

EIGHTIETH REPORT
ESTIMATES COMMITTEE
(1983-84)

(SEVENTH LOK SABHA)

MINISTRY OF HOME AFFAIRS
ADMINISTRATION OF UNION TERRITORY
OF DELHI—PART I—LAW & ORDER



सत्यमेव जयते

Presented to Lok Sabha on 23 April, 1984

LOK SABHA SECRETARIAT
NEW DELHI

April, 1984/Chaitra, 1906 (S)

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ESTIMATES COMMITTEE

(1983-84)

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1. Shri T. R. Krishnamachari—*Joint Secretary*
2. Shri Bipin Behari—*Chief Financial Committee Officer.*
3. Shri D. M. Chanán—*Senior Financial Committee Officer.*

INTRODUCTION

1. The Chairman of Estimates Committee, having been authorised by the Committee to submit the Report on their behalf, present this Eightieth Report on the Ministry of Home Affairs—Administration of Union Territory of Delhi—Part I—Law and Order.

2. The Committee took evidence of the representatives of the Ministry of Home Affairs and Delhi Administration on 9th and 13th January, 1984. The Committee wish to express their thanks to the officers of the Ministry of Home Affairs and Delhi Administration for placing before them the material and information desired in connection with the examination of the subject and giving evidence before the Committee.

3. The report was considered and adopted by the Committee at their sitting held on 11 April, 1984.

4. For facility of reference the recommendations/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 17, 1984

Chaltra 28, 1906 (S)

BANSI LAL

Chairman,

Estimates Committee.

CHAPTER I

LAW ENFORCING MACHINERY IN DELHI

1.1 In the year 1966, the Government of India constituted a Police Commission, headed by Justice G. D. Khosla for considering the working, re-organisation and other problems of the Delhi Police. Consequently, on the basis of the recommendations of the Commission, the Delhi Police was re-organised and 4 Police Districts instead of 3 as hitherto were constituted, namely, North Distt., Central Distt., New Delhi and South Distt. Most of the recommendations of the Khosla Police Commission were accepted except a few which were not agreed to by the Government including the pay structure. The Delhi Police Commission also recommended the introduction of Police Commissioner system in Delhi. The Police Commissioner system was introduced in Delhi with effect from 1.7.1978.

1.2 The Police Commission had also recommended the setting up of a Recruits Training School for Delhi Police and the same is functioning at Mehrauli. It imparts training to the Delhi Police Personnel.

1.3 Keeping in view the increase in the population, the Government of India created a new Police Distt., namely East Distt. in the year 1974. For the security of the Airport, another Unit at Palam Airport was also created in the year 1977 under the Control of a S. P. (now D. C. P.). Again in the year 1978, another Police Distt. namely West Distt. was created. At present, there are 66 Police Stations in the Delhi Territory including 2 Railway Police Stations and one for Palam Airport. Keeping in view the law and order situation and security hazard 5 DAP Bns. in lieu of 7 CRPF Bns., which were being utilised in Delhi, were sanctioned. A Special Security Distt. was also created in the year 1981-82.

1.4 The responsibility for the command of the Police force, its recruitment, discipline, internal economy and administration vests in the Commissioner of Police. He is Head of the Police Department in Delhi and responsible for its direction and control and for advising the Government in all matters connected with it in the discharge of his duties as Commissioner of Police and in execution of orders of the Government.

1.5 The present sanctioned strength of Delhi Police is as under :

Commissioner of Police ;	1
Addl. Commissioners of Police :	6
Dy. Commissioners of Police :	38
Asstt. Commissioners of Police :	122
Inspectors :	389
Sub-Inspectors :	2395
Asstt. Sub-Inspectors :	1738
Head Constables :	5739
Constables :	20157
	30585

1.6 The present vehicles strength of Delhi Police is 1059. Sanction has also been issued for the replacement of old vehicles and purchase of about 200 new vehicles.

1.7 In connection with the making of security arrangements for the Asian Games and the Non-Aligned Summit Conference, certain sophisticated equipments were imported and the same have added to the operational efficiency of Delhi Police. Purchase of 15 new cars and 90 motor-cycles was sanctioned in the year 1982 for making security arrangements for Asian Games. A Multi Access Radio Telephone System was acquired in November, 1982 at a cost of Rs. 50.24 lakhs. Metal Detectors have been imported to a cost of Rs. 92 lakhs. Electronic PABX has been installed at the Police Station Parliament Street.

1.8 Some proposals of the Delhi Police for setting up new Police Stations, modernisation of the Traffic Police, creation of a Diplomatic Protection Force, enhancement of the anti-dowry cell and further improvement of the Delhi Police Control Room are presently under consideration with Government of India.

1.9 In a recent Press report it has been stated that :

“The top brass of the Delhi Police and the Delhi Administration had reportedly been complaining that the strength of the police force was inadequate and hence the failure to effectively police the Capital..... Thirty thousand policemen can and should easily enforce the law provided the force works in a dedicated and scientific manner. Senior police officials have been functioning on day-to-day and *ad-hoc* basis and there is complete absence of long term policy.”

1.10 Asked to comment and state whether any analysis had been made as to what was the optimum requirement of Police force, at various levels, to cope with the law and order situation in the capital ; or had any plans been drawn up to meet the requirements, Home Secretary stated during evidence :

“The normal thing, of course, is for each organisation to ask for more force—not alone Delhi Administration. But then I know as a matter of abundant caution and precaution, if there is some procession or something from different States, 3 times or 4 times the requirements which should really meet their purpose is asked. And it is true that the Delhi Police has a particular problem. As I mentioned apart from these normal events, there is a lot of earlier preparatory arrangement also which take away some of our Police force and a number of follow up things are there, and then being a metropolitan city, one peculiar problem of the protection of the diplomatic corps other VIPs visiting is there. Then sometimes there are repercussions of what happens in an adjoining State. We have to take a lot of precaution and sometimes agitation even when it dies down somewhere else, breaks out here. Then there are demonstrations and so on—This also naturally puts a strain on the Delhi Police. So it is very likely that somebody might have said that.....But from time to time we have been working on this as to what is the requirement of the expanding city taking into account its problems and it is with a view to reinforce it in terms of manpower, but not just as manpower but from functional angle. Two points we have thought of. One is a separate corps to protect the diplomatic people and they should be trained in different ways.”

* * * *

“I think it will not be fair to say that the senior police officers are working on day to day basis or *ad hoc* basis..... We are taking steps to modernise and we will be spending Rs. 45 crores on Delhi Police because we have decided to have five more armed police battallions here. We are looking into the requirements of the Delhi Police keeping in view the pressure but in any case the requirement is not a static proposition and we are having some studies made by the Bureau of Police Research. By and large we feel that Delhi Police is equipped to perform its task. With better training, deployment and supervision and the kind of new equipment that we have given and also the public support, it should be possible to cope with the problems of Delhi and if more is needed the same will be provided.”

1.11 Asked, whether the training being imparted to the Police personnel was towards reorientation in their approach and attitude towards public, Home Secretary stated:

“When I talked of the training, I meant re-orientation of the people in different ways and that should be done at a particular level. It is quite true with the fresh recruits and there were having psychological differences and not having completely a foolproof system. That kind of thing has been started during the last few years. We also expect that the senior people will provide better example to their force.”

1.12 Asked, what specific measures had been taken for the efficiency of Delhi Police and whether it was being contemplated to have some equipment to watch the activities of the people who moved in suspicious manner, Home Secretary stated:—

“There is a close circuit TV and this is for traffic only.....So far as equipping the police force is concerned, 17 wireless networks have been functioning now. Police Assistance (100) has increased from 8 lines to 15. A number of hot lines have been provided. A number of tele-printer circuits have been established. Calls can be monitored at 100 number. An electric PABX at Parliament Street has been installed.”

1.13 Asked, how much has been the increase in the number of police personnel during the last three years, Home Secretary stated “it has been raised from 23,750 to 30,627.”

1.14 The Committee note that at present there are six Police Districts in Delhi Viz. North District, Central District, New Delhi, South District, East District and West District besides a Police Unit at Palam Air Port. The total number of police personnel, which includes all levels, is 30585. The present vehicle strength of Delhi Police is 1059 and sanction has also stated to have been issued for the replacement of old vehicles and purchase of about 200 new vehicles. In connection with the making of security arrangements for Asian games and Non-Alligned Summit Conference, certain sophisticated equipment were also imported and the same have been added to the operational efficiency of the Delhi Police. Purchase of 15 new cars and 90 motor cycles was sanctioned in 1982 for making security arrangements for Asian games. A Multi Access Radio Telephone System was acquired in November, 1982 at a cost of 50.24 lakhs. Metal detectors were also imported at a cost of Rs.92 lakhs. There are proposals of the Delhi Police under consideration of the government for setting up new police stations, modernisation of the Traffic Police, creation of a Diplomatic Protection Force, strengthening of the anti-dowry cell and further improvement of Delhi Police Control Room. According to Home Secretary, government is taking steps to modernise and will be spending Rs.45 crores on Delhi Police. It has also been decided to have five more armed battalions for Delhi Police Government is also stated to be 'looking into the requirements of the Delhi Police keeping in view the pressure and some studies are also underway in this regard by the Bureau of Police Research'.

