

CHAPTER-V

HOME DEPARTMENT

INTEGRATED AUDIT OF POLICE DEPARTMENT

Highlights

Integrated Audit of the Police Department was carried out to examine the efficiency and effectiveness in its functioning and significant activities against the backdrop of its mandate, policies and goals. The main findings are highlighted below:

- *Beat police, the first point of contact between the police and the community was under-staffed and under-equipped.*

[Paragraph 5.7.1.2]

- *Supervisory control on crime investigations was peripheral and use of forensics almost nil even as the police stations were not equipped to collect basic forensic evidence.*

[Paragraph 5.7.2]

- *Staff shortages were disproportionately borne by remote, although sensitive, areas. Frequent transfers of Station House Officers and continued deployment of staff on VIP security, affected the manpower management in the Department*

[Paragraph 5.7.3.1]

- *Availability of radio equipment and weaponry was far below the norms affecting operational performance.*

[Paragraph 5.7.3.3 & 5.7.3.2]

- *Fire stations lacked basic fire-fighting and safety equipment and chronic shortage of fire hydrants hampered its work.*

[Paragraph 5.7.4.1]

Summary of Recommendations

There should be verifiable record of the activities of the beat police to ensure that it is not done as a matter of routine. For strengthening of investigation, case diaries should be issued to investigating officers for each case, with a

record of their issue. Close watch on return of these diaries from the court after the case is disposed of by the court and their storage would need to be streamlined in order to facilitate easy retrieval. Instructions of supervisors against each case should be recorded in SR files so as to allow a trail on crime investigation. Sample check of the registers at different supervisory levels to detect cases of delays in registration and analyse the reasons thereon, is essential to enforce accountability of the police. A transparent transfer policy should be put in place that balances the needs of the police department and the exigencies of its staff, to minimize frequent transfers that disrupt continuity. Training of staff needs to be placed on priority to develop a police force that is equipped to meet the growing threat perceptions. The entire process of budgeting needs to be streamlined so that it can plan its upgradation economically and effectively.

The State Government should enact enabling legislation in line with the SFAC recommendations on Fire Wing. Safety gear to its firemen should be provided at the earliest and fire stations should be equipped with basic infrastructure.

5.1 Introduction

Uttarakhand is the only state in India which has Revenue Police in addition to the Regular Police. Rural areas, comprising 60 *per cent* of the geographical area, are covered by the Revenue Police. In 11 out of the 13 districts¹ of the State, the jurisdiction of Regular Police is limited to towns/ cities. Revenue Police works under the overall control of the Department of Revenue.

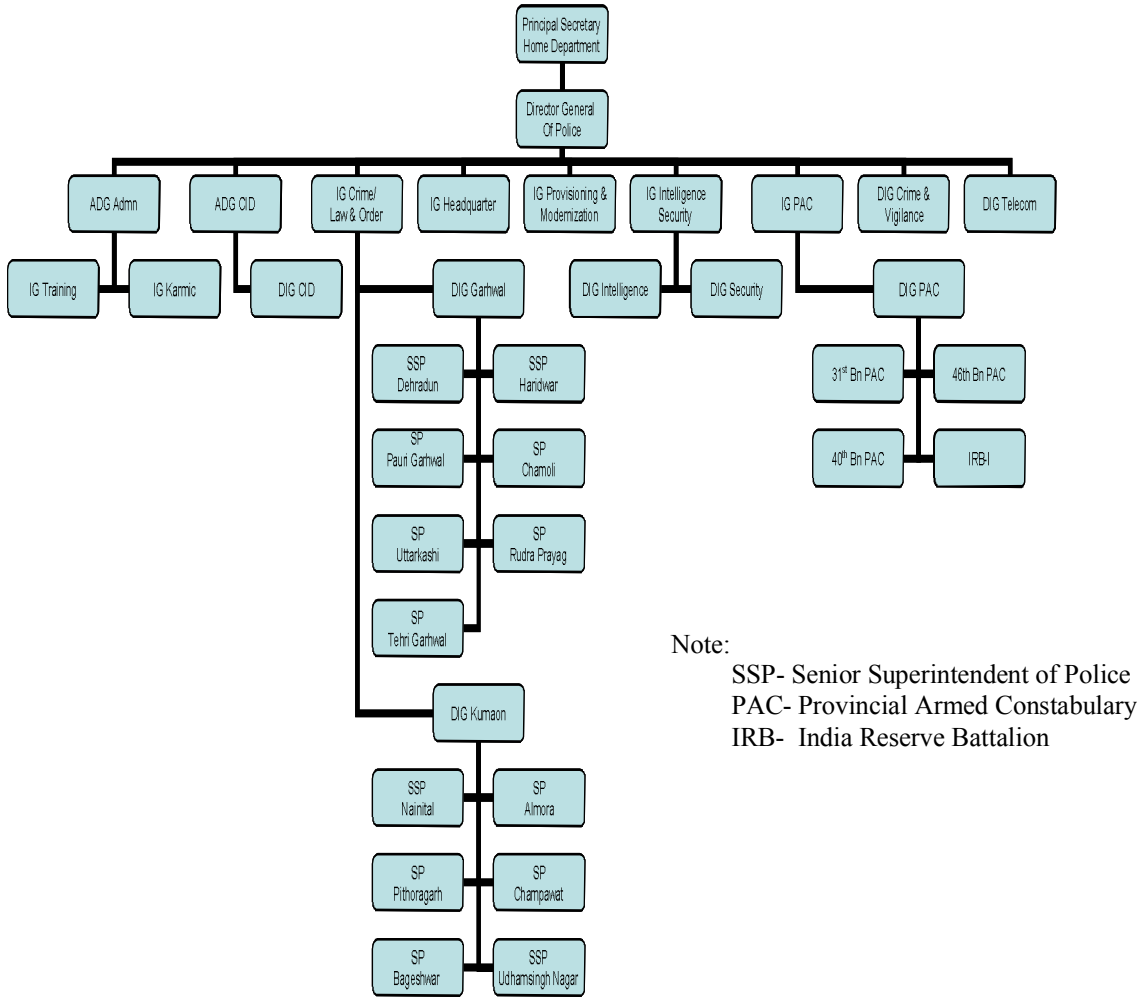
There are 125 Police Stations (PS) and 250 Police Posts (Chowkies) spread across the State. 138 Police Posts are exclusively for watch and ward; the remaining 112 posts function as reporting posts in addition to watch and ward.

5.2 Organisational setup

The Principal Secretary, Home is the administrative head of the Police Department in the Government. The Police force works under the overall command and control of the Director General of Police (DGP). Different wings are headed by Additional Directors General (ADG) and Inspectors General (IG). The State is divided into two ranges, each headed by an IG. The organisational set up of the Department is given below:

¹ in Haridwar and Udham Singh Nagar districts only Regular Police is in operation

Chart-5.1



5.3 Scope of Audit

Integrated Audit of the Police Department for the period 2003-08 was carried out during May to August 2008 through a test check of the records in the offices of the Director General of Police (DGP), Uttarakhand, Police Headquarters (PHQ), Dehradun, Superintendent of Police (SP), Pithoragarh, SP Almora, Senior Superintendent of Police (SSP), Udham Singh Nagar (US Nagar), SSP Haridwar, SSP Dehradun and Commandant 31st Bn PAC, US Nagar. Twenty two (33 per cent) out of 66 Police Stations in the sampled districts were covered in Audit.

