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NATIONAL POLICE MISSION

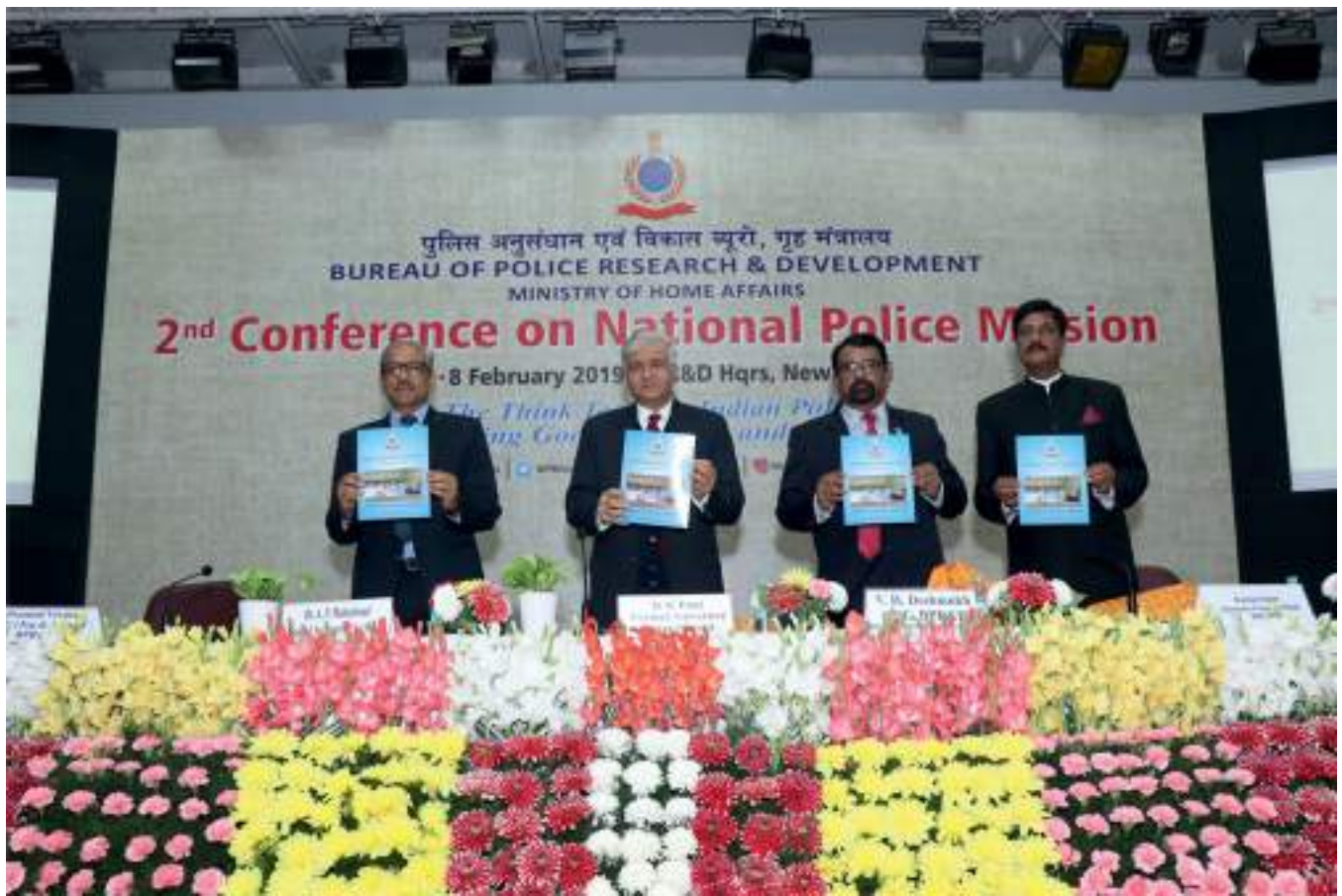
... a march towards professionalism



COMPENDIUM OF PROJECTS

(Volume VI)

Bureau of Police Research & Development
'Promoting Good Practices and Standards'





BUREAU OF POLICE RESEARCH & DEVELOPMENT

**COMPENDIUM OF PROJECTS
(VOLUME-VI)**

NATIONAL POLICE MISSION

‘Promoting Good Practices and Standards’

National Police Mission

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FOREWORD

During his address at DGSP/IGSP Conference on October 6, 2005 the then Hon'ble Prime Minister announced the setting up of a National Police Mission (NPM). The mission has been mandated to transform the Police forces in the country as an effective instrument for the maintenance of internal security by equipping them with the required material, intellectual and organizational resources.

Since its inception, the NPM has been striving hard to empower the Indian Police by enhancing the skills and competency at the grassroots level. It promotes a culture of excellence and accountability of the Police to meet the challenges in policing. The mission is focused not only on present-day challenges in policing but also on futuristic ones.

The NPM has seven Micro Missions with 156 members. These members are primarily serving Police/CAPF/CPO officers and also include those from academia, NGOs, etc. Through detailed deliberations, the members develop viable projects to achieve the mandate.

I am happy to note that the NPM is bringing out the 4th, 5th, and 6th volumes of compendium, containing 15 projects, and a compendium on SOPs/Study Reports, completed in the last 02 years. The compendiums will help the States/ UTs to implement projects suiting their requirements and will be helpful for senior police officials and policymakers. They will be relevant to offer innovation in these areas and enhance capabilities for better policing in our country.

I extend my compliments and good wishes to the Micro Mission members and take this opportunity to thank them for their work. I also appreciate the efforts of Director Shri Tajender Singh Luthra, SPs S/Shri A.K. Vidyarthi, B. Kaushal, Devbrat Negi and PAs S/Shri Rajesh, Rajiv Kumar, Ms. Sweta Kushwaha, all of NPM Division for publishing these Compendiums.

(Balaji Srivastava)

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Preface

The National Police Mission (NPM) was announced by the Hon'ble Prime Minister of India on October 6, 2005, during his address at the DGSP/IGSP Conference. Over the last 15 years, the Mission has contributed in preparing the police forces for emerging challenges, including Terrorism, Insurgency, Cyber and Economic Crimes. Equally, the National Police Mission has endeavored to bring about attitudinal changes by transforming the 'force psychology' into 'service psychology', with a view to facilitating the effective delivery of citizen services.

Seven Micro Missions are currently working to develop projects under different heads relating to Human Resource Development, Community Policing, Communication and Technology, Infrastructure, Process Engineering, Proactive Policing and Future Challenges, as well as Gender issues, involving Women and Children.

The Compendiums at hand, trace the contours of several significant projects, including 'the 'Beat System', 'Training for Attitudinal Change', 'Community Policing Initiatives for Women', 'Slums' etc, apart from many niche SOPs and Studies. While, some of the projects flagged, are already being implemented in States/UTs, it is hoped that this documentation will evoke interest even among the other stakeholders, who may have missed out earlier.

A valuable addition to BPR&D's growing repertoire of Policing and National Security assignments, the NPM Division, over the last several years, has helped leverage the wisdom of a wide variety of stakeholders from within the system and outside.

I thank all the Micro Mission members for their work, and congratulate Team NPM, led by Shri Tajender Singh Luthra, Director, both, for anchoring the projects, and the gift of the compendiums!

(Neeraj Sinha)

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The National Police Mission (NPM) prepares and shares the completed projects with the States/UTs to provide implementable project reports. In the last almost 02 years, the NPM has, prepared 19 Project Reports and shared with the State/UTs. Since its inception, the NPM has prepared 54 project reports and shared them with stakeholders. In addition, the NPM has prepared several Research Studies, SOPs and Guidelines. The Mission has already published 03 compendiums containing 35 Projects and now publishing 03 more volumes on Project Reports and one on SOPs/Study Reports. These four volumes contain 15 project reports, 11 SOPs/Study Reports, and some of the project reports are planned for publication separately.

I am glad to say that Mission has a knowledge-based strength of 156 Police Officers from CAPFs/CPOs/States/UTs and members of academia, NGOs, etc. The members of the Micro Missions are working hard to bring a qualitative change in policing in our country.

The NPM has shared its project reports with the States/UTs, the MHA, and concerned ministries. We invite feedback for improving the reports. Consequently, we have been receiving positive feedbacks from States/UTs about the implementable values of such projects.

The Mission encourages field practitioners to promote their ideas and initiatives. It enables us to identify the future needs of our dynamic society and work for new and futuristic resolutions. Carrying out work on innovative ideas remains the hallmark of the NPM.

(Tajender Singh Luthra)

Nirbhaya: Community Policing Initiatives for Women



Micro Mission: 02
(Community Policing)

‘Promoting Good Practices and Standards’



1 Introduction/Background

Women everywhere, particularly, in a highly patriarchal society like ours, have always been victims of several crimes, discrimination and indignities. The infamous and extremely brutal ‘Nirbhaya Rape Case’ on the 16th December, 2012, in Delhi, shook the conscience of the nation as never before. Country-wide protests led to the Government of India (GoI) setting up the Justice Verma Committee on December 23, 2012, which submitted its report in a record time – on January 23, 2013. This led to several legislative and administrative measures, the main one being enactment of the Criminal Law Amendment Act, 2013. The Act widened the definition of rape considerably, introduced new crimes against women like sexual harassment, act with the intent to disrobe a woman, voyeurism, stalking (sections 354A to 354D IPC), etc. The punishments were also made much harsher. This Act, along with the POCSO (Protection of Children from Sexual Offences) Act, 2012, which was already in place, made the legal framework to fight crimes against women considerably stronger. GoI also started allocating funds for various administrative measures to strengthen women’s safety through a new fund – the ‘Nirbhaya Fund’ – set up especially for this purpose.

Simultaneously, most of the state/UT police organizations also launched a series of measures, both administrative/enforcement measures and community involvement programmes, to improve women’s safety. The administrative measures included setting up of special cells for crime against women at the state/district levels, victim assistance/protection units, launching dedicated helplines and Mobile Apps, conducting self-defence programs for women, Women’s Assistance

Desks in police stations, capacity building and gender sensitisation of police personnel, survey of vulnerable areas and installation of CCTV cameras, steps to make public transport safer for women, etc. The measures taken to involve the community include reaching out to the women and others, to engage them in a dialogue to sensitise them about the issues, improve legal literacy and evolve workable solutions, put in place consultative mechanisms and create bodies of women/citizen volunteers, networking with women’s organisations, international bodies, donor agencies, etc.

Let us have a look at the impact of all these measures put together. As per the ‘**Crime in India**’ reports for the years 2016 and 2019 of the National Crime Records Bureau, the total number of registered cases of crime against women jumped from 3,38,954 in 2016 to 4,05,861 in 2019. The major categories of such cases registered in 2019 include cruelty by husband or his relatives (30.9%), outraging the modesty of women (21.8%), kidnapping and abduction (17.9%) and rape (7.9%). Out of the 32,033 rape cases, offenders in 30,165 cases were known to the victims and, in 2,916 cases the family members of the victims were the offenders. The major categories of cases against children were kidnapping and abduction (46.6%) followed by cases under the POCSO Act (35.3%) – a major cause for concern.

A number of organizations have been grading countries on the aspects of Safety and Security of women and children, particularly on issues like human trafficking, sexual violence, which included domestic rape, rape by stranger, sexual harassment and lack of access to justice in rape cases, and in relation to cultural, religious and tribal traditions. Police should take such



assessment as a warning signal, introspect and deliberate what can be done to improve the plight of our girl children and women.

The statistics mentioned above indicates the need for further strengthening of measures to improve the condition of women and bring down the harassment that they face on a daily basis.

2 Overview

2.1 Project Title

Project Nirbhaya: Community Policing Initiatives for Women

2.2 Vision

“Reaching out to female children and women to improve their safety and general condition, and to effectively resolve their problems.”

2.3 Mission Statement

“Police working with women, community organisations and the community at large to improve the safety of women and their general condition, and work out solutions for their problems with the cooperation of the community and by enlisting the assistance of other government departments, community organisations, corporates and philanthropists.”

3 Organisational Objectives

- To identify hotspots of crimes against women and take remedial measures with the assistance of civic authorities, the community, particularly women, and the organisations working among them.
- Awareness generation among girls and women about various crimes to which they are vulnerable and the preventive steps they can take.
-

- Awareness generation about how they are likely to be exploited, their legal entitlements, and how they can seek legal remedy.
- To arrange for free legal aid to women who need it.

3.1 Purpose of the Business Case

- To reduce the possibility of various crimes against women and their harassment
- To encourage women to report crimes against them more freely

3.2 Sponsor

The programme can be jointly sponsored by both the Central and State Governments. Where available, and with due approval of the competent authority, as may be required, the sponsorship of international organisations and funding agencies, corporate houses, community organizations and philanthropists can also be sought.

3.3 Responsibility of the State/UT Governments:

- The primary responsibility for implementation of the project will be that of the State/UT Government concerned.
- For effective implementation of the project, and institutionalization of the programme, the State/UT Government will have to play an active role by issuing necessary executive instructions and constitution of state level and district level monitoring committees, consisting of the representatives of the Police, Women & Child Welfare, Skill Development, Medical, Social Welfare, Sports & Youth Welfare, and other departments concerned.



- GoI and the State/UT Government shall instruct the departments concerned to use their existing schemes, make necessary changes in such schemes or formulate new schemes, where required, to improve the lot of women by implementing the initiatives suggested in this project report. They shall direct these departments to provide funds for the implementation of the initiatives that fall within their purview and provide additional budget for implementation of the programmes, where required.
- Once the implementation starts, Central/State Governments may consider approaching some other sources of funding like the UN and other international funding organizations/foundations for funding, as may be permissible under rules.
- They shall ensure independent monitoring of the implementation of the programme.

3.4 Responsibility of the Central Government:

- To start with, the MHA or the other Ministries concerned may provide funds for implementation of pilot projects in at least half a dozen States/UTs.
- Once the implementation progresses, the Central Government, through its Ministries for Women and Child Welfare, Social Justice and Empowerment, Sports and Youth Welfare, Skill Development, etc., may provide appropriate grant-in-aid for implementation of the project.
- The Central Government, through the BPR&D and the members of the MM2,

will provide support in terms of the initial briefing of the officers as well as arrange independent evaluation of the programme.

- A selected group of officers from the MHA, BPR&D and MM 2 will be constituted to monitor the implementation of the programme by the States/UTs.

4 Situational Assessment and Problem Statement

One of the problems in implementing the project may be the deeply ingrained patriarchal attitude in the society. Hence, implementing this project would require the police making its own personnel gender sensitive through appropriate training and counselling programs.

Another problem that those implementing the program may have to overcome will be similar attitudes among the members of the community, at large. However, this is unlikely to pose any serious problem, except in the case of a few interventions, and if a team of dedicated police personnel proceeds cautiously, step by step, and convinces all concerned, through a series of interactions with the help of enlightened community/religious leaders, these problems can be resolved in due course.

5 Critical Assumptions and Constraints

- Senior officers of the police will have assume the leadership role and convince local police officers and staff about the feasibility and utility of this project; and get their willing cooperation and commitment.
- Important members of the community may need to be convinced about the need



and utility of this project to improve the condition of women.

5.1 Constraints

- Attitudinal road blocks and mind-set issues on the part of police personnel which often makes them insensitive to the problems faced by women.
- Coordination issues and lukewarm attitude of other departments towards the proposed interventions.
- Difficulties likely to arise w.r.t. sustainability and institutionalisation of the interventions.

6 Implementation Strategy

Since the mindset and characteristics of communities vary widely, and their problems and needs are different, no uniform intervention can meet the requirements of all areas/communities. Hence, we are suggesting a bouquet of interventions. Local officers can, in consultation with the local community, women's organisations and others who are partners in implementation, assess the needs of each area/community and adopt for implementation interventions suitable for them – they will be at liberty to bring about necessary modifications, if required, depending on the local characteristics and needs.

6.1 Administrative Arrangements for Implementation

6.1.1 Strengthening of Beat system

It needs to be emphasised here that before the implementation of this project starts, supervisory police officers should have a close look at how the beat system of the selected area is functioning. It is necessary to have an effective beat system with delegation of most of the work

to the Beat Officers. The details of various models of beat policing suitable for different types of areas have been given in the **BPR&D Project Reports (i) Police Community Partnership: An Overarching Policing Model, (ii) New Sub Beat System, and (iii) Strengthening of Beat System.** There is no need to reproduce them here. However, **since one of the major objectives of this project is to prevent crimes against women and their exploitation and to empower them, it would be necessary to deploy one or more women police personnel along with the beat officers to implement the interventions targeted at women.**

It needs to be further emphasised that, apart from closely working with the women and women's organisations in selected areas, police will have to work with the community at large as well – without their cooperation the results are not likely to be very appreciable.

6.1.2 Administrative Support

Most state police forces have special patrols, Mobile Applications, dedicated helplines, websites, social media platforms, specialized cells and a variety of other programmes to deal with issues of women's safety and to sensitize women on several issues. Various community policing and other measures taken by the UP Police (**Appendix 1**) would indicate the seriousness the police forces in our country are attaching to women's safety. Those who do not have any of these may assess the situation and respond as per the need. Various state police forces have developed Mobile Applications and one such application, *the personal safety Mobile App 'WE' developed by M/s We are Everywhere (WE) Technology Solutions Pvt. Ltd. with the help of FoP, Tamil Nadu, has a unique feature; as soon as a person in distress presses the*



'Get Help' button, her geo-location is instantly transmitted to 100 people in the vicinity who can immediately respond. The states can develop such applications. The states should also develop standard material, documents as well as audio-visual, for awareness generation and for use as training material for the staff. There is need to promote research that should bring forth various causative factors for serious crimes against women and the steps that various stakeholders can take to reduce them.

Victim Support is an issue that needs the attention of the governments and police organisations. From 2013 onwards, many states have launched '**One Stop Crisis Centres**' for women victims, sponsored by the Ministry of Women & Child Development, GoI. They are known by different names in different states, e.g. '**Bharosa**' in Maharashtra, '**Aparajita**' in Rajasthan, etc. At these centres, counsellors, police personnel and representatives of District Legal Services Authority provide a variety of support services to women victims. In a variant of this, in '**Samvedana Centres**' opened in Bilaspur and Raipur (Chhattisgarh), a room in every police station was earmarked and made a place where women visiting the P.S. could feel comfortable and whenever it is a woman in distress, a doctor, an NGO worker and a woman police personnel would attend to her. Involvement of social workers and active involvement of senior functionaries of the participating departments can ensure that these centres become a great relief for women in distress.

The other arrangements that are required to be made in the targeted area will, primarily, be the selection of a core group of volunteers from among the local women as well as men for various tasks that will *inter alia* include proper

constitution of the **Community Liaison Group (CLG)** and **Friends of Police (FoP)**, brief details of which are given below. It is also necessary to appoint a Nodal Officer for implementation of the project in each area.

6.1.3 Community Liaison Group(s)

The first requirement of any project to improve the conditions for women in any area will be to constitute an effective CLG, which shall be compulsory for the implementation of this project – the other interventions suggested here will be optional and the local authorities can pick and choose. The CLG will be the axis around which other interventions and their implementation will revolve.

The membership, selection procedure and functions of the CLGs will, by and large, be the same as those mentioned in the **Overarching Model**, an already completed project of the BPR&D and available on its website. To recapitulate briefly, the CLGs constituted for each area should normally have 10-15 members who are local residents. The number of members in a CLG may go up to a maximum of 30, if the area is large. The members should be in the 18-70 age group. The CLGs should be representative of all the segments/localities of the selected area, including the disadvantaged sections as well as women (at least 1/3rd) and 2-3 members should be from among the local volunteers (mentioned below). **If felt necessary, a separate Women's CLG can also be formed.** The members should have the confidence of the localities/segments they represent. They should not have any criminal record or should not be engaged in any undesirable activity. The ideal way to select them would be for the Beat Officer, Beat Supervisor, SHO and CO/ACP/SDPO to visit the area concerned with prior



intimation and sit with the local residents in a '*chaupal*' and select the members by consensus. The tenure of the members will be for three years with one third of the members retiring every year and getting replaced by members belonging to the same category. The members may appoint a chairperson and vice-chairperson from among them, preferably by consensus. The Beat Officer will be the Secretary of the CLG. The representatives of the other relevant departments –women's/children's/youth/social welfare, sports, skill development, etc.– should also be involved with the CLGs as associate members, invitees or in any other capacity agreed upon. CLG must be politically neutral.

The CLGs should meet, at least, once every month in the initial phases of implementation – later on, the periodicity may be reduced to once in two or three months, as deemed fit. The CLG members shall interact extensively with the women residents, other members of the local community and women's organisations to ascertain various problems faced by girls and women and seek suggestions as to how the police, other departments and the community together can solve them. CLGs shall also deliberate and decide which all components of this project report to implement, how to go about it and how to enlist the support of the government and non-government agencies for it. Minutes of the meetings should be kept and progress in the action proposed earlier may be intimated in subsequent CLG meetings. The CLG members should actively participate in implementation of the decisions taken and the CLGs should review the progress of implementation.

One of the main tasks of the CLG will be to familiarise itself with various schemes of the central and state governments for the benefit and

welfare of women and children and to work with the departments concerned to ensure that the potential beneficiaries actually get the benefits. If necessary, special camps may be organised in the areas where the project is implemented with the cooperation of the government departments concerned to make this task easier.

6.1.4 Group of Volunteers

It is suggested that a group of volunteers may be set up to assist the police in the implementation of various interventions planned. They may be called **Community Volunteers** or any other suitable name, as deemed fit, but we would prefer the name '**Friends of Police (FoP)/ Police Mitra**' and suggest that their eligibility criteria, selection procedure, functions, etc., may, by and large, be the same as those specified in detail in the **Overarching Model**. They should be local residents having the spirit of voluntarism, aged between 18 to 70 years, should not have any criminal record and should not be engaged in any undesirable activities. Their number will depend upon the size of the area and the tasks that are to be performed. Since the interventions are meant for girls and women, there should be sufficient number of women FoPs. They should be enlisted for pre-specified tasks like prevention of crimes against women, conducting surveys to identify problems and problematic areas, counselling for various purposes, sensitization programmes, improving hygiene and cleanliness, literacy campaigns, and any other purpose deemed necessary. Applications for their enrolment can be invited during the *chaupal* held for selection of CLG members or by affixing notices in suitable places in the slum or by notifying through SMS/ WhatsApp group. As the implementation progresses, many more suitable volunteers can be spotted and enrolled. After verifying their



antecedents, they should be given a brief training or detailed briefing about how to perform their assigned tasks and the do's and don'ts. After this, they may be given cards/armbands/documents to prove their identity as FoPs and used for various tasks under the supervision of the police personnel and the CLG.

6.2 Suggested Interventions

6.2.1 Prevention of Crime against Women

It is the most important component of this project. Before selecting areas for implementing this program, the police officers concerned will have to find out which are the areas that are most prone to crime against women. Feedback from the police personnel, familiar with the area, and organisations working among women will give valuable inputs about the areas prone to crime, the types of crimes and may even indicate the causative factors and possible preventive measures that can be taken. Another reliable source will be the police station records, particularly, the Village Crime Note Books.

The next step will be to interact with the girls and the women from the affected areas, ascertain the exact types of crimes, harassment and other problems they face and to sensitize them about such problems that they are likely to face. Then they have to be given practical tips about the measures they can adopt to confront and minimise these.

Since the target population for sensitisation is huge, the selection of target groups and areas will have to be done carefully for achieving optimum results. Analysis of crime data will facilitate this. An analysis of rape cases of 2019-2020 done by the Rajasthan Police (**Appendix 2**) revealed that, out of the rape victims, 23.32% were illiterate, 35.31%

primary school passed, 16.75% middle school passed, 12.56% secondary school passed, 6.45% senior secondary school passed, and 5.60% were graduates and above. 41.37% of the victims/their families were engaged in manual labour, while 39.36% were from agricultural families. The background of the victims may, by and large, be the same in most other states. This would indicate that sensitisation and other preventive measures will have to be focussed on women from poor and less educated background. The fact that 31.42% of the victims were below 18 years would indicate the need for sensitisation in educational institutions, especially those in which children from poorer background study. It will be useful to gradually extend such programmes, with the assistance of the Education Department and management of educational institutions, to all the educational institutions attended by girls/women. Sensitisation may be organised at workplaces also where a large number of women work, especially call centres and similar organizations whose women employees have to travel late in the night.

It will be necessary to induct additional women police personnel into the beats selected to implement the programme, after training and briefing them. Alternatively, the trained women personnel can be directed to go around the target areas as per a programme decided in advance, in consultation with the beat constables, SHOs and the participating agencies. Their primary role is to interact with women in groups or through door to door contacts and sensitise them about crimes to which they and their children are vulnerable – like kidnapping and abduction, trafficking, rape, sexual assault, sexual harassment, domestic violence, etc., and counsel them about the precautions they should take. Wherever possible, self-defence training may be organized for women



and girls. Apart from briefings and distribution of safety literature, street plays, pantomimes and various audio-visual programmes may also be arranged, to put the message across effectively. Alerts through messages/images on mobile phones will be useful. The project should be implemented in collaboration with members of the civil society like human rights activists, academics and NGOs.

A program, similar to that outlined above, called '**Parivartan**', was launched in 2005 in the North West district and, subsequently, in the North District by the Delhi Police. For implementation, they selected densely populated and low income areas, where crimes against women and children were comparatively more prevalent, and also some educational institutions. It resulted in considerable reduction in crimes against women in the areas where the programme was implemented.

The above initiative has great potential to prevent crimes against women. It is, of course, necessary to supplement them with other enforcement and preventive measures, like security audit and proper lighting of public places and streets frequently used by women, installation of CCTV cameras and their proper monitoring, setting up of special squads for women's safety, preventive patrolling in vulnerable areas, installation of safety alarms in public transport, launching of Mobile Apps and helplines for women's safety, and so on.

6.2.2 Other Interventions for Women's Safety

The '**Mahila Commandos**' and '**Police Didi**' programs of Bilaspur (Chhattisgarh) can be considered to be enriched variants of '**Parivartan**'. Though these initiatives were

designed for and implemented in slum areas, both of them are ideally suited for any crowded low income locality.

Under the '**Mahila Commando**' programme, girls and women were sensitised about the problems they face, and also about social evils like gambling, liquor and drug addiction. For this, 15-20 volunteers called '**Mahila Commandos**' were selected, trained in self-defence tactics and given *lathis*, whistles and lanterns. They were deployed for patrolling selected areas of slums to dissuade people from nefarious/antisocial activities, keep a watch on strangers visiting the slums and to provide intelligence to the police. They were assured of the backing of the local police who would promptly respond to their calls. Such volunteers can be made **Special Police Officers** as Tripura has done. The effectiveness of patrolling and vigil by women was in evidence in the 1990s, when women of a few places in the Northeast, where drug addiction was a major problem, had organized themselves and used to do night patrolling in their localities to prevent men from going outside and drug peddlers visiting them, which considerably reduced the drug problem.

Under the '**Police Didi**' programme, woman police personnel were deployed to selected areas, who, with the assistance of the *Mahila Commandos*, attended to problems like eve teasing, drug abuse, etc., gave basic sex education including menstrual hygiene, and provided counselling to them about their mental and emotional problems. The role assigned to them was to act as 'friends, philosophers and guides' to the girls in their teens, so that they could grow into physically and emotionally mature adults.



6.2.3 Prevention of Sexual Harassment in Public Places

One common problem faced by girls and women in public places, especially crowded areas, public transport, etc., is sexual harassment in the form of groping, other unwanted touching, lewd comments, stalking, etc. These problems are very common but most of the girls/women do not come forward to complain about them. Their widespread nature attracts the attention of the police who often launch campaigns against the antisocial elements who engage in such activities. Patrolling by uniformed police personnel in the most affected areas like streets near educational institutions, cinema theatres, *mela* grounds, crowded markets, bus stations, etc., can deter the miscreants to some extent, but many of them will find out ways to harass women by avoiding the uniformed personnel. Hence plain clothes police personnel, mostly women personnel, are deployed as decoys to catch the miscreants red-handed. Since many miscreants will be able to spot such police personnel also from their body language, suitable women FoPs can be used as decoys and men FoPs as scouts who can keep a look out and identify problem areas.

Public transport used by girls for travel, to and from their educational institutions, will need special attention as incidents of unwanted touching, groping, etc., may be a probability in such transport. Before undertaking decoy operations in them, if the police or FoPs interact with the girls in small groups near bus stands or educational institutions, they can learn about the extent of harassment and the *modus operandi* of the miscreants.

Wide publicity should be given to telephone/mobile numbers of women's helpline, police control rooms, special patrols, local police

station/SHO/beat supervisor/beat officer, etc. It would be advisable to put up boards or paint them on walls at prominent places displaying such numbers which women can use in an emergency. They may be frequently communicated through the social media.

There is need for the police to be very proactive, if they are serious about preventing crimes against girls and women and to apprehend the offenders. They will have to reach out to the potential victims rather than waiting for the crimes to be reported to the police as these are crimes that mostly go unreported due to several social and personal reasons. An area that should receive maximum attention is sex crimes against children. As per '**Crime in India, 2019**', cases under the POCSO Act are on the increase. As against 1,29,032 cases registered in 2017, there were 1,41,762 in 2018 and 1,48,185 in 2019. Out of the victims, 52% were 16-18 years, 35% 12-16 years, 10% 6-12 years and 3% below 6 years. We can get a rough idea about the extent of the likelihood of non-reporting of such cases, if we look at the offenders' profile; only 6% of offenders were not known to the victim, 49% were family, friends, neighbours or known persons, 39% were friends or online friends who exploited the victims on the pretext of marriage and 8% were family members. The story is more or less the same for victims of sex crimes who are above 18 years.

These statistics point out to the need for adopting a variety of measures to collect information about sex crimes. Similarly, sensitization measures should also be multi-pronged. There is need to sensitize the victims through educational institutions and it is high time that these are made part of the syllabus. Several cases of children abused at their homes



are detected by vigilant teachers. However, we need to be wary about the increasing number of cases of teachers and other male staff of educational institutions, particularly schools, forcing girls and, occasionally small boys, into sex on various pretexts and many of them are detected by vigilant parents. The feasibility of having committees in educational institutions to handle sexual harassment issues on the lines of committees set up in work places under the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013, may be examined. Another effective step will be for the bigger schools to appoint counsellors who can interact with the students and detect such cases. For the smaller schools that are not in a position to appoint counsellors, the police can enlist the services of a group of social workers or counsellors who volunteer to visit such schools periodically and interact with students. Then, there are large number of girls and women from poor backgrounds who do not go to educational institutions or work places and they are equally, if not more, vulnerable; and their sensitization will have to be at their homes or *mohallas*. So, sensitization should be done at all possible places – educational institutions, *mohallas*/villages, work places, etc. Sensitization should be targeted not only at girls and women but also parents, boys and youth, teachers, employers, NGOs, social workers, police personnel and the society, at large. Often, it is said that more than sensitizing women, efforts will have to be made to sensitize boys and youth to change their undesirable behavioural patterns. This is easier said than done; Police, other departments concerned and educational institutions will have to sit with psychologists, sociologists and other experts to design effective programmes for this and BPR&D can provide a

platform for such meetings.

Sex crimes are a group of crimes for the non-reporting of which several pressures operate, whether it be shame, fear of defamation, pressure from victims' or accused's family, and often local panchayats. '*Chuppi Todd*', an innovative program to overcome to a large extent hesitation to report, was launched by Raipur (Chhattisgarh) Police in 2020. It encouraged victims of sexual, physical, verbal and emotional abuse, domestic violence, etc., to report the crimes at the police station, and if that was not possible, through WhatsApp or by calling a dedicated helpline and these were converted into complaints. Social media and print media campaigns were launched to spread awareness. Within a short period, the police received over 2500 helpline calls and WhatsApp messages and 60% of them were resolved on helpline, only 40% needed visits to the houses of victims for resolution.

Apart from such innovative programs to encourage reporting, a variety of sources like beat officers, Friends of Police and other volunteers, CLG members, neighbours, employers, teachers, village level government functionaries, workers of social organization, etc., if they are properly sensitized, can get information about such crimes, so that the police can intervene and persuade the victims to report the cases. In addition to sex crimes, they should also be sensitized about other crimes like trafficking, female infanticide and foeticide, and various kinds of harassment of widows like neglect, harassment, branding them as witches, grabbing of their property, etc.

The police need to be extra vigilant, develop sources of information in the areas where village panchayats wield considerable influence and pass minor penalties for sexual offences. Police has to register cases when such hushing up occurs.



6.2.4 Interventions against Cyber Crimes

Cyber crimes are on the upswing everywhere and cyber-crimes against girls and women are no exception. Crimes like cyber harassment and cyber bullying are quite common and if the bullies come across a girl or woman online, the probability of such harassment is high. In some cases, girls and women, who are befriended on internet platforms, are lured into forced sex, trafficking, etc. There have been cases where women are lured through job offers and subjected to rape or gang rape. It is necessary to sensitise girls and women, who use the internet or are likely to use in future, about such crimes and the precautions they should take to avoid becoming victims of such crimes and the steps they should take to deal with it, if they become victims. Various forums mentioned in this project to sensitise women, like *Parivartan*, *Police Didis*, *Girls and Young Women's Clubs*, interactions in educational institutions, etc., can be used for sensitising them about the threats that they face in the cyber world.

