



PG. DIP. IN CRIMINOLOGY & POLICE ADMINISTRATION **PAPER-2**
THEORY OF POLICE ADMINISTRATION

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Lesson No. :

UNIT-A

- 1.1 : Concept, Role and Significance of Police
- 1.2 : Origin and Development of Police in Ancient, Medieval and British Period

UNIT-B

- 1.3 : Organisation and Working of Ministry of Home Affairs
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Note : Students can download the syllabus from department's website www.dcepbi.com.

CONCEPT, ROLE AND SIGNIFICANCE OF POLICE

The term police have been derived from the Latin word politia which means the condition of a Polis or State. According to Oxford dictionary, the term police means a system of regulation for the preservation of order and enforcement of law; the internal government of State¹. The term broadly refers to purposeful maintenance of public order and protection of persons and property, from the hazards of public accidents and the commission of unlawful acts. It refers to civil functionaries charged with maintaining public order and safety and enforcing the law including the prevention and detection of crime.² India is multi-cultural, multi-ethnic and vast country. It is the second most populated country of the world. Maintaining law and order in world's largest democratic country is an arduous task. The police personnel provide for the security of people and enforcement of laws of the country. It determines the manner in which democratic decisions are implemented in the country. In view of the growing violence, social conflicts and serious threats of terrorist activities, the role of police is becoming even more important. The assurance of equality and dignity to the weaker sections of the society is also dependent upon the performance of the police. Clearly, police has a crucial role in the existence and development of India.³

Police and Public Order are state subjects, but this does not minimize the role of Central Government in Police administration. Constitution of India empowers the Central Government to intervene in some situations or perform special function in police matters. For example, Article 355 specifies that it is the duty of the Centre to protect the states against internal disturbances and to ensure that the governance of every state is carried on in accordance with the provisions of the Constitution. The constitution itself enumerates a long list of subjects like All India Services, arms, ammunition, passports etc. in the union list. As per List 1 of the 7th Schedule, the Parliament of India has exclusive powers to make laws with respect to the armed forces of the Union, the Central Bureau of Intelligence and Investigation, the Union agencies and institutions for training of police officers, promotion of special studies or research, scientific and technical assistance in the investigation or detection of crime, all India

¹ (Kalia, 1995).

² (Ghosh & Rustamji, 1993).

³ (Verma, 2005).

Services, extension of the powers and jurisdiction of members of one state police force to another with the consent of that state or to outside railway areas (CHRI, 2005). Thus, Central government under the supervision of Ministry of Home Affairs plays an important role in formulating the policies of the police administration. The Central Government has established a number of police organizations known as Central Police Organizations (CPOs). The CPOs can be broadly divided into two groups, namely armed police organizations or Central Para-Military Forces (CPMFs) and other central government organizations. CPMFs include Assam Rifles, Border Security Force (BSF), Central Industrial Security Force (CISF), Central Reserve Police Force (CRPF), Indo-Tibetan Border Police (ITBP) and National Security Guards (NSG). Second group of central Police Organizations include Bureau of Police Research and Development (BPR&D), Central Bureau of Investigation (CBI), Directorate of Coordination of Police Wireless (DCPW), Intelligence Bureau (IB), National Crime Records Bureau (NCRB), National Institute of Criminology and Forensic Science (NICFS), and the National Police Academy (NPA).

An important power with Central Government is the appointment of IPS (Indian Police Services) officers. Section 3 of the All India Services Act, 1951 empowers the central government, after consultation with the state governments, to make rules for the regulation of recruitment and the conditions of service of persons appointed to an all India service including IPS. The senior duty posts are called cadres and generally the cadre posts are filled with IPS officers. The central government periodically re-examines the strength and compositions of each cadre in consultation with state government and makes such alteration therein as it deems fit.

DUTIES AND RESPONSIBILITIES OF POLICE

Section 57 and 58 of the Model Police Act, 2006 describes the roles, functions and responsibilities of Indian police personnel. The police is expected to be the most accessible, interactive and dynamic organization of any society. Its roles, functions and duties in the society are natural to be varied, such as multifarious on the one hand; and complicated, knotty and complex on the other. In a broad way, police is expected to play two roles in the society i.e. maintenance of law and maintenance of order. However, the ramifications of these two duties are numerous. In fact, there is something a good patrolman puts into his work that is not found in the books of rules nor taught by police instructors (Vollmer, 1933).

The functions of police encompass preservation of law and order, to safeguard people's life & property. The society expects the cop to play the varied roles with equal élan. He is helper, savoir, friend and referee. On the other hand, as a law enforcer he arrests, encounters or uses force to enforce the rule of law. This

rollercoaster ride is difficult to understand functionally and emotionally.⁴ Policing makes huge demands on the mental, emotional and physical capabilities of the personnel. These demands are too often so stressful that they begin to destroy the individual.⁵

In all societies, organisations were established to protect the life and liberties of people since the dawn of civilisation. With the passage of time, complexities in the nature of societies have led to the creation of modern police. In the European context the term 'police' refer to a 'force for the city' and the police officer was known as Nagarpal, which means protector of the city and governance based on Dharma and Danda. Dandaneti was an important ingredient of Statecraft. Manu talked about the prevention and detection of crime and also a system of collecting intelligence during the vedic period. Vedas refer to different kinds of crimes and punishments for the criminals. During the Mauryan and Gupta periods, policing was undertaken systematically. Kautilya's Arthashastra gives a vivid picture of the nature of police organisation and their functions. During Mughal period, law and order administration was under the charge of Fauzdars. They were assisted by Thanedars who were in charge of Police Stations. He was also responsible for revenue functions. The office of the Kotwal was fairly important, as he was the chief of city police. His functions included patrolling the city at night, collection of intelligence, prevention of crime and social abuses and regulation of jails. During the British period, the police system that existed under the Mughals was allowed to continue with certain reforms to meet the changing needs. The present Indian police system is based on the Police Act of 1861 Under this act the police was made subordinate to the Executive Government. Later, several changes were brought about in the structure as well as functioning of the police system. But the basic structure and characteristics as enshrined in the police act of 1861 continued to dominate over the police system in the country. By the time India attained independence in 1947; the Police Administration had developed into one of the best systems. After independence, the Government of India felt that the system was capable of facing new challenges and was also well developed to help the new Government to maintain stability.

ROLE AND FUNCTIONS OF THE POLICE

Prevention of crime and maintenance of public order are the major functions of the police. According to 1861 Act, Police functions are to prevent commission of offences and public nuisances; bring offenders to justice; collect information affecting public peace; and keep order in all public places, keeping in view the changing political and social scenario. U.N. Congress prevention of crime, held in 1970 identified urbanisation, industrialisation, population growth, internal

⁴ (Bratz, 1979).

⁵ (Depue, 1979).

migration, social mobility, and technological changes etc. as the criminogenic factors. Communal tension and other social tensions are also the causes of crime due to which public order gets disturbed and violence breaks out. The main task of police is to enforce law and order, protect the citizens and safeguard their property. The police have to play a positive role in the scheme of social defence. It can no longer take a restrictive view of their role. In a democratic society the role of police is linked to social service. It is an important area where police has been assigned a positive role in relation of social. Legislation. These legislations touch upon the lives of the people at countless number of places. This provides various opportunities to serve the people and proves to be a challenge as well. In the changing political context, the police have to function as officers of law rather than as officers of the Government or Party in power. According to the National Police Commission set up by the Government of India in 1977, the duties and responsibilities of the police are to:

- i) Promote and preserve public order;
- ii) Investigate crime;
- iii) Identify problems and situations that are likely to result commission of crimes;
- iv) Reduce the opportunities for the commission of crimes through preventive patrol and other appropriate police measures;
- v) Aid and co-operate with other relevant agencies in implementing; appropriate measures for prevention of crimes;
- vi) Aid individuals who are in danger of physical harm;
- vii) Create and maintain a feeling of security in the community;
- viii) Facilitate orderly movement of people and vehicles;
- ix) Counsel and resolve conflicts and promote amity;
- x) Provide other appropriate services and afford relief to people in distress situations;
- xi) Collect intelligence relating to matters affecting public peace and crime. Including social and economic offences, and national integrity and security.

As civilisation advances, and democracy takes roots, the laws of the land also change. Instead of individual fancies, the people or their chosen representatives base law making on participation. Personalised laws are replaced by public laws. It's inter-dependence with other wings of criminal justice system such as judiciary and prosecution, and its interface with various sections and groups in the society have far reaching implication for its functionary.

ORIGIN AND DEVELOPMENT OF POLICE IN ANCIENT, MEDIEVAL AND BRITISH PERIOD

The present chapter discusses the origin, growth and features of police administration in India. The earliest policing in ancient India is known on the basis of what has been delineated through the “Vedas”¹, “Smiritis”, “Shastras”. The Vedas are a large body of texts originating in Ancient India. Composed in Vedic Sanskrit, the texts constitute the oldest layer of Sanskrit literature and the oldest scriptures of Hinduism. The Vedas are the ancient scriptures or revelation (Shruti) of the Hindu teachings. They manifest the Divine Word in human speech. They reflect into human language the language of the Gods, the Divine powers that have created us and which rule over us. See N.N. Bhattacharyya, *Ancient Indian History and Civilization: Trends and Perspectives*,². Smiriti, literally “that which is remembered,” refers to a specific body of Hindu religious scripture, and is a codified component of Hindu customary law. The literature which comprises the Smriti was composed after the Vedas around 500 B.C. Smriti also denotes tradition in the sense that it portrays the traditions of the rules on dharma, especially those of lawful virtuous persons. These are the ancient sacred law-codes of the Hindus dealing with the Sanatana-Varnasrama-Dharma. They supplement and explain the ritualistic injunctions called Vidhis in the Vedas. See N.N. Bhattacharyya, *Ibid.*, and The Ramakrishna Mission Institute Of Culture,³. Sastra is a Sanskrit term used to denote rules in a general sense. The word is generally used as a suffix in the context of technical or specialized knowledge in a defined area of practice; e.g, Bhautika Shastra (physics), Rasayana Shastra (Chemistry), Jeeva Shastra (Biology), Vaastu Shastra (architectural science), Shilpa Shastra (science of sculpture) and Artha Shastra (Economics), Neeti Shastra (political science). In essence, the shastra is the knowledge which is based on principles that are held to be timeless. *Ibid.*

Kautilya’s “Arthashastra”⁴ and Megasthenes report. The Hindus had a very elaborate system of law enforcement and dispensation of justice. Powers flowed

¹ Vedas

² New Delhi, 1998 and The Ramakrishna Mission Institute Of Culture, *The Cultural Heritage of India Volume I*, Kolkata, 2004

³ *Ibid.*

⁴ “Arthashastra”

from the King to the other functionaries, who ruled or carried out the command of the law to the length and breadth of the territory. Apart from the contemporary Hindu epics like the Ramayana and Mahabharata the Manu's law 6 gave an indication of the system governing crime and punishment. The Hindu system has two aspects - religion and temporal. According to the Hindu religion the key concepts of a criminal justice revolve around "Dharma"⁷, "Karma"⁸, "Paap"⁹ and "Punya"¹⁰. A proper observance of "Dharma" and "Karma" was to earn "Punya" while its non-observance was sinful and punishable. Punishment was inescapable from spiritual authority, the God. In temporal terms, the 4. The Arthashastra is an ancient Indian Hindu treatise on statecraft, economic policy and military strategy which identifies its author by the names Kautilya who was a scholar at Takshashila and later the prime minister of the Maurya Empire. See N.N. Bhattacharyya, Op.Cit. and the Ramakrishna Mission Institute Of Culture, Op.Cit. 5. Megasthenese⁵ was the Greek Ambassador to the Court of Emperor Chandragupta.⁶ Manus provides the guidelines to enforce the law⁷. Dharma is a multivalent term of great importance in Indian philosophy and religions. In a Hindu context, it means one's righteous duty, and a Hindu's dharma is affected by a person's age, class, occupation, and gender. In modern Indian languages it can be equivalent simply to religion, depending on context. The word dharma translates as that which upholds or supports, and is generally translated into English as law.⁸ Karma in Indian religions is the concept of "action" or "deed", understood as that which causes the entire cycle of cause and effect originating in ancient India and treated in Hindu, Jain, Buddhist and Sikh philosophies.⁹ The word stands for one of the basic concepts of the Indian religious tradition. This concept relates to what is considered religiously and morally evil, an act of body, mind, or speech opposed to what is considered religiously and morally good.¹⁰ Includes all forms of doing good, from the simplest helpful deed to a lifetime of conscientious beneficence. Each act of punya carries its karmic consequence, karmaphala, "fruit of action" - the positive reward of actions, words and deeds that are in keeping with dharma. Ibid. king was responsible for punishing the wrong doers. Each person from the king to the common man it was both a duty and obligatory to live a life according to "Dharma". Each person had his or her own "Dharma". The violation or non adherence or even abstinence from doing "Dharma" was a sin and punishable, if not by legal authority, by God. Another source was Manu's law which provided the guidelines to enforce law.

