CHAPTER- 3
IDEA AND FUNCTIONS OF POLICE

3.1 ESTABLISHMENT OF POLICE

A police organization is a public employer of police officers. Villages, townships, municipalities, and states all are in need of police officers. Three major characteristics identify a police organization: a generalized public safety responsibility, a territorial jurisdiction, and funding by an employing governmental agency.

The generalized police responsibility is to protect life and property, to maintain the public peace, and to provide related services. The employees of a police organization are given a broad grant of authority to enable them to fulfill this responsibility, and there is an inherent accountability for the use of such power.

The territorial jurisdiction of a police organization is usually the same as that of the employing by government. Funds to operate the police organization are provided from the general funds of the State Government. The funding system is usually an annual financial allocation, but the State Government is also expected to provide emergency financial aid whenever necessary.¹

The Police Act of 1861 made the establishment of organized police forces the responsibility of the various provincial governments then in existence in India. The constitution of Independent India also placed “Public Order” and “Police, including railway and village police”, in the State List. The Central Government has exercised an advisory role in such matters and have been rendering assistance to the States in various ways.

The State Governments determine all questions relating to the strength and equipment of their police forces and the expenditure to be incurred thereon from year to year and also exercise various administrative and disciplinary powers. They also frame detailed rules for the administration and operation of their police forces which are contained in the Police Manuals/Regulations of the different States.

The head of the police force in every state is the Inspector General of Police who is responsible to the State Government for the administration of the police force throughout the State and also for giving advise on police matters. This includes

¹. Police Organization Management by PAUL B. WESTON
internal economy, equipment, training and discipline of the force and its efficient organization as a means of preventing and checking crime and preserving law and order and the efficient discharge of their duties by officers of all ranks.

The Inspector General is expected to keep in constant touch and communication with the regional and district police officers and to keep the State Government informed of the state of crime and political and communal movements throughout the State.

The Inspector General is assisted by a number of Range Deputy Inspectors General on a regional basis. The number of ranges in a State depends on its size. Generally four districts are grouped together to form a ‘Range’ for the convenience of the police administration. The Range Deputy Inspector General of Police generally supervises the work of the Superintendents of Police and, without interfering in any way with the authority of the Superintendent, has to see that the standard of work is maintained at a high level. He visits and inspects the districts regularly to ensure that work is being carried on efficiently and is expected to advise, guide and assist the Superintendent of Police whenever the latter is faced with any difficult situation. He usually has under his control a part of the State armed reserve and can move it to any district within his range.

The administration of the police throughout the local jurisdiction of the Magistrate of a district is, under the general control and direction of such Magistrate, vested in a District Superintendent and such Assistant District Superintendents as the State Government consider necessary. With the separation of the Judiciary from the Executive, the District Magistrate’s functions, under the Criminal Procedure Code (Cr.P.C.) as far as the police are concerned, are the promulgation and enforcement of regulatory orders and executive processes and the supervision of the work of the executive magistrates, who are entrusted with proceedings under the preventive sections of the Cr.P.C. and in certain States the trials of cases under local and special laws. The trials of cases under the Indian Penal Code (I.P.C.) are conducted by judicial magistrates. In bigger districts, there may be two or more Superintendent of Police; the senior most of them is then called the Senior Superintendent of Police.

Every district is divided into sub-divisions in-charge of Assistant or Deputy Superintendents of Police. In Gujarat states sub-divisions are further divide into police circles in charge of Inspectors. A district may have three to four policed subdivisions.
and six to eight police circles.

Each district is divided into a number of police stations, depending on its size and population. There are some districts with more than 20 police stations, whereas there are others with only ten to fifteen. In Commissioner Area there are more than police stations in Ahmedabad, Surat etc. The average-sized rural police station has a population of about 1,00,000 and an area of about 200 sq. kms. The Police station is the basic unit of the police administration in a district. Under the Cr.P.C. all crime has top be recorded at the police station and all preventive, detective and law and order work of the police is carried on from there. Each police station is divided into a number of beats, which are assigned to Head Constables for patrolling, surveillance, service of processes, collection of intelligence etc. The officer-in-charge of a police station is usually a Sub-Inspector or Inspector. In some Big Police stations Senior Inspectors are placed in charge of the bigger police stations. The officer in charge has varying numbers of Sub-Inspectors, Assistant Sub-Inspectors, Head Constables and Constables placed under him depending on the size of the police station.²

The constable, being the lowest rung of the administrative hierarchy, constitutes the backbone of Police Organization. But the constables are treated as worse than unskilled workers. The main consideration for recruitment of police constable is physical fitness (educational qualification is matriculate). What efficiency can we expect except in wielding lathis? Many of the older generation of constables can barely sign their names. Since the intake is so poor, little improvement is possible at the stage of training. Now with increased salary, some improvement in the intake is expected. Poor salary, bad service conditions and little chance of promotion would not have attracted good human material, nor would these have provided an incentive to work to those who join because of paucity of employment opportunities.

A.S.I. is the nucleus of the police department. He is the first officer to come into contact with crime. He is the officer whom Cr.P.C. recognizes as an officer who has to take the initiative when a case is reported. The status, powers and qualifications of a SI are not proportionate. Looking at his duties, powers and importance in police work, his status in the hierarchy is incommensurable. He is a non-gazetted officer. In the state the minimum qualification for the post is still intermediate or its equivalent. It is true that graduates and even post-graduates complete for this rank but they do not opt for it willingly, often they are compelled by deteriorating employment situation.

². Report of the committee on Police Training by Ministry of Home Affairs, Govt. of India. P.128.
Even during the service there is little incentive to work. Their responsibilities are enormous. But the incentives they get besides low salary, poor service conditions and limited chances of promotion, are ill-treatment from the senior officers, suspension and censures rather than rewards for shouldering the responsibilities and criticism and hatred from the public.

The ill-treatment of junior officers is because of a tremendous gap between the senior gazette officers and the junior or non-gazetted officers. The main reason for this gap is the pyramidal structure of the police departments in which some people start not from the bottom of the pyramid but from the middle, rather, from near the top.

The people who start from the bottom do not even reach the middle of the pyramid. Unfortunately, in the Police department, there is a separate cadre of leaders—leadership does not evolve, it is imposed. A person who starts from near the top of the hierarchy might not succeed as a leader, since he would not consider himself a part of the force and would not be aware of the problems his subordinates face in job-performance. Therefore, he might not be able to appreciate their difficulties. This would also affect their reactions to the successes and failures of their subordinates. Sometimes he would start with a superior feeling and would not listen to the advice given by experienced subordinate officers. Unless the leader can provide a fair treatment to his subordinates, relies upon co-operation and not on authority and generates a feeling of ‘we’ rather than ‘I’, he will not be able to give his men a purpose, will not able to guide them properly and inspire enthusiasm among them.

Man-management is an important quality of leadership. There are two cardinal principles of leadership; (i) example is better than precept, and (ii) personal conduct should be such that it can be emulated and not taken advantage of. It should be above reproach. The welfare and interests of subordinates should be looked after before thinking of his own comforts. In army, they say ‘a good officer is a servant of his men first and master second’. This holds well in the police too. The quality of leadership influences the morale of the forced. A good leader inculcates self discipline and corporate discipline and develops spirit-de-corps in his unit.

The superior officers, instead of being impartial, are mostly governed by casteism, favoritism and nepotism and other predilections and are also influenced by political leaders on whom they tend to lean heavily for their early promotion and
choice posting. This has led to inefficiency among all the subordinate ranks of the police due to the prevailing discontent among them. The superior officers have no time even to make out plans and propose them to the Government for the constructive development of the force in proportion to the population explosion and to meet the challenges of multiple problems that have been and are cropping up due to the changed social and political contexts and outlook of the masses.

A superior officer must also have the qualities of a good supervisor. A good and strict supervision is essential for the efficient functioning of an organization. Only a good supervisor can be aware of the deficiencies of the field officers and their genuine problems in job-performance. He is a trainer and developer of human resources. In performing this function, he is instilling confidence and improving not only the job but also an understanding of the goals of the police service, of its methods for accomplishing these goals, of its organizational philosophy, and of the various career paths available within it. It must be recognized how effectively the police supervisor trains his subordinates, as well as how the objectives of the training programme, have a tremendous influence on the capacity of the department to meet its goals. He must be aware of the practical problems facing the department and provide an example by solving such problems. He should go the fields regularly and supervise the functioning of the field officers, listen to complaints against them and instruct them as to how they should perform their duties.

Very few of these qualities are to be found in the supervisory officers in the Gujarat Police. Very rarely (and very few of them) do they try to know and understand their subordinates. Nor do they carry our supervisions properly. Most of them avoid going to the field and thus directions given by them are, most of the time, theoretical and hypothetical, having little practical bias. Cases are supervised with much delay and no proper directions are given by them to the investigating officers. Advice tendered by experienced subordinates is either not heeded to or contemptuously turned down. Some of the senior officers, it has been pointed out, regard inspection as a means to punish the junior officers and look upon punishment as an effective instrument of maintaining discipline. They very seldom realize that too many punishments affect the morale of the officers.

An imposed leadership renders supervision ineffective. The IPS officers generally start with a superior air because they start from near the top of the hierarchy and from the very beginning they have a huge body of subordinates to control. They
get charge of a district in one to two years, but do not get sufficient training and experience for the running of a district in such a short period of time. This is an anomaly that has developed after independence.³

3.1.1 ONE POLICE FORCE FOR THE WHOLE STATE OF GUJARAT⁴.

There is one police force for the whole of the State of Gujarat. The Police force shall consist of such number in the several ranks and have such organization and such powers, functions and duties as the State Government may by General or Special order determine;

The recruitment, pay, allowances and all other conditions of service of the Police Force shall be such as may from time to time be determined by the State Government by general or special orders.

There is a control of District Magistrate over Police force in district A pyramidal structure is created for providing jobs for various strata of society, gazated posts ‘for the scions of the falling feudal chiefs and the rapidly growing educated higher middle class’, non-gazated officers’ posts (SI and Inspector) for the ‘lower middle class’ and the post of constables for ‘the surplus landless labour of the country’. Since the all India cadre of the SP was initially reserved for Europeans only, the post of DySP was created for the upper and upper-middle class Indians. Later, some vacancies in the SP cadre were kept for Indians as well, but the parallel system of recruitment continued. The only difference between two of them is that one belongs to an all-India cadre and the other to the State cadre. One is selected through UPSC and the other through the examination conducted by State Public Commission i.e. G.P.S.C. Both of them start from the same level, but the former is designated ASP and the latter DySP. The former gets charge of a district in one year and the latter in eight to ten years. The former ascends the hierarchical ladder more seifly than the latter.

There are two to three circles in a district and each of them is known as subdivision. There is a head of circle that is known as S.D.P.O. Sub-divisional Police Officer. A Sub-division consists roughly 6 to 8 police stations. The Police Inspector or Police Sub-Inspector remains in charge of Police Station. In Rural Police-stations most of them are running by Subinspectors. There is a post of Circle Police Inspector between three to four police stations which are conducted by P.S.I. C.P.I. is

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³ Police in Changing India by Ajay K. Mehta. P.111 to 114.
⁴ The Bombay Police Act, 1951.
supervisory officer and he is under control of S.D.P.O. All S.D.P.O.’s are controlled by District Superintended of Police. The constable, being the lowest rung of the administrative hierarchy, constitutes the backbone of Police Organization. After promotion the constable gets the cadre of Head Constable (Jamadar) or 1st Grade H.C. or A.S.I. There are two grades of Head Constables. One is First Grade and the other is Second Grade. The Senior First Grade Head Constable promotes as A.S.I. and he is the senior most officers after P.S.I. in the Police station.

Before independence there was a provision of appointment of Village Police and there was a special act for the appointment, duties and control of Village Police the act is known as ‘The Bombay Village Police Act, 1867.’

3.1.2. SUPERINTENDENCE, CONTROL AND ORGANIZATION OF THE POLICE FORCE:⁵

The structure of police force is described in Police Manual Part-I Chapter-I is as under:-


   According to **Section-3 of Bombay Police Act, 1951** there shall be one Police Force for the whole of the State of Gujarat.⁶

   Provided that the members of the Police Forces constituted under any of the Acts mentioned in Schedule I, immediately before the coming into force of this Act⁷[in the relevant part of the State] shall be deemed to be the members of the said police Force.

   According to **Section-4 of Bombay Police Act, 1951** The superintendence of the Police Force throughout the State of Gujarat vests in and exercisable by the State Government and any control, direction or supervision exercisable by any officer over any member of the Police Force shall be exercisable subject to such superintendence.⁷

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⁷ These words were inserted by the Maharashtra Adaptation of Laws (State and Concurrent Subjects) Order, 1960, Sec. 6.
Constitution of Police Force According to Section-5 of the Bombay Police Act, 1951 the constitution of Gujarat Police force is as under. Subject to the provisions of this Act:-

a) The Police Force shall consist of such number in the several ranks and have such organization and such powers, functions and duties as the State Government may by general or special order determine;

b) The recruitment, pay, allowances and all other conditions of service of the Police Force shall be such as may from time to time be determined by the State Government by general or special order:

Provided that:-

I. The rules and orders governing the recruitment, pay, allowances and other conditions of service of the members of the Police Force constituted under any of the Acts mentioned in Part I or II of Schedule I and deemed to be the members of the Police Force under section 3, shall continue in force until altered or cancelled under clause (b); but in the case members of the Police Force; constituted under any of the Acts mentioned in Part II of that Schedule such alteration or cancellation shall be subject to the proviso to sub-section (7) of section 115 of the State Reorganization Act, 1956 of 1956.

II. Nothing in this clause shall apply to the recruitment, pay, allowances and other conditions of service of the members of the Indian Police and Indian Police Service.

According to Section 5A of the Bombay Police Act, 1951 There is a provision to appoint of a DIRECTOR GENERAL AND INSPECTOR GENERAL OF POLICE AS UNDER:

1. For the overall direction and supervision of the Police Force, the State Government shall appoint a Director General and Inspector General of Police who shall exercise such powers, perform such functions and duties and have such responsibilities and authority as may be provided by or under this Act or orders made by the State Government.

2. The Director General and Inspector General of Police shall be selected from a panel of officers consisting of the officers already working in the rank of the

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3. Director General of Police or of the officers in the rank of Additional Director General of Police who have been found suitable for promotion after screening by a Committee under the provisions of the All India Services Act, 1951 (61 of 1951); Provided that the panel of officers from the rank of Additional Director General of Police shall not exceed double the number of vacant posts to be filled in the rank of Director General and Inspector General of Police in the State.

4. The Director General and Inspector General of Police so selected and appointed shall ordinarily have a minimum tenure of two years irrespective of his date of superannuation, subject to the relevant provisions under the All India Services Act, 1951 (61 of 1951), and the rules made there under.

5. The Director General and Inspector General of Police may be removed from his post before the expiry of his tenure by the State Government by an order in writing specifying the reasons thereof, consequent upon the—
   a) conviction by a Court of Law in a criminal offence or where charges have been framed by a Court in a case involving corruption or moral turpitude; or punishment of dismissal, removal or compulsory retirement from service or of reduction to a lower post; or
   b) suspension from service; or
   c) incapability to discharge his functions as the Director General and Inspector General of Police due to physical or mental illness; or
   d) Misuse or abuse of powers vested in him or for gross inefficiency and negligence or failure to provide leadership to the police force.

According to Section 5B of Bombay Police Act, 1951:9 the tenure of office of key police functionaries

1. The Police officer on operational duties in the field viz. Inspector General of Police in a range, Deputy Inspector General of Police, Commissioner of Police, Deputy Commissioner of Police, Assistant Commissioner of Police, Superintendent of Police, Sub-Divisional Police Officer and a police officer posted as an Officer-in-charge of the Police Station shall ordinarily have a minimum tenure of two years on such post.

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9 THE BOMBAY POLICE (GUJARAT AMENDMENT) BILL, 2007. GUJARAT BILL NO. 31 OF 2007 A BILL, Section 5B of the Bombay Police Act, 1951
8 Any Police officer referred to in sub-section (1) may be removed or, as the case may be, transferred from his post before the expiry of the tenure of two years consequent upon the—

a) Conviction by a court of law, or
b) Punishment of dismissal, removal, compulsory retirement from service or of reduction to a lower rank; or
c) Charges having been framed by a court of law in a criminal offence, or
d) Suspension from service; or
e) Incapability to discharge his functions and duties due to physical or mental illness; or
f) Misuse or abuse of powers vested in him; or
g) Gross inefficiency and negligence where a prima facie case of a serious nature has been established after a preliminary enquiry; or
h) Superannuation; or
i) Promotion to a higher post; or
j) On his own request…)

According to Section 6 of Bombay Police Act, 1951 the appointment of INSPECTOR-GENERAL, ADDITIONAL AND DEPUTY INSPECTOR GENERAL—

1. For the direction and supervision of the Police Force, the State Government shall appoint an Inspector-General of Police who shall exercise such powers and perform such functions and duties and shall have such responsibilities and such authority as may be provided by or under this Act, or orders made by the State Government.

2. a) The State Government may appoint an Additional Inspector General, and one or more Deputy Inspector General of Police.
b) The State Government may direct that any of the powers, functions, duties and responsibilities and the authority of the Inspector General may be exercised, performed or discharged, as the case may be, by an Additional Inspector General or a Deputy Inspector General.
c) The State Government may also by a general or special order direct that the Additional Inspector General or Deputy Inspector General shall assist and aid the Inspector General in the performance, exercise and discharge of his powers, functions, duties, responsibilities and
authority in such manner and to such extent as may be specified in the order.

3.1.3 STATE, COMMISSIONERATE, RANGES AND DISTRICTS

The control and administration of the Police Force in the entire State is vested in the Inspector General of Police, (Director General of Police) who is assisted by one or more Assistant Inspectors-General of Police (Additional Director General of Police). For the purpose of Police Administration, the State is geographically divided into the Commissionerate of Ahmedabad, Rajkot, Baroda and Surat as Police Commissioner area and Seven Ranges, consisting of the Districts as below:- There is a Superintendent of Police in every district and the police force of the said district is under his control. Moreover there are 7 Ranges in the State and 4 Police Commissioners’ areas as under : -

According to Section-7 of Bombay Police Act, 1951, the appointment of COMMISSIONER OF POLICE IS AS UNDER\(^\text{10}\).