6.2.5 Women's Self Help Groups/Thrift and Credit Societies

Since women in our society face several disadvantages and are discriminated against in several ways, it is necessary to empower them through various measures. An effective way to empower them will be to organise them and make them economically independent. This is all the more necessary for women from socially and economically disadvantaged sections. Most of them may be already working, mainly as domestic help or doing other menial jobs. To empower them and to improve their earning capacity, the feasibility of forming their **Self Help Groups** (SHGs) may be explored. The government sponsored **Neighbourhood Groups** (NHGs)

formed under the *Kudumbashree* program across Kerala has demonstrated that, by making women organize under SHGs, often learning new skills, making products that are handy for working women in their kitchens and other items for domestic use, etc., they can be given a sense of self-worth and independence, apart from making them economically independent, and even making many of them to stand up to the harassment by their abusive husbands. The district administration and police will have to establish liaison with banks to facilitate sanction of loans to SHGs to engage in productive income generating activities. Formation of such groups can, to some extent, prevent their men forcibly taking away their earnings for gambling, drinking, etc. An added safety mechanism will be in forming Thrift and Credit Societies to encourage the habit of savings and also to open a window for comparatively cheap funds for emergent requirements, like medical treatment, marriage, etc. The SHGs and Thrift and Credit Societies, formed in several slums by Pune and Mumbai Police Commissionerates with the active involvement of two NGOs were successful in empowering the women residents and reducing their exploitation.

Since the implementation of this project is more relevant and useful for women living in poor and crowded areas, some of the interventions like Boys & Girls Clubs/Children's Clubs, Youth Clubs, Skill Development Programmes, and Legal Aid Clinic suggested for implementation in slum areas in BPR&D Project Report on "Community Policing for Slums" will be useful for women and girls living in poor neighbourhoods and they can be adapted mutatis mutandis. Hence, brief particulars of these interventions are also mentioned below – for details, the above mentioned Project Report and its appendices may be referred to.



6.2.6 Boys & Girls Clubs/Children's Clubs

The BPR&D Project Report on 'Community Policing for Slums' had suggested formation of 'Boys & Girls Clubs' or 'Children's Clubs' to cater to several needs of poor children. It has also been suggested that the slum CLG and the police/government representatives may decide whether to have separate clubs for boys and girls or to have combined clubs, depending upon the local culture and the requirements on the ground.

The children of slum dwellers and poor families, especially female children, face disadvantages of neglect of education that make them vulnerable to trafficking, sexual and physical abuse, malnutrition and health issues, etc. If these issues are not addressed in the childhood itself, they may grow into unhealthy adults, physically, mentally and emotionally, and may get attracted to undesirable lifestyles. Hence, we suggest formation of Boys & Girls Clubs/Girls Clubs, as deemed fit by the CLG and the police, to address these issues. These clubs may consider implementing suitable strategies for improving the education, skill development, physical fitness, sports potential, character building, etc, of the children and also give them self-defence training. They may also decide what activities to undertake and how exactly to go about them. Efforts may be made to arrange facilities such as gym, library, sports (indoor and outdoor games), tuition centres for after school coaching, vocational training centres, etc. It should be ensured that the benefits of various schemes of the central and state governments, meant for children, reach them. Nutrition, health and hygiene aspects should also be attended to. The support of the Women & Child Development Department/ Ministry

of the state government, the UN Women, etc., can be sought for programmes meant for girls. The Skill Development Department of the state, some corporates and NGOs, etc., can assist in skill development and employment of trained persons. The Juvenile Protection Unit of the district police may also be associated with the interventions.

The BPR&D Project Report 'Children & Police: A Community Policing Initiative for Children', circulated in 2018, gives details of how community policing can be done for children in a structured manner. Keeping in mind the interventions mentioned in this report, other programs can also be designed for children of poor neighbourhoods.

6.2.7 Youth Clubs/Young Women's Clubs

Youth Clubs for Women (Young Women's Clubs) will be somewhat different from the youth clubs suggested for slums, particularly in their objectives. Youth Clubs can be constituted to engage young women constructively in several activities like social work (e.g., *shramdan* to improve the basic infrastructure, cleanliness, etc.). Suitable members of Young Women's Clubs can be the enrolled as FoPs, proposed at para 6.1 (d) above or *Mahila Commandos* or SPOs (para 6.2.b). After providing them with suitable training/briefing, the educated among them can be used to improve the literacy level of members of Children's Clubs; they can also be used for adult literacy programmes for local women. Members of these clubs should be instructed in basic health care, reproductive health and menstrual hygiene and problems faced by women, their legal rights, etc., and they, in turn, should be used to spread awareness about these issues to the girls in the Children's Clubs and grown up women of the locality. Members of these clubs should be given



training in self-defence techniques and the better among them can be made trainers for future training programs and similar training programs for Girl's Clubs. Volunteers from among them can assist the local police to manage women during processions, religious functions, *Shobha Yatras* and local and national festivals/other celebrations. Their services can also be utilized for collection of criminal intelligence about matters that affect women's welfare, safety and security.

Hence, it is recommended that **Young Women's Clubs** may be constituted in every locality, as per requirement. A woman police officer/personnel from the local police station/'*Police Didi*', where the scheme has been implemented, may be made the coordinator for the Club to ensure its proper constitution and smooth functioning. Any young woman residing in the locality may be enrolled as a member of the Club. For smooth functioning of the Club, a Chairman/Secretary may be elected from amongst the members of each Club. The support of various social organizations, women's wings of the Rotary Club, Lions Club and industry organisations, NGOs working on women's issues, N.S.S., Women & Child Welfare, Social Welfare, Youth and Sports Departments and *Nehru Yuva Kendras* can be useful in organizing various activities/programmes.

6.2.8 Skill Development Programs

One of the focus area of the activities of the Young Women's Club should be to organise skill training and arranging employment, after training, for the unemployed young women. For this purpose, the Clubs can approach the Skill Development authorities of the state government under the PMKVY scheme (*Pradhan Mantri Kaushal Vikas Yojana*), or NGOs, and local

Industries/Industrial Associations that often take up skill development as a part of their CSR activities. Many of the Skill Development Departments of States have tie ups with corporates, recruitment agencies, etc., that facilitate placements of the trained youth. (A copy of such a scheme — 'Employment Generation and Marketing Mission (EGMM)' – has been attached with two earlier BPR&D project reports as appendix, viz., 'Reformation and Rehabilitation of Professional Criminals' and 'Community Policing Programme for Naxal Affected Areas', which may be accessed on BPR&D website). They also have programs to assist the trainees to set up their own small enterprise. A write up on Delhi Police initiative for skill development – 'YUVA' – that is worth emulating, has been attached with BPR&D project 'Community Policing for Slums'.

6.2.9 Family/Women's Counselling Centres

Several state governments/police forces have set up Women's/Family Counselling Centres which have been found to be quite useful in resolving a majority of the marital disputes referred to them and also issues of domestic violence. The Centres, set up by the governments, are generally managed by reputed NGOs. Where there is no such Centre, arrangements for similar centres have been made by some police organisations by enlisting the services of social workers or other enlightened women who are good at counselling. Services of qualified counsellors should be used, where available. They, along with a police officer, preferably a woman, can take up counselling of couples having problems, on a fixed day of the week or as and when needed. The local field police officers should be instructed to extend



them whatever assistance they require. It should be emphasised to those doing the counselling that safety and welfare of the victims should be their prime concern, the agreement between the parties should be totally voluntary and the victims should not be forced to save their marriage *at any cost*. Such centres are a great help for women who are victims of domestic violence and also for estranged couples who have decided finally to divorce as they can get family court decrees faster with mutual consent, avoiding lengthy and bitter litigation. The police also save considerable time and energy that goes into handling of such cases, which invariably happens where there is no mediation and counselling.

6.2.10 Legal Aid Clinic

When counselling and mediation fails, many of those matters will result in police action and/ or litigation. Women may also be fighting in courts for their rights and be involved in other civil and criminal litigations that they find difficult to finance. It would be useful if the police approach the District Legal Services Authority to open Legal Clinics or provide legal advice and aid by deputing their representative on fixed days every week, fortnight or month, as required, to the areas where this project is being implemented. Some public spirited lawyers also can be approached for this purpose. The legal awareness programmes of the Legal Services Authorities should be used to improve awareness among women of their legal rights under various laws, about legal redress and compensation available for victims of crimes.

6.2.11 Sensitisation of the Community

Generally, the first step in implementing community policing programmes for any segment of the society will be outreach programmes to

the target segment as well as other stakeholders to sensitise the community at large about the problems. It may be advisable to start such outreach programs with the younger and more enlightened members of the community and, after winning over their support, gradually extend it to more tradition-bound members. An effort may be made to convince the leaders or other influential people of the community first and then extend it further with their active support and involvement. Efforts may also be made to enlist the support of religious leaders and gurus, etc., who wield influence over the local community or segments thereof.

Once the community, at large, starts becoming sensitive to various problems faced by women, efforts can be made to take up these problems, one by one, and mitigate them by building a consensus in the community, particularly among its leaders.

The problems that can be taken up include various kinds of discriminations – discrimination in education, healthcare, nutrition, wages, etc. – problems like female foeticide/infanticide/ honour killing, child marriage, sex selective abortions, sale of girls for marriage, prostitution or trafficking, forcing employed women leave their professions after marriage or not allowing married women to take up jobs or continue their studies, *purdah* system, etc. The issues may differ from community to community and area to area. Wherever dedicated NGOs and social workers have made efforts to change these mindsets, they have met with varying degrees of success and there is no reason why the police, working with the support of the CLG and other community and religious leaders, cannot make a much greater impact.



The interventions mentioned above are only illustrative in nature. They open up the possibility of a slew of measures that the police, the CLG and women FoPs working with NGOs and other community organizations, etc., can initiate to improve the conditions of women or girl children. *It is for all these stakeholders together to decide what measures will be suitable for the particular area and how exactly to go about implementing them.* They can also design new programs or bring about changes in the interventions mentioned above, as per local requirements. *However, it would be preferable to select some of the most crucial programmes needed for a particular area from among those suggested above, and implement them rather than frittering away energies by taking up too many things at one go.* SP/DCP should appoint a police officer of suitable rank as the Nodal Officer for implementation of the programs.

Efforts may be made to get the sponsorship of corporates, industry associations like the Chamber of Commerce, ASSOCHAM, CII, FICCI, traders' associations, Junior Chamber, Lions Club, Rotary Club – particularly, their women's wings – NGOs working on women's issues, other community organisations, or local philanthropists for these interventions. Such organizations can either sponsor some of the activities or actively participate in their implementation. If specific projects for children and women are formulated and taken up with organisations like UNICEF, and UN Women, funding can be secured from them also.

6.3. Impact Study

The interventions shall be carried out with a base-line and end-line along with LFA (Log-Frame Analysis) based Impact Study through a selected group of activities, output,

outcome and Impact Indicators. The indicators can also be taken as timely monitoring and evaluation tools and can measure the progress of interventions.

6.3.1 Course Correction at Regular Intervals

The interventions can be corrected/modified or innovated, based on the learning outcomes from the specific instance or region during the time of implementation. These course correction measures need to be notified and documented to keep a track record of any alteration done by intervention as course correction.

7 Deliverables

- Empowering women in various ways.
- Prevention of crime against women.
- Reduction in violation of the human rights of women.
- Better implementation of various schemes of the Central/State Governments for the welfare of women and children.
- Changes in the mindset of the community about women, their role, rights and problems.

8 Stakeholders

- Government
- Police
- Women
- The local community, at large, and community organisations

9 Milestones

- Submission of the project to the BPR&D by May, 2021



- Submission of the project by the BPR&D to MHA by July, 2021
- Final approval of the project by the MHA
- Drafting of GOs and Standing Orders by MM2 – will be done within a month of getting the approval of the MHA for the project.
- Issue of advisory to states/UTs by the MHA to adopt the project within 15 days of its approval.
- Meeting of Nodal Officers of states/UTs within two months of the MHA approval.
- Issue of GO by the Home Departments of States/UTs, within two months of the MHA approval.
- Sanction of budget by Government within three months of the approval.
- Issue of Standing Orders by the DGPs of the States/UTs within three months of the approval.
- Implementation of the project by the District SPs/CoPs, within four months of the approval.

10 Budget Requirements

It is suggested that the project may be implemented in about half a dozen States/UTs on a pilot basis – two projects per State/UT, in economically and socially backward areas of different districts. Since the size of the areas, their population and problems would differ and since some of the requirements can be met out of the existing schemes, it is difficult to come to a specific calculation of the budget required for implementation of the project. Hence, it is suggested that the Central Government may sanction Rs. 25 lakh per project, i.e., a total of

Rs. 3 crore, as grant-in-aid for implementation of the project in 12 localities in 6 States on a pilot basis. This funding may also be provided by the Ministry of Women and Child Development, GoI.

The budget of ₹25 lakh will be spent more or less on the following activities:

- Organizing Counselling Sessions for women – ₹1,000 per session – 50 sessions : Total ₹50,000
- Organizing outreach programmes for the general community – ₹2,000 – 25 sessions : Total ₹50,000
- Organizing Medical Camps for women – ₹25,000 per camp – 4 camps: ₹1 lakh
- Organizing awareness campaigns for literacy, women's issues, campaigns against social evils, upgrading the skills already available among the women; skill development among those who lack any employable skills, activities of/materials required for Girls and Young Women's Clubs; seed money for SHGs, etc. – ₹23 lakh.

Note: The above activities would cover a period of approximately 2 years.

11 Related BPR&D Projects

- Overarching Model for Community Policing
- New Sub Beat System
- Strengthening of Beat System.
- Children & Police: A Community Policing Initiative for Children
- Community Policing for Youth (under preparation)



- Community Policing for Slums
- Community Counselling Centres
- Crime Reduction through Dispute Resolution

12 Work Plan

- Issue of advisory by GOI to State/UT governments
- Issue of GO by State/ UT governments
- Sanction of budget by GoI/State/UT Government
- Issue of Standing Orders and appointment of Nodal Officers by DGPs
- Meeting of Nodal Officers
- Setting up Project Co-ordination Committees at the national and states levels.
- Organising gender sensitisation and soft skills training of police station staff
- Organising meetings with other government departments concerned at the district level
- Organising meetings with target groups of women, social workers and representatives of various organisations at the project implementation site.
- Actual implementation of the project as

per details given above.

- Continuous monitoring and review by the state Nodal Officer and Project Coordination Committee
- Laying down judging criteria for internal and independent evaluation
- Annual evaluation and audit by an external agency approved by the State/BPR&D/MHA

13 Conclusion

The interventions suggested in this project report are meant for improving the condition of women who, in our society, are victims of several crimes, harassment, discrimination and other human rights violations. Many of these can be prevented to varying extents and the intervention mentioned above provides option to the police and other stakeholders to do this with the support of the local community. If these steps are implemented in the true spirit, they can bring about lasting improvement in the plight of women and girl children. If a dedicated team of community volunteers and the police get down to this task, resources will not be a constraint, as there are several ongoing government projects besides agencies and organisations that will be ready to help with resources and active participation.



Gender Sensitive Community Policing

The **U.P. Police Mahila Samman Prakoshth (MSP)**, an initiative of the UP Police to serve the 110 million + women who live in Uttar Pradesh, was officially started in September 2014.

It has designed and implemented a bouquet of **nine** discrete and yet inter-connected programs based on the **3P model** and have optimally leveraged ICT and human resources to evolve a holistic framework of **Gender-sensitive Community Policing** for ending gender-based discrimination in its various formats.

The work of MSP is directed towards generating awareness, creating a synergy and capacity-building for women empowerment, and is also interspersed with direct and indirect action with the help of local police and civil society members.

These programs can be divided into three broad divisions and are aimed at providing qualitative policing on gender-based issues:

Programmes within the Police Department

- **VIKALP** - A web portal dedicated exclusively to registering and processing complaints regarding crimes against women, which uses innovative digital technology to ensure over 95% police compliance and transparency.
- **NAVCHETNA** - Capacity building of police personnel through gender sensitization and behavioural change workshops/trainings.

Programmes related to civil society and perception-building

- **SAATHI** - Involving the citizens directly in Community Policing by creating a corps of

“citizen cadets”.

- **RU-BA-RU** - Direct interaction between police and s
- **AKSHAYA** - Self-defence programme for girl students
- **SAARTHI** - Making public transport safe for women
- **JAGRITI** - Awareness generation regarding gender issues by public figures
- **ADHIKAAR** - Legal literacy and sharing

Programme with Academic Orientation

- **SHODH EVAM SAMWAAD** - Promoting research, dialogue and discussion around Gender-related issues and drawing up policy suggestions from them

This is the first time ever that a full-fledged organisation has been set up in the state which exclusively looks into the policing aspects of issues related to women. With proactive support pouring in from UNICEF, Action Aid, various government departments (specially the MHA and Home Department) as well as civil the society, the campaigns have gained in strength continually over a period of one and a half years.

With the passage of time, the policing aspect of issues related to children were also entrusted to the MSP and it was also made the nodal agency for the anti-Human Trafficking efforts of the State.

The work of MSP has been praised by leading publications like **World Business**



Times, India Today, The Times of India as well as by Members of Parliament (MPs) from India, Canada and UK.

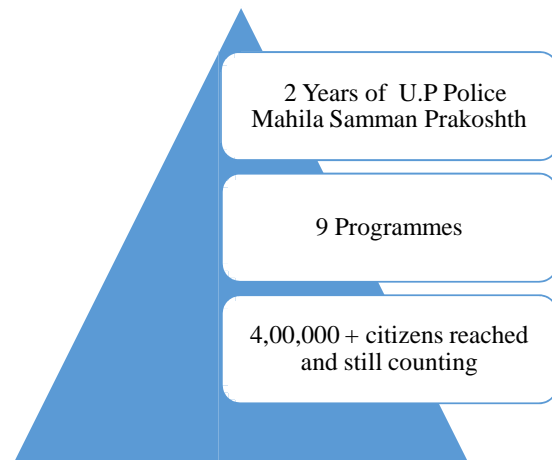
Given our dedication to quality, we have also been awarded an **ISO 9001:2008** certification, which vouchsafes for the structural and functional soundness of the organization.

A strong social media presence also ensures that the gap in societal awareness and proactive governance is suitably addressed.

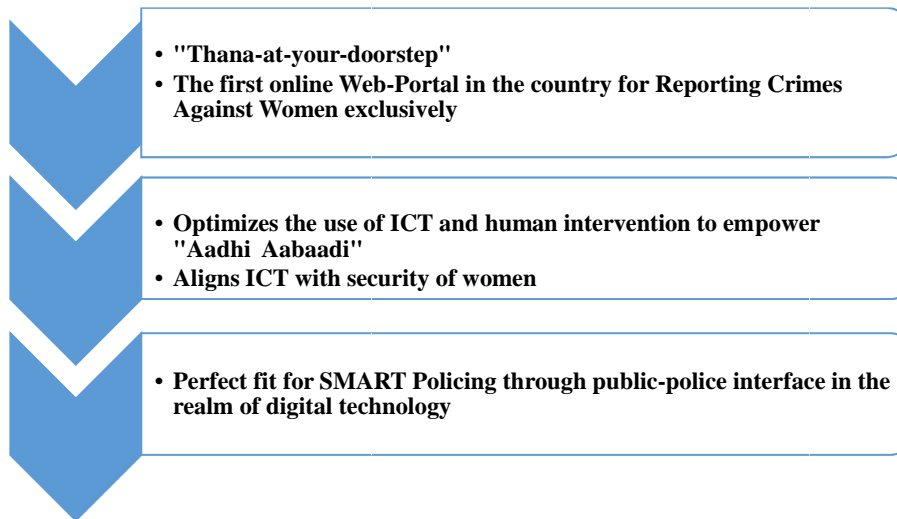
The USP of the Mahila Samman Prakoshth is that despite being a lean organization with very limited resources, it has created and implemented direct interventions that helps in fostering a robust environment

for women empowerment.

It has thus gained tremendous goodwill within a very short time and in the process, has suitably addressed the existing trust-deficit between the citizens and police in relation to gender-related crimes.



“VIKALP” : AN “ALTERNATIVE”



The Issue

Women are often reluctant to go to police stations, or at times do not even have the freedom of doing so, specially in cases where gender-based violence is perpetrated by family members.

The Solution and the Process

“VIKALP” is an online portal exclusively for women, where women themselves, or anyone on their behalf, can register complaints easily and with utmost safety from anywhere in the State of Uttar Pradesh.

‘Promoting Good Practices and Standards’



It thus provides an alternative, protected, direct and highly user-friendly interface between the citizens and their local police on issues related to crime against women.

The portal leverages ICT for the digital inclusion of women and has all the ingredients of SMART Policing.

As soon as a complaint is uploaded, an SMS is generated for the supervisory officers of the district police concerned as well as for the Mahila Samman Prakoshth (MSP).

Every complaint gets digitally recorded and the complainant is given a **digital acknowledgement** in the form of a unique Complaint ID with which she/he can see the progress in the case. The local police has to take action on each and every complaint and upload the Action Taken Report (ATR) on VIKALP within 24 hours. A nodal officer has been appointed in each district who makes sure that the police response is fast and efficient. Further, the MSP also monitors this portal on a day to day basis and keeps directing local police if cases are still pending or not being dealt satisfactorily.

Most importantly, every complainant has the option of rating police action as “SATISFIED” OR “DISSATISFIED.” As long as complainants express dissatisfaction with police response, the loop remains open and MSP pursues the matter with the SP and the nodal officer concerned, after legally vetting these cases. Calls are also made to the complainants to ensure customer satisfaction.

The process goes on until the complainant is fully satisfied with the police action thereby giving women the power to hold the Police accountable and get 100% response from them.

Key benefits

The portal has removed geographical and time barriers for accessing such a vital service as anyone can seek help and redressal of their complaints anytime, anywhere.

- There are no apps to download and it ensures easy access through the UP Police website.\
- Total accountability and transparency in police action is ensured through this process.
- The portal encourages women to speak up in a society where the “culture of silence” is rampant, since their identity is not disclosed and they do not need to go to the Police Station. The last feature also acts as a big boon for a physically challenged woman.
- It has also given tremendous confidence to the women of the State as no case is closed till she expresses satisfaction with the police action taken.
- Happiness is writ large on the face of the complainant who goes back with a token of empowerment, **a unique complaint ID** which gives them access and power over the action taken by the local police and a sense of control over her life.
- It saves time and energy both on the part of the police personnel as well as the complainant and is highly convenient for scheduling their responses.
- The portal has made police more responsive as it has increased their focus on women-related crimes and helps them to connect better with the women citizens within their jurisdiction, which is a vital ingredient of effective Community Policing.



- The processes following the registration of the complaint ensures “boots on the ground” and interaction with citizens, which is again a sine qua non of effective community policing.
- It is eco friendly as it ensures a paperless transaction
- Finally, it is totally in sync with **UN SDG # 5:GenderEquality**

“VIKALP” is thus geared to guarantee total customer (public) satisfaction and quality policing, and has contributed in bridging the trust-deficit between police and civil society to a praiseworthy extent as well as ensuring the well-being of the targeted population that we are meant to serve.

Procedural changes

A gazetted officer has been designated as a nodal officer in each of the 75 districts of the State who attends to the complaints urgently, ensuring a police response within 24 hours.

Financial implication

None, as it has been set-up and is functioning with resources already existing

Follow -up Initiatives

In order to provide the facility of VIKALP as an ICT tool in the hands of all complainants approaching the office of the MSP, an **E-cell** has been established there, with a dedicated and sensitive staff which is helping the complainants to upload their complaint on the portal.

Future Roadmap

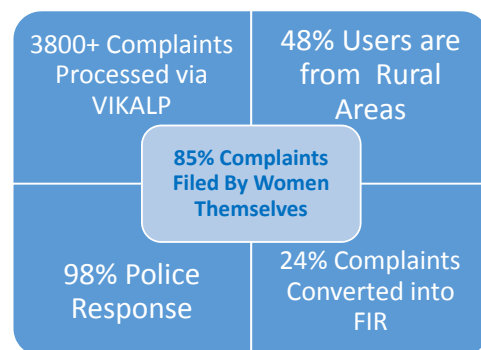
- It can be used as a hot spot indicator/platform for identifying places of public nuisance against women by uploading pictures of such areas and a small accompanying text by anyone having

access to the net since sexual harassment in public spaces is a shocking and widespread reality for women and girls. The information can be referred to the local police/PCR concerned for further action.

- The portal can also be utilized as an Anti-human Trafficking Tool by using it to upload information related to trafficking with protected photos, text etc to be accessed and acted upon by the 35 AHTUs of the State as the MSP is also the nodal agency for the anti-human trafficking efforts of the State.
- In order to spread awareness about the portal, information can be incorporated in every laptop being distributed to girl students, handbill insertions in daily newspapers, standies at public places including cyber cafes as well as spread to various collectives through the Women SPOs made under our program of SAATHI: CITIZEN CADETS and through our RU-BA-RU programmes held for school children.

Appreciation

The performance of the portal has won accolades from all quarters and it was awarded the Rani Laxmibai Samman Puraskar, 2016, by the Hon. Chief Minister on International Women’s Day this year at a State-level function.



‘Promoting Good Practices and Standards’

**Analysis of Rape Cases in Rajasthan – 2019-2020*****Classification as per type of crime & age of victim**

Rape, Minors	Rape, Majors	Gang rape, Minors	Gang rape, Majors
25.06%	57.52%	5.84%	11.58%

Age of Victims

Below 12 yrs	Between 12-18 yrs	Above 18 yrs
2.37%	29.05%	65.58%

Age of Charge-sheeted Accused Persons

Below 12 yrs	16-16 yrs	16-18 yrs	18-30 yrs	30-60 yrs	Above 60 yrs
0.16%	2.27%	5.75%	70.17%	21.01%	0.65%

Scene of Crime

Victim's Home	Open Area Like Farm, Ground etc	Accused's Home	Dharmshala, Hotel, Rest House etc	Factory, Office, Shop etc.	Other Buildings	Moving Vehicles	Others
36.20%	17.17%	11.46%	5.63%	1.16%	12.74%	0.54%	15.09%

Whether Accused is Known to the Victim

Known	Not Known
89.13%	10.87%

Type of Familiarity between Accused and Victim

Neighbour/Resident of Same Village/Mohalla	Known through Relative/Friend	Co-Workers	Students of Same Edu. Institution	Others
47.25%	18.42%	2.38%	1.82%	30.13%

Presence of Injury Marks/Signs of Struggle in Medical Examination Report

Medical Report Confirms	Medical Report Does not Confirm	Report not Received until the Time of Analysis
11.74%	86.25%	2.01%

Confirmation of the Allegations in the Statements of Victims

Confirmed in Statement u/s 161 CrPC	Not Confirmed in Statement u/s 161 CrPC	Confirmed in Statement u/s 164 CrPC	Not Confirmed in Statement u/s 164 CrPC	Statement u/s 164 CrPC not Recorded until Analysis
85.87%	14.13%	66.63%	30.94%	2.43%



Education Level of Victim

Graduate & Above	Sr. Secondary School	Secondary School	Middle School	Primary School	Illiterate
5.60%	6.45%	12.56%	16.75%	35.31%	23.32%

Main Source of Income of Victim/Her Family

Manual Labour	Agriculture	Private Employment	Other Rural Occupations	Self-Employed	Govt. Employment	Others
41.37%	39.36%	3.31%	2.18%	2.15%	0.95%	10.68%

Main Source of Income of the Charge-Sheeted Accused Persons

Manual Labour	Agriculture	Private Employment	Un-employed	Self-Employed	Other Rural Occupations	Govt. Employee	Not Clear
47.77%	25.84%	6.83%	4.37%	2.76%	2.28%	1.13%	9.03%

Education Level of the Charge-Sheeted Accused Persons

Graduate & Above	Sr. Secondary School	Secondary School	Middle School	Primary School	Illiterate
6.37%	9.24%	17.10%	21.78%	33.39%	12.13%

*Analysis report supplied by CID, Crime Branch, Rajasthan

'Promoting Good Practices and Standards'

Community Policing for Slums



Micro Mission: 02
(Community Policing)

‘Promoting Good Practices and Standards’



1 Introduction

Slums, a by-product of development and urbanisation, are a common sight across the cities and towns of India. The area they cover, their population and the problems associated with them differ from slum to slum. The population percentage of slums is estimated to vary between 10 to 20% - a former DGP, Maharashtra/CP, Mumbai & Pune, has estimated that nearly 50% of Mumbai's and 40% of Pune's population live in slums. This would give an indication about the magnitude of challenges the police face in policing slums, especially in the big urban agglomerations. While small slums may not pose any significant policing problems, there may not be any problem that is absent in the bigger ones.

The police generally views slums as breeding grounds for various types of crimes and criminals, and not without reason. In very large slums, either several types of crimes take place or the residents of the slums commit such crimes in the slums or elsewhere or both. These may include, apart from different types of crimes against property and body, illicit brewing of liquor or its trade, drug trafficking or consumption, trafficking of women and children, prostitution, sexual or other abuse, child labour, etc. The type of crimes and criminals vary from slum to slum. Apart from this, public nuisance, drunken brawls, *rowdyism* and other antisocial behaviour, are common, making the already difficult life of the residents much more unpleasant. Life in slums can also facilitate criminalisation of children and youth who show antisocial and delinquent tendencies, sometimes aided by the absence of means of livelihood.

On the other hand, the slum dwellers, most of whom are poor and law abiding people, regularly face several types of harassment whether from the musclemen or petty government

functionaries, including police personnel. They are also vulnerable to harassment from the civic and revenue authorities and since most of these settlements have not been regularised; they are denied many of the basic amenities and the benefit of many government schemes. Thus, their dignity and human rights are under constant threat from various sources.

No amount of 'professional policing' can solve all these problems. However, if the police can involve the slum dwellers through well planned interventions, many of these problems can be resolved, at least to some extent. Above all, the police can be the facilitators for various measures to improve the quality of life of slum dwellers.

Though community policing initiatives have been gradually spreading in different parts of the country, there have been very few interventions targeted specifically at slums. Some of the initiatives that the group has been able to lay hands on include 'Slum Police Panchayats' of Mumbai and Pune (**Appendix 1**); Police Boys & Girls Clubs of Tamil Nadu; 'Mahila Commando' and 'Police Didi' schemes of Bilaspur (Chhattisgarh); and outreach programmes of the Bhubaneswar-Cuttack Police titled APOSA YOJANA (All-round Promotion of Sports in Slums and Young & Juveniles Against Narcotic Abuse). Since the youth living in slums is a segment that needs special attention, we have also drawn inputs from some special programs for youth like 'Yuva' of the Delhi Police, and Youth Clubs of the Rajasthan Police and Jalandhar (Punjab) Police. Since, one size cannot fit all the slums, a bunch of interventions has been suggested in this project report, on the basis of the above mentioned interventions, so that the local officers can choose the interventions that suit the local needs.

2 Overview

2.1 Project Title

Community Policing for Slums

2.2 Vision

“Reaching out to the poor, neglected and struggling sections in the society and extending a helping hand to resolve their problems.”

2.3 Mission Statement

“Police reaching out to slum dwellers to ascertain their problems and work out solutions for their problems in consultation with them and implement the solutions with the cooperation of the slum population, and by enlisting the assistance of other government departments, community organisations, corporates and philanthropists.”

2.4 Organisational Objectives

- To improve the crime and law and order situation in the slum through community participation.
- To prevent unemployed youth from slipping into the crime by providing skill training, career counselling and assisting them to find gainful employment.
- To empower the women residents through awareness generation, formation of self-help groups, etc.
- To improve the civic sense, literacy and awareness of the slum-dwellers, esp. children.
- To make the residents aware of their entitlements under various government schemes and assist them to avail themselves of the same.

- To prevent substance abuse, alcoholism and drug addiction in slums.
- To improve cleanliness in the slums and health of the residents.
- To assist in the resolution of various problems, the residents regularly face.
- To arrange for free legal aid to the slum dwellers who need it.



Image 1: Key Objective of the Program.

3 The Business Case

3.1 Purpose of the Business Case

- To improve the quality of life of the slum dwellers.
- To solve the problems faced by the rest of the society and police from slum dwellers.

3.2 Sponsor

The programme can be jointly sponsored by both the Central and State Governments. Where available, the sponsorship of corporate houses, community organizations and philanthropists can also be sought.



3.3 Responsibility of the State/UT Governments:

- The primary responsibility for the implementation of the project will be that of the State/UT Government concerned.
- For effective implementation of the project and its institutionalization, the State/UT Government will have to play an active role through issue of necessary executive instructions and constitution of state level and district level monitoring committees, consisting of the representatives of the Revenue, Police, Urban Development, Medical, Social Welfare, Sports & Youth Welfare, Women & Child Welfare, Skill Development and other departments concerned.
- The State/UT Government will be required to instruct the departments concerned to use their existing schemes, and formulate new schemes, where required, to provide basic amenities in the selected slums and to arrange adequate means of livelihood for slum dwellers and provide additional budget for implementation of the programs, where required.
- Once the implementation starts, Central/ State Governments may consider tapping other sources of funding like the UN and other international funding organizations/ foundations for funding, besides CSR funds.
- Independent monitoring of the implementation of the programmes will be required.

3.4 Responsibility of the Central Government:

- To start with, MHA or the other Ministries concerned may provide funds for implementation of pilot projects in at least half a dozen States/UTs.
- Once the implementation progresses, the Central Government, through its Ministries for Urban Development, Sports & Youth Welfare, Women and Child Welfare, Social Justice and Empowerment, Skill Development, etc., may provide appropriate grant-in-aid for implementation of the project.
- GoI may consider nominating a Nodal Ministry that may develop special schemes based on one or more interventions suggested in this project report.
- Central Government, through the BPR&D, will provide support in terms of the initial briefing of the officers as well as arrange independent evaluation of the programme.
- A Monitoring Committee consisting of selected group of officers from MHA, and BPR&D will be constituted to monitor the implementation of the programme by the States/UTs.

4 Situational Assessment and Problem Statement

At times, slum dwellers may not have very cordial relations with the police due to the police taking various types of action against many of them. There could also be allegations of harassment by the police. Hence, implementing this project would require that the police first win the confidence and trust of the residents of the slum through appropriate outreach programs.



The task can be achieved by a dedicated team of officers and men. Further, the team and their seniors will have to convince the officers and staff of the other departments concerned, social workers and various organisations about the feasibility of this project and the possibility of significant crime reduction through its implementation. However, these are unlikely to pose any serious problem and a team of dedicated police personnel can convince all concerned and enlist their cooperation.

