



Restricted

MEGHALAYA POLICE

HAND BOOK

OF

POLICE CIRCULARS

W.E.F. 1971 UP TO JULY, 2003

FOR DEPARTMENTAL USE ONLY

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Investigation, detection, prosecution and other related matters:

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From: Shri L.B. Kumar Dey, IPS
Inspector General of Police,
Assam, Shillong.

To, All Superintendents of Police including the Deputy Commissioner I/C of the Police, N.C. Hills, Haflong and the Superintendent of Railway Police Haflong.

Subject: ADVERSE COMMENTS OF THE JUDICIARY FOR DEFECTIVE INVESTIGATION PROSECUTION ETC. AND REMEDIAL MEASURES THEREOF.

It has come to my notice that due to bad investigation, supervision and prosecution, many cases have ended in acquittal with adverse criticism from the Judiciary. On scrutiny of some case records, the following common defects have been observed.

(2) Sessions case No 76/69 of Cachar District Criminal Death Reference 2/70
Cum Criminal Appeal6(j) 70

- (a) The case diary in this case was not written in conformity with the departmental instructions embodied in Rule 188 of the Assam Police Manual Part –V. The case diary in such a serious case had no pagination, the various stages of investigation with chronological synopsis of entries were not faithfully recorded. Two actions of the Investigating Officer, one regarding seizure of a dying declaration and the other relating to arrest of the accused person, were shown recorded in the original case diary of a particular date under the same number, one entry (seizure of dying declaration) was made in carbon impression. Moreover, entry No V. (examination of witnesses) was shown recorded after Police submitted charge sheet in the case against the accused Priya Lal Barman alias Jaurang Under Sections 457/301 IPC, basing mainly on 2 dying declarations namely one recorded by the Public and the other by the Doctor on 19.4.69. The investigating Officer stated in evidence that both the dying declarations were handed over to him together, that is on 19.6.69. But it appears from the case diary that the dying declaration recorded by the Doctor was seized by Police on 24.4.69, that is, one week after recording of the same by the Doctor. As such, the genuineness of the case diary and seizure lists prepared by the Investigating Officer was very much doubted by the High Court.
- (b) The High Court not only doubted the genuineness of the seizure lists and the case diary prepared by the Investigating Officer but also doubted the dying declarations for not recording the same in the words of the declarant. Some of the writings in the dying declarations appeared to be not of the same sitting and there was great discrepancy about the time when the documents came in possession of the Police.
- (c) It has also been observed by the High Court that the Police Investigation was so inadequate and purposeless that no attempt was made to find out corroborative / circumstantial evidences like foot prints or finger prints. No attempt was made to record the evidence of the mother of the accused which would have thrown some light about

the accused whether he was absent from the house on the night of occurrence.

Apart from relying upon the dying declarations, the Police did not make any effort to collect substantial evidence. The Public Prosecutor also failed in the proper discharge of his function in the case. The prosecution failed to adduce any evidence regarding conduct of the accused. No Concise Memorandum was written in the case.

- (d) As a cumulative result of inadequate and purposeless investigation and defective prosecution, the accused was given the benefit of doubt by the High Court and he was acquitted of the Charges U/ Sections 302 and 457 IPC
- (3) It also needs mention that Supervising Officers also failed to discharge their functions in the aforesaid case in the matter of curing the lapses of investigation. It is obligatory on the party of the Circle Inspector and Supervising Officers to read the case diaries properly and to ensure that the records are faithfully maintained.
- (4) Similar defects are also observed in other important cases. You are, therefore, impressed upon to caution all your investigating, supervising and prosecuting officers to take immediate remedial measures at all levels in investigation of cases as the same come to their notice. Please acknowledge receipt.

Sd/-
Inspector General of Police,
Assam, Shillong.

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Memo No. MG/XXV-22/1, dated 3.6.74 issued by H.S Chittaranjan, IPS, Assistant Inspector General of Police, (Admn), Meghalaya, Shillong Addressed to Ss.P. Shillong / Tura / Jowai.

Subject: OPENING OF INVESTIGATION GUIDANCE CONTROL REGISTER

I am directed to state that the Inspector General of Police desires introduction of an effective system of check on Investigating Officers. A register should be opened in this connection, which will be termed as the Investigation Guidance Control Register. This register will be maintained by the Additional Superintendent of Police, where the post exists, and by the Deputy Superintendent of Police (HQ) / Deputy Superintendent of Police, City in other Districts. This Register will contain entries in respect of cases discussed / supervised and specific guidance issued. In the remarks column of the Register the Investigating Officer concerned will put his full signature with date and acknowledgement of receipt of instructions. This register should be opened with effect from 6th June, 1974.

The Inspector General of Police further desires that the practice of late submission of case diaries by Investigating Officers should be curbed. The Circle Inspectors may please be strictly instructed to bring to your personal notice instances of late submission of case diaries so as to enable you to take suitable action against the defaulting officers. In this connection, the Circle Inspectors should check the actual date of case diaries written by Investigating Officers along with the actual date of receipt by Inspector's Office as shown in the Dak Book / General Diary. In case the Investigating Officers indulge in unreasonable delay in submission of Case Diaries, they should be called by the Circle Inspectors to his office and made to write the Case Diaries in his presence. Such instances should be recorded in the Guidance Control Register which should be submitted for your scrutiny by the Additional Superintendent of Police / Deputy Superintendent of Police once a month. Adverse entries should be made in the Confidential Character Rolls in the case of habitual defaulters.

Please acknowledge receipt.

.....
Letter No MG/ dated 20.9.74 issued by A. Rahman, IPS Inspector General of Police, Meghalaya, Shillong addressed to Shri S.K. Jha , IPS, Superintendent of Police, Khasi Hills Shillong with a copy to DIG., CID/HQ/Range Meghalaya, Shillong and Ss.P. Tura / Jowai.

Subject: INVESTIGATION CONTROL GUIDANCE REGISTER

It is hoped that from now onwards you and your officers will take business like interest in the investigation control and maintain the Register not for the sake of maintaining a Register but for the purpose of following up investigation of cases. I noticed from the Register yesterday that your Gazetted Officers were not taking the matter seriously despite my specific instructions and occasional discussion with you. I confirm below my instructions given to your officers yesterday:-

1. Investigation Control Register should contain only the instruction/ direction given by the Gazetted Officers to Inspectors and I/Os from time to time. Signatures of Inspectors and I/Os should be obtained clearly with dates whenever such instructions are given. In doing so, a further date should be fixed in the Register itself for verifying or examining the follow up action taken by the Inspectors and I/Os. Dates should be fixed as many times as required until action is completed.
2. After instructions are given by the Gazetted Officers in the Investigation Control Register at the Police Station they will follow it up in the S.R. file or Non-S.R. File in the Police office connected with the particular case so that action by the Crime Branch is also taken where reference to various other

agency / agencies are to be made. We need not depend on Magistrate to make references for us.

3. Points on which instruction are given to the I/Os need not be written in the case diaries mentioning officers by name. This should be treated by the I/O as his own points on which further investigation or follow up is necessary. This is just to avoid gazetted police officers being called to Court where evidence of Gazetted Officers forms a part of the prosecution case written in the Case Diaries. Such occasions will be not too frequent.

I hope you will make sure my Instructions are carried out in letter and spirit.

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OFFICE OF THE INSPECTOR GENERAL OF POLICE
MEGHALAYA, SHILLONG

CIRCULAR NO. 1 OF 1985

Sub.- S.P.'s permission to be obtained for keeping the cases pending

It has been brought to my notice that the investigation of cases registered at the Police Stations is delayed without reasonable cause and without obtaining orders of the Superintendent of Police, for cases where the investigation is delayed beyond a period of 15 (fifteen) days. This delay also contributes to over crowding in jails which has been adversely commented upon by the Gauhati High Court.

2. In future, if any Investigating Officer cannot complete investigation of case within 15 (fifteen) days of registration, he should send a prayer to the Superintendent of Police through the Circle Inspector for granting another 15 (fifteen) days' time for completion of the investigation. The prayer should indicate the reasons in brief for delay in investigation. Permission to keep the case pending investigation shall have to be obtained from Superintendent of Police every fortnight till the investigation is completed. Copy of prayer as well as permission received from the Superintendent of Police should be attached to the case diary for inspection by the Circle Inspector/ Sub Divisional Police Officer/ Superintendent of Police.

3. The Superintendent of Police shall take adverse note of undue delay in investigation of cases by the Investigation Officers while writing their A.C.Rs.

4. The Superintendent of Police should review the cases pending for more than 3 (three) months/ 6 (six) months/ 1 (one) year or more during the quarterly Crime Conference.

(B.S. Baber)
Inspector General of Police,
Meghalaya, Shillong.

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OFFICE OF THE DIRECTOR GENERAL & INSPECTOR GENERAL OF POLICE
MEGHALAYA SHILLONG

CIRCULAR NO. 3/89

Sub :- Procedure regarding seizure, custody and disposal of properties

During the course of my last inspection tour in the District/Police Station/Out Post it has come to my notice that the Register of property taken charge by the Police has not been maintained properly. Similarly, the articles seized by the Police have not been kept in the Malkhana up to the required expectation as mentioned in the Police Manual Part-V Rule 95 to 101.

It is the primary duty of the Officer-In-Charge of a Police Station to receive articles seized by the Investigation Officer promptly after making proper entries in the G.D., Malkhana Register, have the same properly labeled and marked with Malkhana Register number and keep the same in the Malkhana till the time they are required for the submission along with F.F. In case of submission of Charge Sheet, the seized articles should be deposited along with the Charge Sheet after obtaining signature of the person concerned who carries the article to Court through Exhibit Challan. If the articles are left in Zimma, a note giving reference to the Zimma Nama, clearly indicating the name and address of the Zimmadar should accompany the F.F. The original copy of the Zimma Nama should be with P.S. The Zimma Nama should have yearly serial number and this number should also be noted against the Malkhana serial number of the property which has been left in Zimma in red ink. Both the copy of Exhibit Challan and the Zimma Nama file should be kept along with the Malkhana Register in the Malkhana under lock and key.

In case of seizure of cash, a receipt cheque should be issued to the person from whom the cash is received and an entry should be made in the monthly Cash Account. Similarly, in case of seizure of ornaments, the articles should be weighed properly in front of the owner or person from whom the same were seized after obtaining a certificate from a recognized jeweler about the genuineness of the article. In the event of such seizure, the property- both - cash/gold should be produced before the nearest Magistrate having power to take cognizance of the case. In case of seizure of Motor Vehicle/Motor Cycle/Scooter, MVI should examine the same before releasing it to the Zimma. The seizure list along with the seized article should be produced before the Magistrate and his signature obtained in token of having seen the same.

Under no circumstances should seized articles be kept in O.Ps/Patrol Post/PCPs or with the I/O. They should be promptly produced before the O/Cs of PS concerned and a receipt obtained from him.

The APM Part V, Rule 95(6) clearly states that property stolen and remaining undetected should be entered in the same Malkhana Register. To facilitate work and to find out the description of properties stolen and remaining unrecovered, a separate register is normally opened at the PS known as undetected property Register. All efforts should be made to collect the description in detail along with value, weight, etc. of the stolen property to enable making of entries in this register. While submitting F.R. in case of true reported cases, the I/O should submit a prayer to the Magistrate regarding the disposal of property seized during the course of investigation. On receipt of the orders from the Magistrate, the O/C of the PS should dispose of the property as directed and the copy of such order should be kept in the Magistrate's order File kept separately with regard to the Exhibits. This file should not be mixed with other files and should be maintained with the Malkhana Register, Exhibits, Challan and Zimma Nama File.

Even though the Malkhana properties Register and file is maintained by the Officer earmarked by O/C for that purpose, the over all responsibility for safe custody and accounting for such seizure remains with the O/C who has to append his signature in the register at every step till the final disposal of such properties.

In case of unidentifiable un-detected stolen property, the O/C should submit a separate report to the CID Head Quarters, for publication in the Criminal Intelligence Gazette.

The Circle Inspector/Inspecting Officer should invariably check follow-up actions of the above instructions and make a record of the same in his inspection notes.

Sd/- (M.I.S. Iyer)
Director General of Police,
Meghalaya, Shillong.

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OFFICE OF THE DIRECTOR GENERAL & INSPECTOR GENERAL OF POLICE
MEGHALAYA SHILLONG

CIRCULAR NO. 6 OF 1989

Sub- SERVICE OF SUMMONS & EXECUTING OF WARRANTS OF ARRESTS.

It is noticed that most of the Officers-In-Charge and In-Charges of the Police Stations/Outposts/Beat Houses are not serving the Summons and executing the Warrants of arrest in time and often pray for fixing another date to the issuing Court. This reflects very adversely on the Officers-In-Charge/In-Charges concerned and also on the staff under their command, who are entrusted with the task of serving/executing process in time. The delay in serving the summons or in executing the Warrant of Arrest nor only causes delay in the trial, but also results in the denial of justice within a reasonable time. The timely service of Summons and execution of Warrants or arrest is one of the important duties of police.

Henceforth, all Officers-In-Charges of Police Stations/Out Posts and Beat Houses should take personal interest in executing and serving the processes issued by the Court without any undue delay and within the time fixed by the Court. Any delay or willful negligence on their part in this regard will be seriously viewed and strictly dealt with. All Superintendents of Police, Sub-Divisional Police Officers and Circle Inspectors should check the Process Register during their visit to the Police Stations/ Out Posts/ Beat Houses to ensure, that no undue delay takes places in the execution and service of Processes issued by the Courts. In all cases of any unexplained delay on the part of Police in this regard, suitable disciplinary action should be taken against the persons concerned. Performance of Officers-In-Charge in this respect must be specially mentioned in their A.C.Rs.

Sd/- .M.I.S. Iyer
Director General of Police,
Meghalaya, Shillong.

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OFFICE OF THE DIRECTOR GENERAL & INSPECTOR GENERAL OF POLICE.
MEGHALAYA, SHILLONG.

CIRCULAR No. 2/93.

From:

Shri J.K. Sinha,
Director General & Inspector General of Police,
Meghalaya, Shillong.

To,

Superintendents of Police,
East Khasi Hills, Shillong,
West Khasi Hills, Nongstoin,
Jaintia Hills, Jowai,
Ri-Bhoi District, Nongpoh
West Garo Hills, Ttura,
East Garo Hills, Williamnagar,
South Garo Hills, Baghmara.

Subject: Drawing up of FIR.

Law attaches great importance to the FIR and its contents for the simple reason that it is a statement made soon after the crime has been committed when the memory is still fresh and there has not been much time for fabrication or embellishment.

When commission of a cognizable offence is reported orally at a P.S. by complainant, the O.C. of the P.S. should see that the following instructions are scrupulously followed while drawing up the FIR:-

Date and hour of occurrence as also date and hour when the case was reported in the P.S. should be noted

1. In case of delay in reporting the case, reasons for the same should be ascertained and recorded in FIR.
2. Name of the P.O. and its distance and direction from P.S. should be given.
3. In case of named accused, number of accused persons, their names, their fathers' names and address should be given.
4. In case accused are named, it should be ascertained from the complainant whether the complainant himself or some witnesses saw them committing the crime. In case they were seen by some other witnesses while committing crime, their names and address should be ascertained from the complainant.
5. If the complainant suspects some people to be responsible for the commission of the crime without anybody having seen them committing the same, then the basis for suspicion should be ascertained.
6. If the culprits were seen while committing crime either by the complainant or by other witnesses, but their names are not known then the number of culprits, their detailed description like dress they were wearing, their height, built, the language spoken and any other distinguishing features or particulars about them should be ascertained. Complainant should also be asked if he or other witnesses can identify them if seen. In case they were seen committing crime by some other witnesses, then the names and addresses of those witnesses should be ascertained from the complainant.
7. If the culprits were carrying weapons, detailed description of the same should be obtained from the complainant, in case he or some other witnesses saw them committing the crime.
8. In the property offences, detailed list of the property in question and also their detailed description should be obtained from the complainant so as to facilitate

their identification, in case the same are recovered later on during the course of investigation. Their value or approximate value should also be ascertained from the complainant. In case it is numbered property, then the number also should be ascertained from him.

9. As far as possible, the FIR should be drawn up in the complainant's own words.
10. FIR should be written in simple and plain language. Use of technical, legal and high flown expressions and also lengthy sentences should be avoided.
11. After the FIR is so written, the same should be read out to the complainant and his signature obtained on the same. The report should show that this has been done. In case the complainant is illiterate, his or her thumb impression should be obtained on the FIR.
12. Whether the complainant has personal knowledge of the occurrence or only hearsay information about the same should be clearly indicated in the FIR.
13. When a hearsay information furnished by a complainant at the P.S. definitely reveals the commission of a cognizable offence, the O.C. of the P.S. should draw up the FIR at once instead of waiting for the statement of the aggrieved person or of an eye witness.
14. FIR should not be drawn up on the basis of vague rumour. Same should instead be recorded in the G.D. Only the subsequent credible information about the commission of a cognizable offence should be treated as FIR. The rumour, particularly if it relates to any serious crime may, however, be followed up under Section 23 of the Police Act.
15. If information about commission of a cognizable offence is received at the PS over telephone and if the circumstances justify immediate action, the Police officer receiving the message should himself lodge an FIR on the basis of the telephone message. The person making the call should, however, be asked to confirm it in person or in writing as soon as possible.

(J.K. Sinha)
Director General
& Inspector General of Police,
Meghalaya, Shillong.

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OFFICE OF THE DIRECTOR GENERAL & INSPECTOR GENERAL OF
POLICE:MEGHALAYA, SHILLONG.
CIRCULAR NO. 5/93.

From:

Shri J. K. Sinha, IPS,
Director General & Inspector General of Police,
Meghalaya, Shillong.

To,

The Superintendent of Police,
East Khasi Hills, Shillong.
The Superintendent of Police,
West Khasi Hills, Nongstoin.
The Superintendent of Police,
Jaintia Hills, Jowai.
The Superintendent of Police,
East Garo Hills, Willaimnagar.

Subject: :- PROSECUTION OF CASES.

As you are aware, with the new Cr.P.C. of 1973 providing for appointment of separate PPs, Addl. P.Ps and Asstt. PPs to prosecute the offenders in the Courts, the Police have been relieved of this responsibility.

But even though the PIs and PSIs are not required to conduct prosecution of cases anymore, yet the duty of briefing the prosecuting agency on all aspects of a case after charge sheet has been filed in the case, still remains with them. The prosecution of a case is only a logical sequel to the investigation of the case and the success of the prosecution in a case largely depends on the prosecuting agency's capacity to marshal every bit of evidence that has been collected during the course of investigation and the presentation of the case before the Court in an effective and convincing manner. Its success also depends on the prosecuting agency's complete grasp over all the relevant facts of the case right down to the last detail, as ascertained during the course of the investigation.

All this obviously calls for a great deal of cooperation and interaction between the P.Is. or PSIs and the prosecuting agency. It, therefore, logically follows that after charge sheet has been filed in a case, the PIs or PSIs must acquaint themselves fully with the contents of the case diaries and with all relevant details of the case and then brief the prosecuting agency properly and thoroughly on all relevant points of the case. Even after the initial briefing, they should keep in touch with the prosecuting agency and must keep close track of the progress in the trial of the case. They must see that all possible assistance is extended to the prosecuting agency in conducting the prosecution of the case expeditiously and in an effective manner.

It should be always remembered that the ultimate objective of both investigating agency and the prosecuting agency is the same, which is to bring the offenders to book and to see that justice is done to the aggrieved party. It is, therefore, absolutely imperative that after the police have filed charge sheet in a case, they must not wash their hands of it and should instead follow the case through to its logical conclusion by actively cooperating with the prosecuting agency.

It is, therefore, necessary that the District Superintendents of Police take an active and personal interest in the matter and closely supervise the functioning of the PIs and PSIs in this regard.

J. K. SINHA,
Director General & Inspector General of Police,
Meghalaya, Shillong.

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OFFICE OF THE DIRECTOR GENERAL & INSPECTOR GENERAL OF POLICE
MEGHALAYA ::: SHILLONG
CIRCULAR NO. 2/94

Subject: **DISPOSAL OF SEIZED FIRE-ARMS DURING PENDENCY OF TRIAL / INVESTIGATION OF CASES.:**

- (1) Some cases have come to my notice in which seized firearms were ordered to be disposed of by the Magistrates during the pendency of trial or investigation of the cases.
- (2) Disposal of seized firearms during the pendency of trial is governed by section 451 Cr.P.C. which provides for disposal of the seized exhibits during the trial stage under the following circumstances:-
 - (a) if the seized exhibit is subject to speedy and natural decay,
 - (b) where it is otherwise expedient to order disposal of the same.Even though the phrase 'otherwise expedient' has not been defined, it has to be construed strictly in terms of judicial expediency considering all the relevant facts and circumstances of the case. The discretion envisaged in law must always be exercised judicially and not arbitrarily.
- (3) Disposal of seized fire-arms during the pendency of investigation is governed by section 457 Cr.P.C. The said provision gives discretion to the Magistrate to order disposal of a seized article during the investigation stage, Here also the discretion must be exercised judicially and not arbitrarily.
- (4) In all such cases which have come to my notice, considering the gravity of the offence involving unlawful possession of fire-arms and also the fact that the seized fire-arms in question were required in connection with the investigation/ trial of the cases and also given the ridiculously low prices charged by the Magistrates concerned, the discretion cannot by any stretch of imagination be deemed to have been exercised judicially by the Magistrates concerned.
- (5) In all cases of seizure of fire-arms, the same should not be disposed of by the Magistrate until after the conclusion of the trial. At the conclusion of the trial, if the charge of unlawful possession of the fire-arm in question is brought home, the same should be ordered to be restored to the person claiming to be entitled to possession thereof, if any. In case there is no such claimant forthcoming, the same should be confiscated to the Government. The disposal of the seized exhibit after conclusion of trial is governed by section 452 Cr.P.C.
- (6) After the fire-arm has been so confiscated to the government, the same should be ordered to be disposed of by the Magistrates at a price to be fixed by the State Government, on the recommendation of the Price Fixation Committee to be constituted by the State Government as desired by the Government of India vide their letter No. V-11020/10/93 Arms dated 15.9.93 and as communicated by the State Government vide their letter no HPL. 96/92/35 dt 26.10.93. As envisaged in the said communication of the Government of India, the Price Fixation Committee will consist of the representatives of Home and Finance Departments and some local licenced fire-arms dealers.
- (7) Since the aforementioned correspondences of the Government of India and State Government provide for disposal of the fire arms confiscated to the

Government at a price to be fixed by the State Government , it would , therefore logically follow that disposal of the confiscated fire-arms will be ordered only with the prior approval of the State Government and the same should not be ordered to be disposed of by the Magistrates on their own.

- (8) In view of the above facts, in future whenever seized firearms are ordered to be disposed of by the Magistrates during the pendency of trial or investigation of a case or by a procedure other than the one laid down by the Government, we should file revision petition against the order and the matter should be brought to my notice immediately.

Encl: As above.

(D.N.S. SHRIVASTAVA)
Director General and Inspector General of Police
Meghalaya, Shillong.

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GOVERNMENT OF MEGHALAYA
HOME (POLICE) DEPARTMENT.

NO.HPL 96/92/35

Dated Shillong, the 26th, October 1993.

From:- Shri Y.Lyngdoh,
Under Secretary to the Govt of Meghalaya,
Home (Police) Department.

To (1) The Director General & Inspector General of Police, Meghalaya,
Shillong
(2) All District Magistrate in the State of Meghalaya.

Subject:- **Instructions regarding disposal of obsolete/ obsolescent,
confiscated, seized recovered firearms and ammunition.,**

Sir,

In continuation of this Department's letter No HPL. 96/92/6 Dated 14.6.92. relating to the subject indicated above, I am directed to forward herewith a copy of letter No V-11020/10/93 -ARMS Dt. 15.9.93 from the Special Secretary to the Govt. Of India, Ministry of Home Affairs for information and guidance with a request that the instruction contained therein may be strictly adhered to.

Yours faithfully,

Under Secretary to the Govt. of Meghalaya.
Home (Police) Department.

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**Government of India / Bharat Sarkar
Minister of Home Affairs / Grih Mantralaya**

New Delhi, dated the 15.9.93

Chief Secretaries of all states / UTs (Home Departments)
Director General, BSF, New Delhi.
Director General, CRPF, New Delhi.
Director IB New Delhi.
Ministry of Railways (Railways Board) New Delhi.
Director General, CISF, New Delhi.
Director , SVP, National Police Academy, Hyderabad.
Director General, ITBP, New Delhi.

Subject: **DISPOSAL OF OBSOLETE / OBSOLESCEMENT / CONFISCATED / SEIZED/
RECOVERED FIRE ARMS AND AMMUNITION INSTRUCTION
REGARDING.**

Sir,

I am directed to invite ref. to this Ministry's Circular letter of even number dated 18th May, 1992, on the subject mentioned above. It was, inter-alia, stated under para 5 of the said letter that instructions relating to the disposal of confiscated/ forfeited and seized/ recovered arms and ammunition of non-prohibited category shall be issued separately.

3. The matter has been considered in this Ministry and it has been decided that the State Governments / UTs administration may dispose of such arms and ammunition as per the procedure contained in the succeeding paragraphs:

Disposal of confiscated / forfeited fire arms and ammunition of non-prohibited category:

- (i) Separate inventories for smooth bore fire arms (12 bore guns, etc) and rifled weapons (rifles, pistol, revolvers, etc) of non-prohibited bore category which have been confiscated /forfeited to the Government under the provisions of the Arms Act. Cr.P.C. etc. shall be maintained.
 - (ii) All such stocks shall be earmarked for allotment to eligible person in the following proportions applicable to each category of the fire- arm:
 - (a) Members of the Union Council of Ministers and Ministers in the State / UT Government 20% of the stocks.
 - (b) Members of Parliament and State Legislative Assemblies / Council. - 15% of the stocks.
 - (c) Office bearers of zila parishad / District councils and Municipal corporation :- 10% of the stocks.
 - (d) Serving / retired civil and police officers.:- 25% of the stocks.
 - (e) Retired/ retiring members of Central paramilitary forces, who have served in the State / UT concerned for a period of not less than three years.- 10% of the stocks.
 - (f) Private citizens facing grave threat to their lives from militants / terrorists (in the areas severely affected by the militancy / terrorism) 10% of the stocks.
 - (g) MHA reserve (to be allotted by the Central Government) - 10% of the stocks.
3. Any allotment of fire arms shall be subject to the following conditions :-
- (i) The allottee should possess a valid licence for possession of a fire arms of the category to be allotted.
 - (ii) The fire arms should be in serviceable condition and should contain the name of the manufacturer, distinguishing mark, number, etc and meet other conditions prescribed in the Arms Act and Rules.
 - (iii) Price of the individual fire arm should be fixed by the State Government. For this purpose, a Price Fixation Committee, in which representatives from the State Home and Finance Departments and some local licensed fire arms

- dealers may be included, should be set up.
- (iv) Allotment may be made subject to the condition that the allottee shall not sell, gift, transfer or otherwise part with the fire- arm during his life time. In the event of his licence being cancelled or revoked, the fire-arm shall be returned to the Government. The same would apply in the case of the death of the allottee
 - (v) In the case of private individuals residing in the areas affected by militancy / terrorism and facing threat to their lives from the terrorists / militants, the state intelligence department should be consulted and their assessment taken into accounts.
4. In respect of the fire-arms seized or recovered for unlawful possession or for contravention of any other law or found as unclaimed property, the orders of the competent court for the confiscation / forfeiture may be obtained. Thereafter, their disposals should be regulated in accordance with the instruction as mentioned above.
 5. Notwithstanding anything contained herein before, the Ministry of Home Affairs shall reserve the right to allot any fire arm to any person and such allotment will be binding on the state government / UT administration. All such allotments will be subject to the conditions contained in Paragraph 3 of this letter.
 6. A monthly statement of the allotments made by the state Governments /UT administration should regularly be sent to this Ministry in the enclosed proforma.

Yours faithfully,

Sd/- (V.K. Jain)
SPECIAL SECRETARY
TO THE GOVT. OF INDIA

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OFFICE OF THE DIRECTOR GENERAL & INSPECTOR GENERAL OF POLICE
MEGHALAYA SHILLONG

CIRCULAR No 7

Dated, Shillong the 21st April, 1994.

Subject: INSTRUCTION FOR PROPER INVESTIGATION AND TRIAL OF CASES.

It is observed that not enough attention is being paid towards investigation of cases registered in the P.Ss . This has resulted in investigation getting inordinately delayed in a large number of cases. Failure to pay adequate attention to investigation of cases also adversely affects the quality of the investigation.

Police being an integral part of the Criminal Justice System, it is the primary responsibility of the Police to see that in all the cases that are registered in the P.Ss , investigation is carried through to its logical conclusion expeditiously with a view to doing justice to the aggrieved party by helping to bring the culprits to book. If we fail to give a good account of ourselves in this important task, we will only lose our credibility in the eyes of the public.

It is, therefore, imperative that we address ourselves to this task with a religious fervour and with a total sense of dedication.

Similarly, there is a need to closely monitor progress in the trial of cases in different courts. After putting in painstaking and sustained efforts in building up a case during the course of investigation, we must not wash our hands of the same after laying charge-sheet in the case. We must continue to monitor progress in the trial of cases in the courts after submitting charge sheet in the same.

Toward this end, the following few instructions must be strictly followed in futures:

(A) INVESTIGATION OF CASES.

1. Writing of C.Ds should not be delayed and the same should be written on daily basis and dispatched with utmost promptitude.
2. Statements of witnesses under Section 161 Cr.P.C. should be recorded separately and only a gist of the same should be given in C.Ds and detailed statement attached therewith. Full statement should be recorded while recording statement of the witnesses instead of noting down some points only. The C.Ds should begin with the F.I.R. followed by details of investigation. Exhibits such as search memos, etc., should be referred to with their relevant nos. in the CDs and kept in a separate file to be attached with C.S / F.R. An index giving details of statements, etc., with page nos should be prepared invariably and kept in C.D file for easy reference.
3. Supervision Notes on investigation of cases should be treated as privileged documents and the same should not form part of C.Ds.
4. All steps in the investigation of cases including arrest, holding of T.I.P of accused or of properties, recovery of stolen property, seizure of weapons used, seizure or collection of all relevant records or documents, examination of witness, etc should be completed without any undue delay.
5. No cases should be kept pending beyond 15 days without obtaining S.Ps permission.
6. Law provides for maximum period of detention of the arrested persons for 90 days in case the offence is punishable with 10 years imprisonment or more and for 60 days in other cases. Investigation in all cases should, therefore, be completed within the said periods unless there are absolutely unavoidable reasons for keeping the cases pending beyond these periods. S.Ps must personally look into cases being kept pending beyond the said periods and see that they are not kept pending due to delay on the part of the I/Os in taking necessary steps in the investigation of those cases.
7. Law provides that in summons cases, F.F., must be submitted within 6 months of the date of arrest of the accused persons. In such cases the investigation beyond the said period without obtaining Magistrate's order, is illegal.

8. While recording F.I.R., all details of the crime and criminals should be obtained from the complainant. This should include detailed description of the criminals like their physical description, the dress they were wearing, the language they spoke, their looks, any special peculiarities about them, description of properties looted / stolen, description of weapons used and all other relevant details.
In case the complainant comes to P.S. with a written F.I.R., where all these details are not available, the necessary details may be obtained in questions - answers form which should form part of the F.I.R. Even though these details can be obtained through the subsequent statements also, in view of the legal importance of F.I.R., it is better that these details be incorporated in the F.I.R.
9. In case, where P.M. report, injury report, FSL report, MVI report and other relevant documents / records required in connection with investigation, are not furnished in time inspite of repeated requests by I/O, written orders under Section 91 Cr.P.C. should be issued by O/C of P.S. concerned for producing the same, on a specified date, in the P.S. concerned, failing which the defaulters should be proceeded against as per law.
10. If persons wanted in connection with cases are absconding, proceedings should be initiated for having them declared proclaimed offenders and for attachment of their properties as per law. If some of the accused persons are absconding, charge sheet can be laid against the arrested persons, showing the accused persons who are absconding as absconders. Supplementary charge sheet can be laid subsequently against the absconding accused persons after their arrest, provided there is enough evidence to put them on trial.
11. S.Ps must carry out monthly review of the position regarding investigation of cases and the disposal thereof.
12. S.Ps are essentially field functionaries, The routine office works should be delegated to other G.Os in the S.P's office to the extent possible. Instead of being tied down to their office desk, they should go around and visit P.Ss / O.Ps and B.Hs as frequently as possible and keep watch on the progress in investigation of all cases and particularly S.R. cases.
13. In the monthly review of cases, performance of each I/O in the DEF, with regard to investigation of cases during the month should also be reviewed.
14. I/Os who are under orders of transfer to some other D.E.F or other Police Organisation, should not be released unless they handover all cases pending with them. Till then, their L.P.C. should not be issued.
15. S.Ps should keep track of the arrested accused persons being released on bail by I/Os or by Courts on daily basis. All O's/C of P.Ss should furnish names of arrested accused persons released on bail with case reference, names of bailors and sureties to S.P. concerned on daily basis. Similarly in case of those released on bail by courts, P.I. should furnish similar information to S.P. on daily basis. S.Ps should ensure that the arrested accused persons are not released on bail in serious cases indiscriminately.
16. While forwarding the arrested accused persons to Court, the I/Os must furnish particulars of evidence against them. Sufficient materials should be furnished by the I/Os while so doing, in order to enable prosecution to oppose bail. While forwarding arrested persons to court for intermediate custody, I/Os must furnish all details of evidence against them.
17. In case a person arrested under Section 151 Cr.P.C or 41 Cr.P.C is wanted in connection with a case, he should be forwarded in connection with specific cases before expiry of 24hours after arrest. Detention of persons arrested under Section 151 Cr.P.C. or 41Cr.P.C beyond 24 Hours without showing them arrested in specific cases, is illegal.
18. S.Ps must gear up their criminal intelligence network and performance of all the thana staff in this regard must be closely monitored on regular basis.
19. In order to facilitate detection of cases and also enhanced punishment, finger print slips should be submitted regularly to the Finger Print Bureau in case of persons

convicted of offences property, persons convicted under Chapters XII & XVII IPC for offences punishable with 3 years imprisonment or more, persons convicted under sections 170,171,215,231 to 328, 417 to 420 & 489D IPC and persons ordered to execute bonds Under Sections 109 to 110 Cr.P.C. (Rule 127 APM, Part -IV)

20. In case of persons arrested in connection with offences in which record slips are maintained in the Finger Print Bureau under Rule 127 APM. Part IV and in case of those charged with theft of Arms and Ammunition, Counterfeit currency note cases, offences under Sections 170,171,215,419 & 420 IPC or whose operations extend beyond the State, their search slips should be submitted to the Finger Print Bureau in time for tracing their Finger Prints (Rule 123 APM, Part-IV)

INVESTIGATION IN S.R CASES:

1. Investigation in all S.R.cases must be supervised either by S.P. himself or by some other G.O. in the DEF in addition to supervision by the CI.
2. Supervision should begin with the visit to P.O. and continue till the submission of F.F. Supervision should not end with writing of supervision note. It is a continuous process and should continue till the case is finally disposed of. After giving supervision note, follow-up actions on the same should be closely monitored.
3. When an S.R. case is supervised, the supervising authority must invariably give written supervision note instead of merely giving instructions verbally.
4. In all S.R cases it should be strictly ensured through the C.Is and Inspector O's/C of P.Ss that the I/Os write C.Ds on daily basis and take all necessary steps in investigation without any undue delay.
5. In all S.R. cases, C.Is and Inspector O's/C of P.Ss should submit P.Rs every fortnight till the submission of F.F. P.R., should be submitted even if there has been no progress in investigation during the fortnight giving reasons for the same.
6. In all S.R. cases, S.Rs must be submitted to the D.I.G.(CID) and DIG (R) every fortnight regularly.
7. After C.Ds are submitted to C.I./ Inspector O/C, he must write P.R. within a week of receiving C.Ds. This will apply to writing of final P.R. also.
8. After final P.R. is received in S.Ps office , order should be passed on the same within one week of their receipt.
9. S.Ps should monitor progress in S.R. cases on fortnightly basis and their review note in this regard showing action taken in each case during the fortnight should be submitted to DIG (Range) and DIG (CID).
10. All G.Os and C.Is/ Inspector O's/C in the DEF should submit weekly Diaries to S.P giving details of S.R cases supervised by them during the week including instructions given and follow-up action taken on the same. S.Ps should keep close watch on their performance with regard to S.R. cases through these weekly diaries.
11. Monthly list of pending S.R. cases should be submitted to DIG (CID) regularly.

(B) TRIAL OF CASES.

1. S.Ps should keep track of progress in the trial of cases through the Daily Undertrial Reports.
2. S.Ps should have monthly review and co-ordination meeting with D.Ms and A.D.Ms and in case of Shillong, with Session Judge also, to review position of trial of cases.
3. S.Ps should obtain periodical P.Rs from P.Is on cases pending trial giving date of trial, date of commencement of trial, adjournments and final judgement.
4. There should be close co-ordination between the Police and P.Ps / APPS.
5. P.Ps/A.P.Ps should be properly briefed about the cases after submission of F.F.

Sd/-

(D.N.S. SRIVASTAVA, IPS)

Director General & Inspector General of Police
Meghalaya , Shillong.

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OFFICE OF THE DIRECTOR GENERAL & INSPECTOR GENERAL OF POLICE
MEGHALAYA SHILLONG

Sub : Non registration of FIRs in cognizable cases to be viewed seriously

It is noticed that the Police Stations are not registering cases even when complaints are received by them indicating ingredients of cognizable crimes. Instead, they are endorsing the complaints for enquiries pending registration of regular cases. It is in violation of existing circulars from this Office and standing instructions. Recently, one such complaint was received by a Police Station from a Bank with ingredients of cognizable offence of forgery, fraud, embezzlement, etc. The case was, however, not registered and the complaint was marked to a Thana Officer for enquiry. Later, even this complaint was lost and O/C had to obtain its duplicate copy from the complainant in order to take action as per law. This is highly irregular. An adverse view will be taken against those Officers in charge Police Stations who fail to register cases on receipt of complaints containing ingredients of cognizable crime.

Please acknowledge receipt of this letter.

Sd/-
(D.N.S. SHRIVASTAVA, IPS)
Director General and Inspector General of Police,
Meghalaya, Shillong.

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OFFICE OF THE DIRECTOR GENERAL & INSPECTOR GENERAL OF POLICE
MEGHALAYA ::: SHILLONG

CIRCULAR No 10/94

Subject: Use of handcuffs:

Instances of use of handcuffs in a routine manner have come to my notice. The Hon'ble Supreme Court has, in its judgements in different cases, spelt out the circumstances under which the handcuffs can be used. Extracts of the relevant Judgements are enclosed as Annexure 'A'.