The State Government may appoint a Police Officer to be the Commissioner of Police for any area specified in a notification issued by the State Government in this behalf and published in the Official Gazette.

The State Government may also appoint an Additional Commissioners of Police for the areas specified in clause (a).

The Commissioner shall exercise such powers, perform such functions and duties and shall have such responsibilities and authority as are provided by or under this Act or as may otherwise be directed by the State Government by a general or special order.

Provided that the State Government may direct that any of the powers, functions and duties, responsibilities or authority exercisable or to be performed or discharged by the Commissioner shall be exercised, performed or discharged subject to the control of the Inspector General:

Provided further that the area for which a Commissioner has been appointed under this section shall not, unless otherwise provided by or under this Act, be under the charge of the District Magistrate or the District Superintendent for any of the purposes of this Act, notwithstanding the fact that such area forms part of a district.

\(^{10}\) Bombay Police Act, 1951 Section-7
within the territorial jurisdiction for which a District Magistrate or, a District Superintendent may have been appointed.\textsuperscript{11}

**Police Commissioners’ area:** Ahmedabad, Baroda, Surat, Rajkot.

**Ahmedabad Range:**
Covers Ahmedabad Rural District, Kheda (Nadiad) District and Anand District.

**Gandhinagar Range:**
Covers Sabarkantha District, Mehsana District and Gandhinagar District.

**Baroda Range:**
Covers Bharuch District, Narmada District, Dahod District, Panchmahal District, Baroda Rural District.

**Rajkot Range:**
Covers Rajkot Rural District, Jamnagar District, Surendranagar District.

**Junagadh Range:**
Covers Junagadh District, Amreli District, Bhavnagar District, Porbandar District.

**Surat Range:**
Covers Surat Rural District, Valsad District, Navsari District, Ahva-Dang District, Tapi District.

**Border Range:** Covers Banaskantha District, Patan District, Kutch-1 Bhuj District and Kutch-2 Gandhidham district.

According to Bombay police act these are different ranges but today there are some other district added by Government of Gujarat like:\textsuperscript{12}

- Arravali-Modasa
- Mahisagar-Lunavada
- Chhotaudeypur-Chhotaudeypur
- Botad-Botad
- Morabi-Morabi
- Devbhumidwarka–Dwarka
- Gir Somnath-Veraval

\textsuperscript{11} Bombay Police Act, 1951
\textsuperscript{12} Announcement by Government of Gujarat, 2013
3.1.4 SEPERATION OF INVESTIGATING WING AND LAW AND ORDER WING

There is a special provision Inserted by the Bombay Police (Gujarat Amendment) Act, 2007 (Guj.23 of 2007) dated 30th July 2007 in the Bombay Police Act, 1951 which reads as under:\(^\text{13}\).

1. The State Government may, having regard to the population in an area or the circumstances prevailing in such area, by an order, separate the investigating police from the law and order police wing in such area to ensure the speedier investigation, better expertise and improved rapport with the people.

2. Such investigating police wing shall investigate the serious crimes such as offence punishable under Chapter XII, XVI, XVII of the Indian Penal Code, Offences of Terrorist Activities, Cyber Offences, Inters as of 1860 (45 of 1860). State Offences and such other offences as the State Government may, by an order, direct.

3. The Director General and Inspector General of Police or an officer authorized by him shall co-ordinate between the Law and Order Police wing and the Investigating Police wing.

According to Section-8 of Bombay Police Act, 1951 appointment of District Additional, Assistant and Deputy Superintendents.

1. The State Government may appoint for each District or for a part of a District or for one or more districts a Superintendent and one or more Additional, Assistant and Deputy Superintendents of Police, as it may think expedient.

2. The State Government may, by a general or special order, empower an Additional Superintendent to exercise and perform in the district for which he is appointed or in any part thereof, all or any of the powers, functions or duties to be exercised or performed by a District Superintendent under this Act or under any law for the time being in force.

3. The District Superintendent may, with the previous permission of the State Government delegate any of the powers and functions conferred on him by or under this Act, except the powers to make, alter or rescind rules or orders under section, to an Assistant or Deputy Superintendent.

\(^{13}\) Bombay Police Act, 1951 section 7A
Provided that, the powers, to be exercised by the Superintendent of making, altering or rescinding any rules under Sec. 33 shall not be delegated to an Assistant or Deputy Superintendent.]¹⁴

According to Section 8A¹⁵ of Bombay Police Act 1951 appointment of Superintendents of Wireless System and Motor Transport System or for any specific duty.¹⁶

1. The State Government may appoint for the whole of the [State of Gujarat] or for any part thereof one or more Superintendent of Police as it may think fit—

   a) For the Police Wireless System;
   b) For the Police Motor Transport System; or
   c) For the performance of such specific duties as the State Government may from time to time determine in this behalf and the Superintendent so appointed shall exercise such powers and perform such functions as the State Government may from time to time assign to him.

Provided that, such powers and functions shall be exercised or performed subject to the control of the Inspector General.

According to Section 9 of Bombay Police Act 1951 appointment of Principals of Police Training Schools.¹⁷ The State Government may appoint any Police Officer not below the rank of District Superintendent to be the [Principal of [any] Police Training College, or School] established by the State Government, and may assign to him such powers, functions and duties as it may think fit.

According to Section 10 of Bombay Police Act 1951 State Government shall appoint Deputies and Assistants to Commissioner¹⁸

1. The State Government may appoint one or more Deputy Commissioners and one or more Assistant Commissioners of Police in any area in which a Commissioner has been appointed under clause (a) of section 7.

2. Every such Deputy or Assistant Commissioner shall, under the orders of the Commissioner, exercise and perform any of the powers, functions and duties of the Commissioner to be exercised or performed by him under the provisions of this Act or any other law for the time being in force in accordance with the general or special orders of the State Government made in this behalf.

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¹⁴ Added by Maharashtra Act No. XIII of 1965.
¹⁵ Subs by Maharashtra Act 28 of 1964.
¹⁷ Subs by Maharashtra Act 28 of 1964.
¹⁸ Omitted by Mah Act 46 of 1962, Sec 3 and Sch
Provided that the powers to be exercised by the commissioners [of making, altering or rescinding rules under section 33] shall not be exercisable by a Deputy or Assistant Commissioner.

According to Section 11 of Bombay Police Act, 1951 the State Government shall appoint Superintendents within Jurisdiction of Commissioners.¹⁹

1. The State Government may appoint [for any area for which a Commissioner of Police has been appointed under section 7] such number of Superintendents of Police as it may think expedient.²⁰

2. A Superintendent appointed under sub-section (1) shall exercise such powers and perform such duties and functions as can be exercised or performed under the provisions of this Act or any other law for the time being in force or as are assigned to him by the Commissioner under the general or special orders of the State Government.

Provided that the powers to be exercised by the Commissioner [of making, altering or rescinding rules under section 33] shall not be exercisable by the Superintendent.

According to Section 12 of Bombay Police Act, 1951 the Constitution of Divisions and sections is as under:-

1. Subject to the control of the State Government, the Commissioner [for any area] shall, if he thinks fit—²¹
   a) Constitute [within the area under his charge] Police divisions.
   b) Sub-divide the same into sections, and
   c) Define the limits and extent of such divisions and sections.

2. Officers in charge of divisions and sections:—Each such division shall be in charge of a Superintendent of Police and each section shall be in charge of an Inspector of Police.

According to Section 12A of Bombay Police Act 1951 the appointment of INSPECTORS:—²²Subject to the general or special orders of the State Government the Commissioner for the area for which he is appointed and the Inspector-General for other areas shall appoint Inspectors.

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¹⁹ The words were substituted for the words “for Greater Bombay” by Bom Act 56 of 1959, Sec 3, Schedule.
²⁰ Subs by Mah Act 46 of 1962, Sec 3 and Sch.
²¹ These words were substituted for the words “for Greater Bombay” by Bom 56 of 1959, Sec 3, Schedule.
²² Section 12-A was inserted by Bom 28 of 1954, Sec 2.
According to **Section 14 of Bombay Police Act 1951** the Certificate of appointment shall be provided as under.\(^{23,24,25}\)

1. Every Police Officer [of the grade of Inspector or below], shall on appointment receive a certificate in form provided in Schedule II. The certificate shall be issued under the seal of such officer as the State Government may by general or special order direct.

2. A certificate of appointment shall become null and void whenever the person named therein ceases to belong to the Police Force or shall remain inoperative during the period within which such person is suspended from such force.

According to **Section 20** of the Bombay Police Act 1951 the Power of Inspector-General and Commissioner to investigate and regulate matter of Police accounts are as follows.—The Inspector-General, throughout the [State] and the Commissioner in the area for which he is appointed, shall, subject to the orders of the State Government, have authority to investigate and regulate all matters of accounts connected with the Police in the [State] or in the area, as the case may be, and all persons concerned shall be bound to give him reasonable aid and facilities in conducting such investigations and to conform to his orders consequent thereto.

According to **Section 22A of Bombay Police Act 1951** the provision of Appointment of Railway Police is as under:-

1. The State Government may, by notification in the Official Gazette create one or more special police district embracing such railway areas in the State as it may specify, and appoint a Superintendent of Police and such other Police officers for each such special district as it may think fit.

2. Subject to the control of the Inspector-General, such police officers shall discharge police functions connected with the administration of railways situated within their respective charges, and such other functions as the State Government may from time to time assign to them.

3. Any member of the said Police Force whom the State Government shall generally or specially empower to act under this sub-section may, subject to any orders which that Government may make in this behalf, exercise within the special district or any part thereof any of the powers of an officer in charge.

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23 Section 14 Bombay Police Act.
24 These words were substituted for the words “below the grade of Inspector” by Bom 28 of 1954, Sec. 3.
25 The words “of and” were deleted by Bom 20 of 1953, Sec 3.
of a police station in that district, and when so exercising such powers shall, subject to any such order as aforesaid, be deemed to be an officer in charge of the police station discharging the functions of such officer within the limits of his station.

Subject to any general or special orders which the State Government may make in this behalf, such police officers shall, in the discharge of their functions, be vested within every part of the State with the powers and privileges and be subject to the liabilities of police officers under this Act or any other law for the time being in force.

3.1.5 REGULATION, CONTROL AND DISCIPLINE OF THE POLICE FORCE:

According to Section 23 of Bombay Police Act 1951 the Framing of rules for administration of the Police are as under: Subject to the orders of the State Government, the Commissioner in the case of the Police Force allocated to areas for which he has been appointed and the Inspector-General in the case of the Police Force allocated to other areas may make rules or orders not inconsistent with this Act or with any other enactment for the time being in force-

a) regulating the inspection of the Police Force by his subordinates;

b) determining the description and quantity of arms, accoutrements, clothing and other necessaries to be furnished to the Police;

c) prescribing the places of residence to members of the Police Force;

d) for institution, management and regulation of any Police Fund for any purpose connected with police administration;

e) regulating, subject to the provisions of section 17, the distribution, movements and location of the Police;

f) assigning duties to Police officers of all ranks and grades, and prescribing

i. the manner in which, and

ii. the conditions subject to which, they shall exercise and perform their respective powers and duties;

g) regulating the collection and communication by the Police of intelligence and information;

h) generally, for the purpose of rendering the Police efficient and preventing abuse or neglect of their duties.
According to Section 24 of Bombay Police Act 1951 the Inspector-General or Commissioner may call for returns.

1. The Inspector-General may, subject to the rules and orders of the State Government, call for such returns, reports and statements on subject connected with the suppression of crime, the maintenance of order and the performance of their duties as his subordinates may be able to furnish to him. The Inspector-General shall communicate to the District Magistrate any general orders issued by him for the purposes aforesaid or in consequence of the information furnished to him, and also any orders which the State Government may direct.

2. The Commissioner may subject as aforesaid with reference to the area under his charge call for such reports, returns and statements as are provided for in subsection

3.1.6 ORGANIZATION OF THE COMMISSIONERATE POLICE FORCE

1. The Commissionerate area is divided into zones and for each zone there is a Deputy Commissioner of Police of the rank of Superintendent of Police or above ranks.

2. Zones are divided into two or more Divisions each in charge of a Superintendent of the rank of Assistant or Deputy Superintendent of Police or above ranks.

3. Each Division consists of two or more Police Stations. An Inspector of Police is ordinarily in charge of a Police Station. Ordinarily each Police Station has a certain number of Sub Inspectors, Unarmed Head Constables and Constables under it for the purpose of carrying out executive as well as ministerial duties.

4. In addition to Zonal Deputy Commissioners of Police, there are functional Deputy Commissioners of Police for Headquarters, Traffic, Special Branches etc. assisted by Superintendents of Police, Inspectors of Police, Sub-Inspectors of Police, Head Constables and Constables.

3.1.7 ORGANIZATIONAL SET UP OF THE DISTRICT POLICE FORCE

1. For each district, there is a Superintendent of Police. He may, wherever necessary, be assisted by one or more Additional Superintendents of Police.

The districts are divided into two or more Sub-divisions each in charge of a

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26 The Gujarat Police Manual 1975, Volume-1 Administration, Chapter-1, Point-3
27 The Gujarat Police Manual 1975, Volume-1 Administration, Chapter-1, Point-4
Sub-Divisional Police Officer of the rank of Assistant or Deputy Superintendent of Police. Every important Sub-Division has, in addition, one or more Circle Police Inspectors attached to it mainly for the purpose of coordination of crime. A District for Police purposes may be a revenue District or a part of it.

2. Each Sub-Division consists of one or more Police Stations. A Sub-Inspector of Police is ordinarily in charge of a Police Station except in certain cases, where an Inspector is placed in charge. Important Police Stations have more than one Sub-Inspector attached to them. Ordinarily each Police Station has a certain number of armed and unarmed Head Constables and Constables under it for the purpose of carrying out both executive and ministerial duties.

3. With a view to placing the Police machinery within easy reach of the public, certain rural Police Stations have one or more Outposts attached to them, each Outpost having ordinarily a Head Constable and the necessary number of Constables stationed at it. The area under District Headquarters, Towns and big rural Police Stations is generally divided into a number of sections popularly known as Chowkies or Gates each with a Head Constable and a certain number of Constables stationed at it in order to facilitate the performance of patrolling and other police duties. These Outposts and chowkies are created by local authority and the officers in charge of these cannot on their own, exercise the power of an officer in charge of a Police Station as defined by the Criminal Procedure Code. In big cities the chowkies are ordinarily manned by Sub-Inspectors.

4. Police Stations are notified by Government as defined in Section 2(s) of Cr PC. The Police Outposts and chowkies are opened with the previous permission of the Inspector General of Police, who is competent to sanction them provided there is no extra expenditure to Government on the creation of the additional strength.

5. The constabulary in each district is divided into two branches—the armed and the unarmed. The main functions of the armed police are, escort, guard and reserve duties whereas the men of the unarmed police after training as policemen, will be required to devote their energies and intelligence to the prevention and detection of crime. As the Armed Branch is also used as reserve to deal with emergency they are usually put through a rigorous training in the use of lathis, tear smoke and fire-arms. It is not intended that the two
branches shall be rigidly divided. To achieve a progressive amalgamation of both the branches, as an experimental measure, certain duties like—

i. Orderlies including officer’s orderlies, court orderlies, Bank orderlies, wireless orderlies, telephone orderlies

ii. Officers in charge of bells of Arms, Tents, and Head Quarters and office pickets.

iii. Supervisors in the District Motor Transport Sections, --- Are placed in the combined list of duties to be performed both by armed and unarmed police.

3.1.8 POLICE HEADQUARTERS

1. In addition to the men at the Police Stations and Outposts, there is at the Headquarters of each district unit a force under the charge of an officer not below the rank of an Inspector or a Deputy Superintendent of Police. This force consists only of armed reserve but also of men for other incidental duties like, escorting of prisoners, treasure, local and other guards. This force is mainly utilized for (a) local duties (b) duties in the district (c) as emergency reserve and (d) as leave and training reserve.

2. The training of recruit constables is undertaken at the Police Training School Baroda. Till the term at the Police Training School commences, the recruit’s are given training at their respective Head Quarters. In addition, those who return after completing the training, receive practical training at the respective Head Quarters. Necessary staff for such training is provided in the Head quarters.

3. In addition, the Head-quarters has a Bell of Arms, and an armourer’s shop run by one or more armed Head Constables and Constables.

4. Clothing and equipment articles are issued from Head Quarters store, which is usually under an unarmed officer. The administrative officer of the Head-Quarters has also the required number of clerks and unarmed Head Constables and Constables as writers, including an armed Head Constable working as Company Orderly to keep records of allotment of daily duties to different members of the Head Quarters force.

5. The Mess and Canteen is run at Head Quarters for the benefit of the men, and is under the control of a Manager

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6. In order to provide recreation to men a Recreation Centre with indoor games, library, etc. is provided at the Head Quarters.

7. For the welfare of the men and their families, there is a Welfare Centre also at the Police Head Quarters where several welfare activities like sewing and embroidery classes, children’s park, BAL Mandir, flour mill, health centre, family planning centre etc., are carried on.

8. A hospital or a dispensary is also maintained for treatment of the sick policemen and their families in some places.

9. The Head Quarters is the reserve centre of the District and whenever any reinforcements are needed, they are supplied from the Head Quarters. To this end, all the men at the Head Quarters are given both outdoor and indoor training every day, whenever they are not on duty.

3.1.9 EMERGENCY COMPANY

1. At each Head Quarters a body of men set apart as reserve will be known as “The Emergency Company”. The men of the company will be armed with 303 magazine rifles. The object aimed at is to have in each district a picked body of well armed and reliable shots available primarily for special work of a hazardous nature. This company should be tough hardened and physically strong striking force capable of withstanding hardships and shall be composed of the best shots; if possible all the members should be Marksmen.