5 Critical Assumptions and Constraints

5.1 Assumptions

- It is for the senior officers of police to convince the local police officers and staff about the feasibility and utility of this project and get their willing cooperation and commitment.
- All sections of slum dwellers can be convinced about the utility of this project to improve the conditions in their slums and the quality of their lives.

5.2 Constraints

- Attitudinal road blocks and mind-set issues, like unwillingness on the part of police personnel to reach out to the slum population in a proactive problem solving manner.
- Lukewarm attitude of other departments towards the proposed interventions.
- Difficulties likely to arise in the sustainability and institutionalisation of the interventions.

6 Implementation Strategy

Since the characteristics of the populations living in slums vary widely, and their problems and needs are different, no uniform intervention can meet the requirements of all slums. Hence, a bouquet of interventions has been suggested. Local officers, in consultation with the slum population and others who are partners in implementation, can assess the needs of each slum and adopt, for implementation, interventions suitable for the slum – they will be at liberty to bring about suitable modifications, if required, depending on the local characteristics and needs.

6.1 Administrative Arrangements for Implementation

6.1.1 Strengthening of Beat System

It needs to be emphasised here that, before the implementation of this project starts, the supervisory police officers should have a close look at how the beat system of the selected slum is functioning. It is necessary to have an effective beat system with delegation of most of the work to the Beat Officers. Details of various models of beat policing suitable for different types of areas have been given in BPR&D project reports on (i) *Police Community Partnership: An Overarching Community Policing Model*, (ii) *New Sub Beat System*, and (iii) *Strengthening of Beat System*. There is no need to reproduce them here as they have already been circulated to all the States/UTs and are also available on the BPR&D website: www.bprd.nic.in. However, **since one of the major objectives of this project is to prevent crimes against women and their exploitation and to empower them, it would be necessary to deploy one or more woman police personnel along with the beat officers to implement the interventions targeted at women.**⁹⁹⁹



It is also necessary to appoint a **Nodal Officer** for implementation of the project in each slum. For small slums, the Nodal Officer can be from among those posted in the police station concerned, but for bigger slums the CoP/DCP/SP may have to nominate a suitable senior officer and also constitute a Project Implementation Team.

The other arrangements that are required to be done in the selected slum will primarily be the selection of a core group of volunteers from among the slum dwellers for various tasks that will *inter alia* include constitution of a **Consultative Body** and a **Group of Volunteers**, details of which are given below. Constitution of these two shall be compulsory for implementation of this project – the eleven interventions suggested in para 6.2 will be optional and the local authorities can pick and choose.

6.1.2 Consultative Body

The first requirement for improving the conditions in the slums will be to constitute a consultative body for each slum. This body will be the axis around which other interventions and their implementation will revolve. This body can be called '**Community Liaison Group (CLG), ---- (Name of the Slum)**.'

The membership, selection procedure and functions of the CLGs will, by and large, be the same as those mentioned in the *Overarching Model*. To recapitulate briefly, the CLGs constituted for each slum should normally have 10-15 members who are residents of that slum. The number of members in a CLG may go up to a maximum of 30 for larger slums. The members should be in the 18-70 age group. The CLGs should be representative of all the segments/localities of the slum dwellers, including the

disadvantaged sections as well as women (at least 1/3rd) and 2-3 members should be from among the local volunteers (mentioned below). The members should have the confidence of the localities/segments they represent. They should not have any criminal record or should not be engaged in any undesirable activity. Senior police officers should guard against the tendency to fill the CLGs with their touts or blind supporters. The ideal way to select them would be for the Beat Officer, Beat Supervisor, SHO and CO/ACP/SDPO to visit the slums with prior intimation and sit with the local residents in a '*chaupal*' and select the members by consensus. The tenure of the members will be for three years, with one third of the members retiring every year and getting replaced by members belonging to the same category. The members may appoint a Chairperson and a Vice-Chairperson from among them, preferably by consensus. The Beat Officer will be the Secretary of the CLGs for small slums – Beat Supervisor and the SHO will be the Secretary for large and very large slums, respectively. Representatives of the other relevant departments – like municipality/urban development, women's/children's/youth/social welfare, skill development, electricity, PHED, etc. – should also be involved with the CLGs as associate members, invitees or in any other capacity agreed upon.



Image 2: Community participation as the key.



Image 3: State Level Committee/Departments

The CLGs should meet, at least, once every month in the initial phases of implementation – later on, the periodicity can be reduced to once in two or three months, as deemed fit. Whenever an important event is anticipated or if there is an emergency, special meetings of the CLG should be organized. The CLG members shall interact extensively with the slum dwellers to ascertain their grievances and suggestions. CLGs shall deliberate and decide which components of this project report to implement, how to go about it and how to enlist the support of the government and non-government agencies for it. Minutes of the meetings should be kept and the progress in action taken may be intimated in subsequent CLG meetings. The CLG members should actively participate in the implementation of the decisions taken and the CLGs should review the progress of implementation from time to time. Please refer to the ‘*Slum Police Panchayats*’ of Mumbai & Pune mentioned in **Appendix 1**.

6.1.3 Group of Volunteers

It is suggested that a group of volunteers may be set up to assist the police in the implementation of various interventions planned. They may be called Community Volunteers or by any other suitable name, as deemed fit, but we would prefer the name ‘**Friends of Police (FoP)/Police Mitra**’ and suggest that their eligibility criteria, selection procedure, functions, etc., may, by and large, be the same as those specified in detail in the Overarching Model. They should be residents of the selected slum, having the spirit of

voluntarism, aged between 18 to 70 years, should not have any criminal record and should not be engaged in any undesirable activities. Their number will depend upon the size of the slum and the tasks that are to be performed. They should be enlisted for pre-specified tasks, like prevention of substance abuse, night patrolling, counselling for various purposes, improving hygiene and cleanliness, *shramdan* to improve the conditions of the slum, literacy campaigns, prevention of crime against women, general assistance to police in maintaining order and/or any other purpose deemed necessary. Applications for their enrolment can be invited during the *chaupal* held for selection of CLG members or by affixing notices in suitable places in the slum or by sending a message on SMS/ Whatsapp/e-mail groups, if any, for the slums. After verifying their antecedents, they should be given a brief training/ detailed briefing about how to perform their assigned tasks and the do’s and don’ts. After this, they may be given cards/armbands/badges/documents to prove their identity as FoPs and used for various tasks under the supervision of the police personnel and the CLG.

6.2 Suggested Interventions

6.2.1 Outreach Programs

Since the slum will be inhabited by different types of people and many of them might be hesitant to interact with the police, some icebreaking measures would be necessary to gain their trust and cooperation. One mandatory outreach will be a general outreach by the SHO and the police personnel assigned to the beat to get familiar with the slum, its residents, various problems they face, the people engaged in various undesirable activities, the people who can be of assistance, etc, and also to update all



these and other relevant particulars in the Village Crime Note Book, Beat Book and any other record the police maintains online or offline to assist policing. The BPR&D *Project Report 'Community Outreach Program'* contains the details of how to conduct such an outreach.

Organising various programs to gain the trust of the slum population will be the next step. Organising health camps, games and sports programs and various types of competitions, etc., are traditional measures adopted for icebreaking.

Apart from this, it is necessary to improve the basic amenities in the slum, like electricity supply, water supply, drainage and sewerage systems, roads, improving cleanliness and solving other similar problems with the cooperation of the local municipal authorities or other departments concerned. This will attract the slum dwellers to this project as they would realise the benefits they can gain. In appropriate cases, the police and the slum dwellers can do *shramdan* to improve the conditions of the slum.



Image 4: Implementation Strategy.

Based on the inputs gained from the general outreach or from the CLG/FoPs, there is need for reaching out to specific segments of the slum population depending upon what interventions are planned for the slum. These segments may include senior citizens, women, children, youth, drug addicts, residents involved in anti-social activities, etc.

6.2.2 Women's Self Help Groups/Thrift and Credit Societies

Since women, as a group, are the worst sufferers in any slum, their problems need special attention. Slum women and female children can become easy prey for sex offenders, may be forced into prostitution, trafficked for various purposes, become victims of domestic violence,

etc. Hence, the most important step to improve their lot is to empower them and make them economically independent. Many of them may be already working, mainly as domestic help or doing other menial jobs. To empower them and to improve their earning capacity, the feasibility of forming their Self Help Groups (SHGs) may be explored. The government sponsored Neighbourhood Groups (NHGs), formed under the *Kudumbashree* program across Kerala, has demonstrated that, by making women organize under SHGs, often learning new skills, making products that are handy for working women in their kitchens and other items for domestic use, etc., they can be given a sense of self worth and independence apart from making them economically independent. The district



administration and police will have to establish liaison with banks to facilitate sanction of loans to SHGs to engage in productive income generating activities. Formation of such groups can, to some extent, prevent their menfolk from forcibly taking away their earnings for gambling, drinking, etc. An added safety mechanism can be to form Thrift and Credit Societies to encourage the habit of saving and also to open a window for comparatively cheap funds for emergent requirements, like medical treatment, marriage, etc. please refer to **Appendix 1** for details.

6.2.3 Other Interventions for Women's Welfare

If girls and women are sensitised about crimes against women, especially sex offences, kidnapping and abduction, trafficking, domestic violence, etc, and the precautions they can take, there can be perceptible reduction in such crimes. Such an intervention, '*Parivartan*', in two districts of Delhi was able to achieve substantial reduction in crime against women. For this, in addition to the regular beat constables, two lady police constables were also inducted into the beats; their primary responsibility was to assemble women in different localities, sensitize them with the help of NGOs about their vulnerabilities and brief them about the precautions they can take. Folk art, skits, pantomimes and other audio-visual aids may be used to put across the messages effectively. In addition to this, the police can also give them training in self defence techniques.

Another variant of this program was the '*Mahila Commandos*' (**Appendix 2**) of the Bilaspur (Chhattisgarh) Police, where apart from sensitising girls and women about the problems they face, they were also sensitised about social evils, like gambling, liquor and drug addiction. For this, 15-20 volunteers, called

'*Mahila Commandos*', were selected, trained in self defence tactics and given *lathis*, whistles and lanterns. They were deployed for patrolling selected areas of slums to dissuade people from nefarious/antisocial activities, keep a watch on strangers visiting the slum and provide intelligence to the police. They were assured of the backing of the local police, who would promptly respond to their calls. The '*Mahila Commandos*' may be appointed as **Special Police Officers** as in case of the Tripura Police. In the 1990s, women of a few places in the Northeast, where drug addiction was a major problem, had organized themselves and used to do night patrolling in their localities to prevent men going outside and drug peddlers visiting them, which considerably reduced the drug problem.

The Bilaspur police also had another program called '*Police Didi*' – woman police personnel deployed to a slum area who, with the assistance of the *Mahila Commandos*, attended to problems like eve teasing, drug abuse, etc., provided basic sex education, including menstrual hygiene and counselling them about their mental and emotional problems. The role assigned to them was to act as 'a friend, philosopher and guide' to the girls in their teens, so that they could grow into physically, socially and emotionally mature adults.

The difficulties faced by women of slums in Thane during their periods was studied by the Muse Foundation, an NGO, and on their recommendation the municipal authorities have started converting one toilet in the women's block in slums into 'period rooms' with a urinal, a jet spray, a toilet roll-holder, and a dustbin for the disposal of used sanitary pads. Such simple but innovative measures that cost a mere ₹45,000 per unit can be of considerable help to women.



For more details about interventions that help slum women, please refer to BPR&D Project Report '*Nirbhaya: Community Policing Initiatives for Women*'. The above mentioned interventions open up the possibility of a slew of measures that the police, the government agencies, CLG of the slum and women FoPs, working with NGOs and other voluntary organizations, can initiate to improve the pathetic situation that a woman or girl child may face in a slum. It is for all the stakeholders together to decide what measures will be the best suited to the particular slum and how exactly to go about implementing them.

6.2.4 Boys & Girls Clubs/Children's Clubs

Children of slum dwellers is a very disadvantaged group that is vulnerable to several problems like neglect of education, trafficking, child labour, sexual and physical abuse, malnutrition, health issues, etc. If these issues are not addressed in the childhood itself, they may grow into unhealthy adults, physically, mentally and emotionally, and may get attracted to drugs, crime, prostitution, etc., and become a menace to the society. Hence, there is need for interventions to address these issues. The Tamil Nadu Police has, so far, constituted 418 Police Boys & Girls clubs with 100-120 members, 95 in Greater Chennai alone, to engage slum children in positive activities and to improve their education, skill development, sports activities, etc., and to reduce the possibility of delinquency in them. The state government has also supported these activities. The police have MOUs with some corporates and NGOs for skill development and employment of the trained persons. This project suggests that all the police forces may consider implementing such strategies for improving the education, skill development, physical fitness, sports potential, character building, etc., of slum children. An

ideal method for this will be formation of Boys' and Girls' Clubs. The slum CLG and the police/government representatives may decide whether to have separate clubs for boys and girls or to have combined clubs depending upon the local culture and the requirements on the ground. They may also decide what activities to undertake and how exactly to go about them. Efforts may be made to arrange facilities such as gym, library, games and sports, indoor activities, etc. Starting tuition centres for after school coaching, vocational training centres with the help of NGOs and the educated youth from the slum may prove to be a useful but inexpensive measures. NGOs or corporate houses may be persuaded to adopt the schools in the slum to improve the standard of education. Nutrition, health and hygiene aspects should also be attended to. It should be ensured that the benefits of various schemes of the central and state governments meant for children, reach them. The Juvenile Protection Unit of the district police may also be associated with the interventions and they may give special attention to children in conflict with law and other delinquent children.

Efforts may be made to institute scholarships for meritorious students with the help of community organisations. Similarly, prizes may also be arranged for various competitions and other activities to ensure that the children put in their best efforts.

The BPR&D Project Report, '*Children & Police: A Community Policing Initiative for Children*', gives details of how community policing can be done for children in a structured manner. Keeping in mind the interventions mentioned in this report, other programs can also be designed for slum children. A detailed note on the Boys' & Girls' Clubs set up in Tamil Nadu is at **Appendix 3**.



6.2.5 Youth Clubs

Since youth of slums is another segment that faces several vulnerabilities, it is necessary to briefly mention some programs that can be undertaken to engage the slum youth. If they do not get decent means of livelihood, they can easily be attracted to crime for a source of living. They are also vulnerable to substance abuse, social media and porn addictions, can easily resort to violence and, hence, be a source of headache for the police as well as the society. **Youth Clubs** can be constituted to engage them constructively and reduce the possibility of their slipping into anti-social activities. Youth Clubs can be of assistance to police in the maintenance of law and order and communal harmony.

Hence, it is recommended that Youth Clubs may be constituted in every slum – one in small slums and more than one in larger ones. Where deemed necessary, separate Youth Clubs for Women/Young Women's Clubs may also be constituted. The Sub-Inspector/A.S.I., who is the Beat Supervisor of the area, may be made the coordinator for the Youth Club to ensure its proper constitution and smooth functioning. Any youth residing in the locality, particularly those who are unemployed may be enrolled as a member of the Club.

The Youth Club can organize sports, games or indoor activities on a daily basis and, occasionally, arrange matches and competitions. Activities like social work (e.g., *shramdan* to improve the basic infrastructure, cleanliness, etc., of the slum), de-addiction activities, health clubs, tree plantation, etc., can be taken up. The club may arrange, for its qualified members, coaching for various recruitments like those in armed forces, security forces, security agencies and other organisations. Youth in conflict with

law and others, who are found vulnerable, may be identified during the activities of the club and special counselling sessions by the organisers, and, if necessary, by qualified counsellors, may be organised for them to bring them into the mainstream. Apart from the Beat In-charge/ Beat Constable and SHO, other police personnel from the police station may also participate in the activities of the Youth Club, by turns, so that they are able to interact and identify the Youth Club members by name and face. This will also result in the Youth Club members losing their anonymity/facelessness, which will reduce their nuisance value during breakdown of law and order/communal conflicts.

For smooth functioning of the Youth Club, a Chairman/Secretary may be elected from amongst the members of each Club. Apart from the police and the C.L.G. members, the services of various social organizations, NGOs, Reputed Clubs, N.S.S., S.P.C., charitable organizations, *Nehru Yuva Kendra*, and Social Welfare and Youth and Sports Departments, etc., will be useful in organizing various activities/programmes. Efforts may be made for suitable tie-ups with educational institutions/government departments/organizations. The involvement of such organizations will facilitate the use of their facilities like play grounds, vacant lands, halls, etc., to organize outdoor and indoor activities of youth and children's clubs.

The services of the Youth Club members may be taken from time to time to assist the local police to maintain communal harmony, law & order and peace during processions, religious functions, *Shobha Yatras* and local and national festivals/other celebrations. Their services can also be utilized for collection of criminal intelligence and to solve minor problems in



the locality. Youth Clubs can be the source for enrolling members to the Group of Volunteers proposed at p. 6 (b) above.

6.2.6 Skill Development Programs

One of the focus areas of the activities of the Youth Club should be to organise skill training and arranging employment after vocational training for the unemployed youth, so that they can be prevented and diverted from criminal activities. For this purpose, the Clubs can approach the Skill Development authorities of the state government under the PMKVY (*Pradhan Mantri Kaushal Vikas Yojana*) Scheme, NGOs, and local Industries/ Industrial Associations that organise skill development, as part of their CSR activities. Generally, Skill Development Departments of the States have tie-ups with corporates, recruitment agencies, etc., that facilitate placement of the trained youth. (Copy of such a scheme — ‘Employment Generation and Marketing Mission (EGMM)’ – has been attached with BPR&D project report as appendix, viz., ‘Reformation and Rehabilitation of Professional Criminals’, which may be accessed on the BPR&D website. They also have programs to assist the trainees to set up their own small enterprises. Some industrial associations, like CII have started setting up placement services for the unemployed. The emphasis should be on skilling the youth in trades which will enable them to find employment in nearby areas, e.g., driving, repairing of vehicles, mobiles, refrigerators, air conditioners, etc., and jobs like plumbing, electrician, security guards, beautician, etc., and training for women. The Delhi Police has a well organized initiative for this – “YUVA” – that is worth emulating (**Appendix 4**).

6.2.7 Assistance to Senior Citizens

Senior citizens are another segment that needs special attention of the police. Elderly persons in slums may be a much neglected lot due to poverty and the other able-bodied members being busy in eking out a livelihood for the family. The Beat Officer, along with some selected FoPs and Youth Club Members, can ascertain their problems and render assistance to them, keeping in mind the interventions mentioned in the BPR&D *Project Report on ‘Community Policing for Senior Citizens’*.

6.2.8 Dispute Resolution

Petty disputes, arising regularly among the neighbours or other slum dwellers, keep disturbing peace and tranquillity of the area. Hence, there should be arrangements for alternate dispute resolution with a group of the CLG members and the Beat Officer sitting together with the contending parties and resolving the dispute amicably. Details of various methodologies that can be adopted for this and the format for keeping full record of the proceedings are available in the BPR&D *Project Report ‘Crime Reduction through Dispute Resolution’*.

Family Counselling Centres have been found to be quite useful in resolving a majority of the marital disputes referred to them and also issues of domestic violence. If the urban area, in which the slum is located, has such a Centre, disputes that cannot be resolved by the CLG and the Beat Officer can be referred to them. If there is no such Centre, arrangements have to be made locally. The services of some social workers or other enlightened women from outside the slum, who are good at counselling, may be enlisted and they, along with a police officer, preferably a woman, can take up counselling of couples



having problems, on a fixed day of the week or as and when needed.

6.2.9 Reformation of Criminals

The slums and hamlets inhabited by professional criminals in which the police have implemented some of the community policing interventions mentioned above have automatically witnessed many criminals voluntarily leaving criminal activities and taking up legal means of livelihood. If such interventions are supplemented by counselling of the criminals and efforts to rehabilitate them through decent means of earning a livelihood, a significant percentage of them will stop committing crimes. Detailed methodology to be adopted for this purpose has been given in the *BPR&D Project Report on 'Reformation and Rehabilitation of Professional Criminals.'*

6.2.10 De-addiction Programme

Alcoholism is a common problem among slum dwellers. Addiction to other narcotic substances has also been on the increase in the general population, and slum dwellers are no exception. Substance abuse leads to other evils also, like exploitation of women, domestic violence, unemployment, poverty, health problems, criminalisation, etc. Hence, if drinking and other forms of substance abuse are common in the slums, it will be advisable to take up de-addiction programs with the help of the Medical & Health Department; and NGOs specialising in such programs. Simultaneously, the local police officers should adopt a zero-tolerance approach towards drug trafficking and sale of illicit liquor that are among the root causes of crimes and conflicts in slums, particularly, among the juveniles and youth.

6.2.11 Legal Aid Clinic

Since many of the slum dwellers may be involved in civil and criminal litigations that they find difficult to finance, it would be useful if the police approach the District Legal Services Authority to provide legal advice and aid by opening Legal Aid Clinics in the slums or deputing its representatives to the slum on fixed days, every week or month, as required. Some public spirited lawyers can also be approached for this purpose.

Efforts may be made to get the sponsorship from corporates, industries associations like Chamber of Commerce, ASSOCHAM, CII, FICCI, traders' associations, Junior Chamber, Lions Club, Rotary Club, NGOs, other community organisations, etc., or local philanthropists for these interventions. Such organizations can either adopt a slum, or sponsor some of the activities. If specific projects for children and women are formulated and taken up with the UNICEF, and the UN Women, funding can be secured from them also. Wherever, National Slum Dwellers Federation branches or other similar organisations working in the slums are available, they should also be involved in the planning and implementation of interventions.

The interventions mentioned above are only illustrative in nature. Local officers, slum dwellers and participating agencies can design new programs or bring about changes in the interventions mentioned above, as per local requirements. Initially, it would be advisable to select a few interventions that will benefit the slum residents most rather than frittering away energies in trying to implement too many interventions at one go.



6.3 Impact Study

The interventions shall be carried with a base-line and end-line along with LFA (Log-Frame Analysis) based Impact Study through a selected group of activity, output, outcome and Impact Indicators, as tabled below. The indicators can also be taken as timely monitoring and evaluation tools and can measure the progress of the interventions.

6.3.1 Course Correction at Regular intervals

The interventions can be corrected/modified or innovated based on the learning outcomes from the specific instance or region, during the time of implementation.

These course correction measures need to be notified and documented to keep a track record of any alteration done in intervention as course correction.

Impact	Outcome	Output	Input
<ul style="list-style-type: none"> * Reduced crime rates in the city * Improved Living standards of the people in slums * Improved law and order of the city * % reduction in deaths due to crime 	<ul style="list-style-type: none"> * % improvement in health standards * % reduction in physical violence due to addiction and other reasons * % reformation and rehabilitation done for criminals * Instances of legal aid provided to people in slum 	<ul style="list-style-type: none"> * No. of Police Mitras enlisted * No. of Mahila Commandos enlisted * N. of SHG's formed * No. of livelihoods generated and skills imparted 	<ul style="list-style-type: none"> * No. of Community Outreach Programs done * No. of Youth Clubs Formed * No. of Health Camps and Sessions organised * No. of de-addiction programs held

Image 5: Impact Study through LFA

7 Deliverables



Image 6: Deliverables

- Better implementation of the various poverty alleviation schemes of the Central/State Governments in the slums.
- Providing basic amenities to slums.
- Improving peace and order in slums and the quality of life of their inhabitants.
- Lasting crime reduction.
- Community participation in policing and problem solving.

8 Stakeholders

- Government
- Police
- Slum Dwellers
- The rest of the local community and community organisations



Image 7: Stakeholders

9 Milestones

- Submission of the project to the BPR&D by May 2021
- Submission of the project by the BPR&D to MHA by July 2021
- Final approval of the project by the MHA
- Drafting of GOs and Standing Orders by BPR&D – will be done within a month of getting the approval of the MHA for the project.
- Issue of advisory to states/UTs by the MHA to adopt the project within 15 days of the approval.
- Meeting of Nodal Officers of states/UTs within two months of the approval.
- Issue of GO by State/UT Home Departments within two months of the approval
- Sanction of Budget by the Government within three months of approval
- Issue of Standing Orders by the DGPs of the States/UTs within three months of the approval
- Implementation of the project by the District SPs/CoPs within four months of the approval.

10 Budget Requirements

It is suggested that the project may be implemented in about half a dozen states/UTs on a pilot basis – two projects per state/UT, in different districts. Since the size of the slums, their requirements in terms of basic amenities and other facilities would differ and since many of the requirements can be met out of the existing schemes; it is difficult to come to a specific calculation of the budget required for implementation of the project. Hence, it is suggested that the Central Government may sanction ₹ 25 lakh per project, i.e., a total of ₹ 3 crore, as grant in aid for implementation of the project in 12 slum settlements in 6 states/UTs on a pilot basis. This funding can also be provided by the Ministry of Social Justice & Empowerment or the Ministry of Urban Development – one of these ministries may develop a special scheme for the development of HDIs of the slums and to implement the interventions suggested in this project which will improve the quality of life of the slum dwellers.

The budget of ₹ 25 lakh will be spent more or less on the following activities:

- Organizing Counselling Sessions for various target segments – ₹ 25,000 per session – 8 sessions : Total ₹ 2 lakh.
- Organizing Medical Camps – ₹ 25,000 per camp – 4 camps: ₹ 1 lakh.
- Organizing awareness campaigns for literacy, de-addiction programmes, campaigns against social evils, like prostitution, etc., arranging immediate alternate means of livelihood for reformed criminals; upgrading the skills already available among the community members; skill development among those who lack any employable skills, seed money for SHGs; materials required for various clubs, etc. – ₹ 22 lakh.



Note: The above activities would cover a period of approximately 2 years.

State/district level authorities may also make efforts to raise funds from the relevant departments like municipality/urban development, women's/children's/youth/ social welfare, sports, skill development departments, etc., for specific interventions that can be covered under their jurisdictions. Corporate houses, industry, trade organisations and other community organisations that have a history of philanthropic work, national and international foundations/funding organisations may also be approached. UNESCO and UN Women may be approached to fund specific interventions for children and women.

11 Related Projects of the BPR&D:

- Overarching Model for Community Policing
- New Sub Beat System
- Strengthening of Beat System.
- Community Outreach Program
- Children & Police: A Community Policing Initiative for Children
- Community Policing for Youth (under preparation)
- Nirbhaya: Community
- 8. Community Policing for Senior Citizens
- Crime Reduction through Dispute Resolution
- Reformation and Rehabilitation of Professional Criminals

12 Work Plan

- Issue of advisory by the GOI to state/UT governments
- Issue of GO by the state government
- Sanction of budget by GoI/ state Government

- Issue of Standing Orders and appointment of Nodal Officers by DGPs
- Meeting of Nodal Officers
- Setting up Project Coordination Committees at the national and state levels
- Organising soft skills training for police station staff
- Organising meetings with other government departments concerned at the district level
- Organising meetings with slum dwellers, social workers and representatives of various organisations at the project implementation site
- Actual implementation of the project as per the details given above
- Continuous monitoring and review by the State Nodal Officer and Project Coordination Committee
- Laying down judging criteria for internal and independent evaluation
- Annual evaluation and audit by an external agency approved by the State/BPR&D/MHA.

13 Conclusion

The interventions, suggested above, provide options available to the police and other stakeholders not only to improve the crime and public order situation in slums and neighbouring areas, on a lasting basis, but also to use their influence and good offices to bring succour to some of the most needy sections of the society, with the assistance of the community and other government departments. If the steps are implemented in the true spirit and supplemented by efforts to reform criminals and to prevent youth who are likely to slip into a profession of crimes from doing so, these would be shining examples of 'Problem Oriented Policing'.



Slum Police Panchayats in the Slums of Mumbai & Pune*

Introduction

When this scheme was introduced by the then Mumbai Police Commissioner, in June 2004, slums were home to more than half of Mumbai's 15 million inhabitants. By September 2004, 65 slums in Mumbai had "slum police *panchayats*", each made up of ten representatives from the slum (seven women, three men) and a local police officer. Each community representative is a police *sayayak* (helper), and wears a photo-badge authorized by the CP. But they are appointed by residents' organizations, not by the police. The community also makes available a room in each slum, where the police are based and which also serves as an office for the police *panchayat*.

These *panchayats* are responsible for policing in their area. They establish a permanent partnership between the police and slum residents. Residents get to know their local police constables, and this also ensures more police accountability to the local population. In turn, the police know they have partners working with them within each slum. The decision to have a majority of women on each police *panchayat* is in recognition of the fact that women are disproportionately the victims of crime, and often face problems of domestic violence. In addition, in Mumbai, there are strong savings and credit groups formed by women slum and pavement dwellers (*Mahila Milan*) and these were supported by the police *panchayats*. Each police *panchayat* is opened with a public celebration, where community representatives tie flower bracelets on the wrists of each police officer, and receive their official card/badge.

The community volunteers help patrol the settlement to maintain law and order. They also seek to resolve disputes before they escalate into violence or other crimes. Slum inhabitants can bring disputes to this police *panchayat*, which meets every day, and under the auspices of the local police many complaints and conflicts are resolved. The police *panchayats* have proved to be able to resolve many issues such as domestic quarrels and disputes between neighbours over plots or house boundaries. Thus, they resolve small disputes that are known locally as "*murgike uppar jhagde*" (fighting over chickens). They also help to prevent disputes from escalating into violence or problems of public order. For the slum inhabitants, these police *Panchayats* are much quicker and easier to use than going to the police to lodge a formal complaint. They also feel more confident about making complaints, as they know some of the community volunteers and the police. This also frees up police time to allow them to concentrate on crimes, as a large proportion of police time is taken up responding to minor disputes and quarrels, and preparing official documents about these.

The volunteers are clear that they do not have police powers and that dispute resolutions are undertaken by the group as a committee, with details of all the cases discussed being carefully recorded. In some slums, the police volunteers have also brought pressure on local people who are illegally brewing and selling alcohol to close down, as a way of reduction of drunkenness and the violence to which it often contributes. The local *Mahila Milans* have also supported the people who previously made illegal alcohol to develop new livelihoods or have rewarded



them with new houses. Without the community volunteers, the police would find it almost impossible to control this.

One of the key characteristics of these police *panchayats* is that they can be implemented on a very large scale without additional resources from the government (which are difficult to negotiate and, even if successful, take a long time to come). They first started because the Police Commissioner promoted the idea, but they are sustained in each locality because they meet the needs of the police: they get free helpers, a safe location within each slum from which to work, and a system that resolves many small disputes without their involvement. They are also rooted in local representative organizations in the slums where the stressors that can contribute to violence and crime are obvious - the overcrowded, poor-quality homes and the lack of infrastructure | (for instance, for water and sanitation) and civic amenities (schools, open space).

The Origins of the Slum Police Panchayats

Before becoming Mumbai's Police Commissioner, Shri A N Roy had been Police Commissioner in Pune, a city with over 2 million inhabitants, 40 per cent of whom live in slums. He was considering how to extend police services to the slums and was considering partnerships with local NGOs. In discussions with the President of the National Slum Dwellers Federation, the idea of community police stations and panchayat committees developed. Most slums in Pune (and Mumbai) have strong community organizations that are members of the National Slum Dwellers Federation or *Mahila Milan* ("women together") groups who work in alliance with the slum dwellers federations. *Mahila Milan* groups had been very active in Pune, setting up and

managing community-designed toilet blocks in the slums, and supporting communities threatened with eviction to negotiate solutions that were acceptable to them. With such strong, representative community organizations already present in most slums, the structure was in place to support the community police committees. The police *panchayat* scheme was launched in July 2003 in five slums in Pune, and is now present in more than two hundred.

When the Police Commissioner, A N Roy, moved from Pune to Mumbai, it became possible for a similar scheme to take root and expand rapidly in Mumbai, because of the support provided by the National Slum Dwellers Federation and *Mahila Milan*. Also, in Mumbai, these locally rooted organizations were already engaged in many other initiatives, including designing and managing many slum rehabilitation schemes and new housing developments for slum and pavement dwellers, community-managed resettlement and hundreds of community toilets. The police *panchayat* scheme was launched in Mumbai in June 2004.

The Future of Slum Police Panchayats

At the core of this innovation is the recognition of the need to change the relationship between slum dwellers and the police. These slum police *panchayats* are helping to reduce the prejudiced responses that slum dwellers so often face when they go to police stations – either to make a complaint or as victims of crime. As the police get to know the inhabitants of the slum where they are based, especially the community volunteers with whom they work, they find that most are law-abiding and helpful. Meanwhile, slum residents will feel more confident about using police services, when needed.



Both the police and the slum dwellers' organizations that are creating and managing these slum police *panchayats* recognize the need for comparable changes in relationships between slum dwellers and other government agencies – for instance, agencies responsible for providing water, sanitation and health care. Work is underway to see how the police rooms within

each slum might also provide a location for doctors' consultations and for more constructive relationships with local utilities. The coverage of the slum police *panchayats* is also expanding rapidly in Mumbai, with training sessions for both police and community volunteers, and reviews of the experience to date, to see what improvements can be made.

**An edited version of article "Community police stations in Mumbai's slums" by A. N. Roy, A. Jokin, and Ahmad Javed, published in 'Environment & Urbanization', Vol 16, No. 2 (pages 137-38). Accessed on 15 January, 2021 at <https://journals.sagepub.com/doi/pdf/10.1177/095624780401600205>*



Community Policing Programme for Slum Areas: Devrikhurd Slums Experiment (2018) in Bilaspur, Chhattisgarh*

Background

Devrikhurd lies in the NE side of Bilaspur (under Torwa Police Station) which had developed into a slum area owing to proximity to railway lines, relatively outside the city limit on the rural-urban fringe. The services provided by the municipal corporation were minimal. There was a police outpost established but owing to the shortage of manpower it was closed and was operational only during occasional checking and festive season. The slums slowly degenerated into safe haven for anti-social elements.