1.15 The Committee agree with Home Secretary that 'with better training, deployment and supervision and the kind of new equipment, it should be possible to cope with the problems of Delhi. But, as has been discussed in the subsequent chapters, the worsening law and order situation in the Capital is a cause for deep concern. Notwithstanding the acquisition of large scale sophisticated equipment, vehicles etc. by the Delhi Police in the recent past, the crime graph of 1983 has shown an upward trend with a large number of gruesome murders, dacoities, incidents of bomb throwing etc. taking place without satisfactory headway in investigations by the Delhi Police. The Committee cannot but deplore the situation. They are of the view that *ad hoc* arrangements and improvements as have been cited would not suffice, and recommend that integrated overall requirements of Delhi Police, including its personnel, should be considered urgently at a very high level, keeping in view the 'special' requirements of the Capital' and proposals of modernisation of police force etc. be finalised without any further loss of time.

CHAPTER II

CRIME SITUATION

(a) Incidence of Crime in Delhi

2.1 The Ministry of Home Affairs furnished the following figures to the Estimates Committee with regard to number of crime cases registered in Delhi during 1980, 1981, 1982 and 1983 (upto 9/83) relating to murder, robbery, dacoity, motor accidents involving loss of life and crime against women:—

Nature of crime	1980	1981	1982	1983 (upto 30.9.83)
1. Murder	185	199	238	199
2. Robbery	293	185	158	167
3. Dacoity	31	25	24	15
4. Motor Accidents involving loss of life	832	1034	1196	930
5. Crime against Women	1104	1036	1006	870
	2445	2479	2722	2181

2.2 Referring to the upward trend in the overall crime graph in Delhi it has been stated in an article published in a national daily that:—

“According to the overall crime graph 23,067 cases were registered under the Indian Penal Code during the first 10 months of 1983 as against 22,754 recorded during the same period last year. These are official figures.....The crime graph for the past 10 months shows a decisive upward trend.”

Further:—

“Statistics for the past 10 months clearly show that barring some marginal decrease in the incidence of dacoities, other crimes such as murder, rape, and highway robbery have recorded a sharp increase, despite the fact that the strength of the force has gone up considerably. Even official statistics point to the lacklustre performance of the police force in ensuring the safety of life and property of the citizens. In a city of the size of Delhi some crime is inevitable, but when broad-daylight robberies, chain and purse snatchings, and such other crimes continue to grow and if the criminal responsible for them are not apprehended public confidence in the police force is bound to be shaken.”

2.3 Asked to comment on the overall law and order situation in the capital, Home Secretary stated during evidence before the Committee that:—

“I would like to submit that against the backdrop of steadily declining crime since 1980, during the 10 months of 1983, there has been a marginal increase of 1.35%. That is quite correct. And this is a matter of concern as far as we are concerned and very rightly the citizens are concerned.”

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“It may not be in conformity with facts to say that crime wave has shown an increase. In 1979 the crime wave reached the peak and about 44,086 IPC cases were reported. In 1980 the figure was 37,586; in 1981 it was 30,646 in 1982, it was 27,162. The Govt. has noticed this. As I had mentioned it has slightly increased in 1983 and we are quite concerned with this.....With the addition of manpower, transport and communication equipment to the Police we hope that better supervision and better training to the police staff can be provided; and better methods also can be adopted for their training and also with punishment and rewards it should be possible to arrest this kind of a trend.”

Home Secretary added:—

“I would also submit that we are taking steps so that some of the very serious crimes are investigated and the culprits are punished earlier. More than that, efforts are being made that a sense of security in general and specially among the communities and citizens increases. This is our effort and we have taken specific steps.”

2.4 Asked, what specific steps have been taken to improve the situation, Home Secretary stated:—

“We have opened new police stations and the number has been raised to 66. We have also set up 12 new police posts and are strengthening the various branches of the Delhi Police including some of the selected

police stations where there is much more pressure. We have also added additional strength to the armed police battalions. We have sanctioned five. They are in the process of being raised. I understand three are already on the ground and the efforts are made to recruit people for the remaining two battalions. We have also improved the transport available at the disposal of the Delhi Police heavy vehicles, light vehicles and so on. We have also purchased sophisticated communication equipments to improve the operational efficiency of the police.

Then I may also submit that the weekly meetings are taken by the Lt. Governor to review this situation and take remedial measures as well as preventive and anticipatory measures. We have also had, at our level, meetings. The Home Minister took more than one meeting of the officers of the Ministry, Lt. Governor and the senior Police officers. I myself had a kind of formal meeting where we went into some details."

2.5 Asked, whether any perspective plan was drawn to streamline the law enforcing machinery, Home Secretary stated:—

"Regarding the perspective plan for streamlining the law and order machinery, enforcing law and order and also about intelligence machinery, our emphasis has been on the two aspects. The first one is about the physical presence of police to deter the criminals or the culprits and the other is to improve the operational efficiency of the police so that in the first place, by their conspicuous presence at different places, that will deter the criminals and, from the point of view of action, if anything goes wrong, they can go into action much more quickly. We have taken particular care about the outlying areas in the recent past. It was in this context that I mentioned about opening of police stations."

Secondly, about operational, efficiency I can give you some details about the facilities and equipment that we have already provided for. It is true that here are some proposals of the Delhi Police for more staff. But as a short-term measure, we have been able to make it up by taking manpower from the other Central forces and Control organisations.....Our emphasis is that the training should be improved and there should be motivation for better performance of the police at different levels and, at the same time, there should be more effective supervision at different levels and also the fixation of responsibility at the senior levels. We have also tried to make the intelligence set up of Delhi Police more officer-oriented from this particular angle.

The communications equipment which we have got in connection with international events, like, NAM and CHOGM has been given to Delhi Police. There is a fair amount of modernisation in Delhi Police in order to expedite investigation and detection of crimes. There are some programmes for further modernisation also, like, the setting up of a full-fledged Bureau for Fingerprints and also Micro-filming of the records.

The two other proposals which are under consideration are the separation of crime investigation and law and order at some of the selected police stations in Delhi, if not in all. We are having some financial constraints in this regard.

Another thing that I would like to submit is that we do what to have a separate special task force for the various Embassies. A lot of our force, apart from the general VIP security, is also engaged and occupied at different times at different places, when the foreign Embassies make a request to us, we find it difficult to refuse. That is why, we feel that there is the need for a special task force for this particular purpose because many of the crimes which are committed in relation to Embassies have international ramifications also.

While I would not like to in any case minimise that there is a concern among the citizens about crimes, the efforts are being made to contain the crimes and also give a better morale and motivation to the police force to meet this kind of a situation."

2.6 The Committee note that according to the figures furnished by the Government the crime cases registered in Delhi during 1980, 1981, 1982 and 1983 (upto 9/83) relating to murder, robbery, dacoity, motor accidents involving loss of life and crime against women, are 2445, 2479, 2622, and 2181 respectively. The overall crime graph shows 23,067 cases registered under the Indian Penal Code during the first 10 months of 1983 as against 22,754 recorded during the same period last year. The incidence of crimes such as murder, rape and highway robberies has recorded a sharp increase despite considerable increase in strength of Police force, opening of new police stations and police posts, acquisition of more police vehicles and sophisticated equipment in the recent past, and adding to the strength of armed police battalions. The Committee, desire that the proposals which are underway to improve the law and order situation may be finalised without delay to contain the situation as also to bring confidence amongst the citizens of Delhi.

(b) Criminals from neighbouring States

2.7 In a recently published press report it was stated that:—

Of late, the Administration and senior police officials have advanced another argument that criminals from neighbouring States enter the Capital, commit crimes and escape. Police pickets have been put up.

Drop-gates have been installed. Constables and officers on patrol duty at the outskirts have been provided wireless sets for better communication; Mobile patrolling is claimed to have improved."

2.8 Asked to state whether any coordinated plan has been drawn in concert with police authorities of neighbouring States to apprehend criminals coming from neighbouring States, Home Secretary stated during evidence:—

"I would like to submit, in fairness to the Delhi police, that they have not really advanced it as an argument to shake off their responsibility. They have only pointed out one ~~case~~ factors which complicates the situation in Delhi so far as they are concerned. It is not just by way of alibi. If we factually see, some of it will be of very strange kind of submissions, because the crime is the overall responsibility of the State. So, we cannot just fragment it jurisdictionally.....Apart from jurisdiction, we strengthen the police; we have also to see that the facilities and the equipment provided to them are much better because the criminals of a particular category are much better equipped. If we don't pay attention to these aspects criminal activities cannot be checked. They have an easy escape because of the question of the jurisdiction and also that they are better equipped.....a coordinated plan has been made with the neighbouring States. We wrote to the State Governments and we had some meetings not only about coordinating the anti-dacoity operation, but also about this kind of crimes. A meeting was held with the Home Minister and later on with the Lt. Governor of Delhi as well. There the need for this type of coordination was emphasised."