In view of these pronouncement of the Apex Court, the following instructions must be scrupulously followed in future. Any violation of the same will be seriously viewed.

- (1) The handcuffs should be used only under extreme circumstances where there are well grounded reasons for believing that the arrested person or the U.T.P is likely to escape from the lawful custody.
- (2) The belief that the arrested persons or the U.T.P. is likely to escape from custody must be based on the antecedents of the persons concerned which must be duly recorded at the time of handcuffing him.
- (3) The vague expression like 'desperado', 'rowdy', 'desperate', 'dangerous', 'violent', etc. without the same being borne out by the antecedents of the person concerned will not suffice for handcuffing him.
- (4) For handcuffing an arrested person or a U.T.P there should be a concrete proof of his being a dangerous person prone to violence. The onus of proof in this regard will be on the person who handcuffs him.
- (5) If under the given circumstances it is decided to use handcuff, then the escorting officer must record the reasons for doing so before the person is handcuffed and produced before the Courts.
- (6) When the person concerned is handcuffed and produced in the Court, the escorting officer must show the reasons so recorded to the Presiding Judge and obtain his approval.
- (7) If the Court disallows use of handcuffs the same must not be used.
- (8) Gravity of the offence cannot be used as a ground for handcuffing an arrested person.

Encl: As above:

Sd/-
D.N.S. Srivastava, IPS
Director General of Police
Meghalaya, Shillong

Annexure 'A'

- (1) Handcuffing is prima-facie inhuman and, therefore, unreasonable, is over-harsh and at the first flush, arbitrary.
Insurance against escape does not compulsorily require handcuffing. There are other measures whereby an escort can keep safe custody of a detainee without the indignity and cruelty implicit in handcuffs or other iron contraptions.
Ordinarily, an under-trial while bringing him from the court to the jail and from jail to the court should not be handcuffed. There should be strong reasons in extreme circumstances for handcuffing him.
- (2) There must first be well grounded basis for drawing a strong inference that the prisoner is likely to break out of custody, The belief in this behalf must be based on antecedents which must be recorded and proneness to violence must be authentic.

Vague surmises of general averments that the under-trial is a crook or desperado, rowdy or maniac, cannot suffice. In short, say, in rare cases of concrete proof, readily available, of the dangerousness of the prisoner in transit - the onus of proof of which is on him who puts the person under irons, the police escort will be committing personnel assault or mayhem if he handcuffs or fetters his charge.

- (3) Even in cases where, in extreme circumstances, handcuffs have to be put on the prisoner, the escorting authority must record contemporaneously the reasons for doing so. Otherwise, under article 21 the procedure will be unfair and bad in law. The escorting officer, whenever he handcuffs prisoners produced in court, must show the reasons so recorded to the Presiding Judge and get his approval. Otherwise, there is no control over possible arbitrariness in applying handcuffs and fetters.

- (4) Once the court directs that handcuffs shall be off, no escorting authority can overrule judicial direction.

The authorities must assign the reasons before bringing the under-trial in handcuffs and those reasons must be placed before the court at the time of producing him in handcuffs.

Merely because a person is charged with a grave offence, he cannot be handcuffed. Merely because the offence is serious, the inference of escape - proneness or desperate character does not follow.

Prem Shankar Shukla Vs Delhi Administration

A.I.R.1980 S.C. 1535; 1980 Cri.L.J.30;

(1980 3 S.C.C 526; 1980 S.C.C. (Cir). 815

- (5) Direction issued to the Union of India to frame rules and guidelines in conformity with the decisions of

the Supreme Court in earlier case titled Prem Shankar Shukla Vs. Delhi Administration (Reported in

A.I.R 1980 SC 1535).Aeltemesh Rein, Advocate, Supreme Court of India Vs Union of India and others

AIR 1988 SC 1768 (1988) 3 JT 275; (1988) 4 SSC 54

- (6) While handcuffing, the escorting party must record reasons in writing. Even in extreme circumstances necessitating the escorting party to bind the prisoners in fetters, the escorting Party should record reasons for doing so in writing.

Sunil Gupta and others Vs. State of M.P. & others (1990) 3 SCC 119; (1990) 2 JT 372

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OFFICE OF THE DIRECTOR GENERAL & INSPECTOR GENERAL OF POLICE
MEGHALAYA SHILLONG
CIRCULAR NO 11/94

Subject :- INVESTIGATION OF CASES OF MURDER, RAPE, DACOITY AND ROBBERY

Following are some guidelines to be followed while investigating cases of murder, rape, dacoity and robbery. These guidelines should be scrupulously followed while investigating such cases.

(A) MURDER CASES

1. When a case of murder is reported at the P.S., the O/C must take care to incorporate all relevant details in the FIR like:
 - (i) Name and particulars of the victim.
 - (ii) Name and particulars of the accused, if known. If not known, his detailed description like his physical appearance, height, build, clothes that he was wearing, the language he spoke, any peculiar feature on his face or body, etc.
 - (iii) Weapon used and the description of the same and also whether the same has been left at the P.O.
 - (iv) How the murder was committed and circumstances leading to the same.
 - (v) What actually transpired between the accused and the victim before the crime was committed.
 - (vi) Whether there were any witnesses to the crime and if so, their names.If the written FIR does not incorporate above details, the information thereon may be elicited through the questions to the complainant and his answers thereto and appended to the written F.I.R.
2. I/O should cordon off the scene of crime and post a guard to prevent unauthorised persons from tampering with the same.
3. A detailed inquest report on the dead body should be prepared.
4. The dead body should be photographed from different angles. Close up photographs of injuries should be taken.
5. A sketch map of the scene of crime should be prepared.
6. Scene of crime should also be photographed from different angles.
7. I/O should observe the scene of crime minutely and search for clues and then collect the same carefully. He should also look for any chance finger- prints on the murder weapon if found or on any other article at the scene of crime. Blood stains, if found, should also be carefully preserved. In case of use of firearms, bullets or pellets as also the firearm used, if found, should be seized. If the bullets or pellets are lodged inside the dead body, the M.O. should be requested to extract the same from the dead body and then seized.
8. The dead body should be sent for post mortem.
9. In case it is suspected that the murder has been committed elsewhere and not where the dead body was found, the I/O should look for marks of dragging, wheel marks, drops of blood / blood trail, etc.
10. I/O should try and find out the motive. Once the motive is established, it becomes much easier to work out the case. Even though proof of motive is not legally necessary, it goes a long way in solving the case and also in strengthening the prosecution case. In cases depending upon circumstantial evidence only, the evidence of motive becomes vitally important.
11. All witnesses mentioned in the FIR and other witnesses should be examined at the earliest possible opportunity. Their statements should be carefully checked with reference to the material facts discovered at the scene of crime or revealed by the reconstruction of crime. Statements of eye witnesses should corroborate each other in all material details and all discrepancies in the same should be properly explained.

12. The accused persons / suspects should be arrested and thoroughly interrogated. Their persons and also their premises should be thoroughly searched for the murder weapon and in case of murder for gain, also for the property/ cash stolen.
13. In case chance finger prints or foot or shoes prints have been lifted from the scene of crime then on the arrest of the accused/suspects, their finger prints and foot or shoe prints should be taken for their comparison with the same lifted from the scene of crime.
14. In case of murder with firearm, all efforts should be made to seize the suspected weapon immediately before the same is cleaned up and then sent to ballistic expert for examination.
15. If the accused makes a confession, it should be carefully recorded incorporating all relevant details. He should then be sent to the Court to record his confession by a Magistrate under section 164 Cr.P.C. I/O should then have all verifiable details in the confession thoroughly verified.
If the accused denies the charge and gives statements in his defence, the same should also be verified.
16. Investigation should be carried out keeping in view the ingredients of the offence of murder..
17. If the accused is not known to the complainant or to witnesses, but they can identify him if they see, then T.I.P. should be arranged soon after the arrest.

(B) RAPE CASES:

In a case of a rape, it has to be proven that the accused had sexual intercourse with the woman in question under any of the circumstances mentioned in Section 375 IPC and that there was penetration. While investigating a rape case, I/O must always keep the ingredients of the offence of rape in mind.

There are three sources of clues in a rape case, i.e. the scene of crime, the victim and the accused.

SCENE OF CRIME: The I/O should look for following clues at the scene of crime:-

- (i) Any sign of disturbance. In case it is outdoor, sign of disturbance on the soil and vegetation. In case it is indoor then sign of disturbance in the room like the articles that may be found disturbed or broken.
- (ii) In case it is outdoor, presence of footprints of the accused and the victim.
- (iii) In case it is outdoor, a sample of soil should be collected from the P.O for comparison with the same which may be found on the person or clothing of the accused.
- (iv) If the victim was wearing glass bangles, broken pieces may be found at the P.O due to resistance offered by her.
- (v) The P.O. must be carefully searched for blood stains, semen, hair, etc. and also for any article that might have been left by the accused like handkerchief, etc.

The victim

I/O should collect the garments of the victim that might contain blood, semen, foreign pubic hair, etc.

The victim should be got medically examined immediately and the M.O should be specifically requested to

- (i) Look for scratches or bite marks on the body of the victim or tears in the vagina.
- (ii) Look for exchange of pubic hair and also hair from the victim's head which might have been clutched by the victim.
- (iii) Looked for presence of blood or skin of the accused under the victim's finger nails due to scratching inflicted on the accused.
- (iv) Look for recent sign of intercourse, presence of smegma, rupture of hymen.

- (v) Determine age of the injuries and also whether they could have been inflicted as alleged.
- (vi) Collect vaginal swab from the victim for determining presence of sperms in the same and also for blood grouping and for comparison with that of the accused.
- (vii) Determine age of the victim.

THE ACCUSED:

When the accused is arrested soon after the occurrence, the I/O should request the Medical Officer collect/ look for the following:-

- (i) Look for scratches on his body.
 - (ii) Semen in his private parts, thighs and clothes.
 - (iii) Presence or absence of smegma.
 - (iv) Presence of foreign pubic hair on his private parts.
 - (v) In case the scene of crime is outdoor, I/O should look for soil, dust and vegetation from the scene of occurrence on his clothes or on his body.
 - (vi) Collect sample of hair from his head for comparison with those found clutched in the hands of the victim and also sample of his pubic hair for comparison with the foreign pubic hair collected from the private parts of victim.
 - (vii) Collect his blood sample for grouping and for comparison with the group of the semen found in the vagina of the victim and also for comparison with the blood found under the finger nails of the victim.
 - (viii) Determine the age of injuries on the accused and also whether the same could have been caused by the victim.
 - (ix) Whether penis/glan penis show sign of recent intercourse.
- (2) In case footprints have been lifted at the scene of crime, the foot prints of the accused should be taken for comparison and also those of the victim for elimination.
- (3) Clothes containing seminal or blood stains should be dried in shade and carefully packed without spoiling the stains.
Even if the seminal stains are washed, they can be detected under the ultra violet lamp.
- (4) If the culprits are not known to the victim or other witnesses but they can identify them, if seen, then T.I.P. should be arranged soon after arrest.

(C) DACOITY AND ROBBERY CASES:

1. When a case of dacoity or robbery is reported at the P.S., all relevant details like the names of culprits, if known, and if not known, their detailed physical descriptions like their appearance, dress, any peculiar feature, height, built, language they spoke, number of culprits, etc. should be incorporated in the FIR. Other relevant details like how the crime was actually committed, weapon used, property looted, in case of numbered property their serial nos. and in other cases, identification marks of property, etc should also be incorporated in the FIR. If the written FIR does not incorporate above details, the information thereon may be elicited through questions to the complainant and his answers thereto be appended to the written FIR.
2. The I/O should consult crime map, list of criminals including surveillees with reference to their modus-operandi who could have possibly committed the crime.
3. The I/O should then proceed to the scene of crime and cordon off the same. He should draw up the sketch map and have photographs taken from different angles. If death has occurred, all the actions required to be taken in the investigation of murder cases should be taken. In case person / persons have been injured, they should be sent for medical examination.
4. The scene of crime should be minutely observed for clues including the weapon used, bullets or pellets, finger prints, foot-prints or shoe prints, blood stains, fired cartridges, tool marks or any article left behind by the culprits.

5. All material exhibits should be taken charge of in presence of witnesses and proper seizure memos prepared at the scene of crime. Foot prints and shoe prints, if available, should also be photographed and their casts prepared.
6. Complainant and the inmates of the house and other witnesses, if any, should be examined without any unnecessary delay.
7. After the culprits are arrested, they should be asked to keep their faces concealed in view of the T.I.P. to follow. Wherever the complainant or the inmates of the house or other witnesses are able to identify the culprits, if seen, T.I.P. should be arranged without any undue delay. Delay in holding T.I.P. is prejudicial to the case. Memory by its nature is short lived and impressions tend to fade away. The longer the T.I.P. is delayed, the less conviction it will carry.
8. All available clues should be followed up to their logical conclusion.
9. All material evidence available at the scene of crime which is likely to be helpful in connecting criminals with the case or which is likely to provide some clue to the identity of the culprits, should be seized. Even match boxes, cigarette packets or cigarette butts, bidi packets, some pieces of clothes, paper, etc. left at the scene of crime by the accused can provide valuable clues leading to the detection of the case.
10. Premature arrests should always be avoided. Such arrests may well result in the arrest of innocent persons. Before effecting arrests, the I/O should first obtain complete background information with which he can confront the culprits when arrested, during the course of their interrogation.
11. After arresting the culprits, they should be interrogated thoroughly. Proper interrogation is the key to the detection of any given case. They should be subjected to sustained interrogation over a period of time. All verifiable information furnished during the course of interrogation should be properly verified.
12. In case the culprits, after the arrest, confess to their involvement in the crime, then their detailed statements should be recorded and all relevant details like their antecedents, how the crime was committed, who conceived and organised the same, who all participated in the crime, where they assembled before commission of crime, what dress, disguise and weapons were used, details of the house attacked, details of the property looted and their descriptions, resistance offered by the inmates of the house, injuries inflicted on the victims, how the stolen property has been distributed among all those who participated in the crime or how the same has been disposed of or concealed, etc, should be obtained.
13. The details so obtained should be verified with reference to the description of the scene of crime and the facts ascertained during the course of investigation. Wherever necessary, local verification should also be carried out. The details of the result of all such verifications should be properly recorded in the CDs. Follow up actions on the basis of such confessional statements and their subsequent verification like searches for stolen property or for weapons used, etc. arrest of the persons concerned, examination of witnesses, etc should be taken without undue delay.
14. After having so completed verification of the confessional statement, the accused persons should be sent to court for recording their confessional statement by Magistrates under section 164 Cr.P.C.
15. Recovery of stolen property on the basis of confession made by the culprits can go a long way in bringing home the charges against them. The I/O should, therefore, make all efforts to extract information from the arrested accused through their sustained interrogation leading to the recovery of stolen property.
16. Following are the ingredients of the offence of dacoity or robbery.
 - (i) The offence of theft should be present.
 - (ii) In order to the committing of the theft, or in the actual commission of the theft or in carrying away the property obtained by theft, the culprits must have voluntarily caused or attempted to cause to any person death or hurt or wrongful restraint or fear of instant death or of instant hurt.
 - (iii) Application of some sort of force.

- (iv) In order to constitute offence of dacoity, the number of culprits should be 5 or more and in case of robbery, 4 or less than 4.
While investigating cases of dacoity or robbery, the I/O must always keep these ingredients in his minds.

USE OF DOG SQUAD:

In the investigation of cases of murder, rape, dacoity and robbery as also in other cases, the I/O should decide whether any useful purpose will be served by employing dogs on the basis of his own appreciation of the situation at the scene of crime.

While deciding on this, the I/O should keep in mind the following points:-

- (i) The time that has elapsed since the commission of the crime.
- (ii) Whether the culprit has handled any of the articles at the scene of offence from which the dog can pick up scent.
- (iii) Whether the culprit has left any of his personal belongings like a piece of cloth, shoes, handkerchiefs, etc at the scene of crime.
- (iv) Whether the P.O. is situated in a thickly populated locality or in an open space. In a built up area, the dogs may lose scent because of the over lapping of scents.
- (v) Whether it has rained after the commission of crime.
- (vi) Whether the culprits left the P.O. after commission of the crime in a vehicle in which case it becomes difficult for the dogs to pick up scent.

The effectiveness of dogs depends upon the presence of the scent at the scene of offence and the longer the time taken the lesser the chance of the dogs picking up the scent .Ordinarily, the scent will not last for more than 12 hours.

SERVICE OF F.S.L.

The services and guidance of F.S.L. may be availed of in course of investigation of the cases, wherever necessary.

Sd/-
D.N.S Srivastava, IPS
Director General & Inspector General of Police
Meghalaya Shillong

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OFFICE OF THE DIRECTOR GENERAL & INSPECTOR GENERAL OF POLICE
MEGHALYA SHILLONG

CIRCULAR NO. 12/94

Sub. Precautions to be taken when the accused persons are detained in the PS lock-up

The death of one Raisingh Lyngdoh in the Nongstoin Police Station lock-up on 13.4.94 has brought into sharp focus the responsibility of the Supervisory Officers in the Districts, O/Cs., I/Cs, regarding proper care and caution to be exercised when accused persons are detained in the police lock-up.

The guidelines issued below are not exhaustive and apply mutatis mutandis, to the ground situations in each area:-

1. All persons arrested and detained in police custody should invariably be subjected to a medical examination, prior to detention in the lock-up, more so, if the accused has sustained some injury in the course of being arrested.
2. The Sentry on duty should check the accused persons in the lock-up from time to time to ascertain if they are well and to ensure that they are not indulging in some activities that would facilitate their escape from the police lock-up as happened from the Jowai Police Station lock-up on 13/6/94.
3. In cases of accused persons being brought by the VDP/ public, it is always wiser to subject the accused to a medical examination to rule out blame to the Police in case the health of the accused person deteriorates in police custody.
4. If the accused persons are involved in cases of petty nature which are bailable, there is no justification in detaining them further in the police lock-up, if a suitable bailor is forthcoming.

It is reiterated that the above guidelines are not exhaustive. It is the duty of the Supervisory Officers to brief the O/Cs, I/Cs from time to time to avoid the Police Department being put into embarrassing situations, which inevitably tarnish the image of the Police.

Sd/-
D.N.S. Srivastava, IPS
Director General of Police
Meghalaya Shillong

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OFFICE OF THE DIRECTOR GENERAL & INSPECTOR GENERAL OF POLICE
MEGHALAYA :::: SHILLONG

CIRCULAR No 14/94.

Subject: SEIZURE OF PROPERTIES AND THEIR SAFE CUSTODY:

Under section 451 Cr.P.C. all properties seized by the Police in course of investigation of case are required to be produced before a Criminal Court in order to obtain orders for their custody pending conclusion of the trial.

2. After the trial of the case has commenced, no seized property relevant to the trial of the case should be retained by the Police unless so ordered by the Court having jurisdiction.
3. Under Section 457 Cr.P.C. , where a property is seized by the Police and reported to the Magistrate during the course of investigation of the case, the Magistrate may order disposal of the property in question or pass orders delivering the same to the person entitled to its possession or may in the absence of such a person, pass orders for its custody and production.
4. A file containing copies of seizure memos in respect of the properties seized should be maintained for the purpose of checking the Malkhana Register. The seizure memos and the Malkhana Register should be checked by the Superintendent of Police once in a month.
5. As soon as a property is seized by the investigation officer during the course of the investigation of a case, he should handover the same along with a copy of the seizure memo to the officer in-charge of the Malkhana who will then make an entry to this effect in the Malkhana Register.
6. In cases where the seized exhibit are required to be sent for examination to the experts, the same should be sent to the expert without any necessary delay.
7. In case of all properties which have been seized in connection with the investigation of cases and which are kept in the Malkhana, Os/C of the P.Ss and in case of the Court Malkhana, the Prosecuting Inspector will be personally responsible for their safe custody. Under no circumstances should such properties be allowed to be taken out of the Malkhana unauthorisedly. All the District Superintendents of Police must ensure this strictly through surprise checks and physical verification of Malkhanas.
8. In this connection, I am enclosing herewith a copy of the news item on the alleged unauthorised use of the seized properties by the Police in Delhi, which appeared in the Indian Express in its issue dated 28.9.94.(Annexure A)

Enclosed: As above.

Sd/-
D.N.S. Srivastava, IPS
Director General & Inspector General of Police
Meghalaya, Shillong

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Police pilfer goodies worth crores

By Shailender Kumar

NEW DELHI

MULTI CRORE racket has been going on unnoticed for years in Delhi Police. A large number of Police personnel have been fleecing valuable like VCRs, furniture, TVs, refrigerators from Police Malkhana:

Though police are only the custodian of properties kept in a malkhana as they have to be produced in the court as evidence often delay in disposing off court cases results in large-scale mis-appropriation of such properties.

A senior police official said that the goods that are often misappropriated without any dithering by policemen are liquor, tyres for Marutis, scooters and motor cycles, tape recorders, TVs and many other goods. Invariably these goods are replaced by junks as entries in malkhana registers have to be taken care of, added he

What is more blatant is that under the law all confiscated unclaimed and other types of properties are auctioned only by the judicial malkhana, but since the days of former police commissioner Raja Vijay Karan Delhi Police has been auctioning unclaimed vehicles, said Judicial Magistrate in Tis Hazari court.

However, Delhi Police Commissioner, M.B. Kaushal, said that for auctioning "difficult to move" properties like vehicles and heavy machineries, police first take permission from the court and then auction is conducted under the supervision of a committee. The committee has many distinguished persons as its members, added he.

Credit goes to Mr. Kaushal for initiating a new practice that once a stolen vehicle is recovered and police happen to establish the ownership, immediately after taking order from the magistrate, the vehicle is released from the police station itself on "superdari" (sort of personal guarantee)

But the "supardari" system, says Rajesh Malik, additional DCP, South West District, is fraught with its own share of hazards like people sometimes bring court orders given on the basis of forged documents and police have to release the vehicles without any questioning. By the time the fraud comes to light, it becomes difficult for police to catch the culprit, added he.

What has evidently been ailing police malkhanas is the lack of space. In almost all police stations one or two rooms of reasonable size are earmarked for Malkhanas where, besides seized properties, even police stations' own firearms and cash are kept. Because most court cases prolong for years goods keep piling on in police malkhanas. After rooms are filled goods usually overflow into corridors and outside garages. Thousands of cycles and motor vehicles become junk -sheer wastage in a resource - starved country.

Police officials blame insurance agencies for not collecting vehicles involved in accident cases. Immediately after claims are paid in accident cases, these vehicles become a property of an insurance agency. But they do not bother about it, alleged a senior official of South district.

But spokesman of a leading insurance agency said that they do not pay attention to it because policemen usually remove parts and tyres from them. Bringing them is a good as collecting junks, added he.

However, the largest Malkhana in the Capital is Tis Malkhana. It keeps receiving all sorts of properties after cases are challaned to court.

Interestingly, even as Delhites continue to perceive it as a junkyard, it continues to replenish government's treasury with lakhs of rupees every year. Apart from its contribution to the government treasury through auctions of seized properties, between 1984 to 89, it deposited gold (4.360 Kg) and silver (59.565 Kg) with the Reserve Bank of India.

Since 1989 till date, it has got collection of gold (3.197 kg), silver (52.285 Kg) and Rs 10.000 in cash. RBI buys gold at the IMF prescribed rate.

Malkhana in-charge Devashri Mukherjee said that under the law gold and silver are not be auctioned. Gold is deposited with the RBI headquarters in Mumbai and silver goes to government -owned mint in Noida, added she. Later a cheque is sent to the Delhi Government's treasury worth the value of the gold and the silver.

It also doesn't auction goods of historical import. Recently it has got 11 silver coins of Shahjahan period and a few copper coins issued by the East India Company. Their authenticity is being examined by the Archaeological Survey of India.

In the last three auctions held in September (1993), March and August (1994), it contributed to the State treasury Rs. 3 Lakh, Rs 2,96,000 and Rs. 3,35,000 respectively.

However, what has been ailing it is the lack of space, manpower crisis and delay in computerisation. Due to lack of space, recently, lakhs of liquor bottles had to be unloaded in the open. Though liquor bottles were later removed, there are other properties that have to be left in the open.

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OFFICE OF THE DIRECTOR GENERAL & INSPECTOR GENERAL OF POLICE
MEGHALAYA ::: SHILLONG

CIRCULAR No 16/94

Subject: BAIL IN NON-BAILABLE CASE:

Following are the relevant provisions in this regard:-

1. **Section 437 Cr.P.C.:**

- (1) Sub section (1) (I) provides that a person who has been arrested in connection with any non bailable offence, shall not be released on bail, if there appear reasonable grounds for believing that he has been guilty of an offence punishable with death or imprisonment for life.
- (ii) Reasonable grounds have to be determined on the facts and circumstances of each case, Any evidence of a really incriminating nature and which would prima-facie induce a person of ordinary prudence to believe that the arrested person is guilty of offence punishable with death or imprisonment for life, would constitute reasonable grounds for refusal to grant him bail.
- (iii) It is, therefore, necessary that whenever an accused person arrested in connection with any non-bailable offence punishable with death or imprisonment for life, is sought to be enlarged on bail, the same should be contested by adducing reasonable grounds that might lead to Court to believe that he has been guilty of an offence punishable with death or imprisonment for life. If inspite of this, the Court decides to release the arrested person on bail, then in that case, the Court, as provided for under sub-section (4) has to record in writing reasons for so doing.
- (iv) When an accused person is arrested in connection with an offence punishable with death or imprisonment for life, the Court, before enlarging him on bail has to decide whether there are reasonable grounds for so believing. It, therefore, necessarily follows that in all such cases, before releasing the arrested person on bail, the Court must give an opportunity to the prosecution to produce the necessary materials at its disposal that may make out prima-facie case against his enlargement on bail.
- (v) The Court can release on bail an arrested person in such cases, only if it prima facie believes that the person concerned is not guilty of an offence punishable with death or imprisonment for life. The Court can reach this conclusion only after it has given an opportunity to the prosecution to produce the necessary material that would prima facie constitute reasonable grounds for believing that the person concerned has been guilty of an offence punishable with death of imprisonment for life.

2. **Section 438 Cr.P.C:**

An order of bail under this section can be passed without giving notice to the Public Prosecutor. But a notice should be issued to him forthwith and the question of bail should be re-examined in the light of respective contentions of the parties (Gurbakesh.A 1980 SC 1632, Supreme Court). As soon as an anticipatory bail is granted by a Court, a notice must necessarily be given to the Public Prosecutor who can then contest the bail. After the bail has been so contested, the Court has to re-examine the question of the bail on the basis of the contentions of both the parties.

What it really means is that the anticipatory bail granted by the Court will be by way of an ad interim ex parte order which has to be re-examined by the court subsequently on the basis of contentions of both the parties.

3. **Section 439 Cr.P.C:**

- (i) High Court or Session Court shall, before granting bail under this section to a person accused of an offence triable exclusively by the Sessions court or otherwise punishable with imprisonment for life, give notice of the application for bail to the

Public Prosecutor unless it is, for reason to be recorded in writing, of the opinion that it is not practicable to give any such notice. This is a mandatory provision and must necessarily be complied with. In case of non-compliance with this provision, the court must record its reasons for the same.

- (ii) The limitations contained in Section 437 (1) Cr.P.C. , including the one that a person shall not be released on bail if there appear reasonable grounds for believing that he has been guilty of an offence punishable with death or imprisonment for life, should be followed while granting bail under this Section also.
- (iii) While deciding on bail matters in non-bailable offences, the seriousness of the nature of the offence should be taken into account and bail should be refused in such cases even though the power under Section 439 Cr.P.C. is very wide (Jogjit A 1962 SC: 1962, 3SCR; 622)
- (iv) The High Court or the Session Court while exercising its judicial discretion in considering the question of granting bail, cannot be oblivious of the considerations of likelihood of the accused being guilty of an offence punishable with death or imprisonment for life and cannot ignore mandate of law of bail under section 437 Cr.P.C.(Gurucharan, A 1978 SC 179). As the rule contained in Section 437 Cr.P.C. is founded on Justice and equity, it should be followed by High Court as well as other Courts. Section 437, inter-alia, provides that if there are reasonable grounds for believing that a person is involved in an offence punishable with death or imprisonment for life, he shall not be released on bails The extended powers under section 439 Cr.P.C., are not to be used to get rid of this reasonable provision of law (Arbraf Ali, 42 (25), Saurindra,37(412 S.Tandon Sup.)

I would request you to bring to my notice any case of non-compliance of the mandatory legal provisions contained in Section 437, 438 & 439 Cr.P.C by the courts.

Sd/-
D.N.S. Srivastava, IPS
Director General of Police
Meghalaya, Shillong

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OFFICE OF THE DIRECTOR GENERAL & INSPECTOR GENERAL OF POLICE
MEGHALAYA, SHILLONG.

Circular No.17/94 of 1994.

Subject:- Crime Management is vital to Police performance.

Crime Management is very important aspect of Police job and should be treated as such. It should not be made to suffer on account of law and order and VIP duty and other miscellaneous duties which the Police have to attend to from time to time.

1. **Crime Management and Maintenance of Law and Order.**

As a matter of fact, the crime management and maintenance of law and order are closely inter-linked. Effective crime management leading to the arrest and prosecution of the actual culprits involved in specific acts of crime also has deterrent effect on those who pose potential threat to maintenance of law and order.

2. **Effective Crime Prevention.**

One very important component of the crime management is the effective crime prevention. For effective crime management it is imperative that all necessary preventive and precautionary measures be taken as per law towards effective prevention of crime. The effective crime management necessarily envisages effective measures to prevent crime so as to keep it within manageable limits. This can be ensured by timely collection, collation and dissemination of criminal intelligence, through mobile and foot patrolling, by mounting surveillance on criminal elements and by taking recourse to preventive arrest and detention, etc.

2. **Crime Detection:**

Another important component of the crime management is the crime detection by following up all available clues through to their logical conclusions. This will be possible by effective use of scientific aids to investigation including the use of finger prints and foot prints, photography, use of laboratory facilities available in the FSL, use of data base on crime and criminals available in the computers, etc. The tracker and sniffer dogs can also be put to effective use in detection of certain cases. For detection of cases, there should be more emphasis on scientific aids to investigation without having to take recourse to third degree methods for extorting confessions, information, etc. from the arrested accused persons. There are specific constitutional and legal provisions that prohibit use of such despicable methods.

4. **Timely completion of Investigation.**

For effective crime management, it is absolutely necessary that all necessary steps in the investigation of cases be completed without any undue delay so as to bring the culprits to the book expeditiously. There is a lot of truth in the saying that justice delayed is justice denied. If the culprits are put on trial and given punishment after long delay, the punishment so meted out ceases to have the necessary deterrent effects. Besides, in the event of inordinate delay in investigation of cases, the prosecution witnesses tend to forget the details of the case and are often won over by the other side, in the mean time. As a matter of fact, in case of offences punishable with 10 (ten) years' imprisonment and more, if the investigation is not completed within 90 (ninety) days, the arrested accused has to be released on bail, in case he is able to furnish bail.

In order to ensure timely completion of investigation, writing of CDs should not be delayed and the same should be written on daily basis. All the witnesses should be examined and their detailed statements reduced to writing without delay. If the cases remain pending investigation for a considerable length of time due to non receipt of PM report, Injury Report, FSL Report, MVIs Report, etc.. In spite of repeated correspondences, then the legal provision contained in Section 91 Cr.P.C. should be made use of. In case some of the wanted accused are absconding, then process should be initiated for having them declared proclaimed offenders and charge sheet can be laid against the arrested accused person if a prima facie case is made out against them showing those who are absconding, as such. Supplementary CS can be laid against them subsequently on their arrest if there is sufficient evidence to put them on trial. The grant of bail both by the police and the Court should be monitored by the Ss.P. on daily basis particularly in non-bailable and heinous cases. Also, while forwarding the accused, the I/Os should furnish sufficient materials and all available evidence to oppose the bail.

5. **Timely Completion of Trial:**

The effective crime management also pre-supposes proper and expeditious trial of cases in the Courts of Law. Toward this end, Ss.P. should keep track of progress in the trial of cases through the Daily Under Trial Report. They should also have monthly review co-ordination meetings with the D.Ms and ADMs for monitoring position in this regards. They should also insist on periodic Progress Report from the P.Is giving details like the date of trial, date of commencement of trial, adjournments and final judgement. There should be a close coordination between the Police and P.Ps and the A.PPs . P.Ps and A.P.Ps should be properly briefed about the cases after charge sheets have been laid in the cases.

Sd/-
(D.N.S. Srivastava, IPS)
Director General of Police,
Meghalaya, Shillong.

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OFFICE OF THE DIRECTOR GENERAL & INSPECTOR GENERAL OF POLICE
MEGHALAYA ::: SHILLONG

CIRCULAR NO 2 / 95 Dated 9.3.95

Subject: Powers of arrest by the police

The Supreme Court in its judgement in Joginder Kumar -V- State of U.P. and others, has put certain restrictions on exercise of powers of arrest by the police

A copy of the judgement was earlier issued to all the Superintendents of Police for its strict compliance.

In order to bring home the urgency of strict adherence to the restrictions contained therein, the following instructions are issued in this regard based on the above mentioned judgement which must be scrupulously followed in future :-

1. Considering the incalculable harm that arrest and detention in a police lock-up can cause to the reputation and self esteem of a person, no arrest should be made in a routine manner.
2. A person should not be arrested just because it is lawful to do so.
3. It would be prudent for police officer to effect arrest only if after some investigation he is reasonably satisfied about the
 - a) Genuineness and the bonafides of the complaint,
 - b) Complicity of the person concerned and
 - c) Need to and justification for affecting arrest.
4. A person is not liable to be arrested on mere suspicion of his complicity in the offence.
5. There must be some reasonable justification for affecting the arrest.
6. Except in heinous offences, arrest must be avoided if a police officer issues notice to the persons concerned to attend the P.S. and not to leave the P.S. without permission.
7. A Police officer making an arrest should also record in the case diary the reason for making the arrest.
8. Whenever a public servant is arrested, the same should be intimated to his superior officers, if possible, before the arrest and if the same is not possible then immediately after the arrest.
9. In case of arrest of the members of Armed Force, Navy or Air Force, the same should be intimated to the officer commanding the Unit to which the member belongs, immediately, after the arrest.
10. In case of arrest of a member of Lok Sabha, or the Legislative Assembly, the same should be intimated to the Speaker and in case of a member of the Rajya Sabha, to its Chairman. These intimations should be sent by WT/Telegram immediately after the arrest. The same will apply in the case of arrest of a member of Legislative Assembly, Meghalaya.
11. In case of arrest of juvenile offenders, without warrant, the O/C of the P.S. concerned shall report to the D.M. or if he so directs, to the S.D.M.
12. An arrested person being held in custody is entitled, if he so requests, to have one friend, relative or some other person who is known to him or likely to have interest in his welfare, told, as far as practicable, that he has been arrested and where he is being detained.

The police officer shall inform the arrested person of his right when he is brought to the P.S.

An entry shall be made in the Case Diary as to who was informed of the arrest.

Sd/- D.N.S. Srivastava, IPS
Director General & Inspector General of Police,
Meghalaya, Shillong.

Subject: Functioning of Court Offices:

During the course of inspection of the Court offices by the Deputy Inspector General of Police, CID recently, it was found that there is a need to bring about improvement in the functioning of the Court offices.

In this connection, following instructions are issued for the guidance of all officers concerned, which should be scrupulously followed:-

1. In gang cases, S.R. cases ending in acquittal or discharge in which there has been miscarriage of justice and S.R. cases against the police personnel, Superintendent of Police should submit copies of judgement to CID.
2. Whenever names of absconding accused persons are given in the C/S, P.I. should apply formally in writing for issuing warrant against the absconders' name.
3. P.I. should request the Magistrate to fix a date while issuing warrant, on which date police should return warrant executed or report that the same could not be executed. If the accused is absconding and warrant could not be executed, a report to that effect should be submitted to the Magistrate through the P.I. not later than the morning of the date so fixed justifying proceedings for proclamation and attachment. In case the absconding accused person owns some property, moveable or immovable, a list of the same should be enclosed with the report.
4. On receipt of report of non execution of warrant, P.I. should apply to the Magistrate for issuing proclamation and attachment orders.
5. Application for proclamation should be submitted against all absconding accused persons regardless of whether they possess some property or not. This facilitates their arrest without warrant by private persons also. Once an absconding accused is thus declared a proclaimed offender, the same should be widely publicised.
6. If all measures provided for by law to compel appearance of the absconding accused have failed, the police in important cases, should apply to the Magistrate to summon the prosecution witnesses to appear before him on a fixed date for having the evidence recorded under section 299 Cr.P.C.
7. P.I. should report to Superintendent of Police all persons declared proclaimed offenders along with their particulars to be published in the C.I.G.
8. Hajat Register should be produced before the Magistrate daily who will then initial it at the bottom.
9. It is the duty of the P.I. to ensure punctual attendance of prisoners in the Court on the date fixed.
10. The Hajat Register should be taken to jail after the court has closed and the jailor's receipt should be obtained therein for the prisoners returned to the jail.
11. P.I. or his subordinate officer in charge of the Hajat Register will take possession of all properties and offensive weapons from the prisoners and issue receipt to them straightaway
12. The names of the prisoners to be produced each day before the Magistrate should be entered in Hajat Register . The Jailor will then make them over to the escort party with their warrant for their production before the Magistrate.
13. P.I. will enter in the Malkhana Register all properties and offensive weapons including those received from the P.Ss along with the prisoners.
14. There should be a strong box with a good lock in the Court Office for safe custody of valuables like ornaments, money or important documents.
15. Each exhibit in Malkhana should be neatly labelled to tally with the number in

- the Malkhana Register.
16. As soon as exhibits are received in Malkhana, Magistrate's order concerning the same should be obtained and recorded in the Malkhana Register.
 17. Disposal order of the seized exhibits should be initialed in the Malkhana Register.
 18. At the end of each year, MR number of all exhibits in the Malkhana should be entered in red ink on the 1st page of the new Malkhana Register.
 19. P.I. should put up the Malkhana Register for a thorough inspection once a month to the Superintendent of Police.
 20. After a case is disposed of, the Magistrate's order regarding disposal of exhibits connected with the same should be obtained. Except where the property is livestock or is subject to speedy and natural decay, such order should be carried out after 1 month of the order or when an appeal is preferred, after the appeal has been disposed of.
 21. If the court orders delivery of some seized property to a person who claims to be entitled to possession of the same, the property should be delivered to him, without delay, on his executing a bond to restore the same to the Court, in the event of the order of disposal being modified or set aside on appeal.
 22. When the Magistrate orders disposal of any property, receipt of the same should be obtained from the person to whom the property is delivered.
 23. When valuables like cash, bullion, gold and silver ornaments are not actually required by the Court, the same should be deposited to the treasury after obtaining the Magistrate's order.
 24. As soon as a Arms license is cancelled or licensee dies, an order shall be issued by the Magistrate to the licensee or to heir of deceased licensee directing him to deposit the same with the P.I. within 14 days of receipt of order. A copy of order should be issued to the P.S. concerned. In case of failure to comply with the Court's order, prosecution under Arms Act should be launched.
 25. After the firearms have thus been deposited with the P.S. , the O/C of the P.S. should, within 14 days from the date of deposit, forward the same with license to P.I. with challan in triplicate, who should then enter the same in the Arms Register of Malkhana.
 26. Full description of the arms and ammunition should be entered in the Arms Register of Malkhana like No., Name of the weapon , Marks, whether it is a rifle or smooth bore, single or double barrel, muzzle or breach loader, number of chambers in case of revolvers, number of cartridges that fit in the magazine, in case of automatic weapons, etc. This is necessary to ensure that the weapons are not substituted.
 27. The weapons should be physically verified whenever Malkhana is inspected.
 28. The Magistrate, I/C of licenses is to inspect the Court Malkhana twice a year and shall compare the arms and ammunition in stock with the Arms Register of Malkhana.
 29. P.I. will take the DM's order for disposal of confiscated or forfeited weapons. The officer who disposes of the same will satisfy himself that the No. and description of weapons tally with those in the Register and will then sign the Register. In this connection, this office Circular No.2/94 Dt 13.4.94 on disposal of weapons should be kept in view for compliance
 30. The Arms Register of Malkhana should be continued for 1 year after which all pending entries should be brought forward in red ink on the 1st page on new Register.
 31. Property found on the person of a prisoner should, unless the same is connected with the case, be given over to any person on request in presence of witnesses and the accused person.

