

**GOVERNMENT OF INDIA  
HOME AFFAIRS  
LOK SABHA**

UNSTARRED QUESTION NO:3221

ANSWERED ON:23.08.2011

INVESTIGATION OF CRIMINAL CASES BY POLICE

Thakur Shri Anurag Singh

**Will the Minister of HOME AFFAIRS be pleased to state:**

- (a) whether a large number of criminal cases being investigated by the police remain unsolved as they are unable to follow even the basic norms of investigation;
- (b) if so, whether the first and second Police Commission had expressed the view that the condition of police forces in different parts of the country was highly unsatisfactory;
- (c) if so, whether the said commissions had recommended that the investigation work should be separated from the normal law and order duties;
- (d) if so, whether the recommendation of the commissions have been implemented; and
- (e) if so, the details thereof and if not, the reasons therefor?

**Answer**

MINISTER OF THE STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI MULLAPPALLY RAMACHANDRAN)

(a): No such data is centrally maintained and compiled by National Crime Records Bureau (NCRB).

(b) & (c): The National Police Commission which was constituted in 1977 to study the problems of Police and make comprehensive review of Police system at national level, submitted 8 reports during the period February, 1979 to May, 1981. In its reports, the Commission made various recommendations on various aspects of functioning of police system including improvement in service conditions, recruitment, welfare and housing etc. The Commission after analysing the work relating to subordinate ranks of the police found that the same staff perform duties relatable to law and order and investigation. Law and order and VIP bandobast in actual practice take priority over prevention and detection of crime. The Commission, therefore, inter alia, recommended to provide adequate manpower in police stations and then divide staff into investigative wing and law and order wing.

(d) & (e): The reports were sent with the specific directives from the central Government to all State Governments/UTs for examination and appropriate action as "Police" and "Law and Order" are State subjects as per VII Schedule to the Constitution of India. Notwithstanding this position, the Supreme Court in Writ Petition(C) No. 310/1996 issued directions for compliance to various States /UTs vide judgment dated 22.9.2006 on Police Reforms. Direction No. 4 states that the investigating police shall be separated from the law and order police to ensure speedier investigation, better expertise and improved rapport with people. It must be ensured that there is full coordination between the two wings. The separation, to start with, may be effected in towns/ urban areas which have a population of ten lakhs or more, and gradually extended to smaller towns/ urban areas also. The Supreme Court subsequently appointed Justice Thomas Commission to report about the compliance of various directions. The Commission has already submitted its report to the Supreme Court and the matter is still within the purview of Supreme Court.