Objectives

- To break the anonymity of the residents of slums.
- To stop the crimes like thefts, affray, drug peddling, boot legging, prostitution etc.
- To encourage women, who are most affected by social crimes to forge a partnership with the police.
- To constructively engage the adolescents and counsel them for utilising their energy positively.
- To reduce the incidence of the oft recurring law and order situations.

Solution

The situation here warranted amalgamation of few community policing programmes as well initiating some new programmes. The slum was greatly afflicted by the social evils like gambling, liquor which in turn led to increased domestic violence, thefts and sometimes murders too. Since the area was

at a considerable distance and police was short of manpower, by the time police used to intervene the culprits would have already fled. Night patrolling was essential in the area to prevent the prevailing crimes. To tackle these situations *Mahila Commando*, *Police Didi*, *Samvedna* and bits of 'Mission Secure City' initiatives were implemented simultaneously.

Mahila Commando

The young girls and women were sensitised about the problems they were facing because of the social evils like gambling, liquor and drugs. The volunteering women were constituted in groups of 15-20 and their area of responsibility was demarcated. Initially three such groups were formed and an orientation training was organised for them. The group was called as *Mahila Commando*. They were given the responsibility to patrol a selected area in the slum and dissuade people from indulging in nefarious activities. *Lathis*, whistles and lantern were given to them to help them carry out their duties. They were trained in "Ready to React" programme for self defence using basic sundry items like bangles, water bottles, safety pins etc. These commandos also acted as trainers to other adolescent girls in their area. They also would keep an eye on the new persons coming to the slums for shelter and would also act as eyes and ears of the police. The police would always respond to the calls of *Mahila Commandos* and assert their importance in all public meetings in the slums. This would give more credibility to *Mahila Commandos* and it would instil fear among the unscrupulous elements.



Police Didi

Young girls in the slums are more vulnerable to eve teasing and drug abuse, besides this, the menstrual cycle hygiene is totally missing exposing them to various diseases. Because of their tender age, they need counselling and education so that they develop into healthy adults. The police introduced *Police Didis* along with the *Mahila Commandos*. Each group of *Mahila Commandos* was assigned a lady constable/officer as a guide who would often go to the slums and understand the problem of these girls. These girls developed confidence in the *Police Didis* and this in turn created a symbiotic relationship. The *Police Didi* would take care of menstrual hygiene education, sex education, and do general and emotional counselling. *Police Didi* would take the services of professionals who

volunteered for imparting guidance and training. Thus *Police Didi* became 'Friend, Philosopher and Guide' for these girls.

Mission Secure City

The whole slum area was surveyed and CCTV cameras were installed at strategic locations by crowd funding. Responsibility was fixed for the maintenance of these cameras and the CCTV footages were closely monitored by the police. This created a sense of security among people and also led to decrease in incidents of theft and affray.

Thus the simultaneous implementation of all these community policing initiatives brought about a sea change in the attitude and perception of security and well being among the slum dwellers.

* Note made available on 15 October, 2020, by Shri Arif Shaikh IPS, Director ACB/EOW, Chhattisgarh, who as SSP, Bilaspur, implemented the above initiatives.



Appendix 3

Community Policing in Slums – Interventions of Tamil Nadu Police*

Slum Adoption Programme

In order to address the challenges of juvenile delinquency and to focus on criminalisation process in urban slums, this strategy was initiated, as the very nature and dynamics of slums required a focused approach to achieve three fold results:

- to identify criminals living in slums,
- to get information about outside criminals, who are generally harboured there, and
- to arrest the process of criminalization in slum areas.

This strategy, aiming to strike at the very root of criminalization, rested on the premise **“The criminals are not born, but society makes them”**. The socio-economic environment in a slum provides ideal breeding ground for criminals. It is inhabited by unskilled labourers with inadequate earnings to run large families. To make a living, they are sometimes forced to indulge in crimes like robberies, drug trafficking, etc. The family head often spends entire earning on himself, leading the women into debt trap and even forcing them to commit crimes, like vending illicit liquor, drug peddling and even prostitution. Mother forces her children to work, to support the family, thus, depriving them of education and making them child labourers. The children, in such an environment, grow up as delinquents and potential criminals.

During January 2000, considering the potential for criminalization and past incidents of resistance and even attack on police, we identified 12 slums within Trichy Corporation

for adoption. Initially, to gain access to these hostile areas, efforts were made to improve the living conditions by providing basic amenities like water, sanitation etc., with the help of NGOs and Government Agencies. Steps were taken to create awareness on health and hygiene and medical camps were organised. There was stress on promoting general awareness on drugs and alcohol addiction, AIDS and domestic violence. The desired messages were conveyed through street plays and documentaries.

Besides the general efforts to improve the conditions of the slums, as mentioned above, specific steps, aimed at following target groups, were also taken, to bring about the desired changes:

Women & Children

The first target group, addressed on priority, was women and children. Self Help Groups (SHGs) were formed and vocational training was organised for them. Thereafter, loans and finances were extended, creating opportunity for gainful employment, to make the women financially self-reliant and release them from debt-trap. Once financially sound, the women sent their children to schools. Study materials were supplied and tuitions arranged for the children. Even policemen took classes, wherever teachers were not available. These children, benefited by education, sports and extra-curricular activities, could look up towards a better future than merely becoming child labour, juvenile delinquent and potential criminals. Thus, the empowerment of slum women solved the problems of school drop-outs and child labour, thereby, tackling criminalization of women and children.



Police Boys and Girls Clubs

In order to effectively address the challenge of juvenile delinquency in slums, police had to act as a catalyst in creating an atmosphere for these children for their education, skill development, character building, personal fitness, etc., thereby preventing them from veering towards a career of crimes. As an initiative in accomplishment of this objective, 'Police Boys Clubs' were formed in slum areas with the support of the government and in partnership with service organizations and corporates.

The then Chief Minister, announced creation of 64 boys clubs throughout Tamil Nadu, including 25 in Chennai City, during the year 2003, vide G.O.Ms. No.578, Home Pol (XIII) Department, dt. 27.6.2003. On 17.9.2003, she inaugurated the Police Boys Club in a function held at University Centenary Auditorium in Chepauk. During her address, she said, 'if we sow good seeds we reap a great harvest', similarly, inculcating good values in children living in slums and backward areas and channelling their energy constructively, would help them in becoming law abiding citizens. Considering the beneficial spin-off, a proposal was sent to form 50 more boys clubs in Chennai City, involving local enthusiasts, service organizations and NGOs, which was sanctioned in G.O.Ms. No. 717, Home Pol (XIII) Department, dated 28.10.2011, with sanction of funds to provide infrastructure and purchase of materials and payment of honorarium to the instructors.

Subsequently, Government issued another order permitting use of Corporation / Government School buildings after school hours for imparting skills vide G.O. Ms. No.147, Home Pol. (XIII) Department, dated 17.02.2012.

The Police Team of Juvenile Protection Unit, which functions under the Juvenile Justice (Care and Protection of Children) Act, 2000, identifies teenage boys from underprivileged background, viz., orphans, wards of ex-convicts and from broken families, who lack socio-economic support, with the help of 1098 Child Helpline and in coordination with NGOs and enrol them in Boys Clubs. Subsequently, girls of slum areas were also enrolled and the clubs were renamed, "Police Boys & Girls Club".

At present, there are 418 "Boys and Girls Clubs" in the State, including 95 clubs functioning in Greater Chennai Police jurisdiction and every District Headquarters., which have enrolment of 100-120 teenage boys and girls in each club. These clubs are being run from the funds allotted by the Government and with the support of Lions Club, Rotary Club and Corporates like HCL etc.

Objectives

- To enable and guide the children, who lack care and attention, to prevent dropping out and child labour.
- To provide opportunities for learning, recreation and skill development.
- To provide supplementary education for potential drop outs from slums.
- To promote child rights in schools, colleges and at the community level.
- To offer psycho-social care to the children through the peer groups and non-formal education programs.
- To ensure that children are trained on social and environmental issues for sustainability after the project period.
- To prevent exposure to unhealthy and anti-social elements and behavior like violence, drug abuse, sexual abuse etc.



- To provide employment opportunities to youth who are unable to pursue further studies, through skill development.
- To enhance character development, involve the children in citizenship training and promote personal fitness.

In execution of the vision, in November 2019, the Chennai City Police signed an agreement with HCL Foundation as funding partner and Dr. Don Bosco Illam Social Service Society as implementing partner, to provide the following slum intervention programmes with the facilities and activities at 30 Boys and Girls Clubs:

- Supplementary educational support through after-school coaching
- Creating sport champions
- Developing Scouts & Guides movements
- Educating and empowering the vulnerable children
- Enhancing skills of the youth
- Health care programmes
- Child rights club to promote education, health and environment and safety as set out in the UN convention
- HCL Foundation Higher Education Scholar-ship

Facilities such as gym, library, sports (indoor and outdoor games), tuition centres and vocational training centres are provided so as to keep them in good frame of mind.

Tamil Nadu Police will continue its endeavour to develop the Boys and Girls Clubs further for betterment of the society.

Youth

The youth, being the toughest and most critical target group, was encouraged and supported to continue education. Meaningful employment opportunities were created by organising job counselling and placing them with security agencies, run by retired police officers. With the help of NGOs and under various government schemes, vocational training was organised and bank loans arranged, facilitating self-employment of these slum youth.

Criminals

These positive changes in the slums prompted the ex-convicts to surface and voluntarily approach the police, seeking rehabilitation. Counselling was provided, trainings organised and loans and finances were arranged for them – even the police (Beat Officers) stood guarantee for bank loans, enabling self-employment of these ex-criminals, including murderers. Police also helped them in getting employment.

Apart from the individual cases of rehabilitation, even an entire community indulging in crimes turned a new leaf. This was in a slum called Kulapatti. The entire community was engaged in illegal brewing of country liquor and committing other crimes. The police found it extremely difficult to access the slum, because of very narrow and bad road conditions. Any police move gave enough time for them to escape and evade arrest. The community, during emergencies, found it difficult to cover this 4 kms stretch of bad road to reach the main road. Sadly, once a pregnant lady had to deliver on the street, before she could be rushed to a hospital.

When approached, they volunteered to stop all illegal activities for a proper road. They were asked to demonstrate good behaviour over a period of 6 months, which they conformed. At the end of 6 months, we coordinated with the local civic body, NSS Students, NGOs and also involved the community in laying a proper road. And, today, it is a corridor of bond between the police and the community of ex-criminals. The

community was, thus, mainstreamed to a better life.

Community Centres were constructed for conducting training programs for women and youth, giving tuition to children and running adult literacy programmes. These centres run libraries and recreation facilities. All community functions and meetings are held there. Environment was improved by involving the community in tree plantation.



Image 8: Before and After Picture of Road Construction

Results

The overall benefit in this strategy was integration of police into these closed communities.

Community assets were created in these slums, particularly, community toilets built by NGOs and maintained by women SHGs of those slums. Thus, the quality of life in these slums

improved. In a nutshell, police acted as a catalyst in addressing basic issues to prevent the process of criminalization and turning the slums from dens of criminals to pockets of hardworking and productive communities.

**Note made available on 22 August, 2020, by Shri J. K. Tripathi, DGP, Tamil Nadu, who was also instrumental in implementing the above programs*



Appendix 4

Delhi Police Initiative in Community Policing – ‘YUVA’ – Skill Development Program under PMKVY Scheme*

- ‘YUVA’ is an initiative of Delhi Police to engage and steer street children and youth towards the mainstream of society, providing them with the opportunities to realise their potential and creating awareness about their potential through sports, *Nukkad Nataks* and skill development training. This is a Community Policing initiative not only to prevent the youth from committing crime and delinquent acts but also to encourage them to partner with police in maintaining law and order, management of crime and connecting with community at large.
- In the current age of digital revolution where the youth is eternally connected to each other on various social media platforms (Facebook, Twitter, WhatsApp, Skype, Blogs etc.) with electronic/digital devices like smart mobile phones, tablets, computers, laptops etc., this generation of youth trusts digital information for social interaction and therefore connecting with the today’s youth has become a challenge for the police forces. It is a fact that today’s youth is experiencing a disconnect with the existing norms and institutions of the society and more so with law and the law-enforcing agencies. Therefore, there is an urgent need to devise a specific measure to win the confidence of youth and bridge the trust deficit.
- The current initiative by Delhi Police aims to connect with the youth by upgrading their skills as per their competencies. It will help them to get gainful employment under the *Pradhan Mantri Kaushal Vikas Yojna* of the Ministry of Skill Development, GoI.
- Delhi Police has tied up with the National Skill Development Corporation (NSDC) and the Confederation of Indian Industry (CII) for imparting job-linked skill training to the selected youth. The National Skill Development Corporation shall be providing skill training to this youth under ‘*Pradhan Mantri Kaushal Vikas Yojna*’ (PMKVY) and CII will provide job-linked training through its Sector Skill Councils which are connected to industry and thereby provide job opportunities.
- A detailed exercise was conducted in all the 13 districts of Delhi Police to select the youth in the age group of 17-25 years for this training belonging to the following categories, mostly from the underprivileged colonies:-
 - » School dropouts
 - » Juvenile offenders
 - » Victims of crimes
 - » Families in a dire state due to the incarceration of the bread earner of the family
- After selection, their counselling was conducted by professional counsellors of NSDC to select the skill for this training based on the educational qualification



and their interests. The online data of all the selected youth has also been ensured. NSDC and CII shall also give skill certificate to all the participants in the completion of the course. This scheme envisages to ensure that maximum number of youth who participate in this training get subsequently employed in the industry under PMKVY Scheme.

- As an initial step, at least one skill training centre in each of the 13 police districts in Delhi would be started in a Police Station building at the earliest. A total of 32 police station buildings have been identified where Skill Development Centers would be opened at the earliest.

Objectives and Functions of the Foundations

To take all possible initiatives to engage, skill and develop young adults and underprivileged children, who for want of proper educational and sports facilities, may take to crime, in selected Police Stations.

- To identify the areas and assess the feasibility of implementing the initiatives.
- To arrange art workshops and vocational studies to keep such young children and adults engaged in constructive activities for acquiring life skills to become responsible citizens.
- To engage willing NGOs, corporate houses and social volunteer organizations or bodies for augmenting resources for the execution of the initiatives.
- To disseminate information about the initiatives undertaken by the Foundation

for underprivileged and street children for the awareness and support of general public.

- To lay down necessary administrative, financial, legal and technical framework and resources for the initiatives.
- To seek and accept grants, donations, assistance from public bodies, corporations, companies or trusts Indian corporations/companies and foundations for the purposes of the Foundation and to manage efficient, effective and permissible fund flow and fund utilization in consonance with the objects stated herein.
- To enter into any arrangements/agreements with any Government(s) or authorities whether Central, State, municipal, local or any other agency including NGOs, Corporate Houses, Social Volunteer Organizations or bodies that may seem conducive to the objectives of the Foundation. The Foundation shall not accept any help from anyone in his individual capacity. To allow promoters/sponsors of any Organisation/ Department/Authority to initiate any productive activity such as development of playing grounds in identified localities provided or allocated by government bodies.
- To decide whether the promoters/sponsors of any Organisation/ Department/ Authority should be allowed to carry sponsored activities for their publicity.
- To organize and participate in seminars, conferences, fairs related to the objects of the Foundation and to compile,



collate, edit and publish technical reports and papers related to the objects of the Foundation.

- To pay all expenses, preliminary or incidental to the formation of the Foundation and its registration as a Society as per the statute.
- To run educational institutions, training institutions and publish books, reports, journals, magazines, newspapers, periodicals, thesis, research papers, writings, discoveries, documents, news and information etc.
- And to generally undertake all such other lawful activities, as may be incidental to or conducive to the attainment of the above objectives of the Foundation.
- To enter into collaborations, MoUs, partnerships, agreements and contracts with Indian and/or foreign individuals, companies or other organizations for transfer, sale, purchase of equipment and for technical, financial or any other

assistance for carrying out all or any of the objects of the Foundation. To hire professionals, consultants and other specialized agencies as deemed necessary for efficient handling and conduct of the business of the Foundation.

- To mobilize financial/non-financial resources for complementing/supplementing the Foundation's activities in the State/UT.
- To organize training, meetings, conferences, policy review studies/surveys, workshops for improving the implementation of the initiative/objective of the Foundation in the State/UT.
- To undertake such other activities for strengthening Foundation initiatives in the State/UT as may be identified from time to time in future.
- To do all such other lawful things as may be necessary, incidental or conducive to the attainment of the above objectives of the Foundation.

Job Roles

S. No.	Name of the Qualification Pack (QP)	NSQF* Level	QP Code*	Occupation	Minimum Qualification
1.	Assistant Beauty Therapist	Level 3	BWS/Q 0101	Skin Care Services	Preferably Class 8th
2.	Field Technician Networking and Storage	Level 4	ELE/Q4 606	After Sales Support	Diploma & Maximum Graduate
3.	Front Office Associate	Level 4	THC/Q 0102	Front Office Management	Preferably 12th Pass
4.	General Duty Assistant	Level 4	HSS/Q 5101	General Duty Assistant	Preferably Class 8th to 10th
5.	Retail Sales Associate	Level 4	RAS/Q0 104	Store Operation	10th Standard Pass



S. No.	Name of the Qualification Pack (QP)	NSQF* Level	QP Code*	Occupation	Minimum Qualification
6.	Self Employed Tailor	Level 4	RAS/Q0 201	Apparel	Preferably Standard 8th Class
7.	Smartphones Repair Technician	Level 4	ELE/Q8 104	After Sales Service	ITI & Maximum B.E.
8.	Field Technician- Computing & Peripherals	Level 4	ELE/Q4 601	After Sales Support	12th Pass
9.	Food & Beverage Service- Steward	Level 3	THC/Q 0301	Food & Beverage Service	10th Pass
10.	Domestic Data Entry Operator	Level 4	SSC/Q2 212	CRM	10th Pass
11.	Make-up artist	Level 3	MES/Q 1801	Hair and Make-up	12th Pass
12.	Auto Retail	Level 4	ELE/Q8 104	Retail Sales persons	12th Pass

*From Delhi Police website. Accessed on 15 January, 2021, at <http://yuva.delhipolice.gov.in/initiatives.html>

Social Media Policy for Police Organisations



Micro Mission: 06
(Proactive Policing and Visualizing Future Challenges)

‘Promoting Good Practices and Standards’



1 Introduction/Background

Internet access has grown tremendously over the last few years resulting in increasing popularity of Social Media. Social Media tools have become synonymous with popular culture and new waves of Personal Communication. Law enforcement agencies world over have, therefore, realized the importance of the use of Social Media to enhance communication, streamline processes, and increase productivity.

Social Media is defined as a category of Internet-based resources and tools that integrate user-generated content and user participation. Social media is an integrated technology that allows users to generate their content and share that content through various connections. Social media is commonly associated with Web 2.0, technology that focuses on integration, collaboration, and interaction. There are numerous social media tools available, with different characteristics, user demographics and functionalities. Examples of social media tools include blogs, social networking sites, microblogging sites, photo and video-sharing sites, wikis, RSS feeds, and podcasting.

Social Media provides a new and valuable means of assisting the Police Department in achieving various policing objectives like *alerts, crime prevention, crime investigation, crime reporting, community engagement, soliciting tips*, and other related objectives. The Policy identifies use by the Police Department as an organization that can be explored and expanded by Administrative and Supervisory Officers. The Department also recognizes the role of Social Media tools in the personal lives of department personnel. Therefore, the Policy provides information about a precautionary and prohibitive nature on the use of Social Media by

department personnel. Furthermore, the policy recognizes the important role of the audience on Social Media vehicles of the Police Department. Guidelines on the use of Social Media by the audience, therefore, are part of this Policy Document. Similar to the personal use of Social Media by department personnel, these guidelines are also precautionary and prohibitive. These are for the awareness of the audience so that they do not violate any of the laws.

2 Overview

2.1 Project Title

“Social Media Policy for Police organizations”.

The ‘Social Media Policy for Police organizations’ is a generic policy that can be suitably modified to accommodate the specific needs of concerned Police organizations.

2.2 Vision

Effective use of social media for enhanced outreach, improving the efficiency and management of positive perceptions of the police organizations by connecting with the citizens through social media channels.

2.3 Objectives

- Objective of the policy will be to help the police organizations in using the social media channels or platforms effectively to connect with the citizens.
- To frame the broad guidelines for Content Management, Response Management and Feedback Management.
- Legal guidelines for use of social media by Police Organizations and individual Police Officers.



3 The Project

3.1 Purpose of the Project

The purpose of the project is to frame a broad policy framework and operational guidelines for effective utilization of social media in police organization.

Social Media offers a unique opportunity to Police Organizations to potentially give an interaction-based platform between police and citizens. Social Media in recent times has become synonymous with Social Networking sites such as Facebook or Microblogging sites such as Twitter and Professional Social Network like LinkedIn. Through the implementation of such a policy, will help police organizations in building trust & getting cooperation from citizens in the control of crime. Police organisations can also effectively use social media for various purposes like investigation, deriving intelligence and public outreach. This project attempt to address what needs to be achieved and addressed in a social media policy for police organizations.

3.2 Sponsor

State/Central Police organizations will implement the social media policy in their respective jurisdiction. A separate budget can be allocated for the same.

3.3 Benefits

Effective police-public outreach is crucial for Policing outcomes. Success in Policing depends to a large extent on state of Police-Public Interface. Management of public delivery communication platform is expected to improve the effectiveness of policing efforts.

Social media can be used for a variety of purposes to further the mission of police organizations.

- **Investigation.** Social media can be used as an investigative tool when seeking evidence or information about missing or wanted persons, Open Source Intelligence and web-based crimes. Once identified, this information can then be used by law enforcement agencies to further an investigation.
- **Community Outreach and Information.** Social media tools can be used to enhance community policing. Through community policing and with this framework agencies can promote better communications with the citizen, awareness, provide greater access to information, foster greater transparency, encourage broader participation, and provide a vehicle for collaborative problem solving. Agencies are using various social media tools to reach out to their communities in new ways and foster valuable connections throughout their jurisdictions. For example, crime prevention tips, advisory and crime reporting may be shared over social media.
- **Advisories.** Social media also provides a number of excellent platforms for releasing time-sensitive notifications. These notifications may be related to items such as road closures, special events, natural disasters emergencies, and missing persons, etc.
- **Fighting Fake News & Rumours.** Fake News, Rumours and Disinformation



related issues can be effectively addressed through the social media. Police Organizations can utilize social media to inform the media and the community by serving as the source of correct information regarding critical incidents and distributing accurate information in a timely manner.

- **Recruitment.** Police organizations can utilize social media tools such as blogs, social networks, and multimedia-sharing sites to provide potential applicants and recruits a unique view of law enforcement work.
- **Managing the Perception.** Social media can help in improving the perception of the effectiveness of police organizations by sharing the positive work under a long-term strategy.

4 Situational Assessment and Problem statement

- Youths are using social media for communication, news updates and business & social interactions. Most of the youth use smartphones to access social media. Hence, police organization has no options but to use social media to connect with new smartphone generation for awareness and community policing purposes.
- Social media has reduced the role of the traditional media channels like news papers & TV channels in dissemination of information to the citizens. Police can use these social media channels to bridge the trust deficit between public & police by providing the correct information directly to citizens.

- Since social media allow two-way interaction with citizens, it can help in getting the feedback on working of police. Feedback and interactions can be very useful in calibration of police response.
- Social media can help in image building and branding of police organization. Sharing of positive stories & transparent communication with citizens will improve police-public relations and ultimately image will improve.

5 Critical Assumptions and Constraints

Social media users in India are increasing day by day. Studies of Statista (<https://www.statista.com/statistics/240960/share-of-indian-population-using-social-networks/>) shows that, in 2020, over 50 percent of India's population was accessing social networks. It was estimated that by 2025, this penetration of social networks would be 67 percent of the country's population. Out of which nearly all Facebook users in India accessed the platform via mobile phones as of January 2020. Only 4.6 percent of Facebook users in the country accessed the platform both from a phone and from a computer.

As social media platforms are the most used by the citizens for communication, socialization and other purposes, therefore, these platforms can become enabler for police organizations to interact with people meaningfully.

Constraints

- Sizable population in rural areas are not using social media and cannot be reached via these platforms. Secondly, all staff of the police organizations are not well versed with handling of social media.



- Policy on social media needs to be reviewed regularly in the context of continuous change in the use of social media vehicles.

6 Implementation Strategy

6.1 Choosing Platforms

Having defined the objectives, the next step is to identify platforms and phases in which such an engagement shall be undertaken at these platforms. While social networks currently seem to be the face of social media, they are not the only platform. Some of the popular vehicles in India are Facebook, Twitter, YouTube, Google Plus, etc.

6.2 Management of Social Media Vehicles

Management Structure includes Account Management, Response and Feedback Management, Resource Management, Content Management, Legal Provisions, Data and Information Security Governance.

6.3 Account Management

- **Account Creation:** A social media account establishes an organisation's online identity. Wherever possible, the same name for different social networking accounts may be adopted to ensure ease of search on the internet. All social media sites or pages of the draft shall be approved by the Department Head or his or her designee. Social media pages shall clearly indicate they are maintained by the department and shall have department contact information prominently displayed. Social media pages should state that the opinions

expressed by visitors to the page(s) do not reflect the opinions of the department.

- **Login and password:** Each new account requires a URL, user name and/or email address and a password. A proper record of login ids and password must be maintained. This is critical as multiple people may be authorised to post on behalf of the department.
- **Account Status:** It is important to define whether the engagement is undertaken through official accounts only or the officials are permitted to use personal accounts also for posting official responses. It determines who says what on behalf of your organisation and in what form it is published. It also outlines how each piece of published information is presented where it is published. The most important aspect is whether the responses are in Official or Personal Capacity and there should be clarity in this aspect.

6.4 Response and Feedback Management

- This indicates how often would the pages/information be updated, in what manner would the responses be posted, what would be the turnaround time of responses, etc. The major attraction of social media is the spontaneity and immediacy of response and feedback and those visiting the site would expect some kind of response within a pre- defined time limit.
- As far as possible, all the inputs are to be promptly replied to in a professional manner. Sometimes the information desired by people may not relate to a



particular department or unit. In such cases, they may be guided suitably with contact details of the appropriate person. In all cases, the response is to be given as far as possible within 24 hours. The Police Department should strive to give maximum information, which concerns the people proactively.

- Police Department should not assume that people are fully aware of their organisation and its functioning. Making audience aware about the organisation should be one of the key objectives while creating content.
- Whenever a response is required, it should be short and to the point. While employees are free to post response in their personal capacity, it is mandatory that while they are doing so, they must clearly identify themselves, confidential information must not be divulged and should not be seen to represent “official view” unless authorised to do so.
- While most of the responses to comments and queries may be routine, some may be required to be escalated to the Department Head for consultation and arriving at a correct response.
- Finally, there should be congruence between responses posted on social media and those on traditional media.

6.5 Posting Guidelines for Audience

Audience should be informed and made aware about the rules & guidelines for sending feedback and comments to avoid misunderstanding. For the purpose of simplification, the following guidelines are given

for use of Social Network named Facebook by City/ District Police.

- The theme of the page is “Community Policing in <name>”. If we all use common courtesy and common sense then everyone will feel comfortable participating in various dialogues and interactions on this page. The purpose of this page is to encourage open, courteous communication, not accusations or judgments. Members should know that it is not just a page of <name> Police but the entire community of <name> to improve policing in <name> District.
- Please ask questions and let us know your concerns. We want to hear from you.
- Please do not use cursing or obscene language.
- Please do not make threatening or abusive statements, including those supporting violence.
- Please do not post comments that may be construed as inflammatory or derogatory towards victims, suspects or any other individuals.
- For emergencies call **100, 112** or **108** or **Police Station Land-line numbers**. This page is not checked 24-7. It is checked at least once a day.
- When posting a request, please keep in mind that we can only respond to those posts that include the date, time and specific location of the incident. We cannot respond to posts without specific information.
- Members should not open anonymous and pseudonymous account to post anything



in a similar manner. Do follow Facebook rules and post using a real profile and person. False person as will be banned from the page. It is for the information of everybody that all types of accounts can be traced back to the computer, mobile, etc., where they are created.

- It is important that the posts on this page are brief and to the point. Please avoid posting long stories. Also, please avoid voicing political opinions.
- If you want to **bring** out some short comings in the police department of <name> District, please do it in a specific manner quoting the incident, if any, and not in a generalised manner.
- If one feels that any policeman has violated some law, one should try to quote the specific incident rather than blaming the entire police of <name> District, so that he or she can be corrected and at the same time the morale of the entire police force is not hurt.
- If you want to express disagreement with someone's opinions, please do so objectively and politely and avoid personal criticism. Members indulging in personal attacks may be put on moderation without notice and may be unsubscribed from the page.
- Do not post advertisements.
- Do not post personal / racial / ethnic / gender-based insults or offensive comments.
- Do not get personal. A good general rule to follow is, "criticize ideas, not people".
- Do watch what you say - you are

responsible for what you write. The opinions expressed by visitors to this page do not reflect the opinion of the department.

- If you wish to transmit information directly to <Chief> you may send it by SMS at <number> or email to <email>.
- The material you post on the site should not be illegal, obscene, defamatory, threatening, or abuse intellectual property rights and should not violate any law of the land.
- We reserve the right to moderate/delete your account and to delete any content posted by you. Members not following posting guidelines are liable to be put on moderation without advance notice and may be unsubscribed from the page. We are open to your comments, suggestions and criticism.
- <Name> Police Department does not remove posts without due thought and consideration. The contents of each Facebook page are at the discretion of the administrator/registered owner of the page, per Facebook guidelines. <Name> Police Department strives to be tolerant; however, inappropriate comments will be deleted.
- This forum is designed to share information and answer questions from the community in an environment of harmony. Constructive criticism of the <name> Police Department is welcome.
- <name> Police Department works within the legal system, which deems any suspect innocent until proven guilty in a Court of Law. We are proud to serve the Residents



of <name> District with community policing philosophy. We appreciate the same respect and consideration from those joining us here on Facebook. Thank you for your support. Let us know how we can help. We appreciate that you want to be informed and we try to answer and acknowledge every single post. Thanks for your understanding and cooperation.

6.6 Resource Management

Since using social media is a resource intensive exercise, it is important to ensure that resources and their responsibilities are clearly marked out very early. Both internal resources and outsourced resources can be used for managing the engagement. However, it is advisable to create a dedicated team. One of the key resources is an internal champion within the system who can lead the strategy within the department. It is important to note that since the engagement via social media requires different skill sets, the champion and other resources identified would require orientation & training specifically for the tasks assigned to them.

The roles and responsibilities of the team responsible for creating, managing and responding on social media platforms must not be limited just to responses, but also include responsibility for matters related maintenance of login ids and passwords issues related to data security, archives, privacy, etc. The officials designated for engagement with citizen using the social media should be covered under a well-defined immunity provision in consonance with the RTI Act and the IT Act and the IT Act (Amendment), 2018.

6.7 Content Management

Content Creation & Social media profiles

overlap, therefore, sharing consistent content on all social media platforms should form the bedrock of the content policy. In order to enable wider participation, content creation and availability should be in Indian languages and must not be limited to text alone.

Employees of the team authorized for posting content and engaging shall observe and abide by all copyright, trademark, and service mark restrictions in posting materials to electronic media.

A moderation policy should also be published if the platform permits others to add their own content; this informs people what they can post whilst protecting others who may visit your platform. The moderation policy should include matters related to copyright, rights to addition and deletion etc.

Department Personnel representing the department via social media outlets shall do the following:

- Conduct themselves at all times as representatives of the department and, accordingly, shall adhere to all departmental standards of conduct and observe conventionally accepted protocols and proper decorum.
- Identify themselves as a member of the department.
- Not make statements about the guilt or innocence of any suspect or arrestee, or comments concerning pending prosecutions, nor post, transmit, or otherwise disseminate confidential information, including photographs or videos, related to departmental training, activities, or work-related assignments without express written permission.



- Conduct NO political activities or private business.
- Social media can only be used by the Authority to communicate existing Government information and propagate official policy to the public.
- Great care must be taken to avoid propagation of unverified facts and frivolous misleading rumours, which tend to circulate often through miscreants on social media platforms.

It must be reiterated here that social media should only be one of the components of the overall citizen engagement strategy and government departments must desist from using only social media to communicate with their stakeholders. Initially, the departments may just aim to post information regularly. For example, if it is a Face Book Page, postings may be done at least a couple of times a week and on Twitter slightly more frequently. Ideally, none of the sites should be left more than a week or two without new content.

6.8 Operational Do's and Don'ts

Follow these instructions during operation of Social Media accounts:

- Know your target audience. Identify your current audience as well as potential audiences that you may not be reaching or audiences you hope to reach in the future. Social media will allow you to reach a broad audience and include new demographics in your outreach.
- Ask your audience to spread a word about your initiative, only if it is necessary.
- Do not post messages that may be prejudicial to court proceedings, abusive, defamatory, harmful, obscene, racially offensive, sexually offensive, and unlawful.
- Keep in mind that social media outlets do not limit you to text, consider using other types of content such as pictures and video.
- Online activity during working hours or using agency equipment must be primarily business related.
- Respect your audience.
- Show proper consideration for others' privacy and for topics that may be considered objectionable or inflammatory—such as politics, religion and personal life.
- Do not post same or similar messages more than once. This will be viewed as spam.
- Try to get your account verified.
- Use your logo/official identities as pictures to make them look credible.
- Connect your social media pages and accounts with your official website.
- If incorrect information is posted on your page, inform people about it.
- Allow people to post on your page.
- Value criticism and appreciation equally on Social Media.
- Respect copyright, fair use and public records laws.
- Stick to the time frame and make it clear by when somebody should expect a reply to a request.



