



*I.T.Longkumer, IPS ( Retd)*

*Chairman*

*Committee on Police Reforms*

*Phone – 2227447 (0)*

Having completed my assignment, I am leaving this comfortable office room at the Police HQr today. It was indeed a pleasure to work with my former colleagues once again.

Thank you very much for your kind hospitality and support for the past twelve months. It was only through your help and co-operation that the Committee could complete the assignment within the stipulated time.

I wish you all success.

Yours ,

**Shri.W.R. Marbaniang, IPS**

Director General of Police,

Meghalaya. Shillong.

**( I. T. Longkumer )**

Respected Dy. Chief Minister,

I, on behalf of the Committee, deem it a privilege to submit the report of the Committee on Police Reforms. The Committee was constituted by the Government of Meghalaya vide its Order dated 17<sup>th</sup> February, 2004, but owing to certain administrative reasons, we could commence our work only from June, 2004.

1. We are grateful to you for giving us this opportunity to study the Police set up in Meghalaya and suggest measures to bring about appropriate reforms in various aspects of policing in the State. Our recommendations are mainly focused on developing a people-friendly, responsive, professionally competent police force, which is able to win the confidence and trust of the people.
2. Since its inception Meghalaya Police continued with the policing pattern being followed in Assam. It, therefore, shares the colonial background which is generally perceived as the 'ruler appointed police' more concerned with carrying out government orders rather than providing services to the people. A conscious effort must be made on all fronts to bring about a change in the mindset of the Police as well as the people.
3. The Police Organization in the State needs to have a vision, on the basis of which goals should be set. We have recommended the vision in the form of a mission statement based on the suggestion made by Committee on Police Reforms headed by Shri K. Padmanabhaiah.
4. Considering the importance of qualitative improvement in manpower as pre-requisite for any reform measures, we have recommended enhancement of educational qualification for recruitment, particularly, at the level of constable. The training Institutions also need to be upgraded to facilitate imparting of

various specialized training to all levels of State Police. We have covered this in our recommendations.

5. To bring about better professionalism in the main areas of police functions, such as Investigations, Prosecution, Intelligence, Traffic etc. we have recommended a number of measures on relevant areas.
6. Policing to be successful must have the co-operation and support of the people. To improve the Police-Public interface, we have recommended adoptions of some forms of Community Policing, with the objective of achieving a partnership between Police and the Community in crime prevention.
7. With a view to gain confidence and trust of the people, we have recommended introduction of some mechanism for redressal of public grievances at various levels.
8. Need for adequate provision of basic Police infrastructure also caught our attention while visiting the districts. Much need to be done in this area and we have reflected some of these in our recommendations.
9. We have observed that very little importance has been accorded to manpower and career planning of police personnel in the State. We have made a few recommendations, which will contribute to bringing in professionalism in the police force.
10. The State Police will have to keep pace with the technological advancements of the time. Introduction of E- Governance, inter-net applications and computerization in all areas of work will add new dimensions to police responsibilities. Relevant issues have been covered in our recommendations.

11. To obtain optimum performance from the personnel, their working conditions, welfare and certain motivational measures will need active consideration. We have covered these in our recommendations.
12. The State Police should be fully prepared to meet the future challenges. Traditional policing will have to give way to innovative approaches. We have studied the emerging trends and have tried to suggest measures on many of the issues that we consider relevant to the State Police.
13. We have stressed on laying down certain parameters in the functioning of Police for ensuring accountability of the Police force.
14. Meghalaya is the first State in the North East to appreciate the need for reforming its own Police force. I, on behalf of the Committee, request you to make this pioneering effort meaningful by seriously looking into the recommendations and initiate appropriate steps for implementation.
15. I thank you once again for entrusting this important responsibility to the Committee.

With regards,

Yours Sincerely,

**Dr. Mukul Sangma,**  
Dy Chief Minister  
In Charge Home,  
Government of Meghalaya  
Meghalaya. Shillong.

**( I. T. Longkumer )**

## HOME (POLICE) DEPARTMENT

ORDERS BY THE GOVERNOR  
NOTIFICATIONDated Shillong, the 17<sup>th</sup> February, 2004.

No.HPL.181/2003/2 - The Governor of Meghalaya is pleased to constitute a Committee to examine certain aspects of the functioning of the State Police force as specified in the terms of reference, consisting of the following persons :-

- |                                     |   |          |
|-------------------------------------|---|----------|
| 1. Shri I.T. Longkumer. IPS (Retd)  | - | Chairman |
| 2. Smti. Patricia Mukhim            | - | Member   |
| 3. Shri P.C. Chakravorty, IAS(Retd) | - | Member   |
| 4. Shri Milton Sangma               | - | Member.  |

The Terms of reference of the Committee are as follows :-

- (i) To evaluate the strength and weaknesses of the State police force, in tent of its present structure and organisation, vis-à-vis the future challenges.
- (ii) To identify the gap between public expectations and performance of the police force and to suggest remedial measures.
- (iii) To examine and bring out specific recommendation on the following issues:
  - (a) Accountability of the police,
  - (b) Redressal of public grievances,
  - (c) Community policing and
  - (d) Intelligence gathering and sharing.

Sd-

(P.J. Bazeley)

Chief Secretary,

Government of Meghalaya

Memo. No.HPL.181/2003/2 -A

Dated Shillong, the 17<sup>th</sup> February , 2004.

Copy forwarded to

1. The Secretary to the Governor of Meghalaya, Shillong.
2. The Private Secretary to the Chief Minister, Meghalaya, for information of Chief Minister.
3. The Private Secretary to Home Minister, for information of Home Minister.
4. The Private Secretary to Chief Secretary, for information of Chief Secretary.
5. The Director General & Inspector General of Police, Meghalaya, Shillong
6. The Director of Printing & Stationery, Meghalava, Shillong for publication of the Notification in the gazette.
7. Persons concerned.

By order etc.,

Deputy Secretary to the Government of  
Meghalaya, Home Police Department

HOME(POLICE) DEPARTMENT  
ORDERS BY THE GOVERNOR

NOTIFICATION

Dated Shillong the 16<sup>th</sup> March, 2004.

No.HPL.181/2003/5 - In continuation to Notification No.HPL.181/2003/2 dated 17<sup>th</sup> February 2004, Shri B.R. Rana, IPS, DIGP, CID/ACB will be Member Secretary of the Committee on Police Reforms.

The Committee will submit the Report/Recommendation to the Government within a period of 6 (six) months.

The Director General of Police, Meghalava will provide a room along with Secretarial and other assistance as may be required by the Committee from time to time.

(G.P.Wahlang),  
Principal Secretary to Govt. of Meghalaya,  
Home (Police) Department.

Memo No. HPL.181/2003/5-A  
Copy forwarded to:-

Dated Shillong, the March 16, 2004.

1. The Secretary to the Governor of Meghalaya, Shillong.
2. The Private Secretary to the Chief Minister, Meghalaya for information of Chief Minister.
3. Private Secretary to Home Minister, for information of Home Minister.
4. The Private Secretary to Chief Secretary, for information of Chief Secretary.
5. The Director General & Inspector General of Police, Meghalaya, Shillong.
6. The Director of Printing & Stationery, Mehalava. Shillong for publication of the Notification in the gazette.
7. Persons concerned.

By order etc.,

Sd/-  
Deputy Secretary to the Government of  
Meghalaya Home (Police) Department

## **ACKNOWLEDGEMENT**

The Committee is grateful to the Government of Meghalaya for having constituted the present Committee on Police reforms with a view to bring about comprehensive reforms in the State Police with added thrust on having a vision of preparing the force to ably meet the future challenges. Hitherto there has been no such effort made to reform the state Police. The recommendations of various police reforms Committees and Commissions would be studied as a matter of routine and isolated plan of action drawn to implement those recommendations. This type of approach to improve the functioning of the state police basically lost sight of the vital focus on holistic approach in introducing reforms in the police service. The Committee hopes that the report and recommendations made in the following chapters will not be an addition to an already existing plethora of reports of Commissions and Committees.

The Committee is grateful to Shri M.M.Jacob, Hon'ble Governor of Meghalaya, Shri D.D.Lapang, Hon'ble Chief Minister of Meghalaya for kind advice and valuable guidance to the Committee. The Committee also acknowledges with gratefulness the guidance and assistance it received from Dr. Mukul Sangma, Hon'ble Home Minister and his predecessors Shri R.G.Lyngdoh and Shri HDR Lyngdoh. The Committee also places on record the unstinted help and assistance it received from Shri P.J.Bazeley, IAS , Chief Secretary; Shri G.P.Wahlang, IAS Principal Secretary ( Home) and Smti R.V.Suchiang, IAS Commissioner and s Secretary ( Home).

The Committee is also grateful to Shri W.R.Marbaniang, IPS, Director General of police, Meghalaya and his predecessor Sri L.Sailo IPS for calling on all senior officers, heads of Districts and units of Meghalaya Police to provide all information and assistance the Committee needed. The Director general of Police also provided the office room for the Committee and all the secretarial and logistic assistance. The Committee is thankful to him. The Committee also wishes to thank the DGP for inviting the Chairman of the Committee to the Conference of

Superintendents of Police and Commandants of Meghalaya Police on 7<sup>th</sup> March, 2005 which afforded an opportunity to have interaction with the police officers on variety of issues which form the key areas of study by the Committee. We are thankful to all the police officers including retired police officers for making valuable suggestions toward drawing a road map of reforms in Meghalaya Police. We would like to make special mention of Shri MIS Iyer, IPS (retd), Shri H.S.Chittaranjan, IPS (retd), Shri D.N.S.Shrivastava, IPS (reft) , all retired Directors General of Meghalaya Police and also Shri J.C.Mawroh, IPS (retd) ex- IGP.

The Committee is grateful to ADG (SB), ADG (CID), IGP (Trg) and IGP (CID/Hq), and all the district Superintendents of Police and heads of police units; Commandants, Principal PTS, SSP, MPRO, Director FSL and officers of the Police Headquarters for their valuable suggestions and assistance to the Committee.

The Committee is grateful to the Deputy Commissioners of all the seven districts for having taken a very keen and avid interest in the matters of the police reforms. The Committee deeply appreciates their efforts in organizing meetings with various NGOS, district heads of government establishments , heads of traditional institutions and a wide cross sections of the people when the Committee visited the districts.

The Committee is grateful to the Department of Art & Culture, Meghalaya for allowing the Committee to make use of the State Library Committee rooms for holding meetings with NGOS and other social activist bodies.

Grateful thanks are also due to the Shillonge Bar Association, Shillong Press Club, senior citizens, various Non Governmental organizations and social groups and heads of traditional institutions in Khasi Jaintia and Garo Hills. The Committee is also grateful to the Vice Chancellor, NEHU for organizing an interaction with the faculty of the University .

The Committee would like to record its deep appreciation for the meeting organized by Mawlai Town Durbar of all the village headmen and village elders of localities of Mawlai for interaction with them.

For rendering excellent services and help to the Committee to complete the



Report on schedule , the Committee is thankful to the following CID/SCRB staff, S.I R. Suiting, S.I A. Ronghang, Insp B.Kundu, Insp. D.K.Prasad, Insp T.Sangma, S.I C.L.Diengdoh, , Cn Kronik Wahlang, Cn Bikash Thapa, Cn Robert Wahlang, Cn Madhu Chetri, Cn Stephen Nongspung, LDA Smti Rose Rynthahinag and LDA Shri Julius Susngi .

## **CHAPTER-I**

### **THE COMMITTEE**

1.1 By the notification HPL/181/2003/2 dated 17<sup>th</sup> February 2004, the Government of Meghalaya constituted the Committee on Police Reforms with the following terms of reference:

- (i) To evaluate the strength and weaknesses of the State Police Force, in terms of its present structure and organization, vis-à-vis the future challenges.
- (ii) To identify the gap between public expectations and performance of the police force and to suggest remedial measures.
- (iii) To examine and bring out specific recommendations on the following issues:
  - a. Accountability of the police,
  - b. Redressal of public grievances,
  - c. Community policing and
  - d. Intelligence gathering and sharing.

1.2 The Committee was headed by Shri I.T. Longkumer, IPS (Retd) formerly Director General of Police, Meghalaya as its Chairman with the following members:

1. Shri P.C. Chakraborty, IAS (Retd)
2. Padmashree Smti. Patricia Mukhim
3. Dr. Milton Sangma, formerly Pro-Vice Chancellor, NEHU
4. Shri M.S. Syiem, IPS, IGP (Trg/AP) – co-opted Member
5. Shri B.R. Rana, IPS, Deputy Inspector General of Police, (CID/ACB/Vig) --Member Secretary.

1.3 The Government Memorandum constituting the Committee was issued on February 17, 2004. However, owing to certain administrative reasons, the committee could function only from June 4, 2004. The Government initially allowed six months

time to submit the report. This was extended by two months and finally by another four months. The Committee co-opted Shri M.S. Syiem as a member.

1.4 The Chairman visited New Delhi in December 2004 and held meaningful discussions with the officials of Bureau of Police Research and Development (BPR & D). The Bureau also provided the Chairman with important documents and other materials pertaining to various Police Reforms Committees.

1.5 The term of the Committee was extended upto 31<sup>st</sup> May, 2005 vide Government No. HPL.181/2003/Pt/35 Dt. Shillong the 18<sup>th</sup> April, 2005. The Government Memorandum assigned the Committee “to examine certain aspects of the functioning of the State Police force as specified in the terms of reference” and bring out recommendations on the following four issues:

1. Accountability of the police,
2. Redressal of public grievances,
3. Community policing and
4. Intelligence gathering and sharing.

1.6. During the progress of the work of the Committee it was felt necessary that in order to do justice to the terms of the reference in holistic manner other dimensions of policing were also considered necessary for study. The terms of reference were discussed in the first meeting the Committee had with the Home minister, Meghalaya on June 4, 2004. At the said meeting the Home Department made an exhaustive presentation on the “**Key issues**” for examination by the Committee ( **Ref Annexures 1 &2**) . The issues, inter alia, included such as related to organizational structure, functions, community relations, crime scenario in the light of advancing technologies, developing economy and militancy. The issues being in the nature as would concern significantly vital aspects of policing in the state, the Committee agreed with the presentation of the Home Department and accordingly undertook to encompass in its report, these key issues, as well. In the fitness of things therefore, the Committee examined all relevant aspects of reforming

Meghalaya Police within the ambit of the terms and reference and wherever necessary, other aspects having significant bearing on the state police have also been taken into due consideration and recommendation have been offered accordingly.

1.7. On 20<sup>th</sup> August 2004 the Committee met the Director General of Police, Meghalaya in his office and all the senior police officers and had threadbare discussion on the terms of reference and the key concerns of the Committee. The Director General of Police was requested to instruct officers and men to respond to the questionnaire which the Committee. Would circulate in due course.

1.8. Giving a logical extension to the terms of reference, while the Committee has examined various service conditions of police officers and men serving in the state police, it has not examined pay and allowance structure in minute detail. The point the committee has examined in this connection is the parity of police scale of pay with other service in a broad sweep. However, wherever necessary the committee has taken note of the role played by special financial incentives in terms of allowances to be given to some cadres of policemen as a motivational tool. The Committee believes that only a strongly motivated and committed police force can bring about a sea change in the performance as well as the image of the police. We do not expect a demoralized police force to give its best in public service if the services rendered by them are not recognized in a befitting manner.

1.9. The first meeting of the Committee was held on 27<sup>th</sup> July 2004 in the Office of the Chairman of the Committee. In that meeting the plan of action for the Committee was drawn up and its methodology worked out. The Committee devised two sets of questionnaires; one for the police professionals and the other for the general public. The questionnaire meant for the police officers and personnel asked questions on professional matters and what they perceive should form the planks of reforms in the police. The questionnaire for the general public meant to elicit response on the public perception and image of police in Meghalaya and also what they believe should be done to change the functioning and attendant image of the

state police. The questionnaire for the police is Annexure 4 and for the public and others is Annexure 5.

1.10 The Committee issued the questionnaire meant for the police personnel to all District Superintendents of Police with enough copies supplied for distribution amongst the police personnel of lower ranks. The questionnaire were also distributed to all the senior officers, both serving as well as retired, and also to senior police officers who are on central deputation outside the state. The response was encouraging.

1.11 The other questionnaire were issued to all the senior officers of the Government of Meghalaya, NGOs, senior citizens, academicians, lecturer and professors of NEHU and colleges and schools, heads of traditional institutions. The questionnaire was also sent to the Members of Parliament from Meghalaya, members of the Meghalaya Legislative Assembly and also Members of the Autonomous District Councils in the State. The Committee received many useful responses from members of the public. The thread of a genuine concern for the police reforms ran through their response. The views and comments have found suitable expression in the report.

1.12 In addition, through an advertisement in the press, members of the public were invited to offer their views and responses to the questionnaires through the state police website (meghpol.nic.in).

### **Procedure and Working Groups:**

1.13 The Committee adopted the following working procedure. The Committee constituted the following two working Groups to facilitate the work of the Committee.

#### **a. The Study of Traditional Institutions in Garo Hills and Khasi and Jaintia Hills:**

1.14. Smti P.Mukhim headed the study group on Traditional Institutions in Khasi and Jaintia Hills while the study on the Traditional Institutions of Garo Hills was headed by Dr. Milton Sangma to explore possibilities for involving the Traditional Institutions in the community policing and dovetail is their role into other aspects policing also.

- b. The second Working Group headed by Shri P.C Chakraborty was on various shortcomings and bottlenecks that could be identified as strength and weakness in investigation and prosecution. This Working Group was also tasked to make a study of the police budget vis-à-vis proposed budget outlays of the department and the impact of the shortfall in allocation of funds in overall performance of the department.

1.15 Fruitful conclusions of these two working groups were discussed threadbare in various committee meetings and they have been suitably incorporated in the report.

1.16 We received 140 replies as against 1500 questionnaires which were circulated as mentioned in paras 1.10- 1.12. Replies received by the Committee to the questionnaires were examined by the committee and it was decided that there was a need for detailed field work and close examination of the working of the police in all districts of Meghalaya and obtain a first hand information on their working conditions and facilities, and also to gather public perception of the police in each district. The programme of the Committee was chalked out and visits made. The Committee had a series of meetings and interaction with the NGOs, eminent citizens, Bar association, tradition heads of institutions, academia, students and youth organizations and the members of print and visual electronic media.

1.17 **PROGRAMMES OF THE COMMITTEE**

Sl.	VENUE	VISITS/INTER-ACTION WITH	DATE
1.	Jowai	NGO/Public/Police officials/ magistrates /District officials/ Heads of traditional institutions etc	14.10.2004

2.	Nongstoin	public/NGOs/Police officials/ magistrates /District officials/ Heads of traditional institutions etc	28.10.2004
3.	Ri-Bhoi Nongpoh	Public/NGOs/Police officials/ magistrates/ District officials/ Heads of traditional institutions etc	08.11.2004
5.	Tura	NGOs/Heads of traditional institutions/ Members of public/Police officials	10.01.2005
6.	Baghmara	NGOs/Heads of traditional institutions/ Members of public etc	11.01.2005
7.	Williamnagar	NGOs/Heads of traditional institutions/ Members of public etc	12.01.2005
9.	NEPA	Director and faculty/ trainees	10.02.2005
10.	State Central Library	NGOs/Women organizations/YWCA/LSSSK/ RS & CC/NMS/RS & CWW/Synjuk Kynthei etc	14.02.2005
11.	Shillong Press Club	Press Club/President Press Club	15.02.2005
12.	State Central Library	NGOs/FKJGP/SSSS/KSU/MPGSU/Rotary Club/Lions Club etc	16.02.2005
13.	Police Reserve (E.K. Hills)	CI/OC/IC/Representatives of Constabulary	09.03.2005
14.	DC's Conference Hall (EKH)	NGOs/Magistrates/District officials/Public Representatives etc	09.03.2005
15.	NEHU	Vice Chancellor & faculty	11.03.2005
16.	DGP's Conference Hall	Senior Citizens	12.03.2005
17.	Mawlai	Mawlai Town Durbar	18.03.2005
18.	FSL, Sadar PS/PCR/Traffic Branch	FSL staff, SP, Addl. SP, OC, I/Cs and staff	13.04.2005
19.	MPRO/Trg. Centre & PTS	SSP/ Principal and faculty/ trainees	13.04.2005
20.	Raj Bhawan	Governor of Meghalaya	16.05.2005

Table –1

1.18 Worthy of mention here is the fact that the Committee had a session of interaction with the village headmen of various localities of Mawlai on 18.3.2005 on the invitation of the Mawlai Town Durbar at the Indoor Stadium, Mawlai Mawdatbaki.

1.19 The Committee met the Deputy Commissioners and the heads and

representatives of subordinate offices, other officials and representatives of various NGOs and Associations and held detailed sessions of interaction with them, and received replies to the questionnaire. Points raised in the discussions were thoroughly examined. Further, by visiting the districts the Committee could sense and fathom the degree and level of inter departmental coordination the district police have with other departments as well as with the members of public.

1.20 During its visits, the Committee also met all the Superintendents of Police and the officers' in-charge of police stations and in-charges of police outposts and held detailed interaction with them, and received replies to the questionnaire. The Committee also visited various police establishments, infrastructures and facilities.

1.21 The Committee made a study of the reports of various commissions and Committees on Police Reforms constituted by the Central Government including the report of the Committee on Reforms of Criminal Justice system under the chairmanship of Mr Justice Malimath. the National Police Commission, the Reforms Committee on Police Reforms headed by Shri K. Padmanabhaiah and Gore Committee on Police Training. Wherever relevant we have referred to their reports also.

1.22 The Committee functioned expeditiously and effectively with adequate accommodation provided in the Office of the Director General of Police, Meghalaya, Shillong. The facilities of using the Conference Hall of the Office of the Director General of Police, Meghalaya and also the Committee rooms of the State Library, Shillong were availed by the Committee in holding meetings with the NGOs, senior citizens, head of traditional institutions.



## CHAPTER – II

### OVERVIEW

2.1 In order to understand the present policing system in the country, it is relevant to briefly review its historical background. The Indian Police System and structure prevailing today are essentially based on 134 years old Police Act 1861. Earlier, the Police Commission of 1860 had observed that the organized Police as proposed by them would be “politically more useful”. The system that followed took the character of “ruler appointed police.” The present culture of the Police system to a large extent is a continuation of what obtained under the British regime when the Police functioned ruthlessly as an agent for sustaining the Government in power. It led to public perception of Police as an agency more to implement and enforce the objectives of the Government in power as distinct from enforcing law as such as an independent and impartial agency. National Police Commission, 1978-80 observed – “The dividing line between the objectives of Government as such on one side and the interest and expectations of the ruling political party as such on the other side gets blurred in actual practice, and the image of Police as an impartial law enforcement agency suffers in consequent. In this situation police find it difficult to play their lawful role and make their performance acceptable to the people at large. In the perception of the people, the egregious features of police are politically oriented partisan performance of duties, brutality, corruption and inefficiency, degrees of which vary from place to place and person to person. The basic fundamental problem regarding the police today is how to make them function as an efficient and impartial law enforcement agency fully motivated and guided by the objectives of service to the public at large, upholding the constitutional rights and liberty of the people.”

2.2 Even after 57 years of independence, the character of Police and, thus, the image have not undergone any significant change. The freedom movement held

out many promises and raised the aspirations of the common people. The role of police was expected to change in keeping with the Preamble, the Directive Principles and the Fundamental Rights as enshrined in the Constitution. The reality that we experience today around us does not wholly correspond to this promise. “The rulers appointed police” was expected to be transformed into “people’s police”. That the police of India should be a people’s police, and that its functions must be performed with the fullest cooperation of the people, was forcefully declared by the late Prime Minister, Pt. Jawaharlal Nehru. He said, “for two major reasons, police have to function in a particular way if they are to succeed. Before the Independence came to India they had to function efficiently, though there was no particular need for them to have the full cooperation of the people as now. Things changed in many ways when independence came to India. That change was apparent, because there was continuity, because many things appeared going on as they had been going on previously. The whole relationship of the police with the public changed, even though the people might not have realized it. It is in the measure that they did not special it that they encountered difficulties. That is the first thing to remember that, in a democratic State, the police are different in essence from the police in a State that: not democratic. The police are citizens, as much as others, of the democratic State. Of course, the police have to function for the maintenance of law and order, for the protection of those who need protection and all that, but they can only successfully do this in a democratic State if they are in tune with the people if they get their cooperation.” The choice is made and if India has to remain a democracy, the erstwhile ruler appointed police must give way to a people’s police.

2.3 Over the years apart from the manifold increase in the volume of crime work, there has also been distinct change in the quality of Police tasks under the compulsions of the fast developing society. The National Police Commission has aptly observed – “In its efforts to bring about the social changes envisaged in the constitution, Government has been systematically adding new laws, rules and

regulations through social legislation year after year. A variety of legal measures have also been adopted to deal with economic offenders who evade the requirements of fiscal laws that are meant to protect the nation's economy and preserve its financial health. Increased urbanization and phenomenal growth of vehicular traffic in urban areas, have naturally given rise to violations of traffic laws and connected regulations, by increasing number of people who are otherwise law-abiding. Police involvement in the handling of social and economic offences as also traffic violations has meant increased confrontation with a wholly different class of offenders – different from the normal professional property criminal or the rustic violent goonda. A Police force which is used to rough and tough methods has to change its style while dealing with this new class of offenders and every situation connected with them has to be handled with tact and finesse, with due regard to requirements of law. On the side of Police it is the constabulary who come into contact with a large number of offenders of this category, particularly the traffic offenders, and to that extent the constables style of functioning has to change substantially”.

2.4 The British occupied Assam in 1826 and it was administered as a part of Bengal. In 1874 it was separated and made a Chief Commissioner's Province having 11 districts, plains and hills, but excluding the areas now covered by Arunachal and Manipur. Subsequently, as a result of the partition of Bengal in 1905 Assam was amalgamated with East Bengal and a new province of 'Eastern Bengal and Assam' was formed. The partition of Bengal, however, did not last long and was annulled in 1911 by the King's Proclamation and Assam was reconstituted as a separate province in 1912. It continued as Chief Commissioner's Province. In 1921, it was made Governor's Province.

2.5 The hill districts of Assam were called 'Non-Regulation Districts' in the sense that the Civil and Criminal laws of the country at large were not made applicable to them. These districts after the adoption of the Constitution in 1950

became Autonomous Districts of the State of Assam under the Sixth Schedule of the Constitution and the Government of Assam administered them through the District Councils established on adult franchise. In 1969, the autonomous state of Meghalaya came into being consisting of the districts of Khasi and Jaintia Hills and Garo Hills. Subsequently, Meghalaya became a full-fledged state in 1972, though without abolishing the autonomous district councils.

2.6 Only a few states in India have enacted their own state Police Act. In the absence of its own State Police Act, Assam Police continues to be guided by the Police Act 1861. Meghalaya Police inherited the same system at the time of bifurcation. Though the constituent districts of Meghalaya formed the erstwhile hill districts of Assam under autonomous District Councils, the same system of policing was adopted. The State Police have jurisdiction in the entire state and all the central statutes are generally applied. Only in cases involving tribals with the exclusion of non-tribals are tried in the courts constituted under the district councils. However, the district councils do not have separate police under them. All criminal cases are, therefore, taken up by the State Police.

2.7 The Assam Police Manuals, prepared during the British Administration, have been adopted and followed by Meghalaya Police. Much of its contents reflect the principles laid down in the Police Act 1861.

2.8 It is note worthy that even after the Independence, no significant structural reforms in the Police administration have been carried out and the Police force in India still continues to be organized and to function on the pattern laid down by the Police Act 1861.

2.9 The National Police Commission (1978-81) followed by a number of center level committees have extensively examined the Police System in the country and recommended various measures towards reforming the system in the country. In 2002 the Union Home Ministry constituted a committee on Police Reforms

under the chairmanship of Shri Padmanabhaiah, IAS (Retd). They have recommended police reform measures on a number of vital issues. In their report they have emphasized the need for a comprehensive review of policing in the North-East. They observed – “Evidently conditions differ from state to state and Policing, in fact, the entire Criminal Justice Administration of each state requires a separate study which is not within the scope of this committee.” “We, therefore, recommend that a committee to study all these aspects of Criminal Justice System and maintenance of public order should be set up without any loss of time.”

The Government of Meghalaya is the first state in the Northeast to appreciate the need of Police reforms in the state on its own and thus the present committee has been constituted.

**CHAPTER-III****STRENGTH AND WEAKNESSES OF MEGHALAYA  
POLICE**

3.1 In the course of interviews and interactions with cross sections of people and responses received to the questionnaire, the Committee could ascertain the weaknesses and strengths of the State Police. In fact these responses are not different from what the National Police Commission and other states Police Commissions have already found and projected. There are two different perspectives to the demand for Police Reforms. From the Police side, they feel that the reforms should be in the form of taking corrective measures on the following: -

- i. Distrust of Police by law by continuing various statutory provisions in Cr.PC, Evidence Act and Police Act.
- ii. Lack of cooperation from the prosecuting agency, which has been taken out from the Police after 1973.
- iii. Making Police answerable to multiplicity of agencies like District Magistrate, various National Commissions besides their own Police hierarchy.
- iv. Low Pay scale, harsh working conditions, poor housing facilities, lack of public cooperation and understanding etc.

3.2 On the other hand the general public feel that the Reforms basically should be in altering the attitudes, behaviour and mindset of the Police personnel. The weaknesses according to them are:

- i. Authoritarian, and unprofessional in day-to-day functioning.
- ii. It is a force to take care of political and social elite. Unhelpful and rude to poorer sections.
- iii. Corruption especially at the lower level.
- iv. Often sloppy and ill mannered.

- v. Drunkenness on duty.
- vi. Slow in response

3.3 The core strength of Meghalaya Police can be seen as follows: -

- i. By and large it is fairly well organized, structured and disciplined- a system continuing since inception.
- ii. Fairly well educated and amenable to changes.
- iii. Despite various shortcomings, they are maintaining order in the society.
- iv. Effective in anti-insurgency operations.
- v. Generally make efforts to win the support of the community.

3.4 The one point on which there is an agreement between the two groups is that the Police must be shielded from undesirable and unwarranted interference by extraneous authorities and agencies. Further, the demand for reforms of the police has been coming not only from the public, the judiciary and the NGOs, but also from the police department itself.

### **Meghalaya Police Organization**

3.5 When the state of Meghalaya came into being in 1972, Meghalaya Police started with an initial strength of approximately 2,500 officers and men. Organizational arrangement was as follows:-

IGP Headquarters --- IGP-1; DIG-1; SP SB-1; SP CID-1; and AIG-1.

3 Districts – SPs – 3.

Police Stations – 12

Armed Police Battalion – 1.

3.6 Today the total strength has grown to 10,336 with the following organizational arrangement.

DGP Headquarters --- DGP – 1; Addl. DGP – 3; IGP – 4; DIGP – 1;  
AIGP – 3; SP – 4.  
Police Range – 2.  
Police Districts – 7.  
Police Sub-Divisions – 4.  
Police Circles under Inspectors –15.  
Police Stations – 30.  
Fire Stations – 33  
Outposts/Patrol Posts and Beat Houses – 71.  
Armed Police Battalions – 4.  
Police Training School – 1.

3.7 It is seen that administrative units have increased to a large extent thereby reducing the geographical jurisdictions of the police administrative units. Unfortunately, the development did not bring about corresponding improvement in the delivery of service. This was due to inadequate infrastructural support provided to the new Police Units. During the course of visits to the districts the Committee observed dismal conditions relating to infrastructure in most of the districts. Apparently, no serious efforts have been made to assess the requirement of staff of various categories. The buildings provided are most inadequate and are far below the minimum requirement. Only makeshift arrangements have been made to meet contingencies resulting in various inadequacies reflecting a bad image.

3.8 Increase in manpower is also taking place in an-adhoc manner without going into the real need of the organization. Without a planned developmental approach the department will continue to suffer from shortcomings leading to professional inadequacies. During the last two decades armed police personnel have increased disproportionately as compared to the unarmed branch personnel. The primary duty



of police is prevention and investigation of crime. The unarmed wing of the department carries this out. This constitutes “ normal policing ” as mandated under the laws of the land. The focus of policing seems to have shifted from normal policing to anti-insurgency duties in an imbalanced manner. We apprehend this such imbalanced growth of Armed Branch I Unarmed Branch shall have effect long-term. It is a matter of concern and calls for urgent measures to set the trend on right course. No wonder detection of crimes is not satisfactory and pendencies of cases under investigation are climbing higher.

3.9 Majority of respondents to the questionnaire and individuals and groups with whom the Committee interacted expressed the view that the quality of police personnel and the services provided are below public expectations. The Committee could ascertain that certain shortcomings in the organization contribute to this. Basic issues will have to be examined before concrete recommendations can be formulated. The issues will be examined at length under relevant Chapters.

**CHAPTER- IV**  
**A MISSION STATEMENT FOR MEGHALAYA POLICE:**

4.1 Every organization needs to have a clear guiding philosophy and it is passionately committed about what needs to be done so that it is neither overwhelmed or intimidated by the tasks in hand or challenges ahead—that is where the vision begins. The Vision then enlivens the organization— its decisions, policies and performance—throughout all phases of its evolution. The bed rock of such guiding philosophy is fundamental principles and values and tenets. There has to be a proper alignment of an individual’s life with the organization’s frame of goals to develop mutuality stakes and unity of action. To become an organization with a vision, the guiding philosophy must be institutionalized so that the philosophy becomes identified with the organization, rather than with certain individuals running and controlling the organization, thereby helping it to evolve into an enduring institution relevant to the societal needs, aspirations and expectations. The police as an organized body has statutory powers to prevent crime and maintain order, possessing wide powers over the liberties of individuals need a mission statement. Every individual policeman in the organization must know his responsibilities within the parameters of the law of the land. The Committee has learnt that a mission statement was prepared and circulated to all police units in 2003 from the Police Hqrs, Which reads as follows:

**“ Our goal is to prevent crime, maintain public order, uphold justice, ensure the rule of law, and have honesty, integrity and fairness in all our dealings. We are committed to the safety and security of all citizens in partnership with the people ”**

4.2 We have deliberated upon the existing mission statement of the department. During such deliberations it transpired that the Committee on Police Reforms under the chairmanship of Shri K. Padmanabhaiah has suggested a model Mission Statement. It is simply laid out and is easily apprehensible and which every police

personnel can translate into action. We recommend that this Mission Statement should also be adopted for the State Police. It is quoted in the following.

### **MISSION STATEMENT**

**“The Mission of the Police Service is to act as an agent of Law and uphold the Law fairly and firmly; to prevent and detect crime honestly, expeditiously, effectively and with a scientific approach so as to instill a sense of fear of Law in the minds of law-breakers and to maintain public peace and to provide a sense of safety and security in the minds of law abiding citizens and do all this with integrity, impartiality, common-sense and good judgment.**

**We pledge to protect and maintain internal security of the country.**

**We must be courteous and patient, acting without fear or favour or prejudice to the rights of others; we must be compassionate to the victims of crime, specially women and weaker sections; we need to acquire the skills to do our job well; be professional, calm and restrained in the face of violence and apply only that force which is necessary to accomplish our lawful duty.**

**We must strive to inculcate a positive and citizen-friendly attitude, to reduce the fears of the public. And, so far as we can, to reflect their priorities in the action we take. We must respond to well-founded criticism with a willingness to change and improve.**

**We strive to attain our common purpose and values and to provide quality and reliable service by working in partnership with the community.”**

4.3 We also endorse the recommendation said Committee and every police

personnel should affirm this Mission Statement as an “oath” immediately after recruitment, at the time of attestation parade, and at other appropriate occasions as Government may decide. Further, the goals of the department should be set in line with the Mission Statement. The components of the Statement should be broken down into individual targets, from top to bottom in the hierarchy.

## CHAPTER –V

### RECRUITMENT

5.1 In Meghalaya, Police personnel are recruited at three levels:

(1) Constables, (2) Sub-Inspectors, (3) Deputy Superintendent of Police. The state government has constituted separate Departmental Recruitment Boards for Constables and Sub-Inspectors level. The Deputy Superintendents of Police are recruited through the state public service commission.

5.2 The Police Commission of 1902 recommended that the Head Constables and the Constables should not be utilized for duties requiring the exercise of discretion and judgment. Such duties were expected to be handled only at the level of Sub Inspectors and above. This legacy is continuing even today as the same principle is repeated in the present Code of Criminal Procedure 1973. However, with the adoption of democratic principles in all areas of administration the situation have undergone extensive changes requiring a drastic review of utilization of personnel in the lower ranks. The National Police Commission 1978 made the following observations – “It is thus seen that the Constable of the present day has moved far from the predominantly mechanical role assigned to him by the 1902 Commission and has now to interact with the public in larger numbers in a variety of situations where he has to apply his mind, exercise his judgment, use his powers of persuasion and appeal and enforce law *with public understanding and cooperation*. It is the constabulary who forms the cutting edge of police administration and faces the public most during their visits to police stations and movement on roads. It is the Constable’s behaviour and response, which create the first and foremost impact on the public mind. The staff who function at the police station level largely determines the police image. The Constabulary constitutes a large majority of this staff and form the foundation and base for the entire police structure. Any attempt at a meaningful police reform has necessarily to start at their level only, since no reconstruction of

the system will be practicable or enduring unless *the mass base of the system* is rendered healthy and efficient”.

5.3 The Committee is also of the opinion that the reform should begin at this level. In Meghalaya Constabulary constitutes over 70 percent of the total force and as such their personality, status and role have the maximum impact in society. While the recruitment procedures in the State are fairly well defined, better quality of personnel are not finding entry into the service. Few reasons can be cited for this:

- i. Inadequate educational qualification
- ii. Treating recruitment in police merely as an employment avenue
- iii. Inferior status accorded to the service
- iv. Extraneous pressures at the time of recruitment
- v. Inadequate medical test.

### **CONSTABLES**

Constables are recruited under two categories:

- i. Unarmed Branch
- ii. Armed Branch

Details of recruitment procedures as laid down by Government Memo No. HPL.297/79/318 dated 9<sup>th</sup> July, 1993 are attached as **Annexure-7**.

5.4 We do not propose to suggest any change in the procedures as laid down by the Government. However, in view of the specialized nature of police profession, inclusion of non-professional members in the Selection Boards will not serve any purpose. Some members of public expressed the same view during interaction with the Committee. It would be more meaningful to include a psychologist instead. We therefore, suggest that the Selection Boards should have only police professionals, medical officer and psychologist and leave out non-professional members from the Board.

## UNARMED POLICE

5.5 Educational qualification required for entry into the level of Unarmed Constables is HSLC. However, certain pre-requisites should not be ignored if better quality of candidates is to be attracted to the service. Selection of candidates should be more strict keeping professional needs of the service in view. Successive Pay Commissions of the State have treated the posts of constables almost at par with unskilled workers. This approach is not correct. Under the laws of the country a constable is vested with enormous responsibilities and he exercises considerable powers over the freedom and liberty of individuals. As such constabulary cannot be treated at par with other services as per the 3<sup>rd</sup> pay commission of the state. The duties of constables now require considerable initiatives and exercise of judgment. In many situations a constable has to function by himself/herself, exercising judgment of the situation and acting according to needs under the law. The National Police Commission 1978 observed that “a thorough knowledge of law is now required on the part of a constable and will be required in greater measure for satisfactory performance of his duties. All these requirements of the role and duties of a constable clearly make out a case for rating him as an operative somewhere between a highly skilled worker and a skilled worker”. Considering these professional requirements there is need to review and accord a better status to the constabulary *vis avis* other services of the category. This point has been emphasized by the National Committee on Police Reforms 2000 by observing, “conscious efforts have to be made to change the mindset and to make the police personnel feel that they are *part of an elite force*, which has been created for the betterment of our country. They should feel pride in joining the service. It is essential and also it is easier to create such an image while recruiting. It is essential to test the attitude and aptitude of candidates who wish to join the police”. A constable once recruited normally remains in service for 32 to 35 years. He is the visible symbol of authority of the government. Hence, recruitment to constabulary should require careful examination. The Committee recommends that the minimum educational

qualification for the recruitment for the post of UB Constables should be raised to higher secondary school leaving certificate: HSSLC/Class XII passed.

5.6 This, in effect, calls for changing the present approach to constabulary by according a better status to the post of constables. The Committee does not have the jurisdiction to go into the pay structure of various levels of police personnel. However, improvement in status is indispensable for qualitative improvement in manpower. We strongly feel that the case of the policemen for rational pay structure should be resolved in fair and just manner to sustain morale which is most important in the context of growing development of the country.

5.7 It is obvious that police personnel should be both mentally and physically fit for the profession. This should be ensured at the time of recruitment. The following modifications in the present process of recruitment can be taken into consideration:

- i. Include a psychologist in the Selection Board.
- ii. Objective questions may be set in written examination not only to test the intelligence of the candidates but also to assess the mental and psychological make-up in keeping with the needs of the profession. This will be in addition to the test in command of language, and fundamentals of mathematics and reasoning.
- iii. After the preliminary check by the Medical Officer acting as a member of the Selection Board, the selected candidate should be put through a more thorough medical fitness check by a Medical Board. Only those candidates cleared by the Medical Board should be appointed.
- iv. No extraneous pressure at the time of recruitment should be entertained. Adapting more transparent procedures of recruitment can ensure this.



- v. Recruitment to Police should not be treated merely as an employment avenue without strictly seeking to the requirements of the profession in the candidates.

5.8 It is observed that even graduates have started entering the level of constables in the state. There are also personnel who try to attain higher educational qualifications while in service. This should be encouraged. Computerization of various aspects of police works is inevitable, as such; competency in computer application should be given preference. At least three levels of promotions should be ensured to all personnel by putting them through well-designed promotion tests. Those who are qualified should be allowed to take the tests for recruitment to the level of Sub-Inspectors. Such an arrangement will bring experienced personnel at the cutting edge level in police hierarchy. Proper training by improving the training content must be considered to bring about behavioural and professional improvement. This has been dealt at length in the chapter under training.

5.9 The Government of Meghalaya has abolished the posts of Assistant Sub-Inspectors of Police. Induction of more Sis is expected to give the State Police more manpower in carrying out as far as normal policing is concerned. We acknowledge the fact that abolish of post of ASI has taken away one promotional avenue for the Constabulary. It is now necessary that the role of the ASIs be taken over by the Head Constables who will be well qualified if the recruitment policy as suggested in the preceding paragraph are accepted. The pay scale of Head Constable is marginally higher than Constables. The Committee therefore strongly recommends creation of more Unarmed Branch Head Constables to assist the Sub-Inspectors in various aspects of normal policing work. This will increase the promotional avenue of Constabulary and for which financial implications will be insignificant.

### **ARMED POLICE**

5.10 The present educational qualification required for recruitment of Armed

Police Constables is Class-VIII. Considering the attainment of higher literacy rate in the State there is ample justification to upgrade the educational qualification required for this category. It is to be noted that Armed Branch Personnel carry out their duty alongside the Unarmed Branch Personnel in maintaining law and order duties. Invariably their functions also involve close contact with members of the public during normal duties and more impact on police image. While requirements of physical and educational qualification are same, recruitment to the District Armed Branch and Armed Police Battalion are carried out separately. At present there is no bar to effecting transfer from District Armed Branch to Armed Police Battalion and vice versa. The Committee is of the view that a single Recruitment Board should conduct recruitment to Armed Police. The minimum educational requirement should also be raised to HSLC/Matriculation passed. This will bring about qualitative improvement in this category of Police. The third Meghalaya Pay Commission has also recommended enhancing the educational qualification of AB to HSLC/Matriculation passed.

5.11 Today, expectations of public from the Police are much higher. The police constable must not only be physically fit but he has to be a 'thinking policeman' Even the basic criminal laws of the country require the police to exercise a considerable discretion and judgment. It is relevant to quote the report of the National Police Commission 1978.

- (i) "The basic criminal laws of the country make no distinction between Head Constable/Constable and the higher ranks in regard to the exercise of police powers in many situations, excepting investigations. The Police Act of 1861 on which the present police system is based prescribes the duties of all police officers as under:
- (ii) "It shall be the duty of every police officer promptly to obey and execute all orders and warrants lawfully issued to him by any competent authority; to collect and communicate intelligence affecting

the public peace; to prevent the commission of offences and public nuisances; to detect and bring offenders to justice and to apprehend all persons whom he is legally authorized to apprehend, and for whose apprehension sufficient ground exists; and it shall be lawful for every police-officer, for any of the purposes mentioned in this section, without a warrant, to enter and inspect drinking-shop, gambling house or other place of resort of loose and disorderly characters”. (Section 23)

(iii) “It shall be the duty of police to keep order on the public roads and in the public streets, thoroughfares, ghats and landing-place, and at other places of public resort, and to prevent obstructions on the occasions of assemblies and processions on the public roads and in the public streets, or in the neighbourhood of places of worship, during the time of public worship, and in any case when the road, street, thoroughfares, ghat or landing-place may be thronged or may be liable to be obstructed”. (Section 31)

5.12 According to Section 25 of the same Act, “It is the duty of every police officer to take charge of all unclaimed property, and to furnish an inventory thereof to the Magistrate of the district”. Under Section 34 of the same Act, it is lawful for any police officer to take into custody, without a warrant, any person who within his view commits eight different types of offences, which are described in that section. Under Section 41 of the Code of Criminal Procedure, any police officer may, without an order from the Magistrate and without a warrant, arrest any person who falls under any of the nine categories mentioned in that section. Under section 151 (1) of the same Code “a police officer knowing of design to commit any cognizable offence may arrest, without orders from a Magistrate and without a warrant, the person so designing, if it appears to such officer that the commission of the offence cannot be otherwise prevented.” Head Constables and Constables derive their powers of search, seizure, arrest etc. under the above provisions of law in common with all police officers. These powers cannot be fairly and justly exercised by a functionary if

he is recruited, trained and oriented for performance of duties of a mechanical character only. They require a mature mind, which is capable of analyzing the merits of a situation and assessing the nature and quantum of executive action called for that situation and what is more, the requirements of law and procedure. In other words, even under the existing law of the land a constable is expected to exercise certain powers which demand the application of a mature mind and exercise of judgment.”

5.13 Merely enhancing the educational qualification at the time of induction will not change the quality of police constables. They need to be motivated by providing adequate promotional avenues. There should be a minimum of three levels of promotion. In due course ones should be able to go up to the level of Inspectors. For this purpose a well-designed promotion tests should be introduced. This will be dealt at length under the chapter concerning training.

### **SUB-INSPECTORS**

5.14 The Sub-Inspectors play the key role in investigation of crimes under the law. They also hold the charge of Police Stations except a few bigger Police Stations in the urban areas. Inspectors hold charge of such bigger Police Stations. The Sub-Inspector as Officer In-Charge of Police Station is responsible for efficient management of the Police Station in his charge. As such, he is the key person in the entire police setup. He needs to be smart looking, physically fit, alert and should also have the intellectual capacity.