2.9 The Committee find that criminals from neighbouring states enter the capital, commit serious crimes and escape. The situation according to Home Secretary complicates matters and adds to the problems of Delhi Police. The government is stated to have taken steps for checking this problem by convening meetings with other State-Governments at the level of Home Minister and Lt. Governor of Delhi, in order to have coordination for anti-dacoity operations as also for problems arising out of inter state crimes. The Committee desire that an institutional mechanism for regular coordination between Delhi Police and the Police of the neighbouring States should be set up without delay. There should also be regular exchange of crime information/record among the police authorities of the capital and all the neighbouring States. The Committee would further like the Ministry to consider setting up of joint patrols composed of the personnel of the Delhi Police and of the neighbouring States, to keep surveillance on the Delhi's borders.

(c) *Women Burning Cases*

2.10 It has been reported in the press that there has been an upward trend during the last few years in the graph of women burning cases in the Capital. While in 1980-81 there were 421 cases, in 1981-82 the figure rose

to 560 cases, in 1982-83 it further rose to 610. In 1983-84 (April—Nov.) 371 cases were stated to have been reported.

2.11 Asked, whether any analysis had been made to find out the causes of upward trend of bride burning cases in Delhi; and whether any specific measures had been taken or were proposed to be taken to prevent/check this social menace, Home Secretary stated during evidence :—

“The crime against women has been always one of the matters which we have discussed with the Police. We have highlighted the gravity of the problem at different levels. We have emphasised that there is need for some kind of social sensitivity in this matter.

We have set up a small Cell also now, headed by a lady IPS Officer and we do want to provide some more staff etc. Separately. We are managing with the existing staff for the present.

We have also issued instructions for, getting the postmortem conducted by two doctors instead of one.

Special Magistrates have also been detailed for writing the dying declaration.

Women who are the victims of crimes are entitled to free legal aid and I have issued instructions to the Police to extend all cooperation for the Women Organisations in this regard.

On the basis of the changes that have been made in the IPC and in the Evidence Act, we have issued administrative instructions and one of the instructions is that if a woman meets an unnatural death within 10 years of her marriage, the case should be treated as a special report case whose investigation should be personally supervised by Senior Police Officers.”

2.12 Asked, whether the Government had taken note of the fact that because of the social stigma attached to crime against women, quite a good number of cases were not made known and were kept as secret by the women themselves; sometimes, ladies themselves would not be coming forward to bring the crimes to the notice of Police; there were complaints by Women Organisations that when the women victims went to Police Station, no cooperation was offered by the Police authorities to investigate in depth into the cases arising out of such crimes; and that the women victim's family members who were responsible for crimes like attempt to burn, put forward such a version that it would appear as if it was a case of suicide, Home Secretary stated that :—

“Such complaints have come to our notice and, as you are aware, the recent changes in the law would, it is expected, help us to contain this kind of a problem to some extent. But as regards the specific

thing that the Police should extend proper cooperation, when the complaints are made, I have discussed a number of times this particular problem..... Within the parameters of the law they should take into account the social situation in the country and that in the investigation they should always take care of the law, they should also take into account the social situation and wherever necessary arrests should be made.”

2.13 Asked what were his comments on the suggestion that investigation of crime against women should be carried out by women police officers because the victims in such cases would be more willing to share information and embarrassing secrets with women police officers than with male police officers, Home Secretary stated that he was in agreement with these suggestions and added that :—

“One (Lady Police Officer) is already in charge of the cell.”

2.14 The Committee note with deep concern the steep rise in the women burning cases in the capital during the last 3 years. While in 1980-81 there were 421 cases, in 1981-82 the figure rose to 560 cases and in 1982-83 it further rose to 610. In 1983-84 (April-November) 371 cases are stated to have been reported. While admitting the gravity of the problem, the Home Secretary in his evidence before the Committee, stressed the need for some kind of a social sensitivity in the matter. The steps stated to have been taken to contain this menace are : setting up of a small cell to go into such cases which is headed by a lady I. P. S. Officer; issue of instructions for getting postmortem conducted by two doctors instead of one; detailing of special Magistrate for writing dying declaration; and provision of free legal aid to needy women. Changes are also stated to have been made in the Indian Penal Code and Evidence Act so as to provide that if a woman meets unnatural death within 10 years of her marriage, the case should be treated as ‘special report case’ and investigation of such case should be personally supervised by Senior Police Officer. These measures, according to Government, are expected to check the problem to a great extent. While the Committee welcome these measures, they desire that as agreed to by Home Secretary, more women officers should be entrusted with the task of investigation in such cases. They further desire that cooperation should also be sought from women Organisations during the course of such investigations.

(d) *Unsolved Crime Cases*

2.15 In a recent report published in the Press with the caption ‘Criminals go scot free’, it was stated :—

“A glance at the mounting number of unsolved cases in recent months suggests that the Delhi Police’s crime investigating machinery has completely failed.

Besides the sensational bomb blasts in two Shahdara Cinemas on Oct. 3 in which five people were killed and 22 injured, and the bomb blast at the New Delhi railway station in quick succession on October 14, hurting 19 people and sending shock waves throughout the capital, there are a number of other cases of dacoity and murder which the Delhi Police have failed to work out."

2.16 Other crime cases which were also stated to have remained unsolved were :—

- (i) On September 17, five armed bandits broke into the house of Mr. Darshan Lal Jain in Kamla Nagar and seriously injured his neighbour. At pistol point they snatched away jewellery and cash.
- (ii) On September 28, four unidentified youngmen shot dead 23 year old Pankaj Aggarwal and seriously injured his cousin Manoj Aggarwal after chasing their car from Delhi Airport.
- (iii) Close on the heels of the September 28, highway robbery, the State Bank of India's Branch at Swasthya Vihar was robbed on September 29, 1983.
- (iv) On October 10, Mrs. Shakti Sikand wife of Delhi businessman P. N. Sikand, was grievously injured and robbed of Rs. 77,000, a gold bangle and a revolver at her Friends Colony house.
- (v) On October 21, four armed men in a lightblue Fiat car robbed two businessman brothers. Tejpal Singh and Meherban Singh residents of Rajouri Garden of Rs. 32,000, a gold 'Kara' and a wrist watch on the school lane flyover near Ranjit Hotel.
- (vi) On October 15, Jordan's Ambassador Mohammad Ali Kourme, was shot and seriously injured by an unidentified gunman near his Malcha Marg house.
- (vii) On November 15, 65 years old Mrs. Kirtan Kaur, mother of a senior executive of a Faridabad firm was murdered at her house in Greater Kailash II.
- (viii) Dacoity of Rs. 5.80 lakhs committed at Sarvodaya Enclave branch of the Punjab National Bank.
- (ix) Three armed man intruded into a Delhi Tourism Development Corporation wine shop near the Defence Colony flyover and decamped with Rs. 1.84 lakh after threatening the employees.

2.17 Asked, whether any headway had been made in any of these crimes and criminals apprehended and what was the present position of investigation

in each of the above cases, Home Secretary stated :—

“The Delhi Police has been able to work out successfully some of the cases of 1983. I had also mentioned about the complexity of the problems of investigation so far as the Delhi Police is concerned because of the hinterland of Delhi and of the floating population of Delhi.

There were two cases of bomb explosions in March, 1983 at ISBT and Palika Bazar at the time of Non-aligned Meet which created a scare in the minds of public. Two persons were arrested and four others were declared as “proclaimed offenders.”

The bomb blast in Gaya Nand Cinema resulted in the loss of lives of five people. Clues regarding the culprits have been indentified and we are pursuing the case. We have not yet purposely given out the names.

In the Shri Darshan Lal Jain’s case, Delhi Police feel that they are on the right track and they have been able to identify the criminal.

A special team of officers is investigating the case of Shri Pankaj Aggarwal. Some finger prints developed from the complainant’s car have also been of some help. The original car DEB 5364 was found to be Fiat Car in Punjab. This was a fake number which was used. There is no definite breakthrough in this particular case. But certain clues are being pursued.

In the robbery case in Swasthya Vihar, there is definite information about some suspects which is being pursued.

In Mrs. Shakti Sikand case, Mr. Hiranand who was detained has confessed the guilt. We have initiated extradition proceedings.

In the Tejpal Singh case, the complainant has been able to identify one of the suspects through the photographs which were brought from a collection of photographs of notorious criminals which we have. Effort is being made to apprehend the culprit.

We have sought the help of the Interpol in the case of the Jordanian Ambassador.

The other cases are under investigation. We have some clues with respect to the case mentioned at item (vii). The question is how far we would be able to successfully resolve them. In certain cases, as I have submitted, there has been some headway and in others I have also made a submission as regards the status and stage of the investigation. These are important cases and are receiving the attention of the Police Commissioner himself alongwith some of his senior colleagues.”