- Keep your content fresh and up to date.
- Train more and more policemen in use of Social Media.
- Be the first to correct your own mistakes. Do not alter previous posts without indicating that you have done so.
- When responding to a negative post, state facts and provide supporting documentation. Avoid ongoing conversations that do not progress toward greater understanding.
- Set goals. As with any new initiative, it is important to set goals. Without goals, it will be impossible to determine success in the future. Your goals may be diverse, ranging from strictly numerical outputs such as page views or number of followers, to offline behaviours and actions, to overarching community themes such as reduced crime or improved police-community relations. Some of these goals may seem difficult to measure, but identify them any way.
- Use analytics and insights to know about the audience and their response.

6.9 Record Management

Social media content shall adhere to applicable laws, regulations, and policies, including all information technology and record management policies. The requirements under existing legislations, e.g., RTI, etc., need to be kept in mind and are paramount in influencing decisions regarding record keeping. Records may be created on agency's internal platform and maintained with appropriate tags, e.g., creator/sender, dates, posting site etc. Screenshots may be captured and stored in soft or hard (copy) format and filed at appropriate place. A summary may

be created of the information/ consultation and filed. With advancement in memory technology, the department may ordinarily keep all the engagements other than cases where moderation is required.

6.10 Deliverables

Deliverables will be dependent on the goals & objectives for different organizations.

6.11 Stakeholders

Stakeholder in this project will be the concerned police organizations.

6.12 Related Projects:

No related projects

6.13 Work Plan

The work plan under this project shall be prepared by the implementing police organization depending on the size and type of the target audience.

7 Legal Provisions

The legal implications must be viewed in accordance with the law of the land, e.g., RTI Act, IT ACT 2000 & IT Act (Amendment) 2018, etc, as also rules and regulations made there under.

When a Government department provides such social media facilities on its network, receives, stores or transmits any particular electronic record on behalf of another person or provides any service with respect to that record, they become intermediary under Section 2(1)(w) of the amended Information Technology Act, 2000.

Section 79 of the amended Information Technology Act, 2000 provides the broad principle that intermediaries like Government



departments providing social media facilities are generally not liable for third party data information or communication link made available by them. However, this exemption from liability can only be applicable if the said Government department complies with various conditions of law as prescribed under Section 79 of the amended Information Technology Act, 2000.

It should comply with the Information Technology (Reasonable Security Practices and Procedures & Sensitive Personal Data or Information) Rules, 2011.

The Government further stipulate that **ISO 27001** is one acceptable standard of reasonable security practices and procedures. Thus, all Government departments which are providing social media facilities must comply with **ISO 27001**. In case, the Government departments do not comply with **ISO 27001** and provide social media facilities on which network sensitive personal data is going to be stored, processed, handled or dealt with, the said Government department could be in breach of law and could face legal consequences.

Data Protection and Privacy norms can be followed as per Government guidelines.

Further, under the Information Technology (Intermediary Guidelines) Rules, 2011, (https://www.meity.gov.in/writereaddata/files/GSR314E_10511%281%29_0.pdf) since the said Government department that is providing social media facilities is an intermediary, it has to comply with the Information Technology (Intermediary Guidelines) Rules, 2011. Under Rule 3(4) of the said rules, the Government department shall act within thirty-six hours, on receiving a written complaint from an affected

person, and where applicable, work with the user or owner of such information to disable such information that is in contravention of sub-rule(2).

8 Data & Information Security Governance

The Government's communication to citizens via social media should follow the same data retention policy as its communication through other electronic and non-electronic channels.

9 Provisions related to Personal Information & Security

Under the Information Technology Act, 2000, the Central Government has enacted various rules and regulations, which affect social media. Some of the most important ones in this regard are as follows: The Information Technology (Reasonable Security Practices and Procedures & Sensitive Personal Data or Information) Rules, 2011 define provisions for personal information & security and what constitutes sensitive personal data.

Further under the Information Technology (Intermediary Guidelines) Rules, 2011, since the said Government department that provides social media facilities is an intermediary, it has to comply with the Information Technology (Intermediary Guidelines) Rules, 2011.

10 Personal Use of Social Media

Guidelines for Police personnel on use of their personal Social Media Accounts:

Police personnel, like many people today, engage in Social Media through Social networking sites, blogging, etc. While most of this engagement is proper, in some instances



what is said or done by the employee on internet could be detrimental to the department and its mission. Therefore, Department personnel shall abide by the following when using social media.

- Department personnel are free to express themselves as private citizens on social media sites to the degree that their speech does not impair working relationships of this department for which loyalty and confidentiality are important, impede the performance of duties, impair discipline and harmony among co-workers, or negatively affect the public perception of the department. Any expression shall be subject to the Police forces (Restriction of Rights), Act 1965 & any other Act/Rules in force including the Official Secret Act.
- Department personnel should keep in mind that the content that they post and the way they engage on social media sites would reflect their department.
- They must clearly identify themselves. Employees may identify themselves as representatives of the agency. Self-identification can include the acknowledgment in the user profile for work experience, job title, etc., by identifying oneself as an employee of an agency.
- Confidential information must not be divulged. Employees must take proper care not to purposefully or inadvertently disclose any information that is confidential or law enforcement sensitive. Employees will also honour the privacy rights of other employees by seeking their permission before writing about or displaying internal agency happenings that might be considered to be a breach of their privacy, besides official secrets.
- Their views should not be seen to represent “official view” unless authorised to do so.
- For any official work involving transmission of public records, they must use an e-mail identity connected to a server, located in India and for this purpose they may utilize the services of National Informatics Centre (NIC) or the state government approved network.
- Terms of Service: Social networking sites require that users, when they sign up, agree to abide by a terms of service (TOS) document. Agency employees are responsible for reading, knowing, and complying with the TOS of the sites they use. For example, most TOS agreements prohibit users from giving false names or other false information.
- Copyright: Employees at all times have to comply with the law in regard to copyright. Posting of someone else’s work without permission is not allowed (other than short quotes that comply with the “fair use” exceptions). Other relevant laws that need to be complied with include those related to libel and defamation of character.
- Productivity: Agency employees need to comply with the general agency Internet use policy and recognise that all time and effort spent on their personal site should be done in their personal time and should not interfere with their official duties. Department personnel are prohibited from the Speech containing obscene or sexually explicit language, images, or acts and statements or other forms of speech that ridicule, malign, disparage,



or otherwise express bias against any race, any religion, or any protected class of individuals.

- Department personnel should be aware that they might be subject to civil or criminal litigation for violating the Information Technology Act, 2000, and other laws of the land.
- Department personnel should be aware of their privacy settings on social media sites.

- Department personnel should expect that any information created, transmitted, downloaded, exchanged, or discussed in a public online forum may be accessed by the department.
- Reporting violations— any employee becoming aware of or having knowledge of a posting or of any website or web page in violation of the provision of this policy shall notify his or her supervisor immediately for follow-up action.

Malkhana Management System



Micro Mission: 04
(Infrastructure)

‘Promoting Good Practices and Standards’



1 Introduction/Background

Originating from the twin Persian words ‘*Mal*’ (property) and ‘*Khana*’ (space), the word *Malkhana*, in context of the police station specifies the designated place to store the property seized by the police during the course of investigation under Criminal Procedure Code, 1973 (Cr.PC) and various Special and Local Laws or collected during a preliminary inquiry, for safe custody and producing before the concerned Magistrate/ Court, as and when required.

2 Overview

The evidence/seized property is vital to the criminal justice process. The effective and efficient management of evidence gathered is integral to a law enforcement agency’s quality of service to the criminal justice system. The failure to manage the evidence/ seized property can affect the successful prosecution of criminal cases, resulting in law enforcement agency liability and loss of public confidence. The incidents of theft, replacement, pilferage, embezzlement and destruction of the seized property on account of the wholly unsatisfactory and unscientific methods of storage taint reputation of law enforcement agencies. At times, explosions have occurred due to unscientific storage of explosives at Malkhana.

2.1 Project Title

Malkhana Management System

2.2 Vision

Efficient management of Malkhana at Police Station Level

2.3 Project Objective

Malkhana Management System envisages maintaining proper Chain of Custody, safe & secure storage of seized/ gathered evidences and timely disposal in accordance with law.

3 The Project

3.1 Purpose of the Project

The management of Malkhana at the Police Stations has become increasingly complex due to several factors like, large volume of evidence being collected, absence of adequate space and safe storage systems, exacting statutory requirements (especially where deterrent punishments are prescribed), the protection and preservation of biological/ DNA-related material, and lack of training of personnel posted at Malkhana. The significance of Malkhana can be summarized as follows:

3.1.1 Chain of Custody:

The possession, time and date of transfer, and location of evidence from the time it is obtained to the time it is presented in the Court is called the “chain of custody”. The same has to be proved beyond reasonable doubt by unimpeachable evidence, to make it admissible in the court of law. The appropriate management of *Malkhana* facilitates the maintenance of chain of custody. The articles seized by the police are deposited in the *Malkhana*, thereafter, as and when required, same are retrieved from *Malkhana* through proper entry in the registers and records maintained at *Malkhana*. Quite often, Malkhana Registers are called for during trial to prove proper chain of custody or otherwise.



3.1.2 Safety and Security of Seized Articles:

Safety and security of the seized articles is of prime importance as these properties are deemed to be held in the custody of the State. In *Smt. Basawa Kom Dyanmangouda Patil V. State of Mysore and Another*, [1977] 4 SCC 358, The Hon'ble Supreme Court observed that where the property is stolen, lost or destroyed and there is no *prima facie* defence made out that the State or its officers had taken due care and caution to protect the property, the Magistrate may, in an appropriate case, where the ends of justice so require, order payment of the value of the property. Thus, keeping the articles in *Malkhana* in an appropriate manner, by way of recording and cataloguing, and their preservation becomes the duty. Storing and preserving biological evidence has been a cause of concern all along. Storing digital evidence in the *Malkhana* in a clean environment and at an appropriate temperature, is the new challenge.

3.1.3 Quick/timely disposal:

After the final disposal of the case or at any time when directed by the concerned court, the items are required to be disposed either by way of returning the same to the owner or in any other matter as specified. The seized property, especially Motor Vehicles, occupying substantial space in Police Stations is a common sight. They are parked in the open and are also prone to fast natural decay on account of weather conditions as well as thefts. The Hon'ble Supreme Court of India in *Sunderbahai Ambalal Desai V. State of Gujarat* (2002) 10 SCC 283, has observed that "even good maintained vehicles lose their road worthiness if kept stationary in the PS for a long time. Upon being kept in open, they are also prone to fast and natural decay..... In any case, SHOs

shall deposit case property in the concerned Courts within a week of their seizure and the Courts shall dispose them within a month...". Similarly, in *General Insurance Council and others v/s The State of AP and others* (Write Petition [C] No. 14 of 2008), the Hon'ble Supreme Court directed all the State Governments/Union Territories/Director Generals of Police to ensure macro implementations of the statutory provisions. Andhra Pradesh Police has done a commendable job in this regard. The details are discussed later in this report.

3.2 Sponsor

Respective State/UT Government

3.3 Financial Benefits

The efficient Management of *Malkhana* will certainly save the burden on Government exchequer as a result of saving of space/value of items/timely justice etc., quantum of which depends on the type of item kept in *Malkhana*.

4 Situational Assessment and Problem Statement

Directions of Hon'ble Apex Court w.r.t. Seizure and disposal of NDPS: Section 55 of the Narcotic Drugs and Psychotropic and Controlled Substance (NDPS) Act envisages that the officer in charge of a Police Station shall take charge of and keep in safe custody the seized article pending orders of the Magistrate concerned. Section 52-A (1) of the NDPS Act, 1985 empowers the Central Government to prescribe by a notification the procedure to be followed for seizure, storage and disposal of drugs and psychotropic substances. Section III of Standing Order No. 1/89 dated 13th June, 1989 issued by the Central Government *inter alia* provides that all drugs shall invariably



be stored in “safes and vaults” provided with double locking system and that the agencies of the Central and the State Governments may specifically designate their godowns for storage purposes and such godowns should be selected keeping in view their security angle, juxtaposition to courts etc. Expressing dissatisfaction that systems are not in place even after 26 years, the Hon’ble Supreme Court of India in Crl. Appeal No. 652 of 2012 (Union of India Vs Mohanlal and another) dated January 28, 2016 directed the Central Government and the State Governments to set up storage facilities (in each district or for several districts together, as per the need) for the exclusive storage of seized NDPS and conveyances duly equipped with vaults and double locking system to prevent theft, pilferage or replacement of the seized drugs.

5 Critical Assumptions and Constraints

While no over-whelming obstacles can be visualized *per se*, (a) lack of space at the police station level and (b) absence of immediate financial resources for initiatives like compactors to store the items/ use of RFID Tags, may be constraints. However, as Malkhana preserves the evidence and plays crucial role in Criminal Justice System, priority is to be given to such measures, so as to overcome the constraints.

6 Implementation Strategy

6.1 Implementation Strategy

To achieve the above objectives of ensuring chain of custody, safe, secure and scientific storage and timely disposal, several police formations across India have experimented and innovated with diverse aspects of *Malkhana* Management, including, its maintenance, workflow, documentation and formulation of

Standard Operating Procedures. Here, some of these good practices adopted in the Central Bureau of Investigation (CBI), Andhra Pradesh Police, Delhi Police and Kerala Police are discussed in para 6.4.

6.2 Deliverables

Uniform type design for Malkhana at Police Station on pan India basis.

6.3 Stakeholders

Though Malkhanas are housed In Police Stations, Police is only custodian of evidence till trial. Malkhanas house seized/collected evidence that belong to common people or Government. To sum up Police/ Law Enforcement Organisation, Criminal Courts, Government and People are the stakeholders.

6.4 Related Projects

6.4.1 Central Bureau of Investigation (CBI)

- Malkhana* Space and Storage Systems:** Each CBI Branch has a secure and dedicated Room for *Malkhana*. The same is equipped with two Godrej Compact Storage Systems. This Compact Storage System consists of compactors, which are very useful in keeping voluminous records on the limited floor area and because of its restricted access, it is free from dust or pest problems. Modular Construction and Proper Labelling make it easy to locate the case properties. Fire extinguisher is provided for *Malkhana*. Rodent control treatment is done every 20 days.
- Records of seized property / documents / MOs deposited in *Malkhana*:** Chapter 13 of CBI (Crime) Manual, 2005



stipulates the procedure to be adopted with regard to Seized and collected evidence, as soon as any property is seized, the Investigating Officer hands over the property along with a copy of the seizure memo to the Officer-in-charge of the *Malkhana* who makes an entry in the *Malkhana* Seized Property Register and accordingly the documents are paginated and MOs are numbered. Two more copies of the Seizure Memos are prepared and the details of numbering made is mentioned in these copies and one copy is given to the IO and one copy is retained in *Malkhana* records. Box files are maintained for keeping copies of Seizure Memos. Case properties are neatly arranged and kept in boxes or wrapped in cloth before storing them in the compactors year wise. Trap Bottles are numbered and packed properly in boxes and kept with due care in the compactors which are placed adjacent to the walls as they are fixed.

- **Valuable Property:** The Trap Money and valuable items like Jewellery etc. are kept in Safe Vault available in *Malkhana*. The same is operated in the presence of the authorized officers by making proper entries in Vault Operation Register for opening and closing of Safe Vault. A 'Valuable Properties Register' is maintained for updating the records of Trap Money and other valuable items like jewellery, etc. and it is updated as and when the Safe Vault is operated and put up to SP's perusal every month. The jewellery is generally shifted to Bank Locker as soon as possible. In case of seized money (not the trap amount),

initially it is deposited in the safe vault. Thereafter, the same is deposited in the Current Account maintained in Nationalised Bank with the approval of HOB and after taking permission of the Court and the entries are updated in the 'Bank Account Register' maintained in *Malkhana*. The statement of Account is taken every month. Both are put up to Head of the Branch's perusal every month. At times, on the orders of the Court, the seized amount is also put in FDs and entries are updated in the 'FD Register' maintained in *Malkhana*. FD Receipts are also kept in *Malkhana* Safe Vault.

- **Issue of documents to the IOs for the purpose of Investigation:** Once the documents/properties are deposited in the *Malkhana* any further movement of the same are recorded in Temporary Issue Register, which is maintained case wise. It consists of the details regarding date of issue, no of documents issued, MR No., purpose issued for (like GEQD examination, investigation, witness examination/ interrogation of accused, filing charge sheet etc.), Date of return, items returned, not returned, signature of the IO. From this register, the details of number of documents remaining in the *Malkhana* in a particular case can be culled out.
- **Return of Un-relied Upon Documents:** On completion of the investigation and filing of the charge sheet, Un-relied upon documents are returned to the concerned parties with the approval of HOB and after taking permission of the Court,



under proper acknowledgement letter and acknowledgement is also taken in the 'Under Trial Disposal Register'. Box files are maintained for safe keeping of all the related correspondence.

- **Inspection of the Malkhana:** Senior Officers and Law Officers inspect *Malkhana* regularly. Paragraph 7.13.16 of the CBI (Crime) Manual 2005, stipulates that the Inspection of Malkhana is to be conducted by Senior Public Prosecutor of the branch every three months and Inspection Report shall be submitted to Deputy Legal Advisor. Further, the Head of the Branch also conducts annual inspection of the *Malkhana* and submits report to Joint Director.
- **Malkhana Management Module of CBI Core Application:** An effective Malkhana Management System must perspicuously capture the entire chain of work flow associated with the Malkhana. The chain starts from the point when a particular property lands-up with the police authority and culminates in its final disposal based on orders of the competent court. In this backdrop of the work flow involved in up-keep of a Malkhana, a comprehensive Malkhana Management System is being developed by CBI. The detailed Workflow is presented in *Annexure A*.

6.4.2 Andhra Pradesh Police:

The Andhra Pradesh Police has taken the initiative of formulating an SOP (Standard Operating Procedure) for disposal of properties lying in the Police Stations. Crime Investigation Department, Andhra Pradesh prepared the SOP

which covers the entire spectrum of scenarios and issues that can arise relating to the disposal of Malkhana Property, including Under Investigation, Pending Trial, 102 CrPC cases. Detailed proforma and drafts of the proposals, which had been successfully moved before the different judicial authorities, had also contained in the compendium. Secondly, AP Police developed a software application based on Quick Response Code to tag seized vehicles parked at Police Station and ensure speedy disposal by regular tracking and monitoring. The same is discussed later in this report.

6.4.3 Kerala Police:

Kerala Police has introduced the practice of collecting all the *seized* motor vehicles at one place to ensure effective monitoring and timely disposal. Such centralized yard helps in proper storage.

Besides, the citizen searching for the lost vehicle needs to check at one place, rather than visiting all the Police Stations. The vehicles seized in criminal cases, cases under the Kerala Protection of River Banks and Regulation of Removal of Sand Act, 2001 (KPRRB Act), Mines and Minerals (Development And Regulation) Act, 1957 (MMDR Act), Excise Act, other Special and Local laws as well as unclaimed vehicles used to be dumped in or around the police station for long period, for want of disposal orders from the concerned courts or District Collector or Asst. Excise Commissioner. A Circular dated 9.5.2013 issued by the Additional Director General of Police (Intelligence) issued directions on various aspects of seized vehicles. Vehicle Yards have been created in the recent times by the District SP at one or more places at Police land or at Revenue land in the districts for the parking of the vehicles till that time. A Guard is posted for the safety of



the Yard. On a public interest litigation in WP(C) No.26277/14, the High Court have ordered State Government to take steps to start Vehicle Yards in every Police Circle Headquarters for parking the seized vehicles. Recently, the State Government directed DGP to identify suitable Revenue land or Private land to be used as parking yard under the Jurisdiction of each Police Circle Office and forward detailed proposal including financial commitment involved therein to Government.

6.5 Work Plan

6.5.1 Proper identification of the seized property:

Proper identification constitutes the bedrock for up-keep and timely disposal of Malkhana items. Once stored in the Malkhana, the items have to frequently move in and out during the trial. In many instances, the courts are located far away from Malkhana. An effective identification system must help in tracking the entire sequence of movement of the Malkhana items from the time they are procured from the Malkhana to the time when they are deposited back. At all stages of Malkhana Management, unique, resilient, error-free and convenient identification of the item is of primary importance.

6.5.2 Automated Identification and Data Capture Technologies:

The first technology relates to **Bar Coding**, wherein a uniquely coded sticker is attached to the item which can be read through a barcode reader. A barcode is an optical machine-readable representation of data about an object. One of the most commonly used forms of barcode is the Universal Product Code (UPC). It is cost effective and easy to adopt. There are two types of barcodes, linear or one- dimensional and 2D. Linear barcodes are composed of bars and spaces

all in a single line. Linear barcodes cannot store much data. They can typically store nine data characters for every inch of horizontal barcode space. 2D barcodes consist of black and white “cells” or modules arranged in either a square or rectangular grid on a white background. The information to be encoded can be text or raw data. Unlike linear barcodes, 2D barcodes can store up to 2 kilobytes of data. A **Quick Response Code** is an example of a 2-D Bar-code. It is a bit costlier compared to Bar Coding, but there are several advantages. Andhra Pradesh has been using it successfully. Initially, a simple web application at a low cost of ₹70,000/- was developed to enable capturing of information related to seized/unclaimed vehicles at the Police stations across the 92 Sub-Divisions in AP, after tagging each one of them with QR stickers. After tagging, it is revealed that over 22,000 vehicles were in custody either related to crime, or abandoned, or unclaimed by owner. As many as 11,883 of these have been disposed already (5170 by auctioning with permission of judicial and executive magistrate and the rest have been returned to the rightful owner). The third technology is the **RFID (Radio- Frequency Identification)** which involves the use of electromagnetic fields to automatically identify and track tags attached to objects. The RFID tags are of three types:

- Active tags: Here the RFID tag attached to the object, carries its own power supply. There life cycle is typically between one to three years.
- Passive tags: Passive RFID tags do not have their own power supply and energy required to communicate is provided by the radiation received from the RFID reader. These tags have a virtually unlimited life expectancy.
- Semi-Active tags: These tags carry their



own power supply, but remain active only while receiving or transmitting data

and have a life expectancy of three to five years.

The following table compares the three systems:

Attribute	Barcode	QR code	RFID
Line of Sight	Required	Required	Not required (as long as tags are in read range)
Read Range	Several inches to feet	Several inches to feet	Passive RFID -Up to 30 feet Active RFID -Up to 100s feet
Read Rate	Slow throughput, labels have to be read one at a time	Slow throughput, labels have to be read one at a time	Very High throughput, reads several hundreds of labels in seconds
Identification	Most barcode only identify only type of item (not uniquely)	QR code can identify each item uniquely (Limited up to certain value)	It can uniquely identify each item
Read/Write	Only read	Only read	Read Write
Technology used	Optical (laser)	Optical (laser)	RF(Radio frequency)
Automation	Most barcode Scanners need humans to operate	QR scanners need humans to operate	Fixed scanners don't need human intervention
Updating	Cannot be Updated	Cannot Updated be	New information can be written on old tag
Tracking	Manual tracking required	Manual tracking required	No need of tracking
Information Capacity	Very less	Less	More than QR and Barcode
Ruggedness	No	No	Yes
Reliability	Wrinkled and smeared tags won't work	Wrinkled tags may work 30% data recoverable	Nearly flawless read rate
Data capacity	<20 characters with linear	up to 7,089 characters	100s to 1000 characters
Orientation Dependent	Yes	No	No
Marginal Cost	Low	Low	High

A comparative analysis of the aforementioned three technologies reveals that bar coding and QR coding started with the distinct advantage of being cost effective. Yet, as the technology improved and became more accessible, the cost of RFID tags and readers has come down substantially. For instance, the cost of RFID tags has come down from 26.8 INR in 2005 to about 6.70 INR presently. The RFID affords an opportunity to “proactively” track an item when it passes from near the scanner, unlike

the bar coding and the QR coding, where the item has to be physically juxtaposed against the scanner. The RFID scanner placed at the entry point in the Malkhana and at a convenient place in the court can capture the entire movement of the case property. With QR codes becoming increasingly mobile friendly, RFID addresses the security concerns associated with Malkhana items in a better fashion as they can be read only by a specific RFID reader. Moreover, the RFID tags can be conveniently and securely attached to



the items, unlike the barcode stickers which are susceptible to damage and peeling-off.

However, before RFID technology is introduced, there is an urgent need to standardise the packaging of evidence and the envelopes/containers. Once the standards are in place. RFID vendors and system integrators can engineer and tailor solutions for specific evidence handling processes. Without standards, it is difficult to realise the true value of RFID technology, as the envelopes/containers remain vulnerable to tampering/contamination.

6.5.3 Security of Malkhana Property:

Certain types of evidence require heightened security. It is recognized that cash/valuable property, fire arms, and narcotics fit into this category. As such, these items should always be separately vaulted within the secure area of the property room. One strategy is to employ double key vaults and another strategy is the use of motion-activated video cameras within the *Malkhana* as well as within the firearms, narcotics, and Cash/FDR/Jewellery vault. Such video serves as both a deterrent to staff theft, but also has evidentiary value should a theft occur.

6.5.4 Security of Electronic Gadgets:

A large number of electronic gadgets like mobile phones, laptops etc, which have huge evidentiary value, are seized and stored in the *Malkhana*. There is a likely hood of damaging the electronic items by use of high intensity magnetic field devices. Therefore, material used for *Malkhana* building as well as for packaging of such electronic items should provide safeguard to such items from magnetic damage

7 Conclusions

- The Paper/Plastic envelopes/containers containing the seized property should be labelled with, description of item, Case number, Date of seizure, Place from where seized, Name of the IO who seized the item and quantity of the item etc. Compactors may be used to ensure safe and orderly storage of *Malkhana* Property. It may contain a table on it to record the change in custody/movement of the property. Bar Coding/QR Code/RFID Tags may be used to identify and track the item.
- For the quick and timely disposal of vehicles, SOP and QR Coding (for property identification and networking system) developed by Andhra Pradesh Police is recommended. In big cities, Centralized Vehicle Yards may be set up as proposed by Kerala Police.
- With respect of NDPS, the Narcotics Control Bureau and other law enforcement agencies should immediately create separate exclusive storage as per the direction of Hon'ble Apex Court. Besides, it is also suggested that RFID tagging system should be applied.
- For biological evidence also, a separate refrigerated storage should be ensured at Police Stations. The electronic evidence also require specific storage area. Each *Malkhana* should ensure storing the digital evidence in electrostatic bags with label and tagging should be done.
- Though Police Manuals/Police Regulations contain detailed instructions,



there is an urgent requirement to revisit them in the light of changes in Laws, Forensics/Technology, and judicial pronouncements with a view to frame a written policy and bring out procedural manual. Specific training should be provided to the Malkhana in charge and other officials in this respect.

- Surveillance cameras/motion activated

cameras at Malkhana/Vaults should be operated on a 24-hour basis.

Post Script: Technology alone can't prevent theft, embezzlement, pilferage or replacement, intentional contamination of the seized property/evidence. Regular and periodic Inspections and strict compliance to written policies and SOPs is essential.



Malkhana Management System Module of CBI Core Application

The proposed Malkhana Management System, comprises of the following components:

- Use of Compactors for keeping records, documents and small articles.
- Thematic segregation of articles and documents to be carried out on the basis of case number, size of articles, etc.
- Creation of a database for indexing of Malkhana articles /documents, using a customized and user- friendly software. (Development is under way)
- Identification of articles/documents through tagging, using RFID tags. (Pilot is proposed at Mumbai CBI Branches)

Documentation

Across various police and law enforcement formations in India, the documentation involved in the maintenance of the Malkhana includes:

- Malkhana Register or Seized Property Register
- Case Index Register
- Temporary Issue Register
- Closed Case Register
- Seized Arms Register
- Official Arms Register
- Locker Register
- Seized Cash Register/ Cash book
- Seizure Memo File
- Correspondence File
- Office Order File
- Bank Account File

- Disposal File
- GEQD /FSL File

Note: Case file comes to Malkhana when the court order for disposal of items is forwarded by the higher authorities down to the Malkhana Incharge.

Obtaining/Seizure of items

- Any document or material thing can be taken into possession in either of the following ways:
 - » Issue a written order to the person in whose possession or power such document or thing is believed to be, for its production under Section 91Cr.P.C.
 - » Search and Seizure
 - » Handing over / Taking over
 - » Dak
 - » Sec 25 Police Act Unclaimed Property/Lost &Found
 - » Any seized property which may be alleged or suspected to have been stolen, or which may be found under circumstances which create suspicion of the commission of any offence (102 Cr.PC).
 - » Court can hand over certain objects/ documents for analysis.
- A search list/seizure memo is prepared by the IO on the spot, indicating the proceedings of the search and the list of documents and articles seized during the search in the presence of independent



witnesses. This process is undertaken as per the provisions of section 93 Cr.PC or Section 165 Cr.PC.

OR

- A recovery memo is prepared by the IO on the spot during the course of investigation, if the items are taken into possession without formal search
- This may also include proceedings pursuant to recovery of materials on disclosure by accused person as discussed u/s 27IEA.

Submission of seized items

- IO deposits the seized items in the Malkhana along with a copy of seizure memo (Production Memo/Handing over Memo/Taking over Memo/Panchnamas/Search List 7 Recovery Memo).
- Malkhana Incharge makes an entry in the Seized Property Register. Seizure of cash (including trap money), jewellery and other valuables will also be entered in this register. A unique Malkhana number known as Malkhana Receipt No, is assigned to each item.
- Malkhana Incharge makes an entry in the Case Index Register for the purpose of locating the various items concerned in a particular case. This register will contain the information such as case no., name and address of accused, MR no., name of IO, particulars of almirahs or racks where the documents are kept, etc.
- The copy of seizure memo/taking over memo/dak letter cover, submitted by the IO, will be placed in the Seizure Memo file.

- The Malkhana Incharge gives the acknowledgment of the received items along with the Malkhana no. to the concerned IO.
- All money and valuables will be deposited with the Malkhana by the Investigating Officer in the first instance in sealed covers and will be entered in the Malkhana Register by the Malkhana Incharge. The details of the cash seized and deposited in the Malkhana is required to be maintained in a Seized Cash register. This register contains the details of the cash received as sealed, as trap money, unsealed, etc.
- Valuable jewellery and cash (other than trap money) may be kept either in locker of some Nationalized Bank or in the current account of the Nationalized bank, operated in the name of the Branch/Joint A/c holders, depending on whether the identity of the cash has to be established or not. As the trap money notes are legally very important and have to be preserved till the end of the case, the same shall be treated as an item unlike other cash items. This will be kept in the Nationalised Bank's locker and the same will be produced as evidence in the court against the accused. The relevant entries will be made in the Malkhana Register by the Malkhana Incharge. Copies of the monthly Bank statements and fixed deposits made, if any, as per Court orders, will be placed in the Bank Account File. The relevant entries shall also be made in the Locker Register for the items kept in the locker of the Branch in the Bank.

Note: The trap money is also sometimes kept in the Malkhana.



Issuance and receipt of Items

- During the course of investigation or trial, items or documents kept in the Malkhana may be temporarily issued to the Investigation Officer/HIO/PO. IO raises demand of the case properties indicating the Malkhana nos. to the Malkhana Incharge. If issued items are to be sent to GEQD /FSL for expert opinion then copy of such requests will be placed in GEQD /FSL file.
- Malkhana Incharge takes note of the Malkhana number and retrieves the items with the help of Case Index Register which has the details of the physical location of the item.
- Entries would be made in the Temporary Issue Register on issuance as well as when the items are received back. In Temporary Issue Register, purpose of issue like for investigation, forwarding for forensic opinion, etc. is supposed to be specifically mentioned and Malkhana Incharge has to obtain acknowledgement from the I.O.
- Necessary entries will be updated when the items are received back.
- The status of the items is updated as “issued” on issuance to an IO in the Temporary Issue Register and IO will acknowledge the receipt of the documents /materials /items in the register and sign against the items received.
- While receiving back the items, Malkhana Incharge will update the entries in the Temporary Issue Register and will sign against the item received back.

Disposal of Items

- The court may order to return the seized properties to the party. The case file containing the order comes to the Malkhana Incharge with the approval of higher authorities. The Malkhana Incharge initiates correspondence with the concerned party to collect the items. Disposal of items is withheld, in case, concerned LEA files an appeal and the disposal of items then depends on the fate of the proposal. Similarly, the cases in which the closure report has been filed and the final order of the court has been passed for closure of the case, internal directives in investigation agencies like CBI, stipulate that the case properties should be disposed within 13 days from the date of final order. A register of closed cases is also to be maintained containing the details such as MR No. of items pertaining to cases, date of disposal, remarks.
- Correspondence to be sent to the concerned party is prepared by Malkhana Incharge and a copy of the same is placed in the case file and a Correspondence file.
- An invoice is prepared with a unique invoice no., mentioning the details such as case no., party name, items to be returned along with its Malkhana No., court order no., court order date, GD particulars. Invoice is prepared at the time when the party comes to collect the items or the items are being handed over to the IO for returning them to the concerned party.
- Invoice is maintained in triplicate, one copy each is for party, IO/ Malkhana staff



who is taking the item out for returning, and Malkhana records.

- An entry is done in the disposal register, indicating the case no., invoice no., invoice date, Malkhana no. of items, etc.
- The acknowledgement of the returned items from the party is obtained during the handover of the items to the party by the Malkhana staff and placed in the disposal file and case file.
- In cases where the IO/ Malkhana staff goes to the concerned party to return the items, IO/ Malkhana staff takes the acknowledgement of the returned items from the party and submits it to the Malkhana Incharge and the same is placed in the disposal file and case file.
- If the Cash which is deposited in the current account is to be disposed by returning it to the party then it is returned in the form of cheque. Cheque will be signed by joint Account holders. The same is updated in the Malkhana Register.
- Taking over the charge of Malkhana: whenever, a new officer takes charge of Malkhana (either temporary or permanent), he checks each item and submits a certificate to that effect to the Incharge Law Officer.