During the Hindu Period in India, it appears that there were four elements in the organisation of society against crime - communal responsibility, village

⁵ . Megasthenese

⁶ Ibid.

⁷ Ibid.

⁸ Ibid.

⁹ Ibid.

¹⁰ Ibid.

watchman, espionage and severe penal provisions.¹¹ The period of the Mauryas in the 4th century B.C. throws light on this subject. The reports of Magasthenese give an interesting description of the administration of the Mauryas towards the end of the 4th century B.C. The standard of maintenance of law and order was very high during Emperor Chandragupta's reign, but its effectiveness depended largely on the severity with which malefactors were treated. Mutilation was a common punishment and death penalties were awarded for such crimes as evasion of taxes, injuring a sacred tree or intrusion on a royal procession going to the hunt. Intelligence agents were employed throughout the country and espionage was developed to a fine art.¹¹ Another important source of this period is the "Arthashastra" written by Kautilya, who was a minister and trusted Counsellor of Chandragupta. It contains a detailed description of the functions and powers of various functionaries of law enforcement. The system consisted of three basic aspects:

- (1) An all pervading spy system for detecting and reporting law violation and unearthing illegal activities;
- (2) uniformed unit for apprehending law violators, maintaining peace and suppressing turmoil;
- (3) magistracy or judicial authority for awarding punishment. The administrative structure was hierarchical. The Chief Executive Officer of the State, the Collector General was responsible not only for the collection of revenue, and for all other departments of administration. Under him were three Commissioners of Divisions, and under them again were the Nagarikas who were later known as Kotwals - in charge of cities. The Nagarikas was the highest local functionary in a city. He combined the function of a judge, revenue collector, army commander, police chief, sheriff, mayor or a governor.

Masters of the houses were to report the arrival or departure of strangers and to catch hold of people possessing destructive weapons and suspicious persons were to be arrested and examined. Persons throwing dirt into the streets were to be fined. Nagarikas also enforced the elaborate regulations for the prevention of fire. There were other officials who carried out police duties. There was Superintendent in charge of Passports, Superintendent in charge of Liquor and Superintendent in charge of Gambling.^{12 13}

In the villages, organisation for policing was naturally less elaborate and a good deal of responsibility was placed on the village community. There was an administrative organisation in which the Sthaniks corresponding to Commissioners of division or Deputy Commissioners of District in modern times, while a Gopa was in charge of each group of villages.¹⁴ Each village was

¹¹ . Percival Griffiths, *To Guard My People: The History of the Indian Police*, 1971, p.8.

¹² Percival Griffiths, *Op.Cit.*, p.9.

¹³ *Ibid.*, p.10.

¹⁴ Percival Griffiths, *Op.Cit.*, p.10.

looked after by a village chief or a village headman known as Gramani or by a village council known as the Panchayat.¹⁵ Where there was a fort or seat of government, high ranking military officers called Dandapala, Durgapala and Antpala who were respectively responsible for various police functions like internal security of the palace, the security of the fort and the chief punishing authority for violators. Espionage was used as a great instrument of keeping watch on the people, the common criminals and even the King's Ministers and Military Commanders. The system declined when the Hindu kingdom was divided into small principalities and was at the lowest when the Muslim invaders overran these kingdoms, one after the other. The Hindu period of Indian history came to an end sometime between 1000 and 1200 A.D.

Mughal Period

The first Muslim invaders of India were Arabs who entered Sind in the 8th century, but they had little permanent influence and of much greater importance were the invasion of Turks, Persian and Afghans beginning in the 11th century.¹⁶ When the Muslim Sultans took over India they tried to enforce the Mohammedan law imported from Arabia on the conquered people.¹⁷ They introduced only those changes, which suited their objectives.¹⁸ They made all appointments hereditary. The provinces were put under the Subadars or Governors appointed by the King. The Subhadar was responsible for maintaining order, to facilitate collection of revenue, and to execute the royal decrees and regulations sent to him. He was responsible for the general supervision, maintenance of law and order, economic prosperity and defence of the province.¹⁹ He also looked after the system of criminal justice and keeping peace and order.²⁰ He was assisted by Faujdars in discharging executive, military, and law and order functions. The Faujdar was the executive head in charge of a district or Sarkar exercising control over the military police and carried out the Sultans's order within their respective jurisdiction.²¹ Roughly each Faujdar had 500 to 1500 Sepoys under his charge, depending on the size of the district or Sarkar.²² Apart from his civil and revenue responsibilities, his duties included to dispense or arrest robber gangs, take cognizance of all violent crimes, and make demonstrations of force to overcome opposition to the revenue authorities or the criminal judge or censor.²³ He was vested with

¹⁵ M.P. Singh, *Police Problems and Dilemas in India*, 1989, p.18.

¹⁶ Percival Griffiths, *Op.Cit.*, p.113.

¹⁷ M.P. Singh, *Op.Cit.*, p.19

¹⁸ Joginder Singh, *Inside Indian Police*, 2002, p.28.

¹⁹ . M.P. Singh, *Op.Cit.*, p.24

²⁰ . Joginder Singh, *Op.Cit.*, pp.28-29

²¹ B.P. Saha, *Indian Police: Legacy and Quest for Formative Role*, 1990, p.2.

²² Joginder Singh, *Op.Cit.*, p.29.

²³ M.P. Singh, *Op.Cit.*, p.24.

executive powers, which enabled him to function as police Magistrate.²⁴ Faujdhar were assisted by Shiqdar who were in charge of a Parganah, a subdivision of a Sarkar.²⁵ The Shiqdar combined the functions which were performed by the Faujdar and the Kotwal i.e. he was in charge of law and order. As the Faujdar had large areas to supervise, they did not have any effective check or control on the village police or the People living there.²⁶ Hence, each area under the charge of a Faujdar was divided into Thanas each looked after by a Thanedar. The Thanedar were men in command of outposts or smaller areas within a Faujdari and were appointed by the Faujdar.²⁷ A Thanedar was the last managerial link in the chain of command of the executive offices who were responsible for maintaining law and order and control crime. They were in charge of police units stationed at various places for guarding communications and Maintaining peace.²⁸ These officers were part of the rural system of administration and had large geographical areas under their charge which they could hardly look after. In big urban centres, the chief of the city police was called Kotwal. The duties of the Kotwal included arrest of thieves and criminals and guarding the life and property of the citizens.²⁹ He was responsible for policing the cities, towns and their suburbs and also supervised the police functions in these areas. He was responsible for prevention of crimes and social abuses, Regulated cemeteries, burials, slaughter houses, jails and took charge of heirless property. He patrolled the city at night and collected intelligence from paid informers. He maintained a register of the addresses and professions of every resident of the town, observed the income and expenditure of various classes of men, preparation and distribution of intoxicants, and the profession of prostitutes were controlled by them. Thus, his functions were preventive, detective and regulatory.³⁰

British Period

The Mughal system of justice and police administration declined with the disintegration of the Mughal Empire and the ascendancy by the East India Company after their victory in the Battle of Plassey. The Company took over Orrisa, Bihar and Bengal. It established its military and political hegemony over the areas. On receiving the Diwani of Bengal, Bihar and Orissa in 1765 the East India Company did not consider it prudent to vest the management of civil administration on their European servants. They felt that ancient form of government should be preserved and the dignity of the Nizam should be

²⁴ B.P. Saha, Op.Cit., p.3.

²⁵ M.P. Singh, Op.Cit., p.25.

²⁶ Joginder Singh, Op.Cit., p.29.

²⁷ M.P. Singh, Op.Cit., p.19.p.28.

²⁸ M.P. Singh, Op.Cit., p.28.

²⁹ Joginder Singh, Op.Cit., p.29.

³⁰ Percival Griffiths, Op.Cit., pp.15-16.

maintained. In 1765, Robert Clive was appointed the Revenue Minister by the King for Bengal, Bihar and Orissa and that was the beginning of the British ascendancy to power, expansionism, consolidation, and centralisation of administration year after year till the reins of power passed over to the Crown and India became a British Colony except few native rulers maintaining a resemblance of independent Kingdoms. There was a Secretary of State in England responsible to the British Parliament. In India the top executive was called the Viceroy and the Governor-General. The British India was divided into states, each under a Governor who combined the executive and judicial and legislative powers. The states were divided into commissionaires, each under a Commissioner, but the most important unit was the district - a part of the commissionary. It was headed by a District Magistrate, also called a Collector or a Deputy Commissioner. He was the executive head with judicial, revenue and magisterial powers. The district police Chief known as Superintendent was placed under him.³¹ for administrative purposes. The districts were further subdivided into divisions called Parganas, each under a Deputy Superintendent of Police. Each subdivision had police stations, each under the charge of the Sub-Inspector known as Thanedar, Daroga or Kotwal.³²

The policy of Dyarchy, i.e. the rule of two, introduced by Clive, required the Company's servant to pursue a policy of non-intervention in all matters of civil administration and justice. The Revenue administration was entrusted to Naib Divans who were responsible for the collection of land revenue as well as policing and criminal administration.³³ For policing, the Zamindars were expected to maintain the staff including Thanedars for the law and order duties and for maintaining peace in their charge, as well as dealing with crimes and criminals. However, the Zamindars neglected their duties and were often conniving with notorious gang of dacoits and sharing their booties. This led to chaos and disorder in the country. The British got fed up with the police functionaries and in 1770 the institution of the Faujdhar and Amils were abolished. Warren Hasting the first Governor-General of the Company realised the need for introducing a suitable police force to suppress violent crime. In this pursuit, he emphasised on indigenous system of policing. In 1772, he established a civil and criminal courts for each districts of Bengal and in 1774 he restored the institution of Faujdars.

The Zamindars were asked to assist the Faujdars in suppression of dacoits, violence and disorder and at the same time made clear that they would be punished if they failed to meet the just demands of the Faujdars and if their complicity with criminals came to light.³⁴ In 1775, further change was brought

³¹ B.P. Saha, Op.Cit., p.5.

³² M.P. Singh, Op.Cit., p.35.

³³ Joginder Singh, Op.Cit., p.32.

³⁴ B.P. Saha, Op.Cit., p.6.

by Hasting in police administration. Faujdar thanas were established in the chief towns of large districts. The Faujdar thanas were assisted by several smaller police stations. When Lord Cornwallis took over, the criminal administration was in Total disarray. He found that archaic practice of entrusting the Zamindars to neutralise the outlaws and maintain law and order was counter - productive as many of the Zamindars had clandestinely joined hands with the dacoits. Cornwallis preferred Europeans to Indians to undertake control and responsibilities. He brought out the Regulation on 7th December, 1792 for establishing a uniform system of police in the country.³⁵ The Regulation was later on enacted and amplified in Regulation XXII of 1793.³⁶ In the opening paragraphs of the Regulation, Cornwallis laid down the principles to be followed as follows: "The police of the country are in the future to be considered under the exclusive charge of the officers of Government, who may be specifically appointed to that trust.

