Government of Bengal

Bengal Police

Police Regulations Bengal 1943

IN THREE VOLUMES

Volume I



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780A, 781, 782 and 1227 in the Police Regulations, Bengal, 1943, prescribing the conditions of service of members of the subordinate ranks of the Bengal Police.]

NOTIFICATION No. 9473-Pl.

In exercise of the power conferred by sub-section (*1*) of section 174 of the Code of Criminal Procedure, 1898 (Act V of 1898), the Governor is pleased to empower the Assistant Sub-Inspectors of Police and Junior Sub-Inspectors of Police subordinate to an officer-in-charge of a police-station to act under the said sub-section subject to the provisions of the rule published with notification No. 9474-Pl., dated the 27th December 1943.

NOTIFICATION No. 9474-Pl.

In exercise of the power conferred by sub-section (*1*) of section 174 of the Code of Criminal Procedure, 1898 (Act V of 1898), the Governor is pleased to make the following rule, namely:—

Rule.

Assistant Sub-Inspectors of Police empowered by notification No. 9473-Pl., dated the 27th December 1943, to act under sub-section (*1*) of section 174 of the Code of Criminal Procedure, 1898, shall not, as provided in rule 300 of the Police Regulations, Bengal, 1943—

(*a*) when a Sub-Inspector of Police is available, take any action under that sub-section in connection with the death of a person except the giving of intimation of the information received under the said sub-section to the nearest Magistrate empowered to hold inquests;

(*b*) when a Sub-Inspector of Police is not available, take any action under that sub-section in connection with the death of a person except the giving of the intimation as is referred to in clause (*a*) where the information or the circumstances indicate the possibility of the death being the result of foul play.

Preface

The present compilation supersedes the publication of the Police Regulations, Bengal, issued in 1927. It incorporates changes in the rules either necessitated by the Government of India Act, 1935, or effected for other reasons.

2. The present publication includes—

(*a*) Rules or Orders made by the Governor under section 241 of the Government of India Act, 1935, and under sections 2, 3 and 7 of Police Act (V of 1861): the notifications and orders of Government, under which such rules are made, are reproduced after this Preface before the Table of Contents; and

(*b*) Rules made by the Inspector-General of Police under section 12 of the Police Act (V of 1861): all these have received the approval of Government which, in respect of certain rules, has been formally conveyed by communications also reproduced after this Preface before the Table of Contents.

3. Rules in this compilation made by Government or forming the subject of the formal communication of approval referred to above are indicated in the Regulations by the marginal citation of the statutory provision under which they are made or approved. Such Regulations are statutory rules and have the force of law. All rules in this compilation, however, whether or not they have statutory force, are equally binding on all police officers as well as on all other officers of the Crown to whom they refer.

A. E. PORTER,

Additional Secretary to the Government of Bengal,
Home Department.

CALCUTTA;

The 21st January 1944.

Note.—The revised regulations will come into force from 1st January 1946.

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[**Notifications and orders by the Government of Bengal, Home (Police) Department, dated Calcutta, the 27th December, 1943.**]

NOTIFICATION No. 9466-Pl.

In exercise of the powers conferred by clause (*b*) of sub-section (*2*) of section 241 of the Government of India Act, 1935, and section 2 of the Police Act, 1861 (V of 1861), read with section 243 of the Government of India Act, 1935, the Governor is pleased to make regulation 840 in the Police Regulations, Bengal, 1943, prescribing the conditions of service of Deputy Superintendents of Police and the members of the subordinate ranks of the Bengal Police.

NOTIFICATION No. 9467-Pl.

In exercise of the power conferred by clause (*b*) of sub-section (*2*) of section 241 of the Government of India Act, 1935, the Governor is pleased to make regulations 735 and 736 in the Police Regulations, Bengal, 1943, regulating the appointment of Deputy Superintendents of Police in the Bengal Police.

[NOTIFICATION No. 9468-Pl.

In exercise of the powers conferred by clause (*b*) of sub-section (*1*) of section 241 of the Government of India Act, 1935, and section 2 of the Police Act, 1861 (V of 1861), read with section 243 of the Government of India Act, 1935, the Governor is pleased to make the following regulations in the Police Regulations, Bengal, 1943, regulating appointment and conditions of service of members of the subordinate ranks of the Bengal Police—

Regulations.

644	745
737	745A
739	746
741	760
743	771

NOTIFICATION No. 9469-Pl.

In exercise of the power conferred by section 7 of the Police Act, 1861 (V of 1861), read with section 243 of the Government of India Act, 1935, the Governor is pleased to make the following disciplinary regulations for members of the subordinate ranks of the Bengal Police in the Police Regulations, Bengal, 1943, namely:—

Regulations.

856 to 859	874 to 875
861 to 865	877 to 878
869	880
871 to 872	882 to 884]

ORDER No. 9470-Pl.

SUBJECT.—*Regulations in regard to civil suits and criminal prosecutions by or against officers of the Bengal Police.*

Reference.—Your memorandum No. 3021C/C.730/43, dated the 8th June 1943.

The undersigned is directed to say that by virtue of the power of superintendence vested in the Provincial Government under section 3 of the Police Act, 1861 (V of 1861), the Governor has been pleased to make the regulations 99 to 104 in the Police Regulations, Bengal, 1943, on the subject referred to above.

ORDER No. 9471-Pl.

Reference.—Your memorandum No. 3021C/C.730/43, dated the 8th June 1943.

The undersigned is directed to convey the approval of the Provincial Government to the regulations in the Police Regulations, Bengal, 1943, as shown in the enclosed Appendix, which have been framed under section 12 of the Police Act, 1861 (V of 1861).

Appendix.

Police Regulations, Bengal, 1943—Regulations Volume I.1—1, 4, 5, 9, to 11, 14, 23, 30, 33, 34, 36 to 42, 44 to 51, 54 to 61, 63 to 66, 68, 75, 76 to 78, 80, 81, 83 to 89, 97 to 98, 105, 107 to 110, 113, 115 to 129, 131 to 138, 140 to 147, 150, 152 to 156, 161A, 163 to 167, 169, 171, 174, 189 to 197, 201 to 220, 222, 224 to 227, 236 to 240, 242 to 244, 246 to 264, 266 to 270, 272 to 275, 277, 279 to 282, 285, 287 to 291, 293, 295, 296, 299, 303 to 305, 307, 312 to 324, 327 to 332, 336 to 341, 343, 344A to 346, 348, 349, 351, 353, 355 to 361, 368 to 370, 374, 377 to 379, 381, 383, 385, 386, 388 to 406, 411, 415 to 417, 419 to 426, 431 to 436, 441 to 460, 465, 468, 469A, 472 to 475, 477 to 488, 492 to 512, 515 to 521, 526 to 529, 533 to 541, 549 to 566, 568 to 570, 572 to 584, 586, 588, 593 to 597, 600, 602 to 608, 612, 616 to 619, 621 to 627, 630 to 633, 635, 637 to 639, 643, 645 to 646, 651 to 654, 656, 658 to 661, 663 to 671, 673, 674, 676 to 678, 683 to 687, 689, 691 to 697, 699 to 709, 712 to 718, 720 to 721, 723, 725 to 732, 738, 742, 744, 747, 749, 750, 754, 756, 757, 763, 764, 789 to 800, 802, 805, 806, 809 to 812, 814, 815, 816A, 818 to 822, 824, 827, to 830, 832 to 836, 838, 839, 866 to 868, 876, 877A, 881, 888, 893 to 904, 906 to 908, 910 to 917, 920 to 922, 934 to 972, 975, 981 to 993, 995 to 1000, 1002 to 1013, 1016 to 1022, 1028, 1031, 1032, 1035, 1046, 1048 to 1051, 1053 to 1058, 1067, 1069, 1088, 1104, 1105, 1112, 1115, 1116, 1119, 1121, 1136, 1149, 1150, 1161, 1162, 1166, 1173, 1174, 1176, 1239, 1240, 1242, 1243, 1279, 1280 and 1282.

[NOTIFICATION No. 9472-Pl.

In exercise of the power conferred by section 2 of the Police Act, 1861 (V of 1861), read with section 243 of the Government of India Act, 1935, the Governor is pleased to make the regulations 774, 778,

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Police Regulations, Bengal.

CHAPTER I.

Organisation.

1. In these Regulations, unless there is anything repugnant in the subject or context— **Interpretations. [§.12, Act V, 1861.]**

(*i*) the word "Superintendent" means Superintendent of Police and includes an Additional Superintendent and any officer, not below the rank of Inspector, temporarily discharging the duties of the Superintendent of Police when the latter is incapacitated or absent from headquarters;

(*ii*) the word "officers" includes men;

(*iii*) the words "subordinate police officer" mean an officer below the rank of Deputy Superintendent of Police;

(*iv*) the words "Unarmed Police" mean subordinate police officers who are not in the Eastern Frontier Rifles or in the Special Armed Force;

(*v*) the words "Reserve office" mean that branch of a Superintendent's office that is located in the Police Lines (*vide* regulation 892); and the words "Superintendent's office" mean the remainder of his office;

(*vi*) the words "Armed Inspector" mean the Inspector in charge of the Special Armed Force and the Reserve office;

(*vii*) the words "Reserve officer" mean the senior Sub-Inspector employed on clerical duties in the Reserve office;

(*viii*) the words "escort commander" mean the officer in charge of an escort;

(*ix*) the words "Court officer" mean the officer in charge of the Court Police office;

(*x*) the words "Office Inspector" mean the Inspector attached to the Superintendent's office;

1A. The expression "Provincial Government" mean the Governor acting or not acting in his discretion, and exercising or not exercising his individual judgment, according to the provision in that behalf made by and under the Government of India Act, 1935 [*vide* section 3 (*43a*) of the General Clauses Act, 1897 (X of 1897)]. Special reference is drawn to section 56 of the Government of India Act, 1935.

2. The province of Bengal excluding the city and suburbs of Calcutta forms a general police district as defined in section 1 of the Police Act, 1861 (V of 1861), with the exception of the Chittagong Hill Tracts, which have been constituted a separate general police district by the Chittagong Hill Tracts Regulation, 1900 (Regulation I of 1900). **General Police District.**

Limitation of application.

3. The Regulations deal only with the Bengal Police. The Eastern Frontier Rifles (Bengal Battalion) are governed by the Eastern Frontier Rifles Regulations.

Administrative areas. [§ 12, Act V, 1861.]

4. The province is divided into the following police administrative areas:—

(*i*) the Range, consisting of a group of districts;

(*ii*) the District, which is normally divided into subdivisions. Railway Police districts are not normally so divided;

(*iii*) the Subdivision, containing one or more police circles;

(*iv*) the Circle consisting of a group of police-stations;

(*v*) the Police-station, which is divided into unions. The police-station as defined in section 4(*l*)(*s*) of the Code of Criminal Procedure, 1898, is the unit of investigation. Outposts exist in certain police-stations, as subordinate police posts, but they are not investigating centres.

Subordinate posts. [§ 12, Act V, 1861.]

5. The subordinate police posts referred to in regulation 4(*v*) are—

(*i*) the outpost, established in a rural area of a police-station for any special reason, such as remoteness or difficulty of access from the police-station;

(*ii*) the town outpost, established at a convenient point in a municipal area for the facility of town patrols.

Branches of the Bengal Police.

6. Police officers stationed in Bengal may be—

(*i*) superior administrative officers, viz., the Inspector-General or a Deputy Inspector-General; or they may be attached to:—

(*ii*) the District Police;

(*iii*) the Railway Police;

(*iv*) the Police Training College;

(*v*) the Criminal Investigation Department, which includes the Intelligence Branch; or

(*vi*) the Inspector-General's staff.

Administration.

7. (*a*) The administration of the police throughout the general police district is, under section 4 of the Police Act, 1861, vested in the Inspector-General. The areas and posts shown in regulations 4 and 5 are controlled by officers as follows:—

(*i*) The Range—a Deputy Inspector-General.

(*ii*) The District—a Superintendent. In certain districts he is assisted by one or more Additional, Assistant or Deputy Superintendents. There are also Superintendents in charge of Railway Police districts.

(*iii*) The Subdivision—a Subdivisional Police Officer, who may be either an Assistant or a Deputy Superintendent. Subdivisional Police Officers are posted only to important subdivisions.

(*iv*) The Circle—an Inspector.

(*v*) The Police-station—a Sub-Inspector.

(*vi*) The Outpost (land or floating)—an Assistant Sub-Inspector.

(*vii*) The Town outpost—a head constable.

(*b*) Officers of the ranks mentioned in (*i*) to (*iv*) above are known as "Gazetted officers". **Gazetted officers.**

NOTE.—In every district there may be, in addition to Circle Inspectors, all or any of the following Inspectors :—

(*i*) An Inspector in charge of the Court office.

(*ii*) An Inspector in charge of the Town Police.

(*iii*) An Inspector in charge of the Special Armed Force and the Reserve office at district headquarters. (An Inspector may also be employed at other stations where there is a detachment of the emergency force.)

(*iv*) An Inspector employed in the District Intelligence Branch.

(*v*) An Inspector employed in the Detective Department.

(*vi*) An Inspector employed in the Superintendent's office.

In a Railway Police district there may be, in addition to Circle Inspectors an Inspector (1) in charge of the court staff and (2) in charge of the platform staff.

8. A table showing all ranks of police officers in order of precedence is given in Appendix I. **Rank of Police officers.**

9. (*a*) The Criminal Investigation Department is administered by a Deputy Inspector-General, whose special duties are described in Chapter IX of the Regulations. **Criminal Investigation Department, Police Training College and Inspector-General's staff.**

(*b*) The control of the Police Training College vests in the Principal, who is of the rank of Superintendent. The Police Training College Manual defines the special duties of the post.

(*c*) The Inspector-General has as staff two Superintendents who hold the title of Assistant Inspector-General. **[§ 12, Act V, 1861.]**

10. (*a*) No alteration in the jurisdiction or the number of administrative areas shall be made without the orders of the Provincial Government, except that the Inspector-General may alter the distribution of police-stations between circles in the same subdivision. **Alterations in areas. [§ 12, Act V, 1861.]**

(*b*) The procedure to be observed in proposing alterations in the constitution, site or nomenclature of police-stations is described in Appendix II.

11. (*a*) The Inspector-General is competent to sanction the permanent establishment of subordinate posts, provided that if any increase in personnel is involved he shall obtain the prior sanction of the Provincial Government. **Establishment of subordinate posts. [§ 12, Act V, 1861.]**

(*b*) Subject to the condition that no extra expense is involved, temporary outposts may be established by a Superintendent without reference to the Deputy Inspector-General. When, however, it is necessary to hire accommodation, the previous sanction of the Deputy Inspector-General for the extra expenditure shall be obtained. Superintendents shall submit to the Deputy Inspector-General on the 1st April each year a statement showing the number of, and the period for which such posts were created with brief reasons in each case.

Organization of District Police Force.

12. The force allotted to each district is organised broadly to provide staff for police-stations (including subordinate police posts), Courts, Town Police, Special Armed Force and special posts, such as the District Intelligence Branch, Detective Department (where such exist) and certain posts involving clerical duties. Details are given in each case in the appropriate chapter.

CHAPTER II.

Relations with other departments.

Relations of police officers with other servants of the Crown, local authorities and the public.

Position of Commissioners.

13. (*a*) The Commissioner as the local head of the administration, shall exercise supervision and control over the action of the District Magistrate in police matters.

(*b*) Any order received from the Commissioner either direct or through the District Magistrate shall be promptly executed by the Superintendent, who shall, however, report it through the Deputy Inspector-General of the Range to the Inspector-General if it is of an unusual nature.

Relations between Range Deputy Inspectors-General and Commissioners and District Magistrates. [§ 12, Act V, 1861.]

14. (*a*) The Deputy Inspector-General of a Range shall keep in close touch with Commissioners and District Magistrates in regard to the maintenance of peace and the prevention and detection of crime in their respective charges, and shall do all in his power to establish harmonious co-operation between the police and the magistracy.

(*b*) He shall ordinarily communicate with the Commissioner by demi-official or unofficial notes and with District Magistrates through Superintendents but he shall make a point of having personal discussions with them at intervals, e.g., when he visits their headquarters.

Relations between Superintendent and District Magistrate.

15. (*a*) The Superintendent is the immediate head of the police force of the district and is responsible for all matters concerning its internal economy and management and for its efficiency and discipline. He is also responsible, subject to the general control of the District Magistrate, for the criminal administration of the district, and for the proper performance by officers subordinate to him of all preventive and executive duties.

(*b*) The District Magistrate has no authority to interfere in the internal organisation and discipline of the police force, but it is his duty to bring to the notice of the Superintendent all cases in which the conduct and qualifications of a police officer affect the general administration of his district.

(*c*) The District Magistrate may call for the papers relating to the conduct or character of any police officer of his district and may send them on to the Deputy Inspector-General of the Range for the information of the Inspector-General and Commissioner. He may direct an enquiry to be made into any case of misconduct of a police officer. The Superintendent shall submit to the District Magistrate the papers regarding all serious cases of misconduct and of cases likely to affect the relations of the police with the public.

(*d*) All orders of the District Magistrate relating to the police except those passed in his judicial capacity, shall be addressed to the Superintendent, or in the event of his absence from headquarters to the officer in charge during his absence. The Superintendent, as the local head of the police under the District Magistrate, is bound to carry out his orders except in regard to the internal economy organisation and discipline of the force, and matters of a purely departmental nature.

(*e*) Should any difference of opinion on any question relating to the police administration arise between the Superintendent and the District Magistrate, it is the duty of the Superintendent to carry out the Magistrate's instructions. The Magistrate shall in such cases forthwith refer the matter to the Commissioner and the Superintendent shall similarly make a reference to his Deputy Inspector-General. The Commissioner and the Deputy Inspector-General shall consult together and, if possible, arrive at an agreed decision. If they are unable to agree, the matter shall be referred to the Provincial Government through the Inspector-General.

(*f*) The District Magistrate, in the exercise of his power of control, shall abstain from any action likely to weaken the authority of the Superintendent or to deprive him of responsibility. For this reason he shall avoid, as far as possible, the issue of executive orders until he has consulted the Superintendent.

(*g*) No circular or general order dealing with questions of law or procedure other than purely departmental matters may be issued by a Superintendent until it has been approved by the District Magistrate.

16. (*a*) The Superintendent shall remain in constant personal communication with the District Magistrate whenever possible, and consult him on all important matters. It is incumbent on him to afford the District Magistrate all possible assistance in the criminal administration of the district, and in such matters he shall, as far as possible, accede to his wishes. Should any question arise on which they do not agree the District Magistrate shall give the Superintendent written orders and the Superintendent will carry them out; but the District Magistrate

Superintendent to be in close touch with District Magistrate.

shall refer the point under dispute, if the Superintendent so desires, to the Deputy Inspector-General when the matter will be settled as laid down in regulation 15(*e*).

(*b*) The Superintendent shall keep the District Magistrate fully informed of all matters coming to his knowledge affecting the peace of the district, and when he is on tour the police officer in charge of headquarters shall send direct to the District Magistrate all important information which would not reach him soon enough through the Superintendent.

(*c*) Whenever he is about to leave the station, the Superintendent shall report his intention to the Magistrate, specifying, as far as possible, the places at which he may be found from day to day; and the Magistrate, for reasons to be recorded by him, may require the Superintendent to remain at headquarters.

Correspondence between Superintendent and District Magistrate.

17. Correspondence between District Magistrates and Superintendents shall be carried on by means of unofficial notes or memoranda. The original file shall be sent for action, when possible, and formal letters shall on no account be written.

Magistrate's orders to pass through Superintendent.

18. All orders on the police, except judicial orders, issued by the office of the District Magistrate shall ordinarily be sent through the Superintendent. This includes orders relating to tours by the District Magistrate and other officers and the provision of supplies by the police. Similarly, orders issued by the Subdivisional Magistrate shall be sent through the Subdivisional Police Officer or if there be no Subdivisional Police Officer, through the Circle Inspector.

Inspection by District Magistrate.

19. The District Magistrate shall exercise constant supervision over the prevention and detection of crime, for the proper conduct of which he is ultimately responsible. An important part of his duty is to inspect the police-stations of his district at regular intervals. It is not necessary for him to examine the details of the working of the department, but he should give special attention to—

(*i*) the general diary and the manner in which it is written up;

(*ii*) the recording of vital statistics;

(*iii*) the proper working of the Arms Act;

(*iv*) the methods of collecting crop statistics;

(*v*) the working of the rural police;

(*vi*) the general state of crime in the police-station and any reasons for its increase or decrease;

(*vii*) whether the Sub-Inspector appears to have a proper knowledge of his duties, whether he is in touch with the respectable inhabitants of his charge, has acquired local knowledge, and takes an interest in his work;

(*viii*) whether the police-station officials appear to be working properly and have a proper knowledge of their duties and the neighbourhood,

(*ix*) whether the police-station has been regularly and properly inspected.

District Magistrate and transfers of police-officers.

20. (*a*) If the District Magistrate observes in any police officer of or below the rank of Inspector marked incompetence or unfitness for the locality in which he is stationed, or unfitness for his particular duties, he may draw the attention of the Superintendent to the fact and request him to consider the advisability of transferring him to another locality or to other duties. He shall, however, bear in mind that not only are transfers detrimental to police work, but the officer transferred may do as badly or even worse in another place. Unsatisfactory work is as a rule met by punishment and a transfer should not be recommended unless it is likely to improve the criminal administration of the district as a whole.

(*b*) If the Magistrate observes in any police officer above the rank of Inspector incompetence or unfitness he may communicate with the Inspector-General, who after paying careful attention to the views of the District Magistrate, shall determine what measures should be taken and shall inform the Magistrate of the action which he takes in the matter.

Relations between subordinate Magistrates and the police.

21. (*a*) Except as provided in the Code of Criminal Procedure or any other Act, or in any rules made or approved by the Provincial Government, for the time being in force, subordinate Magistrates have no power to interfere in police work. But Magistrates having jurisdiction and empowered to take cognizance of police cases are reminded of their responsibility for watching the course of police investigations in the manner laid down in Chapter XIV of the Code of Criminal Procedure.

(*b*) The District Magistrate should take care that his subordinate Magistrates do not abuse the power given to them by sections 155 and 202 of the Code of Criminal Procedure of ordering a police investigation in non-cognizable cases. Such orders should be made only in exceptional cases, and when the Magistrate requires information of specific matter of fact, and not, as is often the custom, as a routine preliminary to the granting of a summons. The subordinate police may often not be averse from this abuse of procedure, and it is incumbent on the Superintendent to watch the working of these sections, so far as they affect the police, and to bring to the notice of the District Magistrate any tendency on the part of Magistrates to misuse them.

Relations between Subdivisional Magistrates and the police.

22. (*a*) Except where it is provided otherwise in these Regulations or by any law for the time being in force, Subdivisional Magistrates shall have only the same powers in respect of the police as other subordinate Magistrates; but it is the duty of every Subdivisional Magistrate to inspect all police-stations within his jurisdiction once annually.

At such inspections Subdivisional Magistrates shall follow the instructions laid down for District Magistrates in regulation 19 and may give orders affecting the preparation and trial of cases; but they are not empowered to issue executive orders to the police, and shall confine themselves to bringing to the notice of the District Magistrate any matter which appears to call for intervention.

(*b*) A Magistrate in charge of a subdivision can only nominate the officer in charge of a police-station to investigate a case within the limits of such officer's police-station; but should such Magistrate intimate his opinion that for particular reasons a special officer should conduct the investigation, the Subdivisional Police Officer or the Circle Inspector shall, if possible, comply with his wishes.

(*c*) The Subdivisional Police Officer shall remain in constant personal communication with the Subdivisional Magistrate regarding matters of general police administration and should discuss with him all important matters. In subdivisions (other than the sadar subdivision) where there is no Subdivisional Police Officer, the Circle Inspector shall similarly remain in constant personal touch with the Subdivisional Magistrate wherever possible and keep him informed of all important matters concerning the criminal administration of his circle. A Circle Inspector whose circle headquarters are not situated at the subdivisional headquarters, shall take every opportunity of keeping the Subdivisional Magistrate informed of such matters whenever he visits the subdivisional headquarters or when the Subdivisional Magistrate visits his headquarters. Each officer (Subdivisional Magistrate and Subdivisional Police Officer or Subdivisional Magistrate and Circle Inspector) shall arrange to have a copy of his tour programme sent to the other and to keep him informed of any subsequent modification made in it.

Relations between Subdivisional Police Officer and Subdivisional Magistrate. [§ 12, Act V, 1861.]

23. The Subdivisional Police Officer shall consult the Subdivisional Magistrate in all matters affecting the criminal administration and the maintenance of peace in the subdivision. His relations with the Subdivisional Magistrate shall generally be similar to those between the Superintendent and the District Magistrate.

Procedure when an allegation is made against a police officer in a complaint or first information.

24. (*a*) When an allegation of misconduct is made against a police officer—

(*i*) in a complaint before a Magistrate, or

(*ii*) in an information lodged with a police officer and forwarded by him to the District or Subdivisional Magistrate under regulation 244(*c*),

the Magistrate concerned should decide whether there will be an inquiry under the appropriate section (159 or 202) of the Code of Criminal Procedure.

(*b*) If he decides that an inquiry is necessary, he should direct it to be made by a Magistrate or by a Police Officer.

(*c*) If the alleged occurrence appears to be obviously trival though cognizable, it should be sufficient to order a local investigation by a police officer of superior rank. The Superintendent should be asked to arrange for such investigation to be held at once.

(*d*) If there is no apparent reason to doubt the truth of the complaint and no preliminary inquiry is thought necessary, the Magistrate should fix the earliest possible date for the trial.

Allegations against police made otherwise than in complaints, first informations or comments by courts.

25. (*a*) Whenever an allegation of misconduct on the part of a police officer comes to the notice of a Magistrate otherwise than under regulations 24, 26 or 28, he may, if he considers it necessary, take cognizance of the case under section 190 (*1*) (*c*) of the Code of Criminal Procedure.

(*b*) (*i*) A police officer of superior rank shall at once report to the Superintendent any allegation of serious misconduct which comes to his notice otherwise than under regulations 24, 26 or 28, and the Superintendent shall in turn report it at once to the District Magistrate.

(*ii*) The Superintendent shall personally consult the District Magistrate as to the action to be taken, if they are both at headquarters. If either is absent from headquarters, the Superintendent shall himself hold a deparmental inquiry locally or, if he cannot himself hold it, shall direct it so to be held by a police officer of rank superior to that of the accused: such officer shall if the accused is a head constable or officer of higher rank, be a gazetted officer.

(*iii*) If the District Magistrate considers it necessary in view of the rank of the accused, the gravity of the alleged offence or the extent to which such allegations are prevalent in the district he should instruct a Magistrate to co-operate with the Police Officer holding the departmental inquiry or should order a magisterial inquiry to be held instead.

Comments by Magistrates trying cases.

26. (*a*) A Magistrate trying a case should not notice in a final order or judgment (except, if necessary, as a matter demanding inquiry) any misconduct that he suspects on the part of a police officer, unless—

(*i*) it has been established after the officer has been given reasonable opportunity to explain it, or

(*ii*) reference to it is necessary for the elucidation of the case.

(*b*) When such Magistrate finds it necessary to criticise the conduct of any police officer, he should record the important points clearly in a separate note and send it forthwith to the District Magistrate.

(*c*) Any favourable comments should similarly be made in a note forwarded to the District Magistrate.

(*d*) The District Magistrate shall take action on such criticisms or comments in the manner prescribed in regulations 27 and 28 (*b*) (*1*).

Comments by courts and Magistrates to be communicated to Superintendent.

27. (*a*) The District Magistrate shall send immediately to the Superintendent a copy of any comments, whether favourable or unfavourable, that have been made on the conduct of a police officer (*i*) in a judgment by a Magistrate, a Judge, or a Court of superior status, or (*ii*) in a note submitted under regulation 26 (*b*) by a Magistrate trying a case.

(*b*) The Superintendent shall cause all favourable comments to be entered in a manuscript register of comments by courts and in the case of unfavourable comments, shall take such action as is suitable bearing in mind the requirement of regulation 28 where such comments are made by a Court of Sessions or Court of superior status.

Action to be taken on comments in judgments of Courts.

28. (*a*) When a Court of Sessions or a Court of superior status has in a judgment criticised the conduct of a police officer and has recorded its opinion that a special inquiry is necessary—

(*i*) the District Magistrate may institute criminal proceedings forthwith if, in his opinion, there is sufficient evidence already available;

(*ii*) otherwise, he should move the Provincial Government through the Commissioner to appoint a commission of two officers for publicly conducting such an inquiry; and

(*iii*) in either event a preliminary departmental inquiry shall be held immediately by a police officer of superior rank with the object of collecting, collating and preparing all the available evidence for the criminal prosecution or the special inquiry.

(*b*) When such court has not recorded its opinion that a special inquiry is necessary, or when a Magistrate has in a judgment criticised the conduct of a police officer—

(*I*) it will be at the discretion of the District Magistrate to order—

(*i*) the institution of criminal proceedings, or

(*ii*) a magisterial inquiry or a departmental inquiry by a police officer of superior rank, or

(*iii*) disciplinary action by the Superintendent under the ordinary departmental rules.

He shall send the Superintendent a copy of his order.

(*II*) The Inspector-General may, if he considers it necessary, move the Provincial Government for the appointment of a special commission of inquiry.

Magisterial inquiries into allegations against police officers.

29. When an order is passed for a magisterial inquiry into an allegation against a police officer—

(*a*) it should be held at the place of occurrence;

(*b*) the Magistrate deputed to hold it should, if possible, proceed there not later than the following day;

(*c*) such Magistrate should be an Assistant Magistrate or a Deputy Magistrate of the first class if the officer concerned is of or above the rank of Sub-Inspector and is accused of committing a cognizable offence or of having demanded or accepted a bribe;

(*d*) no concurrent departmental inquiry should be made but the Superintendent shall depute a police officer to attend and to arrange for the production before the Magistrate of any police witnesses and of such other evidence as may be available;

(*e* no police officer connected with an investigation in the course of which there is alleged to have been ill-treatment by the police should have any concern with the conduct of the inquiry into such allegation.

Police to treat courts and Magistrates with respect. [§ 12, Act V, 1861.]

30. Police officers shall treat all courts and Magistrates with due respect. They shall not make reflections on them in public or insert disparaging criticisms of their acts in departmental reports or similar documents which are or may be published; but, if a Superintendent has reason to believe that there has been a failure of justice or that police officers have received unfair treatment, he may bring the case to the notice of the District Magistrate either by a formal application presented by the Court officer for action under section 435 of the Code of Criminal Procedure or by an unofficial note or report, the language of which shall be temperate and respectful.

30A. The District Magistrate should consider such application referred to in regulation 30, note or report and take such action as he thinks fit: but he should not transmit to the Magistrate concerned any unofficial notes or reports on the subject.

Relations with Public Prosecutors or Government Pleaders

31. (*a*) The Superintendent shall keep in close touch with the Public Prosecutor or Government Pleader whom he shall consult freely whenever an important or difficult legal question arises which affects the Police Department.

(*b*) A Subdivisional Police Officer (or a Circle Inspector in a subdivision where there is no Subdivisional Police Officer) shall similarly consult the Public Prosecutor or Government Pleader (if any) of the subdivision.

(*c*) No fee is payable for his advice to a Public Prosecutor or Government Pleader thus consulted.

Co-operation with Panchayats and Union Boards.

32. (*a*) Without the help of panchayats and members of union boards, who employ and control the village police, the police administration cannot work successfully: all police officers must therefore show consideration and courtesy towards them.

(*b*) Officers posted to police-stations shall make themselves acquainted with the panchayats and members of union boards in their jurisdictions, and shall seek their assistantce in all matters affecting the prevention and detection of crime.

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(*c*) Officers of superior rank shall in the course of their tours interview panchayats and members of ninon boards, organise co-operation meetings and generally do their utmost to promote friendly co-operation between them and the police.

Behaviour towards the public. [§ 12, Act V, 1861.]

33. (*a*) No police force can work successfully unless it wins the respect and good-will of the public and secures its co-operation. All ranks, therefore, while being firm in the execution of their duty, must show forbearance, civility and courtesy towards all classes. Officers of superior rank must not only observe this instruction themselves but on all occasions impress their subordinates with the necessity of causing as little friction as possible in the performance of their duties.

(*b*) Rudness, harshmess and brutality are forbidden; and every officer of superior rank must take immediate steps for the punishment of any offenders who come to his notice.

(*c*) No officer should be recommended for promotion who habitually disregards the above instructions.

(*d*) Every officer, especially an officer of or above the rank of Deputy Superintendent, shall be easily accessible, both at headquarters and when on tour, to Indian gentlemen, whether officials or non-officials, and to other respectable persons and shall encourage them to communicate their opinions to him freely.

(*e*) Officers responsible for training a probationary Assistant Superintendent shall impress upon him the necessity for showing courtesy towards Indian gentlemen and teach him how to conduct himself towards them.

Relations with retired police officers [§ 12, Act V, 1861.]

34. (*a*) All serving officers shall keep in touch with retired police officers living in their respective jurisdictions and shall attempt to maintain friendly relations with them. In particular, Circle Inspectors and officers in charge of police-stations shall seek their co-operation whenever their knowledge or experience is likely to prove useful.

(*b*) An index of such retired officers shall be maintained in the office of the Superintendent, who shall endeavour to sustain their interest in police work by extending to them such courtesies as invitations to conferences, ceremonial parades at headquarters and the like.

CHAPTER III.

Direction and Control.

I—POWERS AND DUTIES.

Power of Inspector-General.

35. (*a*) The Inspector-General is authorised to issue, without reference to the Provincial Government, standing or general orders either on matters of routine or to simplify or explain previous orders, but shall issue no standing order that deals with a point of law until it has been approved by the Legal Remembrancer. All such orders

shall be published as *Police Orders* in the *Police Gazette*, and the approval of the Provincial Government shall be obtained subsequently for the incorporation of any of them in the Police Regulations.

(*b*) The Inspector-General may exercise the full powers of a Magistrate, with which he is vested under section 5, Police Act, 1861, throughout the province, only for the preservation or detection of crime, or the apprehension or detection of offenders, so far as may be necessary in the absence of a Magistrate.

Powers and duties of Deputy Inspector-General of Range.

36. (*a*) The Deputy Inspector-General of a Range is responsible for maintaining the strictest discipline and the highest possible standard of efficiency in the police force under him. He shall ensure these by making frequent inspections and by keeping in close touch with his Superintendents. [§ 12, Act V, 1861.]

(*b*) He shall be ready to assist and to control the Superintendents under him, and shall point out to them the proper method of carrying out their duties whenever he observes neglect, want of system or divergence from orders, but he shall subsequently refer any difference of opinion to the Inspector-General if a Superintendent so requests. He shall seek to encourage, instruct and advise them rather than to find fault: and he shall be careful neither to supersede them in their proper functions nor to interfere unduly in their relations with their subordinates.

(*c*) He is responsible for seeing that in the districts within his Range all necessary measures are taken by the police for the prevention and detection of crime and that the investigation of important cases is properly supervised, that the procedure is uniform, and that districts co-operate harmoniously with one another and also with districts of other Ranges.

(*d*) Subject to the provisions of regulation 685, he is empowered to strengthen the police in, or to withdraw police from, any district in his Range as a temporary measure; and he can also alter temporarily the strength of the force allotted to any duty head in the allotment statement, provided that the total strength of the Range is not thereby increased.

(*e*) He may not, without the previous sanction of the Inspector-General, issue any circular orders to, or prescribe any return or form to be prepared or submitted by Superintendents in his Range.

Power and duties of Superintendents.

37. (*a*) The powers and duties of a Superintendent are given in the various chapters.

(*b*) A Superintendent shall, without delay or demur carry out any instructions given to him by the Deputy Inspector-General of the Range. [§ 12, Act V, 1861.]

General control by Superintendents.

38. It should be the aim of every Superintendent that his subordinates should, on the one hand, feel confident of being given due credit for good work and of receiving a fair hearing and loyal support in all difficulties and, on the other, realise the impossibility of earning his good opinion or of gaining promotion except by honest work. [§ 12, Act V, 1861.]

He shall keep in constant touch with his officers. He shall be accessible to them and encourage those who are called by duty to headquarters to report in person on the state of their charges and to discuss their difficulties with him personally. He shall attend office at regular hours when at headquarters and dispose of his official business there. When enquiries are being made into minor offences he should dispense with written explanations, if possible, and pass short concise orders.

Duties which may be delegated to Additional Superintendents. [§ 12, Act V, 1861.]

39. (*a*) The Additional Superintendent is in subordinate alliance with the Superintendent and holds a position similar to that of a second in command of a regiment. The two officers shall work in constant co-operation and keep each other informed of all matters of importance in the administration of the district: when one of them is absent from headquarters the other shall do his current work.

(*b*) Subject to any restriction imposed by these regulations, the Superintendent may at his discretion employ an Additional Superintendent on any duty and may delegate to him the power to dispose of any particular item of work which is relatively less important and of which the Superintendtnt can be relieved without in any degree whatsoever diminishing his authority or responsibility.

The Superintendent shall, if necessary, consult the Deputy Inspector-General when determining the duties ordinarily to be performed by the Additional Superintendent.

(*c*) The Superintendent and the Additional Superintendent shall meet constantly to discuss Intelligence Branch work in order to keep each other posted in all its phases.

(*d*) The Superintendent shall lay down a definite line of action for the control of crime throughout his charge and he shall communicate this to his Additional Superintendent who shall give him every support in seeing that it is followed.

Restrictions on delegations to Additional Superintendents. [§12, Act V, 1861.]

40. (*a*) Although the Superintendent may delegate to the Additional Superintendent the maintenance of the cash account and the signing of the cash balance certificate, he shall satisfy himself that the Additional Superintendent is exercising a careful scrutiny.

(*b*) The Superintendent is the principal touring officer and shall tour throughout his district though he may allot a portion of this work to the Additional Superintendent.

(*c*) The Superintendent may not delegate to an Additional Superintendent responsibility for any of the following:—

(*i*) the drill, discipline and general control of the police force under him;

(*ii*) the control over expenditure whether of cash or of other property of the Police Department throughout his charge;

(*iii*) the work of the District Intelligence Branch, except in a district where an Additional Superintendent is specially sanctioned for that Branch;

(*iv*) the maintenance in his office of the District Crime Note Book or other system of control of crime against property, and

(*v*) except in Mymensingh district, the general control of crime throughout any part of his district.

(*d*) Except in Mymensingh the territorial distribution of work between the Superintendent and the Additional Superintendent is prohibited.

(*e*) An Additional Superintendent may write confidential reports under regulation 76 upon officers with whom he is in close contact; but they shall be subject to the Superintendent's control and remarks.

Matters with which Superintendents should deal personally. [§ 12, Act V, 1861.]

41. (*a*) The Superintendent shall personally deal with the following matters:—

(*i*) proceedings against Inspectors;

(*ii*) the posting, transfer and promotion of all officers of and above the rank of Assistant Sub-Inspector;

(*iii*) important correspondence with higher authorities, such as, applications for additional grants, changes in the jurisdiction of police-stations, etc.;

(*iv*) the maintenance of the District Note Book prescribed in regulation 1104;

(*v*) holding orderly room at least once a week as laid down in regulation 893; and, generally,

(*vi*) all matters of importance.

(*b*) The Superintendent shall himself pass orders about the major punishment of Sub-Inspectors.

(*c*) The Superintendent shall personally, as often as is possible—

(*i*) supervise important cases (*vide* regulation 55);

(*ii*) hold the monthly kit inspection at headquarters;

(*iii*) make inspections of police-stations and of police offices in the district, and shall, so far as possible, deal with important confidential matters.

Cases to be investigated by Superintendent. [§ 12, Act V, 1861.]

42. A Superintendent is expected to take a share in the actual investigation of important cases but should take the investigation out of the hands of his subordinates only in very exceptional circumstances. He shall personally investigate all serious cases in which Europeans are involved or in which racial feelings have been or are likely to be aroused.

Investigation and trial of cases after a riot.

43. (*a*) Whenever there has been any outbreak of rioting, the Superintendent shall, if necessary, reinforce the local investigating staff and arrange the work so that officers investigating cases arising from the riots can devote undivided attention to them.

(*b*) He shall also see that investigations are completed without unnecessary delay. Charge sheets shall be framed at once against any persons regarding whom evidence is immediately available, supplementary charge sheets being drawn against other persons regarding whom evidence is obtained later. In no circumstances shall a charge sheet against any person or persons regarding whom satisfactory evidence is forthcoming be delayed while evidence against other persons is sought.

(*c*) He shall also, if necessary, reinforce the prosecuting staff and, if police officers are not available for this purpose, move the District Magistrate to apply to the Legal Remembrancer for the retention of legal practitioners as public prosecutors. It is essential that the prosecuting staff detailed for such cases should be sufficient to give undivided attention to them.

(*d*) He shall also see that prosecuting officers move the Magistrates for early trial of such cases, and that they communicate the dates of hearing to the investigating staff, so that all necessary witnesses appear before the courts on those dates.

(*e*) The District Magistrate should consider whether an additional or special Magistrate is required to deal with cases arising out of the occurrence, and whether local arrangements can be made: if not, the Commissioner and the Provincial Government should be informed by wire. It is important that a capable Magistrate should take up the riot cases and deal promptly with them.

(*f*) Applications for bail made in any court by any person under trial or appealing against conviction in such cases shall be opposed, if there is reason to believe that he is likely to use his liberty to commit further offences or to instigate others to do so. The Public Prosecutor must be supplied with all relevant facts necessary for this purpose, e.g. that the appellant has previously been convicted or similar offences, that charges for similar offences are pending against him or that there is reasonable ground for believing that he will engage in further unlawful activities.

(*g*) If the District Magistrate desires that any application made under section 526 of the Code of Criminal Procedure should be opposed, he shall immediately send to the Legal Remembrancer clear and full instructions for the counsel who will oppose it. If it is important that the trial of the case, regarding which the application is made, should not be delayed, the District Magistrate shall also furnish the Legal Remembrancer with reasons for moving the High Court to treat the application as urgent.

(*h*) The Superintendent is responsible for furnishing the District Magistrate with all relevant facts required under clauses (*f*) and (*g*).

(*i*) Close co-ordination of the work of the police and the magistracy is essential in all matters relating to such cases, and the District Magistrate and the Superintendent are jointly responsible for securing this co-ordination.

Powers and functions of Assistant and Deputy Superintendents.

44. (*a*) With the written permission of the Deputy Inspector-General of the Range an Assistant or Deputy Superintendent in any district may, under the control of the Superintendent and subject to any written order recorded by him which does not conflict with any law or rule in force, perform any of the duties of a Superintendent under the Police Act, 1861, or under any rule or order made or approved by the Provincial Government under that Act. [§ 12, Act V, 1861.]

(*b*) The functions and departmental status of Assistant Superintendents and of Deputy Superintendents are generally the same; but the object for which Deputy Superintendents are appointed is to give the Superintendent as much relief as possible whereas the chief consideration in the case of Assistant Superintendents is their training and their duties shall therefore be arranged so as to give them experience of all branches of police work and to fit them as early as possible for the charge of a district (*vide* regulation 790).

Method of employment of Assistant and Deputy Superintendents at headquarters.

45. Assistant and Deputy Superintendents posted at headquarters should not be employed only for routine work in the Superintendent's office: they should in addition be used freely, under the Superintendent's directions, for the supervision of important investigations and enquiries and may also, when the Superintendent thinks it necessary, be used for additional inspections of police-stations in the interior. The Superintendent shall define clearly, in a district order, the duties which they shall perform and the sphere of actin, if any, allotted to them. [§ 12, Act V, 1861.]

Method of employment of Assistant Deputy Superintendent as Subdivisional Police Officers.

46. (*a*) The two main objects for which an Assistant or Deputy Superintendent is posted as a Subdivisional Police Officer are to prevent and detect crime and to insure that close supervision is exercised over investigations. For this reason— [§ 12, Act V, 1861.]

(*i*) he shall in every important case, and particularly in every special report case, visit the spot and supervise the investigation as prescribed in regulations 54 and 55.

(*ii*) he should secure the local knowledge which is essential for the prevention and detection of crime by touring in the villages and getting into close touch with the people. He should ascertain from them whether the chaukidars are doing their duty, whether any particular class of crime is prevalent, and whether real efforts have been made to arrest absconders where these are many. He should take with him the Village Crime Note Book and test the entries in it by enquiries from respectable villagers; and he should particularly enquire whether there are any new criminal gangs at work. It is open to him to recommend deserving village headmen for rewards.

(*b*) The Subdivisional Police Officer shall promptly take up the investigation of any charge brought against the police, unless or until an investigation or enquiry into it is taken up by the Superintendent or by a Magistrate.

(*c*) He shall occasionally visit important *hats* and invariably attend annual fairs and festivals to see that order is preserved. He should see that arrangements for the preservation of order at large gatherings are carefully thought out beforehand.

(*d*) He shall inspect all police offices, stations and posts in the subdivision at least once a year and see that all recent orders, whether contained in circulars or passed inspection notes or otherwise, have received attention. Such inspections do not take the place of those of the Superintendent, and he should be present when the Superintendent is inspecting to assist and to learn how inspections should be made. He shall in addition visit police-stations whenever necessary for general supervision of police work.

(*e*) At chaukidari parades which he should attend as often as possible he should distribute rewards, enquire whether the chaukidars are regularly paid, and see that they are suitably rewarded for good work and that the station officers are making proper use of them. He should endorse his opinion on all reports regarding rewards and punishment of chaukidars, all of which should pass through him.

(*f*) When a Subdivisional Police Officer is at his headquarters, he shall attend the Magistrate's court during the trial of important cases; visit the sub-treasury guard and town police beats at least twice a week at night to see that the police are at their posts and are alert; and once a month examine arms and ammunition and hold kit inspections.

(*g*) When at his headquarters he should examine the case diaries and the final report forms but shall be careful not to delay the submission of the latter to the Magistrate.

(*h*) He shall see any *mufassil* diaries that the Circle Inspector forwards to him as being of special interest and all case diaries of special and misconduct report cases, which he shall scrutinise carefully. He is at liberty, and is expected at his discretion to call for diaries in any other cases.

(*i*) He is not given any clerical staff but an intelligent Assistant Sub-Inspector should be deputed to assist him in his clerical duties. He shall not correspond officially with the Superintendent but shall forward official papers in original, keeping a carbon copy of any important paper in a letter book.

(*j*) A Subdivisional Police Officer need not keep a separate index of crime, but he shall periodically inspect the indices maintained in the offices of his Inspectors to ascertain which officers delay in taking up investigations and in submitting diaries and to see that Inspectors take suitable action against such delays.

(*k*) He shall keep a tour diary, which shall be submitted to the Superintendent, and a note book, and at the close of each fortnight he shall write to the Superintendent a letter reviewing the situation in his subdivision, and giving all facts and information of interest about what is going on, with his own comments and opinions thereon. The letter should be full and clear but concise, and should not be in a crytallised or official form.

(1) He shall bring to the notice of the Superintendent important cases in which the retention of the Public Prosecutor or Government Pleader appears to be desirable.

II—INSPECTIONS.

47. (*a*) The Inspector-General shall inspect every district once in two years. **Number of inspections to be made.**

(*b*) A Deputy Inspector-General shall inspect every district in his Range once a year and every subdivision once in two years. **[§ 12, Act V, 1861.]**

(*c*) The Deputy Inspector-General, Criminal Investigation Department, shall inspect crime work in districts as ordered from time to time by the Inspector-General with reference to the incidence of organised crime.

(*d*) The Deputy Inspector-General in charge of the Intelligence Branch, Criminal Investigation Department, or his Special Superintendent, shall inspect the working of the arrangements for the collection of intelligence in every district once in two years.

(*e*) The Superintendent, or, subject to regulation 41 (*c*) (*iii*), an Additional Superintendent, shall make a thorough inspection at least once a year of every office, police-station or subsidiary post in the district.

(*f*) Whenever the Superintendent thinks it necessary for the better supervision of the work or in view of the incidence of crime, he should pay additional visits to police-stations or have them inspected under regulation 45 by an Assistant or a Deputy Superintendent.

(*g*) The Superintendent shall also make once a year, for each subdivisional headquarters and for each circle, a general inspection of the progress of work in each circle, and shall examine particularly how far the Subdivisional Police Officer or Circle Inspector has supervised investigations locally, what local knowledge he has acquired and what steps he has taken for the prevention and detection of crime.

(*h*) The Superintendent shall visit all Railway police-stations within his district once a year. He shall have access to all registers and files but any notes recorded by him in the inspection register shall ordinarily be confined to crime and criminals, co-operation between Railway and District Police and any particular cases in which the District Police are directly interested.

(*i*) Annual inspections should be made by Subdivisional Police Officers as provided by regulation 46 (*d*).

(*j*) A Circle Inspector shall thoroughly inspect every police-station and subsidiary post, including guards, within his circle once a year if he is working under a Subdivisional Police Officer and once in each half year if he is not.

(*k*) Similarly, a Court Inspector or a Circle Inspector under regulation 189 (*f*) shall inspect his Court office once every year.

(*l*) Inspections by the Armed Inspector are governed by regulations 896 and 898.

(*m*) In addition to the inspections prescribed above, other inspections may usefully be made on particular points and to see whether orders have been carried out.

Inspections not to follow closely. [§ 12, Act V, 1861.]

48. The inspection by Superintendents, Subdivisional Police Officers and Inspectors should be so arranged that they do not follow each other at unduly short intervals.

Duration of inspections. [§ 12, Act V, 1861.]

49. A thorough inspection of a police-station can never be made in a few hours and seldom in a day. In the cold weather a stay of three or four days should be made within the limits of each police-station; during the hot weather and rains the inspection of a police-station near which there is no proper accommodation may be spread over several visits. In dry districts Superintendents should try to finish their inspections before the cold weather so as to be free then to examine in the interior the matters enumerated in regulation 51 (*a*).

Use of statistics. [§ 12, Act V, 1861.]

50. Statistics are of great value to inspecting officers, and specially to Superintendents, indicating as they do the officers whose work needs special scrutiny, and the areas and kinds of crime on which they should concentrate their energies. But to go further than this and to use them as the chief means of appraising work is deceptive, and teaches subordinate officers to believe that credit can only be gained by the maintenance of a high ratio of convictions to cases and a low return of crime. In the inspections of small areas, such as police-stations specially, the award of praise or blame on the basis of percentages and comparisons of figures is dangerous, and may be unfair. An officer's merits can be gauged effectively only by a careful scrutiny and testing of work actually done.

Matters to be examined at inspections. [§ 12, Act V, 1861.]

51. (*a*) The chief object of an inspection is to see that the police are working properly for the control and prevention of crime; and inspecting officers should therefore pay particular attention to the following:—

(*i*) the conduct of investigations;

(*ii*) the collection of information about criminals;

(*iii*) the local progress of crime;

(*iv*) the application of preventive measures;

(*v*) the employment of the village police; and

(*vi*) co-operation with panchayats, union boards and the public.

(*b*) Registers, records, clothing, equipment, furniture and buildings should be examined in order to see that they are in good order, that rules are observed, that economy is practised and money well spent, that correspondence and orders receive prompt attention, that registers and papers are duly classified and that old papers are not allowed to accumulate.

(*c*) All inspecting officers must realise that they are responsible not only for issuing necessary orders but for seeing that they are carried out; they shall invariably ascertain and state whether the remarks made at the preceding inspection have received due attention. If they have been neglected, the officers at fault should be brought to account.

(*d*) Inspections should be helpful. The object of an inspection is not merely to look for faults and defects, but to obtain a clear idea of the position as regards crime and criminals and to give the officer inspected the benefit of the wider view and greater experience of the inspecting officer.

(*e*) An officer can dispose of many matters more effectively on the spot during an inspection than at headquarters by written orders. The Superintendent shall keep a file of such matters for each police-station and deal with them when he inspects the station.

(*f*) An inspecting officer should see that the inspections of officers subordinate to him have been regular and to the point, and should mention this in his inspection note. The Deputy Inspector-General of a Range in particular shall record a note regarding the inspections made by the Superintendent and shall comment on any irregularity or defect in this respect when he forwards the annual report of the district.

(*g*) The Deputy Inspector-General of a Range shall report in his inspection note upon the drill, discipline and training of the Special Armed Force and of those officers of the Unarmed Police who are from time to time brought into headquarters. He shall test the proficiency of the Superintendent and of Assistant and Deputy Superintendents in drill and in the work of the Reserve office. He shall not merely hold one general inspection parade but pay special attention to the individual work and training of all the officers in the Special Armed Force.

(*h*) In making his inspections, the Superintendent shall be careful to observe the extent of the supervision and control exercised by the Circle Inspector and the nature of his inspections. The Inspector has a small area under his charge, and possesses every advantage in knowledge of the language, the people, and the details of his work. Serious defects in the state of discipline or in the character of the work done imply a failure of duty on his part, unless he can show that he has already done his best to correct what is wrong. This responsibility shall always be brought home to him.

(*i*) As the area under a Circle Inspector is smaller than that under a Superinetndent or an Assistant or Deputy Superintendent and his duties keep him less at headquarters, his inspections shall be more detailed and thorough than theirs. It is his duty at an inspection not to criticise but to help, to instruct and to act: he should therefore when inspecting a police-station—

(*i*) first, acquaint himself with the local circumstances by examining the available records; and

(*ii*) next, help the officer in charge in dealing with the problems disclosed by the examination. In doing so he shall be careful

himself to avoid the mistake of thinking that all crime against property is committed by local criminals only, and he shall be on the lookout for foreigners also. The register of unidentified persons and other records will enable him to ascertain what foreigners have been convicted or suspected of crimes within his charge.

(*j*) Inspectors and officers of higher rank should frequently examine the staff of police posts including Court offices as to their knowledge of regulations 237, 327, 328 and 329. Prisoners who may be in the *hajat* when a police post or Court office is visited should, if time permits, be given the opportunity of making representations regarding their treatment if they wish to do so. When inspecting police posts and Court offices, officers by an inspection of the records and otherwise should ascertain as far as possible whether the rules mentioned above have been followed and should note the result in their inspection notes. They should, in particular, when occasion offers, make enquiries to ascertain whether prisoners while in *hajat* have been properly treated.

Inspection notes to be brief and to the point.

52. (*a*) Inspection notes should be brief and to the point, without elaborate reviews of crime, long complimentary or condemnatory remarks or lengthy dissertations of any kind. They should be mainly a record, for the future guidance of subordinates, of errors and omissions detected and of orders issued.

(*b*) Defects should be noted one by one, under serial numbers, and brief remarks made about each.

(*c*) The inspecting officer must not merely record in writing the defects which he has noticed: he must also explain them carefully to the officers whose work is being inspected, and make them understand how an improvement can be secured.

(*d*) At the end of his inspection notes, the inspecting officer shall record the fact that he has taken action under clause (*c*) and shall summarise, for the benefit of the officer who next inspects, the remarks which he has made under clause (*b*).

NOTE.—(*i*) Instructions for the guidance of Deputy Inspectors-General inspecting districts are contained in the Inspection Manual.

(*ii*) Detailed instructions for the inspection of the various offices, stations and posts in a district are contained in the appropriate chapters of the Regulations.

III—SUPERVISION OF CASES.

Important Cases.

53. The expression "important case" includes any case relating to an alleged offence—

(*i*) which is a special report case (*vide* Appendix XV);

(*ii*) which is likely to lead to a breach of the peace or to other offences, *e.g.*, a riot, not in itself important, may be likely to provoke reprisals;

(*iii*) in which persons of importance are involved;

60. (*a*) A police officer of or above the rank of Inspector shall invariably record in the inspection register any visit to or call at a police-station and give a brief description of the particular work which he has done or is doing in its jurisdiction: he shall also enter in the Village Crime Note Book or other appropriate register any information of interest that has come to his knowledge and has not before been recorded. **General instructions regarding tours.** [§ 12, Act V, 1861.]

(*b*) Flying visits and superficial inspections made by a Superintendent, Assistant or Deputy Superintendent or Inspector shall not be regarded as the annual or half-yearly inspections prescribed by regulation 47. At the time of regular inspection, the inspecting officer shall not confine himself to an examination of registers and books. In order not to be dependent solely on the reports of his subordinates, he should visit places of importance within their jurisdiction and should endeavour to secure the good-will of the leading men in the villages, such as, headmen, panchayats or union board members and their co-operation in the prevention and detection of crime.

(*c*) During such visits he should make enquiries from respectable persons regarding—

(*i*) the work of the rural police;

(*ii*) the local repute of persons under surveillance;

(*iii*) persons likely to resort to crime for any reasons;

(*iv*) local party factions;

(*v*) the incidence of crime and any concealment of cases;

(*vi*) the probable resorts of absconders; and

(*vii*) any other matters bearing on the criminal administration.

61. (*a*) A Superintendent, Assistant or Deputy Superintendent or Circle Inspector shall during his tours attend and supervise as many chaukidari parades as possible, he shall ascertain if the rural police are properly instructed as to their powers and duties and if the officer in charge has their confidence and is successful in obtaining from them timely information regarding crime, the likelihood of riots and the movements of bad characters; and he shall see that the rural police— **Attendance at chaukidari parades.** [§ 12, Act V, 1861.]

(*i*) are properly questioned, and are given full information about bad characters, stolen property, "hue and cry notices", absconders and other necessary matters, and that they understand the information;

(*ii*) have been recommended suitable rewards or punishments for any good work or any failure to perform their duties; and

(*iii*) are properly equipped and regularly paid; or that, if not, the necessary action has been taken.

(*b*) He shall take every suitable opportunity of presenting, with as much publicity as possible, rewards to chaukidars who have done good work or given valuable information.

Tour diary.

62. (*a*) Every Superintendent, Assistant or Deputy Superintendent shall keep a tour diary in which he shall show, (*i*) when absent from headquarters on inspection or other duty, the manner in which his time has been employed and the matters of interest to the police that have come to his notice, and (*ii*) when at headquarters, all night rounds (with the time) supervisions of investigations and inspections of offices there.

(*b*) The diary shall be written, in half-margin on foolscap paper, from day to day (or at short intervals) and not at the end of the tour. Brief notes showing what the officer did or observed shall be recorded for each day of the tour.

(*c*) Tour diaries of Assistant and Deputy Superintendents shall be forwarded to the Superintendent in the first week of the month following that to which they relate. The Superintendent shall take action on all matters that require attention, and shall forward extracts of any subjects of special interest or importance to the Deputy Inspector-General.

(*d*) The tour diary of the Superintendent shall be sent in duplicate through the District Magistrate to the Deputy Inspector-General of the Range, who will return the original with his remarks to be filed in the Superintendent's office. The duplicate copy, which should contain a copy of the Deputy Inspector-General's remarks, if any, shall be retained in his office for periodical inspection and check.

Officer in charge during Superintendent's absence.
[§ 12, Act V, 1861.]

63. (*a*) Before leaving headquarters, the Superintendent shall invariably record a written order appointing an Additional, Assistant or Deputy Superintendent or an Inspector to be officer in charge and to perform the current duties of his office during his absence. Should the officer so appointed also leave headquarters before the Superintendent's return, he shall record a similar written order.

(*b*) If an Inspector is thus appointed under clause (*a*), he may perform such of the duties of a Superintendent under the Police Act, 1861, or under any rule made or approved thereunder by the Provincial Government, as the Superintendent may make over to him.

Tour programmes.
[§ 12, Act V, 1861.]

64. (*a*) A touring officer shall invariably leave in his headquarters office particulars of the places at which he may be found from day to day while on tour. If necessary these particulars may be left in a sealed cover, to be opened only in an emergency.

(*b*) A Circle Inspector, before leaving headquarters for more than two days, shall, whenever practicable, issue to all officers in charge of police-stations in his circle a programme of his proposed tour, noting all the post offices to which covers should be addressed, so that the officers may send papers to him direct.

V—PROSECUTIONS.

Duty of Superintendents in prosecution of cases.
[§ 12, Act V, 1861.]

65. (*a*) Superintendents and Assistant Superintendents should themselves take an active and personal interest in the prosecution of cases of all kinds.

(*b*) It will often be useful for the Superintendent to be present at the trial of important police cases before a Magistrate or in a Sessions Court; and no such case should go to the Sessions for trial which he has not personally mastered and carefully discussed with the Public Prosecutor and the investigating officer.

66. Although any police officer conducting a prosecution with the permission of a Magistrate is authorised by section 495(*2*) of the Code of Criminal Procedure to withdraw from the prosecution he should not do so without the orders of the Superintendent. **Withdrawal of cases.** **[§ 12, Act V, 1861.]**

66A. As a general rule a Public Prosecutor appointed for the conduct of a police case shall refer to the District Magistrate before exercising the power conferred upon him by section 494 of the Code of Criminal Procedure to withdraw from the prosecution; and the District Magistrate shall consult the Superintendent before agreeing to the withdrawal of any case committed to the Sessions.

67. (*a*) If the Superintendent is of opinion that in any case a Magistrate has awarded a strikingly inadequate punishment or has improperly discharged an accused person, he shall direct the Court Inspector to prefer a motion before the District Magistrate or, if the Magistrate was a first class Magistrate, shall request the District Magistrate to instruct the Public Prosecutor to move the Sessions Judge for a direction for a further enquiry or for commitment of such person to the Sessions Court or for a reference to the High Court for enhancement of sentence, as the case may be. **Applications for revision and appeals.**

(*b*) If the Superintendent, after taking the advice of the Public Prosecutor, considers that it would be desirable to apply for the enhancement of any sentence or that an appeal against an acquittal is necessary in the interests of justice and would be successful, he shall send to the District Magistrate a full note on the case to enable him to decide whether he shall address the Provincial Government or not.

(*c*) Action under clause (*a*) and (*b*) should be taken promptly. The report mentioned in clause (*b*) must reach the District Magistrate within fourteen days of the order or sentence in respect of which action is desired, and the Superintendent should therefore arrange for the immediate communication of such order or sentence to him.

(*d*) A further enquiry cannot be ordered in the case of a person who has been discharged after proceedings have been taken against him under section 110 of the Code of Criminal Procedure.

VI—CASE DIARIES.

68. (*a*) Only the following police officers may see case diaries:— **Custody of case diaries.**

(i) the investigating officer; **[§ 12, Act VI 1861.]**

(*ii*) the officer in charge of the police-station;

(*iii*) any police officer superior to such officer in charge;

(*iv*) the Court officer;

(*v*) the officer or clerk in the Superintendent's office specially authorised to deal with such diaries; and

(*vi*) any other officer authorised by the Superintendent.

(*b*) The Superintendent may authorise any person other than a police officer to see a case diary.

(*c*) Every police officer is responsible for the safe custody of any case diary which is in his possession.

(*d*) Every case diary shall be treated as confidential until the final disposal of the case, including the appeal, if any, or until the expiry of the appeal period.

(*e*) A case diary shall be kept under lock and key, and, when sent by one officer to another, whether by post or otherwise, shall be sent in a closed cover directed to the addressee by name and superscribed "Case diary". A case diary sent to the Court office shall be addressed to the senior Court officer by name.

(*f*) A cover containing a case diary shall be opened only by the officer to whom it is addressed, except as prescribed in clauses (*g*) and (*h*), if such officer is absent, the date of receipt shall be stamped upon the cover by the officer left in charge during his absence and the cover shall be kept till his return or forwarded to him.

(*g*) Covers containing case diaries received in the Superintendent's office shall be opened as prescribed in regulation 1073, and made over directly to the officer or clerk specially authorised to deal with case diaries. Such officer or clerk shall take action under clause (*i*) and personally place the diaries before the Superintendent or other officer dealing with the case.

(*h*) Covers containing case diaries received in the Court office may be opened by any officer specially authorised in writing by the Court officer or by a superior officer.