5.15 For recruitment to this level the educational qualification required is Graduate of any recognized University. Considering the ever-increasing application of computer in police functions certain edge must be given to candidates possessing certificates or diploma in Computer Application from recognized institutions. They should be encouraged to take entrance examination conducted by State Public Service Commission for the post of Dy. SP. The promotion quota of 50% in the post

of Dy. SP should remain for the time being. In this manner merited officers can go up to the highest level in Police Organization. This will motivate the Sub-Inspectors and will have a good impact on their morale. Such entry to the Dy. SP level will have the benefit of experienced officers from the ground level.

5.16 We are not suggesting substantial changes in the recruitment procedures, as the existing guidelines are quite elaborate. However, it is recommended that the written test should include an objective paper with a view to assess the personality, attitude, psychological make up which are required for the profession. Obviously, this necessitates inclusion of Psychologists in the Recruitment Board.

5.17 It would help if the DIG/IGP In-Charge of training visits the training institution at least 2/3 times during the training period to assess the training progress of trainees. Any trainee who turns up to be unsuitable should be discharged at the initial stage so that he/she does not become a liability in future.

#### **DEPUTY SUPERINTENDENT OF POLICE**

5.18 This level of officers at the direct entry level is recruited through the State Public Service Commission. Though the Committee would refrain from offering comment on the procedure of recruitment adopted by the Commission, yet we would like to suggest that a senior level Police Officer be included on board while interviewing candidates for recruitment to the post of Dy. SP. Due weightage should be accorded to the professional requirements. The senior Police Officer as an expert in the Commission should be allowed the discretion of giving at least 25% of the mark allotted for the interview.

5.19 Physical fitness should be more strictly screened. The present system of medical check is inadequate and needs improvement. The Director and faculty members of North East Police Academy brought this issue to our notice during the visit to the Academy. They informed that some of the trainees at the level of Dy. SP

had serious medical problems and had difficulties in undergoing the training. This is certainly not acceptable particularly in police service where nature of work is arduous and often involves extreme mental and physical strain. Enrolling such medically unfit officers will only become a liability to the organization. The Committee therefore recommends that proper Medical Board should be constituted to examine all candidates thoroughly before giving appointment.

5.20 Recruitment to this level should be conducted on a regular basis and not by fits and starts. This can be done on yearly basis taking vacancies into account. Over the past few years recruitment has been carried out in bulk after long gaps. Obviously this has resulted in serious problem in career management. Since the posts at the senior level are limited, only a few officers are promoted leaving others in the same batch in junior posts. This causes heart burn leading to demoralization. Considering the cadre strength and possibilities of future expansion, yearly intake of not more than 3 officers at a time will suffice. For example, by January 2006 there will be 6 (six) vacancies at this level. The remaining 3 (three) vacancies can be filled up through promotion of Inspectors as suggested in the preceding paragraph.

5.21 Intake of IPS Officers in the Meghalaya Wing of the joint cadre is not done on annual basis. It is seen that during the past 10 (ten) years only 5 (five) IPS Probationers have joined the State Wing of the cadre. This has resulted in large numbers of cadre posts remaining unfilled. For example, at present 6 (six) cadre posts at the level of Superintendents of Police are held by state police officers. It is learnt that they have difficulties in drawing their salaries for non-issue of pay slip as per the rule. Such anomalies should be corrected without delay. While the intake of IPS Officers should be planned according to the existing cadre strength, opening for the state service officers at the senior level should also be made available. It is obvious that the present problem is the result of defective career management. The problem is compounded by a large numbers of IPS Officers preferring to go on deputation outside the State. It is recommended that a Career

Management Committee be constituted in the Home Department in which the DGP can be made the Member Secretary to ensure proper management of the cadre.

5.22 Police functions are going to become more complex in the years to come. The brunt of the tasks will be borne by the state police officers. It is therefore necessary to break the present mindset of the officers in so far as their responsibilities are concerned. Their professional knowledge and skills should be updated and compulsorily tested before allowing promotion to the next level. This will require changes in the service rules after details of such tests are worked out. The idea is to give credence to merit while considering promotions to the higher levels.

5.23 Proper status should be accorded to the Meghalaya Police Service in order to instill pride in the service. They should not feel inferior to other administrative service in terms of salary and allowances. The specialized nature of the police functions and concomitant requirement of high professional standard should be duly recognized.

## CHAPTER-VI

### TRAINING

6.1 The present system of training of police officers needs revamping at all levels. The existing training institutions are most inadequate to train the ever-increasing number of personnel. At present only 1 (one) recognized Police Training School with limited infrastructure and staff is imparting basic training to Unarmed Branch Constables, MPRO operators and Fire Service personnel. In addition refresher and other specialized courses for personnel up to the rank of Inspector are conducted at the Police Training School. The content of the basic training is stereotypical and needs a fresh look. If the Training School is expected to produce well trained personnel equipped to face the new challenges, urgent measures should be taken to improve the entire setup.

6.2 The Armed Branch personnel are presently being trained at the Battalion Headquarters of 1<sup>st</sup> MLP Bn. Mawiong and 2<sup>nd</sup> MLP Bn. Goeragre. These are not specialize training centres and hence there are no dedicated training staff sanctioned for the purpose. Drawing staff from the existing strength of the armed Battalions, basic training courses for armed personnel are conducted. Further, refresher courses, promotion cadre courses and other specialized courses are also conducted under the same arrangement. Such training arrangement cannot be expected to impart quality training.

6.3 The importance of the training cannot be over emphasized. Here it is relevant to quote from the report of the National Committee on Police Reforms, 2000. "Training is at the very heart of effective and responsible policing. But the fact is that though this subject is given a lot of lip service, this, in reality, is an area which is most neglected. Training institutes are not given the importance they deserve nor the resources they require. Only about 1.3% of the total police budget (all States) is spent on training. It is mostly unwanted persons who are



posted to a training institute, on occasions as 'punishment postings'. There is no regular system of (a) Evaluating the training needs; (b) Revising and upgrading the syllabus; and (c) evaluation of the impact of training. The training needs at various levels of the police hierarchy have to be assessed carefully by the department itself. At all levels of hierarchy, behavioural aspects, treatment of weaker sections, communications skills, better police-public interface etc., have to be the foundations on which the training is to be built. Secondly, policing is no longer a semi-skilled job and day-by-day the need for specialization and sophistication in police work is becoming evident. There are many sub-specialisations like crime prevention, crime detection, forensic science, maintenance of law and order, intelligence gathering, VIP security, disaster management, anti-terrorism, organized crime, cyber crime, computerization, wireless communications, transport, etc. Officers can be given a chance to choose their areas of specialization based on their aptitude and trained accordingly. Each group dealing with a specialized branch and every individual has his own training needs and without identifying the same, omnibus training programmes will not help. Training will have to be guided by the job requirements of the individual officer. For instance, a police officer in charge of a station house pursuing prosecution will need a thorough knowledge of Cr. PC, IPC, other criminal laws and decisions of the higher courts, NHRC, etc., while an officer in a Naxal area of Andhra Pradesh or Bihar will need to know how to identify a land mine and de-activate it. Whether it is intelligence gathering or VIP security or fighting terrorism, lack of preparedness of the police force has become more and more apparent".

6.4 The situation in Meghalaya is not different from what is stated above. It is time that due priority is given to this important aspect. We recommend the following measures in order to make police training effective:

**Physical facilities and staff:**

- i. The land and buildings presently used for the Police Training School is inadequate. A new setup should be developed at a suitable place where administrative and residential buildings can be provided. Provision of standard parade and playground should invariably be an important part of the development. The present setup cannot meet the normal training requirement for police.
- ii. Police Training College should have a miniature laboratory. The training laboratory should have sufficient equipments to enable demonstrations to be given in various items of Forensic works, including finger and footprints, ballistics, document examination, physical examination etc.
- iii. Police Training College should have a model Police Station, which should have a complete set of the forms and registers used in Police Station duplicated from entries in the records of an actual Police Station. It should also have the case diaries and judgments of a sufficient number of cases, which may help to give a practical bias to theoretical training.
- iv. A well-equipped Gymnasium should be provided at the Training College. This is essential to encourage physical fitness regime for all levels of police personnel.
- v. Considering the need for higher standard of training the Police Training School should be upgraded to the level of Police Training College. Though the Dy. SPs and Sub-Inspectors are being imparted basic training at NEPA, the State police will have to make own arrangement for all other post basic trainings. Many specialized trainings specially needed for the state cannot be conducted at NEPA. The Academy follows its own training programmes which are designed for the general needs of all the component states in the North East. Upgrading the training institution will mean provision of better qualified trainers and upward revision of training syllabus. The

Committee is not suggesting changing the present training arrangement at NEPA. Dy. SPs and Sub-Inspectors may continue basic training at NEPA. But all other specialized trainings required for the state police, from constables to Dy. SPs, should be systematically conducted at the proposed Police Training College.

- vi. An officer of the rank of DIGP who will be designated as Director should head the College. A Deputy Director who will have the rank of SP/Commandant will assist him.
- vii. Due priority should be given in budget allocation for the training needs of the State Police. For conducting specialized training courses experienced and qualified trainers may have to be brought from outside from time to time. Such services can be obtained only if rate of honorarium is considerably increased.
- viii. The existing service conditions in the training institute are most unsatisfactory. In the absence of any motivation good officers are not attracted as they find the nature of the work mundane as compared to the normal field work of policing. It is therefore recommended that all trainers be paid 20% of their salary as training allowance.
- ix. Once a trainer joins the Training College it should be made mandatory to serve a minimum of 5(five) years in the Training College. In case his/her turn for promotion comes, he should be allowed to avail the same at the same place of posting till the tenure is completed.

### **Training Objectives**

6.5 The National Committee on Police Training 1971 headed by Prof. M.S. Gore made the detailed study of Police Training needs in the country and submitted elaborate recommendations. Much of their recommendations still hold good and are applicable to Meghalaya Police as well. It is relevant to quote some of the salient features as follows:

- (i) “Traditionally, a great deal of emphasis has been laid on the inculcation of knowledge and professional skill as the twin objectives of training. While these two are important, they do not make training complete and there is a third one that needs to be recognized. This is the objective of developing in the trainees appropriate attitudes of mind towards their works and the people they come into contact with in the discharge of their duty. This third objective requires that training should relate not only to the cognitive and the conative abilities of the individuals but also to his effective responses. Training should aim at developing a trainee’s total personality for the effective performance of his task.”
- (ii) Further, “training must be closely related to the goals of the organization and should be undertaken in depth at all levels, if the improvement envisaged is to be sustained, it must percolate to the lowest levels which constitute ‘the cutting edge of the administration’ as far as the citizen and the community are concerned. This envisages a phased intensive in service training programme in the form of refresher, orientation, specialized, middle level and senior level courses, besides the induction training of new recruits at different levels. Training is thus a continuous process. But it is not just a matter of more courses. It is necessary to consider what methods of teaching and what subject matter will be most effective at what level. In the police in particular, the overall efficiency of an individual depends not only on his knowledge and skills but also on his ability to function in a group and to interact more effectively with the people.”

6.6 I In the light of the above, it would be necessary to review the training content and syllabus for basic training of constables and refresher and specialized training of police personnel of all levels. The following additions in the syllabus are recommended.

**Basic training of Unarmed Constables:**

6.7 We have been informed that the content of the training syllabus have been revised recently. Indoor and outdoor classes have been allotted equal periods and many new topics have been included in indoor studies. While the course content appears to be quite comprehensive, some outdoor activities need to be added to give the training a practical bias. For example, the trainees can be taken out in batches to the neighbouring villages to interact with the members of the community or participate in community activities.

6.8 Un armed combat which is a form of martial art is taught as a part of outdoor training. This form of martial arts is incomplete, as it has not included mind control exercises. We recommend that some experts should be associated to make the unarmed combat exercises more beneficial. Police personnel should be properly prepared to face the stressful service life by encouraging to practice martial arts or yoga in their daily routine.

**Refresher course for Unarmed Branch Constable**

6.9 According to the syllabus of the Refresher Course for UB Constables, the duration of the course is only for 2 (two) weeks. In view of the abolishment of the post of Asst. Sub-Inspectors of Police, now 50% of the promotion post to the rank of Sub-Inspector shall to be filled up from among the eligible UB Constables. Therefore the syllabus has to be thoroughly revised with a view to prepare the UB Constables to be able to function as a Sub-Inspector when they are eventually promoted to the rank.

6.10 The Committee therefore recommends that the Refresher Course should be of duration of 1(one) month and at least 4 (four) courses a year. The following subjects should also be included in the syllabus.

- i. Case investigation and writing of Case Diaries.
- ii. Crime against women, SC/ST
- iii. Scientific aids to investigation
- iv. Criminology
- v. Prevention of Crime
- vi. Investigation and various types of crimes Medical Jurisprudence
- vii. Disaster Management- Duties of Police in case of Natural calamities like floods, earthquake, fire and epidemics.
- viii. Communication Skill.

### **Refresher course for Armed Branch Constables**

6.11 The Armed component of the State Police is not only engaged in law and order situations, counter insurgency operations and other duties of the Armed Branch but they are now also required to perform social duties, especially in the event of disasters. As such, the contact of the armed branch personnel with the members of the public has become closer. The minimum educational qualification required for an Armed Branch Constable is Class VIII passed. But it is heartening to see that during the past 4 (four) years more and more qualified youths ranging from SSLC passed to Graduates are competing to join Armed Branch. In view of the higher educational qualification of the recruits, the training has also to be upgraded with more inputs on indoor subjects relevant to present day needs. Therefore with a view to have more humane yet effective armed police, the following subjects are recommended to be added to the existing syllabus of the Refresher Course. We also recommend that the refresher course should be held regularly at least 4 (four) courses a year.

- i. Crime against women, SC/ST
- ii. Human Rights
- iii. Police Public Relations
- iv. Disaster Management

v. Communication Skill

**Refresher Course for Sub-Inspectors and Inspector**

6.12 Refresher course for Sub-Inspector and Inspector is non-existent.

However, to make up for the course, the Committee was informed that officers of this level have regularly been deputed for specialized courses both and within the state and outside. The Committee felt that this practice is still inadequate to meet the requirements of modern day policing especially by the cutting edge level officers. It therefore recommended that a regular refresher course for Sub-Inspector and Inspector be held regularly, at least twice a year with duration of 1 (one) month. However, care should be taken that those who are deputed for this course should not be non-performers in the department. But the dedicated and committed officers as the maximum benefit from the course can be absorbed by them and the maximum benefit for the interest of the public can be derived from them. The following subjects are recommended to be included in this course.

- i. Scientific aids to investigation
- ii. Methods and techniques of Investigation
- iii. Medical Jurisprudence
- iv. Method and technique of interrogation
- v. Community Policing
- vi. Crime against women and SC/ST
- vii. Communication Skill.

**Vertical interaction Course for Sub-Inspector upto the level of Superintendent of Police**

6.13 The interaction between subordinates officers of the rank of Sub-Inspectors and above with their immediate superiors upto the rank of Superintendents of Police are few and far between. This has led to numerous confusion and misunderstanding between different levels of officers. Therefore,

the Committee felt that it is imperative that there should be periodical interaction between these level of officers to dispel doubts and confusion and also to remove a lot of misunderstanding between the levels. We therefore recommend that a vertical interaction course for the ranks of Sub-Inspector up to the rank of Superintendent of Police be held for at least 4 (four) times a year. The duration of which be 5 (five) working days. It should be made mandatory for every officer to attend at least one such course. The following topics may be included in the course:

- i. Economic offences
- ii. Disaster Management
- iii. Community Policing
- iv. Human resource management
- v. Image building for Police
- vi. Public order in information age
- vii. Role of technology in crime and crime prevention
- viii. Criminal Justice System – Improving its effectiveness
- ix. Juvenile Justice
- x. Gender Justice and Role of Police
- xi. Good Governance and Role of Police
- xii. National Security challenges and police response
- xiii. Tactical preparedness for counter terrorism
- xiv. Leadership and change management
- xv. Any other topic relevant to this level of officers.



## CHAPTER-VII

### MANPOWER AND CAREER PLANNING

7.1 Meghalaya Police was created by bifurcating parts of Assam Police when the state of Meghalaya was carved out of the erstwhile state of Assam in 1972. From an initial strength of approximately 2500, today it has grown to 10336. This quantum increase in the strength is mainly due to raising of three Armed Police Battalions over the years. As of now the strength of Armed Police constitute about 34% of the total strength as against the National average of 26%. During the period five more Police districts along with a number of specialized branches have been created. The strength of the District Police, which is categorized, as Civil Police have not been increased substantially.

7.2 In Meghalaya the Civil Police have two components namely, Unarmed Branch and Armed Branch. The Unarmed Branch personnel are posted to various Police Stations, Beat Houses and Outposts. The Armed Branch personnel are placed at the disposal of the Superintendent of Police for carrying out guard, escort and law and order duties. The role of Civil Police is multifarious but is essentially meant for prevention and detection of crime. In other words, the normal policing work is performed by Civil Police.

7.3 The Committee has observed that personnel for Civil Police have been sanctioned without following any yardstick. The following information made available to the Committee will illustrate:

i. East Khasi Hills district	---- 2117
ii. West Khasi Hills district	---- 225
iii. Jaintia Hills district	---- 330
iv. Ri-Bhoi district	----- 356
v. West Garo Hills district	----- 669
vi. East Garo Hills district	----- 224

## vii. South Garo Hills district ----- 133

- 7.4 It can be seen from the above that the disparities in the strength of District Police are very wide. While it is understandable to have larger strength in East Khasi Hills and West Garo Hills districts, the strength in the new districts should not be too wide. Some of the districts may have more Police Stations and Outposts thus needing more Unarmed Branch personnel. But the requirement of the Armed Branch component should not vary much as volume of work involving this category will be more or less the same.
- 7.5 In order to provide effective police coverage in the districts it would be necessary to consider the area of a district as an important criterion. We find a vast difference in the number of police stations and Outposts in the districts. This is illustrated as follows:

District	Area in Sq. Kms	Police Stations	Outposts/Beat House/Patrol Posts
East Khasi Hills	2748	10	17
West Khasi Hills	5247	3	7
Jaintia Hills	3819	4	10
Ri-Bhoi District	2448	3	11
West Garo Hills	3677	6	15
East Garo Hills	2603	3	8
South Garo Hills	1887	1	3

Table -2

- 7.6 At present crime and law order situation in some of the districts may not

justify increase in Police Stations and Outposts. But rapid increase in developmental activities, demographic changes, improved communication etc. will certainly have serious impact on crime and law and order situation in all the districts. It would therefore, be necessary to take a long-term view while planning for opening new Police Stations and Outposts in the state. At present there is no police coverage in large areas in West Khasi Hills, East Garo Hills and South Garo Hills districts. It is no surprise, therefore, that militant activities are mainly confined in those areas. This should be taken as a clear indicator. We feel that merely carrying out Armed Police operation in those areas cannot be the solution. Police coverage on permanent basis will have to be provided by undertaking careful planning. Proper communication network in those areas should also be developed on priority.

7.7 After a careful study the Committee recommends that manpower requirement for the State Police should be planned on the following lines:

- i. Focus should be on increasing the strength of the Civil Police, which constitute the backbone of normal policing. Instead of raising anymore Armed Police Battalion, priority should be accorded to creating more staff for Police Stations and Outposts. This will mean not only strengthening the existing Police Stations but also opening of new Police Stations and Outposts to fill the uncovered areas.
- ii. Increase the strength of Civil Police in Urban Police Stations to facilitate separation of crime investigation and law and order wings as recommended in another Chapter. Specialization of personnel in the investigating wing will also account for the need to increase.
- iii. More Women police should be recruited to be posted at Police Stations and Traffic Branch. Women police should handle all cases involving women and children. There should be a Juvenile Branch in the main Police Station at District Headquarters. Women police

should also be posted to the Branch. Women police at the Police station should be trained in counseling victims in various crimes.

- iv. Provision of District Armed Police should be rationalized. All the districts irrespective of size perform certain basic police functions. For example, guard, escort, law and order duties etc. Very often the Superintendents of Police of districts are compelled to requisition Armed Police Battalion personnel to make up the deficiency in District Armed Police. This is not a healthy practice since the role of Armed Police Battalion is different and should not be diluted. The Armed Police Battalions are meant to be kept as State reserve to be requisitioned only when certain situation demands. We would therefore, suggest that the need for minimum requirement of Armed Police in the districts be assessed carefully by the Director General of Police and prepare a yardstick with a view to make up the deficiency in some of the districts. The government while sanctioning additional manpower can apply this yardstick.
- v. There should be a minimum yardstick in the case of prosecution staff in all the districts. The number of Courts functioning in the districts should be taken into account. We have been informed that Courts' works are often hampered due to non availability of adequate staff.

### **Circle Inspector**

7.8 The functions of Circle Inspector are clearly laid down in the Assam Police Manual Part-V. A Circle Inspector is in-charge of a circle, which comprises two or more police stations, and is responsible for the prevention and detection of crime and for the supervision, control, and general efficiency of all police works in his jurisdiction. In the supervisory arrangement the Circle Inspector occupies a vital link. A promoted Sub-Inspector who has gone through all levels of crime work in the field occupies the post. He is therefore, expected to possess all experiences that is required to supervise and guide investigating officers. He also keeps track

of all cases under investigation and monitor prosecution of cases in the Courts. The periodic inspection of Police Stations by Circle Inspector clearly reflects the crime situation and various preventive measures taken by police station staff. Deputy Superintendents of Police cannot effectively perform this function, as they will not have the experiences at the grass root level, unless he has risen from the ranks.

7.9 Unfortunately, with the upgradation of officer in-charge in some of the urban Police Stations to the level of Inspector, the office of Circle Inspector in the state has been allowed to become a mere appendage. The Committee is of the view that this will have serious consequences. Already signs of deteriorating crime work due to lack of supervision can be noticed. We therefore, suggest that the office of Circle Inspector should be revived and clear directions issued to perform the duties as laid down in the Manual. However, this can be done properly only if the rank of the Circle Inspector is rationalized in relation to other Inspectors. We recommend the following changes in the ranking pattern.

- i. Senior Inspectors who have completed a minimum of five years in the rank should be put through a Screening Board to be headed by an Additional Director General of Police. The selected Inspectors will be promoted to the rank of Circle Inspectors.
- ii. Since the Circle Inspectors are required to supervise the functioning of Inspectors holding charge of Police Stations, the post of Circle Inspectors should be assigned a higher rank. With this end in view the post of Circle Inspector should be made a gazetted post and allowed to wear shoulder badge of one star without ribbons. Considering the higher responsibility a reasonable charge allowance may be attached to the post without revising the existing scale of pay.
- iii. The role, functions and powers of the Circle Inspectors should be clearly laid down in the new Police Manual which as the Committee has learnt, is being prepared for the State.

7.10 Another area for consideration in manpower planning concerns the ratio of Constabulary to other ranks in the Police Organisation. It is seen that Constabulary constitutes 65.02% of the total Civil Force in the State as against all India average of 86.7%. Because of the low educational standard of recruitment and limited training imparted to them, they cannot contribute much to normal policing duties. This is particularly so in the area of crime prevention and investigation. Their functions are limited to assisting the Sub-Inspectors in crime and law and order duties. For this reason we are of the view that the intake of more Sub-Inspectors than Unarmed Branch Constables would serve better purpose. As recommended by us in another Chapter the educational qualification for recruitment to Unarmed Branch Constables should be upgraded.. Provision should also be kept open for promotional avenues so that those who can qualify can go up to the level of Inspectors and higher. This way the Organisation will also be benefited by their experience at various levels. We therefore, recommend that recruitment to the posts of Unarmed Branch Constables be suitably reviewed with a view to obtain optimum services at this level. Such a revamped Police setup would be able to handle the future policing requirements of a technologically advanced and complex modern society.

7.11 Manpower planning at the higher level i.e. from Dy. SPs upwards also needs careful examination. In order to facilitate promotional avenues additional posts are created on adhoc basis. This happens when officers are recruited in bulk and their turns for promotions to the next level come. Such adhoc proliferation of senior posts leads to entertainment of a variety of non-responsible posts. We feel that this is adversely affecting the chain of command, which is vital to police functioning. We suggest that requirement of manpower at the level of direct DySP at least for the coming ten years should be planned and intake of new recruits be planned following a phased programme. Invariably, anticipated expansion in the organization should be taken into account. Such a planned

approach will help in bringing about efficiency and professionalism in the organisation.

### **Career Planning**

7.12 This is an important aspect of man management in the organization. Lack of proper career planning adversely affects the efficiency and morale of the police force. A good career plan should take into account:

- (a) Promotional avenues and prospects;
- (b) The needs of specialization;
- (c) The training needs; and
- (d) Posting policy.

7.13 Human resource development is yet to receive adequate attention in Meghalaya Police. The status of Constabulary, which constitutes about 75% of the total force need to be examined so that this major segment of the force do not remain neglected. More than 80% at this level do not get any promotion and retire at the same level. One cannot expect dedication and best performance from such a force. While it will not be practically possible to bring about a major change in this respect, some better prospects should be devised to generate better motivation. A good career plan should provide for at least three promotions during the entire service. We have recommended elsewhere that the educational qualification for recruitment to constables should be upgraded. If this is implemented a constable possessing a good level of competence with good service records can aspire to go up to the level of Inspector.

7.14 At present, posts at the level of Head Constable/Havildar are limited and may pose a bottleneck in the flow to higher level. To get over this problem we suggest that the posts at the level of Head Constables be proportionately increased to fill up the gap caused by the abolition of the level of Asst. Sub-Inspector in the State. Further, to facilitate promotion to higher level we suggest

that 50% of the posts at the level of Sub-Inspector be reserved as promotion quota and only 50% be recruited directly. By implementing this there will be a healthy blending of youth and intelligence and professional skills and experience at this level. Promotion to the level of Inspector will be limited and only officers with high competence and integrity should be able to reach this level. This itself will be a motivation to excel in various areas of police duties at the lower level and higher.

7.15 There should be well-organized centralized promotion test at all levels. Minimum qualifying service for eligibility may be – five years as constable, six years as Head Constable, eight years as Sub-Inspector. Generally, average numbers of candidates join the posts of constables at the age of 20. By following the suggested eligibility requirement, a deserving officer can reach the level of Inspector at around 40 years of age. For the directly recruited Sub-Inspector minimum-qualifying service for promotion to Inspector may be kept at eight years.

We do not propose to suggest any changes in the criteria and procedures for promotion to the level of Deputy Superintendent of Police.

### **Driver Constables and Mechanics**

7.16 This category of Constabulary is borne in the strength of Armed Branch of various Units. The present total strength is 572 excluding the sanctioned mechanics for Central and Range Police Workshop. Out of this total promotional posts available in this category are – Driver Havildar – 3, Driver Naik – 6 and Driver Lance Naik – 8. Obviously, promotional avenue for this category of personnel is extremely poor. At present, those who are eligible are allowed to attend promotion cadre courses and made to compete with the general duty police personnel. Under this arrangement the drivers are placed at a disadvantageous position for the reason that these cadre courses are essentially



designed to test competency in general police duties. Since the drivers are not involved in this nature of duties they cannot be expected to do well in the test. As a result, very few can qualify. Further, those who qualify for promotion are transferred to other general duty Units where the vacancy exists. We learnt that more than 90% of the drivers and mechanics retire at the same level. In the absence of any better future prospects we cannot expect personnel of this category to perform their duties with dedication.

7.17 The committee suggests the following measures to correct this anomaly:

- (i) As separate cadre for drivers and mechanics be formed. For every ten drivers and mechanics there may be one Havildar, one Naik and one Lance Naik. Taking the existing sanctioned strength into account, there will be promotional posts of approximately 57 Havildars, 57 Naiks and 57 Lance Naiks. By creating the suggested posts for promotion about 30% of drivers and mechanics can derive n benefit. Minimum qualifying service for eligibility may be kept at par with the general duty police personnel. Eligible candidates may be put through promotion cadre courses to be conducted at Central Police Workshop. They should be tested on (a) driving competency (b) knowledge of vehicle mechanism and repair works and (c) knowledge of traffic laws, rules and driving manners. Only those who can qualify should be considered for promotion to various levels. Physical fitness should also be taken into account.
- (ii) Ranks of Lance Naik and Naik carry the same pay scale as constables. They are entitled a very nominal rank allowance. Head Constables get a marginally higher scale. Financial implication involved will therefore be insignificant.

### **Specialization and Training needs**

7.18 Police functions are becoming more complex requiring specialization in

various areas of duties. Traditional policing system cannot keep pace with technological advances in all areas. We, therefore, feel that requirements for specialization should be identified and Police officers possessing aptitude in various lines of duties should be put through appropriate training. Care should however be taken to ensure that such trained personnel should be posted and retained for reasonable period of time in the specialized job. We have dealt with the training needs in another Chapter.

### **Posting**

7.19 Police officers are expected to gain experience in all areas of police duties. This is particularly required at the levels of Sub-Inspectors and above. This can be achieved by carefully planning posting of officers from the time they complete their basic training. There should be regular rotation of officers in different branches with a view to develop all round proficiency in police work. Every officer must be made to serve at least one tenure in different branches. In the process officers showing special aptitude can be identified and later trained for specialization. We learn that at present this system is not followed strictly and some officers are allowed to perform a particular nature of work for years together. This has deprived some officers from gaining experience in normal police work. Officers should be exposed equally to desk and fieldwork.

7.20 We recommend that a Board may be constituted at the Police Headquarters to prepare a well-considered plan in this regard. The Board can be headed by one of the Addl. DGPs who will be assisted by the Range DIGs and the AIG in-charge of personnel section at the Headquarters. It would also be the responsibility of this Board to prepare a comprehensive manpower plan covering for a period of five years and a career plan. The DGP should also ensure that in all matters relating to training, promotions and postings, the career plan is adhered to. Planned postings will not only contribute to achieving professionalism but will have a good impact on the morale of personnel in the organization.

7.21 Administratively the Police Organisation functions under the State Home Department. The administrative requirements for police have grown manifold over the years and some of the issues involved require in- depth examination. But being burdened with many other responsibilities officers of the Home Department may not be in a position to accord due attention to such issues. The Committee therefore recommends that a senior Police Officer should be posted in the Home Department at the level of Secretary. It would be the responsibility of this officer to assist in processing proposals from the Police Department and also to look after the Human Resource Development matters concerning police. The object is to smoothen the communication between the police and Home department and also to render expertise whenever required. Such an arrangement has been recommended by the Padmanabhaiah Committee on Police Reforms (2000).

## CHAPTER-VIII

### POLICE INFRASTRUCTURE

8.1 The following are the basic infrastructure required for effective functioning of Police:

- i. Office of the Superintendent of Police.
- ii. Police Stations, Beat Houses and Outposts.
- iii. District Reserve
- iv. Transport
- v. Weaponry
- vi. Police Housing
- vii. Computerization and Communication.
- viii. Forensic Science Laboratory.
- ix. Meghalaya Fire and Emergency Services.

#### **Superintendent of Police:**

8.2 The Superintendent of Police is the head of a Police District whose jurisdiction runs concurrent to the civil district. He is responsible for managing crime and law and order within the district. He should therefore, be self-sufficient as far as administrative and operational requirements are concerned. The performance of a Police district has a direct bearing on the overall performance of the Police organization. As such, the need for providing the basic requirements to a district cannot be over emphasized.

8.3 The Committee visited all the seven Districts Headquarters to ascertain the actual ground position. We have observed that only two districts, namely East Khasi Hills and West Garo Hills districts are well provided. These two districts have the advantage of being the district Headquarters even before the inception of the State. We were however, surprised to see the dismal conditions in two districts, namely, Jaintia Hills and South Garo Hills districts. In these districts

the Superintendents of Police are functioning without proper Office buildings. To say the least, it is the most undignified way of projecting a district level Police office. The following urgent actions are recommended:

**8.4 Jaintia Hills S.P. Office:** It is presently accommodated at the Police Station building by providing a few rooms. This is against the usual norm of Police Organisational practice; such an arrangement may lead to some embarrassing situations for the police and for general public as well. This arrangement is detrimental to normal functioning of the Police Station also. It is learnt that construction of office building for the S.P. Office is under process but yet to figure in the plan schemes. Since there is land for this purpose, the Committee recommends that this scheme should be taken up on priority basis.

**8.5 South Garo Hills S.P. Office:** At present the office is accommodated at an old rickety rented building. It is indeed disheartening to see the district Police head office in this condition. It is a few kilometers away from the Office and establishments of the Deputy Commissioner. We learnt that proposal to construct the S.P. Office building and other Police administrative buildings are yet to be processed, not to talk of figuring in the plan schemes. It is a matter of grave concern. As it is, Baghmara lacks most of the essential services that are expected in a district Headquarters. In these circumstances, it would be very difficult to motivate officers to work there with dedication. Therefore, for the same reasons as pointed out in respect of Jaintia Hills District, the Committee recommends that top priority should be accorded to construction of administrative buildings for the district Police.

**8.6** In the remaining three districts namely, West Khasi hills, Ri-Bhoi and East Garo Hills the S.Ps have been provided with reasonably good office buildings. These have been constructed by MGCC but have not been maintained for years as no agency had been entrusted with maintenance works. This should be looked

into without any further delay as conditions of some of the buildings are fast deteriorating.

### **Police Stations:**

8.7 This is the cutting-edge level in the Police System. All preventive and investigative functions pertaining to crimes are initiated at this level. A Police Station building should have adequate space for its staff as well as for members of the public. It should have conveniences for the staff and visitors. There should be provision for staff quarters within the Police Station campus to ensure availability of Police manpower round the clock. This is also required from security point of view. The Committee on Police Reforms 2000 has emphasized its importance in the following words:

8.8 “A Police Station symbolizes the presence of the Administration and is the most important infrastructure of Police. It is the place where people with complaints or people who have to report crime approach. It is the place from where the Station House Officer carries out all his functions for maintenance of public order and for prevention and detection of crime, including organizing regular ‘Beats and Patrols’. A Police Station is required to house all records, seized items, detain the arrested persons before they are produced before a Magistrate. In addition it houses the vehicles, the communication equipments and weapons. As such, Police Stations are required to be housed in safe premises and in a proper building with a modicum of facilities for visitors to sit and with telephone and Fax facilities.

8.9 All urban Police Stations must have one well-equipped and adequately staffed Control Room. The National Police Commission 1978 have recommended that the scheme of Control Rooms with attendant Patrol Vans may be introduced in all cities with a population exceeding one lakh. A Control room is required for generating speedy and adequate police response to any situation in the urban

areas. In addition to providing Police wireless communication equipments there should be more than one telephone connection to facilitate easy and quick communication of informations. Hot line link should also be provided so that officers directly dealing with law and order can be contacted when emergent situation arises. The importance of a control Room in urban areas cannot be over emphasized and its role as the center of all Police Operations, a center for receipt of calls for police aid, a co-ordinator of all police mobiles and as the place from where all police activity is directed to meet a public disorder situation or a natural calamity, requires no reiteration”-(National Police Commission Report)

8.10 Obviously, the expected role of a Police Station can be carried out only if the building itself has the correct specifications. Basic requirements must be provided. It should present a decent appearance and proper facilities should be created not only for the Police Station staff but for visitors as well. Unfortunately, most of the Police Stations in the State do not present such a picture. During the course of tours, the Committee had the opportunity of visiting the Police Stations at the District Headquarters. We observed that most of the P.S. buildings do not conform to any basic minimum standard. There is no standardization of basic facilities like furniture, stationery etc. and even chair and tables are inadequately provided. Moreover, the buildings are showing signs of deterioration due to lack of maintenance. Only Shillong and Tura Police Stations have buildings, that can be accepted as standard.

8.11 One distressing fact that we learnt during our visits to Police Stations is that the Officers In-Charge of Police Stations are not given any imprest money to meet contingency expenditures. For example such expenditures are involved in feeding persons in police custody more or less on daily basis and disposal of unclaimed dead bodies every now and then. These expenditures are drawn from the head of Account ‘Administration of Justice’ which is administered by the District Magistrate. Even the procedures involved for drawal is cumbersome and

take time to encash. Under the circumstances O.Cs of the Police Stations are compelled to make their own arrangement. This is an unhealthy practice to say the least. There may be other unforeseen expenditures, which cannot wait for sanctions. The Committee therefore, recommends that each Police Station should be sanctioned an imprest money of Rs.1000/- for meeting all sundry expenditures.

8.12 The Committee recommends the following:

- i. P.S. buildings at all District Headquarters. Should be brought up to the standard of Shillong/Tura PS in a phased manner.
- ii. Control Rooms with adequate staff should be set up at all District Headquarters with the following minimum staff and facilities.
- iii. One Inspector, 3 Sub-Inspectors and 6 UB Constables to remain on duty round the clock in shifts. The Inspector will be responsible for supervision and ensure proper functioning. The staff should be carefully selected after testing their communication skill. One light vehicle should be placed for quick mobility when needed.
- iv. Two telephones, one computer (for accessing MPRO communication network for retrieval of vital informations).
- v. Standby force as required.
- vi. Detailed operational guideline should be laid down for the Control Room staff.

8.13 A large number of respondents and those with whom the Committee had interacted expressed dissatisfaction with the response they normally received from the staff of Police Station. We feel that this is one of the factors that is contributing to the negative impression about police. Properly organized Control Room as recommended above should be able to effectively respond to the calls from public and deal with their need to a great extent.

### **Beat Houses and Outposts**



8.14 At certain strategic areas Beat Houses are located under urban Police Stations. In such areas most of the basic functions of Police Stations are conducted through the Beat Houses. For this reason due importance should be accorded to its infrastructural requirements. At present there are 8 Beat Houses under Urban Police Stations.

Beat Houses

i.	Jhalupara	Within Shillong City
ii	Nongthymmai	
iii.	Cantonment	
iv.	Pasteur	
v.	Kenches Trace	
vi.	Chandmari	Within Tura Town
vii.	Araimile	
viii.	Dobasipara	

Table –3

8.15 All these Beat Houses are functioning out of rented houses some of which are most unsuitable and thus present a negative impact on the police image. The uncongenial atmosphere of the workplace has a definite bearing on the self-esteem of the staff and the resultant behavior cannot be expected to be good. The object of setting up Beat Houses is to provide more intensive police coverage in the assigned areas. As such, the jurisdiction of a Beat House is relatively small. This way Police staff can maintain closer contact with the community and thus is an ideal set up for implementing community policing programmes. The importance of Beat House in Urban areas cannot be overlooked. The Committee visited Jhalupara Beat House and what we saw was simply distressing. The premises used is most unfit to be a Police Outpost. We learnt that the

construction of buildings for the Beat House could not be taken up for non-availability of land. On enquiry we gathered that the condition of other Beat Houses is no better. In order to improve functioning of all Beat Houses.

8.16 The Committee recommends the following:

- i. Wherever possible land should be acquired to construct proper Beat Houses. In places where there is no possibility of acquiring land, better buildings should be taken on rent.
- ii. Basic requirements such as Tables, chairs, drinking water etc. should be provided as per standardized scale.
- iii. Foot Patrol within the Beat area should be carefully planned and implemented.

8.17 More than 70 Police Outposts are presently functioning in the State. Most of them are located in remote rural areas. The infrastructural facilities provided to these outposts are not satisfactory at all. Some of the outposts are even functioning without sanctioned staff. Since the staffs posted in such outposts are involved in frequent interactions with the members of the community, every possible effort should be made to rationalize creation of such outposts and ensure proper provision and upkeep of the required infrastructures.

### **District Police Reserve**

8.18 In every district an establishment known as 'District Police Reserve' performs the following functions:

- i. Maintain clothing stores, Armouries, and Motor Vehicles and all records connected with them.
- ii. Maintain cash book and Accounts of the Reserve, all Stock registers, Nominal Rolls, duty rosters of district personnel, records of

discipline and training, and registers relating to Family Welfare centers.

- iii. Man-management of personnel, which includes Parades and other activities to maintain drill and discipline in the force. Maintain service books of all subordinate staff, preparation of pension cases, records of Departmental Proceedings, Appeals etc. (under disciplinary Rules), Leave registers etc. Preparation Acquaintance Rolls for drawal of Pay and T.A. bills for the entire force, maintenance of Building and property Registers etc. The Police Reserve is also required to submit a large member of Periodical Returns to the District Headquarters.
- iv. The District Reserve is the place where the entire Armed Branch sanctioned for the district is located. It is the nerve centre of the entire District Force and its administration must be efficient, effective and the disciplinary control over the personnel should be of high order. It is, therefore, important to locate the barracks and family quarters in the District Reserve area.

8.19 The district Reserve, being so vital to the district administration, must be properly planned. The building must have adequate space for the different branches. For obvious reasons, the Armoury and Magazine must fulfill all security regulations. There must be open space enough to accommodate, Parade and playground, garage and parking area for vehicles and residential accommodations.

8.19 During the course of visits to the Districts, the Committee observed that with the exception of Shillong and Tura, Police Reserve in other districts are yet to develop properly. It is almost non-existent in south Garo Hills district while in Jaintia Hills, Ri-Bhoi and west Khasi Hills districts we could see some form of makeshift arrangements only. Residential accommodations in those districts are far below actual requirement and the existing ones are also in dilapidated

conditions. Supply of drinking water in all the District Reserve was found to be awfully inadequate. In this kind of living and working environment we certainly cannot expect desired quality in the performance of police personnel. Moreover, they have a direct bearing on the morale of the force. The Committee therefore recommends that the following measures should be taken up on priority.

- i. Police District Reserve in all the new districts must be developed on the basis of a standardized pattern. The land for the purpose must have adequate space to locate Parade and playground and housing for the personnel.
- ii. At least 50% of the police personnel in the new districts should be provided housing in a phased manner during the next 5 years.
- iii. In all the districts, serious doubts have been expressed about the quality of construction works executed by the M.G.C.C. We were also shown some, which were unsatisfactory. Further, annual maintenance of those buildings have not been carried out regularly. The position is the same in respect of all administrative buildings as well. We were told at the Police Headquarters that fund in the Police Budget have been provided for carrying out repairs through the M.G.C.C. This provision was not available a few years back. We would therefore suggest that a thorough inspection should be carried out without any further delay and carry out necessary repairs. For this the Office of the DGP and the MGCC may make out a phased plan. MGCC may also be advised to carry out closer supervision of construction work. The Asst. Engineer presently attached to Police Headquarters may inspect to rectify defects at the initial stages. For effective coverage in this respect, we recommend that another Asst. Engineer or a junior Engineer may be posted at Tura to cover the Western Range.

## Transport

8.21 Mobility plays a vital role in the functioning of Police. In fact, it is fundamental to its effective performance. The speed at which police respond often determines whether a law and order situations will be contained and whether a criminal will be apprehended and brought to book.

8.22 It is therefore, imperative that the Police Units are provided with adequate number of vehicles. Moreover, the vehicles should be of the right type in keeping with their functional requirements. This calls for standardization of the fleet of vehicles at the disposal of the Police Organisation.

8.23 Meghalaya Police Transport fleet maintains a variety of vehicles under four categories:

- i. Light Motor Vehicles - Ambassador car, Maruti Esteem, Indigo GLX,  
(LMV) Tata Sumo, Jeep, Ambulance, Bolero, Gypsy,  
Armada Jeep, F.C. Mortuary Van, Bomb  
Disposal Vehicle (Rakshaki).
- ii. Medium Motor Vehicles - TATA 407, Tata Mini Bus.  
(MMV)
- iii. Heavy Motor Vehicles - Tata 1210, Leyland Truck, Recovery Van.  
(HMV)
- iv. Motor Cycles (MC)

8.24 As can be seen a variety of vehicles are used. However, in the category of LMV Jeep and Maruti Gypsy continues to be the backbone of the Police fleet. In the category of MMV and HMV, all are Tata and Leyland vehicles.

Excluding Fire Services Vehicles, the Police Transport fleet as in August, 2004 was as follows:

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LMV	MMV	HMV	TOTAL
310	86	57	453

Table -4

8.25 More than one-fourth of the total are above 10 years old (some of them have even crossed 20 years). Obviously, maintenances of these vehicles is contributing to high expenditures under MV in the Police Budget. We recommend that the Office of the Director General of Police constitutes an Inspection Board to carefully examine all vehicles over 10 years old and take urgent steps to condemn all those, which cannot be economically repaired.

8.26 It is seen that there is prescribed scale of vehicles for Armed Police Battalions only. The India Reserve Battalions follow the scale laid down by the government of India. As of now there is no prescribed scale of vehicle for the District Police. We feel that the new districts must be provided with vehicles following a minimum prescribed scale. The Committee after a careful study recommends the following minimum scales:

- i. Shillong being the capital city with multifarious police functions will have to be treated separately. This will be dealt at length in another chapter.
- ii. All District Headquarters, besides Shillong, should have a minimum of the following category of vehicles:

LMV – 4 for escort duties, MMV – 2 and HMV –2 for force movement and transportation of ration, stores etc. In addition to this, required number of LMV for officers should be kept for inspection and supervisory duties.

1. All Urban/Semi Urban Police Stations should have 2 LMV and 2 Motor Cycles for patrol, and investigational duties.
2. Police Outposts may be provided with one Motor Cycle to facilitate quick response.

8.27 A phased plan may be worked out to implement this. A system of weekly maintenance of vehicle should be arranged and the SPs should be made personally responsible to ensure this. The present procedures followed for vehicle condemnation seems to be very time taking. We learnt that it takes about two years to finally dispose off the condemned vehicles. It is seen that the Police vehicles are used day and night, and thus wear and tear is more. There is good justification to allow different norm for writing off old vehicles pertaining to Police Department.

8.29 Mobility of Police assumes vital importance in insurgency-affected areas. Operations in difficult terrain as in Meghalaya, there is need for adequate number of vehicles in good running conditions. Padmanabhaiah Committee on Police Reforms have also emphasized that communication and transport facilities for Police must get a much higher priority in the insurgency-affected areas.

### **Weapons**

8.30 During the last two decades Meghalaya has been experiencing its own share of insurgency problems. Militant groups like HNLC and ANVC are using sophisticated weapons and often engage Meghalaya Police in serious encounters. Militants from the neighbouring states also carry out various illegal activities within Meghalaya. We learnt that Meghalaya Police is still short of A.K. series and SLR weapons. As of now only a small percentage of the State Armed Police personnel are equipped with such weapons. For obvious reasons unless due priority is accorded in this area, effectiveness and morale of the police force will suffer. Under the modernization of Police Schemes the Government of India assists the states by placing the states under different categories. To Category-A states they provide 100%, Category-B1 75% and to Category-B2 60%. The Committee feels that Meghalaya should be upgraded to Category-A in view of the burgeoning militant activities in the state.