2.18 During recent months, quite a number of cases of serious crime like burglaries bank robberies resulting in deaths and other murders committed in the Capital were highlighted in the Press. Many of them have not been solved conclusively by the Delhi Police. Admittedely, all these cases are important and are stated to be receiving the attention of the Police Commissioner himself. These cases, in Committee's opinion, have however, not only shattered the confidence of the people in Delhi in the law and order machinery operating in the capital, but also have caused a scare in the minds of the people in all walks of life. The delay in solving these cases is a serious reflection on the Police Force in the Capital. The Committee would like the law and order authorities to gear up their machinery at all levels, not only to unearth the criminals involved in these cases, but also to evolve urgent measures to prevent recurrence of such crimes.

(e) *Theft of Automobiles*

2.19 In a recent press report it has been stated that :—

“From January to October 31, 1983, there were 1727 cases of car thefts, including the highest number of 217 in September.

Cycle thieves appear to have been more active in the first two months of this year (1983). Of the total 1927 cases, January and February accounted for 228 and 233 respectively.”

2.20 Asked to state the causes of increase in this specific area of crime and whether Delhi Police had some special squad to apprehend criminals who committed thefts of automobiles/cycles etc., Home Secretary stated during evidence :—

“Out of 6 districts, 4 have got these squads. But we have no special investigation staff for this particular purpose. They are just treated as ordinary thieves. There has been an increase of 2 percent in 1983, the motor vehicle thefts were 2111 and cycle thefts were 2265 as reported..... In 1982 the motor vehicle thefts were less. In 1983 cycle thefts were more, numbering 2,927. To some extent the lack of safety consciousness of the people is also responsible for this. We leave a car for a few minutes and go just to buy a pastry or something and it is stolen. There are garages also. Some people go on watching and if a car is left unattended, it is stolen.

* * * *

Police are vigilant about places like Bombay and other places. Cars are taken to Hyderabad, or Nepal or Bombay. They take away some parts. They must be having some contacts with automobile dealers and garages. They must be selling the parts.”

2.21 Asked what action was taken by the Police authorities in cases

where the cars were sold in toto, Police Commissioner Delhi stated during evidence :—

“We flash the information to all the districts in India. We try to recover the cars.”

Home Secretary added :—

“There is some collusion between them and the various transport officers in U. P. Recently we found that forty-fifty cars were involved. The Transport Department people have also been advised to look into these things. At a particular level this has to be done”.

2.22 Asked how the police authorities dealt with criminal gangs which were operating through different States and what was the type of co-ordination with Police authorities of States, Police Commissioner stated :—

“Normally, the arrangements are by lateral if we come to know that some criminals are in a neighbouring State, we maintain contact with that State. Its necessary, we even send a team to that State. But Law and order being a State subject, we do not have any central organisation to deal with, apart from the conference of IGs...a regular machinery for co-ordination does not exist.”

2.23 Asked whether in his view such a machinery was necessary, Police Commissioner stated :—

“We will keep this in mind and take it up at the next Conference of IGs.”

2.24 The Committee regret to note the rise in the number of theft of automobiles and cycles in Delhi. In 1983, while 2111 motor vehicles were stolen, the number of thefts of cycles was 2265. According to Home Secretary in 1983 there was 2 per cent increase in the cases of theft of motor vehicles as compared to those in 1982. There are criminal gangs who are stated to be operating through neighbouring States and there is collusion between automobile thieves and transport officers of a certain State. Out of 6 Police Districts in Delhi four Districts have got special squads to apprehend criminals who committed these thefts.

2.25 The crime of automobile thefts is committed not only with the aim of selling them and earning money, the vehicles so stolen are also used for committing other crimes like robberies, burglaries and murders. In Committee's view, a more vigilant inter-state machinery is required to deal with this sort of crime, particularly where inter-state gangs are operating. They therefore, desire that modalities of such a machinery should be considered at the conference of Inspectors General of Police of Delhi and the neighbouring States. They further desire that special Squads for apprehending these criminals should be available with all the 6 police districts in Delhi.

(f) *Crime in Mini Buses/Buses*

2.26 The Ministry of Home Affairs furnished the following statement showing various types of crimes committed in Mini Buses/Buses in Delhi :—

	1980	1981	1982	1983 upto 30.9.83
1. The Crimes in the U. T. of Delhi in Mini buses.	156	135	109	49
2. The number and nature of accidents in which Mini Buses were involved.				
a) fatal accidents	15	16	19	10
b) other accidents	60	70	68	40
Total :	75	86	87	50
3. No. of cases of Pickpocketing :				
a) in Mini Buses	71	58	31	18
b) All buses including Mini Buses	905	758	621	481
4. No. of cases of Eve-teasing				
a) in Mini Buses	—	1	—	—
b) all Buses including Mini Buses	15	21	14	8
5. Cases of pick-pocketing—Eve teasing together in				
a) Mini Buses	71	59	31	17
b) Other Buses	849	720	604	472

2.27 Asked, in view of a large number of crime cases, particularly against women, in Mini Buses/Buses, how Delhi Police proposed to check/reduce them, Home Secretary stated during evidence :—

“There has been a decline during the last four years. Now special measures have been taken by the Delhi Police. In moving buses some persons have been introduced as decoys. In important bus stands,

cinema houses and education areas, after discussion with the authorities of the educational institutions, intensive patrolling has been launched."

2.28 On a question whether percentage of fatal accidents in which buses/mini buses were involved was not very high, Home Secretary agreed that it was so.

On a question being asked, Police Commissioner informed the Committee that about 2200 buses were plying in Delhi out of which about 300 were those of private operators, about 90 mini buses and the rest belonged to DTC.

2.29 Asked, whether cases of harassment to women, eve-teasing, pick-pocketing etc, were not more in mini buses; and whether percentage of accidents in which mini buses were involved was also not high, Home Secretary stated that it was so. Police Commissioner, Delhi, stated in this regard that the responsibility in respect of mini buses was that of the DTC.

2.30 Asked, how these cases were registered with the police after their occurrence in the moving buses, Police Commissioner stated that in most of the cases, women did not register. Some cases were registered when the bus reached the nearest police station from the place of occurrence of the incident.

Police Commissioner added :

"The cases of eve-teasing as such are larger in number as far as unreported cases are concerned."

2.31 Referring to the prosecutions against erring motorists, truck and bus drivers, Deputy Commissioner of Police (Traffic) stated that during 1983 about 3,35,000 people were prosecuted and about Rs. 1 crore 40 lakhs were realised as fine from them which was a record. As against this only Rs. 55 lakhs were realised as fine in 1982. This was precisely the reason for decline in fatal accidents during 1983, though the present rate was also quite high.

2.32 Asked, whether defaulting D.T.C. drivers were also challaned, the witness stated that they were not above law and were challaned, however, the experience was that D.T.C. drivers were more indisciplined.

2.33 With regard to number of prosecutions against D.T.C. drivers, DCP (Traffic) subsequently furnished the following information to the Committee :—

1. Total notices issued to DTC Drivers in 1983.	155
2. Total prosecutions made for various offences.	783

With regard truck drivers, the DCP (Traffic) stated that as compared to 1982, their prosecutions were 3 fold, but there was further scope for strictness.

2.34. The Committee find that the number of crime cases in moving buses/mini buses are involved is quite large. Though there is a slight decline in the fatal accidents, there is a sizeable increase in the crimes like eve-teasing, pick-pocketing etc. It is common knowledge that a large number of cases go unreported. Home Secretary agreed during the course of evidence that the percentage of such cases in mini buses was quite high. To curb such crime, deployment of decoys in the buses is stated to have been introduced by Delhi Police. The Committee feel that besides this arrangement, more stringent measures are needed to be evolved to curb this sort of crime. In this context, the Committee would like to make the following suggestions :—

- i) The number of DTC "Ladies Special" Buses should be increased in the University area and at peak hours on other routes;
- ii) The colour of ladies special DTC buses should be different from that of other buses; and
- iii) Feasibility of putting up a partition between the seats reserved for ladies and general seats may be examined.

2.35 With regard to offences committed by the bus/truck drivers and other motorists, the Committee has been informed that the position has improved and during the years 1983 some 3,35,000 persons were prosecuted and about Rs. 1.40 crores was realised as fine as against Rs. 55 lakhs only realised during 1982. It was admitted by the representative of the Ministry of Home Affairs during evidence before the Committee that DTC drivers are more indisciplined; yet total prosecutions against them have been only 783. In this connection the Committee would also like to draw the attention of the Ministry to the recommendation of the Committee on Public Undertakings made in paragraph 1.33 of their 25th Report (1981-82) where in they had *Inter alla* pointed out that, "the Police are not strict as they should be in the enforcement of traffic rules so far as DTC buses are concerned. This laxity should not persist. It is common sight that DTC buses are parked right at the middle of the road. Such flagrant parking offences should not go unnoticed and unpunished."