Arms & Ammunitions

- The Arms & Ammunition are maintained in the following ways
 - » Seized Arms & Ammunition: The seized arms& ammunition are recorded with details like make, serial number, type in the Seized Arms Register.

» Official Arms & Ammunition: Details are recorded like make, serial number, type in the Official Arms Register and the same may be issued after the approval of concerned, to the official for their own safety. The Official Arms Register is updated once the issued arms and ammunition are returned in the Malkhana.

- Transfer from other formation: when Seized Items are received on transfer from other formation, Malkhana Incharge of the recipient branch updates the Seized Property Register and new Malkhana register no. is assigned to the items in the serial order maintained by the recipient branch.

Inspection/Records maintenance:

- A monthly statement should be prepared indicating the seized property pending in Malkhana at the end of month. It should capture the details such as item no., FIR/ RC /PE No., date of seizure, reasons for pendency, etc.
- A Gazetted Officer or a Law Officer (as in CBI) after scrutinizing it, will countersign the statement.
- The Malkhana Incharge shall place the Seized Property Register before the concerned in-charge once in two months for his check and inspection.
- A detailed inspection will be carried out by a Gazetted Officer after every three months and will put up an inspection note to the supervisory authority, who can further send it up in the hierarchy or may send it back with comments. Senior



Officers or Law Officer may also issue orders on the basis of inspection note to Malkhana Incharge.

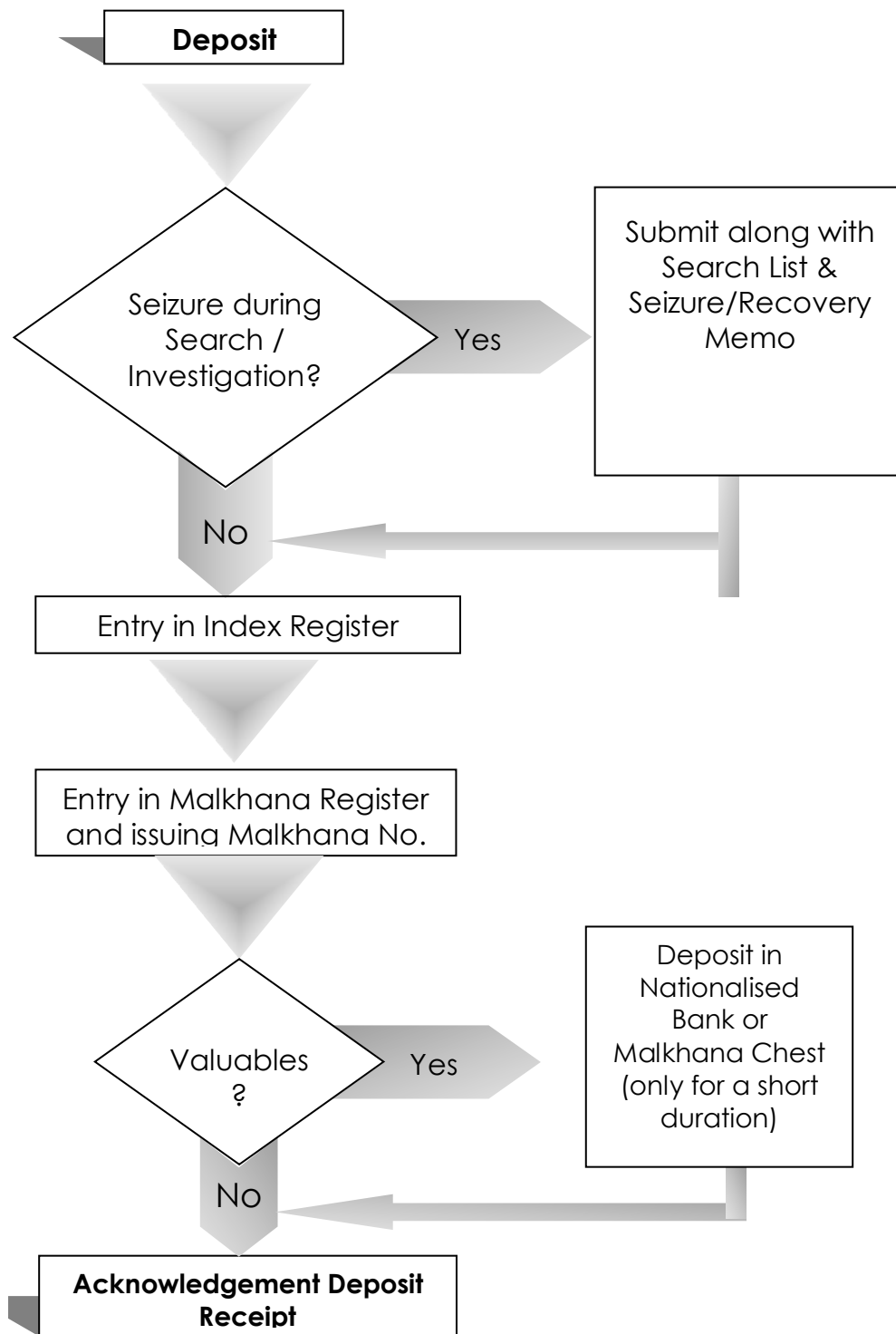
- An Office Order file shall be maintained by the Malkhana Incharge in which all the order issued related to Malkhana

shall be placed.

Summing up, Malkhana Management System, proposes to cover the entire spectrum of issues including, documentation, safe storage, pertinent identification, easy retrieval, periodic inspections and timely disposal of Malkhana items.



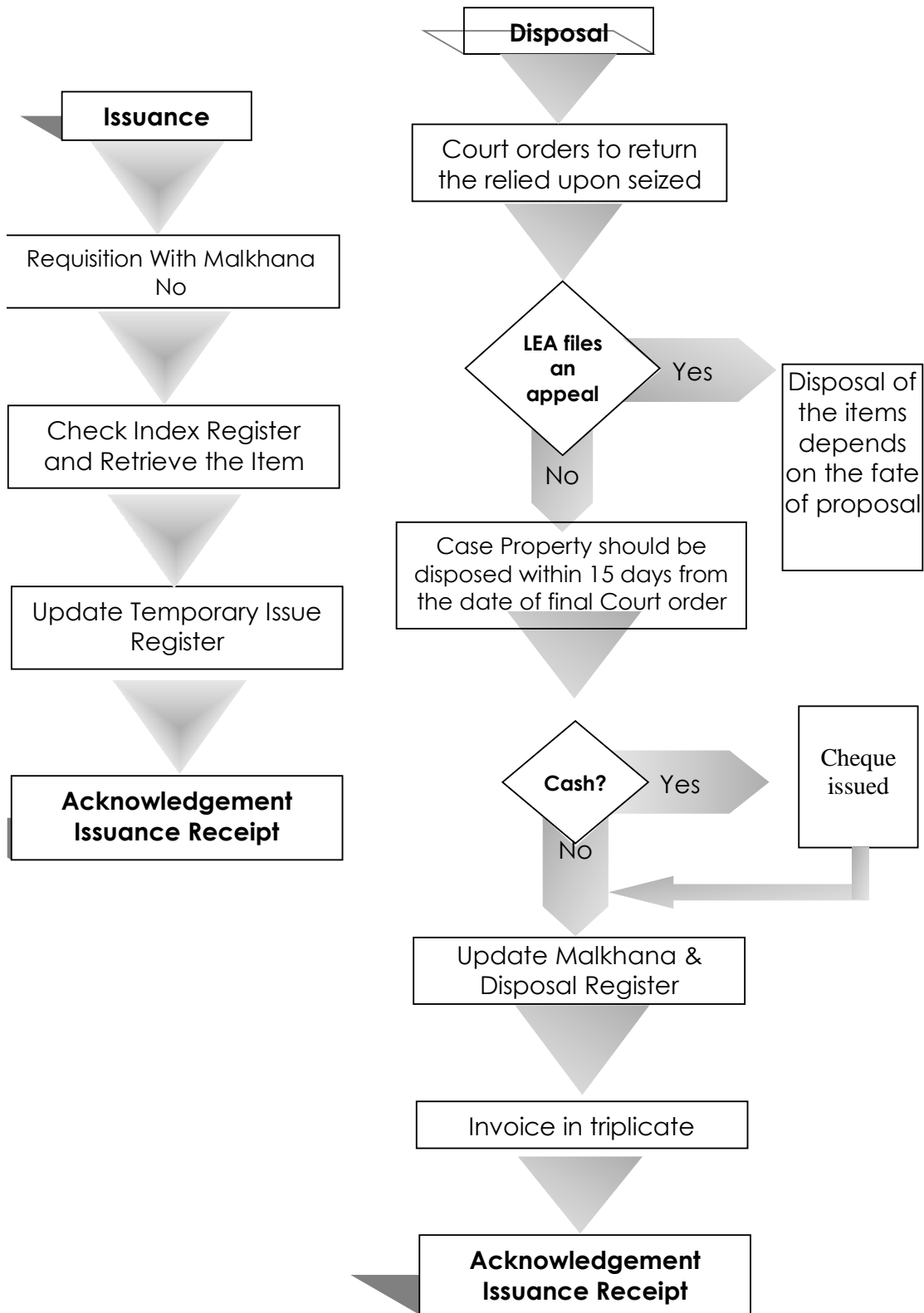
Flow diagram of Malkhana Management Process



(Contd.)



Flow diagram of Malkhana Management Process

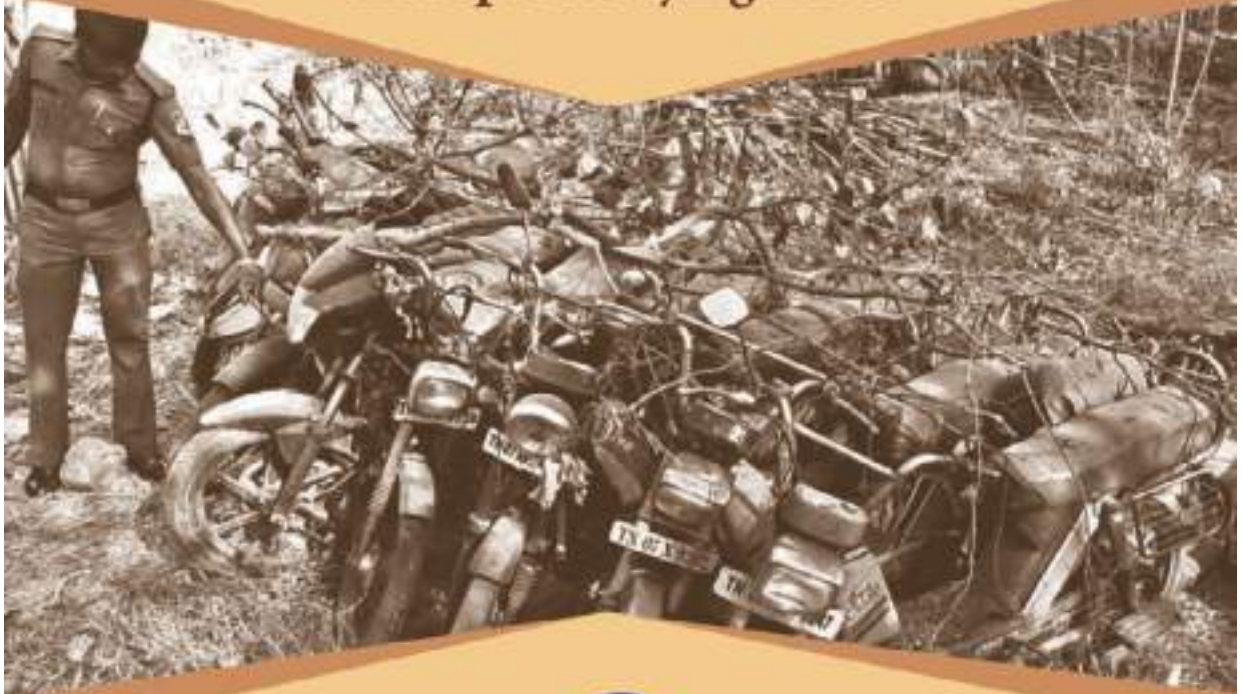




Annexure B

For Private Circulation only

**STANDARD OPERATING
PROCEDURE
FOR DISPOSAL
of Properties lying in PSs**



**Crime Investigation Department
Andhra Pradesh**

'Promoting Good Practices and Standards'



For Private Circulation only

1) SOP in respect of the property that could be linked to a crime

- 1) When the vehicle/ property lying in the Police Station is linked to a UI, PT or Sec. 102 Cr. PC case, the following procedure may be adopted.
 - a) Display the Crime Number, Section of Law, CPR No., and Name of the Court on the vehicle/ property, with paint.
 - b) Maintain Case Property Register (Model – Form-II) in the PS and make corresponding entries in it along with the Sentry Relief Book.
 - c) If the seizure report is not produced in the Court, now produce it through Form 66.
 - d) Two situations may emerge when the vehicle is linked to a crime:
 - i. The owner/ rightful claimant is traced.
 - ii. The owner/ rightful claimant is not traced.

Examples:

- The complainant is not available at the address noted in FIR
- The FIR is related to recovery only U/s. 411 IPC /41Cr.PC, not linked to a theft or offence
- More number of vehicles than those related to FIR are recovered

2) If the owner/ rightful claimant is traced:

- a) Advise him to file a petition (Model - I) in the concerned Court for custody of the said property.

A draft petition to be filed by SHO in the Court for delivery of property to a number of rightful claimants is also enclosed (Model-II).



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Note: In Anantapur District, on an application filed by Inspector of Police, I Town PS, Anantapur (Model - XII), the I Addl. JMFC Court allowed the SHO to hand over the property to the rightful claimant.

- b) After obtaining the Court order, hand over the property to the petitioner claimant. (In Sunderbhai Ambalal Desai case, the Hon'ble Supreme Court gave directions to lower courts regarding the procedure to be followed while ordering custody of property. Extend all assistance to the Court in the documentation process)
- c) If the property relates to a case registered in another PS, pass on this information to the concerned PS. The SHO of the other PS will file a petition (Model- III) before the jurisdictional Court requesting for transfer of the property from the Court having custody of the property to this Court.

Note: In cases where this property is not reported to Court or deposited under Form 66, the transfer of the property can be from SHO - to - SHO.

- d) Make corresponding entries in the Case Property Register.
- e) If the owner/ rightful claimant refuses to file a petition in the Court or refuses to take such property on the plea that he already claimed insurance, then SHO should write to the Insurance Company (Model- IV) and advise them to file a petition for the custody of the property. Hand over the property to the Insurance Company after seeking the orders of the Court.
- f) If the owner/ rightful claimant refuses to file a petition in the Court for other reasons such as diminution in value of the property or for sentimental reasons in accidental related cases, etc., file a petition (Model-V) in the Court explaining all the facts and seek orders for auction of said property.



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- g) If the Insurance Company refuses to take custody, then treat that property as Unclaimed Property. SHO will file a petition (Model-VI) explaining all facts and obtain orders of the Court for its auction/disposal.
- 3) When rightful claimant cannot be immediately established, the following efforts should be made to ascertain the ownership /rightful claimant.
 - a) Verify the Crime Records, Property Registers, Sentry Relief Book, etc., to trace any particulars mentioned therein about the ownership of the property.
 - b) Ask all the present and previous office staff of the PS, Home guards, Sweepers, etc. about the vehicles/ property lying in the PS.
 - c) Note the Engine No., Chassis No., Registration No., and address the RTO with all these details and get the information about the ownership and Insurance. The Police can ascertain details of the registration and ownership of the vehicles with the help of AP Transport Department website: www.aptransport.org or address Joint Transport Commissioner (IT)
 - d) Address the Insurance Company with all these details. The Police can ascertain details of all insured vehicles in the country from Insurance Information Bureau created by IRDA through their website: <https://iib.gov.in> or through the toll free no.18004254734. (Supreme Court on General Insurance & Others vs. State of AP & Ors)
 - e) Collect information from DCRB, SCRB and neighboring PSs of other states including their SCRB whether the particular vehicle/property is connected to any offence in any other PS/ District.
 - f) Ascertain the information from the 3rd EYE by entering all the details.



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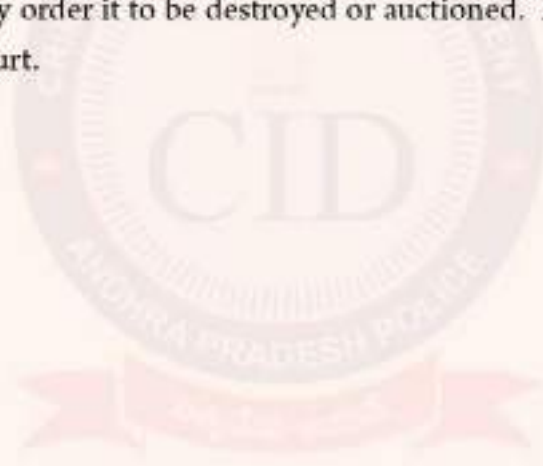
- g) Address the manufacturing company or authorised dealer of the vehicle/ property to ascertain the information about the ownership. (Model-VII)
- If due to the efforts made above, the rightful claimant could be established, the procedure mentioned in Para-(I) above, shall be followed.
- 4) If in spite of the efforts made, the rightful claimant could not be established but the Insurance Company is identified, advise the Insurance Company to file a petition before the Court. The Court may order either release of the vehicle to the Insurance Company or its auction. The Insurance Company shall give an undertaking to remit the proceeds from the sale /auction of the vehicle in the event that the Court finally adjudicates that the rightful ownership of the vehicle does not vest with the Insurer.
- If the Insurance Company refuses to file petition for custody of the property, treat it as UNCLAIMED PROPERTY and explaining all the efforts made to trace the complainant, or the refusal of the complainant/ Insurance Company to take delivery of the property, file a petition (Model-VI) in the Court seeking orders for auction of the said property.



For Private Circulation only

II) SOP in respect of the property relating to cases already disposed by the Court

- 1) Go through the judgment of the concerned case and see whether specific order relating to disposal of property was pronounced at the end of trial. Comply with such order.
- 2) If no such specific order was issued by the Court, SHO should now obtain the disposal order and comply with the same. (Model – VIII)
- 3) If the person ordered to take the custody of the property, does not turn up or could not be traced or refuses to take delivery of such property, the Court may order it to be destroyed or auctioned. Extend all assistance to the Court.





For Private Circulation only

III) SOP in respect of the property that could not be linked to a crime.

- 1) When the SHO is not able to connect the vehicles/ property lying in the Police Station with any crime (Property without any Record), then he should make all efforts as mentioned in Para-I(3) above to at least establish the rightful claimant of the vehicle.
 - a) If due to the efforts made, the rightful claimant is established, ascertain from him whether a case was registered in any other PS. If Yes, transmit the property to the concerned PS with request to the SHO of other PS to take appropriate steps.
 - h) If due to the efforts made rightful claimant is established, but no case is registered in any other PS also, submit a detailed report to the Court informing that this property is lying in the PS, not connected to any case but there is a rightful claimant. At the same time advise such claimant to file a petition (Model- IX) in the Court for custody of the property. A draft petition to be filed by SHO in the Court for delivery of property to the rightful claimant is also enclosed (Model- X). As already stated, if he refuses to file such petition, the procedure of identifying Insurance Company, etc., as stated in Para-I(2) (e) to (g) above, shall be followed.
- b) If in spite of all efforts, rightful claimant could not be established, submit a detailed report (Model – XI) informing that this property lying in the PS is one with no record what so ever and is an Unclaimed Property and seek orders for its auction/ disposal.



For Private Circulation only

IV) Steps involved in Auction Process

- 1) Auction of property related to criminal cases is conducted by Court (Judicial Magistrate of First Class). In all Sec.102 Cr.PC cases, the auction may be conducted by Executive Magistrate.
- 2) As per Rule 232 of Criminal Rules of Practice and Circular Orders, 1990 issued by the Hon'ble High Court of Andhra Pradesh.

Sale of property should be conducted by an officer of the Court and should be by public auction. It should be conducted and confirmed as far as may be in the manner prescribed for the sale of movable property by the Code of Civil Procedure.

- 3) In Anantapur District, on an application filed by Inspector of Police, I Town PS, Anantapur (Model - XIII), the I Addl. JMFC Court ordered the SHO to conduct auction and deposit the proceeds in the Court/ Government (Court Order: Model - XIV)
 - a) Issue Auction Notice (Model -XV) with all details of the property to be auctioned, citing the Court order. This may be got published in daily newspapers and also affixed at all prominent places.
 - b) Collect the valuation certificate of each vehicle from the RTO.
 - c) Before auction, the original registration number on the vehicle should be made visible.
 - d) If the original registration number is not traced, it should be written as "Not Traced" on the number plate.
 - e) If the Engine No., and Chassis No., are tampered then that vehicle cannot be re-registered. It shall be treated as scrap and auctioned accordingly. (Circular Memo No. 1338/VI/2009,dt.18-03-2010 Office of the Transport Commissioner)



For Private Circulation only

- f) Maintain Auction Register in the PS with the permission of SP/CP.
- g) Send a requisition to the Deputy Transport Commissioner to depute MVI/ AMVI on the day of auction.
- h) Send a requisition to the RDO or Mandal Tehsildar for deputing VROs to act as mediators to attest panchanama at the time of auction.
- i) Before the auction, inform the condition of each and every vehicle to the bidders whether it is road worthy or scrap.
- j) Take photographs of each and every vehicle along with the bidder.
- k) Prepare detailed Panchanama narrating the entire auction proceedings in detail and take signatures of all mediators including revenue officials, RTO officials and the bidders.
- l) Issue a certificate to that effect to the bidder explaining all the details of the vehicle, so that he can get re-registration
- m) Remit the auction amount of each and every vehicle in the Court or Treasury as the case may be, with a detailed report and obtain receipt to that effect.



For Private Circulation only

Vehicles seized by other Departments and handed over the Police or vehicles seized by Police under Special Acts.

- 1) All vehicles seized by other departments and handed over to Police for safe custody shall be returned to the concerned department under acknowledgement.
- 2) Separate procedure has to be followed for custody /disposal of properties seized by Police under various Special Acts.

AP Excise Act, 1968

- In AP Excise Act, 1968, the powers of confiscation (Sec.45) and disposal of property are vested with the Dy. Commissioner of Prohibition and Excise of the Excise District (Sec.46).
- Further, when the offender is not known or cannot be found, the Superintendent of Prohibition and Excise is competent to confiscate the property (Sec.46-B).
- No Court shall entertain any application for disposal of property (Sec.46-E)
- In respect of stocks of liquor seized, the DC of P&E of Excise District will order it to be handed over to AP Beverages Corporation Limited, in case such IML /IMFL is duty paid.
- In case such IML/ IMFL is non-dutypaid, illicit or spurious, the DC will order it to be destroyed after keeping a sample for forensic examination and further Court proceedings.



For Private Circulation only

NDPS Act, 1985.

- Narcotic Drug, Psychotropic Substance, Opium Poppy, Coca Plant, Cannabis Plant, Materials, Apparatus, Utensils are liable to confiscation (Sec.60).
- Receptacles, packages, coverings in which Narcotic Drug or Psychotropic Substance or controlled substances are liable to confiscation.
- Animal or conveyance (vehicle) used in carrying any Narcotic Drug, etc., is liable to confiscation (Sec.60(3)).
- Goods used for concealing any Narcotic Drug, etc., are liable to confiscation (Sec.61).
- Sale proceeds of Narcotic Drugs, etc., are liable to confiscation (Sec.62).
- Whether the accused is convicted or acquitted or discharged, the articles seized U/Sec. 60, 61 and 62 are liable to confiscation. (Sec.63).
- In all the above cases except vehicles, the powers to order confiscation and destruction, are vested with jurisdictional Court.
- In some cases where a vehicle is used by the accused without the knowledge of the owner or rightful claimant, its interim custody will also be ordered by jurisdictional Court.
- In other cases, the vehicle and the contraband are both liable to confiscation on the orders of the Court.



For Private Circulation only

AP Forest Act, 1967.

- The forest produce like timber, red sandal, teak, together with tools, ropes, chains, boats, vehicles and cattle employed in commission of the offence can be seized by any Forest Officer or by the Police (U/Sec. 44 (1) of AP Forest Act, 1967).
- The seized property has to be produced before the Divisional Forest Officer (DFO) for confiscation of the property. The Sub-Divisional Forest Officer / DFO are the authorized officers U/Sec. 44(2) (GO Ms No. 32, F&RD (For. III) Dept., dt. 21-01-1976) to confiscate or release the vehicle and the produce pending investigation. The Judicial Magistrate has no jurisdiction for the disposal of the property under Forest Act, 1967.
- On seizure and register of Forest case, the seized property along with vehicles including the seized material involved in Red Sander and the material used in the commission of offence are to be produced before the authorized officer i.e., DFO having jurisdiction or to the nearest magistrate having jurisdiction within reasonable time or as early as possible i.e., 24 to 48 hours (preferably before Divisional Forest Officer).
- Any person aggrieved by an order passed by the Divisional Forest Officer, may appeal to the Conservator of Forests / Chief Conservator of Forests concerned within 30 days from the date of communication of Divisional Forest Officer orders U/s 44 (2) (D) of Andhra Pradesh Forest Act, 1967.
- Any person aggrieved by an order of the Chief Conservator of Forests / Conservator of Forests, may appeal to the District Court only U/s 44 (2) (E) of Andhra Pradesh Forest Act, 1967.
- If the vehicle is confiscated the same will be put for auction by tender process and the sale proceeds (Revenue – value of the vehicle as fixed by the MVI) will be remitted to the State Government of AP.



For Private Circulation only

The Copyright Act, 1957.

- Whether the offender is convicted or not, all copies of the work or all plates in the possession of the offender, of infringing copies, shall be delivered to the owner of the Copyright. (Sec.66 of the Act)

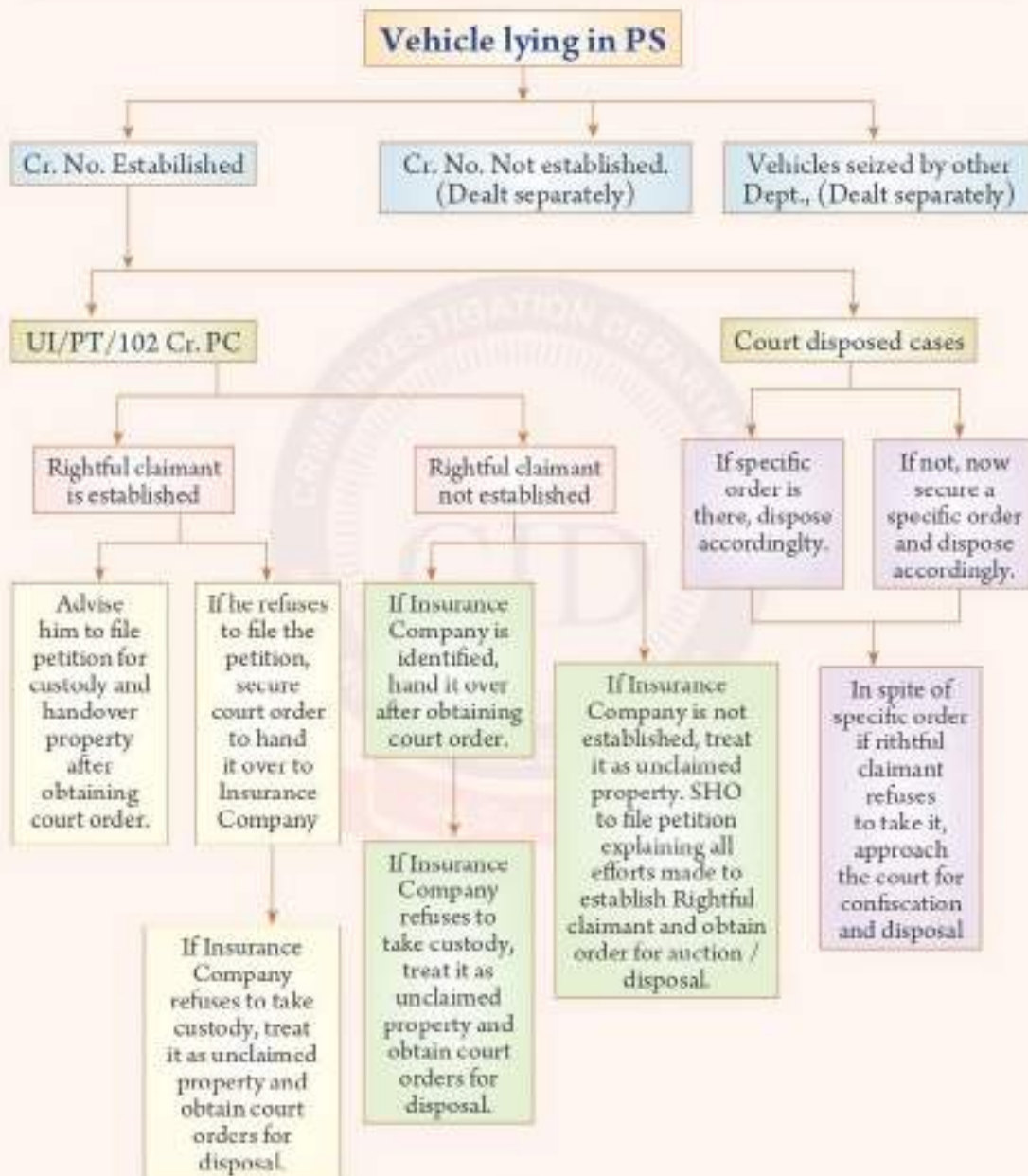
Note 1: In most of the Copyright Act cases, huge quantity of CDs, Books, Cassettes are seized for violation of the Act and the above section is relevant such a scenario.

Note 2: However, in respect of CDs, Books, Beedis, Cigarettes seized in a theft case, this section will not apply. They have to be disposed as discussed in the first part of the Note.

Essential Commodities Act, 1955.

- The Essential Commodity, package, covering or receptacle in which such essential commodity is found or any animal, vehicle or vessel or other conveyance used in carrying the essential commodity shall be seized and confiscated.
- The District Collector has jurisdiction to order such confiscation.
- In the state of Andhra Pradesh, the confiscation powers are delegated to Revenue Divisional Officers (RDO).
- The Courts have no jurisdiction.

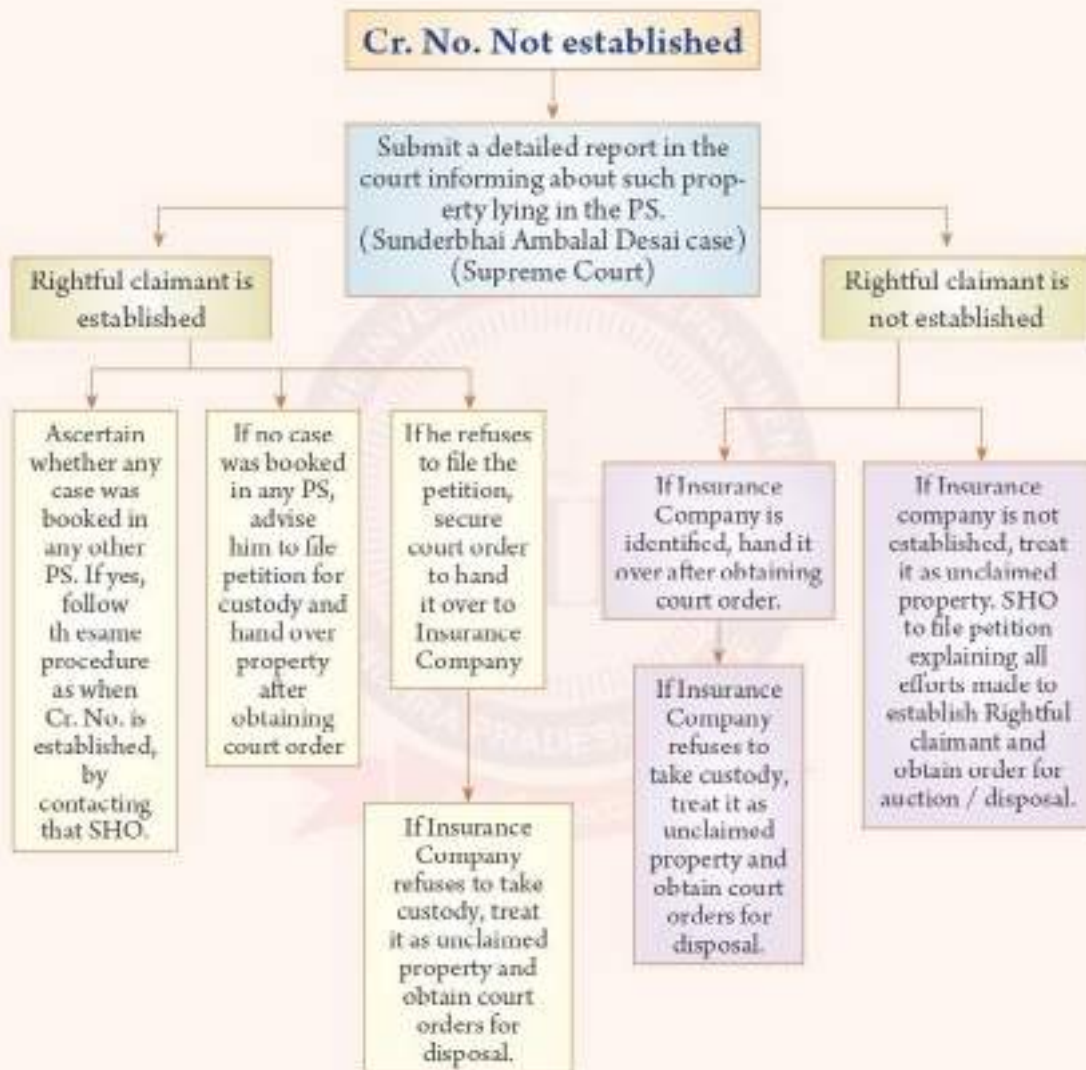
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Flowchart – 01: Disposal of property at a Glance*'Promoting Good Practices and Standards'*



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Flowchart – 02: Disposal of property without a Cr. No.