The landholders and the farmers of the land, who keep up establishments of Thanadars and police officers for the preservation of peace, are accordingly required to discharge them and all landholders and farmers of land are prohibited entertaining such establishments in the future. Secondly, land holders and farmers of land are not in future to be considered responsible for robberies committed in their respective estates or farms, unless it shall be proved that they connived at the robbery, received any part of the property stolen or plundered, harboured the offenders, aided or refused to give effectual assistance to prevent their escape, or omitted to afford every assistance in their power to the officers of Government for their apprehension, in either of which case they will be compelled to make good the value of the property stolen or plundered."³⁷ The Zamindars were completely divested of police responsibility and ordered to disband their local police force. The police administration was directly taken over by the East India Company. Each district was divided into police jurisdictions (thanas). Each thana had a jurisdiction of approximately 400 square mile under a Daroga who functioned under the Magistrate who was the appointing authority. The Darogas were authorised to arrest persons and send them to the Magistrate within twenty four hours of arrest. The Darogas were assisted by Barkandazs. In addition, all watchmen of the villages were subject to his orders who had to keep him informed regularly.³⁸

Cornwallis introduced a well defined system of administration, with clear hierarchy and controlling officers. He was the first to introduce full time and reasonably well paid, police officials in the country. His efforts to tone up police administration have been acknowledged in the preamble to Bengal Regulation XII of 1807.³⁹ In 1807, Lord Minto became the Governor General. He realised

³⁵ Joginder Singh, Op.Cit., p.39.

³⁶ B.P. Saha, Op.Cit., p.8.

³⁷ Percival Griffiths, Op.Cit., p.57.

³⁸ B.P. Saha, Op.Cit., p.8.

³⁹ B.P. Saha, Op.Cit., p.9.

that the police organisation had been suffering from inadequate organisational control and proper division of labour. He appointed a Superintendent of Police in Bengal to supervise the Police divisions of Bengal in Calcutta, Dacca and Murshidabad. This officer was also a Magistrate. The system was extended to Patna, Banaras and Bareilly. This was the first attempt of the British to introduce a coordinating agency of control in the administration of police.⁴⁰ This system brought a spectacular improvement in police functioning and gave opportunity for personal superintendence on police matters. A full-time officer could pay greater attention to police work which succeeded in activating the police considerably. In 1816, the Superintendents of Police were made to submit annual reports on all subsidiary police establishments to the magistrate. Simultaneously, the Magistrates were also directed to exercise proper control on the organisation, maintenance and control of police administration. This enabled the Magistrates to exercise greater control and authority over the Internal matters of police administration, such as appointments, transfers and disciplinary control.⁴¹ In 1829, the office of the Superintendent of Police was abolished. Instead office of the Divisional Commissioner of Revenue and Circuit was created.

The powers of the Superintendent of Police were transferred to the Divisional Commissioner and executive charge was left with the Collectors who acquired the functions of the district Magistrate. The District Magistrate became the head of the police.⁴² The abolition of the office of Superintendent of Police produced adverse results. In absence of effective supervision under a recognised hierarchy, engaged for full-time duty, the Darogas got ample opportunities to misuse their powers and positions and indulged in corrupt practices. The Select Committee appointed in 1832 pointed out the malpractices let loose by the Darogas and their subordinates and emphasised on the inefficient and inadequate supervision by the Commissioner who were unable to devote effective supervision to police work due to other heavy commitments.⁴³ Hence, in 1837 the Bengal Government reintroduced the post of Superintendent of Police to look after the police work and for taking effective measures for introduction of an improved police.⁴⁴ In 1843, Sir Charles Napier annexed Sind Province. He introduced the Royal Irish Constabulary model of police force. The system constituted a separate and self contained police organisation under which the officers had no other but police duties to perform.⁴⁵ The system was based on two principles that, the police must be completely separated from the military and they must be independent body 'to assist the Collectors in discharging their responsibilities for law and order but under their own

⁴⁰ Ibid., p.10.

⁴¹ B.P. Saha, Op.Cit., pp.10-11.

⁴² Ibid., p.11.

⁴³ Ibid.

⁴⁴ Joginder Singh, Op.Cit., p.67.

⁴⁵ B.P. Saha, Op.Cit., p.13.

officers'.⁴⁶ A principle was thus laid down which was to be followed throughout India in due course. Napier put the whole of the province under a Captain of police who was responsible to the Chief Commissioner. In each district he placed European Lieutenants to look after the police force which consisted of three classes: mounted police, rural police and city police. The responsibilities of the mounted police were partly protective and partly detective.⁴⁷ the rural police were responsible for guarding treasuries, goals or headquarters, escort of prisoners and support of other branches where necessary. The city police were given the task of being watchmen, guard and patrols and tracking.⁴⁸ In charge of each division of a district was a Thanadar whose duty was to apprehend offenders and collect evidence. The police system in Madras which was archaic and unsatisfactory was reviewed after the Vellore Mutiny of 1806 by a Committee. As a result, the city was placed under the charge of a European Superintendent In 1806; the post of Superintendent of Police was combined with the Collector of Taxes.⁴⁹ The post of Darogas was abolished. In 1816, the Madras Regulation XI was passed which retained the basic ingredients of the indigenous village police system.⁵⁰ The powers of a District Magistrate were transferred from the Judge to the Collectors, though the judges on circuit were empowered to look into police matters. The principle of uniting police and revenue functions was followed at all levels. Collectors and Tahsildars became magistrates and heads of police in their respective jurisdictions. Village headmen were once again made responsible for reporting crime and apprehending offenders. This system remained unchanged till late 1850s. In August 1855, the Madras government submitted proposals to the Government of India, suggesting separation of the police and revenue function and the district police must be confined to police duties exclusively; and the force thus set apart must be placed under close and undivided European superintendence.⁵¹

The government of Madras further proposed that as in Bombay a Superintendent of Police be appointed in each district to be in general subordination to the Magistrate but with immediate charge of the district Police force and be vested with the special duty for prevention and detection of crime.⁵² That a Commissioner of Police for the whole Presidency be appointed and the entire force, including the city police, should be under his control. In June 1857, the proposal was accepted with negligible modifications. Ultimately an Inspector General was appointed for the entire Presidency. The posts were designated as Superintendents. The Superintendent of Police was under the

⁴⁶ Percival Griffiths, Op.Cit., p.69.

⁴⁷ M.P. Singh, Op.Cit., p.39.

⁴⁸ Percival Griffiths, Op.Cit., p.69.

⁴⁹ B.P. Saha, Op.Cit., p.14.

⁵⁰ Percival Griffiths, Op.Cit., p.74.

⁵¹ Ibid., p.16.

⁵² Percival Griffiths, Op.Cit. , p.81.

orders of local Magistrates. The village police was under a Police Inspector who, in turn, was subject to the control of the District magistrate. Act XXIV of 1859 implementing these decisions was passed by the Legislative Council of India and received the assent of the Governor-General on 6th September 1859.⁵³ However, it was not applied to Madras city. In Bombay Presidency after various experiments a post of Lieutenant of Police was created in 1879.⁵⁴ subsequently, the designation was changed to Deputy Superintendent of Police and later the post of Superintendent of Police was created. He was vested with magisterial powers and was authorised to inflict punishment for minor offences. He was also burdened with the duties of Surveyor of roads and clerk of the market. In 1809, a Police Commission was appointed under the Chairmanship of the Chief Secretary to review the subject. The report of the Committee condemned the system and based on its report, Regulation I of 1892 was enacted under which three stipendiary Justices of the Peace were appointed as Police Magistrates.

A Head Constable was to be appointed to discharge the duties of the executive head of the Police, who was considered to be the Deputy of the Police. In addition, a Superintendent of Police was to be appointed to exercise control and deliberative powers as distinct from executive authority.⁵⁵ After the Maratha war in 1817, a Mofussil police force was organised on a large scale. It consisted of three elements, the village police, the stipendiary district police and certain irregular corps. The Collector and District Magistrate was the head of the entire police organisation in the district.⁵⁶ The village headmen or Patels were the village officers. They were directly responsible to the district police officer and powered to punish offenders in trivial cases of abuse or assault. In each district there was stipendiary police corps, a paramilitary police force, under European officers who worked under the order of the District Magistrate. They performed police duties and provided escorts for treasure and guards for the gaols.⁵⁷ When, Clerk, the Governor of Bombay, visited Sind in 1847, he was highly impressed by Napier's police system and this led him to embark on police reforms in Bombay and submitted a comprehensive proposal. The proposal was finally accepted on 21st May by Act XXVII of 1852.⁵⁸

The general control over the police was placed with the Home Department, Government of Bombay. However, no Commissioner of Police was appointed. The executive duties of were handed over to the Superintendent of Police, but made clear that the Superintendent of the Police was to be the deputy of the Magistrate. In the next lower hierarchy a police officer known as the Joint Police Amildar was stationed in the Court office of each Mamlatdar. He was to have his own department under the control of the Superintendent of Police in

⁵³ B.P. Saha, Op.Cit., p.16.

⁵⁴ Ibid., p.18.

⁵⁵ B.P. Saha, Op.Cit., p.18.

⁵⁶ Ibid.

⁵⁷ Ibid., p.19.

⁵⁸ Ibid.

matters of discipline and the like.⁵⁹ At the next level the Patels were given additional powers, with the village establishment under him and obey the orders of the Superintendent of Police. The Court of Directors showed continuous anxiety about the whole question of police work in India and on 24th September 1856 it directed the Government of India that 'an immediate and through reform of the Police in all the old Provinces of British India is loudly called for' stating that the Police in India had lamentably failed in accomplishing the ends for which it was established.⁶⁰ On 17th August 1860, it appointed a Police Commission composed of four members of the Civil Service,⁶¹ under the Chairmanship of M.H. Court. Lieutenant Colonel H. Bruce as member Secretary and the other members were R. Temple and S. Wauchope of Bengal Civil Service, W. Robinson of Madras Civil Service and Lieutenant Colonel Phayre, Commissioner of Pegu⁶²The Commission's terms were

Firstly, to ascertain the numbers and cost of all Police and quasi-Police of every description at present serving in each province throughout the British Territories in India, who are paid by Government from the general revenue; and secondly, to suggest to Government any measure whereby expenditure may be economised or efficiency increased, in the existing Police forces.⁶³ The Commission worked for a period of one year and five months. The Commission submitted their recommendations through a series of reports. The first report was submitted on 8th September 1860.⁶⁴ It was an interim report along with a Draft Bill of the Police Act. The Bill was accepted with minor modifications and eventually enacted as the Police Act (Act V) of 1861.⁶⁵ The last report was submitted on 27th January 1862 and the Commission was dissolved on 9th April 1862.⁶⁶ The Act of 1861 had two main aims in view: the establishment and administration, under strict magisterial control, of a single unified police force in every province, and to use it to keep the people of the country effectively under control.⁶⁷

The Act provided, under Section 3, that the constitution of the police force, including its strength and pay of the members, would be decided by the provincial government. The Act further provided that the administration of the police was to be assigned to the Inspector General of Police, and Deputy and Assistant Inspector General of Police, and that in a district the Superintendent of Police and Assistant Superintendent of Police, under the control and

⁵⁹ Percival Griffiths, *Op.Cit.*, p.74.

⁶⁰ *Ibid.*, p.87.

⁶¹ *Ibid.*, p.88.

⁶² B.P. Saha, *Op.Cit.*, p.20.

⁶³ Percival Griffiths, *Op.Cit.*, p.88.

⁶⁴ B.P. Saha, *Op.Cit.*, p.20.

⁶⁵ *Ibid.*, p.20.