(*i*) When an officer opens a cover containing a case diary, he shall stamp or write on the diary the date, if any, which has been stamped on the cover under clause (*f*) or, if there is no such date on the cover, the date on which he received it, and shall, after perusing the diary, file it with any other diaries relating to the same case which are in his possession.

A Circle Inspector and a Court officer shall stamp or write such date on every page of the diary and on every enclosure received with it, such as statements recorded under section 161, Code of Criminal Procedure, maps and the brief.

(*j*) Every Investigating Officer shall be provided with a deed box, and every Circle Inspector, Subdivisional Police Officer and Court officer with a suitable receptacle, in which to keep case diaries under lock and key.

VII—GAZETTES.

69. (*a*) *The Police Gazette* and the *Criminal Intelligence Gazette* are issued each week to all offices shown in the distribution list which is compiled in the office of the Inspector-General. Cmoplaints about non-delivery of any issue should be addressed to the Officer-in-charge, Publication Branch, Bengal Government Press, Alipore, Calcutta, any such complaint from an office under the control of a Superintendent should be sent to the Superintendent in the first instance. **Gazettes.**

(*b*) All police officers are expected to acquaint themselves with any matters concerning them that may appear in these gazettes. Every officer who receives a gazette should therefore be careful to communicate to such of his subordinates as are unable to read it those matters that concern them; and inspecting officers shall test their subordinates in their knowledge of such matters.

(*c*) Superintendents are required to instruct their subordinates how to make an intelligent use of the *Criminal Intelligence Gazette*. It should be impressed upon all officers that they must not confine their interest to items concerning their own police-station, subdivision or district; and they should be encouraged to sent to their Superintendents for communication to the Criminal Investigation Department any information they may acquire on any subject mentioned in the gazette.

(*d*) The *Police Gazette* is intended for official use only but a police officer may subscribe for copies for his own use; applications should be made to the office of the Inspector-General from which the rates of subscription can be ascertained.

(*e*) The *Criminal Intelligence Gazette* is a confidential document and is not for sale.

70. The following matters shall be published in the *Police Gazette*:— **Contents of Police Gazette.**

Part I.—(*i*) Orders by the Governor of Bengal.

(*ii*) Extracts from the *Calcutta Gazette,* the *Gazette of India* and the official Gazettes of other provinces excluding items published in Part V.

Part II.—(*i*) Arrival and departure notices of officers of the Indian Police and Bengal Police Service and officiating Deputy Superintendents.

(*ii*) Orders of the Inspector-General and Deputy Inspectors-General and district orders relating to officers of and above the rank of Sub-Inspector.

(*iii*) The chain of acting arrangements in the cadre of Deputy Superintendents (published once a month).

(*iv*) Statements of extraordinary and compassionate pensions and gratuities sanctioned (published once a quarter).

(*v*) Changes in the allotment and strength of the force.

(*vi*) Results of the departmental examinations of officers of the subordinate ranks and of the examination of clerks in accounts and office procedure.

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Part III.—All awards to officers of and above the rank of Sub-Inspector with brief particulars of the reason in each case of—

(*i*) money rewards or rewards in kind in lieu of cash;

(*ii*) commendations and good service marks awarded by the Inspector-General or Deputy Inspectors-General.

Part IV.—Miscellaneous notices and extracts from the *Police Gazettes* of other provinces.

Part V.—Notifications regarding the forfeiture and proscription of various publications under different Acts.

Part VI.—Government Orders (other than those published in Part I) and Police Orders.

Instructions for compiling notices for the Police Gazette.

71. (*a*) All matters to be published in the *Police Gazette* shall be included in the weekly return due in accordance with Appendix XII.

(*b*) The following detailed instructions for the compilation of these returns shall be strictly followed by all concerned:—

I.—General instructions.

(*i*) Each return, headed with the name of the district and the words "For insertion in the *Police Gazette*" shall be forwarded to the Inspector-General, without any covering letter.

(*ii*) Each return shall contain all items for publication which have occurred in the week to which it relates. If there is nothing to report, a blank return shall be forwarded.

(*iii*) The returns shall be typed on one side only of each sheet of paper.

(*iv*) The rank and full name of every officer shall be given. Names shall be spelt in accordance with Appendix IX.

(*v*) The returns shall be accurately worded, in strict conformity with similar notifications previously published.

(*vi*) Each return shall be edited by a gazetted officer before despatch.

II.—Instructions regarding matter for publication in Part II.

(*i*) District orders shall be grouped under the headings "Promotions and confirmations", "Leave", "Reductions and reversions" and "Transfers and casualties".

(*ii*) District orders relating to officers of and above the rank of Sub-Inspector only shall be included. Those relating to other ranks officiating as Sub-Inspectors shall be excluded.

(*iii*) All orders regarding appointments and promotions shall be accompanied by complete information regarding the chain of arrangements, with dates, and shall indicate the vacancies (permanent or officiating) against which they are made.

(*iv*) Orders relating to casual leave shall be excluded.

(*v*) Orders granting leave or an extension of leave shall be included; in the latter case, the number and date of the paragraph in the *Police Gazette* notifying the original grant or the last extension shall be quoted.

(*vi*) Orders regarding the return from leave of subordinate police officers shall be excluded, unless any portion of the leave previously gazetted is cancelled or an extension is granted to cover a short period overstayed.

(*vii*) Orders relating to the permanent appointment, promotion, leave and reversion of clerks of the Superintendents' office borne on the Range cadre shall be included.

(*viii*) The numbers and dates of all district orders shall always be quoted.

Contents of the Criminal Intelligence Gazette.

72. (*a*) The following matters shall be published in the main body of the *Criminal Intelligence Gazette*:—

Part I.—A statement of all new cases of dacoity specially reported in the week ending on the Saturday preceding publication.

Part II.—Notices regarding identifiable property lost and stolen and seized on suspicion by the police.

Part III.—Notices regarding the loss and recovery of arms and ammunition.

Part IV.—Notices regarding—

(*i*) absconders and notorious criminals lost sight of or wanted by the police, who are believed to have left their home districts. Such notices shall specify, (1) the names and address of the principal relatives and associates of the absconding persons, (2) the places of their probable resort and (3) the grounds that will render their arrest legal, if traced;

(*ii*) suspicious individuals arrested by the police, who may be wanted elsewhere.

Part V.—Notices regarding suspicious Europeans and loafers other than those whose activities come within the control of the Intelligence Branch.

Part VI.—Notices regarding foreigners, strangers, preachers and mendicants, other than those whose activities come within the control of the Intelligence Branch.

Part VII.—A statement of wandering gangs.

Part VIII.—Persons dealt with under the Goondas Act, 1923 (Bengal Act I of 1923).

Part IX.—Suspicions and cancellations of motor driving licences.

Part X.—

Miscellaneous notices.

Notices regarding deserters.

Notices regarding missing persons.

Departmental notices and instructions.

Brief accounts of clever detections and other good work, and of interesting cases.

Part XI.—(*a*) Important rulings in criminal cases.

(*b*) Special and illustrated supplements shall be published with the gazette, as required. These shall contain photographs of prisoners, swindlers and other criminals. Separate special supplements shall be published for—

(*i*) histories of gang cases and of criminal gangs.

(*ii*) all matters appertaining to the administration of the Criminal Tribes Act, 1924.

(*iii*) An Excise Supplement compiled by the Excise Department and containing information on excise matters, shall also be published from time to time with the gazette.

(*c*) Extracts from the *Police* and *Criminal Intelligence Gazettes* of other Police Forces shall be published in Parts II to VI inclusive, X and XI, as appropriate.

Instructions for compiling notices for the Criminal Intelligence Gazette.

73. (*a*) All matters to be published in the *Criminal Intelligence Gazette* shall be included in the weekly return due in accordance with Appendix XII. No return shall be forwarded when there are no items for publication.

(*b*) Each return shall be headed with the name of the district, followed by the words "For insertion in the *Criminal Intelligence Gazette*", and shall be typed on one side only of each sheet of paper.

(*c*) The return shall, if necessary, be compiled in two portions of which one shall contain matter for insertion in Part III and the other all other matter. The latter portion shall be forwarded to the Assistant to the Deputy Inspector-General, Criminal Investigation Department, and the former to the Special Assistant, Intelligence Branch. No covering letter shall accompany either portion.

(*d*) The following detailed instructions for the compilation of these returns shall be strictly followed:—

(*i*) No statement for Part I shall be prepared.

(*ii*) Notices of lost and stolen property for Part II shall be included only if the property is believed to have left the district.

(*iii*) Notices for Part III shall be compiled in accordance with the instructions issued by the Intelligence Branch.

(*iv*) The statement of wandering gangs shall be compiled in B. P. Form No. 87 and attached to the return.

(*v*) The returns shall be accurately worded, in strict conformity with similar notifications previously published.

(*vi*) Personal descriptions shall, whenever possible, be given in the form shown in Appendix X.

(*vii*) Each return shall be edited by a gazetted officer before despatch.

74. (*a*) The *Police* and *Criminal Intelligence Gazettes* shall, after all action laid down in regulation 69 has been taken, be filed in the following manner:— **Instructions for filing Gazettes.**

(*i*) Parts I to V inclusive of the *Police Gazette* shall be kept together and filed in half-yearly bundles maintained in proper chronological order. Each half-yearly bundle, when complete with its printed index, shall be bound or securely sewn.

(*ii*) Government Orders and Police Orders published in Part VI of the *Police Gazette* shall be separated into yearly files, Government Orders being kept in one file and Police Orders in another. A manuscript index for each file shall be kept until the printed index is received, when the orders in each file, with their respective index shall be bound or securely sewn together.

(*iii*) Parts I to X inclusive of the *Criminal Intelligence Gazette* shall be kept together and treated as in (*i*) above.

(*iv*) Part XI of the *Criminal Intelligence Gazette* and the special, illustrated, Criminal Tribes Act and Excise supplements shall be separated into five half-yearly files. The contents of the file of the Criminal Tribes Act supplements shall be bound or securely sewn together as soon as the half-year is complete, and the contents of each of the other files shall similarly be bound or sewn, as soon as the printed index is received.

(*b*) These instructions apply to all offices, stations and posts to which the gazette are issued.

VIII—CONFIDENTIAL REPORTS.

75. (*a*) Early in January the Superintendent shall submit to the Deputy Inspector-General a confidential report in B. P. Form No. 1 on each Additional, Assistant or Deputy Superintendent who has served under him during all or part of the previous year. **Confidential reports on superior officers.**

[§ 12, Act V, 1861.]

(*b*) The Deputy Inspector-General shall forward to the Inspector-General, (*i*) these reports with his remarks and (*ii*) a similar report on each officer who has served as a Superintendent under him during all or part of the previous year, after embodying in them the remarks made by the District Magistrate and the Divisional Commissioner under regulation 75A.

Confidential reports of Superior officers.

75A. Early in January the District Magistrate shall submit to the Divisional Commissioner his general remarks on the work of each Superintendent or Additional, Assistant or Deputy Superintendent who has served in the district during all or part of the previous year. He shall pay attention to the points mentioned in the prescribed form, and shall in particular give his opinon on the officer's general efficency and his relation with the public. The Divisional Commissioner shall add his own remarks and forward the reports to the Deputy Inspector-General of the Range.

Confidential reports of subordinate police officers and character rolls of clerks.

[§ 12, Act V, 1861.]

76. (*a*) The Superintendent shall maintain, bound in a book of convenient size, confidential reports for each Inspector, Sergeant, Sub-Inspector and officiating Sub-Inspector in B. P. Form No. 2.

(*b*) The head of each office shall similarly maintain confidential character rolls for each clerk in B. P. Form No. 3.

(*c*) Subject to clause (*d*) entries shall be made in such book—

(*i*) in January;

(*ii*) when the Superintendent or the head of the office is transferred;

(*iii*) when the officer or clerk is transferred from the district or Range;

(*iv*) when the officer or clerk ceases to officiate in any higher appointment, unless the Superintendent or the head of the office considers him to be likely again to officiate in it during the same calendar year, in which case no entry shall be made till the year has ended; and

(*v*) when a higher authority, such as a Deputy Inspector-General, the Inspector-General or the Provincial Government orders, remarks to be entered.

(*d*) Ordinarily the Superintendent or the head of the office shall not make an entry in such book, except under clause (*c*)(*v*) above, unless he has been at least six months in the district or in charge of the office or has already formed a definite opinion regarding the work or character of the officer or clerk.

(*e*) Until one book is completed, another shall not be opened for any officer or clerk.

(*f*) Confidential reports shall be kept by the Superintendent, and confidential character rolls by the Superintendent or the head of the office, under lock and key. They may be called for and inspected by

the Inspector-General, Deputy Inspector-General, Divisional Commissioner or District Magistrate. A Subdivisional Police Officer shall be shown the books of the officers serving under him.

(*g*) When an officer or clerk is transferred permanently to another district or Range, his confidential report book or character roll shall be sent to the Superintendent of the district, or to the head of the office, to which he is transferred.

Entries in confidential reports books of subordinate police officers and in character rolls of clerks. [§ 12, Act V, 1861.]

77. (*a*) The following shall be entered against item 12 of B. P. Form No. 2:—

(*i*) particulars of any case in which the officer has been criminally convicted, or in which, having been put upon his trial, he has been finally discharged for want of evidence, but not of any in which he has been fully and honourably acquitted;

(*ii*) particulars of any civil suit in which the decision adversely affects his character as a police officer; and

(*iii*) particulars of any case in which there has been a judicial comment leading to an entry in the officer's service book.

(*b*) Any remark by a District Magistrate or a Commissioner relating to the officer's personal character, shall be entered against item 14 of B. P. Form No. 2 unless it has been included in his service book.

(*c*) All remarks in confidential report or character roll shall be well considered and moderate in tone. Sweeping condemnations and imputations based on mere rumour, which cannot be substantiated, shall be avoided. Any strongly unfavourable opinion shall be justified by reference to the circumstances and facts bearing upon it; and the officer recording such opinion should consider whether it would not be best to draw up proceedings and call upon the officer or clerk concerned to answer the charges made.

Loss of confidential report books of subordinate police officers or character rolls of clerks. [§ 12, Act V, 1861.]

78. (*a*) The loss of any confidential report book or character roll in a district shall be reported immediately to the Deputy Inspector-General, and the Superintendent shall have a searching enquiry made into shuch loss. He shall report the result to the Deputy Inspector-General.

(*b*) If the confidential reports are those of an Inspector or of an officer whose name is on the provincial list of those approved for promotion to Inspector's rank, the Deputy Inspector-General shall reconstruct the book from the copies of the remarks submitted under regulation 79 by Superintendents and, if necessary, by reference to Superintendents under whom the officer has served during the past ten years.

(*c*) If the case does not fall under clause (*b*) the Superintendent shall open a new book with a signed statement regarding the loss and the result of the enquiry made.

Submission to Inspector-General of confidential reports of Inspectors.

79. (*a*) On the 1st February each year there shall be submitted to the Inspector-General—

(*i*) through the Deputy Inspector-General concerned, by the Principal of the Police Training College, the Superintendent of each Railway Police district, the Assistant to the Deputy Inspector-General in the Criminal Investigation Department and each Special Superintendent in the Intelligence Branch, and

(*ii*) through the District Magistrate and the Deputy Inspector-General concerned, by every other Superintendent,

copies of all remarks made under regulation 76 in the confidential report book of each Inspector (and of each officer whose name is on the provincial list of those approved for promotion to Inspector's rank) serving under him. For this purpose loose sheets of Bengal Form No. 5243 should be obtained from the Forms Department.

(*b*) In the case of officers employed in the District Intelligence Branch copies of these remarks shall be forwarded by the Superintendent concerned through the District Magistrate to the Deputy Inspector-General, Criminal Investigation Department and Intelligence Branch. The Special Superintendent concerned in the Intelligence Branch will record his remarks before copies are forwarded to the Deputy Inspector-General of the Range under clause (*d*).

(*c*) The District Magistrate may make remarks on the copies before forwarding them to the Deputy Inspector-General concerned.

(*d*) The Deputy Inspector-General, Criminal Investigation Department and Intelligence Branch, shall forward the copies received by him under clause (*a*) (*i*) to the Inspector-General and those under clause (*b*) to the Deputy Inspector-General of the Range concerned with his own remarks.

(*e*) The Deputy Inspector-General of the Range shall forward all copies received by him under clauses (*a*)(*i*) and (*ii*) and (*d*) to the Inspector-General with his own remarks after taking notes of the remarks for record in his office.

Confidential reports and character rolls to state whether defects already brought to police. [§ 12, Act V, 1861.]

80. When an officer makes an unfavourable remark in any confidential report or character roll, he should always state specifically whether the defect remarked upon has already, in any other connection, been brought to the notice of the officer or clerk concerned.

Communication of unfavourable remarks made in confidential reports or character rolls. [§ 12, Act V, 1861.]

81. In order that an officer may be in a position to rectify his shortcomings, unfavourable remarks recorded in his confidential reports or character rolls or on other occasions should be communicated to him. Officers considering whether remarks should be communicated should observe the following principles:—

(*i*) when a report is built up on the individual opinions of the different departmental superiors in gradation, it is only the

opinion as accepted by the highest authority which need be considered from the point of view of communication;

(*ii*) remarks should not be communicated to the officer—

(1) if the highest authority to whom they have been submitted suspends judgment on them;

(2) if they are in reply to enquiries whether the officer who has not been well reported on previously has improved and is fit for promotion or whether an officer is fit for a particular appointment, unless the authority for whom the reply is ultimately intended considers that facts or allegations contained in them should be communicated to such officer;

(*iii*) any remarks on an officer's report which show that he has taken steps to remedy defects to which his attention has been drawn in a previous year, shall be communicated to him;

(*iv*) remarks made about any officer of and above the rank of Deputy Superintendent, other than an officer on deputation to the Calcutta Police or another department, should not be communicated to such officer except by, or under the orders of, the Inspector-General: and remarks on an Inspector, Sergeant, Sub-Inspector should not be communicated to him except by, or under the orders of, the Superintendent or head of the office concerned; remarks regarding an officer of and above the rank of Assistant Superintendent should be seen by the Governor before those remarks are communicated to the officer concerned but the Governor's acquiescence in the communication to the officer should not be regarded as implying his endorsement of them in his individual judgment; and

(*v*) the manner and method of communication (*e.g.*, whether the communication should be verbal or written and whether it should be made direct to the officer concerned or through an intermediate authority or through his immediate superior) should be such as to secure the maximum benefit to the officer having regard to his temperament, and this will be decided by the authority under whose orders the remarks are communicated.

81A. Regulation 81 above will apply also to clerks.

CHAPTER IV.

Privileges and General Instructions.

I—PRIVILEGES, ETC.

82. The following police officials are eligible for presentation to His Excellency the Viceroy at a levee:— **Presentation at Viceregal levees.**

(*i*) all officers of the Indian police,

(*ii*) all officers of the Bengal Police Service drawing not less than the maximum pay of the time-scale, and

(*iii*) all title-holders.

Auxiliary Force, India, and Indian Territorial Force.

[§ 12, Act V, 1861.]

83. (*a*) European and Anglo-Indian officers of the police force are eligible for enrolment in the Auxiliary Force, but they cannot hold any rank but that of a private without the sanction of the Provincial Government.

When presenting themselves for enlistment in the Auxiliary Force they shall produce a written statement from the Provincial Government to the effect that there is no objection to their being called out for training and/or when an emergency arises. Such a statement will specify the appointment they hold and will be valid only for so long as they hold the appointment. If such a statement is not produced, they will be regarded as though they were members of the Auxiliary Force (Indian) Reserve class and will only be called out with the specific sanction of the Provincial Government.

The enrolment is subject to the condition that the officer concerned must be exempted from liability for service under section 18 of the Auxiliary Force Act, 1920. With regard to annual training, the military authorities recognise that servants of the Crown must obtain leave to attend such training and that refusal of leave must be considered a sufficient ground for exemption from embodyment for training. They have, therefore, agreed that the names of servants of the Crown for whom permission to attend camp is required should be sent by units direct to the Provincial Government at least two months before the commencement of the camp.

(*b*) Members of the Auxiliary Force are exempted from certain local taxes in accordance with the terms of section 34 of the Auxiliary Force Act, 1920.

(*c*) No police officers may join the Indian Territorial Force.

(*d*) Leave of enrolled officers for attending drill, musketry or camps of exercise is governed by regulation 824.

Privileges of Inspectors.

[§ 12, Act V, 1861.]

84. (*a*) An Inspector may be granted interviews with His Excellency the Governor and with the Hon'ble Ministers with the prior sanction of the Inspector-General during their visits to districts.

(*b*) He has also the privilage of an introduction to His Excellency the Governor and the Hon'ble Ministers on their arrival at a railway or steamer station.

(*c*) He is also entitled to invitations to Durbars held by Divisional Commissioners at the headquarters of districts.

Privileges of Sub-Inspectors.

[§ 12, Act V, 1861.]

85. Sub-Inspectors when appearing before officers superior to them in rank are, by virtue of their office, entitled to the courtesy of a chair, except when appearing on strictly formal official occasions, such for example as —

(*i*) at orderly room,

(*ii*) in court,

(*iii*) when making an official report, and

(*iv*) when putting up registers or papers for signature or order.

Participation in beneficent public activities. [§ 12, Act V, 1861.]

86. (*a*) Subject to the provisions of regulation 87 police officers shall always be ready to assist beneficent public activities, provided that no interference with their duties and functions as police officers is thereby caused. An officer below the rank of Superintendent shall invariably obtain the consent of the Superintendent under whom he is serving before accepting any office in any local body or committee, and, if at any time the Superintendent so directs, shall forthwith resign such office. In like manner, the Inspector-General or Deputy Inspector-General may require any Superintendent serving under him to resign any such office.

(*b*) Inspectors may be appointed by nomination as members of Local Boards, subject to the condition that such appointments do not involve the exclusion of any local representatives who may be likely to be more useful members.

(*c*) Inspectors and Sub-Inspectors may be appointed to Union, Dispensary and School committees within their respective jurisdictions, but may not be appointed as Municipal Commissioners.

Collection of subscriptions and invitations to *pujas*. [§ 12, Act V, 1861.]

87. (*a*) Police officers of all ranks are prohibited from collecting subscriptions from the public for any purpose whatsoever.

(*b*) They are permitted to become members of *puja* committees organised by the public, provided that they do not as such take part in collecting subscriptions, and to celebrate *pujas* with subscriptions raised from members of the force or other officials. They may accept invitations from members of the public, or invite the public, to *pujas*.

Exemption from the operation of the Indian Arms Act (Act XI of 1878). [§ 12, Act V, 1861.]

88. (*a*) A police officer is exempted by section (*1*) (*b*) of the Indian Arms Act, 1878 (XI of 1878), from the prohibitions and directions contained in that Act, in respect of arms and ammunition which is required to bear as part of his equipment in the course of his public duty, whether they are supplied by the Provincial Government or are his private property. No licence, therefore, is required by any police officer in respect of a revolver or pistol owned by him as part of his equipment [*see* regulation 1012 (*c*)].

(*b*) A retired police officer, who has been permitted to wear uniform on certain occasions after retirement, must obtain a licence for any revolver or pistol which formed part of his equipment, but is exempt from the payment of a licence fee for it.

(*c*) A police officer of or above the rank of Sub-Inspector or a Sergeant may, under item 80(*3*), Schedule I, Indian Tariff Act, 1934 (XXXII of 1934), import free of customs duty a revolver or pistol together with ammunition up to a maximum of 100 rounds per revolver or pistol on the certificate of the Inspector-General that the weapon and ammunition are imported by the officer, as part of his equipment. If the officer who desires to avail himself of this privilege, is in India, he shall apply to the Inspector-General for such certificate to be issued direct to the arms dealer or contractor from whom standardised revolvers and ammunition are obtained. A certificate will not be used as a rule to an officer on probation or at all to an officer who is merely officiating as a Sub-Inspector or Sergeant.

(*d*) A register shall be maintained in the Superintendent's office in B. P. Form No. 4 of all arms in respect of which officers in the district are exempt as laid down in clauses (*a*) and (*b*): and, when any such officer is transferred to another district, a copy of the relevant entry in the register shall be sent to the Superintendent of that district.

(*e*) If any police officer ceases to be exempt as laid down in clauses (*a*) and (*b*), owing to retirement, discharge, dismissal or any other reason, the Superintendent shall see that the arms and ammunition in respect of which such officer was exempt are deposited until a licence for them is produced or are otherwise legally accounted for.

Carrying of canes or sticks and use of private firearms, while on duty prohibited.

89. (*a*) Police officers may not carry canes or sticks other than *regulation lathis* while on duty, unless ordered to do so by an officer of or above the rank of Inspector. Such orders shall be given only if the officer considers that the occasion does not require the use of *lathis*: and the use of canes is subject to the same restrictions as other forms of force.

(*b*) The use of private firearms by police officers below the rank of Sub-Inspector, when on duty, is prohibited. [§ 12, Act V, 1861.]

Exemption from municipal taxation on horse.

90. By section 168 of the Bengal Municipal Act, 1932 (Bengal Act XV of 1932) every police officer resident in a municipality is exempt from municipal taxation in respect of one horse.

Exemption from bridge, ferry and road tolls.

91. Police officers proceeding on duty are exempted from the payment of bridge, ferry and road tolls.

Vessels exempted from tolls.

92. (*a*) All vessels, whether owned by Government or otherwise, which are being used exclusively by officers of the Crown or subordinates, whether civil or military, travelling on duty, or are being used exclusively for Government work, are exempted from toll or demurrage on canals or canalised rivers. Vessels carrying materials for works belonging to departments other than the Irrigation Department are, however, not exempted.

(*b*) Every such vessel shall be furnished with a pass, which in the case of officers shall specify the nature of the vessel and the names of occupants, and in the case of vessels used for Government work, the nature of the work and approximate quantity of the cargo. This pass shall be shown at all toll stations, and collectors may inspect the boats.

(*c*) When a boat travelling on police duty of an urgent nature is obliged to pass a toll station without halting, a report in explanation shall be sent as early as possible to the supervisor of canals.

General Provident Fund.

93. All ranks of the police and clerks who are not compulsory subscribers to the General Provident Fund under the General Provident Fund (Superior Civil Services) Rules or the General Provident Fund (Bengal Services) Rules may become voluntary subscribers to the fund, in accordance with those rules.

94. (*a*) All officers below the rank of Inspector are entitled, when making journeys on duty by railway or steamer or omnibus service to receive warrants on which tickets are issued for such journeys. Detailed instructions regarding the custody, issue and use of these warrants are continued in Appendix III. **Railway, steamer and omnibus service warrants and passes for journeys on duty.**

Note.—Sub-Inspectors should not use railway warrants except when in charge of escorts or when they are in need of ready Cash to pay their own fares.

(*b*) Officers of the Railway Police are supplied by the railway administration with tokens, badges of passes, according to their rank, enabling them to travel free, when on duty, over any railway system within the Railway Police district in which they are serving.

95. Head constables, naiks, constables and launch-ratings other than serangs and drivers will be allowed, when granted leave, free third class railway and steamer warrants to and from their homes, subject to the conditions set forth in S. R. 137A of the Fundamental Rules. **Railway and steamer warrants for journeys on leave.**

NOTE.—(*i*) Fee railway and steamer awrrants shall be allowed only when the officer or rating has applied for them before leaving his station to go home.

(*ii*) The grant of warrants under this regulation will be noted, in red ink, in the service book or roll of the officer or rating immediately under the entry recording the granting of the leave, with the numbers of the warrants and the names of the stations to which they were issued.

96. A head constable, naik or constable invalided out of the service, or summarily discharged on medical grounds as unfit for service, is entitled to a free warrant for a single ticket by railway and steamer to his home. **Railway and steamer warrants on discharge on medical grounds.**

97. Save as provided in regulations 105, 886 and 887, police officers of all ranks and launch-ratings are forbidden directly or indirectly— **Extra departmental influence not to be solicited.**

(*i*) to seek or obtain interviews, except in the course of their duty, with Ministers or Secretaries to Government without the prior sanction of the Inspector-General; **[§ 12, Act V, 1861.]**

(*ii*) to approach members of the Legislature with a view to having any grievance made the object of a question or interpellation in the Legislature; or

(*iii*) to approach any officer or another department, any non-official, or any association for support in pressing the claims, or obtaining redress of the grievances, of individuals, or to obtain from any such officer, non-official or association any certificate or letter of recommendation other than (*i*) a certificate under regulation 1048 or (*ii*) a formal letter bringing to the notice of a Superintendent specific services rendered to, or under the official cognisance of, the writer.

97A. Regulation 97 will apply also to clerks.

98. Police officers of all ranks are prohibited from bringing civil suits against persons residing in the district in which they are employed or against any police officer for acts done in connection with the discharge of his official functions without the sanction of the Superintendent, who shall report the facts of each case, as it occurs, to the Inspector-General through the District Magistrate and the Deputy Inspector-General. **Civil suits by police officers. [§ 12, Act V 1861.]**

II—DEFENCE OF POLICE OFFICERS IN CRIMINAL AND CIVIL SUITS.

General principle to be observed.

[§ 3, Act V, 1861.]

99. (*a*) The Provincial Government recognises its obligation to protect police officers who in the course of the lawful discharge of duty have become involved in litigation, either civil or criminal, when it appears to the Provincial Government that they have acted in good faith but the Provincial Government does not bind itself to undertake their defence or afford assistance when this is not the case.

(*b*) When the Provincial Government declines to defend, it rests with the officer concerned to take such measures as he considers necessary at his own expense, but the Provincial Government will defray his reasonable costs in the event of his being acquitted, and it being shown that his conduct throughout has been free from blame. If though acquitted of the offence charged, his conduct should appear to be blame-worthy, he shall receive only such portion, if any, of the expenses incurred by him as the Provincial Government may deem fit to pay.

Superintendent or corresponding superior officer to be informed of criminal and civil suits.

[§ 3, Act V, 1861.]

100. All police officers against whom any criminal prosecution or civil suit is instituted shall at once inform the Superintendent or corresponding superior officer.

Civil suits or criminal prosecutions by or against police officers.

[§ 3, Act V, 1861.]

101. In the case of a civil suit or a criminal prosecution by or against a police officer in connection with the discharge of his official functions, the following course shall be followed:—

Previous sanction necessary before any action, civil or criminal, is taken by a police officer.

(*i*) A police officer wanting redress for some wrong which he has suffered in connection with the discharge of his official functions shall, whether he proposes to institute a civil suit or criminal prosecution on his own responsibility and at his own cost or whether he desires that the suit or prosecution should be instituted in his name under the orders and at the cost of the Provincial Government, submit through his official superiors a full report on the whole case to the Legal Remembrancer before taking any steps in the matter. On receipt of such report, the Legal Remembrancer will submit the case with his remarks for the orders of the Provincial Government.

Procedure in civil suits against a police officer.

(*ii*) If any suit is instituted against a police officer for anything done in his official capacity without the notice required by section 80 of the Code of Civil Procedure, 1908, having been duly served on him, he shall, as a rule, move the court to dismiss it on the ground that it has been instituted contrary to the provisions of that section. An alleged extortion of money for an officer's own benefit, and not for the benefit or supposed benefit of the case he is investigating does not come within the wording of section 80 and no notice is necessary in such cases.

If, however, such notice is given, he shall at once report to his superior officers all the circumstances necessary to the forming of an opinion on the case, stating whether he proposes to deal with the matter on his own responsibility and at his own cost or whether he desires that the suit should be taken up in his name under the orders and at the cost of Provincial Government. The superior officer receiving such report shall without delay, after making any enquiry that may be necessary, submit a full report with a statement of the action proposed to be taken for the orders of the Provincial Government through the Legal Remembrancer, and before the receipt of such orders all steps in the matter shall, if possible, be avoided. But, subject to the sanction of the Provincial Government, nothing herein shall prevent the police officer concerned from entering into an arrangement for the amicable settlement of the case.

(*iii*) An officer preparing a report under the above rule or moving the court to dismiss the suit shall be entitled to the assistance of the Government Pleader.

Procedure in criminal cases against a police officer.

(*iv*) Section 197 of the Code of Criminal Procedure lays down a special procedure in regard to criminal prosecutions against certain classes of officers, while section 42 of the Police Act, 1861, sets a limit within which action against a police officer is to be taken and indicates the procedure in regard to this. In those cases there will always be ample time to obtain the orders of the Provincial Government as to the defence of the officer, and this shall be done. In the case of criminal prosecutions against other classes of police officers it may frequently be impossible to obtain the orders of the Provincial Government before the commencement of the proceedings in court. In that case it would rest with the District Magistrate after consulting the Superinendent, to decide whether the defence shall be undertaken by the Provincial Government or not. In the event of disagreement between the District Magistrate and the Superintendent concerning the defence of the accused police officer, the District Magistrate shall instruct the Public Prosecutor to appear for the accused officer in the initial proceedings and request the court to postpone the case pending a decision by the Provincial Government as to whether he should be defended at the cost of the Provincial Government or not. In such cases a full report shall be sent to the Provincial Government as early as possible stating the course the District Magistrate has decided to adopt.

Procedure in civil suits or criminal cases before a union court or union bench.

(*v*) Immediately upon the institution before a union court or union bench of a suit or case against a police officer, the officer in charge of the police-station concerned shall send the necessary intimation to the Superintendent. If at any time it is necessary to obtain copies of the record of the case, the Superintendent shall apply for copies as prescribed in rule 7 of the rules framed by the Provincial Government under the Bengal Village Self-Government Act, 1919 (Bengal Act V of 1919), and issued with Judicial Department notification No. 5649J., dated the 13th August 1926, and payment according to the scale therein laid down shall be made from contingencies.

(*vi*) When the Provincial Government undertakes the conduct of a case, civil or criminal, instituted by or against a police officer, the head of the department in respect of a civil suit or the Magistarte in respect of a criminal case may deal with it in consultation with the officer concerned in accordance with the regulations herein laid down or he may, with the sanction of the Legal Remembrancer, delegate his duties to the officer concerned on condition that the said regulations are strictly observed. In the latter case, the officer concerned shall conduct the case at a reasonable cost which must not exceed Rs.250 without the previous sanction of the Legal Remembrancer. The Provincial Government will not be bound to pay any expenses unless these rules are complied with. **Conduct of cases.**

If in a case in which the Provincial Government has undertaken the defence of an officer the decision of the first court is against him, the question whether an appeal should be filed at the cost of the Provincial Government or whether the damages awarded to the plaintiff or the fine imposed should be paid by the Provincial Government shall be decided by the Provincial Government either on the application of the officer concerned who should move his immediate superior in the matter or on the representation of his superior officer.

(*vii*) All applications for the defence of police officers at the cost of the Provincial Government in civil suits and criminal cases shall be submitted to the Inspector-General through the District Magistrate and the Deputy Inspecor-General by the Superintendent concerned. A similar procedure should be followed in the case of applications for expenses in cases and suits in which police officers are complainants.

(*viii*) In cases against officers of the Criminal Investigation Department or the Railway Police, the Magistrate of the district in which the case is instituted shall be considered the District Magistrate for the purposes of this regulation.

102. In all cases of criminal prosecutions brought against police officers for acts done in the performance of their public duties, Public Prosecutors are bound to defend them and are entitled to fees provided that the Provincial Government has sanctioned the defence being undertaken by the Provincial Government at its expense. The sanction of the Provincial Government shall, in the first instance, be obtained by the departmental head of the officer through the Legal Remembrancer before any action is taken in this behalf unless there be no time for such reference. **Employment of Public Prosecutor for defence in cases brought by private parties. (§ 3, Act V, 1861.)**

103. Where no appearance is entered on behalf of the Provincial Government and the action is dismissed, or the accused discharged or acquitted, the case will be dealt with as is laid down in clause (*b*) of regulation 99, allowance being made for the expenses (if any), realizable under the order of the Court. **Acquittal or dismissal of case, when Government does not appear. (§ 3, Act V, 1861.)**

104. (*a*) It is to be distinctly understood that charges, the payment of which may be applied for under these rules, shall be moderate and that the Provincial Government does not bind itself to pay unnecessary expenses which the officer concerned may choose **Charges must be moderate. (§ 3, Act V, 1861.)**

to incur. In petty cases, an appearance in person or with departmental aid, *e.g.*, of the Court Inspector or Sub-Inspector will be often quite sufficient and where this is so, the employment of a pleader is superfluous. Requests for the payment of counsel shall be entertained only under very exceptional circumstances and if counsel is not engaged on the other side, ordinarily counsel shall not be employed at the expense of the Provincial Government on behalf of the police officer.

(*b*) If the officer wins the case and the costs or damages or compensation are awarded to him, the expenditure incurred by the Provincial Government up to the limit of such costs, damages or compensation shall be refunded by him.

The following general principles are laid down for the guidance of Superintendents in scrutinising the claims of police officers for the cost of their defence in civil or criminal cases brought against them in the discharge of duty:—

I. Criminal Proceedings.—(*i*) *In trial before a Magistrate.*—One pleader at a fee not exceeding that ordinary allowed to the Public Prosecutor of the district and subject to the usual restriction of half fee for a half-day's work. A junior pleader or a mukhteer would also be allowed in heavy cases where elaborate notes have to be taken of the evidence, and the evidence carefully analysed.

(*ii*) *In appeals and revisions before the District Magistrate or Additional District Magistrate and before the Sessions Judge.*—One senior pleader as above.

(*iii*) *In a sessions trial.*—One senior and one junior pleader on the fees generally allowed to them when employed by the Provincial Government in sessions cases.

(Charges incurred in connection with preliminary enquiries, etc., in which the attendance of the officer concerned is optional, will ordinarily be disallowed.)

II. Civil Proceedings.—(*i*) *In suits before a Munsif or a Subordinate Judge.*—One pleader at a fee not exceeding that ordinarily allowed to the Government Pleader of the district, subject to the restriction referred to above, and, in addition, in exceptionally heavy cases, one junior pleader.

(*ii*) *In appeals.*—One senior pleader as above.

III. Incidental Expenses.—(*i*) Fees for standing surety, but only in exceptional circumstances.

(*ii*) Actual travelling and diet expenses of defence witnesses.

(*iii*) Actual and necessary travelling expenses and necessary charges for board and lodging limited to daily allowance of the officers concerned, whether on duty, leave or under suspension.

(*iv*) Reasonable charges on account of pleader's clerk's remuneration, cost of certified copies, court-fees, process-fees, etc.

(*v*) Reasonable charges in connection with applications for transfer, provided the Superintendent has been previously consulted and has approved of the course adopted by the officer concerned.

IV. Cost of defence in cases of Enquiry by Commission.—In cases of Enquiry by a Commission, whether such Commission is appointed under the Public Servants' Enquiries Act or under any other rules or orders, the Public Prosecutor shall ordinarily be engaged to put the case before the Commission; if his services are not available, some other pleader may, with the previous sanction of the Legal Remembrancer, be engaged. It will be open to the officer whose conduct is under investigation to be represented by a pleader; but any claim by the officer to be reimbursed the reasonable expenses of his defence will be considered only if he is honourably acquitted of the charge in respect of which the enquiry has been ordered. In such cases, no officer shall be entitled to receive, on account of lawyer's fees, any sum greater than the amount paid by the Provincial Government to the Public Prosecutor or other pleader engaged for his services in putting the case before the Commission.

III—GOVERNMENT SERVANTS' CONDUCT RULES AND OTHER GENERAL INSTRUCTIONS.

Interviews with the Deputy Inspector-General or Inspector-General.
(§ 12, Act V, 1861.)

105. (*a*) A subordinate police officer who wishes to make a representation about his promotion, transfer or leave or about any other matter may not interview—

(*i*) a Deputy Inspector-General without the permission of the Superintendent of the district where he is serving (or, if he is on transfer, of the district from which he is transferred), or

(*ii*) the Inspector-General without the permission both of such Superintendent and of the Deputy Inspector-General.

(*b*) Such permission shall not ordinarily be refused.

105A. Regulation 105 will apply also to clerks.

Government Servants' Conduct Rules.

106. The Government Servants' Conduct Rules applicable to the services recruited by the Secretary of State shall be binding on all officers of the Indian Police, and those applicable to services under the control of the Provincial Government are binding on all other servants of the Crown.

Connection with publicity agencies.
(§ 12, Act V, 1861.)

107. (*a*) Every person to whom these regulations apply is prohibited from being an accredited correspondent of any news agency or of any newspaper or other periodical.

(*b*) The rules framed by Government relating to broadcasting by wireless are binding on all persons to whom these regulations apply.

Criticisms of Government policy forbidden.
(§ 12, Act V, 1861.)

108. An officer is entitled to form and to hold his own opinion on public matters: but he is not at liberty to attack what he knows or believes to be a policy or procedure deliberately approved by Government, or to make public (whether in writing or in speech or otherwise) any opinion on matters of Government policy which are, or are likely to be, the subject of public discussions. If a decision of Government does not commend itself to any officer who has to carry it out, he has,

after making proper representations to his official superior, no other course open to him but to acquiesce loyaly and silently or to resign his position in the service.

Borrowing and lending money. (§ 12, Act V, 1861.)

109. (*a*) All police officers, from the highest to the lowest, are absolutely forbidden, except in the ordinary course of business with a bank or firm of standing, to borow money from, or otherwise place themselves under a pecuniary obligation to, any person or persons subject to their official authority, or residing, possessing land or carrying on business within the local limits of such authority. Any such act shall be considered as tantamount to an act of corruption, and dismissal shall be the only punishment. This prohibition extends to lending money at interest whether directly or through relatives or other agents, to their subordinates or to any person or persons possessing land, with or without security, within the local limits of their authority. The prohibition contained in the Government of India, Home Department, Resolution No. 2 B.-87-103, dated the 16th January 1890, shall be held applicable to loans whether on the security of a mortgage or unsecured to estates administered under a Court of Wards or an Encumbered Estates Act. (*Vide* India Government No. 2276-319-2, dated the 30th September 1899.)

(*b*) A gazetted officer is forbidden to borrow money from a co-operative society unless he is specifically permitted by the Provincial Government to do so.

NOTE.—*See* Government Servants' Conduct Rules.

Purchase at Government auctions. (§ 12, Act V, 1861.)

110. Police officers are prohibited from bidding for or purchasing anything at a Government sale, without the previous sanction of the Deputy Inspector-General.

Holding or acquiring shares in any company.

111. (*a*) When a servant of the Crown receives orders of transfer to a district in which the operations of a company in which he holds shares are conducted, he shall at once report the possession of such shares to the Inspector-General through his official superiors.

(*b*) A servant of the Crown may not acquire by purchase shares in any company, the operations of which are conducted in the district in which he is employed for the time being.

(*c*) When a servant of the Crown acquires by succession inheritance, bequest or gift shares in a company, the operations of which are conducted in the district in which he is employed, he shall at once report such acquisition to the Inspector-General through his official superiors.

Immovable property held or acquired by police officers and clerks.

112. (*a*) Subject to clause (*b*), every officer, whether gazetted or subordinate, shall submit to the authority shown in the table below:—

(*i*) on appointment, a declaration of all immovable property in India held by him or by his wife or by any member of his family living with him or in any way dependent on him; and

(*ii*) in the first week of March each year, an annual statement in B. P. Form No. 5 either of alterations or of the fact that there is no alteration.

Rank or designation.	Authority to whom submitted.
(1) Officers of the Indian Police and Provincial Police Service a d clerks in the office of the Inspector-General.	Inspector-General.
(2) Inspectors, Sub-Inspectors, Sergeants a d Assistant Sub-Inspectors and clerks in the offices of Superintendents.	Superintendent of the district in which they serve (including Principal, Police Training College).
(3) Clerks in the offices of Deputy Inspectors-General.	Deputy Inspector-General concerned.

(*b*) No declaration or statement is required (1) from any launch-rating, or (2) from a head constable or constable but any such officer promoted to the rank of Assistant Sub-Inspector or Sub-Inspector shall submit the declaration prescribed above, and continue, thereafter, to submit annual statements.

(*c*) A police officer is forbidden to purchase land or other immovable property elsewhere than in his home district, whether in his own name or in the names of his wives, children, relatives, dependants or servants or in any way *benami* or to sell land or other immovable property held elsewhere than in his home district, without the previous sanction of the Inspector-General. In applying for such sanction, an officer shall give full particulars of the land or other immovable property and of the reasons for the purchase or sale.

Using subordinates for private purposes. (§ 12, Act V, 1861.)

113. The employment of subordinates as if they were an officer's personal servants, for procuring supplies, making themselves generally useful, doing work of a menial nature and the like, is prohibited as being an indefensible abuse of authority and as being likely to place the officer in a false position and expose him to misrepresentations. Superintendents and Deputy Inspectors-General are explicitly required to report any contravention of this regulation to the Inspector-General.

Loss of Crown property.

114. If any loss, destruction or damage of property which belongs to the Crown or for which the Provincial Government is responsible takes place owing to any default, negligence or disobedience of orders on the part of any police officer, clerk or launch-rating, he may be ordered to make good the value of it.

Officers not to leave district or place of posting without permission. (§ 12, Act V, 1861.)

115.(*a*) No Superintendent, Assistant Superintendent or Deputy Superintendent shall on account leave his district without the permission of the Deputy Inspector-General, except on duty of the most urgent nature or as authorised by clause (*c*).

(*b*) No other police officer shall leave the circle, police-station or place to which he is posted, except on duty or with the express permission of an officer authorised to give it or when he is relieved.

(c) A Superintendent may leave his district for the purpose of attending a co-operation conference or meeting held within or without the province under these regulations but shall give prior notice to the Deputy Inspector-General of the Range.

116. Every police officer of or below the rank of Inspector shall, when visiting on duty the headquarters of any district, report to the Superintendent, either personally or in writing.

If he belongs to another district he shall state what is the reason for the visit and whether he requires assistance from the local police. [§12, Act V, 1861.]

Subordinate officers visiting district headquarters.

117. Every police officer wherever he may be, whether within or without the district to which he is posted, shall be subordinate to, and is bound to carry out any legal order given by any police officer or superior rank. [§ 12, Act V, 1861.]

All ranks subject to superior authority.

118. The first and most important duty of the police is the prevention of crime and the maintenance of law and order. The great mass of crime consists of offences against property, against which the police can afford a large measure of protection, either directly by regular and efficient patrolling, or indirectly by the exercise of a proper surveillance over bad characters. To obtain a knowledge of the persons addicted to crime and to maintain adequate supervision over them should be the aim of every member of the force. [§ 12, Act V, 1861.]

Prevention of crime and maintenance of law and order.

119. The successful detection of such crime as the police cannot or do not prevent is also of the greatest importance. But an officer will be judged not by his percentage of successes in the investigation and prosecution of offences, which is to some extent a matter of fortune, but by his display of method and intelligence in detection, his general efficiency and keenness, his management of his subordinates, and above all by his knowledge and control of the local charge committed to him. [§ 12, Act V, 1861.]

Standard by which officers will be judged.

120. It is the duty of every officer to see that all cognizable crime is reported and registered. The public will best be encouraged to give full information if the police exercise a wise discretion under section 157 of the Code of Criminal Procedure and avoid investigation in trivial cases. If offences against property, and even attempts to commit them are concealed, a valuable indication as to the movements of bad characters is thereby lost. A rise in the percentage of uninvestigated offences, therefore, is by no means to be feared in itself, provided that inspecting officers satisfy themselves that offences are not being minimised. [§ 12, Act V, 1861.]

The reporting of crime.

IV.—CO-OPERATION, CONFERENCES AND MEETINGS.

121. All police officers shall assist one another, to the best of their ability, in the execution of their duties whenever such assistance is actually demanded or appears to be required. [§ 12, Act V 1861.]

Police officer to assist one another.

Co-operation, conference and meetings. [§ 12, Act V, 1861.]

122. Close co-operation at all times between officers whose jurisdictions from a common field for the depredations of a criminal or of a gang is essential. As an aid to such co-operation, periodical conferences shall, and special co-operation meetings may, be convened by different officers according to the succeeding regulations.

Annual Range conferences. [§ 12, Act V, 1861.]

123. (*a*) Every Deputy Inspector-General in charge of a Range shall hold a Range conference annually at some convenient place within the Range, and all Superintendents serving in the Range shall attend. The Superintendents of districts adjoining the Range and of Railway Police district traversing the Range may also be invited to attend if the Deputy Inspector-General considers their presence desirable. Each Deputy Inspector-General shall fix the date for his Range conference in consultation with the Deputy Inspector-General in charge of adjacent Ranges.

(*b*) Each Superintendent within the Range shall forward to the Deputy Inspector-General, not less than two months before the date of the conference, a list of subjects to be discussed and the names of any Superintendents of other Ranges with whom he desires to discuss any subjects. The Deputy Inspector-General shall circulate a complete list of the agenda to the Deputy Inspector-General, Criminal Investigation Department, and to all officers who will attend, at least one week before the conference.

(*c*) The Deputy Inspector-General, Criminal Investigation Department, may attend, or direct his Assistant to attend, any of these conferences, if it is considered desirable.

Quarterly district and circle conferences. [§ 12, Act V, 1861.]

124. (*a*) (*i*) The Superintendent shall hold quarterly conferences with all gazetted police officers in the district. The conferences may be held at district headquarters or elsewhere at his discretion.

Note.—The Superintendent should invite the District Magistrate to attend these quarterly conferences whenever there are questions which his presence might help to answer.

(*ii*) The Superintendent shall fix the dates on which such conferences will be held.

(*iii*) At such conferences the action to be taken against crime in the district and the work of the officers serving under the Inspectors shall invariably be discussed. No agenda shall be circulated but the Superintendent may allow, at his discretion, discussion of any other matter. Officers attending the conference should, if possible, inform him, at least fifteen days before the date fixed for the conference, of any matter which they wish to suggest for discussion.

(*b*) Each Circle Inspector should hold a conference once a quarter to be attended by officers-in-charge of police-stations, and by such other officers as he may summon, within his circle: if he thinks the presence of any officer not serving within his circle to be advisable, he should report the matter to the Superintendent. At each such conference the resolution of the last district conference shall be explained and police matters of local interest shall be discussed.

Special co-operation meetings.

125. A special co-operation meeting, for the purpose of discussing any emergency, may be held at any time and at any place within his jurisdiction— [§ 12, Act V, 1861.]

(*i*) by a Deputy Inspector-General of a Range, with other Deputy Inspectors-General or with Superintendents and other officers;

(*ii*) by a Superintendent, with officers serving in his own district or, with the previous sanction of the Deputy Inspector-General of the Range, with other Superintendents,

(*iii*) by a Subdivisional Police Officer with officers serving in his subdivision or with the previous sanction of the Superintendent, with other officers;

(*iv*) by a Circle Inspector, with the previous sanction of the Superintendent, with other Inspectors of the same or neighbouring districts and with officers serving under himself or them.

Minutes of conferences and meetings.

126. (*a*) A conference or co-operation meeting shall be presided over by the senior officer present.

(*b*) The minutes of conferences and meetings shall be recorded by or under the direction of the presiding officer, in such a way that matters of general interest are kept separate from those of purely local interest. [§ 12, Act V, 1861.]

(*c*) Extracts regarding matters of general interest shall be sent to all officers who attend the conference or meeting, and extracts of matters of local interest to the officers concerned.

(*d*) Copies of the minutes of special meetings convened with the sanction of a Deputy Inspector-General shall be sent to that officer and copies of the minutes of any special meeting convened by a Subdivisional Police Officer or by an Inspector shall be sent to the Superintendent of the district in which it was held.

(*e*) The fact that he has attended a conference or meeting shall be noted (1) by an Inspector in his personal diary and (2) by a Sub-Inspector in the *mufassil* or general diary according to the place where the meeting was held.

Co-operation meetings with Magistrates.

127. (*a*) Subdivisional Police Officers and Circle Inspectors (except those of the Railway Police) shall attend the quarterly meetings held by Subdivisional Magistrates in accordance with Government Order No. 420-46 Pl., dated the 25th February 1936. They shall point out any areas in which crime is excessively prevalent or on the increase, which are the homes of dangerous characters or which, for any other reason, demand the special attention of the union board and rural police. They shall also discuss any failure to pay or equip the rural police properly, any case contemplated under section 110 of the Code of Criminal Procedure and any other matters of interest both to the police and the magistracy. [§ 12, Act V, 1861.]

(*b*) The copies of the minutes of these meetings received by the Superintendent shall be kept in a separate file in his office.

Co-operation with the Calcutta Police.

128. (*a*) All officers whose jurisdictions adjoin or are near to Calcutta shall keep in close touch with officers of the Calcutta Police and co-operate with them whenever necessary.

[§ 12, Act V, 1861.]

(*b*) Superintendents of districts (including Railway districts) round Calcutta, and the Assistant to the Deputy Inspector-General, Criminal Investigation Department, shall detail officers to attend the monthly meetings held at the headquarters of the Calcutta Police.

(*c*) Any investigating officer of the Bengal Police, who has to pursue enquiries in Calcutta, shall ordinarily introduce himself to the officer-in-charge of the police-station where the enquiries are to be made, but, if he needs the help of the Detective Department of the Calcutta Police, he shall first report himself to the Assistant Commissioner of that department.

Co-operation with Burma Police.

(*d*) The Superintendent of Police, Chittagong, may proceed to Akyab in Burma to attend co-operation meetings with the Superintendent of Police, Akyab. Such meetings should be held in Burma and Bengal in alternative years.

Co-operation with borderingStates and provinces.

128A. Co-operation between neighbouring police-stations and districts should not stop at the provincial or state boundary. There shall be close co-operation between officers of neighbouring police-stations, circles subdivisions and districts including those of bordering states and provinces.

Co-operation with Excise officers.

[§ 12, Act V, 1861.]

129. (*a*) All ranks of the police shall render to and receive from all officers and men of the Excise Department full co-operation in the prevention and detection of offences under the Excise, Opium and like Acts. For the purpose of this regulation, co-operation shall be deemed to include the grant of facilities for the examination of documents and records, and for attendance at chaukidari parades and co-operation conference or meetings of police officers.

(*b*) Copies of the preliminary reports of searches, arrests and seizures made by the police under the Bengal Excise Act, 1909, shall be sent to the Collector or the Excise officer in whose jurisdiction the searches, arrests or seizures are made. The forms of such preliminary reports may be obtained from the Excise Department.

Inspection of poison shops.

130. Any police officer duly empowered in this respect by the District Magistrate shall periodically visit and inspect the premises of the holder of a license under the Poisons Act, 1919, where poisons are kept for sale, and inspect the stock found therein and the registers maintained under the Act. The result of each inspection shall be noted in registers of the shop and also in the *mufassil* or personal diary of the officer, any serious breach of the conditions of license being specially reported to the Superintendent without delay.

V.—ASSEMBLIES AND PROCESSIONS.

(*i*) *Powers.*

General powers.

[§ 12, Act V, 1861.]

131. The duties and powers of the police in respect of the control of assemblies and processions are set forth in sections 30, 30A, 31 and 32 of the Police Act, 1861.

132. (*a*) In regulations 135, 137 and 138 the word "Superintendent"includes an Assistant Superintendent and [subject to clauses (*b*) and (*c*) of this regulation], a Deputy Superintendent or an Inspector. **Officers empowered as Superintendents.**

(*b*) Every Deputy Superintendent has been appointed to perform, m the district where he is appointed as such all the duties of a District Superintendent under sections 30 and 30A of the Police, Act, 1861. **[§ 12, Act V, 1861.]**

(*c*) Every Circle Inspector has been appointed to perfom in the subdivision or circle to which he is posted as an Inspector, all the duties of a District Superintendent under sub-sections (*3*) and (*4*) of section 30 of that Act subject to the limitation that, whenever possible, he shall obtain the order of a superior officer in the matter.

(*ii*) *Action to be taken before the assembly or procession is held.*

133. Circle Inspectors and officers in charge of police-stations shall cause timely information to be sent to the Superintendent or Sub-divisional Police Officer of any projected gathering, procession, festival or other event that is likely to make the exercise of their powers under section 30 of the Police Act, 1861, advisable. **Prior information to be given of assemblies and processions.**

At each police-station a record of dates, routes and orders in force for processions and assemblies during festivals and on other occasions shall be maintained. Such record shall contain as far as possible the prevailing practice with regard to routes, hours and conduct of all such processions and assemblies. It will be the duty of officers-in-charge of police-stations to see that these rules and orders are adhered to and that no deviation is allowed except for urgent and strong reasons. Immediately after each occasion an entry shall be made in the register recording whether the function passed off uneventfully or whether any unusual incident occurred which might indicate the necessity for a revision of the orders. **[§ 12, Act V, 1861.]**

134. If a police officer considers that an assembly or procession should be prohibited, he should move the appropriate Magistrate to issue an order under section 144 of the Code of Criminal Procedure. No police officer as such has power to prohibit it. **Prohibition of assembly or procession.** **[§ 12, Act V, 1861.]**

135. If any Superintendent considers it necessary to call upon any person or class of person under section 30(*2*) of the Police Act, 1861, to apply for a license in respect of an assembly or procession— **Issue of notices under section 30(2) of the Police Act.**

(*i*) he shall obtain from the District or Subdivisional Magistrate a statement in writing that, in the judgment of such Magistrate, the assembly or procession is likely, if held during a certain period and uncontrolled, to cause a breach of the peace, **[§ 12, Act V, 1861.]**

(*ii*) he shall cause a general or special notice in B. P. Form No. 6 or 7 to be issued directing the persons concerned to apply for a license, and

(*iii*) he shall specify in such notice the length of the period during which a license shall be necessary for any such assembly or procession, if the notice is intended to cover more than a particular occasion, e.g., the *Muharram* festival.

Form of license. [§ 12, Act V, 1861.]

136. (*a*) The license to be issued under section 30(*3*) of the Police Act, 1861, shall be in B. P. Form No. 8 and shall be prepared as directed in regulations 138 and 139.

(*b*) The officer issuing the license may alter or omit any of the conditions printed in the form and may impose any other conditions to suit the needs of any particular occasion or locality.

Directions under section 30(1) of the Police Act. [§ 12, Act V, 1861.]

137. (*a*) Under section 30(*1*) of the Police Act, 1861, a Superintendent may issue directions regarding the conduct of an assembly or procession whether it is licensed or not and whether there has been a notice requiring, or an application requesting a license or not.

(*b*) Unless he proposes to take action under regulation 134, he should issue such directions whenever any person gives notice of his intention to convene or collect an assembly or to direct or promote a procession regarding which no notice has issued requiring an application for a license.

(*c*) Directions under section 30(*1*) of the Police Act, 1861, should, whenever possible, be given in writing, in B. P. Form No. 9; but disobedience of verbal directions also, by any person who is aware of them, is punishable under section 32 of that Act.

(*d*) The Superintendent may alter or omit any of the directions printed in B. P. Form No. 9 and may issue any other directions to suit the needs of any particular occasion or locality.

Matters to be included in licenses and directions. [§ 12, Act V, 1861.]

138. (*a*) When a Superintendent issues licenses in B. P. Form No. 8 or directions in B. P. Form No. 9 he shall satisfy himself that they include, in addition to the particulars indicated in the form, any special conditions or directions necessary for the preservation of the peace.

(*b*) He shall not allow persons taking part in an assembly or procession to carry weapons, or instruments capable of being used as weapons of offence, other than those which, in his opinion, are required for purposes of display or are a necessary feature of the assembly or procession.

(*c*) The police should check the indiscriminate use of fireworks on all occasions private or public and the Superintendent should therefore specify among the conditions of a license or in the direction issued under section 30(*1*) of the Police Act, 1861, the number and type of fireworks, if any, that may be let off in any assembly or procession, after consulting if necessary the Municipal Commissioners.

139. Licenses and any directions issued in B. P. Form No. 9 shall be in triplicate: one copy shall be given to the licensee or the person to whom the directions are addressed, one retained in the Superintendent's office, and one sent to the police-station concerned, where it shall be retained in a special file for 3 years. **Licenses and directions to be in triplicate.**

140. If, notwithstanding the issue of a notice under section 30 (2) of the Police Act, 1861, an assembly or procession is held wihhout a license, a prosecution under section 32 of that Act will lie against any conveners or collectors of the Assembly or any directors or promoters of the procession who have disobeyed the notice to apply for a license, but not against any other person merely because he is a member of the assembly or takes part in the procession. **Disobedience of notice to apply for license. [§ 12, Act V, 1861.]**

(*iii*) *Action to be taken during and after assemblies and processions.*

141. (*a*) It is the duty of police officers who are present at an assembly or procession to give reasonable orders under section 31 of the Police Act, 1861, and to note the name and address and the actions of any person who disobeys and such orders or any orders issued under section 30(*1*) of that Act whether the orders are verbal or in writing. **Action under sections 31 and 32, Police Act. [§ 12, Act V, 1861.]**

(*b*) Since an offence under section 32 of the Police Act, 1861, is non-cognizable, a police officer has no power forthwith to arrest a person who commits such offence unless—

(*i*) an arrest is justified under section 57(*1*) of the Code of Criminal Procedure,

(*ii*) the action which is an offence under section 32 of the Police Act, 1861, is also a cognizable offence under some other section of any law, or

(*iii*) a Magistrate is present and issues orders of arrest under section 64 of the Code of Criminal Procedure.

142. An order to disperse may be given under section 30A(*1*) of the Police Act, 1861, only if an assembly or procession has violated the conditions of a license issued in B. P. Form No. 8. It is not a substitute for an order under section 127(*1*) of the Code of Criminal Procedure, and, before force can be used to disperse an assembly or procession which has disobeyed it, a second order to disperse must normally (*vide* regulation 143) be given, under section 127(*1*) of the Code of Criminal Procedure. When, therefore, there is no time for more than one order to disperse, such order should be given under section 127(*1*) of the said Code. **Effect of disobedience of orders under section 30A (1), Police Act. [§ 12, Act V, 1861.]**

The advantage of giving an order under section 30A(*1*) of the Police Act, 1861, are—

(*i*) that an assembly or procession which disobeys it becomes at once an unlawful assembly and sections 127 and 128 of the Code of Criminal Procedure then become applicable even though the circumstances would otherwise not permit their use, and

(*ii*) that the members of such an assembly or procession may be arrested without warrant as being guilty of an offence under section 143 of the Indian Penal Code.

Dispersal of assembly or procession. [§ 12, Act V, 1861.]

143. An assembly or procession, whether licensed under section 30(*3*) of the Police Act, 1861, or not, may be dispersed by force only under section 128 of the Code of Criminal Procedure, that is to say only—

(*i*) if it has duly been ordered to disperse under section 127(*1*) of the Code of Criminal Procedure and has not dispersed, or

(*ii*) if it has conducted itself in such a manner as to show a determination not to disperse.

Prosecutions. [§ 12, Act V, 1861.]

144. (*a*) A prosecution will lie under section 32 of the Police Act, 1861, against—

(*1*) any person who violates the conditions of a license issued under section 30(*3*) of that Act, and

(*2*) any member of an assembly or procession, whether licensed or otherwise, who—

(*i*) knowingly disobeys directions issued by a Superintendent under section 30(*1*) of that Act, or

(*ii*) disobeys the reasonable orders of a police officer under section 31 of that Act.

(*b*) A prosecution will lie—

(*i*) under section 143 of the Indian Penal Code against any person who is a member of a licensed assembly or procession which neglects or refuses to obey an order under section 30A(*1*) of the Police Act, 1861, and thereby becomes an unlawful assembly, and

(*ii*) under section 145 of the Indian Penal Code, against any person who joins or continues in an unlawful assembly after it has been duly ordered to disperse under section 127 of the Code of Criminal Procedure.

VI—EMPLOYMENT OF ARMED PARTIES AND USE OF FIREARMS BY THE POLICE DURING RIOTS AND DISTURBANCES.