For Private Circulation only

Flowchart – 03: Disposal of properties seized by other Departments.





For Private Circulation only

Model Petitions / Letters / Court Orders

Sl. No.	Annexure / Model No.	Description of Model	Para in SOP	Page No.
1)	Model – I	Petition to be filed by the rightful claimant/ owner for return of the property	I, 2(a)	18 – 18
2)	Model – II	Petition to be filed by the SHO for release of vehicles to rightful claimants	I, 2(a)	19 – 20
3)	Model – III	Petition to be filed by SHO before the jurisdictional Court requesting transfer of case property from another Court	I, 2(c)	21 – 23
4)	Model – IV	Letter from SHO to Insurance Company	I, 2(e)	24 – 25
5)	Model – V	Petition to be filed by SHO for auction of case property when rightful claimant refuses to take delivery of the property	I, 2(f)	26 – 26
6)	Model – VI	Petition to be filed by SHO for auction of case property when Insurance company refuses to take delivery of the property	I, 2(g)	27 – 29
7)	Model – VII	Letter from SHO to automobile manufacturer /dealer	I, 3(g)	30 – 30
8)	Model – VIII	Petition to be filed by SHO for clarification regarding disposal of property in a Court disposed case	II, 2	31 – 31



For Private Circulation only

9)	Model – IX	Petition to be filed by the claimant seeking release of his vehicle (when there is no case regd)	III, 1(b)	32 – 32
10)	Model – X	Petition to be filed by SHO to issue orders to hand over vehicle to owner (when there is no case regd)	III, 1(b)	33 – 34
11)	Model – XI	Petition to be filed by SHO to issue an order for auction of abandoned vehicles	III, 1(c)	35 – 36
12)	Model – XII	Application filed by Inspector of Police, ITown PS, Anantapur for handing over vehicles to rightful claimants (Model – XIII)	I, 2(a)	37 – 39
13)	Model – XIII	Application filed by Inspector of Police, ITown PS, Anantapur for auction of unclaimed vehicles (Model – XIII)	IV, 3	40 – 41
14)	Model -XIV	Court Order	IV, 3	42 – 45
15)	Model -XV	Auction Notice	IV, 3(a)	46 – 46
16)	Form-I	Auction Register	IV, 3(f)	47 – 47
17)	Form-II	Court Property Register	I, 1(a)	48 – 48
18)	Form-III	Register of Property received from other Departments		49 – 49



For Private Circulation only

Model - I

**IN THE COURT OF HON'BLE ADDL. JUDICIAL
MAGISTRATE OF FIRST CLASS, ANANTAPURAM**

Between:

M.Durga Satya Prasad,
Anantapuram.,Anantapuram District.

... ..Petitioner

and

Kavati Durgarao, S/o Venkata Rao.

.....Accused / Respondent

**PETITION FILED BY THE COMPLAINANT SEEKING
RELEASE OF THE CASE PROPERTY IN CR.NO.....,
U/s..... OF ANANTAPURAM I-TOWN PS.**

It is humbly submitted that on _____ my vehicle bearing No. _____ (Car/
Van/Motor Cycle), Make....., Engine No Chassis.....)
was committed theft of by unknown persons and the matter was reported to
the Station House Officer, Anantapuram I Town PS on A case in
Cr.No..... referred above has been registered and investigated into. On ___ the
SHO, Anantapuram I Town PS has informed me, that the above vehicle was
recovered from the accused and produced before this Hon'ble Court.



For Private Circulation only

Therefore, it is prayed that the Hon'ble Court may be pleased to issue orders for delivery of my vehicle. Copy of the registration certificate is enclosed for favour of kind reference for identification.

Sd/- xxxx
M.Durga Satya Prasad,
Anantapuram.





For Private Circulation only

Model - II

**IN THE COURT OF HON'BLE ADDL. JUDICIAL
MAGISTRATE OF FIRST CLASS, ANANTAPURAMU**

Station House Officer,
Anantapuramu I Town P.S.,
Anantapuramu District.

.....Petitioner

**PETITION FILED ON BEHALF OF PROSECUTION FOR
RELEASE OF VEHICLES TO RIGHTFUL CLAIMANTS IN
ANANTAPURAM I TOWN POLICE STATION.**

It is to submit that the following vehicles lying in the Police Station were committed theft of by unknown accused vide Cr. Nos. shown against each of them. During the investigation of those cases, the accused were arrested, vehicles were recovered and the said properties were produced before this Hon'ble Court vide CPR Nos., shown against each of them. The identity of the owner /rightful claimant in each case is shown in the in the following table.



For Private Circulation only

S.L. No.	Cr. No.	Type of Vehicle	Regn. No.	Date of Seizure	CPR No.	Id of Owner/ Rightful Claimant
1.	52/2012	Bajaj Pulsor	AP02 AB1850	01-03-2013	353/13	Rama Krishna Reddy G, S/o G.Eswar Reddy, 13-3-182, Sreenivasa Nagar, Ananthapuramu. Cell No. 7204730277, 9573357677.
2.	62/2013	Hero Smart	AP02 K5723	04-07-2014	512/14	Ramanjaneyulu G, S/O G.Onnurappa, 6/655/82-A, Maruthi Nagar, Ananthapuram
3.	17/2012	Hero Honda Splendor	AP28 AC8927	07-05-2013	01M18E 14621	Jagadish, S/O Balraj, H. No. 8-4-10, RRD.
4.	19/2014	Hero Honda Splendor	AP25 G1944	01B20F 19189	01B18 E19126	Surya Reddy K, S/o Kista Reddy, INA,INA,INA NZB.
5.	16/2015	TVS Victor GL	AP03 AL2529	N3208F 181477	N3208 M182 731	Vijaya Kumar S, S/o S.Bramhachari, D.No.3-725, Thapovanam, Narayanapuram, Ananthapuramu.



For Private Circulation only

The Hon'ble Supreme Court of India in *Sunderbhai Ambalal Desai Vs State of Gujarat*, has directed that ***"in our view, whatever be the situation, it is of no use to keep such-seized vehicles at the Police Stations for long period. It is for the Magistrate to pass appropriate orders immediately... .."***

It is prayed that the Hon'ble Court may order delivery of the above mentioned vehicles to the respective rightful claimants.

Inspector of Police,
Ananthapuramu I town PS.





For Private Circulation only

Model - III

**IN THE COURT OF HON'BLE ADDL. JUDICIAL
MAGISTRATE OF FIRST CLASS, ANANTAPURAM**

Between:

The State Station House Officer,
Anantapuram I Town P.S.,

...Petitioner

and

KavatiDurgarao, s/o Venkata Rao.

.....Accused/Respondent

**PETITION FILED ON BEHALF OF PROSECUTION
SEEKING ISSUANCE OF ORDERS TO GET THE
TRANSFER OF CASE PROPERTY IN CR.NO.....
ON POINT OF JURISDICTION.**

It is humbly submitted that information has been received from the SHO, Tadpatri PS that the vehicle bearing No.... was seized by him from the possession of the accused under a cover of mediators report, dt and that the case property was produced before the Honb'le Court of Tadpatri and the case property is now in its custody. During the course of interrogation, the above said accused confessed that he had committed theft of the said vehicle in the limits of Ananthapuram I-Town PS.



For Private Circulation only

In this connection, it is further submitted that a case in Cr.No U/Sec. referred above was registered in Ananthapuram I Town PS on the report ofs/o..... (complainant) relating to theft of his vehicle bearing No noted above and investigated into.

Therefore, it is prayed that the Hon'ble Court may be pleased to issue orders for transfer of the said property from the Hon'ble Court of Tadpatri to this Hon'ble Court on point of Jurisdiction and for the purpose of further investigation/ trial.

Station House Officer,
Ananthapuram I Town P.S.



For Private Circulation only

Documents filed along with this petition.

- 1) Letter / RM, dt. of SHO Tadipatri PS.
- 2) Copy of the mediatorsnama.
- 3) Copy of FIR in Cr. No..... of Anantapur I Town PS.





For Private Circulation only

Model - IV

From
Inspector of Police,
I Town Police Station,
Ananthapuramu,
Andhra Pradesh State.

To
The Divisional Manager,
Oriental Insurance,
Corporation Circle,
Near Town Hall,
Bangalore.

Sir,

Sub: Ananthapuramu I Town PS – Recovery of Motor Cycle bearing No.KA02HC2223 – Request to take the custody of vehicle Regarding.

Ref: 1) Cr. No. 220/2010, U/Sec. 41 & 102 Cr.PC, and 411 IPC of Ananthapuramu I Town PS.
2) Frazer Town Police Station Cr. No. 353/2008, U/Sec. 379 IPC.

-oOo-

Adverting to the reference cited above, it is to inform you that on 24.05.2010, SHO, Ananthapuramu I Town Police Station and his staff arrested the accused No. 1. Guduru Venkatachalapathi Nagaraju S/o G. Venkata Chalapathi, 2. K.P. Prakash, S/o K. Prasad and 3. G. Ramachandra Reddy S/o G. Narasimha Reddy and recovered 10 stolen two wheelers from their possession under cover of Mahazar, vide reference 1 cited above.



For Private Circulation only

During the course of investigation, it came to light that one of the vehicles vide RC. No....., Engine No....., Chassis No was committed theft of vide Cr. No of Frazer Town PS, Bangalore City. As per the information furnished by SHO, Frazer Town PS, Bangalore City, the owner of the said vehicle had already claimed insurance from your company. The said vehicle is now in the custody of Court and is presently lying in PS premises.

Hence, you are requested to move an application before the Hon'ble Court for taking possession of the said vehicle.

Yours sincerely,

Inspector of Police,
Ananthapuramu I Town P.S.



For Private Circulation only

Model - V

**IN THE COURT OF HON'BLE ADDL. JUDICIAL
MAGISTRATE OF FIRST CLASS, ANANTAPURAMU**

Between:

Station House Officer,
Anantapuramu I Town PS,
Anantapuramu District.

....Petitioner

and

Kavati Durgarao, s/o Venkata Rao.

... Accused

**PETITION FILED FOR ISSUE OF ORDERS FOR AUCTION
OF VEHICLE SEIZED IN CR. NO....., U/Sec
OF ANANTAPURAMU I TOWN PS.**

It is submitted that the case in Cr.No..... of Anantapuram PS,
vide CC.No is pending trial before this Hon'ble Court. The vehicle
No....., Engine No....., Chassis No..... was recovered from the
accused on and produced before this Hon'ble Court vide
CPR No and the same is lying in PS.



For Private Circulation only

In the light of Hon'ble Supreme Court Judgment in Sunderbhai Ambalal Desai Vs State of Gujarat, the owner/ Lawful claimant Sri..... was contacted in order to take steps for orders of this Hon'ble Court for delivery of the property to him. He declined to take delivery of the said property.

Hence, it is prayed that the Hon'ble Court may order auction of the said property.

Inspector of Police,
Ananthapuramu I Town P.S.





For Private Circulation only

Model - VI

**IN THE COURT OF HON'BLE ADDL. JUDICIAL
MAGISTRATE OF FIRST CLASS, ANANTAPURAMU**

Between:

Station House Officer,
Anantapuramu I Town P.S.,
Anantapuramu District.

..... Petitioner

and

Kavati Durgarao, s/o Venkata Rao.

..... Accused

**PETITION FILED FOR ISSUE OF ORDERS FOR AUCTION
OF VEHICLE SEIZED IN CR. NO.....,
U/Sec..... OF ANANTAPURAMU I TOWN PS.**

It is submitted that the case in Cr.No of Anantapuram PS,
vide CC.No..... is pending trial before this Hon'ble Court. The vehicle
No....., Engine No....., Chassis No..... was recovered from
the accused on and produced before this Hon'ble Court
vide CPR No..... and the same is lying in PS.



For Private Circulation only

In the light of Hon'ble Supreme Court Judgment in Sunderbhai Ambalal Desai Vs State of Gujarat, the owner/ Lawful claimant Sri was contacted in order to take steps for orders of this Hon'ble Court for delivery of the property to him. As he declined to take delivery of the said property, the Insurance Company was contacted and requested to move a petition before this Court, for custody of the property. The said Insurance Company also declined to take custody of the property.

Hence, it is prayed that the Hon'ble Court may order auction of the said property.

Inspector of Police,
Ananthapuramu I Town P.S.



For Private Circulation only

List of Documents:

- 1) Notice served on the rightful claimant for taking delivery of the property and his refusal endorsement thereon.





For Private Circulation only

Model - VII

**GOVERNMENT OF ANDHRA PRADESH
POLICE DEPARTMENT**

From
K.Raghavan,
Inspector of Police,
Ananthapuramu I town P.S

To
M/s Varun Motors,
Ananthapuramu.

Sir,

Sub:- Anantapuramu I town PS – Request to furnish the ownership of the vehicles – Regarding.

Ref:- Rc.No.132/C4/2015, dt.17.07.2015 of the DIG of Police, Anantapuramu Range, Anantapuramu.

-: oOo :-

Adverting to the reference cited above, it is to inform that large number of vehicles are lying in our Police Station and for the following vehicles, registration numbers are altered. Our efforts to trace the owner of the vehicle have proved futile. After thorough inspection of the vehicles, we could trace the chassis number and Engine number of the vehicles mentioned below. Kindly furnish the details of the persons who purchased the same from your company to enable me to dispose the vehicles according to Law.



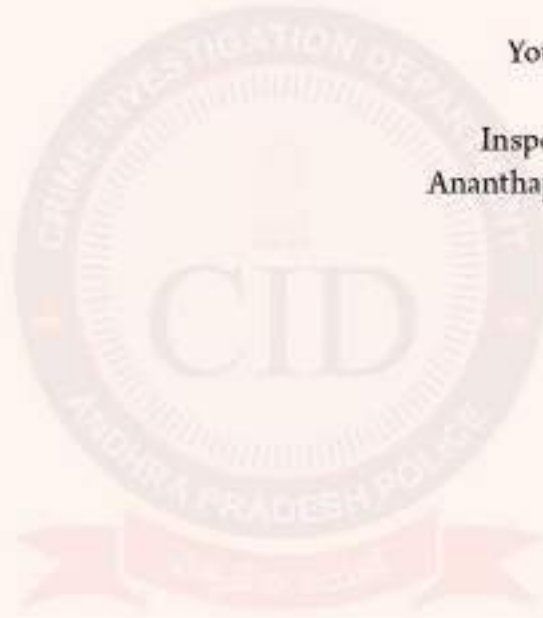
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LIST OF VEHICLES

S. No.	Make	Chassis No.	Engine No.
1	Hero Honda Splendor	O1J20F13338	O1J18E12590
2	Hero Honda Splendor	97L19F30496	97L17E30517
3	Hero Honda Splendor Plus	07M16F08782	07M15E18091

Yours sincerely,

Inspector of Police,
Ananthapuramu I town PS.





For Private Circulation only

Model - VIII

**IN THE COURT OF HON'BLE ADDL. JUDICIAL
MAGISTRATE OF FIRST CLASS, ANANTAPURAMU**

Station House Officer,
Anantapuramu I Town P.S.,
Anantapuramu District.

..... Petitioner

Vs.

Kavati Durgarao, s/o Venkata Rao.

... Accused

**PETITION FILED FOR ISSUE OF ORDERS FOR
DISPOSAL OF VEHICLES WHICH ARE SEIZED IN CR.NO.
..... OF ANATAPURAMU POLICE STATION.**

It is submitted that the case in Cr.No of Anantapuram PS,
was disposed by this Hon'ble Court vide CC. No dt The vehicle
No..... Engine No....., Chassis No..... was produced
before this Hon'ble Court vide CPR No, marked as material object
(MO.....) and the same is lying in PS.



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After conclusion of the trial, judgment was pronounced and the case ended in acquittal/conviction. But the order for disposal of property is not mentioned in the said judgment.

Hence, it is prayed that the Hon'ble Court may pass necessary orders.

Station House Officer,
Anantapuram PS,
Anantapuram District.





For Private Circulation only

Model - IX

**IN THE COURT OF HON'BLE ADDL. JUDICIAL
MAGISTRATE OF FIRST CLASS, ANANTAPURAMU**

Station House Officer,
Anantapuramu I Town PS,
Anantapuramu District.

..... Petitioner

**PETITION FILED BY THE CLAIMANT SEEKING
RELEASE OF HIS PROPERTY LYING IN ANANTAPURAM
I TOWN PS.**

It is humbly submitted that on my vehicle bearing No.....
(Car/Van/Motor Cycle), Make....., Engine No..... Chassis.....)
was committed theft of by unknown persons. I searched for the vehicle and also
made informal enquiries with my friends for a week. Since there is a long delay in
reporting the matter to the Police/ since I did not know the procedure to approach
the Police/ since the vehicle was already two years old/ since I was advised by my
friends that reporting the matter to Police will lead to appearing in the Court/
....., I did not lodge a complaint in Anantapur I Town Police Station.
On the SHO, Anantapuram I Town PS has informed me that the above
vehicle was lying in the Police Station premises and advise me to file a petition in
this Hon'ble Court.



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Therefore, it is prayed that the Hon'ble Court may be pleased to issue orders for delivery of my vehicle. Copy of the registration certificate is enclosed for favour of kind reference for identification.

Station House Officer,
Anantapuram PS,
Anantapuram District.





For Private Circulation only

Model - X

**IN THE COURT OF HON'BLE ADDL. JUDICIAL
MAGISTRATE OF FIRST CLASS, ANANTAPURAMU**

Station House Officer,
Anantapuramu I Town PS,
Anantapuramu District.

.....Petitioner

**PETITION FILED ON BEHALF OF PROSECUTION FOR
ISSUE OF ORDERS TO HANDOVER THE VEHICLES
(NOT LINKED TO ANY CRIME NO.) TO THE RIGHTFUL
CLAIMANT IN ANANTAPURAM I TOWN PS.**

I submit that, the below noted vehicles are lying in the premises of Anantapuramu I Town Police Station since long time. Initial verification of station records has not revealed any information about these vehicles. However, after elaborate efforts made in this regard, though they could not be linked to any Cr. No., of this PS, the rightful claimants could be traced. The details of the vehicles and respective claimants are shown below:



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Sl. No.	Type of Vehicle	Regn. No.	Chasis No.	Engine No.	Owner Particulars
1.	Bajaj Pulsor	AP02 AS1850	MD2D HDJZZ PCH 65360	DJGBP H25059	Rama Krishna Reddy G, S/o G. Eswar Reddy, 13-3-182, Sreenivasa Nagar, Ananthapuramu, Cell No. 7204730277, 9573357677.
2.	Hero Smart	AP02 K5723	3C948430	CCH0 11731	Ramanjaneyulu G, S/o G. Onnurappa, 6/655/82-A, Maruthi Nagar, Ananthapuramu.

The Hon'ble Supreme Court of India in Sunderbhai Ambalal Desai Vs State of Gujarat, has directed that *"in our view, whatever be the situation, it is of no use to keep such-seized vehicles at the Police Stations for long period. It is for the Magistrate to pass appropriate orders immediately....."*

It is prayed that the Hon'ble Court may order delivery of the above mentioned vehicles to the respective rightful claimants.

Station House Officer,
Anantapuram PS.,
Anantapuram District.



For Private Circulation only

Model - XI

**IN THE COURT OF HON'BLE ADDL. JUDICIAL MAGISTRATE
OF FIRST CLASS, ANANTAPURAMU**

Station House Officer,
Anantapuramu I Town PS,
Anantapuramu District.

.....Petitioner

**PETITION FILED ON BEHALF OF PROSECUTION
FOR ISSUE OF ORDERS TO AUCTION ABANDONED
VEHICLES IN ANANTAPURAM I TOWN PS.**

I submit that the below noted vehicles are lying abandoned in the premises of Anantapuramu I Town Police Station since long time. As verification of station records has not revealed any information regarding case number or details of the claimant, the following efforts were made to know the identity of these vehicles.

// **Mention the detailed efforts given in SOP** //

The list of abandoned vehicles is as follows:

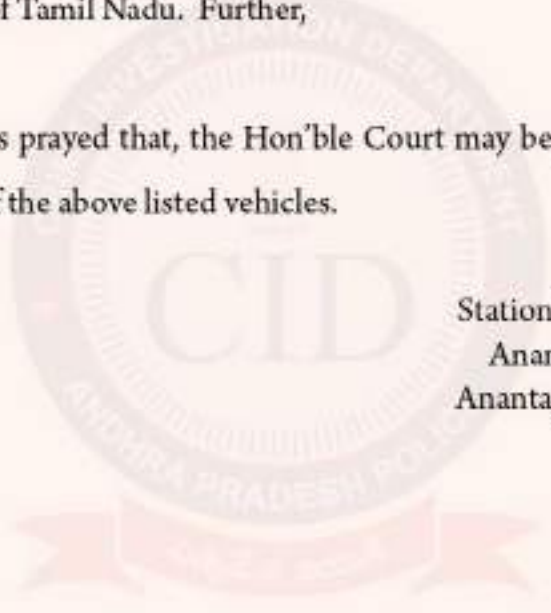
Sl. No.	Type of vehicle	Engine number	Chassis number	Registration number on the number plate
1.	Bajaj Kawasaki Caliber	DDMBGE60070	DDFBJU97950	Nil
2.	Bajaj Caliber	DMMBJJ62565	DDFBGE97722	Nil
3.	Bajaj Kawasaki 4S Champion	Nil	3NF61037773	AP9G5685 (fake)



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The Hon'ble Supreme Court of India in Sunderbhai Ambalal Desai Vs State of Gujarat ***"in case where the vehicle is not claimed by the accused, owner or the Insurance Company or by third person, then such vehicle may be ordered to be auctioned by the Court....."*** Further, the property is subject to "speedy and natural decay" as observed by Hon'ble Madras High Court in Lenovo India Pvt. Ltd., Vs State of Tamil Nadu. Further,

Therefore, it is prayed that, the Hon'ble Court may be pleased to issue an order for auction of the above listed vehicles.



Station House Officer,
Anantapuram PS,
Anantapuram District.



For Private Circulation only

Model - XII

To
The Addl. Judicial Magistrate of First Class,
Ananthapuramu.

Sir,

Sub:- Owners /Legitimate claimants traced – Request to accord
permission to handover vehicles – Regarding.

-: oOo :-

It is to submit that, the following two wheelers are lying abandoned in the premises of Police Station of Ananthapuramu I Town since long time. After verifying the station records there is no information about the following vehicles. In this regard all efforts have been made out to trace out the owners of the abandoned vehicles through investigation which was provided by the Govt. of AP to the Police Department and also addressed letters to the concerned company showrooms as well as RTA authorities and the owners of the following vehicles are traced.

It is further submitted that some of the vehicles which were abandoned was seized by the then SHO, I town PS, Ananthapuramu and registered cases U/s 41,102 Cr.P.C and the seizure report was sent to the concerned Mandal Executive Magistrate as contemplated under law. Hence by taking the above facts and circumstances into consideration necessary orders may be passed for the handover of the vehicles to the legitimate claimant/owner.



For Private Circulation only

Model - XII

To
The Addl. Judicial Magistrate of First Class,
Ananthapuramu.

Sir,

Sub:- Owners /Legitimate claimants traced – Request to accord
permission to handover vehicles – Regarding.

-: oOo :-

It is to submit that, the following two wheelers are lying abandoned in the premises of Police Station of Ananthapuramu I Town since long time. After verifying the station records there is no information about the following vehicles. In this regard all efforts have been made out to trace out the owners of the abandoned vehicles through investigation which was provided by the Govt. of AP to the Police Department and also addressed letters to the concerned company showrooms as well as RTA authorities and the owners of the following vehicles are traced.

It is further submitted that some of the vehicles which were abandoned was seized by the then SHO, I town PS, Ananthapuramu and registered cases U/s 41,102 Cr.P.C and the seizure report was sent to the concerned Mandal Executive Magistrate as contemplated under law. Hence by taking the above facts and circumstances into consideration necessary orders may be passed for the handover of the vehicles to the legitimate claimant/owner.



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Sl. No	Type of Vehicle	Regn. No.	Chasis No.	Engine No.	Owner Particulars	Efforts made
1.	Hero Smart	AP02 K5723	3C94 8430	CCH011 731	Ramanjane-yulu G, s/o G.Onnurappa, 6/655/82-A, Maruthi Nagar, Ananthapura-mu.	Registered postal Letter was addressed to the owner to claim his vehicle.
2.	TVS Star City	AP02 Q2305	MD625 KF5371 D73090	BF5D 7114 4364	Anand B, S/O B Rangappa, 12-385-1, Sain-agar,	Registered postal letter was addressed to the owner to claim his vehicle.
3.	TVS Victor GL	AP02 K1513	N330 3F44 3420	N3303 M44 6129	Nagaraju Naik D, S/o D.Salya Naik, 13-2-341, Ward No.13, Ananthapura-mu	Registered postal Letter was addressed to the owner to claim his vehicle.



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4.	Hero Honda Splendor	AP28 AC89 27	01M2 0F159 77	01M 18E1 4621	Jagadish, S/O Balraj, 8-4-10,, RRD.	1) Letter addressed to RTO, Anan- thapuramu for owner details.
						2) Letter addressed to company authorized dealer for purchaser details.
5.	Hero Honda Splendor	AP25 G1944	01B2 0F19 189	01B1 8E19 126	Surya Reddy K, S/o Kista Reddy, INA, INA, INA Ni- zamabad.	1) Letter addressed to RTO, Anan- thapuramu for owner details.
						2) Letter addressed to company authorized dealer for purchaser details.



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6.	TVS Victor GL	AP03 L2529	N320 8F18 1477	N32 08M 182 731	Vijaya Ku- mar S, S/o S.Bramhachari, D.No.3-725, Thapovanam, Zeroget, A.Narayanapu- ram, Anantha- puramu.	1) Letter addressed to RTO, Anan- thapuramu for owner details. 2) Letter addressed to company authorized dealer for purchaser details.
----	---------------------	---------------	----------------------	--------------------------	---	--

It is further submitted that mere keeping the above vehicles in the premises of Police station and the parts of the above vehicles will be damaged and No purpose will be served in keeping the vehicles idle in the police station premises. Hence by taking the above facts and circumstances in to consideration it is therefore prayed that the Honorable court may be pleased to permit me to hand over above vehicles to the the legitimate claimant/owner.

Yours faithfully,

(K. Raghavan)
Inspector of Police,
Ananthapuramu I town PS.



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List of Enclosures:-

1. Letter to RTA authorities and their compliance report.
2. Letter to Hero Show Room and their compliance report.
3. Letter to Bajaj Show Room and their compliance report.
4. Letter to Yamaha Show Room and their compliance report.
5. Letter to TVS Show Room and their compliance report.
6. Letter to Suzuki Show Room and their compliance report.
7. Postal acknowledgements.
8. Returned postal covers.



For Private Circulation only

Model - XIII

To
The Addl. Judicial Magistrate of First Class,
Ananthapuramu.

Sir,

Sub:- Unclaimed property (No record for these vehicles) – Request to accord permission to conduct open auction after thorough verification by the transport officials –Regarding.

-: oOo :-

It is to submit that, the following two wheelers are lying abandoned in the premises of Police Station of Ananthapuramu I Town since long time. After verifying the station records there is no information about the following vehicles. In this regard all efforts have been made out to trace out the owners of the abandoned vehicles through investigation which was provided by the Govt. of AP to the Police Department and also addressed letters to the concerned company showrooms as well as RTA authorities, but the owners of the following vehicles not traced.

SL. No	Type of vehicle	Engine number	Chassis number	Registration number on the number plate
1.	Bajaj Kawasaki Caliber	DDMBGE60070	DDFBJU97950	Nil
2.	Bajaj Caliber	DMMBJJ62565	DDFBGE97722	AP02F2155



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3.	Bajaj Kawasaki 4S Champion	Nil	3NF61037773	AP9G568S
4.	Bajaj Discover	JKGBPE75040	M02DSJNZZ, PCE65744	Nil
5.	Bajaj Pulsor	DHGBKL12643	DHVBKL13140	KA01V9921
6.	Hero Majestic Panther	Nil	CPB067272	NIL
7.	Hero Honda Splendor	99M17E13153	99M19F16189	NIL
8.	Suzuki Zeus	479182416	MBBNF4BBG 78121536	KA01EJ5493
9.	TVS Centra	NS010579	Nil	NIL
10.	TVS Max 100 R	Nil	7702H771884	AP26P4759
11.	TVS Victor	N3210M248419	N3210F246605	AP34J3221
12.	TVS Victor GL	OF1N4131580	MD625AF1641 N46892	AP02J5468
13.	Yamaha Libero G5	5TS4055740	06B5TS4055740	NIL
14.	Yamaha RX 135	1D1017786	1L1017786	NIL
15.	Yamaha YBX	4LSO46255	00A4LSO46255	NIL



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Further no purpose will be served by keeping the above vehicles in the premises of Police station and the parts of the above vehicles will be damaged. No purpose will be served in keeping the vehicles idle in the police station premises.

Hence by taking the above facts and circumstances in to consideration it is therefore prayed that the Honorable court may be pleased to permit me to conduct open auction of the above vehicles after observing the due process of law in the interest of justice.

Yours faithfully,

(K. Raghavan)
Inspector of Police,
Ananthapuramu I town PS.

List of Enclosures:-

1. Letter to RTA authorities and their compliance report.
2. Letter to Hero Show Room and their compliance report.
3. Letter to Bajaj Show Room and their compliance report.
4. Letter to Yamaha Room and their compliance report.
5. Letter to TVS Show Room and their compliance report.



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Model - XIV

**IN THE COURT OF ADDL. JUDICIAL MAGISTRATE OF
FIRST CLASS, ANANTAPURAMU**

Present : Sr.M. BHUJAPPA
Addl. Judl. Magistrate of First Class, Anantapuramu.

Saturday, the 7th of November, 2015
Cr.M.P.No.3574/2015 requisition filed by I Town PS, Anantapuramu

Between:

State : represented by Inspector of Police,
Anantapuramu I Town Police Station.Petitioner

and

State represented by Assistant Public ProsecutorRespondent

This petition was come up on this day for hearing before me in the presence of Assistant Public Prosecutor for the state and upon hearing and perusal of record and this matter having stood over for consideration till this day, this Court passed the following:

ORDER

This is a requisition appears to be moved as per section 457 Cr.P.C. for disposal of the abandoned crime vehicles enlisted in the requisition.

- 1) Heard the learned Assistant Public Prosecutor. The learned Assistant Public Prosecutor submitted that the list furnished by police officer in the requisition shown are found to be abandoned vehicles which were seized by the police somewhere and none of the vehicle owners came to claim property either



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before the petitioner or before the court and even vehicle bearing number and insurance particulars coupled with registration number found to be clumsy and it is not possible for the police to ascertain all the real owners of the property since those numbers, Engine numbers and registration number and insurance numbers are found contrary even though several efforts are made by the police through "third eye" and by addressing letters to the insurance company and to the RTO who in turn expressed nothing and produced no ownership of the vehicle and thus it is difficult for the police of one town to monitor such abandoned vehicles in the police station premises and these abandoned vehicles are occupied larger portion of premises which is inconvenient for the commuters or visitors of the police station and also property losing its worthiness as they are lying long back exposing to sun rays, rain and other atmosphere and if the situation is continued, there is every probability of roadworthiness of these vehicles may be lost peril and prays the court to pass the order by directing one town police officer to mention all particulars of every vehicle and its worth separately to conduct auction and to remit the amount into court account for the purpose of confiscation and petitioner relied upon the judgment reported in Sunderbhai Ambalal Desai Versus State of Gujarat (2002) 10 S.C.283, judgment of Hon'ble Supreme Court in between General Insurance Council and others Vs. State of Andhra Pradesh General Insurance Counsel and others Vs. State of AP and others vide Writ Petition No.14/2008.

- 2) Heard Assistant Public Prosecutor. Perused the record supplicated by the petitioners.
- 3) Is there any justifiable ground exist to allow the requisition / this petition directing to empower one town police station, Anantapuramu to auction the abandoned vehicles enlisted in the petition and remit the same proceeds into court for confiscation?



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4) **Point:**

Requisition of Inspector of Police, one town police station, Anantapuramu which enlisted 15 vehicles are found abandoned at police station and none of the claimants approached the police for taking back these vehicles respectively, as such they remained in the police station premises for long time by exposing sun rays, rain and other atmosphere changes, as such its road worthiness gradually decrease and thus this present petition is moved after making all efforts by one town police. The requisition further indicates one town police officer made efforts to proceed to trace out the owners by way of software provided to the police wing namely "third eye" and also made personal requisition to the Transport Commissioner, Anantapuramu and to the various insurance companies for ascertain the ownership and to trace out the real owners but his efforts are gone in vain due to reasons of chassis number, engine number and registration number are mismatched since they seems to be fabricated numbers to the vehicles and thus it is highly difficult for the police officer / one town police station to ascertain the real owners to entrust these vehicles to them. So these vehicles are absolutely abandoned vehicles.

In *Sunderbhai Ambhalal Desai Vs. State of Gujarath* (2002) 10 S.C. 283 coupled with the judgment of Hon'ble Supreme Court between the General Insurance Counsel Vs. State of Andhra Pradesh delivered in Writ Petition 14/2008 when clubbed and read together the Hon'ble Supreme Court clearly observed that "In case of abandoned vehicles, the magistrate is empowered to pass appropriate orders to return of he vehicles to the original owner, if original owner is not found to the Insurance Company with whom the said vehicles said to be insured or if none claims ordered to be sold in auction.

- 5) In view of the Hon'ble Supreme Court observation and as there is necessitated by the one town police station to clear off these vehicles from their premises and in the best interest of nation and justice as the one town



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police had taken all steps prior to filling this application before this court by addressing a letter to the various persons including to the RTO Office then it is pertinent to allow this petition directing the police of one town to conduct auction and remit the sale proceeds into the court for confiscation.