⁶⁶ *Ibid.*

⁶⁷ Rajinder Prasher, *Police Administration: Organisation & Structure, Recruitment & Training, Unionism & Public Relations*, 1986, p.19.

direction of the District Magistrate. Sections 5 and 6 of the Act provided that all magisterial powers be vested in Deputy Inspectors General, Assistant Inspector General, Superintendents of Police and Assistant Superintendent of Police. The Act also made provisions for awarding of departmental and judicial punishment to police officers.⁶⁸ The duties and responsibilities of the subordinate ranks were also properly determined. Simultaneously, hierarchical structure was identified. The Inspector was the highest subordinate rank, having several grades. Next to the Inspector was the Head Constable, who was to be made in charge of the police parties located at the Station Houses. The lowest subordinate rank was to be the constable consisting of three grades. The Act required the maintenance of a General Diary in police stations, wherein the officer in charge was to record all complaints and charges preferred, the names of all persons arrested, the name of the complainants, the offences charged against them, the weapons or property that shall have been taken from their possession or otherwise and the names of the witness who shall be examined.⁶⁹ The Act was fairly comprehensive and almost half of it dealt with matters such as police powers with regard to public assemblies, punishment for certain kinds of offences on roads, and the definition of important legal terms used in the Act. The Act did not conceive the police force as a service organisation but an instrument of coercion.⁷⁰ Section 15 provides for the stationing of additional punitive police in any part of the province found to be disturbed from the conduct of the inhabitants. More significantly, the Act provided that the costs of such additional police were to be levied from the inhabitants on the basis of assessment by the District Magistrate. Section 17 provided for the appointment of the residents as special police officers to assist the regular police and Section 19 provided powers to punish people refusing to serve as such. Section 30 empowered the police to license the assemblies and processions of people that could be refused on the grounds of threat to law and order. Furthermore, since Indians filled majority of subordinate ranks, provisions were made to keep their loyalty under constant supervision. Section 44 required the maintenance of a General Diary by the Station House Officer that included details of movements of all police officers posted to the station. The senior police officers not only checked the loyalty of their subordinates but also wielded considerable authority over the general people.⁷¹ The recommendations of the first Commission and the subsequent Police Act of 1861 were deficient in several respects. Therefore, they could not remove the shortcomings of the police force. Inefficiency and corruption in the ranks of the police force were woefully rampant and the personnel recruited in the organisation continued to be untrained and ill-equipped for the job. With a view to improve things and to reform personnel administration, Lord Curzon, Viceroy of India, set up a new

⁶⁸ Rajinder Prasher, Op.Cit., p.19.

⁶⁹ Rajinder Prasher, Op.Cit., p.19.

⁷⁰ Ibid.

⁷¹ Arvind Verma, The Indian Police: A Critical Evaluation, 2005, p.16.

Police Commission in 1902 to make a through inquiry into the functioning of the police. H.L. Fraser, Chief Commissioner of the Central province headed the Commission. The four European members included a Judge of the Bombay High court, the Inspector General of Police of Hyderabad State, a Barrister of Allahabad and a member of the Punjab Lieutenant Governor's Council. There were also two Indian members, namely, Rameshwar Singh, Maharaja of Darbhana, Additional Member of the Governor-General's Council and the Honourable Srinivasa Raghava Aiyangar, Ex-Dewan of Baroda State and Additional Member of the Council of the Governor of Madras. H.A. Stuart, the Inspector General of Police, Madras was the Secretary.⁷² The terms of reference of the Commission practically covered every aspect of policing including organisation, training, pay, institution of a fulfilled Criminal Investigation Department, organisation of Railway Police and other matters relating to police. The Commission appointed small local committees in each province consisting of a District and Sessions Judge and Superintendent of Police to conduct preliminary investigations and report their findings to the Commission. The Commission visited all provinces of India except Baluchistan. They visited four police training schools at Bhagalpur, Moradabad, Vellore and Phillur where they saw the students at work and heard the lectures delivered there.⁷³

They also visited a number of Police Stations and offices. They held fifty public sessions for examination of witness.⁷⁴ The Commission also orally examined 279 witnesses and received 683 written replies.⁷⁵ On conclusion of their enquiries a conference of the Inspector General's of Police was called at Shimla to consider matters relating to procedure, discipline and statistics and to work out estimates of the financial effect of the changes they had recommended. The Commission worked for seven and a half months and submitted their report on 30th May 1903 and the Secretary of State approved the report.⁷⁶ The recommendations were meant to restructure and reorient the personnel policies of the police to gear it to the mounting challenges posed by the increase in crime and disorder. Finally, examining the pros and cons, a comprehensive Resolution came out on 21st March 1905 declaring the extent to which the recommendations of the Commission was acceptable to the Government and improving the police administration at all levels. The village chawkidar was placed under the village headman so that the village affairs could be handled without referring petty matters to police officers. The supervision and control of the village headman was the responsibility of the Collector or the Deputy Commissioner and his deputies. The pay scales of the lower ranks of policemen were raised. A certain percentage of the vacant posts of Sub-Inspectors were to be filled up by promotion from among the Head Constables. Similarly, the

⁷² B.P. Saha, Op.Cit., p.31.

⁷³ Rajinder Prasher, Op.Cit., p.19.

⁷⁴ B.P. Saha, Op.Cit., p.33.

⁷⁵ Rajinder Prasher, Op.Cit., p.19.

⁷⁶ B.P. Saha,Op.Cit., pp.33-34

vacant post of Inspectors was to be filled up through selection out of Sub - Inspectors. The recruitment to the post of Assistant Superintendent was to be made through a competitive examination in England for men between 18 - 20 years of age. The post of Deputy Superintendent of Police was created for the same functions as those of the Assistant Superintendent and educated Indians were to be recruited for this post but not a part of the Indian (Imperial) Police.⁷⁷ In 1947, the colonial rule was replaced by representative democracy. The ushering of a new pattern of life did not automatically mean the elimination of old institutions and heritage, of which the police force was one. The idea of provincial responsibility of law and order was enshrined.⁷⁷ In the Constitution of the Indian Republic which provides for the Union and the State lists. Maintenance of public order and police, including the railway and village police are state subjects. The constitutional position of the policies, therefore, remained almost the same as it was before independence. The framers of the Constitution obviously thought that the extent of decentralisation of police administration already existing was sufficient to ensure popular control.⁷⁸ The Constitution gives the States the exclusive power to control and regulate the functioning of police. The Central Government may be concerned with the administration of police, but with that only of the Central Bureau of Intelligence and Investigation which is authorised by the Constitution to establish and maintain.⁷⁹

⁷⁷ Rajinder Prasher, Op.Cit., p.27.

ORGANISATION AND WORKING OF MINISTRY OF HOME AFFAIRS

I. Introduction:

The Ministry of Home Affairs (MHA) discharges multifarious responsibilities, the important among them being - internal security, border management, Centre-State relations, administration of Union Territories, management of Central Armed Police Forces, disaster management, etc. Though in terms of Entries 1 and 2 of List II – ‘State List’ – in the Seventh Schedule to the Constitution of India, ‘public order’ and ‘police’ are the responsibilities of States, Article 355 of the Constitution enjoins the Union to protect every State against external aggression and internal disturbance and to ensure that the Government of every State is carried on in accordance with the provisions of the Constitution. In pursuance of these obligations, the Ministry of Home Affairs continuously monitors the internal security situation, issues appropriate advisories, shares intelligence inputs, extends manpower and financial support, guidance and expertise to the State Governments for maintenance of security, peace and harmony without encroaching upon the constitutional rights of the States.

II. DEPARTMENTS OF MHA

Department Of Border Management

Department of Border Management, dealing with management of borders, including coastal borders, strengthening of border guarding and creation of related infrastructure, border areas development, etc

Department Of Internal Security

Department of Internal Security, dealing with the Indian Police Service, Central Police Forces, internal security and law & order, insurgency, terrorism, naxalism, activities of inimical foreign agencies, terrorist financing, rehabilitation, grant of visa and other immigration matters, security clearances, "Protection of Human Rights Act and also matters relating to National integration and Communal Harmony and Ayodhya", etc

Department Of J & K Affairs

Department Jammu & Kashmir Division deals with the Constitutional provisions with respect to the State of Jammu and kashmir, administration of the Armed Forces(J&K) Special Powers Act,1990 (21 of 1990) and all matters

relating to the State of Jammu and Kashmir, including counter terrorism within Jammu and Kashmir and coordination in respect of subjects/matters specifically allotted to any other Ministry/Department like coordination with Ministry of Defence as regards manning and managing the line of control between India and Pakistan, but excluding those with which the Ministry of External Affairs is concerned. The Division also coordinates with various Ministries/Departments, primarily concerned with development and welfare activities in Jammu and Kashmir.

Department Of Home

Dealing with the notification of assumption of office by the President and Vice-President, notification of appointment/resignation of the Prime Minister, Ministers, Governors, nomination to Rajya Sabha/Lok Sabha, Census of population, registration of births and deaths, etc

Department Of Official Language

Dealing with the implementation of the provisions of the Constitution relating to official languages and the provisions of the Official Languages Act, 1963.

Department Of States

Dealing with Centre-State relations, Inter-State relations, administration of Union Territories, Freedom Fighters' pension, Human rights, Prison Reforms, Police Reforms, etc.

The Department of Internal Security, Department of States, Department of Home, Department of Jammu and Kashmir Affairs and Department of Border Management do not function in watertight compartments. They all function under the Union Home Secretary and are inter-linked. There is a designated Secretary for Department of Border Management and Internal Security also.

III. Organisational Structure

Cabinet Rank Minister, Ministers OF State , Home Secretary, Secretaries, Special Secretaries, Additional Secretaries and Joint Secretaries who held / are holding position in the Ministry of Home Affairs during the year (excluding Mandate and Organisational Structure of the Ministry of Home Affairs .

IV. The list of existing Divisions of the Ministry of Home Affairs indicating major areas of their responsibility are as below: Administration Division

- a. The Administration Division :** is responsible for handling all administrative and vigilance matters, allocation of work among various Divisions of the Ministry and matters relating to the Warrant of Precedence, Padma Awards, Gallantry Awards, Jeevan Raksha Padak, National Flag, National Anthem, State Emblem of India and the Secretariat Security Organisation. It

is also the Nodal Division for matters relating to Right to Information Act, 2005.

b. Border Management Division : The Division deals with matters relating to coordination of the Department of Border Management, including matters related to Empowered Committee on Border Infrastructure (ECBI), matters pertaining to Border Area Development Programme (BADP), Integrated Check Posts (ICPs), Land Ports Authority of India (LPAI), management of Indo-Bangladesh Border, management of Indo-Pakistan Border, management of Indo-Nepal Border, management of Indo-China Border, management of Indo-Bhutan Border, management of Indo-Myanmar Borders and issues relating to Coastal Security. The work of Border Management has been divided between two Joint Secretaries. 2 Annual Report 2017 -18 .

c. Coordination and International Co-operation (C&IC) Division :

The Coordination Wing of the Coordination & International Co-operation (C&IC) Division deals with intra-Ministry coordination work, Parliamentary matters, public grievances, court cases, official language, publication of Annual Report of the Ministry, record retention schedule, custody of classified and non-classified records of the Ministry, matters relating to e-Samiksha, furnishing/publication of various reports relating to employment of SCs/STs and Persons with Disabilities, achievements of the Ministry etc. The International Cooperation (IC) Wing of the C&IC Division deals with matters relating to agreements/treaties in respect of general cooperation on security issues, illicit trafficking in narcotic drugs, international cooperation on counter-terrorism, international covenants, bilateral legal assistance treaties and related items of work. Further, it coordinates all matters on security issues pertaining to SAARC, BIMSTEC, ASEAN etc. and meetings of the SAARC Interior /Home Ministers. The Wing also organises Joint Steering Groups Meetings formed under the Security Cooperation Agreements and coordinates other bilateral dialogues/meetings at Ministerial/Home Secretary level.

d. Centre-State Division : The Division deals with CentreState relations, including working of the constitutional provisions governing such relations, appointment of Governors, creation of new States, nominations to the Rajya Sabha / Lok Sabha, Inter-State boundary disputes, overseeing the crime situation in States, imposition of President's Rule, etc. The Judicial Wing of Centre-State Division deals with all matters relating to the

legislative aspects of the Indian Penal Code (IPC), Code of Criminal Procedure (CrPC) and also the Commission of Inquiry Act. It also handles matters relating to the State legislations which require the assent of the President of India under the Constitution, political pension to erstwhile rulers before independence and mercy petitions under Article 72 of the Constitution of India.