Employment of armed parties. [§12. Act V, 1861,]

145. (*a*) If an officer-in-charge of a police-station learns that a serious riot or other disturbance has broken out or is about to break out or that any crime is being or is about to be committed by an armed gang or that any persons against whom he is about to proceed will be armed with deadly weapons, he may arm some of his constables with the muskets issued to the police-station. He shall himself take command of such constables and proceed with them and with such other force as may be necessary to the place of the disturbance or crime. He may, however, for special reasons, which he shall record in the general diary, devolve such command upon a junior Sub-Inspector, an Assistant Sub-Inspector or a head constable on whom he thinks it safe

to rely: he shall give such officer upon whom he devolves the command as clear and specific orders as circumstances permit as to the duties to be performed by the armed constables. In the event of there being no officer-in-charge at a police-station, if reliable information is received by the senior constable of apprehension or existence of a serious disturbance, such constable shall proceed to the place himself with such force as can be spared, armed with muskets and ball ammunition. He must bear in mind that if he meets with resistance he can act in the exercise of the right of private defence, though he has not the power to disperse an unlawful assembly by force.

(*b*) The police officer who leads or sends out armed constables under clause (*a*) above should, whenever possible, inform the nearest Magistrate and give him an opportunity of accompanying the party. The departure or despatch of an armed force must, however, on no account be held up to the possible deterioration of the situation, solely with a view to obtaining the accompanying presence of a Magistrate.

Employment of Special Armed Force. [§ 12, Act V, 1861.]

146. (*a*) The Special Armed Force may be employed to restore order during riots and disturbances by order of the Superintendent, who should consult the District Magistrate, if there is time to do so. The Superintendent should himself be in charge of the party whenever possible, but if he should be temporarily engaged elsewhere or the outbreak be so serious as to require him to be at a central post to coordinate the whole scheme of meeting and quelling the disturbance, the command of the whole or any part of the Special Armed Force must devolve on such officers as the Superintendent can spare and shall detail for the purpose. If it is necessary to call out the armed police in a subdivision where there is a detachment of the emergency force similar responsibility must rest on the Subdivisional Police Officer or Inspector-in-charge subject to the orders of the Subdivisional Magistrate.

(*b*) When an armed party is sent out under clause (*a*), the District Magistrate or Subdivisional Officer as the case may be, shall, if time permits, be asked to depute a Magistrate to accompany it. If time does not allow this the officer ordering out the party shall invite the nearest Magistrate available to do so. The departure or despatch of an armed force must, however, on no account be held up, to the possible deterioration of the situation, solely with a view to obtaining the accompanying presence of a Magistrate.

(*c*) In all cases when armed parties are sent out, they should keep together in compact bodies under competent officers, fully instructed. They should be given a specific task to perform and must be fully instructed as to their powers and responsibilities. The Special Armed Force should never be given the routine duty of marshalling or escorting a procession. The Superintendent, the Subdivisional Police Officer or the Circle Inspector will obtain as clear a picture as possible of the situation the armed forces have to meet and ensure, preferably by personal instruction, that each party sent out fully comprehends its objective and understands its duties and powers.

(*d*) In cases where no serious opposition is expected part of the force should be armed with bamboo *lathis* 5 feet 7 inches in length and from 4 to 3½ inches in circumference at the two ends. When it is necessary to clear or guard a road, the force so armed should be formed in double rank the first rank holding the *lathis* at the "engage" position (*see* Bayonet exercises) and the rear rank holding the *lathis* in both hands well separated over the heads of the front rank men, so as to guard their heads. It is advisable in all such cases to have a small reserve armed with muskets to meet unforeseen developments. Superintendents should take care to have a sufficient number of *lathis* ready for such occasions at stations and in the lines.

Employment of armed police in other emergencies for work proper to unarmed police.

147. (*a*) The Unarmed Police are expected to be able, with the *lathis* prescribed in regulation 146(*d*) or the canes allowed under regulation 89(*a*) to maintain and enforce order among assemblies, processions and large crowds if these are not armed with weapons of offence. There may however be exceptional circumstances in which it is desirable to employ men of the Special Armed Force for this purpose otherwise than under regulation 146.

[§ 12, Act V, 1861.]

(*b*) The Special Armed Force thus employed may be armed entirely with muskets or *lathis* or partly with muskets and partly with *lathis*.

Requisition for assistance of Eastern Frontier Rifles.

148. (*a*) Members of the Eastern Frontier Rifles, being enrolled under the Police Act, 1861, may be required, under section 128 of the Code of Criminal Procedure by a Magistrate or an officer-in-charge of a police-station or police officer of higher rank, to disperse an unlawful assembly: and they are bound under section 149 of that Code to interfere for the purpose of preventing the commission of a cognizable offence.

(*b*) If the assistance of a detachment of the Eastern Frontier Rifles is required during any disturbance, a requisition should ordinarily be made to the Inspector-General.

(*c*) If in a case of emergency the assistance of a detachment of the Eastern Frontier Rifles is requisitioned under section 128 of the Code of Criminal Procedure, the officer making the requisition shall at once infrom the Inspector-General who shall at once report to the Provincial Government the action taken.

Powers of officers of the Eastern Frontier Rifles for the purpose of dealing with unlawful assemblies.

149. The Commandant, Assistant Commandants, Subadars and Jamadars of the Eastern Frontier Rifles have been given powers of an officer-in-charge of a police-station for the purpose of dealing with unlawful assemblies or any assembly of five or more persons likely to cause a distrubance of the public peace. These powers shall not be exercised by the Commandant in the presence of a Superintendent or an Additional Superintendent of a district, by the Assistant Commandants in the presence of officers of and above the rank of Subdivisional Police Officer and by the Subadars and Jamadars in the presence of an Inspector of the District Police or the officer-in-charge of police-station. The powers will be exercised only when it becomes necessary to take action under section 127 and 128 of the Code of Criminal Procedure.

If, while the officers of the Eastern Frontier Rifles mentioned above are acting under this regulation it becomes practicable for them to communicate with an officer of the District Police in whose presence they may not exercise their powers they shall do so and shall thenceforward obey the instructions of the District Police officers concerned as to whether they shall or shall not continue to exercise their powers.

Ammunition served out to an armed party and use of pivately owned guns.

150. (*a*) The ammunition served out to any armed party shall be ball ammunition. No other sort of ammunition shall be issued under any circumstances.

(*b*) Police officers should not ordinarily take privately owned guns with them when they go to suppress a riot, but if privately owned guns are taken the use of any kind of ammunition other than ball is strictly forbidden.

[§ 12, Act V, 1861.]

Note.—Ordinary spherical ball only should be used in private weapons—explosive bullers are strictly prohibited.

Duties of a Magistrate present with an armed party.

151. When a Magistrate is present with an armed party, employed for the suppression of a riot or the dispersal of an unlawful assembly—

(*i*) he should not interfere with the disposition of the force by the police officer in command;

(*ii*) he is responsible for deciding when force is to be used and when fire shall be opened;

(*iii*) he shall, when the necessity arises, direct the officer in command to use force or open fire, but shall not, after giving such direction fetter the discretion of such officer in making his disposition for carrying out that border;

(*iv*) he shall give the warning prescribed by regulation 153(*c*)(*ii*);

(*v*) he shall have authority to direct the police officer in command to issue the order to cease fire under regulation 155(*d*); and

(*vi*) he shall submit the reports prescribed by regulation 156(*c*) when firearms have been used.

Control of armed parties by the police officers in command.

152. The following precautions shall be observed by a police officer in command of an armed party employed for the suppression of a riot or the dispersal of an unlawful assembly:—

(*i*) he should so dispose it that it has as effective a field of fire as circumstances permit;

[§ 12, Act V, 1861.]

(*ii*) he shall not bring it so close to a mob as to risk either its being overwhelmed by a sudden rush or its being forced to inflict heavy casualties;

(*iii*) if, in order to minimise injuries from missiles, the party is extended, he shall not allow it to extend so far as to affect his ability to exercise strict fire control;

(*iv*) he should order bayonets to be fixed;

(*v*) he shall give orders to the party to load, when he thinks fit. Loading without such orders is strictly forbidden;

(*vi*) for the purposes of fire control he shall ordinarily divide his force into sections of not more than ten men each and place each section under a responsible commander;

(*vii*) if the party is, or is likely to be, attacked from two directions, he shall post the men in two ranks, each facing one of those directions, with sufficient space between such ranks to enable him to move between the ranks and to control the firing; and

(*viii*) generally he should follow the riot drill instructions as closely as circumstances permit.

Use of firearms.

[§ 12, Act V, 1861.]

153. (*a*) The use of firearms is permitted for the following purposes only:—

(*i*) In exercise of the right of private defence of person or property. (Sections 96-106, Indian Penal Code.)

(*ii*) For the dispersal of unlawful assemblies. (Sections 127-128, Criminal Procedure Code.)

(*iii*) To effect an arrest in certain circumstances. (Section 46, Criminal Procedure Code.)

(*b*) *Use of firearms in the exercise of the right of private defence.*— It is essential that all ranks should appreciate and fully understand the right of private defence both of person and property. They are entitled by law to protect themselves and Crown property, e.g., their weapons, ammunition, motor transport, etc., against attack. Such attack may be met by force. This force should not inflict more harm than is necessary for protection but may extent to the causing of death. If then these circumstances are fulfilled a police officer of any rank even that of a constable is entitled to open fire. But not only has every member of the police force the right to defend himself and Crown property he has also the right and in fact it is his duty to protect other persons and the property of other persons against unlawful acts. Here again, he is entitled to use force to the extent of voluntarily causing death if he sees a private person being attacked in such a way that death or grievous hurt is likely to be caused to that person or there is grave apprehension that he may be kidnapped or wrongfully confined. Similarly, with regard to property he may intervene to the same extent to prevent robbery, house breaking by night, mischief by fire, that is arson, theft, mischief or house trespass in circumstances likely to cause apprehension of death or grievous hurt to any person if the right of private defence is not exercised.

In these circumstances a single constable acting alone may fire in accordance with what has been laid down above. If, however, he is one of a party of police, fire shall not be opened except under the orders of the senior officer present. By "present" it should be clearly understood that this relates to the senior officer in the immediate proximity of the incident. In the event of widespread attacks taking place in one area it may not be possible for the seniormost police officer in that area

to witness all that is going on and in such circumstances it must be the discretion of the senior police officer in a limited area who may witness an attack on person or property of the nature described above to give the order to open fire. So long as the police force is in close formation, only the officer-in-charge of the unit may give the order to fire, but if either under orders or as a result of the action of the opponents the police force is divided into smaller bodies then the senior officer of each small contingent even down to an isolated constable may assume the responsibility of opening fire. Independent firing by individuals on their own initiative is forbidden except when it is justified as being in the exercise of the right of private defence. The responsibility of proving that circumstances invoked the right of private defence will rest upon the individual who fires or gives the order to fire, but provided the action is taken in good faith, that individual has no need to be apprehensive of the outcome of any enquiry.

(*c*) *Use of firearms to disperse an unlawful assembly.*—(*i*) An order to fire upon a crowd should be regarded as an extreme measure to which recourse should be had only in the last resort when it is absolutely necessary for the defence of life or property or when a Magistrate, an officer-in-charge of a police-station or police officer superior in rank to such officer considers it impossible to disperse a mob by any other means.

(*ii*) Before an order is given to fire upon a crowd the Magistrate or, if no Magistrate is present, the police officer in command shall give full and sufficient warning to the rioters that they will be fired upon if they do not disperse immediately.

(*iii*) All ranks engaged in the suppression of a riot or in the dispersal of a riotous assembly must await the orders of a Magistrate, an officer-in-charge of a police-station or a police officer superior in rank to such officer before firing.

(*d*) *Use of firearms to effect arrest.*—Under section 46 of the Code of Criminal Procedure when a person forcibly resist arrest or attempts to evade arrest, subject to the important restriction that this section given no right to cause the death of a person who is not accused of an offence punishable with death or with transportation for life, a police officer may use all means necessary, including the opening of fire, to effect arrest (*see* regulation 154 below).

154. (*a*) Before a police officer fires or gives orders to fire, he shall give such warning of his intention as is possible. **General rules relating the use of firearms. [§ 12, Act V, 1861.]**

NOTE.—In the event of the exercise of the right of private defence it may not always be possible to give warning without the offender being enabled to fulfil his design against which the right is being exercised.

(*b*) Firing should always be controlled and directed at a specified target.

(*c*) No greater hurt than is unavoidable should be inflicted.

(*d*) Firing should cease as soon as its object is achieved.

Orders to fire and control of firing.

[§ 12, Act V, 1861.]

155. (*a*) The police officer in command shall give the order to use force or to fire when so directed by a Magistrate under regulation 151(*iii*) or, if no Magistrate is present when he himself considers it to be necessary.

(*b*) He shall direct the firing in such a way as to secure immediate effect with a minimum of injury. Firing over the heads of the crowd or in any direction except on members of the crowd is strictly forbidden, as being likely both to cause injury to innocent persons at a distance and to embolden the participants in the disturbance by having no visible effect. Before he gives the actual order to fire, he should specify the range, the target and the number of rounds to be fired.

(*c*) He is responsible that no greater volume of fire is used than the circumstances demand. He should normally order firing by specified individuals or by files: but he may order firing by sections, or volleys by not more than half the party at a time, if the attitude of the mob makes this imperative for the protection of his officers or for the protection of the life and property of others.

(*d*) He shall give the order to cease fire as soon as the mob shows the slightest inclination to retire or disperse. The Magistrate, if any is present, has authority to direct him to give such order.

Action to be taken after the Police have used firearms.

[§ 12, Act V, 1861.]

156. When the police have used firearms, whether against an unlawful assembly or against a small group or against individuals the following action shall be taken—

(*a*) the police officer in command shall as soon as possible have the dead, if any, sent to a mortuary and the wounded to hospital;

(*b*) he shall cause the empty cartridge cases to be picked up and checked with the number of rounds issued; and

(*c*) as soon as action has been taken under clause (*a*), the Magistrate, if one is present, and the police officer in command shall each draw up, first—

(*i*) a concise but accurate report of the occurrence, and subsequently;

(*ii*) an accurate account in minute detail of all the relevant facts, with a note of the number of rounds issued and expended;

(*d*) copies of the concise report shall be sent by *express* telegram and of the detailed account by the quickest possible means other than a telegram—

(*i*) by the Magistrate, if one is present, to the District Magistrate, Superintendent, Commissioner and Chief Secretary, and

(*ii*) by the police officer in command to the District Magistrate, Superintendent, Deputy Inspector-General and Inspector-General.

157. (*a*) Whenever the police have used firearms, a full executive enquiry to ascertain whether the firing was justified and whether these regulations were obeyed, shall be held as soon as it can possibly be arranged— **Executive enquiry regarding use of firearms by police.**

(*i*) by the Commissioner, if a District Magistrate, an Additional District Magistrate, a Superintendent, an Additional Superintendent or the Commandant, Eastern Frontier Rifles was concerned in firing;

(*ii*) by the District Magistrate or an Additional District Magistrate, if a Subdivisional Magistrate, an Assistant Superintendent or Deputy Superintendent or an Assistant Commandant, Eastern Frontier Rifles, was so concerned; and otherwise,

(*iii*) by the District Magistrate, Additional District Magistrate, Subdivisional Magistrate or Magistrate selected by the District Magistrate.

(*b*) If a District Magistrate or a Commissioner so directs or if a Range Deputy Inspector-General or the Superintendent of the district concerned so desires a police officer of rank superior to that of the police officer concerned in the occurrence and not below the rank of Inspector shall be associated with the enquiry. Such officer shall have the right to examine witnesses and his opinion on the case shall be submitted together with the Magistrate's or Commissioner's report.

(*c*) The executive enquiry shall be independent of any enquiries made by the police or by a Magistrate under the Code of Criminal Procedure but evidence recorded in such enquiries may be used.

(*d*) The report prescribed in regulation 156 shall be laid before the officer holding the enquiry.

(*e*) The representation of parties by legal practitioners shall not be allowed at the enquiry: but any police officer whose conduct is at issue shall be allowed to examine and cross-examine witnesses and to make statements orally or in writing.

(*f*) On completion of the enquiry, the officer who has held it shall at once send a report to the Provincial Government through the usual channel and make over a copy to the Superintendent or the Deputy Inspector-General of the Range, as the case may be, for submission to the Inspector-General.

158. No police officer is authorised to requisition military aid for dispersing an unlawful assembly. The duties of a Magistrate who requisitions military aid are given in Appendix IV. **Requisitioning of military aid.**

VII—MISCELLANEOUS INSTRUCTIONS.

Directions to be followed in obtaining arrest of an absconder who has escaped to the United Kingdom, a colony or other British possession.

159. Appendix V contains directions to be followed in obtaining arrest of an offender who has escaped to the United Kingdom, a colony or some other British possession.

Counterfeit coins.

160. A set of rules containing hints for the detection of counterfeit coins will be found in Appendix VI. Any officer requiring to test suspected coins shall subject them to the tests described therein.

Movement of troops.

161. On receiving information that anybody of troops is about to march through a district, the District Magistrate shall forthwith inform the Superintendent and intimate to him the places where the troops will encamp and the date on which they will arrive at each such place.

Movements of troops.
[§ 12, Act V, 1861.]

161A. (*a*) The Superintendent shall then detail a police party of the strength and composition shown below to meet the troops as they enter the district and to remain with them until they leave the district or until the party is relieved by a similar police party from the next district on the line of march. The Superintendent shall furnish the officer in command of the party with an official letter of introduction to the officer commanding the troops, to which shall be attached a copy of clause (*e*).

(*b*) When the troops are British the police party shall be commanded by a European officer, or, if no such officer is available, by an Indian Inspector who can speak English. In other cases, an Indian officer shall command.

(*c*) The police party shall be composed as follows:—

(*i*) For every British cavalry, infantry or mechanised regiment—One European officer, two head constables and ten constables.

(*ii*) For every British battery of artillery—One European officer, one head constable and six constables.

(*iii*) For every Indian regiment—One Sub-Inspector, one head constable and six constables.

(*d*) The duties of the police party are as follows:—

(*i*) the police officer in command shall report himself to the officer commanding the troops and make over the letter of introduction mentioned in clause (*b*);

(*ii*) the police officer shall place himself under the orders of the officer commanding the troops and shall report to him morning and evening;

(*iii*) the police officer shall take charge of any Indian prisoners, and shall take care that no person of bad character or wandering gypsy is allowed near the camp or line of march: he shall also forward to the nearest police-station any requisition for supplies received from the officer commanding the troops; and

(*iv*) on relief, the police officer in charge of the party shall report himself to the officer commanding the troops and obtain his permission to return to his headquarters.

(*e*) Officers in charge of police-stations along the line of march shall supply any requisitions received from the officer in command of the police party accompanying the troops, and shall maintain a watch over all bad characters living in the neighbourhood of encampments or the line of march.

Treatment and handling of explosive substances and objects.

162. The "Instructions for dealing with substances or objects suspected of being explosive" which have been issued in a separate pamphlet to all Superintendents, Circle Inspectors and officers in charge of police-stations, shall be followed by any officer who may have to deal with such substances or objects.

Command certificates.

163. (*a*) Any police officer below the rank of Sub-Inspector when detailed on any duty and any officer of the rank of Sub-Inspector when detailed on escort duty shall, unless the Superintendent direct otherwise, obtain from the officer detailing him a command certificate in B. P. Form No. 10. [§ 12, Act V, 1861.]

Exception.—No command certificate shall be necessary when an Assistant Sub-Inspector in charge of an outpost goes out on night rounds.

(*b*) When several officers are detailed on the same duty, only one command certificate, containing all their names, shall be issued to the senior officer among them.

(*c*) An officer to whom a command certificate is given shall carry it with him, endorse upon it, if he is literate, the action which he takes upon the orders given to him, and on his return hand it to the officer who issued it.

(*d*) The officer who issued the certificate shall bring to the notice of the Inspector concerned any instance of delay in carrying out the orders.

(*e*) A command certificate returned by an officer in charge of a party detailed from the Special Armed Force for escort duty shall be attached to the escort requisition until the charges have been billed for.

(*f*) Command certificates, after action has been taken on them, shall be filed with the appropriate counterfoils, to facilitate check by inspecting officers.

Fatigues.
[§ 12, Act V, 1861.]

164. All officers of the subordinate ranks are liable to perform any of the ordinary fatigue duties performed by corresponding ranks of the Indian Army. These include repairs to rifle and revolver ranges and butts, loading, unloading and handling Crown property, pitching and striking tents, care and maintenance of parade and other police grounds, construction and destruction of field works, the maintenance of fire fighting apparatus, demolitions to prevent the spread of fire and the saving of property from damage by fire or flood.

Fire alarms.
[§ 12, Act V, 1861.]

165. (*a*) When a fire alarm is sounded—

(*i*) all ranks shall fall in as quickly as possible. Head constables and constables shall not wait to put on uniform, but shall wear their belts;

(*ii*) the senior officer present shall detail such number of men as he considers necessary for duty, issue any fire fighting equipment available and move the party to the scene of the fire as quickly as possible; and

(*iii*) the senior officer present shall divide the party into squads to form a cordon round the fire, to assist in measures against the fire and to guard the place selected for depositing salvaged property.

Whistle calls.
[§ 12 Act V, 1861.]

166. (*a*) The following whistle calls shall be used:—

(*i*) the rally, a succession of short blasts, and

(*ii*) the alarm, alternate long and short blasts.

(*b*) The rally shall be used when it is necessary to summon officers within earshot, e.g., to call beat constables to a particular point. On hearing the call, all ranks shall move as quickly as possible to the point where it is being blown.

(*c*) The alarm shall be used only in emergency, when the caller is in danger or for calling officers out of the barracks in case of fire or in like circumstances. On hearing the call, all ranks shall forthwith fall in and await orders at the place where it is being blown.

Miscellaneous duties.
[§ 12, Act V, 1861.]

167. (*a*) A list of miscellaneous duties of which the police have been wholly or partially relieved under orders of the Provincial Government, is given in Appendix VII.

(*b*) Every police officer is bound to give reasonable assistance to any officer of the Crown unable to obtain means of transport or necessary supplies of provisions, but he shall not, for this or any other purpose, compel persons to act as bearers, coolies or boatmen who are not accustomed to act as such, or impress bullocks or carts kept exclusively for private or agricultural purposes.

(*c*) Though the police may be utilised for serving notices of demand of taxes assessed on account of additional police appointed under section 15 of the Police Act, 1861, they shall not be employed for the

collection of such taxes except when this course is absolutely unavoidable; and every case in which they are so employed shall be reported to the Deputy Inspector-General.

168. A list of the miscellaneous Acts and Rules that confer powers on the police, with particulars of the ranks which may exercise those powers, is contained in Appendix VIII. **Powers under miscellaneous Acts and Rules.**

VIII—GENERAL INSTRUCTIONS RELATING TO ATTENDANCE IN OFFICE, RECORDS AND CORRESPONDENCE.

162. All officers of and above the rank of Inspector shall, when at their headquarters, attend their offices during the recognised local office hours and transact their official business there. **Officers to attend office daily.** [§ 12, Act V, 1861.]

170. (*a*) The prompt and proper disposal of all communications received is an important duty of all officers in charge of offices, stations and posts. **Receipt of mail.**

(*b*) Instructions regarding the opening and disposal of mail received in Superintendents' offices are given in regulations 1073 and 1074.

(*c*) in any other office, station or post in a district—

(*i*) the senior officer for the time being in charge shall personally open, initial and date all incoming letters, and shall pass orders regarding their distribution and the action to be taken on each;

(*ii*) when a communication is delivered by hand the officer who takes delivery shall endorse on the cover, or, if there is no cover, on the papers themselves, the actual time of receipt to the minute, and shall forthwith place the cover or papers before the senior officer-in-charge who shall endorse on each paper the actual time at which he receives it and shall take other action as under clause (*a*); and

(*iii*) the papers shall then be handed to the officer who is in charge of the register of letters received for distribution to the officers concerned after making the necessary entries in that register.

171. In all reports, records, indices, Village Crime Note Books and other similar documents prepared wholly or partly in English, proper names of persons and places shall be written or typed in *Block Capitals*. **Proper names to be in capitals.** [§ 12, Act V, 1861.]

172. In every report, record, index or other document prepared wholly or partly in English— **Spelling of proper names.**

(*a*) the names of places shall be spelt according to the spelling given in the "List of Police-Stations" of the province concerned, or, if not included in such list, according to the principles therein adopted for the spelling of similar names; and

(*b*) Indian personal names shall be spelt according to the list given in Appendix IX or, if not included in it, according to the principles therein adopted for the spelling of similar names. As it is impossible to maintain an index correctly unless the spelling is standardised, arbitrary methods adopted by individuals for spelling their own names shall be disregarded for police purposes.

Expressing time.

173. Whenever the time is stated in a report, record, index or other document the hour shall be shown by the twenty-four hour clock system, each day consisting of twenty-four hours beginning and ending at midnight. Four figures shall invariably be used, the first two to denote the hour and the last to denote the minutes past the hour. Thus, 00·00 denotes midnight, 08·05 denotes five minutes past eight in the morning, 19·37 denotes thirty-seven minutes past seven in the evening and 23·59 denotes one minute to midnight.

Personal descriptions. [§ 12, Act V, 1861.]

174. Personal descriptions shall invariably be recorded in all police documents in accordance with the form and instructions given in Appendix X so far as the necessary particulars can be collected.

Signatures.

175. (*a*) Every police officer shall, when signing any official report, letter or other documents, write his signature clearly and legibly: if his signature is likely to be difficult to decipher, he shall write his name in block capitals beneath it.

(*b*) All signatures and initials shall be dated.

(*c*) No police officer shall use a rubber or other stamp instead of writing his signature or initials.

The usual channel of communication.

176. (*a*) The usual channel through which a police officer shall communicate with any officer of higher rank is his immediate departmental superior; and direct communication with any officer of higher rank is forbidden except in emergencies or in matters regarding which there is a special rule or practice to the contrary. [*See* regulation 888(*a*).]

(*b*) If in an emergency an officer communicates directly with an officer of higher rank, he shall also send a copy of the communication through the usual channel, together with a statement of his reasons for communicating direct.

(*c*) Regulation 888(*e*) governs the withholding by a police officer of communications for a higher authority received from or through his immediate departmental subordinate.

(*d*) All communications for submission to the Provincial Government shall go through the usual channel.

(*e*) When a communication is to be forwarded through the Magistrate and Commissioner, it shall unless there is provision to the contrary be sent by the Superintendent through the District Magistrate to the Deputy Inspector-General of the Range, who shall forward it through the Commissioner to the Inspector-General.

Correspondence—Orders and replies to be written neatly in proper sequence.

177. Orders and replies shall be written neatly in proper sequence across the page on clean sheets of paper cut to foolscap size. When there is no room left for writing on the sheet used, fresh sheets shall be attached and serially numbered.

A reply to any letter, half margin communication or communication on a form shall be headed with the work "Reply."

Departmental correspondence—half-margin memorandum.

178. In all departmental correspondence, a half-margin memorandum shall be used when the reply can be given in a few words. The office orders leading up to such reply shall be entered on a separate paper known as an action slip and not on the memorandum itself. No docket is required, the only record necessary being the entries in the receipt and despatch registers.

Language to be used in official communications.

179. All official communications sent by officers of the Bengal Police to any police officer under any other Government or administration shall be in English or in the language of the place of destination.

Correspondence with British officials in the United Kingdom and colonies.

180. (*a*) The Inspector-General and District Magistrates may correspond direct with British officials in the United Kingdom and the colonies regarding criminal cases actually under investigation or any matter connected with police intelligence but they should first communicate with the Director, Central Intelligence Bureau, who may be in a position to supply the information desired; and they should send him a copy of any direct communications with officials in the United Kingdom. Copies of all such correspondence with officials in the United Kingdom or colonies should be submitted to the Provincial Government to be forwarded to the India Office for information.

(*b*) All other communications to officials of countries outside India shall be forwarded through the Provincial Government.

Official and private correspondence and use of official stationery or service stamps.

181. (*a*) All official communications or documents sent through the post shall be enclosed in official covers; those addressed to destinations within the British Empire shall be stamped with service stamps and those to foreign countries with ordinary postage stamps.

(*b*) The unnecessary use of several service postage stamps of low value, when fewer stamps of higher denomination might be used, shall be avoided.

(*c*) It is forbidden to use official stationery or service stamps for private correspondence or to enclose private correspondence with official communications. Officers shall not send communication on private matters, such as their leave, change of appointment, etc., by service messages, or in service-paid letters. Should a reply to such a communication be required by telegram, the cost of the reply shall be prepaid. Any infringement of this regulation should be brought to the notice of the official superiors for disciplinary action.

Parcels and book-packets.

182. Heavy packages of official returns, files and similar matter shall if they conform with the rules in the Post and Telegraph Guide be sent through the post as "book packets" or "parcels," according to weight. Book packets may not contain letters, but a parcel may contain one letter, to the addressee of the parcel, or, if it consists of several files, one letter per file.

"Bearing" letters and packets.

183. (*a*) Official letters, book packets and parcels on which postage has not been prepaid or sufficiently paid shall, if duly superscribed "On His Majesty's Service" or "On Service" and inscribed by the sender, be received by the addressee who shall pay the charges due.

(*b*) Letters and other postal packets sent by private individuals or associations without prepayment of postage or with postage insufficient paid shall ordinarily be returned unopened to the post office of delivery.

Telegrams.

184. (*a*) Official telegrams shall invariably be marked "State" by the sender in the space provided on the form.

(*b*) Telegrams shall usually be marked "ordinary" but in an emergency, "express" telegrams may be sent; and when there is a great emergency, police officers may send telegrams marked "special police."

(*c*) Special police telegrams, which take precedence over almost all other classes of telegrams, are received for despatch and delivery at all telegraph offices during business hours and during closed hours on payment of late fees.

(*d*) The charges for all State telegrams shall be paid by service stamps. Special police and express State telegramps will be received by telegraph offices for despatch without prepayment, but the charges must be paid into the office concerned within 24 hours.

NOTE.—(*i*) It should be borne in mind that some offices do not deliver "late fee" telegrams, in such cases the accepting office is bound to inform the sender.

(*ii*) Police officers not below the rank of Sub-Inspector in the district of Chittagong and those attached to the Central and District Intelligence Branches are authorised to send "Special Police" telegrams to Burma on payment of the usual charges for such telegrams.

Brevity of telegrams.

185. All telegrams shall be worded as briefly as possible provided that the meaning is clear; the abbreviated address, if any, of the addressee shall always be used.

Relaying telegrams.

186. When a telegram, is repeated in another telegram, the designation of the original sender and the place and date of despatch shall precede the message. Thus, a telegram repeating a telegram from the Superintendent of Police, Midnapore, despatched from Tamluk on 1st October, should be worded as follows:—Superintendent Police, Midnapore, telegraphs from Tamluk under date 1st October. *Begins* *Ends.*"

187. If any officer who is not authorised to do so wishes to communicate by telegram with any authority outside India in respect of the detection or apprehension of an offender, he shall telegraph to the Deputy Inspector-General, Criminal Investigation Department, who may take action through the Director, Central Intelligence Bureau. **Telegrams to authorities outside India.**

188. The Provincial Government has decided that Indian gentlemen appointed to be or to act as District Magistrates or District and Sessions Judges or Additional Judges, Superintendents or Additional Superintendents should be addressed as "Mr." and "Esquire". This mode of address should also be adopted in the case of all Indian gentlemen who are members of the covenanted Civil Service or of any Imperial Service, irrespective of their official rank. **Mode of addressing Indian gentlemen.**

CHAPTER V.

Circle Inspectors.

189. (*a*) A Circle Inspector shall be in charge of a circle as defined in regulation 4 and shall be responsible for the supervision, control and general efficiency of all police work and for the prevention and detection of crime therein. Under section 551 of the Code of Criminal Procedure he may exercise the same powers throughout his circle as an officer in charge of a police-station within the limits of his station. He shall reside in his circle and keep himself informed of what is going on in his charge. He shall be responsible for the peace of the circle and for the proper performance of their duties by his subordinates, and in cases of failure or neglect it shall be his duty to initiate proceedings against defaulters in cases calling for major punishment. In proceedings against Sub-Inspectors and officers of lower ranks (except in cases of serious misconduct) he may record the evidence and defence and after giving his finding submit the proceedings to the Superintendent for orders. **General duties of Circle Inspectors.** [§ 12, Act V, 1861.]

(*b*) One of his chief duties shall be to secure full and hearty co-operation between the officers of bordering police-stations, and by frequent meetings to impress on them that crime cannot be adequately dealt with without such co-operation. He shall also see that lists of criminals, both active and suspected, are sent to bordering police-stations.

(*c*) He shall, from a study of the crime maps of the police-stations within his circle, and from an intelligent use of his index of crime, or note book of crime against property, ascertain the criminal areas in his circle and pay particular attention to them. He shall carefully study the diaries of all cases occurring in those areas, and satisfy himself that the Sub-Inspectors are concentrating their attention on them. Where necessary, he shall arrange for the proper patrolling of such areas both by the regular and the rural police and shall satisfy himself, by frequent surprise visits, that his Sub-Inspectors and their subordinates are patrolling effectively. He shall also make prolonged visits to such areas, ascertain, whenever possible, the criminals

who are responsible, and then frame a definite line of policy to be adopted, both for the prevention of crime in future by seeing that surveillance is effective and not nominal, and by instituting such other measures as the circumstances of the case indicate.

(*d*) He shall see that warrants, proclamations and attachment orders are issued against absconders and that necessary steps are taken for their arrest.

(*e*) He shall not ordinarily conduct investigations, but shall supervise, taking up cases only for very special reasons, such as mismanagement by the ordinary investigating officer or the unusual importance or intricacy of the facts. He shall take special note of the progress of important cases and be ready to assist in any investigation where his assistance is required. He shall see that each case is fully and properly investigated and that all possible steps are taken to ensure detection. In respect of the control he shall exercise over investigations, he shall act in direct subordination to the Subdivisional Police Officer and the Superintendent.

(*f*) Where there is no Court Inspector he shall be responsible for the work of the Court Police.

(*g*) Except in a town where there is a separate Town Inspector, all Town Police in his circle are subject to his supervision and control. He is responsible that systematic arrangements are made for watch and ward, that these arrangements are properly supervised and that the officers are given an adequate number of nights in bed.

Note.—An Inspector in charge of a town shall have the same responsibilities as an Inspector in charge of a circle in respect of supervision and control over the Town Police.

(h) He should avoid being captious as regards petty faults which can be corrected by advice and guidance; and he should endeavour by all legitimate means to gain the confidence and respect of his subordinates. He should in paticular keep a watch on the work of junior and inexperienced officers and try to train them in the right path: he shall instruct them in the *modus operandi* of different classes of criminals, in the avoidance of the errors to which in his experience young officers are prone in preventive and detective work, and in the importance of local knowledge.

(*i*) He must realize that he is responsible for the investigation of cases and that he must therefore not only take notice of but also himself correct all faults which he observes either from reading the diaries or when supervising enquiries on the spot. It is not enough for him merely to note an error for the information of the Superintendent, it is for him also to take action to correct it. He should also render all assistance possible to investigating officers by suggestions and advice, culled from the storehouse of his greater experience.

Except in cases in which it may appear necessary to take immediate action or inflict punishment, he shall avoid calling for written explanations, but shall point out to investigating officers the mistakes and omissions they have made.

(*j*) He shall be entirely without reserve towards the Superintendent and shall keep him informed of all matters connected with the police work of his circle.

(*k*) He shall maintain close contact with Court officers, whether the latter work in subordination to him or not. Whenever necessary, he shall discuss with them the evidence in any case, and shall be responsible for seeing that they are properly instructed on all relevant points. He shall bring to the notice of the Superintendent important cases in which the retention of the Public Prosecutor or Government Pleader appears to be desirable.

NOTE.—Where the Circle Inspector and the Court officer have a common headquarters, the Superintendent shall arrange that their offices are situated as near to each other as possible.

(*l*) In selecting cases for testing on the spot, he should particularly direct his attention to cases of house-breaking, and to riot, grievous hurt and other cases which have been reported as false or non-cognizable.

(*m*) He shall test by local enquiries the realization of fines and the enquiries as to absconders and serveilles.

(*n*) He shall pay particular attention to the matter of surveillance over bad characters, in order to ascertain whether the right men are being looked after and shall satisfy himself, by local enquiry whenever necessary, that all active criminals, whether convicted or suspected, are under surveillance, and that the surveillance is effective and not merely nominal.

(*o*) He shall look into the working of the Arms and Excise Acts.

(*p*) He shall inspect the premises of all licensed dealers in arms and ammunition within his circle and examine their stocks and accounts once a quarter.

(*q*) He shall inspect every large petroleum installation or storage shed at least once every year and shall forward a copy of his inspection report to the District Magistrate.

(*r*) When visiting the *mufassil* he shall make notes of all items of intelligence which he considers should be entered in the Village Crime Note Book and shall satisfy himself that they are entered therein.

(*s*) In forwarding the final memorandum to the Subdivisional Police Officer he shall record his recommendations, if any, regarding surveillance and any remarks he may consider necessary on the conduct of the police, the failure of the case in court, the inadequacy of the sentence, etc. In subdivisions where there is no Subdivisional Police Officer the memorandum shall be submitted direct to the Superintendent.

(*t*) He shall see that references to the Criminal Intelligence Bureau are made by investigating officers in all appropriate cases. The

fact that a reference has been made shall be noted by him in column 1 of the Index of Crime (B. P. Form No. 14), and this register will be examined by the Range Deputy Inspector-General at the time of inspection.

(*u*) He may depute a station officer to undertake the duties of, or an investigation in the jurisdiction of, another station officer, but he shall use this power only in an emergency, reporting all cases to the Superintendent.

(*v*) He may move Assistant Sub-Inspectors, head constables or constables from one police-station to another for patrol or other emergent purposes.

(*w*) Circle Inspectors have been appointed (by Government of Bengal Order No. 3135Pl., dated the 22nd July 1937) to be superior officers for the purposes of sections 158 and 173(2) of the Code of Criminal Procedure and shall exercise the powers under those sections in the manner laid down in these regulations.

Circle Inspectors to be allowed an Assistant Sub-Inspector and an orderly.
[§ 12, Act V, 1861.]

190. Each Circle Inspector shall be allowed an Assistant Sub-Inspector to assist him in the routine duties of his office. He shall be employed on office duties, such as copying and despatching orders, forwarding covers to the Inspector while on tour, etc., and shall not ordinarliy accompany the Inspector when he leaves his headquarters on duty. Each Circle Inspector shall also be allowed the services of an orderly.

Circle Inspectors and diaries.
[§ 12, Act V, 1861.]

191. (*a*) The Circle Inspector shall personally read in full general diaries (immediately on their receipt), case diaries and *mufassil* diaries and shall himself comment or pass orders on each subject.

(*b*) He should encourage his subordinates by judicious comments on the general diaries to make the entries full and complete.

(*c*) His orders and comments shall be communicated to the officer concerned in B. P. Form No. 15.

(*d*) (*i*) He shall file the general diaries in his office after extracting all information required for his daily report.

(*ii*) He shall, when the case is disposed of, send the case diaries together with the Court officer's final memorandum to the Superintendent's office to be filed there.

(*iii*) He shall file the *mufassil* diaries in his office after taking necessary action on them.

Circle Inspectors' daily report.
[§12, Act V, 1861.]

192. (*a*) Circle Inspectors shall prepare daily a report in B. P. Form No. 16, from first information reports and general diaries received. This report shall be submitted through the Subdivisional Police Officer to the Subdivisional Magistrate, and then forwarded to the Superintendent for submission to the District Magistrate. The District Magistrate after recording his remarks and orders on the reports shall return them to the Superintendent for record.

(*b*) Where the above procedure is likely to involve delay, either by the absence of the Subdivisional Magistrate on tour or where the Inspector's headquarters are not the headquarters of the subdivision, the reports shall be duplicated by the pen-carbon process and one copy sent direct to the Superintendent.

(*c*) This report shall show all cases and unnatural deaths reported all general matters of importance that have been reported by the subordinate police, or have come to the Inspctor's notice by any other means, outbreaks of cholera, small-pox or other diseases, the prevalence of cattle disease, the state of the weather and of the crops, the nature of any assistance rendered by Panchayats or union boards to the police in matters not connected with the investigation of cases such as the prevention of crime or the giving of important information which may have enabled the police to deal effectively with crime or other matters, matters relating to the public safety, and, in short, any matter which it is desirable for the Magistrate to know.

(*d*) When the Circle Inspector is on tour, the duty of writing the daily report may be delegated to the Court officer, but this course shall be adopted only when the preparation of the report by the Inspector on tour would involve considerable delay.

(*e*) The officer preparing the daily report in the absence of the Circle Inspector shall send on all important papers to the Circle Inspector and shall not dispose of them himself.

193. A Circle Inspector shall maintain and keep in his personal custody a confidential note book as prescribed for Superintendents in regulation 1104.

Circle Inspector's note book.

[§ 12, Act V, 1861.]

194. For the more effective control over criminal investigation in his circle, a Circle Inspector shall keep an index of crime in accordance with the instructions contained in Appendix XI.

Circle Inspector's index of crime.

[§ 12, Act V, 1861.]

195. Circle Inspectors shall submit in B. P. Form No. 17 progress reports in such cases and at such intervals as the Superintendent may direct. These reports shall show clearly what progress has been made in the investigation; the steps taken to obtain a clue; the arrest or release on bail of any person; the search of houses, and the finding of stolen property. If the real name and residence of an accused person is not known, the fact and the action taken with a view to ascertain them shall be noted. Paticulars as to the action taken against absconders shall also find entry.

Progress reports of Circle Inspectors.

[§ 12, Act V, 1861.]

196. The Circle Inspector shall scrutinise every final report before submitting it to the Magistrte for orders. [*See* regulation 275(*b*).]

Circle Inspector to scrutinise final reports.

[§ 12, Act V, 1861.]

Circle Inspector's personal diary. [§ 12, Act V, 1861.]

197. A Circle Insectopr shall keep a diary in B. P. Form No. 18, a copy of which shall be sent daily to the Superintendent. This diary shall contain information not only regarding police matters, but also information regarding all events of public interest occurring in the subdivision. Results of local enquiries to test investigations of subordinates shall be entered in the diary, but not details of the investigation of current cases.

NOTE.—(*i*) When a Circle Inspector travels by bullock cart he shall note the fact in his diary. [*See* regulation 59 (*b*)].

(*ii*) Inspectors in charge of towns shall submit daily personal diaries in the same way as Inspectors in charge of circles.

(*iii*) Court and Detective Department Inspectors and Armed Inspectors when deputed on duty outside their headquarters shall also submit to the Superintendent personal diaries in B. P. Form No. 18. Similarly, Sergeants (except when engaged on ordinary duties in the Special Armed Force), Sub-Inspectors and Assiatant Sub-Inspectors of the Reserve and Court offices shall submit such diaries to their Inspectors.

Periodical reports and returns.

198. A list of reports and returns due to and from the office of the Circle Inspector is given in Appendix XII.

Registers and records.

199. A list of registers and files to be maintained in the office of the Circle Inspector is given in Appendix XIII.

Inspection, supervision and touring.

200. The regulations regarding inspection, supervision and touring by Circle Inspectors will be found in Chapter III.

CHAPTER VI.

The Police-station.

I.—GENERAL DUTIES OF THE STAFF.

Officer-in-Charge of a police-station. [§ 12, Act V, 1861.)

201. (*a*) The term "officer in charge of a police-station" as defined in clause (*p*) section 4, of the Code of Criminal Procedure, distinctly excludes constables. A constable unavoidably left to perform the routine work of a police-station during the absence of the officer in charge or those next in rank, who are above the rank of constable, does not come within the meaning of "officer in charge of a police-station".

(*b*) If an officer in charge of a police-station is unable through illness to attend at the station, he shall make over charge to the officer next in rank, and report the fact in the general diary.

Transfer of charge of police-station or outpost. [§ 12, Act V, 1861.]

202. (*a*) When an officer takes over permanent charge of a police- station or outpost he shall report to the Superintendent the hour of taking over charge. He shall examine the Crown property, cash and registers, also the articles in the *malkhana* and, if correct, will submit a certificate in the following form:—

"I have carefully examined all the current registers and files, and satisfied myself of their correctness as far as lay in my power. The amount of cash in hand this day, Rs. , has been received by me in full, and is on the following accounts (here give details).

"I have also received Crown property which I have checked with the authenticated list (here the relieving officer will make any remarks he may wish to)."

As regards the articles in the *malkhana* he shall certify that he has compared the register and received all the articles mentioned. If any discrepancy is found, he shall modify the certificate accordingly, and the officer making over charge will submit his explanation.

(*b*) In the case of temporary absence, as for instance when an officer in charge of a police-station proceeds to headquarters to give evidence, it will be sufficient if the two officers concerned note in the general diary the fact of having made over and assumed charge.

Station house to be kept neat and clean. [§ 12, Act V, 1861.]

203. (*a*) A police-station should be a pattern of order and cleanliness both inside and out. There should be a place for everything, and the officer in charge shall be held responsible that everything is in its place. The bedding in the constables' barracks shall be neatly rolled up when not in use. No clothes shall be hung from the roof and no rubbish accumlated under the charpoys. The compound shall be kept tidy and free from jungle by the constables, and hollows and depressions which hold water shall be filled up.

(*b*) The officer in charge shall inspect the constables' barrack every day, and shall see that the above rule is observed. He shall also see that the Assistant Sub-Inspectors, head constables and constables under him mend any holes that may have been made in their mosquito nets and that they look after their clothnig with due care. The result of such inspections shall be brieffly noted in the general diary.

Occupation of inspection rooms and bungalows attached to police-stations by gazetted touring officers of other departments. [§ 12, Act V, 1861.]

204. All gazetted tourtng officers of other departments, while travelling on *bona fide* duty, may be allowed tooccupy the inspection rooms and bungalows attached to police-stations whenever available, subject to the following conditions which must be strictly observed. The Inspector-General reserves the right to withdraw the concession *in toto* or in respect of any paticular officer, should circumstances require it at any time.

(*i*) The building or room must at once be vacated if required by a police officer.

(*ii*) It is not to be used as an office for holding investigations or other purposes.

(*iii*) The room or rooms must be left in good and clean condition, for which purpose the officers must provide their own servants.

(*iv*) The officer requiring the use of an inspection room must ascertain beforehand from the officer in charge of the police-station if it is available or not and be guided accordingly.

The station officer. [§ 12, Act V, 1861.]

205. (*a*) Within the limits of his jurisdiction the officer in charge of a police-statton is responsible for the effective working and management of the police subordinate to him, for the preservation of peace, and for the prevention and detection of crime. In order to check crime, his first aim should be to obtain correct informatton about

criminals, criminal classes, vagrants and wandering gangs resident in or passing through the police-station, and either to watch them effectively or to take such active measures against them as may be necessary or legal. The foremost means to this end are—

(*i*) an intimate knowledge of the area committed to his charge and of its inhabitants, and the enlistment of their sympathy and co-operation;

(*ii*) the regular and early reporting of facts as to crime and criminals, suspicious characters and strangers by chaukidars;

(*iii*) the active surveillance of registered criminals and suspects,

(*iv*) the careful maintenance and study of the surveillance register and Village Crime Note-Book;

(*v*) the efficient use of patrols;

(*vi*) prosecution for bad livelihood; and

(*vii*) generous co-operation with officers in charge of neighbouring police-stations.

(*b*) An officer in charge of a police-station shall neglect none of these means, and by constantly moving about within the limits of his jurisdiction and by visits to respectable residents shall assure himself that he receives regular and complete information and is in touch with the active criminals. An officer who takes these precautions will have little difficulty in tracing the perpetrators of specific offences, but without them his success in investigation will be spasmodic and uncertain.

(*c*) Though he need not write up personally those registers which he is not required by rule or law or by special order of the Superintendent to write with his own hand, the Sub-Inspector tn charge of a police-station is responsible and shall satisfy himself by frequent inspection that all registers and records are properly maintatned and kept up to date.

(*d*) Officers in charge of police-stations shall collect and communicate intelligence on all matters of public importance passsing in their jurisdictions, even though such matters may have no connection with any criminal offence.

Second and third officers. [§ 12, Act V, 1861.]

206. If a second or third Sub-Inspector is posted to a police-station, he can, subject to the general responsibility of the officer in charge, relieve the latter of those portions of his work and those investigations which may be made over to him.

Duties of Assistant Sub-Inspectors. [§ 12, Act V, 1861.]

207. (*a*) The object of posting an Assistant Sub-Inspector to a police-station is to relieve the investigating Sub-Inspector of all clerical and routine duties. To ensure this relief superior officers should make Assistant Sub-Inspectors definitely responsible for these duties and punishable for omissions. The Sub-Inspectors will of course exercise general supervision but should not be held responsible unless there is gross neglect all round pointing to an entire absence of supervision.

(*b*) Assistant Sub-Inspectors shall be responsible for all returns and registers except the First Information Report, Case Diary, General Diary and Village Crime Note-Book. The first three cannot by law be made over to them unless they happen at the time to be officers in charge. Ordinarily entries in the Village Crime Note-Book will be made by the investigating officer or the officer who acquires information which is required to be entered, but the senior Sub-Inspector will be responsible for its proper maintenance.

(*c*) When the officer in charge and the junior Sub-Inspectors, if any, are absent or ill, the senior Assistant Sub-Inspector is competent under section 4(*p*), Code of Criminal Procedure, to assume charge of the station and to exercise any of the functions of an officer in charge. Except in unavoidable emergencies, however, he will not be employed in investigation. Even when the Sub-Inspector is absent, he shall, as a rule, on receipt of information of a cognizable case, do no more than take such preliminary steps (*e.g.*, recording the first information report, and arranging for the pursuit of thieves) as may be necessary. Then, if the Sub-Inspector is within the limits of the poltce-station, the Assistant Sub-Inspector shall send the complainant and the parties at once to him with a copy of the first information report. Only if the Sub-Inspector is ill or absent from his jurisdiction, shall the Assistant Sub-Inspector take up the investigation himself.

(*d*) When he can be spared from the station, he may and shall be freely deputed to pay night visits to surveilles, to enquire into their mode of living to realize fines, to enquire into simple cases of of unnatural death to take command of patrols and parties of police detailed for guard, escort or similar duty.

208. (*a*) Constables at police-stations may be employed in the execution of warrants, for escorts and guards, for the patolling of dangerous roads or other areas where the prevention or detection of crime necessitates it, for the regulation of crowds and traffic, and, under orders of a superior, in the suppression of riots and disturbances. They are not intended to perform duties requiring the exercise of much judgment and discretion. They may be deputed to collect definite information under the special orders of the Sub-Inspector and to visit villages where the chaukidar has shown himself to be untrustworthy. In such cases, the nature of the informatoin to be collected and the places to be visited shall be recorded on the command certificate. The command certificates issued in connection with patrols shall be filed separately for future reference. A constable may also accompany a Sub-Inspector on investigations to call witnesses and to effect arrests, and on visits to surveill'es at all hours, when in the case of the absence of any registered person he may be sent to ascertatn if he is at any paticular place.

Duties of constables. [§ 12, Act V, 1861.]

(*b*) Constables may occosionally be employed on clerical duties of an unimportant nature. They shall not be permanently employed on such duties and constables if required for this purpose shall be taken in turn from the roster, performing also patrol and other outdoor duty in proper rotation. A particular constable may be detailed to perform the clerical duties of an Assistant Sub-Inspector when the latter is sick or absent outsdie the police-station jurisdiction.

Mufassil diary. [§ 12, Act V, 1861.]

209. (a) Whilst engaged in the interior on duty, whether in connection with investigations or other matters, all officers of and above the rank of Assistant Sub-Inspector shall submit a *mufassil* diary in B. P. Form No. 18 driect to the Circle Inspector, who shall peruse it personally and check delays and irregularities on the part of his subordinates.

(*b*) The *mufassil* diary shall not overlap, or contain abstracts of case diaries, but it shall indicate the time occupied in investigating a case and shall give a reference to the case diary of the case. [*See* regulation 197.]

Keeping of pony or bicycle. [§ 12, Act V, 1861.]

210. (*a*) Where a horse or pony can be used, Sub-Inspectors posted at police-statoin shall keep a serviceable animal, on which a fair day's journey can be made. Where roads are suitable and local conditions favourable, a bicycle may be used instead of a pony. Station officers shall not ordinarily use the railway for journeys on duty.

(*b*) For rules regarding travelling by bullock-cart, *see* regulation 59 (*b*).

Verification rolls. [§ 12, Act V, 1861.]

211. (*a*) A verification roll received at a police-station in respect of a candidate for service under the Crown shall be tested by a local enquiry made by an officer not below the rank of Assistant Sub-Inspector. (*see* regulation 750.)

(*b*) On receipt of verification rolls the file of "discharge slips" kept at police-stations shall also be examined and the result reported.

Responsibility of the station officer for instructing subordinates and rural police. [§ 12, Act V, 1861.]

212. (*a*) Officer in charge of police-stations are responsible that every change or addition to the law which directly concerns the police, and every circular order, knowledge of which is likely to be useful, to the officers under them is read out and explained to head constables and constables repeatedly, until thoroughly understood. The Assistant Sub-Inspectors and constables must also be fully instructed in the names, characteristics and haunts of notorious bad characters, and particulars and descriptive-rolls of all absconded offenders and other persons of whom the police are in search.

(*b*) Chaukidars shall be instructed as to the offences for which they can arrest, the articles that are excisable, what quantities of these latter a person can legally keep, the reward a person giving information will get, and so on. They shall also be informed of any particular indiivdual, gang or place which requires special watching and shall be instruced in the best methods of surveillance and shadowing.

Institution of cases. [§ 12, Act V, 1861.]

213. Under section 24, Police Act, 1861, any police officer may lay any information before a Magistrate and apply for a summons, warrant, search-warrant or such other legal process as may by law issue against any person committing an offence. Prosecutions for non-cognizable offences, however, or for an offence under section 353, Indian Penal Code, when the public servant assaulted is a police officer, shall not be instituted without the previous permission of the

Superintendent or in emergent cases of the Circle Inspector, unless the obtaining of previous permission will involve detrimental delay in instituting the case.

214. It is the duty of the officer in charge of a police-station to arrange that a sufficient number of constables are deputed to the important *hats* and fairs in his jurisdiction, where disorder is likely to arise, to keep order and to prevent drunkeness and misconduct. On the occasion of a large annual fair or *mela,* he should ascertain the number of people likely to attend, and report beforehand to the Superintendent the arrangements which he proposes to make, asking for an additional force, if necessary.

Attendance at large hats and melas. [§ 12, Act V, 1861.]

215. (*a*) In order to enable the police of one district to gain a personal knowledge of the bad characters of the bordering stations of another district, the Superintendent shall depute a constable for a period of not more than six or less than three months from each of his border police-stations to the border police-station of the adjoining district, in exchange for a constable of that police-station.

Deputation of constables to adjoining districts to learn bad characters. [§ 12, Act V, 1861.]

(*b*) Constables thus deputed shall be considered as attached to the district to which deputed for all purposes, except their pay and clothing, and shall be under the control of the officer in charge of the police-station to which they are deputed.

(*c*) This order also applies to all police-stations which adjoin districts of Bihar, Orissa and Assam and the State of Cooch Behar and interchange of constables with such districts should be made in the same manner as with districts in the province.

(*d*) The officer in charge of the police-station to which the constable is deputed, shall before the latter returns to his own district, sign a certificate that the constable knows and can identify the bad characters under surveillance in that police-station.

216. Assistant Sub-Inspectors or constables may be deputed from the sanctioned strength of a police-station to important railway or steamer station situated within the jurisdiction. They may be deputed in uniform or plain clothes according to the object with which they are deputed and it is in either case essential that they should be well acquainted with the local suspects and surveill'es. Their powers of arrest are defined in sections 54 and 151, Code of Criminal Procedure. If they are deputed primarily with the object of regulating traffic at steamer stations they should be in uniform and have power under section 31, Police Act, 1861, to control the flow of passengers, etc. When deputed to railway stations where members of the Railway police are already on duty they should ordinarily be in plain clothes, should not interfere with the regulation of traffic which is the duty of the Railway Police, and if in plain clothes should when possible effect any arrest that is necessary through one of the uniformed railway police officers.

Deputation of Assistant Sub-Inspectors or constables to important railway or steamer stations. [§ 12, Act 1861.]

Officers deputed for steamer or railway station duty should carry a note-book in which to record facts of interest from a police point of view which come to their notice and should show the entries to the

officer in charge of the police-station as soon as they come off duty. When on duty in plain clothes, they should take no notice of superior officers unless the latter specifically address them. When deputed to railway stations they shall be provided with a special platform pass which will entitle them (*i*) to admission to the platform, (*ii*) to send a telegram regarding the departure of any known suspect or criminal, and (*iii*) in cases of emergency to obtain from the station-master a ticket for a journey over the railway without prepayment. On the completion of duty at the station the platform pass should be handed over to the relief, or if there is no relief, to the officer in charge of the police-station.

In December each year the Superintendent shall inform the Traffic Manager of the number of platform passes required during the following year. On receipt of the passes from the railway authorities, the Superintendent shall countersign each one before issue to the police-station.

Persons to be specially watched. [§ 12, Act V, 1861.]

217. Assistant Sub-Inspectors and constables deputed to railway or steamer stations should be instructed to keep a special lookout for any of the following:—

(*i*) The arrival of bands of youths or suspected gangs of criminals by *ghasi* or other boats, steamer and train.

(*ii*) Youths and other respectable persons carrying their own baggage instead of employing cloolies.

(*iii*) Luggage of extraordinary weight and length.

(*iv*) Wounded persons.

(*v*) Persons who appear to be taking precautions to conceal their presence or identity.

(*vi*) Opium smugglers, Muzaffarpur Sonars, Bhamptas, Barwars, suspected prisoners and other professional criminals.

Co-operation with Railway Police. [§ 12, Act V, 1861.]

218. Police deputed to steamer stations which are junctions with the railway shall assist and work in co-operation with the Railway Police. The senior officer so deputed shall report himself daily to the officer in charge of the railway police-station, where there is one, and take such instructions as that officer wishes to give. The officer in charge of the railway police-station should know where he can find at least one member of the *ghat* police.

Officer-in-charge of district police-stations to be acquainted with certain regulations concerning Railway Police. [§ 12, Act V, 1861.]

219. Officers in charge of district police-stations must be acquainted with regulations 573-578 and 580-584 in Chapter VIII.

220. When officers in uniform or plain clothes are deputed to railway station platforms on occasions when platforms are to be kept clear, they shall eiher be provided wih a letter from a gazetted police officer to the local senior railway police officer, or the Superintendent of railway police shall be informed beforehand of their deputation. This, however, shall not do away with the necessity of detective warrants being carried by those who have been provided with them. **Police officers in plain clothes to carry credentials. [§ 12, Act V, 1861.]**

While such officer shall obey the orders of the senior railway police officer present, every facility shall be given them by the railway Police to perform the specific duty for which they are deputed. They shall be allowed to take up a position most advantageous for their purpose and due regard shall be given to their suggestions.

221. (*a*) Station masters shall, at the request of any police officer in uniform or in plain clothes, on production of his detective warrant or platform pass or any other proof of his being a police officer— **Station masters to receive messages to be telegraphed and to issue tickets for train journeys without prepayment of fare.**

(*i*) receive any message to be telegraphed on requisition in B .P. Form No. 20;

(*ii*) issue a ticket for journey by train on requisition in B. P. Form No. 21 without prepayment of fare.

(*b*) When the destination of a suspect is unknown or when sufficient time is not available to obtain a ticket to enable a police officer to start by the particular train in which the suspect travels, he will be allowed to travel without a ticket on the line on his giving intimation to the guard of the train or some other responsible railway official present at the station and on arrival at his destination he shall report himself to the station master and fill in B.P. Form No. 22. The station master shall send the outer foils of these forms to the Superintendent for early payment of the charge. No excess fare shall be charged for journeys performed without a ticket under this regulation. Where the police officer is able to write English, the requisition form and the telegrams shall be written and signed by him in full with his official designation, police-station and district. If he is unable to write English, the station master shall fiill up the forms and the telegrams at the request of the police officer who shall affix his left thumb mark on them. The nature of the emergent duty for which a train ticket is required or for which a journey by train was made without a ticket (unless the police officer has orders to keep it secret) must be clearly stated.

(*c*) Superintendents shall send to the Chief Auditor or Chief Examiner of Accounts of the railway concerned for verification a monthly return of all journeys made by police officers without a ticket under this sub-clause, in B. P. Form No. 23.

(*d*) Forms Nos. 20-22 shall be supplied to the railway stations by the Police Department and station masters shall apply to the Superintendent concerned whenever their stock runs short.

NOTE.—It must be clearly understood that the District Police must not use platform passes to despatch telegrams or obtain tickets, when there is time to obtain money or a railway warrant from the police-station.

Overloading of ferry boats. [§ 12, Act V, 1861.]

222. In the neighbourhood of much-frequented ferries, officers in charge of police-stations shall exercise constant supervision personally and through their subordinates, in order to prevent the overloading of boats. When habitual overloading is observed it is their duty to report to the District Magistrate.

Regulation of presses.

223. In place outside the limits of the town of Calcutta it is the duty of the police, acting under the orders of the District Magistrate, to ascertain whether printing presses are registered, and to insist upon a due observance of the provisions of the law (*vide* sections 4 and 5, Press and Registratoin of Books Act, 1867).

Duties of police in respect of wandering or dangerous lunatics. [§ 12, Act V, 1861.]

224. (*a*) Police officers shall secure and send into the head-quarters station of their districts all lunatics found wandernig at large and believed to be dangerous. They shall not interfere with harmless lunatics or with dangerous lunatics of whom proper care is taken.

(*b*) When a lunatic is sent up, a report in Bengal Form No. 216 shall accompany him.

(*c*) Police officers shall report to the Magistrate all cases in which lunatics, who have been made over to their friends for care and treatment, are neglected or cruelly treated.

Inspection of arms and ammunition shops by Sub-Inspector. [§ 12, Act V, 1861.]

225. Every Sub-Inspectors in charge of a police-station shall inspect all arms and ammunition shops within his local jurisdiction not less than once a quarter.

Inspection, search for and seizure of stores for explosives. [§ 12, Act V, 1861.]

226. (*a*) Under rule 106 of the Explosive Rules, 1940, any police officer of and above the rank of Sub-Inspector of the Bengal Police may, within his jurisdiction in connection with licenses issued under the Explosives, Rules, 1940—

(*i*) enter, inspect and exmine any place, carriage or vessel in which an explosive is being manufactured, possessed, sold, transported or imported under a license granted under the Explosives Rules, 1940, or in which he has reason to believe that an explosive has been or is being manufactured, possessed, sold, transported or imported in contravention of the Indian Explosive Act, 1884 (IV of 1884) or of the above rules;

(*ii*) search for explosive therein;

(*iii*) take samples of any explosives found therein on payment of the value thereof, if payment can be made at the time the samples are taken; and

(*iv*) seize, detain, remove and, if necessary, destory or otherwise render harmless any explosive found therein in respect of which he has reason to believe that any of the provisions of the said rules or Act have been contravened.

(*b*) Whenever any poilce officer seizes, detains or removes any explosive under this rule, he shall report the fact to the District Magistrate.

(*c*) No police officer shall under this rule, destroy or otherwise render harmless any explosive without the previous sanction of the District Magitsrate, unless the matter appears urgent and fraught with serious public danger.

(*d*) Whenever any officer destorys any explosive or otherwise renders it harmless, he shall take and keep a sample thereof, and shall, if required, give a portion of the sample to the person owing the explosive or havnig the same under his control at the time of seizure, and whenever any officer so deals with any explosive, he shall report the circumstances to the District Magistrate.