2.36 In reply, the Ministry of Shipping and Transport had stated (8.9.82) that "The law does not make distinction between DTC buses and any other vehicle plying on roads...(and that) DTC does not stand exempted from serious traffic violation." In regard to parking of DTC buses on the middle of the road, the Ministry had stated that "The Corporation has reiterated its instructions to the drivers.....and has initiated an intensive drive to ensure proper parking."

2.37 The Committee desire that DTC bus drivers/conductors should be treated at par with drivers/conductors of private buses/trucks in the matter of challan and prosecution for traffic violations and other crimes committed in or on account of moving buses. Mobile Magistrates should be available at all important points for dealing with offences by the DTC buses.

(g) *Cases of Land Rackets*

2.38 The Ministry of Home Affairs furnished the following figures relating to cases of land rackets in Delhi :—

	1980	1981	1982	1983 (upto 30.9.88)
a) Reported by Police Officer	34	146	751	537
b) Reported by the officials of DDA and other Departments	94	46	47	23
Total :	128	192	798	560

2.39 Asked to state the legal provision under which cases were registered against land racketeers; and whether the present law was considered sufficient to deal with these offenders, Home Secretary stated :—

“The legal provisions under which the cases are registered against land racketeers are the sections 3 and 4 of the Delhi Land Restriction and Transfer Act, 1972. The penalty provided for this is :

“He shall be punished with imprisonment for a term of 3 years or with fine or both.”

Unfortunately, the law is not sufficient to deal with the transactions than take place because of the so-called power of attorney given to the people. The Delhi Administration has suggested to the Ministry of Works & Housing an amendment because this question also came up in another committee. A particular formulation has been suggested by the Delhi Administration:

We hope that once this amendment is carried out, then as far as the legal lacuna is concerned, it would be plugged to a great deal. On the practical side one step we have taken is that for the last two years, the Delhi Administration has not been notifying under section 6 unless we have first worked out a time-table to physically occupy the land by the agency which is going to develop it, whether it be DDA or PWD. We notify only when the necessary plans have been passed, building plans have been passed and we have budgeted for them.

This action has proved very successful because the land grabbing actually used to take place after the notification. Vacant land is what invites encroachment and unauthorised occupation. So, we have been taking this care in the last two or three years. That have proved very useful.”

2.40 The Committee has been informed that there were 123,192,798 and 560 cases of land racketeering during the years 1980, 1981, 1982 and 1983 (upto 30.9.83) respectively. The Committee has further been informed that the legal provisions under which such cases are registered are sections 3 and 4 of Delh Land Restriction and Transfer Act, 1972. But according to the Home Secretary the present law is not sufficient to deal with cases where transfer of property takes place under "power of attorney". The Delhi Administration is stated to have suggested certain amendments to the 1972 Act to the Ministry of Works and Housing. The Ministry hopes that once these amendments are carried out, legal lacuna will be plugged and situation would improve. The Committee desire that the proposed amending legislation should be put through without further delay.

2.41 In this connection the Committee would draw the attention of the Ministry to the recommendation of the Public Accounts Committee in para 1.15 of their 185th (Action Taken) Report (1983-84) wherein the Committee had observed *inter-alia* that they "would like to be informed of the conclusive steps taken by Government to plug loopholes in the law in order to check transfers of land not legally permissible."

(h) *Crime Bulletins*

2.42 It was the general impression that heinous crimes were suppressed and not included in the crime bulletins. Asked, whether the crime bulletin issued by the Police authorities everyday reflected the true crime position in Delhi; who was the authority that approved the crime bulletin before it was issued and what steps were taken to ensure its veracity, Home Secretary stated :—

"Normally, it is the Press Relations Officer, who collects all the information from the Deputy Commissioner of Police, and issues the Bulletin—...Unfortunately, there have been some instances where some important cases did not come to his notice or he himself did not consider them important and that created some kind of a problem. That is why, there was some criticism also and we took this up with the Delhi Police.

The Police do not gain anything by trying to hide any particular case because it will certainly come up some day or the other.

The Press Relations Officer and the Deputy Commissioners issue Bulletins on important cases giving information to the Press. The comprehensive Bulletin is issued by the Press Relations Officer. I have brought this matter to the notice of the Police Commissioner so that no sensational case is suppressed."

2.43 The Committee has been informed that the Press Relations Officer of the Police Department issues the Crime Bulletin after collecting information from the Deputy Commissioners of Police. There have been instances when some important cases did not figure in the Bulletin, either because they did not come to the notice of the Press Relations Officer or he did not consider them important enough to be notified. Home Secretary informed the Committee that he had brought the matter to the notice of Police Commissioner and assured that hereafter no sensational case will be suppressed. The Committee trust that all important cases will be included in the crime Bulletin issued to the press.

CHAPTER III

REGISTRATION/FILING OF CASES ETC.

(a) Registration of Cases at Delhi Police Stations.

3.1 With regard to registration of crime cases at Delhi Police stations it has been commented upon in a recent article in a newspaper that :

“It is common knowledge that the police stations do their best to manipulate figures. On occasions cases are not recorded at all or their seriousness considerably watered down to present a better overall picture of crime control. Serious dacoities are recorded as simple cases of robbery and robberies turned into snatchings or petty thefts.”

3.2 Asked to comment as also state as to how was it ensured that all cases which were sought to be registered were actually registered and whether it was not a fact that in most cases the police stations/police personnel did not entertain the complaint by saying that the crime had not occurred in the “jurisdiction” of their police station, Home Secretary stated during evidence :

“ I would like to submit that some cases have come to notice and disciplinary action has been taken in cases where the policemen were found to be at fault. I think there were 39 such cases where action has been taken for the different kinds of lapses which these people committed.

* * * * *
I would also mention in this regard that there is surprise check by the senior officers. Apart from that, the Vigilance Section has been particularly asked to send some decoys to check up whether these complaints are registered or not. In each police station we have also displayed a board with the message that if the complaint is not recorded correctly, he can ring up a senior officer.

* * * * *
Regarding want of jurisdiction, earlier there were some complaints. Now strict instructions have been issued that registration of cases should not be held up because of the so-called want of jurisdiction. The Vigilance Branch is also carrying out some inspections. The effort all along has been to ensure that there should not be any manipulation and minimisation of crimes. There is, of course, always scope for some manipulation in this regard. I would say that this condition reflects the apathy of the police as such.”

3.3 Asked, whether it was a fact that some of the police officials resented press publicity of crime cases in their jurisdiction, Home Secretary stated during evidence :

“Particularly in the democratic system it is in the fitness of things that these things do come in the press and as you very rightly mentioned, some kind of a moral pressure is also built up and there after it will be followed by the Administrative pressure.

+ + + + +

The police has to behave properly because after all the police is also a citizen. Ultimately even the DG, or I.G. should put himself in the capacity of a citizen. So, it should be the citizen's remedy. As far as possible, the question of the timing and the perspective in which a complaint is made, that is important. If a police officer does not behave properly, certainly he should be pulled up.”

3.4 Asked, how many cases had come to notice where police officials were found to have committed lapses and what action had been taken against them, Home Secretary stated that some 56 cases came to notice; in four cases major penalty like reduction in rank, stoppage of increment etc. was given. There were 32 cases where police personnel were censured.

3.5 The Committee came across reports that police stations in Delhi manipulate figures relating to registration of cases and on occasions they either did not register a case at all or watered it down to present better overall picture of crime control in their areas. Some cases are not registered and complaints not entertained on the ground that the crime had not occurred in the ‘jurisdiction’ of a particular police station. Home Secretary conceded in his evidence that ‘there is always scope for some manipulation’ and the cases of this sort had come to notice. This, admittedly reflects the apathy of the concerned police officer. The Committee deprecate this tendency on the part of police officers and desire that stringent measures should be taken to curb it.

3.6 Out of 56 cases of lapses on the part of police officials which came to notice, disciplinary action is stated to have been taken against 39 personnel. In four cases major penalty like reduction in rank and stoppage of increment has been imposed. In 32 cases the concerned police officials have been censured. Among the measures taken to prevent malpractice, Senior Officers have been asked to conduct surprise checks; Vigilance section has been asked to deploy some decoys. The Committee hope that with these measures as also with more strict approach of the Senior Police Officers, malpractices would be checked.

(b) Cases Filed

3.7 The Ministry have furnished the following figures in respect of cases which were filed for lack of evidence, want of clue, wrong report and other reasons :

Nature of crime	1980	1981	1982	1983 (upto 9/83)
1. Murder	44	60	41	20
2. Robbery	148	78	68	44
3. Dacoity	22	8	5	2
4. Motor accidents	239	329	342	160
5. Crime Against women	610	525	444	290
	1063	1000	900	516

3.8 Asked, whether these figures did not reflect adversely on the efficiency of Police; force; which was the authority that ordered filing of crime cases registered and whether complainants were informed in each case about the filing of cases reported by them. Home Secretary stated :

“It is very difficult to give a direct answer whether a case filed reflects on the efficiency of the police force or not. I will submit that there is need for greater effort and more sustained application to this particular matter and sophisticated approach in investigation. I would like to mention, particularly so far as Delhi is concerned, where it has been possible for us to investigate 63% — robbery 52% dacoity 66.6%, major accidents 73.25%, crime against women 49.29%.