2. The Superintendent of Police concerned should personally select the members of the company for their tough physique smart appearance, cleanliness, intelligence, steadiness courage, reliability and see that normally they are not above 35 years of age.

3. The men of the Emergency Company will undergo exhaustive training at the Head-quarters in musketry, bayonet fighting assault course anti-dacoit operation fields training and field craft including correct methods of house fighting, fighting in streets and crowded places I big cities in addition to other items such as physical training and the use of lathi and baton. They will also undergo special courses in field craft judo and such other items which may be specified from time to time. Superintendents of Police should take personal interest in the training of these men. In order to instill confidence in the men the senior officers and all other officers who are to deal with mobs should not

29 The Gujarat Police Manual 1975, Volume-1 Administration, Chapter-1, Point-6
only go through this training themselves but should be able to lead their men.

4. The Company should be able to assemble within a few hours’ notice and should be able to move off immediately. The Company should be trained to work in conjunction with Tear Gas Squads wherever they exist and one of the exercises which the Inspector General would like to see when he visits Districts is the ability of the Emergency Company to break up mobs by its own action and in collaboration with Tear Smoke Squads.

5. Men, while in this Company, are not to be transferred from Head Quarters, but will perform all the ordinary duties performed by the rest of the Head quarters armed police when they are not under a course of training.

6. They may be sent out of Head Quarters on escort duty, provided by so doing their number present at the Head Quarters is not reduced to less than half the Company and that during periods of emergency no member is so sent out. Ordinarily members of the Company should not be given escort duty which will keep them away from Head Quarters more than a week at a time.

7. In order to keep the Company as its maximum efficiency, the Superintendent of Police should review them regularly and replace persons who fail to reach the prescribed standards. Those who are not up to the mark in their efficiency or fail to reach the prescribed standards. Those who are not up to the mark in their efficiency or fail in any manner to come up to the standard set by the Superintendent for the Emergency Reserve should be removed from it and replaced by others who are more suitable. It is by constant weeding out that this force can be kept at a high pitch of efficiency.

8. The men of the Emergency Company should be treated in the same manner as the remainder of the force, except in the matter of non-liability to transfer from Head quarters and of Musketry practices which should be arranged as per rule.

3.1.10 EMERGENCY RESERVE FORCE OF THE POLICE WIRELESS GRID

1. During emergency, it may be necessary to have more wireless operators to keep the wireless station open for 24 hours a day. The emergency reserve force of police wireless operators is therefore necessary. Suitable Police Constables and Head Constables drawn from the existing strength of the districts are therefore trained in wireless telegraphy and maintained as reserve to be called on duty during such emergency.

30 The Gujarat Police Manual 1975, Volume-1 Administration, Chapter-1, Point-7
3.1.11 **EMERGENCY RESERVE FORCE OF THE POLICE MOTOR TRANSPORT** \(^{31}\)

Emergency drivers will be recruited from constables who have driving licenses and are willing to work in the Motor Transport Section. These persons will be trained in driving police motor vehicles and they will be brought on the list of emergency drivers from the date they get heavy motor driving license. In case, there are no sufficient men with driving licenses coming forward, recruitment may be done by calling for suitable candidates from the Employment Exchange. Those who have already got heavy duty vehicle licensee will rank higher in seniority than those having motor car or motor cab driving license, which in turn will rank higher than those having no license. The senior-most from the emergency drivers will be allotted as full drivers in case there is a vacancy in the sanctioned strength of drivers. The men so selected as emergency drivers will be kept on the waiting list at the Headquarters and utilized during emergency or when regular drivers go on leave or when a vacancy occurs, according to their seniority.

3.1.12 **POLICE BAND** \(^{32}\)

1. With a view to providing appropriate music for police parades on ceremonial occasions and also to provide buglers to give orders to the men by means of bugle calls, a Police Band is maintained at the Police Head-quarters. Its strength ordinarily consists of one armed Head Constable (Band Master) and fourteen armed Constables (Band Men) the numbers being increased to sixteen, if tenor drums are used.

2. In Ahmedabad City, the Band Master is of the rank of Police Sub-Inspector.

3. Detailed rules regarding the maintenance of Police Bands are framed.

3.1.13 **CRIME BRANCH IN THE COMMISSIONERATE** \(^{33}\)

The Crime Branch in the Commissionerate is normally under the charge of a Deputy Commissioner of Police who is assisted by one or more Superintendents of Police.
Police. It has two sections, viz. (1) Detection of Crime Branch and (2) Prevention of Crime Branch. Each of these branches is under a Deputy Supdt. Of Police who is assisted by the required number of Inspectors and Sub-Inspectors, Head Constables and Constables. The Detection of Crime Branch has sub-branches like (i) General Branch, (ii) Modus Operandi Bureau, (iii) Vigilance Branch, (iv) Anti-prohibition and Gambling Squad, (v) Photographic Bureau (vi) Anti-black-marketing (in cinema tickets) squad, (vii) Anti-violence squad, etc. The vigilance branch does the work of ‘Juvenile Aid Police Unit’ under a woman Sub-Inspector assisted by required number of women Head Constables and Constables. Prevention of Crime Branch mainly attends to extortion cases, detention cases and other matters regarding prevention of crime.

3.1.14 COMMISSIONERATE CRIMINAL INVESTIGATION DEPARTMENT

1. In the Commissionerate, the Criminal Investigation Department (Special Branch) consists of Special Branches (I) and (II) and also Special Emergency Branch each under a Superintendent of Police. A Deputy Commissioner of Police is in charge of all these branches.

2. It is the primary duty of the Special Branch to collect intelligence of various communal, political and labour activities and to see that the situation arising out of the information is worked out with the help of Sectional Police whenever necessary. Any sudden or unforeseen communal, political developments or labour trouble are to be reported by the Sectional Police to the Special Branch for pursuing the matter further. The purpose is to take suitable measures to maintain law and order and to prevent disorder.

2. The Special Branch is working more or less on the same basis as the State Criminal Investigation Department (Intelligence). Its main work is to collect intelligence which may have a bearing on law and order situation; it looks after all affairs concerning communal matters, activities of all political parties, students, labored. It also maintains records of all such activities. The security of V.I.Ps., vital installations and of the country in general is also the duty of this branch. In addition, the branch deals with movements and activities of foreigners and other subversive elements.

34 The Gujarat Police Manual 1975, Volume-1 Administration, Chapter-1, Point-11.
3.1.15 LOCAL CRIME BRANCH AND LOCAL INTELLIGENCE BRANCH

1. Every District including Western Railway has a Local Crime Branch under the direct control of the Superintendent of Police. The staff ordinarily consists of an Inspector and/or a Sub-Inspector and the necessary number of Unarmed Head Constables and Constables. Its general duties are:-
   a. To take up investigations of important cases requiring sustained attention and effort,
   b. To guide and assist the Police Stations in the investigation of complicated cases,
   c. To investigate cases wherein gangs are involved or the activities of the Criminal extend over more than one Police-Station, and
   d. To collect, collate and examine information regarding Crimes and Criminals in the district, and in the neighboring Districts with a view to locate any special upsurge of Crime in any area.

   Note: The Detective Branch of the Railways will henceforth be known as Local Crime Branch.

2. Similarly there is a Local Intelligence Branch consisting generally of an Inspector and/or a Sub-Inspector with the necessary number of subordinate police. They collect intelligence and make enquiries about communal, political and other similar matters in the districts.

3.1.16 WOMEN POLICE

There is a Women’s branch of the Police consisting of necessary staff in the Commissionerate and in some districts. Its main functions are to help in the recovery of abducted women, to attend to the convenience and complaints of female passengers at important railway stations, to apprehend, search and guard female offenders, to help in the implementation of the Juvenile Justice Act and Suppression of Immoral Traffic in Women and Girls Act, to keep vigilance at places of worship or entertainments. They can be used on other duties for which they have an aptitude or are capable of performing efficiently. They can also be of help in the investigation of cases where women are involved.

35 The Gujarat Police Manual 1975, Volume-1 Administration, Chapter-1, Point-12
36 The Gujarat Police Manual 1975, Volume-1 Administration, Chapter-1, Point-13
3.1.17 PROSECUTING STAFF

1. For prosecuting cases in Magistrates’ courts, there is, both in the commissionerate and the districts, a certain number of Assistant Public Prosecutors. They attend to all the Courts and conduct cases. They also study the papers of the cases sent to them and point out the investigating officer, any evidence which could have been collected but has been omitted. Where he finds that no evidence has been collected on any ingredient constituting an offence, he may draw the attention of the Commissioner of Police/ Superintendent of Police or the Deputy Commissioner of Police/Sub-Divisional Police Officer to this defect.

2. As section of the Criminal Procedure Code is limited in its operation to enquiries and trials held by Magistrates and as it does not apply to security proceedings, Head Constables may be appointed as Prosecuting Jamadars in order to deal with Chapter cases under section 107 Cr PC for which a Prosecutor may not be available.

Note: Since 1973 the Assistant Public Prosecutors are appointed by Gujarat Public Service Commission and they are performing their duties under the control of Gujarat State Legal Department.

3.1.18 CRIMINAL INVESTIGATION DEPARTMENT (INTELLIGENCE)

The Criminal Investigation Department (Intelligence) of the State is controlled by a Deputy Inspector General of Police, (now it is controlled by Additional Director General of Police) who is assisted by one or more assistants of the D.I.G. and Superintendent of Police and a staff consisting of necessary numbers of Deputy Superintendent of Police, Inspectors, Sub-Inspectors, Head Constables and Constables in the head office. There are 4 Criminal Investigation Department (Intelligence) Units, at Ahmedabad, Baroda, Rajkot and Bhuj, each under a Deputy Superintendent of Police with required subordinate staff attached to it. There are Criminal Investigation Department (Intelligence) centers in each district under a Police Inspector and/or a Police Sub-Inspector stationed at the District Head Quarters and also other important places in the District. The main work of the Branch is to collect intelligence which may have a bearing on the law and order situation in the State and in the country. In addition, the branch also deal with the movements and activities of foreigners and other subversive elements. The security of the V.I.Ps. Vital installations and of the
country in general is included in the duties of this Branch.

3.1.19 CRIMINAL INVESTIGATION DEPARTMENT (CRIME) 39

1. The Criminal Investigation Department (Crime) of the State, commonly known as State C.I.D.(Crime), is controlled by an Additional Director General of Police who is assisted by one or more assistants of the rank of Deputy Inspector General of Police and Superintendent of Police and a staff consisting of the necessary number of Deputy Superintendents of Police, Inspectors, Sub-Inspectors and Head-Constables in the head office. Complicated and important cases, as also those having inter-State or inter-district ramifications and cases entrusted to this Branch under the orders of the Inspector-General (Director General) of Police or the State Government are taken up by this branch for investigation. There are two Criminal Investigation Department (Crime) Units, one for each of the two ranges, viz. Baroda and Rajkot, under the control of a Superintendent of Police with the required subordinate staff attached to it. A Police Research Centre is also functioning at the head officer under a Superintendent of Police with the required number of Deputy Superintendent of Police, Police Inspectors, Sub-Inspectors and Head Constables, to undertake study, analysis and research with regard to the incidence of crime in particular areas of the State.

2. The Finger Print Bureau is a wing of the Criminal Investigation Department and is controlled by the Deputy Inspector General of Police, Criminal Investigation Department (Crime). The Director, Finger Print Bureau is in charge of the Bureau and he has under him a Director, Group II, Experts and Searchers. (for fuller details vide Finger Print Bureau Manual).

The Handwriting and Photographic Bureau functions under the administrative control of the Deputy Inspector General of Police, Criminal Investigation Department (Crime). The Bureau is in charge of the Chief State Examiner of Questioned Documents. This Bureau gives expert opinion to the police on questioned documents and attends to identification of handwriting and all photographic requirements pertaining to finger prints, chance prints, scenes of accidents, house-breakings and theft cases, unknown dead bodies, etc. They also supply photos of externees and criminals for the purpose of identifying them and watching their movements whenever necessary.

39 The Gujarat Police Manual 1975, Volume-1 Administration, Chapter-1, Point-16
3. A Forensic Science Laboratory functions under the administrative control of the Home Department to assist the Police in dealing with crime on systematic and scientific basis. The laboratory is in charge of a Director, assisted by other subordinate staff.

4. The railway police under the Superintendent of Police, Western Railway, Baroda and the State Traffic Branch under a Superintendent of Police with its Headquarters at Ahmedabad are also under the control and supervision of the Additional Director General of Police.

3.1.20 ANTI-CORRUPTION BUREAU

1. With a view to eradicate the evil of corruption and bribery amongst Public Servants, there is an Anti-Corruption Bureau, under the control of the Director, Anti-Corruption Bureau. The Director, Anti-Corruption Bureau has been designated as Additional Director General of Police and Director Anti-Corruption Bureau. The Additional Director General of Police and Director is a Head of Department under the administrative control and direct supervision of the Home Department. The Additional Director General of Police and Director is assisted in his work by one or more Joint Directors (of the rank of Special Inspector General of Police) and Assistant Directors (of the rank of Superintendent of Police), Deputy Superintendent of Police, Police Inspectors and Police sub-inspectors, etc.

2. In every District, at least one Inspector of Police of this Bureau is stationed. In certain Districts there are one or more Police Sub Inspectors to assist the Police Inspector. Units offices are working under an Assistant Director (of the rank of Deputy Superintendent of Police), with necessary staff under him.

3. Officers (designated as Assistant Directors) from other departments like Public Works Department and Revenue Department are taken on deputation and attached to the Bureau, to assist and advice the Bureau in matters pertaining to their respective Departments.

3.1.21 STATE RESERVE POLICE FORCE

With a view to providing the Armedforce which may be required at any place in the State to deal with any disturbance or other emergency, the State Reserve Police Force, trained more or less on Military lines and equipped with modern weapons, has

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40 The Gujarat Police Manual 1975, Volume-1 Administration, Chapter-1, Point-17
41 The Gujarat Police Manual 1975, Volume-1 Administration, Chapter-1, Point-18
been organized under the Bombay State Reserve Police Force Act, 1951 and is constituted into Groups and stationed at different centres in the State each Group being under the control of a Commandant of the rank of Superintendent of Police assisted by necessary staff of officers of different ranks. All the Groups of the State Reserve Police Force are under the administrative control of the Additional Director General of Police, Armed Units. The constitution and working of these Groups are given in the State Reserve Police Act, and the rules framed there under, as also circular orders issued from time to time.

3.1.22 POLICE WIRELESS GRID

1. The Gujarat State Police Wireless Organization is functioning under the Superintendent of Police, Wireless, who is assisted in his work by Deputy Superintendents of Police, Police Wireless Inspectors, Police Wireless Sub-Inspectors and other subordinate staff. This Section is controlled by the Deputy Inspector General of Police, Armed Units.

2. The Police Wireless Communication net work consists of H.F. (High Frequency) or V.H.F. (Very High Frequency). It has static or fixed stations or mobile and/or transportable stations.

3. Every district and State Reserve Police Group has a static wireless station at the district or State Reserve Police Headquarters connected with the State Headquarters at Ahmedabad. They are grouped together on different channels with State Headquarters according to load of traffic and administrative convenience. Some districts have also wireless stations at taluka Headquarters and/or other important or strategic places. In addition, some districts have been provided with wireless mobiles.

4. In some important cities like Ahmedabad, Surat, Rajkot, Baroda etc. there are static control stations linked with wireless mobiles, for patrolling mobiles, striking force mobiles, traffic mobiles, supervising officers, mobiles, etc.

5. There is a Central workshop and Stores at Ahmedabad for the upkeep, maintenance and supply of wireless equipments and also to give general technical assistance wherever required in the State. A training centre also exists at Ahmedabad, where training is imparted to the wireless staff and other incumbents.

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42 The Gujarat Police Manual 1975, Volume-1 Administration, Chapter-1, Point-20
3.1.23 POLICE MOTOR TRANSPORT

A Motor Transport Section for the whole State under a Superintendent of Police, Motor Transport is controlled by the Additional Director General of Police, Armed Units. The duties of this Section in general are:

i. To help maintain the Motor Transport fleet and Water Transport in good condition.

ii. To help in condemning vehicles, buy new ones and to adapt the Police Motor Transport to changing conditions.

iii. To carry out the duty of maintenance of vehicles through the Motor Transport workshops at Rajkot and Baroda.

iv. To impart basic and refresher training to mechanics, technical staff and drivers, and

v. Generally to advise the Inspector General on all matters relating to transport.

3.1.24 TRAFFIC CONTROL DEPARTMENT

1. There is a separate Traffic Control Branch in the Commissionerate under the control of a Deputy Commissioner of Police assisted by the requisite number of Police Inspectors, Sub-Inspectors and other subordinate staff. The main functions of this Branch are:

To regulate traffic in general and motor traffic in particular on important roads in the Commissionerate so as to prevent accidents; to study roads; especially the width and designs of footpaths, designs for traffic islands and such engineering problems and to advise the Commissioner of Police on modifications to permit free flow of traffic; to enquire into and give technical advice in cases of motor accidents; to study accidents and suggest suitable measures to prevent them, to inculcate traffic sense in the minds of the members of the public through propaganda and other means; to enforce speed limits and other regulations in force; to enforce the law prohibiting transport of any article from region to region and generally to advise the Commissioner of Police on the existing and likely traffic problems of the city.

2. A similar Traffic Branch consisting of a Deputy Superintendent of Police and necessary subordinate staff, equipped with motor vehicles to facilitate quick...
movement in functioning under the direct control of the Additional Director General of Police C.I.D. (Crime and Railways) to cover the mofussil area and to perform similar functions with respect to the whole State and to advise the Director General of Police suitably.

3.1.25 OFFICE STAFF

1. The ministerial staff of the Police Department consists of one combined cadre.

2. The staff in the office of the Inspector General of Police & Director General of Police ordinarily consists of one or more Deputy Assistants to the Inspector General of Police, one or more Office Superintendents, and necessary number of Head Clerks, Clerks, Stenographers and typists.

3. The staff in the office of the Commissioner of Police consists of one or more Office Superintendents, Head Clerks, Clerks, Stenographers and Typists.

