

Chapter V
COPIES OF IMPORTANT POLICE ORDERS

Memo No. 5602(45) ADM/C Dt. 11.12.1997
ADM/C 506/97

West Bengal Police Directorate,
Writers' Buildings, Calcutta - 1.

To
All District Supdts. Of Police/Supdts. of G.R.P./Sp\, Supdt. of Police, CID;
Dy. Inspr., -Gent. Of Police, Range/Railways/CID/CID, Spl./CID
Operation/I.B.I Admn./Org./Hqrs.

Inspr. -Genl. of Police, South/North/Western Zone/ Hqrs./Orgn.

Addl. Director-Genl. & Inspr. -Genl. of Police, CID/E.B.,/Traffic & Railways/Admn.

Sub:- Compliance of orders of Hon'ble Supreme Court of India to prevent custodial violence.

Hon'ble Supreme Court of India in the judgment dated 18.12.96 in writ petition (CRL) No. 539 of 1986 (Shri D.K.Basu -Vs - State of West Bengal) with writ petition (CRL) No. 592 of 1987 (Ash ok Kr. Johri -Vs - State of U.P.) has directed the police authority to follow some requirements in all cases of arrest or detention to prevent custodial violence

2. A synopsis is given below of the observations made by Hon'ble Supreme Court of India which shall be strictly followed by all the police officers concerned:

a) The police personnel carrying out the arrest and handling the interrogation of the arrestee should bear accurate, visible and clear identification and name tags with their designations. The particulars of all such police personnel who handle interrogation of the arrestee must be recorded in a register.

b) That the police officer carrying out the arrest or the arrestee shall prepare a memo of arrest at the time of arrest and such memo shall be attested .by at least one witness who may be either a member of the family of the arrestee or a respectable person of the locality where the arrest is made. He shall be also countersigned by the arrestee and shall contain the time and date of arrest.

c) A person who has been arrested or detained and is being held in custody in a police station or interrogation centre or other lock up, shall be entitled to have one friend or relative or other person known to him or having interest in his welfare being informed, as soon as practicable, that he has been arrested and is being detained at the particular place, unless arresting witness of the memo of arrest is himself such a friend or relative of the arrestee.

d) The time, place of arrest and venue of custody of an arrestee must be notified by the police where the next friend or relative of the arrestee lives outside the district or town through the Legal Aid Organisation in the District and the Police Station of the area concerned telegraphically within a period of 8 to 12 hours after the arrest. I

e) The person arrested must be made aware of the place of detention regarding the arrest of the person which shall also disclose the name of the next friend of the person who has been informed of the arrest and the names and particulars of the police officials in whose custody the arrestee is.

g) The arrestee should, where he so requests, be also examined at the time of his arrest and major and minor injuries, if any present on his/her body, must be recorded at the time. The "Inspection memo" must be signed both by the arrestee and the police officer effecting the arrest and its copy provided to the arrestee.

h) The arrestee should be subjected to medical examination by a trained doctor every 4 hours during his detention in custody by a doctor on the panel of approved doctors by Director, Health Services of the concerned State or Union Territory, Director, Health Services should prepare such a panel for Tehsils and Districts as well.

I) Copies of all the documents including the memo of arrest, referred to above, should be sent to the Illaqa Magistrate for his record.

j) The arrestee may be permitted to meet his lawyer during interrogation, though not through out the interrogation.

k) A police control room should be provided at all district and State headquarters where information regarding the arrest and place of custody of the arrestee shall be communicated by the officer causing the arrest, within 12 hours of effecting the arrest and at the Police control room it should be displayed on a conspicuous notice board.

3. The Government of West Bengal vide G.O. No. 5596-PL dtd. 5.11.97 of the Home (Police) Department has already intimated all concerned that the State Government intends to comply with the above orders of the Supreme Court of India and has directed that henceforth action should be taken by all field level officers accordingly, for compliance of the Court Order.

4. In pursuance of the above, it is clarified that all cases of arrest should be followed by preparation of a "Memo of Arrest" as per Annexure 'A' (enclosed herewith), a copy which should be kept at the P.S. and the other sent to the Court concerned as mentioned in Para 2(b) .

The "Inspection Memo" as mentioned in para 2 (g) should be prepared as per Annexure-"B" (enclosed herewith) in addition to the "Memo of Arrest" in case any major and minor injuries found on the body of the arrestee. As per para 2(k) a list of persons arrested during every 12 hours should be prepared in triplicate at the police station, one copy of which displayed at the P.S. and retained there, the second copy should be sent to the S.P.'s Office for being displayed in the District Control Room. The 3rd copy should be sent to the State Police Control Room where it will be displayed. An Interrogation Register should be maintained at the P.S. containing all information about the police officers who handle interrogations as mentioned in para 2(a). As mentioned in para 2(d), if the arrestee lives outside the district or town, information of his/her arrest should be sent through the Legal Aid Organisation of the district and the P.S. of the area where his relative/friend lives, telegraphically within the period of 8 to 12 hours after the arrest. The G.R.P. districts will utilize the services/facilities available in the districts in this respect.. As per para 2(e) the arrested person should be informed of his/her right in this regard. As per para 2(h) if an arrestee is detained for more than 48 hours he/she should be examined medically every 48 hours by a doctor on the panel of approved doctors appointed by the Director, Health Services of the State. In this connection, Director, Health Services Govt. of West Bengal has issued Memo. No. HAD/12M-15-97/A 8270(62) dt. 21.10.97, a copy of which is enclosed under Annexure-'C'.

5. All other directions as mentioned in para 2@, 2(f), 2(i) and 2(j) which *are* self explanatory should be strictly followed.

6. The above instructions should be communicated to all officers upto Inspector rank in your respective units as well as all officers in charge of Police Stations in the districts.

(P.Mukherjee)
for Director-Genl. & Insp.-Genl. of Police
West Bengal.

Encl. Annexure 'A', 'B' & 'C'

Annexure 'A'

Note: 1. The Memo must be attested by at least one witness, who may either be a member of the family of the arrestee or a respectable person of the locality from where the arrest is made.

2. One friend *or* relative *or* other person known to the person arrested *or* having interest in his welfare must be informed, as soon as possible, that he has been arrested and is being detained at such and such

place.

Copy forwarded to.....

Magistrate For favour of information.

ANNEXURE 'A'

1. a) Name of the person arrested:

(with father's name)

b) Sex : Male/Female :

c) Age (approx) :

d) Residential Address :

e) Name of relative/friend whom the person taken in custody intends
to inform :

2. a) Date and time of arrest :

b) Place of arrest :

c) Notification of date and time

of arrest and place of detention to the friend/relative (if outside the town through Legal Aid Organisation and local PS concerned within 8 to 12 hours of arrest

This is not required if the same person is the witness.

3. Case Reference with sections of law:

4. GD Entry No. (to be made at the place of detention disclosing the name of the next friend of the person informed of the arrest and the particulars of the Police official in whose custody the arrestee is):

5. Name of the PS/ interrogation centre/ place of detention

6. Name and designation of the officer apprehending the suspect and taking the suspect in Police custody

7. Registration Number of Vehicle (if used during arrest)

8. Forum/Court where to be produced: 9. Date and time of production in the court:

10. Signature of the witness (either a member of family or a respectable person of the locality):

11. Counter Signature of the arrestee:

Certified that the person arrested has been informed of his right to have someone informed of his arrest or detention.

Signature of the Memo issuing officer with date, designation

Annexure 'B'
INSPECTION MEMO

(The Arrestee should be examined on his/her request and this memo should be prepared)

1. a) Name of the person arrested :
(with father's name)

b) Sex: Male/Female :

c) Age (approx) :

d) Residential Address :

2. a) Date and time of arrest :

b) Place of arrest :

3. Case Reference and the offence committed:

4. Details of the Injury, if any, on the body of the person at the time of arrest :

5. Name and designation of the officer apprehending the suspect and taking the suspect in Police custody:

6. Signature/Thumb impression of the arrestee indicating receipt of the Inspection Memo

Signature of the Medical Officer

Signature of the Arresting
Police Officer with designation

Copy forwarded to

Magistrate..... for favour of information.

(3) Memo No. HAD/12M-15-97/A8270/1(62) Dated, the 21st October, 1997.

Circular

In accordance with the order of the Hon'ble Supreme Court of India dt. 18.12.96 regarding medical **examination of accused persons detained in Police Custody**, the following course of actions are to be taken with immediate effect until further order.

1) The Block Medical Officer of Health and in his absence, the Medical Officer on duty will attend the arrestee for examination of (major or minor injury persisted on the body of the captive in addition to his normal duties. The inspection memo must be signed by both, the arrestee and the police officer and its copy to be provided to the arrestee. The Police Officer will bring the arrestee to the Block Primary Health Centre falling within the jurisdiction of the Police Station.

2) Medical Officer on duty in Medical Emergency Department attached to District Hospital, Sub-Divisional Hospital, State General Hospital, will be instructed to examine the major or minor injury persisted on the body of the arrestee brought to them by the Police Officer in the same way as stated in Para 1.

3) For Calcutta Medical Officers on duty in Medical Emergency Department attached to the different Health Institutions will be instructed to examine the injury/illness of the arrestee brought by Police Officer of the nearest Police Station in addition to their normal duties on top priority basis in the same way as stated in para 1.