- The accused person should not be allowed to take any property inside the lock up except the necessary wearing apparel.
32. When the P.S. staff take possession of property on the person of the accused, they will issue receipt to him and P.I. and his staff should see that the prisoners forwarded to Court hold such receipt.
 33. The primary object of the Magistrate's G.R. is to enable the Magistrate concerned to have before him relevant details of all Cog. Cases reported to Police. It is, therefore, necessary that all relevant details be entered in the same. Also, the Magistrate's final orders should be taken in every individual case.
 34. On receipt of FIR, P.I., should have Col 1 to 8 of G.R filled up and then submit the FIR with G.R. to the Magistrate who will put his initial in the relevant Col.
All cases reported to the police should be entered in G.R.
 35. On receipt of C/S, P.I. should get Col 10 to 14 of G.R. filled up and then again submit C/S with the G.R. to the Magistrate. The Magistrate will either take the case on to his file or will pass orders to be entered in Col 15 as to which Magistrate will try the case.
 36. After the case is tried and disposed of, P.I. should have Col 16 of G.R. filled up and obtain the Magistrate's order of commitment, conviction, acquittal or discharge as the case may be. He should also obtain the Magistrate's initial in the Register.
 37. When a case is returned in F.R., the Magistrate may pass preliminary orders or final orders, which should be entered, in Col 16.
 38. In Non FIR cases Register, a few pages of the Register should be earmarked for each P.S.
On receipt of report from P.Ss., P.I. should have the necessary details filled in, entries being made serially for each P.S. separately, and then put up the same to the Magistrate for orders. When the Magistrate passes the final orders, same should be entered in the Register and communicated quickly to the P.S. concerned in the form of a Final Memo.
 39. In U.D.Cases, on receipt of FIR, P.I. should get the details entered in the U.D. Cases Register and then put up the Register along with FIR to the Magistrate for orders. When the Magistrate passes final orders, same should be entered in the Register and communicated to the P.S. concerned quickly in the form of a Final Memo.
 40. P.I. should see that in all cases in which FIR is used as also in non FIR cases and in U.D. Cases, Final Memo is submitted without any unnecessary delay.
P.I. should dispatch order and middle foil of Final Memo to Superintendent of Police through C.I. and SDPO, if any, and keep the counterfoil in his office.
 41. In C/S Cases, while forwarding Final Memo to Superintendent of Police, C.I. and SDPO, if any, should record their recommendation for surveillance and any other remarks regarding adequacy of sentence in case of acquittal. They will also comment on reasons for failure of prosecution.
The Superintendent of police should record on the F.M. whether the convict is to be placed under surveillance, whether he is to be made P.R./ PRT and whether history sheet is to be opened.
Superintendent of Police should point out to I/O reasons for failure of the case. Counter foil of the F.M. with SP's order should be sent to the P.S. concerned.
 42. One important objective of Khatian is to facilitate preparation of annual crime statistics. All relevant details should, therefore, be entered in the same.
 43. All cases in which FIRs are submitted, should first be entered in G.R. and then from G.R. the relevant details should be taken on to Khatian.
 44. On receipt of information about appeal, 'A' in red ink should be entered in Khatian and when final result of appeal is known, necessary alteration about

conviction or acquittal, as the case may be, should be made in Khatian, Number of cases and persons acquitted by Magistrate should also be entered in the Register. In appeal cases, P.I. should initial Khatian twice i.e. , once when he enters 'A' and then again when he enters the final result of the appeal.

- All cases pending investigation and pending trial should be entered in Khatian.
45. On hearing the result of appeal, P.I. should enter corrections in G.R. and Khatian and then communicate the result of appeal to Superintendent of Police.
P.I. should put up the Register of Appeal to S.P. once a week.
46. As soon as order of conviction is passed, the P.I. should have the same entered in the Conviction Register. If on appeal, the order is modified or quashed, corrections should be made accordingly.
47. Conviction Sheets should be put up once a week to Magistrate for his examination and signature who will certify at the end of each month that entries in the monthly conviction sheets have been checked with G.R. and all necessary entries have been made.
48. The Register of Process should be kept in two parts i.e. one for warrants and one summons and other processes.
49. P.I. should have the P.R. Slips made for each person who is made P.R. under Rule 127 of Part IV A.P. Manual and then submit the name to Supdt. of Jail to be attached to the prisoner's warrant of commitment.
50. In case the P.R. prisoner escapes or absconds from lawful custody P.I. should at once report the same to F.P.B.
51. P.R. convicts who die should be reported to F.P.B. once a year in the 1st week of January each year.
52. In case of Convicts under chapter XXI, XVII IPC, Counterfeit Currency Note sections, Arms smugglers, etc., who are categorised as Class I convicts in Part IV A.P. Manual, after they attain the age of 70 years, their F.P. record should be removed from F.P.B.
In Case of other convicts who are categorised as Class II convicts in Part IV AP Manual, their F.P. record should removed from F.P.B 10 years after the date of their last sentence.
In both the cases, SPs should report their names to the F.P.B accordingly.
53. Photographic records should be maintained of counterfeit coiners, Currency Note forgers, burglars, pick pockets, professional dacoits and robbers when convicted and whose criminal activities extend beyond their native district and who are likely to resort to crime after release. Photographs may also be kept of person bound down in selected bad livelihood cases, those convicted in gang cases, murder for gain and any other convicts for whom photographic record is deemed necessary by Superintendent of Police.
During last week of each month, SP should examine the Court Conviction Register to decide about persons whose photographs should be taken.
54. Record slips of the following categories of persons should be submitted to F.P.B. regularly:-
Persons convicted of offences under Chapter XII, XVII.
Persons convicted Under Sections 170,171,315,231 to 254, 328,417 to 420, 480 A to 480 D,IPC
Persons bound down under section 109 and 110 Cr.P.C.
Persons convicted under Arms Act, and person convicted or suspected persons whose F.P. can be taken under the Identification of Prisoners Act.
55. F.P. of Prisoners on their Record Slips should be taken as soon as practicable after P.R. order is passed.
56. As soon as Superintendent of Police has passed PR or PRT order regarding a convict on F.M., P.I. should get P.R. prepared and then send the same to jail to be attached to prisoner warrant of commitment.

57. Despatch Cheque should accompany P.R. Slips and Record Slips
On receipt of outer foil from the F.P.B in the P.I's office, classification No of Slips should be copied on to Col 15 of Conviction Register.
58. Under Section 116 (6) , all inquiries in connection with the Non FIR Cases under section 108,109 or 110 Cr.P.C. should be completed within a period of 6 months from the date of commencement of inquiry and if the same is not completed within the said period, on expiry of the period of 6 months, the inquiry will stand terminated unless, for special reasons to be recorded in writing, the Magistrate otherwise directs. All inquiries in connection with proceedings under above mentioned sections of Cr.P.C.should, therefore, be completed within 6 months time. If the inquiry has to be prolonged beyond the said period, the Magistrate must record reasons for the same in writing. In the absence of such an order by the Magistrate extending the period of inquiry along with reasons for the same, the inquiry will stand terminated at the end of the said period. Thus the continuance of inquiries in Non FIR cases under the above mentioned sections of Cr.P.C. beyond the period of 6 months without Magistrate's order extending the period and giving the ground on which the period is extended, will be illegal. It is, therefore, mandatory that in all such cases, the inquiry be completed within the stipulated period. And if the same has to be extended beyond the said period, the Magistrate should pass order to that effect and record reasons in writing for the same.
59. As per rule 61, Part I of A.P. Manual , SPs should make a thorough inspection of Court offices once a year. It is, therefore, necessary that they carry out this inspection regularly.

Sd/-
(D.N.S. Srivastava, IPS)
Director General & Inspector General of Police
Meghalaya, Shillong.

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OFFICE OF THE DIRECTOR GENERAL AND INSPECTOR GENERAL OF POLICE
MEGHALAYA ::: SHILLONG

Circular No 13/95 Dated. Shillong, the 25th Aug '95

Subject: Procedure for laying trap in anti corruption cases

On 21st August, 1995, a trap was successfully laid by the ACB and CID officers in which a senior officer of the Meghalaya Government was caught red handed in his office chamber at Shillong while accepting illegal gratification. The same was planned out with meticulous care and all the necessary procedure was scrupulously followed.

Since the offences under the Prevention of Corruption Act, 1988 are cognizable by the Police, similar traps can be laid by any P.S. staff in the districts also under the direct supervision of the Superintendent of Police /DIG of Police.

All SPs should, therefore, see that whenever some specific complaints of demand for bribe are received, traps should be laid to catch the culprits red handed. While doing so, the following procedures should be meticulously followed:

1. On receipt of a complaint regarding demand for bribe, preliminary verification should be conducted as regards the complaint, about the complainant's official dealings with the accused, about any personal rivalry between the two, etc. also telephonic conversation between the complainant and the accused should be taped in presence of independent witnesses.
2. After preliminary verification, if prima-facie, the complaint appears to be genuine, a regular case should be registered under section 7 of the Prevention of Corruption Act, 1988.
3. Trap party should be formed which should also include two independent witnesses who should be Govt. Officers and who should not have any official or personal relationship with either the complainant or the accused.
4. Before laying trap, the trap party including the witnesses and complainant, should inspect the place where trap is going to be laid. They should also decide on the signal to be given by the complainant to the trap party after he has handed the bribe money to the accused.
5. In charge of the trap party should brief the members of the trap party including the witnesses and the complainant and they should all scrupulously follow his instructions.
6. The two independent witnesses should not be from the department in which the accused is employed.
7. Complaint should be read out in the presence of the complainant and he should be asked to confirm contents of the same and then sign it. Signatures of the witnesses should also be obtained on the margin of the same.
8. The complainant should be asked to produce money. The same should be counted by the witnesses and denominations and Numbers on the currency notes should be recorded. Phenophelene powder should then be applied on the same.
9. A proper demonstration on use of phenophelene powder should be given. After demonstration is over, members of the trap party including the witnesses and complainant should wash their hands.
10. Before proceeding to lay the trap, search of all members of the trap party should be conducted.
11. While proceeding to lay the trap, the complainant should carry a tape recorder preferably a micro cassette recorder. Operation of the same should be properly explained and demonstrated to him by the in charge of the trap party. A brand new cassette should be inserted in the same after it is signed with date, by the witnesses, complainant and the investigating officer. The complainant should switch on the tape recorder before entering the place where trap is going to be laid down.
12. Before the complainant passes on the bribe money to the accused, conversation

- between them should be recorded.
13. If practicable, the witnesses should be kept at some distance without the accused being able to notice their presence and they should be able to overhear the conversation between the complainant and the accused.
 14. The complainant should pay the bribe money only on specific demand from the accused instead of paying the same voluntarily.
 15. After completion of the trap, the tape recorder should be played back in the presence of the accused and the witnesses. This should be mentioned in the Memorandum as also the fact that the witnesses had identified the voices of the complainant and of the accused. Description of the tape recorder and the tape should also be given in the Memorandum. After the replay, the tape should be sealed and sent to the court. The seal should subsequently be opened after obtaining the court's permission and also transcript of the tape recording should be prepared in the presence of the same witnesses.
 16. After the trap, the glass tumblers with the hand wash of the accused should be properly sealed in the presence of witnesses. Since the pink colour of the Phenolphthelene powder when mixed with sodium carbonate fades away after sometime, the solutions should be sent for chemical analysis immediately after the trap materialises. There should be three glass tumblers - one each for right hand, left hand and one for the pocket in which the accused might have kept the tainted money.
 17. Names and designation of the members of the trap party including the witnesses and the complainant should be recorded in the Memorandum.
 18. Demeanour of the accused after the trap should be closely observed and recorded. His explanation for demanding and accepting the amount in question should also be obtained and recorded immediately after the trap has been laid.
 19. After the tainted money is seized from the possession of the accused, the numbers on the currency notes and denominations should be tallied with the same recorded earlier in the Memorandum in the presence of the witnesses.
 20. The memorandum with all the details should be signed by the witnesses, complainant and the I/O of the case. A copy of the same should be given to the accused.
 21. After the trap materialises, investigation of the case should be endorsed to some other officer who was not a member of the trap party.
 22. Statements of the witnesses should also be recorded under section 164 Cr.P.C.
 23. Meghalaya Govt. vide No POL.146/8/57 Dt.10/3/1995 have authorised police officers of the rank of Inspector to investigate cases under the Prevention of Corruption Act, 1988. Thus as per provisions contained in section 17 of the Prevention of Corruption Act, 1988 and the above mentioned Govt. order, all cases under the said Act can be investigated only by the officers of the above the rank of Inspector.
 24. After the trap has been successfully laid, house of the accused should be searched for unaccounted money, bank accounts, share certificates, etc. And if he is found to possess assets apparently disproportionate to his known sources of income then a separate case under section 13 (1) (e) of the Prevention of Corruption Act, 1988 should be registered against him.
 25. As per proviso to section 17 of the Prevention of Corruption Act, 1988, cases under Section 13 (1) (e) of the said Act can be investigated only with the order of a police officer not below the rank of a Superintendent of Police.

Sd/- D.N.S Shrivastava, IPS
Director General & Inspector General of Police
Meghalaya, Shillong.

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OFFICE OF THE DIRECTOR GENERAL AND INSPECTOR GENERAL OF POLICE
MEGHALAYA :: SHILLONG

CIRCULAR NO 1/97

Sub- Instructions regarding registration and investigation of rape cases

1. The National Human Rights Commission has taken cognizance of the news item RAPE VICTIMS FACE SEXUAL TORTURE AT POLICE STATION TOO* published in the Pioneer Dated 02.07.96, in which it has been alleged that while recording FIRs in two different rape cases, the victims were mentally harassed by the concerned male duty officers who reportedly forced them to narrate the sequence of events in horrid detail exhibiting gross insensitivity to the victims.
2. It is totally undesirable to put embarrassing questions or use indecent language while recording the statement of rape victims who have already suffered a shocking and nightmarish experience.
3. Needless to reiterate that all victims of rape must be treated with utmost courtesy, decency and sympathy. As far as possible, the complaints of rape victims must be recorded by the lady officers and in case a lady duty officer is not available, at least the presence of a lady police constable must be ensured.
4. It is hereby reiterated that hence forth In-charge of Police stations must be briefed to show a high degree of sensitivity to the rape victims and ensure that no indecent or vulgar language is used while taking down the statement of the rape victims
5. As far as possible, statement of rape victims must be recorded in the presence of parents of the victims or any other close relative. The victim when sent for medical examination must be accompanied by a male relative and if there is none available, a lady Police Officers must be sent along with her. A victim of rape should not be unnecessarily detained at the Police Station except for the period which is absolutely necessary for investigation.
6. The matter has been examined in consultation with the Law Department of Govt, of National Capital Territory of Delhi who have opined that the requirement of law is that simple words which clearly convey the sexual act or intercourse are enough for constituting the offence because in any case the prosecution has to necessarily prove through medical evidence, the commission of rape by proving its ingredients as contained in Section 175 IPC. The detailed description of the sexual act, mention of organs or the sequence of the intercourse are not required to be disclosed at the time of recording FIR. The recording officer should not be permitted to put embarrassing questions to the victim which may deter most of them from taking shelter of law. The Recording Officer should confine himself to the identity of the criminal, basic details of the incidence leading to the rape instead of compelling prosecutrix to give embarrassing details of the sexual act. In view of this, it is re-emphasized that the Officer-In-charge of Police Station must regard it his duty to attend to all such matters and shall follow the legal provision contained in the relevant standing orders and circulars in recording FIRs. They shall ensure that while recording report on rape cases, the aforesaid opinion of Law Deptt. and following instructions shall be followed:
 - I. Information relating to the rape offence shall be reduced in writing and should be recorded by the O.C. personally or under his direct supervision

- II. A women Police Officer shall be associated to avoid embarrassment to the victim
- III. The report so recorded shall not contain vulgar details which may hurt the sentiments of the victim.
- IV. Superintendent of Police shall personally check all such FIRs during his visit to Police Station to ensure that there is no violation of any legal provision in recording FIR

Sd/-
(I.T.Longkumer, IPS)
Director General & Inspector General of Police
Meghalaya Shillong.

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OFFICE OF THE DIRECTOR GENERAL AND INSPECTOR GENERAL OF POLICE
MEGHALAYA :: SHILLONG

CIRCULAR NO 2/99

Subject: SLACK INVESTIGATION OF CASES.

Instances have come to notice that the District Superintendents of Police do not give adequate attention to S.R. Cases. Progress Reports are not submitted on time to the C.I.D. This shows poor supervision by superior officers. There are a number of cases in which PRs have not been submitted despite reminders from the C.I.D. As a result, the crime situation has deteriorated especially serious crimes against person and property.

This unhappy state of affairs cannot be allowed to continue. It is, therefore, ordered that, henceforth, the instructions contained in Assam Police Manual, Part II; Rule 36 and 40 be strictly adhered to.

Supervisory officers must put an effective check on delay in investigation of cases. Superintendents of Police will go through the daily reports of C.I.s carefully. They should check the Case Diaries timely and if there are breaks in investigations, the investigating officers must give satisfactory explanation. Unjustified delays in investigation of cases should be viewed seriously and suitable departmental actions initiated against the Investigating Officers including the C.I.s.

Sd/-
(B.K. Dey, IPS)
Inspector General of Police (HQ)
Meghalaya, Shillong.

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OFFICE OF THE DIRECTOR GENERAL OF POLICE
MEGHALAYA ::: SHILLONG

CIRCULAR No. 8

Dated Shillong 17th Sept. 2002

SUB: PERIOD OF LIMITATION FOR SUBMITTING FINAL FORM

It has been observed that the legal provision which stipulates the period of limitation within which the I/Os are required to submit the Final Form, is often not complied with.

Under the provision of Section 468 Cr.P.C., no Court shall take cognizance of an offence after expiry of the period of limitation which is :-

- (a) Six months, if the offence is punishable with fine only.
- (b) One year, if the offence is punishable with imprisonment not exceeding one year.
- (c) Three years, if the offence is punishable for a term exceeding one year but not exceeding three years.

If such cases are kept pending and Charge-Sheeted after the period of limitation, the Court will not take cognizance and the culprits will go scot-free.

In all such cases, investigation should be completed and the Final Form submitted within the period of limitation. Suitable instruction should, therefore, be issued to I/Os in this regard asking them to strictly adhere to the aforementioned legal provision and to submit Final Form within the period of limitation without fail.

Sd/- L. Sailo, IPS,
Director General of Police,
Meghalaya, Shillong.

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Miscellaneous matters:

BY ORDER OF THE INSPECTOR GENERAL OF POLICE
MEGHALAYA ::: SHILLONG

Sub. Issuance of certificates for claiming insurance and other claims

It has come to notice of the Inspector General of Police, Meghalaya that some of the Investigating Officers / thana officers issue certificates for insurance and other claims to the parties directly from the Police Station on receipt of requisition from the parties concerned, which is an unhealthy practice. This practice of issuing such certificates by the Subordinate Police Officers from the Police Stations / Beat House should be discontinued forthwith.

On receipt of claims / requisitions by the Police Stations / Beat Houses from the concerning parties for such certificates, the investigating Officers / Thana Officers should invariably forward the same through proper channel after making thorough enquiry about the genuineness of the case and ascertaining the correctness of the demand of the parties to the Superintendent of Police. In case of any false or wrong case being certified, both the enquiry officer and forwarding officer would be held personally responsible.

The Superintendent of Police on satisfying himself, should issue certificates for insurance and other claims to the parties. These instructions should be strictly followed and any violation of this order by any officer will be viewed seriously.

These instructions are issued aiming at preventing misuse of power, standardising and streamlining the procedure as regards issue of certificates to Insurance Companies and to others by the local police.

Sd/- H.S. Chittaranjan, IPS
Asstt. Inspector General of Police,(Admn)
Meghalaya, Shillong.

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OFFICE OF THE INSPECTOR GENERAL OF POLICE:: ASSAM :: SHILLONG

CIRCULAR No.5 OF 1971

To

The DIG/SB/CID/ All Ss.P./ All Commandants / S.P. Railway Police, Haflong / Principal, Police Training College, Assam, /Spl. S.P. (C), Assam / Fire Service Adviser / Director Forensic Science Laboratory / S.P. , ACB & Spl. S.P., CID, D.C., i/c Haflong.

Subject: PROHIBITION OF BIGAMOUS MARRIAGE AND RECORDING OF PARTICULARS OF A WIFE IN THE SERVICE BOOK OF POLICE OFFICERS.

There have been several instances recently in which young women have petitioned me to say that they have been married by Police Officers (in the subordinate ranks) but subsequently abandoned by them without even arranging for maintenance. Enquiries in these cases have revealed that the Police Officers concerned have in fact, either married the woman secretly or have lived with women as men and wife and one or more children have actually been born from the relationship.

The conduct of such officers is not only reprehensible but does great damage to the image of the Police in the eyes of the public. It should be brought home to all officers and men in the force that such conduct will render the individual concerned unfit to be retained in service and he will be liable to be dismissed / removed.

The Assam Civil Service (Conduct) Rules, 1965, enjoins that “ No Government Servants who has a wife living shall contract another marriage without first obtaining the permission of the Government notwithstanding that such subsequent marriage is permissible under the personal law for the time being applicable to him”. (Rule 26 (I)) Violation of this Rules will obviously make the officer liable for disciplinary action.

To avoid such complaints, it is hereby ordered that henceforth every non-gazetted Police officer will inform S.P./C.O about his marriage as soon as it takes place and will furnish the relevant particulars of his wife. The S.P. or C.O will then make an entry in the Service Book of the person concerned so that the record is available about the fact of his marriage and the particulars of his wife which can be verified if any complaint is received subsequently from any quarter.

You are requested to bring this order to the notice of all officers and men serving under you with a warning that its non compliance will be severely dealt with. The content of Rules 26 (I) of the Assam Civil Service. (Conduct) Rules, 1965, as mentioned above, should also be brought to the notice of all officers and men so that they cannot put forward the plea of ignorance of this Rule if and when it becomes necessary to take departmental action against any one for violation of the rules.

Please acknowledge receipt.

Sd/- (L.B.K.Dey, IPS)
Inspector General of Police,
Assam, Shillong.

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OFFICE OF THE INSPECTOR GENERAL OF POLICE, ASSAM, SHILLONG.
CIRCULAR NO.9 POLICE/1971, Shillong, the 7th December, 1971.

From : Shri L.B. Kumar Dey, IPS,
Inspector General of Police,
Assam, Shillong.

Subject: PETITIONS FOR CORRECTION/ALTERATION OF DATE OF BIRTH.

It has come to my notice that some Police Officers submit petitions/representations for correction or alteration of their date(s) of birth when they are on the verge of retirement. Such representations are generally supported by horoscopes or affidavits. This practice of submitting representations is against the provisions of Government Notification No.FE. 1197/59/1 dated 17th March 1959, copy of which was forwarded to you under cover of this office Memo No.F/1-335/4 dated 25th March 1959. In the said notification the Government has fixed certain criteria for correction of the date of birth. One is that the Government servant concerned should submit such petition/representation not less than 3 years before the due date of his superannuation. It has also been stressed in that notification that no petition/representation will be entertained unless it is submitted in conformity with the provisions thereof. The stipulations of the circular have been upheld by the Supreme Court in Civil Appeal No.2265(N) of 1966. A copy of the Civil Rule was also sent to your address vide this office Memo No.F/XII/240/268 dated 22nd April, 1971.

It is, therefore, hereby ordered that no petition/representation will be entertained by this office unless it is submitted in conformity with the provisions of the Government Notification quoted above. This should be brought to the notice of all the Police Officers and Ministerial staff under your control.

Please acknowledge receipt.

Sd/- (L.B.KUMAR DEY, IPS)
Inspector General of Police,
Assam, Shillong.

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Letter No G/XXVII-2/9, dated 17.8.74 issued by A.Rahman, IPS, Inspector General of Police, Meghalaya, Shillong addressed to Shri S.K. Jha, IPS, Superintendent of Police, Khasi Hills, and other Ss.P. in Meghalaya.

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Subject :- POLICE HELP FOR EXCISE RAIDS:

The Government have felt considerable anxiety and concern with regard to the problem of illicit distillation and sale of illicit liquor in the State in general and in Khasi Hills in particular. The Financial Commissioner has addressed a letter to Deputy Commissioner, Khasi Hills vide D.O. No FIN(SUC)/MEG-III/74 dated 13/8/74 directing him to carry out excise raids with the help of the local Police. Such help whenever asked for should be given. The following precautionary measures, however, will have to be taken:-

1. All raids should be properly planned after obtaining advance intelligence.
2. The Deputy Commissioner should be kept in the picture whenever such raids are organised.
3. Whenever large scale raids are conducted, a Magistrate made be requested to remain present during the raid or raids.
4. Necessary coordination with the Excise Officers should be ensured.
5. All precautions should be taken to meet any eventuality so that the Raiding Party consisting of Excise and the Police is not over powered. Use of W/T, mobile van, anti riot shields, loud speakers, if necessary, tear gas,etc. may be considered.
6. Constables should not be allowed to act on their own without proper supervision and briefing.

Letter No.FM/XXXI-1/31, dated 26th June, 1976 from AIG, Meghalaya, addressed to the DIG, SB/CID/Commandant/All SsP/Dy. SP(C), Meghalaya.

Subject: MANIPULATION OF THE DATE OF BIRTH.

Sir,

I am directed to say that it has come to the notice of the IGP, Meghalaya that there have been cases of manipulation of the date of birth in the service books which is viewed with great displeasure.

You are, therefore, requested to see that before making entry of the date of birth in the service book, proper verifications should first be made with reference to concerning documents and entries should be made neatly to avoid manipulation, overwriting, etc. It is advised to keep the Service Book in proper custody of responsible officer.

Please acknowledge receipt.

Letter No. MG/VI-7/74/104, date 23.9.76 issued by Shri A. Rahman, IPS, Inspector General of Police, Meghalaya, Shillong addressed to all Ss.P. in Meghalaya.

Subject: Early morning alertness.

Local police at Headquarters and sometimes in the rural areas have to work quite late at night. The nature of work normally is (1) Emergency call at night because of drunkenness and other reasons, (2) Patrolling and (3) Writing of Case Diaries and other

records for which no time is found during the day. Such pre-occupations at night make officers and men late-risers except in the Police Reserve where the Armed Branch has to wake up early for the purpose of roll call and normal parades.

It must be realized that the reports of happenings of the preceding night come in early in the morning and any delay in response to the calls brings the Police to adverse notice of public and other senior officers. Therefore, alertness in the early hours of morning must be enforced strictly on basis of specific orders in a roster indicating which of the officers i.e. SI/ASI or H.C. will remain present in Thana / OP or BP from, say, at least 5:30 am. Such a roster is a must and it must be introduced immediately so that reports received in the morning are responded to as quickly as possible. If a subordinate officer is not available immediately, at least a constable must be deputed to reach the place of occurrence without any unnecessary delay. The Superintendent of Police of the District should personally ensure that there is no slackness in response on the part of subordinate ranks particularly at the Headquarters.

The above instructions should be passed on to the lowest level and should be discussed in the Crime Conferences every time.

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OFFICE OF THE INSPECTOR GENERAL OF POLICE::
MEGHALAYA:: SHILLONG

Memo No MG /XLI -1/77/20

Dated 26th July, 1978

To,

All Superintendents of Police / Commandant 1st MLP / Additional S.P. (C),
Meghalaya Shillong

**Subject: IN CASE OF DELAY IN RESPONSE TO THE PROPOSALS
SUBMITTED TO THE PHQ, D.O REMINDERS TO BE ADDRESSED
TO THE IGP.**

It is seen that different branches in the IGP's Headquarters at Shillong do not respond to letters containing proposals. I have experienced that most of such letters and reminders are not put up to me and I feel sufficiently embarrassed as and when I am told by SsP or Commandants that a particular proposal was submitted months ago. In order to cure the evil of delay in disposal of letters and proposals. I would, henceforward, insist that if and when no response is received from IGP's Office on the reference within three months, a D.O. letter should be addressed to me so that I may take up the matter with the branch concerned. Introduction of the system will keep the Heads of Branches and the Registrar fairly alert. A wireless reminder by name to me or by a D.O. will act as a counter measure to fix responsibility on the Office Assistants concerned or the Head of the Branch.

AIG(A) will please ensure that signals addressed personally to me by the Superintendents of Police and Commandants are put up to me whenever received

Sd/- (A. Rahman)
Inspector General of Police,
Meghalaya, Shillong.

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OFFICE OF THE INSPECTOR GENERAL OF POLICE
MEGHALAYA :: SHILLONG.

CIRCULAR No.1/79, dated 23/4/1979

Subject: Prohibition on collection of funds for any religious purpose from members of the public.

It is good for Police Officers to be truly religious minded in order to inculcate correct behaviour not only in the performance of their official duties but also in dealing with members of the public. Religion is a purely private matter and it should not be mixed up with official position. I have, however, noticed on more than one occasion, Police Officers of the subordinate ranks, including Constables stopping motor vehicles on highways and realising money misusing official powers. Similar drive for collection of funds by Police Officers going from door to door with a Subscription Book is also not correct. It is hereby ordered that in future no Police Officers or men will collect money from passersby or from others going from door to door for any religious purpose. I am not against any religion but the manner in which subscription is raised by members of the Police force is objectionable irrespective of the religion one follows. Superintendents of Police and Heads of Offices will kindly ensure implementation of this order.

Sd/- (A.Rahman),
Inspector General of Police,
Meghalaya, Shillong.

No. C.23/79/23 dated 11th June,1979 from AIG(A), Meghalaya addressed to All Ss.P/Commandant, Meghalaya.

Subject: Utilisation of Constabulary posted as Orderlies for doing domestic chores.

In inviting your attention to Rule 342 of the Assam Police Manual Part III, I am directed to state that the Rule regarding utilisation of orderlies is clearly laid down. It is, however, reiterated hereby that the constabulary attached to Officers as Orderlies should not be utilised for doing domestic chores such as cooking, washing clothes, etc. or any other job which is derogatory to their sense of self-esteem and morale.

No.C.23/79/1132 dated 17th July,1979 from Shri A. Rahman, IPS,IGP, Meghalaya, Shillong addressed to All Ss.P/Commandant/Spl.SP(C), Meghalaya.

Subject: Utilisation of Orderlies.

It is reported to me and I have observed from some records that some Police Officers are keeping more orderlies than the prescribed scale and it is also reported that some subordinate officers (Inspector excluded) who are not entitled to orderlies are employing orderlies without showing such employment in official records. I would ask all concerned to see that the scale of orderlies permitted under rules is not exceeded and Officers concerned are to see that orderlies are not used in manual work. I have further noticed that some Dy.Superintendents of Police and Asstt. Commandants are using two orderlies instead of one. They may be requested to surrender one orderly immediately. Inspector using more than one orderly must surrender one orderly immediately

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OFFICE OF THE INSPECTOR GENERAL OF POLICE::
MEGHALAYA:: SHILLONG

Order No. 1/81

Shillong, the 15th January, 1981.

To,

All Superintendents of Police.
Principal, Police Training School, Shillong.
Commandant, 1st MPL Battalion, Shillong.
Spl. Superintendent of Police, SB(HQ), Meghalaya, Shillong.
Spl. Superintendent of Police, CID (HQ), Meghalaya, Shillong.
Superintendent of Police, ©, MPRO, Shillong.

**Subject :RATIONALISATION OF SYSTEM OF APPOINTING
CONSTABLES AS HANDYMEN.**

I am directed by the Additional Inspector General of Police, Meghalaya to state that the present system of appointing Constables as Handymen is extremely defective. As a result, very poor specimens become Driver Constables with disastrous consequences to the vehicles they drive. They also constitute a positive menace to public safety. At present there seems to be no test to find out the aptitude of Constables for driving and no age limit or educational qualifications are being observed. In order to rationalize the present system, the Addl. Inspector General of Police, Meghalaya has passed the following orders regarding the procedure to be observed while selecting Handymen.

1. The intending candidate should be of a reasonably young age and in any case should not be over 30 years.
2. They should be made to undergo intensive medical test particularly with regard to their eyesight and their general health condition.
3. The candidate should have at least an elementary knowledge of English to the extent of being able to read English Sign-boards.
4. The general record regarding discipline should be carefully gone into.
5. There should be a Board of Officers who will examine the above aspects before selection .
6. Before their selection as Handymen, the full list should be forwarded to the IGP's Office along with the Service Records and Medical History Sheets for approval of the recommended list. The existing handymen can be screened in the light of these instructions and only those who satisfy these should be retained as handymen.

We can also constitute a board to test all the existing drivers and weed out the unsuitable ones.

This order take immediate effect.

Sd/- (H.S. Chittaranjan, IPS),
Deputy Inspector General of Police(HQ),
Meghalaya, Shillong.

OFFICE OF THE INSPECTOR GENERAL OF POLICE
MEGHALAYA :: SHILLONG.

CIRCULAR NO.2 OF 1985

Sub.-- Prior permission for construction of place of worship on police land

It has been brought to my notice that in spite of clear instructions on the subject, various unauthorised structures in the guise of places of worship are being allowed to be constructed within the Police land. Such constructions without the sanction from the Inspector General of Police are irregular. The officers in whose jurisdiction such constructions have taken place shall be held responsible for allowing any unauthorised construction.

In future, whenever any place of worship is required to be constructed, a request for permission shall be submitted along with a site plan and your recommendation for approval. No construction, addition or alteration shall be undertaken or allowed until written permission from the undersigned is received.

Sd/- (M.I.S. Iyer, IPS)
Inspector General of Police,
Meghalaya, Shillong.

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OFFICE OF THE DIRECTOR GENERAL OF POLICE
MEGHALAYA :: SHILLONG.

CIRCULAR NO 3/93

Sub. Officers to remain available on telephone or to leave their contact number

It has been observed that quite often it has not been possible to contact some officers either at their Office telephone number or residence. Sometimes the residence telephone numbers are not even attended to. When an attempt is made to locate them over the VHF they are not available. It is, therefore, requested that all of them should leave behind their contact telephone numbers/addresses where, in time of emergency, they could be located.

The receipt of this Circular may please be acknowledged.

(D.N.S SRIVASTAVA)
Director General
And
Inspector General of Police,
Meghalaya, Shillong.

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OFFICE OF THE DIRECTOR GENERAL & INSPECTOR GENERAL OF POLICE
MEGHALAYA ::: SHILLONG

CIRCULAR No.-4 Dated Shillong, the 4th April, 1994

Sub- Notification of CID (Hqs) as a Police Station

- (1) Government of Meghalaya have vide Notification No HPL 181/92/8 dated the 2nd, February, 1994 declared CID (Hqs) as a P.S. under clause (5) of section 2 of the Cr.P.C. 1970 having its jurisdiction throughout the State of Meghalaya.

Special Superintendent of Police, CID, Meghalaya, Shillong will function as the Officer in-Charge of the said P.S. and will in this capacity, perform all duties and responsibilities of an O/C of a P.S. as laid down in the Cr.P.C., with regard to the cases registered in the said P.S.

- (2) The CID (Hqs) P.S. will take up the following categories of cases for investigation :-

- (i) Cases of counterfeit currency notes and coins of a serious and sensational nature or having inter- district or inter-state ramifications.
- (ii) Cases of embezzlement, fraud, forgery, defalcation or falsification of accounts involving large sums or having wide ramifications or having inter-district or inter-state ramifications.
- (iii) Cases of criminal breach of trust or cheating of very serious or complicated nature or having inter-district or inter-state ramifications.
- (iv) Any case of sensational nature which has evoked general public interest.
- (v) Cases of murder, dacoity or robbery which are of a sensational nature and have aroused considerable public interest or outcry.
- (vi) Cases of exceptional difficulty or importance.
- (vii) Organised crime committed by professional criminals extending over two or more districts.
- (viii) Cases of very technical or complicated nature which in the opinion of the Director General of Police, would call for the services of a CID investigator.

- (3) The CID (Hqs) P.S. will have concurrent jurisdiction to investigate cases that fall within the aforementioned categories with the P.S. within whose territorial jurisdiction the offence has been committed.