- e. Cyber and Information Security (C&IS) Division :** The Cyber and Information Security Division deals with matters relating to security clearances, cyber security, cybercrime, implementation of National Information Security Policy & Guidelines (NISPG), lawful interception, coordination with Ministry of Information & Technology for blocking of objectionable contents on web, examination of security related aspects of telecom, etc.
- f. Counter Terrorism and Counter Radicalization (CTCR) Division :** Counter Terrorism and Counter Radicalization Division deals with matters relating to policy and operational issues on terrorism, counter radicalization/ deradicalization, combating financing of terrorism and administrative, financial and statutory matters of National Investigation Agency (NIA).
- g. Disaster Management Division :** The Division is responsible for legislation, policy, capacity building, prevention, mitigation, long term rehabilitation, response, relief and preparedness for natural calamities and manmade disasters (except drought and epidemics).
- h. Finance Division :** The Division is responsible for formulating, operating and controlling the budget of the Ministry and other matters pertaining to expenditure control & monitoring and financial advice, etc.
- i. Foreigners Division :** The Division deals with all matters relating to visa, Protected Area Permit (PAP) /Restricted Area Permit (RAP) regimes, immigration, citizenship, overseas citizenship of India, acceptance of foreign contribution and hospitality.
- j. Freedom Fighters and Rehabilitation Division :** The Division frames and implements the Swatantrata Sainik Samman Pension Scheme and the schemes for rehabilitation of migrants from former West Pakistan / East Pakistan and provision of relief to Sri Lankan and Tibetan refugees. The Division also deals with matters relating to enemy property.
- k. Internal Security – I Division :** Internal Security-I Division deals with matters relating to internal security and law & order

and matters relating to the protection of human rights and also matters relating to national integration, communal harmony and Ayodhya.

- 1. Internal Security – II Division :** Internal Security-II Division deals with matters relating to arms and explosives, extradition, narcotics & Narcotics Control Bureau (NCB), the National Security Act and security of VIPs / vital installations.
- m. Jammu & Kashmir Division :** The Division deals with constitutional matters including Article 370 of the Constitution of India and general policy matters in respect of the State of Jammu & Kashmir and terrorism / militancy in that State. It is also responsible for implementation of the Prime Minister's Package for Jammu and Kashmir.
- n. Left Wing Extremism (LWE) Division :** The Division monitors the LWE situation and counter-measures being taken by the affected States with the objective of improving ground-level policing and development response as per the location specific action plans formulated / to be formulated by the affected States. It also reviews proper implementation of various developmental schemes of Ministries / Departments concerned in the LWE affected areas as also optimum utilisation of funds released under such schemes.
- o. North East Division :** The Division deals with the internal security and law & order situation in the North Eastern States, including matters relating to insurgency and talks with various extremist groups operating in that region.
- p. Police – I Division :** Police-I Division functions as the cadre controlling authority in respect of Indian Police Service (IPS) and also deals with all matters relating to training of police personnel, award of President's Police Medals for Meritorious / Distinguished service and Gallantry, etc.
- q. Police – II Division :** Police-II Division deals with all matters relating to Central Armed Police Forces (CAPFs), including their deployment.
- r. Police Modernisation Division :** The Division handles work relating to modernisation of State Police Forces, provisioning of various items for modernisation of Central Armed Police Forces, Police communication, police reforms, forensic infrastructure at Central level, Crime and Criminal Tracking Network and Systems (CCTNS) project, Emergency Response Support System (ERSS) project, administration of 4 Annual Report 2017 -18 Private Security Agencies (Regulation) Act, 2005, etc.

s. Union Territories Division : The Division deals with all legislative and constitutional matters relating to Union Territories, including National Capital Territory of Delhi. It also functions as the cadre controlling authority of the Arunachal Pradesh-Goa Mizoram and Union Territory (AGMUT) cadre of Indian Administrative Service (IAS) / Indian Police Service (IPS) as also Delhi-Andaman and Nicobar Island Civil Service (DANICS) / Delhi Andaman and Nicobar Island Police Service (DANIPS). It is also responsible for over-seeing the crime and law & order situation in the Union Territories.

V. Conclusion : The above discussed organisational set-up, functions and departments and divisions reveals that Ministry of Home Affairs plays a very important role in providing internal security and maintaining peace in the society for ensuring unity and integrity of the nation.

LESSON NO. 1.4

UNIT-B

AUTHOR :

ORIGIN, STRUCTURE AND WORKING OF CENTRAL ARMED FORCES (BSF, CRPF, ITBP, CISF)

The core value of any nation state is to defend and protect territory virtually at any cost. The issue becomes more complex when a country has outstanding border disputes. With neighbouring countries or faces a variety of internal security problems due to porous borders. In that case, effective border management not only influences a state's external behaviour but is also seen as a solution to many internal problems.

There are many factors to be taken into account while talking about border security. They are: threat perceptions from neighbouring countries, populations living in border areas, the physical features of borders and the level of infrastructural development in border areas. After independence, India inherited border disputes with China, and the partition brought with it the complex problem of Kashmir which made the borders with Pakistan tension-ridden. India's border dispute with China resulted in a war in 1962. As a result of the war, India had to surrender some territory to China. Though tensions have subsided and the two countries are moving closer through various confidence building measures, the outstanding dispute remains. China still figures as a long term strategic threat to India. With Pakistan, India has a territorial dispute over Kashmir. After the 1948 war over Kashmir, a portion of this mountain state went to Pakistan, with a 704 km long Line of control (LOC) dividing Kashmir. The Kashmir problem has not been resolved to the satisfaction of both countries. Since the 1980s, the problem with Pakistan has intensified because of growing transborder terrorism and :Insurgency on the Indian side with support from Pakistan.² This new strategy of Pakistan, to wage a proxy war with India through support to :Insurgent and terrorist groups, has made the entire border with Pakistan militarised.

The borders of India are not uniform either in terms of physical features or in terms of threat perception. The physical features are marked with snow-covered high peaks, deep forests in the mountains, sprawling deserts, and marshy lands and plains. As far as threat perception is concerned, India has open borders, demarcated borders, undemarcated borders, disputed border and Lines of Control (LOG).

As a result, India has various security regimes along the border.

India has three paramilitary forces guarding its international borders. While the Border Security Force (BSF) guards the border with Pakistan and Bangladesh, the Indo-Tibetan Border Police (ITBP) and the Assam Rifle (AR) guard the borders with China and Myanmar respectively. The army is deployed along the Line of Control in Jammu and Kashmir and along the borders with China, and the local police of the respective State governments are deployed along the border with Nepal.

BORDER SECURITY FORCE

The BSF was created in 1965 as a paramilitary force under the Ministry of Home Affairs to replace the Armed Police Forces of various States guarding the international border with Pakistan. After 1947, the security of well-demarcated international borders was not a matter of much debate in India's security establishment. The predominant view among security planners was that there was a military threat in only those sectors of border where there was a dispute.⁶ Border security was not a vital component in overall national security planning. Under the prevailing thinking on national security, the disputed borders with China and the borders with Pakistan in Jammu and Kashmir received special attention and were put under the army. Along the rest of the borders with Pakistan, India continued with the system of border policing it inherited in 1947. Under this system, the Armed Police forces of bordering states guarded borders to prevent petty crimes like smuggling, illegal infiltration and so on. The system of border security across the borders in Pakistan was along the same lines. Thus, while central Gujarat remained unattended, there were some Gujarat Police checkpoints in the Rann of Kutch, the Rajasthan Armed Constabulary Force and the Punjab Armed Police were deployed along the borders with Pakistan in Rajasthan and Punjab, respectively.

This system continued till the early 1960s, because there were no significant changes either in India's security perspective or in the pattern of crimes along the borders. The war with China in 1962, however, brought about important changes in India's overall defence policy. The Indian defeat in 1962 war convinced the government of the need for a fresh assessment of threat perception vis-a-vis the neighbouring countries and to develop suitable policy frameworks accordingly. The border with China received immediate attention and the Indo-Tibetan Border Police (ITBP) was raised to guard the border with Tibet. The border with Pakistan was also causing trouble on account of the insurgency in the north-eastern States of India and the tacit support the

secessionist movements were getting from across the border. The increasing quantum of migrants from the then East Pakistan compounded the problem.

The creation of the BSF followed exhaustive and elaborate deliberations at various levels in the government. The deliberations centered around three issues: the nature of the proposed force, its role, and its relationship with the army. Three individuals played significant role in the entire process. They were Lal Bahadur Shastri, the then Chief of the Army Staff (COAS), General J.N. Chaudhary, and K.F. Rustamji, an IPS officer, who later became the first Director General of the BSF.

"Border protection duties under normal circumstances deal with such matters as smuggling, dacoity, minor intrusions by civilians both intentional and unintentional, the exacting of dues, the guarding of officials, the protection of installations such as railcars and bridges and the establishment of counter - espionage measures. All these duties do not require very sophisticated arms but do require a great deal of dispersion. Therefore, the armed police to whose lot these duties normally fall, work in small groups spread over a wide areas. These duties do not require a very high standard of military training and leadership."

He was, therefore, in the favour of a cost - effective border police force without any sophisticated weaponry like the army because, in his opinion, the presence an over-equipped border police :might escalate a minor conflict into a bigger one. Also, it would put an additional financial burden on the exchequer. On the role of the proposed border police, General Chaudhary suggested the "the role of any such police force should be two fold. First, to undertake normal police duties along a border including antismuggling patrols, the checking of illegal infiltration, antidacoity measures and investigation of border crimes.

Secondly, the force must be able to deal with minor armed intrusions until such times as it is relieved by the .Army. After it has been relieved, it should be able, either under command or in conjunction with the .Army, to continue patrolling quiet sectors and to guard certain vulnerable areas and vulnerable points against sabotage & similar troubles."

General Chaudhary provided the framework for the creation of the BSF, armed, organised, led, trained, paid, equipped on an integrated. pattern. According to him., the nucleus of the Force could be had from the State police battalions then deployed on the borders, as these could be spared by the States. Besides, the manpower and the officers could be drawn from the army to give it initial stability. He even offered the idea that, at the early stages training could be undertaken by the army.

The Study Group also recommended the creation of a police force controlled by the Central government for border security. The ultimate responsibility of guarding the borders, the Study Group felt, should lie with the army and all

suitable measures should be taken to ensure proper coordination with the army at every level.

The essential features of what later became the BSF emerged during a discussion the then Home Secretary, L.P. Singh had with General Chaudhary on 17 May 1965. K.F. Rustamji was chosen to head the Force. His immediate task was to ensure the proper integration of Armed Police forces of various States into a compact and disciplined paramilitary organisation. Rustamji later wrote "I was of the opinion that if a separate Force for border security and border defence is required, it would be such as would shoulder the responsibility of guarding the border effectively and fully. At the beginning, it was suggested that all the Armed Police battalions that were stationed on the borders would be absorbed in the BSF. These battalions were on the borders from different States and I was apprehensive whether the concerned State governments would agree to this proposal or not. I also attended the meeting called by the then Prime Minister Lal Bahadur Shastri in the month of June 1966. The deliberations in the meeting convinced me of the ultimate outcome because I found that Lal Bahadur Shastri was fully determined to found the BSF on solid foundation."