5.4 Audit objectives

The overall audit objective was to appraise the functioning of the Department and to assess whether,

- Trends in crime are analysed periodically to assign priorities and design strategies to reduce and prevent crime.
- The methods and procedures followed by the Department ensure speedy and high quality investigation of crimes, leading to conviction of the accused.
- Manpower is trained and deployed judiciously; whether basic amenities are provided to the force.
- The Fire Services are fully equipped with trained manpower and function in conformity with the norms.
- Adequate funds are budgeted, allocated and utilised for the intended purpose in the department.

5.5 Audit Criteria

The performance of the police department was evaluated with reference to the following:

- Uttarakhand Police Act, 2007;
- Norms prescribed by Bureau of Police Research & Development (BPR&D);
- Provisions of Code of Criminal Procedure, 1973 and
- Police Regulations and the orders issued from time to time by the State Government and GOI.

5.6 Audit methodology

Before commencing audit, the audit objectives, criteria and scope were discussed (April 2008) with the Additional Director General of Police/Administration (ADG/A), Police Headquarters, Dehradun in an entry conference. The units were selected using statistical sampling method of probability proportionate to size with replacement (PPSWR). Audit conclusions were drawn after a scrutiny of records, analysis of the available data and responses to questionnaires and audit memoranda. Audit findings were discussed (September 2008) with the DGP in an exit conference and the views of the Department were suitably included against the relevant paragraphs where found appropriate.

5.7 Audit findings

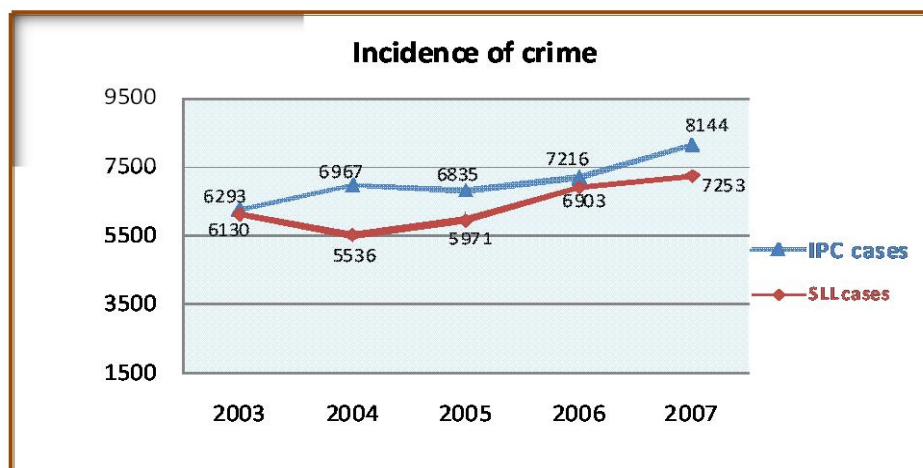
5.7.1 Reduction of crime

Audit Objective 1: Whether crime trends were analysed periodically and specific strategies were formulated to reduce crimes.

National Crime Records Bureau (NCRB) publishes Crime Statistics each year on the incidence and rate of crime, segregated into crimes under Indian Penal Code (IPC), 1860 and Special & Local Laws (SLL). IPC crimes are further categorized² as heinous crimes, property crimes, crimes against public order and economic crimes.

Incidence of crime in Uttarakhand is much lower than the national average; crime being concentrated mainly in the plain regions. But there has been a steady increase in the levels of crime, with the increase being 29 *per cent* in IPC crimes and 18 *per cent* in SLL crimes, in the State over the period 2003-07 as can be seen from the following chart.

Chart-5.2



Source: Police Headquarter, Dehradun

Comparison of the crime statistics of the State vis-à-vis national average as of 2006³ is tabulated below. Rate of crime was lower in the State than the national average but the rate of heinous crime was comparable. Heinous crimes as a proportion of total IPC crimes were higher in the State than the national average:

Table: 5.1

Particulars	State	National
Incidence of crime	8412	1878293
Rate of crime (per 1 lakh population)	91	168
Rate of heinous crimes	18.2	18.4
Heinous crimes as % of total IPC crimes	20	11

Source: NCRB 2006

The growth of IPC crimes in the test-checked districts⁴ showed a substantial increase as shown in Chart 5.3. The three districts of Dehradun, Haridwar and

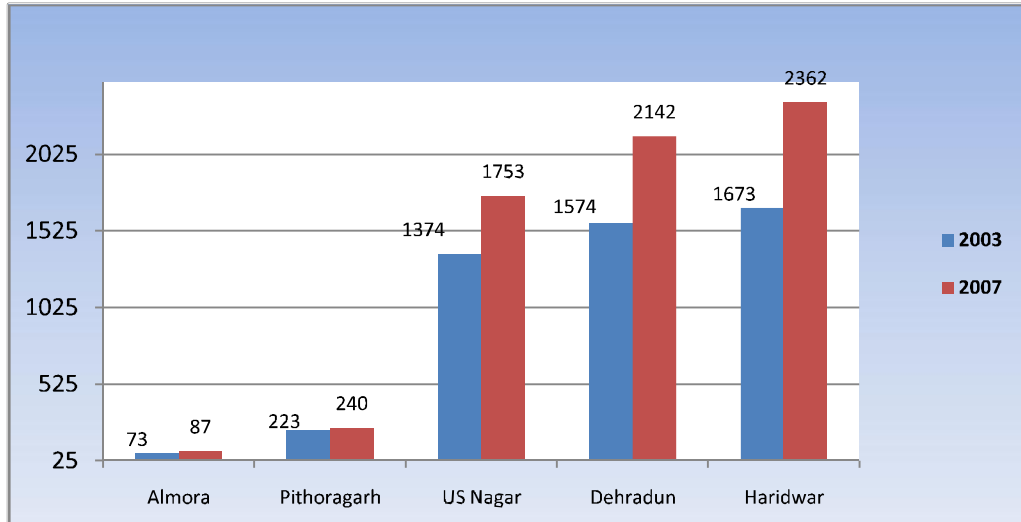
² Heinous crimes are crimes against body such as murder, attempt to murder, rape, kidnapping & abduction. Crimes against property are dacoity, robbery, burglary, theft etc. Crimes against public order include riots, arson etc. IPC economic crimes are criminal breach of trust, cheating and counterfeiting.

³ NCRB statistics, with national averages, are available only upto 2006.

⁴ Almora, Pithoragarh, Udham Singh Nagar (U S Nagar), Dehradun and Haridwar

U S Nagar accounted for 61 *per cent* of the murders; 67 *per cent* of attempts to murder; 53 *per cent* of rapes and 72 *per cent* of abductions in 2006.

Chart- 5.3



Source: Respective SSPs/SPs of the test checked districts.

The Department attributed (August 2008) the increase in crime rate to the unchecked floating population in the plain districts, greater awareness among people (leading to greater reporting), shortage of police personnel and increased deployment of police for VVIP security duties.