4. a) The staff in the office of the Deputy Inspector General of Police consists of an Office Superintendent, and/or a Head Clerk, Stenographer and the requisite number of Clerks.

b) To assist in the study of crimes in his charge, the Range Deputy Inspector General of Police has in his office a Police Inspector who is styled as Reader Inspector.

5. a) The ministerial staff of all the office of the Superintendents of Police, the Principals, Police Training Schools and the Commandants, State Reserve Police Force Groups, consists of a Head clerk and necessary number of clerks.

b) An officer of the rank of Police Inspector is appointed as Home Inspector of Police to supervise, among other things, the work of ministerial establishment of the office of the Superintendents of Police in the Districts.

c) To assist in studying the crime position in his charge, the Superintendents of Police and the Sub-Divisional police officers have in their offices a Police Sub-Inspector, who is styled as a “Reader”.

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45 The Gujarat Police Manual 1975, Volume-1 Administration, Chapter-1, Point-23
3.1.26 MOUNTED POLICE

In addition to the armed police, there are Mounted Police Units in some Districts. They are useful for crowd control during unrest, keeping watch over criminals and anti-social elements in areas notorious for such activities and especially for prevention of crop thefts and illegal grazing of standing crops in fields.

3.1.27 DOG SQUAD

In view of the increasing possibilities for the use of police dogs in the detection of crimes; Dog squads have been stationed at Ahmedabad and some Districts, to help in the investigation of various crimes; Separate instructions are issued from time to time regarding the use of these Squads.

3.2 DIRECTION AND CONTROL

3.2.1 POLICE SUB-INSPECTORS, POLICE INSPECTORS, AND CIRCLE POLICE INSPECTORS

The Police Sub-Inspectors, Police Inspectors, Circle Police Inspectors work under the control of Deputy Superintendent of Police and exercises powers and performs duties conferred or imposed upon him as enumerated in Bombay Police Manual Volume III and under the Bombay Police Act, 1951. The Sub-Inspector, or the Inspector of Police is the head of the Police Station, he is the Police Station Officer and The Circle Police Inspector is the supervisory officer of two to three Police Stations controlled by Sub-Inspector of Police.

3.2.2 SUB-DIVISIONAL POLICE OFFICERS

The Assistant or Deputy Superintendent of Police in charge of a Sub-Division works under the Superintendent’s control and exercises powers and performs duties conferred or imposed upon him as enumerated in Bombay Police Manual Volume III and under the Bombay Police Act, 1951.

3.2.3 DISTRICT SUPERINTENDENT OF POLICE

1. Subject to the orders of the Director General of Police and the District Magistrate in their respective spheres of authority, the direction and regulation of the police throughout a district is vested in the Superintendent as the

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46 The Gujarat Police Manual 1975, Volume-1 Administration, Chapter-1, Point-24
47 The Gujarat Police Manual 1975, Volume-1 Administration, Chapter-1, Point-25
48 Bombay Police Manual Volume III and under the Bombay Police Act, 1951
executive head of the force and he has full control over the internal administration of the force under him including arms, drill, exercise, prevention and investigation of crime, prosecution, discipline and other matters of executive detail.

i. An Additional Superintendent of Police is in the same position as the Superintendent of Police in the area for which he is appointed and performs such duties and exercises such powers of the Superintendent as the State Government might have assigned to him.

3.2.4 DISTRICT MAGISTRATE

1. A District Magistrate shall exercise full control over his District Police Force. In exercising his authority as such, the District Magistrate is subject to the rules and orders made by the State Government.

2. In exercising his authority under section 17 of the Bombay Police Act, 1951 in respect of Assistant Public Prosecutors, the District Magistrate may make general orders subject to which in addition to the orders of the Director General of Police, the Superintendent of Police will direct the study by such officers of laws, orders and modes of proceedings; but the District Magistrate shall not make any orders as to the distribution or as to the performance of duties of such officers.

3. If the District Magistrate considers that the Police Force required for a particular occasion is not available in the District, he can communicate with the Director General of Police, who will, as far as possible, comply with the District Magistrate’s requisition. At the same time the District Magistrate will avoid, as far as possible, interference in matters of personal relations among members of the force and of disciplinary details.

4. Superintendents of Police should inform the Director General immediately when they send men from their Districts to adjoining Districts at the instance of District Magistrates or of Government, in cases where the Director General is not aware of such movements of the police.

5. In order to keep in touch with the state of crime and the maintenance of peace and order in the District, the District Magistrate may call for reports generally or on specific occasions from the Superintendents of Police on various matters connected therewith, such as prevention of disorder, regulation of assemblies.

and places of amusement, the distribution of the Police Force, etc.

i. If the District Magistrate finds that a particular officer is unsuited for a particular duty or locality, it is open to him to ask the Superintendent of Police to substitute another officer in his place. If the officer to be replaced is above the rank of an Inspector, the Director General of Police will, at the instance of the District Magistrate, make such orders as he deems suitable, due weight being given to the views of the District Magistrate.

ii. If the District Magistrate is not satisfied with some matters of police administration in his District he should first move the Director General of Police in the matter, endorsing a copy of the reference to Government, if considered necessary, by him. In case he considers the action taken by the Director General is inadequate or unsatisfactory he may then move the Government in the matter.

iii. The maintenance unimpaired of the responsibility of the District Magistrate for the peace and good order of his charge is of the utmost importance. All questions of policy and of the administration of the law within the District are for his decision, and his orders should as a rule, be accepted unhesitatingly. Should a Superintendent of Police demur to any order of the District Magistrate of which reconsideration has been refused, and should he consider the matter of sufficient importance to justify his action, the only course open to him is to address the District Magistrate and formally request him to refer the question to Government, who will decide such cases in consultation with the Director General of Police. When such a request is received by the District Magistrate, he should make a reference through the Director General of Police. In the meantime the orders of the District Magistrate must be promptly and fully carried out unless and until they are revised by Government. The District Magistrate shall not, however, interfere in questions of recruitment, internal economy and organization nor with the administrative, disciplinary or other details of the Force. The District Magistrate when exercising his power of control shall also abstain from any action likely to weaken the authority of the Superintendent of Police or to deprive him of responsibility. For this purpose he shall avoid, as far as possible the issue of executive orders to the Police until he has consulted the Superintendent. The Director General will discourage any tendency on the part of his subordinates to approach him
unnecessarily in matters in which the control properly vests in the District Magistrate.

iv. Whenever District Magistrate visit Divisional Head-Quarters for Coordination Meeting, they should take the opportunity of discussing general problems regarding law and order and crime with the Range Deputy Inspector General of Police. When the matter is of urgency and importance, they should arrange to meet the Deputy Inspector General individually.

3.2.5 DEPUTY INSPECTOR GENERAL OF POLICE\textsuperscript{52}

1. The Deputy Inspector General of Police will perform such of the duties of the Inspector General of Police and will exercise such control as may from time to time be delegated to him either by Government or by the Director General of Police in respect of such powers as it may be within the latter’s competence to delegate.

2. The administration by the Superintendent which comes within the sphere of the Director General of Police shall also be subject to the control of the Deputy Inspector General of Police of the range concerned, so far as the latter officer has been empowered to exercise such control in respect of such matters.

3. Whenever neglect or want of system or divergence from orders is observed, the Deputy Inspector General shall point out to the Superintendent of Police the proper method of conducting the duty and the latter, will carry out the instructions given, any difference of opinion being submitted to the Director General of Police subsequently.

4. Deputy Inspector General when inspecting the police administration of a District should make a point of seeing the District Magistrate.

5. A Deputy Inspector General may not issue any circular orders to, nor may be prescribe any returns or forms to be prepared by Superintendents of Police of the Districts in his range without the previous sanction of the Director General of Police.

3.2.6 INSPECTOR GENERAL OF POLICE \textsuperscript{53}

The Inspector General of Police will perform such of the duties of the Deputy Inspector General of Police and will exercise such control as may from time to time

\textsuperscript{52} The Gujarat Police Manual 1975, Volume-I, Section -II Direction and control, Chapter-II, Point-29

\textsuperscript{53} The Gujarat Police Manual 1975, Volume-I, Section -II Direction and control, Chapter-II, Point-31
be delegated to him either by Government or by the Director General of Police in respect of such powers as it may be within the latter’s competence to delegate. This post is created in Gujarat Police department for promotion purpose to Deputy Inspector General of Police. The duties of the I.G. is same as the duties of D.I.G.

3.2.7 COMMISSIONER OF POLICE (C.P., D.C.P., A.C.P.)

The Commissioner of Police, subject to the orders of the Director General of Police, shall, within his sphere of authority direct and regulate all matters of arms, drill, exercise, observation of persons and events, mutual relations distribution of duties, study of law, orders of modes of proceedings and all matters of executive detail or the fulfillment of their duties by Police Force under him.

3.2.8 DIRECTOR GENERAL OF POLICE

The Director General of Police is the Head of all the Police Force in the State. He is the Head of the Police Department and the Adviser to Government on all questions of Police Administration. He is responsible for the internal economy, general training and discipline of the Police Force, and for its efficient organization as a means of preventing and checking crime and preserving law and order.

1. All orders of Government in connection with the Police Force should, as a general rule, be issued through the Director General of Police. In any case where it may be necessary for Government to issue special orders to any part of the force, these also, as a general rule, should issue through the Director General of Police a copy of the same being sent to the District Magistrate concerned, when necessary. This sub-rule does not apply to general orders which are communicated simultaneously to all officers concerned.

2. The general orders which the Director General of Police is empowered to make under Section 23 of the Bombay Police Act, 1951, need not in all cases be submitted to Government for approval. But the Government expect the Director General of Police to submit for their previous approval any general orders involving radical and important changes which the Director General of Police may propose to issue under that section; otherwise all orders on matters of routine or of an unimportant nature may be issued by the Director General of Police without reference to Government.

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55 Bombay Police Act, 1951
3. The Director General of Police has control over the Superintendent of Police in respect of his personal movements and duties subject to the provisions of Section 17 of the Bombay Police Act 1951.

3.2.9 CADRES OF POLICE FORCE

The Government of India, Ministry of Personnel, Public Grievance and Pensions, Department of Personnel & Training, New Delhi, published their NOTIFICATION No. 11052/04/2010-AIS-II-A on 30th March 2010 as under:

Prior to this notification the CADRE POSTS in Gujarat State Police Department were 85 only. After this notification the Senior Posts under the Gujarat Government extended to 107 which are as under:

GUJARAT

1. Senior Posts under the State Government 107
   1. Director General of Police, Gujarat 1
   2. Director General, Civil Defence & Home Guards 1
   3. Commissioner of Police, Ahmedabad City 1
   4. Addl. Director General of Police, CID, (Crime and Railways) 1
   5. Addl. Director General of Police, Intelligence 1
   6. Addl. Director General of Police (Law & Order) 1
   7. Addl. Director General of Police, Armed Police (Armed unit) 1
   8. Addl. Director General of Police, Administration 1
   9. Commissioner of Police, Surat City 1
  10. Commissioner of Police, Vadodara City 1
  11. Addl. Director General of Police & Director, State Police Academy, Karai, Gandhinagar 1
  12. Commissioner of Police, Rajkot City 1
  13. Joint Commissioner of Police (Crime), Ahmedabad City 1
  14. Inspector General of Police, Ahmedabad Range 1
  15. Inspector General of Police, Vadodara Range 1
  16. Inspector General of Police, Rajkot Range 1
  17. Inspector General of Police, Gandhinagar Range 1
  18. Inspector General of Police, Junagadh Range 1
  19. Inspector General of Police, Surat Range 1
  20. Inspector General of Police, Border Range, Bhuj 1

56 Government of India, Ministry of Personnel, Public Grievance and Pensions, Department of Personnel & Training, New Delhi, published their NOTIFICATION No. 11052/04/2010-AIS-II-A on 30th March 2010
21 Inspector General of Police, CID (IB) 1
22 Inspector General of Police, CID (Crime) 1
23 Inspector General of Police, Operation 1
24 Additional Director, Anti Corruption Bureau 1
25 Joint Director, Police Academy, Karai, Gandhinagar 1
26 Joint Commissioner of Police, Sector-I, Ahmedabad City 1
27 Joint Commissioner of Police, Sector-II, Ahmedabad City 1
28 Joint Commissioner of Police, Headquarters, Ahmedabad City 1
29 Joint Commissioner of Police, Traffic, Ahmedabad 1
30 Joint Commissioner of Police, Sector-I, Surat City 1
31 Joint Commissioner of Police, Sector-II, Surat City 1
32 Inspector General of Police, Railways 1
33 Deputy Inspector General of Police, Law and Order 1
34 Deputy Inspector General of Police, Armed Police 1
35 Deputy Inspector General of Police, Enquires 1
36 Deputy Inspector General of Police, Planning & Modernization 1
37 Deputy Inspector General of Police, CID (Crime) 1
38 Deputy Inspector General of Police, Coastal Security 1
39 Additional Commissioner of Police, Administration, Traffic and Crime, Rajkot City 1
41 Additional Commissioner of Police, Crime and traffic, Vadodara City 1
42 Additional Commissioner of Police, Administration, Ahmedabad City 1
43 Additional Commissioner of Police, Special Branch, Ahmedabad City 1
44 Joint Director, Anti Corruption Bureau 1
45 Principal Police Training School, Vadodara 1
46 Principal Police Training College, Junagadh 1
47 Principal, SRP Training Centre, Junagadh 1
48 Deputy Inspector General of Police, Women Cell, Gandhinagar 1
49 Deputy Inspector General of Police, Intelligence, Gandhinagar 2
50 Deputy Inspector General of Police, Armed Units, Rajkot 1
51 Deputy Inspector General of Police, Armed Units, Vadodara 1
52 Additional Commissioner of Police, Traffic & Crime, Surat City 1
53 Deputy Inspector General of Police, CID (Crime-IV), Gandhinagar 1
54 Superintendent of Police, Ahmedabad Rural 1
55 Superintendent of Police, Kheda 1
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<tr>
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<td>Superintendent of Police, Junagadh</td>
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<td>Superintendent of Police, Surat Rural</td>
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<td>Superintendent of Police, Banaskantha</td>
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<td>Superintendent of Police, Kutch</td>
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<td>Superintendent of Police, Narmada</td>
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<td>Superintendent of Police, Dahod</td>
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<td>Superintendent of Police, Navsari</td>
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<td>Superintendent of Police, Ahwa-Dangs</td>
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<td>Superintendent of Police, Tapi (Vyara) District</td>
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<tr>
<td></td>
<td>Superintendent of Police, CID (Intelligence)</td>
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<td></td>
<td>Superintendent of Police, CID (Crime)</td>
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<td></td>
<td>Superintendent of Police, Western Railway, Vadodara</td>
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<td></td>
<td>Superintendent of Police, Economic Offences Cell</td>
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<tr>
<td></td>
<td>Deputy Commissioner of Police, Zone-I, Ahmedabad City</td>
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<td>Deputy Commissioner of Police, Zone-II, Ahmedabad City</td>
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<td>Deputy Commissioner of Police, Zone-III, Ahmedabad City</td>
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<td>Deputy Commissioner of Police, Zone-IV, Ahmedabad City</td>
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<td>Deputy Commissioner of Police, Zone-V, Ahmedabad City</td>
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<td>Deputy Commissioner of Police, Zone-VI, Ahmedabad City</td>
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<tr>
<td></td>
<td>Deputy Commissioner of Police, Traffic-I, Ahmedabad City</td>
<td>1</td>
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</tbody>
</table>
Deputy Commissioner of Police, Zone-I, Surat City 1
Deputy Commissioner of Police, Zone-II, Surat City 1
Deputy Commissioner of Police, Zone-III, Surat City 1
Deputy Commissioner of Police, Zone-IV, Surat City 1
Deputy Commissioner of Police, Zone-I, Vadodara City 1
Deputy Commissioner of Police, Zone-II, Vadodara City 1
Deputy Commissioner of Police, Headquarter & Administration, Vadodara City 1
Deputy Commissioner of Police, Rajkot City 1
Superintendent of Police, CID (Crime), Gandhinagar 1
Superintendent of Police, Operation, Gandhinagar 1
Deputy Commissioner of Police, Crime, Ahmedabad City 1
Deputy Commissioner of Police, Control Room, Ahmedabad City 1
Superintendent of Police, Vigilance Squad, DGP Office, Gandhinagar 1
Superintendent of Police, Intelligence, Gandhinagar 1
Superintendent of Police, Intelligence, Vadodara 1
Superintendent of Police, Intelligence, Surat 1
Superintendent of Police, CM & VIP Security, Gandhinagar 1

1. Senior Duty Posts under the State Government 107
2. Central Deputation Reserve not exceeding 40% of Item 1 above 42
3. State Deputation Reserve not exceeding 25% of Item 1 above 26
4. Training Reserve not exceeding 3.5% of Item 1 above 03
5. Leave Reserve and Junior Posts Reserve not exceeding 16.5% of Item 1 above. 17
6. Post to be filled by promotion under Rule 9 of the Indian Police Service (Recruitment) Rules, 1954, not exceeding 33.1/3% of Item 1, 2, 3 and 4 above 59
7. Posts to be filled up by Direct Recruitment (Item 1 + 2 + 3 + 4 + 6 + 5) 136

Total Authorised Strength 195

Note-1 : Prior to this issue of this notification, the Total Authorise Strength of Gujarat Cadre of IPS was 161.