Thus came into existence the BSF on 1 December 1965 as an armed force of the Union under item II, List I of schedule VII of the Constitution. The constitutional position of the BSF was based on Article 355 of the Constitution which reads "It shall be the duty of the Union to protect every state against external aggression and internal disturbance."²² Entry I of the Union List relates to the defence of India which is the exclusive responsibility of the Union.

A close examination of the circumstances that led to the birth of the BSF gives the impression that short term tactical considerations were the main influencing factors. It was thought that a Centrally-controlled police would be more useful for the army in a war situation. The army favoured the creation of a force which could look after its peripheral obligations like patrolling, policing and other complimentary tasks. It never supported the idea of a heavily armed sophisticated Force in the forward area which would have meant the existence of two parallel units on the borders and would have given sufficient room for mutual distrust and rivalry. On the other hand, the growing unwillingness of the State governments to devote additional resources and manpower to border policing resulted in the increasing involvement of the Central government in border policing which led to the creation of the BSF. The BSF was created out of immediate compulsion not as a result of long term strategic planning.

The absence of a proper framework within which the border security and border-guarding force could be related to the overall strategic goals of the country left the BSF with a very limited space to operate. For all practical purposes, it was neither a police force nor an armed force and vacillated from one role to another depending on the requirements of the Central government. As the Force grew in size, it started encroaching on the jurisdiction of both the

army and the State law and order apparatus. In fact, it never developed a comfortable relationship either with the army or with the local police.

The Central government kept the profile and the role of the force rather flexible and used it for various other purposes as well.

The BSF was created under the Central Reserve Police Force Act 1948. Later in 1968, a separate Act was passed by parliament to give the Force proper shape. The then Home Minister, Y.B. Chavan, presented the B.S.F. Bill in the Lok Sabha on 23 July 1968 as "a Bill to provide for the institution and regulation of an armed force of the Union for ensuring the security of the borders of India and formatters connected therewith."²⁴ The statement of the objects of the proposed Bill said "the BSF is charged with the responsibility of ensuring the security of the India-Pakistan international border, instilling a sense of security among the people living in border areas and preventing trans-border crimes, smuggling and unauthorized entry into or exit from Indian territory.

The debate on this Bill centred around two core areas. The first was related to the exact nature of the Force: would it be treated like a police or an armed force; and second, would this force would be used exclusively for border security or would it be used in other parts of the country for the maintenance of law and order also? Raising the first issue, George Fernandes said " The government conceived of this Force as a paramilitary body with the status and proficiency required by the personnel of the BSF being somewhere between the armed police of various States and the army. Therefore, while the structure of discipline was kept akin to that of the army the other benefits and perks were at par with police organisations. Also, the government decided that the Force could be headed by an IPS officer, but, at the same time, training and orientation would be comparable to an infantry battalion of the army.

The second issue was related to the use of the BSF for law and order and other internal security duties in different States.

Jyoti Basu's apprehension was that the Force would be used as a weapon of the Congress-run Central government to interfere in the internal affairs of the States because the Centre did not trust the police force under the control of the State government, especially where the Congress was out of power. He recalled an incident where the BSF battalions were sent to Calcutta, given independent charge and refused to carry out the orders of State police officials. Echoing these apprehensions, Indrajit Gupta pointed out that the proposed Bill and the Annual Report of the Ministry of Home Affairs for 1967- 68 held contradictory positions as far as the use of the BSF for the maintenance of law and order was concerned. He said "Everywhere in this Bill, it is explicitly laid down that this Force is meant for security of international border between India and Pakistan and is not meant for maintenance of internal law and order. However, in the Home Ministry's Report in 1967-68 it is stated that on a number of occasions these Border Security Forces units were made available for the maintenance of law and order and they did commendable work.¹³⁰ In 1966, when trade

union agitations and food agitations were on in West Bengal, the BSF units were deployed extensively. He warned that "If the BSF is used for these purposes, the type of morale and efficiency you need for border security can never be instilled in these units. "

The Bill did not have safeguards against these kind of "abuses".As the BSF was raised under Article 355 of the constitution, it was just like any other Armed Forces at the disposal of the Central government. All the minister said in reply was to assure the House that the deployment of Central forces on law and order duties was done only in extreme conditions and with the consent of the concerned State governments.

The BSF was created to ensure the security of international borders with Pakistan and for matters connected therewith. The main role of the BSF, therefore, is to be performed during peacetime. It is the duty of the army to defend the borders during war time. The BSF has a very limited role during wartime, that is, to assist the army. Thus, the BSF was conceived of as a peacetime apparatus. The recommendations of the study Group as well as the BSF Act, 1968, and the BSF Rules make this point clear. Over the years, however, Ministry of Home Affairs, Annual Report, 1967-68, the Force has come to play diversified roles, such as, counterinsurgency and anti-terrorist operations, maintenance of law and order, and other internal security duties. These are not the roles for which the BSF was originally created.

The role of the BSF can better be analysed by putting it under three categories: Peacetime roles, war time roles and other roles.

Peacetime Roles

The peacetime roles of the BSF are five-fold: first, to instill a sense of security amongst populations living in the border area, second, to prevent transborder crimes; third, to prevent unauthorised entry into and exit from India; fourth, to prevent the activities of smugglers, and lastly to collect trans-border intelligence.

These peacetime roles evidently envisage the deployment of the Force in the form of small Border Out Posts (BOPs). These BOPs are normally in most forward areas and are entrusted with the responsibility of guarding the border within a specified area : In the form of the length of the demarcated border from pillar to pillar. These BOPs discharge their duties through static deployment, patrolling, laying of ambushes and other preventive measures. Most of their tasks are preventive in nature. During such deployments, certain police and custom powers have been conferred on the BSF. In Manipur, Tripura, Meghalaya, Mizoram and Nagaland, within an eighty kilometre belt from the international border, in Rajasthan a fifty kilometer belt and in Punjab, West Bengal and Assam a fifteen kilometer belt, the BSF is entitled to make use of the following sections of the Criminal Procedure Code (Cr. P.O.) : 41(10), 47(1), (2), (3), 51(1), 52, 149, 150, 151, 41(2), 109, 100 and 131.34 By virtue of the powers conferred by sub section (1) of the section 139 of the BSF Act, 1968, any

member of the Force must thin the local limits of the area specified in the Act, exercise and discharge duties under section 47, 48, -51, 53, 54, 149, 150, 151 and 152 of the Cr. P.C.36.

The custom powers given to the BSF relate to search of suspected persons entering and leaving India, power to screen with X-rays, power to arrest, power to stop and search conveyance, seizure of goods, documents and other things. The sections of the Custom Act, 1962 which apply to the BSF also are sections 100, 101, 102, 34, 36, 103, 104, 105, 106, 107, 108 and 110.36 Similarly, powers under the Dangerous Drugs Act, 1938, Opium Act 1878, Passport (Entry into India) Act 1920, Passport Act 1967 and the Registration of Foreigners Act are conferred on the BSF.

Though the peacetime roles of the BSF are well defined, a closer examination reveals that the BSF performs these duties under several limitations. The operational procedures necessary to perform these roles are not well-defined and there is an overlapping of jurisdictions with other agencies. For example, the first important role of the BSF is to provide a sense of security amongst people living in border areas, but it is not clear how the BSF will do this. Mere presence of a well-equipped Force is not sufficed to provide a sense of security especially when the BSF is perceived as an outside Force. The level of interaction with border populations is not very friendly and a sense of mutual distrust prevails. The State governments have a very important role to play in this regard yet there is no institutional arrangement between the BSF and the State governments to achieve this goal.

CENTRAL RESERVE POLICE FORCE

The origin of the Central Reserve Police Force can be traced back to the creation of the Crown Representative's Police in 1939. The original CRP was a specialized force raised by the colonial state to assist various Princely States in the maintenance of law and order.

This was a period when strong currents of nationalism were spreading to different parts of the country. In the Princely States, too, the opposition to the rulers was mounting. These rulers were puppets in the hands of the colonial rulers for all practical purposes.

The All India Congress Committee (AICC) which was leading the national movement in various parts of the country provided ideological and material support to the movements in the Princely states. The Madras Resolution of the All India Congress Committee (1927) gave impetus to the Prajamandal movement in the Princely States which was emerging as the most organized opposition to colonial rule in an indirect way. In 1927, the establishment of All India States People Conference brought on surface the popular demand for responsible government and civil liberties in Indian States. Under the Subsidiary Alliance System the British government was honour bound to help the Princely States, where it exercised control through a Crown Representative. The British government could not afford to take internal disturbances lightly

because for them serious crime was an implicit defiance of state authority and a possible prelude to rebellion. Political resistance was either a crime or the likely occasion for it. Use of force was an internal instrument of British policy to deal with opposition. In the earlier days of British rule, the regular armed forces were used to curb internal disturbances. After the mutiny of 1857, however, the British government realized the dangers involved in heavy reliance on the army for internal policing. Thus, a system of unified civil police was created in India, and through the police the British government countered successive challenges to colonial control. Thus, the evolution and development of the police force was in response to growing challenge to colonial rule. *AB* opposition to British rule grew in strength and diversity, so were the police developed to counter it.

The creation of the Crown Representative Police was amongst the responses of the colonial state to growing challenges to its authority. A specialized, self-sufficient police force organized and trained on military lines was first raised on 27 October 1939.

Initially, a battalion strength was sanctioned with one Commandant, seven superior officers, thirty subordinate officers, one hundred head constables and 870 constables. Most of the initial recruitment to the force was from the ranks of ex-servicemen from the British Infantry Machine Gun Company, the disbanded personnel from 4th Punjab Regiment, 2nd Mina Corps from Erinpuna and Deoli areas and from the open market in Punjab. The battalion had four service companies besides the headquarter elements for training and administration and two tear-smoke platoons.

In 1941, the CRPF guarded the German and Italian detenus at Deoli and provided detachments to Charkhan State, Mhow and Indore. In 1942, three companies of the CRPF were sent to Khairpur State and Sind to control the fanatic Hurs who had killed its police chief and challenged the authority of the State. In 1943, a contingent of the Force was sent to Baroda to control dacoity. In 1945, the CRPF was sent to Kishangarh on an anti-dacoity campaign in RaJputana. The force was also deployed in Rew, Pataudi, Dujana, Datia, Charkhori and Koti States in 1946 and Lohara Ratlam and Vivari in 1947. In 1946-47, the CRPF was deployed in as many as 15 States.

The strength of the Force also increased during this period. At the time of independence, the sanctioned strength of the Force was 1 7 46 with headquarters at Neemuch (Madhya Pradesh).

Detachments were functioning at various places in Rajasthan, Vindhya Pradesh, Madhyabharat, Kutch, Saurashtra, mount Abu. The Force was Retained after Independence As a part of the political settlement of the transfer of power, the Force was passed on to the central government. With independence came partition, and the worst kind of communal Violence in different parts of the country. Consequently, the demand on this force increased heavily. Since its strength was not sufficient to meet the growing demand, its size was further augmented.

Since the CRP was seen as the coercive apparatus of the repressive colonial state, it had no place in the new political set up. However, several factors influenced the policy makers of newly independent India to continue with this Force. First, it so happened that the CRPF furnished a handpicked guard at the Viceregal lodge.