UN Guidelines for the Prevention of Crime adopted by ECOSOC⁵ in July 2002 provide a framework in which crime reduction strategies can be conceptualized. These guidelines listed the following three main principles:

- Prevent the occurrence of crimes by adopting situational crime prevention⁶ techniques which would reduce opportunities, increase risks of being apprehended and provide assistance and information to potential and actual victims;
- Prevent recidivism (repeat offence) by assisting in the social reintegration of offenders and other preventive mechanisms; and
- Involvement of communities in crime prevention.

The activities of the police department with regard to the above three principles are discussed in the subsequent paragraphs:

5.7.1.1 Presence of police

The table below summarises the presence of police in the sampled districts of the State (2006):

⁵ Economic and Social Council (ECOSOC)

⁶ Originally proposed by Clarke (1993), the strategies include 25 techniques

Table: 5.2

Particulars	Dehradun*	Haridwar	US Nagar	National
Population(in lakh)	13.98	15.77	13.47	11197.75
Area (in sq.km.)	3097	2365	2914	3172167
No of police stations	18	15	12	12591
No of PS per 1 lakh population	1.29	0.95	0.89	1.12
No of PS/sq.km	0.006	0.006	0.004	0.004
Deployment of police personnel	1144	883	833	1091899
Average no of policemen per PS	64	59	69	87

Source: National Crime Records Bureau and PHQ

* population and area includes rural population also

The increase in strength of the police force may not reduce the incidence of heinous crimes but would create a greater sense of security, increase reporting and may have an impact on public order. Uttarakhand being a new State, the State Police Department is in the process of expansion, but the presence of police in terms of police stations or police men is lower than the national average.

30 new police stations and 136 new chowkies were established during 2003-07.

5.7.1.2 Adequacy of Patrolling

Crime and public disorder trends vary between localities for which the police need to build up social networks and be aware of cultural patterns in the neighbourhood⁷. Patrolling through beat constables is an important function of each police *chowky*, through which they collect information on their beats. Scrutiny revealed that the police beats were by and large under-equipped and under-staffed in the sampled districts as shown in the table below:

Table: 5.3

Particulars	Haridwar	Dehradun	US Nagar	Almora	Pithoragarh
Total no. of Chowkies	42	39	32	9	17
Average availability per chowky of					
Staff	4	7	8	4	3
Vehicles	0.12	0.03	0.41	0.56	0.64
Arms	2	2	3	1	1
Communication Equipment	0.67	0.38	0.06	--	--
Percentage of Chowkies without resources					
Without staff	36	8	6	--	12
Without vehicles	90	97	59	44	41
Without arms	48	64	44	56	76
Without communication equipment	43	62	94	100	100

Source: PHQ, Dehradun

⁷ Skogan and Frydl, 2004

The Department stated (November 2008) that chowkies suffered, as a large share of resources (70 *per cent*) was employed to attend to law & order problems.

The beat registers do not provide information on the daily work done by each beat. Changes made in patrolling in line with trends in crime, which would provide an assurance that the *chowkies* were patrolling “intelligently” and not in a routine manner, could not be ascertained in the absence of details. The Department stated (October 2008) that patrolling is intensified, with greater supervision, during festivals and special occasions.

The beat constable can detect the presence of strangers who appear suspicious, on whom information can be collected and verified from police departments across the country. All the sampled police stations had maintained a record of strangers in the register of strangers, which was being followed up with verification. The number of strangers verified showed a sharp increase over the years.

Police station at Vasant Vihar, Dehradun had maintained records on the stranger rolls, which showed that during 2005-07, 20 strangers were identified out of which, on later investigation six were found to be involved in various crimes.

5.7.1.3 Hot spots

Studies⁸ show that crime rates are strongly affected by economic conditions and other demographical and cultural conditions. These thrive in areas with high unemployment rate, high substance abuse, low average income or high poverty rate, greater proportion of migrant population or refugees etc. Spaces that are lonely, poorly lit or isolated become hot spots for crime.

When queried on whether the police had identified the “hot spots” to deploy additional resources including patrolling in such spots, the Department could not provide any supporting data.

Twenty five and 13 Close Circuit Televisions (CCTVs) were installed in 2008 in Haridwar and Dehradun respectively in key locations, with data transmitted directly to the control rooms. The system can store data for 30 days. Scrutiny revealed that all the CCTVs were in working condition.

5.7.1.4 Preventive arrests

Sections 110 and 151 of Cr PC, 1973 provide that in the event of a reasonable doubt that a person is or about to be engaged in a crime, the police can arrest such a person. The number of preventive arrests made by the police increased seven fold in the State during the period 2003-07. A total of 29979 preventive arrests were made in 2007, of which, 205 representing 0.7 *per cent* of the total apprehended, were placed on active rolls for close monitoring. The preventive arrests were predominantly to maintain public order.

⁸ “Policy Analysis: Crime, Police and Root causes” CATO Institute: William Niskanen, available at www.cato.org

5.7.1.5 Review of history sheeters

Those who had been convicted by the Court on 2-3 occasions but have served their sentence are declared history sheeters by the SSP/SP. A “register of history sheeters” is maintained by each police station which is required to be reviewed by the Circle Officer quarterly. In addition, the beats are required to check on their presence in their homes, which is recorded in the “fly sheets”.

All the sampled PSs had maintained the register and fly sheets. The signatures on the registers indicated regular review by the Circle Officer, SSPs and SPs. However, 39 history sheeters were reported missing, representing 16 *per cent* of the total history sheeters in the 13 sampled PSs.

5.7.1.6 Recovery of unlicensed arms

One hundred and twenty five cases of killings by fire arms were reported in 2006 which constituted 46 *per cent* of the murders in the State. 95 *per cent* of the firearms used in these murders were unlicensed, as against the national average of 89 *per cent*. This indicates that use of unlicensed firearms was a chronic problem in the State.

The Police Department could not provide an assessment of the unlicensed arms in use in the State. During the years 2005-07, 1536 unlicensed arms were recovered; the recovery being the highest in US Nagar district. Four unauthorized factories were also seized in 2007, three in US Nagar and one in Haridwar district.

5.7.1.7 Prevention of crimes against women: Mahila Thanas

Crime against women has seen a steady increase, being 45 *per cent* over the period 2003-07, with Haridwar district recording the highest incidence. Two Mahila police stations were in existence since 1993 in the hill districts of Almora and Pauri. But the incidence of crime against women was 13 times higher in plain districts of US Nagar, Dehradun and Haridwar, where no Mahila Thanas existed. No new Mahila Thanas have been established although 30 new police stations have been opened during the period 2003-2006. During the exit conference, the Department stated (September 2008) that there were no plans for opening new Mahila Thanas since their performance was found unsatisfactory. However continued operation of Mahila Thanas in districts with low incidence of crime against women, without providing them in priority districts, remained unexplained.

Mahila help lines were established (August 2004) in all the district level offices to provide assistance to women who seek protection or assistance against potential or actual threats. The records show that the number of women accessing the help line was on the increase, being 89 *per cent* and 466 *per cent* during the period 2004-08 in Dehradun and Haridwar respectively. The police had registered a high

level of success in providing protection/assistance, in the cases which were mainly related to domestic disputes.