(*e*) Under rule 102 of the Explosives Rules, 1940, every person holding a licence or acting under a licence granted under the rules, shall be bound to produce the same or, an authenticated copy kept at the magazine or place to which the licence applies or a pass issued by a holder of a licence in Form H of the said rules in respect of a consignment of explosives when called upon to do so by any police officer not below the rank of Sub-Inspector. Copies of any such licence may, for the purpose of this rule, be authenticated free of charge by the authority which granted the licence.

(*f*) Police officers will carefully observe that, should any officer below the rank of Sub-Inspector find it necessary to take action under sub-clauses (*i*), (*ii*), (*iii*) or (*iv*) to clause (*a*) above, he should either obtain a warrant under the Act or request a Sub-Inspector or any other superior police officer to accompany him.

NOTE.—All police officers of rank not below that of Sub-Inspector in the Burdwan district have been empowered within the areas over which their authority extends to enter, inspect, etc., the premises licensed in Forms J and L also.

227. (*a*) The police shall report all wrecks to the Magistrate except those occurring wtthin the jurisdiction of the Commissioners for the Ports of Calcutta and Chittagong, and, pending the receipt of his orders, take measures to protect the wrecked property. Those recovered within the Port Commissioners' jurisdictions shall be reported to the Deputy Conservator; Ports of Calcutta and Chittagong, and protected until orders for disposal are received, or, made over at once to the nearest Port Commisseioners' stations. For this purpose the officers in charge of the police-stations concerned shall maintain a map showing the jurisdictions of the Ports of Calcutta and Chittagong. **Wrecks. [§ 12, Act V, 1861.]**

NOTE.—"Wreck" as defined in section 272 of the Indian Merchant Shipping Act, 1923, consists of the following when found in the sea or any tidal water or on the share thereof :—

(*i*) goods which have been cast into the sea and then sink and remain under water;

(*ii*) goods which have been cast or fall into the sea and remain floating on the surface;

(*iii*) goods which are sunk in the sea but are attached to a floating object in order that they may be found again ;

(*iv*) goods which are thrown away or abandoned ; and

(*v*) a ship abandoned without hope or intention of recovery.

(*b*) All officers in charge of police-stations shall supply as early as possible the District Magistrate concerned as well as the Deputy Conservator, Ports of Calcutta and Chittagong, as the case may be, with an authenticated copy of every report of a casualty to an inland steam-vessel made to any of them under the provisions of section 32 of the Inland Steam Vessels Act, 1917.

(*c*) If the property saved from a wreck is "salved property" the police shall not take the property out of the possession of the salvers, but shall ascertain from them the nature of the property and report the matter for the orders of the Magistrate or the Deputy Conservator, as the case may be.

(*d*) "Salvage" means the compensation allowed to persons by whose assistance a ship or boat, or the cargo of a ship, or the lives of the persons on board are saved from danger or loss in the cases of ship wrecks, abandonment of vessel, or the like. It is necessary, therefore, that life or property shall be in peril, and that skill or enterprise shall be displayed, or risk encountered, on the part of the salvers before any claim to salvage can be established.

(*e*) Where these conditions exist there is no difference between river and sea salvage. *Examples* A steamer or boat is wrecked in a river, and the cargo is floating about within easy distance of land. No skill is required or danger encountered in bringing it ashore. This is not "salved property". In such a case it would be the duty of the police to render all possible assistance, and if the owners are present, to make it over to them. In the event of the owners being unknown, the police shall take possession of it, as such property belongs to the Crown or to the Port Commissioners. In either case, they shall report the fact for the information or orders of the Magistrate or Deputy Conservator.

(*f*) A villager who carried off such property and made no attempt to find out the owners would be guilty of criminal misappropriation under section 403, Indian Penal Code. In all cases of wrecks, the Chaukidar, shall give immediate notice to the police-station.

(*g*) Ten per cent. may be awarded to persons who, at considerable, risk to themselves, recover wrecked property during floods or in cases or wreck.

(*h*) With these execeptions, movable property found by any private person and not claimed is the property of the innocent finder.

(*i*) Under section 273 of the Indian Merchant Shipping Act, 1923, the following officers and authorities have been appointed Receivers of wrecks:—

The Commissioners for the Port of Calcutta.

The District Magistrate of the 24-Parganas.

The District Magistrate of Midnapore.

The District Magistrate of Khulna.

The District Magistrate of Bakarganj.

The District Magistrate of Noakhali.

The Commissioners for the Port of Chittagong.

The District Magistrate of Chittagong.

Their respective jurisdictions are indicated in Government of India, Commerce Department, Notificatton No. 85 M.I. (6)-34, dated the 8th June 1935.

NOTE.—In the Canals divisions which are under the Department of Communications and Works (Irrigation), the Executive Engineers and their Subdivisional Officers concerned have control over the disposal of wrecks.

Treasure trove.

228. (*a*) The finding of statuary, coins and other treasure buried under ground shall be reported, through the Superintendent to the Collector.

(*b*) The law regarding treasure trove, i.e., anything of value hidden in the soil or in anything affixed thereto, is contained in the Indian Treasure Trove Act 1878. Whenever treasure exceeding in value Rs.10 is found, the finder shall give notice to the Collector in writing; and if the Collector, after due enquiry, declares the treasure ownerless, he will distrubute the sum to the finder and the owner of the place in which it was found, or give it to the finder, or acquire it on behalf of Government under the provisions of the Act.

Archæology.

229. Officers in charge of police-stations shall report to the Superintendent the discovery of any object of archæological interest, and the Superintendent will report the same to the District Magistrate.

Pillars of the Great Trigonometrical Survey.

230. (*a*) Inspections of the Great Trigonometrical Survey pillars shall be made by police officers not blow the rank of Assistant Sub-Inspector, and officers in charge of police-stations shall undertake a fair share of such work. Chaukidars shall be instructed to report at once any damage that may occur to pillars situated in their beats.

(*b*) Any instance of damage or injury shall be reported at once to the District Magistrate, and a report shall be sent to the Superintendent annually as soon as possible after 1st January in form mentioned in regulation 1110.

Note.—In areas where there are union boards these duties have been transferred to them and to the circle officer.

Duties under the Cattle Trespass Act.

231. (*a*) Where no other authority has been appointed under section 32 of the Cattle Trespass Act, 1871 (I of 1871 as amended by Bengal Act V of 1934), it is the duty of the police to take the action laid down in section 14 of that Act. The officer in charge shall not, however, sell any animal sent from a pound unless it is accompanied by a chalan in Pound Form J. When animals are sold, the officer in charge shall make the necessary entries in Pound Forms C, G and I (Bengal Forms Nos. 211, 212 and 213 respectively).

(*b*) The police have no authority to inspect cattle pounds, but the senior station officer shall report to the Circle or Town Inspector any irregularities or abuses in their management which may come to his notice.

Registration of sales of cattle.

232. In the districts of the Chittagong, Dacca and Rajshahi Divisions owners and lessees or markets or fairs should be induced to register all sales of cattle and ponies. Books in Bengal Form No. 91 containing foils and counterfoils will be issued by the District Magistrate free of cost to such owners and lessees. The foil should be torn off

and given to the purchaser, the counterfoil being retained by the clerk or *gomastha* in charge of the *hat*. The possession of such a foil will afford an innocent purchaser protection against the suspicion of having unlawfully come by the animal he has bought. As a further protection, panchayats or presidents of union boards should also be directed to give, on application, certificates of ownership in Bengal Form No. 92 to intending vendors residing within their jurisdiction. This certificate should, when the sale has been registered, be made over to the person in charge of the register and attached by him to the counterfoil. All station officers shall make every effort to induce the people to conform to these rules, as they will be of great assistance in cattle theft cases if generally known and followed. Care shall be taken that the giving of certificates and foils is not made the means of extorting money from vendors and purchasers. Panchayats or presidents of union boards shall under no circumstances levy a fee for granting this certificate.

Reports of epidemic diseases.

233. In case of an outbreak of cholera, small-pox, bubonic plague or suspicious cases of plague or other epidemic disease, in areas where the Chaukidari Act is in operation, the officer in charge of a police-station shall report the outbreak immediately to the District Magistrate, the Chairman of the local board and the District Health Officer (or the Civil Surgeon in districts where no District Health Officer has been appointed) and shall undertake the distribution of cholera medicines. No payment for these medicines is to be taken. While the epidemic or outbreak lasts, daily reports shall be submitted in B. P. Form No. 24. All outbreaks, number of cases and deaths should be noted in the general diary for entry in the Inspector's daily report for the information of the Magistrate. In column 11 of the first report submitted, the population and name of each village affected should be noted.

NOTE.—In areas where union boards have been established, such reports are submitted not by station officers but by presidents of union boards.

Registration of births and deaths.

234. (*a*) The police may be called upon to perform, except within railway limits, the duty of collecting, registering and transmitting vital statistics in rural areas other than those (*i*) completely covered by union boards or (*ii*) covered entirely by chaukidari unions or partly by chaukidari unions and partly by union boards where all the presidents are willing to undertake the work without remuneration.

(*b*) A register of births (B. P. Form No. 25) and a register of deaths (B. P. Form No. 26) shall be maintained at the police-stations concerned.

(*c*) All police registers of births and deaths shall be open to inspection by the Director of Public Health, Assistant Directors of Public Health, District Health Officers, Municipal Health Officers, Civil Surgeons, District Magistrates, Subdivisional Officers, Circle Officers, Superintendents and Assistant and Deputy Superintendents, Assistant Health Officers, Sanitary Inspectors, Assistant Superintendent of Vaccination and Inspectors and Sub-Inspectors of Vaccination. Defects discovered in the local registration of vital statistics shall be reported direct to Superintendents for necessary action.

(*d*) On return from town and *mufassil* duty, constables shall report at the police-station any birth or death which has come to their knowledge. If the person responsible under sections 7 and 8 of the Bengal Births and Deaths Registration Act, 1873 (Bengal Act IV of 1873), for reporting the birth or death has neglected to report, the officer in charge of the police-station shall ordinarily recommend his prosecution to the District Health Officer.

(*e*) A return of births and deaths reported during the preceding month shall be forwarded monthly by the officer in charge of a police-station to the Subdivisional Magistrate for transmission to the District Health Officer in Bengal Form No. 2996A.

(*f*) On the back of the monthly return a statement shall be given showing the names of villages affected by cholera, plague or small-pox and the number of deaths from each of these diseases in each village and the number of dead bodies, belonging to other areas but disposed of at the local burning *ghats* or burial grounds during the month.

(*g*) The officer in charge of a police-station shall ascertain and estimate annually the local requirements of vital statistics forms and registers and report them to the Subdivisional Magistrate for transmission to the District Health Officer who will distribute them on receipt from the Forms Department.

(*h*) The duties of the police under the Bengal Vaccination Acts, 1880 and 1911 (Bengal Act V of 1880, amended by Bengal Act II of 1911), are limited to the service of a notice in the form prescribed in schedule E of the Act and to the transmission of a copy of the notice to the District Health Officer.

(*i*) The police shall charge a fee for supplying copies of entries in the registers of births and deaths at the rate of four annas for each extract. This fee shall be credited to the treasury as a police receipt under the head "XXIII—Police—Fees, Fines and Forfeitures" and the officer in charge of the police-station shall certify that the copies given are true copies.

No fee shall be charged for supplying such extracts to a District Soldier's Board.

235. On receipt of requisition from an officer on tour or any other traveller for supplying vehicles or other articles to enable him to prosecute his journey, the police-station officer shall do his best to meet the demands, and may also adjust the rate of hire to be paid for the vehicle required or the price of any articles provided. The amount paid shall be duly receipted and entered in the general diary and the station cash account. A duplicate copy of the bill shall be kept filled with the receipts taken from the actual sellers of the supplies or drivers of the vehicles supplied. **Police to assist touring officers.**

(*See* also section 8 of Bengal Regulation XI of 1806.)

236. Certain police-stations are provided with boats for the use of officers employed in investigation and other station duties, which shall be hired with their crews for the time specified in the district allotments. Superintendents shall see that both boats and crews are efficient. **Station boats. [§ 12, Act V, 1861.]**

Instructions about arms and ammunition issued to police-stations. [§ 12, Act V, 1861.]

237. (*a*) Muskets shall be issued to police-stations and other police posts up to the sanctioned scale. Ammunition shall be issued for these muskets at the following scale:—

Ball—20 rounds per weapon.

Buckshot—10 rounds per police post, viz., thana, station boat, floating outpost, patrol launch, etc.

(*b*) All arms and ammunition shall be entered, when received, in the list of Crown property maintained in the police-station, the entry being signed by the officer in charge who will be personally responsible for the safe custody and maintenance of the arms and ammunition, and for seeing that they are not misused.

(*c*) At each police-station to which arms have been issued, there should be at least 3 "trained men", *i.e.,* those who have done their musketry course within two years. These men should not all be absent from the station at one time.

(*d*) Arms shall be kept in the *malkhana* in strong wooden racks of a standard pattern provided with locking arrangement and secured by a padlock, and ammunition in a locked box which shall be kept well raised off the ground in the *malkhana.* The keys shall remain with the officer in charge who shall be responsible for the distribution and return of the arms and ammunition. When leaving the police-station temporily, *i.e.,* when going to the *mufassil* or on similar duties, the officer in charge shall note in the general diary the number of arms and the quantity of ammunition in stock, and the officer who remain in charge shall satisfy himself by personal examination of the presence of the arms and ammunition, and acknowledge their receipt in the general diary. The keys of the rack of arms and of the ammunition boxes shall also be made over to the relieving officer and duly noted and acknowledged in the general diary.

At town outposts and platform posts to which arms have been supplied, the arms rack shall be attached to the building and provided with a lock. The keys of the arms rack and of the ammunition box shall be kept by the officer on duty.

(*e*) At *mufassil* police-stations to which arms have been supplied, a constable should be on duty at the station premises during the day and one should sleep against the door of the *malkhana* at night. The Superintendent, the Circle Inspector or the Officer in charge of the police-station may order an armed sentry carrying 5 rounds of buck-shots ammunition to be mounted at night if local conditions necessitate such action. The sentry shall be relieved at regular intervals under the supervision of a Sub-Inspector or an Assistant Sub-Inspector.

(*f*) At town police-stations a regular sentry shall always be on duty in uniform and shall be relieved every two hours. The officer in charge of the station shall assemble the men present at the station every morning and evening and tell off the constables in the order of their watch for the ensuing day or night and enter the orders in the general diary. An Assistant Sub-Inspector or a senior constable shall

be placed in charge of the watch, and he shall see that the sentries are relieved at the proper time during the night. He shall always sleep close to the sentry so that his assistance can be obtained, if necessary, without the sentry leaving his post. He shall rouse the officer in charge of the station at any hour when he is required for public service.

(*g*) Every morning the arms, etc., shall be cleaned, oiled and rubbed over and shall be inspected by the officer in charge and a note made in the general diary about their condition. For this purpose the police-stations will be supplied with oil, lubricating, G. S. as well as oil bottles for use when the arms are taken out.

(*h*) The quantity of arms and ammunition sanctioned for each police-station or post shall be always maintained at the maximum, that is to say, arms or ammunition recalled to headquarters shall first be replaced by a new issue. Empty cases of ammunition expended shall also be sent to the Armed Inspector, who shall recoup the amount expended without delay. The Armed Inspector shall be responsible for seeing that arms are recalled to headquarters once each half year and fresh arms supplied from the magazine. On the commencement of the annual musketry course, the unexpended ammunition in police-station stocks shall be brought in and fired, fresh supplies being sent previously.

(*i*) The arms and ammunition kept in police-stations are intended for the suppression of serious riots likely to be attended with loss of life, or for cases in which the officer in charge of the police-station has reason to believe that the person to be proceeded against may be armed with deadly weapons. On such an occasion arising, the officer in charge of a police-station shall issue such number of arms as may be necessary with 20 rounds of ball ammunition per arm. If more than one constable is taken out, the senior of the trained constables shall take charge of the armed party and act as squad commander under the orders of the Sub-Inspector or Assistant Sub-Inspector or head constable.

Attention of all police-station officers is drawn to regulations 145-157 in which further details as to the use of firearms in riots and disturbances are given.

Revolvers issued to police-stations.

238. (*a*) Revolvers may be supplied at the discretion of the Superintendent to specially selected police-stations where the police employed have to deal frequently with dangerous criminals and their personal safety is in danger. Before the issue of the weapons the Superintendent shall satisfy himself that one of the Sub-Inspectors at the selected police-stations is qualified in revolver shooting. [§ 12, Act V, 1861.]

(*b*) The officer in charge shall personally responsible for the safe custody, care and cleaning of the revolvers allotted to his police-station.

(*c*) The officer in charge shall acknowledge in writing the receipt of the revolver(s) and ammunition supplied and these shall be entered in the list of Crown property maintained at the police-station.

(*d*) The revolver(s) and ammunition when not in use shall be kept locked up in a strong box within the *malkhana* chest and examined, cleaned and oiled every Sunday and the fact noted in the general diary.

(*e*) The instructions contained in regulation 237 shall apply, *mutatis mutandis*, to revolvers and ammunition supplied to police-stations.

(*f*) The revolvers supplied to police-stations may also be used, when necessary, by Circle Inspectors who have been trained in their use and who have not got weapons of their own.

(*g*) The Superintendent shall periodically examine the necessity of keeping revolvers at police-stations to which they have been supplied and as soon as he finds that the necessity has ceased to exist, he shall withdraw the weapons.

Keys of the malkhana and lock-up. [§ 12, Act V, 1861.]

239. (*a*) *Malkhana* doors and cheets shall be provided with secure locks, the keys of which shall be kept by the officer in charge of the police-station. The key of the lock-up shall remain with the sentry on duty.

Custody of weapons deposited in the malkhana [§ 12, Act V, 1861.]

NOTE.—For the purpose of this regulation a constable may be held to be an officer in charge when all the Sub-Inspectors and Assistant Sub-Inspectors are absent.

240. The rules for the custody of weapons deposited at police-stations will be found in Appendix XIV.

Cash chests of the postal and other departments kept under the charge of station-house sentry.

241. (*a*) Postmasters may place in police-stations an iron safe to be kept under the charge of the station-house sentry. All cash chests placed in police-stations shall be embedded in the ground or wall and be secured by chains to a log or post or in some other safe method (*vide* rule 120 of the Posts and Telegraphs Manual, Vol. VIII). The key shall remain with the postmaster who alone shall have access to the safe. The police have nothing to do with the contents of the box, and the amount of money it contains shall not be brought on to the station books.

(*b*) On the same conditions Sub-Registrars, except those at head-quarters of districts and subdivisions, and *mufassil Khasmahal Tahsil* offices may place their iron safes to be kept under the charge of the station-house sentry.

Escort of postal money.

(*c*) Notice of escorts passing between stations and headquarters, either subdivisional or sadar, shall be given to postmasters, who, when they have excess funds which they desire to remit, shall send them under charge of the next available escort. The postmaster shall supply carriage and pay all charges, the police simply affording the cash the protection of the escort.

Instructions for the issue of telegrams by station officers. [§ 12, Act V, 1861.]

242. (*a*) For the purpose of disseminating intelligence to neighbouring stations and to enable supervising officers to arrive with the greatest rapidity at the scene of occurrence, telegrams should, when necessary, be sent and service stamps used in payment of such telegrams. For this purpose, the officers in charge of police-stations shall be supplied with service stamps of different denominations according to the criminality of the jurisdiction. The stock of stamps shall on no account be allowed to become exhausted and shall be replenished when necessary by submitting a requisition to the

Superintendent. All telegrams shall be entered in the register of letters issued (Bengal Form No. 19) and the value of stamps used should be noted in the appropriate column. To distinguish such expenditure from that for ordinary postage the letter "T" shall be entered in the remarks column.

(*b*) All telegrams shall be written with carbon paper and a file of the duplicate copies of the telegrams despatched shall be kept at each police-station, and inspecting officers shall examine them to see that telegrams have been sent with circumspection and that they have been succinctly worded.

(*c*) Books of telegram forms shall be supplied to police-stations by the Superintendent.

(*d*) Should circumstances require the immediate intimation of information, officers should use special police telegrams in accordance with regulation 184.

(*e*) On receipt of information of the arrival or movement in his jurisdiction of suspicious characters, especially foreigners, about whom there is reason to believe that they are likely to commit dacoity, gang robbery, professional drugging or other serious crime, the officer in charge of a police-station, in addition to any other action he may decide to take, shall, unless the police-station is situated at the head-quarters of the officer addressed, immediately, send telegrams to the Superintendent and the Circle Inspector (who shall be responsible for communicating the information received to the Subdivisional Police Officer, if there is one), and shall also warn by telegram such places in the list drawn up under regulation 250(*c*) as may be selected at his discretion, giving such descriptive particulars of the suspects as may be possible with a view to action being taken by the receiver of the message under sections 54, 55 and 151, Code of Criminal Procedure. The places to which warning has been sent shall be mentioned in the message to the Superintendent and the Circle Inspector. Officers in charge of police-stations shall also consider in such cases whether telegraphic information should not be sent to dafadars of unions surrounding the place in which the criminals are alleged to be present.

II.—INFORMATION.

Recording of information under section 154, Criminal Procedure Code. [§ 12, Act V, 1861.]

243. (*a*) The first information of cognizable crime mentioned in section 154, Code of Criminal Procedure, shall be drawn up by the officer in charge of the police-station in B. P. Form No. 27 in accordance with the instructions printed with it.

(*b*) The first information report shall be written by the officer taking the information in his own handwriting and shall be signed and sealed by him.

(*c*) The information of the commission of a cognizable crime that shall first reach the police, whether oral or written, shall be treated as the first information. It may be given by a person acquainted with the facts directly or on hearsay, but in either case it constitutes the

first information required by law, upon which the enquiry under section 157, Code of Criminal Procedure, shall be taken up. When heresay information of a crime is given, the station officer shall not wait to record, as the first information, the statement of the actual complainant or an eye-witness.

(*d*) A vague rumour shall be distinguished from a hearsay report. It shall not be reduced to writing or signed by the informant, but entered in the general diary, and should it, on subsequent information prove well-founded, such subsequent information shall constitute the first information.

(*e*) A telegram is not a writing given to the police signed by the person making the statement and, therefore, does not comply with section 154, Code of Criminal Procedure. If, however, in the opinion of an officer receiving a telegram reporting the occurrence of a cognizable offence, the circumstances justify action being taken, he should himself lodge a first information on the basis of the telegram. If he does not take such action, he should make an entry in the general diary.

In the case of a telephone message reporting such an occurrence, the informant should be asked to come to the police-station to lodge general diary. If it is considered necessary to start investigation on the basis of the message and the informant remains anonymous or cannot be found, the officer receiving the message must himself lodge the information on the basis thereof.

(*f*) Police officers shall not defer drawing up the information report until they have tested the truth of the complaint. They shall not await the result of medical examination before recording a first information, when complaint is made of grievous hurt or other cognizable crime.

(*g*) A constable left in charge of a station may accept a written report of a cognizable offence. He shall get the report signed by the person giving it, enter an abstract of it in the general diary and report the fact to the officer in charge of the station. If the report of a cognizable offence is given such constable orally, he shall similarly enter the substance of it in the general diary and the complainant or informant to the officer in charge of the station with a note of the case. If the report relates to the occurrence of heinous crime, he shall send immediate information to the Circle Inspector; and if the facts of the case, as may occur in dacoity, murder, etc., require the immediate apprehension of the accused, he shall take all possible steps to effect arrest.

(*h*) First information reports, once recorded, shall on no account be cancelled by station officers.

First information to be recorded in all but certain cases. [§ 12, Act V, 1861.]

244. (*a*) A first information shall be recorded in respect of every cognizable complaint preferred before the police, whether *prima facie*, false or true, whether serious or petty, whether relative to an offence punishable under the Indian Penal Code or any special or local law. This does not apply to cases under section 34 of the Police Act, 1861, or to offences against Municipal, Railway and Telegraph bye laws for which *see* regulation 254.

(*b*) When a police officer has been assaulted in the performance of his duties as a public servant he shall obtain the previous permission of an officer superior in rank to a Sub-Inspector before instituting a case, where this can be done without detrimental delay. The responsibility for complying with this orders rests with the police officer who complains of an assault. When first information of such an offence is given, the officer in charge of a police-station is bound by the provisions of section 154 of the Code of Criminal Procedure to record a first information.

(*c*) When information is lodged at a police-station, that a police-officer has committed a cognizable offence, the officer in charge should proceed to enquire into the charge, but should send a copy of the first information immediately to the Superintendent and to the District or Subdivisional Magistrate.

(*d*) Sections 21, 22(*1*) read with section 25 and section 24 of the Criminal Tribes Act, 1924 (VI of 1924), are cognizable by the police and in cases under these sections, first information reports and charge sheets shall be used. For an offence under section 22(*2*), which is non-cognizable, a report shall be submitted to the Magistrate for his taking cognizance and the offender shall be arrested by an officer in charge of a police-station or any police officer not below the rank of a Sub-Inspector, no other police officer being empowered under the Act to arrest without a warrant.

Cognizable offence referred by Magistrate.

245. (*a*) When a Magistrate directs the police to enquire into the complaint of a cognizable offence, of which no previous information has been laid before the police, the written information sent by the Magistrate to the police shall be treated as the first information.

(*b*) In every case referred to the police for enquiry, a date shall be fixed by the Magistrate by which the report or an explanation of the cause of delay shall reach him.

Despatch of first information report. [§ 12, Act V, 1861.]

246. (*a*) The first page of the first information report, viz., that signed, sealed or marked by the complainant or informant under section 154, Code of Criminal Procedure, shall be treated as the original. It shall be sent without delay to the District Magistrate or the Subdivisional Magistrate, as the case may be, through the Court officer. The first carbon copy of the first information shall be sent to the Superintendent. The second copy shall be kept at the police-station for future reference. A copy (not carbon) shall be sent to the Circle Inspector direct at the same time as the original and the first carbon copy are despatched to the Court officer and the Superintendent. In subdivisions where there is a Subdivisional Police Officer two copies of the first information report shall be made out on ordinary paper, by the carbon process, one for the Subdivisional Police Officer and the other for the Circle Inspector.

Border crime to be reported.

(*b*) In order to secure full co-operation between officers of bordering police-stations the officer in charge of a police-station shall, immediately on receipt of information of the commission of all crime within three miles of his border other than that referred to in clause (*c*),

send information by post card (B. P. Form No. 27A) to the officers in charge of the police-stations concerned and if it borders on another circle, to the Circle Inspector concerned.

The officers receiving such reports shall mark the occurrence on their crime map, note the fact in the general diary and take such steps as may be necessary.

Serious cases to be forthwith reported.

(*c*) On receipt of such information of the commission of any of the offences mentioned in Appendix XV and of any serious offence by a police officer the officer in charge of the police-station shall inform his Superintendent, Circle Inspector and other officers in the manner prescribed in that Appendix.

Use of railway telegraphs and control telephones in emergencies.

(*d*) With a view to assisting the police in the prevention of crime, the Railway Board have issued instructions to railway officials to the effect that information regarding any occurrence endangering human life, servants of the Crown or Crown property should be despatched forthwith by railway telegraph to the Superintendent and if possible to the nearest police-station, even in circumstances where the informant is unable to tender payment for the message, and that where transmission by telephone is likely to be the quicker method, the control telephones should be utilized for this purpose. The cost of such telegrams if not paid by the informant may be recovered from the Provincial Government.

List of stolen property to be obtained from the complainant. [§ 12, Act V, 1861.]

247. In cases involving loss of property, the complainant shall be required to put in a list of the property stolen, signed by himself, which shall be sent to the Court officer with the first information report. The investigating officer shall keep a copy of the list to aid him in his enquiry. If the complainant is unable to furnish a list of the property when he gives the first information, he shall be required by the investigating officer to supply a list in writing as soon as possible. The investigating officer shall forward it, duly signed by the complainant, to the Court officer. Every effort must be made to secure from the complainant at the time when the first information is recorded the most precise description of the stolen property.

Heinous cases occurring outside jurisdiction. [§12, Act V, 1861.]

248. (*a*) When the report of a crime mentioned in clause (*c*) of regulation 246 or triable exclusively by the Court of Sessions relates to an occurrence outside the jurisdiction of the officer to whom the report is made, he shall at once send information, by telegram whenever possible or by Express letter, to the police-station in the jurisdiction of which the occurrence took place, and if the circumstances of the case warrant it, shall effect the apprehension of the accused.

(*b*) In cases where the officers of two or more police-stations have jurisdiction in respect of the same offience, and complaint is laid simultaneously at such stations, the police officers concerned shall apply to the Superintendent for instructions before submission of the final report. When complaint is laid in two districts regarding an offence which is cognizable in either district (section 182, etc., Code of Criminal Procedure), the final report shall be submitted in one district only.

249. When information of an offence committed within railway limits is given at a district police-station, the officer in charge of that police-station shall record the information on plain paper and send it by the quickest route to the officer in charge of the railway police-station concerned, in order that the case may be registered and investigated by the Railway Police. Should immediate action meanwhile be necessary, the District Police shall take such action as they legally may. **Information of an offence committed within and outside railway limits.** [§ 12, Act V, 1861.]

Similar action shall be taken by the Railway Police when information is lodged with them of an offence committed outside railway limits.

250. (*a*) When the immediate dissemination of intelligence and the co-operation of the staff of neighbouring railway and district police-stations is desirable, hue-and-cry notices in B. P. Form No. 28 shall be issued in the following classes of cases when all the persons concerned have not been immediately arrested or the property stolen has not been recovered:— **Issue of hue-and-cry notices.** [§ 12, Act V, 1861.]

(*i*) professional drugging cases;

(*ii*) dacoity, and all organized crime in which wandering gangs, foreigners or residents of other jurisdictions are known or suspected to have been concerned;

(*iii*) escapes of prisoners from lawful custody;

(*iv*) cases of cheating by professional criminals;

(*v*) cases of shaking off police supervision by wandering gangs; and

(*vi*) important cases in which the accused have absconded after committing the offence, or in which identifiable property of large value has been stolen.

(*b*) Hue-and-cry notices should ordinarily be despatched by post, unless there is reason to believe that the immediate communication of information to some particular officer or officers may result in the apprehension of culprits or the recovery of stolen property, in which case the contents of the hue-and-cry notices should be communicated to such officer or officers by "special police" telegrams or by special messengers, whichever is likely to prove quicker. Full details should be immediately despatched by post.

(*c*) All police-station shall maintain a list of bordering district and railway police-stations including their outposts, showing the distance of each place from the nearest telegraph office. These lists shall be approved by the Superintendent.

(*d*) The hue-and-cry notice shall be drawn up by the officer in charge of the police-station who draws up the first information report of the case, one copy being sent to the Superintendent along with the first information of the case by the quickest available means. The officer in charge shall exercise his discretion as to which other officers the notice should also be sent direct. The Superintendent shall at the same time be informed of the officers to whom the notice

has been sent. On receipt of the notice the Superintendent shall send copies to the Superintendent, Railway Police, or to any other officer to whom it has not been sent direct, if he considers it desirable.

NOTE.—When a notice is to be sent to a police-station of the Calcutta Police, an additional copy shall be sent to the Commissioner of Police, Calcutta, for circulation through the *Calcutta Police Gazette*.

(*e*) On receipt of a hue-and-cry notice the officer-in-charge of a police-station shall at once enter it in red ink in the register of letters received and in the general diary and shall take all necessary action. He shall cause enquiries to be made about the movements of local bad characters and shall check surveillance reports. He shall also enquire into points mentioned in the hue-and-cry notice which requires particular investigation and shall communicate the result in a brief supplementary case diary. He shall in all cases communicate the contents of the notice to his subordinates and to all dafadars and chaukidars of his jurisdiction, either by special messengers as far as possible or at muster parades, and shall warn them to be on the look-out for the offender or stolen property, as the case may be. All actions taken shall be clearly noted on each notice, which shall be consecutively numbered and filed. Successful detection of culprits or tracing of stolen property should be always rewarded.

Action to be taken on receipt of information regarding intestate property. [§ 12, Act V, 1861.]

251. (*a*) On receipt of information that any person who has died intestate has left movable property to which there is no claimant, the officer in charge of a police-station shall, in accordance with Bengal Regulation V of 1799, take possession of such property and shall forward to the Subdivisional Magistrate a list in B. P. Form 29 of all items taken into custody. This list shall specify the approximate value of any animal which has been impounded in accordance with clause (*c*). The orders of the District Judge regarding the disposal of the property shall then be awaited.

(*b*) If the deceased has also left any immovable property, the officer in charge shall collect such particulars as possible regarding the property and shall record them in a memorandum which shall be attached to B. P. Form No. 29.

(*c*) Ordinary property, including live-stock, which has been taken into custody in accordance with clause (*a*), shall not be sold without the orders of the District Judge. If, however, it includes any items which very rapidly deteriorate and perish, the officer in charge may exercise his discretion in selling such items in anticipation of orders. Live-stock shall be placed in the nearest pound.

(*d*) When property is sold, either under clause (*c*) or under the orders of the District Judge, it shall be sold by the officer in charge and, whenever possible, at a public market. He shall prepare an account of the sale in B. P. Form No. 30, which shall be forwarded, in triplicate, along with the proceeds of the sale, to the Subdivisional Magistrate. If any animal which has been impounded is sold, the pound fees shall be paid from the proceeds of the sale direct to the pound-keeper, and the balance only fowarded with the account.

(*e*) If the District Judge orders that the property be sent to court, the officer in charge shall despatch it with a forwarding advice in B. P. Form No. 31 in triplicate, in which shall be recorded the cost of transporting the property. If the deceased has been burier or cremated at the expense of a municipality, the expenses so incurred shall also be recorded in the form and the Chairman or Vice-Chairman shall be advised to apply to the District Judge for the recovery of the expenses.

(*f*) The third copy of B. P. Form No. 31 or of Form No. 30 which will, in due course, be returned by the District Judge, shall be filed in the police-station.

(*g*) The police shall not question the validity of any claim or will which may be set up by any claimant, and property shall not be taken into custody from the possession of any such claimant. If, however, the officer in charge has reason to believe that a claimant has obtained possession dishonestly or that a will has been forged, he shall apply to the Superintendent for orders regarding prosecution under section 404 or section 467, Indian Penal Code.

Warning to owners and occupiers of land when a breach of the peace is apprehended. [§ 12, Act V, 1861.]

252. (*a*) When a dispute in respect of land which is likely to lead to a breach of the peace is reported the officer in charge of the police-station or outpost or any officer not below the rank of Assistant Sub-Inspector deputed by him shall, if immediate preventive action on his own part is not required, issue a warning in B. P. Form No. 32 to the owner, occupier or other person having or claiming an interest in such land. Such warning brings the owner, occupier or person claiming an interest in the land within the scope of section 154, Indian Penal Code, should he not endeavour to prevent the dispute culminating in a riot.

(*b*) The warning shall be issued in duplicate, and the signature or left thumb impression of the person to whom it is isued shall be obtained on the duplicate copy in the presence of reliable witnesses, whose names and addresses should be noted. The exact date and hour of service shall be noted on the duplicate copy which should then be passed on to the office copy.

Forgery of currency notes. [§ 12, Act V, 1861.]

253. (*a*) On receipt of a forged note from any source, an enquiry should be undertaken regarding its origin and a report sent immediately to Currency Officer, Calcutta, a copy being sent to the Deputy Inspector-General, Criminal Investigation Department. This report should contain the following information regarding each note or series of notes:—

(*i*) Denomination.

(*ii*) Serial letters and number

(*iii*) General number.

(*iv*) Circle and date of notes of old type.

(*v*) Place of appearance.

(*vi*) Date of appearance.

(*vii*) Whether *process* or *hand* made.

(*b*) If in regard to any forged note an enquiry is not considered necessary, it will be forwarded by the officer in charge to the Currency Officer along with the report mentioned in clause (*a*), otherwise after the enquiry or investigation has been completed. In the latter event a reference will be made to the original intimation sent to the Currency Officer reporting the discovery. If on receipt of the first report it appears to the Currency Officer that the forgery is new and to be process-made and the note has not been sent with the report, he will immediately call for it in order to communicate the particulars to all other Currency Officer and shall thereafter return the note to the police for any further investigation that they may desire to make.

The Currency Officer has been directed to send to the police, for enquiry, all process made new forgeries irrespective of their face value and all forged notes of Rs.10 or of a higher denomination, received by him (*vide* paragraph 368, Reserve Bank of India, Issue Department Manual).

(*c*) If there is any probability of the guilt of the utterer or forger being established, a case should be formally instituted and thoroughly investigated by expert officers. The Superintendent is responsible for seeing that proper discrimination is displayed, both in the matter of instituting appropriate cases, and in specially reporting such of these as are required to be reported in accordance with serial 12 of the Schedule attached to Appendix XV.

(*d*) On the conclusion of enquiries, where cases are not instituted, final reports along with the forged notes should be sent to the Currency Officer in continuation of the first reports showing the result of the enquiries made and quoting in each case the number and date of the first report.

(*e*) When cases are instiutted but not specially reported, the short histories referred to in the remarks column against serial 12 of the Schedule attached to Appendix XV should be submitted quoting the reference to the report submitted in accordance with clause (*a*) above.

(*f*) Should a case be sent up in charge-sheet a copy of the judgment should be sent along with the final report.

(*g*) Particular attention should be paid to the investigation of dangerous forgeries, *i.e.*, those which are sufficiently good to deceive persons accustomed to handling notes as such cases are reported by the Deputy Inspector-General, Criminal Investigation Department, to the Director, Intelligence Bureau, for the information of the Central Government. The reports on such forgeries should include information regarding the area in which the notes have been circulated, whether there is reason to believe that a large number have been put into circulation, and whether the investigation has led to the detection of the forgers of any other known series of dangerous forgeries.

Cases in which first information not submitted. [§12, Act V, 1861.]

254. (*a*) A register shall be kept in B. P. Form No. 33 in which shall be entered all cases enquired into by the police in which no first information report is required, *e.g.*, cases under municipal or railway bye-laws, section 34, Police Act, 1861, cases under sections 107, 109, 110, 144 and 145 of the Code of Criminal Procedure, non-cognizable cases under the Criminal Tribes Act, 1924, cases under sections 176

182 or 211, Indian Penal Code, the Motor Vehicle Act, 1939, Serais Act, 1867, etc., etc.

(*b*) A separate register in Bengal Form No. 403 (Q), (B. P. Form No. 34) shall be maintained for all occurrences of collision, breakdown and running down in which a motor vehicle is concerned. The form is printed in duplicate in bound books, the upper foil being perforated. As soon as an incident of this nature occurs, an entry shall be made in this form and an enquiry started. When the enquiry is complete, the perforated copy shall be sent through the Circle Inspector to the Superintendent. If, as a result of this enquiry, the Superintendent considers that a cognizable case under the Indian Penal Code has been made out, he will order the usual first information report and case diaries to be utilised, but this form will the attached so that it may serve as a brief for the prosecution. If, on the other hand, the Superintendent considers that the enquiry discloses an offence under the Motor Vehicles Act, 1939, or the rules framed thereunder or other minor Acts, then this form together with a report in B. P. Form No. 35 shall be submitted by the investigating officer to the Magistrate. In a case in which no prosecution is considered necessary, the perforated copy of the form shall be returned by the Superintendent to the police-station to be filled with the counterfoil. In a case in which a prosecution is ordered, this form shall be submitted eventually to the Superintendent together with the final memorandum and he shall after perusal pass orders, if necessary, and return it with the police-station copy of the final memorandum.

(*c*) Reports to the court for trial in such cases, excepting those under sections 107 and 145, Code of Criminal Procedure, which shall be submitted in duplicate in B. P. Form No. 36, shall be submitted in duplicate in B. P. Form No. 35. In cases, however, under the Criminal Tribes Act 1924, and Goondas Act, 1923 (Bengal Act I of 1923), sections 109 and 110, Code of Criminal Procedure, or under section 182 or 211, Indian Penal Code, only one copy of the form shall be used. In all cases where duplicate forms are used one copy showing the result of the case shall be returned by the Court officer direct to the station officer in lieu of a final memorandum. Care shall be taken to see that column 6 of Form No. 33 is filled up in due course. If after a reasonable, period the duplicate copy is not returned with the Magistrate's orders, a reminder shall be sent to the Court police office.

III.—INVESTIGATION.

255. (*a*) The general responsibility for all investigations within the limits of his jurisdiction will rest with the senior Sub-Inspector of the police-station. **Responsibility of station officer. [§ 12, Act V, 1861.]**

(*b*) No officer of lower rank than a Sub-Inspector shall be employed in the investigation of criminal cases except in unavoidable emergencies when an Assistant Sub-Inspector may be so employed as laid down in regulation 207(*c*).

Investigating officer to consult connected registers before proceeding to investigate. [§ 12, Act V, 1861.]

256. When an offence is reported, the investigating officer shall consult all registers which are likely to assist him in his investigation, particularly the Village Crime Note-Book, before proceeding to investigate.

Abstention from investigation. [§ 12, Act V, 1861.]

257. (*a*) Any officer in charge of a police-station may, under section 157(*b*), Code of Criminal Procedure, refrain altogether from investigating a case in which there appears to him to be insufficient ground for investigating.

(*b*) Police officers shall observe the following broad principles in exercising the discretion vested in them by section 157(*b*) of the Code of Criminal Procedure:—

I. Every cognizable offence, other than one of those enumerated in clause II below, shall ordinarily be investigated, if the informant so desires. If for any special reason no investigation is made, the special reason shall be recorded.

II. No investigation shall ordinarily be made in—

(*i*) cases in which the injured person does not wish for an enquiry, unless the offence has occurred in a crime centre or appears to be really serious, or may reasonably be suspected to be the work of a professional or habitual offender or a member of a criminal tribe known to be addicted to crime, or unless it is otherwise desirable in the interests of the public that the case shall be investigated;

(*ii*) cases which, after consideration of the information and of anything which the informant may have to say, appear to fall under sectioun 95, Indian Penal Code; and

(*iii*) cases in which the information shows the case to be a purely civil nature, *i.e.*, where the important is apparently seeking to take advantage of a petty or technical offence to bring into the criminal courts a matter which ought properly to be decided by the civil courts.

These instructions indicate only general principle, and police officers shall exercise their discretion in every cognizable case that is reported to them.

NOTE.—In the cases referred to in clause II (*iii*) above, the points to be considered are whether the complainant can obtain adequate redress from the courts by instituting a prosecution, and, whether action on the part of the police is expedient for the preservation of order. When the charge is of enticing away a girl (section 363, Indian Penal Code, and cognate sections), the police should be careful to ascertain that the case is not one of elopement or of a girl running away to her parents on account of illtreatment, and in cases of cattle theft that it is not a mere dispute as to ownership, or as to the payment of the price of an animal purchased.

(*c*) In cases where investigation is refused the complainant or informant shall be informed in B. P. Form No. 37A of the fact and of the reasons for abstention.

Investigation on the spot. [§ 12, Act V, 1861.]

258. If the officer in charge of a police-station decides that an investigation is necessary, after despatching a first information report, he shall himself proceed to the spot or depute a subordinate to hold an enquiry, who shall not be below the rank of Assistant Sub-Inspector.

In a case where the complaint is not of a serious nature, and is made against a person known, clause (*a*) of section 157, Code of Criminal Procedure, does away with the legal necessity for a local investigation, but it is very seldom that advantage should be taken of this section. In rural areas, it is permissible only when a case of a simple nature is brought to the police complete, the complainant and witnesses being present. In towns, the investigation may be conducted at the police-station if it is close to the scene of crime.

Investigation outside jurisdiction. [§ 12, Act V, 1861.]

259. Subject to the provisions of section 156, Code of Criminal Procedure, no station officer may be deputed to undertake the duties of, or conduct a special enquiry in, the jurisdiction of another police-station, without the sanction of the Circle Inspector or any officer of higher rank. [*See* regulation 189 (*u*).]

Harassment of the public to be avoided. [§ 12, Act V, 1861.]

260. Investigating officers should carefully abstain from causing unnecessary harassment either to the parties or to the people generally. Only those persons who are likely to assist the inquiry materially should be summoned to attend. Where possible the investigating officer should himself go to the house of the witness to be examined. The proceedings should be as informal as possible. The questioning of witnesses should ordinarily be conducted apart, and in a manner that will not be distasteful to them.

Duration of investigation. [§ 12, Act V, 1861.]

261. (*a*) The investigating officer shall, whenever possible, pursue the investigating to its completion without a break in continuity.

(*b*) The investigating officer may, for the purpose of following up any clue or conducting an enquiry which may be done more easily and expeditiously in person than by correspondence, proceed beyond the limits of his jurisdiction, but he shall report his intention to the Inspector before proceeding.

(*c*) Circle Inspectors shall see that investigating officer complete their investigations as required by section 173, Code of Criminal Procedure, and that the provisions of clause (*b*) are not abused. If the directions in clause (*a*) are strictly observed, it should rarely be necessary to prolong the investigation of even the most difficult case beyond 15 days.

(*d*) The practice of delaying the submission of the final report after the completion of the local enquiry on the spot shall be discouraged. It is the duty of Superintendents and even more of Inspectors to insist that investigations in cases in which the accused are known are brought promptly to a conclusion.

(*e*) When a Magistrate forwards a complaint to the officer in charge of a police-station for investigation, it shall, whenever possible, be completed within the time fixed by the Magistrate for that purpose. If this is not possible, the investigating officer shall, in any event report by the prescribed date the progress made and the date by which he expects to complete the investigation.

The same procedure shall be followed when an enquiry is made into a complaint referred to the police under section 155(*1*) or section 202, Code of Criminal Procedure.

Complaints of illtreatment against the police by arrested persons. [§ 12, Act V, 1861.]

262. Directly an accused person is placed under arrest, the investigating officer shall ask him whether he has any complaint to make of ill-treatment by the police, and shall enter in the case diary the question and answer. If an allegation of ill-treatment is made, the investigating officer shall then and there examine the prisoner's body, if the prisoner consents, to see if there are any marks of ill-treatment, and shall record the result of his examination. He shall further consider and note whether there is any reason to believe that marks found are attributable to other causes than ill-treatment, such as resistance to arrest. If the prisoner refuses to allow his body to be examined, the refusal and the reason therefor shall be recorded. If the investigating officer finds that there is reason to believe the allegation of ill-treatment, he shall forward the prisoner with his complaint, the record of corporal examination, any other evidence available, and if possible the police officers implicated by the prisoner's complaint, to the nearest Magistrate having jurisdiction to enquire into the case.

Case diary. [§ 12, Act V, 1861.]

263. (*a*) Section 172, Code of Criminal Procedure, prescribes the case diary which an investigating officer is bound by law to keep of his proceedings in connection with the investigation of each case. The law requires the diary to show—

(*i*) the time at which the information reached him;

(*ii*) the time at which he began and closed his investigation;

(*iii*) the place or places visited by him;

(*iv*) a statement of the circumstances ascertained through his investigation.

Nothing which does not fall under one of the above heads need be entered, but all assistance rendered by panchayats or presidents or members of union boards shall be noted. When the information given by the panchayat or president or a member of a union board is of a confidential nature, his name shall not be entered in the case diary, but the investigating officer shall communicate his name and the information obtained from him in a separate report, and shall at the same time note briefly in the case diary that this has been done.

Under heads (*iii*) and (*iv*) shall be noted the particulars of the house searches made with the names of witnesses in whose presence search was made (section 103, Code of Criminal Procedure); by whom, at what hour, and in what place arrests were made; in what place property was found; and of what description; the facts ascertained; on what points further evidence is necessary, and what further steps are being taken with a view to complete the investigation.

The diary shall mention every clue obtained even though at the time it seems unprofitable, and every step taken by the investigating officer, but it shall be as concise as possible. The statements of witnesses shall not be recorded in the diary, but the names of all witnesses examined shall be given. The diary shall be a record of acts done by the officer and of the facts ascertained by him, *i.e.*, of the result of his investigation.

(*b*) A diary so composed, that is a diary which does not contain the statement of witnesses, is privileged. The court may send for it and may use it, not as evidence, but as an aid in judicial enquiry or trial, but the accused has no right to call for it or to see it, even if referred to by the court; the only exception is that when it has been used by the police officer who made it to refresh his memory or when the court use it for the purpose of contradicting such officer, then the provisions of section 145 or section 161 of the Evidence Act, 1872 (I of 1872) shall apply.

Instructions for writing case diary. [§ 12, Act V, 1861.]

264. (*a*) Case diaries (B. P. Form No. 38) shall be written up as the enquiry progresses, and not at the end of each day. The hour of each entry and name of place at which written shall be given in the column on the extreme left. A note shall be made at the end of each diary of the place from, the hour at, and the means by which, it is despatched. The place where the investigating officer halts for the night shall also be mentioned. A specimen case diary given in Appendix XVI.

(*b*) A case diary shall be submitted in every case investigated. The diary relating to two or more days shall never be written on one sheet or despatched together. Two or more cases should never be reported in one diary; a separate diary shall be submitted in each case daily until the enquiry is completed. But it is not necessary to send one on any day on which the investigation, though pending is not proceeded with.

(*c*) The diary shall be written in duplicate with carbon paper, and at the close of the day the carbon copy, along with copies of any statement which may have been recorded under section 161, Code of Criminal Procedure and the lists of property recovered under section 103 or 165 of that Code, shall be sent to the Circle Inspector. In subdivisions where there is a Subdivisional Police Officer, another copy of the diary in special and misconduct report cases shall be made out by the carbon process and submitted to him. This copy shall be preserved for one year. When an investigation is controlled by an Inspector of the Criminal Investigation Department, the investigating officers shall forward the Circle Inspector's copy of the case diary through that officer who shall stamp or write on the diary the date of receipt by him and, after perusal, forward it to the Circle Inspector.

(*d*) In special report cases an extra carbon copy shall be prepared of the diaries, statements of witnesses recorded and lists of property recovered and sent direct to the Superintendent and a further carbon copy to the Subdivisional Police Officer where there is one.

(*e*) Each form shall have a separate printed number running consecutively throughout the book so that no two forms shall bear the same number. On the conclusion of an investigation the sheets of the original diary shall be removed from the book and filed together. Every file shall be docketed with the number, month and year of the first information report, the final form submitted and the name of the complainant, the accused and the investigating officer. The orders regarding preservation and destruction of these papers shall also be noted.

(*f*) When sending charge-sheet to the Court officer, the investigating officer shall send all his original case diaries which shall be returned by the Court officer on the case being finally disposed of (*vide* regulation 272).

(*g*) Case diaries shall be written in English by those officers competent to do so. Other officers shall write either diaries in the vernacular. Statements recorded under section 161, Code of Criminal Procedure, shall, however, always be recorded in the vernacular, except when recorded by European officers.

(*h*) Instructions for the custody and despatch of case diaries are given in regulation 68.

Recording of statements under section 161, Criminal Procedure Code.

265. Besides the diary an investigating officer has discretion, under section 161 of the Code of Criminal Procedure, to record or not the statement of any witness examined by him. All such statements shall be signed and dated by the officer recording them and, when taken in his presence, by the superior officer locally supervising the case. No such recorded statement shall be used for any purpose (except the following) at an enquiry into or trial of the case in which it was recorded. When, however, the witness, whose statement has been so recorded, is called for examination by the prosecution, the accused is, under section 162 of the Code, entitled to request the court to refer to the statement, and the court is bound to do so. The court shall also direct the accused to be furnished with a copy thereof in order that any part of such a statement, if duly proved, may be used to contradict such witness as provided in section 145 of the Indian Evidence Act, 1872. Only if the court considers that any portions are irrelevant or that its disclosuer is not essential to the interests of justice and is inexpedient in the public interests it shall exclude such part from the copy of the statements furnished to the accused. The rule regarding the confidential treatment of case diaries is, *mutatis mutandis,* applicable to statements recorded under section 161, Code of Criminal Procedure.

Dying declaration. [§ 12, Act V, 1861.]

266. (*a*) If it is not possible to have the statement of a person whose evidence is required and who is in imminent danger of death recorded by the Magistrate and it becomes necessary for some other person to record a dying declaration, this shall be done, whenever possible, in the presence of the accused or of attesting witnesses. A dying declaration made to a police officer shall be signed by the person making it.

(*b*) If a seriously injured person, not in imminent danger of death, is sent to hospital the investigating officer shall warn the medical officer about having the person's statement recorded by a Magistrate, should the necessity for such a course arise.

(*c*) In case of doubt whether action under clause (*a*) or under clause (*b*) should be taken, the investigating officer shall act in accordance with clause (*a*).

267. It is not for a police officer to decide whether a person charged with a cognizable offence is or is not a lunatic. He will deal with the case as if the person were sane, and if an offence be proved, will send the prisoner up for trial. But the investigating officer shall ask the court to have an enquiry made regarding the mental condition of the accused as soon as he shows signs of insanity and he shall not send up witnesses for the prosecution without previously ascertaining whether in the opinion of the court the prisoner is capable of making his defence. **Police may not decide question of lunacy.** [§ 12, Act V, 1861.]

268. (*a*) On receipt of a copy of the complaint from the Magistrate directing an investigation to be made by the police under section 155, Code of Criminal Procedure, in a case which is not cognizable by the Police or ordering the Police to enquire under section 202 of that code together with the intimation of the date by which the report of the investigation or enquiry shall reach him, the police officer concerned shall, if he is unable to report by the date fixed, send a report on or before such date explaining the delay and stating on what date the report is expected to reach him. The complainant should be informed of the date so fixed and directed to appear before the investigating officer at the scene of the occurrence. **Investigation of non-cognizable cases.** [§ 12, Act V, 1861.]

(*b*) Subdivisional Police Officers or Circle Inspectors shall watch the working of these sections so far as they affect the police and bring to the notice of the Superintendent any irregular orders passed by Magistrates or the excessive use of this procedure. (*See* regulation 21).

269. (*a*) Unless the District Magistrate otherwise directs, the witnesses shall be bound down to attend before the Magistrate as soon as they can reach his court, except when the occurrence of a gazetted holiday renders it improbabale that the case can be heard at once, in which case they shall be bound down to appear on the morning of the next day after the holiday or holidays. If any delay is allowed for the convenience of the witnesses or for any other special reason, the circumstance shall be at once reported to the Magistrate. **Binding down of witnesses.** [§ 12, Act V, 1861.]

(*b*) To enable the Court officer to prepare himself for the case in time for the trial, charge sheets shall be sent so as to reach him at least one clear day before the date fixed for trial. The final diary shall contain a summary of the case and a synopsis of the evidence against the accused.

270. It lies with the police, subject to general instructions from the Magistrate, to determine what evidence is necessary to establish a charge, and what number of witnesses are required to prove each fact. Much will, of course, depend on whether the fact is seriously disputed or not. Where the fact to be proved is not likely to be disputed, unnecessarily witnesses should not be harrased by being sent in. Under section 171, Code of Criminal Procedure, no witness or complainant can be required to accompany a police officer. A witness refusing to execute a bond may be sent up in custody. **Number of witnesses to be sent up.** [§ 12, Act V, 1861.]

Information from post or telegraph office records.

271. Records of a post or telegraph office shall be produced and information available in them shall be given by the postmaster or telegraph master on the written order of any police officer who is making an investigation under the Code of Criminal Procedure; but only those entries in the records shall be disclosed which relate to the persons accused of the offence under investigation, or which are relevant to that offence. In any other case the postmaster shall refer for orders to the Postmaster-General, who will decide whether or not, under section 124 of the Indian Evidence Act, 1872, the information required shall be withheld. When the information required by a police officer is not available in the records of the post office, the police officer shall be informed accordingly, irrespective of the question whether the information, if available, might or might not be given.

Charge-sheets. [§ 12, Act V, 1861.]

272. (*a*) When an officer in charge of a police-station on completion of an investigation under Chapter XIV, Code of Criminal Procedure, finds the charge proved and proposes to proceed against any person, he shall, notwithstanding that he has failed to arrest all or any of the persons against whom the charge is proved, at once submit a charge-sheet in B. P. Form No. 39, which is the report prescribed under section 173, Code of Criminal Procedure. Thus a charge-sheet shall be submitted when the accused is absconding or is sent up for trial in custody or on bond (section 170, Code of Criminal Procedure). In cases where an acused is absconding, the investigating officer shall submit with the charge-sheet a list of the absconder's property so that the court may issue attachment orders.

(*b*) The following insructions shall be observed:—

(*i*) The charge-sheet shall be sent by the quickest means to the Court officer for submission to the Magistrate. When a *prima facie* case is made out in a case in which articles have been sent for chemical analysis, the charge-sheet shall not be delayed till receipt of the Chemical Examiner's report. If a case in the first instance is reported in final report form, but subsequently by the Magistrate's order or otherwise, the accused person is placed on his trial, the final report form shall be cancelled and a charge-sheet submitted. If, on transit from a police-station to the court, an accused person absconds, the charge-sheet form shall stand. The case shall be kept pending till the absconder is arrested, or till his arrest is considered hopeless.

(*ii*) When submitting a charge-sheet, the officer in charge of a police-station shall also communicate in B. P. Form No. 40 or 40A, the action taken by him to the person, if any, by whom information relating to the commission of the offence was first given.

(*iii*) Lists of property stolen, lists of property found on parties arrested, reports on previous convictions, the bail and recognisance bonds executed under section 170, Code of Criminal Procedure (Forms XXV and XXVI of Schedule V, of the Code), and a map in cases in which the rules require a map, shall be attached to the charge-sheet form. Only the precise particulars as required by the column headings shall be noted in the charge-sheet. The charge-sheet shall be given an annual serial number and a counterfoil shall be kept at the

police-station. Superior officers of police may not return or detain a charge-sheet once submitted by the investigating officer. They may, however, direct a further enquiry pending the instructions of the District Magistrate. If the correct name or address of the accused has not been ascertained the investigating officer shall ask that a remand be applied for.

(*iv*) A police officer sending up an accused person for trial shall certify on the back of the charge-sheet that he has carefully examined the register of persons convicted (Village Crime Note-Book, Part II), and that he has in all other respects made full enquiry whether such accused person has been previously convicted. A similar certificate shall be given regarding absconders against whom a charge is proved. Should previous convictions be ascertained, a short report of all particulars concerning them, including the names of any person who can prove each previous conviction, will be sent with the charge-sheet to enable the Court officer to prove them under section 511, Code of Criminal Procedure. In addition to the certificate referred to, the investigating officer, when the accused is charged with an offence for which enhanced punishment can be given on reconviction, shall note on the back of the charge-sheet as to whether the accused has resided in his jurisdiction for a priod of more or less than 10 years.

(*v*) When the entry regarding the previous conviction of the person sent for trial would, under existing rules, be in the register of another station, the investigating officer will note this fact on the charge-sheet and inform the officer in charge of that station that such a person is being sent for trial, in order that latter may search his station register and supply direct to the Court officer the required particulars about his previous conviction. On receipt of this report, the Court officer shall attach it to the charge-sheet. The receipt, however, of such information in no way relieves a sadar Court officer from the performance of the duty of searching the index register of convictions and ascertaining whether any conviction other than those noted by the station-police are entered therein against an accused person. Enquiries should not be made in Nepal as to the antecedents of persons professing to reside in that State.

(*vi*) On the duplicate of the charge-sheet shall be entered in red ink the number of volume and page of the conviction (Village Crime Note-Book, Part II) and surveillance registers in which the convict's name has been registered, and in all cases declared true, whether convicted or not, the number of the entry in the property register, if any, shall also be noted.

(*vii*) The antecedents of each accused person shall be noted on the back of the charge-sheet under one or other of the following heads:—

(1) Known thief, dacoit, robber.

(2) Vagrant with no fixed residence.

(3) Suspicious character.

(4) Habitual drunkard.

(5) Prostitute.

(6) Good character.

(7) Antecedents unknown.

Map or plan to accompany charge sheet in certain cases.
[§ 12, Act V, 1861.]

273. (*a*) A map or plan shall always accompany the charge sheet in cases of murder, dacoity, serious riot, mail robbery, highway robbery, extensive burglary or theft where Rs.600 or more are stolen. Ordinarily, maps will not be required in cases other than those mentioned above; but the investigating officer may, at his discretion, prepare and send up a map in any other case. The map shall be prepared at as early a stage of the investigating as possible.

(*b*) The map shall, if possible, be drawn to scale, but this is not essential. If not drawn to scale, the fact shall be noted clearly on the map.

(*c*) The draughtsman or investigating officer who prepares the map shall bear in mind that it is essential for a correct appreciation of the situation by the court and jury that a clear distinction should be made between (*i*) facts actually seen by the draughtsman himself and (*ii*) facts deposed to only by witnesses. Statements made by the draughtsman as to the first group are always relevant; his statements as to the second are *prima facie* inadmissible and cannot be used as primary evidence to go to the jury.

It is necessary to maintain a suitable distinction in the map between these two sets of facts. This distinction shall be effected as follows:—

(*i*) The objects actually seen by the person preparing the map including such permanent features as buildings, trees, roads, paths and tangible points connected with the case, such as blood stains, foot-prints, cloth and corpse, etc., actually seen by him shall be indicated by letters of alphabet A, B, C, D, etc., explanations of these letters being given preferably in the margin of the map, but if this cannot be conveniently done, the explanations shall be furnished on a separate sheet of paper attached to the map.

(*ii*) Particulars derived from witnesses, *e.g.*, the place where witness X is said to have stood, where the accused is said to have been standing when seen by X, where the blow was struck, etc., shall be indicated on the map by the numbers 1, 2, 3, 4, etc. The explanations of the numbers, however, shall on no account be given on the face of the map or on the separate sheet of paper referred to above, but on another sheet of paper distinct from either the map or the list of explanations of the actual facts indicated by letters.

(*d*) The number of the case and the name of the accused shall be given at the top of the map, and the signature of the person who prepared it at the foot. Use should always be made of cadastral and other maps, where they are available and are of sufficiently large scale.

(*e*) The draughtsman or the investigating officer who prepared the map shall be produced as a witness at the trial.

Brief of a case. [§ 12, Act V, 1861.]

274. (*a*) Simultaneously with the submission of the charge-sheet and its annexures the investigating officer shall prepare two copies of a brief containing full particulars of the case and of evidence available for sending up the accused person, in B. P. Form No. 41. [The brief shall be kept apart and shall not form part of the case diary during the pendency of the case.] One copy of the brief shall be sent to the Court officer, and the other to the Superintendent, so as to reach them, if possible, at least seven days before the date fixed for trial. Should the Superintendent notice defects in the investigation, he shall at once draw the attention of the investigating officer to them so that further investigation may be underaken if necessary and he shall send to the Court officer a copy of any orders he issues.

(*b*) Any suggestions the Superintendent has to make regarding the conduct of the prosecution shall be communicated by him to the Court officer who shall take the necessary action for making the preparation of the case complete. He shall not wait, however, for such suggestions before remedying defects which become apparent to him.

Final report forms. [§ 12, Act V, 1861.]

275. (*a*) A final report in B. P. Form No. 42 shall be drawn up by the investigating officer in every investigated case which does not result in charge-sheet. In column 8 a clear statement of the case and of the evidence shall be given together with the reasons for not sending up any person for trial. The investigating officer shall also suggest in the same column with reasons how the case may be entered by the Magistrate in the General register for statistical purposes whether as "true", "intentionally false", "mistake of fact", "mistake of law", or "non-cognizable".

(*b*) The form shall be written in triplicate, every final report being given an annual serial number. One copy will be kept at the police-station and filed with the case diaries and receipt of the final memorandum and the other two copies will be sent to the Circle Inspector, the actual date and hour of despatch being entered on all the three copies. The circle Inspector will attach one copy of the case diaries and forward the other to the Magistrate with his remarks and recommendations. [*See* regulation 196.]

(*c*) The final report shall contain a specific application for the release of an arrested person from custody or his discharge from bond. Bail and recognisance bonds shall be attached to the final report.

Magistrial orders on final reports.