Except above Senior Posts there are posts of A.S.P. and Dy.S.P. in Sub-division, P.I. or P.S.I. in Police Station, and Constables and Head Constables in Police Force.
### 3.2.10 LIST OF IPS OFFICERS IN GUJARAT STATE AS ON 15 APRIL 2014

<table>
<thead>
<tr>
<th>Post</th>
<th>Officer holding the Post</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>D.G. Rank Post</strong></td>
<td></td>
</tr>
<tr>
<td>1. D.G. &amp; I.G. of Police, Gujarat State, Gandhinagar</td>
<td>Shri P.C. Thakur</td>
</tr>
<tr>
<td>2. Director, Civil Defence HomeMGuards and ex-Officio Commandant General Home Guard., Gujarat State, Ahmedabad</td>
<td>Shri H.P. Singh</td>
</tr>
<tr>
<td>3. Director Anti-Corruption Bureau, Gujarat State, Ahmedabad.</td>
<td>I/C Shri Ashish Bhatia</td>
</tr>
<tr>
<td><strong>Additional D.G. Rank Post</strong></td>
<td></td>
</tr>
<tr>
<td>1. Additional D.G.P., C.I.D.(Crime &amp; Railways ), Gujarat State, Gandhinagar</td>
<td>Shri Pramod Kumar</td>
</tr>
<tr>
<td>4. Commissioner of Police, Surat City</td>
<td>Shri Rakesh Asthana</td>
</tr>
<tr>
<td>5. Commissioner of Police, Ahmedabad City</td>
<td>Shri Shivnand Jha</td>
</tr>
<tr>
<td>7. Managing Director, Gujarat Police Housing Corporation, Gandhinagar</td>
<td>Shri Geetha Johari</td>
</tr>
<tr>
<td>9. Commissioner of Police, Rajkot City</td>
<td>Shri Mohan Jha,</td>
</tr>
<tr>
<td>10. Special Director, A.C.B. G.S. Ahmedabad</td>
<td>Shri Ashish Bhatia,</td>
</tr>
<tr>
<td>11. Addl. D.G.P. (ATS) G.S. Ahmedabad</td>
<td>Shri A.K. Surolia,</td>
</tr>
<tr>
<td><strong>IGP rank post</strong></td>
<td></td>
</tr>
<tr>
<td>1. I.G.P. Rajkot Range, Rajkot</td>
<td>Shri Pravin Sinha</td>
</tr>
<tr>
<td>2. I.G.P. CID, (Crime), Gandhinagar Shri</td>
<td>S.S. Trivedi</td>
</tr>
<tr>
<td>3. Joint Dir., State Police Academy, Karai, Gandhinagar</td>
<td>Shri Atul Karwal</td>
</tr>
<tr>
<td>4. Jt.C.P. Head Quarter Ahmedabad city</td>
<td>Shri S.G. Bhati</td>
</tr>
<tr>
<td>5. IGP, Junagadh Range, Junagadh</td>
<td>Shri E. Radhkrishana</td>
</tr>
<tr>
<td>7. I.G.P. Surat Range, Surat</td>
<td>Shri H.N. Patel</td>
</tr>
<tr>
<td>8. Joint C.P., Sector-I, Ahmedabad</td>
<td>Shri Manoj Agrawal</td>
</tr>
<tr>
<td>No.</td>
<td>Position and Location</td>
</tr>
<tr>
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<tr>
<td>9.</td>
<td>Joint. C.P. Sector-II, Ahmedabad</td>
</tr>
<tr>
<td>10.</td>
<td>Joint C.P., Sector-I, Surat City</td>
</tr>
<tr>
<td>11.</td>
<td>I.G.P. Ahmedabad Range, Ahmedabad</td>
</tr>
<tr>
<td>12.</td>
<td>I.G.P. (Railways), Gandhinagar</td>
</tr>
<tr>
<td>13.</td>
<td>Joint Director, Civil Defence, G.S. Ahmedabad</td>
</tr>
<tr>
<td>14.</td>
<td>Commissioner of Police, Vadodara City</td>
</tr>
<tr>
<td>15.</td>
<td>Principal, Police Training College, Junagadh.</td>
</tr>
<tr>
<td>17.</td>
<td>I.G.P. (Coastal Security), Gandhinagar</td>
</tr>
<tr>
<td>18.</td>
<td>Secretary, Home Department, Sachivalaya, Gandhinagar</td>
</tr>
<tr>
<td>19.</td>
<td>Joint C.P. Special Branch, Ahmedabad City.</td>
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<tr>
<td>20.</td>
<td>I.G.P. (Women Cell), Gandhinagar</td>
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<tr>
<td>21.</td>
<td>Joint C.P. (Traffic &amp; Crime), Surat City</td>
</tr>
<tr>
<td>22.</td>
<td>Additional Director, Anti-Corruption Bureau, Ahmedabad</td>
</tr>
<tr>
<td>24.</td>
<td>I.G.P. (Armed Units), Rajkot</td>
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<tr>
<td>25.</td>
<td>I.G.P CID (Crime), Gandhinagar</td>
</tr>
<tr>
<td>26.</td>
<td>I.G.P (Intelligence), Gandhinagar</td>
</tr>
<tr>
<td>29.</td>
<td>IGP CID (Crime-IV), Gandhinagar Smt.</td>
</tr>
<tr>
<td>30.</td>
<td>I.G.P. Prevention of Atrocities on SC/ST &amp; Weaker Section, Gujarat State, Gandhinagar</td>
</tr>
<tr>
<td>31.</td>
<td>I.G.P. (Armed Units), Gandhinagar</td>
</tr>
<tr>
<td>32.</td>
<td>Executive Director (Vigilance), GSRTC, Ahmedabad</td>
</tr>
</tbody>
</table>

**D.I.G.P. Rank Post**

<table>
<thead>
<tr>
<th>No.</th>
<th>Position and Location</th>
<th>Name</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>D.I.G.P.(law &amp; Order) G.S. Gandhinagar</td>
<td>Shri N.N.Komar</td>
</tr>
<tr>
<td>2.</td>
<td>D.I.G.P (P &amp; M) G.S. Gandhinagar</td>
<td>Shri Brajeshkumar Jha</td>
</tr>
<tr>
<td>3.</td>
<td>DIGP, CID, (Crime) Gandhinagar</td>
<td>Shri R.V. Jotangiya</td>
</tr>
<tr>
<td>4.</td>
<td>DIGP (Coastal Security &amp; Intelligence) G.S.Gandhinagar</td>
<td>Shri S.G.Trivedi</td>
</tr>
<tr>
<td>5.</td>
<td>Addl..C.P (Crime &amp; Traffic) Vadodara City</td>
<td>Shri D.R.Patel</td>
</tr>
<tr>
<td>6.</td>
<td>Principal P.T.S., Vadodara</td>
<td>Shri Khursheed Ahmed</td>
</tr>
<tr>
<td>7.</td>
<td>DIGP (Intelligence-1) Gandhinagar</td>
<td>Shri D.S.Bhatt</td>
</tr>
<tr>
<td>No.</td>
<td>Position Description</td>
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<tr>
<td>8.</td>
<td>DIGP (Intelligence-2) Gandhinagar</td>
<td>Shri Ajay Choudhary</td>
</tr>
<tr>
<td>10.</td>
<td>D.I.G.P. Vadodara Range, Vadodara</td>
<td>Shri AnupamSing Gehlot</td>
</tr>
<tr>
<td>14.</td>
<td>Addl. C.P., Sector-II, Surat City</td>
<td>Shri S.M.Katara</td>
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<tr>
<td>15.</td>
<td>DIG CID, (I.B ), Gandhinagar</td>
<td>Dr. P.K. Roushan</td>
</tr>
<tr>
<td>16.</td>
<td>Addl. C.P., (Traffic)Ahmedabad City,</td>
<td>Shri H.G. Patel,</td>
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<tr>
<td>18.</td>
<td>Deputy Municipal Commissioner,Ahmedabad Municipal Corporation, Ahmedabad City</td>
<td>Shri S.M.Khatri,</td>
</tr>
<tr>
<td>19.</td>
<td>IGP ( Security &amp; CVO. GUVNL, Vadodara</td>
<td>Shri R.J. Savani,</td>
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</table>

**D.S.P. Rank Post**

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<thead>
<tr>
<th>No.</th>
<th>Position Description</th>
<th>Name</th>
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<tr>
<td>1.</td>
<td>S.P. Ahmedabad Rural</td>
<td>Ms. Gagandep Gambir,</td>
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<td>2.</td>
<td>S.P. Kheda</td>
<td>Shri Sachin Badshah,</td>
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<td>3.</td>
<td>S.P. Anand</td>
<td>Shri R.V. Asari,</td>
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<td>4.</td>
<td>S.P.Sabarkantha(Himatnagar)</td>
<td>Shri Chirag Koradia,</td>
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<td>5.</td>
<td>S.P.Mehsana Shri</td>
<td>J.R. Mothalia,</td>
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<td>6.</td>
<td>S.P.Gandhinagar</td>
<td>Shri Sharad Singhal,</td>
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<td>7.</td>
<td>S.P.Patan</td>
<td>Smt. Parikshita Rathod</td>
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<td>S.P.Amreli</td>
<td>Shri Gautam M. Parmar,</td>
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<td>S.P. Bhavnagar</td>
<td>Shri M.P. Singh Pawar</td>
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<td>S.P. Junagadh</td>
<td>Shri Saurabh Tolumbia</td>
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<td>S.P. Porbandar</td>
<td>Shri Deepan Bhadran</td>
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<td>12.</td>
<td>S.P. Jamnagar</td>
<td>Shri Neeraj BadGujar</td>
</tr>
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<td>13.</td>
<td>S.P. Rajkot (Rural)</td>
<td>Shri Vishal Vaghela</td>
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<td>S.P. Surendranagar</td>
<td>Shri D.N. Patel</td>
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<td>S.P. Bharuch</td>
<td>Shri Bipin Shankar Rao</td>
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<td>S.P. Godhara-Panchmahal</td>
<td>Shri Raghvendra Vatsa</td>
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<td>17.</td>
<td>S.P. Vadodara Rural</td>
<td>Shri Sandeep Singh</td>
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<td>18.</td>
<td>S.P. Valsad</td>
<td>Smt. Nipuna Torwane</td>
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<td>19.</td>
<td>S.P. Surat Rural</td>
<td>Shri Pradip B Shejul</td>
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<td>S.P. Banaskantha (Palanpur)</td>
<td>Shri Ashok Yadav</td>
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<td>21</td>
<td>S.P. Kutchh-Bhuj(West)</td>
<td>Ms. Vidhi Chaudhary</td>
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<td>22</td>
<td>S.P. Narmada</td>
<td>Shri P.L. Mal</td>
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<td>M.A.Chavda</td>
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<td>S.P. Ahwa-Dangs</td>
<td>Shri V.V. Chaudhary</td>
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<td>26</td>
<td>S.P. Tapi (Vyara)</td>
<td>Shri G.V. Barot</td>
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<td>27</td>
<td>S.P. (Intelligence), Gujarat State, Gandhinagar</td>
<td>Shri Makrand Chauhan</td>
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<td>28</td>
<td>D.C.P. Zone-I, Ahmedabad City</td>
<td>Shri Virendra Yadav</td>
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<td>D.C.P. Zone-II, Ahmedabad City</td>
<td>Shri Mahendra Bagria</td>
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<td>Shri B.R. Pandor</td>
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<td>Shri A.M. Munia</td>
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<td>Shri P.C. Barada</td>
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<td>34</td>
<td>D.C.P. (Traffic), Ahmedabad City</td>
<td>Shri M.D. Jani</td>
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<td>35</td>
<td>D.C.P. Zone-1, Surat City</td>
<td>Shri M.A.M.H. Anarwala</td>
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<td>Smt. Archana Shivhare</td>
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<td>Shri K.N. Damor</td>
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<td>38</td>
<td>D.C.P. Zone-IV, Surat City</td>
<td>Ms. Shobha P. Bhutada</td>
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<td>D.C.P. Zone I, Vadodara City</td>
<td>Shri A.G. Chauhan</td>
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<td>D.C.P. Zone II, Vadodara City</td>
<td>Shri Dipankar Trivedi</td>
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<td>41</td>
<td>D.C.P. Rajkot City</td>
<td>Shri H.R. Chaudhary</td>
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<td>42</td>
<td>S.P. C.I.D. (Crime), Gandhinagar</td>
<td>Smt. Sujata Mazamudar</td>
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<td>43</td>
<td>D.C.P. (Crime), Ahmedabad City</td>
<td>Shri Himanshu Shukla</td>
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<td>D.C.P. Control Room, Ahmedabad City</td>
<td>Shri M.K. Nayak</td>
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<td>45</td>
<td>S.P. (Int), Vadodara</td>
<td>Shri S.K. Dave</td>
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<td>46</td>
<td>S.P. (Int), Surat</td>
<td>Shri N.D. Solanki</td>
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<td>S.P. (C.M. &amp; VIP Security), Gandhinagar</td>
<td>Shri Premvir Solanki</td>
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<td>48</td>
<td>DCP (Crime) Surat City, Surat</td>
<td>Shri Antri Sood</td>
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<td>D.C.P. Zone VII, Ahmedabad</td>
<td>Shri Nirlipt Sood</td>
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<td>D.C.P. (2) Rajkot City, Rajkot</td>
<td>Smt. Sarah Afzal Rizvi</td>
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<td>51</td>
<td>D.C.P. (Crime), Vadodara</td>
<td>Shri Jaipal Singh Rathore</td>
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<td>52</td>
<td>S.P. M.T. Gandhinagar</td>
<td>Shri D.H. Parmar</td>
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<td>53</td>
<td>S.P.State Crime Record Bureau,Gandhinagar</td>
<td>Dr. S.K.Gadhavi</td>
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<td>54</td>
<td>S.P .( Int.) Gandhinagar</td>
<td>Shri D.B.Vaghela</td>
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<td>55</td>
<td>Supdt. Central Prison, Ahmedabad Shri</td>
<td>R.S.Bhagora</td>
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<td>56</td>
<td>SP, Central Prison , Vadodara</td>
<td>Shri R.F.Sangada</td>
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<td>57</td>
<td>S.P.( Western Railways) Ahmedabad</td>
<td>Shri H.R.Muliana</td>
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<td>58</td>
<td>S.P.( East) Kutchh, Gandhidham</td>
<td>Shri Deepak Meghani</td>
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<td>59</td>
<td>ADC to H.E. the Governor, Rajbhavan, Gandhinagar</td>
<td>Shri Divya Mishra,</td>
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<td>60</td>
<td>Supdtt. Central Jail Surat ( Lajpor)</td>
<td>Shri R.M.Pande</td>
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<td>61</td>
<td>S.P.Aravalli- Modasa</td>
<td>Shri M.J.Chavda</td>
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<td>S.P.Gir Somnath- Veraval</td>
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<td>S.P.Botad-Botad</td>
<td>Shri N.N.Chaudhary</td>
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<td>S.P.Chhotadeipur- Chhotadeipur</td>
<td>Shri R.T.Susara</td>
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<td>65</td>
<td>S.P. Mahisagar- Lunavada</td>
<td>Mrs. Usha Rada</td>
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<td>66</td>
<td>S.P.Morabi-Morabi</td>
<td>Shri R.P.Barot</td>
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<td>67</td>
<td>S.P.Devbhumi Dwarka-Khambhalia</td>
<td>Shri Jagdish A. Patel</td>
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<td>68</td>
<td>Commandant, SRPF Gr.I, Vadodara</td>
<td>Shri S.M.Shaikh</td>
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<td>69</td>
<td>Commandant S.R.P.F Gr.II, Ahmedabad</td>
<td>Shri A.F.Mehta</td>
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<td>70</td>
<td>Commandant, SRPF Gr.III,(Madana )</td>
<td>Mrs.Sudha S.Pandey</td>
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<td>71</td>
<td>Commandant SRPFGr. X, Roopnagar Valia, Bharuch</td>
<td>Shri B.S.Jani</td>
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<td>72</td>
<td>Commandant, SRPF Gr.IX, Vadodara</td>
<td>Shri R.S.Yadav</td>
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<td>73</td>
<td>Commandant , SRPF,Gr. XI, Vav Dist Surat</td>
<td>Shri M.S.Bhabhor</td>
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<td>74</td>
<td>Commandant SRPF Gr. XII, Gandhinagar</td>
<td>Shri B.M.Chauhan</td>
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<td>75</td>
<td>Commandant, SRPF Gr. XIII, Rajkot</td>
<td>Shri M.L.Ninama</td>
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<td>76</td>
<td>Commandant,SRPF ONGC, Mehsana</td>
<td>Shri R.J. Pargi</td>
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<td>77</td>
<td>Commandant,SRPF Mudeti Dist: Sabarkantha</td>
<td>Dr. G.A.Pandya</td>
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<td>78</td>
<td>Commandant Home Guards Training Centre, Dantiwada, Banaskantha</td>
<td>Shri J.B.Mandaviya</td>
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<tr>
<td>79</td>
<td>Commandant SRPF Gr.XVIII, Narmada Battalion Kevdia Colony</td>
<td>Shri K.A.Ninama</td>
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</tbody>
</table>
Above current IPS names list is published by Government of Gujarat dated 15th April, 2014, Home department of Gujarat

### 3.2.10 RANK OF POLICE OFFICERS – BADGES

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

**Director General of Police**
Crossed Sword, Baton and State Emblem

![D G P](image1)

**Inspector General of Police**
Crossed Sword, Baton and One Star

![I G P](image2)

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

![Dy G P](image3)

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

![S S P](image4)

**Superintendent of Police**
State Emblem and One Star

![S P](image5)

**Additional Superintendent of Police**
State Emblem

![Addl. S P](image6)

**Assistant/Deputy Superintendent of Police**
Three Stars

![Asst./ Dy S P](image7)

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57 Police organization in India, Commonwealth Human Rights Initiative, Page No.10-11
Inspector
Three Stars and a Ribbon ½” in width, half red and half blue worn horizontally, red colour facing the stars

Police Inspector

Sub Inspector
Two Stars and a Ribbon ½” in width, half red and half blue worn horizontally, red colour facing the stars

Police Sub Inspector

Assistant Sub Inspector
One Star and a Ribbon ½” in width, half red and half blue worn horizontally, red colour facing the stars

Assistant Sub Inspector

Head Constable Three Stripes on the upper part of the arm sleeve

Police Constable
Plane stripes on both sides of shoulder

3.3 FUNCTIONS OF POLICE

The foremost objective of the police is to protect the society by preventing crime and prosecuting criminals. The other police functions such as preservation of the nation’s unity and integrity, maintenance of public order and implementation of social laws flow from this main objective. All these functions involve the protection of life, liberty, dignity and property of the people and hence the role of the police emerges in the performance of these functions.