That shows that the effort in this direction has to be much more sustained and our approach has to be more sophisticated.

* * * * *

Authority who orders—According to Cr. P. C. it is under Section 173. It is the Judicial Magistrate of the area or Ilaka who has authority in this particular matter. In the Police it is ACP who submits that report and then it is scrutinised by the court i.e. the judicial magistrate.

Unfortunately, there is a fair amount of delay by the courts in accepting this. I have some figures. It is more than 1000 pending cases in the courts for acceptance. It is ACP who scrutinises and then comes to the conclusion that it is a fit case to file. At the judicial level, it is the judicial magistrate of the area who ultimately decides whether it is a fit case or not. It is the requirement of Section 173 that the complainant should be informed that the case has been filed. The judicial magistrate also oversees this kind of thing.”

3.9 The Committee find that large number of cases are filed for reasons like lack of evidence, want of clue and wrong report etc. According to Home Secretary ‘it is very difficult to give direct answer whether a case filed reflects on the efficiency of police force or not’, though he admitted that “there is need for greater effort and sophisticated approach in investigation.” Although it has been possible for the police force to investigate 63% cases—52 per cent cases of robbery, 66.6%

of dacoity' 73.25% of major accidents 49.29% of crime against women, it is admitted that "the effort in this direction has to be much more sustained." The Committee urge that the investigation methodology should be streamlined and it should also be ensured that not a single case is filed away which can be sustained with consistent effort and sophisticated approach by the concerned police officers.

(c) *Cases pending in Courts*

3.10 The Ministry of Home Affairs furnished the following figures relating to cases pending in courts :

Nature of Crime	1980	1981	1982	1983 (upto 9/83)
1. Murder	31	60	142	93
2. Robbery	93	78	75	39
3. Dacoity	6	11	11	1
4. Motor accidents	476	651	807	412
5. Crime against women	283	364	423	189
	889	1164	1458	734

3.11 Asked to state the total back-log of cases pending trial in the Courts and in the event of pending cases being very old, how were the police authorities able to provide/sustain witnesses in such cases, representative of the Ministry stated during evidence :

The total number of cases pending is as follows: In the Court of Sessions : 1,062 In the Courts of Magistrates : 49,746

This is the position as on 31.12.1983. It is a fact that some times it is difficult to keep track of the witnesses because of the change of witnesses and their addresses. There is a feeling that if a separate cell is set up for this purpose it can keep in touch with the witnesses and addresses of witnesses in old cases."

3.12 Asked, to what extent could the increase in the pending cases be ascribed to malpractices and indifference of prosecuting authorities, the representative of the Ministry stated :

"..... two years back a study was conducted by the Bureau of Police Research and Development and it was seen that the causes of delay are mostly the adjournments which are given on the mostly urging of the defence counsels."

3.13 Asked, whether there were cases where some sort of a connivance existed between the defence counsels and the prosecution authorities/police officials, representative of the Ministry stated :

“After the last amendment of the Cr. P. C. this has added to the difficulties and in the Home Ministry we are considering certain amendments to the Cr.P.C. One of the amendments we are considering is to restore the old position” *if not directly to the Police control but within the Home Deptt.’s control or collectors control.”

3.14 The Committee note that as on 31.12.1983, 1,062 cases were pending in the court of Sessions and 49,746 cases in the Courts of Magistrates. One of the consequences of long pendency of cases in courts is stated to be the difficulty “to keep track of the witnesses.” The Committee desire that the cell proposed to be reated by the Ministry to keep track of witnesses should be brought into existence early.

The Committee note that a study conducted by the Police Research Institute stated that delay in court proceedings were mostly due to adjournments which were given on the urging of the defence counsels. The Committee feel that this could be obviated to some extent if only prosecution case is effectively presented before the courts.

*According to the Ministry the old position was that the Public prosecutors were under the Police control. After the last amendment, they were brought under the District Magistrates.

CHAPTER IV

DELHI JAIL

4.1 The Committee came across certain press reports of violent incidents leading to death of a number of prisoners and of various other crimes like drug peddling, bootlegging, abuse of young juvenile prisoners by hardened criminals occurring in Delhi Jails with the complicity of Jail authorities.

4.2 Asked to comment on the veracity of such reports and corrective measures taken by the Jail authorities, Inspector General (Prisons), Delhi stated before the Committee that during the year 1982-83 one solitary incident of Violence occurred on the night of 30 December where some undertrials, nine in number, wanted change in timings of their lock up instead of 6.30 P. M. to 7.30 P. M. Since their demand was not acceded to, they indulged in stone throwing on the warders and numberdars who had gathered there. In this incident, about 20 warders and all the 9 undertrials were hurt. They were hospitalised at R. M. L. Hospital and J. P. Hospital. One of the undertrials died after 2-3 days. Inquiry about the cause of his death is going on.

4.3 Regarding alleged incidents of sodomy etc. the witness stated that there were certain press reports in September-October last. The matter was enquired into by the District Judge/High Court.

4.4 Asked, whether juvenile prisoners were kept in a separate ward, the witness stated that those who were in the age group of 16-18, were kept in a separate ward. Those who were below 16 were sent to Children's Home run by the Social Welfare Department.

4.5 Regarding allegation of drug peddling etc. I. G. (Prisons) stated that such practices are indulged into by the visitors/friends of criminal.

4.6 Asked, whether there was no complicity of the jail staff in such matters, the witness stated that the authorities were trying to take steps to check these activities where complicity of jail officials was there. The interview system was also being rationalised.

4.7 The Committee referred to certain write-ups which appeared in the Indian Express and some other papers regarding the cases in Tihar Jail. The allegation was that there were hardened criminals, who were violating all possible rules and regulations in the jail and that they had threatened the jail

authorities that if any action was taken against them, or if their movements were restrained, they would expose the corruption of the authorities in the Tihar Jail.

4.8 Asked about the veracity of such reports, I.G. (Prisons) stated :

“There are certain prisoners..... who tried to put pressure on the jail officials. The jail officials are poor Government servants, etc. but these prisoners are murderers, dacoits etc. So, they put a lot of pressure on the jail officials. These are numerous instances of threats. For instance, once a jail doctor has been threatened at gun-point. So, the jail officials were and are functioning under tremendous pressure. Secondly there is no legal protection available to them under Section 45 and Section 197 of the Criminal Procedure Code. Any convict can lodge a complaint stating that he has been slapped and all that and in fact, some cases have been registered against them.”

* * * * *
He added :

“These jail officials are being threatened by the so-called influential convicts and therefore, we have extended the legal protection to all the jail officials. But there is no denying the fact that since the warders who constitute the basic administration in the jail are not transferable from the jail because there is only one jail in Delhi, with a view to ensure some mobility, the Lt. Governor has written to the Chief Minister of Haryana asking for a common cadre for jail officials.”

4.9 Asked, whether in his view such cases were of blackmail on the part of the criminals and there was no substance in such allegations of mal-administration etc. in the jail, the witness stated :

“Not necessarily so. There may be some element of truth, but then one has to look into the totality of the situation. Our own people may not be absolutely clean also. There are instances where we have taken action against our people also.”

4.10 Asked, what was the position of women convicts, the witness stated :—

“There are about 40 women convicts and undertrials in Tihar Jail at the moment. They are in a separate ward, they are not mixed with anybody, but with the bifurcation that would be completed by 20th January, 1984, they would be totally segregated and they will be put in a separate ward alongwith the juveniles. Even then they will be in separate wards. There would be no inter-mingling.”

4.11 Asked, whether any inquiry had been conducted or envisaged into the affairs of Delhi Jail, I. G. (Prisons) stated that the Lt. Governor had appointed a Committee in 1981 and Report of that Committee was received in 1982. The Committee had made several recommendations for improving the

conditions in Tihar Jail. Steps have already been taken to implement the recommendations/suggestions contained in that report.

4.12 Asked, what was the present capacity of Tihar Jail, the witness stated that the capacity of Tihar Jail was 1270 and that of camp jail 520. Total capacity in both the jails was 1790. Efforts are being made to increase the capacity to 2500 to 3000.

4.13 Asked, whether there were definite criteria and norms regarding remission of sentences of convicts or it was left to the subjective impression and judgement of the jail authorities, I. G. (Prisons) stated :

“Remissions are given by me personally and we go by the good behaviour and conduct of the person concerned irrespective of the fact whether he is influential or not. I personally give the remission and it is not left to the discretion of the Superintendent or anybody else.”

