have noted elsewhere the Central Reserve Police was fully deployed on demand by the States. The Committee learnt that Government were considering sanctioning three more battalions of BSF one for Tripura and two for West Bengal. While the Committee appreciate the need based strengthening of forces, they would suggest that it should be done having due regard to economy consideration and consistent with precise role of each force so that there is no duplication of functions.</p>
2	1.14	<p>In the Border Security Force one Inspector-General had under his charge 3 to 4 Deputy Inspectors General, each DIG commanding 3</p>

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to 4 battalions. The distances between one battalion and another varied from border to border, sometimes being as much as 30 to 40 kilometres making it difficult for one DIG to oversee the work of 3 to 4 battalions. Sometimes even if distance involved is not much, the area consists of a difficult terrain. With a view to enable great mobility and easy access to all Border posts and make on vigil on the border more effective, Government may consider the possibility of constructing roads along the International border. The Committee recommend that Government should re-assess the strength of the BSF at various levels with the object of making the Force an effective instrument of vigilance and security at our borders. The Committee further recommend that adequate avenues of promotion should be made available to the direct recruits in the BSF.

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1.15

The Committee feel having regard to the nature of the Para Military Forces, it will be of definite advantage to induct ex-servicemen into these forces. The Army jawans retire after 17 years of service, whereas the members of the para military forces could continue upto the age of 55|58 years. At present vacancies in the para military forces upto 20 per cent are reserved for ex-servicemen. In order to rehabilitate better the ex-servicemen and to qualitatively strengthen the Para Military Forces, the Committee suggest that the reservation should be enhanced at least to 50 per cent including the Schedule Casts|Tribes and Physically handicapped persons among the Ex-servicemen.

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1.16

The Para Military Forces should truly reflect their national character. The Committee, therefore, suggest that the recruitment to these forces should be so regulated that as far as possible there is balanced representation to all the States

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on them. The details in Para 1.10 would show that this is not the position today.

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1.17

It will be mutually advantageous for the State Police forces and the Central Para Military Forces to have a regular system of taking atleast I.P.S. officers from all the States|Union Territory Cadres to the Para Military Forces on tenure basis. For this a quota should be fixed for each cadre on a uniform basis. The present system in this regard should be rationalised to derive the advantage fully. Incidentally the Committee suggest that in view of present imbalance in the cadre strengths of IPS, suitable criteria should be evolved and the State|Union Territory Cadres rationalised.

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1.50

The CRPF is intended to assist the State Governments in the maintenance of law and order. The BSF is entrusted with the policing of international borders. The CISF was set up for better protection and security of industrial under, takings. The role of the Assam Rifles is to help the administration in tribal areas in the erst-while composite Assam state in the maintenance of law and order and in curbing revolts and insurgency. The ITBP is meant for duties on the Indo-Tibetan Boarder. The Committee note that no formal system of evaluation of the functioning of the para-military forces exists. They desire that having regard to the role of each force, suitable criteria for evaluation of their performance should be evolved and a system of formal periodical performance appraisal by the Ministry introduced.

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1.51

Though under the Constitution, it is the primary responsibility of the State Governments to maintain law and order with the help of their Police forces, Article 355 of the Constitution makes it obligatory on the Central Government to protect every State from internal disturbances. Therefore, Central Government deploys its para

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military forces whenever State Governments requisition such forces to deal with law and order situation. During the last two years alone, BSF was deployed on 108 occasions, CRPF on 119 occasions, ITBP on 7 occasions and Assam Rifles on 4 occasions. These forces are entrusted with distinctly different functions and only the Central Reserve Police force is meant for assisting the State Governments in the maintenance of law and order. It is unfortunate that other Forces should have also been deployed for this purpose and in the case of Border Security Forces this has come to be a rule, rather than an exception. If B.S.F. and Indo-Tibetan Border Police which are meant for Border duties are withdrawn and made available frequently to States for maintaining law and order, there is bound to be less of vigil on the borders. The Committee, therefore, wish to caution that it is not conducive to maintaining the distinctive character of each force to allow overlap of functions. In their view it should be possible to attend to the needs of the States fully for maintaining law and order by deploying Central Reserve Police Force especially in view of the considerable strengthening of the force recently during 1980—82.