This was sufficiently smart and reliable to attract the attention of Lord Louis Moutbatten. He advised Sardar Patel to retain the Force. Secondly, the CRPF played an important role during the amalgamation of the Princely States into the Indian Union during the early days of independence. It was used to discipline the rebellious Princely States of Junagarh and the small principality of Kathiawad which had resisted joining the Indian Union. It was also entrusted with the task of capturing small States like Bantwa, Sardargarh and Mangrol, thus serving as an important instrument of carrying out the great task of the integration of small States. Thirdly, the compelling need of centripetal force convinced the Constitution makers to concede the idea of a strong state. The Constitution, though federal in its nature, gave more powers to the Centre which was considered necessary keeping in view the political turmoil in different parts of the country and given the idea of centralized development. A fourth reason for keeping the CRP after independence was that Sardar Patel was personally convinced of the utility of the Force and visualized an important role for it in independent India. Sardar Patel, the then Minister of Home Affairs, justified the need to have a reserve force at the disposal of the central government while introducing the Bill in the Constituent Assembly to convert the Crown Representative's Police into the Central Reserve Police Force. The Central Reserve Police Force as one of the armed forces of the Union under the Constitution came into being in 1949 with the passing of the Central Reserve Police Force Act by the Parliament. The Governor General gave his assent to the Bill on 28 December 1949. The Act was made applicable with retrospective effect from 15 August 1947. The Force was presented colours on behalf of the President of India on 19 March 1950. It was placed under the Inspector General Police, Delhi for administration and superintendence.

Role

The CRPF is an armed reserve of the Central government which comes under Union list under Schedule VII, entry 2 of list 1 of Article 246 of the Constitution. Though the organization is called Central Reserve Police Force, a member of the Force is appointed under the CRPF Act, 1949, not under the Police Act, 1861. The latter Act invests the persons who on appointment are issued a certificate under Section 8 of the Act with all powers, functions and privileges of a police officer. Therefore, the CRPF is not a police force within the meaning of entry 2 of list 1. It is an armed force of the Union meant to be deployed in States or Union Territories, only in aid of civil power for the purpose of restoring and preserving public order.

Section 16 (1) of the CRP Act, 1949 provides that "the Central government may, by general or special order confer or impose upon any member of the force, powers or duties conferred or imposed on a police officer of any class or grade by any law for the time being in force."

CRP Rules, 1955 framed under Section 18 of the CRP Act 1949, regulate inter alia the powers and duties of members of the Force. The primary role of the ORPF is to assist the civil administration of the State or Union Territories in the task of restoration of peace and maintenance of law and order. Civil authorities in any State or Union Territory can ask for Central assistance, if they are convinced that a situation exists where the local law and order enforcement machinery is not properly equipped to handle the situation. On getting such a request, the Government of India, in the Ministry- of Home Affairs, issues appropriate orders for the deployment of the CRPF in the concerned State/Union territory. The CRPF can also be deployed as a preventive measure.

Rule 25 of the CRPF Rules says, "A member of the CRPF may be employed in any part of the country for the restoration and maintenance of law and order or any other purpose as directed by the Central government."

Active duty for such a member means the duty to restore and preserve order in any local area in the event of any disturbance there. It is the duty of every such member to obey and execute the orders and warrants lawfully issued to him by any competent authority to detect and bring offences to justice and apprehend all persons whom he is legally authorized to apprehend.

It is important to note that a member of the CRPF has only those powers which are necessary to assist the State police and not other powers, for example, the power to conduct investigations of a crime, summon a person for that purpose and forward a report on the investigation to a magistrate. Although the duty to detect and bring offenders to justice applies to both police officers and members of the CRPF, the powers of the latter are much fewer and are more restricted than those of a police officer. The commander of a CRPF unit, during the period of its deployment in a State, functions under the general control and direction of the State civil authorities concerned. He is controlled informed by them of specific tasks to be performed by the Force under his charge. But once the task has been allotted, the commander of the CRPF unit is responsible for determining the manner in which the task will be performed and for the distribution and deployment of the men under his command. He continues to be accountable to his superiors in the CRPF for the due completion of tasks assigned to him. The CRPF obtains information about local intelligence from the State police. In the locality or the area where the CRPF unit is deployed and carrying out its assigned task, it does not in any way infringe on the jurisdiction of the local civil authorities including that of the State police. The CRPF personnel may arrest or hand over the offenders to the State police. It is not responsible for the registration of offences or investigation of cases.

The CRPF can also be used for protection of Public Sector undertakings or government companies under the Companies Act and private industries connected with defence production. The CRPF played this role before the creation of the Central Industrial Security Force (CISF), which was created specifically for this purpose.

Another role of the CRPF is to be deployed under the operational control of the army for counterinsurgency and antiterrorist operations. In such a situation, the command structure is normally headed by the army but in some cases where the area or sphere of operations is different, the two forces operate under different commands under the civilian authority.

The CRPF units are also frequently called upon to aid the public and civil authorities in dealing with natural calamities such as floods, earthquakes, fires, droughts, accidents, and so on. The CRPF was also used for border security before the creation of the Border Security Force (BSF) and Indo-Tibetan Border Police (ITBP). It is also utilized for guarding prisoners of war and sometimes other prisons also. CRPF personnel have been used escort arms, ammunition and explosives. Finally, during the general elections the CRPF is invariably used as a strike reserve force.

INDO TIBETAN BORDER POLICE FORCE

ITBPF was raised on 24 Oct, 1962. Presently, ITBP is deployed on border guarding duties from Karakoram Pass in Ladakh to Jachep La in Arunachal Pradesh covering 3488 km of Indo-China Border and manning Border Outposts on altitudes ranging from 9000' to 18700' in the Western, Middle and Eastern sectors of the Indo-China Border.

ITBPF is a specialized mountain force and most of the officers and men are professionally trained mountaineers and skiers. Being the first responder for natural disaster, ITBPF has been carrying out numerous rescue and relief operations across the country.

Indo-Tibetan Border Police was raised on October 24, 1962 for reorganizing the frontier intelligence and security set up along the Indo-Tibetan border. Only four Battalions were sanctioned to begin with. ITBP was initially raised under the CRPF Act. However, in 1992, parliament enacted the ITBPF Act and the rules there under were framed in 1994.

With additional tasks entrusted to ITBP from time to time on border guarding, counter insurgency and internal security roles, the number of ITBP Battalions increased gradually and ITBP presently has 56 service Battalions, 4 Specialist Battalions, 17 Training Centres and 07 logistics establishments with a total strength of approx. 90,000 personnel.

In the year 2004, in pursuance of GoM recommendations on “One Border One Force”, the entire stretch of India-China Border comprising 3488 Kms was assigned to the ITBP for Border Guarding duty and, accordingly, ITBP, replaced Assam Rifles in Sikkim and Arunachal Pradesh in 2004.

The motto of the Force is “Shaurya-Dridhata-Karma Nishtha” (Valour – Determination – Devotion to Duty). All ranks of ITBP are dedicated to guard the borders with valour, determination and devotion to duty. The Force has earned number of decorations like Padmashree-7, Kirti Chakra-2 Shaurya Chakra-6, Sena Medal-1, President’s Police Medal for Gallantry-19, Police Medal for Gallantry -91, Parakram Padak-79, President’s Police and Fire Service Medals for Gallantry-2, Prime Minister’s Life Saving Medal-86, Jeewan Raksha Padak -06, Sarvottam Jeewan Raksha Padak -02, Uttam Jeewan Raksha Padak -13, Tenzing Norgay Adventure Award -12 etc. for its numerous achievements in the past.

Family welfare centers are functioning in ITBP Bns and Trg. centers where multifarious welfare activities are being undertaken with the active participation of families of ITBP personnel .In these centers the families undertake knitting of woollen items, hosiery items, preparation of jams/juices and fabrication of uniform items of ITBP jawans. These activities not only help in supplementing the income of families of ITBP personnel but also develop cohesiveness amongst the members of the force of all ranks and their families. For More Detail about family welfare scheme, kindly visit:- [HWWA website](#)

ITB police is deployed in remote hilly areas in the state of HP, Uttaranchal, Jammu & Kashmir, Sikkim and Arunachal. Most of the areas of deployment of the force being remote and isolated, there is a scarcity of basic amenities and Government facilities. The ITBP officers and personnel are required to stay within or near the premises of ITBP battalions due to operational and other factors. So in order to cater to the need of Education & schooling of children of ITBP personnel, the organization runs Primary/Middle level schools at various ITBP battalions. At present 17 such schools are being run in various ITB Police battalions. In addition, 08 Kendriya Vidyalayas are also located in ITBP premises.

House is one of the basic needs of the human being. To cater to it, an ITBP Co-Operative housing society for the gazetted officers of the force has been established in Grater Noida (U.P.). It is registered by the registrar of Co-Operative housing society, Lucknow (U.P.). Under the society, 105 flats have been prepared and recently handed over to the allottees by the said society.

CENTRAL INDUSTRIAL SECURITY FORCE

The CISF came into existence in 1969 with a modest beginning, having three battalions, to provide integrated security cover to the Public Sector Undertakings (PSUs) which, in those years, occupied the “commanding heights” of the economy. In a span of four decades, the Force has grown several folds to reach one lakh forty one thousand seven hundred and thirty five personnel today. With globalization and liberalization of the economy, CISF is no longer a PSU-centric organization. Instead, it has become a premier multi-skilled security agency of the country, mandated to provide security to major critical infrastructure installations of the country in diverse areas. CISF is currently providing security cover to nuclear installations, space establishments, airports, seaports, power plants, sensitive Government buildings and ever heritage monuments. Among the important responsibilities recently entrusted to the CISF are the Delhi Metro Rail Corporation, VIP Security, Disaster Management and establishment of a Formed Police Unit (FPU) of the UN at Haiti.

It is a testimony to the level of professional competence and standing acquired by the Force over the decades that its services are being sought for consultancy by the private sector also. Over the years, the CISF has provided Consultancy Services to more than 140 different organizations, including those in the private sector. After the Mumbai terrorist attack on November 2008, the mandate of the force has been broadened to provide direct security cover to private sector also. The CISF Act has been amended, heralding a new chapter in the glorious history of the Force.

Adaptability and use of cutting edge technology have been the hallmark of the Force which has always confronted new security challenges successfully. In view of the prevailing security environment in the country and threat from trans-national terrorism, the Force continuously strives towards technological modernization and skills upgradation to build an edifice of dedicated service to the Nation. The CISF is being continuously modernized, both in terms of equipment and training. Having set very high professional standards with an impressive track record, the Force looks forward to a brighter tomorrow with pride and confidence.

MAIN FEATURES

- CISF is an Armed Force of the Union raised under an Act of Parliament namely Central Industrial Security Force Act, 1968 (50 of 1968).

- Force was raised with a strength of 3129 in the year 1969 which has increased to a strength of 1,43,431 as on January 2019.
- CISF has 12 Reserve Battalions, 08 Training Institute and 74 other formations.
- As per mandate CISF provides security to the property & installations as well as protection to their employees with the premises .
- CISF is providing security to strategic establishment including those of Department of Space, Department of Atomic Energy, Airports, Delhi Metro, Ports, Historical Monuments and core Sectors of Indian economy like Petroleum & Natural Gas, Power, Coal, Steel & Mining.
- CISF is also providing security to some Private Sector units and important Govt. buildings in Delhi.
- Presently CISF is also providing protection to protected person categorized as Z+, Z, X and Y.
- CISF is the only force having a customized and dedicated Fire Wing.
- CISF is cost re-imburement force .

VISION

“PREMIER FORCE SECURING THE NATION’S CRITICAL INFRASTRUCTURE AND ASSETS”

MISSION

“TO CONSISTENTLY UPGRADE SKILLS AND DEVELOP CORE COMPETENCIES TO PROTECT AND SECURE THE NATION’S CRITICAL INFRASTRUCTURE AND ASSETS THROUGH OPTIMAL UTILIZATION OF HUMAN RESOURCES AND MODERN TECHNOLOGY”

BUREAU OF POLICE RESEARCH AND DEVELOPMENT (BPR&D)

The BPR&D was set up on 28.08.1970 to identify the needs and problems of Police in the country, to undertake appropriate research projects and studies to suggest policy options to address the emerging challenges. It was also mandated to keep itself abreast of latest developments in the fields of science and technology, both in India and abroad. At present, it has 5 Divisions, namely, Research and Correctional Administration, Training, Modernization and Technology Development, National Police Mission, Special Units and Administration.