The Constitution of India has guaranteed the people certain Fundamental Rights. The earlier enactments like the Government of India Act, 1935 contained almost similar provisions of governance but there were no specific provisions for Fundamental Rights of the people. Apparently, the Fundamental Rights embodied in the Indian Constitution make it a different law, especially from the people’s point of view. These rights aim at protecting the individual against unreasonable interference
in his life. However, these rights, which are adjudged as basic and fundamental for the over all development of human personality, will remain only on paper if not enforced effectively.

*Article 21 of the Constitution provides that no person shall be deprived of his life and personal liberty except according to procedure established by law. It means that every individual has the freedom to lead a peaceful life without any undue interference from anybody. But this Constitutional dictate is not obeyed by many unscrupulous people who endanger the life and liberty of other people by committing crimes of murder, kidnapping, etc. Therefore, the police come in the picture to prevent such acts of crime and prosecute those who succeeded in committing such acts. So, the police have the honour and responsibility to play a crucial role in realization of the major aims and objectives of the Constitution as enshrined in the Preamble by enforcing the Fundamental Rights and creating a safe and peaceful atmosphere for the over all development of the individual.*

With the social, political and economical changes in the society, the duties and functions of the police also changed. There was a time when the police functioned as a coercive force to catch criminals and prosecute them for their misdeeds. It was not assigned the tasks which would bring it closer to the people in a positive manner. The police was used more for repressing people’s movements rather than for helping people in distress. But, after independence the situation has changed drastically. The police is no more in alien’s hands. It is now controlled by the elected representatives of the people. Its functional jurisdiction has expanded and it has been assigned many new responsibilities.

With the changing circumstances, the priorities of the police also keep on changing. In the beginning, its main aim was to prevent and detect crime. As socio-political agitations became a common problem, maintenance of law and order got higher priority. In view of the frequency of communal riots, creating communal harmony and ensuring unity and integrity of the nation have assumed the highest importance. Providing security to VIPs and guarding vital installations are other areas of concentration. Management of vehicular traffic also requires constant attention.

As it is not feasible to enumerate all the duties of the police, an effort is made in this chapter to describe some of the important functions of the police.
3.3.1 MAINTENANCE OF ORDER

One of the basic objectives of the State is to maintain order in the society. For smooth continuation of any State activity and for peaceful living in the society, orderliness is the foremost condition. If there is continuous disorder, the State machinery finds it difficult to discharge its normal functions. It may lead to a chaotic situation which would warrant extra ordinary steps such as calling the army and pronouncement of emergency under article 352 or 356 of the Constitution. Therefore, maintenance of public order is considered the most important function of the police.

Maintenance of order includes both ‘law and order’ and ‘public order’. However, there is a difference between these two terms which are commonly used to denote orderliness in the society. The Supreme Court has brought out the difference between these two phrases in Pushkar Mukherjee’s case wherein it has been held as under:\(^{58}\)

“The contravention of any law always affects order but before it can be said to affect public order, it must affect the community or the public at large. In this connection a line of demarcation must be drawn between serious and aggravated forms of disorder which directly affect the community or injure the public interest and the relatively minor breaches of peace of a purely local significance which primarily injure specific individuals, and only in a secondary sense public interest.”

In another case,\(^ {59}\) while reiterating its observations in Pushkar Mukherjee’s case, the Supreme Court has held that when two people quarrel and fight and assault each other inside a house or in a street, it may be said that there is disorder but not public disorder.

Theoretically speaking many other wings of the State are also required to contribute their might for the maintenance of order. But, practically, the police faces disorderly situations single handedly as the other agencies either keep aloof or are not able to contribute any thing worthwhile because of their inherent weaknesses.

The socio-economic and political changes in the post independence period have made law and order very complex and a daily affair for the police. Caste, religious and communal tensions, rising number of educated unemployed youth, agrarian conflicts, industrial unrest have increased the frequency of law and order

\(^{58}\) Pushker Mukherjee v. State of West Bengal, AIR 1970 SC 852.

problems. Unplanned and unabated urbanization, growing slums, and shortage of basic amenities have further aggravated the problem. Various social, economical and political sections of the society have formed pressure groups to demand relief and other benefits from the State authorities.

Whether there is an increase in prices, shortage of water supply or any other such issue, the affected people organize large scale demonstrations to attract the attention of the concerned authorities and the Government. These activities necessarily require the police to keep watch and maintain order. If the demonstrators turn into an unlawful assembly and start damaging public property, the police have to take immediate action to either disperse them or arrest them. Now the issue shifts and it becomes “the demonstrators versus the police”. Thus, frequently occurring law and order problems bring many difficulties for the police and make it vulnerable to public criticism. But, the police cannot escape from this professional compulsion which many times hazards the life and career of its personnel. The police have to act as buffer between the Government and the people and absorb the shock before it affects the Government. To face unpleasant scenes and circumstances in dealing with law and order problems has become a common affair for the police personnel.

### 3.3.2 CONTROL OF CROWDS

When a large number of persons gather, whether for any specific purpose or otherwise, there is always a possibility of some problem arising merely from the fact that they have gathered in large number. A collection of persons in a street each minding his or her own work cannot be called a crowd, but the audience in a public meeting, persons in a cinema hall, or participants in a procession may be called a crowd.

When a crowd becomes impatient and starts asserting its claims and rights, it converts itself into a mob. The behaviour of people in a mob is different from the normal behaviour of each individual constituting the mob. People become more assertive and impatient in a mob. Any small provocation may disturb the calm atmosphere and ignite the anger of the people to convert them into a mob which in turn may pose threat to public order. For example, in a theatre if there is delay in starting the film or the show for which the people have gathered, the people start making noisy protests. Similarly, if there is any obstruction in the movement of a procession, the participants may become a mob and create a law and order problem. If
such problems, erupting on petty issues, are not attended to promptly, the situation may take a bad turn. The anti social elements, if present on such occasion, may take undue advantage of the volatile situation. Therefore, the police are deployed at all such places where there is a probability of a crowd becoming a mob so that in case of any problem the situation can be handled before it worsens.

3.3.3 FESTIVALS AND PROCESSIONS

Festivals are the occasions when people get relief from their normal routines and enjoy with their families. But, unfortunately, most of the festivals are not occasions of relief and enjoyment for the police. In fact, the festivals are a source of tension for the police. With the increasing threat from anti-social and anti-national elements, the festivals require a lot of efforts on the part of the police to prevent untoward incidents.

The growing trend of taking out huge processions with participation of thousands of people on the eve of religious festivals or other such occasions has added to the difficulties of the police. The police have to exert and put their best efforts to ensure smooth flow of the processions. Besides the people actually participating in the procession, a large number of people gather to see the processions, which invariably carry music parties and interesting floats. The police personnel have to remain on their toes and under constant tension until the procession reaches its destination and the people disperse peacefully.

Processions are taken out on many religious occasions and on birth anniversaries of national leaders as a matter of tradition. In religious processions, instead of emphasizing the need of social harmony and mutual cooperation, which all religions teach, many times the participants make attempts to create ill will and hatred. Dancing with vulgar postures on the tune of film songs, which has become a convention in most of the processions, further undermines the sanctity and the purpose for which the procession was initially started. Every year the number of processions and the crowds therein show a significant increase. Many people organize such processions to show their strength of men and money, and thereby try to enhance their political interests.

Article 19 (i) (b) of the Constitution confers upon all citizens of India the right to assemble peaceably and without arms. From it flows the right to go in a procession. However, this Constitutional right is subject to clause (3) of article 19 which
empowers the State to impose reasonable restrictions in the interest of public order. For the purpose of fundamental rights “the State” means the Government and Parliament of India and the Government and the Legislature of each of the States and all local or other authorities within the territory of India or under the control of the Government of India.\(^{60}\)

The police have powers, under section 30 and 30A of the Police Act of 1861, to regulate public assemblies and processions. As per the provisions of section 30 of the Police Act, the District Superintendent or Assistant District Superintendent of Police may, as occasion requires, direct the conduct of all assemblies and processions on the public roads, or in the public streets or thoroughfares, and prescribe the routs by which and the times at which, such processions may pass. The police may also regulate the extent to which music may be used in streets on the occasion of festival and ceremonies. As per sub-section (2) of section 30A of the Police Act, any procession or assembly which neglects or refuses to obey any order given under sub-section (2) of section 30A of the Police Act shall be deemed to be an unlawful assembly. Many State Police Acts, such as the Bombay Police Act, 1951, also contain similar provisions to control and regulate processions.

Though many times in the past, such processions have created serious trouble in many parts of the country resulting into communal riots, yet, the authorities still find it difficult to ban them or reduce their size or change their route. Any attempt made by the authorities in this regard is strongly opposed by the organizers and their followers. As the action to prevent the people from taking out any traditional procession may hurt their feelings and invite their wrath, the police always try to avoid such decisions.

Playing loud music during the processions has become a common practice. However, the Supreme Court\(^{61}\) has directed that no one shall beat a drum or tom tom or blow a trumpet or beat or sound any instrument or use any sound amplifier at night (between 10.00 pm and 6.00 am) except in public emergencies. The Court has observed as under:\(^{62}\)

Article 21 of the Constitution guarantees life and personal liberty to all persons. It is well settled by repeated pronouncements of this Court as also the High Courts that right to life enshrined in article 21 is not of mere survival or existence. It

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\(^{60}\) Article 12 of the Constitution of India, 1950.

\(^{61}\) *Forum, Prevention of Environment and Sound Pollution v. Union of India*, 2005

guarantees a right of persons to life with human dignity. Anyone who wishes to live in peace, comfort and quiet within his house has a right to prevent the noise as pollutant reaching him. No one can claim a right to create noise even in his own premises which would travel beyond his precincts and cause nuisance to neighbours or others.”

Once the music and loudspeaker go off, the participants may loose enthusiasm in prolonging the procession and therefore the Supreme Court’s directions are expected to have a positive impact on the processions which otherwise would go on till late night with heavy noise of music and loudspeakers.

3.3.4 UNLAWFUL ASSEMBLIES AND PUBLIC AGITATIONS

Section 141 of the Indian Penal Act, 1860 defines an unlawful assembly. Any assembly of five or more persons is designated an unlawful assembly, if the common object of the persons composing that assembly is to overawe by criminal force, or show of force; or to resist the execution of any law, or of any legal process; or to commit any mischief or criminal trespass, or other offence or any other such acts as described in section 141 of the IPC.

Section 129 of the CrPC provides that any Executive Magistrate or officer-in-charge of a police station or in the absence of such officer-in-charge any police officer, not below the rank of a sub-inspector, may command any unlawful assembly to disperse. If upon so commanded any unlawful assembly does not disperse the executive magistrate or the police officer may proceed to disperse such assembly by force.

Pressurizing the State authorities by way of strikes, demonstrations, rallies, etc. has always been a method adopted by people to get certain policies and decisions reviewed or changed. In post independence era, the frequency and gravity of such public demonstrations and agitations have significantly increased. Agitations by workers of factories, government employees, students, members of political parties or any other such pressure group are very common.

In order to maintain law and order and to ensue that there are no clashes between the agitators and their opponents, the police make elaborate arrangements. To prevent direct confrontations, many times the police have to close certain roads and divert the vehicular traffic to alternative roads. Though the police take such measures in the larger interests of the people, yet many times, the agitators as well as the people at large object to these preventive steps of the police.
The Constitution of India, under article 19, provides that all citizens shall have the right to freedom of speech and expression; to assemble peaceably and without arms; to form associations or unions; and to move freely throughout the territory of India. The Constitution under article 19 itself authorizes the State to put reasonable restrictions on these freedoms of the people in the interests of the sovereignty and integrity of India, the security of the State, public order, decency or morality, or in relation to contempt to court, defamation or incitement to an offence, etc. So, the people cannot be allowed to enjoy certain freedoms if their actions are going to jeopardize the areas that are considered more important than certain freedoms of the individuals. However, while putting reasonable restrictions upon certain Fundamental Rights of the people for maintenance of public order, the police must exercise utmost care. In a case where the petitioners claimed unhindered and unintercepted use of highways, the Supreme Court, while dismissing the petition, observed as under:

“We agree that no one is entitled to barricade a highway so as to prevent members of the public from using it while they are on their normal business in the pursuit of normal avocations of life. But the police, whose duty is to enforce law and order in the wake of threatened mass agitations which are reasonably likely to lead to breach of public peace, are entitled in the discharge of that duty to impose reasonable restrictions on the physical movement of members of the public in order to ensure the protection of public property and the avoidance of needless inconvenience to other citizens in their lawful pursuits. But all such restraints on personal liberty, if at all, have to be commensurate with the object which furnishes their justification. They must be minimal and cannot exceed the constraints of the particular situation, either in nature or in duration. Above all, they cannot be used as engines of oppression, persecution, harassment or the like. The sanctity of person and privacy has to be maintained at all costs, and that cannot ever be violated under the guise of maintenance of law and order.”

Since many times the people who organize protests and demonstrations cross the Constitutional and legal boundaries and put the public order in jeopardy, the police are invariably required to keep watch and maintain law and order.

63 Rupinder Singh Sodhi v. Union of India and others, AIR 1983 SC 65; Ahuja, Sangeeta, People, Law and Justice; pp.96-97. A declaration had been made by the Akali leaders that a morcha would be taken to Delhi on 19 November 1982, the date of the inauguration of the Asiad Games. Accordingly, the border States of Haryana and Uttar Pradesh took steps to intercept the movement of the Akalis across the border to Delhi in order to prevent the morcha and the anticipated disruption to the Asiad in 1982. The petitions invoked Article 21 of the Constitution to claim the right to use the highways and not to be discriminated against.

64 Ibid.
3.3.5 COMMUNAL RIOTS

Communalism means disharmony or feeling of ill will between different communities on grounds of religion, language, race, caste or community. India has a large number of communities based on these diversities. Owing to the mixed character of Indian people, there are always chances of social differences, ethnic and cultural variations.

People tend to pressure their interests by forming groups and selecting identifications that maximize their advantages in the competition for scarce jobs and economic resources and for political power. Sometimes, these struggles cause widespread violence or serious and costly disorder. Such incidents become the source of political instability and menace to peace and economic development.65

Incidents of communal riots often disturb public order affecting the society at large. Therefore, handling communal riots promptly and properly is considered the most important function of the police. During communal riots, the police concentrate fully on handling the situation and bringing back the normalcy and thus, many of their routine duties get affected.

Though the people of India are taught to believe in the principle of ‘unity in diversity’, many a time this golden principle is prevailed over by communal frenzy. As a result, communal differences occur which in turn lead to communal frenzies. About forty percent of the districts in India are identified as communally sensitive and prone to communal disturbances. Mostly, communal riots take place between Hindus and Muslims. In some parts of the country clashes between Hindus and Christians and between Shia Muslims and Sunni Muslims also take place.

Erection of large number of statues of national and community leaders and unauthorized construction of religious places have made the communal situation highly volatile. Since adequate security arrangements are not made by the concerned organisers to guard such statues and religious places, they become easy targets of anti-social and anti-national elements. If any disrespect or harm is caused to a statue or a religious place, the fundamentalists and fanatics come forward and mislead people to agitate. Even if the culprit is unknown, the people with prejudiced mind blame the other community whom they consider their opponent in religion and socio-cultural matters. Sometimes a furious mob attacks members of the other community and

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damage their properties. Here, lies the root cause of a communal problem. The other community is not able to tolerate the baseless allegations and, therefore, retaliate in the same manner. This leads to a communal disturbance which in turn gives way to communal riots and the police has to react swiftly with all its might and skills to handle the situation.

Religion based communalism is at the moment the most potent threat to the internal security of the country. This problem existed in pre-independence era also. But in post independence period, the problem has acquired a demonic shape and the country has witnessed the worst kind of communal riots. The communal riots that broke out in December 1992 after the demolition of the disputed structure at Ayodhya and the communal violence in Gujarat in 2002 that started with the Godhra incident not only endangered the national unity and integrity but also put humanity to shame.

The problem of handling communal riots has always been one of the most difficult tasks for the police. The police, being responsible for maintaining order in the society, are the first to absorb the shock. A communal disturbance emerged because of some local issue or any petty incident may be handled without much difficulty by bringing both the communities together and solving the problem. But communal riots erupted over national issues pose bigger threats. Such communal riots spread in a vast area covering many parts of the country. The communal riots that followed the demolition of the disputed structure at Ayodhya in December 1992 put the police on their toes for months together. Similarly, the communal riots of 2002 in Gujarat not only made the lives of police personnel stressful but also gave opportunities to the people and the media to malign them as partial and ineffective.

The most unfortunate trend noticeable after the communal disturbances has been the increasing numbers of communal pockets which are fast changing the demographic pattern, dividing the two communities apart. In places where Hindus and Muslims always co-existed side by side, over the centuries with so much of affection and goodwill cannot live together anymore. Hindus are migrating to Hindu dominated areas and the Muslims are moving to Muslim dominated areas.66

The success of law enforcement agencies in controlling communal riots must ultimately be judged not by the speed with which a riot is quelled, but by the manner in which explosions are recognized in embryo and averted.67 Therefore, in

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66 Ghosh, S.K., *Indian Panorama*, Volume I, p.53. The author (Dr. Dalbir Bharti), who was Deputy Commissioner of Police, Aurangabad, during the communal riots of December 1992, also observed that from certain Hindu dominated colonies the Muslims sold their houses and migrated to Muslim dominated colonies.
communally sensitive areas, the police aim at incorporating various parts of the society into a functioning whole to reduce barriers between different sections. Besides providing adequate security to the respective areas, the police also take initiatives to teach people to tolerate the socio-cultural differences, respect other religions, and solve their problems by living together. These steps prove useful in creating social harmony which is the panacea for communalism.

3.3.6 ROLE OF POLICE DURING ELECTIONS

An election may be defined as a means of choice of members of a governmental organization. Elections are the ultimate and most important means by which government in general and legislature in particular are subjected to popular control in a democratic system. Articles 325 and 326 of the Constitution of India confer the right of vote on every adult citizen, without any discrimination on grounds of sex, race or property ownership. This system of elections based on adult suffrage makes India a democratic country in the real sense. Ordinarily, policemen need not be concerned with elections because these are occasions when people cast their votes in favour of party or parties and elect them in office. But the Indian experience has been that violence is perpetrated before, during and after the elections and therefore the police cannot keep itself aloof from the election process.