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I.52

According to a knowledgeable source the existing system of deployment of para-military forces in States left much to be desired. Where the requirements was one company, the Central Government was asked to spare a Battalion. Duties were so badly distributed and supervised that often there would be excess of officers at one place and deficiency at another. The representative of the Ministry of Home Affairs conceded that there is a tendency on the part of some State Governments to ask for more force than what is warranted." As regards assignment of duties, it has been pointed out "the Central

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Forces are deployed in aid of the civil forces and they work under supervision and control of the local authorities." The Committee would suggest that on the basis of experience gained so far, the Ministry of Home Affairs should evolve guidelines to avoid such shortcomings in deployment and utilisation of para-military forces.

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1.53

What has surprised the Committee is that Central para military forces are often deployed in States to such an extent that the reserve falls much below 10 per cent. A view has been expressed that "in no case should the reserve be allowed to drop below a certain specified figure say 10 battalions and the training companies should not be deployed at all. We will pay a very heavy price some day if we deviate from this dictum." The Ministry of Home Affairs have intimated that "it has not been possible for them to fix any minimum limit beyond which the reserve in a Central force should not be allowed to drop." The Committee feel that it should not be too difficult for Central Government to lay down a minimum reserve in the interest of maintaining the morale and fitness of the forces. Once a minimum reserve is specified it should under no circumstances be depleted. Reserve should be pressed into service only as a last resort.

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2.26

The Committee regret that the Central Bureau of Investigation has, despite two decades of its existence, failed to make any significant dent on the problem of corruption. The deterrent effect of CBI has not been felt to the extent that it could be said that corrupt practices are on the decline if not on the way out. In fact the representative of the Ministry of Home Affairs admitted before the Committee in evidence that despite investigations and convictions "the corruption has substantially increas-

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ed." According to him, elimination of corruption "does not seem to be within the realm of possibility." The failure of the CBI in regard to prevention and control of corruption compels the Committee to recommend that the role, functions and the working of the CBI should be comprehensively reviewed and measures taken to tone up its working so as to make it an effective agency devoted inter alia to the task of rooting out corruption in administration.

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2.27

The Committee find that CBI handles only big cases of fraud involving Rs. 25 lakhs or more. Smaller cases are left to be investigated by the local police. In the context of reference made to complaints of corruption in the matter of grant of loans to small farmers, the representative of the Ministry of Home Affairs admitted in evidence that "cases of corruption have gone up since nationalisation of Banks" and assured the Committee that in future "CBI would certainly take up this kind of cases." The Committee recommend that cases of corruption in nationalised banks should also be attended to by the CBI even though the amount involve may be relatively small. The Committee would also like the CBI to pay greater attention to the role and conduct of industrial and business houses in spreading corruption among public servants and also to cases of public servants whose assets are found to be highly disproportionate to their known sources of income. A strict watch should be kept on the liaison officers and contact men of business houses.

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2.28

At present, three out of 8 Division of the CBI are under the control of the Ministry of Home Affairs and the remaining 5 under the Department of Personnel and Administrative Reforms. The division of the CBI between the Ministry of Home Affairs (proper) and the Department of

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Personnel and Administrative Reforms appears to the Committee somewhat artificial. The Committee do not consider this arrangement as sound from the point of view of the cohesive working of the CBI. Besides, this duality of administrative control could also result in diffusion of responsibility. The Committee therefore recommend that, as the CBI is essentially a Police Organisation, it should be brought exclusively under direct control of the Ministry of Home Affairs.

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3.12

The Committee note that an elaborate institutional framework for imparting specialised, professional training to police personnel already exists. Besides, the National Police Academy, Hyderabad which runs the basic course for newly appointed IPS officers, there are other Institutes which impart training in specialised branches such as Internal Security, Radio Communications, application of scientific aides in police work, criminology and forensic science and computer applications. In addition paramilitary forces have set up training schools of their own to cater to their specific training needs. The Committee have been informed that a Directorate of Training has been set up to advise Government on training matters and coordinate the efforts of the different States in this field. A Standing Committee on Police Training has also been constituted.