### Police Housing

8.31 Taking various factors into consideration, specially relating to the nature of Police functions, the Government of India have laid down a norm to provide free accommodation to all subordinate level police personnel. Proper housing facilities definitely enhance morale and effectiveness. From the point of view of maintenance of discipline, adequate supervision, effective and efficient discharge of duties, it is of utmost importance that Police personnel should live close to their areas of workplace. Further, in insurgency affected areas they are subjected to anxieties about the welfare and safety of their families if they are living scattered at distant places. But more importantly, when policemen are compelled to live in slum like areas, they are often exposed to undesirable elements and their self-esteem also suffers.

8.32 In order to achieve the expected level of satisfaction in Police Housing, huge amount of fund would be required. For this reason Police Housing has been brought under the Plan schemes. At present, the Govt. of India releases fund to assist the state Governments on the basis of 75% as grant and 25% to be contributed by the state government.

8.33 As in June 2004, the level of satisfaction achieved in Police Housing is given under:

Police Housing Indicator			
Rank	Sanctioned Strength	Units provided	Percentage
Lower Subordinates (Constables to Havildars)	9007	2063	22%
Upper Subordinates (ASI to Inspectors)	1217	874	71%
Gazetted Officers	112	45	40%



## Table -5

8.34 It can be seen from the above table that housing for the Lower subordinates is far below the required level. We feel that efforts must be made to provide at least 50% of the requirement (under this category) in the next five years.

8.35 Non-availability of land poses a serious problem in the State. But this cannot be allowed to remain a perpetual bottleneck. This vital pre-requisite should be taken into account while creating a new Unit for the Police. Here again the new districts and newly raised Battalions must be accorded priority in allotment of housing in the coming years. During our tours to the districts, we were distressed to note the unsatisfactory state of buildings and the poor housing conditions of police personnel in the smaller districts. Both Police Officers and member of the public drew the pointed attention of the Committee to the dire need of improving the condition of Police Housing in those districts. Though still inadequate, the present position in Shillong and Tura are relatively better.

8.36 As mentioned earlier in another paragraph, DGP Headquarters and MGCC may jointly prepare a phased plan to provide housing giving due priority to the new districts where it is needed most. We feel that improvement in living conditions of police personnel by providing basic infrastructure like housing would motivate them to work with more dedication.

**Meghalaya Police Radio Organization: MPRO**

8.37 The Committee has taken into account the significant role that the MPRO has been playing since the inception of the state police in distribution of police intelligence and daily situation report, by means of radio communication technology, upgraded and modernized from time to time. Its role in inter and

intra district and unit coordination in flow of communication in police operations and in times of natural calamities have also been crucial to policing. We also acknowledge the trend in latest advancement in communication technology and agree that the future is going to be ‘wireless’ which provides for easier mobility & connectivity appropriately aided by computers for fast and more secure means of communicating.

The Committee visited the MPRO Office and its training facility located at Golflinks, Shillong. MPRO has a strength of 644 officers and men including followers. We have noted that MPRO functions under the administrative and disciplinary control of the Director General of Police of Meghalaya and forms a part of the police infrastructure at present. They have the same basic training as regular policemen and officers. The outstanding grievances of the MPRO officers is that they are not treated at par with the regular police officers of the state at all levels. This, they have said, has affected the morale of the force. We came to learn that after the abolition of the post of ASI, the post of ASI in MPRO still exists. We presume this is a functionally related rank in MPRO. The Committee has also learnt that the Police Headquarters has already started a process of addressing the problem of having a separate cadre of MPRO officers. In our considered view the persistent problem of the Organization in the service matters and their status should be resolved early by the Government within a time frame.

**Measures to make MPRO more efficient:**

8.38 We would like to recommend that the following measures should be taken to make MPRO a more effective and efficient part of police support infrastructure.

- (i) The qualification at the entry level i.e., at the rank of MPRO constable needs to be reviewed, as matriculates are no longer capable of

understanding modern concepts of communication. The rapid advancement in the field of electronics & Information Technology demands better-qualified personnel to be recruited.

- (ii) The Government may consider constituting a Committee to look into the revision of the strength of MPRO staff at various levels, career planning of officers and men, educational qualification needed at the various levels of recruitment, special allowances, the contents of the MPRO training syllabi in the Training School which has been recognized by the Govt. of Meghalaya since 1992, and the accountability of MPRO. We also recommend that there should be prescribed scale for the deployment at Police Radio Stations.

### **Forensic Science Laboratory: FSL**

8.39 Forensic Science is an integral part of the Criminal Justice System more particularly of the investigating machinery. Forensic Science analyses all the materials that may be directly or indirectly connected with crime and convert them into evidence to prove guilt or innocence of the accused. National Human Rights Commission under the chairmanship of Justice V.S Malimath had made the observation that “Control of crime lies in making punishment more certain than severe. Neither brutality nor severity, it is the certainty that could be an effective deterrent. In such a situation, only Forensic Science can provide useful and reliable evidence to the Court”. National Human Rights Commission has also recommended phased development of Forensic Science in every state.

8.40 Meghalaya Forensic Science Laboratory was set up in Meghalaya in 1987. At present the FSL has the following four Technical Divisions:

- i. Physical Division :
- ii. Chemical Division;
- iii. Biology Division;
- iv. Questioned Document Division.

8.41 The Committee found that the Laboratory has the following work load for last three years:

Year	Documents Division			Physical Division			Biology Division			Chemical Division		
	Received	Examined	Pending	Received	Examined	Pending	Received	Examined	Pending	Received	Examined	Pending
2002	26+03 = 29	24	05	85+39 = 124	103	21	54+6 = 60	49	11	42+15 = 57	38	19
2003	28+05 = 33	26	07	72+21 = 93	74	19	45+11 = 56	44	12	32+19 = 51	24	27
2004	31+7 = 38	32	06	93+21 =114	78	36	50+14 =64	60	04	44+27 =71	63	08

Table –6

8.42 The Committee also notes that the FSL does not have the following important Divisions:

- i. Toxicology Division,
- ii. Explosive division,
- iii. Lie detection or Polygraph Division and
- iv. DNA Division.

8.43 We would like to recommend that in order to make the state FSL a complete entity capable of doing justice to its role, these important posts divisions should be created, equipped and manned.

8.44 Besides the above the FSL also has a number of problems, which need to be urgently looked into. They are as follows:

(i) **Staff:**

The Committee has noted that present incumbent Director has

retired on superannuation from service but the post has not been advertised. Further the Committee finds that the following important posts are lying vacant for quite sometime now.

Deputy Director	-	2 posts
Scientific Officer	-	1 post
Sr. Scientific Assistant	-	4 posts
Scientific Assistant	-	1 post
Lab. Assistant	-	1 post

8.44 The Committee would like to recommend that the Government may take steps early to fill up these vacant posts besides taking into account the need to create new technical posts. The Committee believes that the inadequacy of staff has resulted in delayed examination of exhibits, which has its adverse effect on investigational process. Criminal Justice system comes to suffer from delay in investigation.

#### **Qualification and Training:**

8.45 The Committee further recommends that staff recruited at Forensic Science Laboratory be adequately qualified and they should undergo required training course to make them competent experts. Under no circumstances the prescribed qualifications should be lowered.

#### **Mobile Laboratories:**

8.46 For all the seven Districts of Meghalaya, specially fabricated Mobile Forensic Science Laboratory vehicles and equipment have been procured. However, no specialized staff had been sanctioned for operating these Mobile Units. As a stopgap arrangement, some Police Officers have been trained to operate these Mobile Forensic Science Laboratories. Government may look into sanctioning requisite posts to run these mobile

units without delay. It would amount to serious wastage if such costly mobile units are allowed to remain idle for want of staff.

**Administrative building, Laboratory and residential Accommodation:**

8.47 On our visit of the FSL we have noticed that the Forensic Science Laboratory, Meghalaya has real constraints of inadequate laboratory space and the laboratory condition, which need to reach the level given in the report of the NHRC. Space constraint is also felt for opening DNA Laboratory, Explosive Division, Separate Drug & Narcotic Division and Computer Forensic Division. We would like to recommend that a separate building exclusively for the FSL may be constructed. The present building cannot house a full FSL.

The Committee has also noted the lack of residential accommodation facilities for Forensic Scientists. The facility of residential accommodation needs to be created.

**Approach to problem solving:**

8.48 In order to comprehensively deal with the problems of FSL, we recommend that the Government may consider constituting a Committee to look into, inter alia, the following aspects related to the FSL:

- i. Independence and Autonomy of Forensic Science Laboratories and setting up of the State Forensic Laboratory Development Board in keeping with the recommendations of the NHRC;
- ii. Establishment of Range Forensic Science Laboratory in Western Range, Tura;
- iii. Improvement in laboratory environmental conditions.
- iv. Enhancement of budgetary provisions for State FSLs.

8.49 This is our view that if adequate facilities and manpower are provided,

Forensic Science Laboratory, Meghalaya, can be developed as a premier scientific institution where not only the crime exhibits but all kinds of analysis relating to Public Health or Food Adulteration, Water Pollution etc can be undertaken. It can also grow as a centre for both fundamental and applied research in forensic science.

### **MEGHALAYA FIRE & EMERGENCY SERVICES**

8.51 The Meghalaya Fire, now known as Fire & Emergency Services is at present under the superintendence and control of the Director General of Police, Meghalaya. He is assisted by a Deputy Inspector General of Police (Fire & Emergency Service /Communication). The Committee has been made aware that there is no Act and Rules in the state to provide legal mandate for the State Fire & Emergency Services. We learnt that in the North East five states have already passed the Fire service and Emergency Acts and Rules: Assam in 1985; Arunachal Pradesh in 1991; Manipur in 1992; Sikkim in 1998 and Tripura in 1957. Except for the state of Assam the superintendence and control of the Fire and Emergency services in the four N.E. states and other states who have enacted the Act, is with the Director of the Services

8.52 The Government of India in the Ministry of Home Affairs vide its letter no. VI 14022290-DGCD (F) dated 19.1.1993 while forwarding a model Fire Service Act had reiterated that all State Governments initiate the adoption or enactment of the said Act and they may also make suitable local amendments if required. The Committee is given to understand that a draft bill of the Act is currently under the consideration of the State Government. However, it appears that the

said draft bill seems to have already taken inordinately long time and no Act has been passed. It is also learnt that in April this year a revised draft bill of the Meghalaya Fire And Emergency Services Act 2005 and Service Rules for both the Gazetted and Non Gazetted officers have been sent for the consideration of the Government vide Letter No. DIG MFSG-XLIH/03 23507 dated 27.4.2005.

8.53 The Committee is of the view that legislation of an Act as proposed is vital for effective performance of duties by firemen. It would be wrong to allow them to function without any legal cover. The Government may, therefore, accord due priority to this.

The Meghalaya Fire & Emergency Services, though under the superintendence and control of the Director General of Police, it nevertheless, follows separate training and promotion criteria at subordinate level. Pending the enactment of the Act and approval of the Service Rules by the Government, the Assam Police Manual is being followed on matters pertaining to promotion and discipline.

8.54 At present, the promotional prospect of a Fireman in the Meghalaya Fire & Emergency Services is up to the rank of Divisional Fire Service Officer (Technical) only. This post is equivalent to that of the Deputy Superintendent of Police. When the Meghalaya Fire & Emergency Services Act and Rules are eventually enacted, the scope for promotion of a Fireman will become brighter allowing him to reach senior positions in the department.

8.55 The Fire & Emergency Services is a highly technical and the personnel are required to undergo intensive professional technical training for one year after recruitment. For every promotion, they have to undergo intensive training for a



period of six months each at the National Fire Service College, Nagpur. We believe that there is a need in the department, of officers and men who possess requisite technical educational qualifications to efficiently handle sophisticated Fire fighting and disaster management equipment. At present the required educational qualifications for recruitment to the post of Firemen is SSLC or its equivalent educational qualification. The Committee is given to understand that firemen with such low educational qualification are not in a position to adequately understand the intricacy and sophistication of advanced equipment. Moreover they find it difficult to sufficiently comprehend and even remember the technical details and names of chemicals used in the fire fighting and emergency services. Inadequate educational qualification has therefore come to have impact on their performance considerably. During recent recruitment, F&ES have inducted candidates who have passed Class XI in science and also some graduates. Obviously their level of understanding of the profession is found to be good and execution of duties more effective.

8.56 In view of the above, the Committee recommends that the educational qualification for the direct recruitment to the post of Fireman should be raised from SSLC or its equivalent (Class X) to CLASS XII (Science) passed with at least Physics or Mathematics as one of the subjects. The Committee hopes that such measure will go a long way in upgrading the standard and effectiveness of the Meghalaya Fire and Emergency Services.

## CHAPTER-IX

### POLICING IN CAPITAL CITY

9.1 In certain large cities in the country the Commissioner of Police system has been introduced for more effective control. There are some merits in introducing this system. The National Police Commission have examined the system and made the following observations:

- (i) “In large urban areas, several problems arising out of social tensions, more opportunities for crimes, and the occasionally spontaneous explosion of law and order situations call for an extremely quick response from the police at the operational level and precise, comprehensive and prompt directions from the superior levels.... quick action springing from purposeful direction is called for. This can be achieved only when the police are organized in a unitary chain of command, which embraces the two basic functions of decision-making and implementation. Particularly in large cities, these functions have to go together”.

9.2 In the Commissioner system of policing the responsibility for all aspects of policing vests in the Commissioner and the accountability for adequate performance is also that of the Commissioner. To be able to fulfill the responsibility the Commissioner is vested with power of regulation, control and licensing of certain activities, which require for effective control. These powers are in addition to his usual police powers. In effect, an operationally autonomous police force functioning under a professional command is responsible and accountable to the Government and the public. The National Police Commission has recommended that large cities with a population of five lakhs and above or capital cities should introduce this system. They also added that in view of the

complexity and enormous dimension of police problems that frequently arise in large cities the Commissioner should be a Police Officer of adequate maturity, seniority and expertise.

9.3 Shillong City has grown to be a metropolitan city in all respects. As per the last census the population in the city area of 25.40 sq. km has grown to 2,67,881 (Urban agglomeration). But if the huge floating population is taken into account it will exceed five lakhs. It has become the hub of the entire North East, as considerable numbers of regional institutions have been located in the city area. Central organizations like the North Eastern Council, North Eastern Hills University, Geological Survey of India, Atomic Energy Commission, Accountant General, Post Master General, Customs, NEEPCO etc. are all located in Shillong. Defence establishments like Eastern Command, two Regimental Centres; G.O.C. etc. are based in Shillong. In addition there is proliferation of educational institutions where students from the entire North East come to study. It is also the commercial center, which is attracting traders from all over the country. The burgeoning volume of vehicles in the city is almost becoming unmanageable. All these have added a new dimension to policing which cannot be handled under the traditional system of policing.

9.4 A good number of metropolitan cities in the country have adopted different levels of Commissioner system. It ranges from DIG to DGP level. Some are answerable directly to the government while others answerable through the Director General of Police. In case the Commissioner system in Shillong is to be considered we recommend that it should remain subordinate to the Director General of Police. There are many models available in the country many of which have given a better account of themselves than the police in district. It is not possible for the Committee to go into details of various models. However, if the government agrees in principle the Police Department may be directed to prepare

a proposal giving details of a system, which would be suitable for a smaller city like Shillong.

## CHAPTER-X

### TRAFFIC AND HIGHWAY PATROL

10.1 During the last two decades vehicular traffic in the urban areas have grown manifold. In fact, traffic in Shillong, Jowai and Tura is almost becoming unmanageable. With easier facilities available more and more people are purchasing vehicles and registration of new vehicles are reportedly increasing in thousands annually. There is tremendous increase in public transport system, which is clogging every available space of public roads. The police who are expected to enforce traffic laws and rules do not have any control over the increasing trend of vehicles nor have they any control over the development of roads. It requires the active co-operation of and co-ordination with the Municipal Authorities, the Public Works Department, Regional Transport Authority, Town Planning and Development Authorities etc. Co-operation is also required from the Chambers of Trade and Commerce and also from the Transport Agencies.

10.2 We learnt that the State Government had earlier instituted **Traffic Advisory Committee** to deal with the problem. It appears that the Committee is no longer active. We suggest that every district should have a Traffic Advisory Committee with representatives from all the aforesaid organizations. The Deputy Commissioner of the District should be the Chairman and the Superintendent of Police the Vice-Chairman of this Committee. The Addl. Supdt. of Police or the Dy. SP in-charge of the Traffic should act as its Secretary. The Committee should meet once a month and all issues like planning of roads, parking of vehicles, removal of encroachments from the roads, loading and unloading of vehicles in congested areas, construction and lighting of Traffic Points etc. should be discussed and corrective measures be evolved. Once the decision is made the District Authorities should strictly monitor their implementations.

10.3 If Commissioner system of policing is introduced in Shillong, it will have

completely re-structured Police Stations and Traffic Control arrangements. Meanwhile, under the existing arrangement, some improved measures need to be taken urgently. Similar measures should be taken in all the urban Towns areas, specially District Headquarters. We recommend the following measures:

- i. There should be a well-equipped and adequately staffed Control Room to be located at the main Police Station. Personnel posted at the Control Room will be responsible for monitoring Traffic duties and provide assistance by deploying additional Traffic personnel whenever situation demands.
- ii. Traffic officers on Motor Bikes should move around congested areas during peak hours. Adequate numbers of Motor Bikes should be provided on priority.
- iii. No parking/No stopping Zones should be clearly demarcated on road surface. Strict vigilance should be maintained and violators should be penalized heavily.
- iv. Wide publicity to educate road users should be organized by issuing pamphlets, by inserting catchy advertisements in the local press, presenting talks by traffic officers in the Radio and TV.
- v. To make up the additional requirements of Traffic staff, suitable Home Guard Volunteers may be trained and deployed.
- vi. Personnel for the Traffic Branch should be carefully selected. Importance should be given to physical fitness and mental alertness.
- vii. During peak hours women Traffic police should also be deployed at all important Traffic points.

### **Highway Patrol**

10.4 National Highway 40 and 44 passes through Meghalaya. These highways serve not only Meghalaya State but also serve as a lifeline connecting Mizoram, Tripura and parts of Assam and Manipur. Stretching from Khanapara up to

Umkiang the road is known to be one of the busiest in the North East. Though the Committee could not obtain any statistics concerning volume of Traffic on this road, we believe it could be at least 5000 vehicles per day. There had been road blockade due to accidents causing immense inconveniences to road users. Crimes like robbery and extortion are often reported and public have frequently complained about indiscipline of drivers. There are long stretchers of the highway where there is no police coverage and these are vulnerable areas. Two other national highways NH-51 and NH-62 pass through Garo Hills districts in the western part of the state. Similar problems are being experienced on these highways also.

10.5 We have been informed that in 1997 Meghalaya Police had introduced a unique scheme of highway patrolling with assistance from the Government of India. The Government of India supplied 39 Gypsies and 6 Recovery vehicles for the purpose. However, no assistance was extended towards entertaining additional police staff for implementing the scheme. Meghalaya police however, launched the scheme after working out detailed modalities. The scheme apparently worked quite satisfactorily for a while but could not effectively implement the scheme as designed due to shortage of manpower. At present the scheme has been discontinued due to non-availability of vehicles in running conditions.

10.6 During our visits to the districts a good number of public representatives and individuals had complained about various irregularities committed by police personnel on the highways. They alleged that police personnel often harass public transporters if some payment is not made to them. Of late police authorities have increased vigilance to check this and have even penalized some of the defaulters. We feel that the matter should be examined from a different perspective for achieving better result. For instance, the role of police on national highways should be limited to attending to accidents and clearing of traffic jams.

Control of overloading and checking of documents on regular basis by road users on national highways should not be a part of day-to-day police function. These are the responsibilities of authorities handling weighbridges and transport department.

10.7 After a careful study of suggestions received from various individuals and organizations, the Committee recommends the following:

- i. The National Highway Patrolling scheme as earlier prepared by Meghalaya Police should be revived. The government of India may be approached again for assistance. However, entertainment of additional police staff should form an indispensable part of the scheme.
- ii. State Police should not check vehicles on the National Highway on a regular basis. Checking should be resorted to only on strong suspicions of criminal activities or in connection with criminal cases.
- iii. Highway patrol system as proposed should be utilized to deal with accident cases (initial steps), clearing of road jams, and maintenance of driving discipline by drivers.
- iv. Staff of police stations and outposts located on the national highways should be prohibited from unnecessarily interfering with the road users. They should make General Diary entries if for some specific reasons they had to interfere.



## **CHAPTER-XI**

### **INTELLIGENCE GATHERING AND SHARING**

11.1 The Meghalaya State Special Branch deals with the collection, collation and dissemination of intelligence of political significance and of public importance. It also deals with matters of interest from the security point of view. One of its important functions is to supply promptly to Government information on all matters of political and public importance. The other functions are to communicate intelligence to the Special Branches of other states, to the Range Deputy Inspectors General of Police and district Superintendents of Police. Also, the Special Branch prepares periodical reports on matters falling within its purview makes enquiries into important matters of a political nature or those affecting national interest. Further, it helps in the investigation of those crimes, which have a political purpose or motive and in which political suspects are involved.

11.2 The subjects dealt with by the State Special Branch cover a wide spectrum, e.g. political movements and associations, labour unions, volunteer organizations, youth movements and students' associations, religious and communal activities of foreigners, anti-national activities, security of vital installations, activities of political suspects, reliability of Government services, and security arrangements for VIPs.

11.3 Considering the sensitive nature of the Intelligence work, the Committee do not propose to go into every detail of intelligence gathering and sharing activities of the State Special Branch. However, we would like to highlight some of the ameliorative measures in the existing system.

11.4 Intelligence gathering is a highly specialized job. Personnel assigned to this task should be of good caliber possessing a keen sense of observation. They are expected to be alert to emerging situations and exercise ample

resourcefulness in gathering useful in formations. In other words, they must have a flair for intelligence work. This is certainly not a task that can be performed by an average policeman who has not been trained for the specialized job. At present personnel in the State Special Branch are drawn from the unarmed Branch of the State Police Force without subjecting them to any form of screening. They are expected to learn on the job without imparting any basic training to re-orient them to handle the specialized functions. This has led to lack of professionalism in their day-to-day performance. The existing arrangement is not only bad for effective functioning of the Branch but is fraught with risk. An untrained intelligence operative is highly vulnerable and exposure can pose serious risk to life. This is very relevant in the context of the militant activities in the state carried out by various outfits. Their ability to collect their own intelligence should not be underestimated. The Committee is of the view that reforms in the State intelligence system should be taken up on priority. We recommend the following:

11.5 A screening Board headed by the Addl. DGP (SB) with IGP (SB), IGP (HQs) and both the Supdts. of Police (SB) as members should be formed. They may undertake a thorough review of the staff from constable upto the level of Dy. SP take steps to:

- i. Weed out unqualified and unproductive field officers.
- ii. Prepare a fresh list of qualified personnel from constable to Inspector by obtaining nominations from the SPs of the districts. Thereafter they should be subjected to a screening test and select suitable ones. All the selected personnel should then be put through a basic intelligence course for a period of three months. The training course should be designed on the line of basic intelligence course of I.B. State Officers who have already undergone the training in I.B. may be utilized for imparting the training. Assistant may also be sought from the local S.I.B. if needed.

- iii. Basic Intelligence course should become a regular feature for future induction to the Branch. A training wing should be created in S.B. HQs who will also conduct capsule training courses from time to time.
- iv. Half Yearly conferences should be held between officers at the State Special Branch Headquarters and the field staff to assess performance and discuss prevalent problems and current affairs.
- v. From time to time the Special Branch Headquarters should prepare list of priority areas and convey to the districts to be covered by the field staff. This will be in addition to what the field staff can collect on their own on local issues.
- vi. Performance of field staff should be closely monitored by evolving a system of accountability to the next higher officer.

11.6 The existing organizational structure of the State Special Branch needs to be strengthened. Presently, all matters concerning intelligence, security and infiltration are dealt with commonly. It is desirable to have a clear division of responsibilities at a higher level for effective supervision and control. We feel that it should be done at the level of Deputy Inspector General. This will mean two posts of Deputy Inspector General of Police:

- (i) DIG (SB) – To supervise and control SSP (SB-I), SSP (SB-II), SP (Infil) and District Special Branch (DSB).
- (ii) DIG (Security) -To co-ordinate and supervise officers handling internal security, security of VIPs and protected persons, and Technical wing.
- (iii) An additional post of S.P. may be required to assist the DIG (Security) . The S.P. (Security) will look after all training matters in addition to his other duties.
- (iv) A tenure of five years should be mandatory for all level of staff in the State Special Branch. This is essential to maintain continuity in the specialized job. Those who do exceptionally well may be retained

beyond that period. On the other hand, those who are unproductive may be eased out even before five years.

- (v) We learnt that a considerable number of Special Branch field staff are deployed as personal security officers of VIPs and other protected persons. Obviously, such deployment draws away field intelligence staff from their assigned duties. We recommend that a rational assessment should be made and sanction separate staff for the purpose.
- (vi) Considering the vital role the State Special Branch is required to play, we feel that financial constraint should not be allowed to come in the way of its improvement.

### **Intelligence Sharing:**

11.7 The guiding principle of Intelligence sharing is purely on 'need to know' basis. There cannot be general and unrestricted dissemination of intelligence related informations. All intelligence organizations strictly adhere to this principle and Meghalaya Special Branch also follows the same.

11.8 Intelligence related information can be broadly categorized into two types

- (i) actionable intelligence
- (ii) intelligence dealing with general assessment and projections on issues of security concern. We propose to dwell on the first category only i.e. actionable intelligence because this concerns the core of intelligence sharing. An actionable intelligence loses its value unless it is delivered well in advance to the authority concerned for action.

11.9 It is not possible for the Committee to examine every detail of intelligence sharing being practiced by intelligence staff in the state. Generally, informations garnered from District Intelligence Branches and Headquarters field staff are processed and useful ones are compiled in the form of daily situation report by

the S.B. Headquarters. The Sitrep is distributed to authorities as per approved list. In addition special reports on important (often urgent) issues are submitted to the Government.

11.10 It is essential for the State Special Branch to maintain liaison and co-operation with other intelligence organizations, both within and outside the State. At present reports and useful informations are exchanged on a reciprocal basis. Further, officers of the State Special Branch keep in touch with all local Central Intelligence establishments and meet them as often as possible.

11.11 Intelligence co-ordination, in terms of timely sharing of information relating to movements of insurgents, incidents of insurgency, looting of arms, jail breaks etc. is vital in checking spread of insurgency. For this purpose the State Special Branch must establish regular arrangements with counterpart in the neighbouring States at personal level.

11.12 As regards sharing of actionable intelligence within the State, there is need for evolving an effective monitoring system. We suggest that quarterly review meetings should be held at State Special Branch HQrs. to assess whether intelligence collected by various Units have been put to effective use. Follow up actions can be decided on issues, such as:

- (i) Streamlining the process of intelligence sharing
- (ii) Steps to be taken for qualitative improvement of intelligence for effective use; and
- (iii) Ways to ensure speedy delivery of actionable information.

All the district Superintendents of Police should attend the meeting.

## CHAPTER- XII

### ANTI-INFILTRATION

12.1 Meghalaya has a long stretch of 423 Kms of border with Bangladesh, a country, having an area of 144,000 sq. km with around 110 million according to the 1991 census which makes it the densest country (720 persons per sq. km.) in the world. Meghalaya has been beset with the problem of cross border infiltration from Bangladeshi into its territory. The mandate of the Anti-Infiltration Branch of Meghalaya Police in relation to infiltration has increased in importance to check the infiltration of Bangladeshis and other foreign nationals into the State of Meghalaya. If Bangladesh nationals, without any valid documents, are detected within 10 Kms of the international border, they are directly pushed back into Bangladesh. Those detected outside the 10 Kms of the International Border are prosecuted u/s - 14 of Foreigner's Act, 1946. The anti-infiltration is carried out by the Infiltration Branch of SB through multi-lateral strategies. The Anti-Infiltration Branch staff maintains Enumeration Registers generally referred to as the National Register of Citizens (NRC) of their respective areas. It also maintains records of detection of foreign nationals detected without valid documents along with their fingerprints and photographs. The Anti-Infiltration Branch mans the Integrated Check Posts at Dawki (JH), Shella (EKH), Baghmara (SGH) and Dalu (WGH) where they perform the duties of immigration also. The Branch collects, collates and disseminates intelligence related to infiltration and shares it with the Border Security Force (BSF) and the local police. It also maintains a close liaison with the Special Branch of other State and intelligence agencies of the Central Government.

#### **Detection and deportation of Foreign Nationals**

12.2 In order to assess the performance of the Branch the Committee has taken into account the following corresponding figures of detection of Foreign

Nationals in the State of Meghalaya upto from 2001 to 2005 (up to 31.3.2005):

Year	Detection	Sent up	Deported	Pushed back directly
2001	3094	54	23	3071
2002	2537	42	36	2501
2003	2157	72	25	2132
2004	1596	18	15	1581

Table -7

### **Trend of Infiltration:**

12.3 The trend in detection is consistently declining since 2001. In 2002 infiltration dropped by 18% as compared to 2001; and in 2003, detection went further down by 30% as compared to 2001. In 2004 the detection was down by 48% as compared to 2001. We do not have yardsticks with us to cross check whether the rate of detection is low because there has been reduced rate of cross border infiltration or the anti infiltration measures have been effective. The Committee does not have the data of density of population, which might have gone higher in the bordering areas today as compared to the census of 1991. However the Committee in its interaction with different NGOs could notice a perceptible concern among them on the issue of infiltration, especially in the districts bordering Bangladesh.

### **Organizational Structure**

12.4 In order to curb infiltration and strengthen border management the

focused attention of the Government has been to dedicate a well structured machinery in the Special Branch to deal with this problem. At present, the organizational structure of the Anti-Infiltration Branch, is as follows:

Addl. Director General of Police (Special Branch & Infiltration)  
+  
Inspector General of Police (Special Branch & Infiltration)  
+  
Deputy Inspector General of Police (Special Branch & Infiltration)  
+  
Superintendent of Police (Infiltration)  
+  
Field staff in Districts

12.5 The Committee has also looked into the present strength of staff under various schemes to check infiltration. Under the re-imburement scheme, Govt. of India have sanctioned 194 personnel of various ranks and Govt. of Meghalaya has added 97 personnel of various ranks bringing the total to 291. At present following posts are maintained:

Watch Posts	Patrol Posts	Passport Check Posts	Check Posts
4	10	4	17

Table-8

Finger impression & Photograph	Special Squads	Check gates
2	5	3

Table - 9



12.6 There is no standard pattern in manning the above noted posts. The tasks assigned earlier have become blurred due to change in situations. We learnt that functioning of many of the Anti-Infiltration posts have also been seriously disturbed by militant activities.

12.7 The problem of infiltration from across the border will continue to pose serious challenges to the State Government. It is, therefore, our considered view that urgent measures should be taken to review the functioning of the Infiltration Branch so that the services of the existing staff are put to optimum use. Their responsibilities and tasks in clear terms should be re-assigned and their performance should be closely monitored by supervisory officers. Such exercise would require some in depth studies and even ground situation need to be surveyed. Only such a plan of action will bring out the adequacy or inadequacy of the present arrangements. We recommend that the Director General of Police may constitute a Committee headed by a senior officer to carry out this study. The entire exercise should be directed towards making the Anti-Infiltration Branch posts effective.

12.8 After having seen the rate of detection of foreign nationals for last 4 years and also having assessed the real- time deployment of the field staff for anti-infiltration duties in the district, the Committee would like to recommend as follows:

- i. There is a need to revamp the Infiltration Branch to improve anti-Infiltration intelligence and detection;
- ii. The system of cross checking the National Register of Citizen (NRC) should be revived in areas bordering Bangladesh. The NRCs need to be updated.
- iii. The staff posted for the PIF scheme should be utilized exclusively for checking and up dating the NRCs. These registrations contain

comprehensive documentation of the rise or fall in the population in an areas with reasons thereof;

- iv. There is need felt to rationalize the utilization of manpower in the Infiltration Branch so as to bring about a process of evaluating the performance of each staff dedicated to anti- infiltration duties; and
- v. Information about foreign nationals detected with details of their descriptive role and full address and manner of legal action taken against them and deportation should be entered in the data bank. Finger prints should be sent for storage in the FINGER PRINT ANALYSIS AND CRIMINAL TRACING SYSTEM (FACTS) located in state Finger print Bureau. Otherwise the figures of detection of foreign nationals tend to be distorted and trend falsified in absence of a system to cross check the data of detection.

## **CHAPTER-XIII**

### **INVESTIGATION**

13.1 The Committee would now examine the role of the Police investigating crimes as a part of criminal justice delivery system. The word 'investigation' has been defined in section 2 (b) of the criminal Procedure Code and an investigation to be successful in detection and prosecution of crimes generally consist of the following important steps to be taken and investigating officer ( I.O):

- i. Proceeding to the scene of crime;
- ii. Ascertainment of the facts and circumstances of the case;
- iii. Arrest of the suspected offender;
- iv. Collection of relevant evidence of commission of the offence ;
- v. Examination of various persons and reduction of their statement in writing;
- vi. A search of places and seizure of things considered necessary for the investigation and to be produced at the time of trial;
- vii. Formation of the opinion as to whether on the materials collected, are relevant to there is sufficient evidence to charge to send the accused up for trial by filing a charge sheet under section 173 Cr. PC

13.2 The committee during its interaction with the officers and men in district found that they look upon themselves duty bound to take action to curb crime and investigate the cases successfully to meet the expectations of people. They did not however admit that they often resort to short cut methods and exhibit negative traits of police –rudeness and use of third degree methods in investigating crimes. But juxtaposed to such impression given to the Committee, we have also heard the various shade of public opinion and we gather the impression that there exist elements of the aforementioned negative traits among the I.Os, which they display during the time of investigation of crimes.

13.3 The manner in which police investigations are conducted is of crucial

importance to the functioning of the Criminal justice System. If the investigation of crimes are not done as per laws established and with due regard to the minute details of collection of evidence, there is every likelihood that not only serious miscarriage of justice will take place but that the collection of evidence is vitiated by error or malpractice. (a) Successful prosecution of the guilty therefore depends on a thorough and careful search for truth and collection of material evidence both admissible and probative. In undertaking this search, it is the duty of the police to investigate fairly and thoroughly and collect all evidence to ensure that the guilty are apprehended and punished with all promptitudes and also that in the process the innocent are not harassed.

### **CRIME IN MEGHALAYA : A QUANTITATIVE ANALYSIS**

13.4 The following is the quantitative analysis of six years period in Meghalaya :-

Cognizable Crimes Registered During 1999-2004

YEAR	IPC	S.L.L	TOTAL
1999	1708	121	1829
2000	1702	170	1872
2001	1656	121	1777
2002	1615	85	1700
2003	1659	278	1937
2004	1730	132	1862

Table -10

#### **Analysis:**

13.5. From 1999 to 2004, 10,070 Nos of cases were reported in the State under IPC. Crime rate increased in 2004 showed an increase by 1.29 % as compared to 1999; by 1.64 % as compared 2000; by 4.52 % as compared to 2001; by 7.12 % as compared to 2002 and by 4.27 % as compared to 2003.

13.6 From 1999 to 2004, 907 Nos of cases under Special & Local Laws were reported in the state . Crime rate under Special & Local Laws increased in 2004 by 9.09 % as compared to 1999 but decreased by 22.35 % as compared to 2001

and by 55.29 % as compared to 2002 but showed a decline by 52.51 % as compared to 2003. It may be noted that in 2004 at the state level, a total of 3568 IPC cases including those of the previous years under review are pending investigation with the police. 1376 cases amounting to 79.53 % cases were disposed during 2004. As regards SLL cases, 53 % were disposed in 2004.

**PROFILE OF CRIME SITUATION IN MEGHALAYA FROM 2000 TO 2004:**

Sl. No	CRIME HEAD	2000	2001	2002	2003	2004	CHANGE IN 2004 OVER 2003
<b>PROPERTY CRIME</b>							
1	DACOITY	81	88	61	88	94	6.82%
2	ROBBERY	93	121	99	111	82	-26.13%
3	BURGLARY	170	164	153	165	145	-12.12%
4	THEFT	316	285	384	353	427	20.96%
<b>CRIME AGAINST PERSON</b>							
5	MURDER	127	160	162	160	124	-22.50%
6	ATTEMPT TO COMMIT MURDER	43	55	47	45	27	-40.00%
7	CH NOT AMOUNTING TO MURDER	5	2	4	17	6	-64.71%
8	GREVIOUS HURT	0	132	89	106	39	-63.21%
9	RIOTS	2	0	5	5	0	-100.00%
10	RAPE	35	30	38	34	58	70.59%
11	DOWRY DEATH	0	0	0	0	2	
12	MOLESTATION	8	25	27	13	26	100.00%
13	CRUELTY BY HUSBAND/RELATIVES	0	4	0	4	6	50.00%
14	KIDNAPPING/ABDUCTION	28	56	54	49	39	-20.41%
	a) of women & girls			11	10	16	60.00%
	b) of others			43	39	23	-41.03%
<b>OTHERS</b>							
15	CRIMINAL BREACH OF TRUST	11	18	7	10	24	140.00%
16	CHEATING	20	24	29	32	37	15.63%
17	COUNTERFEITING	5	2	7	5	2	-60.00%
18	ARSON	0	31	23	16	19	18.75%
19	OTHER IPC CRIMES	682	457	538	606	671	10.72%
20	TOTAL COG CRIMES UNDER IPC	1626	1654	1664	1658	1730	4.34%
21	ARMS ACT	31	42	40	36	45	25%
22	OTHER MINOR ACT	110	79	45	242	87	-64.04%
23	TOTAL OF ARMS ACT & OTHER MINOR ACT	141	121	85	278	132	-60.33%

GRAND TOTAL	1767	1775	1762	2034	1862	8.45%
CH- culpable homicide						

Table- 11

13.7 In 2004 as compared to 2003 overall crime rate went down by 8.45%. number of cases under IPC increased in 2004 by about 6.4%, 4.6%, 3.10% and 4.34% as compared to 2000,2001,2002 and 2003 . On the other hand, Arms Act & other minor act offences increased by 9.09% & 55.2% as compared to 2001 & 2002 but decreased by about 6.38% & 60.33% as compared to 2000 & 2003.

### **THE STATE OF CRIME: DISTRICT WISE:**

13.8 The district wise status of investigation of crimes are as follows:

- (i) **East Garo Hills District:** Total 98 cases under IPC and 6 cases under Spl & Local Laws were reported in the district during 2004 and decreased by about 23 % under IPC but increased by about 50 % under Spl. & Local Laws in 2004 as compared to 2003. Crime rate dropped in 2004 under all crime Heads of IPC by about 33 % as compared to 2003, but increased by about 100 % in 2004 under the Head of Robbery as compared to 2003. Crime rate under the Head of Crime Against Women dropped by about 50 % in 2004 as compared to 2003.
- (ii) **West Garo Hills:** Total 217 cases under IPC and 10 cases under Spl& Local Laws were reported during 2004 and increased by 9 % both in IPC and Spl. & Local Laws as compared to 2003. Crime rate under the Head of Attempt to commit Murder, Rape, Dacoity, Robbery, Theft, Criminal Breach of Trust, Counterfeiting and other IPC crimes increased in 2004 by about 18 %. Whereas Crimes under the Head of Murder, Kidnapping & Abduction and Burglary decreased in 2004 by about 26 % as compared to 2003. Crime rate under the Head of Crime

Against Women increased to about 130 % in 2004 as compared to 2003.

- (iii) **Jainta Hills Distirct:** Total 303 cases under IPC and 20 cases under Local & Spl Law were reported in the district during the year 2004 and crime rate increased by about 13.3 % as compared to 2003. Crime rate under the Head of Attempt to commit murder, Rape, Kidnapping, Abduction, Dacoity, Robbery, Burglary, Theft and Criminal Breach of Trust increased in the dist by about 80 % as compared to 2003. Whereas Crime under the Head of Murder and Cheating dropped by about 36 % as compared to 2003. Crime rate under the Head of crimes against women increased by 50 % in 2004 as compared to 2003. 14 cases of vehicle thefts were reported in the district during the year 2004, and decreased by about 130 % as compared to 2003.
- (iv) **South Garo Hills:** Total 35 cases under IPC and 2 cases under Spl. & Local Laws were reported in the district during 2004 and decreased by about 16 % as compared to 2003. Crime rate dropped in all Heads except Dacoity and Theft increased by 220 % in 2004 in compared to 2003. Crime Against Women dropped by about 50 % in 2004 as compared to 2003.
- (v) **East Khasi Hills :** In 2004, 777 Nos. of cases under IPC and 60 cases under Spl. & Local Law were reported in the district and the crime rate increased by 0.9 % but crime under the Head of Local & Spl Law decreased in 2004 by around 83 % as compared to 2003. Crime rate under the Heads of Rape, Kidnapping & Abduction, Theft, Criminal Breach of Trust, Cheating and other IPC Crimes increased by about 23 % in 2004 as compared to 2003. But crime rate under Head of Murder, Attempt to commit murder, Dacoity, Robbery & Burglary dropped in 2004 by about 44 % as compared to 2003. Crime rate

under the Head of *crime against women* showing of upward trend in 2004 by about 45 % as compared to 2003.

13.9 The district reported to be the highest in crime rate of vehicle theft as compared to other districts of the state . About 116 nos. of vehicle thefts were reported stolen in 2004, an increase by about 32 % as compared to 2003.

(vi) **West Khasi Hills:** Total 123 no. of cases under IPC and 29 cases under Local & Spl Law were reported in the district in 2004 and they increased by about 42 % as compared to 2003. Crime rate under the Head of Murder, Rape, Burglary, Theft, Criminal Breach of Trust & other IPOC Crimes increased by about 39 % in 2004 as compared to 2003. Whereas crime rate under the Head of Attempt to commit murder & Robbery dropped by about 100 % as compared to 2003. Crime rate under the Head of crimes against women increased by about 71 % in 2004 as compared to 2003.

(vii) **Ri Bhoi:** Total 178 cases under IPC and 5 cases under Spl & Local Law were reported in the district during 2004 and increased by about 21 % under IPC and Spl and Local Laws dropped by about 50 % in 2004 as compared to 2003. Crime rate under the Head of Attempt to commit murder, Rape, Dacoity, Robbery. Theft and other IPC crimes increased in 2004 by about 39 % as compared to 2003. Whereas under the Heads of Murder, Kidnapping & Abduction and Cheating crime rate dropped by about 53 % in 2004 as compared to 2003. *Crimes Against Women* increased in the district by about 40 % in 2004 as compared to 2003. There are 8 cases of motor vehicle thefts reported in the district during 2004 showing a drop by 12.5 % as compared to 2003.

13.10 Having analyzed the rate of crimes for last 6 years, we took into account the state of pendency of cases under investigation in the state. It is seen that in



East Khasi Hills District there are 1203 Cases pending with I.Os out of which 842 are Non-SR and 361 are SR Cases. West Khasi Hills has 227 Cases pending with I.Os, 203 are Non- SR and 24 are SR Cases. Jaintia Hills District has 345 Cases pending investigation with I.Os, out of which 333 are Non-SR and 12 SR cases. Ri Bhoi have 169 cases pending with various I.Os. East Garo Hills District had 248 Cases pending investigation with I.Os out of which 248 cases 157 are Non-SR and 91 SR. West Garo Hills District had 417 Cases pending with I.Os. 256 of them are SR cases and 161 are Non-SR. South Garo Hills has 52 Cases pending out of which 27 are Non SR and 25 are SR.

**Convictions & Acquittal:**

13.11 In the following (Table -12 ) we have given the numbers of convictions and acquittal in the state for last 5 years, from 2000 to2004.

***DISTRICT WISE DATA***  
Table -12

Sl No	DISTRICT	2000		2001		2002		2003		2004	
		Conviction	Acquittal	Conviction	Acquittal	Conviction	Acquittal	Conviction	Acquittal	Conviction	Acquittal
1	E.K.Hills	54	111	65	183	61	167	39	81	58	48
2	W.K.Hills	9	0	13	0	19	3	3	0	17	0
3	Jaintia Hills	49	18	40	105	35	41	26	68	11	10
4	Ri-Bhoi	0	1	17	59	19	45	2	1	18	35
5	E.G.Hills	2	24	3	0	4	0	8	0	13	18
6	W.G.Hills	49	159	85	104	134	34	11	17	22	10
7	S.G.Hills	1	0	2	0	21	0	48	1	3	0
TOTAL		164	313	225	451	293	290	137	168	142	121

13.12 We are concerned that the rate of acquittal is more than the rate of convictions. This phenomenon needs to be looked into in great detail and multi dimensional remedial measures should be taken to improve the situation.

### **DISADVANTAGES FACED BY INVESTIGATING OFFICERS**

13.13 During our tours of districts we had detailed discussion with the District Superintendent of Police and investigating officers on the state of investigation and we learnt that the I.Os in the state also suffer from those disadvantages which are common to the I.Os anywhere in the country. Even though *investigation* forms the bedrock of the Criminal Justice System an I.O **not trusted by the laws and the courts**. But glaringly, Sections 161 and 162 of the Code of criminal Procedure ( CrPC) provide that the statements of the witnesses examined during investigation are not admissible and that they can only be used by the defence to contradict the maker of statement. The confession made by accused is also not admissible in evidence. The statement recorded at the earliest stage normally has greater probative value but cannot be used as evidence. The observations of the courts in several criminal cases show that the

Judges show monumental reluctance to accept the testimony of police officers. The Committee has not delved into the reasons of such distrust of policeman by the laws and courts. In short, however, it can be just mentioned here that there is a historical legacy of the colonial rulers. It is common knowledge that police often use third degree methods during investigation. There are also allegations that in some cases they try to suppress truth and put forward falsehood before court for reasons such as corruption or extraneous influences, political or otherwise. Every blame cannot be laid at the door of policeman and as mentioned above, there are certain disadvantages from which an I.O come to suffer when a case is endorsed to him for investigation. An indicative list of such disadvantages is as follows:

- a. Excessive workload due to inadequacy of manpower and long working hours even on holidays and the absence of shift system;
- b. Non-cooperative attitude of the public at large;
- c. Inadequacy of logistical and forensic 'back up support;
- d. Inadequacy of trained investigating personnel;
- e. Inadequacy of the state-of-the-art training facilities in investigation, particularly in service training in the state;
- f. Lack of coordination with other sub-system of the Criminal justice System in crime prevention, control and search for truth;
- g. Distrust of the laws and courts;
- h. Lack of laws to deal effectively the emerging areas of crime such as organized crime, money laundering etc.;
- i. Misuse of bail and anticipatory bail provisions;
- j. Directing police for other tasks which are not a part of police functions;
- k. Interrupting investigation work by being withdrawn for law and order duties the midst of investigation;
- l. Political and executive interference;
- m. Existing preventive laws being totally ineffective in curbing criminal tendencies hardened criminals and recidivists.