4.14 The Committee note that there was a recent case of violence in Tihar Jail which resulted in the death of an undertrial and injury to about 20 Jail warders and 9 undertrials. There were alleged incidents of sodomy and of drug peddling, stated to be by the visitors to prisoners and others with the complicity of jail officials. Cases are also reported where certain ‘influential’ convicts violated rules and regulations and their undesirable activities remained unchecked and unrestrained because they threatened the jail authorities to expose their corruption. According to I. G. (Prisons) “our own people may not be absolutely clean..... There are instances where we have taken action against our people also.’ The Committee strongly deprecate the going-on in the Tihar Central Jail.

4.15 A Committee was appointed in 1981 by the Lt. Governor to go into the affairs of Tihar Jail. The report of the Committee was received in 1982. The steps are stated to have been taken to implement recommendations/suggestions contained in the report. The Estimates Committee desire that a cell, headed by I. G. (Prisons) should be created to review the progress of implementation of the recommendations which were accepted by the Government, under intimation to the Estimates Committee.

4.16 The Committee also desire that the efforts to increase the capacity of Tihar Jail and Camp Jail from 1790 as at present to 2500 to 3000 should be intensified so as to accomplish the task at the earliest.

NEW DELHI;

BANSI LAL

Chairman,

Estimates Committee.

April, 17, 1984

Chaitra 28, 1906 (S)

APPENDIX

Statements of Recommendations/Observations

Sl. No.	Para	Recommendation/Observation
1	2	3
1.	1.14 and 1.15	<p>The Committee note that at present there are six Police Districts in Delhi Vjz. North District, Central District, New Delhi, South District, East District and West District besides a Police Unit at Palam Air Port. The total number of police personnel, which includes all levels, is 30585. The present vehicle strength of Delhi Police is 1039 and sanction has also stated to have been issued for the replacement of old vehicles and purchase of about 200 new vehicles. In connection with the making of security arrangements for Asian games and Non-Aligned Summit Conference, certain sophisticated equipment were also imported and the same have been added to the operational efficiency of the Delhi Police. Purchase of 15 new cars and 90 motor cycles was sanctioned in 1982 for making security arrangements for Asian games. A Multi Access Radio Telephone System was acquired in November, 1982 at a cost of 50.24 lakhs. Metal detectors were also imported at a cost of Rs. 92 lakhs. There are proposals of the Delhi Police under consideration of the government for setting up new police stations, modernisation of the Traffic Police, creation of a Diplomatic Protection Force, strengthening of the anti-dowry cell and further improvement of Delhi Police Control Room. According to Home Secretary, government is taking steps to modernise and will be spending Rs. 45 crores on Delhi Police. It has also been decided to have five more armed battallions for Delhi Police. Government is also stated to be looking into the requirements of the Delhi Police keeping in view the pressure and some studies are also underway in this regard by the Bureau of Police Research.</p> <p>The Committee agree with the Home Secretary that with better training, deployment and supervision and the kind of new equipment, it should be possible to cope with the</p>

problems of Delhi. But, as has been discussed in the subsequent chapters, the worsening law and order situation in the Capital is a cause for deep concern. Notwithstanding the acquisition of large scale sophisticated equipment, vehicles etc. by the Delhi Police in the recent past, the crime graph of 1983 had shown an upward trend with a large number of gruesome murders, dacoities, incidents of bomb throwing etc. taking place without satisfactory headway in investigations by the Delhi Police. The Committee cannot but deplore the situation. They are of the view that *ad hoc* arrangements and improvements as have been cited would not suffice, and recommend that integrated overall requirements of Delhi Police, including its personnel, should be considered urgently at a very high level, keeping in view the 'Special' requirements of the Capital, and proposals of modernisation of police force etc. be finalised without any further loss of time.

2. 2.6

The Committee note that according to the figures furnished by the Government the crime cases registered in Delhi during 1980, 1981, 1982 and 1983 (upto 9/83) relating to murder, robbery, dacoity, motor accidents involving loss of life and crime against women, are 2445, 2479, 2622 and 2181 respectively. The overall crime graph shows 23,067 cases registered under the Indian Penal Code during the first 10 months of 1983 as against 22,754 recorded during the same period last year. The incidence of crimes such as murder, rape and highway robberies has recorded a sharp increase despite considerable increase in strength of Police force, opening of new police station and police posts, acquisition of more police vehicles and sophisticated equipment in the recent past, and adding to the strength of armed police battalions. The Committee, desire that the proposals which are underway to improve the law and order situation may be finalised without delay to contain the situation as also to bring confidence amongst the citizens of Delhi.

3. 2.9

The Committee find that criminals from neighbouring states enter the capital, commit serious crimes and escape. This situation according to Home Secretary complicates matters and adds to the problems of Delhi Police. The government is stated to have taken steps for checking this

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problem by convening meetings with other State-Governments at the level of Home Minister and Lt. Governor of Delhi, in order to have coordination for anti-dacoity operations as also for problems arising out of Inter state crimes. The Committee desire that an institutional mechanism for regular collaboration on between Delhi Police and the Police of the neighbouring States should be set up without delay. There should also be regular exchange of crime information/record among the police its authorities of the capital and all the neighbouring states. The Committee would further like the Ministry to consider setting up of joint patrols composed of the personnel of the Delhi Police and of the neighbouring States, to keep surveillance on the Delhi's borders.

4. 2.14

The Committee note with deep concern the steep rise in the women burning cases in the capital during the last 3 years. While in 1980-81 there were 421 cases, in 1981-82 the figure rose to 560 cases and in 1982-83 it further rose to 610. In 1983-84 (April-November) 371 cases are stated to have been reported. While admitting the gravity of the problem, the Home Secretary, in his evidence before the Committee, stressed the need for some kind of a social sensitivity in the matter. The steps stated to have been taken to contain this menace are : setting up of a small cell to go into such cases which is headed by a lady I. S. P. Officer; issue of instructions for getting post-mortem conducted by two doctors instead of one; detailing of special Magistrate for writing declaration; and provision of free legal aid to needy women. Changes are also stated to have been made in the Indian Penal Code and Evidence Act so as to provide that if a woman meets unnatural death within 10 years of her marriage, the case should be treated as 'special report case' and investigation of such case should be personally supervised by Senior Police Officer. These measures, according to Government are expected to check the problem to a great extent. While the Committee welcome these measures, they desire that as agreed to by Home Secretary, more women officers should be entrusted with the task of investigation in such cases. They further desire that cooperation should also be sought from women's Organisations during the course of such investigations.

5. 2.18

During recent months, quite a number of cases of serious crime like burglaries, bank robberies resulting in deaths

and other murders committed in the Capital, were highlighted in the Press. Many of them have not been solved conclusively by the Delhi Police. Admittedly, all these cases are important and are stated to be receiving the attention of the Police Commissioner himself. These cases in Committee's opinion, have, however, not only shattered the confidence of the people in Delhi in the law and order machinery operating in the capital, but also have caused a scare in the minds of the people in all walks of life. The delay in solving these cases is a serious reflection on the Police Force in the Capital. The Committee would like the law and order authorities to gear up their machinery at all levels, not only to unearth the criminal involved in these cases, but also to evolve urgent measures to prevent recurrence of such crimes.

6. 2.24 and 2.25 The Committee regret to note the rise in the number of theft of automobiles and cycles in Delhi. In 1983, while 2111 motor vehicles were stolen, the number of thefts of cycles was 2265. According to Home Secretary in 1983 there was 2 per cent increase in the cases of theft of motor vehicles as compared to those in 1982. There are criminal gangs who are stated to be operating through neighbouring states and there is collusion between automobile thieves and transport officers of a certain state. Out of 6 Police Districts in Delhi four Districts have got special squads to apprehend criminals who committed these thefts.

The crime of automobile thefts is committed not only with the aim of selling them and earning money, the vehicles so stolen are also used for committing other crimes like robberies, burglaries and murders. In Committee's view, a more vigilant inter-state machinery is required to deal with this sort of crime, particularly where inter-state gangs are operating. They therefore, desire that modalities of such a machinery should be considered at the conference of Inspectors General of Police of Delhi and the neighbouring States. They further desire that special squads for apprehending these criminals should be available with all the 6 police districts in Delhi.

7. 2.34 The Committee find that the number of crime cases in moving buses mini buses are involved is quite large.
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Though there is a slight decline in the total accidents, there is a sizeable increase in the crimes like eve teasing, pick-pocketing etc. It is common knowledge that a large number of cases go unreported. Home Secretary agreed during the course of evidence that the percentage of such cases in mini buses was quite high. To curb such crime, deployment of decoys in the buses is stated to have been introduced by Delhi Police. The Committee feel that besides this arrangement, more stringent measures are needed to be evolved to curb this sort of crime. In this context the committee would like to make the following suggestions :—

- (i) The number of DTC "Ladies Special" Buses should be increased in the University area and at peak hours on other routes:
- (ii) The colour of ladies special DTC buses should be different from that of other buses; and
- (iii) Feasibility of putting up a partition between the seats reserved for ladies and general seats may be examined.