- 6) Further prior to conducting auction, the said one town inspector of police directed to ascertain the actual worth of each vehicle by getting appraisal certificate from the RTO. After getting the same draft the mahazar in detail in presence of two witnesses by mentioning the number of vehicle and taking photograph of the same and in case any true owner comes to claim the property at least there is a chance for the sale proceeds be given to him. After completion of auction, the Inspector of police, Anantapuramu, One Town Police Station shall submit the detailed report and remit the sale proceeds of each vehicle shall be deposited into this court for confiscation to the State. Accordingly, this petition is disposed of.
- 7) In the result, the petition is allowed accordingly.

Dictated to Personal Assistant, transcribed by him corrected and pronounced by me in open Court, this the 7th day of November, 2015.

Sd/- 7.11.15
Addl. Judl. Magistrate of First Class,
Anantapuramu.

Copy submitted to the Hon'ble Ist Additional District Judge, Anantapuramu for favour of information.

Copy to the Regional Transport Officer, Anantapuramu for appraisal of the vehicles value.

Copy to the Station House Officer, One Town PS, Anantapuramu.



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Model - XV

AUCTION NOTICE

The following two wheelers which are abandoned in the premises of the police station of Ananthapuramu I town since long time. The same are put in public auction as per the orders of Hon'ble Addl. Judicial Magistrate of First Class, Ananthapuramu in CrI. M.P. No. 3574/2015, dt. 7-11-2015. The auction is held on 28-11-2015 in the premises of I Town Police Station of Ananthapuramu at 10.30 AM on 28-11-2015.

Sl. No.	Type of vehicle	Engine No.	Chassis No.	Registration No. on the Number Plate
1	Bajaj Kawasaki Caliber	DDMBGE60070	DDFBJU97950	Nil
2	Bajaj Caliber	DMMBJJ62565	DDFBGE722	AP 02 F 2155
3	Bajaj Kawasaki 4 S Champion	Nil	3NF61037773	AP 09 G 5685
4- 13	xxxx	xxxx	Xxxx	xxxx

The above vehicle are auctioned in public auction in the premises of SHO I Town PS, Ananthapuramu those who are willing to participate in the auction can enroll their names before SHO, Ananthapuramu by 10.30 AM on 28-11-2015.

Station House Officer,
Ananthapuram



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Copies to the notice boards of:

- 1) District Collector
- 2) MVI Office
- 3) All Police Stations in the town
- 4) Municipal Corporation Notice Board
- 5) AJFCM Court, Ananthapuramu





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FORM-I**Auction Register**

SL No.	Details of Property	PS reference No.	Court reference No.	Date of Auction	Suc-cessful bidder	Remitted in Court / Treasury	Remittal reference No.	Action taken by SHO
1	2	3	4	5	6	7	8	9



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FORM-II

Court Property Register

Sl. No.	Details of Property	Cr. No.	Sec. of Law	Date of Seizure	Seized by whom	Where seized	Date of deposit in Court	CPR No.	Interim Custody Order	Final Order	Remarks by SHO
1		3	4	5	6	7	8	9	10	11	12



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FORM-III**Register of Property received from other Departments**

Sl. No.	Details of Property	Date of receipt	Handed over by whom	Sec. of Law if any	Reference No.	Disposal	Remarks / Action taken by SHO
1	2	3	4	5	6	7	8



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Cr.PC Provisions on Disposal of Property

- Disposal of crime property is dealt in Sec.451 to Sec.459 of Chapter XXXIV of Criminal Procedure Code 1973 (Cr.PC).
- While Sec 452 Cr.P.C. deals with disposal of property after conclusion of trial, Sec 451, 457, 458 and 459 deal with (interim) custody or disposal of property pending trial.
- Sec 451 is a general Section disposal of properties of all categories before conclusion of trial.
- *Sec 451: When a property is produced before a Criminal Court during any inquiry or trial, the Court may make order for the proper custody of such property pending the conclusion of the inquiry or trial, and, if the property is subject to speedy and natural decay, or if it is otherwise expedient so to do, the Court may, after recording such evidence, order it to be sold or otherwise disposed of.*
- Further, Sec 457 deals with disposal of property when there is a lawful claimant for the property in question.
- *Whenever seizure of property by a police officer is reported to a Magistrate, the latter may make order for disposal of such property or the delivery of such property to the person entitled to the possession thereof.*
- Sec 458 lays down the procedure for disposal of the property when there is no claimant to the said property.
- *If no person within six months establishes his claim to such property, and if the person in whose possession such property was found is unable to show that it was legally acquired by him, the Magistrate may by order direct that such property shall be at the disposal of the State Government and may be sold by that Government and the proceeds of such sale shall be dealt with in such manner as may be prescribed.*



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- Sec 459 deals with power of the court to sell the property when the latter is perishable.

If the person entitled to the possession of such property is unknown or absent and the property is subject to speedy and natural decay, or if the Magistrate to whom its seizure is reported is of opinion that its sale would be for the benefit of the owner, the Magistrate may direct it to be sold; and the provisions of sections 457 and 458 shall apply to the net proceeds of such sale.





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Court Judgements

Court Order-I

IN THE SUPREME COURT OF INDIA CIVIL ORIGINAL JURISDICTION

Special Leave Petition (crl.) 2745 of 2002

Sunderbhal Ambalal Desai Petitioner:

Vs

State of Gujarat Respondent:

DATE OF JUDGMENT: 01/10/2002

BENCH:

M.B. SHAH & D.M. DHARMADHIKARI

JUDGMENT

2002 Supp(3) SCR 39

The following Order of the Court was delivered:

In these two petitions filed by the police inspectors serving the Gujarat State, it has been contended that prosecuting agency has no right to ask for remand of petitioners (accused) for the purpose of collecting evidence and the application moved for remand of the petitioner (accused) was unjustified because anticipatory bail was granted to them.



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It is the prosecution version, as per the FIR lodged on 7.2.2002 by the Assistant Commissioner of Police 'D' Division, Surat that petitioners and other police personnel are involved in offences punishable under Sections 429, 420, 465, 468, 477-A and 114 IPC. It is alleged that when they were working at various police stations, they have committed offences during the period from 20.2.1992 to 23.11.2001 by replacement of mudammal articles including golden ornaments by other spurious articles, misappropriation of the amount which was kept at the police station, unauthorised auction of the property which was seized and kept in the police custody pending trial and tampering with the records of police station. The High Court by its judgment and order dated 20.6.2002 rejected the application against the order passed by the trial court granting remand of the petitioner. Hence, these special leave petitions.

At the time of the hearing of these matters, learned counsel for the parties submitted that various articles are kept at the police station for a long period by not adhering to the procedure prescribed under Cr.P.C., which creates difficulties for keeping them in safe custody. Finally, the sufferers are-either the State exchequer or the citizens whose articles are kept in such custody. It is submitted that speedier procedure is required to be evolved either by the Court or under the rules for disposal of muddamal articles which are kept at various police stations as most of the police stations are flooded with seized articles. It is, therefore, submitted that directions be given so that burden of the Courts as well as at the police station can, to some extent, be reduced and that there may not be any scope for misappropriation or of replacement of valuable articles by spurious articles.

Learned counsel further referred to the relevant Sections 451 and 457 of Code of Criminal Procedure, which read thus -

"451. Order for custody and disposal of property pending trial in certain cases.-When any property is produced before any Criminal Court during any inquiry or trial, the Court may make such order as it thinks fit for the proper custody of such property pending the conclusion of the inquiry or



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trial, and, if the property is subject to speedy and natural decay, or if it is otherwise expedient so to do, the Court may, after recording such evidence as it thinks necessary, order it to be sold or otherwise disposed of.

Explanation-For the purposes of this section, "property" includes (a) property of any kind or document which is produced before the Court or which is in its custody.

(b) any property regarding which an offence appears to have been committed or which appears to have been used for the commission of any offence.

457. Procedure by police upon seizure of property.-

(1) Whenever the seizure of property by any police officer is reported to a Magistrate under the provisions of this Code, and such property is not produced before a Criminal Court during an inquiry or trial, the Magistrate may make such order as he thinks fit respecting the disposal of such property or the delivery of such property to the person entitled to the possession thereof, or if such person cannot be ascertained, respecting the custody and production of such property.

(2) If the person so entitled is known, the Magistrate may order the property to be delivered to him on such conditions (if any) as the Magistrate thinks fit and if such person is unknown, the Magistrate may detain it and shall, in such case, issue a proclamation specifying the articles of which such property consists, and requiring any person who may have a claim thereto, to appear before him and establish his claim within six months from the date of such proclamation."

Section 451 clearly empowers the Court to pass appropriate orders with regard to such property, such as-

(1) for the proper custody pending conclusion of the inquiry or trial;

(2) to order it to be sold or otherwise disposed of, after recording such evidence as it think necessary;



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(3) if the property is subject to speedy and natural decay, to dispose of the same.

It is submitted that despite wide powers proper orders are not passed by the Courts. It is also pointed out that in the State of Gujarat there is Gujarat Police Manual for disposal and custody of such articles. As per the Manual also, various circulars are issued for maintenance of proper registers for keeping the muddamal articles in safe custody. In our view, the powers under Section 451 Cr.P.C. should be exercised expeditiously and judiciously. It would serve various purposes, namely:-

1. Owner of the article would not suffer because of its remaining unused or by its misappropriation.
2. Court or the police would not be required to keep the article in safe custody;
3. If the proper panchanama before handing over possession of article is prepared, that can be used in evidence instead of its production before the Court during the trial. If necessary, evidence could also be recorded describing the nature of the property in detail; and
4. This jurisdiction of the Court to record evidence should be exercised promptly so that there may not be further chance of tampering with the articles.

The question of proper custody of the seized article is raised in number of matters. In *Smt. Basawa Kom Dyanmangouda Patil v. State of Mysore and Anr.*, [1977] 4 SCC 358, this Court dealt with a case where the seized articles were not available for being returned to the complainant. In that case, the recovered ornaments were kept in a trunk in the police station and later it was found missing, the question was with regard to payment of those articles. In that context, the Court observed as under-



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“4. The object and scheme of the various provisions of the Code appear to be that where the property which has been the subject-matter of an offence is seized by the police, it ought not to be retained in the custody of the Court or of the police for any time longer than what is absolutely necessary. As the seizure of the property by the police amounts to a clear entrustment of the property to a Government servant, the idea is that the property should be restored to the original owner after the necessity to retain it ceases. It is manifest that there may be two stages when the property may be returned to the owner. In the first place it may be returned during any inquiry or trial. This may particularly be necessary where the property concerned is subject to speedy or natural decay. There may be other compelling reasons also which may justify the disposal of the property to the owner or otherwise in the interest of justice. The High Court and the Sessions Judge proceeded on the footing that one of the essential requirements of the Code is that the articles concerned must be produced before the Court or should be in its custody. The object of the Code seems to be that any property which is in the control of the Court either directly or indirectly should be disposed of by the Court and a just and proper order should be passed by the Court regarding its disposal. In a criminal case, the police always acts under the direct control of the Court and has to take orders from it at every stage of an inquiry or trial. In this broad sense, therefore, the Court exercises an overall control on the actions of the police officers in every case where it has taken cognizance.”

The Court further observed that where the property is stolen, lost or destroyed and there is no prima facie defence made out that the State or its officers had taken due care and caution to protect the property, the Magistrate may, in an appropriate case, where the ends of justice so require, order payment of the value of the property.

To avoid such a situation, in our view, powers under Section 451 Cr.P.C. should be exercised promptly and at the earliest.



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Valuable Articles and Currency Notes

With regard to valuable articles, such as golden or silver ornaments or articles studded with precious stones, it is submitted that it is of no use to keep such articles in police custody for years till the trial is over. In our view, this submission requires to be accepted. In such cases, Magistrate should pass appropriate orders as contemplated under Section 451 Cr.P.C. at the earliest.

For this purposes, if material on record indicates that such articles belong to the complainant at whose house theft, robbery or dacoity has taken place, then seized articles be handed over to the complainant after:-

- (1) preparing detailed proper panchanama of such articles;
- (2) taking photographs of such articles and a bond that such articles would be produced if required at the time of trial; and
- (3) after taking proper security.

For this purpose, the Court may follow the procedure of recording such evidence, as it thinks necessary, as provided under Section 451 Cr.P.C. The bond and security should be taken so as to prevent the evidence being lost, altered or destroyed. The Court should see that photographs or such articles are attested or countersigned by the complainant, accused as well as by the person to whom the custody is handed over. Still however, it would be the function of the Court under Section 451 Cr.P.C. to impose any other appropriate condition.

In case, where such articles are not handed over either to the complainant or to the person from whom such articles are seized or to its claimant, then the Court may direct that such articles be kept in bank lockers. Similarly, if articles are required to kept in police custody, it would be open to the SIIO after preparing proper panchnama to keep such articles in a bank locker. In any case, such articles should be produced before the Magistrate within a week of their seizure. If required, the Court may direct that such articles be handed over back



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to the Investigating Officer for further investigation and identification, However, in no set of circumstances, the Investigating Officer should keep such articles in custody for a longer period for the purpose of investigation and identification. For currency notes, similar procedure can be followed.

Vehicles

Learned senior counsel Mr. Dholakia, appearing for the State of Gujarat further submitted that at present in the police station premises, number of vehicles are kept unattended and vehicles become junk day by day. It is his contention that appropriate directions should be given to the Magistrates who are dealing with such questions to hand over such vehicles to its owner or to the person from whom the said vehicles are seized by taking appropriate bond and the guarantee for the return of the said vehicles if required by the Court at any point of time.

However, the learned counsel appearing for the petitioners submitted that this question of handing over vehicles to the person from whom it is seized or to its true owner is always a matter of litigation and a lot of arguments are advanced by the concerned persons.

In our view, whatever be the situation, it is of no use to keep such-seized vehicles at the police stations for a long period. It is for the Magistrate to pass appropriate orders immediately by taking appropriate bond and guarantee as well as security for return of the said vehicles, if required at any point of time. This can be done pending hearing of applications for return of such vehicles.

In case where the vehicle is not claimed by the accused, owner, or the insurance company or by third person, then such vehicle may be ordered to be auctioned by the Court. If the said vehicle is insured with the insurance company then insurance company be informed by the Court to take possession of the vehicle which is not claimed by the owner or a third person. If Insurance company



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fails to take possession, the vehicles may be sold as per the direction of the Court. The Court would pass such order within a period of six months from the date of production of the said vehicle before the Court. In any case, before handing over possession of such vehicles, appropriate photographs of the said vehicle should be taken and detailed panchnama should be prepared.

For articles such as seized liquor also, prompt action should be taken in disposing it of after preparing necessary panchnama. If sample is required to be taken, sample may kept properly after sending it to the chemical analyser, if required. But in no case, large quantity of liquor should be stored at the police station. No purpose is served by such storing.

Similarly for the Narcotic drugs also, for its identification, procedure under Section 451 Cr.P.C. should be followed of recording evidence and disposal. Its identity could be on the basis of evidence recorded by the Magistrate. Samples also should be sent immediately to the Chemical Analyser so that subsequently, a contention may not be raised that the article which was seized was not the same.

However these powers are to be exercised by the concerned Magistrate. We hope and trust that the concerned Magistrate would take immediate action for seeing that powers under Section 451 Cr.P.C. are properly and promptly exercised and articles are not kept for a long time at the police station, in any case, for not more than fifteen days to one month. This object can also be achieved if there is proper supervision by the Registry of the concerned High Court in seeing that the rules framed by the High Court with regard to such articles are implemented properly.

Adjourned for three weeks.

New Delhi.

October 01, 2002.



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Court Order-II

**IN THE SUPREME COURT OF INDIA
CIVIL ORIGINAL JURISDICTION**

Special Leave Petition (crl.) 2745 of 2002

SunderbhaI Ambalal DesaiPetitioner:

Vs

State of Gujarat Respondent:

DATE OF JUDGMENT: 18/11/2002

BENCH:

M.B. SHAH & D.M. DHARMADHIKARI

JUDGMENT

JUDGMENT 2002 Supp(4) SCR 217

The following Order of the Court was delivered :

Heard learned counsel for the parties.

In our view, no further directions are required to be given in these matters. However, it is made clear that in case where accused dispute that he is not involved in the alleged incident and no article was found from him then such endorsement be taken on the photograph. Further with regard to the vehicle also, it is made clear



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that there may not be any necessity of producing the vehicle before the Court and the Seizure Report may be sufficient. The Special Leave Petitions are disposed of, accordingly.

New Delhi.
November 18, 2002.





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Court Order-III

**IN THE SUPREME COURT OF INDIA
CIVIL ORIGINAL JURISDICTION
WRIT PETITION (C) NO. 14 OF 2008**

General Insurance Council & Ors.Petitioners

Versus

State of Andhra Pradesh & Ors. Respondents

JUDGMENT

Deepak Verma, J.

- 1) Even though the question projected in this petition filed under Article 32 of the Constitution of India stands answered by a judgment of two learned judges of this Court reported in (2002) 10 SCC 283 titled *Sunderbhai Ambalal Desai Versus State of Gujarat* pertaining to interpretation and mode of implementation of Sections 451 and 457 of the Code of Criminal Procedure, 1973 (hereinafter shall be referred to as 'the Code'), but on account of certain grey areas having been left untouched, which still cast clouds on the question, this petition has been filed for further directions, orders and clarifications.
- 2) Petitioner No.I, General Insurance Council has been constituted under Section 64 C (b) of the Insurance Act, 1938 consisting of all the members and associate members of the association as envisaged in Section 64A of the said Act, who carry on general insurance business in India and are being



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represented by Petitioner No. 1 and have been arrayed as Petitioner Nos. 2 to 5 in the said petition.

- 3) According to them, there has been a gross violation of fundamental rights as conferred on them under Articles 14 and 19 of the Constitution of India. Thus, they are constrained to approach this Court directly by filing a petition under Article 32 of the Constitution of India. They further contended that despite the directions passed by this Court in *Sunderbhai Ambalal Desai (supra)*, as also in *W.P. (C) No. 282 of 2007* titled *General Insurance Council and Others Vs. State of Andhra Pradesh and Others*, decided on 09.07.2007, there has not been full and complete compliance of the same. Therefore, they have once again approached this Court for issuing further directions so that national waste with regard to the seized vehicles involved in commission of various offences may not become junk and their road worthiness be maintained.
- 4) According to the Petitioners, the report of 2005 of NCRB, 84,675 vehicles were reported lost, out of which 24,918 vehicles were recovered by the police and out of these, only 4,676 vehicles were finally co-ordinated. As a result, several hundred crores worth of assets were lost. Further, by the time the recovered vehicles are released, the same are reduced to junk at the respective police stations. In other words, Petitioners have prayed that national waste that is being caused could be substantially reduced, curbed and eliminated to a great extent. Keeping in view the aforesaid facts in mind, they have filed this Writ Petition.
- 5) In *Sunderbhai Ambalal Desai (supra)*, the Supreme Court was primarily dealing with provisions of Sections 451 and 457 of the Code. While quoting the aforesaid two provisions of the Act in the judgment, it was observed in para 7 as under:-

“7. In our view, the powers under Section 451 Cr PC should be exercised expeditiously and judiciously. It would serve various purposes, namely:



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1. owner of the article would not suffer because of its remaining unused or by its misappropriation;
 2. court or the police would not be required to keep the article in safe custody;
 3. if the proper panchnama before handing over possession of the article is prepared, that can be used in evidence instead of its production before the court during the trial. If necessary, evidence could also be recorded describing the nature of the property in detail; and
 4. this jurisdiction of the court to record evidence should be exercised promptly so that there may not be further chance of tampering with the articles."
- 6) To safeguard the interests of the prosecution, it was directed that following measures should be adopted giving instances contained in para 12 reproduced herein below:
- "12 For this purpose, if material on record indicates that such articles belong to the complainant at whose house theft, robbery or dacoity has taken place, then seized articles be handed over to the complainant after:
1. preparing detailed proper panchnama of such articles;
 2. taking photographs of such articles and a bond that such articles would be produced if required at the time of trial; and (3) after taking proper security."
- 7) While dealing with the seized vehicles from time to time by the police either in commission of various offences or abandoned vehicles or vehicles which are recovered during investigation of complaint of thefts, the court observed as under:-
- "17. In our view, whatever be the situation, it is of no use to keep such seized vehicles at the police stations for a long period. It is for the Magistrate to pass appropriate orders immediately by taking appropriate bond and



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guarantee as well as security for return of the said vehicles, if required at any point of time. This can be done pending hearing of applications for return of such vehicles.

18. In case where the vehicle is not claimed by the accused, owner, or the insurance company or by a third person, then such vehicle may be ordered to be auctioned by the court. If the said vehicle is insured with the insurance company then the insurance company be informed by the court to take possession of the vehicle which is not claimed by the owner or a third person. If the insurance company fails to take possession, the vehicles may be sold as per the direction of the court. The court would pass such order within a period of six months from the date of production of the said vehicle before the court. In any case, before handing over possession of such vehicles, appropriate photographs of the said vehicle should be taken and detailed panchnama should be prepared.”
- 8) Since it appeared to the Petitioners that despite the said directions, the requirements of the Petitioners were not being fulfilled, they were constrained to file W.P (C) No. 282 of 2007 titled General Insurance Council and Others Vs. State of Andhra Pradesh and Others, decided on 09.07.2007 by a coordinate Bench of two learned Judges of this Court.
- 9) In this second round of litigation before this Court, a direction was sought with regard to compliance of Section 158 (6) of the Motor Vehicles Act, 1988 in short ‘the M.V. Act’ and Rule 159 of the Central Motor Vehicles Rules, 1989 in short, ‘the Rules’.
- 10) This Court in the said matter after considering the issue came to the following conclusion:-

“Since there is a mandatory requirement to act in the manner provided in Section 158 (6) there is no justifiable reason as to why the requirement is not being followed.



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It is, therefore, directed that all the State Governments and the Union Territories shall instruct, if not already done, all concerned police officers about the need to comply with the requirement of Section 158 (6) keeping in view the requirement indicated in Rule 159 and in Form 54. Periodical checking shall be done by the Inspector General of Police concerned to ensure that the requirements are being complied with. In case there is non-compliance, appropriate action shall be taken against the erring officials. The Department of Transport and Highway shall make periodical verification to ensure that action is being taken and in case of any deviation immediately bring the same to the notice of the concerned State Government/Union Territories so that necessary action can be taken against the concerned officials."

The writ petition is accordingly disposed of."

- 11) Despite the aforesaid directions having been issued by this Court in the aforesaid two matters, grievance is still being made by the Petitioners, that the police, investigating agency and the prosecuting agency are not taking appropriate and adequate steps for compliance of aforesaid directions issued by this Court. Therefore, a need has arisen for giving further directions so as to clear the clouds and iron out the creases.
- 12) Notice of the said petition was issued to all the States and Union Territories. Almost all the States have contended that they have already issued necessary guidelines and directions for full and complete compliance of the provisions contained in Sections 451 and 457 of the Code as elaborated in *Sunderbhai Ambalal Desai (supra)* as also under Section 158 (6) of the M.V. Act and 159 of the Rules as directed in *General Insurance Council case (supra)*. Thus, in one voice, they have contended that there would not be any difficulty in compliance of the directions that may be issued in furtherance of achieving the object as directed by this Court. Thus, in our view, there appears to be consensus in this matter.



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- 13) Petitioners have submitted that information with regard to all insured vehicles in the country is available with the Insurance Information Bureau created by IRDA. This information could be utilised to assist the police to identify the insurer of the vehicle. Upon recovery of the vehicle in police station, insurer/ complainant can call an All India Toll Free No. to be provided by Insurance Information Bureau to give the information of the recovered vehicle. Thereafter, the insured vehicle database would be searched to identify the respective insurer. Upon such identification, this information can be communicated to the respective insurer and concerned police stations for necessary coordination.
- 14) In our considered opinion, the aforesaid information is required to be utilised and followed scrupulously and has to be given positively as and when asked for by the Insurer. We also feel, it is necessary that in addition to the directions issued by this Court in *Sunderbhai Ambalal Desai (supra)* considering the mandate of Section 451 read with Section 457 of the Code, the following further directions with regard to seized vehicles are required to be given.
- “(A) Insurer may be permitted to move a separate application for release of the recovered vehicle as soon as it is informed of such recovery before the Jurisdictional Court. Ordinarily, release shall be made within a period of 30 days from the date of the application. The necessary photographs may be taken duly authenticated and certified, and a detailed panchnama may be prepared before such release.
- (B) The photographs so taken may be used as secondary evidence during trial. Hence, physical production of the vehicle may be dispensed with.



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- (C) Insurer would submit an undertaking/guarantee to remit the proceeds from the sale/auction of the vehicle conducted by the Insurance Company in the event that the Magistrate finally adjudicates that the rightful ownership of the vehicle does not vest with the insurer. The undertaking/guarantee would be furnished at the time of release of the vehicle, pursuant to the application for release of the recovered vehicle. Insistence on personal bonds may be dispensed with looking to the corporate structure of the insurer.”
- 15) It is a matter of common knowledge that as and when vehicles are seized and kept in various police stations, not only they occupy substantial space of the police stations but upon being kept in open, are also prone to fast natural decay on account of weather conditions. Even a good maintained vehicle loses its road worthiness if it is kept stationary in the police station for more than fifteen days. Apart from the above, it is also a matter of common knowledge that several valuable and costly parts of the said vehicles are either stolen or are cannibalised so that the vehicles become unworthy of being driven on road. To avoid all this, apart from the aforesaid directions issued hereinabove, we direct that all the State Governments/ Union Territories/ Director Generals of Police shall ensure macro implementation of the statutory provisions and further direct that the activities of each and every police stations, especially with regard to disposal of the seized vehicles be taken care of by the Inspector General of Police of the concerned Division/ Commissioner of Police of the concerned cities/Superintendent of Police of the concerned district.



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- 16) In case any non-compliance is reported either by the Petitioners or by any of the aggrieved party, then needless to say, we would be constrained to take a serious view of the matter against an erring officer who would be dealt with iron hands. With the aforesaid directions, this writ petition stands finally disposed of.

.....J.
[P.SATHASIVAM]

.....J.
[DEEPAK VERMA]

New Delhi.
April 19, 2010





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Other Important Judgments.

1. Madras High Court: *Lenovo India Pvt. Ltd., Vs State of Tamil Nadu* (Crl. O.P. No. 27812 of 2013, dt. 20-11-2013).

"The words subject to speedy and natural decay" can not be restricted to perishable items alone. There are various items of properties which are subject to deterioration may also set in speedily. A brand new vehicle or any kind of vehicle or any electronic item may come under the category. If computers or other electronic items are kept as it is, naturally, they will lose their utility value.

2. Delhi High Court: *Manjit Singh Vs State of Delhi* (Crl. M.C. No. 4485/2013 and Crl. M.A. No. 16055/2013, dt. 10-09-2014).

In this case, Delhi High Court gave elaborate directions with regard to disposal of various categories of properties lying in PSs. The court considered the provisions of Delhi Police Act, Delhi Police Manual, Delhi High Court Rules, Cr.PC, etc., while issuing directions, especially to immediately dispose the pending properties including those without any record.



Annexure C

Basic practice of QRC

- Fill the property Identification form to generate the QR Code
- Go to <http://www.pinsappolice.com/>

Secure | <https://pinsappolice.com/qrcode/index.php>

PROPERTY IDENTIFICATION & NETWORKING SYSTEM

Home | [Generate QR Code](#) | [Print QR Code](#) | [View Reports](#) | [Update Info](#) | [FAQs](#)

START QR CODE PRACTICE IN POLICE STATIONS !!

FORMALLY LAUNCHED BY DGP ON 2nd NOVEMBER 2016.

HELP LINE

SIX STEPS TO ADOPT QR CODE IN YOUR POLICE STATIONS

- Step One
- Step Two
- Step Three
- Step Four
- Step Five
- Step Six

Generate QR Code
Fill the Property ID form to generate the QR Code

Print QR Code
Generate data and print generated QR Code

View Reports
View Reports from start date to end date

Update QR Coded Information
Search for vehicle and modify/update the info to current status.

Update Pendency/ Disposal
update pendency vehicle statistics in three stretchheads

View / Monitor Statistics
View / Update unit wise and substation wise statistics



➤ **To Generate QR Code**

The screenshot displays a web browser window with the URL <https://pinsappolice.com/qrcode/gencode.php>. The page title is "PROPERTY IDENTIFICATION & NETWORKING SYSTEM". A navigation bar includes links for Home, Generate QR Code, Print QR Code, View Reports, Update Info, and FAQs. The main content area is titled "PROPERTY IDENTIFICATION FORM" and contains the following fields:

Type of Property	<input type="text" value="Enter Type of Property"/>
State	<input type="text" value="Enter State"/>
FIR No.	<input type="text" value="Enter FIR No."/>
Section of Law	<input type="text" value="Enter Section of Law"/>
PS & Dist.	<input type="text" value="Select PS & Dist."/>
Engineer/Material No.	<input type="text" value="Enter Engineer/Material No."/>
Chassis No.	<input type="text" value="Enter Chassis No."/>
Registration No.	<input type="text" value="Enter Registration No."/>
Date of Detention	<input type="text" value="Enter Date of Detention"/>
Issuing Officer Name & Designation	<input type="text" value="Enter Issuing Officer Name & Designation"/>

On the right side, there is a "Photo Upload" section with a placeholder box and a green "Upload Photo" button. At the bottom of the form, there are "Submit" and "Clear" buttons.



➤ To view & print the QR Code

S.No	Type of Property	QR Code	Photo	Entered Date/Time	Action
1	SEIZED LOBBY			12-Jan-2017 01:07 pm	Print
2	SEIZED LOBBY			12-Jan-2017 01:03 pm	Print
3	LOBBY			12-Jan-2017 01:02 pm	Print
4	SEIZED AUTO			12-Jan-2017 01:02 pm	Print
5	Auto			12-Jan-2017 01:00 pm	Print

➤ Scanning with Phone or Tab



Type of Property	Two Wheeler
Make	Yamaha
FIR No.	Delty Case No.423/2018
Section of Law	Sec.185 A MV Act
PS & Dist	Pattabhipuram PS Guntur Urban
Engine/Model/Id No.	G3C7E0064304
Chassis No.	ME1RG0823G0012808
Registration No.	AP07CV3007
Date of Detention	17-Oct-2016
Seizing Officer Name & Designation	CH. KOTESWARA RAO, INSPECTOR OF POLICE, PATTABHIPURAM PS

'Promoting Good Practices and Standards'



➤ To View Vehicle report start date – end date

PROPERTY IDENTIFICATION & NETWORKING SYSTEM

Home | Generate QR Code | Print QR Code | View Reports | Update Info | FAQs

From Date: [Select From Date] To Date: [Select To Date] [Submit] [Cancel] [Filter]

Found Vehicles: 10 Total: 14075

Sr.No	Type of Property	Make	REG No.	Number of Lane	FD & Dist.	Engine/Chassis No.	Chassis No.	Registration No.	Date of Detection	Reporting Officer Name & Designation	Photo	Created Date & Time
1.	SPLTVS COPY	BMW LEYLAND	000017	4th PC & RAO 3 OF EC ACT.	WANTHAPALLE PE & KRISHNA DIST.	JB214415C	MBXKADYGTBDF2081	AP18TY785	02-Jan-2017	M PULASTI RAMA SWIRAMIA -11 OF POLICE, HANDEGAMA PE		12-Jan-2017 01:15 pm
2.	Carry	Telamintor	010017	3/20/13 No-01 (1) BRIDGE Rd)	Siddaiahpet & Venkateswaram	9973850c14282	373135ac757810	AP01T5000	15-Jan-2017	Saathika Thirumala muthu		12-Jan-2017 01:10 pm
3.	BEESD AUTO	APR FIATDIO	100017	301 201 No 34 PC	WANTHAPALLE PE & KRISHNA DIST	18103204801	MBX0002ZPNC280005	AP18T18823	11-Jan-2017	KVARI SATHANARAYANA INSPECTOR OF POLICE, HANDEGAMA PE		12-Jan-2017 01:06 pm
4.	bike	HERO MOTOR CYCLES LTD	287118	302 No 24 pc	Velamaddala & Venkateswaram	VA10BR3VHC0182	MBLAAJ2C0D9HT4987	AP07CV1982	12-Jan-2017	S. KRISHNAMOORTHY Inspector of police		12-Jan-2017 12:42 pm
5.	BIKE	HERO MOTOR CYCLES	287118	302 No 24 pc	Velamaddala & Venkateswaram	27A02M40004	27A02C18888	AP07A00040	12-Jan-2017	S. KRISHNAMOORTHY Inspector of police		12-Jan-2017 12:38 pm
6.	Carry	Tata Motors	010017	275 PC & SEC 21 (1) MMZR Act)	Siddaiahpet & Venkateswaram	9973850c104760	27314202201830	AP18CT870	01-Jan-2017	ANJULI THIRUMALA muthu		12-Jan-2017 12:34 pm
7.	AUTO	APR FIATDIO	007118	302 No 24 pc	Velamaddala & Venkateswaram	9999907301	MBX010A2030HP 00101	AP07T088100	12-Jan-2017	S. KRISHNAMOORTHY Inspector of police		12-Jan-2017 12:28 pm

Update info

➤ To Update the Vehicle record and Statistics

PROPERTY IDENTIFICATION & NETWORKING SYSTEM

Home | Generate QR Code | Print QR Code | View Reports | Update Info | FAQs

[Update Vehicle Record] [Update Vehicle Statistics]



➤ **To Update the QR Coded Vehicle record**

Step 1: By entering any field

[Reg.No /Engine No/Chassis No]

Step 2: Update/ Modify the QR Coded record

(Acknowledgement: Shri N. Sanjay , IG, Guntur Range, AP Police)





... empowering Indian Police



Bureau of Police Research & Development
Ministry of Home Affairs, Government of India
NH-8, Mahipalpur, New Delhi-110037