- n. Serving of summons like that of Excise, Customs, Food & Supplies department etc.
- o. Disproportionate endorsement of cases to I.Os for investigation by Officer in charge
- p. lack of supervision of cases and guidance by supervisory ranks

13.14 It is amply evident that unless the basic problem of strengthening the foundation of doing the qualitative investigation is not undertaken the criminal justice delivery system in the state will continue to suffer and the guilty will continue to escape conviction and sometimes even wrongly innocent persons may get implicated and punished. It is therefore necessary that the problems are addressed and the investigating agency is strengthened.

Remedial measures to improve quality of investigation and strengthen investigating agency registration of cases.

13.15 The National Police Commission lamented that the police "evade registering cases for taking up investigation where specific complaints are lodged at the police stations". As mentioned else where in its report the Committee did not find the problem of non- registration of cases rampant in the state except for some response that in some cases the police in certain police stations did not register cases. The Committee recommends that all complaints should be registered and for failure to do so appropriate action should be taken against the erring officer.

13.16 In agreement with the observation of the Malimath Committee on the reforms of Criminal justice System we recommend that the Governments/DGP must issue firm instructions to the police stations to the effect a case shall be registered by the SHO of the police station if he is present at the police station and in his absence, the case should be registered by the seniormost police officer available at the station, irrespective of rank. Such arrangement will prevent undue harassment to the informants who are usually made to wait for the OC for

too long as it is found the OC is either on mufassil duty or has proceeded to attend law and order duty.

13.17 There are two more aspects relating to registration of cases at the Police stations. The first relates to not invoking appropriate sections of law. The Committee disapproves of this tendency. Appropriate sections of law should always be invoked in each case taking full gravity of offences involved into consideration. The second issue arises out of the act of registration of complaints. The thana police officers informants who report of the crime orally are asked to bring written complaints instead. This leads to delayed registration of crimes and consequent delay in launching the investigation and apprehension of criminals. Besides, the complainant gets an opportunity to be advised by his friends and relatives and often by even lawyers and they tend to exaggerate the incident and implicate wrong persons. This eventually has adverse effect at the trial. The Committee therefore reiterates that if a complaint is given orally, it should be reduced in writing by the OC, and launch enquiry or investigation without any loss of time.

13.18 There is no iota of doubt that the investigation of crimes should necessarily be prompt, thorough and sustained and that final forms are submitted without delay and charge-sheets are accompanied with complete evidence for trial.

### **Taking care of FIR**

13.19 In order to ensure objective investigation of cases the Officer in charge of a police station must prevent embellishment of FIRs and statements and give correct facts and circumstances without coming under the extraneous pressure. It is the duty of the supervisory officers to properly guide the investigation right from the beginning so as to ensure that innocent persons are not implicated and the guilty are brought to justice. Since the I.O in most cases will be of the rank of

a S.I he may not be in a position to withstand the extraneous pressure to give certain vested direction to the investigation. Hence the senior supervisory officers should provide moral support to them. It will be unfortunate if the senior officers themselves will fail to exercise restraint and influence the investigation of cases in contravention of the laws.

**Proper registration of cases:**

13.20 Some of the sample studies made by the Committee of case diaries indicate that often crimes are not registered under the appropriate sections of law. And in some cases we found that even the FIRs have not been submitted properly. Let alone the lay complainant, even the police officers who are often required to file suo moto complaint in cases of ambush on them or killing of policemen in encounter with insurgents, they miss vital information from the FI R leaving loopholes in prosecution of cases later. We recommend that when an FIR is filed in a police station due care and caution should be exercised in registering the cases under appropriate sections of Law. Even if the cases are registered under wrong sections of law, the same should be rectified at the time of supervision of cases. We have noticed that this is being done in the state CID and some districts where cases are regularly supervised to give proper direction to the investigation.

13.21 The Committee came across few specific complaints in its tours of districts, from the members of Public or NGOS that the police have refused investigation. In our interaction with various groups they referred to some instances when cases were not registered at the police stations on the complaints and they found themselves to be helpless to have their reports registered. Here the Committee would like to recommend that in the event an investigation can not be undertaken under section 157 (1) (b), it is to be done on proper ground and the complainant should be informed of such reason.

**SUPERVISION OF CASES UNDER INVESTIGATION**

13.22 There is no gainsaying the fact that an effective supervision ensures proper direction, coordination and helps efficiency. If the Supervision of district SP and the supervisory ranks below him are lax and ineffective, it will breed inefficiency and corruption arising out of the investigation of cases. The superior officers therefore must discharge their responsibilities by closely constantly doing the supervision of the works of subordinate officers. This we find is absolutely essential.

13.23 The Committee feels that the quality of investigations would not improve if the supervisory ranks in the police hierarchy i.e. Circle Inspector, District Superintendent, Deputy IGP do not pay adequate attention to the thorough and timely supervision over the progress of each investigation. The Committee would like to recommend that the Range DIG should be very particular in ensuring that all the supervisory officers below him in the districts do in fact conduct timely supervision of cases. He should fix target for each Investigating officers and have them supervised at different levels besides doing the supervision of cases himself from time to time. At the District level Addl S.P is considered to be the officer in charge of matters relating to crime and in those districts where there is only the post of DySP( Hqs) , he is in charge of crimes and investigation. But we found that these officers do not exercise supervision over crime and investigation.

13.24 During its interaction with the Investigating officers in the state, the Committee found that the well-established mechanism of supervision as given in the Assam Police Manual Part- V has not been strictly adhered to. We found that there is a lack of effective and timely supervision by the senior officers. The institution of the circle Inspector, which is the most important one in the scheme of supervision of the cases as envisaged in the Assam Police Manual- V, does not seem to be fully functioning. The Circle inspectors do not seem to be conducting quarterly crime review of his Circle. The supervisory hierarchy of officers

empowered to monitor and guide the investigations namely, Deputy SP, Additional SP, Superintendent of Police and even the DIG does not seem to be fully functioning. The Committee found that they do not give adequate time and attention to supervisory work. This we found to an important reason for the decline in the quality of investigation in the state and also that the pendency of cases under investigation is soaring up. Supervisory officers must see that the cases are not routinely closed as false unless there are irrefutable reasons to do so and it is decided to close the case. The Circle Inspectors should be left alone to concentrate on their primary job of supervision. Nonetheless, both the CIs and the I.Os should be made responsible and accountable for ensuring correctness of investigation. The Department must ensure this.

13.25 We would like to recommend that the PHQ should ensure that the progress of investigation of cases in the Ranges and Districts is monitored. we also recommend that since detection and investigation of crime is the main stay of policing, the assessment of District SsP and Range IG or DIG should also find a mention in their ACR. A suitable parameter to that effect be incorporated in the ACR forms.

#### **MONITORING THE PROGRESS OF TRIAL IN COURTS:**

13.26 We believe that once the case has gone to the Court, its progress is not monitored by the police and the P.I or PSI (wherever they are posted) do hardly anything to apprise the senior officers of the districts about the progress of the trial of cases. Further it is also noticed that summons to the witnesses are not served on time for a variety of reasons, and in some cases we found that investigating police officers avoid attending the Court on due dates and *depose* properly and with good preparation. The senior supervisory officers should ensure that these loopholes are plugged.

#### **Keeping the investigation on right tracks:**



13.27 The senior supervisory officers should also ensure that the investigation is kept on the right direction and is free from extraneous influences and those investigations are conducted in an honest and transparent manner. The supervisory officers must ensure that the following important steps are taken promptly in the interest of investigation of cases:

- i. Scientific aids to investigation are optimally utilised in investigations and that experts are taken to the Spot in specified crimes for preservation and collection evidence.
- ii. Articles/ exhibits seized in investigation are sent to the FSL for expert opinion, that such opinion is promptly obtained and cited as evidence along with the charge sheet.
- iii. The Medico Legal Reports are obtained from *the* experts quickly so as to arrive at fair and just conclusion in a case.
- iv. Case diaries are properly maintained according to law and entries in the Gene Diary.
- v. The power of arrest is not abused or misused.
- vi. The human rights of the accused are protected.
- vii. The witnesses coming to the police station are not made to wait for long hours are disposed as promptly as possible.
- viii. Third degree methods are not resorted to in the investigation.
- ix. The inbuilt system of timely submission of case diaries and progress reports of investigation to supervisory officers is followed.

13.28 Here we would like to point out that the NHRC has recently circulated booklets on Guidelines regarding Arrest wherein a number of Supreme Court Judgments have been cited to be followed while effecting arrest. Further the Supreme Court of India in D.K. Basu vrs State of West Bengal has passed orders giving directions to be followed in safeguarding the rights of the accused. We recommend that these and other extant guidelines as may be available should be

circulated among police officers and sensitize them and also that these guidelines are followed scrupulously.

### **IMPROVING QUALITY OF INVESTIGATION**

13.29 It has come to the notice of the Committee that investigations of even grave crimes having interstate and even transnational ramifications are being conducted single I.O. The Committee feels that by virtue of the nature of such cases, application of single mind is not enough to respond to the modern needs of the art and science of investigation -whether it is inspection of site, picking of the clues and developing them and taking into account other multidimensionally related matters.

13.30 The investigation of all such crimes needs to be conducted by a team of officers, size and level of the team depending on the dimensions of the case, with the senior most working as the leader of the team. Such strategy to investigate crimes will ensure continuity in investigation and also proper appraisal of evidence and application of law thereto will be available. It will also avert the scope of misuse of discrimination by the police and ensure greater transparency in the investigations.

### **LEVEL OF THE INVESTIGATING OFFICER**

13.31 It may be apt to point out that the rank of the IO investigating a case also has bearing on the quality of investigation. The minimum rank of an Officer In Charge of a police station in the state is S.I. However, some of the important police stations are headed by the officers of the rank Inspector. It has been observed that investigations are mostly handled by lower level officer namely S.I. The senior officers of the police stations, particularly the OC generally do not conduct any investigations themselves. This results in deterioration of quality of investigations. While there is no hard and fast rule that can be laid down as to the rank of the I.O for a particular type of case, the Committee, however,

recommends that, as far as possible, all sessions trial cases registered in the police stations should be investigated by the senior most police officer posted there; they may be senior SIs or Inspectors. This has obvious advantages, as they will be able to do better investigate the cases with their superior experience, acumen and intelligence and control over the resources.

13.32 Allied to the above recommendation we also will like to point out that the OC of a police station should not dump and overload some particular officers with investigation while not utilizing the services of other officers for the investigation. Such disproportionate utilization of manpower not only vitiates the environment with favoritism, the pendency of cases under investigation will climb up as the officers tasked with the investigation of cases will not be in a position to deliver due to large numbers of cases imposed on them.

### **INSULATING THE OFFICERS INVESTIGATING CRIME**

13.33 Another important aspect impacting on the quality of investigation is the insularity of the Investigating Officers and the supervisory ranks. For fair and impartial investigation it is imperative that the investigating machinery is immune from political and other influences and acts in consonance with the law of the land and the Constitution. It has however, been observed that in some cases the local MLAs or ministers have wielded their authority to influence the course of criminal investigations by pressuring the transfers of some senior officers and OCs of some Police stations. This practice wherever it exists is not desirable and needs to be discontinued. It is strongly felt that the Investigating Officers should have the professional independence needed to act according to law and the constitution to properly investigate crimes. We have elsewhere in the report dealt with the need of creating a mechanism for insulating police from undue extraneous interference.

13.33 The Committee is of the opinion that the State Security Commission

(SCC) as mentioned elsewhere in this report should give an element of insularity to the I.Os and instill a sense of confidence in them to investigate crimes without fear.

### **INTEGRITY OF I.O:**

13.34 Integrity of the IO has a vital bearing on the investigation conducted by him. The misconduct of the IOs has often tends to be overlooked due to variety of reasons and his lifestyle and standards of life are not audited from vigilance angle. The Committee feels that the District Superintendents of Police, Deputy IGs and the DGPs must ensure that the IOs function with utmost integrity. The IOs who submit FR or whose cases get acquittal and discharge in trial and who takes inordinate time in disposing the cases should be identified and they should be subjected to vigilance. This necessitates strengthening of the police vigilance set-ups at the State level and institution of a similar mechanism at the Range/District. level. we recommend that the Government may take this recommendation into consideration.

### **NORMS FOR INVESTIGATING STAFF**

13.36 Although the Committee did not come across frequent transfer of cases from one I.O to another and from District to the Range Office or the State CID on extraneous considerations. However it is noticed that a lot many cases are transferred from one I.O to another on inter- district transfer. It is also noticed that I.Os on transfer to another districts also carry the cases pending investigation with them and they usually tend to forget to investigate the cases. Such seriously irregular practice cools the trail of investigation and lends immunity to the criminals from penal consequences. We recommend that such I.Os who keep the investigation unnecessarily pending with them for too long should be dealt with departmentally and if departmental measures fail, and then appropriate actions should be taken as per law.

### **INADEQUACY OF STAFF TRAINED IN INVESTIGATION**

13.37 There is inadequacy of trained investigating staff in the state. The police officers are hard pressed for time with multifarious commitments and are thus, not able to devote time for investigational work. Their time is taken by other duties connected with maintenance of law and order, VIP duties, petition enquiries, court attendance, collection of intelligence and other administrative work. Further there is an inadequate number of IOs coupled with percentage of their time being devoted to investigational work. This has resulted in perfunctory and delayed investigations and has contributed to the acquittal of the accused in the court. Although in 2004 the posts of ASI have been abolished and posts of S.I and Inspectors have been created, the situation does not seem to have improved in improved quality of investigation of crimes. The reason is that they have not been trained to take up investigation of crimes.

### **WORKING OUT RATIONALE OF INVESTIGATION OF CASES:**

13.38 An Investigating Officer on an average investigates around ten cases in a year in the state. The Committee has interacted with police officers at the cutting edge level of police stations. We have also discussed relevant issues with officers in charges of police stations and their immediate supervisory officers and we come to hold the view that for improving quality of investigation, the workload of an investigating officer (or a team of IOs) should not exceed 10 cases per year. This norm is suggested for investigation of serious crimes. Further this is in keeping with the national standard as suggested by the National Police Commission.

### **SEPARATION OF INVESTIGATION FROM LAW & ORDER IN SOME DISTRICTS OF MEGHALAYA**

13.39 The Committee finds that the state police perform both investigational and

law and order duties. It is not that straight and that simple a category of duties that the state police are called upon to perform. Besides law and order they also perform the duty related to disaster management which is gaining importance in the post Tsunami time and various parts of the state come under the impact of the cyclones due mostly to the depressions in the Bay of Bengal during Monsoon. Under the new social legislations even including VAT, the role of the state police seem to have increased more by day. Factors as aforesaid mentioned have compelled the Police Departments to divert sizeable quantum of scarce resources to these area of law and order management, leaving much less for the routine crime work.

13.39 The diverse roles that the state police are called upon to play has taken its toll in terms of diffusion of perseverance and specialization in investigations, especially of the serious cases also known as 'SR' cases. The Committee finds that the duties of the police as prescribed in section 23 of the Indian Police Act, 1861 are obsolete as they have fallen out of date in view of the latest developments of insurgency, economic offences and cyber crimes have come to pose serious policing challenges and the leaders of the insurgent groups of the state are using Bangladesh as the ground for training and staging operations in the state.

13.41 All these changed circumstances have their impact on widening the ambit and role of police functions and duties. Although the state of Meghalaya is not known to have any organized criminal gangs yet some crimes have been committed in the state and the accused have fled to foreign land. In some cases the state CID have coordinated efforts with the INTERPOL in having Red Corner Notice issued against some accused who have fled the country. Again the fact also has come to the notice of this Committee that some of the accused of criminal cases registered in the state are staying in some other parts of the country. Crimes thus have come to have interstate and transnational dimensions and this aspect of crime management has emerged as a challenge to the State police.

13.42 The need for expeditious and effective investigation of offences as contributing to the achievement of the goal of speedy trial cannot be gainsaid. The investigation of crime is a highly specialized task requiring a lot of patience, expertise, training and clarity about the legal position of the specific offences and mastering the art and tradecraft of investigation. Investigation unearths hidden facts with the purpose of linking up of different pieces of evidence for successful prosecution. The Committee is of the view that investigation requires specialization and professionalism of a type not yet fully achieved by the police agency in the state.

13.43 Therefore we firmly believe that in some selective districts where crime rate is high there should be separation of law and order from crime police. In our survey we found that the crime rates in the following districts are higher than other 4 districts of Meghalaya:

Sl. No.	District	Cases reported (1999 to 2004 )	Annual Average
1	East Khasi Hills District	4744	790.6
2	Jaintia Hills District	1636	272.6
3	West Garo Hills	1634	272.3

Table -13

13.44 On the other hand, the combined total nos of cognizable cases reported to the police in other four districts of Meghalaya namely, East Garo Hills District, Sough Garo Hills District, Ri Bhoi District and West Khasi Hills for the same period , 1999- 2004 came to 3029. The average rate of cases registered per year in each of these four district is 126.2.

#### **REASONS FOR SEPARATION:**

13.45 The Committee has carefully weighed the options between recommending restructuring the police hierarchy with a view to increasing the numbers of I.Os and separation of law and order from investigation wings of the district police.

The Law Commission of India discussed this issue threadbare in its 154th report categorically recommended separating the investigating agency from the law and order police on the following grounds :

- a. It will bring the investigating agencies under the protection of judiciary and greatly reduce the possibility of political or extraneous influences.
- b. Efficient investigation of cases will reduce the possibility of unjustified and unwarranted prosecutions.
- c. It will result in speedier investigation, which would entail speedier disposal of cases. Separation will increase the expertise of the Investigating Officers.
- d. The investigating police would be plain clothes men and they would be able to develop good rapport with the public.
- e. Not having been involved in law and order duties entailing the use of force, they would not provoke public anger and hatred which stand in the way of public police cooperation in tracking down crime and criminals and getting information, assistance and intelligence from the public.

13.46 The Committee on Police Reforms constituted by the Government of India under chairmanship of Sri K Padmanabhaiah also recommended separation of investigation the law and order wing. We also agree with the recommendation for implementation in the three districts of Meghalaya as aforesaid.

13.47 The Committee has deliberated upon the issue of such separation to arrive at the recommendation of a system which may be conducive and implement -able in the state of Meghalaya. While doing that we find that there is already a system in place in Tura and Shillong of an investigation wing under one Inspector. Such wings investigate cases of complicated nature. But we also find that the officers posted in these wings are deployed on law and order duty on occasion of VVIP visit and disturbances, anti –insurgency duties and so on. We feel that despite good intentions of tackling the crimes by exclusive cells they have remained as an



appendage to the police station and that too as a part of law and order maintenance machinery. We have also pondered over the requirement of manpower that will be dedicated to the investigation of crime wings once such segregation is formalized. Apparently the present strength of manpower in all the districts of the state does not allow separation of law and order from investigation wing and in fact depending upon the statistics crimes obtaining in those districts we do not feel the need and necessity of such separation in all districts.

13.48 Therefore we would like to recommend that at least in East Khasi Hills, Jaintia Hills District and West Garo Hills districts there should be separation of law and order from investigation wings by the notification of the Government. Additional staff to facilitate this may be assessed and sanctioned.

13.49 We also recommend with reference to these districts that while separating the wings into law and order and crime investigation wings, due care must be taken to ensure that only those officers are posted in the Crime investigation wings who have successfully completed various professional courses in detection and investigation of crimes and also that if there are law graduates in the department they should be posted in the investigation wing. The wing should not be a dumping ground for the unwanted elements of the force. Officers not wanted in other duties should not be shunted. This will defeat the very purpose of doing justice to the crime investigation.

13.50 Hence we also suggest that in propounding the personnel management theory peculiar in police department that all units should share the bad apples, should not apply to the investigation wing. We also recommend that the Government while notifying the separation of law and order wing from the investigation wing should incorporate the provision of using these wings exclusively for the purpose they are created. Otherwise we will not be surprised to know later that the investigation wings have become a reserve of law and order wings.

13.51 We recommend that there is need for setting up separate police wings for law an order and crime and both can function from the same building. The experience of some states is that while investigation of offences relating to property are taken up by the Crime Police Stations, investigation of other offences is handled by the Law and Orders Police Stations. The Committee has given a serious thought to the matter and are of the view that all serious crimes such as sessions triable cases, and certain other classes of cases are investigated by Crime Police and the remaining crimes including crimes under most of the Special and Local laws are handled by the Law and Order Police. We also feel that the government constitute a study group to make suggestions as to the powers and duties of each of the aforesaid wings so that there is no duplication of works and that both of the wings in stead of working at cross purposes with each other, work in coordinated manner for the criminal justice delivery system.

**STRUCTURE OF CRIME INVESTIGATION WING: CRIME POLICE:**

13.52 In our view the broad outlines of the formation of the crime Investigation wing (Crime Police) should be based on the following parameters:

- (i) Posts of SP (Crimes) to be assisted by Addl. SP (Crimes) to be created and he shall have crime **teams** functioning directly under him. He will carry out investigations into those crimes, which are notified to be investigated by the said wing He shall also supervise the functioning of the Crime Police in the district. The Additional SP (Clime) will assist in (a) collection and dissemination of criminal intelligence; (b) maintenance and analysis of crime data: (c) investigation of important cases; (d) organize logistic support in the form of Forensic and other specialists and equipment.(e) Investigations of cases.
- (ii) The Range DIG will supervise the functioning of the Crime

Wing.

- (iii) SP (Crime Wing) should have specialized squads working under his command to take up cases as per cases notified to be investigated by him. An indicative list of such squads could be (a) cyber crime squad; (b) anti terrorist squad; (c) organized crime squad; (d) homicide squad; (e) economic offences squad; (f) kidnapping squad; (g) automobile theft squad; (h) burglary squad etc. He will also be responsible for (a) collection and dissemination of criminal intelligence, (b) maintenance and analysis of crime data, (c) coordination with other agencies concerned in investigation of cases.

#### **TRANSFER OF CASES UNDER INVESTIGATION:**

13.53 The present practice of the state police for transfer of cases under investigation is that at the district level the Superintendent of Police takes the decision to transfer the cases from one I.O to another. However for the transfer of complicated nature of cases under investigation from District to the state CID, the DGP orders transfer of cases to the CID. The Committee however is of the opinion that no case should ordinarily be transferred from one investigating officer to another or from District Police to the Range office or the CID by the competent authority unless there are very compelling and cogent reasons for doing so and such reasons should be recorded in writing by the concerned authority. Understandably the draft of a new Police Act is under consideration of the Government of India.

#### **NEED FOR TRAINING OF INVESTIGATING OFFICERS**

13.54 Crime investigations being a specialized work, the 10s can perform their duties properly only when they are properly trained and possess necessary skills and expertise. There is, thus, great need to develop and sharpen investigative

skills of the officers through regular training programmes at the induction stage and periodical in-service training courses. There are two main problems in this regard: -lack of training institutions, let alone state-of-the-art institutions; and more importantly, lack of dedicated trainers. Presently, there are three Central Detective Training schools at Kolkata, Chandigarh and Hyderabad. Most of the States also do not have their own training institutions but the present training facilities appear to be unable to cater to the total requirements of training. Further, the existing training institutions impart the training in old disciplines. As the complexity and nature of crime is changing fast, training facilities in emerging disciplines such as forensic accounting and information technology etc. need to be developed and imparted. to the IOs.

13.54 The Committee is of the view that adequate facilities and infrastructural support should be provided to the proposed Police Training College of the state presently located at Mawroh, Shillong for basic and all specialized in-service professional courses of the police personnel. We take note of the fact that the present PTS is starved of funds to even pay decent amount as guest lecture fees.

Following is the Budget Provisions of the police department as a whole and the its share of PTS for 2004-2005

Total Non -Plan Budget	Rs.124,91,00000
Budget of PTS	Rs.1,17,01,000

Table - 14

13.56 The PTS Budget constituted a mere .99% of the total Police Budget. We therefore recommend that the proposed PTC should also have enough augmented fund and other resources to outsource professionals of repute on the policing for conducting training. In the field of imparting training to the officers of Crime Wing, the focus should be on increasing the competence and capability of the officers to investigate crimes professionally well. The list of such training on

crime investigation is too long to be given here; but the indicative list of such training includes focus on protection of scene of crime; Collection of physical evidence there from with the help of experts, including forensic experts; inculcating the art of interrogation of suspects and witness; developing the art of collection, collation and dissemination of criminal intelligence; developing and handling informers. In addition, the following measures are also recommended for the development of PTC.

- (i) The Committee recommends that the funds for the present PTS(proposed PTC) should be augmented ;
- (ii) The rate of guest lecture fees for the resource persons should also be brought at par with the fee structure of other police training institutions of the country;

13.57 The Committee recommends that the trainers in the PTC should be handpicked by a Committee of officers constituted by the DGP. In the scheme of criminal justice system, the aim of the investigation is to search for truth. To achieve this objective, investigating officers must be properly trained and supervised and necessary scientific support should be made available to them.

### **USE OF FORENSIC SCIENCE IN INVESTIGATION**

13.58 It can hardly be gainsaid that the application of forensic science to investigation of criminal offences from the first visit by the I.O to the crime of crime All relevant physical clues, including trace evidence will eventually be sent to the FSL for forensic examination. This can best be done if the I.O is accompanied to the crime scene by appropriately trained scientific hand who can be called Field Criminalist and Scene of Crime Officers' (SOCO). The subject of FSL has been dealt with in separate chapter. It will suffice here to mention that the Committee on its visit of the FSL, Shillong learnt that the state police have procured 7 Nos of mobile forensic science Lab vans under Modernization Plan and they are equipped forensic tools but the posts of drivers and forensic experts

have not been created to man these mobile labs. Hence the Committee would like to recommend that in the permanent strength of each police station posts for forensic science cadre officers having qualification in criminology and forensic science should also be created.

13.59 However the basic fact remains that the police officers posted at the Police station, be it the crime wing or law and order, must have strong inclination, aptitude and capability for doing scientific methods of investigation. These personnel are then provided in-depth training in crime investigation management and in the identification of different types of scientific clues to be looked for in different types of crimes.

13.60 The present level of application of forensic science in crime investigation and other established forms of scientific aids to investigation is somewhat low in the state. The facility of FSL and Finger Print Bureau are under utilized. There is urgent need to bring about improvement in the situation, more so when the huge numbers of cases are still pending investigation, many of them, for years on end. The full and judicious use of the FSL facility will improve not only investigation but conviction also.

13.61 It may be added here that in September 2004, the FSL, Shillong had organized state level Seminar on the theme of "Effective Use of Scientific Evidence for the Successful Prosecution as a part of Criminal Justice System" to which forensic scientists of national and international repute participated. Senior Police Officers including all Superintendents of Police, members of the bar associations and judges also participated in the seminar. The seminar was a steps forward to create awareness among the police of the use of the forensic science. The Chairman and other members of the Committee also participated in the Seminar and gained meaningful insights into the role being played by the FSL, Shillong in the administration of criminal justice the state. The Committee would

like to recommend that the FSL Shillong should be provided all resources to conduct such useful seminars from time to time.

### **DELAY IN SUBMISSION OF EXPERT REPORTS**

13.62 The report of FSL experts and Medical jurists play an important role both at investigation stage and at the trial stage in the determination of facts. Delay hampers the investigations and delays trials. The State Government should draw a time frame for submission of reports by the experts. The Committee also feels that the efficient and expeditious disposal of cases will hinge upon the availability of manpower and resources provided at the FSL.

### **POLICE MANUALS TO INCORPORATE PROVISIONS OF FSL:**

13.63 We also would like to recommend that the **Police Manuals** and Standing Orders of Meghalaya need to be amended to make the use of Forensic Science mandatory, as far as practicable, in investigation of all grave and important crimes such as those involving violence against the persons, sexual offences, dacoity, robbery, burglary, terrorist crimes, arson, narcotics, poisons, crimes involving fire-arms, fraud and forgery and computer crimes.

13.64 Further we also recommend that the **Police Manuals** and Standing Orders should make it mandatory on the part of the supervisory officers to carefully monitor and scrutinize, whether the IOs have exploited the possibility of the use of forensic science in the investigation of each crime right from the beginning of investigation and in fact availed of the same in a proper manner.

13.65 We also would like to recommend that the State Governments should immediately create appropriate forensic Science facilities in each District. The job of these mobile units would be not only to identify, collect and preserve the evidence but also to tender necessary opinion, on the spot, to the IO, if

scientifically feasible. By doing this the investigation will be based on right direction from the beginning.

13.66 Although each police station has been provided by the CID with Scientific Investigation Kits for identification and lifting of scientific clues from the crime scene, it is found during our tours of the districts that they are sparingly used. We would like to recommend that in all criminal cases scientific methods of investigation should be applied. Here further we would like to add that all the district SPs should also aid I.Os by making necessary arrangements for proper packaging, storage and preservation of scientific clue material collected from the crime scene or suspects, to ensure their protection against contamination, degradation or damage at the police station or in the District Headquarters.

13.67 The Committee recommends that the Forensic Science facilities in the state need heavy augmentation. The facilities of expert examination of exhibits as available in the Laboratory should be made fullest use by each and every I.O. We believe that a strong emphasis on scientific aids to investigation will dissuade I.Os from applying third degree and resort to other forms of custodial violence at the cost of successful investigation.

### **MEDICO LEGAL AND OTHER EVIDENCE**

13.68 As per records the pendency of cases due to non receipt of medico legal, FSL and MVI reports is as follows w.e.f. 1993 to 2005

SI No	District	TOTAL PENDING CASES			REASONS FOR PENDING		
		SR	NON-SR	Total	FSL	PM Report/ Medical Report	MVI Report
1	East Khasi Hills	361	842	1203	N.A	31	9



2	West Khasi Hills	24	203	227	32	21	2
3	Jaintia Hills	12	333	345	7	5	N.A
4	Ri-Bhoi	29	139	169	5	25	3
5	East Garo Hills	91	157	248	20	12	N.A
6	West Garo Hills	256	161	417	12	30	1
7	South Garo Hills	25	27	52	5	N.A	1

Table –15

**STATEMENT OF REASONS FOR CASES PENDING INVESTIGATION IN  
DISTRICTS**

We have 2661 cases pending investigation, all districts included.

13.69 The Medico Legal Services play an equally important role in the investigation of crime and prosecution. If the case under investigation are pending due to non-submission or delayed submission of medical and post mortem reports then the accountability of police suffers as the complaint in the criminal cases do not get investigated on time and the guilty are not punished expeditiously.

13.70 The Committee recommends that a Medico Legal Advisory Committee should be set up in the state under the senior most medical and Health officer posted at the Police Hospital with at least two Board members, including one from the State FSL. One of the main tasks of this Committee would be to resolve the differences of opinion between the Medico Legal professionals and the forensic experts. The functions of the Committee can be expanded one the committee is constituted. The State Government must prescribe a time-frame for submission of we tend to agree with the following recommendation of the NPC on submission of Medico Legal reports. We recommend the flowing time frame:

- a. Injury Report : 6 hours
- b. Post-mortem Report : 24 hours

13.71 There has been a tendency on the part of some Medico Legal experts to reserve their opinion as to the cause of death etc., pending receipt of the reports of FSLs on toxicological examination even in cases where it is possible for them to give a definite opinion about the cause of death. This tendency should be eschewed.

### **INVESTIGATION OF COGNIZABLE AND NON-COGNIZABLE OFFENCES**

13.72 Section 2(c) of Cr.PC defines 'Cognizable Offence' and 'Cognizable case'. The question for examination is as to whether the distinction between cognizable on-cognizable offences is conducive to satisfactory dispensation of criminal justice. Cognizable are by and large serious in nature. A common citizen is not aware of this artificial distinction between cognizable and non-cognizable offences. There is a general feeling that if anyone is a victim of an offence the place he has to go for relief is the police station. It is very unreasonable and awkward if the police were to tell him that it is a non-cognizable offence and therefore he should approach the Magistrate, as he cannot investigate such a complaint.

13.73 It has come to the notice of the Committee that even in cognizable cases quite often the police officers do not entertain the complaint and send the complainant away saying that the offence is not cognizable. Sometimes the police twist facts to bring the case within the cognizable category even though it is non-cognizable, due to political or other pressures or corruption. This menace can be stopped by making it obligatory on the police officer to register every complaint received by him. Breach of this duty should become an offence punishable in law

to prevent misuse of the power by the police officer.

13.74 The present classification of offences as cognizable and non-cognizable on the basis of *the power to arrest* with or without order of the Magistrate is not based on sound rational criteria. Whether in respect of any offence arrest should be made with or without the order of the Magistrate must be determined by relevant criteria, such as the need to take the accused immediately under custody to prevent him from tampering with, evidence, or from absconding or the seriousness of the crime, and its impact on the society victim etc.

13.75 Because of the burden placed on investigating and producing evidence large number of victims of non-cognizable offences does not file complaints. They stand deprived and discriminated. This is one of the reasons for the citizens' losing faith and confidence in Criminal justice System. As justice is the right of every citizen it is not fair to deny access justice to a large section of citizens by classifying certain offences as non-cognizable. Law could provide free and equal access to all victims of crimes. This can be done by removing the distinction between cognizable and non-cognizable offences for the purpose of investigation of cases by the police officer.

13.76 The Committee has heard the opinion of police officers in the field about the effect the removal of the distinction between non-cognizable and non-cognizable offences will have on their workload. It was the unanimous opinion of all the field officers posted at the thana level that such removal will mean more workloads for them.

13.77 However, in agreement with the recommendation of the Malimath Committee we also would like to suggest the removal of the above distinction between the cognizable and non- cognizable offences in the state on the grounds that first, false and frivolous complaints which fall in the category of non-cognizable offences, will be dealt well by experienced police officers who will not find it difficult to summarily dispose of such frivolous complaints without undue waste of time and secondly, the courts will have more time to concentrate toward disposal of cases pending trial.

### **CRIME SCENE VISITATION**

13.78 The Committee is aware that there have been some instances of high profile crimes involving gangs of criminals perpetrating crimes and there were complaints of late arrival of the local police station staff at the scene of crime quite late. Investigation involves several stages and the crime scene visitation is one of the most important steps in investigation. Recognizing this need, the Assam Police Manual has also mandated immediate dispatch of an officer to the scene of crime for inspecting it, preserving the evidence and preparing the site plan etc. The Committee, during its tours of the districts and police stations have found that all the police stations and some of the important police outposts in the state are provided with vehicles and that some of the important districts have also been provided with mobile forensic science vans. The Committee therefore reiterates that on receipt of occurrence of a crime the inspection of the scene of crimes should be done by a team consisting of forensic scientist, finger print experts, crime photographer. For all grave crimes we insist that a team of experts including the police officer should visit the scene of crime and not a single police I.O. The Committee refrains from giving detailed guidelines as to what they should look for in the scene of crime. Suffice it to say here that the team of officers who constitute the crime scene team will be deft at their trade of investigation.

### **AUDIO RECORDING OF STATEMENT OF WITNESSES, DYING DECLARATIONS AND CONFESSIONS**

13.79 Frequent changes in statement by the witnesses during the course of investigation particularly, at the trial are disturbing. This results in miscarriage of justice. Hence Science and technology should be harnessed to help criminal investigation. Tape recording of statements of witnesses, dying declarations and confessions would be purposive step in this direction. Unfortunately, the existing law does not approve of it. It is understandable, as these facilities did *not* exist at the time when the principal laws were enacted. Now that these facilities are available to aid the investigating and they should be optimally utilized.

13.80 The Committee is of the view that the law should be amended to provide for tape or video recording of statements of witnesses, dying declarations and confessions and allow their admissibility in evidence. A beginning may be made to use this modern equipment at least in serious cases

### **FACILITIES FOR INTERROGATION**

13.81 It can hardly be over-emphasized that interview of 'witnesses and interrogation of suspects and accused should be done in a professional manner so as to elicit the truth. This is possible only when the Investigating Officer possesses professional competence and has adequate resources at his disposal and the interview/interrogation is conducted in a proper ambience. The Investigating as well as the witnesses/suspects/ accused should have privacy during interrogation and examination at the police stations and outposts. The committee feels that a room equipped with proper facilities such as video cameras, ; recorders should be set apart in each major police station of the district Hqrs to begin with for the purposes of interrogation/ interviews aid to investigation whether the such evidence is admissible in the courts of law or not .

the IOs should avail of these equipment to make the investigation as an aid, not evidence at this juncture.

### **ARREST OF ACCUSED**

13.83 Chapter 5 of Criminal Procedure Code deals with the arrest of a person. And the law provides a wide variety of powers of arrest to the police but despite constitutional safeguards provided in article 22 of the Constitution, the allegations persist of misuse of power of arrest by the police. At the same time it can not be denied that new forms of crimes have come up and special measures have become necessary to fight these crimes at state, interstate and international levels. A fine balance, therefore, need to be struck between the interests of the society and the rights of the accused. The National Police Commission suggested that by and large nearly 60% of the arrests are unnecessary or unjustified and that such unjustified police action accounted for rising expenditure of the prison department. Notwithstanding the above the Commission also took the view that the arrest is necessary and unavoidable under a number of circumstances in grave offences.

13.83 The Indian Penal Code divides offences into four categories, namely:

- i. non-cognizable and bailable;
- ii. cognizable and bailable;
- iii. cognizable and non-bailable; and
- iv. non-cognizable and non-bailable.

13.84 The police officer is empowered to arrest in category (ii) i.e. cognizable and bailable offences; this arrest is only a technical one and the arrested person is required to be released on bail as soon as he furnishes sureties. This power, therefore, is not open to much abuse. The problem lies in category (iii) offences i.e. cognizable and non-bailable offences, which, it is alleged, is open to misuse.

13.85 The person arrested apart from suffering considerable inconvenience also

suffers by loss of his image in the society. Even if ultimately is found to be innocent that damage done to the arrested person cannot be undone. There is an erroneous impression in the minds of the police that the first thing for him to do to is arrest the suspected person even without making any inquiry. It may be necessary to make arrest of the person when the offence involved is fairly serious and the accused is likely to abscond and evade the process of law or there is reasonable apprehension of the accused committing offences or when he would be a serious threat to the victim, or witnesses, or is likely to tamper e evidence, or when it is necessary in the circumstances to restore a sense of security in the community and similar other considerations as pointed out by the Law Commission in its 154<sup>th</sup> report.

#### **MECHANISM FOR COLLECTION QF CRIMINAL INTELLIGENCE**

13.86 In order to make the state police more effective the Committee has also considered necessary it to take into account the present mechanisms of collection of criminal intelligence in he state to tackle the challenge of various forms of crimes. We found that the state police needs to develop real time intelligence on various crimes to prevent major catastrophes in the future. We also felt the need to suggest that the district police should do crime mapping of areas.

13.87 We recommend that there should be a structured system for collection and dissemination of criminal intelligence in the State, which calls for immediate remedial action. The Committee feels that concrete steps ought to be taken to institutionalize criminal intelligence system. NCRB is already seized with the plan to develop some facility to work out model of such structure at the national level.

13.88 However, the state may consider constituting a task force headed by an appropriate rank of senior officer at district and state level to collect, collate and disseminate information on crimes relating to organized crime, insurgency, narco trade, cyber crimes, wild life crimes and environmental crimes, economic

offences etc. Its exact charter would be determined by the State Government. This body would function as a clearing house of the criminal information regarding specified grave crimes and would have a computerized data base, accessible to all district police forces.

13.89 The State Governments should set up Criminal Intelligence Cells in each District. An Additional SP level officer may head this Cell in each district on full time basis. The Cell will collect information through the police stations as well as through its own staff and will have a computerized database networked to the state Police Hq. A Criminal Intelligence Unit should be set up in each police station. It may consist of Core Intelligence Unit of 3 or 4 SI/HC/Const, well trained and motivated for the work and equipped with adequate transport and communication facilities we suggest that the international borders and the areas located on the interstate borders and highly built up areas should have crime patrols and criminal intelligence should be geared up in those areas.



**CHAPTER-XIV****PROSECUTION**

14.1 The successful conclusion of Police Investigations depends on the efficiency of Prosecuting agency in marshalling the evidence and presenting it in the Court of Law in a convincing and effective manner. Before appearing in the court, it is imperative that the prosecutor should thoroughly familiarize himself with the logical sequence and significance of the different lists of evidence ascertained during investigations for presentation in the court. This calls for close co-operations and interaction between the investigating staff and the prosecuting agency at all stages of trial in the court.

14.2 The Committee heard police officers and the members of the Bar Association on various issues governing the coordination between the prosecution and investigating agency and also the status of the Prosecution in the state. There was unanimity among the views of the members of the bar Associations and the police officers that at present there is no coordination between the Prosecution and the investigating agency with the following consequences:

- i. low conviction rate;
- ii. low disposal rate by the courts, delayed and long drawn trial;
- iii. Absence of legal advice to the IO at investigation stage adversely affecting the quality of investigations;
- iv. Bails granted indiscriminately.

14.3 Some members of the Bar Association who has had the experience of being the APP or PP informed the Committee that the quality of investigation of cases is poor, tardy and perfunctory that no conviction could be secured and the blame is laid at the door of the Prosecution. While this may be true in some cases, investigation of cases in general cannot be labeled as poor. The prosecution staff are expected to render legal advice to the investigating officers to ensure that

there is no defect in the process. Further, Prosecution cannot successfully present a case in the court without fully familiarizing with the process of the cases investigated.

14.4 There are a number of reasons for such state of affairs emanating both from the side of the police as investigating agency of crimes and the Prosecution. But one of the reasons for the failure of a large number of prosecutions is *the poor performance of the prosecution*. The accused on whom the burden is little, as he is not to prove his innocence, engages a very competent lawyer, while the Prosecution, on whom the burden is heavy to prove the case beyond reasonable doubt, is very often represented by persons of poor professional competence.

14.5 The prosecution in the state does not seem to take good and constructive interest in the trial of criminal cases; some of the I.Os have also expressed worry that in some cases the PP/APP have helped the cause of the defence. The natural outcome is the failure of prosecution. Due to constraint of time the Committee could not go into the minute details of the pendency of cases under trial nor could examine as to how many cases failed due to the shortcomings in the prosecution. However the Committee has the following *sample* data, which speak volume on the low professional capability of the prosecution.

**STATEMENT OF CASES DROPPED DUE TO FAULT OF PP/APP/  
INVESTIGATING AGENCY**

Sl No	Police Station	Case No.	Section of Law	Dropped by	Reason for Dropping
1	Laban PS	27(9)92	25(1)(a) Arms Act	Court Order dated 28.6.04	Lack of interest of prosecution
2	M/RytingPS	69(12)99	279/427/304 (A) IPC	Court order dated 5.8.04,	Non-appearance of APP
3	Shillong PS	80(5)99	407 IPC	Court Order Dtd 5.8.04 ,	-do-
4	Laban PS	50(6)94	279/337/427 IPC	Court order Dtd 6.8.04 ,	-do-
5	M/Ryting PS	5(1)2004	392 IPC	ADM,E.K.H. Shg order Dtd 28.10.04	Lack of interest of investigating agency
6	Pynursla PS	9(7)98	395 IPC	1 <sup>st</sup> Class Magistrate order dated 23.9.2004	Non appearance of APP

7	Laban PS	21(5)03	341/326 IPC	Court order dated 2.3.2005	Non prosecution
8	Rynjah PS	18(3)02	365 IPC	Court order dated 7.2.2005	Non prosecution
9	Mawlai PS	17(6)96	25(1-a) Arms Act	Court order dated 20.12.04	Non prosecution
10	Mawsynram PS	2(2)84	25(1-a) Arms Act	Court order dated 30.9.04	Non appearance of Prosecution
11	Shillong PS	42(4)00	427/326 IPC	Court order dated 30.9.04	Non prosecution
12	Laban PS	31(5)02	506/447/511 IPC	Court order dated 31.8.04	Non appearance of APP
13	Rynjah PS	85(12)96	341/326/307/34 IPC	Court order dated 5.8.2004	Non prosecution
14	M/Ryting PS	42(7)98	394/397 IPC	Court order dated 6.7.04	Non-appearance of APP

Table -16

14.6 We do not intent the above table to be seen as an indictment on the performance of the Prosecution or the investigating agency but a pointer to the trend resulting from lack of cooperation. We firmly hold the view that the important factor for the success of the Prosecution is proper coordination between the Prosecutor and the Investigating Officer with due regard shown to the independence of the Prosecutor.

14.7 Cases are not professionally handled and presented at the stage of trial before different Courts of Session and Magistrates. We have noticed that there is hardly any control and supervision over the Prosecutors and A.P.P's engaged in Courts. Further, there is no system for assessing their overall performance in conducting cases in the courts.

14.8 At present APPs do not render any legal advice or assistances in any form to the Police Department. We have noted with concern the present ad hoc arrangement in the Police Hqs of engaging private lawyers to render legal advice from time to time on legal matters . Such uninstitutionalized ad hoc arrangement cannot be expected to bring about overall improvement in investigations.

14.9 The overall situation that can be summed up here with regard to Prosecution is that there is hardly any Co-coordination between Investigating and Prosecution agencies. As a result quality of both investigation and prosecution suffers. The GP/PP/APP does not seem to be answerable and accountable to any authority. The existing rate of fees paid to the APPs and GPs

are extremely low. One cannot expect dedicated services for such a fee. It is learnt that they are not even paid regularly.

14.10 The current state of affairs with regard to the Prosecution as discussed above should not be allowed to continue if criminal Justice delivery system in the state has to play its vital role effectively. We strongly recommend that in order to remove the infirmities that the present system of Prosecution is subject to, a Directorate of Prosecution (DOP) should be set up in the State.

14.11 The case for setting up a Directorate of Prosecution has been recommended by Malimath Committee on Criminal Justice Reforms and Padmanabhaiah Committee on Police Reforms. Here we quote from the Committee on Police Reforms:

*“ i. In those States where there is no separate Directorate of Prosecution, steps should be taken to constitute such Directorate under the State Home Department and in posting a suitable IPS officer as Director General.*

*ii. Home Departments of States must play a more active role in bringing about effective and continuous cooperation between the Police and Prosecution wings. We commend the orders issued by the Tamil Nadu Government constituting the Directorate of Prosecution for adoption by other States as a model. “*

14.12 While we agree with the Tamil Nadu model, it would require considerable modifications in the staffing pattern for introducing it in Meghalaya where the volume of Crime is much less. After a careful consideration we recommended the following organizational set up indicating its functions: -

14.13 A Directorate of Prosecution to be headed by a Senior IPS Officer at the level of Addl. DGP may be constituted. It will have the following functions:

- (i) Provide legal opinions to the Police Officers in investigation of cases.
- (ii) Assist the Police Department in making and filing criminal cases on behalf of the Government.
- (iii) Prosecute Criminal Cases in Criminal Courts in the State.