- (4) Following procedure will be followed for registration and investigation of cases in the CID (Hqs) P.S. :-

- (i) In case of the offences falling within the aforementioned categories, committed within the territorial jurisdiction of P.S.s outside Shillong, the P.S. concerned will register the case as soon as the case is reported.
- (ii) Superintendent of Police of the District concerned will immediately thereafter furnish details of such cases by W/T to the Deputy Inspector General of Police, CID.
- (iii) The Deputy Inspector General of Police, CID., will then obtain orders of Director General of Police through Inspector General of Police, CID , as to whether the case should be transferred to the CID (Hqr) P.S. in which case, the Special Superintendent of Police, C.I.D., will issue orders to this effect accordingly

- (iv) The Superintendent of Police of the District concerned may in some cases, considering the gravity of the offence or other relevant aspects, inform the Deputy Inspector General of Police C.I.D., or the Special Superintendent of Police, C.I.D. over telephone about the same soon after the case is reported. In such cases, the Deputy Inspector General of Police, C.I.D. may obtain orders of the Director General of Police through the Inspector General of Police, C.I.D. on the basis of such telephonic communication for transferring case to the CID (Hq) P.S.
- (v) As regards the P.Ss in the East Khasi Hills D.E.F. the following procedure will be followed:-
 - (a) When such an offence is reported at any P.S. outside Shillong, the case will be registered in the P.S. concerned. The Superintendent of Police, East Khasi Hills, will then furnish details of the same urgently to the Deputy Inspector General of Police, CID or to the Special Superintendent of Police, CID. The Deputy Inspector General of Police, CID will then obtain orders of the Director General of Police through the Inspector General of Police, CID as to whether the case should be transferred to the CID (Hq) P.S.
 - (b) In case such an offence is reported at one of the P.Ss located in Shillong, before registration of the case in the P.S. concerned, the Superintendent of Police, East Khasi Hills will furnish details of the same to the Deputy Inspector General of Police, CID or the Special Superintendent of Police, CID over telephone or in person. The Deputy Inspector General of Police, CID will then discuss the same with the Inspector General of Police, CID and the Director General of Police and if the Director General of Police so desires, the case will then be straight away registered in the CID (Hqr)P.S. The Special Superintendent of Police, CID will then ask the Superintendent of Police, East Khasi Hills to advise the complainant to appear in the CID (Hqr) P.S. for registering case.
- (vi) The Director General of Police may on hearing about such a case in any part of the State, without waiting for any formal communication from the CID or from the Superintendent of Police concerned, order on his own that the same be registered in the CID (Hqr) P.S. After the Director General of Police has so passed the orders, if the case has already been registered in the P.S. concerned, the case will be transferred to the CID (Hqr) P.S. If the case has not been so registered, the same will be registered in the CID (Hqr) P.S. on receipt of the FIR.
- (vii) After the case is so registered in the CID (Hqr) P.S., the same will be endorsed for investigation to an officer of and above the rank of an Inspector serving in the CID, who will exercise jurisdiction all over the State, if so required, during the course of investigation. The investigating officer of the CID may be assisted by one or more Assistant Investigating Officers of the rank of S.I. or A.S.I, as per decision of the O/C of CID (Hqr) P.S.
- (viii) All the District Superintendents of Police will render all necessary assistance to the Investigating Officers of the CID in investigating the cases, whenever they approach the District Superintendents of Police for any assistance in this regard.
- (ix) In all cases registered in the CID (Hqr) P.S., till such time as the CID P.S. does not have a lock up and interrogation room of its own, the same available in the Shillong P.S. will be made use of by the CID (Hqr) P.S.
- (x) The Investigating Officers of the CID, will maintain a record of the investigation done, on each day in the Case Diary. They will submit copies of the C.D., on every day of investigation to the Special Superintendent of Police,

CID through the Deputy Superintendent of Police, C.I.D. The special Superintendent of Police, CID will then peruse them and issue necessary instructions to the I/O while recording a gist of its contents in the running note sheet of the relevant file, which should then be shown to the Deputy Inspector General of Police, CID along with a copy of the instruction issued.

- (xi) After the registration of the case in the CID (Hqr) P.S. till submission of the final form, the I/O will submit Progress Report on the case in the prescribed format once a fortnight. Apart from other details, details of progress made in the investigation during the fortnight in question will be specially mentioned. This Report will be submitted even if there has been no progress in investigation during the fortnight, stating reasons for the same. The P.Rs of all the cases will be put up to the Director General of Police through the proper channel in single file system with comments of the Inspector General of Police /Deputy Inspector General of Police/ Special Superintendent of Police, CID and thereafter instructions will be communicated to the I/O by the Special Superintendent of Police, CID for necessary action.
- (xii) The Progress Report will contain clear, connected and continuous record of the progress of investigation with particular reference to the evidence collected, both oral and documentary.
- (xiii) After the investigation has been completed, the I/O will submit the final P.R. on the case in prescribed format.
- (xiv) The Special Superintendent of Police, CID will then obtain the comments of a lawyer attached with the CID, on the final P.R. and put up the same to the Deputy Inspector General of Police, CID with his own comments.
- (xv) The Deputy Inspector General of Police, CID will then obtain the Director General of Police's order on the final P.R. through the Inspector General of Police, CID, and then the Final Form in the case will be submitted by the I/O through the Special Superintendent of Police, CID as may be ordered by the Director General of Police. The orders of the Director General of Police will be final and shall be treated as order of CID and not of any particular officer.

Sd/- (DNS Shrivastava, IPS)
Director General of Police
Meghalaya, Shillong.

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OFFICE OF THE DIRECTOR GENERAL AND INSPECTOR GENERAL OF POLICE
MEGHALAYA SHILLONG

CIRCULAR NO. 13/94

Sub. Police--community relations

1. The mutual advantages of a friendly relationship between the community and the police force should be widely understood and more fully appreciated. The success of a police department in the performance of its duties is largely measured by the degree of support and cooperation it receives from the people it serves. It is of paramount importance, therefore, to secure for the police department the confidence, respect, and approbation of the public.
2. The attitude of the people in the community is affected by the degree of efficiency demonstrated by the police officers and men in the performance of their duties.
- 2.1 There must be a mutual understanding between the people of all backgrounds and ethnic origins and the officers and men of the police department.
3. There must be a continuous, free flow of information about the activities of the police department to the public through news media. The information must be honest and frank.
4. The Superintendents of Police and Commandants, under the supervision of the concerned Dy. Inspector General of Police, will be responsible for coordinating and formulating community relation activities.
5. At all times, community relations should operate as a communication vehicle between the people and the Police Department whenever and wherever there is a need.
6. There should be proper training courses regarding police public relations. These courses should be included in the syllabus of the basic training of Constables, and there should be regular in-service training programmes for officers upto the level of Dy.Ss.P. in Police Public Relation.
7. The people should be constantly reminded by police officers that crime prevention and the apprehension of criminal offenders depends on citizen and police cooperation. This concept is referred to as 'team policing'
8. Neighbourhood meetings should be held to identify local problems, committees should be formed, and each committee should elect its own leaders. The Range D.Is.G.P. should initiate such meetings as a pilot project in some of the selected P.S. areas. The follow up action after the initial meeting can be taken up by the S.P. or an officer designated by them.
9. Committee should be formed to accomplish a specific job. The Agenda for such committees can be decided in the neighbourhood meetings.
10. There should be some means of keeping the public informed about new laws and procedures, enforcement policies and crime statistics. The people and the police department should be discussing the important problems of the day and the ways in which these problems can be solved through mutual cooperation.
11. A monthly report on Community relation activities carried out by the various units should be sent to Dy.I.G. of Police (Trg/AP), Meghalaya, Shillong. The first report of activities initiated in the month of October and November 1994 can be sent together with the Monthly Administrative Meeting Report of December 1994. Subsequently, reports should be sent together with the Monthly Administrative Meeting reports of January 1995 and so on "NIL" reports should be sent where no activities have taken place.
12. In referring to Para 8 of this Circular, the Range D.Is.G will initiate the first of such committee relation meetings. Dy.Inspector General of Police /Ss.P/COs are free to formulate their own programmes and activities to encourage and foster good and lasting Police Public Relations.

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Any matter relating to Police community relation may be referred to the Steering Committee formed at Police Hqr level and headed by the DIG (Trg/AP), Meghalaya with DIG (ER), Commandant 1st MLP Bn, Superintendent of Police, East Khasi Hills, Shillong as members and Public Relation Officer Police Hqr, Shillong as member secretary for clarification and advice. The Committee will coordinate all activities relating to Police Community relation in the state of Meghalaya.

Sd/- D.N.S. Srivastava, IPS
Director General of Police,
Meghalaya Shillong.

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OFFICE OF THE DIRECTOR GENERAL & INSPECTOR GENERAL OF POLICE
MEGHALAYA ::: SHILLONG

CIRCULAR NO 5/94

Dated Shillong, the 13th April, 1994

Subject : COMPLAINT AGAINST POLICE:

If we in the Meghalaya Police have to project a clean image of ourselves in the eyes of the public as indeed we must, then it is imperative that all complaints against the police high-handedness are properly enquired into and the guilty brought to book. We should not only be fair in all our dealings with the public but we should also appear to be so. No act of high handedness on the part of the police should be allowed to go unpunished. We are primarily an instrument for enforcement of law, which makes it all the more necessary that we operate within the four corners of law. The enforcers of law cannot be allowed to turn into transgressors of law or else we will lose our credibility in the eyes of the public.

Towards this end, it is necessary that some effective mechanism be devised for conducting enquiries into all such complaints and for initiating suitable action against the guilty.

1. The District Superintendents of Police should install complaint boxes outside their offices. They should inform the public about the same so that they report cases of Police high handedness to the S.P. concerned.
2. They should also open complaint Registers in their offices in which all such complaints received should be entered with date of receipt and details of action taken thereon.
3. As soon as S.Ps receive such complaints or otherwise come across instances of such Police high handedness, they should take the following actions:
 - (a) In case the complaint makes out a prima-facie cognizable case, it should be registered straight away and investigated expeditiously.
The D.G.P. should be kept informed about any such case registered as soon as the case is registered.
On getting the details of the case so registered from the S.Ps concerned , a decision will be taken by the D.G.P. as to whether the case should continue to be investigated by the P.S. having jurisdiction or the same should be transferred to the CID P.S.
 - (b) In case of a complaint where no such prima- facie cognizable case is made out, the SPs concerned should have the complaint enquired into promptly and if the same is found to be true, suitable disciplinary action or criminal action as the case may be, should be initiated against the person concerned.
As soon as a complaint against some police personnel is received, copies of the same should be sent to the D.G.P. and to D.I.G. (Re-orgn). Action taken on the same should also be intimated to the D.G.P.
4. On receipt of the complaint in the D.G.P's office, if it is decided to have the same enquired into from the police Hqrs, the same will be enquired into by a D.I.G. to be designated for conducting such enquiries. The DIG so designated will submit his enquiry report to the D.G.P.
5. After the D.I.G. concerned has submitted his enquiry report to the DGP, it will be decided if on the basis of his findings, a Departmental Proceeding should be drawn up against the delinquent concerned in which case the Superintendent of Police concerned will be instructed accordingly.
6. Once the Departmental Proceeding has been drawn up, the S.P. concerned will see that the same is conducted with absolute impartiality and objectivity without any effort to shield the delinquent. He should also see that the same is completed expeditiously.
7. On perusal of the enquiry report of the D.I.G. concerned, if it is found that a prima-facie cognizable case is made out, it may be decided to get a case in this connection registered in the CID P.S. or in other P.S. having jurisdiction. After the case is so

- registered, the investigation in the same must be completed and final form submitted without any unnecessary delay.
8. On receipt of such complaints from the public, through S.Ps concerned or directly, the D.I.G. to be designated for the purpose, will process and put up the same to the D.G.P. for necessary orders.
 9. The instructions applicable to the complaints received through the S.Ps as given above will also apply in case of the complaints received in the Police Hqrs., directly from the public.
 10. In the Public Hqrs, also, a complaint Register will be opened in which details of all complaints received either through the S.Ps or directly from the public, will be entered along with the details of the action taken on the same.
The Register will be maintained by the D.I.G., to be designated for the purpose who will put up the same to the D.G.P. once a fortnight.

Sd/- D.N.S Srivastava, IPS
Director General & Inspector General of Police,
Meghalaya, Shillong

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OFFICE OF THE DIRECTOR GENERAL & INSPECTOR GENERAL OF POLICE
MEGHALAYA ::: SHILLONG

Memo No. MG/XII-49/94/122

Dated Shillong, the 4th April, 1995

CIRCULAR NO 3/95

Subject: Registration of Domestic Servants

In order to ensure a timely detection of cases in which domestic servants are suspected to be involved leading to arrest of the wanted accused without any due delay, following actions should be taken.

1. All domestic servants should be registered with the local P.S.
2. Before a person is engaged as a domestic servant, the local P.S. should obtain two references from him.
3. Photographs and finger print of the person concerned should be obtained and kept at the local P.S.
4. The person who is hiring the services of the domestic servant should be asked to keep a watch on the persons who visit him.
This should be widely publicised within each P.S. jurisdiction and people residing within the jurisdiction of a particular P.S. should be advised to contact the local P.S. along with the person whom they intend to engage as domestic servant, for the needful.

Sd/-
(D.N.S SRIVASTAVA, IPS)
Director General & Inspector General of Police,
Meghalaya, Shillong.

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OFFICE OF THE DIRECTOR GENERAL & INSPECTOR GENERAL OF POLICE
MEGHALAYA ::: SHILLONG

CIRCULAR NO 5/ 95

Memo No. MG/XII-49/94/123

Dated Shillong, the 4th May 1995

Subject: SERVICE ETIQUETTES AMONG POLICE OFFICERS

The need to build up esprit de corps among all the police officers of Meghalaya in the Gazetted ranks as also their families cannot be over emphasized. In order to make this happen, it is necessary that all efforts be made to forge close personal rapport and camaraderie among the police officers. This can go a long way to make for a healthy and congenial working atmosphere in the Meghalaya Police.

In order to bring this about, it is necessary that the police officers be sensitised to the need for imbibing certain service etiquettes like calling on senior police officers on joining a new post, calling on the senior police officers by the police officers posted in the outlying Districts and Units when the senior officers visit those Districts and Units and paying due compliments and courtesies to the senior officers

Such courtesies must not be reserved for only such of the senior officers as are concerned with writing their ACRs or who are otherwise holding some so called important posts. If we have to forge closer ties among the police officers, as indeed we must, then we must look beyond the narrow confines of the ACRs or other extraneous considerations and begin to look on all police officers as members of one big police family.

The senior police officers should also strive to inculcate in the officers placed under them these values which form an integral part of the service etiquettes, The scrupulous observance of the service etiquettes and social graces by all Police Officers must be given the importance it deserves in the scheme of things. This will also go a long way in instilling in police officers a sense of discipline which is the sine qua non of any uniformed force.

Sd/-D.N.S Srivastava, IPS
Director General & Inspector General of Police
Meghalaya, Shillong.

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OFFICE OF THE DIRECTOR GENERAL OF POLICE: MEGHALAYA SHILLONG

CIRCULAR NO 6/ 95

Memo No. FM/XXIII-5/Misc/92/16

Dated Shillong, the 4th May, 1995

Sub. Administrative control over the MPRO personnel

In order to ensure proper administrative control over all the M.P.R.O. personnel posted in the Districts, (except those posted at the Shillong Headquarters), the District Superintendents of Police are empowered to exercise the following administrative control:-

1. Grant rewards and award minor punishment.
2. Grant advance T.E. for performance of duties after getting applications that are routed through Inspector Police Radio.
3. Ensure attendance in the Inspection Parades and call for explanation from those who are absent without permission.
4. Grant Casual Leave and recommend Earned Leave.
5. Ensure that M.P.R.O. District Headquarter in charges do not leave station without prior permission from the District Superintendents of Police.
6. Tour Diaries of MPRO Inspector and Sub-Inspector should be forwarded by the Superintendents of police with the requisite comments.
7. To conduct formal inspections of M.P.R.O. Stations at the time of conducting inspections of local Police Stations / Out posts by a Gazetted Officer.

Sd/- (D.N.S Srivastava, IPS)
Director General of Police
Meghalaya, Shillong.

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OFFICE OF THE DIRECTOR GENERAL & INSPECTOR GENERAL OF POLICE
MEGHALAYA ::: SHILLONG

CIRCULAR NO. 10/95

Sub. Transmission of WT Messages through the MPRO network

It has been brought to my notice that the MPRO network is being misused & wireless messages / other messages are being sent in violation of the instructions of the DCPW, New Delhi. It has, therefore, become essential to streamline transmission of messages from the MPRO network.

All messages from Government Departments except those from (1) Deputy Commissioners; (2) Food & Civil Supply Department (messages relating to essential commodities) & Election Department shall be put up to the District Superintendents of Police or the SP (c) for clearance before transmission by the MPRO Stations in order to ensure compliance of the guidelines of the DCPW.

The District SPs should apprise the DCs about the guidelines of the DCPW regarding transmission of messages over the MPRO network in the State so that the same are followed by the DCs strictly.

Please acknowledge receipt of this Circular.

Sd/- (D.N.S Srivastava, IPS)
Director General and Inspector General of Police
Meghalaya, Shillong.

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OFFICE OF THE DIRECTOR GENERAL & INSPECTOR GENERAL OF POLICE
MEGHALAYA :: SHILLONG

CIRCULAR NO 5/96

Dated Shillong, the 7th August 1996

Sub: Monthly POL/ DOL Returns

Henceforth, while submitting monthly POL/ DOL Returns of vehicles, the following should also be reflected in the summary of POL/DOL returns pro forma as per sample enclosed.:-

1. Total expenditure incurred on repair of vehicles during the month.
2. The total expenditures incurred up to the month i.e. the cumulative total of expenditure incurred on repairs of a vehicle from the date of purchase up to the date of report.

The above should be reflected from the return of the month of July, 1996 submitted in August, 1996.

Sd/- (M.S. Syiem),
Asstt. Inspector General of Police (A)
Meghalaya, Shillong

PROFORMA

Summary:

1. Balance fuel carried forward from the previous month.:-
2. Fuel issued during the month:-
3. Balance in tank in the end of the month:-
4. Actual fuel used during the month:-
5. Fuel used for maintenance:-
6. Fuel used in running the vehicle.
7. Total K.M. covered by the vehicle:
8. Average K.M. per litre.:-
9. Total expenditure incurred on repairs during the month:-
10. Total expenditure incurred on repairs up to the month:-

Supdt. of Police / Commandant.

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OFFICE OF THE DIRECTOR GENERAL OF POLICE ::
MEGHALAYA:: SHILLONG

CIRCULAR 4/98

Sub. Visiting Govt. dignitaries/ functionaries to be apprised of administrative problems and grievances only with prior approval of the PHQ

From the tour notes of the Home Minister, Meghalaya relating to Police administration in Garo Hills, it has been observed that the 3 (three) districts of Garo Hills have made certain grievances directly to the Home Minister, during his last visit to Garo Hills on administrative matters e.g filling up of vacancies in various ranks, erratic communication system, acquisition of land, construction, etc. the clarification of which could have been obtained from Police Headquarters.

As per protocol and office procedures, administrative matters when required to be put up to the notice of the Government should be done so only through and by Police Headquarters. Secondly, the Home Minister is not the proper forum to air administrative grievances by subordinate offices. Therefore, the action of the district of Garo Hills is most unwarranted and improper.

The proper procedure that should have been adopted by the districts was to seek Police Headquarters' clearance on what subjects to be discussed with the Home Minister and what type of grievances to be put to him but this was not done by the districts of Garo Hills. Their action amounted to a complaint or a report against Police Headquarters. The Director General of Police had to unnecessarily submit explanation to the Home Minister and the Government on the grievances lodged by the Districts of Garo Hills to the Home Minister during his last visit to the 3 (three) districts. This could have been avoided.

Henceforth, all District ./ Subordinate offices in the Department should ensure that in the event of the oncoming visit of the Home Commissioner, Chief Secretary, Home Minister, Chief Minister, Governor and any other dignitaries, the subject matter to be discussed with them should be submitted to Police Headquarters for approval and only the subjects which have been approved can be discussed with the above senior officials and dignitaries. However, if the visit of the above senior officials and dignitaries happens to be a surprise one, the district officers need not seek such permission but, the discussion should be limited to only crime and law and order.

Receipt of this circular should be acknowledged.

Sd/- (I.T.Longkumer, IPS)
Director General of Police,
Meghalaya, Shillong.

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OFFICE OF THE DIRECTOR GENERAL OF POLICE MEGHALAYA :: SHILLONG
CIRCULAR NO 5/98

Sub. Bi-monthly Special Reports regarding militant activities

1. In referring to Memo No. L&O/C/I-3/20-A dated 19th September 1998, it is felt necessary that there should be strict and proper monitoring of action against militant activities.
 2. The Superintendents of Police should now send a bi-monthly return, to start with, for the period from 1st October to 15th October, 1998. The returns must reach this office by the 1st week and 3rd week of the month
 3. The format will be classified as SECRET and it will be called a BI-MONTHLY SPECIAL REPORT-I (BM SP-I)
 4. The BM SP-I should contain the under mentioned information and it can be submitted in a narrative form.
 5. Points to be covered in the BM SP-I :
 - i) Serial No. and period of report from ----- to -----
 - ii) Gist of intelligence report for the fortnight and action taken by Police on the same
 - iii) Militant activities such as, attack on Banks/ Pay Escort / Police Units / Kidnapping / Killings / Ambushes / Sabotage . Action taken by police on any of the above activities
 - iv) **Action by the Police** : In this part, routine and special actions taken by the police including the force used should be indicated. Routine action can include vehicle checking / mobile patrols and so on. Special action can include specific raids / long and short range patrols / area and fact finding patrols
 - v) **Arrest / Apprehensions**: The names and addresses including photos (these can be sent subsequently) . Follow-up action taken and whether the information has been passed to the other districts and the Special Branch should be indicated.
 - vi) **Death**: Full particulars of Police personnel / Government officials/ Civilians / Militants killed should be indicated in this part.
 - vii) **Seizures**: Details of seizures, such as arms and ammunition / documents / photographs / should be indicated.
 - viii) **Co-ordination activities**: Co-ordination meetings with District Administrations/ other Police Units / NGOs / Government Departments should be indicated. Copies of letters or references thereof of all actions, plans and suggestions made by the Superintendents of Police to the Departments mentioned above should also be indicated.
- NB-1.** The BM SP-I should be kept flexible so that any points or actions not covered in the paras above should also be included
- NB-2** The Superintendents of Police should ensure that this return is filled up correctly and submitted timely as it will have a direct bearing on their performance with regard to activities against militants.
- NB-3** The BM SP-I will be used as an Assessment -II while recording the ACR of the officers. It will also be used as a reference and compilation of statistics while taking up extremist related matters with the State and Central Governments.

Sd/-(I.T.Longkumer, IPS)
Director General of Police,
Meghalaya, Shillong

OFFICE OF THE DIRECTOR GENERAL OF POLICE
MEGHALAYA :: SHILLONG

CIRCULAR NO 6/98

Sub. Need for maintaining the rule of law without fear or favour

Of late, instances of inadequate response by district level officers to public complaints have come to my notice. As a result of such lapses, there had been occasions when serious lawlessness occurred resulting in the loss of lives and properties. Rule of law must be maintained without any fear or favour and this should be insisted upon at all levels. Any police officer found wanting in carrying out his legal duties will be severely dealt with. All field officers should seriously take note of this Circular.

In case there is need for prohibitory orders to be imposed, the Superintendents of Police, should place a written assessment report before the District Magistrate for consideration. All possible measures must be taken to prevent deterioration of law and order situation in any part of the State.

Sd/- (I.T.Longkumer, IPS)
Director General of Police
Meghalaya, Shillong.

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OFFICE OF THE DIRECTOR GENERAL AND INSPECTOR GENERAL OF POLICE
MEGHALAYA :: SHILLONG

CIRCULAR NO 4/99

Sub. Distt. SPs to leave their jurisdictions only after obtaining prior approval of the competent authority.

It has come to the notice of Police Headquarters that the District Superintendents of Police are leaving their jurisdiction without prior intimation or permission from the respective Range Deputy Inspectors General of Police.

Recently, the Chairman of the Experts Committee on Ration Allowance had convened a meeting of the Committee on the 9th July'99, which was subsequently cancelled. However, the District Superintendents of Police of Ri-Bhoi and Nongstoin had arrived at Shillong to attend the Meeting. Police Headquarters and the Deputy Inspector General of Police (ER) were blissfully unaware of their absence from their respective Headquarters till such time an incident occurred in Bhoi-Lymbong, Ri Bhoi District and it was discovered that the Superintendent of Police had left for Shillong to attend this meeting. The absence of the SP had caused unwarranted delay in action that was required to be taken by the District Police.

It is, hereby, ordered that no District Superintendent of Police will leave his headquarters unless he obtains permission either from the Range Deputy Inspector General of Police, the Inspector General of Police (L&O) or from Police Headquarters

(B.K. Dey)
Inspector General of Police (HQ)
I/C Director General of Police.

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OFFICE OF THE DIRECTOR GENERAL AND INSPECTOR GENERAL OF POLICE
MEGHALAYA :: SHILLONG

CIRCULAR NO 6/99

Sub. Guidelines regarding transmission of WT Messages

In order to avoid delay in transmission of WT Messages relating to serious crime, the followings guidelines are issued which the SP(C) and all the Ss.P. of the districts will adhere to scrupulously.

1. All important messages pertaining to heinous crimes, bank dacoities, kidnapping, vehicles theft, extremist attack, serious accidents and natural calamities of a serious nature should be coded as, a) XXX/991- Major motor accidents as, b) XXX/992- car theft as, c)XXX/993 kidnapping as, d) XXX/994 highway dacoity as, e) XXX/95 bank robbery as, f) XXX/996 - riots as, g) XXX/997 - extremist attacks/ambush as, h) XXX/998 - attack on Police Station/OP as, I) XXX/999- casualty of Police Officers/VIP/VVIP.
2. SP(C) should implement a Duty Checking Roaster on the basis of which SP (C), other Gazetted Officers and senior Inspectors can check the MCCD and the PRC in the Shillong Police Station regularly to ensure that the person on duty are present and that important messages are dealt with due care and attention.
3. A special Control Room should inevitably be opened for any major operation or incident. This control room can be manned by the MPRO staff or by Officers from the East Khasi Hills District if so required.
4. In the event of any communication failure, an important message to transmit are allowed to use the STD/FAX or any other form of communication of the concerned Superintendent of Police to pass on the message.
5. The system of passing important messages over (POP) to Senior Officer/PCRs should be continued and logged.

Inspector General of Police (HQ)
I/C Director General of Police,
Meghalaya, Shillong.

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OFFICE OF THE DIRECTOR GENERAL AND INSPECTOR GENERAL OF POLICE
MEGHALAYA :: SHILLONG
CIRCULAR NO 1/2000

Sub. Inspection of premises of manufacturers, dealers, etc. of explosive substances and proceeding against illegal possession and transaction in the same

There has been a sudden spurt in terrorist activities in the recent past as is evident from the number of bomb blasts that have taken place in various parts of the country. Such incidents have caused large scale destruction of life and property and have made the common citizen feel unsafe. The situation has acquired alarming proportions with the terrorists expanding their nefarious attacks which shows that the terrorists are not only well-trained but are receiving liberal supply of explosives for carrying out their activities.

In a meeting held in the Ministry of Home Affairs between officials of Ministry Home Affairs, Ministry of Defence, Departments of Industrial Development and top ranking police officers of the States, the following vital decisions relating to manufacture, sale, transport and storage of explosives were taken :

1. The Department of Industrial Development, Government of India will issue instructions to make it obligatory for all dealers and manufactures of explosives to report all sale and movement of explosives to the District Magistrates/Superintendents of Police of the Districts where a consignment of explosive has originated as well as the Districts for which it is destined,
2. Superintendents of Police will ensure that all the premises of manufacturers, dealers, sub-dealers and stock holders of explosives in their districts are inspected. During these inspections, it needs to be clearly ensured that the dealers report the identification particulars of the buyer. Immediate action needs to be initiated in cases where stocks are found to have been supplied to fictitious buyers.
3. Superintendents of Police may exercise their power as per the provisions contained in Section 9-B and 9-C of the Explosives Acts, 1884 and Section 3, 4 and 5 of the Explosive Substances Act, 1908 and Section 107, 108 and 120A, 120B and 336 of the Indian Penal Code, for proceeding against transactions of illegal possession, sale and use of explosives.

Sd/- (B.K.Dey, IPS)
Director General of Police
Meghalaya, Shillong.

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OFFICE OF THE DIRECTOR GENERAL AND INSPECTOR GENERAL OF POLICE
MEGHALAYA SHILLONG

CIRCULAR NO. 3/2000

Subject: DRESS ORDER FOR ATTENDING SHOK PARADE

It has been observed that officers & personnel of Meghalaya Police who attend the “Shok Parade” of their departed colleagues turn up for this Ceremony in improper attire.

The “Shok Parade” is an extremely solemn occasion and we are expected to give a befitting farewell to our departed colleagues. It is therefore ordered that henceforth the following shall be the Dress Order for the “Shok Parade”.

1. Officers of the rank of SI and above shall wear their Ceremonial Uniform, appropriate to the season, i.e. Uniform with Cross-belt and Peak Caps./
2. Officers in non-uniform Organisations shall wear Blazers/ Lounge Suits or Shirts with a Tie.
3. All other ranks will fall in for the “Shok Parade” in their respective Ceremonial Uniforms.

4.

The above instructions will be strictly adhered to henceforth.

Sd/- (B.K.Dey, IPS)
Director General of Police
Meghalaya, Shillong.

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OFFICE OF THE DIRECTOR GENERAL & INSPECTOR GENERAL OF POLICE
MEGHALAYA : SHILLONG
OFFICE MEMORANDUM

O.M. No. MG/XII-61/90/12

Dated Shillong, the 27th of June, 2001

Sub. Financial assistance in the event of death in action

At a meeting of Senior Officers of the Police Headquarters held on 5th June, 2001 in the office chamber of the Director General of Police, Meghalaya, it has been decided that a small amount of contribution shall be collected from each individual officer and man of all ranks of Meghalaya Police whenever there is death of a police personnel in action. The amount so collected shall be paid as immediate financial help to the family of a police personnel who died in action. This will be a token of expression of our solidarity whenever any member of the force has made the supreme sacrifice at the call of duty.

The contribution shall be realised at the rate of Rs. 10/- only from all the Constables upto Inspectors and Rs. 20/- only for officers from DySP and above in each individual case.

In order to maintain uniformity in deciding the merits of such cases, the controlling officers concerned should consult the Police Headquarters before taking final decision.

Extreme care must be taken in deciding whether death has actually taken place in action. Example – a drunken driver who met with an accident and died as a result of driving under influence of liquor shall not be treated as death in action, whereas a driver who met with an accident and died while chasing the speeding criminal/militants or death due to encounters or unprovoked attacks by the militants/criminals shall be treated as death in action.

The concerned controlling officer should inform all the units/districts with intimation to the Police Headquarters and their respective controlling officers regarding the incident of death of a police personnel in action. The contribution shall be collected by the respective controlling officers and send directly to the units/districts concerned where the deceased police personnel worked last.

This shall take effect from 1st June, 2001.

Sd/- L. Sailo, IPS
Director General of Police,
Meghalaya, Shillong.

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OFFICE OF THE DIRECTOR GENERAL OF POLICE::
MEGHALAYA::: SHILLONG

Circular No. 5/2003

Sub : Need for improvement in the functioning of the Police Department.

In order to bring about improvement in the functioning of the Police Department, henceforth, following instructions should be strictly complied with:-

1. Dy IGsP (ER) & (WR) will carry out annual inspection of the Office of the SsP within their respective Ranges. Dy IGP (TRG/FS/C) will carry out inspection of all units under him. While carrying out the annual inspection, all inspecting officers will also inspect the accounts pertaining to the Unit/Welfare funds.
2. SPs and other GOs and CIs will carry out inspection of PSs/OPs and BHs as provided for in the AP Manual Pt III. SsP should also carry out annual inspection of FSs and Sub FSs in their own jurisdiction. SP FS will also conduct annual inspection of FSs and Sub FSs in consultation with Dy IGP (TRG/FS/C).
3. Dy IGP SB/SP INFIL should between themselves carry out annual inspection of PCPs, WPs and CPs under the PIF Scheme.
4. All SsP should submit their Tour Diaries regularly to the IGP L&O through their concerned Dy IGsP Range. IGP L&O in turn together with his remarks and that of the Dy IGsP Range will submit a copy to the DGP.
5. Weekly Inspection Parades should be held regularly in all the District/BN Hqrs and also at PTS, MPRO Hqrs and the Fire Service Hqrs.
6. In order to provide a forum for grievance redressal, quarterly Durbars should be held at District/Unit Hqrs. in which all ranks should be represented. A copy of the proceedings of the Durbar along with details of action should be sent to the PHQ.

Sd/-
(L. SAILO, IPS)
Director General of Police
Meghalaya, Shillong.

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OFFICE OF THE DIRECTOR GENERAL OF POLICE::
MEGHALAYA:: SHILLONG

CIRCULAR NO. 7/2003

Sub : Interaction with the print and electronic media

It has been observed that police officers of various levels have been interacting freely with the media and, at times, revealed certain information to the public before follow-up actions were taken. The untimely disclosure of certain information can seriously damage the progress of investigation or follow-up actions to be taken. All the senior officers and field officers upto the Police Station-level should be more careful while interacting with the media.

In a Democracy, media plays a very crucial role in informing the public about various activities of the Government. Policing, being one of the important functions of the Government, becomes a favourite subject of both print and electronic media. It is, therefore, very essential that the **police officers should know how to interact with the media to satisfy the growing demands of the public for their rights to know more without compromising the confidentiality required in police work.**

In most cases, the field functionaries at various levels have to respond to the demands of the media in disseminating facts relating to an incident or a criminal case/road accident, etc. While it would not be advisable to impose a blanket restriction on the field police officers to interact with the media, it should always be borne in mind that any disclosures made before the media do not hamper the progress of investigation or follow-up actions. **Generally speaking, the plan of action, strategy, operational programmes, actionable information disclosed by the accused and sources of secret information shall not be shared with the media.** It must be understood that there can be no ready made answer to the varying situations as each individual case will have to be addressed by the field officers on its own merits.

As a matter of practice, the thana-level officers may interact with the media persons only after obtaining approval of the concerned Superintendents of Police/Controlling officers and that too, they should disclose only factual positions without comments. The plan of action, policy issues, and Government views can be disclosed only at the Government level. There should be no unauthorised leakage of actionable information from any level. Unless required due to tactical reasons, officer who interacts with the media should have the courage to disclose his/her identity.

Sd/- (L. SAILO, IPS)

Director General of Police
Meghalaya, Shillong.

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Instruction regarding certain legal provisions:

OFFICE OF THE DIRECTOR GENERAL OF POLICE
MEGHALAYA :: SHILLONG

CIRCULAR No.1/86. Dated Shillong, the 19th July,1986

Subject: POWER OF POLICE TO COMPOUND OFFENCES UNDER THE MOTOR VEHICLE ACT, 1939.

The State Government vide Notification No.TPT.115/82/9, dated 17.1.'83 (copy enclosed as Annexure A) has empowered all Police Officers not below the rank of Sub-Inspector to compound offences punishable under Sections 112, 113,113A, 113B, 114, Sub Sections (1) and (2) of Section 115, Section 116, 118, 120, 122,123, 124, 125, and 127 of the Motor Vehicle Act, 1939, for amounts not less than 50% of the maximum fine prescribed in respect of the offences involved.

The maximum fine prescribed and minimum amount for purpose of composition under each penal section is given in the enclosed schedule to this Circular for information of all Police Officers.

It is hereby directed that the powers delegated under the Notification cited above should be liberally utilised by police Officers of appropriate rank, but while doing so, proper record of composition fees collected should be maintained, and the amounts collected each day should be deposited to the Magistrate along with a duplicate copy of report in the prescribed form - I and a duplicate copy of receipt issued in the prescribed form - II. One copy of report in Form -I as well as receipt in Form -II shall be given to the offender and the original copies be kept for record purposes in the Police Station (Traffic Branch) concerned. The printed receipt shall indicate the serial number of the book as well as the serial number of the receipt being issued.

The following procedure should be followed while challaning offenders and for receiving the composition fee indicated in the schedule to this Circular. The offender should be informed of the offence/offences he has committed and the offence report prepared in form-I should be got signed by him. In case he agrees to pay the composition fee, the offence report should be signed by the challaning officer, and he should issue the receipt for the amount of the composition fee in Form-II, after obtaining the signature of the offender and affixing his own signature thereon. The report in Form-I along with the composition fee and duplicate copy of receipt in Form-II should then be forwarded to the Court concerned as soon as possible, and in any case with the least delay, so that the Court may take note of the offence and the composition fee paid, and credit the same to the appropriate head of account.

In the event the offender does not agree to pay the composition fee, the report in Form -I giving details of the offences, names of witnesses and the documents impounded shall be forwarded to the traffic Inspector / Officer-in-charge of the Police Station for submission to the concerned Court as a Non-FIR case, and the accused person directed to appear before the Court concerned on the day and time to be fixed by prior consultation with the Court, so that cases can thereafter be heard as in the normal course.

The supervising officers should inspect the challan registers and the receipt books of composition fees imposed by each officer periodically, and satisfy themselves that all offences challaned are supported by reports to the Court, receipts issued for composition fees and General Diary entries indicating despatch of the composition fees to the Court concerned.

A register in Form-II shall be maintained in which names of all offenders under the provisions of this notification will be entered. The register should indicate whether the composition fees have been paid, along with the amounts recovered, and if not, whether reports have been submitted to the Court and final disposal thereof. This register shall also be inspected periodically by the supervising officers.

Copies of New Sections 113B and 127B of the M.V.Act, 1939 are enclosed for ready reference.

Sd/- (M.I.S. Iyer, IPS),
Director General of Police
Meghalaya, Shillong.