5.7.1.8 Community policing

Police Departments world-over, recognize partnerships with communities as an important factor in fighting crime. The proposed Model Police Act, 2006⁹ recommended the following:

- Formation of Community Policing Committees every two years for each locality or group of localities, with members drawn from the society with fair representation from all strata;
- The Police will take the assistance of the Committees *in identifying the needs and priorities of policing*. It will also involve them in working out and implementing policing strategies and action plans;
- The Police will provide a feedback on the action taken on these priorities as well as create awareness on policing issues. Meetings of the Committees will be convened regularly, at least once in three months.

The Uttarakhand Police Act, 2007 (effective from January 2008) provided for formation of Community Liaisoning Groups (CLG) in every PS in the State. CLGs were formed in all PSs in the five test-checked districts as of October 2008. One quarterly meeting of the CLGs was held in each PS. The initiative being new, it was too early to assess its impact on policing.

- ✓ *Public awareness campaigns are being organized every month since January 2008*
- Police Station Visitors' week : 7th – 13th January
 - Smile Day: 29th February
 - Senior Citizen's Day: 31st March
 - Youth Day: 30th April
 - Victim's Day: 31st May
 - Mahila Diwas: 30th June
 - Environment Day: 31st July

Conclusion

Preventive action is being taken by the Department, by enforcing the Cr PC provisions even as the crime profile is on the ascent. Beat policing, the first

⁹ The Model Police Act was recommended by the Police Act Drafting Committee (PADC) and is available on the website of BPR&D.

point of contact between the police and the community, suffered in the absence of staff, vehicles, weaponry and communication equipment. Though general policing measures to control crimes by way of preventive action, community policing, review of history sheeters etc. is being done, but institutional mechanism to study crime trends and evolve specific strategies vis-à-vis identification of hot spots, recovery of unlicensed fire arms, crime against women, establishment of Mahila Thanas remained to be set up by the department.

Recommendations

- *There should be verifiable record of the activities of the beat police to ensure that it is not done as a matter of routine.*
- *Hot spots should be identified and an institutionalized mechanism set up to study crime trends and evolve specific strategies.*
- *With the high incidence of killings by fire arms, the State Police should place recovery of unlicensed arms high on priority.*

5.7.2 Investigation of crime

Audit objective 2: Whether police were efficient investigating crimes and convicting the criminals.

Uttar Pradesh Police Regulations, 1987 (and adopted in Uttarakhand) provide for the following:

- The police will record any complaint and register the First Information Report (FIR) immediately on its receipt. Delays on account of preliminary investigation to ascertain the veracity of the complaint, are not allowed;
- The FIR will be sent to the Magistrate who will then authorize the investigation, in cases where there exist a “reason to suspect the commission of a cognizable offence”;
- The complaint will be recorded in the general diary as well as in the FIR register. The investigating officer will maintain a case diary in which he will record the time and place of receipt of complaint (Section 172 of Cr PC, 1973) and all the investigation conducted by him thereon in sufficient detail to “enable the supervising officer to appreciate the facts”;
- Investigation should be completed as soon as possible and the charge sheet should be submitted to the Court within a week of completion of investigation.

In case of heinous crimes¹⁰, a special report (called SR files) is prepared by PS and forwarded to SSP office, from where it is sent to the District Magistrate and the Range IG, in order to monitor progress on these cases. A separate register (SR register) is also maintained in the SSP office on heinous crimes.

Teleconferencing facilities have been established in 2008 in all the districts to enable the DGP to review the performance of the SSP/SP regularly.

The SSPs/SPs submit daily, fortnightly and quarterly reports on crime in their respective districts. However, there was no collation of this data at the headquarters. Whenever the Audit team asked for information, the headquarters had to requisition the data from the SSPs/SPs afresh.

On an average, one investigating officer (IO) was found to be investigating 9 cases at any given point of time. Separate case diaries were not being maintained for each case. Instead, one case diary contained entries on all the cases that the IO was assigned at any given point of time. After the IO records entries against a particular case (one original; the other carbon copy) on a particular day, the original page(s) are torn from the case diary and sent to the CO, who records his comments on the original. After the case is finalized, the original (but loose sheets) sent to the CO are stitched together and submitted to the Court. This procedure does not allow a review, if need arose, of the sequential progress in each case.

The Department felt (November 2008) that issue of one case diary to each IO was correct and in consonance with the police regulations. However, one case diary could be issued to an IO for each case assigned to him, with a proper record of issue of such diaries to facilitate a trail of investigations on each case. Cr PC provisions (Section 172) are clear that case diary should record sequential information on investigation with respect to each case.

SR files of 42 cases¹¹ of *heinous crimes* in 13 police stations in the districts of Dehradun and Haridwar were scrutinised. Record-keeping of the case diaries was in a very poor shape in the SSP's offices and the police could not produce any of the 42 case diaries requested by the Audit team. The follow-up on return of case diaries from the Court after the Court had passed its verdict was poor. As a result, its retrieval is rendered difficult, if needed by the Higher Courts for review or if required by the police department itself as a case study for review of policing strategies.

The rate of conviction by the courts was high, being 61 *per cent* in IPC crimes and 99 *per cent* in SLL crimes in 2006.

¹⁰ Burglary, murder, kidnapping, rape and dowry deaths

¹¹ Only those cases in which the Court had given final orders were selected for scrutiny.

5.7.2.1 Delays in registration

Time taken to register a case in the 42 test-checked cases was as tabulated below:

Table: 5.4

Total no of cases checked	42
Time taken to register FIR	
Less than 6 hours	14
6-12 hours	10
13-24 hours	4
25-48 hours	3
3- 4 days	3
More than 4 days	8

Note: Included in the 42 cases are 15 cases of rape, of which 3 cases were registered within 6 hours, 4 cases in 6-12 hours; 2 cases in 13-24 hours; 1 case in 2-4 days and 5 cases after more than 4 days

14 cases were registered within six hours of the crime. But 11 cases representing 26 per cent of the cases test-checked were registered more than two days after the occurrence of crime. In all the cases of delay, the police stations had attributed the delay to the complainants in the FIR registers. The reasons for the delay by the complainant were not found recorded in any of the registers. This is a lacuna that poses a risk of manipulation and even motivated police inaction. Even if it were to be accepted that the complainants delayed submission of the complaints, the delays indicate inadequacy of the beat system that the crimes remained undetected.

The Department felt (November 2008) that the number of cases checked in Audit were few (hence not representative) and that audit conclusions on delays are indicative of stereotypes projected in films of police inaction. The reply does not reflect the reality that more cases could not be reviewed because of poor record management. The cases were selected on a random basis, and the conclusions on delays are drawn from bare facts that emerged from such an analysis.

5.7.2.2 Supervisory control

As a matter of routine, inspection of locations of heinous crimes should be done by the district level officers of the department. However, in 98 per cent of the cases, the Circle Officer visited the site. Supervision at the level of SP and SSP was lower at 50 per cent and 29 per cent respectively. In 88 per cent of the cases, the supervisory visits took place on the date of registration; the balance 12 per cent cases were supervised on the next day.