276. (*a*) On receipt of the final report, the Magistrate may accept the police finding and declare the case accordingly or may, under section 156(*3*), Code of Criminal Procedure, order further enquiry on specified points or may take cognizance under section 190(*b*) of that Code, and, if the persons accused have not already been arrested issue process against them under section 204 of the Code and require the investigating officer to furnish the names and addresses of the witnesses.

(*b*) When further enquiry is ordered, it shall be entered on and completed as soon as possible. If, on the completion of such enquiry, the investigating officer considers the charge proved, he shall submit a charge-sheet form; if not, he shall submit a final report in the usual way.

Revival of investigation. [§ 12, Act V, 1861.]

277. (*a*) If, in any case in which a final report has already been made, any information or clue is obtained, the investigation shall be re-opened and shall be conducted by such officers as may be detailed to do so by the officer in chrage of the station.

(*b*) When the investigation of any case is revived, the foregoing regulations shall apply to such further investigation in like manner as to the original investigation.

(*c*) If a revived investigation leads to the collection of evidence sufficient to justify a trial, a charge-sheet shall be drawn up, in accordance with the foregoing regulations. Otherwise, a supplementary final report shall be prepared and dealt with in the same manner as an original final report.

Communication of action taken to informant on completion of investigation.

278. On completion of the investigation when a final report in B. P. Form No. 42 is submitted the investigating officer shall under section 173 (*1*)(*b*), Code of Criminal Procedure, communicate to the informant in B. P. Form No. 43 or 43A, the action taken by him.

Procedure in false cases. [§ 12, Act V, 1861.]

279. (*a*) Whenever a case reported to the police is found after investigation to the maliciously false, the investigating officer shall, if evidence is available for prosecution of the complainant under section 182 or 211, Indian Penal Code, submit to the Magistrate, through the Circle Inspector, a formal complaint, attached to his final report, to enable the Magistrate to take cognizance of the case under section 190, Code of Criminal Procedure [under proviso (*aa*) to section 200 of that Code, the Magistrate need not examine the complainant] The investigating officer shall at the same time furnish the Court officer with a brief of the case.

(*b*) Prosecutions against complainants in false cases shall be instituted only when the charges made are deliberately and maliciously false and not when they are merely exaggerated.

(*c*) The Circle Inspector shall, after satisfying himself that the complainant is well founded and that all possible enquiries have been made to collect the requisite evidence, forward the complaint to the Magistrate.

(*d*) If a complaint case referred to the police for investigation is found to be maliciously false, the investigating officer shall submit, together with the final report, a report to the Magistrate through the Circle Inspector giving the grounds on which the case is held to be false and recommending as to whether the complainant should be prosecuted.

Searches. [§ 12, Act V, 1861.]

280. (*a*) The law in regard to searches is contained in Chapter VII and sections 102 and 103, 165 and 166, Code of Criminal Procedure. These sections must be scrupulously followed. The officer conducting a search should take precautions to prevent the possibility, on the one hand, of any articles being introduced into the house without the knowledge of the inmates, and on the other, of any articles being taken out of the house while the search is in progress. Search should

be made in the presence of the owner of some one on his behalf. The presence of search witnesses [*vide* clause (*h*) below] must not be looked upon merely as a formality, but they must actually be eye-witnesses to the whole search and must be able to see clearly where each article is found. They should then sign the search list (B. P. Form No. 44). If any search witness be illeterate, it should be read over to him and his left thumb impression should be taken on it. Where the witnesses do not know English, it should be written in the vernacular. The suspected person whose property is seized, should, if present at the search, also be asked to sign the list. Should he refuse, a note will be made to this effect and it should be certified to by the witnesses. The suspected person, or in his absence, the person in charge of the house or place searched, should be given a copy of the search list. He will be given an opportunity of comparing it with the original and be asked to sign an acknowledgment for the copy of the original list. Should he refuse, a note to that effect should be made and should be certified to by witnesses. In cases where no property is seized, the search list should be crossed vertically and signed by the search witnesses and the owner of the house.

(*b*) Only searches for any specific article, which is known or reasonably suspected to be in any particular place or in the possession of any particular person, can be made without warrants. General searches without warrants are illegal and the only search which can be made without warrant is under section 165, Code of Criminal Procedure. There must be some specific thing necessary for purposes of investigation and there must be reasonable ground for believing that it is in a particular place and that delay in search is likely to interfere with the recovery of property. The police officer must record in his diary (*i*) the ground of his belief and (*ii*) the thing he is looking for, and must as soon as practicable send a copy of such record to the nearest Magistrate empowered to take cognizance of the offence [section 165 (*ii*), Code of Criminal Procedure]. No place should be searched without a warrant merely because the occupier is a registered bad character or absconding offender. Such a search should be made only under the circumstances given in section 165, Code of Criminal Procedure, and when the police officer has reason to believe that the thing searched for will be found in the place to be searched. Provided that reasonable suspicion exists and a definite article (or articles) is (or are) searched for, the police are entitled to search the house of an absconding offender, whether he has been proclaimed or not. Police officers should note in their diaries the reasons for search, though they are not obliged to give the name of the person upon whose information they act. The name, father's name and residence, etc., of any person producing keys of any locked receptacles or claiming ownership of articles seized should always be noted in the case diary.

(*c*) Under section 165 (*2*) of the Code of Criminal Procedure, the officer in charge of the police-station or the investigating officer, who must not be below the rank of Sub-Inspector, must if practicable, perform the actual search in person. Only when he is incapacitated from so doing can be depute another officer he must first of all record his reasons for doing so and then give written orders to the officer

deputed specifying what the search is for and where it is to be made. A verbal order given on the spot will not fulfil the requirements of the section.

(*d*) Before the commencement of the search the person of every police officer who is to conduct it, as also that of every witness and informer shall be examined before the witnesses and the owner of the house or his representative.

(*e*) The law does not require a search under the Code of Criminal Procedure, to be made by daylight, except those under section 14 of the Opium Act, 1878, but there are advantages in searching by daylight, and a searching officer should consider whether a house-search should proceed by night or whether daylight should be awaited. Matters must be so arranged as to cause as little inconvenience as possible to the inmates, and especially the women.

(*f*) When suspected property is found in a house all the property in the house is not to be seized. Property seized must be either alleged or suspected to have been stolen or found under circumstances which create a suspicion of the commission of an offence, and nothing can justify the seizure of the whole of a man's property because he is suspected of having stolen some particular article or articles.

(*g*) The number of witnesses required to attend a house-search depends on the circumstances of each particular case, and no hard-and-fast rule can be laid down. The witnesses selected should be residents of the same or adjoining villages. If necessary, such residents may be served with an order in writing to attend and witness the search.

(*h*) Care should be taken that the witnesses are, so far as possible, unconnected with any of the parties concerned or with the police, so that they may be regarded as quite independent. Whenever possible, the presence of the panchayat or headman of the village shall be obtaind to witness a search. Under no circumstances should a spy or habitual drunkard or any one of doubtful character, be called as a search witness. Reasons for rejecting any person as a witness to the search should be noted in the case diary.

(*ii*) Whenever it becomes necessary for a search to be made for arms illegally possessed, a warrant must invariably be obtained under section 25 of the Indian Arms Act, 1878 (XI of 1878) from a Magistrate. Such searches can only be conducted by, or in the presence of, an officer of, or above, the rank of Sub-Inspector. No police officer is authorised of his own motion to make a search for arms illegally possessed (*vide* section 30 of the Act).

(*j*) In order to satisfy the court as to the identity of articles alleged to have been discovered at a house-search and to prevent irregularities, the officer conducting a search under sections 103 and 165, Code of Criminal Procedure, shall prepare a list in triplicate in B. P. Form No. 44 of the property of which he has taken possession and shall forward it to the Court officer by the first available *dak* after the search together with a report regarding the search. One copy of this list will be sent to the Court officer together with copies of the records prescribed under

section 165(*5*) of the Code. One copy of the list only shall be given to the householder or his representative and the third copy will remain with the investigating officer. On receipt in the Court office, this list shall be stamped with the date of receipt and the record put up before the Magistrate. Investigating officers are required to note carefully the instructions contained in the headings of the form and are enjoined to conduct searches under such conditions that there may be no room for suspicion on the part of the witnesses that articles have been surreptitiously introduced by them or their constables or chaukidars, or anyone whatever under their influence, with a view to their being included in the list of property actually discovered in the place under search. Witnesses should be allowed free access to the place being searched and be given every facility to see and to hear everything that transpires.

All articles or weapons found at a house-search or on the person of a prisoner shall be carefully labelled and if a charge-sheet is submitted in the case, shall be sent to the Court officer. The labels shall be signed by the officer conducting the search.

(*k*) If the warrant is issued in form No. 8 of Schedule V of the Code of Criminal Procedure, or if the search is made without a warrant or on a warrant issued under section 98 of the Code, the police are not authorized to take away anything except the specified thing for which the search was directed or made, but in all cases in which the Magistrate proceeds under paragraphs 3 and 4, sub-section (*1*) of section 96 of the Code of Criminal Procedure, and directs in his warrant that there should be a general search followed by a more careful inspection at the police-station or some other convenient place, papers and documents and other articles need not be examined and initialled piece by piece *in situ*. They should be collected and packed in bundles. These bundles or receptacles should be closed or locked, as the case may be, and must in all cases be sealed or marked by the search witnesses and entered in the search lists. For instance, the contents of a desk drawer should be collected, packed together and marked and initialled by the search witnesses. For example, it might be marked $\frac{A\ A.}{1}$ Any other bundles, packages, papers or documents similarly packed up together might be sealed or marked $\frac{A\ A.}{2,}$ $\frac{A\ A.}{3,}$ etc., All these packages may be packed for easy carriage in a large receptacle which should in this case be marked A and should contain all the AA bundles or packages. Subsequently these bulky boxes or packages should be very formally opened by the search witnesses who sealed or marked and signed them during the search, and their contents should be gone over piece by piece, examined, kept or rejected, but in every instance initialled and dated by the search witnesses and the police officer in question. Each of these pieces must bear the initial letters and the serial of its original bundle *plus* its own serial number in that bundle. Should any difficulty be experienced in getting a search witness to examine the documents at the police-station, it will be open to any

police officer to call in the assistance of the court to compel the attendance of such search witnesses at the court to open the bundles, boxes, etc. Should he refuse to sign the contents of the bundles, the police officer should, if possible, invoke the help of an Honorary Magistrate or such other officers as may be available.

Searches by State police in British India and British Indian Police in Indian States. [§12, Act V, 1861.]

281. When the police authorities of an Indian State consider that, in the interest of law and order, a house in British India should be searched, an officer not below the rank of an officer in charge of a police-station should apply direct to the officer in charge of the police-station in which the search is required to be made. The latter should then proceed to make the search as he would upon a requisition made under section 166(*1*) of the Code of Criminal Procedure.

Mutatis mutandis the same procedure should be followed by the police of British India when it is necessary to search a house in an Indian State.

The rules relating to arrests under the Indian Extradition Act, 1903, are contained in Appendix XX.

Identification of suspects. [§12, Act V, 1861.]

282. (*a*) Whenever it is necessary to submit a person suspected to have been concerned in any offence to identification, the proceedings should be conducted whenever possible in the presence of a Magistrate, or of a Sub-Registrar or, if no such officer is available, in the presence of two or more respectable persons not interested in the case, who should be asked to satisfy themselves that the identification has been conducted under conditions precluding collusion. The identification proceedings should be under taken as soon after the arrest of the suspected person or persons as possible, and care should be taken that before the commencement of the proceedings the identifying witnesses are kept in charge of a court peon or other persons not being a police officer at such distance from the place where the proceedings are held as to have no chance of seeing the suspects. The suspected persons should, if possible, be paraded along with 8or 10 persons, or, if there are more than one suspect, with as many as 20 or 30 persons, similarly dressed and of the same religion and social status. Care should be taken that the mixing up of the suspect or suspects with the other persons does not take place in view of the police officers and the witnesses. Each identifying witnesses should then be brought up singly in charge of the Magistrate's orderly or some other person not being a police officer, to pick out the accused if he is able to do so. The identification by such witness should be conducted out of sight and hearing of other witnesses. If there is any fear that the identifying witnesses may be subjected to threats or injury, should they become known to the suspects or to their friends, the witnesses should be allowed to view the persons paraded from a place where they themselves cannot be seen, as for instance through a window or an opening in a door or a wall. When the officer conducting the identification has satisfied himself that no communication between the police and the witnesses was possible, he should give a certificate to this effect.

(*b*) A statement in B. P. Form No. 45 should be prepared when suspects are presented for identification, and when the identification is not held in the presence of a Magistrate, the witness should be prepared to testify to the fairness of the manner in which the identification was affected in the proper columns.

(*c*) These regulations apply only to instances in which suspects have been arrested and have to be confronted with witnesses who express themselves able to recognise them by appearance, although not previously acquainted with them. When as frequently happens, the complainant or other witness states that amongst his assailants he recognised certain persons of his acquaintance, either by their appearance or by their voice, his credibility is a matter for the courts and no departmental rules can become applicable.

(*d*) It should be borne in mind that the primary object of identification proceedings is to test the ability of the witness to identify a suspected person and to ascertain whether there is sufficient evidence to place him on trial. A Magistrate is chosen merely as a person whose impartiality and honesty is less likely to be called into question by the defence when the case is under trial, and when conducting the preceedings he is not acting in a judicial capacity (unless the case is under trial before him). It is not his duty, therefore, to record statements or put questions to suspects or witnesses except such as are necessary for the purpose of identification. While on the one hand the identification should be conducted with complete fairness and impartiality, on the other hand no attempt should be made to confuse or puzzle a witness or to create conditions which would render a witness who is honestly capable of identifying incapable of doing so.

(*e*) Test identification shall, whenever circumstances permit, be held inside the jail. The above rules are applicable in the case of an under-trial prisoner or a suspect in jail. Men on bail shall not be mixed up with under-trial prisoners except with the permission of the Magistrate. In the case of confessing accused, separate test identification parade shall be held unless the Magistrate insists that it is essential to mix confessing with non-confessing accused and hold the test identification parade simultaneously. In subdivisional jails the accused shall, if necessary, be mixed up with outsiders for holding the test identification therein, as very few under-trial prisoners of similar nature and of the same social status are available there for the purpose.

(*f*) In rioting or other cases the police shall keep the persons arrested during the occurrence distinct from those arrested afterwards on suspicion of having taken part in it. Police officers shall use the utmost care to prevent the identity of rioters and other offenders caught in the act from being impugned at the trial. The names of the offenders and of the persons arresting or identifying them shall be recorded as soon as possible in all cases, before the prisoners are removed in custody from the spot; and the place and hour of arrest shall be most accurately noted. Offenders caught red-handed shall be kept quite distinct from those arrested on suspicion.

(*g*) When a suspect refuses to attend a test identification parade no action can be taken in the absence of any evidence other than evidence of identification. When, however, there is other evidence against a suspect and he refuses to appear at a test identification parade he shall be sent for trial on the strength of such other evidence. During the trial, evidence of such refusal shall be led in favour of the prosecution. At the time of trial, the suspect will be in the dock and available for identification by the witnesses. Whenever a suspect refuses to attend a test identification parade, the Magistrate holding the parade shall be requested to make an appropriate note of the fact in B. P. Form No. 45 and, if the suspect is later sent for trial, the Magistrate shall be examined as a witness to prove the refusal.

Verification to confession.

283. (*a*) (*i*) When an accused or suspected person volunteers a confession it should be recorded in detail by a police officer who, if it appears to be true, shall take immediate steps for its verification. Such verification should include the tracing and examination of witnesses named or indicated in the confession and the search for, or the recovery of, stolen property or other exhibits material to the investigation.

The officer recording the confession shall further arrange for the confessing person to be sent to a Magistrate in order that the confession may be judicially recorded.

(*ii*) Anything which savours of oppression or trickery in obtaining a confession must be avoided. The aim of a police officer should be to obtain circumstantial and oral evidence so convincing that the accused person cannot escape. If he succeeds in obtaining such evidence, the confession will often follow and will materially strengthen the case, but to seek to obtain the confession first and the corroborative evidence afterwards is to reverse the proper order of proceedings. If, however, a confession is volunteered in an inquiry, every effort must be made to ascertain if there is evidence corroborative of any point in the confession which can be verified. A statement purporting to be a confession will often be made in order to mislead the inquiring officer, and such statements are very rarely true in all particulars, and also are frequently made in order to throw blame on other persons, or with a view to deter from further inquiry. Also they are generally retracted in court, in which case, if they stand alone and uncorroborated, they have little or no probative value. There is thus every reason for testing so-called confessions very carefully and not accepting them as final and conclusive, and stopping the inquiry.

(*b*) (*i*) Every confession which a person in police custody wishes to make should be recorded by the highest Magistrate short of the District Magistrate who can be reached in a reasonable time. Confessions can be recorded only by Presidency Magistrates, Magistrates of the first class and Magistrates of the second class specially empowered by the Provincial Government.

(*ii*) Investigating police officers should not be allowed to be present when a confession is recorded. The Magistrate should satisfy himself in every reasonable way that the confession is made voluntarily. It should be made clear to the prisoner that the making of a statement or not is within his discretion. Cognizance of complaints of ill-treatment by the police should be promptly taken and any indications of the use of improper pressure should be at once investigated. Confessions should ordinarily be recorded in open court and during court hours, provided that if the Magistrate is satisfied, for reasons to be recorded in writing on the form of confession, that the recording of the confession in open court would be liable to defeat the ends of justice, the confession may be recorded elsewhere. The immediate examination of an accused person directly the police bring him into court should be deprecated, and, when feasible, a few hours for reflection in circumstances in which he cannot be influenced by the police should be given him before his statement is recorded.

(*c*) After a confession which relates to more than one case and discloses the activities of a gang of criminals, has been judicially recorded, it should be verified by a police officer and ordinarily an Inspector should be deputed for this purpose. Should any particulars not be capable of verification without the presence of the confessing accused, an application should, with the approval of the Superintendent, be made to the District Magistrate to depute a subordinate Magistrate to verify them with his assistance. When such an application is made, a copy of the translation of the confession, together with details of the specific points that it has not been found possible to verify in the absence of the accused, must accompany the application.

(*d*) The verification should be made with a view to discover evidence corroborative of the facts disclosed in the confession and case diaries should be submitted showing for each case all the evidence and information available on the points mentioned below:—

(*i*) Name, father's name, residence, age and personal description of each member of the gang.

(*ii*) The route taken by the gang.

(*iii*) The chief incidents during the journey of the gang from start to finish, i.e., meeting with any person, visits to shops or houses for food, oil, light, axes, etc., the hiring of carts, boats or carriages, buying tickets at railway stations, crossing ferries, etc.

(*iv*) The arrival of the gang at the scene of occurrence and the preliminary arrangements made, lighting torches, cutting sticks, etc.

(*v*) The commission of the crime, rooms entered, doors broken, persons tied up or assaulted, cries uttered, or threats used, boxes taken away, chests broken open, property taken, etc.

(*vi*) The division of stolen property.

(*vii*) The breaking-up of the gang and the homeward route taken, etc.

(*e*) If a confession is made by a convict undergoing imprisonment it should be judicially recorded before action is taken on it. Thereafter if it appears to have been made *bona fide* and not to implicate his enemies or persons who have given evidence against him it should be verified as described in clause (*c*) above. If a magisterial verification of any points is necessary the Provincial Government should be moved to suspend the man's sentence temporarily under section 401, Code of Criminal Procedure, as a condition of which suspension Government will require him to remain under the charge of the subordinate Magistrate whom the District Magistrate may select for the purpose.

(*f*) If the prisoner has been confined in jail in default of finding security, the Provincial Government may not suspend his sentence, as he has not been imprisoned for an offence within the meaning of section 401, Code of Criminal Procedure. In such cases he may be released on bail, if it is forthcoming, or if not, the District Magistrate may cancel the bond under section 125 of that Code. In either case, on release, he should be rearrested and charged with an offence under section 400 or 401, Indian Penal Code, and made over to the Magistrate in order that his confession may be recorded (if this has not already been done) and verified if needed.

(*g*) The object of any magisterial verification will be to verify specific points in confessions when certain places or persons cannot be discovered without the assistance of the confessing accused.

(*h*) (*i*) During such verification the Magistrate deputed shall be responsible for the safe custody of the prisoner and shall have sole charge of him, but the latter shall on no account be put in a police-station lock-up. No police officer of any rank shall have access to him except with the written permission of the verifying Magistrate and in his presence, and a record shall be kept of all such interviews permitted. Ordinarily such permission should not be given to any police officer directly connected with the investigation.

(*ii*) The prisoner shall be guarded by peons arranged for by the verifying Magistrate, when such arrangements are considered sufficient to prevent the escape of or any attack on the prisoner. When the custody of peons is considered insufficient, the verifying Magistrate should apply to the District Magistrate for a guard from the Special Armed Force, but the men of this guard shall be forbidden to hold any communication with the investigating police or to converse with the prisoner, the personal wants of the prisoner being attended to by the Magistrate's peons under the eyes of the guard. (Government of Bengal Order No. 3571-P.-D., dated the 6th September 1912.)

(*iii*) Where the use of handcuffs or other bonds is deemed necessary, the provisions of regulation 330 shall be followed.

Procedure to be followed to secure transfer of confessing prisoner from one jail to another.

284. If it is desirable that a prisoner be removed from one jail to another for the purpose of verifying his confession, the following procedure should be followed:—

(*i*) When the two prisons are in the same province, application should be made to the Inspector-General of Prisons to direct the transfer under section 29(*2*) of the Prisoners Act, 1900 (III of 1900).

(*ii*) When the two prisons are in territories under two different Provincial Governments, application should be made to the Provincial Government concerned for securing the transfer under section 29(*1*) of the Act referred to above.

It will also meet the circumstances if proceedings are instituted against the confessing prisoner in the district to which he is to be removed and an order is then applied for under section 37 of the Act to the court having jurisdiction in the form set forth in the second schedule of the Act. This procedure should be followed also in the case of all other prisoners, who are accused in the gang case. The removal of prisoners confined beyond the limits of the appellate jurisdiction of the High Court can be effected in the manner laid down in section 40 of the Act.

Interview with convicts in jails.

285. (*a*) Attention should be paid by Superintendents and police officers generally to the very important subjects of obtaining information from criminals after their conviction. Such information should be received and acted upon with caution, but it can and should be obtained, and a good police officer should know how to utilise it. **[§12, Act V, 1861.]**

(*b*) It should be distinctly understood that the main object of interviewing a convict is not to obtain a confession but information. On many occasions an outbreak of crime has been eventually traced to new gangs, and, therefore, when the investigation has established that none of the gangs known to the police have been concerned in the outbreak, the investigating officer will frequently obtain a clue to the gangs concerned from a convicted prisoner in jail whose home is in the affected area. Much useful information can also be obtaind from convicts regarding receivers and the whereabouts of stolen property.

(*c*) It may sometimes happen that from the demeanour in court or at jail parades of a convicted person, the Court officer may consider that such person can be interviewed with advantage. In such cases it is the duty of the Court officer to report accordingly to the Superintendent.

(*d*) No police officer shall be permitted to interview or interrogate any prisoner in confinement in jail without the permission of the Magistrate of the district, or, in his absence, of the Magistrate in charge, or, if the prisoner be confined in the Presidency Jail, without the permission of the Commissioner of Police, Calcutta, or of the Inspector-General. The permission shall be given in the form of a written order addressed to the Superintendent of the jail. The permission shall be

obtained through the Superintendent of Police, or in his absence, through the officer in charge at headquarters. As a rule permission to interview a convicted prisoner in jail should not be accorded to an officer below the rank of Sub-Inspector, and, whenever possible, the interview should take place in the morning during the hours when the Civil Surgeon or Superintendent of the jail is visiting the jail.

(*e*) If in the course of an interview a convict makes a statement which amounts to a confession, the officer to whom the statement is made shall at once inform the Superintendent of Police who shall either personally interview the convict or depute an officer not below the rank of Inspector to record the statement. If the confession is of an important nature implicating a gang of dacoits of professional criminals, the Superintendent shall immediately forward a copy of it to the Deputy Inspector-General, Criminal Investigation Department, or in political cases, to the Deputy Inspector-General, Intelligence Branch. The Deputy Inspector-General shall, on receipt of the confession or statement, use his discretion under regulation 616, whether he will immediately assume control of the investigation or leave the case to be dealt with by the local authorities under the control of the Deputy Inspector-General of the Range. Pending receipt of orders from the Deputy Inspector-General, Criminal Investigation Department or Intelligence Branch, the Superintendent shall take steps to have the confession recorded by a Magistrate and to follow up any clues furnished by the confessing prisoner.

(*f*) It must be understood that the above regulation applies to statements made by convicted prisoners in jail. The procedure to be followed when a person accused or suspected of a crime volunteers a confession and the method of verification of it have been laid down in regulation 283.

Remission of sentence.

286. (*a*) When a convict undergoing imprisonment for a substantive offence is tendered pardon in another case or when a person on conviction on his own plea of guilt is examined as a prosecution witness against the co-accused, it may be desirable, in consideration of the service rendered to the prosecution, to move the Provincial Government to remit or suspend under section 401, Code of Criminal Procedure, the whole or any portion of the sentence he is undergoing. Such remission or suspension of sentence shall ordinarily be on the conditions noted below and the violation of any of the conditions shall, under clause (*3*) of section 401 of the Code, entail the revoking of the order of suspension and his arrest and commitment to jail to undergo the unexpired portion of the sentence:—

(*i*) The convict in whose favour the order was passed shall report himself at the police-station within whose jurisdiction he resides at such intervals as may be ordered by the Superintendent.

(*ii*) He shall notify his intention to change his residence to the officer in charge of the police-station one week before he changes his residence.

(*iii*) He shall within one week of his arrival at his new residence report himself at the police-station.

(*iv*) He shall not associate with known bad characters.

(*v*) He shall not commit any fresh offence.

(*vi*) If he intends to absent himself temporarily for one or more nights from his place of residence, he shall notify the fact personally, or through the village chaukidar, to the officer in charge of the police-station or outpost within which he is at the time residing, stating the place or places to which he intends to proceed, and the probable dates of his arrival there at and return therefrom respectively.

(*b*) Applications for the suspension or remission of sentence under section 401, Code of Criminal Procedure, should be made in B. P. Form No. 46, and should be accompanied by all information necessary to guide the Provincial Government in the exercise of its discretion.

The period for which it is intended that the conditions shall remain in force should be definitely specified in the application and it must also be stated that the prisoner had consented to the imposition of the conditions.

287. (*a*) Reports for proceedings to be taken under section 107 or section 145, Code of Criminal Procedure, shall be submitted in duplicate in B. P. Form No. 36. One copy showing the result of the case shall be returned direct to the station officer by the Court officer in lieu of a final memorandum. **Proceedings under sections 107 and 145, Criminal Procedure Code. [§12, Act V, 1861.]**

(*b*) In column 4 shall be entered the names of such persons as are considered responsible for a likelihood of a breach of the peace and who should be bound down. These may include names of agents, servants or partisans to the cause of dispute. In a report for proceedings under section 145, Code of Criminal Procedure, this column shall remain blank.

(*c*) If a copy of the Magistrate's order under section 145, Code of Criminal Procedure, is served by the police, it should be served promptly in the manner laid down by law, and every effort should be made to serve it personally on the parties.

(*d*) In investigating cases of land disputes likely to cause a breach of the peace, the one and only point for determination is to ascertain which party is in actual present possession of the disputed area. In collecting evidence of possession, the investigating officer shall examine people holding or cultivating land in the vicinity and shall note any remarkable feature, such as boundary marks, etc., bearing on the question of possession. It is not necessary to go into documentary evidence, except so far as it throws light on present possession, *e.g.*, a very recent civil court decree followed by delivery of posession or record-of-rights recently carried out, etc., may be examined with advantage.

When the investigating officer finds one party in possession, he shall ask the Magistrate to take action against the other under section 107 or section 144, Code of Criminal Procedure, and if he finds himself unable to collect definite evidence of possession, he shall ask for action under section 145 of that Code. The report shall always contain in addition to the reasons for apprehending a breach of the peace a summary of evidence, oral or documentary, which throws light on present possession.

Proceeding under section 109, Criminal Procedure Code. [§12, Act V, 1861.]

288. (*a*) When circumstances arise which justify proceedings being taken against a man under section 109, Code of Criminal Procedure, he should be arrested under section 55 of that Code, and if unable to furnish bail sent to the Magistrate. If, however, immediate drawing up of proceedings is contemplated, the prisoner should be forwarded to the Magistrate with the necessary witnesses, with a request to draw up proceedings at once and to take the necessary evidence. If for any exceptional reason further enquiry is considered desirable before drawing up proceedings either for the purpose of verifying the prisoner's antecedents, collecting further evidence or otherwise, the Magistrate should be moved to grant a remand under section 167, Code of Criminal Procedure. In such a case it will ordinarily be sufficient to send copies of the entries in the diary relating to the case as required by section 167(*1*) and witnesses need not be sent unless the Magistrate particularly wishes to examine them.

It should be borne in mind that the prisoner can only be retained in custody in default of bail for a total period of 15 days under section 167, Code of Criminal Procedure, before the actual drawing up of proceedings under section 109. In case the prisoner is remanded to jail custody without drawing up any proceedings and without any specific charge section 109, Code of Criminal Procedure, should be noted in the jail warrant. It is to be observed that the circumstances which justify an arrest are identical with those which justify proceedings and are described in practically identical terms in section 55(*a*) and (*b*) and section 109 (*a*) and (*b*) of the Code of Criminal Procedure.

(*b*) If the Magistrate declines to grant a remand under section 344, Code of Criminal Procedure, in order that the previous history of the accused may be ascertained, when the circumstances justifying the arrest have been proved and the proceedings drawn up, the Court officer shall then move the Magistrate to require the accused to enter upon his defence, and if the accused fails to give a satisfactory account of himself, to make an order under section 118 of that Code.

Proceedings under section 110, Criminal Procedure Code. [§12, Act V, 1861.]

289. A Sub-Inspector having formed an opinion that there exists in any village a habitual thief or a gang of them shall proceed to open a history sheet for them as laid down in regulation 401 and shall quietly, without making his object known, make enquiries to ascertain whether in fact the man or men are habitual thieves and whether evidence will be forthcoming against them. If he believes that evidence will be forthcoming he shall report confidentially to the Inspector and the latter.

after taking orders of the Superintendent or Subdivisional Police Officer, will find out from the Subdivisional Magistrate or other Magistrate who is to take up the case, when he will be able to visit the place to make the enquiry. A fortnight or so before the date fixed by the Magistrate for going to the spot, the Sub-Inspector, accompanied by the Inspector, if possible, shall go there, examine witnesses, fill up the prescribed form, and if evidence is sufficient, arrest under section 55, Code of Criminal Procedure, the person proceeded against. If he finds that evidence is not forthcoming (but this should not often occur if he has made his preliminary enquiries carefully) the proceedings will be dropped. The persons arrested shall be sent to the Magistrate, who should be moved by the Court officer to draw up proceedings, to read them over to the accused, and to pass an ordtr as to bail and fix an early date for the hearing of the case. On the date fixed he will go to the spot and should usually be able to finish the case on the same day.

Evidence in proceedings under section 110, Criminal Procedure Code.

290. (*a*) In cases under section 110, Code of Criminal Procedure, evidence of general repute must form the main basis of the prosecution. Under section 117(*3*) of the Code evidence of general repute is admissible to prove that a person is a habitual offender.

[§12, Act V, 1861.]

(*b*) The points to bear in mind in connection with evidence of repute are—

(*i*) That the witnesses should themselves be of good repute and in a position to know the reputation of the accused.

(*ii*) That they should be drawn, if possible, from different classes of the community and not only from the village of the accused, but also from neighbouring villages.

(*iii*) That they should be free from any suspicion of grudge against the accused. In particular, if party faction exists in the village, it must be made clear that the evidence against the accused is not due to faction.

(*iv*) That the witnesses should speak of their own belief and not that of other people, and that their belief carries little or no weight unless it is based on some reasonable ground.

(*c*) Evidence of general repute may be corroborated by proof of—

(*i*) Previous convictions.

(*ii*) Want of any known means of livelihood, or manner of living in excess of such means.

(*iii*) Association of the accused with other bad characters.

(*iv*) Absence of the accused from his house, especially at night.

(*v*) Occurrence of crimes at or near the place visited by the accused, coincident with such absence.

(*d*) Evidence as to habitual or casual association with known criminals and bad characters is most important, the inference naturally being that the person who so associates is himself a bad character, and proof of association is necessary to justify more persons than one being tried together under section 117(*4*), Code of Criminal Procedure. Equally important also is the inference to be drawn from dacoities and other crimes occurring at or near places visited by the accused and coincide with such visits. [*Vide* section 11(*2*) of the Indian Evidence Act.]

(*e*) A statement in B. P. Form No. 47 shall accompany a report under sections 109 and 110, Code of Criminal Procedure.

(*f*) In the report for proceedings, no more should be stated than it is proposed to endeavour to prove. Before the enquiry is held a note shall be prepared for the use of the Court officer of the evidence obtainable from records and to be given by each witness; and this evidence shall be grouped, so far as circumstances permit, according as it relates to prevalence of crime, suspicion in particular cases, movements under surveillance, association, free living without apparent means of livelihood, general repute, or any other facts it is proposed to prove.

(*g*) In the case of bad-livelihood proceedings against gangs, it is essential that the evidence should not only be generally arranged in the manner desribed in clause (*f*), but it should also be clearly stated and briefed as against each individual accused.

Investigation of cases of collision between inland steam-vessels and between inland steam-vessels and country boats.
[§ 12, Act V, 1861.]

291. (*a*) When a report is made by the master of an inland steam-vessel under section 32 of the Inland Steam Vessels Act, 1917, to the officer in charge of a police-station—

(*i*) such officer shall reduce the report to writing and shall at the same time record the statement of the injured party (if any) if available;

(*ii*) if the place of occurrence be within the local limits of any other police-station, such officer shall forthwith inform the officer in charge of that police-station;

(*iii*) a copy of the report and of the statement (if any) shall forthwith be submitted to the Magistrate in charge of criminal work at district headquarters, or, if the place of occurrence be in a subdivision, to the Subdivisional Magistrate; provided that in cases of casualties occurring within the limits of the port of Chittagong, such report shall be submitted to the Port Officer, Chittagong;

(*iv*) pending the orders of the Magistrate referred to above, no arrest shall be made by the police, under Chapter XIV of the Code of Criminal Procedure, with a view to a prosecution for an offence under section 280 of the Indian Penal Code, but witnesses may be examined and their names and addresses recorded, so that it may be possible to procure their attendance if it is decided to prosecute;

(*v*) if the Magistrate above referred to is of opinion that an investigation under section 33 of the Inland Steam-Vessel Act,

1917, is necessary, he shall submit a report of the case to the Provincial Government;

(*vi*) if he considers that no such investigation is required and that the facts of the case disclose the commission of an offence punishable under section 280 of the Indian Penal Code, he may direct the officer in charge of the police-station concerned to take cognizance of the offence; and

(*vii*) in cases of serious accidents, such as boiler explosions, or where a vessel is badly damaged, or where a doubt arises as to whether from a technical point of view the vessel is fit to ply, a copy of the first information report submitted to the District Magistrate or the Subdivisional Magistrate concerned shall be furnished to nearest Marine authority, viz., the Principal Officer, Mercantile Marine Department, Calcutta, or the Nautical Surveyor, Chittagong, according as the place of accident is near Calcutta or Chittagong.

(*b*) If the officer in charge of a police-station receives information relating to the commission of an offence under section 280 of the Indian Penal Code by the master of an inland steam-vessel, he shall adhere to the following rules, namely:—

(I) if he has reason to believe, either on information received under clause (II), or on other grounds, that a report has been made by the master of the inland steam-vessel concerned to the officer in charge of some other police-station under section 32 of the Inland Steam-Vessels Act, 1917,—

(*i*) he shall reduce the information to writing and shall take steps to secure the names and addresses of witnesses and to safeguard any property produced;

(*ii*) he shall also submit a copy of the information forthwith to the Magistrate described in clause (*a*)(*iii*);

(*iii*) pending the orders of the above Magistrate he shall not make any arrest under Chapter XIV of the Code of Criminal Procedure, with a view to a prosecution for an offence under section 280 of the Indian Penal Code;

(II) if he has no reason to believe that such a report has been made, he shall proceed to investigate the case under Chapter XIV of the Code of Criminal Procedure. (Bengal Government Notifications No. 1792J., dated the 16th June 1912, and No. 3133J., dated the 14th July 1913.)

Investigation of cases in which British soldiers are concerned.

292. (*a*) Under the orders of the Central Government (*i*) on the occurrence of a serious affray between British soldiers and villagers, (*ii*) in all cases in which there is reason to suspect that an Indian has met his death at the hands of a British soldier, the investigation shall be conducted at once on the spot by the Superintendent, unless the District Magistrate himself investigates or orders a European Civil officer to investigate.

(*b*) With the assistance of military officers, immediate and full enquiry among the soldiers shall be made in such cases. The military

authorities are under the absolute obligation of giving immediate information to the civil authorities and of assisting them in the investigation Magistrates of districts should also co-operate with the regimental officers in conducting investigations in these cases.

(*c*) The *post-mortem* examination of an Indian who is suspected to have met his death at the hands of a European, shall invariably be made by the Civil Surgeon, except where this is not possible, owing to the Civil Surgeon being at too great a distance from the scene of the occurrence.

(*d*) In every instance, prompt infromation of the occurrence shall be sent, where possible by telegram, to the Civil Surgeon of the district as well as to the District Magistrate and the Superintendent.

Expenses of witnesses and investigating officers incurred in the investigation of cases.
[§ 12, Act V, 1861.]

293. (*a*) Bills for expenses of witnesses who are not servants of the Crown for diet money and the cost of travelling by railway or long distances by boat or road in the interests of police investigations shall be sent to the Superintendent for sanction and payment. Such expenses should only be incurred in cases of considerable importance.

(*b*) The bills after being passed by the Superintendent shall be paid from his contract contingent grant and the amount made over to the witness concerned, if he is present, or sent to the Superintendent of the district, or to the officer in charge of the police-station, in which the witness resides, to be paid to the person entitled to the sum. A receipt for the amount paid shall in all cases be taken from the actual payee.

(*c*) Superintendents, when passing these bills, shall see that police officers have not neglected their duty of themselves going to the scene of the crime and interrogating the witnesses there, The true object of the rule is to provide for those important cases in connection with which the witnesses have to be brought from other districts to identify accused persons or to describe on the spot the progress of events connected with the crime. The bills should be passed and cashed with all possible promptitude.

(*d*) All charges incurred by police escorts on account of travelling and diet expenses of witnesses arrested under warrants issued by criminal courts under section 92 of the Code of Criminal Procedure shall be recovered from the courts.

(*e*) All legitimate expenditure of investigating officers, as well as all necessary expenditure incurred in the investigation of cases which cannot, under the existing rules, be paid from other sources or recovered from the courts, shall be paid by the Superintendent from the contract contingent grant, and shall be recorded under a detailed head "Police investigation charges."

NOTE.—Clause (e) of the rule covers expenses such as—

(*i*) travelling and diet expenses of witnesses attending police enquiries, who are not required to appear before the court;

(*ii*) subsistence allowance or travelling expenses of informers and approvers;

(*iii*) diet expenses of choukidars and dafadars called in from distant beats to help in the investigation of cases: and

(*iv*) hire of conveyances for bringing important personages to the scene of occurrence to help in investigation.

294. Instructions for the guidance of police officers in sending documents for examination by the Government Examiner of Questioned Documents and requiring his attendance in law courts are laid down in Appendix XVII. **Despatch of papers to the Examiner of Questioned Documents.**

295. (*a*) The services of the Criminal Intelligence Bureau of the Criminal Investigation Department shall be utilised as far as possible for obtaining information regarding particular classes of crime and criminals. Every investigating officer shall carefully study and observe the rules on the subject contained in chapter IX. **Utilization of Criminal Intelligence Bureau.** [§ 12, Act V, 1861.]

(*b*) In every case in which a reference is made to the Criminal Intelligence Bureau, no matter whether such reference has proved successful or otherwise, a further or final report shall be submitted showing briefly the result of the case, to enable the officer in charge of the bureau to make necessary additions or corrections to his records.

(*c*) Besides referring to the Criminal Intelligence Bureau for information all officers should also bear in mind the necessity for furnishing information for record, and after the disposal of any case of the kind referred to in the first paragraph of clause (*a*) of regulation 633 a note of the case with details of the *modus operandi* and of the person accused or suspected, should be sent by the investigating officer to the officer in charge of the bureau for record. *See* also regulation 189(*t*).

NOTE.—For information regarding excise and opium smugglers, application should be made direct to the Superintendent, Excise Intelligence Bureau, Bengal, who will supply any information available.

296. (*a*) The services of the Photographic Bureau of the Criminal Investigation Department shall be utilized as far as possible for the examination of finger marks left behind by criminals in the act of committing offences. The expert in the bureau is able to intensify impressions which are scarcely visible to the ordinary observer, and to examine them with a view to establishing their identity or otherwise with the impression of suspected persons. **Utilization of photographic Bureau and intensification of finger prints.** [§ 12, Act V, 1861.]

(*b*) Every investigating officer shall observe the following instructions:—

(*i*) Finger marks should invariably be looked for on glass, metal, polished wood, or lacquer work. Torches abandoned by dacoits should always be carefully examined, as good finger impressions are not infrequently found on the charred surface of the torch; upon bottle-torches such impressions are usually very clear. The fact that glass forms the best medium for finger impressions is of importance also in cases in which prostitutes are drugged for the purpose of robbery, the liquor being usually administered in an ordinary tumbler or bottle. In burglary cases finger impressions are often to be found on the bamboo matting near the point of entry, or on door-posts, and the portion on which the finger impression is found should be carefully cut out and forwarded for examination. In cases of murder immediate search

should be made for blood-stained finger impressions. All investigating officers are supplied with a magnifying glass, which they should invariably carry with them on investigations.

(*ii*) Finger marks on glass, polished wood, metal and lacquer work may be intensified by sprinkling the surface with a small quantity of a powder, known to chemists as "Gray powder", which should then be gently shaken or brushed off with a camel hair brush. Should the substances be white in colour, such as paper, wood, etc., "Graphite" may be used instead of "Gray powder". This treatment has the effect of making visible impressions which cannot be seen with the naked eye. Articles which may have been handled by criminals should always be treated in this way, if possible. These powders may be obtained from Bathgate & Co., Calcutta. Steps should be taken by the Superintendents to supply all police-stations with phials of "Gray powder" and "Graphite", the expenditure being met from the contract grant. Inspecting officers are required to see that their officers understand and follow these instructions.

(*iii*) Objects appearing to bear impressions should be forwarded to the Criminal Investigation Department for opinion. Greate care should be taken not to make other finger impressions on any such article forwarded. It should not be handled unless absolutely necessary, when something with a smooth surface should be slipped underneath. The article should be carefully lifted into the box in which it is to be packed, and nothing with a rough surface should be allowed to come into contact with the portion bearing the finger impression. Particular care should be taken in following these instructions in forwarding tumblers in poisoning and drugging cases.

(*iv*) In important cases, or when exhibits are very heavy or large, they may be sent down by special messenger. Ordinarily the package should be sealed and sent by registered post to the Assistant to the Deputy Inspector-General, Criminal Investigation Department. A label should be attached to each article, giving the name of the police-station, name of district, and the name of the officer forwarding the package, and every care should be taken that the identity of the exhibit can be proved, as in the case of articles sent to the Chemical Examiner.

(*v*) When impressions are left on articles like safes or on walls, a telegram should be despatched to the Criminal Investigation Department asking for the services of an expert to intensify the impression, care being taken in the meantime to protect it.

NOTE.—Regarding the submission of the finger prints of deceased persons *see* regulation 313.

Requisition for expert opinion and despatch of exhibits to the Chemical Examiner and other experts.

297. Instructions for the guidance of police officers in making requisitions for expert opinion and in sending exhibits for examination in connection with the investigation of cases are given in Appendix XVIII.

298. With a view to facilitate enquiries and avoid delays officers in charge of police-stations in British districts shall send the following communications direct to police-stations in the Indian States of Cooch Behar, Tripura and Orissa:— **Direct correspondence with the police of the Orissa, Cooch Behar, Tripura and Jaipur States.**

(*i*) Enquiry slips.

(*ii*) Hue-and-cry slips.

(*iii*) Verification rolls.

(*iv*) Applications for certified copies of previous convictions.

Correspondence in matters relating to conviction rolls of accused persons and police enquiries regarding suspicious and bad characters should be adderssed by Superintendents direct to the Superintendent of Police of various districts of the Jaipur State in Rajputna. The Superintendents of Police of Jaipur will similarly address such correspondence direct to the Superintendent concerned in this Province.

Delays in receiving replies, if of an exceptional nature, should be reported to the Inspector-General.

IV.—UNNATURAL DEATHS AND INJURIES.

299. (*a*) Immediately after receipt of information of a death occurring in any of the circumstances mentioned in section 174, Code of Criminal Procedure, a First Information Form shall be submitted in B. P. Form No. 48. The information shall be recorded in the same manner as a first information in the case of cognizable crime. **Inquiries into unnatural and suspicious deaths. First information to be submitted. [§12, Act V, 1861.]**

(*b*) A Sub-Inspector, Assistant Sub-Inspector or head constable shall then proceed to the place where the body of the deceased person is, and after making the investigation prescribed in section 174, Code of Criminal Procedure, and making such further enquiry as may be necessary, shall submit his final report to the nearest Magistrate empowered to hold inquests. The investigation report signed by the police officer and two or more respectable persons, as required by section 174 of that Code, shall be attached to the final report. (*See* regulation 300.)

(*c*) Case diaries shall be submitted in enquiries into unnatural or suspicious deaths only if the enquiry lasts more than one day. But if the police officer making the enquiry finds reason to suspect the commission of a cognizable offence, the enquiry becomes one under section 157, Code of Criminal Procedure and case diaries shall be submitted.

(*d*) Where several persons meet their death by the same accident, there shall be a separate report on each body, but not necessarily a separate first information or final report.

(*e*) One copy of the first information report and final report shall be kept at the police-station. The number of the corresponding entry in the death register and register of persons killed by wild animals shall be noted at the top.

(*f*) The following procedure shall be observed in connection with deaths occurring in hospitals situated in Calcutta from injuries sustained within the jurisdiction of the Bengal Police:—

In all cases where a person seriously injured is sent from a *mufassil* police-station to a hospital in the town or suburbs of Calcutta, a note showing brief facts of the case together with names and addresses of witnesses who will prove facts in connection with the injury should be sent by the Bengal Police-station concerned to the officer in charge of the Calcutta Police section where the hospital is situated. Further, a relation of the injured man or a constable of the Bengal Police-station concerned should stay in the hospital or in the neighbourhood in order to identify the body at the time of *post-mortem* in case of death.

The investigation shall be held by the officer in charge of the Calcutta Police section, before whom the officer in charge of the Bengal Police-station concerned shall produce all available evidence to enable him to arrive at a definite conclusion regarding the cause of death.

Powers of Assistant Sub-Inspectors and Junior Sub-Inspectors under section 174 (1), Criminal Procedure Code, and duties of constables left in charge.

300. (*a*) Assistant Sub-Inspectors and junior Sub-Inspectors subordinate to an officer in charge of a police-station are empowered to act under section 174(*1*) of the Code of Criminal Procedure. Assistant Sub-Inspector, however, shall not be so employed when a Sub-Inspector is available, nor shall they make enquiries in any case in which the information or the circumstances indicate the possibility of the death being the result of foul play.

(*b*) A constable cannot make an enquiry; but when no other officer is present at the station, the senior constable shall proceed to the spot, take charge of the body, note its state, and make all arrangements for its despatch, in case the enquiring officer desires to send it for examination.

Inquiries into unnatural or suspicious deaths by presidents or selected members of panchayats or by presidents or members of union boards and Forest officers.

301. (*a*) When a president or a selected member of a panchayet or the president or vice-president or a selected member of a union board who is authorized by the District Magistrate to enquire into the circumstances of unnatural deaths in which there is no suspicion of suicide or foul play, makes such an enquiry, he shall forward a report signed by two relatives of the deceased, or if there are none available, by two respectable inhabitants of the neighbourhood to the officer in charge of the police-station (within the limits of which the death occurred) who shall forward the report to the Court officer, through the Circle Inspector unless there is any obvious error or irregularity in the report in which case he will record the first information and return the report to the sender for correction. On receipt of such report the officer in charge of the police-station shall not proceed to the spot or hold an enquiry, unless he has reason to suspect the occurrence of suicide or foul play.

(*b*) Similar enquiries subject to the same conditions as prescribed above may be made within their respective jurisdictions in forest areas (except of the Darjeeling division), where there is no chaukidari union or union board, by Subdivisional Forest officers or Range officers who may be authorised by the District Officer for the purpose.

302. (*a*) A police officer empowered to hold enquiries, who receives information that a European soldier or officer of the Army has committed suicide, or has been killed, or has died in the circumstances mentioned in section 174 (*1*) of the Code of Criminal Procedure, shall not proceed to the spot, but shall confine his action to sending an immediate report to the nearest Magistrate empowered to hold inquests. **Death of European officer or soldier.**

(*b*) When a person dies in the custody of the police, the officer empowered to hold enquiries, who receives notice of his death, shall send information at once to the nearest Magistrate, but he shall not refrain from commencing an inquiry under section 174 of that Code himself. Information shall also be given by telegram, if possible, to the Superintendent and, if not, by the quickest means of communication available. **Death of a prisoner in police custody.**

303. In investigating unnatural and suspicious deaths, the direction in Appendix XIX shall be observed by the police with a view to obtaining as much medico-legal evidence as possible. The instructions contained in "A Guide to Medical Jurisprudence" by Col. R. N. Campbell, C.B., C.I.E., shall also be followed according to the requirements of each case. **Directions for investigation in cases of suspicious and unnatural deaths. [§12, Act V, 1861.]**

304. (*a*) When a corpse is sent in for *post-mortem* examination, it shall be accompanied by a copy of the *surat hal* report and a *chalan* in duplicate in B. P. Form No. 49 one copy of which shall be addressed to the Court officer who shall forward it to the Superintendent and the other copy to the medical officer holding the *post-mortem* examination. All corpses shall be sent to the headquarters of the district, unless the medical officer at the subdivision has been authorised by the Provincial Government to conduct *post-mortem* examinations. *Post-mortem* examination shall, as usual be done in cases of infectious diseases, *e.g.*, tetanus, plague, smallpox, etc., whenever required by the police. **Corpses sent for post-mortem examination. [§12, Act V, 1861.]**

(*b*) The *chalan* shall contain the date and hour of he actual despatch of the corpse, an accurate description of it, a statement of the apparent cause of death, the circumstances, if any, which give rise to any suspicion of foul play and an accurate list of clothes and articles sent in with the corpse.

(*c*) When sending a corpse for *post-mortem* examination, a sufficient quantity of powdered charcoal shall be placed next to it and a sheet wound round it, and in all cases wherever a *charpoy* can be obtained, the corpse shall be carried upon it and shall not be slung on a bamboo.

305. (*a*) The corpse shall be sent in charge of a trustworthy constable whose name, together with those of the bearers and others accompanying it, shall be recorded in the chalan. **Duties of constable in charge. [§12, Act V, 1861.]**

(*b*) The constable sahll be given a command certificate, on which the date and hour of his arrival shall be noted by the medical officer.

(*c*) A constable in charge of a corpse shall be gien strict orders not to loiter on the road but to take it by nearest route direct to the dead-house.

(*d*) After leaving the body at the dead-house, he shall immediately deliver the *Surat hal* report and one copy of the *chalan* to the Civil Surgeon (at headquarters) or Assistant or Sub-Assistant Surgeon (at subdivisions). He shall obtain on the second copy of the chalan the medical officer's endorsement of the date and hour of his arrival and deliver it to the Court officer, who shall forward it immediately to the Superintendent or Subdivisional Police Officer, as the case may be.

Post-mortem examination and report.

306. (*a*) On completing the *post-mortem* examination, the medical officer shall fill up the whole of the B. P. Form No. 50 in triplicate by the pen-carbon process. One of the carbon copies shall be sent to the investigating officer through the constable who brought in the corpse. The original report with the *chalan* form and *surat hat* shall be forwarded to the Superintendent, direct or in the case of a subordinate Medical Officer, despatched to the Superintendent, through the Civil Surgeon for his remarks. The Superintendent shall then forward the report to the Court officer to lay before the Magistrate concerned. The register of *post-mortem* examinations shall be kept by the medical officer.

(*b*) Police officers shall refer to the Civil Surgeon if they have any doubt in regard to any part of the medical report.

Presence of police officer at post-mortem examination. [§12, Act V, 1861.]

307. (*a*) The police officer sent in charge of a corpse need not be present throughout the details of the *post mortem* examination. It will suffice if he stands sufficient near to be able to testify that the body which had been in his charge was the one examined by the medical officer. He should be present at the court when the medical officer's testimony as to the result of the examination is given, in order that the identity of the body examined, wih the body to which the criminal case relates, may be established, if necessary.

(*b*) When possible, investigating police officers should be encouraged to attend the *post-mortem* examination.

(*c*) When a Magistrate in *seisin* of a case considers, for reasons to be recorded in writing, the presence of another medical practitioner to be essential in the interest of justice, one or more medical practitioners to be selected by the Magistrate, may be allowed to be present as witnesses at an autopsy or other medicolegal examination conducted by a medical officer in the service of the Crown in connection with the case.

Expenses of forwarding corpses.

308. Expenses incurred in transmitting corpses or wounded or sick persons to the medical officer for examination or treatment in all cases, railway included, shall be met by the Magistrates, and not from the police budget. In railway cases the bills shall be sent to the Magistrate through the Court officer, and the latter shall see that the bills are passed and paid without unnecessary delay.

309. On the East Indian, Bengal-Nagpur and Bengal and Assam Railway accommodation for the carriage of dead bodies to *post-mortem* centres is provided, without prepayment of fees, on requisition to the station-master of the nerest railway station by an officer not below the rank of an officer in charge of a police-station or, in his absence, by the senior police officer present at the police-station. **Carriage of dead bodies by railway to post-mortem centres without prepayment of fees.**

The freight of a dead body shall be paid later by the District Magistrate on receipt of a bill from the station-master from whose station the body was despatched. The requisition to the station-master should be made in B. P. Form No. 51 which officers in charge of police-stations should keep in stock for use when occasion arises.

310. The final disposal of the body rests with the Magistrate or the municipal authorities, according to local arrangements. Charges incurred by the police for the disposal of bodies of persons who have died within railway limits and are not claimed by their friends, shall be paid for by the Magistrate from his district budget. **Disposal dead bodies**

311. (*a*) When an animal has died or has been injured and the commission of a cognizable offence is suspected, a Magistrate or a police officer not below the rank of Sub-Inspector or an Assistant Sub-Inspector if he is an officer in charge of a police-station, is authorised to require a veterinary assistant, where such an officer is available, to perform a *post-mortem* or clinical examination. When the circumstances of the case require it, the veterinary assistant will also superintend the removal and despatch to the Chemical Examiner of the viscera of the animal, and the expenditure incurred on that account shall be met by the Magistrate out of his contingent grant. (*Vide* rule 64 of the Bengal Veterinary Manual.) **Post-mortem and clinical examination on animals. [§12, Act V, 1861.]**

Note.—Regarding the fees payable to veterinary assistants for such examinations. which are payable by the Magistrate, *see* rule 65 of the Bengal Veterinary Manual.

(*b*) In places where there is no veterinary assitsant, or when that officer is absent on tour or otherwise not available, the Civil Surgeon shall perform the *post-mortem* examination, and shall, when necessary, superintend the removal and despatch of the viscera to the Chemical Examiner.

312. (*a*) When a wounded person is sent in for medical examination, a report in Bengal Form No. 3865 shall be sent to the medical officer. **Medical examination of wounded persons. [§12, Act V 1861.]**

(*b*) The rules relating to duplicate *chalans* and sending intimation to the Superintendent, the Civil Surgeon, and the station police, in *post-mortem* cases, shall be observed in cases of wound or injury.

(*c*) Medical officers' reports in B. P. Form No. 50 and Bengal Form No. 3865 need not be attached to the final form, or form part of the Magtstrate's record of the case, as such reports are not legal evidence.

(*d*) Wounded persons brought into a station by the police but not charged with any offence shall be sent, unless they object, to the nearest charitable hospital or dispensary, subdivisional hospital or headquarters hospital, as the case may be, and the expenses incurred in sending them there shall be met by the Magistrate. Those brought in police custody and charged with an offence, shall be treated in the jail hospital, unless they are released on bail, in which case they may be sent to the charitable hospital only by order of the Magistrate.

(*e*) In serious cases police-station officers shall send wounded persons, not required to be kept in custody, without any delay, direct to the nearest charitable hospital with indoor accommodation for first aid. Such cases can subsequently be removed for treatment to the hospital at subdivisional headquarters, where all cases which are not of a serious nature shall be taken for treatment from the beginning (for expenses *see* regulation 308).

If a wounded person in a medico-legal case declines to go to hospital or is too ill to be removed to hospital the police shall requisition the services of the nearest medical officer in the service of the Crown for the purpose of obtaining a medico-legal certificate.

If no medical officer in the service of the Crown is available, either the doctor of a Local Fund dispensary or a private registered medical practitioner may be called in to make the examination for the purpose of a medio-legal certificate and paid a fee not exceeding Rs.4 from the contract contingent grant of the Superintendent concerned.

(*f*) If a case of wound or injury is a dangerous one, the investigating officer shall take immediate measures to have the injured mans statement recorded by a Magistrate. (*See* regulation 266.)

(*g*) The consent of an injured person is necessary to his removal to hospital.

(*h*) On no account shall women be subjected to medical examination without their consent.

Submission of finger prints of unidentified dead bodies for search. [§12, Act V, 1861.]

313. (*a*) Where the identity of a corpse, or of a person killed by accident or who met with death under suspicious circumstances or in the act of committing dacoities, burglaries or other offences has not been fully ascertained by ordinary inquiries, the finger prints should be taken on finger print slip form (B. P. Form No. 52) and sent to the Finger Print Bureau for search together with a search reference slip (B. P. Form No. 53).

(*b*) Ordinarily there is not much difficulty in taking impressions from the fingers of a corpse, but it sometimes happens that the skin of the fingers is so contracted and wrinkled that decipherable prints cannot be obtained. In such cases the medical officer holding the *post-mortem* should be asked to remove the skin from the fingers. The pieces of skin from the ten digits should then be carefully enclosed in separate numbered envelopes and sent to the bureau for examination.

(*c*) The finger prints of unidentified bodies should invariably be taken under the supervision of an officer not below the rank of a Sub-Inspector. Finger prtnts of all digits must be taken, even if it is necessary to remove the skin of the fingers; and the supervising officer will certify by his signaure on the search slip that the impressions have been correctly taken in his presence. The supervising officer will further note in the remarks cloumn of the search slip the condition of the body, whether in an advanced stage of decomposition or otherwise.

(*d*) The transmission of finger impressions of unidentified prisoners does not dispense with the necessity of the local enquiry as to the identity of prisoners ordered in regulations 454 and 458.

(*e*) In all cases of murder or suspicious death, where an examination of the surroundings discloses, or may possibly subsequently disclose, anything in the shape of finger marks, blurred or otherwise, on any article which might reasonably be expected to have been touced by the victim, the finger prints of the deceased shall invariably be taken for purposes of comparison with the finger impressions found on such article (picked up at the scene of the murder).

Finger impressions of deceased persons shall invariably be taken, as quickly as possible after the arrival of the investigating officer at the spot as owing to decomposition which is rapid in India, delay might render the taking of distinct impressions impossible.

Note.—Duplicate finger-print slip shall be taken and submitted to be Finger Print Bureau for search if it is found that for unavoidable reasons and after exercising all possible care the impressions of the subject remain blurred and indistinct.

314. (*a*) In addition to taking the finger impressions of unidentified corpses, as laid donw in regulation 493, such corpses shall, whenever possible, be photographed with a view to tracing their identity. Such photographs shall, whenever possible, be of half-plate size. **Photographing unidentified corpses.** [§12, Act V, 1861.]

(*b*) If a competent photographer cannot be arranged for locally, a photographer will be deputed from the Criminal Investigation Department on receipt of a requisition by wire. To save time, such requisitions may be sent from police-station officers direct, but a wise discretion shall be exercised, and they shall be sent only when the corpse is identifiable and there is reason to believe that the photographer will arrive before the corpse is unrecognizable owing to decomposition.

(*c*) When it is necessary to photograph an unidentified corpse, the whole body should be included in the photo, the corpse being placed in such a position that all scars and similar marks of identification are clearly visible. This is especially important in cases where the features are in any way disfigured. Distinguishing marks on the body are much surer means of identification than articles of clothing, and, as they disappear with the corpse, a full and accurate record of them is necessary.

(*d*) Whenever an unidentified corpse is photographed, particulars of the subject, as far as they are known, shall be clearly written on the back of the photo. [*See* regulations 638 and 639.]

V.—ARRESTS, CUSTODY AND ESCORT.

Service of warrants. [§12, Act V, 1861.]

315. (*a*) Warrants directed to an officer in charge of a police-station for execution under section 77, Code of Criminal Procedure, shall be addressed to him either by name or by title of his office. Section 79 of the Code prescribes that all subsequent endorsements shall be by name. If, therefore, the officer to whom the warrant is addressed desires to entrust the execution of the warrant to some other police officer the endorsement shall be by name. His authority to endorse shall be made clear by addition of the words "officer in charge" after his signature. An officer below the rank of Assistant Sub-Inspector, unavoidably left in charge of the police-station, has no power to endorse a warrant.

(*b*) The officer entrusted with the servcie of a warrant shall be informed of the date on which he is required to return; and on his return, the warrant, if it has been executed, shall be returned to the Court officer, with a report endorsed on its back by the officer in charge of the police-station, stating how and by whom it has been served.

(*c*) Warrants endorsed for bail (*see* section 76, Code of Criminal Procedure) shall, whenever possible, be executed by a police officer who can read and write. Bail bonds taken shall be returned with the warrants.

(*d*)Warrants issued against railway servants shall be entrusted to some police officer of a superior grade, who, shall, unless immediate execution is necessary, communicate with the Railway Police. For instructions regarding the arrest of railway servant *see* regulation 593.

Arrest without warrant. [§12, Act V, 1861.]

316. (*a*) The powers of arrest without warrant possesed by police officers are laid down in sections 54, 55, 57 (*1*), 128, 151 and 401(*3*), Code of Criminal Procedure. A telegram may be considered to furnish credible information of a person having been concerned in a cognizable offence. "Cognizable offence" is defined in section 4(*f*), Code of Criminal Procedure.

(*b*) An officer in charge of a police-station has no legal power to summon before him any person accused of an offence. The only manner in which he can enforce the attendance of such person before him is by arrest, and without an arrest the attendance or detention of an accused person cannot, under any circumstances, be compelled. It is, therefore, to be understood that, whenever an accused person is sent for and made to attend before an investigating officer, he is to be considered as having been arrested, and to be entered in the return accordingly. The manner in which arrest is to be made is described in sections 46 to 48 and section 53, Code of Criminal Procedure. No person who has been arrested may be discharged except on bail, or on his own recognizance, or under the special orders of a Magistrate (*See* section 63 of the Code.)

(*c*) "Police custody" includes custody on the authority of the police; every person who is kept in attendance to answer a charge in such a way that he is practically deprived of his freedom shall be

considered as in custody. A police officer who, without himself arresting a person, directs some of the neighbours to take charge of him, shall be responsible in the same way as if he had made the arrest himself. Requiring a person's attendance by letter and deputing a constable to accompany him with orders to prevent him from speaking to any one amounts to an arrest.