The Head of the respective Health Institutions are hereby directed to comply the order of the Hon'ble Supreme Court of India under any circumstances.

Sd/

Illegible

DIRECTOR OF HEALTH SERVICES
WEST BENGAL.

(12) Police order No.2 of 1998

Pursuant to directions of the Hon'ble supreme court in CRL Misc. petition 4201 of 1997 and writ petition (CRL No. 534 of 1996) D.K. Basu-vs-State of west Bengal and Others, para XI, the following order is made:

1) The control room at CID at 3rd floor Bhabani Bhaban, Calcutta will be deemed as state police control Room for the purpose of displaying the lists of all arrested persons within the state during the 12 hours. O/Cs of all police stations and other Investigating units will submit, by the quickest possible means, a copy of the list of arrested persons made within last 12hours to O/C., CID control room where the same will be displayed on the control room Notice Board for public view.

2) As communicated earlier under this office Memo. No. 5602 Adm/c-Adm/c 506/97 dated 11.12.1997, such lists will also be displayed at the police stations and district police control Rooms. ICs of all other Investigating Units, if they arrest and detain persons, then such units will also display such list at those places of detention.

3) The Circle Inspectors of police will physically check such display at the police stations and Investigating units and submit report of compliance to SPs every week. A District police Headquarters such display would be physically checked by Dy. S.P.(HQ), who will submit a certificate to that effect to S.P. D.I.G., C.I.D., D.I.G., E.B. and S.Ps of Districts will submit a compliance report of display of lists of all arrested persons within the state to D.G.P. once every week.

4) Such certificates will be maintained in a file in the Adm/c Section of the Police Directorate.

5) This order will come into force with immediate effect.

Sd/

D.K. SANYAL
Director-Genel. & Inspr.- Genl. of
police, west Bengal.

(4) POLICE ORDER NO 21. OF 1950.

The following is published for general information and guidance in continuation of **POLICE ORDER No.6** published in the *West Bengal Police Gazette*, dated 11-8-1950.

Supervision and testing of cases.

Supervision by officers of and above the rank of circle Inspector *of Investigations of* heinous cases has been found to be superficial and perfunctory. The Inspector-General of Police lays down the following broad lines in which the supervision of cases should be made and hopes that the work of the officers in this respect will be more thorough and effective in future.

2. Supervision of a case means proceeding to the spot as soon as possible (subject to Regulation 55(b) Police Regulations, Bengal, Volume I), examining, witnesses, laying down and arranging to have followed up lines of enquiry, scrutinizing the evidence, suggesting points requiring the elucidation and lastly, seeing that the case is properly prosecuted in a court. Supervision extends from the time a supervising officer goes to the spot until the case is finally disposed of. The general principles of supervision laid down in Regulations 54-56, Police Regulations, Bengal, Volume 1, should be carefully studied.

3. In the case of Circles Inspectors a marked tendency to show a large number of cases super and thus to swell the returns has been noticed. The object aimed at is to obtain *from* Inspectors and Supervision and not merely that superficial supervision which takes the form of going to spot; giving *mamuly* instructions and then paying no further attention to the case. Supervision to be of any use, must not only be real and continuous until satisfactory result has been obtained or satisfactory conclusion arrived at, but it must also be applied to those cases which require the assistance and control of an experienced officer and not to unimportant cases now being included. In future, Circle Inspectors, while bearing in mind always their responsibility for the prevention a detection of crime in their circles as defined in Chapter - V of Police Regulations, Bengal, Volume I, will direct their energies in the matter of supervision to the more serious and important crime or outbreaks, occurring within their charges act in this purpose the class of cases which a Superintendent of Police is required to supervise (vide Regulation 53, Police Regulation, Bengal, Volume 1) may be taken as a general guide. The same remarks apply to testing of investigation, is to be discontinued unless there reason to believed that such investigation has not been properly conducted. Henceforth testing a investigation shall be held to mean ascertaining by personal enquiry during there is nothing wrong. In their monthly summary of work the Circle Inspectors shall note the number of days spent in supervising and the result of such case, i.e., whether convicted, returned in final form or pending investigation or trial.

4. Now that the number of superior officer has been augmented and almost ever subdivision of importance has a Sub Divisional Police Officer, the Inspector-General desires that every important case should be supervised by a superior officer and the instructions issued above regarding supervision apply also to them *mutatis mutandis*.

5 Deputy Inspectors-General of Police *are* requested to pay particular attention to this subject when inspecting districts, and to report for the Inspector -General's information in a separate paragraph, whether these instructions *are be* in attended to.

(R.1768-50)

By order,
B. C. MUKHARJI, Registrar
West Bengal Police Directorate

(6) POLICE ORDER No. 8 OF 1953.

Subject:- Submission of draft paragraphs for publication in the "Criminal Intelligence Gazette" in respect of losses/ recoveries of arms/ ammunition/explosives.

Several instances have come to notice or non-compliance with instructions, issued from time to time by the THC DIG, IB, C.I.D., West Bengal, in regard to the submission of draft notices for publication in the *Criminal/Intelligence Gazette* in respect of losses/ recoveries of arms, ammunition and explosives as enjoined in the I. B. Circular No 1 of 1935, a copy of which was sent to all districts of West Bengal and also published in para 230 of the *Bengal/ police gazette*, dated 8-2-1935.

2. The object of publishing losses/ recoveries of arms ammunition, etc, is likely to be defeated if incidents are published promptly. In cases where the Arms Expert's opinion is necessary, delays can be obviated if the officer carrying the arms, etc., to the Expert is directed to obtain the latter's opinion *immediately* on the points necessary for publication in the *Criminal Intelligence Gazette*, If all the information is not readily available the report should be sent within the prescribed period with as much information as is known to the reporting officer. Delay in obtaining the views of an expert will not be accepted as an excuse for delay in submission of the report.

3. Draft notices for publication in the *Criminal Intelligence Gazette* should invariably be written in ink (never in pencil) with proper names in block letters and submitted within three days of the date of occurrence to the Special Assistant, IB., in D.I.G., IB., CID., West Bengal's Form No.45 (specimen appended hereto) with a copy to S.P. (or Addl.S.P. in the case of 24-Parganas), District Intelligence Branch Office. The latter is directed to see that these instructions are strictly followed by the thana officers.

4. Suitable action should be taken against officers responsible for breaches of these instructions.

FORM NO.45.

Notice for publication in the Criminal Intelligence Gazette. Theft/Recovery of Arms and Ammunition.

(a) Theft_Owner's name.

Recovery- From whom.

(b) Weapon/Ammunition.

(c) Description.

(d) Bore. :

(e) Number.

(f) Maker's name.

(g) Marks of identification and condition of weapon.

(h) Place of occurrence.

(i) Date of occurrence.

(j) Case reference.

(k) Remarks, if any.

(R. 779-53.).

By order,
B. C MUKHARJI, Registrar
West Bengal Police Directorate.

(7) **POLICE ORDER NO.5 of 1970**

Subject: **Maintenance of criminal histories in the Criminal Intelligence Bureau, CID., West Bengal as per Appendix XXXII. Police Regulations, Bengal, Volume II.**

With the repeal of Criminal Tribes Act. 1911, and advent of new categories of criminals, whose criminal histories are required to be maintained in the CIB the existing classification of records as laid down in Appendix XXXII is found to be anomalous and needs modification. It is accordingly ordered that for speedy and efficient search work criminal histories should be separately arranged and made up into albums as stated below. In order to facilitate reference, each album, where necessary and possible, should be further sub-divided so as to show separately information under (a) Bengalees, (b) upcountry men, (c) Madrasis, (d) People of Maharashtra and Western India, (e) Europeans and Anglo-Indians, (f) Nepalis, (g) Assamese and (h) people of Orissa.

Album A- Thieves (except operating on railways) sub-classified according to modus operandi arranged alphabetically like bank and post-office counter thieves, bicycle thieves, cattle lifters costly domestic articles thieves, etc., etc.,

Album B- Burglars sub-classified according to modus operandi arranged alphabetically like burglars who commit burglaries by bending or cutting window rods and shutters by rising augers, boring hole on wall or on roof, cutting sindh in the plinth or in the wall. etc., etc.

Album C- Robbers and dacoits(except operating on the railways sub-classified according to modus operandi arranged alphabetically like cutting sindh, house dacoits or robbers, high way dacoits or robbers,

Album D- Poisoners sub-classified as under:

- (1) Who drug their victims on the pretence of curing diseases;
- (2) Female poisoners;
- (3) Poisoners who choose prostitutes for their victims;
- (4) Poisoners who administer poison to passengers at running trains, bus, etc., in pan or sweet meats.

Album E- Swindlers sub-classified according to the existing classification as also head swindlers; sellers of used railway tickets as genuine; giving of false information of arrest, accident, danger, illness, etc., to dupe victims; allurers of victims on the pretence of getting Government money or relief money.

Album F- Coiners sub-classified as under

- (1) Local, arranged district by district;
- (2) Foreign coiners;
- (3) Marwari or Rajputana Bauriah coiners; and
- (4) Chapparbands.

Album G- Note forgers sub-classified as under

- (1) Promissory notes.
- (2) Currency notes,
- (3) Bank notes, and
- (4) Government stamps.