The quality of supervision was poor. In 60 per cent of the cases, the time spent by the supervisor at the scene of crime was not recorded or was less than one hour. In 23 cases (55 per cent of the total), the instructions given by the supervisor during the time of visit were general in nature, indicating that the supervisory visits were a mere formality. Specific intervention to guide the investigations was given in 45 per cent of the cases as shown in the table below

during review of cases after 10 days of registration or subsequently during monthly reviews.

Table: 5.5

Particulars	Number	Percentage
(i) No of SR cases checked	42	
(ii) Duration of visit by the supervisor		
Not recorded in reports	18	43
< 1hour	7	17
1-3 hours	12	28
More than 3 hours	5	12
(iii) Quality of supervision		
No mention of instructions in the reports	--	--
Only general instructions recorded during the visit	23	55
Specific instructions recorded subsequently	19	45

Source: Data extracted from the records of 13 Police Stations of Dehradun and Haridwar districts.

The Department stated (November 2008) that the officers are often hard pressed for time, busy in attending to law and order problems.

5.7.2.3 Quality of investigations: use of forensics

Use of forensic science in crime investigation not only facilitates just and speedy results, it also reinforces the faith in the police department that the right person was brought to book. National Human Rights Commission (NHRC) has also advocated the use of forensic science in the investigation of crime.

Audit analysis showed that charge sheets were issued in all the test-checked cases without use of forensic evidence as shown in the table below. 38 *per cent* of the cases were finalized on the basis of confessions and statements alone, making the conclusions tenuous and open to doubts:

Table: 5.6

Particulars	Number
No of crime cases checked	42
No of cases charge sheeted on the basis of:	
i) Statements of witnesses only	12
ii) Confession of criminals only	4
iii) Other material evidence only	4
iv) Statement, Confession & other material evidence	22
v) Forensic evidence only	Nil

Source: Data extracted from the records of 13PS of Dehradun and Haridwar districts

Basic equipment required at the PSs¹² to collect bare forensic evidence i.e., to collect fingerprints and take photographs was unavailable at the PSs and the services of the field units at the district level are requisitioned for this purpose. For higher forensic requirements, the services of the two Regional Field Units at

¹² UNDP funded study on “minimum equipment and supply standards for different categories of police stations”: December 1998, available on BPR&D web site.

Dehradun and Haldwani and that of the Scene of Crime Evaluation Team (SCET) from Forensic Science Laboratory (FSL) can be requisitioned through the SSP/SP.

FSL, Dehradun was established in January 2006. It is equipped to handle testing of six disciplines only. Ten types of exhibits¹³ including DNA tests, finger print examination, viscera examination, are being sent out of State for testing. The laboratory is short of staff, with the overall shortage being 80 *per cent* across all cadres.

The samples collected are sealed immediately and stored in the strong room in the PS, till it is sent to the FSL. The FSL is protected physically round-the-clock with facilities for segregation and storage. Proper records are maintained for documenting receipt, dispatch and inter-discipline transfer of exhibits to maintain the chain of custody.

All the cases referred to the FSL by seven police stations in two districts were scrutinised and found that the turnaround time for the results was much higher than the prescribed time limit as indicated in the table below:

Table: 5.7

Sl. No.	Category of exhibits	Number checked	Prescribed time (days)	Average time taken by FSL(days)
1.	Narcotics	45	7	84
2.	Biology	11	10	41
3.	Serology	13	10	51
4.	Physics	2	7	27
5.	Ballistics	8	7	31
6.	Documentation	16	10	227
7.	Chemistry	2	15	89

Source: Data extracted from the records of FSL

The pendency rate (number of cases pending at FSL for examination) was 25 to 26 *per cent* in the two years since its operation. FSL attributed (September 2008) the delays to non-availability of adequate infrastructural support. Further, there were delays in collection of the reports by the police stations after the FSL communicates completion of the tests; delays in 4 out of 97 cases test-checked were in excess of six months.

The delays at each stage being high, it was found that the police stations finalized the charge sheets in 59 *per cent* of the cases, without waiting for the FSL report.

5.7.2.4 Time taken for investigations

Investigations were being completed, by and large, within 6 months of registration of the case and delays were noticed in only 964 out of 53,242 cases representing 2 *per cent* of the total cases investigated by the sampled districts

¹³ 1. Metals & petroleum adulteration cases 2.Viscera examination/Toxicology cases 3. DNA finger prints 4.Voice identification 5. Computer forensic 6. Finger print examination 7. Lie detection 8.Brain finger printing 9. Narco analysis 10. Explosive residue analysis.

during the period 2003-2007. 127 cases were pending investigation at the time of Audit in the above districts, of which 74 *per cent* were less than one year old. Some of them were more than 11 years old. The Department stated (May to August 2008) that the investigation was in progress on these cases and that help of Criminal Investigation Department (CID) was also being taken.

Padmanabhaiah Committee on Police Reforms and Supreme Court judgment in the case of Prakash Singh and others vs. Union of India dated 22 September 2006 reiterated the necessity of separation of investigation from law and order. This was expected to ensure superior investigation, better expertise and improved rapport with the people. 15 police stations have been identified (April 2008) in the State in four districts, which have been provided with additional staff, to be solely deputed for investigation.

Conclusion

Police are required to register a complaint immediately on its receipt without waiting for preliminary investigations. The FIR registers attributed delays in registration of the complaint (as reckoned from the time of the crime) to the complainant but did not indicate why the complainant waited for more than 12 hours, in some cases, more than four days from a heinous crime, to register a complaint. This was a lacuna that allowed space for manipulation and even motivated inaction by the police. On an average, an investigating officer was investigating at any given time, nine cases, which is high and would impact on the quality of investigations. All cases being investigated simultaneously were recorded in one case diary, rendering a trail on investigations and subsequent review difficult. Supervisory control was perfunctory and use of forensics was near absent. The forensic laboratory was under-equipped and the delays at every stage of referring the case to the lab, the investigations and delays in collection of report, resulted in charge sheets being filed in the Court without waiting for the forensic results.

Recommendations

- *The data being received at the headquarters at the district offices need to be collated for easy monitoring and review.*
- *Case diaries are important documents for exercising internal controls in the Department. Case diaries, should be issued to investigating officers for each case, with a proper record of their issue.*
- *Close watch on return of case diaries from the Court after the case is disposed by the Court and their storage would need to be streamlined in order to facilitate easy retrieval.*
- *Instructions of supervisors against each case should be recorded in SR files so as to allow a trail on crime investigation.*

- *Sample check of the registers at different levels of supervision (IG/DIG/SSP/SP/CO) to detect cases of delays in registration and analyse the reasons thereon, is essential to enforce accountability at the Thana level.*
- *The crime investigation procedures being outdated, it is the PS level which needs to be strengthened in the use of forensics. The forensic laboratory needs to be upgraded with staff and equipment in order to meet the demands placed on it.*

5.7.3 Adequacy and allocation of resources

Audit objective 3: Whether manpower was trained and deployed judiciously; whether basic amenities were provided to the force.

5.7.3.1 Manpower

I Availability of Staff

There was 42 to 48 *per cent* shortage in the Sub-Inspector (SI), Head Constable (HC) and Constable (Const.) Civil Police cadres in the State as of July 2008 as shown in the table below. During the five years (2003-2007), 76 SIs and 3059 constables were recruited.