OFFICE OF THE DIRECTOR GENERAL & INSPECTOR GENERAL OF POLICE
MEGHALAYA :: SHILLONG

CIRCULAR NO. 5

**Subject : PROCEDURE TO BE FOLLOWED WHILE COMPOUND OFFENCES
 UNDER MOTOR VEHICLES ACT, 1939.**

Reference : Circular No. 1 of 1986

In partial modification of Para 3 of the Circular referred to above, following procedure should be followed in dealing with the composition fees realized by the Police Officers :-

1. The composition fees collected by the Police Officers should be handed over to the Officer-In-Charge of the Police Station concerned, after obtaining a receipt instead of sending the same directly to the Magistrate.
2. The Officer-In-Charge of the Police Station on receipt of the money will enter the facts in the General Diary and make entry in the Police Station monthly cash account. Thereafter, he will send the money to the Treasury under a Treasury Challan to be deposited under Head '0055-Police-103-Fees, Fines and Forfeiture.' Details of the fines realized by police from compounding Offences under MV Act and the money deposited to the Treasury should be entered in the cash account, indicating the number of the receipt along with cross reference to the concerned Register of Police Station. This register will be known as the Composition Fee Register. The page will be numbered and a certificate to the number of pages will be given by the O/C of the Police Station. The Composition Fee Register, should be shown to the District Superintendent of Police every quarter and the Superintendent will ensure correct maintenance of the same.
3. Superintendent of Police/Circle Inspector during their visit/inspection shall thoroughly check the entries in the cash account of the Police Station and Register, etc. personally and shall ensure that all monies collected on compounding of offences are duly deposited to the Treasury, and shall record remarks to that effect in the Composition Fee Register.
4. Emphasis should be laid on Compounding of such cases as are compoundable instead of sending the same as Non FIR cases to the Court. It should be borne in mind that such offences may be compounded even after launching prosecution, as envisaged under section 200 of the MV Act 1988 (New Act).
5. Instructions given here and in the earlier Circular under reference are to prevent commission of Traffic offences and do not preclude the need for holding of frequent mobile Courts to check violation of MV Act and the rules made there under.
6. Attention of all Police Officers are also hereby drawn to the provision of section 200 of the new MV Act of 1988 which provides that the offences punishable under section 177, 178, 179, 180, 181, 182 (1), 183 (2), 184, 186, 189, 191, 192, 194, 196 and 198, may either before or after the institution of the prosecution be compounded by such officers or authorities and for such amount as the State Govt. by notification in the Official Gazette specifies in this behalf. The Govt. by notification No. TPT 115/84/9 dt. 17-01-83 have authorized all Police Officers not below the rank of Sub-Inspector along with

other classes of Officers to compound the offences under certain sections of the old MV Act of 1939 to the extent as specified therein. But in view of the new MV Act of 1988, such Police Officers and other officers would now take action under section 200 of the new MV Act of 1988 and not under any provision of the old MV Act of 1939. It should be brought to the notice of all the Police Officers that although section 200 of the MV Act of 1988 has virtually superceded the previous section 157 (b) as amended by section 47 of 1982, the prosecution already launched shall continue till termination in accordance with the old MV Act of 1939 by virtue of section 217 of the MV Act of 1988(saving clause).

7. Regarding other changes affected by the new MV Act of 1988, separate instructions are being issued to all Districts and Units.

Sd/-
Director General of Police,
Meghalaya, Shillong.

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OFFICE OF THE DIRECTOR GENERAL & INSPECTOR GENERAL OF POLICE
MEGHALAYA :: SHILLONG

CIRCULAR NO. 1/89

Subject :- Proper treatment of persons in police custody and others who come in contact with Police

A few allegations of assault and ill-treatment of persons in police custody have been brought to my attention. In one instance, the affected person was a woman who was arrested in connection with a case. Government have viewed with concern allegations of such excuses and a few instances have even been raised on the floor of the Legislative Assembly.

Use of third degree methods by police on a person who is in custody, is an offence under Section 29 of the Police Act and can even come under the purview of the Indian Penal Code. Un-becoming behaviour towards any person by Police Officer can also be dealt with under Section 7 of the same Act read with Rule 65 of APM Part III. Any Police Officer found to have committed such excess or mis-behaviour with public should be severely dealt with by invoking law or rules. Whenever allegations of Police excess are received, Superintendent of Police should personally ensure that proper enquiry is instituted immediately, and if the allegations are substantiated, appropriate disciplinary action should be initiated.

It should always be borne in mind that Police can function effectively only with the cooperation of the public. The need for a cordial Police-Public relation should be insisted upon at all levels of the organization.

The contents of this Circular should be read out and discussed during all Quarterly Crime Conferences and it should be ensured that legal powers available to Police are not exceeded under any circumstances. It should also be read out and explained during Roll Calls at least once a month. The need for correct, courteous behaviour towards all members of the public and proper conduct towards a person in custody, especially women and children should be emphasized and insisted upon.

Sd/- (M.I.S. Iyer)
Director General of Police.
Meghalaya, Shillong.

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OFFICE OF THE DIRECTOR GENERAL AND INSPECTOR GENERAL OF POLICE
MEGHALAYA ::: SHILLONG

CIRCULAR No 15/95

Subject :- CRIME AGAINST WOMEN:

1. There is an urgent need to sensitise all police officers and men to the issue of crime against women. Such crimes are a scourge on the face of the humanity and civilisation and, therefore, need to be tackled with a firm hand. Serious notice has to be taken of all such cases and they should be investigated with a sense of urgency and with a missionary zeal and investigation in all such cases must be followed through to its logical conclusion vigorously so as to bring the culprits to book without delay.
2. The relevant legal provisions in this regard have been listed out in Annexure 'A'.
3. Considering the importance of the matter, quite a few legal amendments have been effected in this regard in the recent years which have been included in Annexure 'B'.

Enclo: As above. (6 pages).

D.N.S Shrivastava
Director General & Inspector General of Police
Meghalaya, Shillong.

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Crime against women =Legal provisions:**(A) - Indian Penal Code**

| <u>Section</u> | <u>Offence</u> |
|-----------------------|--|
| 294 | Doing any obscene act of singing or uttering any obscene song or word. |
| 304-B | Causing dowry death. |
| 354 | Assault or use of criminal force to a woman with intent to outrage her modesty. |
| 355 | Kidnapping or abducting a woman to compel her marriage or to cause her defilement, etc. |
| 356 | Selling or letting to hire a minor for purpose of prostitution, etc. |
| 357 | Buying or obtaining possession of a minor for the same purpose. |
| 358 | Rape |
| 376-B | Intercourse by public servant with woman in his custody. |
| 376-C | Intercourse by superintendent of jail, remand-home, etc. with the female inmate of the jail, remand home, etc. |
| 376-D | Intercourse by any member of the management or staff of a hospital with any woman in that hospital. |
| 498-A | Cruelty to a woman by her husband or his relatives. |
| 509 | Uttering any word or making any gesture intended to insult the modesty of a woman, etc. |

(B) Special Acts:

1. Dowry Prohibition Act, 1961.
2. Sati Prevention Act, 1987
3. Immoral Traffic Prevention Act, 1956.
4. Indecent Representation of Woman (Prohibition) Act,1986

ANNEXURE 'B'
INDIAN PENAL CODE

304-B **Dowry Death:** (1) Where the death of a woman is caused by any burns or bodily injury or occurs otherwise than under normal circumstances within seven years of her marriage and it is shown that soon before her death she was subjected to cruelty or harassment by her husband or any relatives of her husband for, or in connection with, any demand for dowry, such death shall be called "dowry death" and such husband or relative shall be deemed to have caused her death.

Explanation: For the purpose of this sub-section "dowry" shall have the same meaning as in Section 2 of the Dowry Prohibition Act, 1961 (28 of 1961)

- (2) Whoever commits dowry death shall be punished with imprisonment for a term which shall not be less than seven years but which may extend to imprisonment for life.

The section 304-B was inserted in the IPC through the Dowry Prohibition (Amendment) Act, 1986.

376. Section 376 IPC, which provides punishment for rape, was amended by Criminal Law (Amendment) Act, 1983. Through this amendment, a new offence of custodial rape was inserted in the IPC as section 376 (2) which lays down that whoever, being a police officer, a public servant, being on the management or on the staff of jail, remand home or other place of custody, takes advantage of his official position and commits rape on any women in his custody or charge, shall be punished with rigorous

imprisonment for a term which shall not be less than 10 years, but which may be for life and shall also be liable to fine.

Thus as against the minimum punishment of seven years for the offence or other cases of rape, the same in case of custodial rape is 10 years.

498-A Husband or relative of husband of a woman subjecting her to cruelty:- Whoever, being the husband or the relative of the husband of a woman, subjects such woman to cruelty, shall be punished with imprisonment for a term which may extend to three years and shall also be liable to fine.

Explanation: For the purpose of this section, "cruelty" means (a) any willful conduct which is of such a nature as is likely to drive the woman to commit suicide or to cause grave injury or danger of life, limb or health (whether mental or physical) of the woman; or (b) harassment of the woman where such harassment is with a view to coercing her or any person related to her to meet any lawful demand for any property or valuable security or is on account of failure by her or any related to her to meet such demand.

This amendment has been introduced through the Act 46 of 1983.

INDIAN EVIDENCE ACT:

113-A Section 113-A of the Indian Evidence Act provides that where a woman has committed suicide within a period of 7 years from the date of her marriage and it is shown that her husband or any relative of her husband had subjected her to cruelty, the Court may presume that such suicide had been abetted by her husband or by such relative or her husband. But before such a presumption under Section 113-A of Evidence Act is raised, cruelty as defined under Section 498-A IPC must be established, where facts of cruelty are proved, a presumption will be raised, against the accused and burden shifts on to him to prove his innocence.

This amendment was introduced through the Criminal Law (Second Amendment) Act, 1983.

Cruelty -what amounts to: Where wife was being continuously threatened that her son would be taken away unless she met the demands of the husband by way of compelling her parents to sell their property, it amounted to cruelty. Husband accused the wife of infidelity and carrying the child in her womb of someone else, it was held that under the Explanation to Section 498-A IPC, it amounted to cruelty. The husband reminded his wife off and on that he should have been provided with a T.V. Set , fridge and a scooter and he harassed her with a view to coerce her to ask her brothers to meet that unlawful demand and for one occasion they had satiated his demand by paying him Rs5.000, it was held that amounted to cruelty. If the wife is maltreated for bringing insufficient dowry or demands of dowry are persisted after the marriage, it amounts to cruelty.

Before such a presumption under the section can be raised, two things have to be proved by the prosecution. One, that the woman has committed suicide within seven years of marriage. Two, that her husband or any relative of her husband had subjected her to cruelty. Where cruelty as defined under Section 498-A IPC, is not established, no presumption under the section could be raised, But where facts of cruelty are proved, the presumption is raised.

113-B Presumption as to dowry death:- When the question is whether a person has committed the dowry death of a woman and it is shown that soon before her death such woman had been subjected by such person to cruelty or harassment for, or in connection with, any demand for dowry, the court shall presume that such person had caused the dowry death.

This amendment was inserted through the Dowry Prohibition (Amendment) Act 1986.

Explanation - For the purposes of this section, "dowry death" shall have the same meaning as in section 304-B of the Indian Penal Code (45 of 1860)

114-A Presumption in cases of custodial rape.

Section 114-A was inserted in the Indian Evidence Act through the Criminal Law (Amendment) Act, 1983. This new section provides that in prosecution of all cases of custodial rape, including rape in police custody and in some other cases of rape on a pregnant woman, on a woman when she is under 12 years of age and in cases of gang rape, where

sexual intercourse by the accused is proved and the question is whether it was without the consent of the woman alleged to have been raped and she states in her evidence before the court that she did not consent, the Court shall presume that she did not consent. This section makes a presumption of absence of consent in certain instances of rape in favour of victims.

Cr.P.C

174 Section 174 Cr.P.C. was amended by the Criminal Law (Second Amendment) Act 1983. Provision has been made for inquest by Executive Magistrate and for post mortem in all cases where a woman has within seven years of her marriage, committed suicide or died in circumstances raising a reasonable suspicion that some other person has committed an offence. Post mortem has also been provided for in all cases where a married woman has died within seven years of her marriage and a relative of such woman has made a request in this behalf.

176. Inquiry by Magistrate into cause of death: When any person dies while in the custody of police, or when the cases of the nature referred to in clause (I) or clause (ii) of sub-section (3) of section 174 involving death of a woman under suspicious circumstances within seven years of marriage or suicide by a woman within seven years of her marriage, the nearest Magistrate empowered to hold inquests shall, and in any other case mentioned in sub-section (I) of Section 174, any Magistrate so empowered may hold an inquiry into the cause of death either instead of, or in addition to, the investigation held by the Police officer and if he does so, he shall have all the powers in conducting it which he would have in holding an inquiry into an offence

(2) The magistrate holding such an inquiry shall record the evidence taken by him in connection therewith in any manner hereinafter prescribed according to the circumstances of the case.

(3) Whenever such Magistrate considers it expedient to make an examination of the dead body of any person who has been already interred, in order to discover the cause of his death, the Magistrate may cause the body to be disinterred and examined.

498-A Prosecution of offences under section 498-A of the Indian Penal Code:

No court shall take cognizance of an offence punishable under section 498-A of the Indian Penal Code (45 of 1860) except upon a police report of facts which constitute such offence or upon a complaint made by the person aggrieved by the offence or by her father, mother, brother, sister or by her father's or mother's brother or sister or, with the leave of the Court, by any other person related to her blood, marriage or adoption.

This section has been inserted in the Criminal Procedure Code by the Criminal Law (Second Amendment) Act, 1983, Section 498-A was necessitated by the creation of a new offence, Section 498-A, in Chapter XX of the Penal Code.

A first class Magistrate can take cognizance of the offence under Section 498-A, IPC, for subjecting a married woman to cruelty, on a police report of facts which constitute that offence. At the same time the relative of the married woman, as enumerated in Section 498-A, Cr.P.C. , can also file a complaint in regard to the offence under Section 498-A Penal Code. The offence is triable by any Magistrate of the first class. The Magistrate will take cognizance of the offence under Section 190 (1) (a) if a complaint is filed or under section 190 (1) (b) if a police report is filed.

DOWRY PROHIBITION ACT, 1961:

8-A Burden of proof in certain cases:- Where any person is prosecuted for taking or abetting the taking of any dowry under section 3, or the demanding of dowry under section 4, the burden of proving that he had not committed an offence under those sections shall be on him.

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A well established principle of criminal jurisprudence is that an accused is presumed to be innocent until his guilt is proved. Criminality therefore is never presumed. It is for the prosecution to prove beyond reasonable doubt that the accused has committed the offence and it is not for the court to speculate as to how the crime has been committed. Suspicion, however strong, is not a proof. Thus the onus is on the prosecution to prove the guilt beyond reasonable doubt.

Section 8-A of the Dowry Prohibition Act thus makes an exception to this general rule and shifts the burden on to the accused to prove his innocence. This section was inserted through the Dowry Prohibition (Amendment) Act, 1986.

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Amendment of the First Schedule of Cr.P.C. :- In the Code of Criminal Procedure, in the First Schedule, after the entries relating to Section 498, the following entries shall be inserted, namely:-

| Section | Offence | Punishment | Cognizable or Non cognizable | Bailable or non-bailable triable | By what Court |
|---|---|---|---|----------------------------------|-------------------------------|
| 1 | 2 | 3 | 4 | 5 | 6 |
| “Chapter XXA of 498-A for subjecting a married woman to cruelty. station by the person aggrieved by the offence or by any person related to her by blood marriage or adoption or if there is no such relative, by any public servant belonging to such class of category as may be notified by the State Government in this behalf. | cruelty by husband or relatives of husband. | Punishment Imprisonment for three years and fine. | Cognizable if information Relating to the commission of the offence is given to an Officer incharge of a police | Non-bailable | Magistrate of the first class |

In the code of Criminal Procedure, 1973, in the First Schedule, after the entries relating to Section 304-A, the following entries shall be inserted, namely:

| Section | Offence | Punishment | Cognizable or Non-cognizable | Bailable or non-bailable | By what Court triable. |
|---------|-------------|--|------------------------------|--------------------------|------------------------|
| “304-B | Dowry Death | imprisonment of not less than seven years but which may extend to imprisonment for life. | cognizable | Non-bailable | Court of Sessions” |

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OFFICE OF THE DIRECTOR GENERAL & INSPECTOR GENERAL OF POLICE
MEGHALAYA : SHILLONG

CIRCULAR No. 4 Dated Shillong 9th August 2002

Implementation of the Provision of the Identification of Prisoners Act, 1920

The CID, Meghalaya is shortly acquiring the state- of- the- art FACTS (Finger print Analysis and Criminal Tracing System) from M/S CMC Limited for digitisation of Finger print records. After the installation and commissioning of FACTS, the process of search and matching the finger prints with the existing FP records will be much faster.

It has been observed that District Superintendents of Police are not sending finger print records of convicted persons as per the provisions of Assam Police Manual (as adopted by Government of Meghalaya) and Identification of Prisoners Act, 1920. All Superintendents of Police should send the finger print records of the convicted persons to the Finger Print Bureau of CID regularly.

All Superintendents of Police should also send search slips for the finger prints lifted from the scene of crime for search and matching the same with the existing finger print records.

Further, as per the provision of Section 4 of Identification of Prisoners Act 1920, the finger print and foot print impression of the persons arrested for offences punishable with imprisonment for the term of one year and more, can be taken by the police officers for records. The district Superintendents of Police should direct their IOs to take the finger print and foot print impression of such persons on their arrest for maintaining their finger and foot prints impression in the Finger Print Bureau of CID.

Under Section 5 of the Identification of Prisoners Act 1920, finger prints, foot print impression and photograph of the arrested person can also be taken after obtaining the orders of the Magistrate. Photographs can be taken under this provision only after obtaining orders of the Magistrate of the first class. Therefore, in all such cases, where considered necessary, police officers may take finger prints, foot print impressions or photographs of the arrested persons.

In such cases, If a person is not charge-sheeted or is discharged after trial, the order of the Magistrate or concerned authority U/S 7 of Identification of Prisoner Act, 1920, has to be obtained for retaining the finger prints records. In case the court orders for deletion of finger print records of the arrested persons then the Superintendents of Police are required to intimate the same to the Finger Print Bureau for deletion of such finger print records.

(L.Sailo) IPS
Director General of Police
Meghalaya, Shillong.

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Pension, family pension & gratuity:

OFFICE OF THE INSPECTOR OF POLICE, MEGHALAYA, SHILLONG.

CIRCULAR No.84.

Dated 30th June, 1984

Sub. PENSION PAPERS TO BE PROCESSED AND SUBMITTED IN TIME

It has been observed that quite a good number of pension cases remain unsettled for a long period after the Government servant concerned goes on retirement, with the result that much inconvenience and hardship have been caused to the pensioners or dependents/heirs of deceased personnel.

As per rule, preparation of pension papers should be initiated by the Head of Office two years before the date of retirement so that action for working out the qualifying service, etc. could be taken and settled well in time before the Government servant retires and pension papers should be processed and submitted to the Office of A,G.. six months before the date of retirement of a Government servant so that all formalities are completed and pension payment orders are ready and issued as soon as the Government servant retires from service.

All concerned Heads of Districts/Units are requested to pay personal attention in this regard to see that pension papers are processed and submitted to this office well in time. Rules 65,66, 67 & 68 of the Meghalaya Civil Services (Pension) Rules may please be referred to wherein rules/instructions have been laid down regarding preparation and submission of pension papers.

A copy of the Inspector General of Police, Assam Circular No.11 dated 5.11.1959 is also enclosed. Monthly Returns in the form should be submitted from July, 1984.

Sd/- B.S. Baber, IPS,
Inspector General of Police,
Meghalaya, Shillong.

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OFFICE OF THE DIRECTOR GENERAL & INSPECTOR GENERAL OF POLICE.

CIRCULAR No.2/'86. Dated Shillong, the 30th August, 1986.

Sub- Timely preparation of pension papers and checking of nomination for pensionary benefits

During my field inspections and scrutiny of pension cases, I have found that some Heads of districts and Units are not taking steps to prepare pension papers well ahead of the due date of retirement. Cases where the person dies in harness, are more acute as in most such cases, the service book, especially the column relating to nominations and dependents, is very important for the purpose of finalisation of pension cases. This can easily be done if the Service Book is to be put up to the Officer granting Earned Leave along with the Earned Leave application, and no Earned Leave should be granted unless the Service Book is complete in respect of nominations and list of dependents. This will ensure that the nominations of all the personnel are noted in their Service Sheets within the period of one(1) year or so. In small units, this job may be done by taking up all the Service Books in one go, and ensuring that all such essential entries are complete in all the Service Sheets.

In any case, it is duty of the Gazetted Officers verifying service Sheets to see that all entries are complete. Heads of Units/Districts will henceforth be held responsible to ensure the Service Sheets are being properly verified and up-dated and thus preparation of pension papers are started well ahead of even the 6 (six) months' statutory deadline.

(M.I.S. IYER),
Director General & Inspector General of Police,
Meghalaya, Shillong.

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OFFICE OF THE DIRECTOR GENERAL & INSPECTOR GENERAL OF POLICE
MEGHALAYA, SHILLONG.

CIRCULAR No.2/'90
Dated Shillong, the 7th July, 1990

**Sub- Delay in family pension cases and need for checking column regarding
Nomination in service records**

Some cases have come to my notice in which inordinate delays have taken place in finalising pension cases due to non receipt of Succession Certificates in time. In order to avoid any delay in this regard in future, it is imperative that the column regarding Nomination in the Service records be filled up by the personnel concerned and signed and attested by the Head of Office in time. In order to ensure this; it is necessary that the Deputy Superintendent of Police (Hqr.) in case of DEFs , Adjutant in case of MLP Battalions and a Deputy Superintendent of Police in case of other Police Organisation and Vice Principal in case of Police Training School be made personally responsible to ensure this strictly. They should check up all the Service records to see that the relevant column has been filled up by all concerned. In those cases where the same is not filled up, immediate steps should be taken to see that the column is filled up in time so that finalisation of pension cases is not delayed unnecessarily. The above mentioned officers should be asked to check up all the Service records within a specified time frame and the result of the same should be communicated to this office within 3(three) months from now.

It may be mentioned here that the ultimate responsibility in this regard will rest with the Heads of Offices concerned.

Sd/- (H.S. Chittaranjan, IPS),
Director General of Police,
Meghalaya, Shillong.

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OFFICE OF THE DIRECTOR GENERAL OF POLICE
MEGHALAYA, SHILLONG.

CIRCULAR NO. 2/2003

Sub:- SANCTION OF PROVISIONAL PENSION AND GRATUITY.

Rule 69 of Meghalaya Civil Service Pension Rules provides that in case it has not been found possible to complete and forward the pension papers to the office responsible for issuing the P.P.O. within the prescribed time schedule, steps shall be taken by the Head of Office to authorise payment of provisional pension and gratuity by 1st of the month in which it is due. Thus, if the Head of Office is not able to send pension papers to the Office of AG 12 months before the retirement date as provided for under Rule 67(2)(a) of the abovementioned Rules, he/ she shall authorise provisional pension and gratuity.

In addition to the above, under Rule 69, the Head of Office shall authorise provisional pension and gratuity in cases where pension papers were sent to the office of AG 12 months before retirement date but the same were returned to the Head of Office for eliciting further information or if P. P. O was not received one month before the retirement date. Thus, in all cases where pension papers were sent to the office of AG before 12 months of retirement date, if the office of AG has asked for some information or if P.P. O could not be received 1 month before the retirement date, the Head of Office is required to authorise provisional pension and gratuity.

Rule 70 of Meghalaya Civil Service Pension Rules provides that if the officer responsible for issuing P.P.O has not finalised the pension case within 6 months from the date of retirement, 'the provisional pension shall be deemed to have become final and it will be obligatory for the officer concerned to issue the final P.P.O for the amount of pension and gratuity already calculated on provisional basis'. Thus, in case P.P.O is not issued within 6 months of the retirement date, the provisional pension order shall be deemed to have become final and the same should be continued to be paid after 6 months of retirement date.

The Heads of Offices must, henceforth, authorise provisional pension and gratuity as per the above mentioned provisions.

Sd/- (L SAILO, IPS),
Director General of Police
Meghalaya, Shillong.

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OFFICE OF THE DIRECTOR GENERAL OF POLICE::
MEGHALAYA::SHILLONG

Circular No. 3/2003.

**Sub: SUBMISSION OF LIST OF THOSE WHO ARE DUE TO RETIRE
FROM SERVICE DURING 24 TO 30 MONTHS.**

Rule 56(1) of the Meghalaya Civil Service (Pension) Rules provides that every Head of Department will have a list prepared on 1 st January and 1 st July each year of all gazetted and non gazetted govt. servants who are due to retire within the next 24 to 30 months of that date in form No. 18 (a copy of form is enclosed herewith).

In view of the above, all controlling officers should, henceforth, submit list to this office accordingly, by stipulated dates.

Enclo:- As above

Sd/- (L SAILO, IPS),
Director General of Police
Meghalaya, Shillong.

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OFFICE OF THE DIRECTOR GENERAL OF POLICE::
MEGHALAYA::SHILLONG

Circular No. 4/2003

Sub: TIMELY SUBMISSION OF PENSION PAPERS

Rule 65(i) of the Meghalaya Civil Service Pension Rules provides that every Head of Office shall undertake the work of preparing pension papers in Form 4 two years before the date of superannuation.

As per Rule 67(1)(a), 13 months before the date of superannuation, the Head , of office shall take up the actual work of preparation of pension papers in part I of Form 4.

Rule 67(2)(a) provides that the Head of office shall send Form 4 to the office of AG 12 months before retirement date with a covering memo in Form 5 along with service book/service roll duly completed and up-to-date.

All Heads of offices must, henceforth, ensure strict compliance of above instructions.

Sd/- (L SAILO, IPS),
Director General of Police
Meghalaya, Shillong.

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Inter-District/Unit transfers:

From

Shri P.C. Das, IPS,
Dy. Inspector General of Police, (R), Assam.

To

All Supdts. of Police / All Commdts / S.P. Railway / Principal Training College, Dergaon / Ss.P. (C)/ Fire Service Adviser, Gauhati / S.S.P. CID, Assam.

Subject: FURNISHING OF SERVICE PARTICULARS OF CONSTS. HAVS/ THC's & ASIs WHILE FORWARDING THEIR PETITIONS FOR DIST / UNIT TRANSFERS.

A large number of petitions are received in this office from Consts. Havs, THC's and ASIs praying for Dist. transfer mainly on grounds of domestic difficulties. We have to again write to you to furnish the relevant particulars. Very often it becomes necessary to issue reminders when service particulars are not received from you in time. All this involves a lot of correspondence which can be avoided if the service particulars are furnished by you at the time of forwarding the petitions.

It has, therefore, been decided that henceforth you will furnish the following particulars of the applicants at the time of forwarding their petitions to this office:-

1. Date of joining Dist/ Unit.
2. Date of birth
3. Date of enlistment
4. Rewards
5. Punishment
6. Specific recommendation on the prayer made in the petition.

Please ensure that these instructions are compiled with in all cases henceforth. You will appreciate that this will minimize correspondence at both ends and will also help in quick disposal of petitions.

Sd/-
Deputy Inspector General of Police(R),
Assam.

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Letter No. F/M/VII-4/347 dated 27th March 1973 From AIG (A)Meghalaya addressed to the AIG, SB/CD,Meghalaya/All Ss.P. / Commdt/ Meghalaya.

Sub.-- Applications for inter-distt./unit transfer

I am directed to say that lately this office has received a large number of petitions from the relatives of Police personnel serving in Meghalaya praying for their transfer elsewhere. The IGP is of the opinion that this undesirable practice should be stopped immediately and brought to the notice of all Police personnel. In future, no application of this nature will be entertained. If the Police personnel want to get themselves transferred / reverted, they should themselves individually apply through proper channel.

This instruction should be given wide circulation.

A.I.G (A)
Meghalaya, Shillong

Memo No FM/III-15/105 dated 12th February 1974 from AIG (A), Meghalaya, addressed to DIG. CID/ Range, Meghalaya / Comdts. / Superintendents of Police / D.S.P.(C) Shillong.

Subject: PETITION FOR POSTING AND TRANSFER

I am directed to inform you that this office has of late received some petitions praying for posting and transfer submitted by relatives of Police personnel direct to C.M. and other Ministers, Meghalaya. It reveals that such applications are being made under the instigation of the person serving in the Department. Such practice should be abandoned.

It is, therefore, requested that all subordinate Officers under you should be strictly instructed to abstain from such practice.

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OFFICE OF THE DIRECTOR GENERAL & INSPECTOR GENERAL OF POLICE
MEGHALAYA SHILLONG

CIRCULAR NO. 4/89

Sub- Applications for transfer

Some instances have come to my notice in which the wives/relatives of personnel concerned have submitted representations seeking their transfers on various grounds.

Henceforth, applications for transfer or cancellation of transfer orders, if any, should be submitted by persons concerned and not by their relatives and the same should be submitted through proper channel. While forwarding their applications, Superintendents of Police/Commandants concerned should specifically comment on the contents of the applications. In case transfer is sought due to some problems and difficulties faced by the persons concerned, the same should be verified and the genuineness of the same commented upon.

No applications submitted by any person other than the person concerned will be entertained. In case the applications are submitted through non-official channel or any kind of political influence is sought to be used for the same either by the person concerned or by his or her relatives, suitable disciplinary action will be taken against the person concerned. In all cases involving political influence either for transfer or for cancellation of transfer orders, it will be presumed that same has been done at the instance of the person concerned and suitable disciplinary action taken.

The above instructions should be brought to the notice of all police personnel and ministerial staff.

Sd/- (M.I.S.Iyer, IPS)
Director General of Police,
Meghalaya, Shillong.

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OFFICE OF THE DIRECTOR GENERAL & INSPECTOR GENERAL OF POLICE
MEGHALAYASHILLONG

CIRCULAR NO 2/2002

Sub. Strict observance of conduct rule against use of undue influence in transfer and posting, etc.

It has been observed that some police personnel are indulging in approaching politicians/public leaders/persons in authority to bring undue influence and pressure on their superior authority to further their interest in matters pertaining to their services, viz., transfer, posting, promotion, etc. This practice amounts to serious misconduct, which adversely affects the discipline and efficiency of the police force.

Rule 348 of Assam Police Manual Part-III, adapted in Meghalaya, strictly prohibits police personnel from approaching politicians/public leaders/ persons in authority in matters relating to their transfer, posting, promotion, etc. Similarly, Rule 24 of Meghalaya Service (Conduct Rule), 1990, provides that 'no government employee shall bring or attempt to bring any political or other undue influence to bear upon any superior authority to further his/her interests in respect of matters pertaining to his/her service under the Government'.

Since violation of the above statutory provisions is liable for punishment, any attempt to put pressure or undue influence, orally or in writing, by using the politicians /public leaders/ persons in authority regarding transfer, posting, promotion, etc. of any police personnel shall be viewed seriously and the same shall be recorded in his /her Service Book for initiating departmental action or future reference at the time of DPC meeting.

All controlling officers should explain the contents of the Circular to all the police personnel under their respective charge.

Sd/- (L.Sailo, IPS)
Director General of Police,
Meghalaya, Shillong.

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OFFICE OF THE DIRECTOR GENERAL & INSPECTOR GENERAL OF POLICE
MEGHALAYA : SHILLONG

CIRCULAR NO. 8/2002

No. FM/III-22/97/343,

Dated, Shillong, the 30th / Oct., 2002.

Subject :- Timely release of those who are under orders of transfer.

It has been observed that quite often, after transfer orders are issued by the PHQ, the same are not given effect for months together. This inordinate delay in the implementation of transfer orders, often causes enormous administrative inconveniences to the D.E.Fs/Units where the services of the officers are required urgently. Besides, it also has the effect of giving sufficient opportunity to those who are under orders of transfer to bring in extraneous influences to have their transfer orders cancelled or modified.

Henceforth, all those who are under orders of transfer must be released within a period of 15 days from the date of order. Any failure on the part of the controlling officers to ensure this will be seriously viewed.

Sd/- L. Sailo, IPS
Director General of Police,
Meghalaya, Shillong.

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Instructions regarding Tour Diaries:

Memo No. G/XVII/335/23 dated 18th September 1971 from Shri B.S. Baber, IPS AIG(A) Assam, Shillong addressed to all Ss.P./ Commdts, Assam.

Subject: SUBMISSION OF APPENDIX 'B' ALONG WITH TOUR DIARIES

I am directed to state that while preparing tour diaries, you are requested to mention the Tour Brief (Appendix 'B') on top of the Diary and not at the last page of the Diary.

I.G.P. desires that the procedure should be strictly followed in future for easy perusal of the work done during your tour i.e. night spent in mofussil and no. of days on tour and supervision of case etc. The Additional Superintendents of Police/ Sub-Divisional Police Officers and 2nd In-Command may also be instructed to follow up the procedure.

The pro forma of the form is enclosed herewith.

TOUR DIARY OF SHRI
FOR THE MONTH OF

1. Days spent on tour –
2. Nights spent in Mofussil
3. Number of PSs/OPs inspected
4. Cases supervised:-

If less than 10 days and 5 nights spent on tour during the month reason thereof :-

Memo No, MG/XV-2/TD/109 dated 12th July 1975 from AIG(A) Meghalaya, Shillong addressed to all Ss.P. Meghalaya.

Subject : SUBMISSION OF TOUR DIARIES OF SPs AND ASSESSMENT Report.

I am directed by the IGP, Meghalaya to state that from August 1975 onwards a separate "Assessment Report" on the points indicated below should be submitted to this office by the 15th of every subsequent month in addition to the monthly Tour Diary for perusal of the I.G.P.

1. Cases supervised and POs visited during the month.
2. Total Number of cases pending over three months.
3. Cases pending in Crime Branch for orders.
4. Nights spent outside Hq but within jurisdiction.
5. Inspection parades attended.
6. Interviews given to P.I./ PSI to examine progress of prosecutions of work of P.Ss
7. Any other interesting points.
8. R.T.A. meetings attended, if any.
9. Numbers of Mobile Courts arranged.
10. Action taken (if any) against C.I. for not writing PRs promptly.
11. Action taken against S.I. (I.Os) for not writing of C.Ds. promptly.

Receipt of this communication may please be acknowledged.

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OFFICE OF THE DIRECTOR GENERAL & INSPECTOR GENERAL OF POLICE
MEGHALAYA SHILLONG

CIRCULAR NO 1/94

SUBJECT: TOUR DIARY - TIMELY SUBMISSION OF :

It has come to the notice of Director General of Police, Meghalaya that some gazetted officers do not submit their tour diaries regularly. There are instances where officers have submitted arrear tour diaries for two or three months together. It has also been observed that tour diaries of some officers are too sketchy. As a result, it is not possible to assess the performance of the officers. Henceforth, all gazetted officers should submit their tour diaries with details of work done by them latest by the 7th of the following month.

This order will take immediate effect.

Inspector General of Police (Hqs)
Meghalaya, Shillong.

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Vigilance measures & related matters:

OFFICE OF THE DIRECTOR GENERAL & INSPECTOR GENERAL POLICE
MEGHALAYA :: SHILLONG

CIRCULAR NO. 2/1989

To,

The Superintendent of Police, East Khasi Shillong/West Khasi Hills Nongstoin/ West Garo Hills Tura/ East Garo Hills Williamnagar/Jaintia Hills Jowai.

Spl. Superintendent of Police(SB), Meghalaya Shillong/CID Meghalaya Shillong. The Principal PTS/Addl Superintendent of Police(c) Shillong.

Subject:- INTENSIFICATION OF VIGILANCE MEASURES TO COMBAT CORRUPTION IN THE POLICE DEPARTMENT.

The Director General of Police, Meghalaya has reviewed the vigilance measures of the Department and feels that there is considerable scope for intensifying vigilance measures in the Police department to combat corruption. Some steps have been taken by some of the Heads of Offices from time to time in this direction but these are not edequate. There have been some allegations of corrupt practices on the part of Police Officers and the general public do not appear to be quite satisfied with existing steps to deal with them. It has, therefore, been considered appropriate to issue some instructions and guidelines so that the Heads of the Offices may take positive measures in order to eradicate corruption in various branches of the Police

CONSTITUTION OF DEPARTMENTAL POLICE VIGILANCE

1. The Deputy Inspector General of Police (ER) or any other Officer as may be ordered by the Director General of Police from time to time, shall be the Chief Police Vigilance Office at the State level. He will be assisted by the following executive and ministerial staff. This will be from within the existing establishment and will perform their functions relating to vigilance in addition to their existing functions.

- (i) One Deputy Superintendent of Police.
- (ii) Two Inspectors
- (iii) One Stenographer
- (iv) One Typist
- (v) One Peon.

2. The Chief Police Vigilance Officer (CPVO) shall be under the control and direction of the Director General of Police Meghalaya. The Head Quarters of the CPVO shall be at Shillong.

3. There shall be District Police Vigilance Officer as follows :-

- (a) The District Superintendent of Police shall act as the District Police Vigilance Officer (DPVO) in his District.
- (b) He shall be assisted by one Dy. Superintendent of Police and two Inspectors supported by one LD cum Typist. This staff will be located at the Head Quarters of each District. The jurisdiction of DPVO will extend to all the Police personnel in the district.

4. Duties and responsibilities of the Police Vigilance Officers:

- (a) Prevention of malpractices in the matter of appointment and promotion of subordinate Police Officers and Ministerial staff.
- (b) Detection of collusion of Police Officers with corrupt members of the public and unholy alliance with other public servants during investigation and enquiries, conducted by Police Officers.
- (c) Prevention of loss of Police receipt, accrued from compounding offences under the MV Act as per DGP's Circular No. 1/86, followed by DIG(ER's) letter No. MG/II-

5/171-A dt. 8-4-87. In this connection, Govt. notification No. TPF 115/829 dt. 12/1/85 may be referred to. This was enclosed with the above noted correspondence.

- (d) Prevention of corruption in the MT Branch, requisition of vehicle, payment of Bills for requisitioned vehicles, purchase of clothing articles, issue of clothing of Reserve Branch, etc.
- (e) Quality control of the stores, purchased by the Police department.
- (f) Prevention of malpractices including use of speed money in movement of files and getting contracts, etc.
- (g) Prevention of delays and harassment of public by Police officials and assistants, for illegal gain/gratification.
- (h) Prevention of irregularities in disbursement of Billed - amount to contractors and others.
- (i) Deposit of unutilized/undisbursed amount to Treasury within the stipulated period.
- (j) Refusal by Office-In-Charge of Police Stations to recording FIRs or to take action on the complaint of commission of cognizable offences and unexplained delay in visiting the place of occurrence.
- (k) Malpractices in disposal of unclaimed properties.
- (l) Surprise checks and inspections should be conducted by the Vigilance Officer, to check delay in completing investigation and enquiries by the police officers which tend to breed corruption and malpractices.
- (m) Any other matter involving corruption by misuse of official powers including ill-treatment towards members of public while discharging police duties.

5. RECORDING OF COMPLAINTS AND FOLLOW-UP ACTION.

- (a) The State and District Police Vigilance Officers shall record complaints or allegation of corruption from different sources and enter the same in a register and there upon make enquiry into the allegation. Anonymous and a pseudonymous allegations with or without signature should be thoroughly scrutinized before initiating actions to see if such allegations are submitted with malafide intention or to malign the involved public servants. The District Police Vigilance Officers may abstain from initiating action in case it is suspected to have been submitted with ulterior motive and without positive foundation unless they obtain prior clearance from the State level Vigilance Officer for such course of action. In case the State level or District level Vigilance Officers suspect commission of offences under the Prevention of Corruption Act, 1988, Such matters should be sent to the State Anti-Corruption Branch for taking up investigation or enquiry as per the prescribed procedure. Under no circumstances a complaint of corruption should be destroyed or filed without action.

6. The Head of the Office should maintain a confidential record of allegations received against any subordinate staff under him. If, as a result of an enquiry, the integrity of any subordinate officer is found to be doubtful, this fact should be brought to the notice of the departmental superior and the matter may be kept in view while initiating Annual Confidential Report.