Album H- Railway thieves and robbers sub-classified as under-

- (1) Local running passenger train robbers and thieves in general compartment.
- (2) Local running passenger train robbers and thieves in female

compartments.

- (3) Foreign running train robbers and thieves in general compartments.
- (4) Foreign running train robbers and thieves in female compartments.
- (5) Local running goods train thieves'
- (6) Foreign running goods train thieves
- (7) Station thieves(general).

- (8) Station thieves(bicycles).
- (9) Station pickpockets.
- (10) Steamer thieves (for places where trains and steamer meet.)
- (11) Railway brass fitting thieves.
- (12) Railway mailbag thieves.
- (13) Copper wire from traction lines
- (14) Goods sheds and yard thieves.

_Album I- Extortioners and blackmailers.

Album J- Kidnappers and ornament snatchers sub-classified as under-

- (1) Kidnappers for the purpose of ransom;
- (2) Kidnappers for using the kidnapped child for begging;
- (3) Kidnappers for using the kidnapped girl for prostitution or for selling' her;
- (4) Kidnappers for other purposes.

Album K- Miscellaneous information

Part I- Persons concerned in sensational cases
criminal misappropriation, etc.

Part II- Ring gamblers.

criminal breach of trust,

Album L- Murders for gain.

Album M- Receivers sub-classified as under the nature of stolen articles
received like jewellery, railway materials, costly domestic articles, etc., etc.

(R 693-64.)

(8) Police Order No.4 of 1969

Subject: **Preservation of wearing apparels of victims for examination in cases of homicide, rape, assault, accident, etc.**

Wearing apparels of victims of homicide, assault, rape, rioting, etc., of great evidentiary value may bear materials which are generally lost unless these are taken off from the victims' bodies and carefully reserved for experts' examination.

It is not, however, possible to preserve such wearing apparels in such cases because of practical difficulties. In important cases, such as homicide, rape, grievous assaults, accidents and suspicious cases of unnatural death wearing apparels of victims should always be taken off, preserved and sent to the laboratory when considered necessary, for experts' examination. The following instructions are issued in this connection or the guidance of the Investigating Officers:

1. In cases of murder, the wearing apparel of the victim may provide valuable corroboration of the result of autopsy examination from dust, soil or other particles, traces of powder, tear or cut marks or perforation. In cases of rape followed by murder, traces of powder, tear or cut marks or perforation. In cases of rape followed by murder, traces of fiber, hair, semen, stains, etc., are likely to be found in the garments of the victim. The garments should be taken all and carefully preserved in such cases before sending the dead bodies to the morgue.
2. In all cases of rape garments should be seized under proper seizure list as soon as the victim is contacted before sending her for medical examination. The victims should be persuaded to deposit their garments for preservation of important evidence where the garments are likely to contain.
3. In cases of accidents; specially run over cases, the garments of the victims are likely to contain tyre marks, grease, dust and paint from the vehicle and should be seized and preserved carefully.
4. As regards cases of assaults and rioting, because of very large number of such incidents, the wearing apparel of the victims should be preserved only in cases of special significance or importance.

At present in all cases of homicide or suspected homicide, the corpse is almost always sent to the autopsy surgeon in the same garments in which a person dies with a request to preserve the garments. But in the process of despatch and Post Mortem examination the garments lose much of the clues and may acquire foreign bodies and get soaked with blood. It is, therefore, essential to take off the garments before the dead bodies are sent for autopsy.

The wearing apparel seized in the above cases should first be dried and then carefully preserved preferably in cellophane packing and sent to the laboratory. It may be remembered that wet stains and stains of semen and blood decompose very quickly and do not lend themselves easily to examination with positive results.

In order to enable Investigation Officers to seize garments from dead bodies, they will first request relatives if any, to lend a second garments to wrap the body up or otherwise a piece of cheap cloth of two meters in length and one and a half meters in width may be used to wrap round the body for sending it for the post mortem examination. The expenditure may be met from the investigation charges. Prior arrangement of taking such a piece of cloth by the Investigating Officers may not be normally necessary *except* in cases where the corpses are found without a claimant.

(9) PO No. 17 of 1976

Sub: Reorganization of C. I. D., West Bengal, 1976.

In supersession of instructions issued in this connection from time to time, it is now ordered that the two wings of the C.I.D. i.e. the original C.I.D. and the C.L.S. be merged and the organization be named as "C.I.D., West Bengal" under the control of the D.I.G., C.I.D., West Bengal.

Three Special Supdts. of Police of the CID should each be allotted a zone to ensure better supervision and guidance of intelligence and investigation work in addition to different duties at C.I.D. Headquarters of all the three Special Supdts. of Police shall be in Calcutta. The Special Supdts. of Police shall now be designated as Special Supdt. of Police (North), Special Supdt. of Police (South) and Special Supdt. of Police (Central). The duties and supervisory work of the Dy. S.Ps., C.I.D. at C.I.D. Hqrs. shall also be allotted on the line of zonal distribution of work amongst the Special Supdts. of Police.

The DIG., CID, West Bengal, will allot the area or each zone and also allot detailed distribution of duties amongst the three Special Supdts. of Police and the Dy. S.Ps. of the C.I.D.

For convenience of work and effective supervision of the work of the D.D. Offices, there shall be working Headquarters of the Dy. S.Ps. outside Calcutta at Siliguri, Burdwan and Asansol. The D.I.G, CID, will make internal arrangement to depute suitable Dy. S.Ps. to those places.

The location of the D.D. Officer shall be at *following* places:

(1) Cooch Behar, (2) Jalpaiguri, (3) Siliguri, (4) Raiganj, (5) Farakka, (6) Bunlwan, (7) Durgapur, (8) Suri, (9) Asansol, (10) Purulia, (11) Bankura, (12) Kharagpur, (13) Barhampore, (14) Krishnagore, (15) Serampore, (16) Howrah, (17) Tallygange, (18) Baranagore, (19) Naihati and (20) Barasat.

The DIG, CID, West Bengal shall be competent to make such changes in the allotment of duties and internal adjustment of the area of the zones of the Special Supdts. of Police and Dy.S.Ps as may be considered necessary for efficient functioning of the CID., West Bengal.

S.C.Chaudhuri
Inspector General of Police
West Bengal

(10) POLICE ORDER NO.4 OF 1980

Sub: Re-Organisation of C.I.D., West Bengal

In partial modification of P.O. 17 of 1976 it is now ordered that the Special Supdts. of Police, CID, West Bengal shall now be designated as Special Supdt. of Police (I), Special Supdt. of Police (II) and Special Supdt. of Police (III) in order of seniority instead of Special Supdt. of Police (North), Special Supdt. of Police (South) and Special Supdt. of Police (Central).

S.K.MITRA
Inspr.-Genl. of Police,
West Bengal

(11)

**GOVERNMENT OF WEST BENGAL
HOME DEPARTMENT
POLICE**

ORDER

No. 1533 PL/PD/5B-5/02.

Dated, Kolkata, the 8th March, 2002.

LOCK UP IN CID

Provisional permission is hereby accorded to the functioning of Look-ups (Male and Female) at the disposal of C. I.D. Hqs. at Bhawani Bhaban, Alipore, Kolkata- 700027 subject to compliance of the guidelines and standing rules and regulations contained in Police Regulation of Bengal (VOL-I, 1968).

This order takes immediate effect and shall remain in force until further orders.

This has the approval of the Principal Secretary, Home and Home Secretary to the Government of West Bengal.

Sd/-

O.S.D. & Ex-officio Deputy Secretary to
the government of West Bengal.

(13) **POLICE ORDER NO 2 OF 1959.**

Subject: Establishment of Central Finger-Print Bureau.

It is notified for general information that the Central Finger-Print Bureau under the aegis of the intelligence Bureau, Ministry of Home Affairs, Government of India, has been established and located at 30 Gorachand Road, Calcutta-14. At present, its operation is confined to the collection and classification of finger-print slips received from the States.

In order to enable it to build its initial records, all Superintendents of Police shall ensure that Court officers prepare and send finger-print (record) slips of all persons male or female, adult or young- Convicted of any of the offences mentioned in the schedule below to the Director, Central Finger-Print Bureau, Calcutta, through the Director of the State F. P. Bureau. This order supplements and does not supersede the provisions of Police Regulations West Bengal on finger-print matters. It envisages that a copy of finger-print slip of these persons shall be prepared and sent for record in the State Bureau also.