Table: 5.8

Designation	Sanctioned strength	Men-in-position	Shortage (number)	Shortage (percent)
SI	788	433	355	45
HC	821	478	343	42
Constable	7665	4007	3658	48

Source: Information provided by PHQ

The Padmanabhiah Committee recommended that the staff structure should be rationalized, so that the teeth-to-tail ratio, which is the ratio of upper subordinates (SIs) to lower subordinates (Const/Head Constable) should be 1:7, to be finally brought down to 1:4. The national average of teeth-to-tail ratio is 1:7, but in Uttarakhand, the ratio is very high at 1:12. This would adversely affect the quality of supervision at the subordinate staff level.

The Department in its reply (November 2008) stated that it would endeavour to recruit the personnel in various ranks to make up the shortage.

II Deployment in sensitive areas

Thirty six PSs in districts bordering Nepal were declared (April 2006), as naxalite affected, of which 10, 9 and 3 police stations fall in the test checked districts of US Nagar, Pithoragarh and Almora respectively. Despite being declared

sensitive, the shortage in manpower in these hilly districts was not only high but worse than the overall shortage of staff in the State as shown in the table below:

Table: 5.9

District	Desnationig	Sanctioned strength	Men-in position	Shortfall (number)	Shortfall (percent)
US Nagar	SI	88	54	34	39
	HC	109	60	49	45
	Const.	1020	638	382	37
Pithoragarh	SI	52	20	32	62
	HC	53	24	29	55
	Const.	492	276	216	44
Almora	SI	25	11	14	56
	HC	42	17	25	60
	Const.	420	236	184	44

Source: Information provided byPHQ

The Department replied (October 2008) that the shortages are filled by additional deployment of India Reserve Battalions (IRB) and Provincial Armed Constabulary (PAC). It was apparent that the remote and hilly parts of the State bear the staff shortages disproportionately and filling the shortages with ad-hoc deployments from elsewhere, does not meet the needs of regular policing.

III Deployment on VIP security

Against the sanctioned strength of 181 for shadow/gunner to be deputed on VIP duty, only 18 HC and 7 Constable were available in Uttarakhand. In addition, 203 staff from armed police was posted as the gunners depleting other areas of policing.

The State Government's orders (January 2001) were that the tenure for gunners should be for six months only; thereafter the gunner should be posted for at least one year for his regular police duties. The objective was that no member of the police force should lose touch with his regular duties. However, 59 police personnel (of the rank of HC and Constable) were deputed on VIP duty as gunners beyond six months in the four test-checked districts. Some shadow gunners were deputed since 2001.

The Department stated (September 2008) that the gunners were not transferred on the personal requests of the concerned VIPs and that necessary instructions have been issued (November 2008) to withdraw the Head Constables/Constables who have completed their tenure of duty from Gunners' duty.

IV Frequency of transfers

Uttarakhand Police Act, 2007 provides a minimum tenure of one year for a Station House Officer (SHO), to provide continuity and stability in work.

Supreme Court had recommended a minimum tenure of two years for SHOs in its judgment dated 22 September 2006.

Scrutiny (May to August 2008) of records of transfer/posting in five districts¹⁴ revealed that SHOs were transferred within one to six months of posting during 2003-04 to August 2008. The break-up of 145 such transfers was , (a) before one month: 21; (b) 1-3 months: 57; and (c) 3-6 months: 67.

During the exit conference (September 2008) the Department stated that the transfers were in public interest and on the personal requests of the SHOs. These do not form valid grounds for the high incidence of short tenures.

V Training

Training contributes to the enhancement of professional knowledge, understanding, and skills both at individual and collective levels. Enhancement of knowledge and skills leads to building up confidence and augmentation of competence of the concerned personnel.

Training Academy

The State has no regular Police Training Academy although construction work on the Police Training College at Narendra Nagar (Tehri) is underway and is scheduled to be completed by March 2010. In the meantime, newly recruited Constables were being given training at the five Recruit Training Centres (RTCs)¹⁵, PAC¹⁶ and Armed Training Centre (ATC) located at Haridwar. The freshly recruited SIs were sent to six training centres outside the State. In all, 730 SIs and 8155 constables were provided in-service training during 2003-07 i.e., 1/3rd of the SIs and 1/5th of the constables were provided mid-stream training during the five years. The desired level of training i.e. 1/3rd of the SIs and 1/5th of the constables should be trained every year i.e., all cadres should be covered within five years, was largely achieved.

Refresher courses on cyber crimes, disaster management, bomb disposal etc were organised in collaboration with BPR&D, NSG and CRPF. However, a training policy identifying the priority areas in which training was mandatory at various levels was absent. The Department could not provide to Audit the data used by them to track the career profile of the staff, i.e., employee-wise training provided and deployment thereon.

¹⁴ SP Pithoragarh, SP Almora, SSP US Nagar, SSP Haridwar, SSP Dehradun

¹⁵ Dehradun, Haridwar, Tehri, Uttarkashi and US Nagar

¹⁶ 40th Bn. PAC Haridwar, 31st Bn. PAC US Nagar, 46th Bn. PAC US Nagar and IRB Bailpadav, Ram Nagar.

- ✓ New norms for training have been adopted (2008) for in-service training of staff, which are as follows:
- Every IPS officer: to be trained once in a year
 - Provincial Police officers: to be trained once in two years
 - Inspectors/ SIs: to be trained once in three years
 - Constables/HC: to be trained once in 5 years

Weapons drill

In addition to formal training, BPR&D norms require that 1/3 rd of the total strength of the State police force should fire at least 20 rounds in a year in training. This would require that each district would have one firing range. But the State did not have a single firing range, which would affect the shooting proficiency of the police force, putting citizens and fellow policemen in danger of accidental firing. However, the Department stated (August 2008) that firing ranges available with the Army were being used for weapons drill as interim arrangements. For this they had to remain dependant upon the army authorities for its availability and some times they do not get proper attention from that end.

5.7.3.2 Weaponry

BPR&D norms provide the scale of weapons with which the police have to be equipped. The requirement of non-lethal/less lethal weapons was to be met on priority and thereafter, the lethal weapons were to be procured within seven years. The details on availability of weapons, identified by the State police as essential, are as given below:

Table: 5.10

Kind of Arms	Requirement	Availability	Shortage (number)	Shortage (per cent)
Non-lethal weapons				
Tear Gas Gun	364	162	202	55
Anti-riot Gun	1053	307	746	71
Lethal weapons				
<i>i) Pistols / Revolvers</i>				
a) 9mm pistol	2394	752	1642	69
b) .38 revolver	527	527	Nil	Nil
<i>ii) Rifles</i>				
a) Self loading rifle (SLR)	5537	4503	1034	19
<i>iii) Automatic Weapon</i>				
a) 9m.m Carbine	2000	500	1500	75
b) AK-47	500	304	196	39
c) Insas rifle	150	30	120	80

Source: Information provided by PHQ

Further scrutiny of records at district level revealed that the 46 per cent of the weapons available in the sampled districts were 40 years to 90 years old. The Department stated (August 2008) that the procurement of weapons was being planned for next ten years.