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3.13

The Committee are, however, concerned to find that the training programme for IPS Probationers at the National Police Academy, Hyderabad leaves out many current and pressing social problems; as for example the problems of Tribal and crimes against women. The Committee recommend that the syllabus for training of IPS probationers should be suitably modified to include study of all such topics.

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15	3.13	<p>The Committee find that the existing training programme for IPS probationers has not been formally evaluated by an independent body so far. The Committee recommend that a system of periodical evaluation for not only this programme but all other programmes of police training by an outside independent body of experts and professionals may be evolved and introduced soon.</p>
16	3.15	<p>When a Study Group of the Committee made an on-the-spot visit to the National Police Academy, Hyderabad in 1982 it learnt that as many as 42 posts including those of Director, Dy-Director, Asstt. Director, Professor of Business Management, Reader etc. were lying vacant. The Ministry of Home Affairs have intimated that a few posts are lying vacant in the training institutes of other Central Police Organisations also. Since vacancies in training institutes of Central Police Organisations remaining unfilled for long cannot but adversely affect the training programmes, these should be filled up on urgent basis. If the terms and conditions attached to any post are not attractive enough, suitable incentives could and should be made available. The Committee learn that some such proposals have already been mooted by the NPA, Hyderabad. The Committee would urge an early decision in this matter.</p>
17	3.16	<p>The Committee find that while the total marks for the written examination and interview held by the Union Public Service Commission for the Civil Services has been increased from 1050 to 2050, the marks for the Examination conducted after the training of IPS probationers at the National Police Academy, Hyderabad continue to be 1050. This has created an imbalance in the two stages of evaluation. When the study group of the Committee visited</p>

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NPA, Hyderabad, in 1982, it was given to understand that because of this imbalance in the marks, IPS probationers did not take their training at the Academy seriously. They were also given to understand that in October, 1981, the Academy had recommended to Government that marks for training may be raised to 2050 to restore parity in marks at two stages of evaluation. The Committee recommend that an early decision may be taken by Government in this matter.

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3.24

The Committee note the claim of the Ministry of Home Affairs that the efforts of the Bureau of Police Research and Development, which was set up in August, 1970 with a view to taking a direct and active interest in the modernisation of the police forces, promoting a systematic study of problems in changing society and bringing about a rapid application of Science and Technology to the methods and techniques of the police have met with some success. The subjects covered by the studies undertaken by the Bureau include atrocities on Harijans in Bihar, Police image in India, crime against women etc. The Committee would suggest that important changes made in the structure, methods or approach of the police on the basis of these studies may be given wider publicity to inspire confidence among the public.

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3.25

The Bureau of Police Research and Development has a total staff strength of 388. During the last 5 years expenditure of the Bureau and ranged between Rs. 58.36 lakhs and Rs. 84.31 lakhs. It is indeed surprising that Advisory Council which oversees the performance of the Bureau of Police Research and Development held only 2 meetings during the last 5 years. The Council is headed by the Home Secretary. The Committee recommend that the Council should meet twice a year to take stock of the

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Bureau's achievements and provide guidance to it.

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4.12

The Committee find that the Indian Police system and structure as presently organised are still governed by the Police Act of 1861. Since the enactment of that Act, not only has the country achieved Independence but a number of socio-economic changes of far reaching importance have taken place. There is a clear need to redefine the role of the police, to enhance its functional efficiency and to transform it into an instrument of public service. The Committee are of the view that Police Forces cannot be expected to perform their new role in Independent India well if they have to function within the framework of an Act passed more than 121 years ago. The Committee, therefore, recommend that Government should bring forward a comprehensive Bill in consultation with State Government to reorient the role, duties, powers etc. of police forces.