Every election is a time of intense, often underground, political pressures and activities more or less in an organized form. Propaganda and canvassing start a long time before the actual polling time and appeals to electorate are often made in the name of caste, creed and religion. During elections a large body of citizens who are normally of quiet and peace loving disposition are aroused. Large scale agitations, demonstrations, political and industrial unrests are matters of everyday occurrence. The atmosphere all over gets surcharged with intense activity, and group rivalries come to surface. Communal and political tension mounts and as a result clashes of major or minor nature take place.

Thus, the period of elections is another occasion when the police has to be in high alertness and readiness. It has to intensify its intelligence machinery and make all possible efforts to create an environment for free and fair elections.

67 Ibid., p. 169.
3.3.7 TERRORISM AND INSURGENCY

Terrorism is rapidly emerging as a major threat to the modern civilization. This is not to say that terrorism did not exist in earlier societies. History is full of incidents of assassination of King and his agents by rebellious men.

Terrorism has now become a global problem. Terrorists do not have any boundaries and cross inter-national borders to create havoc in other countries by their terrorist activities. In fact trans-border terrorism is the new challenge to security forces all over the world. The incidents of serial bomb explosions in many countries, attack on Indian Parliament and destruction of the World Trade Centre in New York show that any country may become victim of terrorist activities.

India is one of those countries which are worst affected by the curse of terrorism. Terrorism in Punjab caused immense loss to life and property of innocent people. The terrorist problem in Punjab has been solved but at a very heavy cost. Large number of police personnel lost their lives in the battle with terrorists. Before the Punjab problem subsided, terrorism raised its ugly head in Jammu and Kashmir. The prevailing situation in Jammu and Kashmir shows how much pain and trouble the police have to bear to face such situations. The police personnel deployed in the troublesome and insurgency affected areas have not only to be always alert but also ready to lay down their lives while facing terrorist attacks. Terrorism evolves into insurgency. Both aim at undermining the State authority. Terrorism becomes insurgency when the terrorists gain control over a territory or a sizeable area. The terrorists follow the philosophy which dictates “violence is a cleansing force” and therefore adopt all sorts of violent methods to kill and create fear in the minds of the people. Attacking VIPs, damaging vital installations, exploding bombs at public places, kidnapping civilians, hijacking planes, and indiscriminately killing innocent people are some of the common terrorist activities.

In the North-eastern region, many parts remained disturbed on account of high level of militant activities in Assam, Nagaland, Manipur and Tripura. In Assam, the ULFA violence has touched new heights. The naxal movement has spread in many parts of India and put a serious threat to public order and stability of the State. The police forces of many States have to exert a lot to keep the naxal activities under control.

Ibid., p.67, in the article ‘India’s Emerging Security Environment in the Twentyfirst Century’ Tandan.
Use of military for handling any internal security problem for a long time is not advisable and hence the burden comes on the police to constantly face the situation of terrorism and insurgency. In order to ensure that the State police personnel handle terrorist activities effectively, necessary training is imparted to them. The younger lot of the police force is imparted specialized training. Anti-terrorist squads comprising commandos and specially trained policemen have been raised by the State police organizations to meet any eventuality. Since the terrorists use sophisticated weapons like AK-47, the police forces have also been provided with such weapons so that befitting reply is given during encounters. Besides performing duties to safeguard the people and places prone to terrorist attacks, the police personnel also educate and motivate the people to remain away from terrorist outfits and extend their cooperation to the police in its efforts to fight terrorism and insurgency.

3.3.8 PREVENTION OF CRIME

Any act or omission punishable by any existing law is called an offence. Offences with an element of force or moral turpitude are generally termed as crimes. The vices such as greed, envy, lust, hatred and vengeance compel people to cross the moral and legal boundaries and commit crime. Many other factors like socio-economic and cultural changes resulting in inequality, unemployment and poverty are also responsible for crime.

The relation of crime to the society, is what the relation of disease to the human body is. As a person with a diseased body cannot do justice to himself or to his family, so also a society cankered with crime cannot be expected to contribute any thing to the progress of mankind. Crime puts life, liberty, dignity and property of the people in danger and creates law and order problems. The law and order problem may aggravate to disturb public peace and bring normal civic life to a grinding halt. This may, sometimes, even pose a threat to national security. Thus, crime is not merely a concern of the victim or the authorities dealing with it; the hidden potential in it may harm the whole society or even the nation. In other words, crime undermines the ‘rule of law’ and thus digs out the very root of democracy. In a crime ridden society violence prevails over the law, and the society starts turning into what is known as jungle raj. Therefore, crime is the foremost area of concentration for any police force and Indian police is no exception.
Keeping in view the golden rule that ‘prevention is better than cure’, the police always give high priority to prevention of crime. Like that of maintaining order, the job of preventing crime is a pro-active policing.

But the task of preventing crime is not child’s play. It requires continuous efforts with constant vigil to prevent the occurrence of crimes. There is another problem in crime prevention work. It mostly remains un-noticed and un-appreciated for there is no effective method of measuring the success of police in the area of crime prevention. Any serious incident of crime occurred becomes a news and a matter of concern for everyone, but prevention of such an incident generally does not get the attention it deserves. The number of incidents of crime occurring in a particular area during a particular time period can very well be quantified but it is not possible to say definitely as to how many incidents of crime were prevented. There are many valid reasons to keep the crime prevention work high on the agenda of the police. It saves life and property of the people whom the police are bound to protect; it saves a great deal of trouble to the victim, both physical and mental; it rules out litigation and thus helps in maintaining harmony in the society; and it saves a lot of time of the police because they are not required to record first information reports and take subsequent steps of investigation. Preventing crime also contributes in improving the image of the police. The people would certainly prefer not to be robbed rather than have the dubious satisfaction from the fact that the culprits were arrested and prosecuted. Securing a conviction for a murderer is certainly a success for the police but it cannot match the success achieved in preventing a murder. Untiring and continuous efforts being made by the police to prevent crimes indicate that the police in India are well aware of this difference.

The Criminal Procedure Code, which is the basic procedural law for the police, also emphasizes the preventive aspect of crime. Besides chapter XI, which exclusively deals with the ‘preventive action of the police’, many other provisions in the CrPC reveal the mindset of the legislators who treated prevention of crime as more important than punishment of crime. Various State police organizations have adopted different methods to prevent crime to suit their specific requirements. However, some of the commonly used methods in most of the States are discussed below.
3.3.9 PATROLLING THE AREA

This has been a traditional method to prevent crime. Police pickets are deployed at strategic points and police parties are deputed for patrolling the area. It is a common practice in many of the police units to organize sector wise patrolling. In urban areas, the area of a police station is divided into various beats and sectors and police parties are deputed for patrolling each sector. In order to ensure effective patrolling, in each sector certain strategic locations, such as hotels and petrol pumps, are identified to keep note-books. The police party deployed for patrolling in each sector is required to visit these locations and make entries indicating the date and time of the visit. The checking officer also visits a few such locations to keep track on the movements of the police patrolling parties. The locations for keeping note-books are changed after some time to cover other areas. This method not only ensures effective patrolling but also helps the police to project its crime prevention work before the people who observe the presence and movements of the police in their area.

3.3.10 BONDS FOR KEEPING PEACE AND GOOD BEHAVIOUR

If normal preventive measures such as patrolling and keeping watch are not found effective to prevent crime, the police takes other steps contemplated under various provisions of the CrPC.

Chapter VIII of the CrPC exclusively deals with the subject of ‘security for keeping the peace and for good behaviour’. Proposals for proceeding under sections 107, 108, 109 and 110 of the CrPC are initiated when the police is of the opinion that there is a need to bound down the concerned person to prevent the disturbance of the peace and tranquillity and to ensure his good behaviour. The Executive Magistrates or the police officers, who have been declared as Special Executive Magistrates and especially empowered by the State Government, deal with such proposals.

As per the provisions of the CrPC, a person who is likely to commit a breach of the peace or disturb the public tranquillity or to do any wrongful act that may probably occasion a breach of the peace or disturb the public tranquility, may be asked by the Executive Magistrate or the Special Executive Magistrate, as the case may be, to execute a bond under section 107 of the CrPC. Section 108 CrPC empowers the Executive Magistrate or the Special Executive Magistrate, as the case may be, to take security for good behaviour from the persons disseminating seditious matters. A suspicious person can be asked under section 109 CrPC to execute a bond
for his good behaviour. Under the provisions of section 110 CrPC, habitual offenders are proceeded against and asked to execute a bond for good behaviour.

### 3.3.11 PREVENTIVE DETENTION

When ordinary course of crime prevention fails and there are reasons to believe that a person is going to indulge in criminal activities and thereby put the public order in jeopardy, the police can initiate legal action to detain such person. Section 151 CrPC empowers a police officer to arrest a person who designs to commit any cognizable offence if the commission of the offence cannot be otherwise prevented.

Realizing the need of more effective tool in the hands of police, the State of Maharashtra has amended the CrPC and added sub-section (3) to section 151 to empower a Judicial Magistrate to detain a person for a maximum period of fifteen days in magisterial custody. The provisions of sub-section (3) of section 151 are put in to operation when a person arrested under section 151 is likely to continue the design to commit or is likely to commit the cognizable offence after his release and the circumstances of the case are such that his being at large is likely to be prejudicial to the maintenance of public order.

If a person has disturbed public order and is likely to indulge in such activities again, such person can be detained for a longer period under the National Security Act, 1980 or under any other such preventive law. Many times a question arises as what is ‘public order’ and how is it different from ‘law and order’. On this issue the Supreme Court has held:

“The act of the man who molests the girls in lonely places causes a disturbance in the even tempo of living which is the first requirement of public order. He disturbs the society and the community. His act makes all the women apprehensive of their honour and he can be said to be causing disturbance of public order and not merely committing individual actions which may be taken note of by the criminal prosecution agencies. It means therefore that the question whether a man has only committed a breach of law and order or has acted in a manner likely to cause a disturbance of the public order is a question of degree and the extent of the reach of the act upon the society.”

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69 Maharashtra Act 7 of 1981, S.18 (w.e.f. 27.8.1980).
Many States in India have enacted their own preventive laws for detaining persons who indulge in activities prejudicial to public order. The Andhra Pradesh Prevention of Dangerous Activities of Bootleggers, Dacoits, Drug-offenders, Goondas, Immoral Traffic Offenders and Land-Grabers Act, 1986; The Tamil Nadu Prevention of Dangerous Activities of Bootleggers, Dacoits, Drug-offenders, Goondas, Immoral Traffic Offenders and Slum Grabers Act, 1982 and the Maharashtra Prevention of Dangerous Activities of Bootleggers, Slumlords and Dangerous Persons Act, 1981 are some of such State preventive laws which allow preventive detention for a period of one year or so. Persons indulging in black marketing of essential commodities can be detained under the Prevention of Black Marketing and Maintenance of Supplies of Essential Commodities Act, 1980.

Proposals for detaining persons under these preventive laws are initiated by the police and submitted to the detaining authorities. Generally the Commissioner of Police or the District Magistrate have the powers of detention but under certain laws such as the Prevention of Illicit Traffic in Narcotic Drugs and Psychotropic Substances Act, 1988 the State Government is the detaining authority.

3.3.12 INVESTIGATION OF CRIME

As it is not always possible to prevent each and every crime, the next important function of the police is to record, detect and investigate crime. The role of the police in the criminal justice system is important because the police officer is the first man to arrive on the scene and while applying law and his professional knowledge collects evidence on the basis of which the case is sent to the court of law for legal battles. If the police officer investigating a crime ignored certain evidence, which subsequently disappeared or got destroyed, it may prove fatal leading to acquittal of the case. Thus, the role played by the police during the investigation of a crime is most crucial in proving the case against the accused.

The law has divided crime in two broad categories, namely, cognizable and non-cognizable. The police have the power and responsibility to register first information report in connection with a cognizable offence and investigate the case to collect necessary evidence to successfully prosecute the culprit. If the offender is not known then the work of investigation becomes complex requiring the police to use its professional knowledge and utilize the services of the informants to find out the culprit and his motive behind committing the crime.
3.3.13 REGISTRATION OF FIR

The police in India derive powers to investigate mainly from the Criminal Procedure Code of 1973. Section 156 (1) of the CrPC provides that any officer-in-charge of a police station may, without the order of a Magistrate, investigate any cognizable case which a Court having jurisdiction over the local area within the limits of such station would have power to inquire into or try under the provisions of chapter XIII of the CrPC. Whenever information about a cognizable offence is given at a police station, it is registered as a first information report (FIR) as per the provisions of section 154 of the CrPC. Since the registration of FIR and investigation of a case is the most important function from a common man’s point of view, it would be worth reproducing section 154. It reads:

154. Information in cognizable cases.-

(1) Every information relating to the commission of a cognizable offence, if given orally to an officer in charge of a police station, shall be reduced to writing by him or under his direction, and be read over to the informant; and every such information, whether given in writing or reduced to writing as aforesaid, shall be signed by the person giving it, and the substance thereof shall be entered in a book to be kept by such officer in such form as the State Government may prescribe in this behalf.

(2) A copy of the information as recorded under sub-section (1) shall be given forthwith, free of cost, to the informant.

(3) Any person aggrieved by a refusal on the part of an officer-in-charge of a police station to record the information referred to in sub-section (1) may send the substance of such information, in writing and by post, to the Superintendent of Police concerned who, if satisfied that such information discloses the commission of a cognizable offence, shall either investigate the case himself or direct an investigation to be made by any police officer subordinate to him, in the manner provided by this Code, and such officer shall have all the powers of an officer in charge of the police station in relation to that offence.

A glance at the above statutory provisions will reveal that it is the bounden duty of the police to record FIR and give a copy of the same to the informant free of cost. In case any police officer refuses to record the information as FIR, the concerned person can send a copy of the information to the Superintendent of Police or the
Commissioner of Police, as the case may be, who shall take further steps as are necessary as per the law. The Supreme Court has held that when any information disclosing a cognizable offence is laid before the officer-in-charge of a police station, he has no option but to register the case on the basis thereof.\textsuperscript{71}

As regards the powers and functions of the police to investigate, the Supreme Court has observed:\textsuperscript{72}

“There is a clear-cut and well demarcated sphere of activity in the field of crime detection and crime punishment. Investigation of an offence is the field exclusively reserved for the executive through the police department the superintendence over which vests in the State Government. The executive which is charged with a duty to keep vigilance over law and order situation is obliged to prevent crime and if an offence is alleged to have been committed it is its bounden duty to investigate into the offence and bring the offender to book.”

3.3.14 \textbf{NON–COGNIZABLE OFFENCES}

In India, the level of legal awareness is very low and the laws are very complicated. Empirical experience shows that majority of the people approaching the police do not know the difference between a cognizable and a non-cognizable offence. A cognizable offence is that for which the police have powers to record the information as FIR, investigate the case and arrest the accused without any order or warrant from the Court. In non-cognizable offences, the police do not have such powers. First Schedule in the CrPC classifies offences punishable under the Indian Penal Code and other laws as cognizable and non-cognizable.

Section 155 of the CrPC provides that when information is given to an officer-in-charge of a police station of the commission, within the limits of such station, of a non-cognizable offence, he shall enter or cause to be entered the substance of the information in a book to be kept by such officer in such form as the State Government may prescribe in this behalf, and refer the informant to the Magistrate. Sub-section (2) of section 155 says that no police officer shall investigate a non-cognizable case without the order of a Magistrate having power to try such case or commit the case for trial.

Thus, the role of the police in non-cognizable offences is merely to make an entry in the police station records and inform the complainant to approach the court.

\textsuperscript{72} \textit{State of Bihar v. JAC Saldanha}, AIR 1980 SC 326.
for filing his complaint and prosecuting the accused. However, being unaware of the legal position, many people approach the police station with complaints of non-cognizable nature and expect the police to register FIR, investigate the case and arrest the accused. Though in non-cognizable cases the police have no such powers, yet the people, who are not aware or who are not made aware of the law by the police, feel disappointed. In many cases such disappointed complainants even make allegations that the police are not taking any action because of some ulterior motive or under pressure from the other party. As a result, the image of the police suffers without any fault on its part. It also creates confusion and suspicion in the minds of the people. In order to avoid such unwanted criticism, there is a need to create legal awareness among the masses. The police may start such programmes with the help and support of local advocates, retired judges and other legal luminaries to awaken the people to most important provisions of the law through media.

### 3.3.15 VIP SECURITY

To provide security cover to very important persons, majority of whom are politicians and celebrities, is another major function of the police. The need for police protection increases with the deterioration of law and order situation when criminals, terrorists and antisocial elements augment their activities. Attacking VIPs is considered an effective method by the criminals and terrorists to achieve their goal. The terrorists also attempt to gain people’s sympathy by killing or injuring a person, who is a VIP from the angle of security but otherwise not a respectable person in the eyes of the masses. Therefore, instead of killing innocent people by exploding bombs at public places or by resorting to indiscriminate firing, terrorists sometimes prefer to attack such persons.

In the last few decades, the problem of security threat to VIPs has significantly increased. After the assassination of Prime Minister Mrs. Indira Gandhi in October 1984, the subject of VIP security assumed a very high importance. The unforgettable incidents of large scale killings of the Sikhs in Delhi, that followed the tragic incident of assassination of Mrs. Indira Gandhi, keep the police reminding that attack on a national leader may lead to serious law and order problems. In order to prevent such incidents, a specialized force, Special Protection Group, was created in 1985 solely for the protection of the Prime Minister and his family members. Pursuant to Shri Rajiv Gandhi’s assassination in 1991, the Special Protection Group Act was amended
to include former Prime Ministers and the members of their immediate families.\(^{73}\) The National Security Guards is another police organization dedicated to provide protection to VIPs in the country.