5.7.3.3 Communication network

Every police force is to be backed by a tamper-free, strong communication network. This becomes more important with increase in threat perceptions while fighting crime and while dealing with exigencies like natural disasters. When out on a beat or on call, the wireless sets maintain secure contact with the police station or control room, essential for efficiency in operations and for the safety of police personnel.

There was 24 to 100 *per cent* shortage of various items such as VHF ST/Mob., VHF Hand Held, VHF repeaters etc. in the Radio Branch, as measured against BPR&D norms. The Department stated (August 2008) that while the shortage has not affected routine duties, they experience difficulties during melas, VIP duty etc. It is undeniable that shortage of such a vital resource would naturally affect the functional efficiency of the police. The Radio department is also facing shortage of technical staff, ranging from 22 *per cent* to 93 *per cent* across different cadres. This is a critical gap which needs to be plugged on priority.

5.7.3.4 Buildings

I Office buildings

Out of the 125 PSs and 250 Police Posts, 24 PSs (19 *per cent*) and 120 Police Posts (48 *per cent*) did not have permanent accommodation and were housed in rented buildings.

Police personnel rarely work in well-regulated eight-hour shifts and sometimes, follow 18-hour schedule. The chowkies covered in Audit did not have place for rest or a recreation room, the toilets were dirty and the working conditions were far from adequate. Basic furniture-almirahs, tables, filing cabinets to maintain records was not adequate. As can be seen in the photographs below:



Police Chowky, Asharodi, Dehradun



Record keeping at Reporting Police chowky, Nala Pani, Dehradun

Large numbers of unclaimed articles were found dumped in the station compound. In the five test checked districts, 277 vehicles, largest being in Haridwar, were lying undisposed. These included 66 cars, 81 scooters and 116 motor cycles, some of them being above 25 years old. Their disposal would not only earn revenue for the police but would go a long way to improve the look of the police stations where they lie dumped. As can be seen from the photograph below. However, the lay out of newly constructed Police Station, Dalanwala, Dehradun was of worth as can be seen from the photograph below:



Undisposed vehicle at Reporting Police Chowky, Industrial Area, Haridwar



Police Station Dalanwala . Dehradun

II Residential buildings

BPR&D norms require that 80 *per cent* of the staff should be provided with housing. In Uttarakhand, only 23 *per cent* of the staff was provided official accommodation which was lower than the national average of 33 *per cent*. The worst affected were the lower subordinates (Constables, HC and Clerks), with the satisfaction level being only 22 *per cent* at that level. 41 *per cent* of the officers and 51 *per cent* of the upper subordinates were provided with accommodation.

145 new non-residential buildings and 2098 residential (quarters) were constructed during 2003-04 to 2007-08.

Conclusion

The State being new, its Police Department is facing shortage of staff and skilled personnel. Remote but sensitive areas, afflicted by growth in naxalism, currently bear the shortages disproportionately. 203 personnel

were deployed on VIP security as shadow/ gunners for long periods, some up to 7 years, against the norms. Station House Officers were transferred frequently affecting continuity in work. Training facilities are inadequate; arming a police force which does not receive regular firing practice in the absence of firing range, poses threat to both citizens and fellow police men. Shortage of weapons and communication equipment affected the operational activities of the Department. Amidst an overall shortage of housing, it was the lower subordinates who bore the brunt.

Recommendations

- *A transparent transfer policy should be put in place that balances the needs of the police department and the exigencies of its staff, to minimize frequent transfers that disrupt continuity.*
- *Training of staff needs to be accorded priority to develop a police force that is equipped to meet the growing threat perceptions.*

5.7.4 Fire Service Wing

Audit objective 4: Whether the Fire Services were fully equipped with trained manpower and function in conformity with the norms

The Fire Service Wing of the Police Department is responsible for protection of public lives and property from fire. There was a 30 *per cent* increase in the incidence of fire in the State during 2003 to 2007. The Standing Fire Advisory Council (SFAC) is the advisory body that guides the functioning of the fire services in the States, in order to check the fire incidence. The main recommendations of the SFAC and their implementation in the State are as given below:

Table: 5.11

Recommendation	Implementation
Developing of Fire Service organization by delinking it from regular police	×
Fire service guidelines to be framed	×
Draft Model Fire Force Bill to be enacted	×
Establishing of Fire service training school	×
Declaring the Fire Services “Essential Services”	√

Source: SFAC recommendations 2004

The Department stated (August 2008) that a detailed plan, in line with SFAC recommendations, was sent (2006) to the State Government, and approval was awaited.

Audit team checked the response time in three districts¹⁷ in mock drills and found that the response time¹⁸ was lower than the prescribed norm of 2 minutes

5.7.4.1 Availability of resources

I Manpower

There was a shortage of 13 per cent to 49 per cent in various cadres of the fire service as shown below:

Table: 5.12

Designation (Rank)	Sanctioned strength	Men-in-position	Shortfall (number)	Shortfall (percent)
Fire Officer	32	27	5	16
Fire Officer -II	33	17	16	49
Leading Fireman	115	66	49	43
Fireman	746	651	95	13
Fire Service Driver	125	89	36	29

Source: Information provided by PHQ

Four hundred sixty five firemen were recruited in 2007, which mitigated the shortages at that level. However, the requirement at the other levels remained unaddressed.

II Training

The State does not have a Training school for providing training to its firemen. As a result, training to its fresh recruits was also posing a problem. Out of 465 firemen recruited in 2007, only 70 could be provided training at Training College, Hyderabad. The remaining 395 fire men were trained at Recruit Training Centres in different police lines in the State, which are essentially for training civil police and do not have adequate infrastructure for training in fire services. The Department stated (November 2008) that efforts were being made to establish a State Fire and Emergency Service Training Centre.

III Equipment

Fire Stations have been divided into four categories (*Appendix-5.1*):

Category A: Dehradun.

Category B: Where 50 calls of fire incidents are received every year; and towns/cities where there are a minimum of 100 hotels/guest houses. There are 11 fire stations that fall under category B in the State.

Category C: Each Tehsil Headquarters falls under it. 16 fire stations fall under category C.

Category D: Separate fire stations are to be provided in industrial areas. Four Fire Stations fall under category D.

¹⁷ Almora, U.S.Nagar & Dehradun

¹⁸ Time taken between ringing of bell after receipt of call and proceeding towards the destination.

The Audit team conducted a gap analysis of the equipment available with the fire stations vis-a-vis norms fixed by the State Police Department as shown in the table below. The shortages were critical especially in Category C fire stations where the availability of rescue vehicles was only 0.4 per fire station and 1.4 fire engines per station. Each fireman is required to be equipped, for his safety, with dhangri, helmet, fire boots, smoke face mask and fire fighting suit. The requirement in this regard was yet to be fully met (November 2008). Shortage of these critical equipment put the lives of the firemen at risk. The fire stations also did not have the requisite numbers of dragon lights, hydraulic platforms, smoke exhaust and stretchers for rescue operations.

Table: 5.13

Particulars	Category			
	A	B	C	D
1. No of fire stations	1	11	16	4
2. Availability of fire engines				
Norms: per fire station	7	3	2	2
Total available	9	26	22	8
No of fire engines per fire station	9	2.4	1.4	2
Shortage (in numbers)	Nil	7	10	Nil
3. Availability of rescue tenders/ ambulance				
Norms: per fire station	1	1	1	1
Total available	2	7	6	4
No of rescue tenders per fire station	2	0.6	0.4	1
Shortage (in numbers)	Nil	4	10	Nil

Source: Information provided by PHQ

The Department stated (August 2008) that the purchase of the essential equipment was underway.