Finger-print slips of the following persons-juvenile or adult, male, female and eunuchs- will be recorded at the Central F.P. Bureau:

Schedule

- (1) All persons convicted of offences under Chapters XII and XVII, I.P.C., which are punishable with R.I. for a term of one year or more.
- (2) All persons convicted of any offence, under Chapter VI, I.P.C., or of sabotage and subversive activities against State.
- (3) All persons convicted of offences under sections 170,302 and 304 (murder for gain), 328,338,465 to 477 A,489A to 489D, I.P.C.
- (4) All persons convicted under the Arms, Opium and State Excise Acts who are suspected to be Smugglers in arms, opium, or dangerous drugs as defined in the Dangerous Drugs Act (Act II of 1930), or entailing enhanced punishment on reconviction.
- (5) All persons convicted of smuggling gold, currency, and valuable articles under Foreign Exchange Regulation (Act VII of 1947).
- (6) All persons ordered to execute bonds under sections 109 & 110 Cr.P.C. (for offences against property only).
- (7) All traffickers in women and children who are convicted under sections 363 to 373, I.P.C.
- (8) All persons convicted under section 5 of Act LXXIV of 1950 for unlawful possession of telegraph wires.
- (9) All persons convicted under section 3 of Ordinance XIX of 1944 for unlawful possession of Railway stores.
- (10) All professional criminals and persons of dangerous character externed from any area under any State Act.
- (11) All foreigners externed under Foreigners Act XXXI of 1946.
- (12) All approvers in gang, dacoity and criminal conspiracy cases.
- (13) All persons suspected of being professional itinerant criminals and persons of notoriously criminal reputation who habitually absent themselves from their homes and are believed to travel to other States for the purpose of committing crime and who have been arrested. by police and whose finger-prints have been taken, even if they are acquitted, provided that in case of acquittal, permission, for record or fingerprints is obtained from the court under section 7 of Act XXXIII of 1920.
- (14) All persons convicted for attempt or abetment (section 511 or 109/ 114, IP.C.) and criminal conspiracy (section 120B, I.P.C.) for offences mentioned in this schedule.
- (15) All Indian nationals convicted outside India of any offence for which fingerprints have been received at the State Bureau from those countries.
- (16) All international criminals and absconders whose finger-prints are sent to the State Bureau from countries outside India.
- (17) All persons convicted under Explosive Substances Act (Act VI of 1908).
- (18) All persons convicted under the Official Secrets Act (Act XIX of 1923).
- (19) All persons convicted under sections 101,126 and 128 of the Indian Railways Act (Act IX of 1890).
- (20) Any other person whose finger-prints are ordered to be maintained by the Government of India from

time to time, subject to the provisions of the Identification of Prisoners Act (Act XXXIII of 1920).
Note- the taking of finger-prints of persons who are local men and convicted of offences of trivial nature will be subject to the discretion of the S. P. of the District concerned.

The following procedure is prescribed for transmission of F. P Slips for record in the Central Finger-Print Bureau:

Procedure

- (1) As the Central F.P. Bureau will have no direct connection with the district police all finger-print slips for record at the Central F.P. slips shall be sent through the State Bureau, where these F. P. slips shall be checked to ensure correctness of the entries and clarity and order of the impressions before transmission to the Central F. P B
- (2) One set of F. P. slip of all persons convicted of any offence mentioned in schedule shall be prepared for record in the C.F.P.B., subject to the provision of identification of Prisoners Act (Act XXIII of 1920) by the Court Officers of the District in addition to the number of sets required for the State Bureau and other Bureau. .
- (3) All F.P. slips of persons for recording at the C.F.P.B. shall be sent under triplicate Despatch Cheques through the State Bureau.
- (4) In no case F. P slips of more than ten persons should be sent under a Despatch cheque.
- (5) All F. P. slips returned for rectification of defects should be re-submitted expeditiously to the C.F.P.B. through the State Bureau under fresh Despatch cheque bearing a reference of the original D.C.
- (6) The F.P. slips of persons convicted for the first time and F. P. slips of persons traced by the C.F.P.B., when convicted, should be sent under separate Despatch Cheques with the words "ordinary "or "Traced" as the case may be, note at the top.
- (7) F.P. slips of international criminals convicted or deported in and out of India under offences enumerated in the Schedule should be sent under cover of separate Triplicate Despatch Cheques, which should be marked "International Criminals" at the top.
- (8) All intimations regarding absconders shall be sent immediately to the C.F.PB under triplicate Despatch Cheques along with F.P. slips and, if available, *F.P* formula of the State Bureau and of the Central Bureau, with particulars of the case in which they are wanted and the office to which the intimation of arrest is to be give (in block letters), in addition to the provision of Regulation 512, P.R.B.
- (9) In sending F.P. slips of persons traced by C.F.P.B. the formula supplied by the C.F.P.B. on the search-slips should be noted on the record F.P. slips.
- (10) The State Bureau, on receipt of the duplicate Despatch Cheques with classification formulae of the F.P. slips recorded in the C.F.P.B. shall file one copy a the Bureau and send the other copy to the District Office.
- (11) One extra copy of F.P. slip of inter-state international auto thieves, hotel thieves forgers of currency, cheats, and coiners should be taken for the "Single-Print Record" of the F.F.P.B., and should be accompanied with a short-note on the modus-operandi.

Note- The existing procedure of sending duplicate FP slips for search and record to (different F.P. Bureaux, as provided in Police Regulations 491 and 506 shall continue notwithstanding what has been prescribed in this Order.

(R. 242-56)

(15) POLICE ORDER No 1 OF 1952

Subject:- Submissions of Special Reports of Crime.

In view of the changed conditions quite a numbers of modifications have been considered necessary in the procedure for the submission of Special Reports particularly in cases involving losses, thefts and recoveries of arms, ammunition or explosives all communal cases and cases in which Pakistan nationals are involved. The existing Appendix XV of the Police Regulations, Bengal, Volume II, 1943, will, therefore, shortly be revised. Superintendents of Police are ordered, in supersession of all previous orders, to submit Special Reports of Crime according to the annexed revised appendix instead of the existing Appendix XV. This has already been approved of by Government who will soon issue formal orders.

Note,- If any Deputy Inspector-General or Superintendent of Police has any suggestions to offer, he is requested to communicate his views in writing to the Assistant Inspector-General of Police by 31-3-1952.

By order

P.S. MAJUMDER, Registrar.
West Bengal Police Directorate.

APPENDIX XV.

(Regulations 246,253 and 1116.)

Special Reports of Crime.

I The officer who receives the first information of any serious offence or accident shall send intimation by the means shown in column 3 of the schedule-

(a) to the Range Deputy Inspector-General or Police, the District Magistrate and the officers shown in columns 4 to 6

(b) to the Superintendent, the Sub divisional Police Officer (if any), the Inspector and the Officer-in-charge of the Police station.

2. Such intimation shall include a list of all the officers to whom it has been sent.

3. Subject to the remarks in column 7 of the schedule, the Superintendent shall send Special Reports in all cases to the officers mentioned in columns 4 to 6, to the Range Deputy Inspector-General and the District Magistrate, in accordance with the provision of Regulation 1116 and the footnotes appended to the schedule.

Schedule

SI No	Class of case	First information	To be reported to			Remarks
1	2	3	4	5	6	7
1	Dacoity making preparation to committing dacoity, assembling for the purpose of committing dacoity,	FIR by Express Delivery Post	Deputy Inspector General, Criminal Investigation Department	Deputy Inspector General, Intelligence Branch only as in column 7		Cases which bear a political or politico – communal significant & / or in which arms , ammunition or explosive are used, recovery of stolen should in addition be reported by Telegram to the Deputy Inspector General, Intelligence Branch. First reports only unless subsequent reports are called for

2	Mail Robbery , robbery in which fire arms or explosives are used and conspiracy to commit such offences	Ditto	Ditto			
3	House robbery & burglary and theft cases in which property of considerable value has been stolen & in which professional criminals are suspected to have been concerned	Ditto	Ditto	Deputy Inspector General, Intelligence Branch to be inform by Tele gram if arms , ammunition or explosives are used , recovered or stolen, first reports only		No Spl. Report unless Superintendent considers that there spl. feature which will interest the Deputy Inspectors – General.

4	Important cases of loss , theft or recovery of arms , ammunition explosive (bomb , dynamite , cordite, fuse , detonator etc.) and also a large number of empty cartridge cases & such cases which rank as matter of public interest matter of indicate that rules for the custody of arms & ammunition and explosive either in the position of regiments or individual or during transit by rail or otherwise are defective & should be amended (vide IB Circular No 1 of 1935) Cases in which are attempts are made to smuggle arm & ammunition & explosives into West Bengal by land sea, or air& cases under Explosives Substance Act, 1908.	Telegram				
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5	Cases of counterfeiting coins(other than copper coins by quick silvering) stamps or notes, uttering or being in possession of counterfeit coins , stamps, or notes, & any discovery of forged currency or promissory notes & the payment note into a treasury of any large percentage of false coins. Also conspiracy to commit such offence.	On department				Shall send spl. reports only if the utterer appears to have connection with professional coiners or forgers. When spl. reports are not submitted in case in connection with counterfeit notes a short history of the case shall be forwarded to the Criminal Investigation Department after the conclusion of enquiry. In case of swindling other than those specified in (a) & b) a copy of the FIR need only by send to Deputy Inspector General, Criminal Investigation Department case which bear political or politico-communal significance or in which Pakistan nationals, are involved or suspected should in addition be submitted to the Deputy Inspector-General , Intelligence Branch , by Express Letter. A copy of the Judgment to be sent to the Criminal Investigation Department in duplicate along with the final report.
6	a) professional swindling and b) conspiracy to commit the same	Ditto	Ditto			
7	Professional drugging	Ditto	Ditto			
8	Cases of murder (a) committed for gain, or (b) which bear religious significance or (c) which are unusually heinous. Also conspiracy to commit murder.	Ditto	Ditto	Deputy Inspector-General, Intelligence Branch only, as in Column 7.		
9	Gang cases under sections 400 and 401 of the Indian Penal Code, and cases under sections 109 and 110 of the Code of Criminal Procedure against gangs of five or more persons reasonably suspected of committing dacoity.	F.I.R. by post	Deputy Inspector-General, Intelligence Branch only as in column 7.	Deputy Inspector-General, Intelligence Branch (by express letter) only in cases in which the accused are suspected or known to be members of political organizations or indulging in anti-Union activities.		