- (iv) Monitor the progress of trial of Criminal cases and keep track of case histories.
- (v) Advise the Police Department on appeals, revisions to be preferred or not and also to advise cause of further action to be taken in cases.
- (vi) Advise, train and educate Public Prosecutors as well as Police Officers on various aspects of criminal laws and cases, from time to time.
- (vii) Maintain effective coordination between Prosecuting and Investigating Agencies in order to tune up all system of Criminal Justice.
- (viii) Exercise control and supervision over Public Prosecutors and Asstt. Public Prosecutors and make periodic assessment of their overall performances in conducting Criminal cases before the Court.
- (ix) To assist State Police Training College by deputing Prosecutors to train Police in prosecution work.

14.14 (a) Prosecution or presentation of criminal cases in the High Court and Supreme Court will be excluded from the functions of the Directorate of Prosecution.

(b) The Directorate of Prosecution should be under the administrative control of the Home Department to achieve proper coordination between Police and Prosecutors.

(c) The Director of Prosecutions should be an IPS Officer having the rank of Addl. DGP. Obviously, while working as Director of Prosecutions, he would not have any Police Powers.

(d) The Organizational pattern may include Addl. Director of Prosecutions, Joint Director of Prosecutions, Deputy Director of Prosecutions at the HQr. And in the District level Public Prosecutor, Addl. Public Prosecutor and Asstt. Public Prosecutor.

- (e) The posts of Asstt. Public Prosecutors should be filled by direct recruitment through the State Public Service Commission. Law graduates having at least 3 years practicing experience may be kept as minimum qualification. In due course such APPs will go up to the level of Joint Director of Prosecutions. Meanwhile the posts at the higher level may be filled up through deputation or on contract service.
- (f) Newly appointed APPs should be put through basic professional training elsewhere in the country while there is such Institution. On completion of the basic training they should be attached to Police Stations for a limited period to gain proper grounding in investigational work.

145.15 We agree with the recommendation of Padmanabhaiah Committee on Police Reform that sufficient number of Women Public Prosecutors and Asstt. Prosecutors should be appointed so that they can effectively deal with cases involving Women.

14.16 On the basis of the above comparative studies we recommend that Tamil Nadu Model of DOP which also largely resembles Andhra Pradesh models may be studied for adoption for the state of Meghalaya for its comprehensive breadth to deal with various aspects of the Prosecution.

14.17 We are also aware that since the problems of the states will not be identical, the requirement of manpower will not be identical and also that the local problems which may be peculiar to the state of Meghalaya may not allow a blind imposition of the Tamilnadu or Andhra Pradesh models of DOPs. We recommend that the DOP should be set up in the state after all such aspects are properly studied by a team of officers from the state law department and the Home (P) department.

14.18 However, the Committee would like to recommend some of the basic structural principles for the DOP in the state. The DOP in Meghalaya should be under the administrative control of the Home (P) department. A senior police officer of the rank of Addl. DGP should head the Department as Director of Prosecution. This should become a cadre post.

14.5 The Committee believes that by setting up a DOP the existing deficiencies in the working of the Prosecution wing, and the Investigation wing would be overcome significantly well and that the Prosecution in the state will stand on strong grounds as legal/ advice from experienced Prosecutors, whenever such advice is necessary will benefit the Prosecution and the investigating agency.

**CHAPTER-XV****COMMUNITY POLICING**

15.1 Community policing is the Policing trend of the new century. It has become the philosophy of law enforcement across the world and has taken rapid strides during the last two decades in country like U.S.A, Canada, U.K, Japan, Singapore and South Africa. This process has begun in India as well, with the realization that crime control and law and order management requires co-operative partnership between Police and Community.

15.2 Before we formulate recommendations for introduction of Community Policing in the State, it is pertinent to briefly examine its concept, definition, characteristics and object.

**CONCEPT AND DEFINITION:**

15.3 Community policing is nothing but normal Policing of a society in consultation, co-operation and partnership with the community at large. It can be best defined by quoting from the book-Community policing: A contemporary perspective (Troyassawiez, Robert & Buequeroux, Bonnie).

“ Community Policing” is both a philosophy (a way of thinking) and an organizational strategy (a way to carry out the philosophy), that allows the police and the community to work closely together in creative ways to solve the problems of crime, illicit drugs, fear of crime, physical and social disorder (from graffiti to addition), neighbourhood decay, and the overall quality of life in the community. The philosophy roots on the belief that that people deserve input into the police process, in exchange for their participation and support. It also rests on the belief that solutions to today’s community problems demand freeing both people and the police to explore creative, new ways to address neighbourhood concerns beyond a narrow focus on individual crime incidents”.



**KEY CHARACTERISTICS OF COMMUNITY POLICING:**

15.4 The essence of Community Policing is to minimize the gap between Policemen and Citizens to such an extent that the Policemen become an integrated part of the community they serve. The individual policeman should know each member of the community and he should, in turn, be known by them. This has the following implications:

- (i) It is based on a 'small scale approach'.

The basic unit of community policing should be geographically, and demographically compact enough to enable a patrol policeman to know all and everyone within a reasonable span of time and in turn be himself known to the community. Such personal knowledge will help the policemen to take pro-active measures to prevent crime and disorder in the area under his charge, both by his own efforts and by making use of the community help and resources.

- (ii) Pro-active steps will lead to the growth of co-operation and partnership in crime-prevention and security in the local area and shall earn the community Police Officer the acceptance and trust of the community. Then his very presence in the area will become deterrent to crime and disorder. Once this is achieved, the community will also be willing to accept the Police Officer's authority.
- (iii) Another key element of a successful Community Policing Scheme is localized decision making. What is to be done to prevent crime and disorder in a particular community or locality has to be worked out, decided and implemented by the Police Officer serving the local area in consultation with members of the community. This will require devolution

- of decision-making power in such matters to the Beat level Police Officers. In the absence of such devolution, when the Beat level Police Officer is seen referring such matters to his superiors for decision, his effectiveness as a Police Officer will be reduced. Hence it is necessary that sufficient freedom of action and power to decide is delegated to the Beat level officer.
- (iv) One Key to the success of community policing project is the ability of sponsors to sell the project to its beneficiaries. And for that it is necessary that the beneficiaries are clearly identified and wooed. It will be a mistake if one thinks that the community is the only beneficiary of such a project. The Community Police Officers at the Beat level, who shall be of subordinate level, are as much its beneficiaries as anyone else. Hence the importance of selling this idea of community policing to the men and women at that level.
- (v) Convincing the policemen will not come easily as it will take time to break the traditional Police culture. They will own the project only when the tangible benefits, accruing to them under this Community Policing Project, are spelt out to them clearly and convincingly and they are involved in this project from the very beginning. It is demonstrated to them that it will make their task easier and will earn approval of, and respect from the community, it is likely that they will 'buy' the idea and put their hearts into its implementation.

### **OBJECTS OF COMMUNITY POLICING:**

15.5 Having understood the meaning and key characteristics of community policing, for a democratic and pluralistic society like ours, the object of community policing should be: "To minimize the gap between policemen and citizens to such an extent that the Policemen become an integrated part of the community they serve and they earn the acceptance and trust of the community, leading to spontaneous co-operation from people in crime prevention and

security in the local area, and resulting in a lasting partnership between the police and the community”.

15.6 Analysis of crime data carried out by BPR & D indicates that crime has continued to show an increasing trend. The pattern of crime has also been changing fast. The internal security scenario is becoming more and more disturbed, posing enormous challenges before the Police. This has happened despite considerable increase in the manpower and other resources of the Police. This shows that the Police on their own, however well-strengthened, well-equipped and well-trained they may be, cannot fully control crime and maintain order without involving community in their work.

15.7 The Community Policing schemes must be tailored to the needs of the community and in the light of the ethos prevailing in the community. As the local conditions vary from area to area, the schemes should be flexible enough to accommodate the needs, aspirations and expectations of the community. We cannot, therefore, recommend a programme of community policing which will be uniformly applicable to all the communities or even the same community on all occasions. In other words, there can be no blueprint or model scheme of community policing having universal applications.

15.8 Introduction of community policing can be considered in different forms. Among the operational elements typical of different community policing programmes are:

- a. Police department-sponsored neighborhood watches.
- b. Permanent assignment of officers to neighbourhood.
- c. Promotion of Community Liaison groups.
- d. Systematic police foot patrols in well-defined Beat areas.
- e. Increased attention to minor offences that are major annoyances to local residents.
- f. Police to initiate civic jobs.

- g. Community identification of local problems through surveys, meetings or other means.
  - h. Crime awareness programmes for the public and publication of pamphlets on crime prevention.
  - i. Initiation of Police Youth Clubs and sponsoring of sports activities. This will help in changing the mindset of the youths.
  - j. Introduction of Problem Oriented Policing – this system orients the planning and implementation of policing to community problems.
  - k. More systematic and effective implementation of Village Defence Organisation Scheme – most suited for rural areas.
- 15.9 Any Community Policing Programmes must have two basic ingredients:
- (i) It must focus on performance of service-oriented functions of Police.
  - (ii) Involvement and participation of community in the Police work relating to crime prevention and maintenance of order in that area.

15.10 Emphasis on the service-oriented work of the police is important as it breaks apathy, indifference and resentment of the public towards the police. It helps the police in not only carrying out their law enforcement operations but also in mobilizing the support and participation of the community in police work.

15.11 There is generally reluctance on the part of police in accepting and implementing the new social role of the Police conveyed by the idea of community policing. There a general feeling prevailing in the minds of a large number of police personnel that their main role is to enforce laws and that they must function within the boundaries defined by their legal role. This type of thinking can obstruct the introduction of community policing programmes. It would, therefore, be desirable to put the police personnel charged with

responsibility of implementing community policing programmes through specially designed courses not only to improve their communication skills but also to rid them of their biases and to develop service-oriented attitudes in them. In other words, the organizational climate of the police must be changed.

15.12 This invariably leads to the need for improved mental preparedness of the police personnel. It can only be attained by enhancing the educational qualification police personnel – particularly at the level of constabulary.

### **COMMUNITY POLICING STRATEGY IN MEGHALAYA:**

15.13 From time immemorial the social setup in Meghalaya has been based on democratic principles. The traditional institutions at the village level exercised the responsibility of maintaining order within the community. However, sometime in the mid 19<sup>th</sup> century the British introduced a uniform administrative system, which is being followed today with minor changes. Police, as an integral part of the Criminal Justice System, began to play an active role in the community. A regular and systematic Policing system was introduced throughout the country by enacting the Police Act 1861. Till the creation of the State in 1972, the area was administered as a part of Assam. Administratively this area came under two districts – United Khasi and Jaintia District and Garo Hills District. Local administration in those districts has been vested on the Autonomous District Councils set up under the provisions of the Sixth Schedule of the Constitution of India. This provision under the constitution has been retained even after attainment of full statehood. The District Councils, thus, exercises certain Judicial Powers and can even maintain Village Police. However, as far as Policing functions are concerned, the State Police exercises jurisdiction in the entire State in the absence of village police.

15.14 Indian Police came into legal existence primarily to safeguard the colonial interest of the British administration. It came to be seen as a brutal and

anti-people. Unfortunately, the image has not changed even after independence. Responses to the questionnaire and views expressed before the Committee during inter-actions with cross section of people indicates the attitude of police personnel in the state as more adversarial than people friendly. The Committee, therefore, feels that State Police should initiate some Community Policing programmes with the object of bridging the gap between community and police.

15.15 Community Policing in the State can be considered in different forms for the urban and rural areas. Considering the cosmopolitan nature of the city where traditional Institutions are playing an active role in maintenance of social order within their jurisdictions, approach to introduction of Community Policing in the greater Shillong area will have to be different from other towns. We feel that a revamped Village Defence Organisation (already existing) will be suitable for the rural areas.

#### **GREATER SHILLONG CITY:**

15.16 The following seven Police Stations and eight Beat Houses provides Police cover in the City:

##### **Police Stations**

1. Shillong Sadar
2. Mawlai
3. Lumdiengjri
4. Laban
5. Laitumkhrah
6. Rynjah
7. Madanriting.

##### **Beat Houses**

1. Jhalupara
2. Nongmynsong
3. Nongthymmai
4. Cantonment
5. Pasteur
6. Kenches Trace
7. Jaiaw
8. Mawkhar.

15.17 On the other hand traditional Institutions, namely Durbar Shnong, exercises social control within the community in their respective jurisdiction. They maintain order and even resolve minor conflicts. The Traditional Institutions, therefore, enjoys considerable influence and command in their

respective jurisdiction. Unfortunately, there is no uniformity in the setup and much is left at the discretion of the Rangbah Shnong (Headman). However, some of the Durbar Shnongs are carrying out their functions commendably well.

15.18 The common object of Police and Durbar Shnong is to ensure peace and order in the society and bring about better quality of life. In the given situation, it would be ideal to institutionalize an arrangement where the traditional institutions and the police can work in co-operation in dealing with problems and needs of the community without interfering with respective jurisdictions. This can be achieved by working out a viable community policing system to meet the special needs of cross sections of people within a community area.

We have learnt that Traditional institutions do not play active role in the urban areas in Garo Hills. District Headquarters Towns of Tura, Williamnagar and Baghmara do not have the equivalent of Durbar Shnong of Shillong. In Tura the community have formed Social welfare society in localities and they generally look into social issues.

In other district headquarters towns of Nongstoin, Nongpoh Durbar Shnong plays active role whereas in Jowai the community have formed Social Clubs, which takes care of social issues.

15.19 The Committee have examined the possibilities of recommending some of the typical community policy schemes which have achieved considerably success elsewhere. In fact a model is available. Under the 'UNDP Project to improve the Organization and Management of Law Enforcement System in India', a model for formal liaison with the community was developed. This model envisages the formation of Community Liaison Groups at Beat, Police Station and District Level. This model is in operation in Rajasthan, Assam and Tamil Nadu, the three states covered by the UNDP. This model was recommended to all states vide DO. Letter 11012/5/96-UNDP Cell dated. The model is comprehensive and can be adopted even with modification to suit the needs of a particular community area.

Details of the Model Community Liaison Groups can be seen in Annexure-6. We recommend that such Community Liaison Groups should, in due course, be formed at the Police Station and at the District Level.

15.20 To successfully implement the community policing in the state, the Committee feels that the mindset of the community and the police should be appropriately conditioned before a full-fledged scheme is taken up. The Community Policing Programmes must be introduced in a phased manner.

### ***Preparatory Stage***

15.21 The emphasis should be on:

- (i) Collecting background information about the community with a view to assessing the suitability of the area for introducing the programmes.
- (ii) Carrying out a preliminary survey of the needs and problems of the community.
- (iii) Selecting targets for intervention.

### ***Second Phase***

15.22 On concentrate on the designing of the programme keeping in view the:

- (i) Needs and problems of the community.
- (ii) Assessment of resources required for the programme.
- (iii) Formulation of operational details.
- (iv) Identification of suitable functionaries.

### ***Programme implementation Stage***

15.23 Concentrate on:

- (i) Formulation of working procedures and targeting strategies.
- (ii) Assigning of role and tasks to the functionaries of the programme.



- (iii) Taking all possible steps to promote citizen's participation.

### ***Final Stage***

15.24 Stress on evaluating and monitoring the performances of the programme, which should include:

- (i) Assessment of the operations and results achieved.
- (ii) Identification of areas of deficiencies and shortcomings so as to make the programme more effective.
- (iii) Assessment of additional requirements of the programme.
- (iv) Keeping strict vigil on the functioning of the programme so that the scheme may not be allowed to lapse or be misused.

15.25 This initiative should be taken at the level of Police Stations. The OCs of the Police Stations can convene informal meetings (at least once a month) with the members of the community in their respective jurisdictions, where the Rangbah Shnong or, his representatives (where the institution exists) from NGOs, Women groups, Teachers, Students, Doctors, Traders, Public Transport Associations, minority groups etc. should invariably be included. The OC of the Police Station and his staff can then consider introduction of some of the programmes suggested in Para 15.8.

15.26 To ensure implementation of the programmes in right earnest and monitoring operations and assessing requirements of logistic support, designated officers at the following levels must be provided.

- i. Police Headquarters - An officer at the level of Superintendent of Police should be created to advise the District and Police Station level Officers and monitoring their performance.
- ii. District Headquarters – An officer of Dy. Superintendent of Police/Inspector level should be created to assist the Superintendent of Police on matters concerning Community Policing Programmes.

- iii. Police Station level – An officer at the level of Sub-Inspector, to be designated as Community Liaison Officer should be created. He/She will assist the O.C. of the Police Station in formulating programmes and carrying out day-to-day duties in this connection. He will act as the interface between the police and the community. This officer should not wear uniform that he can be identified with the community and thus obtain easy acceptability.

### ***Fund Provisions***

15.28 Such programmes cannot be implemented without involving some financial implications. Hence, adequate fund should be provided in the budget after due assessment.

### **VILLAGE DEFENCE ORGANISATION**

15.29 The Village Defence Organisation, which was constituted in Assam by the Assam Village Defence Organisation Act XXII of 1966, has been adopted in Meghalaya with minor modifications. The organization is a permanent voluntary body, its members being enrolled under the above-mentioned Act. At present, Addl. DGP, CID is designated as the Chief Controller of Village Defence Organisation. There is a separate Head of Account in the budget to meet the expenditures for the Organisation. All field activities of the Organisation are conducted through the Office of the Superintendent of Police. Each District will have the following staff:

- i. Honorary Adviser – He is a political appointee. He gets an honorarium of Rs.400/-PM with a fixed traveling allowance of Rs.1000/- PM. He is provided with a Government vehicle with a driver. He is required to tour at least 20 days a month. He also maintains an office with one sanctioned Office Assistant. His job is to visit the Village Defence Parties throughout

the District and supervise their performance and advise the Superintendent of Police on various related matters.

- ii. Circle Organiser – He is a full time worker in the district. The post is permanent and pensionable. He receives monthly salary in the scale of Rs.900---1375 PM and other allowances as entitled. He also receives TA/DA as entitled.
- iii. Village Defence Sub-Inspector – One Sub-Inspector of Police is sanctioned and attached to the Office of the Superintendent of Police. He looks after all the records concerning V.D.Ps in the district. To assist him ministerial staff of UDA-1, LDA- Cum-Typist-1 and one peon is sanctioned.

15.30 We feel that this is a very useful organization and can be suitably revamped for implementation of Community Policing in the rural areas of the State. The existing Village Defence Organisation Act must be suitably amended or even legislate a new Act for the State. Appropriate Rules under the Act should also be framed.

15.31 While it is not possible for the Committee to go into details of the existing Act, the following changes are recommended:

- (i) Honorary Adviser should not be a Political appointee as it is detrimental to the principles of Community Policing. The present arrangement is far from satisfactory.
- (ii) The Committee has been informed that the contribution made by the Honorary Advisers towards development of V.D.P. activities is almost negligible. The Honorary Advisers should be selected out of a panel of active and respectable citizens of the District. The list should be prepared by a Selection Committee headed by the DIG (Range). The Honorary Adviser should submit his views and recommendations to the Superintendent of Police on a regular basis. His tenure should be at least 3 years to sustain continuity of programmes initiated by him.

- (iii) The Circle Organiser must be made more accountable for development of V.D.Ps in their areas. The present system of supervision on their performance should be made more effective. The proposed Community Policing Officer at the District level should be made responsible for effective functioning of the Circle Organisers. The existing post of V.D.S.I. will not be necessary and can be abolished.
- (iv) The clothing and equipments issued to the V.D.P. should be carefully re-examined to ascertain the actual functional needs. Existing scales of out of Pocket Money and rewards also needs revision to ensure effective functioning.
- (v) The Director General of Police should issue clear instructions emphasizing the responsibilities of all these officers at various levels. Whenever these officers go to villages they should check up the work of Village Defence Parties, they should meet the villagers and explain to them the aims and objects of the organization (particularly the Community Policing Programmes) and encourage those who are doing good work by awarding suitable rewards.
- (vi) Thus reformed, the Village Defence Organisation can be entrusted with the role of developing various Community Policing Programmes in the rural areas.

## CHAPTER-XVI

### POLICE ACCOUNTABILITY

16.1 We believe that democratic policing sets out a normative framework for police to adhere to irrespective of what structure, systems and operational strategies it follows. Meghalaya police is no exception to this. Being accountable to the law and people and also to the organization in our view is not a mere internal police process, but it basically addresses the place of policing in a democratic state. It deals with the governance of policing as well as the conduct of policing. The committee believes that accountability of police should not be allowed to fade amid measures taken by it to curb crimes and maintain law and order. Accountability has come to mean that the state police takes up enforcement measures with a view to fostering feelings of public safety . Such ‘management by result’ by the state police will mark police reforms to boost quality of life . It is in this context that we examine the architecture of police accountability in the state. What issues should we focus on when holding police accountable? What questions should we be asking the police? How best can we scrutinize the police? In answering these questions it is important to remember that, at heart, the function of holding police accountable is to serve the public by ensuring that police provide a responsive, respectful and effective service.

16.2 We examine the following vital aspects of police accountability:

- (i) Accountability to Law
- (ii) Organizational accountability

#### **ACCOUNTABILITY TO LAW:**

16.3 The Police Organization is subject to the superintendence of the State Government. With regard to investigation of offences they have professional independence governed by the provisions of law. The police accountability, therefore, is to the law. In the area of investigation they are exclusively governed

by the laws, both substantive and procedural Only supervisory ranks of the police themselves are authorized to issue executive orders to the police official to investigate or not to investigate a criminal offence, arrest or not to arrest an alleged offender or decide a case under investigation in a particular way. Any executive instruction issued in this regard would be contrary to the law.

16.4 As regards preventive tasks and service-oriented functions, police need overall guidance from the Government, which should lay down broad policies for adoption in different situations while leaving actual field operations to the police. We believe that although the laws are ultimately the wishes of the people themselves, neither the people nor the elected representatives have' any authority to intervene or interfere in the activities of the police in the discharge of the duties under the laws. These factors in our view are essential for ensuring police accountability to law. In our interaction with all ranks across the police hierarchy in the state, complaint was not sounded to us indicating any kind of undue extraneous interference in the exercise of the discretionary authority and statutory duties. However we do not rule out such influence being exerted on the force from different quarters. We have discussed at length the merit in the setting up State Security Commission.

16.5 There is also another aspect to the operational dimension of accountability of the state police to the law. This relates to the fact that police functionaries have wide powers under the law, many of which affect the freedom and liberty of an individual. Adequate provisions have also been made for strict scrutiny by the courts over the manner in which the police exercise these powers. Almost all preventive and investigative activities of the police are subject to scrutiny by law and are liable to adverse observations by courts on police conduct . We are of the view that whenever there is adverse comments made or strictures passed on police conduct, it should warrant a mandatory departmental enquiry attended with follow-up action.

16.6 We are also aware that there are a number of occasions when frivolous complaints are made against police officers to demoralize them and to discourage them from taking action against an offending party. Sometimes such complaints are filed in the press or in 'letter to editor' column of the local dailies through third parties by vested persons who have a grouse against the police. We would like to recommend that frivolous complaints should be traced and prosecution should be launched against the guilty party. For this the Government has to help and support the department so that the upright and performing police officers and men do not feel helpless or abandoned. However, on the other we also feel that the public should be free to seek appropriate redress of their grievances, if any, against police. We have dealt with this aspect elsewhere in the report.

16.7 We have heard the complaints in meetings with the NGOS and people about some vexatious arrests made by the police which could have been avoided. They aired the view that the police officers in certain cases merrily make arrest without making proper enquiry as provided in the law. We undoubtedly believe that police have vast powers which may affect even the liberty of an individual. Social stigma attaches to any person against whom the police takes action. Similar powers are not enjoyed by officers of other departments. Therefore we recommend that the police must have a greater measure of accountability in case some unwarranted action is initiated against innocent persons for whatever reasons. Only then do we believe that the police will be transformed to enhance, strengthen and consolidate democratic values.

#### **ORGANIZATIONAL ACCOUNTABILITY:**

16.8 In the police hierarchical system accountability is determined at various levels with reference -to the next higher level. Therefore in our opinion there is a need to identify and discuss key measures relevant to evaluating police performance. Individual performance appraisal requires a detailed analysis based on certain key performance indicators for evaluation within the context

of police-accountability. We also hold that evaluation of group performance is conducted by various levels of supervisory police officers. For example the C.I conducts quarterly inspection of the Police stations and outposts to assess the crime statistics and assess the group performance of the thana staff and then guide them in investigation, prevention and detection of crimes. Similarly, SP of the district and other senior officers also conduct periodic inspections to assess performance. We believe that such well-established practice of periodic inspections should be used as a barometer of knowing police accountability of particular police station and outpost. Meghalaya Police adopts the yard sticks for evaluation of group-performance with regard to the major areas of police activities by drawing a comparison of crime-statistics of the period under review with those of the previous years. Based on comparative analysis of crime data, then a conclusion is drawn with regard to the performance of police of the area. The assessment could show a failure or success to control crime, as the case may be. The Committee believes that such practice of monitoring police performance at various levels on the basis of crime statistics may generate an odd and erroneous sense of security complacency. Crime statistics may for instance create an impression that a particular area is very peaceful, while in fact it may just be the opposite.

16.9 We find that such reliance on statistics of reported cases of crime does not reflect the true police efficiency. The police by themselves do not exercise control over all crimogenic factors. Secondly, adoption of this parameter leads to large number of non-registration of offences at the police stations leading to a suppression or falsification of crime statistics or burking of crimes should be viewed as a malady and deterrent actions should be initiated against such guilty officers. Here we would like to point out that deaths of insurgents in police encounters should not be taken as a 'best performance' yardstick. by which the police 'efficiency is assessed. Some voices in meetings with the NGOs and academia were heard that use of lethal force by police should be restrained.



16.10 Damage seems to have been caused to the image of the police department due to lying down of misplaced determinants as aforesaid for evaluating police accountability. This had led to a false sense of accountability. Questionable methods of crime control seem to have been adopted. In our opinion, the statistics of crime situation as police-performance individuals should be used with the following conditions:

- (a) that crime statistics should help the authorities to have an objective evaluation of police performance;
- (b) the yardsticks of assessing police performance on basis of statistics should not encourage the police to resort to extra-legal methods to impose statistics. In our view the police should have the following accountability indicators:

16.11 ***Prevention of Crime:***

- (a) Sense of security prevailing in the community.
- (b) People's willing partnership and participation secured by the Police in preventing crime;

16.12 ***Investigation of Crime:***

- (a) Correct registration of crime.
- (b) Prompt visit to the scene of occurrence.
- (C) Expeditious investigation and
- (d) Honesty and impartiality in investigation.

16.13 ***Law and Order:***

- (a) Extent to which law and order is maintained, taking into account the forces which promote lawlessness.

The manner in which law and order is maintained in appreciation of following two factors: (i) people's cooperation, (ii) quantum of force used.

16.14 **Traffic Management:**

- (a) Smooth flow of traffic in urban areas and control of fatal and serious accidents by prosecution of violators of traffic laws;

16.15 **Service:**

- (a) General spirit of service, especially to weaker sections, physically handicapped, women and children.
- (b) Quality of life ensured by police service rendered in a distress situation like cyclone-havoc and other calamities; '
- (c) Specific instances of service-oriented functions performed by the Police which received public appreciation

16.16 **Reputation of integrity and courtesy:**

- (a) General reputation.
- (b) Police collusion with criminals, illicit distillation, gambling, economic crimes, prostitution etc.
- (c) Reputation for courteous behaviour.
- (d) Prompt and satisfactory enquiry into complaints against policemen.

16.17 However, the Committee appreciates the fact that the police managers in the state may face practical difficulties in fixing specific determinants and performance indicators to evaluate the performance of the police relevant to each of the above-mentioned parameters. The Committee would like to recommend that these determinants need to be evolved in due course after sustained experimentation and experience.

16.18 The other important point the Committee would like to stress upon is that Meghalaya police does not seem to follow the modern yardstick adopted in *some* big cities by police in recording 'response-time' as an indicator of police accountability to act on crisis. **Response time** is the time lag between the

receipt of a call by the police and the arrival of the police at the scene of crime. Hence we would like to recommend that all District police should make it a point to register response time at the police control room or at the police stations and outposts in a format which the police Hqs should devise and distribute as a standardized form. Ample care however should be taken that the police records of response time are not manipulated to show a false picture of quick police response to a situation.

#### **DEPARTMENTAL ACCOUNTABILITY:**

16.19 We hold the view that a functionary in the department at a particular level should be held accountable only with respect to functions and duties assigned to him; conversely the accountability should not extend to duties over which he has no direct control. Such duties and functions are assigned to police officers at various levels from time to time by virtue of various laws and departmental rules. Each level (e.g. SP, DIG and IG) should not be held responsible and accountable for everything happening throughout his jurisdiction. For example an SP is responsible for generally maintaining, law and order throughout the district, generally maintaining integrity and morale of the force, personnel management including training of personnel but he cannot be held responsible *for each isolated incident* in his district unless it is proved that the particular incident occurred because of some acts of omission or commission on the part of that Superintendent of Police.

16.20 We want to emphasize that accountability can be ensured only by active supervision of performance. Accountability also depends upon the awareness of the people of their rights and their willingness to exercise the same in a responsible manner. At the same time that awareness should also include clear understanding of the limitations and constraints within which the police has to function. Police on their part should also clearly understand that the ultimate accountability is to the people and to the people alone. Their accountability to law

and to their organization are only complementary to the ultimate objective of accountability to the people.

16.21 In the light of the above, we would like to recommend the following police reform process in ensuring police accountability:

- i. The police should be strongly committed to democratic policing. When police commitment is present and they are focused on achieving high standards;
- ii. High quality policing can promote and maintain police commitment to meeting the standards required of them in a democracy. In this view, effective accountability also implies supporting police leadership in understanding and resolving the challenges they face.
- iii. Police to perform in collaboration with the NHRCs and NGOs in monitoring and calling attention to poor practices and abuses.
- iv. Police can contribute “**Quality of life**” through enforcement measures aimed at allaying fear of crime and feelings of public safety; building public confidence (the percentage of people who think the police do a good job); displaying fairness and equity in their conduct; controlling crime levels; and bringing offenders to justice and by increasing detection rates.
- v. We recommend that Meghalaya Police gets involved in “Visible Policing” by extending proactive partnerships with members of public and NGOs. Police must make use of effective mechanisms for police-community dialogue, outreach and cooperation.
- vi. Police institutional performance needs to be evaluated on the basis of some important parameters such as (a) average number of days taken to finalise investigations; (b) percentages of

investigation reports finalized (c) numbers of cases substantiated (d) number of prosecutions recommended and convictions obtained and (e) proper police conduct and strive for efficiency in their use of resources.

- vii. We can demand high degree of accountability from the state police provided the police themselves are fairly treated. If we expect effective and respectful policing, we must give the police the professional skills and conditions of service that allow them to deliver services of this kind to the public Their career planning need to be done and grievances redressed. These have been separately dealt with in another chapter of this report.

### **STATE SECURITY COMMISSION**

16.22 In order to bring about transparency and accountability in the functioning of the state police, and build public confidence in the police, it is of paramount importance that the police should be insulated from undue, extraneous pressures from various quarters. Setting up a State Security Commission in the state holds the key to such much desired insularity.

16.23 The issue of insulating police from extraneous pressures has generated much debate in various fora. The issue has been examined at length and innovative recommendations have been offered by a number of national level commissions and committees viz, National Police Commission 1978-81, National Human Rights Commission, Committee on Police Reforms headed by Ribeiro 1998, and Committee on Police Reforms headed by K. Padmanabhaiah 2000. Unfortunately, the recommendations are yet to be implemented in any form.

16.24 After examining various models operating abroad such as in U.K., Japan, USA etc. the National Police Commission had recommended setting up of a

**State Security Commission** - an extract of the relevant para. is reproduced below:

“There is immediate need to devise a new mechanism of control and supervision which would help the State Government to discharge this superintending responsibility in an open manner under the framework of law, with due regard to healthy norms and conventions that may develop in due course. For this purpose we recommend the constitution of a statutory commission in each State, which may be called the State Security commission, which shall have the State Minister in-charge of police as the *ex-officio* Chairman and six others as Members. Two Members shall be chosen from the State Legislature, one from the ruling party and another from the opposition parties. They shall be appointed to this Commission on the advice of the Speaker of the State Legislature. The remaining four members of the Commission shall be appointed by the Chief Minister, subject to approval by the State Legislature, from retired judges of the High Court, retired Government servants who had functioned in senior positions in the Government while in service, social scientists or academicians of public standing and eminence. The Chief of Police will *ex-officio* function as Secretary of this Commission, which shall have its own Secretariat for the transaction of its business. Arrangement of funds for the functioning of this Commission will be made on the same line as for the State Public service Commission.

The term of the Members of the Commission (other than the Chairman) shall be three years. Any among the four non-political Members were to join a political party after being appointed to the Commission, he shall immediately cease to be a Member of the Commission and the vacancy shall be filled by fresh appointment from the non-political category.

The function of the State Security Commission shall include –

- (i) laying down broad policy guidelines and directions for the performance of preventive tasks and service-oriented functions by the police;
- (ii) evaluation of the performance of the State Police every year and presenting a report to the State Legislature.
- (iii) functioning as a forum of appeal for disposing of representations from any police officer of the rank of Superintendent of Police and above regarding his being subjected to illegal or irregular orders in the performance of his duties;
- (iv). functioning as a forum of appeal for disposing of representations from police officers regarding promotion to the rank of Superintendent of Police and above; and
- (v) generally keeping in review the functioning of the police in the State.

The Commission shall devise its own procedures for transaction of business. It shall be open to the Chairman and Members of the Commission and also the Chief of Police to bring up for consideration by the Commission, and subject falling within its jurisdiction.

The Commission shall meet at least once every month and may meet more often, if required by the Chairman or Members of the Commission or the Chief of Police for considering any particular subject proposed by them.

As the Chairman of the Commission, the Minister in-charge of police will be able to project the government point of view during the Commission's deliberations. Any policy direction or guidelines, which the government desires to issue, shall have to be agreed to by the commission before they are passed on to the police for implementation. However, in an emergency, the Government may directly issue a policy or guidelines in regard to a specific situation, but such direction or guidelines shall as soon as possible be brought before the Commission for ratification and be subject to such modifications as the commission might decide".

The rationale for setting up the Commission is to control the Police Administration democratically, to prevent bureaucratization, and to maintain political neutrality of the police. The National Human Rights Commission while agreeing to set up a Commission recommended that it should be non-statutory, advisory and recommendatory body and suggested that it should be designated as 'State Security and Integrity Commission'. Ribeiro Committee on Police Reforms while agreeing with NHRC regarding the role of the Commission suggested that it might be designated as 'Police Performance and Accountability Commission'.

We are of the view that there is merit in setting up of a State Security Commission. It should be non-statutory, advisory, and recommendatory body. Constitution of such a Committee will ensure transparency and accountability in governance and build public confidence in the police. We suggest that the government may examine the recommendations and consider constituting a Commission with necessary modifications in keeping with the needs of the state.



**CHAPTER-XVII****VIGILANCE IN POLICE**

17.1 The evil of corruption has deeply penetrated into our social and political life. Police, being a part of the system, cannot be fully insulated from this evil. The Police Department has a vital role to play in the fight against corruption, as it constitutes the main operative instrument for the enforcement of the laws of the land. It naturally follows that the highest standard of integrity is required to be maintained in the police force. However, because of the large spread of police personnel and their day-to-day interaction with the public in a variety of situations, malpractices and corruption attract immediate notice and draw criticism from different sections of the public.

17.2 The very nature of police duties opens up temptations to a variety of malpractices, which amounts to serious harassment to public. The scope for corruption and related malpractices arises at several stages in the day to day working of the police. A few difficult situations are illustrated below supervisory officers are advised to use it as a checklist in their fights against the evil.

- i. Illegal gratification demanded for registering a case and proceedings with investigation in a vested manner;
- ii. Bribe demanded and accepted for making arrest or not making-arrest of accused.
- iii. Money demanded and accepted for considering release or non-release on bail.
- iv. Bribe for providing unauthorized facilities for persons in custody. They may include allowing the UTP to stay at home or hotel while under police custody;
- v. Extorting money by threatening persons, particularly the ill-informed and weaker sections of society with prosecution on some trumped up charges or the other.

- vi. Unauthorized interference in civil matter between two parties on some illegal gratification from either of the parties by threatening other party with implication in some criminal cases.
- vii. Fabricating false evidence during investigation of cases and implicating innocent person or leaving out the guilty persons after receiving some illegal gratification from him.
- viii. Extortion of periodic payments from liquor shops and restaurants and hotels.
- ix. Extortion of money from trucks and vehicles on the national Highways.
- x. Extortion from vehicles operators/drivers on threat of prosecution for infringement of various rules and regulations especially M.V. Act.
- xi. Extortion of the bribe while verifying character and antecedents, also known as 'Police verification' in connection with government appointments and various other things.
- xii. Bribery at the stage of recruitment to police.
- xiii. Extortion of money to meet the expenditure related to feeding the under trial prisoners, dispose the unclaimed dead bodies and other miscellaneous government duties due to lack of funds.

17.3 The Committee could not make a definite assessment as to the extent of such malpractices and corruption prevailing in Meghalaya Police. However, of late illegal collection of money from Transporters on the National Highways has become a public issue. We learnt that inquiries have been held and some of the defaulters have been penalized for checking this illegal practice we have already recommend a few measures that can be seen in Chapter dealing with Highway Patrolling.

17.4 The Committee is of the view that corruption in any form is harmful to the functioning of the police; it corrodes its effectiveness as a public service delivery system and also it adversely affects the image of the police. A

considerable number of respondents to the questionnaire and individuals have expressed their concerns about certain malpractices by some members of state police. Invariably, most of them mentioned about illegal collection of money by police on National Highways. It is clear that this is the area where the public are experiencing maximum harassment. For other types of malpractices the Committee feels that the problem can be substantially reduced by a system of surprise checks and inspections and effective supervision by honest and well-motivated officers at the different levels of command within the hierarchy itself. This is much more effective than making effort to enforce rigid rules and regulations.

17.5 During our tours in the districts a distressing fact was brought to our notice. In the absence of any contingency fund at the disposal of the officer in-charge of police station, the O/C and his staff are compelled to make frequent expenditures in the course of their day-to-day functions. This deficiency encourages corruption and compels even honest officers to turn a blind eye at certain corrupt practices of their subordinates. Such expenditures are involved in:

- (a) Feeding of prisoners in police custody;
- (b) Transportation of dead bodies from distant places for Post Mortem Examination;
- (c) Disposal of unclaimed dead bodies in the absence of any other agency;
- (d) Providing refreshment and transport charges for witnesses to attend Court;
- (e) Stationery to meet the minimum needs of scriptory works etc.

17.6 Though the expenditures involved in (a) to (d) are to be made out of Administration of Justice Fund operated by District Deputy Commissioner, the rate fixed for the purposes are so unrealistic that actual requirements can never

covered. Further, the process of re-imbusement is so cumbersome that it often takes more than a year to receive the payment. We strongly feel that the financial needs of a police station for all legitimate expenditures should be realistically assessed and adequate fund should be provided at the police station level to eliminate all such scopes for malpractices.

17.7 Corruption and malpractices can be checked at two levels:

- (i) By strong deterrent departmental measures;
- (ii) By registering cases by Anti-Corruption Bureau.

17.8 After careful consideration we recommend the following measures within the department:

- i. System of supervision and inspection by senior officers should be improved. Surprise checks on functionaries in the field should be conducted more often. No leniency should be shown to defaulters.
- ii. Senior officers should themselves set good examples.
- iii. On completion of twenty years of service corrupt police officers should be compulsorily retired. This should however require keeping proper records of all malpractices such as warnings, punishments, adverse ACR reports etc.
- (iv) Implementation of various recommendations in the Chapter dealing with Redressal of Public Grievances.

17.9 The State Anti-Corruption Bureau can also play a vital role in checking corruption. However, we learnt that the existing arrangement is inadequate and needs to be revamped. The Committee recommends the following:

- i. Anti-Corruption Bureau, which is functioning directly under the State Vigilance Commissioner should be manned by handpicked officers only taking their integrity and competency into consideration.

- ii. At present the ACB do not have any discretion to initiate ACB cases on their own. Certain discretion may be allowed on selected category of cases. This way there will be able to play more pro-active role.
- iii. The existing strength of staff at ACB establishment is reportedly very inadequate. The Government may direct the Director General of Police to make a realistic assessment and submit proposal.
- iv. Follow up action after completion of inquiries should be taken promptly and send a clear signal that there is no place for corrupt officers in the State.

**CHAPTER-XVIII****REDRESSAL OF PUBLIC GRIEVANCES AGAINST POLICE**

18.1 The Police Department being the main law enforcing agency of the Government receives a large variety of complaints against its functionaries. Failure to deal with complaints in fair and just manner not only adds to public distrust over police but also hampers qualitative improvement in the system. The police have vast scope for exercise of powers by a large number of personnel affecting the rights and liberty of individual citizens in daily life. Powers of arrest, search, seizure, institution of criminal case etc. allows vast scope for misconduct by police personnel, particularly at the operational level causing harm and harassment of the citizens. There can also be instances when police fail to perform their mandatory duties such as non-registration of complaints when crimes are reported at Police Stations. Public grievances may even refer to slackness and indifference on the part of Police in taking follow up actions after cases are registered. Such alleged excuses or omissions must receive prompt attention of the concerned authorities, which should be followed by the appropriate actions. It is, therefore, crucial to have an effective machinery to deal with public complaints.

18.2 A large number of complaints against police can legitimately and rightly be enquired and disposed of by the supervisory ranks in the Police hierarchy itself. An inquiry by the supervisory rank will also have the added advantage of promptly taking corrective measures in the performance of a task by the lower level. However, utmost care has to be taken to ensure that the mode of enquiries by the departmental authorities carries conviction to the aggrieved person or persons regarding its fairness, impartiality and objectivity.

18.3 For conduct of such departmental inquiries the Committee agree with the recommendation of the National Police Commission 1978 as reproduced below:

- (a) “As a just principle, we propose that the inquiries into any complaint of Police misconduct shall be conducted by an officer of the rank of Inspector of Police or above only, on the following pattern:

<u>Complaints against</u>	<u>To be inquired into by</u>
Head Constables/Constables	An officer not below the rank of Inspector of Police.
Sub-Inspectors/Asst. Sub-Inspectors	An Officer not below the rank of Deputy Superintendent of Police.
Inspectors of Police/Dy. Supdt. of Police Asst. Superintendent of Police	An officer not below the rank of Superintendent of Police.
Superintendent of Police and above	Complaint Cell directly supervised by the DIG or IGP as the case may be”.

18.4 We suggest that the Complaint Cell in the State shall be headed by the Addl. DGP in-charge of CID. He will be assisted in carrying out this function by an IGP/DIGP level officer to be nominated by the DGP. The confidential staff of the Addl. DGP shall maintain Registers with appropriate columns to record the receipt and disposal of every complaint handled by the Cell. The complaint Cell shall also be entrusted with the responsibility of monitoring disposal of complaints at the lower level.

18.5 The inquiry should be held objectively and to be fair should appear to be held objectively. For this reason clear procedures should be laid down. Here again we endorse the recommendation of the National Police Commission for acceptance as reproduced below:

“Regarding the actual manner of conducting inquiries, we recommend the following points to be kept in mind by Inquiry Officers:

- (i) The complainant should be heard in detail and every effort must be made by the Inquiry Officer himself to ascertain the truth by examining such other witnesses as he may deem necessary , without insisting on the complainant himself to ensure the presence of witnesses.
- (ii) Important witnesses shall as far as possible be examined in the presence of the complainant so that he has the satisfaction of hearing what they depose.
- (iii) Throughout the conduct of inquiry the Inquiry Officer shall scrupulously avoid anything, which might create a doubt in the complainant’s mind about the objectivity and impartiality of the inquiry.
- (iv) The inquiry shall, as far as practicable, be conducted in an appropriate public building or place, in or near the complainant’s resident village.
- (v) If the Inquiry Officer reports that the complainant himself does not want to press his complaint in any particular case, the facts and circumstances of that case shall again be verified by either the next superior officer or the District Complaint Cell”.

18.6 For the State we recommend only one complaint Cell at the Police Headquarters. If the departmental enquiries are conducted scrupulously following the procedures as recommended above, the aggrieved parties will not have doubts about its impartiality and objectivity.

#### **DISTRICT POLICE COMPLAINTS AUTHORITY**



18.7 While most of the complaints can be handled within the Department, in some case a complainant may not be satisfied with the action taken by the police and it may be justified to deal with the complaint formally as a matter of public concern. There is, therefore, a need for the complainant to approach an independent complaints authority. The Committee endorses the recommendation made by Padmanabhaiah Committee on Police Reforms that a non-statutory district Police complaints authority be instituted to examine complaints from the public of police excesses, arbitrary arrest, detention etc. when the complainant have not received satisfaction from the Departmental Inquiry. The District Police complaints authority should be headed by the District Magistrate and will include the Addl. Session Judge and the Superintendent of Police of the district and an eminent citizen (who is not involved in active politics) as members. The District Magistrate in consultation with the other two members would nominate the eminent citizen. The District Police complaints authority would have the authority to direct the police to re-investigate into the complaints if they consider it justified.

#### **MANDATORY JUDICIAL INQUIRY**

18.8 In the case of complaints concerning serious misconduct by Police the aggrieved party are often not satisfied with the departmental or other form of inquiries. Impartiality and objectivity of the inquiry is subjected to questions by resorting to various forms of agitations unless the inquiry is conducted by some independent authority outside the Police. For example, Police actions in dealing with serious law and order situation, alleged fake encounter etc. Very often even a Magisterial Inquiry fails to carry conviction to the aggrieved party because a Magistrate is looked upon as an integral part of the administration in which Police is a functionary. In such a situation, aggrieved parties do not accept anything other than judicial enquiry. Delay in conceding to such a demand often leads to further deterioration in the situation. The Committee is therefore, of the view that certain category of complaints of serious misconduct by Police should

be promptly enquired into by an independent authority. We endorse the recommendation of the National Police Commission that there should be a mandatory judicial enquiry into such cases.