(*d*) The attention of all officers is drawn to section 25 of the Criminal Tribes Act, 1924 (VI of 1924), which provides for the arrest without warrent of a registered member of a criminal tribe, whose movements have been restricted or who has escaped from a Settlement or School, if found in a place beyond the area prescribed for his residence, and for the removal of such member for his prosecution under secion 22(*1*) of the said Act, to the district in which he should reside or to the Settlement or School from which he escaped.

317. (*a*) The police shall be careful to abstain from unnecessary arrests. In petty cases it is hardly ever necessary to arrest on suspicion during the course of an enquiry, and never necessary to arrest after the enquiry is over, when the case is not to be sent up. In heinous cases it is different. Police officers should not hesitate to arrest on suspicion. Having made the arrest they shall send the accused to the nearest Magistrate in the manner laid down in regulation 324 or else release him on bail.

Unnecessary arrest to be avoided and bail to be allowed freely. [§12, Act V, 1861.]

(*b*) A free use shall be made of the discretion given by section 497(*2*), Code of Criminal Procedure, to accept bail in non-bailable cases. It shall be borne in mind that under section 54 of that Code, "reasonable suspicion" will justify the arrest of an accused person, but that unless the evidence is sufficient to constitute "responsible grounds for believing in his guilt", the arrest should be at once followed by an offer of release on bail under section 497(*2*) of the Code.

318. When the immediate arrest of persons employed in a public utility service (such as the Telegraph or Postal service) would cause risk and inconvenience to the public, the investigating officer shall make arrangements to prevent escape and apply to the proper quarters to have the accused relieved. In cases where immediate arrest can be made, without risk or inconvenience to the public, notice of the arrest shall at once be sent to the official superior of the accused to enable him to arrange for his duties.

Arrest of persons employed in public utility services.

319. Whenever any one subject to the Indian Articles of war is arrested, notice shall be given forthwith by the police to the officer commanding the troops to which he belongs.

Arrest soldier. [§12, Act 1861.]

320. An Army deserter shall on arrest or surrender be taken to the nearest police-station where the officer in charge shall make out a certificate in B. P. Form No. 54, specifying the date and place of arrest or surrender. This certificate must be signed by the officer in

Arrest surrender Army deserter. [§12, Act V, 1861]

charge who shall record below his signature the words "officer in charge" and the name of the police-station, and shall be sent without delay to the officer commanding the unit to which the deserter belongs.

The deserter shall then be taken, (*i*) if a deserter from the British Army, to the nearest Justice of the Peace (*cf.* Secs. 22 and 25, Code of Criminal Procedure); (*ii*) if a deserter from the Indian Army, to the nearest Megistrate, either of whom shall prepare a descriptive return and make a summary enquiry preliminary to handing him over to the military authority.

Illness of person arrested [§12, Act V 1861.]

321. (*a*) When a person arrested has to be kept in custody, and is in such a state of health that he cannot be removed without serious rtsk to himself or others, the officers making the arrest shall make suitable arrangements for procuring medical aid for him.

(*b*) When it is necessary to provide medical aid for a prisoner the nearest medical officer in the service of the Crown should be called if he is within reasonable distance; but when no medical officer in the service of the Crown is within reasonable distance the nearest private medical practitioner should be employed, and his services paid for. The officer in charge of the police-station shall submit a bill for payment through the Superintendent to the District Magistrate, will meet the charge from his contingencies.

Property of arrested persons taken charge of by police. [§12, Act V, 1861.]

322. When persons are searched under section 51, Code of Criminal Procedure, and the police take charge of articles, a receipt shall be granted to the prisoners. A list of the property shall be attached to the charge-sheet form or to the case diary or the final report of the case. When such property is sent to the court, full information concerning it shall be given to enable the Court officer to fill in the *malkhana* register.

Action in cases of failure to arrest. [§12, Act V, 1861.]

323. (*a*) A warrant of arrest of an accused person remains in force, and shall be retained at a police-station, till the arrest is made or the individual surrenders, or till the warrant is formally cancelled or withdrawn by the court which issued it.

(*b*) When a police officer to whom a warrant has been entrusted for execution, fails to find the accused person, and has reason to believe that he has absconded or is concealing himself, and the warrant cannot be executed, he shall submit a report in writing, stating clearly the reason for such belief.

(*c*) He shall also, in all except petty cases, make a list of the property movable or immovable belonging to the absconder, and after obtaining the signature of the Panchayat or president of the union board or of some other respectable witness on the list, shall send it with a warrant report form (B. P. Form No. 55), to the Magistrate. In the case of persons who are absconding at the time of submission of a charge sheet this list shall be submitted together with the charge sheet so that an order of attachment may issue immediately.

(*d*) A Magistrate issuing a warrant is required to fix a date by which the warrant is to be executed, or failure to execute reported. If it is not possible to return the warrant duly executed to the issuing court by the date fixed in the warrant, the officer in charge of the police-station to whom the warrant has been addressed or endorsed, shall submit, so as to reach the issuing court not later than the morning of the date fixed, a report in B. B. Form No. 55 stating the reason why the warrant has not been executed. If the accused is absconding, he shall also send with his report the original report, referred to in clause (*b*) above, of the officer to whom the warrant was made over for service, together with the list of property belonging to the absconder. It will then rest with the Court officer to apply for proclamation and attachment, if necessary.

(*e*) The officer to whom the execution of the warrant was entrusted, shall, if necessary, be sent with the report referred to in clause (*d*) above so that his statement can be recorded with a view to taking proceeding under section 87, Code of Criminal Procedure.

(*f*) An unexpected warrant for the arrest of a witness in form No. VII, Schedule V, Code of Criminal Procedure, shall be returned to the Magistrate on the date fixed therein, so that he may take any further steps he may think advisable.

(*g*) Unexecuted warrants for the arrest of accused persons shall be kept in a file until they are arrested or the warrants are cancelled or withdrawn.

(*h*) A register of warrants of arrest shall be matntained at each police-station in B. P. Form No. 56.

Accused to be forwarded to Magistrate and application for detention in police custody.

[§12, Act V, 1861.)

324. (*a*) Section 61, read with section 167 of the Code of Criminal Procedure, requires that an accused shall be sent forthwith to the nearest Magistrate, together with a copy of the entries in the case diary if the enquiry be not completed within 24 hours of his arrest; but in no case shall the accused remain in police custody longer than under all the circumstances of the case is reasonable.

(*b*) The High Court have issued the following orders regarding remands:—

"The attention of all Magistrates is invited to the provisions of section 167 of the Code of Criminal Procedure and to the importance of exercising a sound jndicial discretion in the matter of granting or refusing remands thereunder. Orders under this section, it is to be observed, should be made in the presence of the prisoner and after hearing any objection he may have to make to the proposed order. When further detention is considered necessary the remand should be for the shortest possible period. Application for remands to police custody should be carefully scrutinized and in general should be granted only when it is shown that the presence of the accused with the police is necessary for the identification of persons, the discovery or identification of property, or the like special reason. In particular, the court is of opinion that applications, if ever made, for the remand to police custody of a prisoner who has failed to make an expected cofession of statement should not be granted."

(*c*) When the conditions justifying a remand to police custody exist the station officer shall forward the accused to the nearest Magistrate (whether or not he has jurisdiction to try the case) together with a copy of his case diary and report the matter to the Superintendent.

(*d*) The grounds upon which the remand is needed shall be distinctly stated in the application to the Magistrate.

(*e*) An application for a remand to police custody shall not be treated as a matter of rountine and of little importance. It shall be made to the Subdivisional Magistrate through the chief police officer present at the district or subdivisional headquarters.

(*f*) No order remanding an accused person to police custody shall be passed by an officer of lower status than a Magistrate of the 2nd class and applications for remands shall be made to Magistrate of the required status only.

(*g*) The exercise of the power to remand a prisoner to police custody shall be restricted to stipendiary Magistrate of the required status and in their absence, to Honorary Magistrate of the 1st class with single sitting powers.

(*h*) When the object of the remand is the verification of the prisoner's statement he should be remanded to the charge of a Magistrate.

(*i*) The period of remand shall be as short as possible.

(*j*) Whenever an application for the remand of an accused person to police custody is made, he should invariably be produced before the Magistrate. Such an application should be made at the earliest possible moment and subsequent applications for further remands to police custody, where necessary, should be made in continuation of the former. An under-trial prisoner cannot remain in police custody after 15 days have elapsed from the date of his first production before the Magistrate.

Pursuit, arrest and extradition of offenders in Indian States and Foreign Territory.

325. (*a*) Rules for the pursuit, arrest and extradition of offenders who have escapsed from British India to State territory, or *vice versa,* are given in Appendix XX.

(*b*) The procedure for securing the extradition of an offender from or to French Chandernagore is laid down in Appendix XXI.

Procedure to be followed to procure the attendance of persons accused of non-extraditable offences who have taken refuge in an Indian State of the Eastern States Agency.

326. (*a*) If it is necessary to secure the attendance of a person accused of a non-extraditable offence who has taken refuge in an Indian State included in the Eastern States Agency, the trial court should be moved to issue a letter of request through the Resident to the Durbar concerned asking them to procure the attendance of the offender (*vide* Bengal Goevrnment order Nos. 4225-4254P., dated the 12th April 1938). Warrants and summonses issued by British Indian courts in such cases have no legal validity in the States.

(*b*) A list of the States included in the Eastern States Agency, together with the addresses of their respective Political Agents is given in Appendix XXII.

Accommodation of prisoners in lock-ups.
(§12, Act V, 1861.)

327. (*a*) The accommodation of each lock-up shall be based on the scale of 36 square feet per prisoner.

(*b*) A notice in English and vernacular shall be hung up outside the lock-up at every police-station and post showing the maximum number of male or female prisoners which the lock-up is authorized by the Provincial Government to accommodate.

(*c*) The authorized number shall never be exceeded; and any excess shall be accommodated in a convenient building under an adequate guard.

Examination of prisoners before admission to lock-ups.
(§12, Act V, 1861.)

328. (*a*) The officer in charge of a police-station or post shall be responsible for the safe custody of all prisoners brought to the station or post.

(*b*) Before admitting prisoners to a police lock-up, he shall carefully examine the person of the prisoner for any signs of injury, and record in the general diary a full description of any marks of injury found on him, tf necessary calling independent witness from the neighbourhood to witness the existence of the injuries at the time of admission to the lock-up.

Note.—The object of this regulation is to protect police officers against charges of torture founded on injuries received before the prisoner came into the hands of the police.

(*c*) He shall also search the prisoner and remove everything from his possession, except articles of wearing apparel, and shall give the prisoner a receipt for all articles taken from his possession. (*See* regulation 322.) Glass, conch-shell or iron bangles shall not be removed from the person of female prisoners. He shall allow the prisoner to take only strictly necessary clothing into the lock-up.

(*d*) He shall then enter and examine the lock-up and see that no weapons or articles that can facilitate escape or suicide, such as bamboos, ropes, tools, etc., are in or within reach of the lock-up.

Guards for lock-ups.
(§12, Act V, 1861.)

329. (*a*) On the arrival of a prisoner, the officer in charge shall note the fact in the general diary and shall tell off a guard and place an Assistant Sub-Inspector, a head constable or a senior constable in charge. He shall enter the names of the Assistant Sub-Inspector, head constable or senior constable and the constables detailed and their hours of duty in the general diary. [*See* regulation 237(*f*).]

(*b*) At the time of relieving sentries, the officer in charge of the guard and the relieving sentry shall count the prisoners and see that all is well.

(*c*) The key of the lock-up shall remain with the sentry, and except in urgent cases, such as an outbreak of fire, he shall not unlock the door without first calling the officer in charge of the police post.

(*d*) The sentries on duty between sunset and sunrise shall be provided with a lantern, which shall be kept burning brightly at a safe distance from the door, but in such a position as to illuminate the interior of the lock-up.

(*e*) If it be necessary to open the lock-up or to take out a prisoner, the officer in charge of the police post shall be called and the assistance of other constables taken, if necessary.

(*f*) Prisoners shall be taken out to relieve nature at as late an hour as possible before officers retire to rest, in order that it may not be necessary to open the lock-up again during the night. Before being taken out they shall be secured with legshackles, handcuffs or rope. They shall not be allowed out of sight; and when relieving nature shall be attached by means of a rope to a constable.

Use of handcuffs. (§12, Act V, 1861.)

330. (*a*) Prisoners arrested by the police for transmission to a Magistrate or to the scene of an enquiry, and also under-trial prisoners, shall not be subjected to more restrain than is necessary to prevent their escape. The use of handcuffs or ropes is often an unnecessary indignity.

In no case, shall women be handcuffed, nor shall restrain be used to those who either by age or infirmity are easily and securely kept in custody. Witnesses arrested under section 171, Code of Criminal Procedure, shall, in no circumstances be handcuffed.

In bailable cases prisoners should not be handcuffed unless violent and then only by the order of the officer in charge of the police-station, the reason for the necessity of this action being entered in the general diary and in the certificate in B.P. Form No. 57.

In non-bailable cases, the amount of restraint necessary must be left to the discretion of the officers concerned. In certain circumstances the use of handcuffs may not be necessary to prevent escape but, if for instance, the prisoner is a powerful man in custody for a crime of violence, or is of notorious antecedents, or disposed to give trouble, or if the journey is long, or the number of prisoners is large, handcuffs may properly be used escort should, in any case, be supplied with handcuffs for use, should necessity arise.

(*b*) In the case of two prisoners whom it is necessary to handcuff, they will be handcuffed in couples, the right wrist of one to the left wrist of the other. In no circumstances should more than two prisoners be secured together.

(*c*) In all cases in which the use of handcuffs is allowed and considered necessary, and when no proper handcuffs are available, the prisoners may be secured by ropes or pieces of clothing. These shall be so tied, as not to interfere unduly with proper circulation, and shall be replaced by handcuffs as soon as possible.

(*d*) Great caution shall be exercised at all times in the removal of handcuffs and other fastenings from prisoners *en route* whether by land or water.

(*e*) Handcuffs shall be kept in good order. If broken, they shall be mended or replaced without delay.

Guarding and escorting of persons arrested. (§12, Act V, 1861.)

331. The regulations in Chapter XI for the escort of convicts apply generally to the guarding and escorting of persons arrested by the police, so far as they are not contradictory to the regulations contained in this chapter, but no person so arrested shall be subjected to more restraint than is necessary to prevent his escape.

Escort of prisoners to and from police posts. (§12, Act V, 1861.)

332. The following are the rules for the escort of prisoners to and from police posts:—

(*i*) In despatching prisoners clear instructions shall be given to the escort regarding route and halting places.

(*ii*) In the generality of cases it will be sufficient to send one constable in charge of one or even two petty offenders; if really necessary a chaukidar shall accompany him. In the event of the constable having to go aside for any purpose, he shall see that the prisoner is properly secured, and if a chaukidar is available, shall handcuff the prisoner's right wrist to the chaukidar's left. Chaukidars selected should be able-bodied. They shall be relieved when possible on the road, and not taken to an unreasonable distance from their villages. Their diet and travelling allowance, lodging hire and lighting expenses in connection with the escort or custody of accused persons arrested by them shall be paid from the grant under "Contract Contingencies" in the police budget at the rates laid down in regulation 1165.

(*iii*) Chaukidars shall not be employed more than is absolutely necessary, as they are not liable to judicial punishment when prisoners escape.

(*iv*) If the offence with which the prisoner is charged is of a serious nature, or the prisoner is of a desperate character, or if there be a large number of prisoners, the escort shall be proportionately increased, or in urgent cases more than one chaukidar may be called in to help.

(*v*) When a prisoner sent up for trial is known to be desperate character or to have previously suffered from lunacy the fact shall be reported separately to the Court officer.

(*vi*) The officer in charge shall despatch prisoners at such a time that, ordinarily, they may arrive at their destination or a suitable halting place before nightfall. A certificate in B. P. Form No. 57 shall accompany the prisoners.

(*vii*) Meals shall be taken by daylight or if a short delay only be necessary, deferred until arrival at a station.

(*viii*) The officer in charge shall see, as far as possible, that prisoners in transit are properly fed and treated.

(*ix*) If the party has to sleep at night on the road, the constable incharge shall, on arriving at the village selected for the purpose, go to the headman of the place and call upon him to provide a secure room for the custody of the prisoner or prisoners, and extra men, if necessary, for night guard.

(*x*) When prisoners go aside to relieve nature, they shall be secured by leg-shackles, handcuffs or a rope. They shall not be allowed out of sight and a rope shall connect the prisoner and his guard.

(*xi*) Every prisoner despatched from a station to court shall, if possible, be forwarded direct to the nearest Magistrate having jurisdiction, and shall not be sent station by station or to the next superior officer of police.

(*xii*) Police officers and others taking charge of vagrants, for the purposes of the Europen Vagrancy Act, shall take such reasonable care of the vagrants as their physical condition, the season of the year, and other circumstances may render advisable.

(*xiii*) Police officers shall not compel witnesses or accused persons to travel long distances when they are not in a fit condition physically to stand the journey.

Bills for prisoners' diet and travelling expenses and cost of conveyance of stolen property, etc., sent to the Court.

333. (*a*) Expenses incurred in feeding and transporting prisoners while in transit from police-stations to headquarters, and of *hajat* prisoners made over temporarily to the police for purposes of detection as well as the cost of conveyance of stolen priperty and other articles sent to the court will be paid by the District Magistrate.

(*b*) The officer in charge of the escort shall keep an account of such expenditure and on return to the station, deliver the account, together with the balance of any cash which may have been advanced to him, to the officer in charge of the police-station. If an escort is changed on the journey, the account with any undisbursed cash shall be made over to the relieving officer, who, on his return to his station, shall make it over to the officer in charge of the station for transmission to the station of original despatch.

(*c*) At the end of the month the officer in charge of the police-station shall prepare a detailed bill in duplicate in B. P. Form No. 58 of all expenses incurred on this account during the month and shall forward it to the Superintendent's office. (*See* regulation 1181.)

VI.—INSPECTION.

Memorandum of points for inspection of police-stations and out-posts.

334. A memorandum of points which should be thoroughly locked into by Superintendents, Subdivisional Police Officers and Inspectors, is given in Appendix XXIII as an *aide memoire*. This memorandum is not exhaustive, an inspecting officers are, of course, at liberty to include within the scope of their inspections any other matters which appear to them to require scrutiny. It is not intended that remarks shall be recorded on any points unless they require notice, but it is expected that none of these points will be overlooked.

335. Civil Surgeon have instructions when on tour to inspect police-stations they may pass through in the course of their tours. They, while making an inspection of the police-station, shall record their remarks in the inspection register, in the same manner as any other inspecting officers, copies being forwarded by officers in charge of police-stations to Superintendets in the ordinary way. Superintendents shall do their best to carry out any recommendations made by medical officers, and if, for financial reasons they are unable to do so, they shall apply through the Deputy Inspector-General to the Inspector-General for necessary funds. **Inspection of police-stations by Civil Surgeons.**

VII.—SURVEILLANCE.

336. (*a*) It is impossible to define with absolute precision the class of persons to be placed under surveillance and much discretion must be left to Superintendents. They should remember that, although surveillance is to be exercised by the village authorities the efficiency of the surveillance will depend largely on the supervision maintained by the station staff, and the number of surveillés should be limited to what the staff is able to supervise effectively. The list of persons under surveillance should, therefore, be confined to the narrowest possible limits. It may, however, be laid down that all persons addicted to the following classes of crime should ordinarily be placed under surveillance:— **Persons to be placed under surveillance.** [§12, Act V, 1861.]

(*i*) Persons who have at any time during the past five years been convicted of dacoity, burglary or theft, robbery, drugging, counterfeiting, murder for gain or badlivelihood.

(*ii*) *Suspects.*—Persons who are known or suspected to have been concerned in any of the above offences during the same period, or who are or are believed to be professional, habitual or notorious cattle-lifters or burglars, thieves, receivers of stolen property, harbourers or abettors or theives or to belong to any criminal tribe or gang.

(*b*) No person falling under clause (*ii*) shall be placed under surveillance unless a history sheet has been opened, and the orders of the Superintendent obtained in the manner laid down in the following regulation. In the case of persons falling under clause (*i*) the station officer should, from time to time, as opportunity occurs, institute enquiries with a view to ascertaining whether the *ex*-convict is living an honest life, or has reverted to criminal habits.

Note.—Persons who have been convicted or are reasonably suspected of opium or cocain smuggling, and in the districts of Rajshahi, Dinajpur and Bogra persons who have been convicted or are reasonably suspected of *ganja* smuggling, should be placed under surveillance. Chaukidars, in whose jurisdiction such persons reside, should be furnished with a list giving their names and warned to report their absence to station officers without delay. Station officers shall deal with these reports in the same manner as in the case of other bad characters or suspects.

337. (*a*) When the history sheet of any person gives rise to a reasonable presumption that the person concerned is an active criminal, the fact shall be reported to the Superintendent who will decide whether there are sufficient grounds for requiring the police to exercise closer supervision over him. It is desirable that, whenever possible, **Superintendent to order surveillance.** [§12, Act V, 1861.]

this decision should be based on enquiry at the police-station and not merely on a written report. If the Superintendent decides that closer supervision is necessary, he should pass orders for his surveillance and the history sheet will then be dealt with as laid down in regulation 403 and it will be maintained in much greater detail.

Removal or addition of names for surveillance.
[§12, Act V, 1861.]

338. (*a*) The Magistrate of the district or the Superintendent may direct the removal of surveillance from any person.

(*b*) Superintendents and Circle Inspectors shall scrutinize the entries in the history sheets whenever they visit a police-station. The opinion of the officer in charge of the police-station regarding the removal of names or the addition of new names should not be accepted as a matter of course, but the Superintendent should, whenever possible, proceed to the village where the suspect or *ex*-convict resides, and by questioning the villagers ascertain whether it is necessary to bring the suspect or *ex*-convict under surveillance. It may be occasionally expedient for the Superintendent to inform privately a person brought under surveillance that his conduct has been suspicious and that his movements will be closely watched by the police.

Surveillance over unconvicted persons.
[§12, Act V, 1861.]

339. No unconvicted person shall ordinarily be kept under surveillance for more than three years. But if, for special reason, it is desirable to continue the surveillance beyond this period, the order of the District Magistrate shall be obtained and renewed at intervals of one year on proceedings drawn up, either by the District Magistrate or by a Subdivisional Magistrate or by a Superintendent showing in detail the grounds on which surveillance si deemed necessary. These proceedings, with the District Magistrate's order thereon, shall form the record of information to be noted in the history sheet. Proceedings drawn up under this regulation shall be treated as "confidential records" and shall be in the custody of the senior station officer.

Surveillance by village headman, union board, panchayat and watchmen.
[§12, Act V, 1861.]

340. Surveillance in towns shall be exercised by the police, but in villages it shall also be entrusted to the union board, panchayat or watchmen. All union boards and panchayats shall be furnished by the officer in charge of the police-station with a list of bad characters residing within their jurisdictions, and whenever any person is removed or brought under surveillance, due intimation shall be given to the village headman, president of union board or of panchayat to enable to correct his list.

Duty of police in regard to surveillance.
[§12, Act V, 1861.]

341. (*a*) Local enquiries regarding each person under surveillance should ordinarily be made at intervals of not less than one month. Such enquiries shall ordinarily be made by a Sub-Inspector, but when, owing to pressure of work or other special reason, no Sub-Inspector is available, the station officer may depute an assistant Sub-Inspector to make the enquiry, recording his reasons in the general diary. The main object of these visits is to ascertain whether the surveillé is being watched by the village chaukidar, and that his movements and the visits to his house of strangers are promptly reported at the police-station. If there is reason to believe that the village authorities are

neglecting their duty in this respect, the fact shall be immediately brought to the notice of the Superintendent who shall take such action as may be necessary. The opportunity should also be taken to enquire into the general conduct of the surveillé, his habits and particulars regarding his antecedents and his associates. All visits paid to the surveillés shall be entered in their history sheets.

(*b*) It is not practicable to lay down hard-and-fast rules regarding the classification of surveillés for purposes of supervision. It is the Circle Inspector who is in the best position to decide, having regard to local conditions and the incidents of crime in his circle, the nature of the supervision to be exercised, and it is for the Circle Inspector subject to the general control of the Superintendent to pass orders, from time to time, as to the degree and nature of the supervision to be exercised by his station officers over each surveillé in his circle jurisdiction.

(*c*) It is important that the method of the supervision exercised should be determined with reference to the class of crime to which the surveillé is addicted, and should not be allowed to become sterotyped. For instance, a dacoit or burglar should obviously be looked up at his home at night, and, if necessary, several times the same night, especially during the dark nights; but in the case of a pick-pocket it would be of greater use to have him carefully watched at *háts* and other places which he is known to frequent. In the case also of swindlers, druggers, utteres of counterfeit coins, forgers, etc., it is obviously useless to depend upon night visits. Such visits can serve no useful purpose and are a mere waste of time. What the station officer should aim at is to get early information of the absence of a criminal addicted to any of these crimes and to note the fact of the absence in his registers, and on the return of the criminal question him as to the cause of his absence and verify his statement without delay. No detailed instructions can be laid down, but officers are expected to use their intelligence and make the surveillance as effective as possible.

(*d*) It may be occasionally necessary in special instances to maintain a secret watch over the movements of certain criminals, such as cannot be effectively carried out in the ordinary way. In such cases the officer in charge of the police-station may employ agents or informers for the purpose, but he shall in each case report his action without delay to the Superintendent, through the Circle Inspector. Charges thus incurred will be met from the Superintendent's grant for secret service.

(*e*) Gazetted officers should occasionally personally look up persons under surveillance as apportunity offers, and this should be noted in the officer's tour diary, as well as in the history sheets of the person concerned.

(*f*) The officer in charge of the police-station shall see that every member of the station staff is able to recognise every surveillé at sight. The local enquiries referred to in clause (*a*) should as fas as possible be made by the officers in charge or his junior Sub-Inspector, but for surveillance Assistant Sub-Inspectors must also be employed and constables singly or as part of an organised patrol party may also be deputed from time to time to ascertain whether surveillés are absent

from home. Constables may also be deputed to camping grounds, *sarais,* ferries, and all places of public resort, to pick up information, but the constables should be given definite instructions as to the localities they are to visit and the enquiries to be made, and they should be required to return to the police-station by a given time. All such deputations must be entered in the general diary of the police-station, and any information which may have been obtained should be recorded in the history sheets.

Rules for reporting movements of bad characters.

342. When a bad character, who has been placed under surveillance, absents himself, it shall be the duty of the chaukidar immediately to inform the officer in charge of the police-station of the fact as well as of the destination of the criminal if this can be known. The information shall be conveyed personally by the village chaukidar, if the distance to be covered does not exceed five miles. In all other cases it will be sufficient if the panchayat or the union board sends a postcard report, the chaukidar confirming the information when he attends at the police-station on the next parade day. Printed postcards will be supplied, but if the supply of postcards is exhausted, a written report enclosed in an envelope may be sent by post bearing.

Bad character roll A. [§12, Act V, 1861.]

343. (*a*) The officer in charge of the police-station shall at once, on receipt of the information, fill in a bad character roll "A" (B. P Form No. 59) and shall add a brief *précis* of the habits and manners of such bad character and forward it by the quickest possible means, whether by hand or by post, to the officer in chrage of the police-station within which is situated the place to which the bad character is alleged or believed to have gone. If the route to such destination lies within the jurisdiction of an intermediate police-station or stations, an intimation shall also be sent to such police-station unless it is believed that the surveillé will proceed by railway or steamer.

(*b*) If the destination of the bad character is not known, a copy of the roll shall be sent to every police-station within or outside the province, to which there is any likelihood of his having gone. If the surveillé is addicted to crime on the railways, intimation shall also be sent by the quickest possible means to the nearest railway police-station.

(*c*) If the surveillé is a member of a known gang of criminals, the officer in charge shall besides taking action as above at once arrange that a special watch be maintained on other members of the same gang, whether residing in his own or other police-stations until the surveillé returns.

(*d*) A police officer who receives the roll shall immediately take steps to ascertain whether the bad character has arrived within the limit of his jurisdiction. If the bad character is found the police officer shall note the date and hour of his arrival, the name of the person with whom he is staying, and the names of any persons with whom he associates and he shall arrange to have his proceedings watched in the same way as if he were a registered bad character of his own station. If he has not been traced on the expiry of one week from the receipt of the roll, the officer receiving the roll shall return it with a statement to that effect on the back of it to the police-station of issue.

(*e*) When the bad character leaves the limits of the station for his home or elsewhere, within or outside the province, the officer in charge shall forward the roll to the officer in charge of the police-station to which the bad character has gone, noting on the back of it all the information regarding the individual's movements which was collected while he was residing within the limits of the station and sending intimation to any intermediate police-station or stations falling on his route, unless it is believed that the surveillé will proceed by railway or steamer. If the bad character goes to a police-station other than that in which he is registered, the officer in charge of the latter shall be informed of the fact.

Bad character roll B.

344. If the union board, panchayat or watchmen hear of the advent of a suspicious stranger in their villages, it shall be their duty to question the person regarding his antecedents and residence, and to send to the police-station, with as little delay as possible, all the information obtained by them. The procedure laid down in regulation 342 shall be followed if the enquiry shows that there is reason to believe that the stranger is a bad character.

Bad character roll B.

344A. (*a*) On receipt of information that a suspicious stranger has arrived within the station jurisdiction it shall be the duty of the officer in charge of the police-station to send bad character roll "B" (B. P. Form No. 60) with the utmost possible despatch to the police-station within the limits of which the stranger alleges that he resides. If before the receipt of the reply to the roll, the stranger leaves the place for another jurisdiction, a copy of the roll shall be sent to that police-station.

[§12, Act V, 1861.]

(*b*) On receiving such a roll the officer in charge of a police-station shall at once return it with complete information regarding the individual in question, if he is a resident of that station; while, if he is not a resident, the roll shall be returned with a statement to that effect. In such case the officer who issued the roll must take all possible steps to discover the identity of the stranger.

(*c*) The nature of the information received regarding the stranger will guide the police officer as to the steps that should be taken, whether to institute proceedings under section 109 or 110, Code of Criminal Procedure or to watch the movements of the stranger. Bad character rolls "A" and "B" for reporting the arrival or departure of bad characters on their return to the issuing officer shall be passed on the foil of the roll book. They shall be destroyed after three years.

Surveillance of criminals belonging to gangs.

345. (*a*) Surveillance should be by gangs. If a member of a gang is found absent, an enquiry slip shall be immediately issued to all police-stations within whose jurisdictions any of the members of the gang resides, stating the facts, enquiring whether any of the other members were absent at the same time. Similar steps are to be taken on the occurrence of a crime in which a known gang is suspected of having been concerned. In cases of dacoity, there should be no delay in issuing these enquiry slips. They shall be issued immediately after the first information has been recorded and the fact noted in the

[§12, Act V, 1861.]

general diary, giving the number and date of the slip and the officer and the name of the police-station to which the slip has been issued. It shall be the duty of the officer receiving the slip to take action without delay, and to inform the officer who issued the slip of the result of the enquiry. He shall enter in his general diary the date and hour on which he received the slip and the date and hour on which he returned it. In the event of any of the members of the gang being found absent, the fact and the number of the enquiry slip will be noted in the history sheet. All slips shall be carefully filed by the issuing officer, as evidence of absence of gangs of known criminals simultaneous with an outbreak of crime is valuable evidence in badlivelihood cases. As much use as possible shall be made of village panchayats, union boards and chaukidars to assist in the surveillance over gangs, and they should be encouraged by liberal rewards from the Chaukidari Fund to report the absence of a member of a gang or of the visit of any strangers to members of a gang.

Surveillance juvenile offenders. [§12, Act V, 1861.]

346. Juvenile offenders may be placed under surveillance by the Superintendent on their discharge from the Reformatory or Borstal School only with the approval of the District Magistrate and if their conduct in the school or after discharge from there necessitates such action.

Report of criminal charges against ex-reformatory school boys.

347. The officer in charge of a police-station shall report to the Superintendent all cases in which criminal charges are laid before the police against boys licensed under section 18 (*1*) of the Reformatory Schools Act, 1897 (VIII of 1897), by their *pro-tempore* employers and against adolescents licensed under section 12(*1*) of the Bengal Borstal Schools Act, 1928 (I of 1928) and shall proceed to deal with such cases in the usual manner according to law. All cases in which *ex*-reformatory school boys are concerned shall be similarly reported. (*See* regulation 453.)

NOTE.—"Reformatory school boys" include "Borstal school boys".

Surveillance over conditionally discharged or released persons and persons restrained under section 565, Criminal Procedure Code. [§12, Act V, 1861.]

348. For rules applying to persons who are conditionally discharged under section 124 of the Code of Criminal Procedure and persons against whom an order has been made under section 565 of that Code, *see* Appendix XXIV.

Police officers shall report to the District Magistrate through the Superintendent any breach of the conditions imposed under section 124 of the Code of Criminal Procedure.

Working of the rules made under section 565, Criminal Procedure Code. [§12, Act V, 1861.]

349. (*a*) In giving effect to the rules, in Appendix XXIV no unnecessary harassment of *ex*-convicts shall be permitted. Any reasonable excuse for failure to report residence or any intended change of or absence from residence, or delay in reporting any change of residence, shall be accepted. When any breach of the rules comes to the notice of an officer in charge of a station and is reasonably explained, particulars shall be entered in the general diary. If any such breach is not at once reasonably explained, the station officer shall make any summary enquiry which may be required to ascertain

the facts, and, if necessary, take action for prosecution under section 176, Indian Penal Code. Any breach of the rules shall be recorded in the Village Crime Note-Book at police-stations. The original statement as to residence mentioned in sub-clause (*i*) of the rules in Appendix XXIV shall be kept in the police-station where the convict has to notify his residence.

(*b*) If the *ex*-convict does not return to the proposed place of residence within a reasonable time, and his whereabouts are not known, the statement in duplicate received from the jail shall be sent to the Superintendent of the district where he was last convicted, one copy being kept in the Superintendent's office and the other in the police-station from which the man was sent up.

Surveillance of persons convicted under the Opium and Excise Acts.

350. The names of persons convicted under the Opium Act, 1878, and the Bengal Excise Act, 1909, whom the Superintendent of Excise considers require surveillance, shall be forwarded by him to the Superintendent of Police, who will issue the necessary orders to the police-station officer. The latter will open a history sheet from the information supplied by the excise authorities and exercise the necessary surveillance over the convict.

Classes of gangs to be watched. [§12, Act V, 1861.]

351. It is to be clearly understood that the police cannot interfere with the movements of persons who are *bona fide* engaged in trade, and that they may only resort to preventive action in order to protect the public from the depredations of those wandering gangs whose object is rather plunder or larceny than legitimate trade. The following wandering gangs, among others suspected of being criminal, are generally found in Bengal and are a source of nuisance and danger to the public:—

(1) Dom (Maghaya), (2) Karwal, (3) Irani, (4) Minka *alias* Madari and (5) Sandars.

Wandering gangs.

352. (*a*) Every dafadar is required to report without delay to his police-station the presence or arrival within his village boundary of any wandering gang.

(*b*) On receipt of such information the officer in charge of the police-station shall personally visit the place where the gang is located, and if such gang is known or suspected to either criminal or troublesome and oppressive, shall arrange to watch it carefully, particularly at night. For this purpose a sufficient number of constables, dafadars and chaukidars should be told off with clear instructions as to their duties. If the gang is not known or suspected to be either criminal or oppressive, the officer in charge of the police-station shall not place it under surveillance nor interfere with it in any way.

(*c*) At frequent but irregular intervals the officer in charge of the police-station or a junior officer deputed by him shall visit the encampment of every wandering criminal or oppressive gang under surveillance within his jurisdiction, and shall satisfy himself that the surveillance exercised by constables, dafadars and chaukidars is really effective. Such visit shall be made at night whenever possible. The officer

making the visit shall also enquire from the residents in the neighbourhood about the behaviour of the gang, and if complaints are made against the gang, he shall enquire into them and take such other action as may be necessary in the circumstances of the case. Full details of these visits shall be noted in the officer's *mufassil* diary.

(*d*) If the gang is found to be criminal or oppressive, whether it be a foreign Asiatic gang or not, no effort shall be spread to bring the offenders to justice for specific crimes and in default of this to deal with the members of the gang under the preventive sections of the Code of Criminal Procedure. On no account shall they be passed on under police guard from one province or one district to another.

(*e*) Whenever a criminal or oppressive gang leaves, or is about to leave the jurisdiction of one police-station for another, the officer in charge of the police-station which the gang is leaving shall send by the quickest available means information to the officer in charge of the police-station to which the gang is proceeding, to enable the latter to make arrangements for visiting and watching the gang. Whenever possible, this information shall be sent in advance.

(*f*) All information received at police-stations regarding the movements of wandering gangs shall be entered in the general diary, and it shall be the duty of Circle Inspectors to see that action under this regulation is promptly taken by station officers.

Foreign Asiatic vagrants. [§12, Act V, 1861.]

353. Gangs of foreign Asiatic vagrants shall on no account be passed on under police surveillance from one province or district to another. Whenever it may appear to the officer in charge of a district that the presence of any such foreigners is undesirable, and that they cannot be dealt with under the Code of Criminal Procedure, instead of passing them on to an adjacent district, he shall submit a report of the circumstance through the proper channel, to the Provincial Government, asking for their deportation under the Foreigners Act, 1864 (III of 1864). Under section 2 of that Act the onus of proof that he is not a foreigner and not subject to the provisions of the Act lies on the person so charged. Full lists and descriptive rolls of the persons to be deported shall be submitted.

Note.—Foreign Asiatic vagrants are trans-frontier tribesmen who generally visit India with the intention of committing crime. More often than not they wander about the country without any visible means of subsistence. It is believed that many of these vagrants enter India as traders with the connivance of the regular *pawindahs*, who deliberately allow fellow-tribesmen to accompany them for the purposes of crime.

Action to be taken against bad characters and suspicious strangers under Sarais and Puraos Act (XXII of 1867).

354. (*a*) This Act is an effective check upon the movements of bad characters and suspicious strangers who reside in hotels, *sarais* and lodging-house and prey upon the public at important steamer or railway stations, district and subdivisional headquarters and other commercial centres. It is also useful as a means of prevention and detection of crime and facilitates the tracing of missing or suspected persons. The *sarai*-keeper is required under the Bengal Sarais Regulations, 1931, to keep a list of visitors, and literate persons are required to sign their names and illiterate ones to give their thumb impressions in the register. Illiterate *sarai*-keepers are to be assisted by a literate officer from the police-station.

(*b*) If any person refuses to give information concerning himself or if any suspicion arises against any particular person or persons, the *sarai*-keeper should be asked to report the fact immediately to the police for enquiry, with a view to the institution of proceedings under section 109, Code of Criminal Procedure, if necessary.

(*c*) Station officers who will, as a rule, be authorized as Inspectors under the Act, shall work the provisions of the Act carefully and treat the *sarai*-keepers with tact, courtesy and consideration.

VIII.—OUT POSTS AND PATROLS

Outposts. [§12, Act V 1861.]

355. (*a*) The officer in charge of an outpost though responsible for the state of his post, will only perform the same duties he would carry out if posted to the present police-station, subject in the same way to the control and direction of the Sub-Inspector.

(*b*) Sub-Inspectors in charge of police-stations shall inspect all outposts within their jurisdiction frequently, and are responsible for the state of them and for the conduct of the officers stationed here.

Town patrols. [§12, Act V, 1861.]

356. (*a*) As local conditions differ greatly throughout the province no system of town partols which will be generally applicable can be laid down. Superintendents shall prescribe a suitable system for the towns in their districts. The rules shall be clearly drawn up in the district order book and a copy supplied to each police-station concerned. A copy in the vernacular shall be hung up in each town outpost.

(*b*) The town area shall be divided into beats and at certain important localities fixed posts shall also be established so that the public as well as the beat constables may know where to apply for aid in case of necessity. Ordinarily one-tenth of the force of each outpost shall be reserved for vacancies, sickness, etc. Two-thirds of the remainder shall be detailed for night duty, the remaining one-third being utilised for day duty. Duty shall be so arranged that every head constable and constable shall have one night out of every three off duty. The desirability of having a certain proportion of the town staff working in plain clothes shall be borne in mind as well as the necessity for concentrating rather on the bye-lanes and the backs of houses than on main thoroughfares. Uniformed constables when proceeding from the outpost on duty shall invariably be inspected and marched off by a head constable.

The force in particular beats may be strengthened when the state of crime necessitates it by a corresponding decrease in other beats.

(*c*) Town constables should be frequently instructed in the necessity for noticing small details, *e.g.*, open doors at night, suspicious noises, men lurking in the shadows, etc. They shall also be well acquainted with all resident bad characters, their appearance, associates and the places they frequent, all *sarais*, hotels, licensed liquor shops, etc.

(*d*) A roster of daily duties in B. P. Form No. 61 shall be maintained at each town outpost which shall show how each officer is employed every day as well as the daily number of thefts and burglaries which occur in each beat.

Rural patrol.

(*e*) Each patrol party proceeding from a rural outpost shall be given a command certificate in which the villages they will visit and the bad characters they will look up shall be clearly mentioned. On their return to the outpost, the patrol parties will report on the back of the command certificate how the patrolling was carried out and whether the bad characters were found present.

Note.—Detailed instructions and suggestions for carrying out these patrols will be found in "Notes on patrols" by Sir Douglas Gordon, C. I. E., J. P.

Abstract of particulars in case of accidents in streets, etc., to be supplied to parties concerned on application. [§12, Act V, 1861.]

357. In case of accidents in streets or in other public places, abstracts of particulars of an occurrence may be supplied in B. P. Form No. 62 to parties concerned on application which must be accompanied by a fee of Rs.5 (*see* memorandum of instructions on the back of the form).

Officers to go the rounds. [§12, Act V, 1861.]

358. (*a*) The Superintendent shall decide in what towns in the district there shall be nightly rounds, and in each such towns an officer shall be deputed daily to perform them.

(*b*) The Superintendent shall himself go to the rounds occasionally and shall depute his Assistant and Deputy Superintendents to do so.

(*c*) In towns where there is no Town Inspector, it is part of the regular duty of the Armed Inspector and Sergeant to go the rounds, and the Superintendent shall lay down, in the district order book, how often in the month or week each such officer shall do so.

(*d*) All Inspectors and Sub-Inspectors stationed at or visiting district or subdivisional headquarters are liable for this duty.

(*e*) Although Assistant Sub-Inspectors should be used as frequently as possible for the supervision of town patrols, they should not be deputed as rounds officers or visit the guards.

(*f*) Officers should invariably note in their tour diaries the date and hour of all such night rounds.

Officers going out on patrol to inspect the watch at post offices at night. [§12, Act V, 1861.]

359. The station and town police shall pay special attention to post offices. A note of the fact that there is a post office in any particular village shall be made in Part III of the Village Crime Note-Book. All police officers going out on patrol at night, either in towns or in the interior, shall make a point of inspecting the watch at post offices, and shall see whether the men employed by the Postal Department to guard the offices are doing their duty. If any carelessness or remissness is found, a report shall be submitted through the Superintendent to the postal authority concerned.

Floating outposts and patrol launches. [§12, Act V, 1861.]

360. (*a*) Floating outposts and patrol launches are at the disposal of the Superintendent of the district to which allocated subject to the general control of the Deputy Inspector-General. They are intended to be a mobile force for the purpose of protection of *bona fide* users of the main waterways of the district and for control and detection of river criminals, and the prevention of river crime. The Superintendent with the consent of the Range Deputy Inspector-General may

alter the location of any launch or floating outpost but shall invariably specify in a district order the police-station to which it is proposed to be allotted and define its jurisdiction so that the responsibility of the Circle Inspector and officer in charge of the police-station with regard to the observance of the rules relating to these crafts may be specified, and the patrol area of the officer in charge of the floating outpost defined.

(*b*) It shall be the duty of the Range Deputy Inspector-General to see that efforts is not wasted by allowing two floating outposts to patrol the whole or part of the same area, and to bear in mind the principle that these patrols are for the main water ways, the lesser routes being already provided for by station patrol boats.

(*c*) The strength of a floating outpost is 1 Assistant Sub-Inspector and 5 constables. The extra strength allotted to a police-station with a patrol launch is 1 Sub-Inspector and 3 constables. The individual personnel will be attached to the parent police-station and the whole staff of Assistant Sub-Inspectors and constables will take turn and turn about on outpost duty—usually at 3 months' intervals. Similarly all the Sub-Inspectors at the police-station shall in turn do launch patrolling. When moved from one station to another the outpost shall take its allotted strength to the new station. When possible the Sub-Inspector allotted for a launch shall be accommodated in the upper deck excluding the office and record-room. In other cases the Assistant Sub-Inspector in charge may occupy these upper deck quarters.

(*d*) To each floating outpost shall be attached 1 *ghasi* boat with 1 *manjhi* and 3 *mallahs*. These boats shall be hired by the Superintendent at a rate not exceeding Rs.60 each per mensem from recognised contractors, tenders being called for where possible. The tenderer shall undertake to provide always a serviceable boat with the requisite crew to perform not less than 15 night patrols per month.

(*e*) There shall be two muskets at each floating outpost and patrol launch with 20 rounds of ball ammunition for each musket and 10 rounds of buckshot ammunition for each floating outpost and patrol launch. The officer in charge shall be personally responsible for the cleanliness, care and safety of these weapons. They shall be taken out with the prescribed ammunition with every patrol party.

(*f*) Detailed rules for the working of floating outposts and patrol launches are contained in Appendix XXV.

361. (*a*) In addition to floating outposts and patrol launches patrol boats are provided for certain police-stations as an aid to the officer in charge in— **Station patro boats.** [§12, Act V, 1861.]

(*i*) the prevention of crime and particularly that form of crime in which boats are used by criminals either in going to or escaping from the scene of occurrence;

(*ii*) the stopping of any particular area after the commission of a crime in order to examine all suspicious boats and persons coming out of the area under observation;

(*iii*) the observation of the movements of river-borne traffic during the rains over a larger area than would be otherwise possible and its proper protection.

(*b*) These boats shall be under the control of the Superintendent and are to be employed solely on patrol duties.

(*c*) The limits within which each patrol boat is to be employed shall be determined by the Superintendent. As a rule boats shall not proceed beyond those limits except under circumstances of emergency, such as the pursuit of offenders.

(*d*) Each boat shall ordinarily be manned by not less than one Assistant Sub-Inspector and two constables. They will form a part of the strength of the police-station to which the boat is attached and shall be detailed for boat duty strictly in turn with the other Assistant Sub-Inspectors and constables there.

(*e*) Parol should ordinarily be confined to especially dangerous spots with provision for surprise visits at uncertain intervals in other areas, according to the incidence of crime. The period for which each party shall remain on duty depends upon local conditions. The Superintendent shall use his discretion in the matter.

Note.—This does not, of course, apply to special circumstances, such as a pursuit, when the Assistant Sub-Inspector in charge must use his discretion.

(*f*) In each group of officers detailed for duty in the patrol boat there shall be two officers at least who have recently fired their musketry course and know the use and care of arms.

(*g*) Each patrol boat shall be provided with two muskets from the station with 20 rounds ball ammunition per musket and 10 rounds buckshot ammunition per patrol boat. The packets of ball ammunition shall not be opened until required, but one packet of buckshot ammunition shall be opened, 5 rounds being kept loose in the pouch of each constable on duty.

(*h*) An armed sentry shall always be on duty to be relieved every four hours. The muskets when not in use shall be securely fastened to the boat by drawing a chain or bar through the trigger-guards.

(*i*) Each patrol boat shall have a crew of not less than one *manjhi* (steersman) and two *mallahs* (rowers), and be equipped with a serviceable sail and mast.

(*j*) Any one of the crew absent without leave shall be fined 8 annas for every day or part of a day he is so absent. The officer in charge shall note such absences in the acquittance roll of the crew. The amount of fine for unauthorised absences shall be deducted from the contract amount payable monthly to the person from whom the boat is hired.

(*k*) The round of weekly duties of the patrol boat shall ordinarily be as below:—

(*i*) Patrol—Four days.

(*ii*) Observation of traffic in the vicinity of the police-station—Two days.

(*iii*) Rest—One day.

These duties may be varied at the discretion of the station officer, the days of patrol, observation or rest being altered every week, so that the direction of the patrol or the day of rest or observation may not be anticipated. One day's rest a week must be given, if possible, to the crew.

(1) Every patrol will be carried out under the definite written orders of the officer in charge of the police-station who should detail—

(*i*) the streams and *khals* to be patrolled;

(*ii*) the villages to be visited;

(*iii*) the kind of information to be collected;

(*iv*) the persons to be looked for; and

(*v*) the kinds of boats to be watched and, if necessary, examined.

(*m*) In sending out a boat for patrol or for observation, etc., the station officer shall, as far as possible, so arrange that an immediate message can be sent out quickly to it, on the occurrence of any emergency, such as a dacoity, in order that the boat may change its course or come back to the police-station.

(*n*) In performing the duties detailed above, the boat staff shall—

(*i*) find out all about the boats moored at the *ghats, viz.,* where they come from, where they are going to, what they carry, with special regard to any suspicious circumstances indicating the possibility that they are concerned in crime;

(*ii*) treat all *ghasi* and *sip* boats ordinarily with suspicion and, if any reasonable suspicion exists, shall examine them, asking and noting the names of all the passengers and crew, their destination, the place from which they have come, etc., and then, if necessary, place them under observation until searched according to the provisions of section 165, Code of Criminal Procedure;

(*iii*) on the occurrence of a dacoity, keep under observation every *ghasi* or *sip* boat found within a reasonable distance and time of the occurrence, until searched as in clause (*ii*) above;

(*iv*) make careful enquiries, particularly at night, about *gayana* boats found shortly after a dacoity, as these boats also are not always above suspicion;

(*v*) seize and suspicious property found, such as *ram daos, kukris,* sledge-hammer, *chhenis,* swords, spears, masks, torches, firearms, etc.;

(*vi*) give as far as possible convoy to boats passing through any particularly dangerous part of the route; and

(*vii*) get acquainted with the different towns and villages on and near the rivers and the habits of the people living therein.

(*o*) The station patrol boats shall not be used either as a means of conveyance for police officers or for the ordinary work connected with a police-station, such as the serving or execution of processes, domiciliary visits of bad characters, etc., but advantage may be taken of them to check the work of chaukidars at night or to ascertain the whereabouts of bad characters or suspects on the report of an occurrence.

(*p*) The Assistant Sub-Inspector on duty in the boat shall keep a *mufassil diary* in duplicate, recording therein his proceedings during his tour of duty and submit it on relief to the officer in charge. The duplicate copy of the diary shall be sent each day to the Circle Inspector.

(*q*) Every boat shall have a distinguishing number and a flag. The number shall be painted on the boat and quoted in all correspondence, defect lists, etc.

(*r*) Superintendents shall watch carefully the working of the patrol boats and shall notice their work in their annual reports. Other inspecting officers shall also pay special attention to these boats and notice their condition.

(*s*) The police employed on rivers shall work in concert with the land police. The land police shall, in like manner, work in co-operation with those in the boats, each communicating to the other any information obtained and mutually assisting in the detection and arrest of offenders.

(*t*) The Circle Inspector shall inspect the moving of the patrol boats once every two months, and superior officers as often as they are required to inspect police-stations.

IX.—RURAL POLICE.

Status of the rural police.

362. (*a*) Dafadars and chaukidars, commonly known as the rural police, are appointed under the Village Chaukidari Act, 1870 (Ben. Act VI of 1870), or the Bengal Village Self-Government Act, 1919 (Ben. Act V of 1919). They are subject to the provisions of these Acts and to the rules contained in the Chaukidari Manual or the Union Board Manual, Volumes I and II. Every police officer of or above the rank of Assistant Sub-Inspector is expected to be acquainted with the rules in those volumes, which are binding on the police. The regulations in this chapter are explanatory or advisory and do not override these Manuals and Acts.

(*b*) Members of the rural police are not subject to the provisions of the Police Act, 1861. They are not police officers except for purposes of the Cattle Trespass Act, 1871 (I of 1871). They are, however, public servants under section 21 of the Indian Penal Code.

(*c*) The village chaukidar is of great importance as an aid to police work. Without his assistance even the most active officer cannot know all that is going on in his jurisdiction. The chaukidar is not a well-trained or highly intelligent agent, but he is capable of much good work, and the results attained depend very largely on the care, attention and tact exercised by the officer in charge of the police-station.

363. (*a*) The general duties of dafadars and chaukidars are set forth in sections 39 and 40 of the Village Chaukidari Act, 1870, in the rules in section VI of the Chaukidari Manual, in section 23 of the Village Self-Government Act, 1919, in rules 36 and 38 of the Chaukidari Rules framed under that Act and in the rules in part III (B) of the Union Board Manual, Volume II. **General duties of dafadars and chaukidars.**

(*b*) Under section 23(*viii*) of the Village Self-Government Act, 1919, or section 39 (9th) of the Village Chaukidari Act, 1870, the officer in charge of a police-station shall direct all chaukidars to bring to the station immediate information of the occurrence of any large fire, storm or inundation and any damage to telegraph posts or wires. He shall also require them to report immediately when the condition of any river, road or crop is such that a serious calamity may be apprehended. The chaukidars of panchayati unions will be required, in addition to the above information, to report the outbreak of any epidemic among human beings or cattle and, from time to time, the condition of the standing crops.

(*c*) All officers shall be careful to enforce the responsibility of dafadars for the work and conduct of the chaukidars under them. If there are two or more dafadars in a union, the officer in charge of the police-station shall endeavour to persuade the local authority of that union to define the responsibility of each dafadar. Every excuse or reason offered by a chaukidar for any breach of duty shall as far as possible be verified either by the dafadar concerned or by a member of the police-station staff.

(*d*) Any report received either from the dafadar or the panchayat about the disappearance of, or damage to, the village boundary marks, shall be entered in the general diary and forwarded to the Collector for disposal. Unless specially ordered by the District Magistrate, the police shall not investigate charges of mischief in respect of boundary marks, but they shall, while moving about in the interior, see whether the marks are in their places and report to the Collector any defect noticed.

364. Under section 23 (*1*) of the Village Self-Government Act, 1919, every chaukidar is bound to give information to the officer in charge of the police-station and to the president of the union board of every unnatural, suspicious or sudden death which may occur and any offence in schedule II of the Act which may be committed within the union and must also keep the police informed of all disputes likely to lead to a riot or serious affray. If, however, by going first to the president he will be delayed in going to the police, he should send information to the president through another chaukidar or other person and shall himself proceed direct to the police-station. Chaukidars who delay to bring information of matters which require to be promptly reported render themselves liable to dismissal. Wilful omission to perform duties is punishable under sections 166, 170 and 202 of the Indian Penal Code. **Prompt reporting of crime to be insisted on.**

If it is manifest that there has been deliberate delay in reporting a serious occurrence or the likelihood of a serious breach of the peace or that information has been actually suppressed, the Superintendent

will apply for the prosecution of the chaukidar concerned and instruct the Court officer to press for an exemplary punishment. Chaukidars, when travelling by road, should go at a rate of not less than 2½ miles an hour.

Use of the telegraph by the rural police.

365. (*a*) All dafadars and chaukidars shall give immediate intimation by telegram or the next quickest available method, to the nearest police-station, about the likelihood of riots, the intention to commit heinous crime, the presence of suspicious characters, the occurrence of serious crimes, such as murder, dacoity, rioting with murder, robbery, drugging and the like, all other cases in which they consider that immediate intimation should be conveyed to the police. They shall also use the telegraph freely for the purpose of preventing the escape of absconders.

(*b*) The object of sending telegrams is threefold. Inthe first place, on receipt of a telegram, the investigating officer will reach the place of occurrence with the least possible delay, and will thus have been opportunity of preventing riots and heinous offences; in the second, he will be able to apprehend suspicious characters; in the third, if the offenders are known to be absconding, and the dafadar or chaukidar can form a conclusion as to the direction in which they have gone, a telegram sent to a police officer at a police-station, railway station or *ghat,* giving a description of the man wanted and the offence with which he is charged, may not infrequently be successful in securing his apprehension. Where necessary, telegraphic information can also be sent to a neighbouring dafadar or chaukidar, if, by so doing, it is thought probable that the arrest of an absconder might be effected.

(*c*) It may be desirable to send more than one telegram in certain cases, for instance, if a murder has occurred and the murderer is absconding by rail, the dafadar or chaukidar should send a telegram not only to the officer in charge of the police-station within which the crime has been committed, but should also telegraph to the police of the place to which he thinks that the offender may be going, so that he may, if possible, be intercepted. If the dafadar or chaukidar is not sure whether there is a police-station at the place to which the absconder is believed to be going, he should telegraph to the Superintendent of the District Police or to the Superintendent of the Railway Police.

(*d*) Dafadars and chaukidars are permitted to make use of Government and Railway telegraphs without prepayment for all messages which relate to their police duties. These messages are of two kinds, *viz.,* (*i*) ordinary telegrams, and (*ii*) special police telegrams. Special police telegrams shall be sent only in cases of real emergency, but when it is necessary to send a telegram during the hours when a telegraph office is closed, a special police message shall invariably be sent. In such a case, the dafadar or chaukidar shall get his message marked "Special Police," and the telegraph official is bound to accept it at any hour of the day or night. All telegrams shall be marked "State," and when an express message is sent, the words, "Special Police," shall be endorsed upon it.

(*e*) Telegrams shall be worded as briefly as possible, and, except in cases where an absconder is to be arrested, shall usually not contain details of names of parties, etc.

(*f*) Officers in charge of Government and Railway telegraph offices have been directed to write out on telegraph forms in English any information which a dafadar or chaukidar desires to send by telegram.

(*g*) Dafadars and chaukidars sending messages about the prevention or detection of crime shall give their names, designations and addresses in the body of the telegram. In the space allotted for "signature" (and which will not be signalled), they shall also give their names, designations and addresses in full, including the name of the police-station and district. A dafadar or chaukidar shall also in all cases affix his left thumb-impression to the message. If he is illiterate, he shall see that the above details are entered on his behalf by the writer of the telegram.

(*h*) When proceeding to send a telegram, dafadars, or chaukidars shall wear their uniform, or shall come with their appointment letter, which they shall show to enable the Post of Telegraph Master to identify them.

(*i*) Dafadars and chaukidars are enjoined to use the telegraph freely in connection with the prevention and detection of crime, but they shall remember that the use of the telegraph must be confined strictly to that object, and that the privilege of using the telegraph free of charge does not extend to other subjects.

(*j*) Rewards shall be freely paid to dafadars and chaukidars who send telegrams freely.

Payment of charges for telegrams sent by rural police.

366. On receipt of the original telegram forms used for such messages from the Government or the Railway Telegraph offices, the Superintendent shall at once stamp it with service stamps to the amount indicated for payment and shall return it to the Telegraph or Postal or Railway official concerned within 48 hours. A Superintendent may not refuse to affix stamp to a message, but if he considers that the message should be questioned, he shall write at once to the Telegraph official concerned and say that the message has been stamped, but it has been detained for the purpose of enquiry. The enquiry shall be made urgently, and the message shall be returned to the official in charge of the Telegraph office concerned as soon as the enquiry is complete. Superintendents shall not challange such messages unless it is obvious that the message had nothing to do with Government business, and referred only to a private matter, in which case recovery shall be made from the dafadar or chaukidar concerned and credited to the treasury.

Employment rural police outside their beats.

367. (*a*) Union boards have been instructed to order their chaukidars never to leave their beats at night except with the permission of the president or, in urgent cases, under the direct orders of a police officer. The boards are also instructed to direct their chaukidars to perform such patrol duties at night for the security of the life and property of the residents of the union. Police officers should, therefore, avoid taking a chaukidar away from his union as far as possible and never without consulting the president except in matters of great urgency. When the matter is so urgent that there is no time to consult the president the police officer shall inform the president of his action

as soon as possible. When for the purpose of the better controlling of a crime centre it is desirous to concentrate chaukidars over a wider area than their own union, it should be possible for the officer in charge of a police-station by tactful explanation to satisfy the members of the union boards concerned that it is in the interests of their residents that this should be done.

(*b*) Chaukidars and dafadars may be employed in guarding the railway line when Royalty, the Viceroy or the Governor are travelling, provided the officer employing them sends due information to the president of the union board or the president panchayat, as the case may be. (*See* rule 45 of the Union Board Manual, Volume II.)

Rural police not to be employed on menial duties. [§12, Act V, 1861.]

368. Police officers are prohibited from employing dafadars and chaukidars on their private concerns or any duties of a menial or degrading kind. Superintendents shall see that the order is obeyed and shall make it special subject of enquiry when inspecting a police-station and shall also mention it in their annual report.

Method of holding chaukidari parades. [§12, Act V, 1861.]

369. (*a*) The rules for holding chaukidari parades are laid down in the Union Board and the Chaukidari Manuals.

(*b*) The chaukidari parade shall be held at such an hour as to admit of chaukidars returning to their village by sunset, if possible. And in order to ensure this, chaukidars shall be compelled to be punctual. It is equally essential that the police officers shall also be punctual and should not detain chaukidars unnecessarily.

(*c*) The officer in charge shall preside at the parade, and shall not delegate this duty to a subordinate officer, except for every good reasons, which shall be recorded in the general diary.

(*d*) Every chaukidar and dafadar attending the parade shall be in uniform.

(*e*) Parade shall be held in the police-station compound.

(*f*) The chaukidars having assembled, their attendance shall be recorded in the attendance register (B. P. Form No. 63) by the officer holding the parade, black ink entries being made in the case of those who are present, while red ink shall be used for absentees. The names of all chaukidars absent from the muster parade, whose absence is unexplained, shall be entered in the general diary immediately after the parade. A monthly statement of the chaukidars whose absence during the month is unexplained or unsatisfactorily explained shall be submitted to the punishing authority in the first week of the following month in B. P. Form No. 64.

(*g*) Rewards to chaukidars of panchayati unions shall be distributed by the presiding officer at a pay parade at the police-station.

Information to be obtained at chaukidari parades. [§ 12, Act V, 1861.]

370. (*a*) After recording attendance, the officer holding the parade shall question the chaukidars present as to whether they have any reports to make on the following points:—

(*i*) births;

(*ii*) deaths;

(*iii*) epidemics;

(*iv*) fires;

(*v*) the state of crops;

(*vi*) cattle disease;

(*vii*) obstruction to telegraph wires;

(*viii*) injury to survey pillars, Government trees, bridges, etc.;

(*ix*) the arrival of foreigners, swindlers, or criminal tribes in their villages;

(*x*) the movements of bad characters;

(*xi*) visits of suspicious persons or registered bad characters to their villages;

(*xii*) persons suspected of cattle poisoning;

(*xiii*) loss or straying of cattle;

(*xiv*) the arrival of any suspicious boats;

(*xv*) the existence of any dispute likely to lead to a breach of the peace;

(*xvi*) encroachment on, and injuries to, public roads; and

(*xvii*) any other matter regarding which the officer holding the parade may wish or have been ordered to obtain information.

NOTE.—Information regarding points (i) and (ii) shall only be collected in the rural areas referred to in regulation 234. Information regarding unnatural deaths must, of course, be insisted upon in all areas since this duty is imposed upon the village police by section 45 of the Code of Criminal Procedure.

(*b*) The subjects on which information is required, as specified in clause (*a*) above, are intended to be of general application, and not to meet the special requirements of particular areas. District Magistrates are at liberty to prescribe further questions, but it is desirable that the number of questions should be strictly limited, and to prevent such special questions being continued after they are no longer required, they should be sanctioned only for a specified time, after which they should be reconsidered. Information obtained in answer to questions specially prescribed by the District Magistrate shall be entered in the general diary.

(*c*) All chaukidars having information to give on any particular subject shall stand up and remain standing until their information has been recorded.