The security agencies, especially the Special Protection Group and the National Security Guards, are doing their best to ensure that the persons under their protection are safe and secure and that nobody dares to attack and harm them. However, in a vast country like India where the VIPs move in all adverse circumstances, there is always a danger of any attack on them and hence the State police organisations remain alert and cautious during the presence and visit of the VIPs in their areas.

### 3.3.16 HELPING THE WEAKER SECTIONS

In the context of role of police, those sections of the people who are relatively in a weaker position to defend themselves and depend upon others for protection of their rights, especially the right to life, liberty and dignity, may be called weaker sections. In terms of these parameters the sections of people afflicted by poverty, ignorance, social injustice and exploitation would be called the weaker sections.

Women and children are the most susceptible to atrocities more particularly in developing societies because of changing social structure and relationship.\(^{74}\) with the passage of time, such sufferings have got the approval of society as customs and traditions and therefore to annihilate them is not an easy task. Keeping these clues and the empirical experience in view, it may not be wrong to include children, women and the backward classes particularly the Scheduled Castes and the Scheduled Tribes in the category of the weaker sections of the society in India.

The Constitution of India, under article 46, expects the State to protect the weaker sections of the people, and in particular, of the Scheduled Castes and Scheduled Tribes, from social injustice and all forms of exploitation. The State should formulate its policies in such a manner that will lead it to fulfil the expectations of the framers of the Constitution. Accordingly, the Central Government has enacted special laws for the protection of the weaker sections of the society such as the Juvenile Justice (Care and Protection of Children) Act, 2000; the Immoral Traffic (Prevention) Act, 1956; the Dowry Prohibition Act, 1961; the Indecent Representation of Women (Prohibition) Act, 1986; the Protection of Civil Rights Act, 1955; and the Scheduled Castes

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\(^{73}\) Roy, op.cit., p.69, in the article ‘India’s Emerging Security Environment in the Twentyfirst Century’

Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989. The police as law enforcement agency has a crucial role in implementation of these laws.

3.3.17 CHILDREN

The Convention on the Rights of the Child, which was adopted by the General Assembly of the United Nations on 20 November 1989, has prescribed a set of standards to be adhered to by all State parties in securing the best interests of the child. India has ratified the Convention on 11 December 1992. Bearing in mind the standards prescribed in the Convention and other international instruments, a new law, the Juvenile Justice (Care and Protection of Children), Act 2000, has been enacted. Section 63 of this Act provides for setting up ‘special juvenile police unit’ to enable the police officers to perform their functions of handling the juveniles or children more effectively. The Act inter alia enjoins upon the police, the responsibility of taking action under section 23 against those who assault, abandon, expose or wilfully neglect the children under their charge or control, and under section 24 against those who employ or use any child for the purpose of begging.

The function of the police in the case of juvenile delinquents relates to the implementation of different legal provisions concerning to care and protection of children. In other words, its role begins with identifying, tracing and locating the juvenile, taking him into safe custody, helping in rehabilitation and if so required presenting him for the prosecution. However, the most significant role of the police is preventive. Needless to mention that a proper and timely preventive role of the police may prevent the juvenile from going to be delinquent. The different Acts enacted by the Central and the State Governments provide functional scope to the police to intervene in the case of juvenile whenever and wherever necessary.\(^{75}\)

3.3.18 WOMEN

It is not in the hands of the individual to decide whether to take birth as male or female. Going by the course of nature, this choice is not available with the parents too. But, unfortunately, some weak minded and cowardly people succeed to undermine the natural course of keeping balance in the number of males and females. Such people adopt the most brutal and shameful method of killing females before they are born. May be that they are frustrated on seeing the position of women in India and want to avoid the risk of having daughters. But, such people forget that this trend has

\(^{75}\) Ibid, article, “Juvenile Delinquency, Criminal Justice System and Role of Police” Vinod Gaur, p. 58.
caused to unbalance the right proportion of males and females. This has already put the Indian society in danger because for survival of the society the availability of both males and females in right proportion is *sine qua non*.

Keeping in view the declining sex-ratio and its far reaching implications, Parliament has enacted the Pre-conception and Pre-natal Diagnostic Techniques (Prohibition of Sex Selection) Act, 1994. This law prohibits advertisements relating to pre-conception and prenatal determination of sex and provides punishment for contravention of the provisions of the Act. As per section 27 of this Act, every offence under this Act is cognizable, non-bailable and non-compoundable. If prompt and proper action is taken by all concerned authorities to implement this Act in letter and spirit, ghastly crimes of killing women, before they see this so called beautiful world, can certainly be curbed.

The system of dowry has led to torture of brides in various forms. In many cases the torture culminates in the death of the victim woman. In such cases the frustrated woman either commits suicide or her in-laws kill her by burning, poisoning, or in any other brutal manner. In order to prevent these crimes against women, various steps have been taken to make laws such as enactment of the Dowry Prohibition Act, 1961; and insertion of sections 498A and 304 B in the IPC and sections 113 A and 113 B in the Indian Evidence Act. With a view to enforcing these laws effectively, many State police organisations have issued instructions to senior rank police officers to visit the spots and personally supervise the investigations into crimes against women.

In the past, women of our country were subjected to another form of gruesome crime known as “*sati*”. In 1829 Lord William Bentick, Governor-General from 1828 to 1835, took a very bold step to abolish the prevailing inhuman practice of *sati*. It was made an offence punishable like culpable homicide and its abetment was also made a punishable offence.\(^76\) Though there were strong protests from orthodox group of people, yet the great social reformer Raja Ram Mohan Roy, taking risk of his life, supported the British for their bold step of banning *sati*. In Sind, when the orthodox urged General Napier that the burning of widows was their custom, he replied: “My nation has also a custom. When men burn women alive, we hang them. Let us all act according to national customs.”\(^77\) Though the practice of *sati* is banned and the people

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\(^76\) Bharti, Dr. Dalbir, *The Constitution and Criminal Justice Administration*, p. 49; Kulshreshtha, \(^77\) Ghosh, *op.cit.*, Volume III, p. 1024. The Ordinance XVII of 1829, which banned the practice of sati, was not applicable outside the presidencies. Thus, General Napier in Sind is said to have resorted to more direct methods.
have accepted that it was nothing but a matter of shame to have allowed such a practice in India, yet the ghost has not been completely destroyed. It may raise its ugly head any time, as happened in Rajasthan some years ago, and therefore the police have to be cautious and alert to prevent even the conception of such an idea.

3.3.19 SCHEDULED CASTES AND SCHEDULED TRIBES

The Constitution of India, under article 15, prohibits discrimination on grounds of religion, race, caste, sex or place of birth and, under article 16, guarantees equality of opportunity in matters of public employment. Article 17 of the Constitution declares that untouchability is abolished and its practice in any form is forbidden. To give effect to this article, Parliament enacted the Untouchability (Offences) Act, 1955. This Act was amended and renamed in 1976 as the Protection of Civil Rights Act, 1955. Subsequently, the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 was enacted. This law aims at prevention of atrocities against the members of the Scheduled Castes and the Scheduled Tribes and provides for severe punishments.

A large chunk of weaker sections of Indian society normally consists of individuals, whom the accident of birth deprives reasonable availability of money, power and social esteem. Social norms and customs deny them basic equality of the human tribe and culturally they stand handicapped because certain roles and facilities enjoined upon the dignity of their person are not made available to them in due course. Their social disability stands writ large on their endeavours and behaviours conditioned by the primary disqualifications and disabilities of the absence of education, money, merit and acceptability, etc., just compound them. Hence the framers of the Indian Constitution in their wisdom identified these weaker sections on the basis of their caste, birth, sex, etc., and desired the State to ensure that there is no unequal treatment with them only on these parameters.

The police, being one of the most effective and powerful organs of the State, has the responsibility to enforce the laws and contribute its might in achieving the objectives of the Constitution. It is the function of the police to see that the weaker sections of the society are not subjected to ill-treatment and that their rights to life, liberty, property and dignity are well protected. Having realized the need of special attention towards this aspect of policing, various States have created special cells to deal with the issues pertaining to children, women and the SCs and STs.
Thus, helping weaker sections of the society and enforcement of various special laws enacted to prevent atrocities against the weaker sections have broadened the functional jurisdiction and social responsibilities of the police. The most important factor in dealing with the weaker sections of the society is the behaviour of the police personnel. If the police adopts a differential attitude towards the weaker sections as compared to the influential sections that will not enhance their credibility. Therefore, the police need to be extra cautious while dealing with the complaints of weaker sections of the society including children, women and the Scheduled Castes and the Scheduled Tribes.

3.3.20 HELPING SENIOR CITIZENS

Of late, another category of people has come to the limelight because of its weakness and vulnerability to crimes. The people in this category are the elderly persons who live alone. This is most unfortunate that the people who cared and catered the family and brought up children have to live alone after they become old and weak. Such people, especially those who are well off and own properties in cash or ornaments, become easy targets of criminals because such persons cannot themselves defend their persons and properties.

In the past, when the system of joint family was in vogue, the elders were never left alone and the question of providing them security by the police never arose. Today, the joint family system has almost disappeared. The size of family, particularly in the socially and educationally advanced classes, has also reduced significantly. The problem arises when the younger members of the family, viz. sons and daughters, leave the aged parents alone and start living separately with their spouses and children. This mostly happens because of the job or business compulsions. In many cases, the habits and the life style of the aged parents are not liked by the younger generation, especially the daughters-in-law or sons-in-law. Such younger members of the family compel their spouses to leave their aged parents alone.

Since there are no sufficient numbers of suitable old-age homes (Vriddhashrams), such elderly persons have no option but to live in their own houses. Absence of an organized and well supervised class of domestic servants discourages such persons to employ full time servants. Thus, the elderly people living alone, especially in big cities where the practice of watching and helping the neighbors

is not a culture, become easy targets of criminals.

Incidents of looting and killing of elderly people create sensational news putting questions on the ability of the police. Therefore, the police have to pay special attention towards this emerging problem of security of elderly people who are popularly addressed as senior citizens. In some cities the police have set up special cells and chalked out special schemes for helping the senior citizens.

Realizing its legal and social duty to protect and help such needy members of the society, the Maharashtra State Police has launched a “Senior Citizens Help Scheme”. While inaugurating the scheme at Nagpur on 9 December 2005, the Deputy Chief Minister of Maharashtra, Mr. R.R. Patil, said that the police should visit the houses of registered senior citizens on regular basis during patrolling and enquire about their problems even if there was no phone call or complaint from them. He also said that the police should maintain the photographs and addresses of the servants engaged by registered senior citizens under the scheme so that they might not dare to indulge in any criminal act. Dr. P.S. Pasricha, Director General of Police, Maharashtra State, speaking on the occasion, said that the scheme would be implemented in the whole State after its experiment in Nagpur. So, the police in Maharashtra have self-imposed another responsibility of keeping records of the senior citizens and visiting them to ensure their safety and well being.

3.3.21 ROLE OF POLICE DURING DISASTERS

Nature has always been playing the game of creation and destruction. Ever since the advent of the human being we have been watching it wonderly, bearing the wreck relentlessly and finally mitigating her horror game with our capabilities and constraints. Even the present supersonic and globalization era is not spared from the onslaughts of nature’s naughty play. With the advancement of civilization, man-made disasters have also added to the problem. The Indian sub-continent is the most vulnerable region to natural disasters in the world due to its unique geo-climate conditions.

The natural calamities that affect people in India are floods, droughts, cyclones, earthquakes, fire, accidents and epidemics. More specifically, our region is highly vulnerable to droughts, floods, cyclones and earthquakes.

78 The Hitavada, Nagpur, dated 10th December 2005.
80 Roy, op.cit., pp. 139-40, in the article ‘Role of Police and Paramilitary Forces in Dealing with Disasters’ by Yatish Mishra.
The havoc created by Tsunami in many coastal areas of India in the recent past shows how vulnerable to natural disasters our country is. If any crisis situation emerges, the police rush to handle it or to extend its best cooperation to the concerned authorities in handling it. The people’s expectations from the police during any disaster go very high. As a result, police have to often undertake even those activities which are not strictly part of its duties. In times of accidents, fire, floods, earthquake, or any other such calamity, the police involves itself totally in helping the affected people even at the cost of the life of its personnel.

During a disastrous situation, the civil administration finds it difficult to handle the situation without the active support and help of the police. The police plays a crucial role in evacuating people from the affected areas and shifting them to safe places. During the devastating earthquakes in Maharashtra, Gujarat and Jammu and Kashmir in last few years, the State police and para-military forces did a commendable job and contributed their valuable share in rescue and relief operations.

Heavy rains had flooded many parts of Maharashtra including the city of Mumbai in July 2005. The police came forward to extend all possible help and support to the civic authorities in carrying out rescue operations. The Mumbai police, taking all sorts of risk, reached the flood-stricken people and helped them in shifting to safe places. The Commissioner of Police, Mumbai, Mr. A.N. Roy, using a boat, visited the flood affected areas to personally supervise the rescue operations and to boost the morale of the police. This shows the depth of police involvement in helping the community in a crisis situation.

3.3.22 MANAGING VEHICULAR TRAFFIC

There has been a massive increase in the number of vehicles in India in the last few decades. Earlier, only on certain important spots traffic policemen were posted to control and direct the vehicular traffic. But today, the situation has changed drastically and there are numerous traffic signals on roads in urban areas which are manned by traffic police.

With the increase in number of vehicles, roads and parking spaces have not been expanded proportionately. It causes the problem of traffic jams and unauthorised parking on public roads and streets. In big cities like Mumbai and Delhi, the prices of residential properties have gone very high and therefore, most of the people, even after increase in the size of family, continue in their old flats and houses. However, on
the other hand, the prices of cars and two-wheelers being affordable, every member of
the family likes to have a separate vehicle for him or her. As a result, the numbers of
vehicles have increased disproportionately. Since most of the residential premises do
not have sufficient parking place, a large number of vehicles are parked in the streets
and on the roads. This causes a lot of inconvenience to the road users and the police
are required to solve these problems.

Besides controlling vehicular traffic and regulating parking, the traffic police
also perform many other duties. They check the drivers and take their breath tests to
detect consumption of alcohol. This is done to prevent drunken people from driving
vehicles which may endanger others. In order to ensure that in future the problems of
parking and congestion on roads and streets do not occur, the traffic police authorities
participate in the town planning process. In Mumbai, construction of commercial
complexes such as hotels, restaurants and theatres requires prior clearance from the
traffic police.

In addition to the above described major functions, the police also discharges
numerous other duties such as serving notices and summonses issued by the courts,
escorting prisoners, conducting enquiries for character verification of certain persons
and collecting intelligence.

3.3.23 POLICE FUNCTIONS AND RESPONSIBILITIES

From the above discussion, it may be observed that though its basic functions
of preventing and investigating crime and maintaining law and order remain
unchanged, many additional responsibilities have been assigned to the police.

The people of all strata approach the police with all conceivable problems that
torment them and seek help in resolving their conflicts. The weaker sections of the
society such as children, women and the Scheduled Castes and the Scheduled Tribes
specially need the police to protect their rights and to prevent atrocities on them.
Various wings of the government require the help and protection of the police in
implementation of various policies and developmental programmes. The civic
authorities largely depend upon the help and assistance of the police to handle
disasters.

The analysis of the functions of the police indicates that, instead of being
merely “a force” with coercive powers, the police in India has become “a service” in a
realistic manner. Stretching its resources to the maximum possible extent, the police
puts its best efforts to serve the people and safeguard the nation. Hence, for the general public the police is ‘helper in crises’; for the State it is ‘a catalyst of change’; and for the weaker sections of the society it is ‘a saviour’.

Yet, despite its best efforts in providing multifarious services to the society, the police does not get its due share of appreciation from the people and the media. On the other hand, no opportunity is left to criticize and condemn it as a whole for an isolated incident of misconduct committed by any frustrated or disgruntled member of the police organisation. It is true that the police being a disciplined agency, the society expects the police personnel to behave in an exemplary manner. Nevertheless, the police personnel are also human beings, vulnerable to manly weaknesses; it may not be possible to totally rule out rare incidents of misconduct. If the authorities have dealt with the delinquent promptly and properly, the people should not keep the issue alive and criticize the whole organisation ignoring its valuable contribution towards the society.

However, the experience shows that the people in India make the police a target of unreasonable criticism and condemn it without understanding its difficulties and limitations. It may demoralize the police personnel who otherwise deserve appreciation for working in adverse circumstances and difficult situations. Unfortunately, the following quote of August Vollmore appears to be still relevant to tell the abysmal condition of Indian policeman:

“The policeman is denounced by the public, criticized by the preacher, ridiculed by movies, berated by newspapers and unsupported by the prosecuting officers and judges. He is shunned by respectable, he is exposed to countless temptations and dangers, condemned while he enforces the law and dismissed while does not. He is supposed to pass the qualifications of soldier, doctor, lawyer, diplomat and educator with remuneration less than that of a daily labourer.”

There is no denying the fact that the police personnel still need to improve their behaviour. They must realize that most of the people who approach the police are in distress. Such people come to the police with an expectation that they would be listened and helped. The police must take prompt and proper action to help them within the framework of the law. In cases where the complaints are of such nature that the police have either limited power or no power at all to take action, the complainants should be shown due sympathy and courtesy. With all politeness the
people in such cases should be apprised of the limitations of the police. They may be
guided to approach the proper forum. If this much care is taken by the police, the
people would go back satisfied even without having got any substantial help from the
police. This costs nothing but can earn a large fund of gratitude and goodwill.

The people should also realize that in today’s democratic India, they are the
masters and the police are their servants. It is the responsibility of the master to ensure
that his servant is efficient and effective. For winning the loyalty of the servant, the
master must understand his difficulties and limitations and show due concern to his
health and welfare. When the servant works day and night ignoring his health and
family to protect the person, property and dignity of the master, he certainly deserves
a pat on the back. Thus, the people have a definite role and responsibility to boost the
morale of the police and make it an efficient and effective agency. If the people stop
looking at the police with awe and suspicion, encourage it in its efforts of fighting
crime and support it when it requires their help, the police will certainly work more
enthusiastically to serve the society in a better manner.