18.9 Mandatory judicial enquiry should be instituted promptly for the following categories of complaints:

- (i) Alleged rape of a woman in Police custody.
- (ii) Death or grievous hurt caused while in Police Custody; and
- (iii) Death of two or more persons arising from Police firing in the dispersal of an unlawful assembly;

## **CHAPTER- XIX**

### **WELFARE MEASURES**

19.1 Police personnel generally work for long hours under difficult and taxing working conditions. They often do not get time to look into their own and their families need. Provision of adequate Welfare measures for police personnel and their families is therefore very vital for the maintenance of their morale. These measures can also serve as motivating factors to generate better performance. Welfare measures for the Police basically fall under two categories: -

- (a) Under the first category we have items such as pension, family pension, gratuity, medical facility and housing etc, which are considered integral part of the conditions of the service. In this category we found that there are cases of pension, which remain unsettled for years causing financial inconvenience to the retired personnel. There are a number of reasons for which some cases of pension take time to be settled. The most important one among them seems to be the improper maintenance of records of service of the personnel concerned, multiple marriage, lack of nominees in service sheets and non- regularization of period of suspension in respect of those personnel who were placed under suspension during their service period etc . We would like to recommend that there should be an officer dedicated in the Police Hqs to look into this aspect of service matters of police officers and men.
- (b) Housing is an area where we found that there is a lot of room for improvement in terms of satisfaction in subordinate, upper subordinate and officers' level in all the 7 districts. The level of satisfaction with regard to accommodation of Police personnel upto September, 2004 was 22.9% in case of Lower Subordinates, 71.69% in case of Upper Subordinate and 40.18% in case of the Gazetted

Officers. We believe that this is a low level of satisfaction in housing and the government may consider taking urgent action to improve the housing accommodation in police.

19.2 The Second category of Welfare includes the measures such as welfare centres to provide works for the police families and help them to augment their family income, financial aids and encouragements for pursuing higher studies for their children who show special merits; financial relief in distress situation not provided under regular rules, recreational and entertainment facilities to make life more bearable for the police families in midst of their stressful daily life. We also found that whereas some units raise their corpus of funds through internal sources from which a number of welfare measures are undertaken, yet we find that there is no arrangement existing at present of making financial allocation specifically to modernize the welfare centres of the units.

19.2 The Committee would like to recommend that the funds to meet expenditure on Police Welfare should be built up through internal sources of the police units concerned and the government should supplement it by grants which should figure in the annual police budget specifically with a view to modernize the family welfare centres.

Following is the Budget provision for last three years under the head of expenditure '32 contribution –6 Non- Plan':

Sl. No.	Year	Budget Provision	Utilization
1	2002-2003	3,00000	Rs.51, 680/- was paid to the Secy. All India Police Control Board, New Delhi being the contribution of Rs.5/- per head per annum for 2001-2002.
2	2003-2004	1,00000	Rs.51, 680/- was paid to the Secy. All India Police Control Board, New Delhi being the contribution of Rs.5/- per head per annum for 2002-2003. Rs.48, 000/- was paid to Meghalaya Police relief

			and Welfare Fund
3	2004- 2005	200000	Rs.51, 690/- was paid to the Secy. All India Police Control Board , New Delhi being the contribution of Rs.5/- per head per annum for 2003-2004.
			Rs.96, 600/- was paid to Meghalaya Police relief and Welfare Fund

Table - 17

19.3 For the force with the strength of Meghalaya Police we find that the Budget provision for the Welfare is measly. The Committee would like to recommend that the funds should not only be fully allotted as per the Budget estimate, but new schemes of welfare measures should also be undertaken by the department which should be under the charge of one of the senior officer in the rank of ADGP/IGP.

19.4 The Committee has taken note of the various existing welfare measures in Meghalaya Police. Some of the important welfare activities and measures are as follows:

**EX-GRATIA:**

19.5 (1) Under Social Security & Welfare-80-Other Social Security & Welfare Programme the Government Scheme exists for grant of Ex-gratia payment to the next of kin of armed services personnel killed in action in relation to the country including the next of kin of CPMF personnel/State Police Personnel and State Home Guard Personnel /others who are killed while on Law and Order duties-Anti Insurgency or terrorists action. The Government of Meghalaya has enhanced the amount of ex-gratia payment of Rs.2.00 lakhs (Rupees two lakhs) to Rs.3.00 lakhs (Rupees Three lakhs).

(2) In respect of the Personnel who are permanently disabled by injury inflicted or caused in or in consequence of the due performance of duties in the

circumstances who are permanently disabled by injury inflicted or caused in or in consequence of the due performance of duties in the circumstances while performing law and order duty, in encounters with or incident involving anti-insurgency, extremists or terrorist action etc the said person shall be paid the ex-gratia payment of Rs.50,000/- (Rupees Fifty thousand) only. For the purpose of the benefit of ex-gratia payment the following types or classes of injuries were covered: -

- (i) Loss of both hands or amputation at higher sites,
- (ii) Loss of a hand and a feet;
- (iii) Double amputation through leg or thigh or amputation through leg or thigh on one side and loss of another feet;
- (iv) Loss of sight to such an extent as to render the claimant unable to perform any work which eye-sight is essential;
- (v) Very sever facial disfigurement, and
- (vi) Absolute deafness.

19.6 The Committee is at the view that the amounts of Rs 3 lakhs in case of death and Rs 50,000/- in case of permanent injury sustained in circumstances as specified in the concerned government notifications as referred to the above are not adequate compensations to the affected. When a police personnel is killed the family of such police personnel comes under great financial hardship. With the spiraling cost of living and the needs for education of children and house rent, the ex-gratia seems disproportionate. We recommend that the ex-gratia should be increased to Rs 5 Lakhs in case of death so that the education of children is properly taken care of and the family can live in some dignity. In case of permanent injury, we recommend that the amount be raised to Rs Rs 2 lakhs as the nature of injury is such that the injured police personnel will virtually be out of active life.

19.7 In our study of the welfare measures which the department itself has introduced, we find that in case of death of a police personnel the police unit

concerned grants a sum of Rs 5000 to meet the expenses of the funeral rites. The money so granted is later reimbursed from the Central Welfare Funds maintained at the Police Hqs out of the contribution from Units and investment made of the corpus of the said fund.

19.8 We have also noted that in cases of death in line of duty full pensionary benefits have been granted to the families of the police officers and men who have sacrificed their life while discharging duties.

#### **GROUP INSURANCE SCHEME:**

19.9 Previously known as Meghalaya Police Social Security Scheme ( MPSSS) the scheme has been handed over to LIC in August, 2004 and it is known as MPSSS CUM GROUP SAVINGS LINKED INSURNACE SCHEME with effect from its handing over to LIC. Under the scheme to which all the police officers and men are members, there is a monthly contribution of Rs 100/- as premium with an insurance cover of Rs 1 lakh.

Notwithstanding the ex-gratia being given by the government for the next of kin of police personnel in circumstances as laid down under the said scheme, and also notwithstanding the fact of giving some financial relief to the permanently injured member of the force, we recommend that the Government may consider paying a part premium of the MPSSS Cum-group saving linked insurance Scheme for which a study may separately be made by the Police Hqs and scheme submitted to the Government for consideration.

#### **FAMILY WELFARE CENTRES:**

19.10 Some of the armed battalions and districts have family welfare centres where uniforms are stitched as and when supply of clothing materials is made. The members of the family of the police personnel are the members of the centers and they are paid charges for the uniforms stitched by them. We recommend

that the Police Welfare centres should be modernized and family members of the police personnel should be encouraged to join them as members to learn weaving clothes, knitting, cutting and stitching clothes, and further augment their income the welfare centers may also undertake stitching of uniforms of schools from outside the units to supplement their income. We found that the welfare centres can be good training ground for the family and children of the police personnel to improve themselves on self-help basis.

### **EDUCATION:**

19.11 There is an established practice in the state police to grant annual scholarship to the bright children of police personnel. The expenditure is met from the Central Welfare funds. We see a role for the Central Welfare administered and managed by the Police Hq, more larger than being a mere fund distributing window. We recommend that the central Welfare should take upon itself the role of directing the welfare activities in the units and districts. It should encourage the units to take up welfare measures for the family of the police personnel. It should also sponsor the pursuit of higher professional studies of the poorly paid lower subordinates of the force.

19.12 The Police Officers' Wives' Association (POWAC) has started a school called Meghalaya Police Public school (MPPS) since 1999 at Golf Links, Shillong . The aim of setting up the school is to provide quality education to the children of police personnel and make it very attractive by offering 25% concession in fees for the children of police personnel. In due course boarding facility will be provided for the children of police personnel whose parents are transferred from one unit to another. The school also strives to facilitate a meeting ground for the children of police personnel with other childrens and thus helps in developing a culture of healthy police public interface.



19.13 We have been informed that the School has obtained provisional affiliation to the Council of Indian School Certificate Examination. The growing popularity of the school indicates that the school is doing well in imparting quality education. The School is temporarily accommodated within the Police Training School area. The infrastructure is extremely inadequate. We feel that the School management needs encouragement and support from the Government. This is indeed an excellent Welfare measure, which, in due course, may develop into a institution of excellence.

19.14 During our tours of districts we learnt that Some of the armed battalions and districts are also running schools which are managed out of internal resources of the unit concerned. The fees structure is low and the salaries paid to the teachers are not commensurate. The disadvantage of these unit schools is that they lag far behind in providing good educational standards to the children of the police personnel. Therefore, most of the police personnel prefer to send their children to the costlier schools in town. Although units provide school bus facility at nominal rate the cost of education comes significantly high which cuts into the income of the police personnel. We, therefore, recommend that as a complement to the MPPS, the unit school should also receive the attention of the Police Hqrs in raising the quality of education in the schools.

**MEDICAL FACILITIES:**

Sl	Name of Hospital	Doctors	Pharmacist	Nurses/ Dhai/ Nursing orderlies	Beds
1	Shillong				

	Police Hospital	1	1	2	6
2	Tura Police Hospital	1	-	4	5
3	1 <sup>st</sup> MLP Bn. Hospital, Mawiong	2	-	2	20
4	2 <sup>nd</sup> MLP Bn. Hospital Goeragre	2	-	2	10

Table-18

19.15 We were informed that serious cases are referred to State District Hospital or to other specialized Hospital. These involve inconveniences and higher expenditures. If the above noted Hospitals are suitably upgraded, most of the Medical cases can be handled without referring to other Hospitals.

**DE- ADDICTION MEDICAL CENTRES:**

19.16 The Committee came across the consistent public opinion both in its written response as well as in its interaction with various cross- sections of people that alcoholism is rampant in the state police and that in the evening it is not safe to approach police officers in Police Stations as they are usually found in inebriated condition. Due to constraint of time the Committee could not go into the minute details and data of the prevalence of the problem in the department. However, such impression about Police personnel is causing immense harm to Police image. Drunkenness while on duty should not be tolerated and supervisory officer should ensure this. We also tend to agree that Alcoholism is a chronic behavioural disorder manifested by the repeated drinking of alcoholic beverages in excess of the dietary and social uses of the community and to an extent interferes with the policeman's health, economic conditions and discharge of

duties. As we understand alcoholism results in impairment in social and occupational functioning such as violence while intoxicated, arguments with public, absence from duty, being suspended etc.

19.17 In view of the problem of alcoholism in the police as stated above we would like to recommend that in each police hospital there should be an arrangement to de-addict the alcoholic policemen with an attachment of a psychiatrist from the Health department. We will also recommend that the alcoholic policemen should be segregated and then treated in the unit hospital without referring them to other hospitals. The de-addiction centres should have the following objectives:

1. To create an awareness among the officers and men, their children; of the ill effects of alcohol and alcoholism;
2. To de-addict the known alcoholics, whose list should be drawn up through a consensual survey;
3. Not to initiate disciplinary proceedings on the basis of the medical reports if the personnel willingly undergo de-addiction treatment.
4. To isolate the serious cases of alcohol dependence among the personnel and if need be to subject them to a sustained rehabilitation programme.

19.18 1<sup>st</sup> MLP Bn had started the De – addiction initiative from 1996 to 1999 with a fair amount of success but the same could not be sustained due to constraint of funds. A detailed research paper is already available on the said project of de- addiction in 1<sup>st</sup> MLP Bn.

19.19 The Committee would like to reiterate that welfare measures in the police need due priority considering this difficult conditions under which they have to perform duties. A study of the low Budget provisions of the funds made available for the welfare as seen above indicates that police welfare has not been

accorded due priority. Police welfare measures need therefore be better appreciated for its importance and their needs to be more involvement of the Government, police leadership and police personnel themselves in organizing various welfare measures. The Government may accord due priority in funding of police welfare measures. Police leadership needs to draw up welfare measures with complete participatory involvement of the personnel in maintaining the tempo of the Welfare measures. On the other hand the rank and the files should also be made to understand that the welfare measures are not exclusive responsibility of the Government and police leadership. They should also be made to play their part in evolving welfare measures and what best suit them and they should also be made to perform their own contributory role in full measure.

19.20 The Committee is of the view that the success of welfare measures will depend upon the personal interest that the supervisory officers take in implementing the welfare measures.

19.21 The Committee, therefore, as an adjunct of the view expressed in the previous paragraph, would like to recommend that ACR of the officers at the supervisory roles should include an objective assessment of their performance in initiating welfare measures and successful implementations.

**CHAPTER-XX****REDRESSAL OF GRIEVANCES OF POLICE PERSONNEL**

20.1 Man management constitutes an important aspect of Police administration. The nature of Police duties is stressful and unless their grievances are addressed timely small issues can get exaggerated. Such incidents can have adverse impact on the morale of the force. It is, therefore, very important to have a machinery for redressal of grievances of the personnel. The mechanism besides being satisfactorily should also appear satisfactory and carry credibility to the personnel. In the course of our visits to the Districts and Units, we have been informed that at present personnel are given opportunity to submit their representations to the Superintendent of Police or Commandant only at Orderly Rooms. On hearing their problems, the Superintendent of Police/Commandant is expected to take appropriate remedial measures. Normally, the Orderly Room is held at the Police reserve once a week but can be held more often according to need. However, the system of Orderly Room has acquired a punitive character as it is also used for awarding punishments to delinquents. Such an ambiance inhibits the personnel from freely expressing their grievances however genuine they may be. There is, therefore, an urgent need for instituting a satisfactory system through which grievances can be effectively voiced and solutions found with good understanding.

20.2 We learnt that Commandants of some Armed Police Battalions used to hold occasional Durbar to interact with the personnel. But their system can work only if the Officer shows genuine interest in convening such Durbar on a regular basis.

20.3 The Police Forces (Restriction of Rights) Act 1966, does not outright prohibit a member of a Police Force from being a member or being associated with some form of Association. It merely stipulates that such membership would require express sanctions of the Central Government or the prescribed authority.

We are not in a position to confirm whether this Act has been brought into force in Meghalaya.

20.4 The Committee is of the view that forming a Police Association is not desirable in a State like Meghalaya. We suggest constitution of a machinery, which should be democratic in nature, within the organization itself. The National Police Commission (1978-80) has recommended formation of joint consultative machinery in the shape of Staff Councils for redressal of grievances. We agree with the concept of the staffing pattern of the Staff Council but deem it unnecessary to adopt the entire procedure for Meghalaya. Instead of electing the representatives through a system of election, they should be nominated by their own ranks.

20.5 Each District/Battalion will have a Staff Council to be known as the District Police Staff Council and shall be made up of the following:

Superintendent of Police/Commandant-	Ex-Officio Chairman
Dy. Supdt. of Police/Asst. Commandant-	1 Member Secretary
Inspector	- 1 Member
Sub-Inspector	- 2 Members
HC/Constable	- 4 Members

20.6 The Council will meet at least twice a year. All matter within the purview of the District Police administration will be heard and suitably solved.

20.7 At the State Police Headquarters a Police Staff Council will be constituted as follows:

Director General of Police	- 1 Ex-Officio Chairman
Inspector General of Police	- 1 Ex- Officio Member
Dy. Inspector General of Police	- 1 Ex-Officio Member
Asst. Inspector General of Police (A)	- 1 Ex-Officio Member Secretary

Superintendent of Police/Commandant	- 2 Members
Dy. Supdt. of Police/Asst. Commandant	- 2 Members
Inspector	- 2 Members
Sub-Inspector	- 4 Members
HC/Constables	- 8 Members

20.8 All matters within the purview of the State Police administration will be heard and suitable solutions will be worked out.

20.9 A representative should satisfy the following conditions to be eligible for membership of these Councils:

- (i) He should have put in at least five years of service.
- (ii) He shall not have received any major punishment in the previous 3 years.

20.10 Instead of a Joint consultative Council at the State Government level, we suggest constitution of a Committee to deal with matters, which require consideration and decision at the Government level. Under the chairmanship of the Minister in-charge of Police the Committee may include the Chief Secretary, Home Commissioner/Secretary, Finance Commissioner/Secretary and Commissioner/ Secretary Personnel. Representatives of the State Police Staff Council will meet the Committee as and when required.

**CHAPTER-XXI****REWARDS AND PUNISHMENTS****REWARDS:**

21.1 At present powers for award of rewards are derived from Rule 57, 58 and 59 of Assam Police Manual Part-I (adapted in Meghalaya). The powers generally exercised by various levels of Police officers are as follows:

- |  |             |
|--|-------------|
| (a) Inspector General of Police/Director General of Police | - Rs.500.00 |
| (b) Deputy Inspector General of Police                     | - Rs.250.00 |
| (c) Superintendent of Police/Commandant                    | - Rs. 50.00 |

21.2 These rates have been fixed over fifty years ago and considering the present value of Rupee, it is unrealistic to follow the existing rates. Monetary reward plays a very important role in motivating police personnel to strive for excellence. The nature of police duties has become complex and is fraught with high risk. Under such working conditions recognition of good works by way of awarding rewards to deserving personnel can boost the morale of the force. The Committee recommends that the rates should be revised and enhanced as given under:

- |  |             |
|--|-------------|
| a) Director General of Police          | -Rs.5000.00 |
| b) Inspector General of Police         | -Rs.3000.00 |
| c) Deputy Inspector General of Police  | -Rs.1500.00 |
| d) Superintendent of Police/Commandant | -Rs. 500.00 |

21.3 In 2003 a Police Medal designated as “Meghalaya Governor’s Police Medal for outstanding service” with a cash award of Rs.10, 000.00 has been instituted. The Medal is awarded to deserving personnel for (i) Conspicuous gallantry and (ii) for outstanding detective work. Obviously, very few police personnel will qualify for this Medal, as the grounds for award of the Medal



should necessarily be specific. We are of the view that another Medal to be designated, as “Meghalaya Governor’s Police Medal for Meritorious Service” should be instituted. This will not carry any monetary award but shall be eligible to police personnel up to the rank of Superintendent of Police and Commandant for outstanding and unblemished service within a specified period of service – say 15 years. Ingredients of the citation should be in the line of recommendations for Indian Police Medal for meritorious service. The colour of the ribbon and the design of the Medal can be worked out by the Police Headquarters. Institution of this Medal will encourage police personnel to display high sense integrity and devotion to their duties.

**PUNISHMENT:**

21.4 Major punishments are awarded by drawing up Departmental Proceedings by Disciplinary Officers in exercise of powers conferred by Sec.7 of Police Act (Act V 1861) read with Rule 66 of Assam Police Manual Part-III (adopted in Meghalaya). It has been brought to our notice that the procedures involved are time taking and most of the proceedings remained pending over one year. Maintenance of discipline in Police Organization can be assured only if disciplinary cases are disposed off speedily. Central paramilitary forces have their own Acts to deal with different levels of disciplinary cases. It is learnt that procedures in those Acts allows speedy disposal of disciplinary cases within the organization. The Committee is of the view that the existing procedures need a thorough study with the view to recast the existing rules and procedures. The rules and procedures should be different from the one applied to civilian government servants of various organizations in view of the fact that requirement of strict discipline is much more in police. The entire hierarchical chain of command hangs on discipline for its effective operation. Since the issue requires in-depth examination the Committee recommends that a group consisting of Police Officers and legal experts may be entrusted with the task.

21.5 We do not suggest any changes in the existing system of awarding minor punishments. This can be examined in detail while preparing the new Manual for the State.

### **UNIFORM:**

21.6 The Committee has decided to consider the matter relating to police uniform because it has a bearing on the relationship between police and public. A considerable number of respondents to the questionnaires and many individuals with whom we had interacted expressed different views on the colour of Police uniform. Some felt that khaki colour is a legacy of the colonial past, thus acquiring a negative image, while others felt that the colour does not make any difference and that the image comes from the wearer of the uniform. Another consideration that came up during discussion is that khaki uniform is used by police all over the country and that only a state having a different colour of uniform might create certain problems. It is therefore, the considered view of the Committee that the colour of the uniform should remain khaki. We would only like to recommend that the pattern of uniform for the **Unarmed Branch** of the state police should be changed. The existing pattern is on military lines and some of the items of the uniform do not contribute to efficient functioning of their duties. If the entire set is replaced changing the pattern and quality of materials alone, it will not have additional financial implications. Many of our recommendations on various aspects of police have been focused on creating a people friendly police. The uniform worn by the police can have an impact on their relationship with the community. We believe that community will be more receptive to a pattern of uniform, which is more akin to the civilians. The design and material used should be of good standard and should contribute to the

overall personality expected of a policeman or policemen. The wearer should take pride in wearing the uniform. These days it is not difficult to obtain sample designs of uniform used by various police forces in the world. We suggest that a Committee of Police Officers may be constituted to examine and prepare a proposal for consideration of the Government.

21.7 The Committee does not propose to suggest any changes in the existing uniform of the Armed Branch of District Police and Meghalaya Armed Police Battalions.

#### **TOURISTS POLICE:**

21.8 In keeping with the intensified focus on Tourism Development in the State it would be appropriate to create a separate wing of police to deal with tourists visiting the State. They should be handpicked and suitably trained to fit the role. We are of the view that police assistance and creating an atmosphere of security will have a healthy effect on the tourism development in the State. Women police would be particularly suitable for this nature of work. We recommend creation of a specialized wing to be designated as 'Tourist Police' for the State.

## **CHAPTER-XXII**

### **PUBLIC RELATIONS**

22.1 We attach special importance to the functions of PRO in the police department. In our meeting with the media in Shillong Press Club, we came across a loud criticism of the functioning of the PRO. The complaint was that the press is not kept updated on the events related to law and order and they need more detailed information over and above what the state police website provides them, though updated on day to day basis, except on holidays. Further, they stated that the police department has not appointed any senior officer as its spokesperson to interact with the media. Many respondents to the questionnaires and individuals had emphasized the need for institutionalizing a proper Public Relation system in the police at various levels. It is not doubt true that public glean from media reports about the activities of the Police and the reaction carried in the media about such actions.

22.2 Therefore for healthy Police Press relations, the role of the PRO should be properly appreciated. Periodic formal and informal briefing of the Press by a senior level Officer who is in a position to answer questions raised, correctly and confidently, is necessary so that false or distorted versions of events, occurrences affecting Public Order are not published. A working arrangement where the press can check with Police authorities before publishing reports received so that the correct version is brought out is essential. In this context we appreciate the need of a well-trained PRO to be well posted with facts and figures and who will quickly check up upcoming news to enable the Police version also to be highlighted would be an asset. About the quantum of staff, the rank of the officer and so on, would depend on the type of press activity, media attention which Police activity attracts and also the level activity taking place all-round needing Police response and reaction.

22.3 We learnt that a post of Public relation Officer in the rank of Dy. Supdt. of Police was created a few years ago but remain unfilled due to non-availability of suitable candidate. There is an inherent problem in this – a gazetted police officer recruited exclusively to be posted as PRO will not have any future prospect. On the other hand, a deputationist from other department will not have any grounding in police profession and as such will not be able to play the role of PRO effectively. The existing PRO is a deputationist from Directorate of Information and Public Relations.

22.4 The Committee feels that the present Public Relations office should be appropriately strengthened to play its role more effectively. The PRO should be from Police Service with qualification and experience in Mass Communication. Future recruitments to the level of Dy. SPs and even Sub-Inspectors should be given preferential treatment if they possess qualification in Mass Communication. The idea is to groom a number of such qualified police officers to act as Public Relations Officer at various levels. The posts of PRO can be filled up in rotation by such qualified police officer. We recommend that PRO post should be created not only for the Police Headquarters alone but all Districts Headquarters should have a post of PRO at appropriate level.

**CHAPTER-XXIII****POLICE BUDGET****POLICE BUDGET:**

23.1 Reforms in an organization can be implemented only if it has an inbuilt sound financial system. Police department maintains a large manpower who are to be fed, clothed, and equipped with costly armaments. They are expected to respond to any situation that threatens the society anytime. For such a function their mobility should be of high order.

23.2 The Committee has gone into some details of the Budget provisions being made to the department and whether they have been adequate to meet the expenditure of running the administration. It is observed that the allocation of fund in Police Budget has been far too less than the proposed Budget outlays of the department. In fact the Committee could not get at the criteria being followed in making Budget allocation to the Police. This is proved amply by the following data of the Budget Provisions of last 6 years as compared to the proposals:

***(Rupees ( in crores)***

Year	Amount proposed for provision in the Budget	Amount passed in the final budget	Short fall
2000-2001	129.51	96.98	32.53
2001-2002	131.95	114.09	17.86
2002-2003	148.72	119.97	28.75
2003-2004	151.27	117.05	34.22
2004-2005	147.73	124.91	22.82
2005-2006	151.39	126.25	25.14

Table-19

23.3 Each year out of the above provisions made in the Budget, the component of salary itself has been a whopping 80% leaving a paltry 20% for running and maintaining the huge Police Administration. It appears that cost escalation, increasing commitment of police on various duties and expansion of new Units are not taken into account while allotting funds in the budget. Due to inadequate Budget provisions the department has a huge pendency of Bills to the tune of **Rs 18.85 crores** as on March, 2005 under different heads of expenditure. During visits of the units and districts the Committee found that due to lack of funds the residential and administrative buildings have not been maintained properly and many of them need urgent repairs. They look shabby and unhygienic. The inadequate funds have also affected the supply of essential items such as clothing and ration, which form a part of their service conditions. As illustrative cases the Committee took up the case of issues of supply of clothing and ration. The annual requirement of the Police department for clothing is around Rs. 4.00 crores, and against this an average annual provision being made during the last five years is only around Rs 1 Crore. Similarly The annual requirement of fund for ration in average is Rs. 6.00 crores per year, but the budget provision has been only around Rs. 1 crore.

23.4 The huge backlog of arrear bills occurring every year is a matter of serious concern. If this state of affair is allowed to continue, one cannot think of any significant development in the Police Organisation.

23.5 The Committee would like to recommend that a high-powered Committee be constituted by the Government to look into the budgetary requirement of the department and suggest realistic yardsticks to be followed while allocating funds for Police budget. The Committee suggests that the Committee so constituted by the Government may take the following points into consideration:

- a. Inclusion of expenditure on ration and clothing under salary to ensure timely supply of ration and clothing to the force.

- b. Rationalization of requirement of manpower for downsizing the department especially the ministerial staff in view of increasing computerization in administration management.
- c. Revision of the overall delegation of financial powers of the DGP and other DDOs subordinate to him including their power to give monetary rewards. The fact that the DGP heads a police Directorate of more than 10,000 personnel. The Directorate is responsible for the maintenance of law and order, detection and investigation of crimes, internal security, anti-insurgency operations, anti infiltration functions and so on. By virtue of such important duties, DGP and his officers cannot be brought on the same parity in matters of delegation of financial powers with other Directorates of the State Government.



**CHAPTER-XXV****TASKS AHEAD*****Issues and Perspectives:***

25.1 Democracy is government not only “by the people” but also for the people. Democratic policing is, above all else, policing in service of the people. After having dealt with the subjects given in the terms of reference we would like to examine key areas of concerns ahead for the state police.

We feel that there is a broad consensus among the people of the state that we have to strengthen, consolidate the reforms in the state police. The task is to consolidate and strengthen these reforms. During the last 33 years after the state was created, important progress has been made in building a sturdy system of policing in Meghalaya. It has evolved many procedures and practices to suit local traditions and needs. The expectations of society from them have gone up and there is a need felt to respond adequately to meet such expectations in a fair and impartial manner.

**E- Governance:**

25.2 The Committee takes note of the compulsions of E- Governance in the state police as a result of I.T explosion. We are aware that the Government of Meghalaya has IT department and it is seized with the plan to bring about E-Governance in Government departments. On the front of crime a new dimension has opened up as cyber crime has become a global problem.

25.3 We have taken a look into the state of computerization in the state police and have assessed its capability to deal with cyber crime. We found that in the state Police Hqs, there is Computer Wing and in the state CID Hq, SCRB is located. The computer wing at the Hq mainly does the word and data processing of the works related to the PHQ. On the other hand, the SCRB looks after the data management of the crime and criminals including the data on , firearms, vehicles

stolen and recovered, cases of accidental deaths and suicide . The Bureau also runs in-service training for the officers and men of the state police on computers. The Bureau has connectivity with all the district crime Records Bureaus and NCRB though dial-up connectivity. On regular basis the data on CCIS and vehicles and fire arms and other returns are uploaded to the NCRB. SCRB also updates the Meghalaya Police website on daily basis in coordination with the NIC. In view of the development in the field of computer science and the role it is playing in our life and also the role it is expected to play in running and managing the huge police infrastructure, we recommend that there should be a post of Director ( IT) in the state CID to control and manage all matters related to the computerization and cyber crimes.

25.4 We recommend that the state police should take up the following measures toward ensuring E Governance in the state.

- (i) Computerization of all police stations should be done and all be interconnected with each other and with the HQS;
- (ii) In recruitment of police personnel be it for the rank of constable or SI or Dy. SP, some candidates should be taken in who have qualifications in computer science.
- (iii) In basic training computer education should also form a part of the curricula;
- (iv) Procurement of software and timely up gradation of skills, knowledge, hardware and soft wares should be ensured;
- (v) The Computer Lab and training centers at the SCRB should be strengthened in terms of manpower capable of handling cyber crimes
- (vi) A Cyber crime cell should be created and manned by officers and men having appropriate computer knowledge and qualifications.
- (vii) We recommend that the process and pace of computerization will be geared up appropriately to ensure that the following packages

are properly implemented in the state the PIS and ACR Tracking system in PHQ, Videoconferencing, Common integrated police application software, portrait building system, Talash (Missing persons), vehicle information system, stock maintenance system, pay roll, monthly crime module and all the software as will be introduced by the state police through in- house development or procured from outside sources.

- (viii) SMS and/or IVR service should be introduced for motor vehicle enquiry for public service and field officers. This type of service is being done by Delhi police using SMS.
- (ix) Computerized accounting system is to be implemented in all police offices where all bills/transactions should be used using this system. Keeping tracks of cash records and cash movements.
- (x) Paper works as far as practicable should be reduced by resorting to IT, like email, video conferencing/fax/pabx, etc.
- (xi) The stock maintenance system developed in-house by SCRB will be another step to a paper less office. All Police Offices should be urged to use such type of system at the earliest.
- (xii) Information on crime through CCIS is already functional and senior/supervisory officers can access data. The facility is available by using a dial-up connection or LAN. Computer networks in Police department at present is available only at SCRB using LAN where file and printers are being shared between the computers. This type of network is required for connecting the different units in PHQ by using cable system or preferably the wireless system.

## **INTERNAL SECURITY CHALLENGES**

25.4 The Committee takes note of the fact that incidence of insurgency activities are on low ebb for the last 2 years or so. A low-kill-ratio against

militants has been marked in the state for last two years and there is a dialogue arrived at with the ANVC, while HNLC seems to be in a state of disarray. They have not shown a propensity to indulge in demonstrative actions. The election to the state assembly and the Parliament were peaceful and incident free. All the festivals have been passing without any incident. The internal security situation in the state for the past two years has had some respite from conventional threats. But we are concerned to take note of the trend of extending total cooperation by people to the bandhs called by the NGOs and militant groups.

25.5 There is need to exercise abundant caution and even watch out for possible sources of threat from even sources such as Left wing extremism into the state. The porosity of the international border covering 423 Kms might lead to cross border movement of insurgents and fundamentalists from Bangladesh with ISI agenda. The cross border supply of arms, ammunition and communication equipment from Bangladesh continues to be a threat. Further, the networking of various insurgent groups operating in the Northeastern states and the insurgent groups of the state is also an area of key concern. Many such groups may continue to look for safe hideouts within Meghalaya and use its border for passage to or from Bangladesh. Meghalaya Police should be adequately oriented and trained to meet these challenges.

#### **SHRINKING EMPLOYMENT: IMPACT ON CRIME AND LAW AND ORDER:**

25.6 Expanding development and shrinking employment avenues will remain the perennial sources of crimes in the state and the police should be required to mount increased vigil on this. A well-planned employment policy should be evolved at the Government level. It should not be allowed to become a law & order issue. We are expert the role of Police to increase in public order policing as various voluntary bodies press on their aggressive agenda and come in clash with the Government policies. We also foresee the role of police to sensitively yet effectively handle fissiparous anti social elements that threaten the peaceful

fabric of society along fault lines of heterogeneity of caste, community, religious and ethnic groups amidst cultural diversity.

### **STATE POLICE & DISASTER MANAGEMENT :**

25.7 Shillong and its adjoining areas fall under high risks earthquake zone and has geo-climatic conditions, which causes severe cyclones in Garo Hills and parts of Khasi Hills due to depressions in the Bay of Bengal. We foresee that the state police should be geared up for meeting the challenges of disaster management in days to come, as a part of multi-sectoral approach. On the other hand, we also do not discount the emerging role of police in disaster management arising out of security threat of terrorist attacks using weapons of mass destruction. We recommend that a Specialist Response Teams should be trained, equipped and kept ready in the state.

### **ORGANIZED CRIME:**

25.8 There is vast scope for emergence of Organized crime in the state growing out of criminal activities which include contract killing, extortion, kidnapping for ransom, settlement of property disputes, protection money, money laundering, software piracy, illegal human trafficking, prostitution, gambling. Counterfeiting of currency has emerged as an inexpensive means of terrorist funding. Media reports indicate Bangladesh as a source of such currency into Meghalaya and the Northeast through Garo Hills border. The state police needs to watch the situation closely. Even the need may be felt to legislate an Organized Crime Act in near future. The criminal elements should not be allowed to undermine law & order machinery and subvert the Criminal Justice system. The state police should be prepared through appropriate training to meet the following challenges.

- (i) Smuggling of Narcotics, drugs, contraband items on national

- highways connecting Assam and Manipur, Tripura and Mizoram;
- (ii) Illicit Arms manufacture/gun running/explosives;
  - (iii) Counterfeit Currency especially in Garo Hills
  - (iv) Organized theft of Automobiles;
  - (v) Bank frauds of the nature, for instance, of MCAB, Jowai in 2004;
  - (vi) possible Money laundering;
  - (vii) Infiltration from across the international border.
  - (viii) Sale and purchase of women and children for prostitution/slavery
  - (ix) Cyber crime: the state police should also develop capability to prevent, detect and investigate these offences.

### **EMERGING CHALLENGES TO VIP SECURITY AND VITAL INSTALLATIONS:**

25.9 The internal security environment continues to remain fluid . One cannot rule out possibility of the use of hired criminals using technologically advanced explosive devices to plan and strike VIPs in the state. Criminals can use sophisticated methods of communication (SMS and internet) to target VIPs. The VIPs of the state being public leaders have to reach out to their electorate/constituency. Their exposure and proximity to the general public is more common today. Therefore, we feel that there is a need to upgrade police response to meet the emerging threats to VVIP security, by introduces of appropriate training, sophisticated weaponry, suitable body armouring and advanced aids.

### **MOTOR VEHICLE THEFTS- A NAGGING PROBLEM:**

25.10 Motor Vehicle thefts, too, have been increasing in the state particularly in Shillong. Stolen vehicles from other places have found market in Meghalaya. A concern has been expressed on this problem in our meetings with the NGOs and various people. We are aware that the state police have busted some car theft gangs in the past. Of late, Meghalaya appears to have become a target of such

organised car lifting gangs. We suggest that the State Police should develop an effective strategy to tackle this problem.

#### **CRIME AGAINST WOMEN AND CHILDREN:**

25.11 We are of the view that the police in partnership with voluntary social organizations are required to reinforce measures to curb crime against women, which have shown tendency to rise in the state. We also feel the need on the part of the state Government to setting up of a response team in Police stations and outposts to deal with rape crisis. We also feel that Sexual Assault Treatment Units should be set up in all hospitals in the state including PHCs and CHCs. Help-line numbers of the crime against women cells, wherever and whenever set up should be displayed prominently in hospitals/schools/colleges premises, and in other suitable places.

25.12 The State Government needs to take a greater measure of protection to the women and children. On the other hand police needs also to be oriented on gender sensitization, minimization of delays in investigations of murder, rape and torture of women and children. A '*crime against women cell*' is the need of the hour in Police stations and outposts. We see a role for the State Commission for women which has been constituted recently, in undertaking timely review and issue advisories to the Government on the issues of crimes against women and children.

#### **BODY AND MIND OF POLICE PERSONNEL:**

25.13 Police functions will become more and more complex in the years to come. This will lead to extreme stress and strain in day-to-day work. A number of occupational related ailments have been identified but nothing much has been done to find a satisfactory solution to this problem. We are of the view that the training of body and mind should be properly balanced to overcome the high degree of stress inherent in the occupation. We suggest that the police leaders

should not only introduce Yoga and Martial Arts in training courses but also organize camps for the benefits of personnel of all ranks from time to time. Such camp can be organized with the help of experts e.g. ‘ Arts of living foundation (NGO) which has a branch in Meghalaya. Every Policeman and Police Woman should be encouraged to maintain a regimen of physical exercises to keep their body and mind healthy.



**CHAPTER- XXV**  
**SUMMARY OF REPORT AND RECOMMENDATIONS**

**CHAPTER-III :STRENGTH AND WEAKNESSES OF MEGHALAYA POLICE**

There are two different perspectives to the demand for Police Reforms. From the Police side, they feel that the reforms should be in the form of taking corrective measures on matters such as distrust of Police by law ,lack of cooperation from the prosecution, low Pay scale, harsh working conditions etc. On the other hand, public view is that Reforms should alter mindset of police personnel. ( para-3.1 )

The administrative units have increased to a large extent thereby reducing the geographical jurisdictions of the police administrative units. Increase in manpower is also taking place in an-adhoc manner without going into the real need of the organization. Without a planned developmental approach the department will continue to suffer from shortcomings leading to professional inadequacies. During the last two decades armed police personnel have increased disproportionately as compared to the unarmed branch personnel. The focus of policing has shifted from normal policing to anti-insurgency duties in an imbalanced manner. This will have adverse long-term effect. It calls for urgent measures to reverse the trend. ( para- 3.8)

**CHAPTER- IV : A MISSION STATEMENT FOR MEGHALAYA POLICE**

The police as an organized body has statutory powers to prevent crime and maintain order, possessing wide powers over the liberties of individuals. They need a mission statement . The Mission statement should be adapted for the State Police. ( para- 4.1)

We also endorse the recommendation of the Padmanabhaiah Committee Report on Police Reforms and say that every police personnel should affirm this Mission Statement as an “oath” immediately after recruitment, at the time of the passing out parade, and at other suitable occasions as Government may decide. Further, the goals of the Department should be set in line with the Mission Statement. ( Para- 4.3)

**CHAPTER –V: RECRUITMENT**

The reform should begin at the level of constabulary . In Meghalaya Constabulary constitutes over 70 percent of the total and better quality of personnel are not finding entry into the service. Few reasons can be cited for this: inadequate educational qualification, treating recruitment in police merely as an employment avenue; inferior status accorded to the service, extraneous pressures at the time of recruitment and inadequate medical test. ( para- 5.3)

No change is proposed in the recruitment procedures as laid down by the Government. The Selection Boards should have only police professionals, medical officer and psychologist and leave out non-professional members from the Board. ( para 5.5 )

Successive Pay Commissions of the State have treated the posts of constables almost at par with unskilled workers. There is a need to review and accord a better status to the post of constable *vis avis* other services of the category. A constable once recruited normally remains in service for 32 to 35 years. Recruitment in constabulary should requires careful examination. ( Para-5.6 )

The rational pay structure for policemen should not be deferred any longer but should be resolved in fair and just manner to sustain police morale which is most important in the context of growing development of the state. ( para-5.7)

The following modifications in the process of recruitment can be taken into consideration: include a psychologist in the Selection Board; objective questions may be set in written examination not only to test the intelligence of the candidates but also to assess the mental and psychological attitude in keeping with the needs of the profession. This will be in addition to the test in command of language, and elementary mathematics; after the preliminary check by the Medical Officer acting as a member of the Selection Board, the selected candidate should be put through a more thorough medical fitness check by a Medical Board. Only those candidates cleared by the Medical Board should be appointed; no extraneous pressure at the time of recruitment should be entertained. Adapting more transparent procedures of recruitment can ensure this. ( para –5.8 )

There are also personnel who try to attain higher educational qualifications while in service. This should be encouraged. (para-5.9)

The Government of Meghalaya has abolished the posts of Assistant Sub-Inspectors of Police. This is a step in the right direction However, this has taken away one promotional avenue for the Constabulary. It is now necessary that the role of the ASIs be taken over by the Head Constables who will be well qualified if the recruitment policy as suggested in the report are accepted. ( Para –5.10). A single Recruitment Board should conduct recruitment to Armed Police. The minimum educational requirement should also be raised to HSLC/Matriculation passed. ( para- 5.11).

Merely enhancing the educational qualification at the time of induction will not change the quality of police constables. They need to be motivated by providing

adequate promotional avenues. For this purpose a well-designed promotion test should be introduced. ( para-5.17 )

There should also be a promotion quota of 50% in the post of Dy. SP for departmental officers so that merited officers can go up to the higher levels in Police Organization. ( para- 5.19)

The written test for recruitment of Sub Inspectors should include an objective paper with a view to assess the personality, attitude, psychological make -up which are required for the profession. ( Para- 5.20)

Physical fitness should be more strictly screened. The present system of medical check is inadequate and needs improvement. The Committee therefore recommends that proper Medical Board be constituted to examine all candidates thoroughly before giving appointment. ( para- 5.21)

Any trainee who turns up to be unsuitable should be discharged at the initial stage so that he/she does not become a liability in future. ( para- 5.22)

Recruitment to the level of Dy SP should be conducted on a regular basis .Considering the cadre strength and possibilities of future expansion, yearly intake of not more than 3 at a time will suffice. ( para- 5.24)

At present 6 (six) cadre posts at the level of Superintendents of Police are held by state police officers. They have difficulties in drawing their salaries. The intake of IPS Officers should be planned according to the existing cadre strength. Opening for the state service officers at the senior level should also be made available. It is recommended that a Career Management Committee ( **CMC**) be constituted in the Home Department in which the DGP can be made the Member Secretary. ( para- 5.25)

The professional knowledge and skills of police officers and men should be updated and compulsorily tested before allowing promotion to the next level. ( para- 5.26)

## **CHAPTER-VI : TRAINING**

The present system of training of Police Officers needs revamping at all levels. If the Training School is expected to produce well trained personnel equipped to face the new challenges urgent measures should be taken to improve the entire setup. ( Para-6.1)

The Armed Branch personnel are presently being trained at the Battalion Headquarters of 1<sup>st</sup> MLP Bn. Mawiong and 2<sup>nd</sup> MLP Bn. Goeragre. These are not

recognised training centres and hence there are no dedicated training staff sanctioned for the purpose. Such a training arrangement cannot be expected to impart quality training. ( Para-6.2)

The present PTS should be upgraded to Police Training College (**PTC**) with full paraphernalia and wherewithal of a full fledged training college Though the Dy. SPs and Sub-Inspectors are being imparted basic training at NEPA, the State police will have to make its own arrangements for all other post basic trainings. All specialized trainings required for the state police, from constables to Dy. SPs, should be systematically conducted at the proposed Police Training College. ( Para- 6.3)

The National Committee on Police Training 1971 headed by Prof. M.S. Gore made the detailed study of Police Training needs in the country and submitted elaborate recommendations. Much of their recommendations still hold good and are applicable to Meghalaya Police as well. ( Para-6.5)

It is necessary to review the training content and syllabi for basic training of constables and refresher and specialized courses of police personnel at all levels. The following additions in the syllabus are recommended: some outdoor activities need to be added to give the training a practical bias; trainees also should interact with the members of the community or participate in community activities; un armed combat be made a part of the training . Police personnel should be properly prepared to face the stressful service life by encouraging to practice martial arts or yoga in their daily routine. ( Paras –6.6 & 6.7)

The syllabus for refresher course for unarmed branch constable has to be thoroughly revised with a view to prepare the UB Constables to be able to function as a Sub-Inspector when they are eventually promoted to that rank. The refresher course should be of duration of 1(one) month . At least 4 (four) courses a year should be run . Professionally relevant subjects should form course contents. ( Para – 6.7 )

At present, refresher course for sub-Inspector and Inspector is non-existent. Except for their regular deputation for specialized courses both and within and outside the state. It is recommended that a regular refresher course for Sub-Inspector and Inspector be held regularly, at least twice a year with duration of 1 (one) month. ( Para- 6.8 )

The interaction between subordinates officers of the rank of Sub-Inspectors and above with their immediate superiors upto the rank of Superintendents of Police are few and far between. We recommend that a vertical interaction course for the ranks of Sub-Inspector upto the rank of Superintendent of Police be held for at least 4 (four) times a year. The duration of which be 5 (five) working days. It

should be made mandatory for every officer to attend at least one such course once in two years. ( Para-6.9)

## **CHAPTER-VII : MAN POWER AND CAREER PLANNING**

There is no police coverage in large areas in West Khasi Hills, East Garo Hills and South Garo Hills districts. Militant activities are mainly confined in those areas. Merely carrying out Armed Police operations in those areas cannot be the lasting solution. Police coverage on permanent basis will have to be provided by undertaking careful planning. ( Para-7.5)

Manpower requirement for the State Police should be planned on the following lines: (i) focus should be on increasing the strength of the Civil Police rather than raising anymore Armed Police Battalion; (ii) priority on creating more staff for Police Stations and Outposts; (iii) increase in the strength of Civil Police in Urban Police Stations to facilitate separation of investigating and law and order wings (iv) specialization of personnel in the investigating wing ; (v) recruitment of more Women police at Police Stations and Traffic Branch; (vi) rationalization of provision of District Armed Police and emphasis on minimum yardstick in the case of prosecution staff in all the districts. ( Para-7.6)

The full functioning of the Office of Circle Inspector as per the Manual should be revived and clear directions be issued accordingly. In the ranking pattern of Circle Inspectors vis-à-vis other Inspectors. ( Para-7.8)

Another area for consideration in manpower planning concerns the ratio of Constabulary to other ranks in the Police Organisation. Provision should also be kept for their promotional avenues so that those who can qualify can go up to the level of Inspectors and higher. The recruitment requirement to the posts of Unarmed Branch Constables be suitably reviewed with a view to obtain optimum services at this level. ( Para-7.9)

Manpower planning at the higher level i.e. from Dy. SPs upwards also needs careful examination. To facilitate promotional avenues additional posts are created on adhoc basis as officers are recruited in bulk and their turns for promotions are shrinking which may lead to adhoc proliferation of non – responsible senior posts. This adversely affects the chain of command. The requirement of manpower at least for the coming ten years should be planned and intake of new recruits at the level of direct DySP level be done in a phased manner. ( Para- 7.10)

Lack of proper career planning adversely affects the efficiency and morale of the police force. ( Para-7.12)

At present, posts at the level of Head Constable/Havildar are limited and may pose a bottleneck in the flow to higher level. To get over this problem we suggest that the posts at the level of Head Constables be proportionately increased to fill up the gap caused by the abolition of the level of Asst. Sub-Inspector in the State. Further, to facilitate promotion to higher level we suggest that 50% of the posts at the level of Sub-Inspector be reserved as promotion quota and only 50% be recruited directly. (Para- 7.12).