Study of various types of crime and problems of general nature affecting the police: (i) Trends and causes of various types of crime. (ii) Crime Preventive Measures, their effectiveness and relationship with various forms of crime. (iii) Organisation, strength, administration, methods, procedures and techniques of Police Administration, Police Act and Manuals. (iv) Improvement in the methods of investigation, utility and results of introducing Scientific Aids. (v) Inadequacy of law including Penal Provisions. (vi) Assist research programmes in States/UTs, coordination of research projects. Other Police Organisations and Institutions Chapter 9 (vii) Sponsor research projects in the areas of professional interest. (viii) Implement Government of India Fellowship Scheme for Doctoral Work in Criminology, Police Science and Correctional Administration by awarding fellowships to scholars of Indian Universities every year. (ix) Promote advanced research in areas of professional interest with Indian universities. (x) Maintain coordination with various universities and motivate them to institute academic courses on Police and Prison related subjects at various levels. (xi) Organize All-India Police Science Congress and actively participate and coordinate other national and international conferences and seminars. (xii) Identify, promote and disseminate Best Practices and Standards to bring about Police Reforms uniformly in States/UTs. (xiii) Analyse and study Police and Prison Statistics and problems of general administration. (xiv) Assimilation and dissemination of information to the States/UTs in the field of Police and Correctional Administration. (xv) Organise All India Prisons Duty Meet and All India Conference of Heads of Prisons. (xvi) Coordinate

research studies conducted by Regional Institutes of Correctional Administration (RICAs) and other academic/research institutes for Correctional Administration. (xvii) Review and sponsor various training programmes for prison staff (both basic as well as in-service) keeping in view the changing social conditions, introduction of new scientific techniques and other related aspects.

The Bureau of Police Research and Development, since its inception on 28.08.1970, has the mandate to identify the needs and problems of law enforcement in the country and initiate, stimulate and guide research in coordination with various institutions, ministries, universities, research institutes, states and other agencies. The Research and Correctional Administration Division has, so far, completed 267 research studies. The reports and recommendations of these research studies are communicated to the stakeholders for taking appropriate action. The Bureau has also brought out a National Police Research Repository of all the research studies completed by this Bureau. The BPR&D has earlier published three editions of the Compendium on Research Studies and circulated them to all States/UTs and other stakeholders.

Research Studies in progress: (i) Status of Crime against Women in North East Region. (ii) Status of Crime against Women in Northern Region. (iii) Status of Crime against Women in Western Region. (iv) Status of Crime against Women in Eastern Region. (v) High Altitude Police Deployment: Requirement and Standardization of Clothing, Transport, Communication, Medicare, Ration, along with upgradation of norms for Building Space at High Altitude. (vi) Modalities for compensation to the Victims of Crime in the light of the position prevailing in other countries, so as to make it part of criminal jurisprudence in our country. (vii) Murder Cases w.e.f. 01.01.2009 onward with emphasis on the reasons for delay in the decision in such cases and suggesting managerial solutions including the management of cases. (viii) Use of Forensic Tools to promote Good Governance. (ix) Extent and Modus Operandi of Bank Frauds: Role of Police in handling Bank Frauds in the State of Tamil Nadu. (x) Measuring of Incidence of Crime, Victimization & Cost of Crime: An Exploratory Analysis in Tamil Nadu. (xi) Study on Police Accountability: Motivation and Control. (xii) Missing Children-Linkage with Trafficking: An Analytical Study. (xiii) Understanding Stakeholder Reaction to Police Action in Violent Mob Situation. Shri Ravi Shankar Prasad, Hon'ble Minister for Electronics and Information Technology and Shri Rajiv Jain, Director, IB, launching the National Police Research Repository at the National Conference of Young SPs

from States/UTs and Commandants of CAPFs from 01.08.2017 to 02.08.2017 at New Delhi (Source : BPR&D, New Delhi) Annual Report 2017 -18 157 (xiv) Examining the Influence of Police Effectiveness on Police Wellbeing. (xv) Conceptualizing a National Level Information Exchange Model which will be based on open standards and permit seamless crime / criminal relation information exchange between agencies in various domains (such as private or public sectors or custodians of public data base). (xvi) Community Confidence Building Measures in LWE affected Areas. (xvii) Role of NGOs in Prisoners' Reformation & Rehabilitation. (xviii) Socio-Psychological and Economic Problems of Women Prisoners and their accompanying Children and Status of their Rehabilitation. (xix) Efficacy and Impact of Indian Prison Education in the Prison Management and Rehabilitation of the Prisoners: An Empirical Study. In-House Research Studies initiated 9.5 "Crime against Transgender persons, including alleged excesses by Police, with a view to investigate their causes and suggest Preventive Measures". Now this research study is completed and sent to subject expert for evaluation.

Newly Approved Research Studies : The Standing Committee on Police Research has approved 04 new research proposals, which are as follows: Sl. No. Title Name of the Researcher and Organisations (i) Critical analysis of effectiveness of CCTV in Law Enforcement (crime prevention, detection, traffic management, etc.) Dr. Surabhi Mathur, Assistant Prof., Gujarat Forensic Science University (ii) Children's Homes under the Juvenile Justice (Care & Protection) Act, 2015: Status and measures to improve Dr. D.C. Nanjunda, Associate Prof., Centre for Study of Social Exclusion & Inclusive Policy, University of Mysore (iii) Comparative analysis of attrition and suicide cases in CAPFs and corrective measures. Prof. Dolly Arora, Indian Institute of Public Administration, New Delhi. (iv) Illegal Migrants in Assam: Modus of their entrenchment in the State and nexuses: Measures to prevent and Modus operandi of illegal acquisition of citizenship / related documentation by foreigners in Assam and measures to prevent the same. Shri Deb Kumar Chakraborty, Head, Department of Economics, UGC Centre for Studies on Bangladesh and Myanmar, Dibrugarh University, Assam 9.7 Recently completed GoI Fellowships Sl. No. Title Name of Researcher & University (i) Crimes among tea garden communities in Assam: A Sociological Study Abdul Mutalib, Dibrugarh University, Assam 158 Annual Report 2017 -18 9.9 Conferences/Seminars/Workshops-organised/sponsored (i) The Research and Correctional Administration Division organizes the annual All India Police Science Congress (AIPSC). Till date, 45 Congresses have been organized by the Bureau. The last Congress was held at Thiruvananthapuram,

Kerala from 08.12.2016 to 09.12.2016. This year, the Bureau is planning to organize the 46th AIPSC. (ii) The Research and Correctional Administration Division also organized the National Conference on Uniformed Women in Prison Administration from the 14.09.2017 to 15.09.2017, at New Delhi, for the first time. It has been decided to hold it biennially. 9.8 Details of GoI Fellowships in progress Sl. No. Title (i) The Role of Police and the Use of Forensic Tools in the Investigation of Rape Cases. (ii) Knowledge and Experience of Teenagers towards Substance Abuse – A Study on School goers in Madurai District (iii) Problems faced by under trial prisoners and their families: A study in Tamil Nadu. (iv) Community Policing in Andhra Pradesh: A Case Study of Hyderabad Police. Session of National Conference on Uniformed Women in Prison Administration with experts from Police, Academia, Civil Society Organizations. (Source : BPR&D) Dr. M. C. Borwankar, Former DG, BPR&D, welcoming Shri Kiren Rijiju, Hon'ble Minister of State for Home Affairs, at the National Conference on Uniformed Women in Prison Administration, held from 14.09.2017 to 15.09.2017, at New Delhi. (Source : BPR&D) Delegates of the National Conference on Uniformed Women in Prison Administration participating in group discussions. (Source : BPR&D) Annual Report 2017 -18 159 9.10 Three training courses, namely, Human Rights in Prison Management Course and Vertical Interaction Course have been organized at the Gurgaon Jail (Bhondsi) from 09.10.2017 to 11.10.2017 at the Regional Institute of Correctional Administration (RICA), Kolkata from 28.08.2017 to 01.09.2017 and at the Punjab Jail Training School, Patiala from 20th -24th November, 2017 respectively.

Internship : On behalf of the Bureau, the Research & Correctional Administration Division is conducting the unpaid 15 working days Internship Programme. Three batches, comprising of 18 students from different universities/institutes have completed their internship with the BPR&D.

Public Delivery Services : The Hon. Prime Minister has shown great concern, during the DsGP / IsGP Conference, 2015, at Bhuj, for involvement of the Central Govt. in developing Uniform Public Services related to policing, so that police stations in all the States/UTs throughout the country could be on the same page in terms of Service Delivery to Citizens. The BPR&D has identified, compiled and circulated Citizen Centric Services, related to policing, to all States/UTs for suggestions and feedback. Finally, a booklet was prepared by the BPR&D, consisting 45 Public Services related to Policing to be provided in time-bound manner, along with provisions of penalty to defaulters. Copies of

the same were sent to the Chief Secretaries and the DsGP of all states for modifications, as per their requirement, and their implementation.

Revision of Standards for Modern Police Station Buildings :

To bring about uniformity in the design for construction of Police Station Buildings, taken up by different States, with a Citizen-Centric approach, to improve the working conditions and the image of Police, to make sound infrastructure for the police station buildings, to house and integrate the latest technology and to give them a modern look, a need has been felt to review the norms and the grading system of Model Police Stations by changing the existing norms. The architectural drawings as per the revised norms, have been prepared by the Delegates attending the National Conference on Uniformed Women in Prison Administration (14.09.2017 to 15.09.2017, at New Delhi) (Source : BPR&D) Dr. M. C. Borwankar, Former DG, BPR&D, welcoming Ms. Lalitha Kumaramangalam, Chairperson, National Commission for Women (NCW), during the Valedictory Session of the National Conference on Uniformed Women in Prison Administration, held on 14.09.2017 to 15.09.2017, at New Delhi. (Source : BPR&D) 160 Annual Report 2017 -18 BPR&D to create uniformity in Police Station Buildings as well as to give a distinctive identity to police stations in the states. The Modern Police Stations constructed as per these revised norms, will be supportive of and in consonance with the SMART (Strict and Sensitive, Modern and Mobile, Alert and Accountable, Reliable and Responsive, Tech-savvy and well Trained) Policing Concept, adopted by the Ministry of Home Affairs, Government of India. Efforts have been made to make these Police Stations gender sensitive, modern, smart and tech-savvy. The above revised norms are Basic Guidelines for Planning and constructing a new Police Station Building. Smart Policemen – Developing, Designing and Trial of High Performance Uniform Articles and Accessories

This Project was sanctioned during XI Five Year Plan at the cost of `40 lakh. This Project was assigned to the National Design Business Incubator (NDBI), National Institute of Design, Ahmedabad, Gujarat. The National Institute of Design (NID), Ahmedabad, submitted the Coffee Table Book and the Project Booklet which have been circulated to all the States and CAPFs besides being uploaded on the BPR&D website. National Conference for Young Superintendents of Police from States / UTs and Commandants of CAPFs.

The BPR&D organised a 02-day National Conference for Young SsP from States /UTs and Commandants of CAPFs from 01.08.2017 to 02.08.2017 at the

Vigyan Bhawan, New Delhi. The objective of the Conference was to create awareness among young officers about the latest technologies for delivery of Police services to citizens. This Conference was inaugurated by Shri Ravi Shankar Prasad, Hon'ble Minister for Electronics & Information Technology and Law and Justice. Dr. Ashok Jhunjhunwala, Advisor to the Hon'ble Minister of State for Power, was the Chief Guest for the Valedictory Session. Young Superintendents of Police from states / UTs and Commandants of CAPFs, interns with the BPR&D and ex-DsG of the BPR&D around 100 officers, in all participated in the Conference.

During the Conference, participant officers made presentations regarding best practices in their States Syndicate Group discussions were also held for exchange of ideas/best practices in their respective States/Organizations. 20th India International Security Expo, 2017 9.18 India Trade Promotion Organisation (ITPO) organized.