7. The Constitution of the Departmental Vigilance Officers as indicated here in above will not mean cessation of disciplinary function of the disciplinary authority as provided under the statutes. The procedures laid down in the preceding paragraphs are in addition to, and not to in supersession of the existing powers of the disciplinary authority.

8. The receipt of the complaints or allegations should be acknowledged by sending a letter under registered post in case names and addresses are available. The final action should also be similarly communicated to the person from whom complaints are received. It should be borne in mind that names and addresses of the complainants/informants should not be made public unless a written consent is obtained for such disclosure.

9. At the end of each month, the District Police Vigilance Officer will send a monthly return to the State Police Vigilance Officer indicating the following amongst other things :-
- (a) Number of complaints pending from previous month.
 - (b) Number of complaints received during the month.
 - (c) Total number of enquiries completed at the end of each month. Of these, how many are substantiated and how many unsubstantiated.
 - (d) Mode of disposal of complaints/information.
 - (e) Number of complaints pending at the end of each month.
10. As there is no sanctioned staff for the departmental Police Vigilance, the District Superintendent and Heads of other offices shall act as District Vigilance Officers. The State and District Police Vigilance Officers should start functioning with effect from 15 June 1989.

Receipt of this circular should be acknowledged.

Sd/- (I.T. Longkumer, IPS)
Inspector General of Police (A)
Meghalaya, Shillong.

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OFFICE OF THE DIRECTOR GENERAL & INSPECTOR GENERAL OF POLICE
MEGHALAYA, SHILLONG

CIRCULAR NO 19/94

Subject: TRADE OR BUSINESS BY GOVERNMENT EMPLOYEES.

Following are the provisions contained in the All India Services (Conduct) Rules, 1968 as also in the Meghalaya Services (Conduct) Rules, 1990 with regard to the Government employees engaging in the trade or business, directly or indirectly:-

As per Rule 13(I) of the All India Services (Conduct) Rules 1968, no member of the All India Services shall except with the previous sanction of the government engage himself directly or indirectly in any trade or business or undertake any other employment.

As per Rule 13(2) of the All India Services (Conduct) Rules 1968, the member of All India Services shall report to the Government if any member of his family is engaged in a trade or business.

In case of the Meghalaya Government employees, similar provisions are contained in Rules 15 (1) & 15 (2) of the Meghalaya Services (Conduct) Rules,1990.

All Controlling Officers must ensure strict compliance of the above mentioned provisions by themselves as also by all other employees placed under them. They must bring to my notice all cases of breach of the said provisions without any delay. Their failure to ensure strict compliance of the said provisions or to bring to my notice all cases of violation of the same by their subordinates expeditiously will be seriously viewed.

All the Controlling Officers should bring to the notice of all their subordinates the aforementioned provisions of the Conduct Rules and must see to it that they scrupulously adhere to the same.

Sd/- (D.N.S. Srivastava, IPS)
Director General & Inspector General of Police,
Meghalaya, Shillong.

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OFFICE OF THE DIRECTOR GENERAL & INSPECTOR GENERAL OF POLICE
MEGHALAYA::SHILLONG

CIRCULAR NO. 11/95

Dated 19/7/95

Subject: COMBATING CORRUPTION IN POLICE DEPARTMENT:

Rule 3(1) of the All India Service (Conduct) Rules lays down that every member of the IPS shall at times maintain absolute integrity and Sub Rule (20) of the same Rule lays down that every member of the IPS shall take all possible steps to ensure integrity among all his subordinates.

Sub Rules (1) & (20) of Rule 3 of Meghalaya Service (Conduct) Rules also lay down similar provisions with regard to the Meghalaya Government employees including the members of the M.P.S.

In view of the provisions referred to above, it is necessary that all the members of the IPS and MPS always maintain absolute integrity and moral uprightness and thus set personal example of honesty for their subordinates to emulate. They must also at all times ensure absolute integrity and probity among all their subordinates. They must always strive to ensure integrity among their subordinates through personal example rather than by only dishing out empty sermons and homilies.

It must always be kept in mind that unlike in case of the other Govt. Departments, integrity in the Police Department is critical to the functioning of the whole Department. Efficiency or otherwise of the Police Department largely depends on the public cooperation which, in turn, to a large extent, depends on the police image. As long as the police force has the image of being corrupt, the public cooperation to the desired extent will not be forthcoming. The public will extend an ungrudging cooperation to the police only if the police force has a clean image unsullied by the taint of corruption.

Keeping this in mind, some instructions were issued earlier vide the DGP's Circular No2/1989 dtd. 12.5.89 (copy enclosed). But quite regrettably, the instructions contained in the said Circular have largely remained only on paper. There is an urgent need to give effect to the same.

In addition, following further instructions are issued in this regard which must be scrupulously followed:

- (1) In the above mentioned Circular, only District S.P.s have been designated as Vigilance Officers in respect of their respective D.E.Fs. Now, in addition to the District S.Ps , Commandants of MLP Bns, SSPs SB, SP Infiltration, SSP CID / ACB, Principal PTS, S.P., (Communication) and Director F.S.L. are also designated as Vigilance Officers in respect of their respective Units / Organisations.
- (2) All the Vigilance Officers so designated should further designate one Dy.S.P. rank officer in their respective unit/ organisation to assist them in the Vigilance work in addition to his normal official duties.
- (3) Each Vigilance Officer will be personally responsible for ensuring complete integrity and honesty among all his subordinate staff.
- (4) The Vigilance Officers should take following measures in this regard:-
 - (i) They should initiate enquiry into allegations of corruption, irregularities, engaging in private trade or business by their subordinates, either in their own name or in the name of their family members in violation of relevant Conduct Rules and possession of assets apparently disproportionate to their known sources of income. They should keep the Chief Vigilance Officer, Meghalaya police informed about such enquiries as and when the enquiries are initiated as also about the result of the enquiry and the action taken thereon as soon as the enquiry is completed. The responsibility to initiate enquiries in all such cases followed by appropriate disciplinary action will be that of the Vigilance Officers concerned.
 - (ii) They will also be responsible for initiating enquiry into cases of possession of assets apparently disproportionate to their known sources of income which might have been

acquired by the Police personnel concerned before the Vigilance Officer was appointed in the particular post. Just because such assets were acquired during the tenure of his predecessors should not be the ground for the Vigilance Officer not initiating any action in the matter.

- (iii) They should study the procedure periodically to check loopholes and areas of corruption and then take corrective measures to minimise the scope for corruption. They should also carry out surprise checks and inspection of sensitive spots and of stores in order to prevent and detect cases of corruption.
 - (iv) While trying to combat corruption, all aspects like preventive, detective and punitive, should get equal attention from the Vigilance Officers.
 - (v) They should step up vigilance against corruption, irregularities and violation of procedures.
 - (vi) They should lay traps to catch officers or men indulging in corruption.
 - (vii) They should keep a watch on the activities of their subordinates of doubtful integrity and also on their assets. Confidential enquiries should be made regarding their assets, both moveable and immovable.
 - (viii) They should ensure strict compliance of the relevant provisions of the Conduct Rules with regard to submission of annual property returns, trade and business by officers and men or by their family members, receiving gifts and presents and provisions regarding the purchase of immovable or moveable properties.
 - (ix) They should submit monthly report to the Chief Vigilance Officer, Meghalaya Police as required under para 9 of the Circular. In their monthly report, in addition to the information which they are required to submit as per para 9 of the Circular, they should also furnish details of all the measures taken by them towards combating corruption in their respective units/ organisations during the course of the month.
5. All the senior police officers in the rank of IGPs, DIGPs will also be responsible for ensuring complete integrity and honesty among all their subordinate staff including the officers designated as Vigilance Officers.
 6. Measures taken by Vigilance Officers as also their senior officers in the rank of IGPs and DIGPs with regard to combating corruption among the staff placed under them will henceforth, be specially commented upon in their ACRs.
 7. The vigilance and anti-corruption measures to be taken by the Vigilance Officers will include both the executive staff as well as the ministerial staff.
 8. All the Vigilance Officers as well as their departmental superiors in the rank of IGPs/ and DIGPs will ensure strict compliance of these instructions as also the instructions communicated through the Circular referred to above.
While all sincere efforts made by the Vigilance Officers to effectively check corruption and irregularities in their respective DEFs/Units/Organisations will be properly recognised, serious view will be taken in case of their failure in this regard.

Sd/- (D.N.S. Srivastava, IPS)
Director General & Inspector General of Police
Meghalaya, Shillong.

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Annual Confidential Reports:

OFFICE OF THE DIRECTOR GENERAL & INSPECTOR GENERAL OF POLICE
MEGHALAYA :: SHILLONG

CIRCULAR NO 9/94

Subject: Timely writing of the ACR's

It has been noticed that in most of the cases, ACRs on the police personnel and ministerial staff are not being initiated or reviewed in time. ACRs provide a very important input for the career management of the persons concerned including their confirmation, crossing of the E.B and promotion. In the event of inordinate delay in writing ACRs, the persons concerned may have to suffer in terms of delay in their confirmation, crossing of the E.B. or promotion for no fault of theirs. Delay in writing ACR also defeats the very object of writing ACR in as much as it deprives the affected officer of the opportunity to rectify his defects pointed out, if any, and to improve his performance.

It is, therefore necessary that for writing ACRs, the following instructions be strictly followed in future :-

1. ACR should be initiated within first fortnight at the end of the financial year or calendar year, as the case may be. In case reporting officer is transferred, the SP/Commandant/ AIG will send the ACR forms to the transferred officer at his new place of posting for initiating the ACRs who will then send the same to the reviewing officer within the stipulated period for further necessary action.
2. The Reviewing Officer should give his comments and then submit the same to the Accepting Officer within a fortnight after the ACR is received by him.
3. The Accepting Officer should give his comments within a fortnight after the Reviewing Officer has given his comments on the ACR.
4. All adverse advisory remarks should be communicated in writing together with a substance of the entire ACR by the Reviewing Officer, within a fortnight of its receipt after acceptance. Thus for communication of adverse / advisory remarks, the ACR will be sent back to the Reviewing Officer immediately after its acceptance.
5. Representation against adverse remarks, if any, should be submitted by the officer concerned within two months of its receipt by him.
6. Order on the representation so received, should be passed within one month of the submission of the representation either rejecting the same, toning down the adverse remarks or expunging the same.
7. The Reporting Officer will initiate the ACR and the Reviewing Officer and the Accepting Officer will pass their comments on the ACR only if they have seen the performance of the Officer reported upon for minimum period of three months.
8. If the Reporting Officer has not seen the performance of the Officer reported upon for three months but the reviewing Officer has, then the latter will initiate the ACR which will then be sent to the Accepting Officer for its acceptance. If the Reviewing Officer has also not seen the performance of the Officer reported upon for three months, but the Accepting Officer has, then the latter will initiate the ACR and his remarks will be treated as final.
9. It shall not be competent for the Reporting Officer, the Reviewing Officer or the Accepting Officer to write ACR after one month of retirement from the service.
10. If the Reporting Officer has retired from the service and one month has passed then the Reviewing Officer will initiate the ACR and then send the same to the Accepting Officer. In case the Reviewing Officer has also retired, then the Accepting Officer will write the ACR and his remarks will be treated as final.
11. In case the Accepting Officer has retired, then the remarks of the Reviewing Officer will be treated as final.
12. In case both the Accepting Officer as well as the Reviewing Officer have retired, then the remarks of the Reporting Officer shall be treated as final.

13. In case the Reporting Officer, Reviewing Officer or the Accepting Officer has not seen the performance of the Officer reported upon for a minimum period of three months then a certificate to that effect should be given in the ACR for the period.
14. After adverse advisory remarks are communicated to the officer reported upon by the Reviewing Officer, a certificate to that effect should be recorded in the ACR by him. Received copy of the adverse remarks will also be tagged with the ACR and kept in the folder at the Police Headquarter.
15. An adverse remarks means a remark which indicates defects of deficiencies in the quality of the work, performance or conduct of the officers reported upon but does not include words by way of counsel or advice.
16. While communicating adverse remarks, a gist of good points should also be communicated so as to let the officer know that both his defects as well as good qualities have been recognized.
17. While communicating adverse remarks, name or the designation of the officer who passed those remarks should not be disclosed.
18. When an adverse remark is expunged subsequently, the remark in question should be scored through, pasted over or obliterated otherwise so that the same becomes illegible. An entry should be made with proper attestation and date to the effect that the remark has been expunged.
19. The above mentioned instructions as also the time table laid down will apply to the IPS officers also.
20. In case of the IPS Officers, they should fill up the self assessment and then submit the ACR to the Reporting Officer within a week after it becomes due.
As per the existing instructions of the Government of India, in case of delay on the part of the I.P.S. Officer reported upon, in filling up self-assessment and submitting ACR to the Reporting Officer, the latter may initiate the ACR on his own after making an entry to the effect that the officer reported upon has failed to submit his self assessment in time.
21. All the Reporting Officer and the Reviewing Officers should give their personal attention to this important work and should ensure that the time table laid down is scrupulously followed. They will also give certificate to the effect that ACRs of all the officers under them have been initiated and reviewed to reach the undersigned by the first week of June in the case of Officers whose ACRs become due to be initiated in April and in the first week of April of a year in case of officers whose ACRs become due in the first week of January.

Sd/- (D.N.S Srivastava, IPS)
Director General & Inspector General of Police,
Meghalaya, Shillong.

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CIRCULAR NO. 5/ 2002

Sub : Need for initiating the ACRs in time and for furnishing certificate in respect thereof.

It has been observed that in most of the cases, ACRs of the police personnel and ministerial staff are not being initiated in time.

ACRs provide a very important input for the career management and advancement of the persons concerned including their promotion, confirmation and crossing of E.B. In the event of delay in writing ACRs, the persons concerned may have to suffer in terms of delay in their confirmation, crossing of E.B. or promotion, for no fault of theirs. Delay in writing ACRs also defeats the very object of writing ACR in as much as it deprives the persons concerned of the opportunity to rectify their defects and to improve their performance.

In order to ensure that the ACRs are initiated in time, henceforth, all the controlling officers should furnish to this office a certificate to the effect that they have initiated ACRs of personnel under their control. The certificate in respect of non-gazetted officers and ministerial staff should be furnished on or before 28th February of each year and the same in respect of gazetted officers should be furnished on or before 31st May each year.

For the current year, all controlling officers should furnish the certificates for the year 2001-2002 by 15th September 2002.

A format of the certificate is enclosed .

Sd/-(L. SAILO),
Director General of Police,
Meghalaya, Shillong.

CERTIFICATE ON INITIATION OF ACRs BY CONTROLLING OFFICER

Certified that ACRs of all the gazetted officers/non-gazetted officers and ministerial staff under my control have been initiated by me.

Signature _____

Name of the Officer _____

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Departmental Proceedings:

Letter No.FM/XXVII-10/62, dated 5th July, 1976 from IGP, Meghalaya addressed to All SsP/Spl.SPCID i/c MPRO/SP, SB/Commandant/ Dy.SP(C), Meghalaya.

Subject: DISPOSAL OF DEPARTMENTAL PROCEEDINGS.

In inviting a reference to this office Letter No.FM/XXVII-10/43, dated 7th June, 1976, I am to say that the Chief Secretary to Government of Meghalaya has already instructed that all departmental proceedings should be completed within six months from the date of their institution. In this connection, all Departmental Proceedings which have been instituted prior to 1st Feb., 1976 should be disposed of within 31st July, 1976. You are also requested to apply Article 311(2)(b) of the Constitution of India when the delinquents adopt dilatory tactics and avoid response. For quick disposal of departmental proceedings, you must at least once in a week call for the proceedings files and have discussion with the Enquiry Officers to ascertain progress. Departmental action can also be taken against Enquiry Officers for their failure to expedite disposal of the proceedings.

You are, requested to personally take up all pending court cases with your Deputy Commissioner for their early disposal.

Please acknowledge receipt of this letter.

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OFFICE OF THE DIRECTOR GENERAL & INSPECTOR GENERAL OF POLICE
MEGHALYA SHILLONG

CIRCULAR NO.6/94

Dated: 19/4/94

Subject: DISCIPLINARY PROCEEDINGS

Discipline of the highest order is the sine-qua-non of any uniformed force. We in the Police force must at all times strive to enforce strict discipline in the force. This necessarily implies that all cases of infraction of discipline and of departmental malfeasance and misdemeanour and of dereliction of duty on the part of some members of the force must be visited with swift and exemplary punishment.

Police being the visible arm of the Government, all our acts of commission and omission invariably get exposed to the eyes of the public in no time. Any instance of indisciplined conduct or misdemeanour on the part of some members of the force thus gets instant publicity and brings opprobrium and disgrace to the whole Police force.

Police cannot operate in a vacuum. We necessarily have to fall back upon active public cooperation for efficient discharge of our official duties. The public cooperation will be forthcoming only if we, through our conduct, project a wholesome image of the Police force by striving to keep perverse tendencies and criminal propensities among some members of the force in check. In order to ensure this, it is necessary that we send out a clear message to the effect that all cases of indisciplined conduct, misdemeanour and dereliction of duty on the part of some members of the force as also cases of their involvement in specific criminal offences, will be strictly dealt-with and the guilty brought to book without any undue delay.

This also pre-supposes strict adherence to the procedures laid down in this regard so that the guilty are not allowed to go scot free due to certain procedural lapses. With this aim in view, I would like you to strictly follow the procedures laid down while initiating disciplinary action or criminal prosecution, as the case may be, against the persons concerned, as follows:-

Suspension:

1. A government employee may be placed under suspension where Departmental Proceeding against him is contemplated or pending or where there is a criminal case/ pending against him involving moral turpitude.
2. A government employee may be placed under suspension in order to safeguard against further loss to the Government, manipulation of the records, intimidation of witnesses or embarrassment to the Government.
3. The period of suspension should be restricted to the barest minimum possible.
4. Suspension may also be resorted to in cases where there is prima-facie case for prosecution likely to end in conviction or in Departmental Proceeding, in dismissal, removal or compulsory retirement
5. Suspension should be resorted to only when major punishment is likely if the charges are proved.
6. In case a Government employee is detained in custody on a criminal charge for period exceeding 48 hours, he will be deemed to have been suspended from the date of detention, by an order of the Appointing authority.
7. In case of criminal charges likely to embarrass a Government employee in discharge of official duties, suspension may be resorted to even when he has not been detained in custody.
8. Suspension with retrospective effect is not possible.
9. Resignation tendered while under suspension should not ordinarily be accepted.
10. A government employee under suspension is subject to all conditions of service. He cannot leave Hqr. without permission of the competent authority. The last place of posting before suspension will be deemed to be his H.Q.

11. In case where penalty of dismissal, removal or compulsory retirement against a person who was placed under suspension is set aside on appeal or on review or by order of the Court, if the Disciplinary Authority orders further enquiry, the person concerned will be deemed to be under suspension from the date of original order of dismissal, removal or compulsory retirement.
12. While placing a person under suspension, order shall be passed as to the payment of subsistence allowance. In all cases of suspension, the subsistence allowance must invariably be paid without any delay.
13. On reinstatement from suspension, when full pay and allowances for the period of suspension have not been awarded, it should be specially ordered whether the period will be treated as period spent on duty.
14. If the suspension is found to be wholly unjustified and without basis, full pay and allowances should be paid on reinstatement and the period should be treated as on duty.
15. In cases where the period of suspension has been treated as period spent on duty, if it is found that the delay in disposal of the Department Proceeding is attributable to the charged person himself, the Disciplinary Authority may, after giving opportunity to submit representation, for reasons to be recorded in writing, award only portion of the pay and allowances for the period.
16. In other cases where the period of suspension is not treated as period on duty, on reinstatement, the Disciplinary Authority may serve a notice regarding quantum of pay and allowances for the suspension period on the person concerned so as to enable him to submit representation against the same. After considering the representation submitted, if any, it may determine the portion of pay and allowances to be paid.
17. In case of death of the person concerned while under suspension and before the Departmental Proceeding is conducted, the period between the date of suspension and the date of death will be treated as on duty for all purposes and full pay and allowances for the period will be paid to his family.
18. The continued suspension for long periods causes considerable hardship to the person concerned and also financial loss to the Government in that the subsistence allowance has to be paid without the person concerned performing any official duties. In all suspension cases, the Departmental Proceeding should be concluded without any unnecessary delay.
19. In case the Departmental Proceeding gets delayed beyond 6 months for reasons not attributable to the person concerned, the subsistence allowance may be increased after the first six months by an amount not exceeding 50% of the subsistence allowance.
20. In case the same gets delayed beyond 6 months for reasons attributable to the person concerned, the amount of subsistence allowance may be reduced after the first six months by an amount not exceeding 50% of the subsistence allowance.
21. Similar periodic review of all suspension cases should be carried out every 6 months for increasing/reducing the amount of subsistence allowance by 50% of subsistence allowance initially granted.
22. In all suspension cases, in connection with criminal cases or Departmental Proceedings, all efforts should be made to lay charge-sheet in criminal cases and serve charge-sheet in Departmental Proceedings within a period of three months from the date of suspension. All cases of failure to do so within the said period should be reported to the next higher authority.
23. Total period of suspension both in criminal cases and Departmental Proceeding should not ordinarily exceed six months. In exceptional cases where this is not possible, the Disciplinary Authority should report the same to the next higher authority explaining reasons for the same

(b) Procedure of conducting Departmental Proceedings:

1. Before ordering the Departmental Proceeding, the Disciplinary Authority should see

if there is sufficient material on record to draw up precise charges and statement of allegations.

If not, a preliminary enquiry should be held to collect sufficient material for the purpose.

2. The charges should be precise and specific.
3. Complete details about the allegation should be furnished.
4. In the charge-sheet, the time frame for completion of the inspection of documents and submission of written statement should be clearly specified.
5. In case of non-receipt of written statement within stipulated period, the Departmental Proceeding should be conducted ex parte.
6. Charges and the statement of allegation should also be accompanied by the list of prosecution witnesses and of documents by which each article of charge is proposed to be sustained.
7. Recording of evidence in a Departmental Proceeding should be completed within two months. In complicated cases, the same may be completed within three months.
8. It is absolutely essential for the Inquiring Officer to provide to the charged person copies of all the documents on which prosecution proposes to rely.
9. All prosecution witnesses should be examined in the presence of the charged person so as to enable him to cross-examine them.
10. No evidence should be adduced against the charged person at his back.
11. After the recording of the evidence has been completed, in case the person concerned requests for personal hearing, the Inquiring Officer may grant the same within one week of completion of recording of evidence.
12. The Inquiring Officer should submit his findings in respect of each article of charge within 15 days thereafter.
13. The enquiry report will include the following:-
 - (a) Charges and Statement of allegation
 - (b) The charged persons written statements of defence
 - (c) Record of oral evidence adduced.
 - (d) Documentary evidence
 - (e) Orders of the Disciplinary Authority and Inquiring Officer in respect of the enquiry.
 - (f) A report setting out findings on each article of charge with reasons thereof.
14. The Disciplinary Authority will then consider the record of enquiry and record its findings on each article of charge.
15. The Disciplinary Authority is free to disagree wholly or partly with the findings of the Inquiring Officers. In case of disagreement with the findings of the Inquiring Officer, it must record reasons for the same.
16. The Disciplinary Authority and the Inquiring Officer should keep clear record of various stages of the Departmental Proceeding on the order sheet.
17. In case of conviction of a Government employee in a criminal case by a lower court, the person concerned should be dismissed without waiting for decision of the higher court after an appeal has been preferred.
18. In case of Departmental Proceeding against the Officers of and above the rank of S.I., the enquiry should be conducted by a Gazetted Police Officer.
19. No pleader or counsel may be allowed to appear in any Departmental Proceeding.
20. No order of punishment passed in a Departmental Proceeding may be modified or cancelled without sanction of the Appellate Authority.
21. In a case of criminal offence involving misconduct or misdemeanour on the part of the Government employee, Departmental proceeding should also be initiated forthwith. On conclusion of the Departmental Proceeding, if the charges are proved, penalty may be imposed without waiting for the decision of the Court.
If he is subsequently acquitted by the Court, it may be necessary to review the decision taken earlier on conclusion of the Departmental Proceeding. The factor to be considered in such review would be as to whether the criminal case and the Departmental proceeding both covered precisely the same ground.

- If they did not cover exactly the same ground, it will not be necessary to alter decision taken earlier in connection with the Departmental Proceeding.
22. The Court may hold that the fact of the case did not amount to a criminal offence or it might express doubt about correctness of the allegation or the person concerned might be acquitted by the Court purely on technical ground.
In all such eventualities, the Disciplinary Authority might hold the person concerned guilty of Departmental misconduct or misdemeanor.
 23. While initiating Departmental Proceeding on a charge which is also the subject matter of criminal case, it should be seen that the charges do not cover precisely the same ground.
 24. Where the conduct of a Government servant discloses grave offence of criminal nature, criminal prosecution should be the rule. But at the same time, Departmental Proceeding should also be initiated. But care should be taken to see that the charges in the criminal case and the Departmental Proceeding are not absolutely identical.
 25. Previous bad record cannot be taken into consideration in determining the penalty to be imposed unless the same is made a specific charge in the Departmental Proceeding. Without making the same a specific charge, any mention of the same in the order would only serve to vitiate the proceedings.
 26. In case where penalty was imposed on the basis of Departmental Proceeding, but the charged person was subsequently acquitted by court, if the Disciplinary Authority decides to prefer appeal against the same in higher court, the penalty imposed earlier should not be set aside during pendency of the appeal petition.
 27. In a case where penalty of dismissal, removal or compulsory retirement was imposed on the basis of conviction by court, if the conviction is set aside by the appellate court and it is decided to continue with the Departmental Proceeding, the Disciplinary Authority should pass order to the effect that the charged person is deemed to be under suspension from the date on which order of dismissal etc. was passed.
 28. In a criminal case where the person concerned is placed under suspension, if he is acquitted by the court, he would be deemed to have been reinstated automatically. In case the disciplinary authority wants to initiate or continue with charged person under suspension again pending disposal of Department Proceeding, fresh suspension order will have to be passed.
 29. In a case where the person was dismissed, removed from the service or compulsorily retired and was subsequently reinstated on the basis of appeal / review or court order, specific order has to be passed as to whether the period of absence including the period of suspension preceding dismissal, etc., has to be treated as on duty. In such cases, if the charged person has been fully exonerated by the court, full pay and allowances for the period will have to be paid and the period treated as on duty. However, if the Disciplinary Authority is of the opinion that the disposal of the Department Proceeding was inordinately delayed for reasons attributable to the charged person, he may, after considering representation submitted by the charged person, if any, for reasons to be recorded in writing, order such portion of pay and allowances as he deems fit
 30. In other cases where the penalty of dismissal, etc, has been set aside on the basis of appeal / review or court order and where no further Enquiry is proposed to be held, and where the period of absence has been treated as not on duty, the disciplinary authority may order such portion of pay and allowances as he deems fit after issuing notice of the quantum of the amount.

Appeal & Review

1. An appeal may be preferred against the order of suspension or against the order of penalty imposed.
2. Appeal shall be preferred within six months from the date on which a copy of the order appealed against was communicated to the appellant. The Appellate Authority may however in certain cases accept appeal after the said period if sufficient cause

- exists for delay in preferring appeal.
3. The authority which passed the order appealed against shall transmit the appeal received to the Appellate Authority with its comments and all relevant records, ordinarily within one week of its receipt.
 4. The Appellate Authority may either on its own or otherwise call for records of a Departmental Proceeding for reviewing the order passed by the Disciplinary Authority. It may then pass such order on the same as it deems fit. Such a review will be treated as an appeal preferred by the charged person against the order passed by the Disciplinary Authority.
 5. The Appellate Authority cannot undertake review after more than a year from the date of order.
 6. The authority which passed the order appealed against shall forthwith give effect to the order passed by the Appellate Authority.
 7. The appeal shall contain all material statements and arguments on which the appellant relies and shall be complete in all respect.
 8. An appeal to the Appellate Authority may be withheld by the Disciplinary Authority when under the rules no appeal lies or which is a further appeal preferred after a decision on the matter has already been given by the Appellate Authority and no new facts and circumstances, which would afford grounds for reconsideration of the case, have been adduced.
 9. A list of appeals so withheld by the Disciplinary Authority shall be submitted to the Director General of Police, every quarter.
 10. In every case in which appeal is withheld the appellant should be informed about the same.

Sd/- (D.N.S. Srivastava, IPS)
Director General & Inspector General of Police
Meghalaya, Shillong.

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OFFICE OF THE DIRECTOR GENERAL & INSPECTOR GENERAL OF POLICE
MEGHALAYA ::: SHILLONG

CIRCULAR NO. 12/95 Dated 2-8-1995

**Subject :- HOLDING OF DEPARTMENTAL PROCEEDING PENDING
CRIMINAL PROCEEDINGS ON THE SAME CHARGE:**

Some cases have come to my notice in which the departmental proceedings have been kept pending simply on ground that criminal proceedings on the same charge have been instituted.

- (2) In this connection, an extract of a Supreme Court ruling on the subject is enclosed, which is self - explanatory.
- (3) As is obvious from the ruling, there is no need to keep departmental proceedings pending just because criminal proceedings on the same charge have been instituted. In all such cases the departmental proceeding should be completed and carried through to its logical conclusion without having to wait for the completion of the criminal proceedings.
- (4) If in a departmental proceeding charges are brought home and appropriate punishment awarded to the delinquent concerned, the same will have to be set aside in case he is exonerated fully from the charge by the Court. But in case the delinquent concerned has been acquitted by the Court on technical grounds, the disciplinary authority should take decision as to whether or not the punishment awarded should be set aside or modified in the light of the findings of the Court

Encl. As above

Sd/- (DNS Shrivastava, IPS)
Director General and Inspector General of Police,
Meghalaya, Shillong

Whether Departmental Proceedings can be held pending criminal proceedings on the same charge.

Pendency of Criminal proceedings in a Criminal Court is not a bar for initiating or continuing the Departmental Enquiry. If the Department Enquiry and Criminal Proceedings cover the same charge, it is not incumbent upon the employer to wait for the outcome of the criminal proceedings. If an order of punishment is passed in a departmental enquiry during the pendency of the criminal proceedings, the employer need not set aside the order in case of the acquittal of the employee in the criminal proceedings. The authority has to take a decision in the light of the findings of the criminal court whether or not the Departmental Proceedings should be continued. However, it is not expedient to initiate proceedings in cases where the servant is exonerated fully from the charge. (1984 SC 626)

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Budget & account matters:

In many cases, the totals are found to be incorrect and relevant T.V. No.s and bill extract are not furnished in support of the expenditure. In some cases classification of expenditure is also not given correctly.

As a result, this office is put to serious difficulty during the verification of departmental accounts with those maintained in the Accountant General's Office.

Wrong classification given on the body of the bills as well as on the bill extract while drawing amounts from the Treasury by the Drawing Officer is not only irregular but also highly objectionable as such mistakes result in wrong booking of accounts in the Accountant General's Office. As a matter of fact, proper verification and reconciliation of figures cannot be made by this office on the basis of those furnished by the Districts / Units giving a totally wrong picture of expenditure.

You are, therefore, requested to ensure the following steps henceforward:-

1. Recording of correct classification of expenditure on the body of the bills as well as on the bill extract while drawing amounts from the Treasury.
2. Submission of supporting bill extract in original with the expenditure statement and quoting of T.V.No.s against each item of expenditure.
3. The submission of Correct Expenditure Statements

From now onwards this office will keep a record of wrong bookings and mistakes so that defaulting officers may be detected easily for taking necessary action.

.....
Memo No. A/XII-23/MISC/ 13 Dated 4th September 1975 from AIG (A), Meghalaya

Addressed to All Ss.P. Meghalaya.

Subject: MAINTENANCE OF BILL RECEIPT REGISTER

I am directed to state that instances are not wanting where the bills of firms, for various supplies made, are kept pending for inordinately long periods. The Inspector General of Police is very keen that bills should be paid within the shortest possible time. This goes a long way in keeping the image of the administration.

At present there is no way of checking up bills pending in the respective offices, at one glance. The Inspector General of Police, therefore, desires that a Bills Receipt Register (as distinct from Bill Register) should be immediately opened in every office. This register will contain the following columns.

Month of

| Sl.No | Name of firm | Bill No & date | Amount involved | Date of receipt | To whom given for action | Date of payment with DC No | |
|-------|--------------|----------------|-----------------|-----------------|--------------------------|----------------------------|---|
| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 |

Signature of Supdt./ HA
Dated:-

It may please be noted that serial Nos of bills not paid during the months should be brought forward to the next month for perusal of head of office. This Register is meant only for bills and not for other correspondences.

Another lapse which I have observed of late is the serious delay in signing of District Order Book / Battalion Order Book or Office Order Book by the heads of Officers without realising the consequences what such delays can mean. It pains me again to see these days the deterioration in the quality of work having seen the days when entries in different registers including service sheet were made by the Reserve Officer ahead of time even if there was delay in signing of a D.O. Book by a day or two by the S.P. or the Commandant.

Time is still there to rectify the above two defects, and I hope, the heads of offices will listen to this piece of advice before their reputation is sullied by either over confidence, misplaced fellow -feeling or lack of proper sense of duty.

I will not forget to make a note in the vital records which form a part of assessing the worth of an individual. Para 1 of this letter is to be framed and kept in the Account Branch and Para 2 is to be similarly kept in the Reserve Office.

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CIRCULAR NO 1/82
Dated 19th February,1982

From,

Shri B.S. Baber, IPS
Inspector General of Police,
Meghalaya, Shillong

To,

All DIG of Police,
All Ss.P. including Spl. Superintendent of Police, SB,
Spl. Superintendent of Police, CID , Superintendent of Police (C),
Principal, Police Training School, Shillong
Commandant 1st MLP / Commandant 2nd MLP Bn, Tura.

Subject: Monthly verification of expenditure figures with Treasury Drawals.

It has been noticed that the Districts / Units are not submitting their expenditure statements in time. The Districts / Units have also not taken the trouble of verification of the expenditure figures, as per the Bill Register, Cash Register and the Treasury Transit Register with Treasury drawals figures as maintained by the Treasury. The delay in submitting the expenditure statements resulted in delay in verification / reconciliation of the expenditure figures with those figures as booked by the Accountant General, Meghalaya. This delay in reconciliation with Accountant General and non-checking of monthly figures with the Treasury by the Drawing and Disbursing Officer has indirectly enabled unscrupulous staff to fraudulently withdraw huge amount in the office of one Superintendent of Police.

Monthly verification of Cash Drawal with the Treasury will ensure correctness of figures and early detection of any bogus fraudulent withdrawal. Similarly, timely submission of expenditure statements would enable Inspector General of Police Office for regular and prompt verification and reconciliation of the figures with the Accountant General's Office.

In view of what is stated above, you are requested to strictly follow the procedure of doing monthly verification of drawals with the Treasury.

Please acknowledge receipt

Sd/-(B.S. Baber)
Inspector General of Police,
Meghalaya, Shillong.

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OFFICE OF THE DIRECTOR GENERAL & INSPECTOR GENERAL OF POLICE
MEGHALAYA ::: SHILLONG

CIRCULAR NO 3/94

Subject: Disbursement of cash to the police personnel and private firms.

It has come to my notice that some Drawing & Disbursing Officers are not very stringent while keeping track of proper account of the cash disbursed to the officers, men and the firms.

It is known that for disbursement of Pay and Allowances to the officers and men outside the Headquarters, Pay cheques are usually cut in the name of one officer who is to disburse the same to them, but the A.Roll/ A.P.Rs. are never insisted upon by the Head of the office even after a lapse of four/five months although the Cash Book is routinely signed without the evidence that the cash has actually been disbursed to the persons concerned. Similarly, it is learnt that some officers / men who are entrusted with the disbursement of the cash to the firms concerned, under whose name pay cheque has been cut, are not bothered to return the A.P.Rs. to the Accounts Section for keeping track of the cash disbursed leading to adverse consequences.

Such lapse or defective procedure in signing the cash book on the basis of cut P.C. will lead to wrong accounting or even mis-appropriation. It is, therefore, stressed here that in future the A.P.Rs/ A.Rolls are immediately obtained and attached to the pay cheques before the Cash Book is signed. A return may be given quarterly to the Asstt. I.G. of Police, (A) indicating the details of A.P.Rs pending receipt in Accounts Branch. If such returns are not received, the Superintendent of Accounts of the D.G. of Police' office will bring it to the notice of the Director General of Police through the Inspector General of Police, (A) & Asstt. I.G. of Police, (A), within a fortnight of non-receipt thereof within the stipulated time.

This may be acknowledged.

Sd/-(D.N.S. Srivastava, IPS)
Director General of Police
Meghalaya, Shillong.

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OFFICE OF THE DIRECTOR GENERAL & INSPECTOR GENERAL OF POLICE
MEGHALAYA SHILLONG

CIRCULAR 3/99

Sub: Instructions on the Submission of Fund Requirement Proposal and Monthly Expenditure Statement by the DDOs.

- 1.1 Of late, it has been observed that certain DDOs delay in submitting their quarterly requirement of funds in spite of clear instruction to submit the same within specified dates. The delay has greatly hampered the consolidation work of Police Head Quarters on the requirement of funds by the Department as a whole which are based on the demands of the respective DDOs. A delay by one office also affects the whole exercise of projecting the requirement of funds for a particular quarter of the year. Ultimately, the submission of the proposal to Govt. gets delayed as lots of exercise has to be minutely done in the projection of the requirement. Hence the need to stress for the prompt and timely submission of the proposals by all the DDOs.
- 1.2 For the smooth functioning of the system, the schedule as indicated below should be adhered to by all the DDOs.