10	Escapes from police custody	Tele Gram	Deputy Inspector General, Criminal Investigation Department if the escape prisoner is a notorious professional inter district or interstate criminal	Deputy Inspector General, Intelligence Branch if the prisoner is an important member of a political Organisation or is arrested in an important political case		
11	Defalcation or loose of Govt. money, bullion or other valuables, stamps, opium or ganja belonging to or in the custody of the police department.	Ditto			Inspector – General	Action should be take under paragraph 10, 11 & 12 of the Bengal Audit Manual
12	Serious riots due to religious, political or a communal causes or of inter provincial or inter – racial nature	Ditto		Deputy Inspector General, Intelligence Branch	Ditto	
13	Cases of firing mobs or individual by the police causing death or serious injury. To a member of the public by accidental firing by the police.	Ditto			Ditto	A copy First report only should be sent to the Deputy Inspector General, Intelligence Branch, if it is in connection with some political movement s and subsequent copies if so desired.
14	Important industrial strikes	Ditto		Deputy Inspector General, Intelligence Branch	Ditto	Copies of reports to be sent also to the labour commissioner, West Bengal Direct

15	Important cases in which non – Indians are concerned	Express letter	Deputy Inspector General, Criminal Investigation Department		Inspector General, in cases where non-Indians are victims (in duplicate)	Copies of report will be sent to Deputy Inspector General, Intelligence Branch in cases of political significance
16	Cases of assault of police officers on duty	Telegram		Deputy Inspector General, Intelligence Branch if officers of his department are victim or if there is any political significant	Inspector General, in cases serious assault due to political causes or assault resulting in death.	Telegram to followed without delay by special reports. Assault of slight or technical nature are not to be specially reported
17	Cases regarding which immediate information should be given to the Inspector General or in which special assistance if urgently required as also in large scale political , industrial or agrarian unrest involving or likely to involve disturbances, incidents likely to lead to serious communal troubles, etc., etc.	Ditto		Deputy Inspector General, Intelligence Branch	Inspector General	
18	Cases of insurance or bank frauds	FIR by post	Deputy Inspector General, Criminal Investigation Department			
19	i) Collisions between trains	Express letter, Telegram				
	ii) Serious accidents , i.e in which many lives are lost or many passengers injured, or in which much damage is done to the permanent way or rolling stock and traffic is suspended time.	Telegram		Deputy Inspector General, Intelligence Branch if sabotage is suspected	Inspector General	

20	i) Derailment or attempt derailment of train by obstructions placed on the permanent ways or otherwise.	Express latter			Inspector General	
	ii) Ditto (in serious cases only)	Ditto		Deputy Inspector General, Intelligence Branch (induplicate)		
21	Important incidents on the border of West Bengal & East Bengal concerning the two countries or citizen of the two countries , e.g riots , firing by police, attack by Pakistan nationals, serious damage to properties , etc. (ordinary crime against property, viz., dacoits and robberies etc., are not to be included in border .S.R.s)	Telegram		Deputy Inspector General, Intelligence Branch	Inspector General (in duplicate)	Special reports on border incidents should be submitted even if nationals , properties or rights of the state of West Bengal are affected in happenings in places in East Bengal very close to the border.

Note--1. All reports of S.R. cases must be sent to District Magistrate and Range Deputy Inspector-General of Police.

2. Where there is a Police Wireless station the first intimations should be sent by radiogram in cases where reports are due to be sent by telegram.

3. Border special reports should be given a separate serial number entered in a separate Special Report Register, e.g., Border S.R. No. of 1951.

4. In any case relating to a serious explosion report shall be sent by the Superintendent to the Chief Inspector of Explosives by telegram, stating whether his services are required in connection with the investigation or enquiry. Officers in charge of police-station, therefore, shall see that pending the superintendent's order, all wreckage and debris shall remain untouched. If it is decided that the Chief Inspector of Explosives shall see that pending the Superintendent's order, all wreckage and debris shall remain untouched. If it is decided that the Chief Inspector of Explosives shall hold an investigation, everything shall be left as it is until his arrival.

5. One special report need be submitted in respect of several cases if they are same cause and form the same chain of incidents in the same police stations although a separate has to be started for each such incident. A joint progress report may also be submitted incorporating result of investigation in all the cases together.

(32)

POLICE ORDER No. 1 OF 1984.

Sub: Identification of Dead Bodies in Unnatural Death Cases and its Investigation and Working of the Missing Persons Squad.

There have been instances of lack of co-ordination between the officers making enquiries / investigation in U.D. cases concerning unidentified dead bodies and the officers enquiring into the where-abouts of the missing persons, particularly when these officers belong to different Police stations in the same district as well as two different districts. The delay involved in identification of dead bodies, in suspicious cases is due to failure on the part of the police officers to follow the existing instructions at very stage, details of which are given in the appendix. The lack of coordination between the officers of different districts on the one hand and the lack of close co-operation between the district officers and the Missing persons Bureau of the CLJ. West Bengal on the other, are often noticed. This results in a lot of confusing evidence, oral, circumstantial, and in the shape of expert's opinion, supporting as well as contradicting the story of suicide, homicide or accidental death.

2. The salient points with regard to identification of dead bodies in unnatural death cases should be borne in mind by the police officer, so as to link up the missing person in one area to the find of unidentified dead body in suspicious circumstances, in the other area. The Missing Persons' Squad of the districts and the Missing Persons Bureau of the C.I.D. west Bengal, must co-ordinate their activities in an effective manner to achieve the best possible results in minimum time. so that the police officer, who finds and unidentified dead body, may not grope in the dark regarding the cause of death and especially about the identification of the dead body. For this purpose, instead of waiting for six weeks for sending the first report to the MPB of the CID, West Bengal, the MPS's or the districts should immediately send the necessary details in Proforma 'A1' regarding missing persons in Proforma 'A2' regarding persons recovered but who cannot be identified /connected. The Officers-in charge or Police Station should also report directly to MP13, CID, west Bengal in Proforma 'A3' regarding unidentified dead bodies (as prescribed in Part XVII of the Rules of Business of CID, West Bengal), besides giving a copy of the proforma 'A3' to DC, DD, Calcutta, and to MPS'S of their own districts. As soon as the dead body is identified, similar reports will have to be sent immediately to all concerned to whom earlier information were sent.'

3. The Surathal Report should be prepared by the Police officer immediately after the find of the dead body, in suspicious circumstances immediately, if necessary in strong artificial light, even patromax, without waiting for the day light. The thumb impression at least if not finger prints should be taken for supplying to the Finger-print Bureau of the CID, who maintain the record of thumb impressions or the missing persons for purposes of identification. Needless to say the physical evidence near about the place where the dead body is found, should be collected carefully and sent to the experts for their opinion. The dead body will have to be photographed and for the PM examination without delay.

4. For proper identification in the MPB of the CID the detailed descriptive roll (vide Appendix X of the PRB Vo1.II) particularly the physical peculiarities and identification marks wearing apparel, age, sex and religion, should be taken by the police officers with the utmost care and sent to through the MPS of the district; to MPB,CID, West Bengal and to DC,DD, Calcutta. The police officers ensuring into the UD cases

will to submit case diaries if the enquiries/ investigation last for more than 24 hours as laid down in Rule 299(c) of PRB Vol I. These case diaries should be submitted regularly and timely and should be checked up by the CI thoroughly, with a view to getting the enquiries made in the right direction. Superior officers supervising the UD cases should go deep into the matters and make sure that the investigation is carried on with as much importance and thoroughness as in a case of murder. The contradictions, if any, in the reports of the experts, for example, in the chemical examination of the viscera, the report of the P.M. examination, the oral evidence as well as the evidence collected from other physical evidence like handwriting, blood, stains, hair, weapons of offence etc, may be analyzed so as to come to a plausible conclusion about the cause of death.

5. To help the investigation, the MPS's of the districts and the MPB of the CID: West Bengal should make their enquiries within the least possible time by comparing the photographs of the dead body with the photos of the missing persons, by comparing the fingerprint of the dead body with those of the missing person, by tallying the missing person's physical characteristics with those of the unidentified dead bodies, so also the other physical peculiarities, sex, age group religion etc, should be compared, the alphabetical index cards of missing persons and index cards relating to physical and special peculiarities of the missing persons and of the unidentified dead bodies should be maintained by the district MPS and the MPB of CID, West Bengal, for facility of checking up with the information of unidentified dead bodies and missing persons received.

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(6). The I.O.'s should immediately convey any information on clue relating to identification of the dead body to the officer-in-charge or the concerned police station directly as well as to MPB, of the CID, West Bengal without loss of time, to make investigation purposeful. Similarly whatever extra information, through press, radio, photos in the CIG and through interrogation of the person or examination of the physical objects is made available by the I.O.s, it should be passed on the M.P.S's, of the districts, D.C., D.D. Calcutta, and the M.P.B. of the C.I.D. West Bengal. This give and take method of exchanging information expeditiously will widen the possibility of quicker identification and more purposeful investigation.