There should be well-organized centralized promotion test at all levels. We do not propose to suggest any changes in the criteria and procedures for promotion to the level of Deputy Superintendent of Police. ( para-7.13)

A separate cadre for drivers and mechanics be formed. ( Para- 7.17)

Police functions are becoming more complex requiring specialization in various areas of duties. We feel that requirements for specialization should be identified and police officers possessing aptitude in various lines of duties should be put through appropriate training. ( Para- 7.18)

Police officers are expected to gain experience in all areas of police duties. This is particularly required at the levels of Sub-Inspectors and above. This can be achieved by carefully planning posting of officers from the time they complete their basic training. There should be regular rotation of officers in different branches with a view to develop all round proficiency in police work.  
( Para-7.19)

A Board may be constituted at the Police Headquarters to prepare a well-considered plan in this regard. Planned postings will not only contribute to achieving professionalism but will have a good impact on the morale of personnel in the organization. ( Para-7.20)

Administratively the Police Organisation functions under the State Home Department. The Committee therefore recommends that a senior Police Officer should be posted in the Home Department at the level of Secretary.  
( Para-7.21)

## **CHAPTER-VIII: POLICE INFRASTRUCTURE**

The Superintendent of Police is the head of a Police District whose jurisdiction runs concurrent to the civil district. The performance of a Police district has a direct bearing on the overall performance of the Police organization. ( Para-8.2)

Jaintia Hills S.P. Office: The location of the SP's Office above the P.S is not conducive to normal functioning of the Police Station as well as the SP's Office.

Since there is land for this purpose, the Committee recommends that the construction of the SP's office should be taken up on priority basis. ( Para-8.4)

South Garo Hills S.P. Office: At present the office is accommodated at an old rickety rented building. The Committee recommends that top priority should be accorded to the construction of administrative buildings. ( Para- 8.5)

The police administrative and residential buildings have not been maintained for years. This should be looked into without any further delay as conditions of some of the buildings are fast deteriorating. ( Para- 8.6)

This is the cutting-edge level in the Police System. There should be provision for staff quarters within the Police Station campus to ensure availability of Police manpower round the clock. ( Para-8.7)

The Officers In-Charge of Police Stations are not given any imprest money to meet contingency expenditures. Under the circumstances O.Cs of the Police Stations find themselves compelled to make their own arrangements. This is an unhealthy practice to say the least. Each Police Station should be sanctioned an imprest money of Rs.1000/- for meeting all sundry contingency expenditures. ( Para- 8.11)

The P.S. buildings at all District Headquarters should be brought up to the standard of Shillong/Tura PS in a phased manner and Control Rooms should be set up at all District Headquarters and they should be manned 24- hours with standby force and facilities such as communication and mobility. ( Para- 8.12 )

All these Beat Houses are functioning out of rented houses, some of which are most unsuitable and thus impart a negative impact on the police image. In order to improve functioning of all Beat Houses, wherever possible, land should be acquired to construct proper Beat Houses (( Paras- 8.15 & 8.16)

The Police Reserves in all the new districts must be developed on the basis of a standardized pattern; (ii) At least 50% of the police personnel in the new districts should be provided housing in a phased manner during the next 5 years; (iii) MGCC constructions should have quality and that all buildings should be maintained annually; (iv) the Office of the DGP and the MGCC may make out a phased plan of constructions and maintenance and for effective supervision of construction we recommend that another Asst. Engineer or a junior Engineer may be posted at Tura to cover the Western Range. ( Para-8.20)

The Police Units should be provided with adequate number of vehicles in keeping with their functional requirements. This calls for standardization in procurement and deployment of the fleet of vehicles. ( Para-8.22)

More than one-fourth of the total nos of vehicles are above 10 years old and some are over 20 years. Maintenances of these vehicles is contributing to high expenditures under MV in the Police Budget. We recommend that the Office of the Director General of Police constitute an Inspection Board to carefully examine all vehicles over 10 years old and take urgent steps to condemn all those which are no longer economically viable. ( Para- 8.25)

For anti insurgency operations in Meghalaya there is need for adequate number of vehicles in good running conditions. ( Para-8.29)

During the last two decades Meghalaya has been experiencing its own share of insurgency problems. Militant groups like HNLC and ANVC are using sophisticated weapons and often engage Meghalaya Police in serious encounters. Militants from the neighbouring states also carry out various illegal activities within Meghalaya. Meghalaya Police is still short of A.K. series and SLR weapons. As of now only a small percentage of the State Armed Police personnel are equipped with such weapons. The Committee feels that Meghalaya should be upgraded to Category-A in getting GOI Modernization grants in view of militant activities in the state. ( Para- 8.30)

Lack of family accommodation in insurgency affected areas subject police men to anxieties about the welfare and safety of their families and when policemen are compelled to live in slum like areas, they are often exposed to undesirable elements and their self-esteem also suffers. ( Para-8.31)

The outstanding grievance of the MPRO officers is that they are not treated at par with the regular police officers of the state at all levels. ( Para- 8.37)

In MPRO , (i) The qualification at the entry level i.e., at the rank of MPRO constable to be reviewed; (ii) the Government may consider constituting a Committee to look into the revision of the strength of MPRO staff at various levels, career planning and service conditions of officers and men etc. ( Para-8.38)

Forensic Science is an integral part of the Criminal Justice System more particularly of the investigating machinery. ( Para-8.39)

Besides the above the FSL also has a number of problems, which need to be urgently looked into. They are such as concern creation of new divisions and posts and also filling up the present vacant posts. ( Para-8.44)



The Government may take steps early to fill up these vacant posts besides taking into account the need to create new technical posts. ( Para-8.45)

The staff recruited at Forensic Science Laboratory be adequately qualified and they should undergo required training course to make them competent experts. ( Para-8.46)

For all the seven Districts of Meghalaya, Mobile Forensic Science Laboratory vehicles and equipment have been procured. Government may look into sanctioning requisite posts to run these mobile units without delay. ( Para-8.47)

A separate building exclusively for the FSL may be constructed. The present building cannot house a full FSL. The facility of residential accommodation needs to be created. ( Para-8.48)

The Government may consider constituting a Committee to look into, inter alia, the aspects related to the FSL which have been enumerated in the report. ( Para- 8.49)

The Meghalaya Fire Service, now known as Fire & Emergency Services is at present under the superintendence and control of the Director General of Police. ( Para-8.51)

The draft bill of the **Fire & Emergency Services Act** is currently under the consideration of the State Government. However, it appears that the said draft bill seems to have already taken inordinately long time to pass the Act. The Act should be passed early. ( Paras- 8.52 & 8.53)

The Fire & Emergency Services is highly technical and the personnel are required to undergo intensive professional technical training for one year after recruitment. the Committee recommends that the educational qualification for the direct recruitment to the post of Fireman be raised from SSLC or its equivalent (Class X) to CLASS XII (Science) passed with at least Physics or Mathematics as one of the subjects. Such measure will go a long way in upgrading the standard and effectiveness of the Meghalaya Fire and Emergency Services.

( Paras- 8.55 & 8.56)

## **CHAPTER-IX : POLICING IN CAPITAL CITY**

In the Commissioner system of police the responsibility and accountability on all aspects of policing vests in the Commissioner of Police. ( Para-9.1 )

Shillong City has grown to be a metropolitan city in all respects. As per the last census the population in the city area of 25.40 sq. km has grown to 2,67,881 (Urban agglomeration). But if the huge floating population is taken into account it will exceed five lakhs. It has become the hub of the entire North East and a considerable numbers of regional institutions, central organizations and Defence establishments are located here . All these have added a new dimension to policing which cannot be handled under the traditional system of policing. ( Para-9.2)

The government may consider the city of Shillong for the introduction of the Commissionrate system of policing and direct the Police Department to submit concrete proposal accordingly. ( Para-9.3)

## **CHAPTER-X : TRAFFIC AND HIGHWAY PATROL**

During the last two decades vehicular traffic in the urban areas have grown manifold. In fact, traffic in Shillong, Jowai and Tura is almost becoming unmanageable. ( Para-10.1)

Every district should have a Traffic Advisory Committee and it should attend to issues like planning of roads, parking of vehicles, removal of encroachments from the roads, loading and unloading of vehicles in congested areas etc. ( Para-10.2)

There should be a well-equipped and adequately staffed Control Room to be located at the main Police Station. ; traffic officers on Motor Bikes should patrol congested areas during peak hours;No parking/No stopping Zones should be clearly demarcated on road surface.; wide publicity to educate road users should be organized by issuing pamphlets etc ; to make up additional requirements of Traffic staff, and suitable Home Guard Volunteers may be trained and deployed; and during peak hours women Traffic police should also be deployed at all important Traffic points. ( Para- 10.3 )

National Highway 40 and 44 passes through Shillong. Two other national highways , NH-51 and NH-62, pass through Garo Hills districts These highways serve not only Meghalaya State but also serve as a lifeline connecting Mizoram, Tripura and parts of Assam and Manipur. Crimes like robbery and extortion are often reported and there are long stretches of the highways with no police coverage. ( Para-10.4 )

In 1997 Meghalaya Police had introduced a scheme of highway patrolling with assistance from the Government of India which had supplied 39 Gypsies and 6 Recovery vehicles. Since no assistance was extended towards entertaining

additional police staff for implementing the scheme it was discontinued. ( Para-10.5)

The role of police on national highways should be limited to attending to accidents and clearing of traffic jams. Control of overloading and checking of documents on regular basis by road users on national highways should not be a part of day-to-day police function. These are the responsibilities of authorities handling weighbridges and transport department. ( Para- 10.6)

The National Highway Patrolling scheme as earlier prepared by Meghalaya Police should be revived. The government of India may be approached again for assistance. However, entertainment of additional police staff should form an indispensable part of the scheme. ( Para-10.7)

## **CHAPTER-XI : INTELLIGENCE GATHERING AND SHARING**

The Meghalaya State Special Branch deals with the collection, collation and dissemination of intelligence of political significance and of public importance. It also deals with matters of interest from the state security point of view. ( Para-11.1)

Intelligence gathering is a highly specialized job. Personnel assigned to this task should be of good caliber possessing a keen sense of observation. At present personnel in the State Special Branch are drawn from the unarmed Branch of the State Police Force without subjecting them to any form of screening. This has led to lack of professionalism in their day-to-day performance. Reforms in the State intelligence system should be taken up on priority. ( Para-11.4)

A screening Board headed by the Addl. DGP (SB) with IGP (SB), IGP (HQs) and both the Supdts. of Police (SB) as members should be formed to (i) weed out unproductive field officers; prepare a list of qualified personnel from constable to Inspector and put them through a basic intelligence course ; to create a training wing in S.B. HQs; hold half Yearly conferences of officers of State Special Branch Headquarters and the field staff ; prepare periodic list of priority areas ; and task districts accordingly and closely monitor performance of field staff. ( Para- 11.5)

The existing organizational structure of the State Special Branch needs to be strengthened. ( Para-11.6)

The State Special Branch is required to maintain liaison and co-operation with other intelligence organizations, both within and outside the State including local Central Intelligence establishments. ( Para-11.10)

For intelligence co-ordination, the officers of State Special Branch must work out regular arrangements with their counterparts in the neighbouring States at personal level. ( Para-11.11)

As regards sharing of actionable intelligence within the State an effective monitoring system on quarterly basis should evolved and the process of intelligence sharing should be streamlined. ( Para- 11.12).

## **CHAPTER- XII: ANTI-INFILTRATION**

The trend in detection is consistently declining since 2001. A perceptible public concern obtains today on the issue of infiltration, especially in the districts bordering Bangladesh. This should be addressed by the Anti Infiltration Branch. ( Para-12.3)

The problem of infiltration from across the border will continue to pose serious challenges to the State Government. Urgent measures should be taken to review the functioning of the Infiltration Branch so that the services of the existing staff are put to optimum use. Their responsibilities and tasks in clear terms should be re-assigned and their performance should be closely monitored by supervisory officers. The Director General of Police may constitute a Committee headed by a senior officer to carry out this study to make the Anti-Infiltration Branch posts effective. ( Para- 12.5 & 12.6)

There is a need to revamp the Infiltration Branch to improve anti-Infiltration intelligence and detection; ii. the system of cross checking the National Register of Citizen (NRC) should be revived ; iii. the staff posted for the PIF scheme should be utilized exclusively for checking and up dating the NRCs. Etc. ( Para-12.7)

## **CHAPTER-XIII :INVESTIGATION**

The manner in which police investigations are conducted is of crucial importance to the functioning of the Criminal justice System. ( Para-13.2)

The Investigating officers (IO s) in the state also suffer from those disadvantages which are common to the I.Os anywhere in the country. ( Para- 13.14)

It is amply evident that unless the basic problem of strengthening the foundation of doing qualitative investigation is not undertaken, the criminal justice delivery system in the state will continue to suffer and the guilty will continue to escape conviction and sometimes even wrongly innocent persons may get implicated and punished. It is therefore necessary that the problems are addressed and the investigating agency is strengthened. ( Para- 13.15)

All complaints should be registered as per law and for failure to do so appropriate action should be taken against the erring officer. ( Para- 13.16)

The Governments/DGP must issue firm instructions to the police stations to the effect that a case shall be registered by the officer in charge of the police station if he is present at the police station and in his absence, the case should be registered by the senior most police officer available at the station, irrespective of rank, after observing all necessary formalities. ( Para-13.17)

The investigation of crimes must necessarily be prompt, thorough and sustained and that final forms are submitted without delay and charge-sheets are accompanied with complete evidence for trial. ( Para-13.19)

In order to ensure objective investigation of cases the Officer in charge of a police station must prevent embellishment of FIRs and statements and give correct facts and circumstances without coming under any extraneous pressure. ( Para-13.20)

when an FIR is filed in a police station due care and caution should be exercised in registering the cases under appropriate sections of Law. ( Para- 13.21)

The quality of investigations would not improve if the supervisory ranks in the police hierarchy i.e. Circle Inspector, District Superintendent, Deputy IGP do not pay adequate attention to the thorough and timely supervision over the progress of each investigation. The Range DIG should be very particular in ensuring that all the supervisory officers below him in the districts do in fact conduct timely supervision of cases. ( Para-13.23)

The institution of the circle Inspector, which is the most important one in the scheme of supervision of the cases as envisaged in the Assam Police Manual- V, does not seem to be fully functioning. The Circle Inspectors should be left alone to concentrate on their primary job of supervision. Nonetheless, both the CIs and the I.Os should be made responsible and accountable for ensuring correctness of investigation. The Department must ensure this. ( Para-13.24)

The PHQ should ensure that the progress of investigation of cases in the Ranges and Districts is monitored.( Para-13.25)

The senior supervisory officers should also ensure that the investigation is kept on the right direction and is free from extraneous influences and the investigations are conducted in an honest and transparent manner. ( Para -13.27)

The OC of a police station should not dump and overload some particular officers with investigation while not utilizing the services of other officers for the investigation. ( Para-13.32)

Investigating Officers should have the professional independence needed to act according to law and the constitution to properly investigate crimes. ( Para- 13.33)

The State Security Commission (SCC) should give an element of insularity to the I.Os. ( Para-13.34)

Integrity of the I.O has a vital bearing on the investigation conducted by him. This necessitates strengthening of the police vigilance set-ups at the State level and institution of a similar mechanism at the Range/District. level. The Government may take this recommendation into consideration. ( Para- 13.35)

I.Os who keep the investigation unnecessarily pending with them for too long should be dealt with departmentally and if departmental measures fail, and then appropriate actions should be taken as per law. ( Para- 13.36)

There is inadequacy of trained investigating staff in the state. This has resulted in perfunctory and delayed investigations and prosecution has suffered in the court. ( Para-13.37)

For improving quality of investigation, the workload of an investigating officer (or a team of IOs) should not exceed 10 cases per year. ( Para-13.38)

The state police perform both investigational and law and order duties and a host of other duties and enforcement of a plethora of social legislations. The need for expeditious and effective investigation of offences as contributing to the achievement of the goal of speedy trial cannot be gainsaid. ( Para- 13.39 to 13.44)

The Committee on Police Reforms constituted by the Government of India under chairmanship of Sri K Padmanabhaiah also recommended separation of investigation the law and order wing. ( Para-13.45)

At least in East Khasi Hills, Jaintia Hills District and West Garo Hills districts there should be separation of law and order from investigation wings by the notification of the Government. Additional staff to facilitate this may be assessed and sanctioned. ( para- 13.48)

With reference to these districts while giving shape to the law and order and crime investigation wings, due care must be taken to ensure that only those officers are posted in the Crime investigation wings who have successfully completed various professional courses in detection and investigation of crimes and also that if there are law graduates in the department they should be posted in the investigation wing. ( Para-13.49)

There is need for setting up separate police wings for law an order and crime investigation. Both can function from the same building. ( Para-13.51)

No case should ordinarily be transferred from one investigating officer to another or from District Police to the Range office or to the CID by the competent authority unless there are very compelling and cogent reasons for doing so and such reasons should be recorded in writing by the concerned authority. ( Para-13.53)

Adequate facilities and infrastructural support should be provided to the proposed Police Training College for running basic and all specialized in-service professional courses. ( Para-13.55)

The Committee recommends that the funds for the present PTS (proposed PTC) should be augmented including fees for guest faculty. ( Para-13.56)

The trainers in the PTC should be handpicked by a Committee of officers constituted by the DGP. ( Para- 13.57)

It can hardly be gainsaid that the application of forensic science to investigation of criminal offences from the first visit by the I.O to the solving of crime is imperative. In the permanent strength of each police station, posts for forensic science cadre officers having qualification in criminology and forensic science should also be created. ( Para-13.58)

There is urgent need to bring about improvement in the situation, when huge numbers of cases are still pending investigation , many of them , for years on end. The full and judicious use of the FSL facility will improve not only investigation but help secure conviction also. ( Para-13.60)

The FSL Shillong should be provided all resources to conduct seminars from time to time for the benefit of all police officers. ( Para-13.61)

The efficient and expeditious disposal of cases will hinge upon the availability of manpower and resources provided at the FSL ( Para- 13.62)

The **Police Manuals** and Standing Orders of department need to be amended to make the use of Forensic Science mandatory, as far as practicable, in

investigation of all grave and sensational crimes.  
( Para- 13.63 to 13.64)

The State Governments should immediately create appropriate forensic Science facilities in each District. ( Para- 13.65)

In all criminal cases scientific methods of investigation should be applied.  
( Para- 13.66)

The Forensic Science facilities in the state need heavy augmentation.  
( Para- 13.67 )

A Medico Legal Advisory Committee should be set up in the state under the senior most medical and Health officer posted at the Police Hospital with at least two Board members, including one from the State FSL. ( Para- 13.70)

A common citizen is not aware of this artificial distinction between cognizable and non-cognizable offences. There is a general feeling that if anyone is a victim of an offence the place he has to go for relief is the police station. ( Para- 13.72)

The removal of distinction between the cognizable and non- cognizable offences in the state should be removed on the grounds that first, false and frivolous complaints which fall in the category of non-cognizable offences, will be dealt well by experienced police officers who will not find it difficult to summarily dispose of such frivolous complaints without undue waste of time and secondly, the courts will have more time to concentrate toward disposal of cases pending trial. ( Para- 13.77 )

On receipt of report of occurrence of a crime the inspection of the scene of crimes should be done by a team consisting of forensic scientist, finger print experts, crime photographer. ( Para- 13.78)

Science and technology should be harnessed to help criminal investigation. Tape recording of statements of witnesses, dying declarations and confessions would be purposive step in this direction. ( Para- 13.79)

The law should be amended to provide for tape or video recording of statements of witnesses, dying declarations and confessions and allow their admissibility in evidence. ( Para- 13.80)

A room equipped with proper facilities such as video cameras, ; tape recorders should be set apart in each major police station of the district Hqrs to begin with for the purposes of interrogation/ interviews aid to investigation. ( Para-13.81)



There should be a structured system for collection and dissemination of criminal intelligence in the State . Concrete steps ought to be taken to institutionalize criminal intelligence system. ( Para- 13.87)

The state may consider constituting a task force headed by an appropriate rank of senior police officer at district and state level to collect, collate and disseminate information on crimes . ( Para- 13.88 )

The State Governments should set up Criminal Intelligence Cells in each District.( Para- 13.89 )

#### **CHAPTER-XIV : PROSECUTION**

The successful conclusion of Police Investigations depends on the efficiency of Prosecuting agency in marshalling the evidence and presenting it in the Court of Law in a convincing and effective manner. ( Para- 14.1)

The important factor for the success of the Prosecution is proper coordination between the Prosecutor and the Investigating Officer with due regard shown to the independence of the Prosecutor. ( Para- 14.6 )

Cases are not professionally handled and presented at the stage of trial before different Courts. ( Para-14.7)

The current state of affairs with regard to the Prosecution as should not be allowed to continue if criminal Justice delivery system in the state has to play its vital role effectively. In order to remove the infirmities that the present system of Prosecution is subject to, a Directorate of Prosecution (DOP) should be set up in the State. ( Para- 14.10)

While we agree with the Tamil Nadu model, it would require considerable modifications in the staffing pattern for introducing it in Meghalaya where the volume of Crime is much less. ( Para- 14.12)

A Directorate of Prosecution to be headed by a Senior IPS Officer at the level of Addl. DGP may be constituted. ( Para- 14.13)

Prosecution or presentation of criminal cases in the High Court and Supreme Court will be excluded from the functions of the Directorate of Prosecution.

(Para- 14.14)

Sufficient number of Women Public Prosecutors and Asstt. Prosecutors should be appointed so that they can effectively deal with cases involving Women.

( Para- 14.15)

The DOP should be set up in the state after all such aspects are properly studied by a team of officers from the state law department and the Home (P) department. ( Para- 14.17)

## **CHAPTER-XV :COMMUNITY POLICING**

Community policing is the Policing trend of the new century. ( Para-15.1 )  
Community policing is nothing but normal Policing of a society in consultation, co-operation and partnership with the community at large. ( Para- 15.3)

The essence of Community Policing is to minimize the gap between Policemen and Citizens to such an extent that the Policemen become an integrated part of the community they serve. Convincing policemen to adapt to community policing will not come easily as it will take time to break the traditional Police culture. ( Para- 15.4)

There can be no blueprint or model scheme of community policing having universal applications. ( Para- 15.6)

From time immemorial the social setup in Meghalaya has been based on democratic principles. The traditional institutions at the village level exercised the responsibility of maintaining order within the community. ( Para- 15.13)

The State Police should initiate Community Policing initiatives . ( Para-15.14)

Community Policing in the State can be considered in different forms for the urban and rural areas. Considering the cosmopolitan nature of the city where traditional Institutions are playing an active role in maintenance of social order within their jurisdictions, approach to introduction of Community Policing in the greater Shillong area will have to be different from other towns. A revamped Village Defence Organisation (already existing) will be suitable for the rural areas. ( Para- 15.15 )

The common object of Police and Durbar Shnong is to ensure peace and order in the society and bring about better quality of life. This can be achieved by working out a viable community policing system to meet the special needs of cross sections of people within a community area. Traditional institutions do not play active role in the urban areas in Garo Hills. ( Para-15.17)

To successfully implement the community policing in the state, the mindset of the community and the police should be appropriately conditioned before a full-fledged scheme is taken up. The Community Policing Programmes must be introduced in a phased manner: Preparatory Stage ,Second Phase and Final stage ( Para- 15.20)

This initiative should be taken at the level of Police Stations. The OCs of the Police Stations can convene informal meetings (at least once a month) with the members of the community in their respective jurisdictions, where the Rangbah Shnong or, his representatives (where the institution exists) from NGOs, Women groups, Teachers, Students, Doctors, Traders, Public Transport Associations, minority groups etc. should invariably be included. The OC of the Police Station and his staff can then consider introduction of some of the programmes suggested in Para 15.8. ( Para- 15.25)

Adequate fund should be provided in the police budget after due assessment for meeting the expenditure arising out of the implementation of community policing initiatives.

The Village Defence Organization, which was constituted in Assam by the Assam Village Defence Organization Act XXII of 1966, has been adopted in Meghalaya with minor modifications. ( Para- 15.29)

VDO is a very useful organization and can be suitably revamped for implementation of Community Policing in the rural areas of the State. Appropriate Rules under the Act should also be framed. ( Para- 15.30)

## **CHAPTER-XVI :POLICE ACCOUNTABILITY**

Democratic policing sets out a normative framework for police to adhere to irrespective of what structure, systems and operational strategies it follows. Meghalaya police is no exception to this. Being accountable to the law and people and also to the organization is not a mere internal police process, but it basically addresses the place of policing in a democratic state. ( Para- 16.1)

As regards preventive tasks and service-oriented functions, police need overall guidance from the Government, which should lay down broad policies for adoption in different situations while leaving actual field operations to the police. We believe that although the laws are ultimately the wishes of the people themselves, neither the people nor the elected representatives have' any authority to intervene or interfere in the activities of the police in the discharge of the duties under the laws. ( Para- 16.4 )

Whenever there is adverse comments made or strictures passed on police conduct, it should warrant a mandatory departmental enquiry attended with follow-up action. ( Para- 16.5)

Frivolous complaints should be traced and prosecution should be launched against the guilty party. For this the Government has to help and support the department so that the upright and performing police officers and men do not feel helpless or abandoned. However, on the other we also feel that the public should be free to seek appropriate redress of their grievances, if any, against police. ( Para- 16.6)

The police must have a greater measure of accountability in case some unwarranted action is initiated against innocent persons for whatever reasons. Only then do we believe that the police will be transformed to enhance, strengthen and consolidate democratic values. ( Para- 16.7)

In the police hierarchical system accountability is determined at various levels with reference -to the next higher level. Therefore there is a need to identify and discuss key measures relevant to evaluating police performance. The practice of monitoring police performance at various levels on the basis of crime statistics may generate an odd and erroneous sense of security complacency. ( Para-16.8 )

The police by themselves do not exercise control over all crimogenic factors. Tally of deaths of insurgents in police encounters should not be taken as a 'best performance' yardstick by which the police 'efficiency is assessed. ( Para- 16.9 )

Some of definitive determinants of police accountability are as follows: Prevention of Crime: Investigation of Crime: Law and Order: Traffic Management, Service; Reputation of integrity and courtesy. ( Para-16.11. to 16.13)

Meghalaya police does not seem to follow the modern yardstick adopted in *some* big cities by police in recording 'response-time' as an indicator of police accountability to act on a crisis or an emergency. ( Para- 16.17)

A functionary in the department at a particular level should be held accountable only with respect to functions and duties assigned to him; conversely the accountability should not extend to duties over which he has no direct control. ( Para- 16.18)

Accountability can be ensured only by active supervision of performance. ( Para- 16.19 )

Police can contribute "**Quality of life**" through enforcement measures aimed at allaying fear of Meghalaya Police gets involved in "Visible Policing" by extending proactive partnerships with members of public and NGOs.. (16.20.ii)

High degree of accountability from the state police can be demanded provided the police themselves are fairly treated. If we expect effective and respectful policing, we must give the police the professional skills and conditions of service that allow them to deliver services of this kind to the public. (16.20.iii)

In order to bring about transparency and accountability in the functioning of the state police, and build public confidence in the police, it is of paramount importance that the police should be insulated from undue, extraneous pressures from various quarters. Setting up a State Security Commission in the state holds the key to such much desired insularity. ( Para- 15.21 )

The government may examine and consider constituting a State Security Commission with necessary modifications in keeping with the needs of the state. ( Para- 16.23)

## **CHAPTER-XVII: VIGILANCE IN POLICE**

The evil of corruption has deeply penetrated into our social and political life. Police, being a part of the system, cannot be fully insulated from this evil. ( Para-17.1 )

The Committee could not make a definite assessment as to the extent of such malpractices and corruption prevailing in Meghalaya Police. However, of late illegal collection of money from drivers and transporters on the National Highways has become a public issue. ( Para- 17.3 )

Corruption in any form is harmful to the functioning of the police; it corrodes its effectiveness as a public service delivery system and also it adversely affects the image of the police. ( Para-17.4 )

Corruption and malpractices can be checked at two levels (i) by deterrent departmental measures and by registering cases by Anti-Corruption Bureau. ( Para- 17.6.2 )

Among important measures, the System of supervision and inspection by senior officers should be improved. Surprise checks on functionaries in the field should be conducted more often. ( Para- 17.8 )

The State Anti-Corruption Bureau can also play a vital role in checking corruption and the present system should be revamped. ( Para- 17.9)

## **CHAPTER-XVIII: REDRESSAL OF PUBLIC GRIEVANCES AGAINST POLICE**

The Police Department being the main law enforcing agency of the Government receives a large variety of complaints against its functionaries. Failure to deal with complaints in fair and just manner not only adds to public distrust and disillusionment over police but also it hampers qualitative improvement in the system. ( Para- 18.1 )

For conduct of departmental inquiries in public complaints against police the recommendation of the National Police Commission 1978 is agreeable that any complaint of police misconduct shall be conducted by an officer of the rank of Inspector of Police or above only, following a set pattern. ( Para- 18.3 )

The Complaint Cell in the State shall be headed by the Addl. DGP in-charge of CID. ( Para- 18.4 )

A non-statutory district Police complaints authority be instituted to examine complaints of public against police excesses, arbitrary arrest, detention etc. The District Police complaints authority should be headed by the District Magistrate and will include the Addl. Session Judge and the Superintendent of Police of the district and an eminent citizen (who is not involved in active politics) as members. ( Para- 18.7 )

A certain category of complaints of serious misconduct by Police should be promptly enquired into by an independent authority. We endorse the recommendation of the National Police Commission that there should be a mandatory judicial enquiry into such cases. ( Para- 18.8 )

## **CHAPTER- XIX : WELFARE MEASURES**

Provision of adequate Welfare measures for police personnel and their families is very vital for the maintenance of their morale. ( Para- 19.1 )

The funds to meet expenditure on Police Welfare should be built up through internal sources of the police units concerned and the government should supplement it by grants which should figure in the annual police budget specifically with a view to modernize, inter alia, the family welfare centres. ( Para-19.2 )

The funds should not only be fully allotted as per the Budget estimate, but new schemes of welfare measures should also be undertaken by the department which should be under the charge of one of the senior officers in the rank of ADGP/IGP. ( Para- 19.3)

The amounts of Rs 3 lakhs in case of death and Rs 50,000/- in case of permanent injury sustained in circumstances as specified in the concerned government notifications are not adequate compensations to the affected. We

recommend that the ex-gratia should be increased to Rs 5 Lakhs in case of death so that the education of children is properly taken care of and the family can live in some dignity. In case of permanent injury, we recommend that the amount be raised to Rs Rs 2 lakhs as the nature of injury is such that the injured police personnel will virtually be out of active life. ( Para-19.6 )

The Government may consider paying a part premium of the MPSSS Cum-group saving linked insurance Scheme for which a study may separately be made by the Police Hqs and scheme submitted to the Government for consideration. ( Para- 19.9)

The family welfare centres can be good training ground for the family and children of the police personnel to improve themselves on self-help basis. They should be modernized. ( Para- 19.10 )

The Central Police Welfare administered and managed by the Police Hq, should play a role more larger than being a mere fund distributing window. The central Welfare should take upon itself the role of directing the welfare activities in the units and districts. ( Para- 19.11 )

The Police Officers' Wives' Association (POWAC) has started a school called Meghalaya Police Public school (MPPS) since 1999 at Golf Links, Shillong . The aim of setting up the school is to provide quality education to the children of police personnel and make it very attractive by offering 25% concession in fees for the children of police personnel. ( Para- 19.12)

The School is temporarily accommodated within the Police Training School area. The infrastructure is extremely inadequate. The School management needs encouragement and support from the Government. This is indeed an excellent Welfare measure, which, in due course, may develop into a institution of academic excellence. ( Para- 19.13 )

In view of high incidence of alcoholism in the police we would like to recommend that in each police hospital there should be an arrangement for de- addiction and rehabilitation of alcoholic policemen with an attachment of a psychiatrist from the Health department. We will also recommend that the alcoholic policemen should be segregated and then treated in the unit hospital without referring them to other hospitals. ( Para-19.17 )

The Government may accord due priority in funding of police welfare measures. Police leadership needs to draw up welfare measures with complete participatory involvement of the personnel in maintaining the tempo of the Welfare measures. ( Para- 19.19 )

ACR of the officers at the supervisory roles should include an objective assessment of their performance in initiating welfare measures and successful implementations. ( Para- 19.21 )

## **CHAPTER-XX :REDRESSAL OF GRIEVANCES OF POLICE PERSONNEL**

The nature of Police duties is stressful and unless their grievances are addressed timely small issues can get exaggerated. Such incidents can have adverse impact on the morale of the force. There is an urgent need for instituting a satisfactory system through which grievances of police personnel can be effectively voiced and solutions found with good understanding. ( Para- 20.1 )

Forming a Police Association is not desirable in a State like Meghalaya. We suggest constitution of a machinery, which should be democratic in nature, within the organization itself. ( Para- 20.4 )

At the State Police Headquarters a Police Staff Council and at each District/Battalion there should be a Staff Council to be known as the District

Police Staff Council took into the grievances of police personnel.  
( Paras- 20.5 to 20.7)

## **CHAPTER-XXI :REWARDS AND PUNISHMENTS**

At present powers for award of rewards are derived from Rule 57, 58 and 59 of Assam Police Manual Part-I. ( Para- 21.1)

These rates of monetary rewards have been fixed over fifty years ago and considering the present value of Rupee, it is unrealistic to follow the existing rates. The Committee recommends that the rates of monetary rewards should be enhanced. ( Para- 21.2)

A medal to be designated, as “Meghalaya Governor’s Police Medal for Meritorious Service” should be instituted. This will not carry any monetary award but shall be eligible to police personnel up to the rank of Superintendent of Police and Commandant for outstanding and unblemished service within a specified period of service – say 15 years. ( Para- 21.3)

A group consisting of Police Officers and legal experts may be entrusted with the task to review and recast the existing rules and procedures for awarding punishment. ( Para- 21.4 )



No changes in the existing system of awarding minor punishments are suggested. This issue can be examined in detail while preparing the new Manual for the State. ( Para- 21.5 )

The colour of the uniform should remain khaki. The pattern of uniform for the **Unarmed Branch** of the state police should be changed. ( Para- 21.6 )

In keeping with the intensified focus on tourism development in the state , it would be appropriate to create a separate wing of police to deal with tourists visiting the State. ( Para- 21.8)

### **CHAPTER-XXII: PUBLIC RELATIONS**

A special importance is attached to the functions of PRO in the police department. ( Para- 22.1 )

The present Public Relations office should be appropriately strengthened to play its role more effectively. The PRO should be from Police Service with qualification and experience in Mass Communication. ( Para- 22.4 )

### **CHAPTER-XXIII : POLICE BUDGET**

Police department maintain a large manpower who are to be fed, clothed, and equipped with costly armaments. ( Para- 23.1 )

The allocation of fund in Police Budget has been far too less than the proposed Budget outlays of the department. In fact the Committee could not get at the criteria being followed in making Budget allocation to the Police. ( Para- 23.2 )

Each year out of the above provisions made in the Budget, the component of salary itself has been a whopping 80% leaving a paltry 20% for running and maintaining the huge Police Administration. Due to inadequate Budget provisions the department has a huge pendency of Bills to the tune of **Rs 18.85 crores** as on March, 2005 under different heads of expenditure.

( Para- 23.3 )

A high-powered Committee be constituted by the Government to look into the budgetary requirement of the department and suggest realistic yardsticks to be followed while allocating funds concerning Police budget. Inclusion of expenditure on ration and clothing under salary to ensure timely supply of ration and clothing to the force. Revision of the overall delegation of financial powers of the DGP and other DDOs subordinate to him including their power to give monetary rewards. ( Para- 23.5 )

## CHAPTER-XXIV : TASKS AHEAD

Democracy is government not only “by the people” but also for the people. Democratic policing is, above all else, policing in service of the people. During the last 33 years after the state was created, important progress has been made in building a sturdy system of policing in Meghalaya. ( Para- 25.1 )

There should be a post of Director ( Information Technology) in the state CID to control and manage all matters related to the computerization and cyber crimes. The state police should take up various aspects of E- Governance in its working. ( para-25.3 )

There is need to exercise abundant caution and even watch out for possible sources of threat from even sources such as Left wing extremism into the state. The porosity of the international border covering 423 Kms might lead to cross border movement of insurgents and fundamentalists from Bangladesh with ISI agenda. The cross border supply of arms, ammunition and communication equipment from Bangladesh continues to be a threat. Further, the networking of various insurgent groups operating in the Northeastern states and the insurgent groups of the state is also an area of key concern. Many such groups may continue to look for safe hideouts within Meghalaya and use its border for passage to or from Bangladesh. Meghalaya Police should be adequately oriented and trained to meet these challenges. ( Para- 25.5 )

Expanding development and shrinking employment avenues will remain the perennial sources of crimes in the state and the police should be required to mount increased vigil on this. The police will be expected to effectively handle fissiparous elements in the society which is heterogeneous and religiously and culturally diverse. ( Para- 25.6 )

The state police should be geared up for meeting the challenges of disaster management in days to come, as a part of multi-sectoral approach. ( Para25.7 )

There is a vast scope for emergence of Organized crime in the state The state police needs to watch the situation closely. The state police should be prepared to adequately meet the challenges of various forms of organized crimes. ( Para- 25.8 )

The internal security environment continues to remain fluid . There is a need to upgrade police response to meet the emerging threats to VVIP security. ( Para- 25.9 )

Motor Vehicle thefts, too, have been increasing in the state particularly in Shillong. The State Police should develop an effective strategy to tackle this problem. ( Para- 25.10 )

The police in partnership with voluntary social organizations are required to reinforce measures to curb crime against women, which have shown tendency to rise in the state. ( Para-25.11 )

The State Government needs to take a greater measure of protection to the women and children. On the other hand police needs also to be oriented on gender sensitization, minimization of delays in investigations of murder, rape and torture of women and children. A '*crime against women cell*' is the need of the hour in Police stations and outposts. We see a role for the State Commission for women which has been constituted recently, in undertaking timely review and issue advisories to the Government on the issues of crimes against women and children. ( Para- 25.12 )

Police functions will become more and more complex in the years to come.

This will lead to extreme stress and strain in day-to-day work. The police leaders should not only introduce Yoga and Martial Arts in training courses but also organize camps for the benefits of personnel of all ranks from time to time. ( Para- 25.13 )

**Shri I.T. Longkumer, IPS (Retd)**  
Chairman

**Dr. Milton Sangma,**  
Member

**Smti Patricia Mukhim**  
Member

**Shri P.C. Chakraborty, IAS (Retd)**  
Member

**Shri M.S. Syiem, IPS,**  
Inspector General of Police (Trg/AP)  
Co-opted Member

**Shri B.R. Rana, IPS,**  
Dy. Inspector General of Police  
(CID/ACB/Vig)  
Member Secretary

**A N N E X U R E - 1**

IMMEDIATE/FIXED DATE

**GOVERNMENT OF MEGHALAYA  
HOME (POLICE) DEPARTMENT**

No. HPL.181/2003/Pt/4

Dated Shillong the 31<sup>st</sup> May 2004

From:- Smil. B.Pde,  
Under Secretary to the Govt.of Meghalaya.

To

1. Shri IT.Longkumer, IPS(Retd), Mawpun, Golflink,
2. Smti Patricia Mukhim, Dum Dum, Nongthymmai, Shillong-14
3. Shri P.CChakravorty, IAS(Retd)  
Kench's Trace, Shillong- 4
4. Dr. Milton S.Sangma,  
Bonepa Atila  
P.O. Lower Chandmary  
West Garo Hills, Tura
5. Shri BR Rana, IPS.,  
Deputy Inspector General of Police(CID/ACB),  
Meghaiaya, Shillong.

Subject: COMMITTEE ON POLICE REFORMS.

Sir,

I am directed to say that the Committee constituted vide Notification No.HPL.181/2002/2, dt.17.12004 is required to be brief by the Department before they start the work.

You are therefore requested to kindly attend the brief on 4<sup>th</sup> June, 2004 at 11.30 AM in die office chamber of Minister Home(Police)

Yours faithfully,

Sd/-

Under Secretary to the Government of  
Meghalaya Home (Police) Department

Memo. No.HPL.181/2003/Pt/ 4-A,

Dated Shillong,the 31st May, 2004.

Copy forwarded to

1. Private Secretary to Minister Home(Police) for information of Minister.
2. Private Secretary to Chief Secretary for information of Chief Secretary who is also requested to kindly attend.
3. The Director General of Police, Meghalava, Shillong is also requested to kindly attend.
4. Private Secretary to Commissioner & Secretary, Home (Police) Department for information of Commissioner & Secretary.

By order etc.,  
Under Secretary to the Govt. of Meghalaya  
Home (Police) Department.

**A N N E X U R E - 2****HOME DEPARTMENT PRESENTATION IN THE MEETING****Key Issues :**

1. Good governance is the hall-mark of every Govt. It is a major issue not only in the global context but also a future challenge to the Governments both at the National and the State levels. Good governance implies a wide range of Governmental activities including Govt. policies and their implementations etc which are being carried out through various Deptts., and agencies of the State Govt. Home(Police) Deptt., is one of a few Governmental Deptts., which have a maximum interface with the public at large. IT has therefore, a very vital role to play now and in the future in ensuring good governance to the people of the State. It is in this context that the present Committee has been constituted.
2. At present, we have a State Police Force, which we feel is well organized with a strength not so small for a small State. However, in spite of such a stem being in place, yet its effectiveness as a delivery system for social justice and as security provider has been found wanting in many ways.
3. Considering that the post of Asstt. Sub-Inspectors of Police does not have a meaningful role to play in the system of criminal administration that we now have, the Govt. has recently abolished hundreds of posts of ASI of Police and created an equivalent number of posts of Sub-Inspectors and Inspectors. This is only a small measure aimed at meeting a future challenge posed before the State Police. Whether there is any other areas for effecting structural changes or organizational modification in the existing police set up ? whether crime investigation can be left to the police alone or some other organizations/agencies can provide better methodology to crime solving and prosecution ? whether such organizations, if considered more effective and desirable, can be fitted in under the existing laws, or what administrative arrangements would be needed to secure their involvement ?. The Committee is called upon to examine such matters in the light of emerging crime situation posed by militancy, information technology, and accompanying rapid urbanization in a developing economy like ours.
4. The strength of the police force in the State constitutes about 20% of all Govt. employees leaving aside employees of PSUs an Govt. supported Bodies like Educational Institutions etc. Considering that this is a very large body of trained able bodied persons, a view has been expressed sometimes that it looks like an idle force with a comparatively small output. This output is based on the performance of a comparatively small section of the force. For example, only a few sections of policemen have been actively involved in tackling the problem of insurgency in the State. What is a large section of the Armed personnel of the State Police Battalions doing in peaceful-normal time ? Are they not available for community services in one way or the other ?
5. While we in the Deptt., feel that the over all performance of the State Police force seems to be alright, yet complaints have been received and voices have been heard of poor performance by police especially in the rural areas of the State and their involvement in crimes like extortions, theft etc. What are the reasons for such a

tendency on the part of the State Police force ? Is it lack of supervision or inspection ? It is because there is no system of accountability of each and every personnel of the force ? Is it because the system does not provide for a healthy police- community interaction or any other probable reason that are yet to be identified !.

6. The Committee may like to go into this aspect in details and bring out clearly specific areas where improvement has to be made and suggest structural and other changes for achieving such improvement.

7. The Committee may also look into the role of the Village Defence Organization their present status of involvement in rural policing. The Govt. is spending lakhs of rupees every year on this organization; but its effectiveness as an organization to assist the police force in the detection of crimes and maintaining law& order etc. at the village level has never been assessed/ reviewed. The Committee may bring out the areas of deficiency along with specific recommendations for improving its activities as an instrument of policing at the local/ village level.

8. We do not have Village Defence Organization at the Urban Centers but more and more villages will sooner or later qualify for Urban Centers/towns. Though there exist some informal arrangement for interaction between the Police Stations/Out Posts with local Headman/leaders, this link has been very fragile and undefined. The Committee may examine this matter for a better system of interaction. It is in this context that community policing has been made one of the specific items for study and recommendation. The Committee may also like to examine whether such system of community- policing can be extended to the rural areas, absorbing the VDP Organization in it ? Whether any structural change is called for or can it be a kind of programme ? The Committee may look into this aspect in detail and come up with specific recommendation along with proper frame/ model as deemed necessary.

9. A Citizens' Charter a requisite symbol for good governance. What sort of a Citizens' Charter is appropriate for the Police force of the State ? Such a Charter should be clearly linked with accountability of the police force in providing the needed services to the citizens. The Committee may like to go into this aspect in general and make specific recommendations.

10. The above are some of the key issues which could be listed out. This list is not exhaustive. There may be other critical issues which the Committee may consider relevant to the term of reference. The Committee is at liberty to consider such other relevant issues and make specific recommendation.



**A N N E X U R E - 3**  
**COMMITTEE ON POLICE REFORMS, MEGHALAYA.**

*Sir/Madam,*

The State Government has recently constituted a Police Reforms Committee to go into the entire gamut of issues concerning the function of the State Police Force. We are aware that the public is concerned about overall improvement of the Police Force to fulfill public expectations. But what are those expectations? Unless the Police are well informed and have a constant interface with the public they will not know what is expected of them.

In shaping the character of the Police Force to make it a responsive, reliable, effective and proactive agency for crime prevention and law enforcement, we believe that the public have a critical role to play by offering their very candid, objective views. Usually these views appear in the media but they are neither comprehensive nor do they suggest different variables to policing. It is with this aim that the Committee have prepared a questionnaire which is open-ended and therefore, leaves a lot of space and scope for the respondents to go beyond the given paradigm and to suggest creative ways of making policing a more affirmative task rather than stereotyped role they perceived to be playing at the moment.

Your valuable response will enable the Committee to collect and collate diverse views which are imperative in trying to bring about any kind of reforms into the system that is so well entrenched in its functioning and attitude. We solicit your well-considered views and request you to kindly give your valuable time towards this critical task of nation-building. A responsive and effective Police Force is the need of the hour. But unless the system of policing itself undergoes a major overhaul this overwhelming task would be somewhat impossible. Your contribution by way of answering the questionnaire and adding your own inputs, if any, will be a great contribution to the cause.