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4.17

The primary responsibility to maintain law and order in a State rests with the State Government concerned. The Ministry of Home Affairs is directly responsible for maintenance of Law and Order in the Union Territories. The Ministry functions as the nodal Ministry for law and order in the country as a whole and keeps a close watch on the situation. It also gives suitable advice to States. The Committee were given to understand that States which have been facing serious law and order problems are Assam, Tripura, Manipur, Punjab, UP and Gujarat. The Home Secretary observed in evidence: "I do not think there is anything to be complacent and I do not think, there is any reason to be panicky either." According to him, "there is a need for continuing vigilance all the time." He attributed the climate of unrest to regional imbalances, rising expectations

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and economic frustration of the people. While the Committee agree that law and order question cannot be viewed in isolation from the larger question of social justice they feel that the law and order situation can be dealt with much more effectively by re-orienting the outlook and methods of police forces in the changed context as recommended earlier and modernising the forces.

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4.22

The Committee are of the view that State police forces can achieve a reasonable degree of functional efficiency only if they are organised on modern lines and provided with latest arms, ammunition and equipment. The Committee learn that a scheme for modernisation of State Police Forces was undertaken as a non-plan scheme by the Government of India way back in 1969-70. Central assistance of the order of Rs. 52.24 crores was released to the State Governments under that scheme from 1969-70 to 1979-80. As the Central Team had reported in April, 1981 that Central assistance had been utilised by the States in a proper manner by and large, it has been decided by Government to revive that scheme for a further period of 10 years from 1980-81 to 1989-90 with a total outlay of Rs. 100 crores. The Committee feel that apart from going into the manner of utilisation of central assistance made available to States for modernisation, there should be a periodical qualitative appraisal of the scheme to gauge its impact on the functional efficiency of the police force.

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4.31

The Committee have been assured by the Home Secretary that efforts are being made to bring about structural, organisational, procedural, institutional and behavioural reforms in the police system in India. The steps are also being taken in the direction of modernisation, computerisation, development of forensic

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science and handwriting expertise, research and development, greater rapport with universities, scientific institutes, social organisations etc. The Committee urge that these effort should be intensified. There should be greater appreciation of the redefined role of the police by the policemen themselves and by the general public.

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4.32

The Committee are, perturbed to find that some of the police personnel resort to third degree methods to extort confessions. There is no law which permits torture, abuse or violence. Commenting on the use of such methods, the Home Secretary was frank enough to concede that there were some people who had a "streak of human cruelty" while some others, under pressure for statistical computation of cases, employed such in human, uncivilised and undignified methods. Police personnel are guardians of law. Even in their anxiety to solve cases, and bring the culprits to book, they cannot be permitted to take to illegal and barbarian methods. The Committee, therefore, recommend that clear instructions should be issued to the police in this matter and police personnel found guilty of using third degree methods should be suitably punished.

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5.7

The Committee find that the functions relating to the subject of 'Police' are being performed by two separate Divisions in the Ministry of Home Affairs, viz (1) Police Division, and (2) Centre-States Division. Each Division is headed by an officer of the rank of joint Secretary. The Centre-States Division looks after all matters connected with State Police like Modernisation, police housing, crimes, and law and order situation. The Home Secretary conceded in evidence that there is always the probability of overlapping because of the nature and the

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limitation of the work of each Division and also that sometimes these Divisions had expressed conflicting view points. The Committee recommend that in order to ensure better co-ordination both the Divisions may be placed under the charge of a single officer. Such an officer may be of the rank of Additional Secretary so that he can take independent decisions and lessen the burden of Home Secretary.

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5.10

The Committee agree that while there could be no moratorium on enactment of new legislation enforceable by the police, at the time of considering proposals for new legislation, Government should consider the burden that the proposed legislation was likely to cause on the police in enforcing the same and, if necessary, either create a new institutional framework for enforcement of the new law or suitably augment the existing machinery.

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3.14

The Committee recall that a section of the Central Reserve Police and the Central Industrial Security had resorted to agitation in 1979 to press their demands for revision of pay scales, grant of various kinds of allowances, higher leave entitlement, right to form Association, etc. The Ministry of Home Affairs have stated that these demands were discussed in the Staff Council meetings of CRPF and CISF held in 1979 under the Chairmanship of the then Home Minister and follow up action on the decisions arrived at these meetings has been taken. The Ministry has, however, pointed out that "a few cases which need deeper examination and consultation with other authorities, were being pursued." The Committee stress the need for an early decision on all pending demands.