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7. The superior officers should ensure compliance of these instructions and also those issued from time to time. These instructions have been summarized in the appendix for the guidance of the officers. It should be understood by all the tracing of such missing person and identification of dead bodies will go to long way in better police public relation and will currently improve the image of the police before the public and the administration.

D.N.Pandey.
Spl.Inspr.-Genl. of Police (O), W.B.

POLICE ORDER 10/05

Subject : Reorganisation of crime against Women's Grievance Cell

operational in the districts of West Bengal

[G.O. No- 1309/PL/PD/4B-61/92 dtd-2nd March, 1995

of Home (Police) Department, Government of West Bengal]

1. The Women's Grievance Cell existing in the districts will be renamed as **Protection of Women and Children Cell (POWC Cell)**. The cell will also look into all crimes against children as prescribed under the Juvenile Justice (Care and Protection of Children) Act, 2000 and also implement the directions given earlier vide Police Order no. 6/05 of Police Directorate, Govt. of West Bengal (subject – dealing with juveniles in conflict with law and children in need of care and protection and role of police), in addition to the crime against women. This Cell will also work as **Special Juvenile Police Unit** for the district.
2. **POWC Cell** will also act as the **Anti Trafficking Cell** for the district and should keep intelligence on the traffickers who are involved in trafficking of women and children on various pretexts like domestic labour, commercial sexual exploitation, begging and fake marriages and other hazardous jobs and places. The cell will coordinate the raids and rescue operations with the help of the local Police Stations and authorized NGOs.
3. The **POWC Cell** will act as **Nodal Agency for crime against women and children in the district** and will coordinate with West Bengal Women Commission, West Bengal Human Rights Commission and other agencies through Police Directorate, Govt. of West Bengal, under the direct supervision of Districts Superintendent of Police / Addl. Superintendent of Police as designated by the district SP.
4. The **POWC Cell** will be headed by an officer of the rank of Inspector with adequate staff having both male and female police personnel in the district Headquarters. The Cell will be closely supervised by One Dy. Superintendent of Police who will act as the **Nodal Officer** for all matters related to the offences against women and juveniles as per the legal provisions of Juvenile Justice (Care and Protection of Children) Act, 2000, Immoral Traffic Prevention Act and other related legislations.
5. The District Superintendent of Police will ensure that the officers posted in **POWC Cell** are trained in the constitutional and legal provisions on the subject of crime against women and children. They should also have the knowledge of functioning of the different Courts, Family Courts, Juvenile Justice Board, Child Welfare Committee, West Bengal Legal Aid agencies, Family Counselling Centres, Short stay Homes run by West Bengal Social Welfare Advisory Board, prominent Govt. and Non Govt. organizations working in this field in the district. They should also keep close liaison with all agencies working in the districts and should maintain up to date information with their phone numbers and addresses.
6. The **POWC Cell** shall enforce the following Acts -
 - The relevant provisions of Indian Penal Code regarding Homicide, dowry deaths, abetment of suicide, attempt to suicide, sec.312 to 317 IPC, sec. 292, 294, 354 and 509 IPC, Kidnapping Abduction and Rape, Misappropriation of streedhan 406 IPC, domestic violence 498A IPC
 - The Immoral Traffic (Prevention)Act, 1956
 - The Preconception and Prenatal Diagnostic Techniques (Prohibition and sex selection) Act,2002.
 - The Child Marriage Restraint Act, 1929.
 - The Dowry Prohibition Act, 1961
 - The Dowry prohibition (Maintenance of lists of present to the bride and bridegroom) Rules, 1985.
 - The Juvenile Justice (Care and protection of Children) Act, 2000
 - All Supreme Court and High Court orders and Judgments passed on the subject matter from time to time including Sexual Harassment of women at work place.And any other crimes related to trafficking of women and children including cross border trafficking and other similar type of cases.

7. **Awareness Generation – POWC Cell** will be responsible for organizing awareness programmes in the vulnerable areas in the districts with the help of local police stations and NGOs. The Cell will organize awareness campaigns in the educational institutions of the district with the help of NGOs regarding Violence against women and children and how young students can participate in controlling such violence and also be made aware of their legal rights and duties.
8. **Gender sensitization Training Programme – POWC Cell** will organise training programmes on gender sensitization and investigation of offences against women in which all legal provisions of IPC and other Acts as mentioned at point no.6 above should be covered. District SPs will take keen interest in such in service trainings and one Additional SP will coordinate these trainings. This should be institutionalized and such programmes should be frequently held at the district head quarters as most of the officers are transferred regularly.
9. **Special Drive – POWC Cell** should also arrange for special drives against eve teasing, sexual harassment, sexual exploitation of women and children, rescue of trafficked victims from red light areas, hotels or other places where they are kept confined.
10. **Special raids** -The cell should also arrange for special raids against obscene literature, posters, hoardings etc. and also keep watch on the activities of the cyber café, cable TV network and other places where such type of obscene literature is sold or available.
11. **'100 Dial' Help Line** – The Police Order number 16/2004 regarding '100 Dial' Help Line (point no-6 of West Bengal Police Gazette dtd- 10th December, 2004) under headlines 'General Instructions' extract of which is reproduced below should also be implemented. 'Each 100 Dial Control Room will have list of important telephone numbers like Fire Brigade, Blood Bank, Women Counselling Centre, Drug-De addiction / Rehabilitation Centres, important hospitals etc.' and 'When any women in distress dials 100 for Counseling over marital / domestic or any other issue, she shall be heard by the Officer concerned at the Sub-Divisional / District Control Room and steps taken to get her in touch with the concerned Police Station, NGO, Counselling Centre etc. so that her problem could be attended to without any delay. Senior Officers will review the action taken in each of the cases'.
12. **Power of Investigation** – As per Police Order No- 16/1976, there was a provision for 'Special Investigating Pool in the district'. On the similar lines, District Superintendent of Police may authorize the officers posted in POWC Cell to investigate any crime in the jurisdiction of the district. The recording of FIR shall be in the regular Police Station having jurisdiction with due endorsement by the Officer-in-Charge of the Police Station at the time of recording of FIR and also at the time of submission of Final Report or Charge Sheet as the case may be.
13. DIG, CID (Special), West Bengal is designated as the **Nodal Officer to coordinate all anti-trafficking police initiatives** in the State of West Bengal. The Dy. SP in charge of district **POWC Cell will act as the Nodal Officer of the respective district** and will report and coordinate all anti trafficking initiatives with DIG, CID (Spl), CID, WB.
14. **An Anti-trafficking Cell** having sufficient man power and officers may be set up at CID, West Bengal from their existing resources. The officers having experience of rescue of minor girls, children and women who are victims of trafficking and commercial sexual exploitations, should be posted in the. Similarly in all bordering districts, **Anti Trafficking Cell may be setup under POWC Cell** to look after the matters related to trafficking including rescue of the victims of cross bordering trafficking. The Anti Trafficking Cell may have the list of NGOs who are actively working in the field of anti trafficking operations. The authorized NGOs (as approved by the Department of Social Welfare) may be associated with the rescue and post rescue operations.

15. Functioning of Women Help Lines / Mahila Desks-

At present four Mahila Help Desks are operational at Howrah Railway Station, Sealdah Railway Station, Siliguri Railway Station and Kolkata Airport. Addl. Director General of Police, Railways, West Bengal may examine some other important Railway Stations where Mahila Desks may be setup from their existing resources. All Mahila Help Desks should have the names and addresses of all NGOs, Social Welfare Departmental officers, probation officers, Dowry Prohibition Officer, Child Welfare Committee, Juvenile Justice Board, Legal Aid Service and other important functionaries like doctors, lawyers, school teachers, respected citizens, Principals of School and Colleges etc. who are willing to do voluntary work for prevention of atrocities against women and also to combat commercial sexual exploitation against women and children in the district. They should also contact nearest Sub-Division Control Room through '100' dial in case of any emergency. The functioning of **Mahila Help Desk** will be supervised by the SRPs in charge of the Zone and will be monitored by the Asstt. Inspector General of Police (Special), West Bengal under the direct supervision of the Inspector General of Police (Administration), West Bengal and the files will be dealt at ADM/C Section, Police Directorate.

16. District Level Committee for Protection of Women rights –

As per Resolution no. 289-SW/3W-21/93 of the department of Women and child Development and Social Welfare, the District Level Committee for protection of women rights in each district was re-constituted consisting of the following functionaries – DM –as Chairperson, A judicial officer to be nominated by the Judicial Department, Superintendent of Police of the district, C.M.O.H., Public Prosecutor, Principals of Local women's College, Head mistress of Girls' high schools, a representative each of Ganatantrik Mahila Samity, Paschim Banga Mahila Samity, Agaragami Mahila sangha and Nikhil Banga Mahila Sangha and District Social Welfare Officer – Member convenor.

As per the resolution, "the committee may meet at least once in two months. Their function will be to periodically assess the State of Crimes against Women in the district, progress of investigation and action taken on appropriate authorities for prevention of crimes against women in the light of the particular needs of the district. The Committee will act as public defenders of women rights. This will be a single, easily accessible, highly visible agency which women whose rights have been abused can approach for redress. The committee will enjoy powers to provide legal aid and will also monitor the registration, incidence, investigation and disposal of cases relating to atrocities against women. The quarterly meeting will be held by the department of Social Welfare with the District Social welfare Officers to assess functioning of the committee periodically." The district SPs may ensure the implementation of decisions taken in the District Level Committee for Protection of Women Rights.