(*d*) Any dafadar or chaukidar having any information to give as to items (*x*) to (*xvii*), and any other men whom the officer holding the parade wishes to interrogate, shall be ordered to fall out and their information elicited from them out of hearing of the rest, so that they may understand that it will be kept as far as possible confidential. The remaining chaukidars shall then be allowed to depart. Those detained as above shall not be kept longer than is absolutely necessary. These enquiries shall always be made by the officer in charge, when he is present at the police-station and the fact noted in the general diary. The questions noted in items (*i*) to (*ix*) above may be put by the

second officer or the Assistant Sub-Inspector under his supervision, provided that the officer in charge acquaints himself with the information elicited. If the officer in charge does not himself question the chaukidars who have information to give privately, he shall explain his reason for not doing so in the general diary.

(*e*) The information obtained under items (*i*) and (*ii*) in clause (*a*) above shall be entered in the registers of births and deaths, that obtained under other heads in the general diary, items (*ix*), (*x*), (*xi*) and (*xv*) being also entered in the Village Crime Note-Book.

(*f*) When birth and death reports are called for, each chaukidar shall hand in his *hath-chitta.* These *hath-chittas,* whether containing entries or not, shall be authenticated by the signature of a member of the Union Board or panchayat, and shall be brought in by chaukidars even when blank. Fresh entries shall be transcribed into the registers of births and deaths while the parade is going on.

(*g*) Chaukidars should be catechised to ascertain whether they are acquainted with the absconders, proclaimed offenders, released convicts, suspected characters and *lathials* residing or having relations in their villages.

(*h*) Complaints by chaukidars of non-payment of salaries should be entered in the general diary, after chaukidari parade which will be available for reference when enquiries into a police complaint regarding non-payment of chaukidars' salaries are made.

Attendance of Circle and Excise officers at chaukidari parades.

371. (*a*) Circle officers are required by the Provincial Government to pay special attention to the work of chaukidars and they are encouraged to attend chaukidari parades at the police-stations as well as at the union board offices. At the police-station parades circle officers will be in a position to learn the information required by the police and will then be able to assist them in obtaining it from the chaukidars and the presidents of union boards. Police officers should, therefore, co-operate with circle officers and should keep them fully informed of anything that they require in the way of special information and of any defects in the working of any particular chaukidar or chaukidars.

(*b*) Excise officers are also permitted to attend chaukidari parades to explain matters to chaukidars and dafadars, and to obtain from them information of any offence against the excise laws.

Neglectful chaukidars to be reported for punishment.

372. (*a*) Officers of police when investigating any robbery, burglary, theft or other offence shall ascertain whether the chaukidar was present at his post when the offence was perpetrated; if not, the cause of his absence, and whether there may be reason to believe that he was himself concerned in, or connived at, the commission of the crime. In the event of any neglect or suspicion of criminality attaching to a chaukidar, the officer in charge of a police-station shall forward a report to the Superintendent. When reporting chaukidars to the Superintendent for punishment, police officers shall clearly state the nature of

offence, recording the statements of any person who may be acquainted with the particulars of the case, and taking down the defence of the chaukidars. If the chaukidar has been reported or punished on any former occasion the fact should also be noted.

A serious riot, particularly one connected with the land, seldom occurs all on a sudden without previous preparation. When, therefore, such a riot occurs as to which the chaukidar has given no previous information to the police, the chaukidar's explanation shall be taken and submitted to the Superintendent. If such riots frequently occur in any police-station without the officer in charge having any previous knowledge of their likelihood to arise, it may be taken as an almost certain indication that the officer is apathetic or incapable.

(*b*) Rules in the Union Board Manual, Volume II, and the Chaukidari Manual contain instructions relating to the reporting of chaukidars' offences and the occasions for and scales of punishments.

REGISTERS AND RECORDS, REPORTS AND RETURNS.

Registers and files.

373. (*a*) A list of registers and files to be maintained at each police-station and outpost (including floating outpost) is given in Appendix XIII.

(*b*) In the following regulations are given instructions regarding certain of the registers and files not dealt with elsewhere.

General rules as to registers. [§12, Act V, 1861.]

374. (*a*) No alterations in the form or mode of keeping the registers and files or preparing or rendering the returns mentioned in Appendix XII, and no addition to their number, may be made without the previous sanction of the Inspector-General.

(*b*) Registers issued to police-stations shall bear a certificate under the hand of the head clerk on the inside of the cover as to the number of pages they contain. No certificate is required in the case of registers in which the numbers of the pages are already printed. No page may be torn out of a station register. Any correction which it may be necessary to make in any station register shall be made by drawing a through the mistake, so as to leave the word erased legible, and by writing the corrected word afterwards or in the margin. A piece of paper shall not be pasted over a mistake.

(*c*) All entries shall be neatly and clearly written, and all corrections shall be attested by the signature of the officer making them. If words or lines are omitted from an entry, or if an entry is omitted altogether, no interpolation shall be made. The omissions shall be supplied by a fresh entry in the regular course. English figures alone shall be used in all official papers and registers.

(*d*) Station officers shall not rewrite registers without the written permission of the Superintendent.

Note.—Seals of uniform pattern have been provided for all offices and no deviation shall be allowed from the sanctioned design when seals are renewed or new seals are procured.

Record of lands and buildings.

375. At every police-station a record of lands and buildings relating to the police-station concerned shall be maintained. It shall consist of:—

(*i*) An extract in B. P. Form No. 239 from the register of lands and buildings kept in the office of the Superintendent. The amount spent on repairs each year shall be entered in it to enable Subdivisional Police Officers, Inspectors and other inspecting officers to check the estimates for annual repairs;

(*ii*) an accurate site plan of all the land in possession of the department with boundaries and boundary pillars. This should be a tracing of any correct and certified plan kept in the office of the Superintendent.

Note.—No such register need be maintained in railway police-stations.

Registers of letters received and despatched.

376. (*a*) Two registers shall be kept in Bengal Forms Nos. 16 and 19 in which shall be included all orders, legal processes, as well as other correspondence received and despatched. The registers shall be written up by the Assistant Sub-Inspector, but this shall not relieve the officer in charge of the responsibility of opening, dating and attending to the *dak* personally.

(*b*) The register of letters received shall be divided into as many parts as required by the nature of the correspondence: thus—

(*i*) Orders from courts and Magistrates.

(*ii*) Departmental orders.

(*iii*) Enquiry slips.

(*iv*) Miscellaneous.

(*c*) Such papers as are registered elsewhere, such as first information reports, final memorandum, etc., shall not be entered in this register.

The general diary.
[§12, Act V, 1861.]

377. (*a*) The general diary as prescribed under section 44, Police Act, 1861, and sections 154 and 155, Code of Criminal Procedure, shall be kept in B. P. Form No. 65 at all police-stations. The officer in charge is responsible that it is punctually and correctly written. He shall himself make all but the routine entries. The diary shall be written in duplicate with carbon paper. Each book shall contain 200 pages, duly numbered.

(*b*) Every occurrence which may be brought to the knowledge of the officers of police shall be entered in the diary at the time at which it is communicated to the station, and if no incident be communicated during the day, this fact shall be noted in the diary before it is closed and despatched.

(*c*) In it shall be recorded, as concisely as is compatible with clearness, all complaints and charges preferred, whether cognizable or not, the names of the complainants, the names of all persons arrested, the offences charged against them, the weapons or property of which the police have taken possession, and the names of the witnesses who

have been examined. In the case of a person arrested, his name, the number of the case in which arrested, the dates of arrest and receipt in the station lock-up, the date and hour when forwarded to the court, and the expenses, if any, incurred in feeding shall be noted.

(*d*) The fact of enquiries having been made regarding absconders and surveillés shall be briefly noted. A note of the number and date of entries in the diary shall also be made in the registers where detailed entries are made. If help is given to excise officers in the detection or prevention of excise offences, the fact shall be noted.

(*e*) Information obtained in regard to the following matters relating to general administration shall also be entered:—

The state of crops, roads, rivers, bridges, railway fences, Government buildings, ferries, embankments, trees, telegraph lines, etc.; the occurrence of large fires, inundations, storms, railway or other serious accidents; the outbreak, prevalence, or cessation of cholera, small-pox, fever or other epidemic disease; serious cattle disease; the passage through, or gathering together within, the limits of the station circle of large bodies of people; the arrival and despatch of prisoners; the receipt and disbursement or transmission of cash; particulars of taking and making over charge; distribution of duty amongst officers, change of police-station sentry; the holding of parade, quinine parade, kit inspection, barrack inspection; departure and arrival of officers to and from the *mufassil,* or on or from leave; transfers and new arrivals of officers; misconduct or instances of meritorious behaviour on the part of subordinates; assistance rendered by panchayats or members of union boards in all matters not connected with the actual investigation of cases; arrival and despatch of the mail; submission of periodical returns, and the imparting of instruction in drill, procedure and other duties to constables; all information as to threatened disturbances; attendance of dafadars and village chaukidars, the information furnished by them at muster parade or otherwise obtained regarding the presence of suspicious characters, gamblers, swindlers, foreigners or members of wandering tribes; the occurrence of any suspicious deaths amongst cattle; the presence of strange boats at village *ghats,* and the disappearance of any therefrom, and the result of enquiry, if any made, regarding them by dafadars and chaukidars, if such information has not been entered in the Village Crime Note-Book.

(*f*) Whenever any escort over treasure or prisoners passes a police-station or outpost, whether the escort be of that district or of any other, the fact shall be entered in the diary, and the officer in charge shall enter and put the date and hour on the command certificate of the escort. In the case of escorts over prisoners, an entry shall be made in the diary if the prisoners are fed, what food was given and who were present at the time.

(*g*) Every entry made in the diary shall be given a marginal heading in as few words as possible, and shall be numbered in a monthly series and attested by the signature of the officer in charge at the time.

(*h*) An entry in the diary does not obviate the necessity of a separate report of any occurrence which is required by rule or order to be specially reported.

(*i*) The collection and communication of intelligence on all matters of public importance is one of the principal duties of the police, and the manner in which this duty is performed by an officer in charge of a station will generally be manifested in his general diaries. Officers shall, therefore, endeavour to render their diaries as complete, but at the same time as concise, as possible.

(*j*) The diary shall be completed, and a copy of it despatched in a cover to the address of the Circle Inspector one hour before the departure of the post, whatever time that may be, and shall be a complete record of all occurrences during the previous 24 hours. It is not necessary that the diary should commence and end with the day, but a note shall be made in the last entry stating that the diary has been closed for the previous 24 hours. At district and subdivisional headquarters, the diary shall be closed and despatched at 08-00, so that extracts from it may appear in the daily report of the same day.

(*k*) The diary shall also be maintained at each outpost and be written by the officer in charge with carbon paper. In addition to entries concerning patrol work, the diary shall contain information regarding important matters coming to notice and the presence of suspicious characters, gamblers, swindlers, foreigners or members of wandering gangs. Cases that may be reported to such outpost shall also be recorded but no details need be given except a statement on the following lines: "A. B. came to the outpost at 08-00, and reported a burglary in his house last night. The complainant is sent with constables X. Y. to the police-station." The diary shall be submitted daily to the officer in charge of the parent police-station where it shall be perused and filed after necessary action has been taken. If these diaries are written in Hindi, officers in charge of police-stations will have them read out to them by one of their up-country constables.

Register of absconded offenders and escaped convicts living or having connections in the station circle.

378. (*a*) The register (in B. P. Form No. 66) shall be divided into two parts. In part I will be entered the names of all escaped convicts and absconded offenders, irrespective of where they have committed crime, whose usual residence is within the station jurisdiction in which the register is kept. This register must tally with the entries for the station made in the Superintendent's register with which it will be compared once a year. (*See* regulation 1118.)

[§12, Act V, 1861.]

Part II will contain the names of escaped convicts and absconded offenders (*i*) who have committed crime within the station jurisdiction, but whose residence is either unknown or within some other station jurisdiction; (*ii*) who have relatives or connections living in the station jurisdiction irrespective of the place where crime was committed. In the case of absconders charged with crime committed within railway limits the Superintendent of Railway Police will send their rolls to the Superintendent of Police of the district in which the absconder lives, either permanently or temporarily, or in which he has relations or

connections. The district Superintendent will have the particulars entered in the register kept in his own office and in the police-stations concerned.

(*b*) For the purposes of this register the following persons shall be considered as absconded offenders:—

(*i*) Persons charged with cognizable offences, against whom there is evidence sufficient to warrant their trial, and who are at large when charge sheet is submitted on completion of the police-enquiry.

(*ii*) Persons who have escaped from police custody, or from a jail or lock-up.

(*iii*) Accused persons for whom proclamation has been issued under section 87, Code of Criminal Procedure.

(*iv*) Persons who are on bail in cognizable cases or cases under Chapter VIII of the Code of Criimnal Procedure and who fail to appear when their sureties are called upon to produce them.

(*c*) No entry will be made in the register without the written order of the Superintendent, which should be obtained by the station officer as soon as it appears that a warrant of arrest issued or which may be issued in a cognizable case cannot be executed or whenever a proclamation issued under section 87, Code of Criminal Procedure, has been published.

(*d*) Periodical search and enquiry will be made for each absconder whose name is in the register, and the date and results of such enquiry will be entered on the back of the page on which his name is, together with the names of two respectable residents present at the time of the enquiry. The officer in charge of the police-station where the absconder is wanted will also arrange simultaneous "drives" at irregular intervals at all places where he is likely to be found.

Note.—As a large number of people living in Bengal have relations living in Calcutta, the Calcutta Police do not maintain a list of absconders who have relations or connections living whithin their jurisdiction. In consequence it is not possible for the Calcutta Police to make quarterly enquiries about such individuals.

(*e*) The capture of an escaped convict or absconded offender should be promptly reported to the Superintendent, who will at once order the entry in his own register and in those of the various police-stations to which the roll was circulated to be cancelled.

(*f*) When a convict who has escaped from the Andamans is arrested, he will be produced before a Magistrate, together with the notice in the *Criminal Intelligence Gazette* regarding his escape, and the Magistrate will decide whether there is any reason why the convict should not be removed in custody under section 86, Code of Criminal Procedure, to the Magistrate at the Andamans who issued the warrant. If no notice regarding the escape has been published in the *Criminal Intelligence Gazette,* the Court officer will apply to the Magistrate for an adjournment to enable the police to ascertain whether a warrant has been received from Port Blair for his recapture, enquiry being made from the Inspector-General.

(*g*) A police officer to whom a proclamation has been made over for publication is responsible that the provisions of section 87, Code of Criminal Procedure, are strictly complied with and he shall submit to the Magistrate a written report showing clearly that the proclamation has been duly published as required by that section.

(*h*) On receipt of an order of attachment the officer in charge of the police-station shall take necessary steps to effect the attachment and shall submit a report in B. P. Form 67 to the Magistrate issuing the order. In making the attachment, the list prepared under regulation 323 should be made use of, and if it is found that any property belonging to the accused as shown in that list, is not forthcoming, action under section 206, Indian Penal Code, should be taken against the person responsible for the loss.

Register of property stolen and of all property and articles taken charge of by the police. [§12, Act V, 1861.]

379. (*a*) All property stolen, whether recovered or not, and all property and articles of which the police take charge, shall be entered in a register in B. P. Form No. 68. When any such property is brought to the police-station, it shall be kept in the station *malkhana* until it is disposed of according to the order of the Magistrate or court. In order to avoid loss to the parties, property which deteriorates very rapidly, such as fruit, etc., may be sold in anticipation of sanction which shall be obtained as soon as possible, and the sale-proceeds thereof shall be sent to the Court officer.

(*b*) The term "stolen property" is defined in section 410, Indian Penal Code.

The amount of property to be entered as stolen and recovered shall be the amount accepted by the Magistrate and shown in the final memo. of the case.

When promissory notes, bonds and other similar property are stolen, only the intrinsic and not the nominal value of the article stolen shall be entered.

(*c*) All unclaimed property (*see* section 25, Police Act, 1861) shall be entered as soon as received at the police-station; or in the case of property not brought to the police-station, but left where found, as soon as the report is authenticated by an officer. The provisions of sections 25 and 27, Police Act, 1861, apply to all unclaimed property of which any officer of the police may be the finder. When unclaimed property is sold, the sale shall in all cases be held by the Sub-Inspector of the police-station and not by an Assistant Sub-Inspector.

The police shall take over unclaimed arms and ammunition which they find in railway trains or on railway premises. Unclaimed arms and ammunition found by the officers of the railway, including Railway Police, shall be sent by them direct to the officers appointed by Government in this behalf and not through the police.

(*d*) Suspicious property seized by the police shall be entered, and a report shall be made at once to the Magistrate under the provisions of section 523, Code of Criminal Procedure.

(*e*) Intestate property taken into the charge of the police shall also be entered. (*See* also regulation 251.)

(*f*) Property, movable or immovable, of absconders under section 88, Code of Criminal Procedure, shall also be entered in this register. Undivided interests in the immovable family property of an absconding person who is a member of an undivided Hindu family can be attached under section 88 of that Code.

(*g*) In the remarks column shall be entered the steps taken for disposal of the property and the abstract of the order of the authority to whom reports are sent.

(*h*) When the Judge or Magistrate orders the property recovered or found to be returned to its owner or to any other person, the receipt of the person to whom it is to be returned shall be obtained in column 10 of the register and the date of return shall be put under his signature. If the property is sent to the court for production before the court at the time of trial or for any other purpose, a note shall be made in column 10 to that effect, giving the name of the constable by whom, and date on which, it was sent. The entry shall be signed by the officer in charge of the police-station. At the beginning of every month the senior station officer will give a certificate that he has satisfied himself that the items disposed of in the previous month have been correctly so disposed, that the receipts for such disposal are in order and that no property is unnecessarily pending.

(*i*) At the end of the year all property not disposed of shall be brought forward in red ink.

Khatian inspection register.

380. A list of all cognizable cases in which a first information is used shall be kept in chronological order in B. P. Form No. 69. The following instructions shall be noted:—

Column 1.—The number refers to the first information report number of the case. The cases shall be entered serially for each month, the different columns being entered according as different materials are received at the various stages of the case.

Column 3.—Cattle thefts shall be distinguished by writing the letters "C. T." in red ink in this column.

Columns 4 and 5.—The amount accepted by the Magistrate shall be noted. In cases refused investigation, the value shall be ordinarily that reported by the complainant, but the opinion of the court, if expressed, shall be followed.

Column 13.—The number of persons pending at the end of each half-year shall be noted in pencil corrections being made on receipt of the final memo.

Columns 18, 19 and 20.—These shall be written in red ink in respect of entries concerning foreign convicts or suspects.

Column 23.—The Inspector, while inspecting the police-station, shall note in this column the period for which the record of the case is to be preserved.

The station statistics for the District Police shall be compiled in B. P. Form No. 70 and for the Railway Police in B. P. Form No. 71.

List of convicts and suspects of adjoining police-stations. [§12, Act V, 1861.]

381. A list of convicts and suspects residing in the border villages of all adjoining police-stations shall be kept at every police-station. Gazetted officers shall, during the course of their inspections or visits, inspect these lists; ascertain if the officers attached to police-stations know the criminals of the bordering villages, and see that these lists are brought up to date each quarter.

Fine warrant register.

382. (*a*) A register in B. P. Form No. 72 shall be kept for all warrants received by the police for realization of fines within the jurisdiction of the police-station. Every such warrant shall specify the time within which it shall be returned, which ordinarily shall not exceed six months. The police shall return the warrant in due time, whether the amount of the fine imposed, or any part of it, be realized or not. They shall not retain time-expired warrants in their possession or, after the warrant has been returned, pay any domiciliary visit to a defaulter with a view to the realization of any portion of the fine outstanding, unless fresh orders are issued for them to do so. Any enquiries they may make, when they have no warrant to authorize their action, shall be made only under the order of a Magistrate with a view to ascertaining whether there are grounds for the issue of a fresh warrant. Such enquiries shall not ordinarily be made by an officer of lower rank than a Sub-Inspector.

(*b*) If it appears that a defaulter can in all probability pay the amount of the fine outstanding against him, the police officer shall forthwith report the matter to the Magistrate having jurisdiction with a view to the issue of a warrant. In other cases he shall merely note "no assets" in the remarks column, dating the entry.

(*c*) When a fresh warrant (subsequent to the first) is obtained, it shall be entered in the register in red ink and be treated as a fresh entry, reference being made in the remarks column to the year and number of the original warrant.

(*d*) In the event of the death of a defaulter being reported, one final and formal enquiry shall be made as to whether he has left anywhere property of any kind.

(*e*) All fines realized shall be remitted with the returned warrant at once to the Magistrate's clerk in charge of the fine registers.

(*f*) The Magistrate shall call for the register of each police-station at least once a quarter, and have it compared with the fine registers of his court. He shall also note that the police enquiries have been regularly made and properly recorded. The comparison shall never be made by the clerk in charge of the fine registers. It shall, when possible, be done by a Magistrate, or by some other of the Magistrate's clerks. The Magistrate shall pay special attention to the duty of bringing irrecoverable fines imposed in his district or in another district to the notice of the District Magistrate concerned with a view to their remission and removal from the register.

(*g*) Entries in the station register regarding realization of fines imposed in other districts, or in a subdivision of the same district, shall be compared once a quarter with the Magistrate's cash-book.

Enquiries to be made when executing fine warrant issued under the Railways Act, 1890.

383. When a police officer, who has been ordered to execute a fine warrant issued under the Indian Railway Act, 1890, is unable to trace the accused at the address given, he must obtain from the president of the union board, or from another gentleman of similar status in the locality, a certificate that the individual named in the warrant does not reside at the address given.

[§ 12, Act V, 1861.]

List of persons exempted or licensed under Arms Act.

384. (*a*) Officers in charge of police-stations shall be supplied with lists of persons exempted from the operation of the Indian Arms Act, 1878, to enable them to ascertain whether any particular person is or is not exempted.

(*b*) A list of persons licensed to carry or possess arms shall be kept at each police-station in B. P. Form No. 73. The entries shall be arranged village by village, the villages being grouped according to unions. Additions and alterations in lists of licences made during the year shall be reported promptly by District Magistrates to officers in charge of police-stations and a list of unrenewed licences shall also be furnished to police-station officers at the end of the year as soon as renewal of licences is over. To guard against the possibility of omission on the part of District Officers to send notices of additions and alterations made in the list to station officers and of the information thus received not being entered in the lists at police-stations, the District Magistrate shall send an up-to-date copy of the list annually to the officer in charge of each police-station who shall return the same to the District Magistrate after making necessary corrections in his register.

(*c*) In November of every year officers in charge of police-stations shall report to the Superintendent (*i*) whether any licensee is dead, and (*ii*) whether there is any objection to the renewal of any license. They need not, however, comment on the suitability of each licensee on the list, but state, when definite objection is taken to the renewal of a license, the grounds of this objection. The Superintendent shall forward these reports with his remarks to the District Magistrate for orders. If any license is cancelled, the licensee shall be called upon to deposit his arms and license at the nearest police-station within 14 days after receipt of notice.

List of conditionally released convicts.

[§12, Act V, 1861.]

385. Officers in charge of police-stations shall maintain a list in B. P. Form No. 74 of persons whose sentences have been remitted or suspended under section 401, Code of Criminal Procedure, and shall make monthly enquiries regarding them. They will report to the Superintendent any failure on the part of the released convict to fulfil the conditions of his release. This list shall be examined at the time of inspection.

List of approvers. [§12, Act V, 1861.]

386. (*a*) The station officer shall maintain a list of approvers residing in his jurisdiction together with their history sheets, and keep a close watch on them. Enquiries regarding their conduct and mode of life shall be made at least one a quarter, and results noted in the history sheet. At the close of the year the station officer will submit to the Superintendent a summary of the above notes regarding each approver.

(*b*) The Superintendent shall keep a record of all approvers in his district in a form which will allow the annual reports of the station officers to be incorporated. He will take his register with him when inspecting the police-station to see that no case was overlooked.

Minute book.

387. Each police-station shall maintain a minute book in B. P. Form No. 75 in which police officers visiting the station may record any requisition or suggestion concerning prevention or detection of crime. Such requisitions or suggestions received from other police officers, circle officers or presidents of union boards may also be noted in the minute book by the officer in charge of the police-station. The action taken in each case shall be noted in its proper column. Minute books shall be examined frequently by superior officers of police in order to ensure that prompt and proper action is taken.

Gang record. [§12, Act V, 1861.]

388. At each police-station such extracts from the Superintendent's gang register as concern it shall be maintained.

Enquiry slips. [§12, Act V, 1861.]

389. (*a*) When in course of an investigation or at any other time, a police officer requires information from the officer in charge of any other police-station regarding an absconder or any other matter connected with the criminal administration of his jurisdiction except in enquiries regarding the movements of bad characters, he shall address an enquiry slip to him in B. P. Form No. 76 or No. 77. Form No. 76 shall be used in addressing officers within and outside the province and Form No. 77 for enquiries from the Calcutta Police.

(*b*) Each slip shall bear a serial number according to the date of issue and shall be entered in red ink in the register of letters received or despatched, as the case may be; if the enquiry relate to an absconder, the nature of the crime with which he is charged shall be clearly noted. On receiving an enquiry slip back with the reply, it shall be pasted on the foil from which it was originally torn. Officers receiving enquiry slips shall treat them as urgent, and deal with them with the greatest possible despatch. If the slip is not received back quickly, a reminder should be issued, but if in the case of a slip sent out of the province any subsequent reminder is necessary, the officer in charge shall at once bring it to the notice of his Superintendent with a request to communicate with the Superintendent of the province concerned for early return of the slip.

Crime map. [§12, Act V, 1861.]

390. (*a*) Vandyked copies of thana maps, scale 1 inch to the mile, issued by the Director of Land Records and Surveys, shall be used as crime maps in all police-stations other than town stations, for which town or municipal maps are to be used. A new map shall be used each

year. For this purpose the jurisdiction vandyked maps for 5 years' use shall be supplied to each police-station. They shall be attached to slips of paper placed inside the binding of two card-board covers and entitled "Crime Maps". There will thus be a series of crime maps indicating, as each year is filled up, the crime of the police-station during each of a number of years.

Reported cases of dacoity, burglary for committing theft and house thefts only shall be entered on the map in proper places, the former in black ink and the two latter in red. The initial letter of the crime, *viz.*, D—Dacoity, B—Burglary, T—Theft shall be used for the purpose and underneath the initial letter, the number and month of the case shall be given. Thus D—2·2 will signify dacoity case No. 2 of February, B—4·5 will mean burglary case No. 4 of May, and so on. When more than one section applies to an offence, the initial letter denoting the major crime only shall be written. Superintendents may enter other cases in the crime map, with appropriate symbols only if they consider such cases worthy of special attention in any particular area. A red cross (X) shall be made to show where urveilles live.

(*b*) Besides the vandyked crime map, a printed thana map, backed with strong canvas, shall also be maintained so as to be readily available for use. On it shall be marked in colours, as fas as possible, liquor shops, public ferries, the boundaries of unions, and any other feature of importance which the Superintendent may think fit to order.

391. (*a*) In order to deal effectively with crime it is necessary to have a continuous and permanent record of the criimnal history of individuals and localities. To secure this, there shall be maintained for each village or other administrative area which may be chosen as the unit for the purpose, a "Village Crime Note-Book" which will contain information about crime and criminals, including convicts and suspects. It shall be kept in B. P. Forms Nos. 78-83 (I-V) at each district police-station. It is maintained under the provisions of section 12, Police Act, 1861, and shall be treated as an unpublished official record relating to affairs of State. It is a confidential and privileged document and is not to be exhibited in court without the permission of the head of the office, and no Judge can compel its production except with the same permission (section 165, Indian Evidence Act, 1872). It is open to inspection by magisterial and police authorities, but no outsider shall see it or obtain copies of its contents. **Village Crime Note-Book.** [§12, Act V, 1861.]

Note.—If a court directs the production of the Village Crime Note-Book, or any part of it, police officers concerned will act as laid down in sections 123 and 162 of the Indian Evidence Act, 1872.

(*b*) The Village Crime Note-Book shall be divided into the following parts:—

Part I.—The Crime Register, which will deal with professional crime occurring in the area.

Part II.—The Conviction Register, which will contain details of convictions of persons as specified in regulation 394.

Part III.—The Village History, which will contain notes on special outbreaks of crime in the village, etc.

Part IV.—The History sheets of persons residing in the village who are believed to be addicted to professional crime, with an index at the beginning.

Part IVA.—Comprises sheets containing enquiries about and movements of surveillés.

Part V.—An index of convicted persons whose names have been entered in Part II as well as of persons suspected in cases, but not convicted.

Note.—A Crime Note-Book shall be opened for municipal towns and these regulations shall be applied so far as applicable, the town outpost being the unit.

(*c*) For facility of reference an alphabetical list of all the villages contained in the jurisdiction of the police-station, with their jurisdiction numbers, shall be prepared in manuscript in the following forms:—

Column 1.—Name of village including local name and names of any hamlets included in the village.

Column 2.—Jurisdiction list number of village.

Column 3.—Number and volume of the Village Crime Note-Book.

Column 4.—Number of pages of Village Crime Note-Book.

Column 5.—Remarks.

Village Crime Note-Book, how to be bound. [§12, Act V, 1861.]

392. (*a*) The Village Crime Note-Book shall consist of as many volumes as there are unions or municipal towns within the station. The villages in each union or volume shall be arranged alphabetically. For each village there shall be at least one sheet each of Parts I, II and III. The forms will be provided with eyelet holes, so that more sheets can be added as occasion requires. Thus, if a union comprises 20 villages, this volume of the note-book shall contain at least 60 sheets and be bound as follows:—

Village A.—Parts I. II, III.—3 sheets, *i.e.*, 1 to 6 pages.

Village B.—Parts I, II, III.—3 sheets, *i.e.*, 7 to 12 pages, and so on.

The sheets for each volume shall be kept in card-board covers provided with corresponding eyelet-holes; the covers are specially designed so that the sheets may be easily taken out when required.

Parts IV and IVA which are also eyeletted shall be bound together for each convict or suspect for whom the history sheet is opened. They shall be given serial numbers and kept arranged in a flat file containing all the history sheets of the police-station.

Part V, which is merely an index, shall be in the form of a separately bound register in which the names shall be alphabetically arranged.

(*b*) Spare parts shall be kept for homeless vagrants and persons convicted of offences committed on railways.

393. Only matters relating to true cases of offences named in the schedule below shall be entered in Part I:— **Crime Register, Part I. [§12, Act V, 1861.]**

Columns 1 and 2.—Require no explanation.

Column 3.—*Modus operandi* should include references to the way in which the crime appears to have been conceived, how the place of occurrence was reconnoitred, in what way stolen property was carried off, etc.

Column 4.—The value of property as declared by the Magistrate shall be entered and not that given in the first information report.

Column 5.—This column shall contain full particulars of the person suspected in the case mentioned in column 2. Cross references to Parts II, III or IV of the same or other police-station registers shall be given.

(1) Offences under Chapters XII and XVII, Indian Penal Code, punishable with whipping or with imprisonment for 3 years or upwards.

(2) Personating a public servant, etc.—Sections 170 and 172, Indian Penal Code.

(3) Murder for gain, murder by professional hired assassins and murder of spies and approvers—Section 302, Indian Penal Code.

(4) Professional drugging—Section 328, Indian Penal Code.

(5) Professional kidnapping, abduction and buying or selling of slaves or minor children—Sections 363 to 373, Indian Penal Code.

(6) Professional swindling.

(7) Professional mischief by killing or poisoning animals—Section 428, Indian Penal Code.

(8) Professional forgery—Sections 465 to 469, Indian Penal Code.

(9) Offences relating to forgery of currency or bank notes—Sections 489A, 489B, 489C and 489D, Indian Penal Code.

(10) Offences relating to arms and ammunition—Section 19 (*a*) (*e*) and (*f*), 19A and 20 of the Indian Arms Act.

(11) Railways—Section 126 or 127 of the Indian Railways Act, 1890.

(12) Conspiracy, abetment and attempt in respect of offences mentioned in items (1) to (11) above.

(13) Offences under the Goondas Act, 1923 (Bengal Act I of 1923).

(14) Offences in connection with political agitation.

Note.—First offenders deals with by Courts under section 562, Code of criminal procedure, shall be treated as convicted. Convictions under section 511, Indian Penal Code, in respect of any of the offences mentioned above shall also be entered, persons sent to a lunatic asylum from a jail irrespective of offence under which convicted should also find entry. Abetment in respect of any of the offences mentioned above, shall similarly be entered.

Conviction Register, Part II. [§12, Act V, 1861.]

394. This part shall contain the name of every person residing in the village who has been convicted of any of the offences (*i*) specified in the schedule in the regulation above and (*ii*) under sections 109, 110, Code of Criminal Procedure, and culpable homicide—Section 304, Indian Penal Code, causing hurt—Sections 324, 326-27, 329, 332 and 333, Indian Penal Code, and offences under the Criminal Tribes Act, 1924.

The convictions of homeless vagrants shall be entered in the spare part kept under regulation 392(*b*).

Columns 1 and 3.—Require no explanation.

Column 2.—Personal description shall be copied from the final memorandum in which the Court officer writes it for the information of the police-station officer.

Column 4.—In the case of a person convicted in the Sessions or High Court the name of the committing Magistrate shall also be given.

Columns 5 and 7.—Name of identifying jail warder, notes about P. R., $\frac{P.\ R.}{T}$ and F. P., date of release and name of jail from which released, shall be entered on receipt of P. R. slip.

Column 6.—In case of reconviction, cross references shall be given to the old and fresh entry, the fact being similarly noted in the Index (Part V).

Information of convicts made P. R. to be sent to station police. [§12, Act V, 1861.]

395. The Superintendent shall send information to the police-station officer of all convicted persons resident in such station who have been made P. R., and the station officer shall enter the letters "F. P." in red ink against the names of such persons in the Village Crime Note-Book. The Court officer shall communicate to the station officer the F. P. formula to be noted in the conviction sheet.

Despatch of conviction or other rolls. [§12, Act V, 1861.]

396. When a person concerned in an occurrence resides within the jurisdiction of another police-station or when a convict or suspect permanently changes his residence to the jurisdiction of another police-station, a roll in the form of a loose sheet of Part I or II, as the case may be, shall be sent to the Sub-Inspector of the station concerned, who shall enter the facts in Part II or III, as the case may be, and return the roll to the issuing officer. The latter, after copying the references in his note-book, shall file it separately for destruction after a year. Rolls sent to police-stations outside the province shall be sent through the Superintendent's office.

If a person has resided for 5 years in a village with his family, he shall be regarded as a resident of that village.

Action on receipt of P. R. slip. [§12, Act V, 1861.]

397. On receipt of a P.R. slip (release notice) of a convict from a jail or penal settlement, the station officer shall note the necessary particulars in Parts II and IV, and ascertain whether the released convict has returned to and intends to reside in his village or not. In

case he does not return, the station officer shall report the fact to the Superintendent, in order that orders may issue for the entry of the convict's name in the station in which he may have taken up his residence. When the date of release shall have been entered in the police-station register and the convict shall have returned home, the P. R. slip shall be returned to the Superintendent's office with a report of these facts and the number of the entry in the register endorsed on it.

398. Names of deceased persons and of persons who have attained the age of 60 years, but have not been convicted or suspected during the preceding ten years, and of persons who have attained the age of 50 years, but have not been convicted or suspected during the preceding 20 years, shall be struck out under the orders of the Superintendent. At the close of each year all station officers shall submit lists of persons whose names have been removed during the year to the headquarters Court officer, who shall make the necessary corrections in his index and conviction register and forward the list to the Superintendent. The Superintendent, after satisfying himself that the conviction registers and the indexes have been corrected, shall then file the lists in his office and shall inform the Finger Print Bureau in B. P. Form No. 84 regarding all those who are P. R. **Elimination of names from conviction register.** [§12, Act V, 1861.]

399. A separate list containing the eliminated names of only those classes of criminals as are given in Appendix XXXII shall be prepared by each station officer and submitted to the Superintendent's office, where a consolidated list for the whole district shall be prepared and sent direct to the officer in charge of the Criminal Intelligence Bureau not later than 1st February. The police-station lists shall be submitted through the Circle Inspector, who shall scrutinize them before forwarding to the Superintendent's office. **Special Criminal Intelligence Bureau elimination list.** [§12, Act V, 1861.]

400. The information to be entered in this part shall be obtained from all reliable sources that are available and shall go back as many years as possible. When once the history has been written up, it shall be added to from time to time by the station officer as fresh information is obtained or fresh events occur. **Village History, Part III.** [§12, Act V, 1861.]

401. (*a*) History sheets shall contain a short account of the life of the person to whom they relate and all facts likely to have a bearing on his criminal history. They shall be opened only for persons who are, or are likely to become, habitual criminals or the aiders or abettors of such criminals. The conviction of a person for a heinous offence, such as robbery, dacoity, serious burglary or receiving stolen property, will ordinarily be sufficient to justify the opening of a history sheet, unless there be reason to believe that although convicted of one of these offences, the man is not a habitual criminal. For instance, a history sheet would not be opened for a man who, though convicted of house-breaking, is believed to have committed the offence in order to carry on an intrigue with a woman and not for the purpose of theft. On the other hand, if a person is suspected of being a receiver of stolen property, or of being concerned in systematic cattle theft, a history sheet shall be begun, even if he has not been **History sheets, Part IV** [§12, Act V, 1861.]

convicted. History sheets shall not be prepared for persons dealt with as first offenders under section 562, Code of Criminal Procedure. Proceedings under section 110 of that Code, shall ordinarily not be taken until a history sheet establishes a case of badlivelihood. But if security has, in any case, been demanded from a person under section 109 or 110, Code of Criminal Procedure, before the preparation of a history sheet, such a sheet shall at once be opened.

(*b*) In all cases of the orders of the Circle Inspector shall be obtained before a history sheet is opened, and the Inspector's orders shall be confirmed by the Superintendent when inspecting the station. Orders about starting history sheets may also be conveniently passed by the Superintendent on final memoranda. If any information favourable to an individual, whose name has been entered in the history sheet, is obtained, it shall be duly recorded.

(*c*) There shall be no regular watching over the movements of persons for whom history sheets are opened, unless they have been placed under surveillance by the Superintendent, but when the officer in charge visits the village he shall make confidential enquiries regarding the mode of life of such person, and note in the history sheets information, both favourable and unfavourable, which he may obtain in this or any other way. If the man has not been suspected of complicity in any case during any clendar year the fact shall be noted in his favour at the commencement of the next calendar year.

(*d*) History sheets shall be consecutively numbered and kept together in a separate file as long as such persons are not brought under surveillance, with an idex at the beginning.

(*e*) When a man, for whom a history sheet is maintained, leaves the limits of one station and resides for over 3 months in another police-station within or outside the province his history sheet shall be sent to the latter police-station. When the police-station is in another province the history sheet should be sent through the Superintendent concerned. This transfer shall be noted against the individual's name in the index. Officers receiving history sheets shall acknowledge receipt. Such history sheets will be dealt with in exactly the same way as other sheets in existence in the province, *i.e.*, the sheets shall be labelled "Confidential" and governed by the rules existing in that province.

Instructions for writing up history sheet.

[§12, Act V, 1861.]

402. (*a*) When a person for whom a history sheet has been opened is placed under surveillance, the classification ordered shall be noted at the top against the heading "Class." In calculating the approximate date of release, allowance shall be made for ordinary remission of sentence granted to prisoners under the Jail Code. Convictions shall be entered in chronological order, giving date, name of convicting court, section and term of punishment. The actual date of release shall be noted on receipt of the P. R. slip in case of P. R. prisoners and in other cases the date shall be obtained from the Court officer concerned. The name of the jail from which released shall also be noted below the date. If the convict does not return home after release, the fact shall invariably be noted.

(*b*) The usual method of committing crime and details of any property possessed by the person, the number of persons whom he has to maintain and his occupation and approximate earnings, and of cases in which he was suspected but not convicted, shall be given in his biography in narrative form.

Details of cases in which he is known to have taken part as well as of cases in which he is reasonably suspected to have taken part with the grounds for suspicion shall be entered in this part as they occur. In addition at the beginning of each year a note shall be made as to his behaviour during the preceeding year with any details of permanent interest about the person's criminal history obtained from a perusal of the enquiry note-sheets.

(*c*) All entries shall be signed in full and dated.

History sheets of men placed under surveillance. [§12, Act V, 1861.]

403. History sheets of men placed under surveillance shall be removed from the main file of history sheets and kept in a separate file, with an alphabetical index at the beginning. This will serve the purposes of a surveillance register and no other surveillance register shall be kept. When a man is removed from surveillance his history sheet shall be detached from this file and placed at its original place in the main file. When a surveillé leaves the limits of one station and resides in another within or outside the province for over three months, his history sheet shall be sent to the station where he goes and the fact noted against his name in the index. When the police-station is in another province the history sheet shall be sent to the Superintendent concerned in that province. The officer in charge of the new station shall acknowledge receipt of the history sheet and continue to treat the surveillé as a surveillé of his own police-station until he goes back to his former residence, when his history sheet shall be returned.

Enquiry note-sheet, Part IVA. [§12, Act V, 1861.]

404. (*a*) In these sheets, which will be attached to the history sheets, shall be noted the movements of persons placed under surveillance and the result of enquiries regarding them. Information about the various places frequented by the criminal, the opinion of the people as to his character and doings, the visits of strangers and suspicious characters to his house, the fluctuation of crime with his presence at or absence from any place, his style of living inconsistent with an honest legitimate income, etc., shall all be carefully collected by private visits and other enquiries and duly noted, so that the sheet may contain full materials for instituting proceedings under the preventive sections of the Code of Criminal Procedure, should such be necessary.

If the suspect is found absent from home, enquiries shall be made as to his whereabouts, and if he is a member of a gang, about the whereabouts of his confederates. Enquiry slip shall freely be issued to test the truth of any statement which may subsequently be taken.

(*b*) All visits made by the station officer and by officers deputed by him shall be entered, as well as any information obtained at such

visits, information of real importance being incorporated in Part IV as laid down in regulation 402.

Note.—The enquiry note-sheet, Part IV-A, shall be preserved for three years.

Index, Part V [§12, Act V, 1861.]

405. This shall be kept in the form of a bound register. It is the index of persons convicted as well as of persons suspected but not convicted. For entry of the names a sufficient number of pages shall be allotted to each letter of the alphabet.

Names of those convicted should be entered in red ink and those suspected in black. If a suspected person is subsequently convicted, his name should be underlined with red ink. Names should only be entered once and sufficient space should be left below each name so that subsequent references can be noted in columns 4 and 5. In the "remarks" column the date of birth should be noted against the names of persons convicted. Whenever the name of a person is entered in this index, a reference to the page number on which his name is noted should be given in the connected parts of the Village Crime Note-Book.

Responsibility of gazetted officers for Village Crime Note-Book. [§12, Act V, 1861.]

406. Gazetted officers are requird to pay special attention to the Village Crime Note-Book and shall make a point of personally making as many entries as possible in it. This may be either confirmatory or supplementary of entries made by the staff of the police-station.

When visiting villages, Subdivisional Police Officers and Circle Inspectors shall check by local enquiry a certain proportion of the entries made in Part III relating to the villages in question.

Periodical reports and returns.

407. (*a*) A list of periodical reports and returns due from each police-station and floating outpost is given in Appendix XII.

(*b*) The original copy of every periodical report and return shall be filed at the station or post, those for the various periods, weekly, monthly, etc., being filed separately.

Miscellaneous returns shall be filed together monthly.

XI.—CASH ACCOUNT.

409. (*a*) The monthly cash account shall be kept at each police-station in duplicate in B. P. Form No. 85. All sums received at the station, whether from the Superintendent's office, from civil courts to be forwarded to the sadar station, small judicial fines realised, cash stolen and recovered, or from any other source whatever, shall be entered in the cash account. Should any sum have been omitted, the officer responsible shall be severely punished. **Police-station cash account.**

(*b*) The name of all the payees need not be entered in column 8. A separate voucher shall be maintained for each day's disbursements of the money received under each receipt cheque. It will be sufficient if only the first name on the voucher is shewn in column 8 after adding the words "and others". In column 10 shall be shewn only the daily total against each receipt cheque.

(*c*) A receipt cheque in Bengal Form No. 39 shall be given to the individual from whom or to the office from which money is received at the station and therefore each item of receipt shall be supported by the duplicate of the receipt cheque, the number of which shall be entered in column 2 of the cash account.

(*d*) A regular receipt in printed form shall be obtained for all money sent out from the station.

(*e*) All receipt vouchers shall be numbered in a monthly series and kept in monthly bundles in order of date. The monthly serial number shall be entered against each payment in the cash account under the date, thus 4th/No. 10. The bundle shall be in due course destroyed in accordance with instructions in Appendix XIII (8—Police-station).

(*f*) All cheques shall be signed and the entries in the cash account shall be made by the officer in permanent charge of the station in his own handwriting or when he is absent on duty by the officer temporarily in charge not below the rank of Assistant Sub-Inspector. The Sub-Inspector in permanent charge shall on return to the station initial the entries concerned and countersign the cheques and satisfy himself as to the correctness of the accounts.

The officer in permanent charge of the station may, when necessary, for the sake of convenience delegate by an order in writing in the general diary the work of keeping the cash account, disbursing money or signing cheques to a junior Sub-Inspector or to an Assistant Sub-Inspector by name but in that case the responsibility for the actual cash and for initialling the entries in the cash account shall rest with the officer in charge.

(*g*) At the close of each month the original form in use throughout the month shall be forwarded by the officer in charge to the Superintendent's office through the Court officer, the duplicate copy being retained at the station.

(*h*) Cash shall not be kept in hand unnecessarily. If any sum of money has remained in hand for more than two months, the officer in charge shall, when submitting his monthly account, explain fully the reason for the delay.

Procedure for the disposal of money realized by the police under orders of Magistrates.

410. All miscellaneous magisterial receipts other than fines remitted to the Magistrate's office, such as chaukidari money, sale-proceeeds of impounded cattle, and any other money realized under orders of the Magistrate unconnected with the police, shall be paid direct into the treasury or sub-treasury, as the case may be, and shall not be sent to the Superintendent or to the Court office. The amounts thus remitted shall be accompanied by *chalans* in triplicate, in printed form, which shall be presented at sadar to the Magistrate's accountant and at subdivisions to the nazir or in case the nazir is treasurer or treasury accountant, to the clerk in charge of the five register, or some other clerk from whom security has been taken and who does not perform the duties of the treasurer or treasury accountant. The Magistrate's accountant or subdivisional clerk, as aforesaid, shall examine the *chalans* and if they are in order and correct, shall initial them and return them to the police officer to present with the cash at the treasury. At the treasury the *chalans* shall be taken to the accountant and treasurer, and after being receipted, two copies shall be returned to the police officer, who shall take one back to the Magistrate's accountant or subdivisional clerk, as the case may be, leaving it with him for the purpose of writing up his books, and shall retain the other as his acquittance.

All other money, such as cash stolen and recovered, cash found on under-trial prisoners, sale-proceeds of unclaimed, attached or suspicious property, shall be forwarded to the Court officer. Intestate money shall be sent to the District Judge direct.

CHAPTER VII.

Court Police.

I.—Prosecuting staff and general duties of Court officers.

Public Prosecutors and Court officers,

[§12, Act V, 1861.]

411. The prosecuting staff in each district shall consist of—

(*i*) the Public Prosecutor who conducts prosecutions before the Sessions Court, and in important cases before Magistrate's courts. All Government Pleaders are *ex-officio* Public Prosecutors, but in some district and subdivisional headquarters another pleader or advocate is appointed to be Public Prosecutor,

(*ii*) an Inspector at the headquarters station of every district, and an Inspector or a Sub-Inspector at the headquarters of each subdivision. These officers are styled Court officers, and are assisted by Sub-Inspectors, Assistant Sub-Inspectors and constables according to requirements.

Public Prosecutor in important cases.

412. In important cases, the Superintendent shall apply to the District Magistrate to retain the services of the Public Prosecutor from the commencement of the case in the lower court.

413. By virtue of Notification No. 2507P., dated the 6th July 1907, and Notification No. 3436Pl., dated the 24th December 1924, issued by the Provincial Government every Inspector and Sub-Inspector who has been appointed to prosecute cases before the courts of Magistrates is thereby appointed to be a Public Prosecutor generally for all such cases in such courts. **Statutory powers of Court Inspectors and Sub-Inspectors.**

414. Under sub-section (*1*) of section 492 of the Code of Criminal Procedure, the Provincial Government has appointed all Deputy Superintendents at the headquarters of the districts to be Public Prosecutors, and also all Inspectors who have been appointed to prosecute cases before the courts of Magistrates to be Public Prosecutors in the Courts of Sessions in respect of cases of applications for bail only. **Appointment of Deputy Superintendents and Court Inspectors as Public Prosecutors.**

Under sub-section (*2*) of the said section the Provincial Government has further directed that no officer of police lower in rank than that of a Deputy Superintendent shall be appointed to be Public Prosecutor for the purpose of any case.

415. (*a*) When any other officer or person is employed by the Magistrate to conduct the prosecution of a case, the Court officer shall give him all information needful to enable him to conduct the prosecution efficiently. **Assistance of legal practitioners or other police officers. [§12, Act V, 1861.]**

(*b*) No Court Inspector or Sub-Inspector shall leave the prosecution of police cases in the hands of legal practitioners engaged by private persons without the express sanction of the Superintendent or the Magistrate. He may take instruction from legal practitioners so engaged, and allow them to assist him.

416. (*a*) The sadar Court Inspector shall be responsible for the prosecution of all cases at headquarters, and shall assist the Circle Inspectors and Subdivisional Court officers with advice relating to the prosecution of cases when required by them to do so. He shall conduct prosecutions at subdivisions only when ordered by the Superintendent to do so. **Duties of Court Inspector. [§12, Act V, 1861.]**

(*b*) The Superintendent shall not depute the sadar Court Inspector to take up cases at a subdivision without satisfying himself that there are no urgent cases at headquarters for him to conduct, and without informaing the District Magistrate of the proposed deputation.

(*c*) Should a Subdivisional Magistrate, Subdivisional Police Officer or Circle Inspector consider that any case at a subdivision ought to be conducted by the sadar Court Inspector in person, he shall apply to the Superintendent for the services of that officer.

(*d*) When on a case coming before a Magistrate, it appears to him that the Court Inspector or Sub-Inspector should prosecute personally, he shall order him to prosecute, and the officer so ordered shall communicate the order to the Superintendent. If the Superintendent considers that the employment of the officer in the case is unnecessary, he shall refer the question for the orders of the District Magistrate.

(*e*) The Court Inspector shall not ordinarily be employed on clerical duties or the upkeep of registers, but he shall exercise general supervision over the work of his subordinates, and shall be held generally resoponsible for the efficient working of the Court office. To enable him to do so he shall inspect the Court office once every year.

(*f*) The sadar Court Inspector shall appear before the District Magistrate in appeals heard by him in police cases, when such appeals are contested, or when the circumstances of a particular case demand it, and the Public Prosecutor is not engaged to appear.

(*g*) The Court Inspector at the sadar shall not be taken into the *mufassil* by the Magistrate without reference to the Superintendent.

(*h*) Court Inspectors shall have the use of law books, law reports and the *Calcutta Gazette* in the Magistrate's library, and such books, reports and gazettes may be issued to them from the Magistrate's library on their own requisition.

(*i*) Court Inspectors shall make themselves thoroughly acquainted with the contents of the case dairies and with all particulars connected with those cases which they have to prosecute. If the case diaries do not contain full details of evidence the Court officer should ascertain from the witnesses the facts they will prove, and prepare himself for the proper conduct of the case.

(*j*) All applications made to Magistrates by Court Inspectors in the course of a trial shall be in writing, and shall be filed in the same way as is done by private parties.

Duties of Court Sub-Inspector.
[§12, Act V, 1861.]

417. Where there is a Court Inspector a Sub-Inspector attached to a Court office shall prosecute such cases as are made over to him by the Inspector and in addition manitain such registers as the Inspector may order him to maintain.

In a subdivisional court where there is no Court Inspector, he shall carry out the duties of a Court Inspector and in addition maintain such registers as the Superintendent may order him to maintain.

Services of a Court officer not to be requisitioned for more than one court at one time.

418. A Court officer shall not be allotted more cases than he can adequately conduct. The Superintendent shall arrange with the District Magis rate that the services of a Court officer be not requisitioned for more than one court at one time.

Employment of Sub-Inspectors holding certificates as finger print experts.
[§12, Act V, 1861.]

419. Sub-Inspectors holding certificates as finger print experts shall, whenever possible, be employed in the sadar Court office of the district to which they belong.

420. Assistant Sub-Inspectors shall take over all registers except those relating to P. R. and *malkhana* work, but if permitted by Superintendents, there will be no objection to their dealing with P. R. work. The daily under-trial case report shall, however, be scrutinized and signed by the senior Court officer. **Duties of Court Assistant Sub-Inspector.** [§12, Act V, 1861.]

421. A constable shall be deputed to each court where police cases are being tried, if available. **Court constable.** [§12, Act V, 1861.]

422. The Court Inspector or other officer well acquainted with the facts of a Sessions case shall, if required, assist the Public Prosecutor. **Assistance to be given to Public Prosecutor.** [§12, Act V, 1861.]

423. Court officers shall arrange for the attendance of a police officer at the Sessions Court on receipt of information that the services of an officer are required for the purpose of escorting to the Magistrate any accused person who has surrendered to his bail in the appellate court and whose sentence has been confirmed or modified. **Police officer to attend Sessions Courts.** [§12, Act V, 1861].

424. (*a*) Subdivisional Court officers shall collect and have ready for the escort the articles received from police-stations, prisoners, treasure, etc., awaiting despatch to headquarters. They shall see that carriage is provided by the officers sending treasure and other bulky articles and for prisoners who may not be able to march. (*See* regulation 710.) **Court officers duties in connection with escorts of prisoners and treasure, etc.** [§ 12, Act. V, 1861].

(*b*) Court officers shall pay particular attention to regulations regarding escort of prisoners and treasure contained in chapter XI. When they find that the number of prisoner or the amount of treasure, etc., to be escorted is more than what the number of men sent from the headquarters is authorized to take charge of, they shall at once bring the fact to the notice of the Subdivisional Police Officer, or of the Circle Inspector in subdivisions where no Subdivisional Police Officer is posted, who shall supplement the guard sent from the headquarters with the necessary number of men from police-stations, and the responsibility that the guard is strong enough for the duty required of it shall rest with him. In the absence of the Subdivisional Police Officer, the Circle Inspector, and in the latter's absence, the Court officer shall perform this duty.

425. The rules regarding making and taking over charge of office shall be carefully observed by Court officers. They shall be careful to furnish the officer relieved with a receipt for all Crown property in the Magistrate's *malkhana*. Full details respecting each item should be given. Deficiencies shall be made good by the relieving officer if they are discovered after he has taken over charge. (*See* regulation 839.) **Assumption of charge by Court officers** [§ 12, Act V, 1861.]

II.—Institution, preparation and prosecution of cases.

426. The orders regarding the institution of cases are contained in regulation 213. **Institution of cases.** [§ 12, Act V, 1861.]

The Court officer shall report whenever a police officer institutes a non-cognizable case without authority.

Prosecutions instituted by public officers.

427. The following procedure shall be followed when prosecutions are instituted by public officers:—

Where the charge is of a cognizable offence, the prosecution shall ordinarily be conducted by the police. Were the charge is of an offence, which is non-cognizable, or though cognizable, calls for special arrangements, the officer who prefers the complaint should refer for instructions to the Magistrate of the district, who may, if he thinks fit, either instruct the officer himself to prosecute, or if the case is of a complicated and difficult nature, rendering in his opinion the employment of the Public Prosecutor or some legal practitioner necessary for proper prosecution, direct the Public Prosecutor or some other person to prosecute and report the matter for sanction of the Legal Remembrancer. If there is sufficient time, the Legal Remembrancer's permission shall be taken before the Public Prosecutor or any other pleader is employed to conduct cases in Magistrate's courts in the headquarters of the district. In subdivisions a member of the local bar of sufficient experience and ability may be employed, in consultation with the Subdivisional Magistrate, to represent the Crown, subject to the sanction of the Legal Remembrancer. The District Magistrate is responsible to the Provincial Government that Crown prosecutions do not fail because the Provincial Government is not adequately represented. He shall, therefore, make the best arrangements for the proper conduct of cases. The sanction of the Legal Remembrancer is necessary only to check the tendency of district authorities to engage pleaders in unimportant cases.

Prosecution under European Vagrancy Act.

428. All prosecutions under the European Vagrancy Act, 1874 (IX of 1874), shall be instituted and conducted by a Superintendent or Assistant Superintendent.

Institution of excise and opium cases.

429. (*a*) On receipt of an excise or opium case sent up by the police, the Court officer shall at once inform the Excise Superintendent, so that he may, if he chooses, watch the proceedings. The prosecution shall proceed as in other police cases.

(*b*) The prosecution of cases sent up by excise officers shall only be undertaken if the District Magistrate or Subdivisional Magistrate or in their absence the Superintendent of Excise so requires it.

Prosecution of gang cases.

430. The prosecution of gang cases both in a Magistrate's court and the Sessions Court will be placed in the hands of the Public Prosecutor.

Prosecution of cases under section 109, Criminal Procedure Code. [§ 12 Act V, 1861.]

431. The Court officer on receipt of an accused person arrested under section 55 of the Code of Criminal Procedure, with a view to proceedings under section 109, shall, if the immediate drawing up of proceedings is contemplated, produce the prisoner before the Magistrate with the requisite witnesses and the Magistrate should be moved to draw up proceedings at once and to take the necessary evidence. If for any exceptional reason further enquiry is considered desirable before drawing up proceedings either for the purpose of verifying the prisoner's antecedents, collecting further evidence or otherwise, the

Magistrate should be moved to grant a remand under section 167 of the Code of Criminal Procedure. In such a case, it will ordinarily be sufficient to submit copies of the entries in the diary relating to the case as required by section 167 (*1*) and witnesses need not be sent unless the Magistrate particularly wishes to examine them. In the event of the Magistrate authorising detention in the custody of the police, he must record his reasons for doing so. It is to be observed that the prisoner can only be retained in custody in default of bail for a total period of 15 days under section 167 of the Code of Criminal Procedure, before the actual drawing up of proceedings under section 109. If subsequent remands are necessary the Magistrate should be moved under section 344 of the Code of Criminal Procedure. In case a prisoner is remanded to jail custody without drawing up any proceedings and without any specific charge, section 109 of the Code of Criminal Procedure, should be noted in the jail warrant. It shall be the duty of the Court officer to see that there is no delay in producing the evidence required to prove identity and the character and antecedents of the accused persons, etc., together with the evidence to prove that it is necessary for maintaining good behaviour that the person should be bound down.

Prosecution of cases under section 110, Criminal Procedure Code. [§ 12, Act V, 1861.]

432. (*a*) In the report for proceedings, no more should be stated than it is proposed to endeavour to prove. Before the enquiry is held a note shall be prepared for the use of the Court officer of the evidence obtainable from records and to be given by each witness; and this evidence shall be grouped, so far as circumstances permit, according as it relates to prevalence of crime, suspicion in particular cases, movements under surveillance, association, free living without apparent means of livelihood, general repute, or any other facts it is proposed to prove.

(*b*) In the case of bad-livelihood proceedings against gangs, it is essential that the evidence should not only be generally arranged in the manner described above, but it should also be clearly stated and briefed as against each individual accused.

(*c*) When the enquiry is held the court should be informed of the different points it is proposed to establish against the person who has shown cause. The first witness called should be the investigating officer, who should produce evidence in justification of the institution of the proceedings. The police-station records should be produced, and the evidence available from them described, followed by any facts ascertained in the course of enquiry to which the investigating officer can depose. Other witnesses should then be examined, preferably in groups corresponding to the sequence of the events. (*See* regulation 290.)

Sureties in bad-livelihood cases. [§ 12 Act V, 1861.]

433. (*a*) In proceedings under sections 109 and 110 of the Code of Criminal Procedure, the Court officer shall put in a written application to the court, as soon as the order to give security is passed, not to accept the sureties offered without first affording him an opportunity of objecting, if necessary, to any of such sureties, and of producing evidence, if required, in support of the objection.

(*b*) The fitness or unfitness of a surety is a matter for the Magistrate's discretion, and such discretion is not limited to any particular kind of unfitness.

Complaint against and prosecution of police officers. [§ 12, Act V, 1861.]

434. (*a*) The Court officer shall report to the Superintendent whenever a complaint, cognizable or non-cognizable, is made against a police officer, or when any police officer or clerk is concerned in any suit or miscellaneous proceedings and such reports shall be forwarded to the Magistrate and dealt with under the rules concerning misconduct of officers.

(*b*) All such complaints shall be handed over by Magistrate's bench clerks to Court officers, who shall return them immediately after reporting the matter to the Superintendent.

(*c*) No prosecution against a police officer under section 29 of the Police Act, 1861 shall be instituted except under the authority of the Superintendent or the District Magistrate. The complaint shall be made by the Court officer by petition in writing, and shall be endorsed by the Superintendent or the District Magistrate.

(*d*) Ordinarily, a police officer suspected of any form of monetary fraud against Government shall be prosecuted if there is a reasonable chance of the prosecution suceeding. The opinion of the local Public Prosecutor as to the likelihood of a successful prosecution shall be obtained in writing as early as practicable and whenever it is decided not to prosecute, the reasons for that decision shall be recorded in writing.

Procedure in false cases. [§ 12, Act V, 1861.]

435. (*a*) On receipt of a complaint of a false case a Court officer shall move the Magistrate to give the complainant of the original case an opportunity of proving the truth of his case. Should he choose to show cause against his prosecution, a judicial enquiry will follow; if he does not, the Magistrate may issue a process at once under section 204 of the the Code of Criminal Procedure. Where the Magistrate has decided to issue process either under section 182 or under section 211 of the Indian Penal Code, the original case shall be entered at once in the general register as "false" and the Court officer shall put up the general register to the Magistrate for orders. If on the trial of the complainant his case is found to be true, the Court officer shall put up the general register to the Magistrate for correction. In cases instituted before a Magistrate and referred to the police for investigation the complainant's prosecution, either under section 182 or 211 of the Indian Penal Code, shall be based on a complaint in writing by the Magistrate concerned under the provisions of section 193 (*i*) (*a*) or section 476 of the Code of Criminal Procedure, as the case may be. In cases reported direct to the police if it is decided to prosecute the complainant under section 211 of the Indian Penal Code, after he has filed a "*naraji*" petition to a Magistrate, the Court officer shall move the Magistrate concerned to make a complaint under section 476 of the Code of Criminal Procedure before a process is issued against him. (*See* regulation 279.)

(*b*) The result of the application for sanction to prosecute and of the trial, if prosecution be sanctioned, shall be communicated by the Court officer to the officer in charge of the police-station.

436. Whenever any question containing base insinuations or false allegations is put by a defence pleader to a police officer in the witness box, the latter shall at once appeal to the court for the source of the insinuation or allegation to be disclosed, so that he may be in a position to run a defamation case against the person making it. **Procedure when base insinuations or false allegations are made against police officers in the witness box. [§12, Act V, 1861.]**

Public Prosecutors and Court officers should also file petitions to this effect and have them placed on the record of the case in order that an appellate court may be made aware that the insinuation or allegation has been challenged.