An introductory note on Meghalaya Police is appended for your kind perusal.

Your responses to this questionnaire may please be sent in the self-addressed envelope enclosed within a month to the nearest Police Station or Police establishment who will arrange to send the same to the addressee.

Yours sincerely,

Address to be printed on the Envelope.

Shri B.R. Rana, IPS,  
 Deputy Inspector General of Police,  
 Member-Secretary, Committee on Police  
 Reforms,  
 Police Headquarters, Shillong - 793001.  
 Meghalaya, Shillong

(B.R. Rana, IPS)  
 D.I.G & Member-Secretary,  
 Member-Secretary Committee  
 on Police Reforms

**A N N E X U R E - 4**

**( FOR POLICE OFFICIALS )**

**COMMITTEE ON POLICE REFORMS, MEGHALAYA.**

**QUESTIONNAIRE**

**BASIC ROLE AND RESPONSIBILITY OF POLICE.**

- 1.1. Police Act of 1861, on which the present Police system is based, visualizes the role of police as a mere Law Enforcement Agency. However, police are now required to assume a service-oriented role of which law enforcement will only be a part.  
 Do you think that the existing infrastructure of police is adequate to take on this new role? Suggest if re-structuring is required.
- 1.2 After independence, several legislative measures had been adopted in our country for securing social changes appropriate to a socialist, secular, democratic, welfare state. Police have increasingly involved in the enforcement of such social legislation too.  
 Considering the constraints in expansion of police force, do you agree that enforcement of such legislation should be taken away from police and should be the responsibility of the department concerned ?
- 1.3 Would you agree with the view that while detection of crime can be held as the exclusive responsibility of the police, prevention of crime has to be accepted as a joint responsibility of the police and other wings of the criminal justice system with their active involvement of and co-operation from the community as a whole?  
 What specific measures, legal as well as administrative, would you recommend for the association of the community at large as well as voluntary organization for –
  - (i) maintenance of public order; and
  - (ii) prevention of crime ?

- 1.4 Sec. 23 of the Police Act 1861 refers to the responsibility of police for collecting intelligence affecting the public peace only. In actual practice, police collect intelligence regarding political activities, corruption in public services, economic offences etc.

What are your views in this matter ?

**POLICING SYSTEM – SUPERVISORY STRUCTURE – ROLE OF EXECUTIVE MAGISTRATE.**

- 2.1 Judiciary has been fully separated from the Executive by the enactment of Criminal Procedure Code of 1973. Policing has become a highly professionalized service requiring well-structured and unified command and control. Though the District Police Administration is vested in the Superintendent of Police, the administration is now subject to “general control and direction” by District Magistrate. A view has been expressed that this dual control at the district level from functionary outside the police system erodes the sense of full responsibility that should be rightly borne within the system and therefore this dual control should be done away with.

What are your views in this matter?

It has been suggested that the function of District Magistrate should be limited to a co-coordinating role between the police and the other government agencies in the district while the responsibility for maintenance of law and order should be fully borne by the Superintendent of Police himself.

What are your views in this matter?

- 2.2 Constabulary forms about 70% of the force and a large majority of them retire as constable without even one rank promotion in the entire career. Arduous nature of work without any promotional opportunity within the system is a serious demotivating factor. It adversely affects the quality of performance at constable’s level. This also seriously affects police image and fouls police-public relationship.

What are the changes you think can be effected in respect of –

- (i) Unarmed Police
  - (ii) Armed Police.
- 2.3 It is frequently complained that most of the police personnel are now deployed in law and order and VIP duties to the detriment of investigational work. It has been suggested that separate wing should be earmarked exclusively for crime investigation. Do you consider it feasible that such functional division could be effected at –
- (i) Urban Police Stations
  - (ii) Rural Police Stations.
- 2.4 Suggestions have been made that specialized agencies should be developed within the police system for handling a crime by juveniles, economic crimes etc.

What is your opinion in this regard?

**POLICE ADMINISTRATION, DISCIPLINARY CONTROL AND ACCOUNTABILITY.**

- 3.1 A view has been expressed that there should be some arrangement for independently monitoring the action taken by Police in situations which give rise to complaint or criticism against police. While acts or omissions by individuals police personnel could be looked into by either departmental or judicial inquiry, as the case may be, collective performance by the police as a whole requires to be called to account by some agency that can command the confidence of the public. It has been suggested that statutory independent Inspectorate of Police be established. The Inspectorate will report its findings and suggestions in detail to the government on regular basis. What is your view on this ?
- 3.2 It has been suggested that the technical personnel attached to specialized wing like police wireless branch, computer branch and other technical branches be encadred as police officers, keeping in view their crucial role in police operation. What are your views in this matter ?
- 3.3 What are your specific suggestions for reducing scriptory work in police, which at present is felt to be needlessly heavy and impedes effective fieldwork?
- 3.4 It has been suggested that adequate financial powers should be given to DGP, IGP, DIGP and SP to enable them to carry out their functions more efficiently. In particular it has been suggested that they should have more substantial delegation of financial powers in regard to –
- (i) Purchase and maintenance of Motor Vehicles;
  - (ii) Purchase of furniture, stationery and other equipments relevant to police work;
  - (iii) Maintenance and repairs to police buildings including residential quarters of police personnel.
- Have you any specific suggestion in this regard ?
- 3.4 Is there any scope for improvement in budgeting and more efficient priority in allocation of financial resources in order to ensure optimal use of limited budgeting resources. If so, kindly suggest specific measures.
- 3.5 It is said that Officer In-Charge of Police Stations have frequently to draw from private sources for meeting several items of legitimate expenditure connected with police work for which government funds are not allotted at all or, even if allotted, are very inadequate. Could you describe some instances of such expenditure and also indicate the required allotment of funds for such purposes in average police stations ?
- 3.6 What are the drawbacks and deficiencies in the existing system of disciplinary control in police? What are the factors which contribute to

- delay in Disciplinary proceedings and harassment to the police personnel involved ? What are the remedial measures you can suggest in this regard ?
- 3.7 Have you any suggestion regarding special allowances that could be recommended for police personnel, having regard to the arduous and specialized nature of work they are required to perform? What specific allowances and to what ranks would you recommend in this regard?
- 3.8 Khaki uniform worn by police is often associated with the negative image of police. Do you think change of colour and pattern of uniform worn by the unarmed branch of police can have a good effect in this regard? If you agree to the change, specific suggestion may be given.
- 3.9 Gallantry, Distinguished, Meritorious Services Medals are awarded at the National level only, as such only very few police personnel receive recognition of their outstanding services. It is suggested that appropriate police medals should be instituted at the state level as has already been done in some states.
- Do you have suggestions in this regard?

### **INVESTIGATION**

- 4.1 There is a view that several crimes are not reported to police. What do you think are the reasons ?
- 4.2 There is also a view that even if reported, several crimes are either minimized or not registered at all by police. What do you think are the reasons?
- 4.3 What is your estimate of the percentage of : –  
 (i) Unreported crimes to the number of crimes that actually occur;  
 (ii) Unregistered crimes to the number of crimes that are reported to police?
- 4.4 What practical steps would you suggest for co-ordinating the preventive functions of non-police agencies like Courts, Jails, Correctional services, Municipalities and other local parties in regard to several factors which induce or facilitated the commission of crime ?
- 4.5 Disposal of cases under investigation are rather slow which result in disappearance of vital evidences. What do you think can be done to correct this ?
- 4.6 People are generally reluctant to co-operate with the police during Investigations. Do you think it is because of :-  
 (i) discourteous and harassing treatment meted out to them by police officers at various stages of investigation;  
 (ii) their having to spend long hours with the police to the detriment of their normal avocation for which they are not compensated;

- (iii) the likelihood of their continued involvement in subsequent court proceedings where they will be harassed by protracted procedures and humiliating cross-examination;
- (iv) lack of facilities in courts for reasonable comfort and compensation for their absence from their normal work;
- (v) insufficient number of courts and their centralized location which involved long journeys for the parties concerned; and
- (vi) public lack of confidence in satisfactory outcome of police investigation or court trial ?

Besides the above any other reasons, in your view, which make public shy away from the police?

- 4.7 What are your specific suggestions for eliminating the use of third degree methods by police during investigation ?
- 4.8 A view has been expressed that there should be a separate wing in the police Stations for investigation of crimes and that police officers involved in investigation of cases should not be utilized for any other duties. Do you think it is feasible ?
- 4.9 Police investigations are becoming more complex and often require assistance of legal experts. Do you agree that a legal adviser with appropriate qualifications be appointed at the level of Dy. SP. Suggest if you have any other views.
- 4.10 Do you suggest any measure to motivate competent investigating officers ?

### **PROSECUTION**

- 5.1 What are the reasons, in your opinion, for the failure of quite a few criminal cases in Court? What remedial measures would you suggest in this regard ?
- 5.2 What practical measures would you suggest for close co-ordination of work between the investigating staff and the prosecuting staff within a district ?
- 5.3 Would you agree that effective co-ordination between the two wings can be brought about by placing the prosecuting staff under the control of a Director of Prosecution who will be appointed under the Police Department ?
- 5.4 Do you agree that Assistant Public Prosecutor for Prosecution Branch of the Police be recruited through the State Public Service Commission and put through appropriate training for specified period of time ?

### **RURAL POLICING**

- 6.1 Do you agree that the Village Defence Organization, in the present form, is rendering satisfactory service in the rural areas ? Would you recommend any modifications in this system to make it more effective ?
- 6.2 Do you think that traditional institution as it exists in the state can be

associated with police ? What kind of arrangement do you propose ? How can such arrangement be insulated from possible political influences.

- 6.3 Do you think that the traditional institution, as it exists today, will be able to deal with ordinary crime in the rural areas ?

### **URBAN POLICING**

- 7.1 Do you agree that the Village Defence Organization should also be extended to urban towns? If so, in what form ?
- 7.2 Considering the limitations in the availability of adequate police force would you recommend enrollment of Special Police Officers, whenever necessary, to perform elementary preventive police functions in selected areas ?
- 7.3 Do you agree that suitable Home Guards Volunteers be selected and trained for assisting the police in carrying out traffic duties ?
- 7.4 At present personnel of Border Wing Home Guards Battalion (BWHG) are being utilized as auxiliary to state police thereby relieving the state police battalion in carrying out anti-militant operations. As per the present government policy, BWHG Battalion will be wound up over a period of years. Considering the lesser financial implications involved in maintaining this Battalion, do you agree that this Battalion be regularized on a permanent basis as an auxiliary force of the State ?
- 7.5 It has been suggested that the complement of women police in urban areas may be substantially increased to handle crimes involving women as victims. What are your specific ideas and suggestions in this regard ?
- 7.6 Police Control Rooms in the towns are essential for efficient functioning of Police. Do you have any suggestion for improvement of the existing arrangement?
- 7.7 It is viewed that the city of Shillong, which has seen rapid growth during the last few years, can no longer be effectively controlled by normal policing under the existing arrangement. Do you agree that introduction of Police Commissionership system as it exists elsewhere in the country (smaller cities) will help in bringing about better policing? You may specify the form that would be suitable for Shillong city.

### **MODERNISATION OF AIDS FOR LAW ENFORCEMENT AND MAINTENANCE OF ORDER**

- 8.1 Could you suggest any improvement in the computer and wireless communication network in the state. Specific areas may be projected.
- 8.2 Are you satisfied with the existing arrangement of scientific aids to

- investigation ? If not, suggest in specific terms.
- 8.3 Do you have any suggestion to upgrade the existing Forensic Science Laboratory ? Indicate views in concrete terms.

### **TRANSPORT**

- 9.1 The state police is burdened with a large number of old vehicles which is responsible for excess expenditures in MV maintenance. Do you have any suggestion to bring about better efficiency in this area ?
- 9.2 Within the constraints of the budget, do you suggest laying down of scales in the matter of vehicle allotment for various purposes ?
- 9.3 Considering the ever increasing fleet of vehicles and thereby the need for more drivers, mechanics etc., do you justify creation of a separate cadre for drivers and mechanics? Under the existing arrangement, drivers suffer from disadvantages while competing with the general cadre personnel for promotion as tests are conducted in drill, weaponry, tactics etc.

### **FIRE SERVICE**

- 10.1 Do you think the Fire Services in the state is rendering adequate service to the community ? In order to improve further, you may suggest specific measures on the following –
- (i) organizational structure,
  - (ii) recruitment and training of personnel, and
  - (iii) equipments.

### **WEAPONS AND RELATED EQUIPMENTS**

- 11.1 Are the type of weapons and equipments available with the State Police meeting the requirement of the state? May suggest in specific terms.
- 11.2 Are the men adequately trained to handle modern weapons ? Suggest if there is any need for change in the training system.
- 11.3 Do you think the state police now requires a fully equipped weapons repairing workshop ?

### **MECHANISM FOR INQUIRY INTO PUBLIC COMPLAINTS AGAINST POLICE**

- 12.1 Any mechanism for inquiry into allegation against police has to command public confidence in the impartiality and objectivity of the inquiry. There is a view that while ordinary complaints can be legitimately and rightly looked into by the departmental officers themselves, complaints serious misconduct or excesses by police would require handling by outside



- agency. What are your views on this ?
- 12.2 What special measures can be devised to deal effectively with corruption in police at different level ?
- 12.3 What are the aspects of the methods and style of functioning of the police, particularly at the police stations level, which cause harassment and inconvenience to public and what remedial measures would you suggest ?

### **GRIEVANCE REDRESSAL MACHINERY WITHIN THE POLICE SYSTEM**

- 13.1 Police personnel often have to work under stressful conditions. Unless their grievances are timely redressed, small issues get inflated thereby causing problems in the organization. Do you suggest instituting a mechanism within the organization to look into such issues ? May specify in what form it should be.
- 13.2 Superintendents of Police and Commandants can interact with subordinates to sort out various issues. Suggest how often and in what form this can be done.

### **EVALUATION OF POLICE PERFORMANCE**

- 14.1 What norms and determinants would you suggest for evaluating police performance at the level of police stations/circle/Sub-Division/District/Range/ State ? Existing methods mainly based on statistics of crime detection have led to distortions and gross abuses. Can you suggest some workable methods in this regard ?

### **POLICE - PUBLIC RELATIONSHIP**

- 15.1 What measures can be devised to bring about a better understanding of police by the public in day to day life and secure public co-operation in police work ?
- 15.2 What role can be played by the press in promoting healthy police-public relationship ?
- 15.3 What should be the guidelines for day to day interaction between police and press ?
- 15.4 At present the Public Relation Officer at Police Headquarters is a deputationist from the DIPR Organization. Considering the specialized nature of work, do you agree that the PRO with appropriate qualifications should be directly recruited at the level of Dy. SP ? May suggest staff and equipments required to make this office more effective.
- 15.5 It is suggested that basic principles of crime prevention and the role of

- police should be included in school curriculum at an appropriate level. Do you agree with this ? May suggest how this can be implemented.
- 15.6 Interactions between police and students would go a long way in correcting the image of the police and also moulding the impressionable minds of the youth to become law abiding citizens. Can you suggest in what manner such interactions can be held ?

### **POLICE RECRUITMENT, TRAINING, AND CAREER PLANNING**

- 16.1 There can be qualitative improvement in policing only if policemen in the field are adequately educated and trained. Do you agree that the minimum educational requirement for recruitment to constables up to Sub-Inspector of Police be appropriately increased ? May suggest in specific terms.
- 16.2 There is need to insulate the Police Recruitment Board to prevent pressures at the time of recruitment to various ranks to ensure transparency and professionalism. What are your views on this ?
- 16.3 Do you agree that the present system of training is adequate to prepare police personnel of the State in dealing with the law and order situations. Can they project themselves as peoples' police ? In what areas do you think training can be improved ?
- 16.4 Do you suggest that the training period be increased in order to give the trainees a better grounding in field work ?
- 16.5 At present constables up to Inspectors have to undergo Promotion Cadre Courses to assess suitability for promotion. Are the present methods and arrangements satisfactory ? May indicate your suggestions.
- 16.6 Considering the need for conducting various specialized training courses of higher standard, it is suggested that the present Police Training School should be upgraded to Police Training College. Do you agree ?
- 16.7 At present competent police officers are not attracted to training job at the Training Centre. This has adversely affected the quality of training. What incentives would you suggest to attract the best officers for training jobs ?

### **ARMED POLICE BATTALIONS**

- 17.1 Besides deployment for maintenance of law and order, personnel of the state of police battalion are increasingly engaged in anti-insurgency operations. Do you think that they are adequately equipped in terms of training, equipments and preparedness ? Suggest measures to improve their operational capabilities.
- 17.2 It is viewed that the state police requires a fully equipped training centre for armed police personnel. Suggest your views in concrete terms.

### **POLICE AND THE FUTURE PROBLEMS**

- 18.1 Along with the rapid technological advances the nature of crimes are becoming more and more complex. There is need to keep pace with the developments in policing elsewhere in the world. In order to monitor such developments and develop various measures, it would be necessary to establish a Research and Development Branch at the Police Headquarters. Do you agree with this suggestion ?
- 18.2 It is suggested that computer handling should form a part of training for Sub-Inspectors and above and they should all clear a certain standard of competency. Do you agree ?
- 18.3 There is need to train police officers to investigate and deal with cyber crimes. Suggest in what manner this can be implemented.
- 18.4 In order to cope with the stress and strain of daily work lives of policemen, there is need for maintaining proper control over body and mind. Some forms of exercises can be introduced to achieve this. Which one would you suggest :- martial arts,  
(i) yoga
- 19.1 Any other relevant point or points that you would like to suggest ?

## ANNEXURE – 5

*( Note: For general public/ NGOs/ eminent citizens/ public representatives/ academia/ members of media/ Bar Association etc)*

**COMMITTEE ON POLICE REFORMS, MEGHALAYA.  
QUESTIONNAIRE**

1. What do you think about the performance of Meghalaya Police?
  - (a) If good, give your reasons.
  - (b) If bad, give your reasons.
2. Why do you feel there is need for reforms in Meghalaya Police?
3. Do you think that the police is responsive to the grievances of people. If so give your reasons.
  - (a) If good, give your reasons.
  - (b) If bad, give your reasons.
  - (c) Do you have any suggestions to make Meghalaya Police more responsive?
4. How do you rate police –public relation in Meghalaya?
  - (a) If poor , give your reasons.
  - (b) If good, give your reasons.
  - (c) Do you have any suggestions to improve police – public relation?
5. What do you think is the present relationship between the village/ local traditional institutions and the police in Meghalaya?
  - (a) If poor, give your reasons.
  - (b) If good, give your reasons.
  - (c) What is your opinion to improve the relationship?
6. Do you think that the local/ traditional institutions can effectively assist police in prevention, detection of crimes?
  - (a) If yes, give your reasons.
  - (b) If no, give your reasons.
7. Whether police are the correct agency to investigate corruption cases? If not, which agency should investigate such cases?
8. What is your comment on the body language of an average policeman on duty?
  - (a) If positive, please elaborate.
  - (b) If negative, give your reasons and suggestions how this can be changed.
9. How much do you think does an average school and college student know about the role of the police? Do you think that the salient features of policing specially relating to prevention of crime etc. could form part of the Civics curriculum in school and that a special chapter be inserted on policing at the college level? Would that help in better understanding the role of police?
10. Interaction between police and students would go a long way in correcting the image of the police and also moulding the impressionable minds of the youth

- to become law-abiding citizens. Can you suggest in what manner such interactions can be held?
11. Do you see the police as an adversarial force? When in trouble who would you be likely to approach first;
    - (a) Police
    - (b) Durbar Shnong /local /village traditional institutions
    - (c) Local MLA/MDC. Please state the reason for your choice according to preference.
  12. Would a special camp for school children where psychological orientation on policing could be given, to attract better people to police duties?
  13. What according to you are the reasons why police fail to effectively prosecute a case?  
Do you have any suggestions to improve the situation?
  14. Considering that the police are a very visible force and are increasingly called upon to tackle specialized crimes should the entry level into the force not be upgraded?
  15. Do you think the police in Meghalaya is top-heavy and bureaucratic and that this slows down the process of policing? Could you suggest some reform measures in this area?
  16. Do you think the policemen in this State display professionalism in their work ?
    - (a) If yes, give your reasons.
    - (b) If no, give your reasons.
  17. Do you think a closer public-police interaction, say, an informal meeting every once in a month would lead to a better understanding and promote sharing of information and, therefore, lead to better policing? Or would familiarity breed contempt? In what form such interaction can be institutionalized?
  18. Do you think that the police accept responsibility for their acts of omissions and commissions?
  19. At present the police are not the licensing authority for vehicles and drivers and as such, they do not have the powers to impound the license of vehicles for violation of Traffic rules and regulations.
    - (a) Do you think that the licensing authority should be with the police?
    - (b) If yes, please state you reasons.
    - (c) If no, please state your reasons.
  20. Do you feel the need for a police supervisory committee which could act as a deterrent to abuse of the police force by the Government in power?
  21. Do you feel that there is a great deal of political interference in police matters in Meghalaya?

22. Have you heard of the Village Defence Organization and the Village Defence Party? Can a similar set up be organized in towns and cities also?
- (a) If yes, please state your reasons.
  - (b) If no, please state your reasons.
23. Do you agree that the Village Defence Organization in the present form, is rendering satisfactory service in the rural areas? Would you recommended any modifications in this system to make it more effective?
24. Do you see the present recruitment system into the police force at all levels free and fair? If not what sort of anomalies does you detect? Could you make specific suggestions to do away with these anomalies?
25. Do you think that the Intelligence gathering system in Meghalaya is effective?
26. It has been suggested that the function of District Magistrate should be limited to a coordinating role between the police and the other government agencies in the district while the responsibility for maintenance of law and order should be fully borne by the Superintendent of Police himself. What are your views in this matter?
27. Suggestions have been made that specialized agencies should be developed within the police system for handling a crime by juvenile, economic offences etc. What is your opinion in this regard?
28. Khaki uniform worn by police is often associated with the negative image of police. Do you think change of colour and pattern of uniform worn by the unarmed branch of police can have a good effect in this regard? If you agree to the change, specific suggestion may be given.
29. People are generally reluctant to co-operate with the police during investigations.
- Do you think it is because of: -
- (i) discourteous and harassing treatment meted out to them by police officers at various stages of investigation;
  - (ii) their having to spend long hours with the police to the detriment of their normal avocation for which they are not compensated;
  - (iii) the likelihood of their continued involvement in subsequent court proceedings where they will be harassed by protracted procedures and humiliating cross examination;
  - (iv) lack of facilities in courts for reasonable comfort and compensation for their absence from their normal work;
  - (v) insufficient number of courts and their centralized location which involved long journeys for the parties concerned; and
  - (vi) public lack of confidence in satisfactory outcome of police investigation or Court trial? Besides the above any other reasons, in your view, which make public shy away from the police?
30. Can you suggest any measure to motivate competent Investigating Officers?

31. What are your specific suggestions for eliminating the use of third degree methods by police during investigation?
32. Do you agree that suitable Home Guards Volunteers be selected and trained for assisting the police in carrying out traffic duties?
33. It has been suggested that the complement of women police in urban areas may substantially increased to handle crimes involving women as victims. What are your specific ideas and suggestions in this regard ?
34. Police Control Rooms in the towns are essential for efficient functioning of Police. Do you have any suggestions for improvement of the existing arrangement?
35. It is viewed that the city of Shillong, which has seen rapid growth during the last few years, can no longer be effectively controlled by normal policing under the existing arrangement. Do you agree that introduction of Police Commissionership system as it exists elsewhere in the country (smaller cities) will help in bringing about better policing? You may specify the form that would be suitable for Shillong city.
36. Any mechanism for inquiry into allegation against police has to command public confidence in the impartiality and objectivity of the inquiry. There is a view that while ordinary complaints can be legitimately and rightly looked into by the departmental officers themselves, complaints relating to serious misconduct or excesses by police would require handling by an outside agency. What are your views on this?
37. What special measures can be devised to deal effectively with corruption in police at different level?
38. What are the aspects of the methods and style of functioning of the police particularly at the police stations level, which cause harassment and inconvenience to public and what remedial measures would you suggest?  
What measures can be devised to bring about a better understanding of police by the public in day to day life and secure public co-operation in police work?
39. What role can be played by the press in promoting healthy police-public relationship?
40. What should be the guidelines for day to day interaction between police and press?
41. At present the Public Relation Officer at Police Headquarters is a deputation from the DIPR Organization. Considering the specialized nature of work, do you agree that the PRO with appropriate qualifications should be directly recruited at the level of Dy. SP? May suggest staff and equipments required to make this office more effective.
42. What in your opinion are the strength and weakness of Meghalaya Police?

43. Any other comments you would like to make?



## A N N E X U R E – 6

### ROLES AND RESPONSIBILITIES OF COMMUNITY LIAISON GROUPS

#### 1. COMMUNITY LIAISON GROUP

CLG represents a group of people belonging to various socio-economic strata of the society within a given geographical area who came together with a common specific objective to improve relationship between public and police of the given area with an aim to foster peace and harmony in the society through co-operation and constant communication, interaction and understanding between the police and the public.

#### 2. ROLES AND RESPONSIBILITIES OF COMMUNITY LIAISON GROUPS

- 2.1 The Committee as a group should maintain continuous relationship with the community and police department to bridge the gap between both the parties.
- 2.2 The Committee should try to improve the law and order situation in then locality in partnership with the police.
- 2.3 The committee should listen to the grievances and problems faced by the community people and endeavor for feasible redressal of such grievances in partnership with the people.
- 2.4 The Committee should help the police to prevent and detect crimes in the locality.
- 2.5 The Committee should take the responsibility of spreading awareness among the community regarding legal affairs, procedures of police department and right and obligations of the citizens. This can be done by educating people through pamphlets, hoarding, organizing cultural programmes, seminars, debates and related events and daily contact with people of the locality.
- 2.6 The Committee should be able to mobilize and manage resources toward its long terms sustainability. The Committee should not expect or depend on grants or any other financial assistance from the Government. This will help to generate a sense of belongingness among the community members.
- 2.7 The Committee should apprise appropriate authorities about the performance of the police including instances of alleged atrocities. At the same time, it should also monitor the activities taking place in the community. It should act as a pressure group to motivate the police to do their work in proper manner and within the legal framework. It should help to upkeep the social order through preventing communal riots and building harmonious relationship in the community.

- 2.8 The Committee should actively follow-up each grievance of the people. If law and order issues are not solved at the Beat level Committee, the members should take up the issues at the Police Station level Committee.
- 2.9 Members should be willingly associated with this process and with the spirit of voluntarism. It is expected that the people will serve selflessly and should devote time to this kind of work. Members should be socially aware and involved in social activities.
- 2.10 The confidentiality of the sources of information should be maintained.
- 2.11 No member of CLG shall go to the Police Station individually in support of any person having grievance. If any complaint's grievance is found to be genuine by the member of the Community Liaison Group, he shall apprise at least two other members of the Community Liaison Group of such complaint and go to the police in a group of 3 members.
- 2.12 No member of CLG shall be actively involved in the affairs of any political party or shall be an office bearer of a union.
- 2.2 ADDITIONAL RESPONSIBILITIES OF P.S. LEVEL COMMITTEE.**  
In addition to the roles and responsibilities earlier listed, members of police station level Community Liaison Group shall have the following addition responsibilities.
- 2.2.1 The police station level committee should act as an interface between community and officials from police station and district.
- 2.2.2 The Committee should try to resolve the unresolved issues at the Beat level Committees – in partnership with police.
- 2.2.3 The members of the P.S. level committee shall ensure that at the local level CLGs meet periodically and function in a purposeful and effective manner.
- 3. COMPOSTION OF COMMUNITY LIAISON GROUPS**
- 3.1 The following categories of individuals and representatives of associations and organizations should be members of the CLG:
- a) House
  - b) Local schools, colleges land academic institution (preferably the Principal)
  - c) Religious associations like Temple, Mosque, and Church Committees
  - d) Industrial or factory owner
  - e) Local media person
  - f) Trade Union
  - g) Vehicles driver's association/transport owner's
  - h) Social organization or Club or NGO
  - i) Student Union
  - j) Medical profession
  - k) Lawyers
  - l) Slum dwellers, economically and socially weak sections
  - m) Senior citizens like ex-serviceman or retired Government employees

- n) Beat Constable/Office-in-charge of PS
- o) Market/Trade association
- p) Hawkers

4. **SELECTION CRITERION FOR COMMUNITY LIAISON GROUPS**
- 4.1 The member of Community Liaison Groups must be a resident of the area. Citizens with a vision and committed to the cause and interest of people should be included in the committee. The members should behave as responsible citizens. However, it should be clear that any individual with a criminal record, or who is actively involved in politics, or who is an office bearer of a union cannot be a member of the Community Liaison Groups. Whenever any person from a Trade or other Union is to be inducted in Community Liaison Group, preference should be given to an ordinary member of the Union rather than an office bearer. The underlying idea is to encourage ordinary citizens to come up and assume leadership in the area of preventing crime and removing social tensions.
- 4.2 **Disqualification for becoming members of CLG**
- (a) Those who have been convicted/accused of any crime
  - (b) Those who may be involved in disputes over money and property which are likely to attract police interference.
  - (c) Those who have been member of a CLG continuously for 3 years shall not be made member again at least for two years.
  - (d) Those who are known to harbour criminals or are reputed to be professional police witnesses.
  - (e) Any individual with a criminal record.
  - (f) Any individual who is actively involved in politics or who is an officer bearer of a Union.
5. **STRUCTURE, SIZE AND TENURE OR COMMUNITY LIAISON GROUPS**
- 5.1 **Structure**
- The committees should not be too formal in structure. The convenor should be selected turn-wise from the community and the coordinator from the police department. The others will be members. All members will be selected or nominated by the community except the police officer. The representative members will elect or select the Convenor at the police station level committee. The SHO of a police station will act as a Coordinator in the police station level committee.
- 5.2 **Size**
- Normally the beat level committees should comprise of 12-15 members. The size of police station level committee will depend on the number of representatives from the beat levels. However, if the SHO feel that the number is not enough to include representatives of each section of a locality, the number can be increased. The number should be flexible to

suit the needs of a given area. But the total membership should not exceed 15.

### 5.3 **Tenure**

The tenure of the committee will be of two years. One half of the members shall retire at the end of every calendar year. However, to keep continuity, the convenor of the CLG during a particular year shall be from among the members due to retire at the end of the year.

The Community Liaison Group shall meet at least once every month. Informal minutes of the meetings shall be recorded by the convenor in a register to be kept at the police station. This register will be a permanent record of the police station and it shall be the duty of the Station House Officer to maintain it properly and present it to Superintendent of Police and other senior officers visiting the police station, who in turn, shall record their advisory remarks on the margin.

The Station House Officer shall ensure that timely action is taken on the Minutes of the meeting and shall record the results of such actions in the register.

## 6. **SELECTION PROCEDURES AND MONITORING PANEL**

The selection panel will comprise of the Superintendent of the Police and the District Collector along with five other citizen representatives from women, Bar Association, Indian Medical Association and Principal of academic institute. For the PS level CLG, for the Beat level CLG, selective SDPO and SDO/SDM shall replace SP and District Collector on the Selection Panel. However, then criteria and categories mentioned for the composition of CLG can also be used to select citizen's representatives. The SP will finally select the citizen representatives in consultation with District Collector. The selection panel will work for three years. After three years the new representatives from the citizen should be brought into the selection panel. The selection panel will be responsible to initiate the formation of CLGs at the beat levels with the help of prospective representative of the Police Department.

6.1.1 The selection panel would also work as a monitoring cell. They will monitor the following things:

- Regularity of meetings of CLG
- Record of recommendation
- The appropriate composition of CLG as per characteristics of a given area
- Attendance in CLG meeting
- Public interaction of CLG
- Frequency of public interaction
- Follow up of public grievances

The people will nominate and select their representatives through consensus (through majority where consensus is not possible). We are convinced that this is not possible through formal election. The people will meet in a general meeting at the beat level and select the

representative from each beat who may attend meetings of police station level committee.

**A N N E X U R E - 7**

**GOVERNMENT OF MEGHALAYA HOME(POLICE) DEPARTMENT**

No. HPL.297/79/318  
9th July 1993

Dated Shillong the

**OFFICE MEMORANDUM**

Sub : Recruitment of Police Personnel-Reconstitution of the Selection Board.

In partial modification of the relevant provisions of the Assam Police Manual, the Government of Meghalaya have decided to re constitute the Selection Boards for direct recruitment of Sub-Inspector, Assistant Sub-Inspectors, Constables and Firemen and similar categories, in the Police Department of the State of Meghalaya, with the following members

- I. The Central Selection Board for recruitment of Sub-Inspector and Assistant Sub-Inspector
  1. Director General & Inspector General of Police - Chairman.
  2. Inspector General of Police (A) - Member.
  3. A Nominee of Home Secretary - Member.
  4. Medical Expert. - Member.
  5. Deputy Inspector General of Police (R&W) - Member Secretary
  6. Non-Official Member (to be nominated). - Member.
- II. The District Selection Boards for recruitment of Constables, Firemen, Constables Operators and similar categories at the District level.
  1. Deputy Inspector General of Police (Ranges concerned) - Chairman.
  2. Deputy Commissioner's representative - Member
  3. Principal, Police Training School. - Member
  4. Superintendent of Police concerned. - Member Secretary
  5. Commandant Home Guards. - Member
  6. District Medical & Health Officer concerned. - Member
  7. Sub-Divisional Police Officer concerned. - Member
  8. Non-Official Member (to be nominated). - Member

(A) Procedure & function of the Central Selection Board.

1. Non-Official members: Non-Official members to be nominated by the Government for a period of one year from members of the public who must be at least graduate in Arts/Science etc. Further, the Selection should not be made from among those holding office under the Government, and District Councils or any Government organization.

2. Honorarium, TA and DA:- Non-Official members of the Board will be entitled to an honorarium to be fixed by the Government and will also get TA/DA for attending meetings of the Board at rates admissible to Grade-I Officers of the Government of Meghalaya.

3. Functions:- The Central selection Board shall under-take to conduct *written examination, tests and /or interviews* for the purposes of recommending

candidates suitable for appointments by direct recruitment to the post of Sub-Inspector and Assistant Sub-Inspectors of Police in the various units of the Police Department.

Provided that the *Government may assign* any of the function of the District Selection Board or any other matter concerning recruitment to the Central Selection Board.

4. Examination, Interviews, etc:- For the purpose of recruitment to the post of Sub-Inspector and Assistant Sub-Inspector of Police it is required that a written test examination and/or interviews shall be as follows.

I. Written Test:- All written examinations to be conducted by the Board according to the following syllabus:

- |     |  |            |
|-----|--|------------|
| (a) | General English including Precise writing,<br>Essay writing and drafting — | 100 marks. |
| (b) | Elementary Mathematics and Elementary Science                              | 100 marks. |
| (c) | General English.   | 50 marks.  |

II. *Personality Test of 50 marks*

The marks secured by the candidate in both the tests will be totaled up and all the candidate will be ranked in order of merit.

4.1 Examination for which the minimum qualification has been prescribed should be of the same standard as that of the N.E.H.U. or Meghalaya Board of School Education as the case may be.

5. Procedure: The Central Selection Board shall, by the month of November, every year, ascertain/assess the overall position of the vacancies that exist and also likely to occur in every forth coming year and shall after issuing necessary advertisements for the posts conduct examinations, tests and/or interviews by the end of January. -

5.1 In making recruitment to such post that requires the need of experts in any particular field, the Central Selection Board is authorized to invite an expert, if and when considered necessary, It shall be open to the appointing authority, if it considers it necessary to intimate the Central selection board that an adviser should be appointed to assist the Board and the reasons for doing so. The decision of the Board in this respect shall be final.

5.2 The member Secretary of the Board should assess the vacancies to be filled up in any particular year, and will be responsible for calling applications from the candidates and processing the same. Wide publicity is to be given regarding the proposed recruitment which may include advertisement in newspaper, local as well as of state level, All India radio, etc along with intimation to the Heads of the various social organization of the Schedule Caste/Scheduled Tribe, Employment exchange and also to the Deputy Commissioners / Superintendents of Police all the Districts.

5.3. For the posts of Sub-Inspectors/Assistant Sub-Inspectors the Central Selection Board may hold written examination and / or tests even at different district headquarters, *if necessary*. It will, however be desirable to hold

interviews only at the State head so that uniformity and proper assessment of the relative merit of the candidates can be maintained.

5.4 A panel of names in order of merit for the posts shall be prepared and published by the Central Selection Board immediately after the examination test/or interviews, which would be valid for a period of one year with effect from the date of its publication. *The list is to be forwarded to the Director General and Inspector General of Police for making necessary appointments.* The list forwarded by the Board shall be strictly followed by the appointing authority while making appointments, in accordance with the Employment policy. A copy of the *list prepared and published by the Board shall also to be furnished to the Government in the Home Police Department* Immediately.

Provided that no person shall be appointed from the list unless he is found physically fit and the Doctor certifies that he is free from the following defects (i) Flat foot (ii) Knock knees (iii) Bad Eyesight (iv) Any other defects in the body. The Medical examination must be made according to the procedure as prescribed at Annexure<sup>1</sup>-I, and report of the Medical Board to be obtained before appointment. Physical test will be as prescribed by the Government from time to time.

5.5 The system for maintenance of Secrecy by using roll numbers and coder should be followed by the Central selection Board in the matter of recruitment of candidates so as to ensure fair end impartial treatment to all the candidates.

Fees for examiner and paper setters:-

Fees for examiner and paper setters is to be paid at the rate as may be given by Meghalaya Public Service Commission for similar categories of posts from time to time.

Qualifications, etc:- For direct recruitment to the post of Sub-Inspectors and Assistant Sub-Inspectors of Police the qualification should be as follows

(a) Age:- Age limit should not be less than 20 years and not above 27 years as on the 1st day of the year of the recruitment. There will be a relaxation of 5 years for scheduled caste/Schedule Tribe candidates.

(b) Physical qualification:- The minimum height for direct recruitment should be as follows:

For MALES

Height of 157 cms for tribal candidates.

Height of 162 cms for others.

Chest measurement : Normal 79 cms expanded 53 cms

For FEMALES:-

Height - 152 Cms for tribal

157 for others.

Chest - 76 cms(Normal)

- 81 cms (expanded)

(c) Educational qualification:- Education qualification should be as follows:

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<sup>1</sup> Of this Govt. notification, not of the report of the Committee



- For SIs, the candidates should be a graduate in any branch for Arts, Science, Commerce etc of any recognised University, for **ASI** the candidates should have passed at least Pre-University course/or class XII of any recognised University/ Board.
- (d) He must be of respectable parentage and of good social standing and position.
  - (e) He must produce certificates of conduct from the Headmasters or Principals of the schools or Colleges he has attended.
  - (f) He must be a citizen of India.
  - (g) Ability to speak, read and write on one of the regional languages of the State.

Recruitment policy:- The Appointment Authority at the time of making appointments from the list recommended by the Central Selection Board shall take into consideration the number of posts reserved for Scheduled Caste/Schedule Tribes/ Other tribes in the light of the Government resolution PER. 220/71/138, dated 17<sup>th</sup> January, 1972 as amended by Office Memorandum No.Per. 222/71/141, dated 23<sup>rd</sup> April, 1972, PER. 222/71/Pt.III/22 dated 25<sup>th</sup> November 1976, PER (AR) 64/79/15 dated 12<sup>th</sup> September 1979 and PER (AR).257/81/8, dated 19<sup>th</sup> December 1981, and also Office Memorandum No.Per.272/72/5, dated 18<sup>th</sup> December 1972 appended at Annexure-II<sup>2</sup> (a) to (f) and such other instructions as may be issued from time to time.

**(B) Procedure & functions of the District Selection Board**

1.1. Non-official Member:— A non-official member to be nominated by the Government for a period of one year from within the District concerned from amongst graduates and those possessing higher qualification only. Further, no Selection should be made from amongst those holding office under the Government and District Councils or any other Government Organisation.

1.2. Medical Expert :- To be nominated by the Government for a period of one year.

2. Honorarium, TA/DA:- Non-official members of the District Selection Boards will be entitled to setting fee and will also get TA/DA for attending meetings of the Board at rates admissible to Grade-I employees of the Government of Meghalaya.

3. Functions:- The District Selection Boards shall undertake to conduct tests, written examinations and/or inter-views for the purpose of recommending candidates suitable for appointments by direct recruitment to constables (armed & Unarmed) and Firemen in the Units situated within the jurisdiction of the District concerned.

Recruitment of all vacancies of any unit will be done by the concerned District Selection Board of the District where the unit is situated.

4. Examination, Interviews etc:- For the purpose of recruitment to the posts of constables, Constable Operators, and Firemen it is required that written examination and/or interview shall be as follows:

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<sup>2</sup> relates to the annexure of the Notification and not of the report of the Committee.

(I) Written Test: All written examination to be conducted by the District Selection Board according to the following syllabus:

- |    |  |   |           |
|----|--|---|-----------|
| 1. | Dictation in English                   | - | 50 marks. |
| 2. | Dictation in candidates' Mother tongue | - | 50 marks. |
| 3. | Elementary Mathematics                 | - | 50 marks. |
| 4. | General Knowledge                      | - | 50 marks. |

Note: Standard of examination for unarmed Constables, operators whose minimum qualification is HSLC should be higher than for Armed Constables where minimum qualification is Class V

II There will also be a personality test for all candidates with marks of 50 for the same,

Provided that no person shall be appointed unless he is certified to be physically & medically fit by the Doctor and he is free from the defects like (i) Flat foot (ii) Knock knees (iii) Bad Eyesight (iv) Any other defects which renders him unfit for police duties.

Physical test will be conducted as prescribed by the Government from time to time.

5. Procedure :— The Member secretary of the District Selection Board should assess the vacancies to be filled up in any particular year, who will be responsible for calling applications from the candidates and processing the same. Wide publicity is to be given regarding the proposed recruitment which may include advertisement in a local Newspaper having large circulation within the District with intimation to the heads of various social organizations, village heads etc.

5.1 The District Selection Board shall ascertain/assess the overall position of vacancies on the manner indicated above and conduct tests, examinations and/or interviews for recall— mending suitable candidates to the units accordingly.

5.2 In making recruitment to such post that requires the need of experts in any particular field, the District Selection Board is authorize to invite an expert to advice the Board if and when considered necessary.

5.3 The system of secrecy by using Roll-numbers on codes should be followed by the Board in the matter of recruitment of candidates so as to ensure fair and impartial treatment to all the candidates.

5.4 A panel of names in order of merit for the category of post shall be prepared and published by the District Selection Board immediately after the examinations, tests and/or interviews to be valid for a period of one year with effect from the date of its publication. The Head of the Unit/Office, Appointing authority desiring to appoint candidates to vacancies in various posts in his office may write to the Board for providing candidates from the merit List for appointment. It shall be incumbent upon the Board to furnish suitable candidates to the Appointing Authority/Head of Unit Strictly from the merit list. The List forwarded by the District Selection Board shall be strictly followed by the Appointing Authority while making appointments. He shall have no choice in the matter of over looking any person senior in the merit list duly recommended by the District Selection Board provided that para 8 below is satisfied.

5.5 A copy of the list prepared and published by the District Selection Board shall also be furnished to the Government in the Home (Police) Department immediately.

6. Fees for examiners and Paper setters:- Fees for examiners and paper setters shall, be paid at rates as fixed by the District Selection Committee for the similar purpose.

7. Qualifications etc:- The qualifications for the various categories of post is as follows

(a) Age: Age limit should not be less than 18 years and not more than 21 years a on the 1<sup>st</sup> day of the year of recruitment with usual relaxation of 5 years for Schedule Caste/ schedule tribe candidates

(b) Physical standards.

For Males: Height of 162 cm for Non-Tribal candidates.

Height of 157 cms for Tribal candidates.

Chest:- Normal 79 cms expanded 83 cms.

For Females: Height : 152 cm for Tribal

157 cm for other

Chest : 76 cms (Normal)

81 cms (Expanded).

(c) Educational qualifications:-

(i) For Constables (UB) and Constable operators : HSLC from any recognized Board of Education.

(ii) For Armed Constables & Battalion Constables : Class-VIII from any recognized school

Certificates to be verified at the time of appointment.

(d) The applicants must be from men of such classes which are usually regarded as respectable. Any applicant who has a criminal record shall not be recommended for appointment.

(e) They should possess sufficient intelligence and physique necessary for proper discharge of duties of constables.

(f) They should be citizens of India.

Provided that these may be relaxed in case of skilled persons (who are exceptional) in the case of Mechanics, Carpenters etc.

8. Recruitment Policy:- At the time of appointment in various Units, the District Selection Board shall take into consideration the order of post reserved for Schedule Tribe/ Schedule Caste etc in the light of Government Resolution No.PER. 222/71/138 dated 12th January, 1972 as amended vide OM No.PER. 222/71/141, dt 23<sup>rd</sup> April, 1972, No.PER.222/71/Pt.III/22 dt. 25<sup>th</sup> November, 1976, No.PER.(AR) 64/79/15 dt. 12<sup>th</sup> September, 1979 and No.PER.(AR)257/81/8 dt. 19<sup>th</sup> December, 1981 and also OM. No.PER.272/72/5 at. 18th December, 1972 as appended at Annexure-III <sup>3</sup>(a) (b) (c) (d) (e) and (f) and such instruction from time to time and this has to be followed strictly

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<sup>3</sup> Relates to the annexure of the notification and not of the Committee's report.

9. For some category of posts such as Sweepers, Malis, it is necessary that relaxation be made in regard to reservations for Tribal Candidates whenever suitable local candidates are not available. Defiance of these orders will be adversely viewed by the Government. These orders shall take effect from the date of issue of this OM and GOVERNMENT letter No. HPL.297/79/Part Dt. 4.2.91 and OMN No. HPL.297/79/ 230 dt. 9.10.91 stands modified accordingly.

CD KYNJING.

ADDITIONAL SECRETARY TO THE GOVT. OF MEGHALAYA,  
HOME (POLICE) DEPARTMENT

Memo.No.HPL.297/79/381-A,

Dt. Shillong, the 9<sup>th</sup> July, 1993.

Copy forwarded to

1. Director General of Police, Meghalaya, Shillong.
2. All Deputy Commissioners/Superintendents of Police.
3. Commandant 1<sup>st</sup> and 2<sup>nd</sup> M.L.P., Meghalava, Shillong.
4. Principal, Police Training School, Shillong.
5. Secretary Meghalaya Public Service Commission.
6. Law Department
7. Personnel & A.R.. (A) Department/Personnel & A.R. (B) Department.

By order etc.,

Under Secretary to the Govt of Meghalaya

Home (Police) Department.