(Ajay Prasad)

Director General & Inspector General of Police,
West Bengal

Subject: **THANA CRIME TRACKING SOFTWARE**

1. Every Police Station in the State has been provided with a Computer, modem, and printer with facilities for use of the following facilities:

- (a) Facilities of E mail within the West Bengal Police Network using the WEBSWAN;
- (b) Software for the data pertaining to the First Information Reports in the Thana Crime Tracking Software;
- (c) Missing Persons Software.
- (d) Motor Transport Software.

2. There is need that the above-mentioned facilities are utilized to the full extent. The following are some of the instructions and guidelines for use of this facility:

(a) **Supervision:** *The SP should entrust the general supervision of the Information Technology Oriented programme in use in the District, including the hardware to the Addl. SP (HQs) of the District. His tasks will be:*

1. *General supervision of the different softwares in use in the District;*
2. *Discussion of the status pertaining to the feeding of the data in the TCTS/DCTS/Missing Person Information during the Monthly Crime Conference of the SP;*
3. *Keeping in contact with the local WEBEL Technology and NIC representative in the District for all matters pertaining to the functioning and maintenance of the hardware and the software;*
4. *Liason with the Wireless Headquarters for all repairs to the hardware;*

(b) **Staff:** Every Police Station must have *at least* two computer literate Constables. A Number of training programmes have been conducted in which a large number of personnel of different ranks of the District have been trained in the use of Computers. The Supdts. Of Police of the concerned District must maintain a separate list of such personnel and ensure that during the General Transfer as and when any computer literate personnel is posted out a suitable replacement should be posted. The Supdt. Of Police will also ensure that the following Supervisory Staff are earmarked in their District:

1. **District telecom Inspector:**

The Duties of the District Telecom Inspector are:

- i. Supervision of West Bengal Police, E Mail Communication system (Including District Server and WBSWAN connection);
- ii. Monitoring of E Mail Traffic on ISOQ Mail Log;
- iii. Hardware maintenance in district including configuration of Police Station Computers;
- iv. Weekly briefing of the SP on the position pertaining to the functioning of the system;
- v. Weekly E Mail Report to the Computer cell, W.Bengal Police Directorate;

2. **O.C. DCRB**

The OC DCRB should be of the rank of Inspector. The Duties of OC DCRB will be:

- i. Supervision of the DCRB Staff;
- ii. Monitoring of the TCTS data entry by the Police Stations;
- iii. Maintaining DCTS System, editing and correcting all information pertaining to Crime that is received from the Police Stations;
- iv. Providing Data to the Reader of the District Police Office and other Police Officer on data pertaining to the Criminals of the District;

- v. Responding on the telephone to queries pertaining to criminals/*missing persons/stolen property/missing vehicles*;

3. **DCGM**

The Supdt. Of Police will details a computer literate Sub Inspector as the DCGM for each District. The duties of the DCGM will be:

- i. He will be responsible for the Software cell at the District Headquarters;
- ii. He will attend to all software problems in connection with the TCTS, PPMS, Inventory Management, Digital MTO, and Accounts etc.
- iii. *Introduce any new software in the system, as required from time to time, as authorized by DIG (Modernisation)/OC Computer Centre, West Bengal Police Directorate;*

(c) **Training:** While the West Bengal police Directorate Computer Cell organize Training classes for the use of Computers, there is a need for the Supdts. Of Police to organize similar courses at the District Headquarters with the aim of spreading computer literacy among maximum police personnel of the District of all ranks. All assistance for the conduct of such courses will be provided from the Police Computer center at the West Bengal police Directorate;

(d) **Thana Crime Tracking Software:** This is a custom software based on CCIS Input forms, FIR, Arrest, Charge-sheet, which can be entered directly on the computers at the Police Station. The salient features of this software are:

- Transaction Driven Software;
- An Investigation Officer Friendly FRONT-END interface;
- Takes in only essential information from Investigating Officers and internally generates input for Crime Criminal Information System package;
- First Information Report and Charge Sheet/Final report Form can be generated and printed on computer for sending to Courts and other units;
- Text of First Information Report (available in Bengali) on the computer;
- Effective criminal tracking by including Court information; (*All arrests, warrantees etc*)
- Storage of the Police Station Crime Data at the Police Station;
- Queries on local data can be made at the Police Station;
- Queries across Police Stations are to be made through the District Crime Record Bureau through E Mail.

This Software has been installed in all the Police Stations and provides data pertaining to the FIR's recorded in different Police Stations in the State and can be viewed under different sections of law, different Acts and under Major Heads of law. The software also provides for the monitoring of the data entry by Supervisory officers with a view that to ensure that there is maximum utilization of this Software. The following are some of the instructions and guidelines that should get the attention of the Officer in Charge of a Police Station:

- 1..The Data pertaining to an FIR must be entered in the Software within 24 hours of the recording of the FIR at the Police Station;
2. The fact that the data pertaining to the FIR has been recorded in the TCTS should be entered in the General Diary as soon as the Gist of the FIR is recorded in the General Diary as per Regulation 377(b) and (C) of PRB Volume I. The Circle Inspector, on receipt of a copy of the General Diary as per regulation 377(j) of PRB Vol. I must check that the data pertaining to an FIR has been recorded in the TCTS;
3. The full particulars of the Investigating Officer of the Case must be provided in the TCTS (i.e. particulars of GPF No etc). This will facilitate easy Identification of the Investigation Officer;

4. The full particulars of the stolen property must be entered in the FIR as this will facilitate OC's of other Police Station to identify the property if recovered from the possession of a criminal outside the concerned Police Station;
 5. The Officer in Charge of the Police Station will ensure that as and when any arrest of an accused in connection with a case of DACOITY/ROBBERY/BURGLARY OR THEFT recorded in the Police Station, relevant entry must be made in the TCTS. Similarly as and when, there is any recovery of any property of a case of DACOITY/ROBBERY/BURGLARY OR THEFT recorded at the Police Station, entry must be made in the TCTS;
 6. On completion of the Investigation, as and when the Officer in Charge of a Police Station submits Charge Sheet in a case vide Sec 173 of the Criminal Procedure Code all the data that is entered in the Charge Sheet form vide regulation 272(b)(iii) of the PRB Volume I should be entered in the TCTS against the concerned FIR;
 7. Where, the Officer in Charge of a Police Station submits Final Report in a case, entry of the same should be made in the TCTS against the concerned FIR.
- (e) **District Crime Tracking System**: The DCTS is the District version of the TCTS. The Supdt. Of Police should earmark an officer not below the rank of Deputy Supdt. Of Police, who has undergone a Computer Training Course, to view the FIR's periodically and monitor the data to ensure that:
- The data pertaining to the FIR's are being recorded in time;
 - The data pertaining to the FIR's in the TCTS is being updated periodically with data relating to the particulars of the arrested persons, stolen property and final disposal of the case as per Sec 173 of the Cr. PC and Regulation 272 and 275 of PRB Volume I;

[Note: The DCTS has the facility for monitoring the data of the TCTS and the SP and his Superior Officer must make full use of this capability.]

- (f) **PPMS**: This is software that is to be maintained at the District Headquarters and relates to the personal data of all Police personnel. The following instructions pertaining to the maintenance of this software should be noted:
1. Data of all Police personnel of the District are to be entered in the Software;
- (g) Periodical Updating of the *Personal Records* is to be made based on the District Orders that are issued from time to time as per Regulation 911 of PRB Volume I. The Reserve Officer must certify that all entries in the District Order Book have been entered in the PPMS
- (h) **Missing Persons System**: This Software pertains to the Data of all Missing Persons reported at the Police Stations. The Officer in Charge of the Police Station will ensure that the Data pertaining to the Missing Person as collected from the informant is entered in the Software. Where, the photograph of the Missing Person is available, the same should be included in the Data for which the Scanner at the District Headquarters can be utilized. The Instructions contained in Para 4 of Police Order 1/1984 should be kept in mind and the descriptive Roll of the Missing person should contain all details for easy identification.
- (i) **Monthly Reports**: The Supdt. Of Police must send a report on the functioning of the TCTS and DCTS in the format given in Appendix A to this order.
3. **Monitoring at Police Headquarters**: Addl. DGP (Administration) *and such other officer as directed by the Director General of Police West Bengal will coordinate all matters pertaining to the monitoring of the softwares/Hardware and coordination with WEBEL Technology, NIC etc*

4. This order will be implemented with immediate effect.

(Ajay Prasad)
**Director General & Inspector General
 Of Police, West Bengal.**

SUB : DEALING WITH JUVENILES IN CONFLICT WITH THE LAW AND CHILDREN NEEDING CARE AND PROTECTION- ROLE OF POLICE.

Children in conflict with the law or children who suffer destitution, neglect, abuse, exploitation or harassment have to be protected, reformed & rehabilitated and brought back into the mainstream. A number of Laws have been enacted and various guidelines have been issued by the Government for the care and protection of such neglected children. Many Government and Non-Government Organizations (NGOs) are running programmes for care and rehabilitation of such children. The Police can play a *crucial role in this combined effort because they are often the First Government agency to come in contact with these children.* Playing a proactive role will also help to improve the police image.