IV Water sources

Availability of water is essential for the Fire Service Department. The State Fire services use Fire Hydrants as main water source for putting off the fires. 58 per cent fire hydrants out of the available 324 in the test-checked districts were non-functional, as shown in the table below:

Table: 5.14

District	Available	Functional	Non- functional (numbers)	Non-functional (percentage)
Pithoragarh	21	10	11	52
Almora	44	41	3	7
US Nagar	61	30	31	51
Haridwar	84	42	42	50
Dehradun	114	13	101	89
Total	324	136	188	58

Source: Information provided by Department

Further, these fire hydrants were installed on general water supply pipe lines, due to which water pressure remains very low. The general water supply is for limited periods, beyond which fire hydrants remain dry in the absence of separate or exclusive pipe line.

In the districts of Haridwar and Dehradun, 21 and 51 tube wells were selected as alternatives to the fire hydrants, but even these were poor choice. Out of which, 19 and 37 number of tube wells, which constituted 90 *per cent* and 73 *per cent* respectively were non-functional for fire service purposes as the adapters placed on these tube wells were not in working condition. Thus availability of water in these districts was a critical factor, that hampered the work of the firemen.

The Department stated (May to August 2008) that maintenance of fire hydrants lies with Jal Sansthan (sole water supply agency of the State) and that the matter had already been taken up with the latter.

Conclusion

The recommendations of the Standing Fire Advisory Council, were not implemented and the Fire Services were operating without strategic policy framework. The incidence of fire in the State was on the rise but its fire stations and firemen were not provided adequate basic safety kits and infrastructure to handle the work. Shortage of water sources, which are critical to fire fighting, was acute; a problem that required inter-departmental co-ordination and hence was eluding a speedy solution.

Recommendations

- *The State Government should enact enabling legislation in line with the SFAC recommendations.*
- *Safety gear to its firemen should be provided at the earliest and fire stations should be equipped with basic infrastructure.*
- *A separate water line to provide 24*7 water supply for fire hydrants, should be considered.*

5.7.5 Financial management

Audit objective 5: Whether adequate funds were budgeted, allocated and utilised for the intended purpose by the Department.

5.7.5.1 Budget Control

Budgeted funds are released to the DGP through Home Department by the Finance Department. ADG (Admn) is responsible for overall budgetary control of the Department at PHQ level and flow of funds to all the Drawing and Disbursing Officers (DDOs).

I Allocation and utilization

An analysis of the allocation and utilization of funds during 2003-08 showed that overall saving over the budget provision ranged between 10 per cent to 26 per cent, with saving under non-plan being 9 per cent to 24 per cent. In 2003-04 and 2004-05, savings under plan were 35 per cent and 53 per cent respectively, as can be seen from the table below:

Table: 5.15

Year	Budget Provision			Funds released			Expenditure			Excess (+)/ Savings (-) over budget provision	
	Plan	Non-plan	Total	Plan	Non-Plan	Total	Plan	Non-Plan	Total	Plan	Non-Plan
2003-04	13.87	292.33	306.20	11.82	299.55	311.37	8.95	265.88	274.83	(-)4.92 (35)	(-)26.45 (9)
2004-05	12.48	316.24	328.72	12.48	318.94	331.42	5.83	238.92	244.75	(-)6.65 (53)	(-)77.32 (24)
2005-06	5.00	310.39	315.39	5.00	313.21	318.21	5.00	264.16	269.16	-	(-)46.23 (15)
2006-07	6.70	360.72	367.42	9.93	361.23	371.16	7.38	312.01	319.39	(+)0.68 (10)	(-)48.71 (14)
2007-08	9.00	362.84	371.84	12.00	374.97	386.97	11.99	320.29	332.28	(+)2.99 (33)	(-)42.55 (12)

Source: Information furnished by the Department

The Department stated that budget could not be utilised due to receipt of funds at the fag end of the financial year and because of the flux in flow of staff from Uttar Pradesh. The non-utilisation of funds even when the need for basic infrastructure/equipment remained unaddressed, is a matter of concern.

II Preparation of Budget Estimates

The Annual Budget Estimates (BEs) were to be prepared in September/October of the preceding year. The Drawing and Disbursing Officers (DDOs) were required to prepare BEs and transmit the same to the Home Department through PHQ by 31st October for consolidation and onward submission to the Finance Department latest by 15th November of each year.

Scrutiny revealed that the DDOs submitted the estimates only in January of the year (delay being in excess of two months) and evidently, the BEs were being prepared by PHQ without the inputs from Districts, on assured basis. The estimates were thus unrealistic leading to the savings as discussed above.

5.7.5.2 Recovery of outstanding dues

Staff to man Railway Police is borrowed from State Police departments, for which the Railways bear 50 per cent of the expenditure incurred on pay and allowances of borrowed staff. Rupees 6.85 crore was due from North Eastern Railways and Northern Railway, of which Rs. 6.01 crore pertained to the period November 2000 to March 2006. The Department stated (July 2008) that the matter is being pursued with Railways.

A sum of Rs 1.61 crore remained to be reimbursed by various departments including Public Sector undertakings, on account of pay and allowances of guards, borrowed from State police force. The recovery was pending for six months to 11 years.

5.7.5.3 Liquidation of liabilities

While providing security cover to VVIPs, the police take the services of Departments-Public Works Department and Transport Department, or sometimes private firms for making arrangements like barricading, rostrum, vehicles, sound system etc. Over the years the district police have incurred a liability of Rs 89.73 lakh¹⁹ on this account, which remained unliquidated, some for more than 16 years.

Conclusion

In the absence of timely inputs from lower formations, the budget estimates were unrealistic leading to savings. There was no firm system of watching expenditure against budget. The Department was unable to recover its outstanding dues on the one hand, and on the other, it has liabilities as old as 16 years awaiting liquidation.

Recommendations

- *The entire process of budgeting needs to be streamlined so that it can plan its upgradation economically and effectively.*
- *The matter regarding recovery of long standing dues should be taken up at the Government level.*

5.7.6 Internal Audit

Internal Audit is a part of internal control mechanism. It is an independent function within the organisation, providing periodic evaluation on the level of compliance with the Departmental rules and procedures so as to provide assurance to the management on the adequacy of the internal control frame work within the Department.

Scrutiny (August 2008) of records of PHQ revealed that only 8 out of 22 auditable units were covered by internal audit of the Department over the period 2003-08. The Department did not prepare an audit plan on the basis of which the audits were being carried out.

Against the sanctioned strength of four auditors, only one auditor was on the rolls of the Department, who was also on deputation from November 2005 to April 2008. The Department stated that as per State Government orders, Internal Audit is being carried out with the help of Chartered Accountants for the year 2006-07.

¹⁹ Pithoragarh Rs.9.56 lakh, Almora Rs.5.16 lakh, US Nagar Rs.1.55 lakh, Haridwar Rs. 13.73 lakh and Dehradun Rs. 59.73 lakh