Time Schedule for Submission of Fund Requirement/ Additional Fund Requirement by the DDOs to Police Headquarters

| | Main requirement For the quarter | Additional requirement |
|---|-------------------------------------|--------------------------------------|
| | Date & Month | for the quarter Date & Month |
| First quarter ending 30 th June of the Year | 15 th Feb of the Year | 15 th May of the Year |
| Second quarter ending 30 th Sept. of the Year | 15 th May of the Year | 16 th Aug of the Year |
| Third quarter ending 31 st Dec of the Year | 16 th Aug. of the Year | 15 th Nov. of the Year |
| Fourth quarter ending 31 st Mar. of the Year | 15 th Nov. of the year | 5 th Feb. of the Year |

- 1.3 Further, to facilitate proper examination of the requirement of fund of each DDO in respect of his Office, the DDOs should see that the proposal contains adequate justification and information on the different items of his requirement to avoid not only the back reference to the respective offices but such materials are necessary in order to enable Police Headquarters to furnish in turn the required justification/information to the Govt. while submitting the proposals to them.
- 1.4 To facilitate examination of the fund requirement for each office, the DDOs may submit their requirement under the different Heads operated by them in the enclosed formats "A" or "B" as the case may be to reach Police Headquarters within the scheduled dates as fixed.
- 2.1 A time schedule had already been fixed for submission of Monthly Expenditure return to Police Headdquarters by the DDOs by the 3rd day of the month following the one to which the Monthly Expenditure relates. (e.g. Expenditure Statement for the Month

of April is due for submission by the 3rd of May). In spite of repeated request by letters or messages, very few DDOs are prompt in the submission. The tendency of delayed submission of this report has put Police Headquarters in difficult situation. The quarterly Report of the Deptt. which the Police Headquarters has to prepare based on the expenditure statement, often gets held up and could not be submitted to Govt. in scheduled time. Besides, the delay in receipt of these statements also greatly affects the work of projecting the requirement of fund of the Deptt. for the quarter as this requires accurate information of the expenditure vis-à-vis the fund position to determine a realistic projection of the requirement. Hence, the need to impress on all the DDOs the importance for their adherence to the time schedule as fixed.

- 2.2 A revised format for submission of Monthly Expenditure Statement devised to show the expenditure/ progress of expenditure during a particular quarter vis-à-vis the LOA given for the quarter concerned is enclosed at Annexure "C" which may be followed accordingly with effect from the month of May'99 onwards.
3. Any deviation from the instructions given under this Circular shall be viewed by the undersigned seriously.

Enclo :- As above.

Sd/- B.K.Dey, IPS
Director General of Police
Meghalaya, Shillong

ANNEXURE "A"

Statement showing the Fund Requirement in respect of the office of the
For the 1st/2nd/3rd/4th Quarter ending June/Sept/Dec/March of financial year 1999-2000

Name of the Office _____

| Sl No. | Major Head, Minot/Sub Head And Detailed Head Of A/C | Actual Expenditure During last Quarter ending March/ June/ Sept /Dec. | Amount Required during Quarter ending June/Sept/Dec/ March | Remarks (Necessary justification in support of the amount demanded in Co.4. may be Furnished under This col.) |
|--------|---|---|--|---|
| 1 | 2 | 3 | 4 | 5 |
| | | | | |

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Statement showing the requirement of Addl. Fund in respect of the Office of the
For the 1st/2nd/3rd/4th Quarter ending June/Sept/Dec/March during 1999-2000.

Name of the Office _____

| Sl. No. | Major/ Minor /Sub Head and detailed Head of A/C | LOA Received During the Quarter (Detailed Head-Wise) | Expenditure Incurred for The quarter Till date | Addl. Fund required | Saving Available From other Detailed Heads if any | Reasons for Addl. requirement |
|---------|---|--|--|---------------------|---|-------------------------------|
| 1 | 2 | 3 | 4 | 5 | 6 | 7 |
| | | | | | | |

Signature of DDO

ANNEXURE - "C"

Monthly Expenditure "B" Statement for the month of _____ 1999.

MAJOR HEAD
MINOR HEAD -
SUB HEAD.

| Reference to letter of Allotment For the QR During which The month Under report falls | Detailed Heads | Amount Allotted for Current quarter | Expenditure/Drawal during the Month | | | | Expenditure of previous month of the quarter brought forward | Progressive Expenditure of the quarter (Col.7 & 8) | Saving/Excess Against the LOA Issue during the quarter | | Remarks For saving or Excess |
|---|----------------|-------------------------------------|-------------------------------------|--------------|-----------------|--------------|--|--|--|--------|------------------------------|
| | | | Bill No. & Date | Gross Amount | T.V. No. & Date | Total Amount | | | Saving | Excess | |
| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 11 | 12 |
| | | | | | | | | | | | |

Signature of DDO

OFFICE OF THE DIRECTOR GENERAL & INSPECTOR GENERAL OF POLICE
MEGHALAYA, SHILLONG
CIRCULAR No.4/2000

Dated 14th July,2000

Sub: LETTER OF ALLOTMENT SYSTEM

The Govt. of Meghalaya in the Finance (Budget) Department vide their O.M. No. FIN (B) 81/98/88 Dt. 30.5.2000 (copy enclosed) have excluded the payment of Salaries, Wages and T.E. from the purview of the L.O.A. System during the year ending 31.3.2001. All other Budgetary expenditure will continue to be subjected to L.O.A. System. Accordingly, necessary allotment of fund quarter- wise (remaining quarters) for salaries, wages and TE and L.O.A. for other heads will be distributed to all concerned.

In this connection, the following additional instructions relating to the allotment of fund and also of L.O.A. should be followed strictly by all DDOs:-

1. Allotment of fund is not an authority to incur expenditure on any item which requires specific approval and sanction of the competent authority and under no circumstances the DDO should exceed the fund allotted to his office under any particular head of expenditure.
2. The allotment under “Salaries” should be strictly utilised for salaries in respect of the sanctioned post only, i.e. permanent posts and temporary posts, the retention of which has been duly sanctioned by the competent authority.
3. The fund allotted under “Salaries” ‘Wages’ & ‘T.E’ for the 2nd or 3rd quarter will not lapse at the end of the quarter concerned but the unutilised balance can be carried over to next quarter except in the case of the 4th or last quarter of the financial year where the fund will lapse if not utilised within 31st March of the year.
4. Any unspent amount / saving out of the allotment given under head ‘Salaries’. ‘Wages’ and ‘T.E’ during the 2nd and 3rd quarter should be reported two weeks before the end of the quarter concerned so as to enable PHQs to assess the amount to be allotted under the relevant heads for the next quarter.
5. Savings anticipated to occur out of the allotment made for 4th quarter under Salaries, Wages or T.E. should be surrendered to PHQ by the 10th of March positively with full justification(s) to enable PHQ to take further necessary action on the surrendered funds. Similar action should be taken on funds in respect of other Detailed Heads covered by the L.O.A.
6. The head of expenditure i.e. Major, Minor, Sub-Head and Detailed Head under either Sixth Scheduled or General - Plan or Non-Plan should be clearly and properly indicated in the Bill(s) / Bill Extract (s) as shown in L.O.A. / Sanction received from PHQ, before presenting the bill in the treasury, so as to avoid mis classification which will eventually lead to booking of expenditure by Accountant General (A&E), Meghalaya, Shillong in the wrong head of accounts and result in discrepancies in the compiled figures / final figures .
7. The time schedule for submission of Fund Requirement / Additional Fund including “ Salaries”, “Wages” & “T.E” should be as per para 1.2 of Circular No.3/99 issued vide Memo No. A/IV-236/2-A Dated 29.5.99 .
8. Monthly expenditure “B” Statement as per prescribed format “C” mentioned at para 2.2 of above cited Circular 3/99 should be furnished / submitted positively by the 3rd of the month following that to which the reports relates.

The above instructions should be followed in practice and spirit.

B.K.Dey, IPS
Director General & Inspector
General of Police, Shillong.

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OFFICE MEMORANDUM

Subject:- Letter of Allotment System

The intent, objective and purpose of the L.O.A. System introduced by Government to operate in all departments was spelt out in Finance (Budget) Department's letter No. FIN (B) 81/98/24 Dt. 17.6.98, No. FIN (B) 81/98/58 Dt. 22.3.99 and No.FIN (B) 81/98/72 Dt. 23..3.2000, with instruction that all concerned should strictly follow the procedure laid down therein, in the exigencies of public service. It, however, appears that many Departments and their Directorates / Field Officers are experiencing teething problems in respect of introduction of L.O.A. and require some time to familiarise themselves with the system. Reports have also been received that salaries of Government Servants in some offices could not be disbursed in time resulting in inconvenience to such Government employees. After careful consideration and with a view to provide for the Departments and their Directorates / Field Officers to familiarise with the L.O.A. system, it is decided to exclude the payment of salaries, Wages and Travel Expenses from the purview of L.O.A. during the year ending 31st /March /2001; subject to -

- (1) Expenditure on salaries, Wages and Travel Expenses being limited to Budget provisions for the year 2000-2001.
- (2) Such restriction as may be imposed by Finance Department from time to time.

All other budgetary expenditures would be subjected to the L.O.A. vide letters referred to above.

All Departments should report to Finance (Budget) Department, the expenditure incurred on Salaries, Wages and Travel Expenses during each quarter, at the time of submission of their proposal for issue of L.O.A. in respect of other expenditure heads.

Principal Secretary to the Govt. of Meghalaya
Finance Department.

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OFFICE OF THE DIRECTOR GENERAL & INSPECTOR GENERAL OF
POLICE MEGHALAYA ::: SHILLONG
CIRCULAR NO. 1/2003

Sub : Instructions regarding accounts matters

It was observed during a special audit carried out by the office of Accountant General that a certain D.D.O. had not maintained the Cash Book as per proper procedure leading to misappropriation of Govt. money and serious audit objections.

Henceforth, the following procedures should be strictly followed by all D.D.Os :-

- i) All entries in the Cash Book should be attested by the D.D.O. or by any other responsible officer duly authorised by the D.D.O.
- ii) Detailed analysis of Cash Book balance should be prepared and recorded in the Cash Book under proper signature at the end of each month.
- iii) D.D.O. or any other responsible officer duly authorised by the D.D.O. should physically verify cash balance at the end of each month in order to ensure that actual cash in Cash Chest tallies with the Cash Book balance on the day of physical verification.
- iv) It should be ensured that heavy cash balances are not retained in Cash Chest/Safe of the office.

All D.D.Os must exercise strict compliance of the above instructions.
Receipt of this Circular may please be acknowledged.

Sd/- L.Sailo, IPS,
Director General of Police,
Meghalaya, Shillong.

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Instructions against smoking & drinking while on duty:

Memo NoG/XII-44/1, dated 28.5.74 issued by A.Rahman, IPS, Inspector General of Police, Meghalaya, Shillong addressed to all Ss.P in Meghalaya.

Subject: The evil of drinking while on duty

This is to draw attention of all members of Meghalaya Police to an evil which is doing incalculable harm to the Force without realisation on the part of some of our officers and Constables who have fallen victims to it. Drinking of alcoholic drinks is not as degrading and dangerous as crimes like stealing, cheating, bribery, disobedience, etc., but the danger lies in the victim not knowing how much of drink he can stand. In fact an addict will never admit that he is an addict. To some of the victims it would appear that he is blissfully unaware of what others are thinking about him. For a Police Officer or a Constable, to smell of drink while in uniform, let alone his unsteady steps, is a matter of gross in-discipline. I would like every member of the Meghalaya Police Force to realise that although there can be no serious objection to anybody drinking in a small measure at his private residence when he is off duty, I would like him to realise the risk of exposing himself to the eye of the intelligent public among whom there are watchful people. Senior Officers of the Force are, therefore, asked to take notice of this evil to which many of our young officers and constables are exposed. They are requested to make a mental note of such officers and constables who are addicted to drinking and keep a record in his office so that in due course necessary action can be taken against such officers and men. I hope, those concerned, will take timely notice of this advice. Some of the Drivers of Police vehicles may be specially warned and their acknowledgement of such an advice duly preserved for the future.

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ORDER

Sub. No smoking while on duty

It has been observed by the I.G.P. Meghalaya that some Police personnel are found smoking while in uniform and being on duty. It is true that there is no harm in smoking so long they do it in the barracks, Unit Lines, Canteen or inside the Police Stations/O.P.s, etc. but outside none should be allowed to smoke while on duty and in uniform as it tells upon their image in the public eye. These instructions should be read out everyday during the Roll Call till this winter. In case any of the Meghalaya Police personnel are found still smoking as stated above on duty, they deserve suitable punishment and there should be no hesitation in taking action against them.

S.K.Jha
Asstt. Inspector General of Police (A)
Meghalaya.

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OFFICE OF THE DIRECTOR GENERAL & INSPECTOR GENERAL OF
POLICE::MEGHALAYA::SHILLONG.

CIRCULAR NO 4/91

Dt. Shillong, the 23rd Oct '91

Sub- Effective measures to be taken against drunkenness while on duty

It has been noticed that some of the force personnel are indulging in drinking while they are on duty resulting in ugly incidents with the members of the public. Drunkenness while on duty will not only hamper the proper discharge of duties but it also results in tarnishing the image of the entire police force in the eyes of the public. All police personnel of your unit should be clearly briefed on this point and severe disciplinary action should be initiated against the personnel involved in drinking while on duty. You should also conduct surprise checks to ensure that the force personnel do not indulge in drinking while on duty.

You are requested to initiate effective measures immediately to curb such undesirable behaviour on the part of all personnel under your control.

(J.K. Sinha)
Director General of Police,
Meghalaya, Shillong.

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OFFICE OF THE DIRECTOR GENERAL OF POLICE :::MEGHALAYA ::: SHILLONG
CIRCULAR NO. 4/96

Sub. Instructions regarding the police personnel who are alcoholic or suffering from chronic diseases or have criminal propensities

Quite a few of Meghalaya Police personnel are alcoholic, suffering from chronic diseases and have criminal propensities. The list of each of these three categories of police personnel may please be prepared and kept handy with the ABI / RO and RI. You may consider drawing up departmental proceedings against them for compulsory retirement giving them their admissible pension. Such personnel who are above 50 years, their cases for suitability to further continue in service may be reviewed and they may be considered for retirement under relevant rules. If they have any sons, one of them who qualifies for appointment as a constable, their names may be sent to this office for considering their recruitment in Meghalaya Police.

The aforesaid personnel should never be issued arms by your ABI /RI and RO. If they have been issued arms, these should be closed with immediate effect.

Please acknowledge receipt of this communication and send list of the said three categories of personnel to this Office for record.

(D.N.S.Shrivastava)
Director General and Inspector General of Police
Meghalaya, Shillong.

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OFFICE OF THE DIRECTOR GENERAL & INSPECTOR GENERAL OF POLICE
MEGHALAYA SHILLONG

CIRCULAR NO 1/2001

Dated 11th May 2001

Sub. Need for eradicating the evil of drinking while on duty

The police being a uniformed force are required to maintain a very high standard of discipline and conduct. However, there has been persistent criticism by the public regarding the intemperate drinking habits of some police personnel. Since the primary duty of the police is the enforcement of law, such criticism damages the image of the entire State Police Organisation. Even more important, drinking while on duty has an adverse effect on police performance and sometimes leads to ugly incidents with the public.

There is no doubt that a concerted effort at all levels will certainly help in weeding out incorrigible personnel who indulge in drinking alcohol while on duty. It is ,therefore, reiterated that all controlling officers must give personal attention to deal with this serious problem.

Measures should be taken to ensure that there is strict supervision so that no police personnel consume liquor while on duty. Firm disciplinary action must be taken against defaulters. All police personnel of every unit should be clearly briefed on this point and severe disciplinary action should be initiated against those who drink while on duty. It is also necessary to conduct surprise checks to ensure that the force personnel do not indulge in drinking while on duty. It should be made clear that those who do not reform will have no place in force and may have to be dismissed or compulsorily retired.

Controlling officers will be held responsible if any of their subordinates are found drunk while on duty.

(L.Sailo)
Director General of Police,
Meghalaya, Shillong.

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Training & promotion courses:

OFFICE OF THE DIRECTOR & INSPECTOR GENERAL OF POLICE
MEGHALAYA SHILLONG

CIRCULAR NO 8/94

Sub. In- service courses and promotion courses

- 1 After reviewing training matters with Inspector General of Police (Trg), Dy. Inspector General of Police (Trg) , Comdt. 1st Meghalaya Police Bn, Comdt. 2nd Meghalaya Police Bn. And Principal, Police Training School, it was decided that there should be an Annual Training Calendar for all the Units that are imparting training to the police personnel of various ranks.
- 2 The Training Calendar for each namely : (I) Police Training School, (ii) Meghalaya Police Radio Organisation, (iii) Comdt. 1st Meghalaya Police Bn and (iv) Comdt. 2nd Meghalaya Police Bn are appended with this circular. In addition to the above, the Special Branch and CID will also be organising in service courses on subjects shown in the appended list. Course Design, duration, and resource personnel will be furnished by the Special Branch and CID. Principal, Police Training School in consultation with Dy. Inspector General of Police (Trg) will indicate dates when the in service training can be conducted. After fixing the date, Principal, Police Training School will call for nominations from the various Units.
- 3 Henceforth, Principal, Police Training School, Comdt. 1st & 2nd Meghalaya Police Bns and Supdt. of Police (C) will directly call for nominations from the Dists/ Units in connection with courses that are going to be conducted by them with intimation to the office of Dy. Inspector General of Police (Trg), Meghalaya. Nomination for cadre and Promotion Courses will however be called from the office of Dy. Inspector General of Police (Trg). Training Units have to intimate the Dy. Inspector General of Police (Trg) atleast one month in advance about the courses which are going to be conducted by them.
- 4 Results of all Training Courses should be sent to the office of the Dy. Inspector General of Police (Trg), apart from sending the same to the District Supdt. of Police / Other Units / Organisations.
- 5 The details of all such results will be entered in the Service Sheet of the concerned personnel by the District Supdts. of Police/ other Units /Organisations.
- 6 It may please be noted that the training courses cannot be postponed or cancelled without the written permission from the Director General of Police.
- 7 The matters relating to the training and different courses conducted in the Training Units will be discussed on a monthly basis and the discussion reduced into minutes. It will be the responsibility of Dy. Inspector General of Police (Trg) to organise such reviews.
- 8 Training units should invite officers of the rank of Superintendent of Police and above for delivering the opening and valedictory addresses before and after each course. They may be given a specific subject connected with the course to speak on. Honorarium may be paid to the officers who are invited for such addresses as per rules.

(D.N.S Srivastava)
Director General of Police
Meghalaya Shillong.

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OFFICE OF THE DIRECTOR GENERAL & INSPECTOR GENERAL OF POLICE
MEGHALAYA :: SHILLONG

CIRCULAR NO 1 / 95

Sub. Recruit constables not to be kept in Distts./ units after receiving call for basic course

It has been observed that Superintendents of Police/ Commandants are still keeping Recruit Constables in their respective units and have not sent them for basic training. This practice should be stopped forthwith and those Recruit Constables that are still being kept without basic training should be sent immediately after receiving intimation from the Training Institutions.

Henceforth, no Recruit Constables should be kept in the Districts/ units after receiving the call for basic training. If any Unit/ District is found doing this, the matter will be viewed adversely and recorded in the ACRs of the concerned officer.

Sd/- D.NS. Srivastava
Director General of Police
Meghalaya, Shillong

OFFICE OF THE DIRECTOR GENERAL & INSPECTOR GENERAL OF POLICE
MEGHALAYA ::: SHILLONG

Memo No.FM/XX-106/95/1

Dated Shillong, the 27th March,1995

CIRCULAR NO 4/95

Sub. In-service training courses for the DEF personnel

1. In a recent assessment of training matters, it was felt that there is an urgent need for imparting training at the D.E.F. level to the armed and unarmed branch, from the level of constables to Inspectors.
2. The thrust area should be :

| <u>Un-armed Branch</u> | <u>Armed Branch</u> |
|--|---|
| 1. Investigation with special reference to writing of C.Ds | 1. Weapon Training & Musketry Practice. |
| 2. Interrogation of suspect | 2. Escort/V.I.P/Guardduties |
| 3. Human Rights | 3. Human Rights |
| 4. Crowd control | 4. Crowd control |
| 5. Small arms training & Drill, turn-out & discipline | 5. Drill, Turn-out & discipline |
3. Districts will have to use available resources for imparting training on the subjects mentioned at Para 2. The Police Training School, Shillong can be contacted directly for assistance, as far as syllabi, course content, duration, etc. are concerned.
4. Dy. Inspectors General of Police (Ranges) should supervise and coordinate the training programmes in such a way, that, smaller districts could be clubbed with the bigger Districts for training purposes.
5. Training Calendar for 8 months should be made out to reach this office by the 15th of April,'95. The number of participants will depend entirely on the Superintendents of Police.
6. Dy. Inspector General of Police, FS / MPRO will make similar in-service training programme for Fire Service personnel. This is necessary in view of the fact that our Fire Service School is not yet functional. Dy. Inspector General of Police, (Trg) will have to take initiative so that Fire Service School starts functioning at Williamnagar in 1995.

Please acknowledge receipt of this communication.

Sd/- D.N.S Srivastava
Director General of Police,
Meghalaya Shillong

OFFICE OF THE DIRECTOR GENERAL AND INSPECTOR GENERAL OF POLICE
MEGHALAYA ::: SHILLONG

CIRCULAR No 16/95

Sub- Eligible candidates for pre-promotion cadre courses to be nominated only after being properly screened by a committee

It has been observed that the Superintendents of Police and Commandants are nominating unfit and undesirable elements to attend pre-promotion cadre courses. This had come to light only when the Selection Board submitted the results and also when Superintendents of Police and Commandants were asked to furnish character and integrity certificates of those who had passed the cadre courses before final orders of promotion were issued. This showed that the candidates eligible to undergo cadre courses were not being screened properly before their nomination were made for the pre-promotion cadre courses.

Henceforth, all Superintendents of Police and Commandants should ensure that all eligible candidates for pre-promotion cadre courses are properly screened by a committee on the following points:-

1. That the candidate is physically and mentally fit to undergo the course and also to shoulder the responsibility when finally promoted.
2. That there is nothing adverse against the candidate in his service records and against his character and integrity.

The above procedure should be strictly followed to ensure that only the suitable personnel are selected in all ranks for the pre-promotion courses.

Please acknowledge receipt of the circular.

D.N.S Shrivastava,
Director General & Inspector General of Police
Meghalaya, Shillong.

OFFICE OF THE DIRECTOR GENERAL AND INSPECTOR GENERAL OF POLICE
MEGHALAYA SHILLONG

CIRCULAR NO 2/2000

Sub- IGP (Trg)'s approval to be obtained for commencement of training courses and report to be submitted to him on completion of the same

Henceforth, commencement of any training course will be got approved from Inspector General of Police, Training and on completion of each Training/Course in your respective Unit, a report will be submitted to the Inspector General of Police, (Trg) mentioning in it the date of commencement, completion of the Course/Training, and the number of trainees that attended the Course/ Training rank-wise, so as to ensure the Annual Training Calendar is followed by all Units.

Rajiv Mehta
Dy. InspectorGeneral (A)
Meghalaya, Shillong

Armed Escorts/Guards:

OFFICE OF THE DIRECTOR GENERAL & INSPECTOR GENERAL OF POLICE
MEGHALAYA SHILLONG

CIRCULAR No. 1/1993

Dt. 17.9.93

Sub: Security of armouries

In view of the recent raids on the Police Armouries at Kokrajhar (Assam), Chumukedima (Nagaland), from where a number of sophisticated arms, ammunition and high explosives were taken away, it is felt that the police armouries in the Battalions and Districts of this State should have fixed L.M.G. posts. While choosing / constructing the L.M.G. post, the under mentioned instructions may be kept in mind:-

1. The L.M.G. post should be behind a bunker that will afford protection from frontal / side / overhead attacks.
2. The L.M.G. post should be elevated depending on the terrain.
3. The line of fire and L.P.I. (Last Point of Impact) should be pre-determined as a safety measure.
4. The L.M.G. port (slit) should provide good visibility and free movement of the weapon but should be small enough so as to make it difficult for an attacker to immobilise the gunner.
5. There should be 2(two) sets of L.M.G. magazines 1 (one) for the day and 1(one) for the night. The night magazine should have tracer round after every 5 (five) normal rounds. The night magazine should be marked with a yellow band so as to distinguish it from the day magazine.
6. There should always be a second (2nd) gunner together with gunner No1.
7. All personnel earmarked for L.M.G. duty must do a short course in L.M.G. handling and firing.
8. Magazine Guard drills (stand to, taking position, etc.) be organised regularly. A Standing Order indicating duties, drills, etc., of the magazine guard, should be hung in the guard room and the supervising officers must ensure that the same is put into effect properly.

The establishment of the L.M.G. posts should be intimated to this office.

(D.N.S SHRIVASTAVA),
Director General & Inspector General of Police,
Meghalaya, Shillong.

OFFICE OF THE INSPECTOR GENERAL OF POLICE (TRAINING)
MEGHALAYA SHILLONG

CIRCULAR NO 1/96

Sub- Procedure with regard to money escorts

Introduction:-

In this Circular we shall concern ourselves mostly with procedures with regard to the Money escorts with slight modification. Similar procedures can be adopted for escorting other treasures and valuables.

- 2:1 The requisitioning authority (R.A) will have to fill up a R/- form. See Appendix -I and submit to the Supdt of Police.
- 2:2 On receiving this requisition, the Supdt of Police will fix the date, time and strength of the escort party (E.P) as per the provisions of the A.P.M. Pt-III.
3. Procedure to be followed by Escort Party and R.A.
- 3:1 The Escort Party Commander (E.P.C) will report to the R.A. and identify himself. R.A. will introduce the Driver and other Civilian Assistants connected with the escort duty to the E.P.C.
- 3:2 Escort Party should check vehicles driver and strong box.
- 3:3 Escort Party Commander will satisfy himself about the route and the other details connected with the route. If necessary, the route can be recceed before hand.
- 3:4 Ideally, there should be not less than 5 persons per escort party, the manpower requirement will depend on the amount being transshipped.
(i.e.) Escort Commander -1, Escort 2 I/C - 1 and 3 Constables.
It should be borne in mind that Escort Party will have to protect, (I) themselves (ii) money (iii) weapons (iv) vehicle (v) Civilian Escort Party.
- 3:5 Escort Party should familiarize themselves with the surroundings and the lay out of the building, car parks, exits, (R.A)
- 3:6 At the Bank or collection point (C.P) 2 (two) persons should remain outside the Bank and 3 (three) inside where possible eye contact should be maintained with vehicle outside.
- 3:7 When the strong box (S.B) is filled and before removal from the Bank, the Escort Party Commander should ensure that the route to the vehicle is safe and clear.
- 3:8 The Escort Party should position themselves so as to give maximum protection to the strong box and themselves. The E.P.C will be in front and the Escort Party 2 I/C will cover the rear. The E.P. should not be bunched together, positioning should be staggered giving themselves ample reaction time.
- 3:9 Escort Party Commander should check the vehicle before allowing S.B. to be taken inside.
- 3:10 1 Constable will be seated with the Driver on the extreme left and 4 persons will remain with the strong box. Civilians with the Escort Part should be placed in such a position, so that they will be of little or no threat to the E.P. Deployment of civilian should be kept at a minimum.
- 3:11 With the movement of the S.B. and while in the vehicle, weapons should be cocked (as advised during the briefing) and kept at the ready.
- 3:12 While inside the vehicle Escort must be alert for suspect leading/ following vehicles motor bikes, sudden road blocks, traffic jams, diversions and sudden switching of the front or rear vehicles.
- 3:13 If no W.T set is provided, it will be the duty of the Civilian Escort I/C who should inform the Police Control of enroute problems or any obstructions noted in the Para - 3:12. The Escort Party should under no circumstances leave the vehicle.

- 3:14 If the Escort Party is provided with a W.T. set, they should keep Police Control informed of their movement and situation. Police Control should also keep a track and note the movement, safe departure and arrival of the various Escort Parties.
- 3:15 DISEMBARKATION POINT: Vehicle should be parked as close as possible to the disembarkation point with the rear of the vehicle facing the entrance of the building (R.A)
- 3:16 There should be at least 5 minutes E.P. cooling off period for checking weapons, suspicious movements and safety of this disembarkation area, before the S.B. is removed from the vehicle.
- 3:17 Civilian I/C of Escort Party should report to the Escort Party Commander that they are ready to receive the strong box inside the office.
- 3:18 Strong box will be taken out only when the E.P.C is satisfied that the area is safe and when he gives order.
- 3:19 E.P. will position themselves for providing maximum security of the S.B. and to themselves.
- 4. Additional points to be kept in mind:
 - 4:1 Escort Party should never handle the S.B. or open doors or engage themselves in any other activity that may compromise their alertness and security of the strong box.
 - 4:2 E.P. should never get diverted by any diversionary tactics of criminals.
 - 4:3 E.P. should not eat or drink anything offered by R.A. or anybody. They should carry their own food and water.
 - 4:4 Only fully trained persons who can handle weapons issued to them should be deployed for Escort Duty.

(W.R. Marbaniang)
 Inspector General of Police (TRG),
 Meghalaya, Shillong

SAMPLE

To

The Superintendent of Police,
 East Khasi Hills,
 Shillong

From

.....(REQUISITIONING AUTHORITY)

- | | | |
|----|---|--|
| 1. | Armed Escort may please be provided on date | <u>1.3.96-</u> |
| 2. | To Escort | <u>Pay Money</u> |
| 3. | Value of | <u>20 Lakh (Approx)</u> |
| 4. | Onward Journey from | <u>Ganesh Dass hospital, Polo To</u> |
| 5. | Return Journey From | <u>SBI</u> <u>SBI Main Branch To Ganesh</u> <u>Dass Hospital,</u> <u>Polo</u> |
| 6. | Time of Reporting | <u>1900 hrs.</u> |
| 7. | Escort Party should Report To | <u>Dr. ABC</u> |
| 8. | Mode of Transporting Sl.No 2 | <u>Mini Bus (one)</u> |

(Signature of R.A)
 Contact Phone No.222222
 ()
 Name in block letters.

POLICE USE ONLY

1. Armed Escort Allowed / Not Allowed.
2. Detail : SI/JCO 1 NCO 1 CONST 4
Arms for SI/JCO 9mm Pistol NCO 9mm Sten Gun CONST
SLR
3. Date of Reporting 1.3.96 Time 0830

(Signature of Supdt of Police)

4. Briefing Carried Out on 29.2.96 By Dy.S.P. (Hq) Shg
To S.I. XYZ E.P.C

(Signature of Dy.S.P, (Hqr)

.....

OFFICE OF THE DIRECTOR GENERAL OF POLICE::: MEGHALAYA ::: SHILLONG
CIRCULAR NO 3/96

Sub. Security arrangements in the armouries and explosive magazines

As you are aware, some police personnel were recently apprehended when they were trying to sell some explosive materials to civilians stolen by them from a Police Magazine. It is a very serious development. We have to take steps so that such recalcitrant elements of the force cannot take us for a ride.

In addition to the physical verification of the arms / ammunitions / explosives in our stocks, the security arrangements in the explosives magazines and armouries will have to be further strengthened. The following instructions should, therefore, be scrupulously followed by all concerned :-

A. BUILDINGS AND AREA:

- I The buildings used for storing arms and explosives should be thoroughly inspected and requisite improvements made whenever necessary.
- II. Particular attention should be paid to sky lights, windows and doors. The gaps between the ceiling and roof should be blocked. Doors should have inspection slots, so that the guards can check conveniently and regularly
- III. All wiring and electrical fittings should be thoroughly inspected by a qualified electrician regularly. Repairs and fittings should be done with top quality material. There should be a separate master switch and fuse to control the lines meant for the armoury / magazine

B. FIRE SAFETY:

Adequate fire prevention measures should be made for the Armouries and explosives magazines. Minimum requirement for the same will be as follows:-

- a. Portable fire extinguishes (BCF) have to be installed.
- b. A Fire Point with buckets of sand, water, shovels and ceiling hooks should be provided.
- c. The surrounding area should be kept clean and free from combustible materials.

C. PERIMETER SECURITY:

- I There should be an outer perimeter fencing double layer of barbed wire of at least 8 (eight) feet in height. There should be only one gate leading into the outer perimeter.
- II. The Outer perimeter should be well lit at night. Standby generators should be installed as alternative power source.
- III. LMG posts should cover the front and rear of the Outer perimeter.

C. ALARM SYSTEM:

- I. Sentries should not depend on a single Alarm System. In addition to electrical alarm system, there should be manual alarm system as well, such as, gongs, whistles and bells.
- II. Password system can also be used when required.
- III. Doors and windows should all be sealed.

E) SENTRY:

- I Sentries should be very thoroughly briefed. Relevant standing orders in connection with Magazine Guard duties should be hung in a prominent place and all the JCO/ NCO/ Constable on duty must be aware of the orders and their contents.
- II. There should not be any change whatsoever in the duty roster once the detailment has been made, The Guard Commander has no authority to make changes in the roster

F. ACCESS CONTROL / RECORDS:

- I There should be total access control into the armoury and explosive magazine area.
- II. Arms and ammunition should be stacked and segregated in such a manner that arms meant for training and routine duties are not mixed up. Receipt and returns of arms and ammunitions should be individually checked and acknowledged by the Guard in-charge. The Armoury staff should receive/ issue the arms / ammunitions at the entrance of the armoury. Those depositing / receiving the same should not be allowed to enter the armoury.
- III. All the ammunitions, explosives, empty cases and spares must be sealed in containers. SP / CO will have to work out the details of it.
- IV. It will be convenient to number all the containers with their own unit numbers and a record kept of all such containers. These containers should have their own certified Bin Card showing issue and balance.
- V. All requisitions for Arms / Ammunitions / Explosives/ Spares must be made in writing and put up in file to SP / CO. Before any entries are made in the concerned registers, regarding issue, empty case blinds, damages, loss or anything else, a speaking note must first be entered in the file concerned.
- VI. One Gazetted Officer must be made in-charge of the Armoury and Explosive Magazine. All the records must be kept in his custody. The records will be handled only by the authorised persons and when done with returned to the gazetted officer who will scrutinise and record his observations.
- VII. Only authorised persons will enter and draw arms, ammunitions and explosives after getting approval by SP/CO. Record of all such entries into the Armoury / Magazine must be kept and countersigned by the Guard Commander and the Armoury and Magazine in-charge.
- VIII. After every Range practice, the Range firing Register must be very carefully scrutinised and verified and signed by the Gazetted officer in-charge. Empty cases and misfired ammunitions / explosives must be accounted for separately and a separate account kept for the purpose.
- IX. After any live grenade practice, Blinds must be destroyed at the practice site and certified accordingly.

G. ARM RULES

APM Rules 180 Part -III regarding the custody of Arms etc. should be carefully noted by Officers & men in-charge of the Armoury / Explosive Magazine. A copy of these rules should be noted / entered in the first page of the Reserve Stock Book of Arms / Ammunitions / Explosives for ready reference.

The receipt of this Circular may please be acknowledged.

Sd/-
(D.N.S.SHRIVASTAVA)
Director General and Inspector General of Police
Meghalaya Shillong

Quarterly Crime Conference:

OFFICE OF THE DIRECTOR GENERAL AND INSPECTOR GENERAL OF POLICE
MEGHALAYA SHILLONG
CIRCULAR NO 1/93

From:

Shri J.K. Sinha, IPS
Director General of Police,
Meghalaya, Shillong

To:-

Superintendents of Police,
East Khasi Hills, Shillong,
West Khasi Hills, Nongstoin,
Ri-Bhoi District, Nongpoh,
Jaintia Hills, Jowai,
West Garo Hills, Tura,
East Garo Hills, Williamnagar,
South Garo Hills, Baghmara.

Subject: QUARTERLY CRIME CONFERENCE

The District Quarterly Crime Conferences are meant for making an in depth analysis of the crime situation and for getting a clear picture of crime and criminals in the District and also for formulating plan of action for effectively minimising the crime rate.

While holding the Quarterly Crime Conference, the following points should be kept in mind :-

1. The Crime Conference should be held in the first week of the month following the preceding quarter of the year.
2. The Conference should be attended by all the Gazetted Police Officers under the S.P. of the District, all C.Is and all the Os/C of P.Ss in the District.
3. P.I./ P.S.I. should also attend the Conference for discussing delay in trial of the cases in the Courts and also the ways to minimise the same to the extent possible.
4. D.S.B officers of and above the rank of Inspector should also attend the Conference to discuss about the collection, collation and dissemination of criminal intelligence.
5. The Conference will be entirely confidential and the proceedings should be recorded in a separate register maintained for this purpose.
6. The C.I.s should attend the Conference along with the "Inspector's Note Book" and also a review of the crime with reference to the crime against property and other offenses of serious nature for the quarter under review for their respective Circles.
7. While analysing the crime situation, causes of fluctuation in the crime rate and in case there has been a substantial increase in the crime rate, its possible causes and ways to reduce the crime rate by taking recourse to the preventive sections of law, through effective surveillance over all B.Cs, through effective patrolling including patrolling in co-operation with the V.D.Ps and by instituting proceedings under the bad livelihood sections of law should be fully discussed.
8. While discussing causes of the increase in the crime rate, it should be fully emphasised that successful investigation and timely detection of cases as also successful and timely prosecution of the same will certainly have a deterrent impact on the crime rate.

9. Success or failure of the steps taken by the Police during the quarter under review for effective prevention and also for timely detection of crime should also be discussed in detail.
10. The C.Is should place before the Conference plan of action formulated by them to combat crime in their respective Circles and the same should be discussed in the Conference.
11. While discussing causes of fluctuation in the crime rate, success or otherwise of the steps taken for apprehending the absconders and to trace out the missing Bad Characters should also be gone into.
12. For combating the increasing rate of crime, the extent of the watch kept on all the B.Cs in each P.S should also be discussed and need for mounting a close and effective watch on them should be emphasised.
13. In the Crime Conference, full stress should be laid on paramount need to see that the investigation of cases particularly those involving heinous crimes is completed expeditiously so that the guilty can be brought to book without any unnecessary delay. There is a lot of truth in the saying that the justice delayed is justice denied.
14. Reasons for pendency of the cases particularly those involving heinous crimes should be gone into in order to see that the same are not kept pending unnecessarily.
15. It should be seen if the CIs are performing their job properly with regard to supervision of important cases, giving instructions to I.Os in writing after having so supervised the cases and in S.R. cases, writing and submission of P.Rs every fortnight. It is C.I's responsibility to see that each case is fully and properly investigated and that all possible steps are taken for timely detection of cases. It is also his responsibility to see that the I.Os carry out the investigation of the cases with all honesty without allowing for extraneous considerations to come into play. After he has given instructions to I.Os in writing, he has to ensure that I.Os keep the C.Ds of all the cases pending with them up-to-date. In the Crime Conference, the performance of the C.Is in this regard should be fully gone into and the need to perform their responsibility with diligence and honesty should be brought home to them.

(J.K. Sinha)
Director General
and Inspector General of Police
Meghalaya, Shillong.

OFFICE OF THE DIRECTOR GENERAL & INSPECTOR GENERAL OF POLICE
MEGHALAYA SHILLONG

CIRCULAR NO. 9/95

DATED 25-5-95

Subject: QUARTERLY CRIME CONFERENCE:

It has been noticed that some Superintendents of Police are not holding the quarterly Crime Conferences regularly. The Crime Conferences serve the important objective of giving the Superintendents of Police and their departmental superiors a clear picture of the crime situation obtaining in the Districts and other matters relevant thereto. It also provides a forum for taking stock of the various measures taken towards effective crime prevention, investigation, detection of cases and the result thereof. These conferences also help the officers to come to certain conclusions with regard to efficacy or otherwise of the measures taken, short comings in the same and then help them map out further measures and strategies for bringing about improvement in crime prevention, investigation and detection of cases, as also in all other aspects of policing.