2. ROLE OF THE POLICE:

The role of the Police is to

- a) Play a **co-ordinating role** and ensure that the facilities available with various government and non-government organizations are put to best use;
- b) Ensure that children in conflict with the law get proper treatment at the Police Station as per Sec 10 of Juvenile Justice (care and Protection of children) Act 2000. Efforts must also be made for Counseling of Juveniles. The Police should take suitable steps so that the community/NGO takes the responsibility of ensuring that the delinquency is not repeated;
- c) Ensure the proper functioning of the Special Juvenile Police Unit (sec 2(w) Juvenile Justice (care and Protection of children) Act 2000) in each Police Station as per provisions of Sec 63 of the Juvenile Justice (care and Protection of children) Act 2000, so that the objectives of Juvenile Justice (care and Protection of children) Act 2000 are fulfilled;
- d) Carry out such duties as laid out in Chapter III of Juvenile Justice (care and Protection of children) Act 2000, relating to children in need of care and protection;
- e) Be associated in all steps to be taken for the rehabilitation and social re-integration of a child as per the provisions of Chapter IV of Juvenile Justice (care and Protection of children) Act 2000.

3. SPECIAL JUVENILE POLICE UNITS

Sec 63 of the Juvenile Justice (care and Protection of children) Act 2000, provides for training of Police Officers to deal with juveniles. The Section provides that:

- (a) Every Police Station should designate one officer as the "Juvenile or Child Welfare Officer" who will handle the juvenile or the child in co-ordination with the police;
- (b) Special Juvenile Police Units may be created in every District and City to Co-ordinate and to upgrade police treatment of the juvenile and the children.

4. NODAL OFFICERS:

In order to implement the provisions of the Juvenile Justice (care and Protection of children) Act 2000, there is need to have **Nodal Officers** at each of the District Headquarters as well as at the Police Stations. It is, therefore, ordered that :-

- a. The officer in Charge of the Police Station, will also nominate an officer, not below the rank of a Sub Inspector in those Police Stations having an Inspector as the OC and not below the rank of ASI in other Police Stations who will be the Juvenile or Child Welfare Officer of the Police Station in terms of Sec 63 of the Juvenile Justice (**care and Protection of children**) Act 2000.
- b. The Supdt. Of Police of the District will nominate an officer, not below the rank of Dy. Supdt of Police, to be the Nodal officer for Juvenile matters for the District. He will coordinate with the Nodal Officers of Police Stations and with govt. agencies and NGO's for programmes etc for the children who require care and attention.

The Superintendent of Police of each District will issue suitable District orders

identifying the Nodal Officer at the District Headquarters and at each of the Police Station .

5. TRAINING

A phased programme for generating Awareness among the police officers of all ranks in the West Bengal Police will be undertaken. The different categories of police officers to be brought under the scheme are given below:

- (a) Course for Nodal officers of the District;
- (b) Course for Nodal Officers of the Police Stations;
- (c) Awareness programmes for Dy.SP's/Cadet Sub Inspector /Constables under Training at the Police Training College Barrackpore
- (d) Awareness programmes for constables/ASI's posted in Police Stations, who will be nominated by the Superintendent of Police.
- (e) The first Course for the Nodal Officer of each District will be organized with the assistance of Government Agencies, NGO's etc for which suitable orders will be issued by the Police Directorate communicating the dates and venue of the Training.

Addl. DGP(Trg) may also issue suitable instructions to the DIG Police Training College for organizing Awareness Programmes at the Police Training College for the participants of the basic courses, for which necessary assistance will be provided by the Police Directorate.

6. OBJECTIVES OF THE TRAINING:

The objectives of the proposed Awareness programme are:

** To acquaint the participants with the Govt. Policies on children and to deepen the understanding of the roles to be played by various agencies in implementing the plan of action for children in need of care and attention, in the districts, cities/towns.

** To help understand the social cultural milieu of the children, their basic needs and problems relating to destitution and abandonment, psychological problems and delinquency in order to enable the participants to take part in Child welfare and rehabilitation programmes effectively.

** To acquaint the participants with the Juvenile Justice (care and Protection of children) Act 2000, as well as to familiarize participants about the existing legislations on the Rights of the Child.

** To provide the participants the opportunity to interact with NGOs and share experience and methods for dealing with children;

** To develop skills to improve communication and teamwork.

7. **IMPLEMENTATION AND COORDINATION**: IGP (Welfare) assisted by DIG(P&W) will coordinate all matters for implementation of this order. The Supdts. Of Police will issue necessary instruction to all the OC's on the proposed scheme to be implemented through this Police Order. Range DIG's and the Zonal IGP's, may during their visits to the Districts, review the actions being taken for implementation of the scheme.

(Ajay Prasad)
Director Genl. & Inspector Genl. of Police, W.B

POLICE ORDER No

Subject: **100 DIAL HELP LINE FACILITY**

Government of West Bengal has sanctioned installation of 143 "100" dial toll free help lines at all sub divisional and district headquarters under West Bengal Police. The advantages of installation of dial '100' Emergency Service are manifold:-

- i) Easy and round the clock access to the local Police Station to persons in distress.
- ii) Providing immediate Help to the persons in distress.
- iii) Sensitizing Police Officers for quick response and empathetic attitude towards persons in distress.
- iv) To install Public faith in Police Service.

The 'Dial 100 Toll-free Help Line' is basically aimed at providing better service to members of the public in distress and thereby bolster public faith in police service. It is an effort to increase and strengthen Police-Public community relations.

2. STAFF: The Help Line will function round the clock in the District and sub-divisional control room in three 8-hour shifts to be detailed by the Supdt. Of Police of the District. It must be ensured that the Sub Divisional Control Room has a minimum strength of 1 SI / ASI, 1 Constable, and 1 HG per shift. One lady const. will perform duty from during the day shift. The concerned SDPO will mobilize the manpower from his sub-divisional resources.

3. SUPERVISION: The Court Inspector at the Sub Division and at the District Headquarters will be in-charge of the Sub Division/District Control Room in addition to his other duties; The Deputy Supdt of Police, Headquarters at the District Headquarters will supervise the functioning of the District Control Room and the Sub Divisional Police Officer will supervise the functioning of the Sub Divisional Control Room.

4. EQUIPMENT: Each of the Sub-divisional and district Control Rooms will have the following equipment:

- a) '100' dial HELP lines as sanctioned above
- b) Ordinary phone line (to be arranged by SP)
- c) RT Control
- d) WBP email
- e) Adequate furniture, which will be provided by the Supdt. Of Police of the District.

5. LIST OF INFORMATION: The following information will be maintained at each of the District and Sub Divisional Control Rooms:

- (a) List of phone numbers of public utility and emergency services viz. fire stations, ambulance services, hospitals, nursing homes, blood banks etc
- (b) List of NGO, Counsellors, Members of Parliament, Members of State Legislative Assembly, Counsellors of the Municipality, womens organizations.

6. GENERAL INSTRUCTIONS: Police personnel manning 100 dial HELP lines will follow following instructions,

- i) The response of the help line staff to phone calls should be prompt and polite. Rude / indifferent or delayed response to callers will be avoided.
- ii) All information / complaints received from callers should be entered in the specific format in the 'Help Line Register', duly countersigned by the person receiving the call. The format of the Register is given below:

Sl.No.	Date	Time	Name & Address with Phone No.(if any) of the informant	Gist of the information received	G.D.E.No.	Action taken (mentioning Date & Time) on information received			Remarks (8)
						Information given to	Result of action taken by informed Unit	Result of action taken informed over phone (if any) to informant or others	
1	2	3	4	5	6	7A	7B	7C	

- iii) Information / complaints received should be communicated immediately to the concerned police station through RT / Telephone for prompt follow-up action. The help line staff will also log the time and the mode of such communications to different units in the 'action taken' column in the register. The help line, under no circumstances, will refuse to initiate follow-up communication even if the subject of the distress call happens to be outside the District/sub-divisional jurisdiction. In such cases, the staff will arrange to communicate the matter at once to the concerned unit, in whose jurisdiction the place of incident is located.
- iv) Senior officers of the rank of SDPO / Dy.SP (HQs)/Addl. SP will go through the entries in the register on a daily basis and supervise the follow-up action taken there on.
- v) It must be ensured that the Supdt. Of Police/SDPO and other senior officers are kept informed of all serious incidents reported at the Sub Divisional Control Room/District Control room.
- vi) Each 100 DIAL Control Room will have list of important telephone numbers like Fire Brigade, Blood Bank, Women Counselling Centre, Drug-Deaddiction / Rehabilitation Centres, important hospitals etc.
- vii) When any women in distress dials 100 for Counseling over marital /domestic or any other issue, she shall be heard by the Officer concerned at the Sub Divisional/District Control Room and steps taken to get her in touch with the concerned Police Station, NGO, Counselling

Centre etc so that her problem could be attended to without any delay. Senior Officers will review the action taken in each of the cases.

- viii) Surprise check on the quality of response by 100 Dial Control Room officers be carried by SDPO/Dy.SP(HQs) and their duties supervised for best results.
- ix) All communications with the members of the public made over 100 dial help line must be extremely polite and courteous and with a helpful attitude.

(Shyamal Kumar Dutta)
Director General & Inspector General of Police,
West Bengal.