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With regard to offences committed by the bus truck drivers and other motorists, the Committee has been informed that the position has improved and during the year 1983 some 3,35,000 persons were prosecuted and about Rs. 1.40 crores was realised as fine as against Rs. 55 lakhs only realised during 1982. It was admitted by the representative of the Ministry of Home Affairs during evidence before the Committee that DTC drivers are more indisciplined; yet total prosecutions against them have been only 783. In this connection the Committee would also like to draw the attention of the Ministry to the recommendation of the Committee on Public Undertakings made in paragraph 1.33 of their 25th Report (1981-82) wherein they had *inter-alia* pointed out that, "the Police are not strict as they should be in the enforcement of traffic rules so far as DTC buses are concerned. This laxity should not persist. It is common sight that DTC buses are parked right at the middle of the road. Such flagrant parking offences should not go unnoticed and unpunished".

In reply, the Ministry of Shipping and Transport had stated (8.9.82) that, "The law does not make distinction between DTC buses and any other vehicle plying on roads..... (and that) DTC does not stand exempted from serious traffic violation." In regard to parking of DTC buses on the middle of the road, the ministry had stated that "The Corporation has reiterated its instructions to the drivers..... and has initiated an intensive drive to ensure proper parking."

The Committee desire that DTC bus drivers/conductors should be treated at par with drivers/conductors of private buses/trucks in the matter of challan and prosecution for traffic violations and other crimes committed in or on account of, moving buses. Mobile Magistrates should be available at all important points for dealing with offences by the DTC buses.

9. 2.40 and 2.41 The Committee has been informed that there were 123, 192, 798 and 560 cases of land racketeering during the years 1980, 1981, 1982 and 1983 (upto 30.9.83) respectively. The Committee has further been informed that the legal provisions under which such cases are registered are sections 3 and 4 of Delhi Land Restriction and Transfer Act, 1972. But according to the Home Secretary the present law is not sufficient to deal with cases where transfer of property takes place under "power of attorney." The Delhi Administration is stated to have suggested certain amendments to the 1972 Act to the Ministry of Works and Housing. The Ministry hopes that once these amendments are carried out, legal lacuna will be plugged and situation would improve. The Committee desire that the proposed amending legislation should be put through without further delay.

In this connection the Committee would draw the attention of the Ministry to the recommendation of the Public Accounts Committee in para 1.15 of their 185th (Action Taken) Report (1983—84) wherein the Committee had observed *inter alia* that they "would like to be informed of the conclusive steps taken by Government to plug loopholes in the law in order to check transfers of land not legally permissible."

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| 10. | 2.43 | The Committee has been informed that the Press Relations Officer of the Police Department issues the Crime Bulletin after collecting information from the Deputy Commissioners of Police. There have been instances when some important cases did not figure in the Bulletins, either because they did not come to the notice of the Press Relations Officer or he did not consider them important enough to be notified. Home Secretary informed the Committee that he had brought the matter to the notice of Police Commissioner and assured that hereafter no sensational case will be suppressed. The Committee trust that all important cases will be included in the crime Bulletin issued to the Press. |
| 11. | 3.5 | The Committee came across reports that police stations in Delhi manipulate figures relating to registration of cases and on occasions they either did not register a case at all or watered it down to present better overall picture of crime control in their areas. Some cases are not registered and complaints not entertained on the ground that the crime had not occurred in the 'jurisdiction' of a particular police station. Home Secretary conceded in his evidence that 'there is always scope for some manipulation' and the cases of this sort had come to notice. This, admittedly reflects the apathy of the concerned police officer. The Committee deprecate this tendency on the part of police officers and desire that stringent measures taken should be to curb it. |
| 12. | 3.6 | Out of 56 cases of lapses on the part of police officials which came to notice, disciplinary action is stated to have been taken against 39 personnel. In four cases major penalty like reduction in rank and stoppage of increment has been imposed. In 32 cases the concerned police officials have been censured. Among the measures taken to prevent malpractice, Senior Officers have been asked to conduct surprise checks; Vigilance section has been asked to deploy some decoys. The Committee hope that with these measures as also with more strict approach of the Senior Police Officers, malpractices would be checked. |
| 13. | 3.9 | The Committee find that large number of cases are filed for reasons like lack of evidence; want of clue and wrong |

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report etc. According to Home Secretary 'it is very difficult to give direct answer whether a case filed reflects on the efficiency of Police force or not', though he admitted that "there is need for greater effort and sophisticated approach in investigation". Although it has been possible for the police force to investigate 63% cases- 52 per cent cases of robbery, 66.6% of dacoity, 73.25% of major accidents, 49.29% of crime against women, it is admitted that "the effort in this direction has to be much more sustained." The Committee urge that the investigation methodology should be streamlined and it should also be ensured that not a single case is filed away which can be sustained with consistent effort and sophisticated approach by the concerned police officers.

14. 3.14 The Committee note that as on 31.12.1983, 1,062 cases were pending in the court of Sessions and 49,746 cases in the Courts of Magistrates. One of the consequences of long pendency of cases in courts is stated to be the difficulty "to keep track of the witnesses." The Committee desire that the 'cell proposed to be created by the Ministry to keep track of witnesses' should be brought into existence early.

The Committee note that a study conducted by the Police Research Institute stated that delay in court proceedings were mostly due to adjournments which were given on the urging of the defence counsels. The Committee feel that this could be obviated to some extent if only prosecution case is effectively presented before the courts.

15. 4.14 and 4.15 The Committee note that there was a recent case of violence in Tihar Jail which resulted in the death of an undertrial and injury to about 20 Jail warders and 9 undertrials. There were alleged incidents of sodomy and of drug peddling, stated to be by the visitors to prisoners and others with the complicity of Jail officials. Cases are also reported where certain 'influential' convicts violated rules and regulations and their undesirable activities remained unchecked and unrestrained because they threatened the Jail authorities to expose their corruption. According to I. G. (Prisons) 'our own people may not be absolutely clean..... There are instances where we have

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taken action against our people also.' The Committee strongly deprecate the going-on in the Tihar Central Jail.

A Committee was appointed in 1981 by the Lt. Governor to go into the affairs of Tihar Jail. The report of the Committee was received in 1982. The steps are stated to have been taken to implement recommendations/suggestions contained in the report. The Estimates Committee desire that a cell, headed by I. G. (Prisons) should be created to review the progress of implementation of the recommendations which were accepted by the Government, under intimation to the Estimates Committee.

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The Committee also desire that the efforts to increase the capacity of Tihar Jail and Camp Jail from 1790 as at present to 2500 to 3000 should be intensified so as to accomplish the task at the earliest.

**LIST OF AUTHORISED AGENTS FOR THE SALE OF LOK SABHA
SECRETARIAT PUBLICATIONS**

Sl. No.	Name of Agent	Sl. No.	Name of Agent
BIHAR		UTTAR PRADESH	
1.	M/s Crown Book Depot, Upper Bazar, Ranchi (Bihar).	11.	Law Publishers, Sardar Patel Marg, P. B. No. 77, Allahabad, U.P.
GUJARAT		WEST BENGAL	
2.	The New Order Book Company, Ellis Bridge, Ahmedabad-6.	12.	Mrs. Manimala, Buys and Sell 128, Bow Bazar Street, Calcutta-12.
MADHYA PRADESH		DELHI	
3.	Modern Book House, Shiv Vilas Palace, Indore City.	13.	Jain Book Agency, Connaught Place, New Delhi.
MAHARASHTRA		14.	J.M. Jain & Brother, Mori Gate, Delhi.
4.	M/s Sunderdas Gian Chand, 601, Girgaum Road, Near Princess Street, Bombay-2.	15.	Oxford Book & Stationery Co Scindia House, Connaught Place New Delhi-1.
5.	The International Book Service, Decan Gymkhana, Poona-4	16.	Bookwell 4, Sant Nirankari Colony, Kingsway Camp, Delhi-9.
6.	The Current Book House, Maruti Lane, Raghunath Dadaji Street, Bombay-1.	17.	The Central News Agency, 23/90, Connaught Place, New Delhi.
7.	M/s Usha Book Depot, Law Book Seller and Publishers' Agents Govt. Publications, 585, Chira Bazar, Khan House, Bombay-2.	18.	M/s Rajendra Book Agency, IV-D, 59, IV-D/50, Lajpat Nag Old Double Storey, New Delhi-110024.
8.	M & J Services, Publishers, Representative Accounts & Law Book Seller, Mohan Kunj, Ground Floor, 68, Jyotiba Fuele Road, Nalgaum-Dadar, Bombay-14.	19.	M/s Ashoka Book Agency, BH-82, Poorvi Shalimar Bagh Delhi-110033.
9.	Subscribers Subscription Services India, 21, Raghunath Dadaji St., 2nd Floor, Bombay-1.		
TAMIL NADU		20.	Venus Enterprises B-2/85, Phase-II, Ashok Vihar, Delhi.
10.	The Manager, M. M. Subscription Agencies, No. 2, 1st Lay Out Sivananda Colony, Coimbatore-641012.		