In this connection, extracts of rule 27 of the A.P. Manual Part V and Circular NO 6/59 on the subject are enclosed as Annexure 'A'.

Following instructions should be scrupulously followed in this regard, in future:

1. The Crime Conference should be held in the first week of the month following the preceding quarter.
2. All Officers in charges of Police Stations and Officers of the rank of Inspectors and above should attend the Conference.
3. The Circle Inspectors and Inspector Officers-In charge of Police Stations should attend the same along with Circle Inspectors' Note Books. They should bring review of the Crime involving property offences and other offences of serious nature for the quarter under review for detailed discussion.
4. The Circle Inspectors and Inspectors Officers-in- Charge of Police Stations should place before the Conference their plan of action to effectively combat crime in their respective areas and the same should be discussed thoroughly.
5. In the Conference, efforts should be made to correctly analyse the crime situation, the emerging crime trends, fluctuation in crime and causative factors leading the fluctuations, position regarding effective investigation and detection and prosecution of cases, preventive measures taken as per law including patrolling, both mobile and foot patrolling and surveillance, etc, during the quarter under review and the effect of all such measures on the crime situation.
6. All steps taken to effect improvement in crime prevention and investigation and detection of cases and effect of the same on the crime situation should be discussed thoroughly in the Conference.
7. Based on the discussions in the conference, certain conclusions should be arrived at and then future course of action should be formulated for bringing about definite improvements in different aspects of policing. The Public Prosecutors or in his absence, one of the Senior Asstt. Public Prosecutors, should also be requested to attend the same in order to have a meaningful discussion on position with regard to prosecution of cases. District Medical & Health Officer and M.V.I. should also be requested to attend the Conference in order to discuss position regarding the cases pending for non receipt of P.M. reports, injury reports and M.V.I.'s reports.

Director, Forensic Science Laboratory should also be requested to attend or to depute one of his officers to attend the same in order to discuss position regarding the cases pending for non receipt of the expert opinion from the Forensic Science Laboratory. They should also be requested to address the Conference on use of different scientific aids to investigation and how to go about the same.

In addition to above, any other officer may also be called to interact with the Police Officers in the discretion of the District Superintendent of Police. It may be kept in mind by the District Superintendents of Police that interaction with such officers should be beneficial in the control and detection of crimes and maintenance of law and order.

8. Proceedings of the Conference along with a summary of conclusion arrived at and decisions taken, should be submitted to the Director General of Police, through Deputy Inspector General of Police, CID, for his perusal by the second week of the months following the preceding quarter.

(D.N.S Shrivastava),
Director General & Inspector General of Police
Meghalaya, Shillong

Administrative matters:

Memo No.S-VI/566/Vol.iii/129 dtd 8th Feb 1971 from Shri A.Rahman, IPS , DIG(A), Assam addressed to All Ss.P. / Principal , Police Training College, Dergaon/ Spl.Suptd of Police (C) , Assam.

Subject:- Departmental Repairs and Construction

I am directed to enclose herewith a copy of Circular No.2 of 1971 for your information and future guidance. The instructions contained therein should be followed strictly while submitting proposal to this Office for original construction, repairs etc.

.....

Circular No 2 of 1971

Subject:- DEPARTMENTAL REPAIR AND CONSTRUCTION

It is noticed that some Officers depart from the Rules and procedure in respect of departmental constructions and get themselves involved in various allegations and audit objectives which can be easily avoided, The reason for these may be due to the lack of experience and possibly due to want of correct advice from their respective offices. The following instructions, therefore, should be helpful for all concerned:-

1. The tender notice for construction or repair should clearly and specifically describe the extent and nature of work to be done. Vague tenders in general terms leave ample room for confusion and irregularities. Execution of work should be according to the tender notice and no departure should be made from the specification stated in tender notice.
2. Once the work is completed, the completion certificate should be submitted in the prescribed form.
3. Some officers in their anxiety to provide accommodations to hard pressed subordinate Officers and men divert funds to others projects for which no sanction exists. This is a faulty way of doing things and is a clear invitation to objections and irregularities.
4. All departmental houses of any description, permanent or temporary, whether in Headquarters or at outlying places must be numbered serially for the sake of identification and for making references to I.G.P's Office or D.I.G's Office. Serial Nos. should be noted in the building register as well. No money should be allowed to be spent for repairs on houses which have not been entered in the Buildings register and assigned a serial number.
5. (a) Work done on "Shramdan" basis presupposes purchase of building materials on the basis of plinth area and other specification of the proposed work or house. Therefore, the quantity of materials required is to be worked out by a person who knows the job. It is always safe to take Overseers into confidence either from P.W.D. or from other technical Department. Excess indenting may give rise to mal practices and irregularities if the house completed is not in proportion to the material purchased.
6. (b) All materials purchased for undertaking work on 'Shramdan' basis must be entered in a Committee Book first. Different types of building materials purchased should be entered in Stock Books meant for the type of material following the procedure presently in force in the Clothing Branch or " Q " Branch. Any departure from this time-tested method will create complication for all concerned. Committees Books and Stock Books must be signed by the S.P. or the Commandant himself or by any Gazetted Officer entrusted with the work. Payment of bills should be made only on the basis of Committee Books reference.

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Memo No. MS/XIV-110/40, dated 4.12.'75 from Shri J.C. Mawroh, IPS, Asstt. Inspector General of Police(Admn.), Meghalaya, Shillong addressed to all Ss.P. in Meghalaya and Asstt. Inspector General of Police, SB/CID, Meghalaya, Shillong, Addl. Superintendent of Police (C), Meghalaya, Shillong

Subject: Maintenance of History Sheets in respect of allotted Government vehicles.

In enclosing herewith copy of extract from amendment No. 8 to D.F.P. Rules, 1960 - Schedule III (Police Department) Sl. No. 4(6) along with copy of extract from Government Circular No. FM 72/6696, dated 28th April, 1967, I am directed by the Inspector General of Police, Meghalaya to bring this to your personal notice and to say that a History Sheet should invariably be maintained for each allotted Government vehicle, in which the mileage done, spare parts purchased, major and minor overhauls the vehicles have undergone, repairing done, etc. and expenditure incurred thereon should be recorded from time to time as and when these are done, in addition to the other necessary particulars regarding the date of purchase of the vehicle, cost of vehicles, the spare accessories and tyres and tubes if supplied by the supplying firm at the time of purchase should also be recorded. As no history sheet for the purpose has so far been prescribed, the present Log Book nomenclature is changed from "Vehicle Log Book" to "Vehicle History". The maintenance of vehicle History Sheets for pool vehicle will continue.

The receipt of this Memo may please be acknowledged.

Yours faithfully,

Sd/- Illigible
Asstt. Inspector General of Police,
Meghalaya, Shillong.

Letter No. MS/VIII-26/68 dated 14th February 1978 from AIG(A) Meghalaya addressed to Ss.P. CID/ SB/ACB and all Ss.P.Meghalaya.

Subject: Floating of Tenders, etc.

I am directed by the IGP to say that many officers have been inviting quotations when it should have been a Tender for supply of materials and various articles even when the amount involved is more than Rs 5000/- (Rupees five thousand) This is highly irregular. Following instructions should be strictly adhered to in future while inviting tenders.

1. Clear indication should be made in the Notice Inviting Tenders that the tenders should be supported by court fee stamp and Earnest Money as required under rules, otherwise such Tenders should be rejected forthwith.
2. The Tenders should be sealed and opened in presence of board of officers and representatives of the firms submitting tenders on the date so fixed for opening of same. Opening date and signature of the officer/s should invariably be given on the tender.
3. When the amount involved is higher, a gist of the tender notice should be published in one or two local newspaper. The gist of tender notice etc, intended for publication in the newspaper should be sent through Directorate Information and Public Relations and 3 /4 copies of the Tenders should be sent in advance to this office also.
4. It should be stated in the N.I.T. that inspite of market fluctuations or any circumstances, no enhancement of rates will be considered.

5. Signatures of the officer/s and the representatives of the firms present at the time of opening of the Tenders should be obtained and the same to be submitted to this office along with the Tenders.
6. Date of commencement and the date of termination of the contract should be clearly mentioned in the Tender Notice. Tender once submitted will remain valid for 90 days. Once Tender is accepted, Tenderer will be bound to accept it for the whole currency of the contract otherwise their Earnest Money, Security Deposit (as the case may be) should be forfeited to Government at the discretion of the officer inviting Tender.

While the Tenders/ Quotations are submitted to the IGP's office, all necessary documents viz Earnest Money , Tax Clearance Certificates, Comparative Statements in duplicate and other required relevant documents should be submitted to avoid duplicacy of works and to save time.

In future submission of incomplete Tenders / Quotations should be brought to the Notice of the IGP.

Receipt of this document may please be acknowledged.

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OFFICE OF THE DIRECTOR GENERAL & INSPECTOR GENERAL OF POLICE
MEGHALAYA SHILLONG

ORDER NO. 4

Sub- Field units not to approach the MGCC Ltd. directly for taking up construction works

Dated Shillong, the 21st June,

1986

The Director General & Inspector General of Police, Meghalaya, Shillong has noted with serious concern that some Districts/Units have directly approached the Meghalaya Government Construction Corporation LTD. For the construction of new buildings/roads etc. including alteration/sanction from this Office. This is highly irregular and causes confusion and inconveniences to all concerned.

Henceforth, all such proposals should be sent to this Office for taking necessary action in consolidated form on yearly basis as already intimated vide this Office letter No. MS/IV-138/85-86/OB/64 dt. 11.3.86.

Sd/- S. Prasad.
Dy. Inspector General of Police(Admin),
Meghalaya, Shillong.

OFFICE OF THE DIRECTOR GENERAL OF POLICE :: MEGHALAYA :: SHILLONG
CIRCULAR NO. 2/92

Sub- Need for improvement in the upkeep and cleanliness of PSs, OPs, etc.

During my visit to one of the Police Out Posts in West Khasi Hills, I found that the ASI-in-charge was hardly able to reply to some of the queries made regarding his area of responsibility, period for which staff posted had remained in the Out Post and number of hotels/ restaurants operating in that particular place. The ASI gave a very poor account of himself in spite of the fact that he had stayed in that particular place for three years. I could also notice that the sketch map maintained at the Out Post had completely faded. The Disposition chart was also not hung on the wall as prescribed. When asked, he took out one old disposition list from the box which had not been updated. The position obtaining in the Out Post indicated that the supervisory officers are not paying adequate attention to some of the basic aspects of the functioning of a Police Station/ Out Post. It is the responsibility of the supervisory officers like the Circle Inspectors and gazetted police officers to see that the wall charts, etc., prescribed in the Manual are maintained and there is general cleanliness in the premises occupied by the police personnel.

You are requested to please ensure that these instructions are followed and there is a visible improvement in the upkeep and cleanliness of the Police Stations/ Out Posts premises and necessary wall charts, etc., are displayed properly in the room occupied by the Officer-In-Charge.

(J.K. Sinha)
Director General of Police
Meghalaya, Shillong.

OFFICE OF THE DIRECTOR GENERAL AND INSPECTOR GENERAL OF POLICE
MEGHALAYA ::: SHILLONG
CIRCULAR No 16/95 Dated Shillong, the 27th October, '95

Sub. Procedure for submitting proposals to the Police Headquarters for purchase of equipments and materials

It has been observed that in most cases proposals for purchase of equipments, materials, etc. submitted by districts/units/officers were incomplete. This has led to unnecessary correspondence back and forth with Police Headquarters, thereby wasting much time and effort. In spite of repeated instructions from time to time issued from this office, no remedial measures have been taken up. Once again, it is reiterated that while submitting proposals for purchase of any item or group of items, the proposal should contain the following:-

- A. 1. Copy of quotation notice or notice inviting tender (NIT) for purchases the amount of which is more than Rs 5000/-
2. Attested valid sales tax clearance certificate.
3. Attested valid income tax clearance certificate.
4. Court fee stamp of Rs 25/-
5. Attested photograph of the tenderer.
6. Valid Trading License, vide Government Office Memorandum No. DCA. 36/91/56, dated 26th may, 1995
7. Earnest Money at the rate of 1% for tenders whose value exceeds Rs.5000/-
8. Security deposit at the rate of 5% for tenders whose value exceed Rs.50,000/- above.
9. Contract Agreement between the office and the supplier / contractor for tenders.
10. Non tribal firms operating in scheduled areas require production of Trading License.
- B. Where the amount of work or supply is above Rs 50,000/-, the tenderer should be asked to submit the financial stability certificate from any nationalised bank or from the Deputy Commissioner concerned, along with an undertaking that the supply or work will be carried out by the tenderer himself / herself.
- C. For consideration of the tenders there should be at least three valid tenders otherwise tenders should be refloated.
- D. Bills for the work or supply completed should be submitted to Police Headquarters for sanction along with all certificates/ documents referred to in Para "A" above.
- E. The bill should be duly certified to the effect that the work had been completed as per estimate satisfactorily or that the supply has been received in good condition as per approved sample and entered in stock register. The page number and serial number of the entry should be furnished on the body of the bills.
- F. In case of supply, delivery challan duly signed by the tenderer and the receiver should be authenticated with official seal.
- G. If the bills have become time barred, necessary certificate should be furnished on the body of the bills that the amount has not been drawn.
- H. Sales tax which is to be deducted at source should be shown separately in the bill.
- I. Bills of requisitioned vehicles proposed for sanction should be accompanied with the order of Police Headquarters or the Range Dy. Inspector General of Police, whichever is applicable, approving the requisitioning of the vehicles.

D.N.S. Shrivastava,
Director General of Police
Meghalaya , Shillong

OFFICE OF THE DIRECTOR GENERAL & INSPECTOR GENERAL OF POLICE
MEGHALAYA, SHILLONG

CIRCULAR No. 2

Dated, Shillong, the 26th June, 1998

Sub. No materials/ equipments to be purchased beyond financial powers without sanction of competent authority

It is observed that Dists / Unit offices sometimes purchased materials / equipments such as syntex tanks, almirahs, tables, chairs, ceiling fans, emergency lights, building materials / sports goods beyond their financial powers. This is clear violation of financial power rules and has resulted in serious Audit Objections.

Henceforth, for all purchases which are beyond the financial powers of the Ss.P. / COs/ Director FSL/ Principal, PTS, concrete proposals should first be submitted for according Administrative Approval by Police Head Quarters.

On receipt of the Administrative Approval, necessary tenders / quotation as per this office Circular No 16/95 dt. 31.10.95 issued under cover of MS/III-170/2 dt 31.10.95 be floated accordingly and Bills for the purchase of materials / equipments made should be submitted to Police Head Quarters along with all supporting documents for sanction.

Violation of the above instruction will be seriously viewed with.

Sd/- I.T.Longkumer,
Director General of Police,
Meghalaya, Shillong.

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OFFICE OF THE DIRECTOR GENERAL AND INSPECTOR GENERAL OF POLICE
MEGHALAYA SHILLONG

CIRCULAR NO 1/99

Sub. Govt. quarters to be occupied only after obtaining approval of the competent authority

It has come to my notice that some police officers and men have occupied Govt. quarters including Departmental buildings without prior permission/approval from the Police Headquarters or the concerned district/battalion authority. Such irregularities should be stopped forthwith

Henceforth, all officers including gazetted officers and men in need of quarters should apply to the proper authority and should occupy the same only on receipt of a written order of allotment of a quarter to him. No one should occupy a quarter without such written authority.

Further, no repair works/alterations of the buildings and rooms, electrical wiring, etc. should be undertaken by the officers/men occupying the quarters. Minor repairs may be undertaken only by the District/Battalion authority but with the approval of and sanction from the Police Headquarters. Major repair works will be undertaken only by Police Headquarters.

This Order should be brought to the notice of all ranks for compliance.

Receipt of this order be acknowledged.

I.T. Longkumer
Director General of Police
Meghalaya, Shillong.

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Instructions regarding inspections:

L/No. MG/VII-92/75/1 dated 22nd May 1975 from AIG(A), Meghalaya addressed to All Ss.P. Meghalaya.

Subject: Annual Inspection of Circle Inspector's office

I am directed to state that at present, there is no system of inspection of the Circle Inspectors' office by S.P. The I.G.P. feels that it is time that the offices of the C.Is are also inspected, once in a year, by the S.P. This exercise will be a useful one in the sense that it will enable the S.P. to have an idea of work done by the C.Is during the year. The quality of supervision of cases, time taken in writing PRs and orders passed by them will be brought out during these inspections. Inspections of C.Is' offices should commence from this year onwards and should be incorporated in the Inspection returns. Among other things laid down in Chapter I part V of the APM, particular attention should be paid on the following aspects:-

1. Prompt Supervision of cases and writing of PRs
2. Maintenance of Crime Index Register.
3. Specific queries made during investigation.
4. Enforcing promptness in submitting case diaries.
5. Night halts within jurisdiction.

Please acknowledge Receipt.

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OFFICE OF THE DIRECTOR GENERAL OF POLICE : MEGHALAYA :SHILLONG
CIRCULAR NO I/96

Sub. Action taken report on Inspection Notes

Although the inspections of PSs, OPs, etc., are now being done on more or less a regular basis but action taken report in half margins on inspection notes of SP & above are not being sent to this Office as laid down in the Police Manual. Henceforward, the SPs/COs will please submit Action Taken Report in ½ margins on inspections done by them and other senior officers within 3 months of the inspections.

This letter may please be acknowledged.

(D.N.S. SHRIVASTAVA)
Director General and Inspector General of Police,
Meghalaya, Shillong

OFFICE OF THE DIRECTOR GENERAL & INSPECTOR GENERAL OF POLICE
MEGHALAYA SHILLONG

STANDING ORDER NO 2/2001

**Sub: INSPECTION OF POLICE STATIONS BY SENIOR OFFICERS – USE
OF INTEGRATED INVESTIGATION FORMS**

Computerisation of police records by using Window based Crime Criminal Information System (CCIS) developed by the National Crime Records Bureau is a very useful programme for modernisation of the State Police.

This programme will not be successful unless the Integrated Investigation Forms (IIF) are filled up by the Police Stations and entered in the District Crime Record Bureau (DCRB) computers. It has been noticed that the filling of the forms and the data entry in the DCRB are not being supervised adequately by the Senior Officers during the course of their inspections.

Therefore, all the Inspecting Officers are hereby directed to inspect the progress of the computerisation during inspection as per the enclosed prescribed NCRB proforma.

L.Sailo
Director General of Police,
Meghalaya, Shillong

Proforma for Senior Officer's visit to Police Station for Inspection

Police Station District

Date From To

- 1. Whether the PS is using Integrated Investigation Form 'HF
Y/N.....**
- 2. CCIS usage status on the following:**

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| FIR | Crime Details | Arrested Memo | | Property Seizure Memo | | Final Form(Including) Supplementary | | Court Disposal | Result of Appeal | Additional Terrorist Details | Miscellaneous Details Forms | Talash Form | | Investigation /Trail Proceeding Progress | | No of Inquiry obtain from computer | Number of responses held I.O. | |
|------------------|---------------|---------------|------------------------------|-----------------------|-----------------------|--------------------------------------|--------------|----------------|------------------|------------------------------|-----------------------------|--------------|--------------|---|--------------|------------------------------------|-------------------------------|--|
| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 11 | 12 | 13 | | | | | | |
| Cases registered | Forms filled | Forms Filled | Persons arrested/surrendered | Forms filled | Property Seizure made | Forms Filled | Forms Filled | Cases Disposed | Forms Filled | Cases disposed | Forms Filled | Forms Filled | Forms Filled | Person Reported wanted/Kidnapped/missing unidentified | Forms Filled | Forms Filled | | |
| | | | | | | | | | | | | | | | | | | |
| Pending | | | | | | | | | | | | | | | | | | |

SHO remarks on usefulness:-

Remarks of Inspecting Officers:-

Name of the Officer
Designation/ Rank

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Redressal of Grievances:

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ORDER NO 1 OF 1977

Subject: Channel of Communication of grievances of Subordinate ranks

The Inspector General of Police is concerned over the lack of opportunities available to members of the lower ranks of our force to bring their grievances to the notice of their Controlling Officers. Grievances are wide in range and can cover any grievance like granting of leave to not finding their names in promotion lists / cadre courses, etc. The I.G.P has good reasons to believe that many of the grievances never reach the notice of the Ss.P. / C.O. due to bottle necks at intermediary levels, due to various reasons, not all of them legitimate in nature. It is for this reasons that earlier grievance returns were invariable 'Nil'.

For obvious reasons, this state of affairs cannot be allowed to continue, in the interest of all concerned. Hence, the I.G.P. orders that the following procedure will be followed, with immediate effect, in respect of grievances among members of the force.

1. The first written representation will be routed through the P.C./O.C/I/C/R/O. to the respective S.P. /C.O.
2. If within two months the affected member does not receive any redressal or written order on his grievance, he will be entitled to represent once again, through proper channel, giving an advance copy of previous representation to the concerned S.P. / C.O.
3. If after this also no action is taken on the representation, the aggrieved member can again represent, giving advance copies this time to the DIG (R) / or DIG, CID /SB where concerned.

It must be ensured that this Order is understood by each and every member of the Force by announcing in 3 consecutive Roll Calls every month.

Please acknowledge receipt.

Sd/-
M.I.S. Iyer,
Deputy Inspector General of Police,(Hq)
Meghalaya, Shillong.

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OFFICE OF THE DIRECTOR GENERAL & INSPECTOR GENERAL OF POLICE
MEGHALAYA SHILLONG

CIRCULAR NO. 1/1990

Sub- Redressal of grievances

Of late, it has come to the notice of the Director General of Police that police officers express their grievances concerning service conditions through Press. This practice is against the service conduct rules. In Police Organisation, there is a well laid down arrangement of redressal of grievances at various levels. And the controlling officers should ensure that proper opportunities are given to all the personnel who wish to express their problems and grievances. It should also be ensured that remedial measures are taken properly when the grievances are genuine.

It should be known to all ranks that carrying grievances outside the organization before appearing before the Controlling Officers, is against the Service Conduct Rules. Failure to comply with this by any member of the Police Organisation will be seriously viewed.

Sd/- Shri I.T. Longkumer, IPS,
Inspector General of Police(A),
Meghalaya, Shillong

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OFFICE OF THE DIRECTOR GENERAL AND INSPECTOR GENERAL OF POLICE
MEGHALAYA, SHILLONG.

CIRCULAR No.5/2000

Dt. 22nd Dec,2002.

To:

All the Superintendents of Police and Commandants of the Meghalaya Police
Battalions and IRBN.
Director, Forensic Science Laboratory, Shillong.
Principal Police Training School, Shillong.

Sub. Need for grievance redressal and welfare activities

It has been observed that the mechanism of redressal of grievances of the men / officers of the field units of police is not functioning effectively . It is therefore directed that all the heads of the field units should hold orderly rooms and Sampark Sabhas regularly. They should give patient hearing to the grievances of the staff working under their command. All efforts should be made to redress the genuine grievances of the staff as early as possible. The matters which need attention of the police headquarters should be communicated to Police Headquarters with the recommendation of the Head of the Field Unit concerned through respective Range DIG. The grievances of the officers should also be attended to in suitable manner and PHQs be kept informed about it.

It is further directed that all officers should pay proper attention to various welfare activities in their respective units.

A gist of the grievance redressal exercise undertaken should be sent to PHQs for DGP's perusal every month.

This is issued with the approval of the Director General of Police, Meghalaya.

Inspector General of Police,(HQ)
Meghalaya, Shillong

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Confirmation & promotions:

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OFFICE OF THE DIRECTOR GENERAL & INSPECTOR GENERAL OF
POLICE::MEGHALAYA::SHILLONG.

CIRCULAR NO 2/91

Dt. The 3rd June 1991

Subject: Rules governing confirmation in various subordinate ranks of Police in both UB & AB

1. All Police personnel appointed to a particular post on direct recruitment or on promotion should be confirmed in the rank according to their seniority on completion of 2 years of service in the rank subject to the fulfilment of the following conditions :-

- (a) Rendering of satisfactory service in the rank by the candidate.
- (b) The competent authority should otherwise be satisfied about the fitness and suitability of the candidate for confirmation in the rank.
- (c) Availability of permanent vacancies.
- (d) Passing of the prescribed Departmental examination, if any, unless for good and sufficient reasons to be recorded in writing, the candidate has been exempted from the same by the competent authority.

2. The confirmation in the rank of Constables/L.NK/Havildar/H.Consts. will be ordered by the SPs/Commdts. concerned who will also record an entry in the Service Sheets of the person concerned.

3. The confirmation in the rank of S.Is and Inspector of Police will be centrally ordered from the Office of the DGP, Meghalaya on a report to be furnished by SP/Commandant concerned through DIG(R). A copy of the order will be sent to all the SPs/Commdts. concerned who will record an entry to that effect in the Service Sheets of the Officer concerned.

4. Suitability for confirmation in each rank will be determined by a Board to be constituted by SPs/ Commdts for the rank upto H/Constables/ Havildars/ ASI, and for S.Is / Inspector, by the DGP. The Board will go through the Service Sheets, ACRs and also the merits of Courts cases / Departmental Proceedings, if any, against the person concerned. The recommendation of the Board will be submitted to SP / Commdt concerned or to DGP as the case may be.

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**PROCEDURES FOR PROMOTION OF NON-GAZETTED POLICE
PERSONNEL OF UNARMED BRANCH TO VARIOUS RANKS**

The procedure for promotion of Non-Gazetted police personnel in the Unarmed Branch(UB) to various ranks are briefly regulated in terms of Police Manual (APM) Part III Rules 37,39, and 40 and the Executive instructions issued by the DGP/IGP from time to time. The provision of Rules mentioned above are very brief, mostly outdated and highly inadequate to meet the present-day requirements. The executive instructions issued from time-to-time by the Police Headquarters lack uniformity and consistency. Therefore, there has been a long-felt need to streamline the system and adopt uniform procedures to ensure selection of the best amongst the eligible and deserving candidates in a transparent and objective manner.

In this regard, a draft relating to procedures for promotion of Non-Gazetted Police Officers in the Unarmed Branch (UB) was prepared and circulated to all the Senior Officers and views/suggestions obtained from them have been taken into consideration while framing the uniform procedure contained in this Circular.

With immediate effect and until further orders, the procedure for promotion to the various ranks in the Unarmed Branch (UB) shall be regulated as follows. This supersedes the earlier Circulars/Orders issued on this subject.

1.. There will be a cadre course for every level of promotion of non-gazetted police personnel in the Unarmed Branch of the Meghalaya Police. The following cadre courses shall be conducted at the PTS/ appropriate Training Institute as and when required.

Cadre Course I - For promotion from the rank of Constable/ Head constable to the rank of Assistant Sub-Inspector.

Cadre Course II - For promotion from the rank of Assistant Sub- Inspector (ASI) to the rank of Sub-inspector (SI).

Cadre Course III - For promotion from the rank of Sub-Inspector (SI) to the rank of Inspector.

1.. There will be pre-selection test for cadre course I at the District /Organisation/ Unit level. Question papers for cadre course I shall be set centrally by the training in charge (IGP/DIG/Principal, PTS) for conducting pre-selection test at various centres. The results of the pre-selection test together with the answer scripts shall be submitted by the concerned Districts/units/organisations to the training in-charge (IGP/DIG/Principal, PTS) who will finalise the number of eligible candidates for the cadre course, keeping in view the vacancy position.

1. Pre-selection test for the cadre course II and III shall be conducted centrally by the Training In-charge (IGP/DIG/Principal, PTS), who will finalise the selection of candidates for the above cadre courses, keeping in view the vacancy position.
2. Eligibility Criteria(as per Assam Police Manual Part III Rules 16,39,40)
 - (a) Cadre Course I- Constables/ Head Constables who have completed one year's continuous service after passing Basic Training.
 - (b) Cadre Course II- ASIs who have completed three years of continuous service.
 - (c) Cadre Course III- Direct SIs who have completed 6 years of continuous service and Departmental promotee SIs who have completed ten years of continuous service in the rank of SI

3. Candidates who fulfil the following criteria only will be inducted into the Cadre Course:-
- who qualify in the pre-selection test.
 - Who are declared medically and physically fit by the Government's authorised Medical Officer.
4. The pre-selection test shall consist of the following subjects:
- A. Cadre Course I- Pre-Selection test for promotion of Constable/ head constable to the rank of Assistant Sub-Inspector (ASI)

Indoor :-

- | | | | |
|-----|---|-----------|-----------|
| (a) | General English (Essay Writing / Grammar)- | 100 Marks | - 1½ hour |
| (b) | General Knowledge | 100 Marks | - 1½ hour |

.....
Total 200 Marks

- B. Cadre Course II- Pre-selection test for promotion of Assistant Sub-Inspector (ASI) to the rank of Sub - Inspector (SI)

I Indoor:-

- | | | | |
|-----|---|-----------|-----------|
| (a) | Law without books (Major/Minor Acts) | 100 Marks | - 1½ hour |
| (b) | (I) General English (Essay / Grammar) | 50 Marks | |
| | (ii) General Knowledge | 50 Marks | - 1½ hour |

.....
Total 200 Marks

- C. Cadre Course III - Pre-selection test for promotion of SI to the rank of Inspector

I Indoor:-

- | | | | |
|-----|---------------------------------|-----------|-----------|
| (a) | Law without books (Major Acts) | 100 Marks | - 1½ hour |
| (b) | Minor Acts & AP Manual (75+25) | 100 Marks | - 1½ hour |
| (c) | General Knowledge | 100 Marks | - 1½ hour |

.....
Total 300 Marks

- Armed Branch and MLP Bn/IRBn personnel of the rank of havildar and below and also non-technical personnel from MPRO, who are otherwise eligible, shall be allowed to appear in the pre selection test for attending the cadre course for promotion to the rank of Asstt Sub-Inspector.
- Candidates from SB,CID,ACB,Infil, MPRO,etc., based in Shillong, will appear for the pre-selection tests at Police Training School, Shillong and those who are stationed in the outlying districts will appear at the nearest centres.
- The date and schedule of the pre-selection test will be indicated by the Training In-charge (IGP/DIG/Principal, PTS)

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SYLLABUS AND FINAL EXAMINATIONS

Cadre Course I:-Duration of the cadre course I will be for a period of 12 (twelve) weeks of 6(six) working days a week and the syllabus will be as follows:-

Indoor:-

1. IPC
2. CrPC
3. Evidence Act
4. Minor Acts
5. Assam Police Manual
6. Professional /related subjects
 - (a) Scientific Aids to Investigation
 - (b) Human Rights
 - (c) Community Policing
 - (d) Case diary/ practical
 - (e) Duties of Sherister ASI
 - (f) CI Ops & Law & Order Duty
 - (g) VIP Security
 - (h) Gathering of Intelligence
 - (i) Protocol in the Department / Govt.

Outdoor:-

1. Drill / IP
2. Riot Drill & Tear Smoke
3. Weapon handling including pistol, revolver, AK-47 INSAS rifles etc
4. CI Ops / Tactics & Map reading.

Final Examination for Cadre Course I : The trainees will be examined in the following papers at the end of the course. The minimum pass mark will be 50% of the total aggregate. The questions will be mostly objective type with multiple choice of probable answers in all the Indoor subjects.

| Indoor Subjects:- | Full Marks | Pass Marks |
|--------------------------------------|------------|------------|
| (a) Major Acts | 100 Marks | 50 |
| (b) Minor Acts & AP Manual | 100 Marks | 50 |
| (c) Gen. English & General Knowledge | 50 Marks | 25 |
| (d) Professional/related subjects | 100 Marks | 50 |
| Outdoor Subjects:- | | |
| (a) Drill /IP | 20 Marks | 10 |
| (b) Riot Drill/ T smoke | 20 Marks | 10 |
| (c) CIOps/ Map Reading | 20 Marks | 10 |
| (d) Weapons handling | 20 Marks | 10 |
| (e) Range Practice firing | 20 Marks | 10 |
| Total - 450 | | 225 |

Cadre Course:- The Cadre Course II will be for a duration of 12 (twelve) weeks of 6(six) working days a week and the syllabus will be as follows:-

Indoor:-

1. IPC
2. CrPC
3. Evidence Act
4. Minor Acts
5. Assam Police Manual
6. Professional /related subjects
 - (a) Scientific Aids to Investigation
 - (b) Case diary
 - (c) Intelligence
 - (d) CI Ops & Law and Order duty
 - (e) VIP Security

Outdoor:-

1. Drill / IP
2. Riot Drill & Tear Smoke
3. Weapon handling including pistol, revolver, AK-47 INSAS rifles etc
4. CI Ops/Tactics & Map reading.

- (f) Human rights
- (g) Community policing
- (h) Duties of OC of a PS
- (i) Methods and techniques of interrogation
- (j) Surveillance
- (k) Protocol in the Department/Govt

Practical : Writing Case Diary.

Final Examination for Cadre Course II: The trainees will be examined in the following papers at the end of the course. The minimum pass mark will be 50% of the total aggregate. The questions will be mostly objective type with multiple choice of probable answers in all the Indoor subjects.

| Indoor Subjects:- | Full Marks | Pass |
|-------------------------------------|-------------------|-------------|
| Marks | | |
| (1) Major Acts | 100 Marks | 50 |
| (2) Minor Acts & AP Manual | 100 Marks | 50 |
| (3) Professional related Subjects | 100 Marks | 50 |
| (4) Case study/Writing Case Diaries | 50 Marks | 25 |
| Outdoor Subjects:- | | |
| (a) Drill /IP | 20 Marks | 10 |
| (b) Riot Drill/ T smoke | 20 Marks | 10 |
| (c) CI Ops/ Map Reading | 20 Marks | 10 |
| (d) Weapons handling | 20 Marks | 10 |
| (e) Range Practice firing | 20 Marks | 10 |
| Total - 450 | | 225 |

Cadre Course: The Cadre Course will be for a duration of 8 (eight) weeks of 6 (six) working days a week.

| Indoor:- | Outdoor:- |
|---|--|
| 1. IPC | 1. Drill / IP |
| 2. CrPC | 2. Riot Drill & Tear Smoke |
| 3. Evidence Act | 3. Weapon handling including |
| 4. Minor Acts | pistol, revolver, AK-47 INSAS rifles etc |
| 5. Assam Police Manual | 4. CI Ops/Tactics & Map reading. |
| 6. Professional / related Subjects | |
| (a) Scientific Aids to Investigation | |
| (b) Supervision of case | |
| (c) SR Cases and Progress Report | |
| (d) Departmental Enquiries | |
| (e) Discipline & Appeal Rules | |
| (f) Meghalaya Service Conduct Rules | |
| (g) CI Ops & Law and Order Duty | |
| (h) VIP Security | |
| (i) Methods and techniques of interrogation | |
| (j) Intelligence | |
| (k) Duties of an Inspector | |

Practical: Writing of progress report of SR Case.

Final Examination for Cadre Course III: The trainees will be examined in the following papers at the end of the course. The minimum pass mark will be 50% of the total aggregate. The questions will be mostly objective type with multiple choice of probable answers in all the Indoor subjects.

| Indoor Subjects:- | Full Marks | Pass Marks |
|-----------------------------------|-------------------|-------------------|
| (1) Major Acts | 100 Marks | 50 |
| (2) Minor Acts & AP Manual | 100 Marks | 50 |
| (3) Professional related Subjects | 100 Marks | 50 |

(4) Case study/Writing Case Diaries 50 Marks 25

Outdoor Subjects:-

| | | |
|------------------------------------|----------|----|
| (a) Drill /IP | 20 Marks | 10 |
| (b) Riot Drill/ T smoke | 20 Marks | 10 |
| (c) Weapons Handling | 20 Marks | 10 |
| (d) CI Ops/Tactics and Map reading | 20 Marks | 10 |
| (e) Range Practice firing | 20 Marks | 10 |

Total - 450

225

ACRs - The final results shall be subjects to consistent satisfactory ACRs of the preceding five years

Marks will be awarded against the ACR grading as follows:-

| | | |
|---------------|---|---------|
| Outstanding | - | 5 marks |
| Above average | | 3 marks |
| Average | | 1 marks |
| Below Average | | 0 Marks |

On completion of the Cadre Course I,II,&III, a Departmental Promotion Board for each course duly constituted by the Director General of Police Meghalaya will conduct the final examinations including scrutinising of the ACRs in the case of Sub-Inspector for promotion to Inspector.

The Board will then prepare a list of successful candidates in order of merit duly signed by all members and will submit the same to the Director General of Police for his approval and consideration for promotion of the successful candidates.

Promotion shall be made in order of merit against existing vacancies. In the event of all successful candidates not being accommodated at one time they shall be kept in the Waiting List for a period of one year. The period of validity of the Waiting List may be extended up to a reasonable period of time by the Director General of Police.

(L.Sailo)IPS
Director General of Police
Meghalaya, Shillong

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OFFICE OF THE DIRECTOR GENERAL OF POLICE ::: MEGHALAYA ::: SHILLONG
CIRCULAR NO. 9/2002

Sub : Accelerated promotion in case of those in the SOT

In supercession of this office Circular No. 2/1997 dated 27th August, 1997, revised circular is hereby issued to encourage constables and N.C.Os. to join and remain in the S.O.T. The following incentives will be granted to the members of the S.O.T.

1. The term, Special Operation Team (SOT), will be used restrictively only after such police personnel have been duly recognised by the DGP's Office through a written order.
2. A constable who completes 2 years' service in the SOT will be eligible for promotion to Naik. Also, a Naik who completes 2 years service in the SOT will be eligible for promotion to the rank of Havildar. In both cases, the promotion will depend on very good performance, exemplary conduct, discipline and loyalty.
3. For promotion to the rank of ABSI, the qualifying period for newly promoted Havildars will be four years service in the SOT and for those who have completed two years' or more of service as Havildars, it will be two years service in the SOT.
4. On completion of 4 years service in the SOT, a member of the SOT will be discharged from the SOT who will then rejoin the parent unit from which he was taken into the SOT.
5. In case of misconduct of any nature during an assignment in SOT, disciplinary action will be initiated as per relevant provisions.
6. After completing sixty days of being on duty without leave, an SOT member will be given five days off.
7. All promotions will be on the basis of written recommendations made by the controlling officers to a Committee duly formed by the DGP for the purpose.

Further, a Committee comprising the concerned DIG (Ranges) as Chairman, SP and the Commandant of local MLP Battalion as members will recommend names of police personnel for the SOT.

Sd/- L. SAILO, IPS,
Director General of Police
Meghalaya, Shillong.

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