437. For instructions regarding prosecution of railway cases, *see* regulations 590 and 600. **Prosecution of railway cases.**

438. The rules in Appendix XXVII shall be observed in respect of accused persons subject to the jurisdiction of both criminal courts and courts-martial. **Military offenders.**

439. First information reports, charge-sheets, etc., shall be laid before the Subdivisional Magistrate or in his absence before the Magistrate in charge of criminal work as soon as they are received. **Charge-sheets and first information reports.**

440. The first information reports of all cases mentioned in Appendix XV and of all cases exclusively triable in the Courts of Sessions (and, if he wishes it, of all other cases too), shall be shown to the District Magistrate, and case diaries, or such portions of them as are of interest or importance, shall also be sent to him. **First information reports and case diaries for District Magistrate.**

441. In charge-sheet cases the first information report shall remain with the Court officer until the case comes before a Magistrate for enquiry or trial, when it shall be made over to the bench clerk of the trying Magistrate. In non-charge-sheet cases first information reports shall be attached to the final reports and shall be sent monthly to the Magistrate's bench clerk for despatch to the Record office. **First information report by whom kept. [§12, Act V, 1861.]**

442. (*a*) Every page of the case diaries and any connected papers received with them shall be stamped with the date immediately on receipt in the Court office. **Production of case diaries. [§12, Act V, 1861.]**

(*b*) Care shall be taken that case diaries called for by the court under section 172 of the Code of Criminal Procedure, but not put in as evidence, are not attached to the record, and that they are returned by the court when no longer required. *Mutatis mutandis*, the same instructions shall apply to any reports of a confidential nature, not admitted in evidence, the publication of which is obviously undesirable.

Case diaries to be returned to the police-station concerned. [§12, Act V, 1861.]

443. In cases decided in a Magistrate's court the diaries and enclosures shall, as soon as the case is decided, be returned by the Court officer to the officer in charge of the police-station concerned. In cases committed to the Court of Sessions, the Court officer shall ascertain the name of the Public Prosecutor who will represent the Crown and shall make over to him in person the diaries and enclosures and shall obtain a receipt. On return from the Public Prosecutor, the Court officer shall send the diaries and enclosures back to the officer in charge of the police-station concerned. (*See* regulation 264.)

Briefs of cases. [§12, Act V, 1861.]

444. (*a*) On receipt of a charge-sheet together with the diaries and investigating officer's brief of a case the Court officer shall study them and if he finds any defects or omissions in the investigation, he shall at once issue a memorandum to the investigating officer requesting him to remedy the defects and supply any additional information or evidence required. He shall at the same time send a copy of this memorandum to the Circle Inspector.

The Court officer shall prepare his own brief of the case which he shall keep in his personal custody for inspection by superior officers, if required.

If the Court officer finds any difficulty in prosecuting the case on the evidence contained in the diaries, he shall apply to the Superintendent through the Circle Inspector for instruction.

Disposal of briefs.

(*b*) On conclusion of the trial of the case the Court officer will send the investigating officer's brief of the case together with any correspondence he has had with him attached to the final memorandum of the case to the Superintendent through the Circle Inspector.

Final memorandum. [§12, Act V, 1861.]

445. (*a*) On the final disposal of all cases except those in which reports in B. P. Forms Nos. 35 and 36 in duplicate are submitted (*vide* regulations 254 and 287) the Court officer shall prepare a final memorandum in B. P. Form No. 88. In cases in connection with all political agitation and under sections 109 and 110 of the Code of Criminal Procedure, and under the Criminal Tribes Act, 1924, in which no first information is recorded, in which the Superintendent's orders regarding the classification of prisoners are necessary, and in all charge-sheet cases he shall submit the final memoranda in duplicate through the Circle Inspector to the Subdivisional Police Officer who will forward them to the Superintendent with such recommendations as he may like to make. In other cases he shall send one copy of the final memorandum direct to the police-station, and one to the Superintendent through the Circle Inspector and the Subdivisional Police Officer.

(*b*) In forwarding the final memorandum to the Subdivisional Police Officer, the Circle Inspector shall record his recommendations, if any, regarding surveillance and any remarks he may consider necessary on the conduct of the police, the failure of the case in court, the inadequacy

of the sentence, etc. In subdivisions where there is no Subdivisional Police Officer, the Circle Inspector shall submit the memorandum direct to the Superintendent.

(*c*) On receipt of the final memorandum the Superintendent shall record orders whether the convict is to be placed under surveillance, whether he is to be made P.R., P.R.T., or $\frac{\text{P.R.T.}}{565}$ and whether a history sheet is to be opened for him. On the back of the final memoranda of cases which have ended in acquittal or discharge the Superintendent shall point out if necessary to the investigating or Court officer the reasons for the failure of the case, and shall take such other action as he may consider necessary. The final memorandum shall not be filed by the Superintendent until final orders regarding all absconders have been passed.

(*d*) A memorandum in the same form shall be sent by the Court officer when any one is convicted in a case lodged on complaint before a Magistrate of any offence mentioned in the schedule of offences referred to in the regulations dealing with the Village Crime Note-Book.

(*e*) In cases referred to in the second sentence of clause (*a*) above one copy of the final memorandum with the Superintendent's orders thereon shall be sent from his office direct to the police-station, where it shall be filed with the first information report, case diaries and other papers of the case after the necessary entries have been made in the registers concerned, the other copy being forwarded to the Circle Inspector through the Subdivisional Police Officer for return to the Superintendent's office by the Inspector after his orders have been noted in their indices of crime.

(*f*) In cases which have ended in conviction the Court officer shall note on the back of the police-station copy of the final memorandum the description of the convicts whose names should find entry in Part II of the Village Crime Note-Book.

(*g*) Final memoranda of cases in which the real names and residences of the accused charged with offences under Chapters XII and XVII of the Indian Penal Code, are not known, shall be written in red ink.

(*h*) In cases that break down in trial, the reasons for failure shall be briefly noted on the back of both copies of the final memorandum.

(*i*) Final memoranda shall be sent to the Superintendent, Railway Police, in cases sent up for trial by the Railway Police.

(*j*) In all cases of railway accidents, Court officers shall furnish the Superintendent of Railway Police with copies of the final orders of the Magistrate in B. P. Form No. 88.

(*k*) A copy of the final memorandum shall be sent to the Superintendent of Excise when a case under the Excise or Opium Act sent up by the police ends in conviction. At the same time the name of the jail to which the prisoner has been sent shall also be mentioned.

Procedure to be followed when a servant of the Crown is summoned by a court to produce official documents for the purpose of giving evidence. [§12, Act V, 1861.]

446. (*a*) The law relating to the production of unpublished official records as evidence in courts is contained in sections 123, 124 and 162 of the Indian Evidence Act, 1872.

(*b*) For the purposes of section 123, the expression "officer at the head of the department" may be held to mean the head of the office in whose custody the document required by the court is, and *vis-a-vis* the court which demands its production, that officer should be treated as the authority to withhold or give the necessary permission.

(*c*) When an officer receives a summons to produce before a court any document which he considers to be an unpublished official record relating to an affair of State or to give evidence derived from such a document he should immediately inform the head of his office forwarding the summons with any statement by the court of the circumstances which render the production of the document necessary, specifying the case in which the production is required.

(*d*) In respect of documents emanating (1) from a higher authority, viz., His Majesty's Government, the Secretary of State for India, the Central Government, or the Provincial Government, or which have formed the subject of correspondence with such higher authority, or (2) from other Governments, whether foreign or dominion, the head of the department should obtain the consent of the Provincial Government through the usual official channels before agreeing to produce the documents in court, or allowing evidence based on them, unless the papers are intended for publication, or are of a purely formal or routine nature, when a reference to higher authority may be dispensed with.

(*e*) In the case of papers other than those specified in clause (*d*) above, the head of the department should not allow production of the correspondence if it relates to matters which are generally regarded as confidential, or disclosure of which would in his opinion be detrimental to public interests, or to matters which are in dispute in some other connection, or have given rise to a controversy between Government and some other party.

The Village Crime Noot-Book has in these regulations which are issued under the authority of the Provincial Government been specifically declared to be an unpublished official record and whenever a summons is issued to produce this or any portion thereof or to give evidence derived therefrom it should ordinarily be sufficient for the officer so summoned to bring to the notice of the court the wording of regulation 391(*a*).

(*f*) In a case of doubt the head of the department should invariably refer to higher authority for orders.

(*g*) These instructions apply as well to cases in which Government is a party to the suit. In such cases much will depend on the legal advice as to the value of the documents, but before they are produced in court the considerations stated above must be borne in mind, and reference to higher authority made, when necessary.

(*h*) The servant of the Crown who is to attend a court as a witness with official documents should, where permission under section 123 has been withheld, be given an order duly signed by the head of the department in the form below. He should produce it when he is called upon to give his evidence, and should explain that he is not at liberty to produce the documents before the court, or to give any evidence derived from them. He should, however, take with him the papers which he has been summoned to produce.

(*i*) The head of the department should abstain from entering into correspondence with the presiding officer of the court concerned in regard to the grounds on which the documents have been called for. He should obey the court's orders and should appear personally, or arrange for the appearance of another officer in the court concerned, with the documents, and act as indicated in clause (*h*) above, and produce the necessary certificate if he claims privilege.

ORDER.

Summons from the court of the for the production at of the office files relating to the

(*a*) I direct to appear with the files mention in the summons and to claim privilege for them under section 123 of the Indian Evidence Act, 1872.

(*b*) I withhold permission to give any evidence derived from the files for which privilege is claimed under this order.

It should be represented to the court that these files contain unpublished official records relating to affairs of State for the purpose of section 123 and that in view of the provisions of section 162 of the Indian Evidence Act, 1872, the files are not open to the inspection of the court.

Dated the *Head of Department.*

447. (*a*) Statements of witnesses recorded by the police under section 161 of the Code of Criminal Procedure, shall be kept distinct from the case diary and any other police papers of the case. The date of receipt in the Court office shall be stamped on every page immediately on receipt, and they shall be kept in secure custody unless their production is required by a court competent to demand them. When any court sends for the police diaries, only the diary recorded under section 172 shall be sent, and not the statements of witnesses recorded under section 161 unless the production of the latter is required by a court legally competent to demand it. For rules of evidence applicable, *see* regulation 263(*b*). All Court officers shall commit to memory the instructions contained in that regulation regarding case diaries recorded under section 172, and statements of witnesses recorded under section 161 of the Code of Criminal Procedure.

Statement of witnesses under section 161, Criminal Procedure Code. [§12, Act V, 1861.]

(*b*) When a competent court directs, under the proviso to section 162(*1*) of the Code of Criminal Procedure, that an accused be furnished with a copy of a statement reduced into writing, made by any person to a police officer in the course of an investigation, the copy shall be made in the presence of the Court officer in his office.

Court officer's responsibility in connection with records. [§12, Act V, 1861.]

448. As soon as the police papers of a case are laid on the trying Magistrate's table the Court officer's responsibility with regard to them ceases. Before the papers are put in, the Court officer should take care to make copies, whenever necessary, of such papers as are likely to be filed with the judicial proceedings. He has no concern with the custody of the judicial records of cases or with the Record office. He shall not retain in his possession the records of a case under trial unless otherwise ordered in writing by the trying Magistrate. If he subsequently requires a copy of any portion of the records he should make an application to the trying Magistrate for permission to take the copy in the presence of a responsible official of the court.

Court officer responsible for orders under section 106, Code of Criminal Procedure. [§12, Act V, 1861.]

449. Section 106 of the Code of Criminal Procedure details the offences on conviction for which an order for security to keep the peace may be passed. Court officers shall see that in all cases of riot arising from a dispute about land, and in all cases in which the cause of friction is likely to recur, an application is made to the Magistrate for an order under section 106 of the Code of Criminal Procedure, binding down the persons convicted.

Court officer responsible for orders under section 565, Criminal Procedure Code. [§12, Act V, 1861.]

450. The Court officer shall ordinarily move the court for an order under section 565 of the Code of Criminal Procedure, in the case of all offenders who have been previously convicted of offences under sections 215, 489A, 489B, 489C or 489D of the Indian Penal Code or under Chapters XII and XVII of that Code, punishable with imprisonment for three years or upwards.

Method of proving previous convictions in traced cases. [§12, Act V, 1861.]

451. (*a*) If, on the return of the search slip from the Finger Print Bureau, it is found that previous convictions have been traced against the accused, the investigating officer shall be immediately informed and the Court officer shall take steps, where necessary, to prove the previous convictions under section 511 of the Code of Criminal Procedure.

(*b*) In the case of a person who has been previously convicted more than once, it will generally suffice to prove the last conviction only, provided that the former convictions were proved in that case and are mentioned in the judgment.

Method of proving identity of accused. [§12, Act V, 1861.]

452. The identity of the accused should ordinarily be proved by the evidence of a police officer who is cognizant of the previous conviction, or by a jail officer who can recognize the accused as the prisoner who underwent the previous sentence of imprisonment; but if such witnesses cannot be obtained, identity may be proved under sections 45 and 73 of the Indian Evidence Act, 1872, by means of expert evidence, for which purpose the record slip must be obtained from the

bureau by which the accused was traced and the services of an "expert" requisitioned from the provincial bureau (*see* regulation 654).

Criminal charges against ex-reformatory school boys. [§12, Act V, 1861.]

45. The Court officer shall report to the Superintendent all cases in which *ex*-reformity school boys are concerned but which do not result in their imprisonment, *e.g.*, cases in which a sentence of whipping is inflicted or where the benefit of doubt is given or cases which end in acquittal or discharge. When an *ex*-reformatory boy is bound down under the preventive sections of the Code of Criminal Procedure the fact is to be similarly reported. The Superintendent shall inform the authorities of the Reformatory School of all such cases.

NOTE.—"Reformatory school boys" includes "Borstal school boys".

Despatch of verification rolls. [§12, Act V, 1861.]

454. (*a*) The Court officer shall despatch to the Court officer of any district in which the house of the accused is believed to be situated, or in which he is believed to have been convicted or where his antecedents are likely to be known, a verification statement in B. P. Form No. 89. The statement shall be sent direct unless the officer from whom the information is required belongs to another province in which case the application shall be sent through the Superintendent to whom the requiring officer is subordinate.

(*b*) Inquiries regarding persons previously convicted in Calcutta shall be addressed to the Chief Court officer, Presidency Police Court, Calcutta, and those regarding persons convicted in cases disposed of at the Sealdah and Alipore Suburban Police Courts, to the Court Inspector of 24-Parganas, Alipore. Communications regarding the antecedents of residents of Indian States shall be addressed to the Resident concerned.

Action to be taken by Court officer on receipt of verification roll. [§12, Act V, 1861.]

455. On receipt of a verification roll, the Court officer shall at once consult his conviction register, report the result of his search immediately to the issuing court and forward the roll to the officer in charge of the police-station concerned for verification of the statements on the reverse. The station after verification shall return the roll direct to the issuing court without any unnecessary delay. To facilitate searches Court officers shall keep their indices to the conviction register corrected up to date.

Written application to be submitted for committing cases to Sessions. [§12, Act V, 1861.]

456. In case in which ah accused person is sent up with several previous convictions under Chapters XII and XVIII of the Indian Penal Code, the Court officer should, if the lower court is incompetent to inflict adequate punishment, submit a written application to the court, requesting the Magistrate to commit the case to the Sessions.

Instructions be given to Public Prosecutor in Sessions cases.

457. (*a*) In Sessions cases, when the reasons for commitment are not fully and clearly stated, the Magistrate of the district or of the subdivision shall cause to be drawn up, for the guidance of the Public Prosecutor or other officer appointed to conduct the prosecution, a

special memorandum containing a concise history of the case, and of the specific facts to which each witness will speak.

(*b*) This memorandum together with the case diaries, copies of the depositions and copies of the exhibits, etc., and the statement of the reasons for commitment shall be made over to the Public Prosecutor within seven days after commitment, and shall be returned at the close of the trial with such remarks as the prosecuting officer may wish to offer. The memorandum and case diaries shall be treated by the public Prosecutor or other officer as confidential communications.

(*c*) The Superintendent shall frequently, in personal interview, satisfy himself that the Public Prosecutor receives all the aid that he needs to enable him to prosecute successfully. If the Public Prosecutor requires the presence of particular officers acquainted with the facts of the case, these officers shall be brought in. The Public Prosecutor shall be acquainted with the facts of the case in good time, so that if further evidence in his opinion is required upon any particular points, a reference may be made to the Magistrate with a view to its being obtained before the case comes on for trial.

(*d*) In all cases committed to the Sessions, whether from the sadar or outlying subdivisions the Court officer shall ascertain by personal communication with the Public Prosecutor, whether the brief furnished him by the Magistrate is complete in all details, and, if not, he shall supplement it with any information that may be required.

Previous offence suspected. [§12, Act V, 1861.]

458. (*a*) Whenever there is good reason to suspect that a person accused of an offence under Chapter XII or XVII of the Indian Penal Code, for which, on reconviction, an enhanced punishment may be awarded under section 75 has been previously convicted or when the name, residence and antecedents of a person so accused are unverified, an application for remand shall be made in B. P. Form No. 90 by the Court officer pending the result of the inquiry into the prisoner's antecedents. This application will remain with the record.

(*b*) If a remand is not granted, an immediate report shall be made to the Superintendent, who, if the reasons appear insufficient, shall report the matter to the District Magistrate.

Tender of pardon to the approver. [§12, Act V, 1861.]

459. If on a consideration of the facts and circumstances elicited from the police verification of a confession supplemented by a magisterial verification, if any, as provided for in regulation 283, it appears that the evidence of the confessing accused is necessary the Court officer, with the permission of the Superintendent, shall move an application to the Magistrate asking him to tender pardon to the accused under sub-section (*1*) of section 337 of the Code of Criminal Procedure, and to examine him as a Crown witness. If pardon is tendered and accepted, the procedure laid down in sub-sections (*2*) and (*3*) shall be followed.

460. If the Superintendent considers it necessary to bring the trial of a case to the notice of the District Magistrate for action under section 435 of the Code of Criminal Procedure, he may do so either by a formal application presented by the Court officer or by an unofficial note. **Procedure for bringing any trial to the notice of the District Magistrate. [§12, Act V, 1861.]**

460A. The District Magistrate shall consider the application or note and, if he thinks necessary, call for the record but shall not transmit to the Magistrate concerned any unofficial notes on the subject.

461. The District Magistrate shall give immediate notice to the Superintendent of all appeals and of all applications for revision in which the High Court or Court of Sessions issues a rule or calls for an explanation, and act in concert with him in such cases. **Appeals by Government.**

462A. (*a*) When an appeal is preferred to the High Court against the orders of a Sessions Judge in a serious case the Superintendent shall, on receipt of notice of the appeal from the District Magistrate, inform him of any particularly important facts connected with the case that should be brought to the notice of the Legal Remembrancer and whether the latter should be asked to enter appearance for the Crown even though the appellant is unrepresented. He shall also consider, in constultation with the Magistrate, the propriety of deputing the investigating officer or the Public Prosecutor personally to instruct the counsel representing the Crown in the High Court. **Appeals to High Court and to Sessions.**

(*b*) Unless otherwise instructed by the Magistrate, the Public Prosecutor shall appear in all appeals before the Sessions Judge in which the appellant is represented by a pleader or counsel. The Superintendent shall bring to the notice of the Magistrate any other cases in which he considers it desirable that the Crown should be represented. Such cases include those in which police officers have been convicted of malpractices either cognizable or non-cognizable. He shall also report for the orders of the Magistrate any case in which the Public Prosecutor fails to appear though required to do so by rule or specific instructions, and when he considers that the conviction has not been supported properly. A complete brief, *i.e.*, copies of judgment, depositions, note-sheets, etc., shall be prepared by the Magistrate when the Public Prosecutor or the Court officer is required to represent the Crown in appeals or references under section 123(*2*) of the Code of Criminal Procedure.

463. (*a*) The following rule has been framed by the High Court:— **Attendance of witnesses.**

The Police officer attached to the court, or some other responsible officer of the court specially appointed to the duty, shall be required to make over to the bench clerk, not later than 12-30 p. m., or, if early morning sittings are being held, not later than 7-30 a. m., a list (in Form No. M-41), verified, dated and initialled by him, of the witnesses who, up to 12 noon, or if early morning sittings are being held, up to 7 a. m., are in attendance for examination.

(*b*) With this list (in Form No. M-41) the Court officer shall attach a bill for the diet and travelling expenses of prosecution witnesses, in order to ensure immediate payment.

Duties of head of Prosecuting agency.

(*c*) The duties of the head of the Police prosecuting agency is to see that the instructions in connection with the diet-money and travelling expenses of witnesses are duly observed.

Certificate of attendance for servant of the Crown.

464. When the complainant or a witness in a case is a servant of the Crown and no expenses are paid to him by the court, the Court officer shall see that a certificate of attendance is given him by the court to enable him to draw his travelling expenses (*see* regulation 1228).

Witnesses to house-search [§12, Act V, 1861.]

465. Upon receipt in the Court office of the list of property found on a search made under section 103 or 165 of the Code of Criminal Procedure, the date of receipt shall at once be stamped on it.

The police have no power under the law to compel the attendance in court of witnesses to a search, but if any court appears to entertain doubts regarding the identity of the articles given in the list of properties, the Court officer shall request the court to summon the witnesses to the search.

Examination of Medical officers.

466. (*a*) Medical officers will be examined on oath, but their evidence may be recorded by any Magistrate and not necessarily by the officer trying the case (section 509 of the Code of Criminal Procedure).

(*b*) When the medical officer is under examination before the Magistrate, the Court officer shall ask him to produce (*i*) an authenticated copy of his forwarding letter to the Chemical Examiner; (*ii*) the post office or other receipt for the parcel despatched to the latter; and shall elicit from him any further evidence necessary to connect the Chemical Examiner's report with the charge against the accused. If necessary, the medical officer's clerk or other person who has granted the receipt shall be called to prove it, and shall be bound over to appear at the Sessions trial. Both copy and receipt shall be tendered in evidence when proved.

Recording of confessions.

467. The High Court have issued the following circular (Circular Order, Criminal, No. 2 of 1937) regarding the recording of confessions by Magistrates:—

Magistrates should clearly understand the great importance of giving their closest attention to the procedure to be followed, from first to last, in the recording of confessions. This procedure should be followed, without haste, with care and deliberation, it being understood that this duty is not a distasteful and minor appendage or addition to their normal functions but, one which is of consequence to the confessing accused. his co-accused and courts responsible for the the administration of criminal justice. A confession which is recorded perfunctorily and hastily is a source of embarrassment to the trial court, the prosecution and the defence. The provisions of sections 24 to 28 of the Indian Evidence Act and of section 164 of the Code Criminal Procedure should be carefully studied and the following safeguards, among others, shall be adopted:—

(1) Confessions are to be recorded during the Court hours, and in the Magistrate's court or other room in a building ordinarily used as a Court house, unless the Magistrate, for reasons recorded by him on the form No. (M) 84, certifies that compliance with these conditions is impracticable or that he is satisfied that the ends of justice would be liable to be defeated

thereby. It must be clearly understood that the recording of a confession at a Magistrate's private residence, or at any place other than the Magistrate's court, shall be the exception and not the rule and that on Sundays and holidays when it is necessary to record a confession the Magistrate shall proceed to his court for the purpose, after making all arrangements for the production of the accused before him in that court. If the confession is recorded in a room that is ordinarily open to the public, the Magistrate may, if he thinks fit, order that the public generally or any particular persons shall not have access to, or be or reamain in, the room used for the purpose.

(2) When the accused is produced the Magistrate should ascertain when and where the alleged offence was committed, and by questioning the accused, should further ascertain when and where the accused was first placed under Police observation, control or arrest.

(3) Magistrates shall not, except under circumstances which render delay impossible, record the confession of an accused person immediately the police bring him into Court. He shall be given at least three hours for reflection, during which period he shall not be in contact with any police officer and shall not be permitted to hold converse with any person.

(4) During the examination of the accused and the record of his statement a co-accused and, unless in the opinion of the Magistrate the safe custody of the prisoner cannot otherwise be secured, police officers should not be present. In particular the police officers concerned in the investigation of the case or in the arrest or production of the accused shall be excluded.

(5) The Magistrate should give the explanations required by section 164 (Code of Criminal Procedure) and the other explanations mentioned in the form in a careful and patient manner, not perfunctorily, but so as to ensure that they are fully understood.

(6)(*a*) The Magistrate should not proceed to record the statement of the accused unless and until he has reason, upon questioning him and observing his demeanour, to believe that the accused is speaking and is about to speak voluntarily.

(*b*) While it is not in general necessary or desirable to invite complaints of ill-treatment by the police, cognizance of such complaints when made should be promptly taken, and any indications of the use of improper pressure should be at once investigated. If any injuries are noticed on the body of the accused or are referred to by him he should be asked how he came by them, and, if necessary, in order to enable the Magistrate to be satisfied that the accused is about to speak voluntarily, the accused should be medically examined before his statement is taken.

(*c*) It must be clearly understood that the questioning of an accused person in order to discover if the making of a confession is voluntary, is not a mere formality. The Magistrate must apply his mind judicially and endeavour to base his finding upon definite premises and grounds.

(7) While carefully avoiding anything in the nature of cross-examination the Magistrate should endeavour to record his statement in the fullest detail, and to this end may properly put such questions, not being leading questions, as may be necessary to enable the prisoner to state all that he desires to state and to enable the Magistrate clearly to understand his meaning.

III.—Warrants, Processes and Bail and Recognizance bonds.

Warrants against absconders. [§12, Act V, 1861.]

468. On receipt of a charge-sheet containing the names of absconders, Court officers shall at once move the Magistrate trying the case to issue warrants against all the absconders named in the charge-sheet, and, if necessary, proclamation and attachment orders simultaneously with the warrants. If the Magistrate refuses, without giving reasons for his action, to issue the warrants against all the absconders

named or postpones the issue of warrants, or if he declines to pass orders, the Court officer shall ask the Superintendent to move the District or Subdivisional Magistrate to withdraw the case under section 528 of the Code of Criminal Procedure to his own file and then to issue warrants for the arrest of the absconding accused.

Action on breach of terms of security bond, etc.

(1) Whenever a person on security of any kind is prosecuted for an offence implying a breach of terms of his bond, special application shall be made, at the time of presentation of the charge sheet, that the court may, in the event of conviction, order the confiscation of the security.

(2) It is the duty of the prosecuting agency to watch the progress of realisation of forfeited security. When the head of the agency finds that, either generally or in a particular case, under delay or laxity in realisations is taking place, he shall bring the matter to the notice of the Superintendent, in order that the attention of the District Magistrate may be invited to it.

Instructions regarding issue of warrants.

469. (*a*) In issuing warrants, Magistrates shall fix a date on which the police shall return the warrant or report that it has not been executed. The date of this report shall be fixed so as to allow the *mufassil* police a reasonable time for proper action in obedience to the warrant.

(*b*) Warrants of arrest shall usually be directed to the police for execution, but in cases of urgency may be directed to court peons.

(*c*) Under section 77 of the Code of Criminal Procedure, when issuing a warrant to a police officer, the court may address him either by name or by the title of his office. Under section 79, all subsequent endorsements shall be by name and designation. A warrant intended to be executed by the police, therefore, shall be addressed not to the Court officer, but to the officer in charge of a police-station.

Instructions regarding issue of warrants. [§12, Act V, 1861.]

469A. (*a*) The Court officer shall despatch warrants to officers in charge of police-stations. He shall scrutinize all warrants received by him for despatch, and bring to the notice of the presiding Magistrate any case in which the process is unsuitably directed.

(*b*) Warrants shall be sent direct to police-stations, except when a special officer is necessary for the duty to be performed. In such cases the Court officer shall take the orders of the Superintendent or Circle Inspector, or in their absence the Magistrate of the district or Subdivisional Magistrate. Warrants so served, when executed, shall be returned to the Court officer direct.

Return of warrant against absconder.

470. When an absconded offender appears in court, or is arrested by parties other than the police of the police-station to which the warrant was sent in the first instance, or when a warrant is cancelled under section 75 of the Code of Criminal Procedure, the Court officer shall send information to the police-station and ask for the return of the warrant.

Service of warrants and other processes.

471. (*a*) The service of criminal processes in all districts, with the exception of those mentioned in clause (*b*) shall be supervised by the collectorate nazir.

(*b*) Ordinarily warrants of arrest, fine warrants, orders issued under section 88 of the Code of Criminal Procedure and search warrants, shall be executed by the police in both cognizable and non-cognizable cases, and with the exception of fine warrants shall be entered in the register of processes (B. P. Form No. 91).

Warrants issued under section 34 of the Police Act, 1861, under the Motor Vehicles Act, the Hackney Carriage Act, the Cruelty to Animals Act and the Bengal Highways Act and for offences against Municipal by-laws shall be sent by courts to the police officers concerned direct and not through the Court (police) office. The officers serving the warrants shall return them direct to the issuing court with a report of the action taken.

(*c*) Processes shall have an annual serial number. Unexecuted processes shall be brought froward in red ink in April only, these red ink entries being their original annual serial number and year of issue.

(*d*) Whenever a summons to appear as a witness in a criminal case is issued against an officer of police, it shall be served upon him through the Superinendent of the district or the police officer in charge of the subdivision to which he may belong.

NOTE.—The High Court has intimated that upon a proper application being made in each case to the Judge exercising the original criminal jurisdiction of the Court, the convenience of pu blic officers summoned as witnesses in cases before the High Court from the *mufassil* shall always be duly considered. Whenever a public officer is summoned as a witness before the High Court, the Legal Remembrancer should be informed and asked to see that the witness is not unnecessarily detained.

(*e*) A summons on a railway servant or a servant of the Crown shall be served through the head of his department.

Proclamation.

472. (*a*) Three copies of a proclamation under section 87 of the Code of Criminal Procedure, shall be obtained from the Magistrate's office—one for the Court office, one for the police-station, and the third for the absconder's village. [§12, Act V, 1861.]

(*b*) Police officers shall strictly comply with the provisions of section 87 of the Code of Criminal Procedure relative to the publication of the proclamation. The Court officer shall affix the copy for the Court house in the presence of witnesses, and submit a report to this effect. The station officer shall have the copy for the absconder's village duly read out in a conspicuous part of the village, post it up at the ordinary place of abode of the absconder in the presence of some of the principal residents, and submit a report that this has been done, giving the names of the witnesses.

(*c*) On reecipt of the report, if everything is correct, the Court officer shall move the Magistrate to record a proceeding, stating that the proclamation was duly made and declaring the date on which it was made. The term of 30 days (*vide* section 87 of the Code of Criminal Procedure) shall run from the date so declared.

(*d*) Court officers shall report to tht Superintendent all persons proclaimed.

(*e*) When a Magistrate agrees to issue a proclamation under section 87 of the Code of Criminal Procedure against an absconder, he shall at the same time be requested to issue an order for attachment of his property under section 88.

Form of attachment order. [§12, Act V, 1861.]

473 Property of absconding accused persons, other than land paying revenue to Government which is ordered to be attached, shall be specified in the warrant of attachment. Court officers, therefore, shall prepare and submit a list of property to be attached, when applying for orders under section 88 of the Code of Criminal Procedure. When it is found that no property is specified in a warrant the Court officer shall bring the omission to the notice of the court.

Confiscation of property of proclaimed offenders. [§12, Act V, 1861.]

474. If the accused does not appear within the time specified in the proclamation, the Magistrate shall be requtsted to record a formal order declaring the property attached to be at the disposal of the Provincial Government. There is, however, no objection to the proclamation and attachment being issued simultaneously.

Evidence under section 512, Code of Criminal Procedure. [§12 Act V, 1861.]

475. If all measures provided by law to compel the appearance of the absconding accused fail, the Court officer shall, unless the Superintendent records his opinion that this is unnecessary, apply to the Magistrate to record evidence of the complainant and witnesses under section 512 of the Code of Criminal Procedure.

Court officers must be mindful that evidence that the accused has absconded must first be recorded.

Monthly return of unexecuted processes.

476. At the end of each month a list in B. P. Form No. 92 showing all outstanding processes issued in the previous month shall be forwarded from the sadar and subdivisional courts to the office of the Superintendent, necessary extracts regarding warrants issued on railway police cases being sent to the office of the Superintendent of Railway Police concerned. In the April lists all previous unexecuted processes, bearing their original annual serial number and year of issue, as brought forward in red ink in the process register shall also be shown in red ink. (*See* regulation 471.)

Bail and recognizance bonds. [§12, Act V, 1861.]

477. (*a*) The Court officer shall draw out bail and recognizance bonds and get them duly executed.

(*b*) Witnesses, parties to cases, and sureties having to execute bonds, shall be taken to the Court office, after the Magistrate's orders are passed to have bonds properly drawn out and executed.

(*c*) The Court officer shall make careful inquiries into the position in life of proposed sureties; and if there is any objection to their being accepted, shall report it at once to the Magistrate concerned.

(*d*) When money is put down by a party as security under section 513 of the Code of Criminal Procedure the Court officer shall deposit it promptly in the treasury for safe custody.

(*e*) The Court officer shall obtain receipts in the peon book for the bail and recognizance bonds made over to the Magistrate's *amla* to be filed with the records.

(*f*) When an accused person surrenders in court and is released on bail, the Court officer shall grant him free of charge, a certified copy of the bail bond containing the Magistrate's orders thereon. This will served as a safeguard to the accused till the release notice, which should be despatched by the Court officer as early as possible, reaches the police-station concerned.

IV.—Under-trial prisoners.

Classification of under-trial prisoners and their treatment. [§12, Act V, 1861.]

478. (*a*) Under-trial prisoners will be of two classes based on their previous standard of living. The classifying authority will be the trying court, subject to the approval of the District Magistrate. During the period a prisoner is in police custody, before production before a competent court, the officer in charge of the police-station shall use his discretion as to his classification.

(*b*) Under-trial prisoners who have been placed in class A by the trying court shall not be handcuffed, or roped, unless the Superintendent, or the officer in charge in his absence after consulting the District Magistrate, or the officer in charge in the absence of the District Magistrate, considers the use of handcuffs or ropes necessary. The use of handcuffs or ropes in the case of under-trial prisoners who have been placed in class B, or who have not been classified, is only authorised in cases when there is reasonable expectation that they will use violence, or attempt to escape, or that an attempt will be made to rescue them.

Court police responsible for escorting under-trial prisoners from jail and guarding them in court. [§12, Act V, 1861.]

479. (*a*) The Court Police, reinforced if necessary by men from the police lines, shall escort all under-trial prisoners from the jail or lock-up to the Magistrate's court and shall guard them while there. They shall also escort back to the jail prisoners sentenced to imprisonment, or remanded to *hajat* by the Magistrate (*see* also regulation 480).

(*b*) Whenever the hearing of a case is adjourned, a day shall be fixed by the Magistrate for the rehearing of the case, and it shall be the duty of the Court officer to ensure the punctual attendance of the prisoners on the day fixed.

Instruction for escorting under-trial prisoners to and from the court. [§12, Act V, 1861.]

480. (*a*) Prisoners shall be escorted to the court and back to the jail by the shortest route but, as far as possible, bazars and crowded thoroughfares should be avoided.

When possible, they should be conveyed to and from court in a special conveyance. Class I under-trials should be conveyed in prison vans or in hired public conveyances to ensure their travelling in reasonable comfort and privacy.

(*b*) All prisoners not before the court shall be escorted back to the jail from the court one hour before sunset, without waiting for those whose cases have not been disposed of. The Court officer shall apply to the Armed Inspector for an additional guard for prisoners who have been detained in court. In the case of under-trial prisoners sent to the

jail for the first time it shall be the duty of the Court Police to see that they have their food before they are taken to the jail if they are likely to arrive there too late for the evening meal which is served one hour before sunset.

(*c*) As regards the handcuffing and roping of under-trial prisoners whilst being escorted to and from the court, *see* regulation 478.

Production of prisoners before the Sessions Judge. [§12, Act V, 1861.]

481. The Court Police shall produce prisoners committed to the Sessions and property connected with Sessions cases before the Court of Sessions on the dates fixed for trial. Where the Sessions is not held in the district of commitment, the Court officer of the district of commitment shall send all the property required to be produced before the court to the Court officer of the district where the trial is to be held, and communicate to him the date fixed by the Judge for the trial of each case. The latter officer shall be responsible for the production of the prisoners and properties in such cases in the same way as if they had been committed from his district. The Superintendent of the committing district shall take steps to have the Public Prosecutor properly briefed.

Search of prisoners on arrival in court office. [§12, Act V, 1861.]

482. (*a*) The senior Court officer shall, forthwith on their arrival in the Court office, search all the male prisoners and have the female prisoners searched by a woman approved of by the Magistrate, and take possession of all properties and offensive weapons found on them. These and the properties and weapons sent by the station police, with the prisoners in charge of their escort, shall be taken charge of and entered in the *malkhana* register by the officer answerable for the *malkhana*. Glass, conch-shell or iron bangles shall not be removed from the person of female prisoners. The woman making a search under this regulation shall get a small fee for the same, say, of 4 annas per head, the charges being debited to the Magistrate's grant for contingencies.

(*b*) Immediately before the trial of cases, and before the prisoner or prisoners are put into the dock or brought into court, it shall be the joint duty of the Court officer and the police escort, in whose custody the prisoner or prisoners are, to make thorough search and satisfy themselves that no offensive weapons are being carried into court.

Similar precaution shall be taken in the case of all other prisoners including those on bail or surrendering in court.

(*c*) No prisoner shall be allowed to wear slippers or shoes in the precincts of the court unless permitted to do so by the court.

Jailor to be informed of the despatch of desperate characters. [§12, Act V, 1861.]

483. The Court officer shall inform the jailor by means of a separate report, for the information of the Jail Superintendent, when any under-trial prisoner or convict sent to jail is a desperate character, or when his offence is particularly heinous or if he has ever suffered from lunacy. Ordinarily this information will be obtainable from the charge-sheet or *chalan* sent in by the police with the prisoner [*see* regulation 272(*b*)(*vii*)].

484. Before despatching prisoners to the jail from the court lock-up at the close of the day, the officer in charge of the *hajat* register shall search all the prisoners thoroughly in the presence of the officer in charge of the escort party and both officers shall endorse a certificate to that effect on the *hajat* register.

Search of prisoners before despatch to the Jail from Court lock-up at the close of the day. [§12, Act V, 1861.]

485. When it is desirable to transfer an under-trial prisoner to a jail other than that to which he was originally committed, the Court officer shall make a written application to the court in seisin of the case, when such prisoner is brought before it, to direct that if further commitment to jail custody is ordered, such custody may be in the jail specified in the application.

Transfer of under-trial prisoners from one Jail to another. [§12, Act V, of 1861.)

486. (*a*) When a Magistrate passes order that—

(*i*) confessing prisoners,

(*ii*) persons made witnesses under section 337 of the Code of Criminal Procedure,

(*iii*) other under-trial persons,

shall be kept apart whilst in jail from other accused persons in the same case, the Court officer shall communicate his orders to the jail authorities.

Segregation of approvers, confessing prisoners, and others. [§12, Act V, 1861.)

(*b*) The Superintendent shall see that proper arrangements are made for the segregation of approvers and, if on any occasion proper segregation cannot be arranged, shall suggest to the District Magistrate that the approver may be kept in some other jail and be escorted to the trial court on the dates on which his attendance is necessary.

487. Prisoners shall be supplied with drinking water, whenever required, but no food shall be given to a prisoner without the Magistrate's permission. All articles of food shall be carefully examined before they are passed on to prisoners, and no article the introduction of which into a prison is prohibited by any rule under the Prisons Act, 1894, shall be given to prisoners or allowed into the lock-up (*see* regulation 720).

Drinking water and food for prisoners. [§12, Act V, 1861.]

488. No prisoner shall be taken out of the lock-up, except with the permission of the officer in charge of the Court office.

Removal of prisoners from lock-up. [§12, Act V, 1861.]

489. No individual shall have access to a prisoner whilst he is in the precincts of the court awaiting his trial, without authoritative permission. The presiding officer of the court may give such authority in writing, and may require the person making the application to do so in writing. In such case no court-fee shall be necessary. Facilities shall be given to recognized practitioners for consultation with their clients, but care should be taken that unlicensed practitioners or touts are entirely excluded.

Interview with under-trial prisoners in court.

V.—Registration of criminals—Finger prints and P. R. system.

Finger prints. Definitions.

490. (*a*) "Finger prints" include prints of the thumb and are either "rolled" or "plain".

(*b*) "Unidentified" means a person whose residence and antecedents are not known.

(*c*) "Untraced" means a person against whom no previous convictions have been traced.

(*d*) "Expert" means an officer who has been passed as competent to examine, classify and give an expert opinion on finger impressions. (*See* regulation 656.)

Method of taking finger prints.

491. (*a*) The method of taking finger prints is described in Rai Bahadur H. C. Basu's "Finger Print Companion".

(*b*) The following instructions shall be observed in preparing finger print slips:—

(*i*) Prints shall invariably be taken on the authorized finger print slip, B. P. Form No. 93 or No. 94, as the case may be. In the slip space has been allowed for the "rolled" prints of all the 10 digits, as well as for the plain prints of the four fingers of both hands. The headings of the slip are self-explanatory.

(*ii*) Impressions shall always be taken with the tip of the finger pointing to the top of the form.

(*iii*) For convenience in taking "rolled" prints the slip shall be folded at the line indicated and the fold placed in line with the edge of the table.

(*iv*) The "rolled" prints shall show the complete contour of the bulbs of the fingers. One delta in the case of "loops" and two in the case of "whorls" should be visible.

(*v*) The "rolled" print of each finger shall be taken in the space allotted for that finger, and the impression shall not project beyond that space. The impression of the upper phalanx of the finger only shall appear.

(*vi*) The "rolled" prints of the right hand shall be taken first, each finger being inked and impressed before the next finger in rotation is inked. When the 'rolled" prints of the right hand have been taken, the operator will take the "plain" prints of the four fingers of that hand simultaneously in the space provided for them on the slip. When the right hand has been finished, the operator will proceed to take the prints "rolled" and "plain" of the left hand in a similar manner.

(*vii*) All names, whether of persons or places, shall be written very legibly. Entries shall be as concise as possible and convictions shall be entered in chronological order.

(*viii*) When the finger prints of both hands have been taken, the slip will be turned over and the subject's name, residence, details and convictions will be filled in. The subject will then sign the form or make his mark if unable to write, and immediately afterwards a "plain" print of his left thumb will be taken in the space provided for the purpose.

(*ix*) The finger print slip of one prisoner shall be completed before that of another is commenced.

(*x*) Finger print slips of females, whether sent for search or for record, shall bear the word "female" in red ink on the side of the slip which contains the impression.

(*xi*) Finger print slips of railway thieves and wandering criminals shall bear the words "railway theif" or "wandering criminal," as the case may be.

(*xii*) If a finger is missing, or is so deformed that it is impossible to obtain an impression, the fact will be noted in ink in the space allotted for that finger by the words "missing" or "deformed". In the case of double fingers, the prints of both fingers shall be taken, if possible: if not, the print of the more prominent of the two. Deformities, cuts, scars and disease marks interfering with the legibility of the impressions shall be fully described, and it shall be stated if they are temporary or permanent. Subjects suffering from open cuts or scars in any of the upper phalanges of the fingers shall not (if this can be arranged) have the prints of such fingers taken until the cuts or scars have healed.

(*xiii*) Finger prints of lepers are not to be taken on any account. Persons suffering from contagious and infectious diseases shall not have their finger prints taken until completely recovered.

Convicts whose finger prints are to be taken for record.

492. The finger prints of the following persons, juvenile or adult, male or female, shall be taken for permanent record (*see* regulation 506):—

[§12, Act V, 1861.]

(*i*) all persons convicted of offences against property carrying enhanced punishment on reconviction, irrespective of the duration of the sentence inflicted, if their real names and antecedents are unknown to the police and cannot be ascertained;

(*ii*) all persons reasonably suspected and arrested by the Police for committing offences under Chapters XII and XVII of Pakistan Penal Code, punishable with rigorous imprisonment for a term of one year and upwards and all persons convicted of the said offences, who in the opinion of the Superintendent of Police are likely to revert to crime;

(*iii*) all persons reconvicted of offences under Chapters XII and XVII of the Indian Penal Code, punishable with rigorous imprisonment for a term of one year and upwards;

(*iv*) all persons reasonably suspected and arrested by the Police for committing offences under sections 170, 215 and 231 to 254, 328, 417 to 420, 489A 489B, 489C, 489D of the Pakistan Penal Code and

all persons convicted of offences under the said sections. Superintendents of Police may exercise discretion in cases under section 417 of the Pakistan Penal Code, when the persons concerned happen to be local men and the offence is of a petty or technical nature;

(*v*) all persons ordered to execute bonds under sections 109 and 110 of the Code of Criminal Procedure;

(*vi*) all persons convicted under the Arms, Opium and Excise Acts who are believed to be illicit dealers in arms, opium or cocaine; and also all seamen convicted of arms smuggling;

(*vii*) all persons convicted of any offence in connection with political agitation punishable with rigorous imprisonment for a term of one year or upwards;

(*viii*) all members of a criminal tribe registered under the Criminal Tribes Act, 1924;

(*ix*) all persons convicted under the Goondas Act, 1923 (Ben. Act I of 1923) or the Presidency Area (Emergency) Security Act, 1926 (Ben. Act III of 1926);

(*x*) all persons convicted for attempt or abetment (section 511 or 109/114 of the Indian Penal Code) of offences for which they are liable to be made P. R. if (1) they are convicted outside their home districts or (2) their finger print slips are known or believed to be already on record in the Finger Print Bureau, or (3) they remain unidentified;

(*xi*) all persons convicted under section 3 of the Bengal Criminal Law (Industrial Areas) Amendment Act, 1942;

(*xii*) all persons convicted under section 4 of the Bengal Criminal Law (Industrial Areas) Amendment Act, 1942, except when the convicted persons happen to be local men and the offence is of petty nature; and

(*xiii*) all persons convicted under section 2 of Howra Act (Act XXI of 1857).

Persons whose finger prints are to be taken for search.

[§12, Act V, 1861.]

493. (*a*) A Court Sub-Inspector shall take and forward for search to the Finger Print Bureau, Calcutta, the finger prints of every unidentified person arrested as a suspect or under-trial on a criminal charge of an offence punishable with rigorous imprisonment for a term of one year or more. For this purpose, every person in custody, whose true name, parentage, residence and antecedents have not been satisfactorily established at the time of his first production in court, will be considered to be unidentified.

(*b*) The finger print slips of under-trial prisoners sent up by the Railway Police shall be prepared and submitted for search by the District Police Court officers attached to the courts to which prisoners are sent up except that the finger print slips of prisoners sent up by

the Railway Police to the Sealdah Police Court and Howrah Court shall be prepared and sent by the Railway Police Court officers posted to those courts.

NOTE.—(*i*) Police officers are authorised to take the finger prints of persons only under sections 4 and 5 of the identification of Prisoners' Act, 1920 (XXXIII of 1920) of which the former provides for the taking of finger impressions of persons (1) after arrest and (2) when arrested for an offence punishable with rigorous imprisonment for a term of one year and upwards, and the latter for the taking of finger impressions of persons with the orders of the Magistrate for the purpose of any investigation or proceeding under the Code of Criminal Procedure.

(*ii*) Duplicate finger print slip shall be taken and submitted to the Finger Print Bureau for search if it is found that for unavoidable reasons and after exercising all possible care the impressions of the subject remain blurred and indistinct.

494. (*a*) The finger print slips of persons taken under regulation 493(*a*) shall also be sent direct for search, (*i*) to the bureau of the province of which the persons are alleged, or are suspected to be, residents and (*ii*) to the bureau or bureaux of the province or provinces where their operations are believed to extend. **Bureaux to which slips to be sent for search.** [§12, Act V, 1861.]

(*b*) In addition to the above, when an unidentified person is, or is reasonably suspected to be, a resident of another province, a copy of his finger print slip will also be sent direct to the Finger Print Bureau of that province for search.

(*c*) Finger print slips of persons believed to be *Bhamptas* shall be sent to the Bombay Bureau for search.

(*d*) Finger print slips of men arrested in districts on the borders of other provinces, whose identity is doubtful, shall be sent for search to the Finger Print Bureau of the neighbouring province as well as to Calcutta.

495. (*a*) The finger print slip of an under-trial prisoner should be despatched for search with a search slip (B. P. Form No. 53) attached. The portion of this form to be filled in by the Court officer is noted on the form. The certificate on the search slip as to the despatch of a verification roll to the native district of the suspect or under-trial prisoner and the names of the bureaux, to which copies of the finger print slip have been sent for search, should be carefully filled in. **Search slip to be attached to finger print slip.** [§12, Act V, 1861.]

(*b*) When finger impressions of an under-trial prisoner are sent to a bureau for search, the trial shall not be delayed; but where necessary, an application shall be made before the sentence is passed on the accused for the remand of the case, pending reply from the bureau or bureaux.

(*c*) Slips for despatch by post shall be folded along the red lines only.

496. Approvers in important cases after due compliance with the provisions of the Identification of Prisoners' Act, 1920 (XXXIII of 1920) should have their photographs and finger prints (three sets) taken without delay. There have been cases of approvers absconding at important stages of an investigation or trial. **Finger prints and photographs of approvers.** [§12, Act V, 1861.]

Finger print slips of non-P.R. prisoners admitted to a lunatic asylum.
[§12, Act V, 1861.]

497. On receipt of information from jail that a non-P.R. convict is about to be sent to a lunatic asylum, his finger print slips shall be prepared, endorsed in red ink "non-P. R. prisoner sent to a lunatic asylum" and sent for record to—

(*i*) the bureau of the province of conviction,

(*ii*) the bureau of the province of which the lunatic is a native.

The names of such persons shall be entered in the court conviction register and the police-station concerned informed so that an entry may be made in the Village Crime Note-Book. If the lunatic is a convict or a resident of a different district, the finger print slips so prepared shall be sent to that district for action. The words "non-P. R. prisoner admitted to a lunatic asylum" shall be noted in red ink at the top of these slips.

Evidence of finger print experts in districts.
[§12, Act V, 1861.]

498. Finger print experts employed in districts shall not be deputed to give evidence in cases, civil or criminal, other than those in which the identity of under-trial prisoners, traced by the Finger Print Bureau, is to be proved by a comparison of their finger impressions with those on record in the bureau.

Definition and object of the P.R system.
[§12, Act V, 1861.]

499. All convicts, whose finger prints are taken under regulation 492, are known as "P. R." (Police Registered), except boys sent to the Reformatory School, whose finger prints will be taken before they are sent there. As regards females, *see* regulation 501. No person will be liable to surveillance on his release merely by reason of being "P.R.". By this system a classification made for police purposes is transcribed into the jail registers, thereby enabling the police to trace dangerous convicts throughout their jail career.

Note—Reformatory schoolboys" include Borstal schoolboys"

Classification of P.R. prisoners.
[§12, Act V, 1861.]

500. (*a*) P. R. prisoners shall be divided into three classes, viz.:—

(1) P.R.,

(2) P.R.T., and

(3) P.R.T., 565.

Class (1) indicates prisoners who are to be released from the jail where they are confined on the expiration of their sentence; class (2) indicates those who are to be transferred for release to the jails either of their native districts or of their district of domicile; except persons convicted under the Goondas Act, 1923 (Ben. Act I of 1923) or the Presidency Area (Emergency) Security Act, 1926 (Ben. Act III of 1926), who shall not be released from any jail within the area from which they have been externed (*see* notes below) and class (3) are convicts against whom orders under section 565 of the Code of Criminal Procedure have been passed.

Class (1) shall comprise persons about whose release it is desirable to give the police timely warning, but who are likely to avail themselves at once at the means furnished them by the Jail Department and return home, and who are not likely to revert to crime where they are unknown.

attract special notice in the Finger Print Bureau and thus provide against two slips of the same person being kept on record. The finger print slip of a seaman convicted of arms smuggling shall be marked with the words "seaman—arms smuggler" in red ink at the top.

(*b*) In order to minimise the work in the Finger Print Bureau the finger prints of reconvicted persons shall be taken on blue band slips (B. P. Form No. 94A) which shall be forwarded to the bureau with a separate despatch cheque (B. P. Form No. 96).

(*c*) A prisoner who has been traced by the bureau, but whose residence has not been ascertained, shall be shown in the finger print slip sent to the bureau for record as traced/unidentified (*see* regulation 490).

(*d*) To enable the Finger Print Bureau to send prompt intimation to the districts concerned when a member of a registered criminal tribe is arrested, all police officers shall invariably use the special red band form (B. P. Form No. 93) for recording the finger prints of persons registered under the Criminal Tribes Act, 1924.

In order to assist the Criminal Intelligence Bureau to obtain satisfactory information regarding inter-provincial crime and a more exact knowledge of the field of activity of different criminal classes, officers furnising finger impression slips for record shall pay particular attention to the headings "caste" and "residence".

An endeavour shall always be made to locate each criminal by verification of his residence or by giving an approximate idea of his habitat, noting the class to which he belongs and the language he speaks.

In the case of persons classed as wanderers, an attempt should always be made to locate them to some extent by stating the area which they usually frequent.

506. The number of finger print slips required for record is as follows:— **Number of slips required for record. [§12, Act V, 1861.]**

(*i*) of ordinary P.R. Convicts convicted in their home province, one copy will be taken for record in the bureau of the province of conviction;

(*ii*) of all other P. R. convicts copies will be taken, *viz.*, one for record in the bureau of the province of conviction, one for the bureau of the province of which the person is, or is alleged to be, a resident and one or more copies for the bureau or bureaux where his operations are known or believed to extend, noting on each copy of the finger print slip the names of the different bureaux where the slip is being sent for record.

(*iii*) The finger print slips of seamen convicted of arms smuggling shall also be sent for record to the Finger print Bureau of Maritime C.I.D.'s, *viz.*, Calcutta, Madras, Bombay, Karachi and Insein (Rangoon).

Note.—Duplicate finger print slip shall be taken for record of all P. R. convicts if it is found that for unavoidable reasons and after exercising all possible care the impressions remain blurred or indistinct.

Files of finger print slips awaiting test. [§12, Act V, 1861.]

507. (*a*) All finger print slips of convicts shall be kept by the Court officer in open files and arranged according to the date of release until they can be tested by an expert (*see* regulation 654). The slips of prisoners who are transferred to other jails before their slips are tested shall be sent along with a despatch cheque in B. P. Form No. 96 to the Court officer of the district to which they are transferred, and shall be placed by him with his own slips awaiting test. Such slips shall, after test, be returned to the Court officer of the district of conviction for transmission to the Provincial Finger Print Bureau.

(*b*) Finger print slips of prisoners transferred to the Presidency Jail shall be sent neither to the Calcutta Police nor to the Court officer, Alipore, but to the Finger Print Bureau.

(*c*) Court officers shall compare the convictions noted on finger print slips received from other districts for test with the prisoner's warrant of commitment, High Court Form No. 38, and the jail admission register, and rectify at once any errors and omissions that may be found.

Testing of slips by an expert. [§12, Act V, 1861.]

508. On the arrival of an expert the file of slips pending test will be made over to him, and he shall proceed to test them at the jail. In making the test the expert will satisfy himself that the prints have been properly taken and are those of the convict named on the slip, that all particulars recorded on the slip are correct and properly filled in, that all convictions have been correctly entered, and that the required number of copies have been taken. Any mistakes should be brought to the notice of the Superintendent for necessary action. Finger print slips on which the prints are blurred or indistinct should be rejected and replaced by fresh slips prepared by the expert personally. After having tested the slips, the expert will note the word "Tested" with his initials and the date, (*i*) against the prisoners' names in the jail admission registers, (*ii*) on the back of the P. R. slips, and (*iii*) on the history tickets. The expert will also sign each slip that he has tested, and his signature to the slip will be held to be a certificate that the test has been made in strict accordance wih this regulation (*see* regulation 654).

Procedure when the services of an expert are not available. [§12, Act V, 1861.]

509. When an expert cannot visit a district in time to test the finger prints of a prisoner before his release, the finger print slip of of such prisoner should be tested by a proficient other than the one who prepared the slip. A proficient testing a slip under this regulation will be guided by the instructions laid down for testing by an expert in the previous regulation; provided that if he considers the prints on the slip to be blurred or indistinct, he will prepare a duplicate slip and both slips will be sent to the bureau for decision, which should be placed on record. If more than one copy of the slip has been taken, he will take an equal number of duplicates.

Procedure regarding slips of persons passing quickly out of custody. [§12, Act V, 1861.]

510. In the case of persons convicted of the offences and in the circumstances mentioned in regulation 492, who are sentenced to fine, whipping, a short term of imprisonment or to find security, it is not possible to apply the above regulation owing to the rapidity with which such convicts pass out of custody. The finger prints of such convicts shall be taken by the Court officers immediately after sentence is passed, and the slip submitted to the Superintendent for orders

Class (2) shall comprise convicts of a dangerous type who are likely to revert to crime before returning home if released at a distance from their homes. Amongst them may be included (*i*) members of known criminal tribes imprisoned for an offence of any kind, (*ii*) all members of notorious criminal communities bound down under section 109 or 110 of the Code of Criminal Procedure, (*iii*) members of wandering gangs, (*iv*) convicts who have no regular residence, (*v*) all convicts undergoing imprisonment for smuggling opium or cocaine, (*vi*) persons convicted under the Goondas Act, 1923 (Ben. Act I of 1923) or the Presidency Area (Emergency) Security Act, 1926 (Ben. Act III of 1926), and (*vii*) habituals or persons who are considered likely to take steps to avoid police surveillance.

Class (3) shall comprise prisoners on whom orders under section 565 of the Code of Criminal Procedure have been passed. They shall be made P.R.T.

NOTE.—In the case of persons convicted under the Goondas Act or the Security Act, the following procedure is prescribed :—

Persons externed from Bengal under section 6(*1*) (*a*) of the Goondas Act or section 4(*2*) of the Security Act shall be made P. R. T. either to the jail of the district of their domicile or (if their domicile is in an Indian State) to the jail of the district in British India nearest to their domicile.

Persons externed from the Presidency area under section 6(*1*) (*b*) of the Goondas Act, or section 4(*1*) of the Security Act shall be made P. R. T. to any jail in Bengal outside that area.

(*b*) (*i*) P.R. slips of P.R.T. prisoners shall show the jail from which they are to be released.

(*ii*) Members of criminal tribes shall be transferred to their province of origin for release.

(*iii*) Members of wandering gangs shall be released from the jails of the district in which they are sent up for trial. A convict who has no regular residence shall be released from the jail of the district in which he was last convicted.

(*iv*) P.R.T./565 prisoners shall be released from the jail of their native district as laid down in rule 541 of the Bengal Jail Code.

(*v*) Persons originally residents of foreign districts or provinces, who, for any reason, have become permanently domiciled in any part of Bengal, shall be transferred for release to the jail of the district of domicile, and not to that of the district of original residence.

Note.—Alipore/Howrah/Dum Dum shall be shown as the jail of release in the P. R. slips of prisoners to be released from the Howrah Jail.

501. (*a*) For every convict made P.R. the Court officer or other local proficient shall prepare the finger print slip and note the words "F. P. taken" on the P.R. slip (B. P. Form No. 95), in the jail admission register, the prisoner's history ticket and the court conviction register. In the case of railway criminals, the words "railway criminals" shall be written in red ink at the top of the slip. **P. R. slips, §12, Act V], 1861.]**

P.R. slips in duplicate shall be issued for persons convicted of offences under sections 395, 396, 397, 400, 401, 402 and 412 of the Indian Penal Code, and all non-Asiatic convicts, one being marked in red ink "for C.I.D.".

(*b*) The P.R. slip shall be made over by the Court officer to the jailor and a receipt obtained.

(*c*) In the case of female prisoners made P.R., the finger print slips shall always be prepared in the presence of a matron (where such a matron exists), or of a female convict officer in charge. The police officer deputed to take finger impressions of female prisoners shall be accompanied by an assistant jailor or a head warder when going to the female ward.

(*d*) The words "unidentified" shall be written in red ink on the P.R. slips of all unidentified prisoners and "political" on those of all prisoners convicted of offences having a political complexion.

Finger impressions when to be taken.
[§12, Act V, 1861.]

502. (*a*) Finger impressions of P.R. prisoners shall be taken before they are transferred from jail of the district of conviction. The P.R. slips of a prisoner whose finger prints have not been taken before his transfer shall be sent along with a despatch cheque in B.P. Form No. 96 to the Court officer of the district to which he is transferred. The Court officer shall have the prisoner's finger impression taken, and shall communicate the fact to the Court officer from whom the P. R., slip has been received.

(*b*) The finger prints of boys going to the Reformatory School shall be taken before they are sent.

Note.—"Reformatory schoolboys" include "Borstal school boys".

Finger print slips of P.R. prisoners in railway police cases.

503. (*a*) Finger print slips of P.R. prisoners in railway police cases, except those convicted in the Sealdah and Howrah courts, shall be prepared and submitted to the Finger Print Bureau by the Court officer of the District Police.

§12, Act V, 861.]

(*b*) Orders passed by the Superintendent of Railway Police shall be communicated to the Court officer concerned, who shall issue a P.R. slip and take the necessary action and shall inform the Superintendent of Railway Police that he has done so.

Responsibility of officer taking finger prints.
[§12, Act V, 1861.]

504. The officer taking the prints is responsible not only for the impressions but also for correctness of the convictions and other details entered on the reverse of the slip; his signature to the slip will be held to show that he has verified the sentence and previous convictions from the judicial record and the personal details of the convict from the Court office and jail records.

Instruction regarding finger print slips.
[§12, Act V, 1861.]

505. (*a*) Every slip sent for record in the Finger Print Bureau after conviction shall be endorsed in red ink at the top on the reverse side "identified" or "unidentified" as the case may be (*see* regulation 490). In the case of reconvicted persons whose finger prints are known or believed to be already on record, the slip will be endorsed in a similar manner with the word "reconvicted" in order that they may

whether it is to be forwarded or not to the Finger Print Bureau for permanent record. It will not be possible to subject finger print slips prepared under the above circumstances to the usual test by an expert; and they should be sent without test except in the case of persons convicted under sections 109 and 110 of the Code of Criminal Procedure, who are sent to jail in default of furnishing security.

511. Finger print slips, after being tested, will be sent by the Court officer along with a despatch chaque in B. P. Form No. 96 direct to the Finger Print Bureau or Bureaux concerned for record, provided that the time of appeal is over, or the appeal, if any, has been decided.

Slips to be sent to the Finger Print Bureau after period allowed for appeal [§12, Act V, 1861.]

NOTE.—In order to attract special notice in Finger Print Bureau and thus provide against unnecessary retention of finger print slips of unimportant criminals beyond prescribed periods, the words "Identified" or "unidentified", as the case may be, shall be written in red ink on the top of the reverse side of all slips sent to the bureau concerned for record.

512. When a person whose finger print slip is on record or an under-trial prisoner whose finger print slips has already been prepared for search is declared a proclaimed offender, or escapes from jail or lawful custody, or absconds after committing some offence intimation of the fact or the finger print slip of the under-trial prisoner already prepared shall immediately be sent by the Court officer to the local bureau as well as to the foreign bureaux direct informing each bureau of the names of the various bureaux to which such reports or finger print slips have been sent. If such a person evades surveillance or is lost sight of or if such an under-trial prisoner escapes or absconds before he has been sent to the court the officers in charge of the police-stations concerned shall immediately inform the Court officer to enable him to send the required information. When communicating such information, the name, caste, parentage and residence of the individual, the number and the date of the first information report and the name of the police-station at which it is registered, shall be quoted. If the prisoner's finger print slip has not been tested it shall be forwarded with the report.

Escapes to be immediately reported to the Bureau. [§12, Act V, 1861.]

513. On the admission of a P. R. prisoner by transfer the jail authorities shall note in the jail admission register the fact that he has been made P. R., and shall transcribe the entries "F. P. taken" and "Tested" from the P. R. slip.

Jail authorities to check P.R. system.

514. If a P. R. prisoner dies in jail, the Superintendent of Police, if the deceased was convicted in his district, shall forward a death report in B. P. Form No. 84 to the Provincial Bureau. Should such prisoner die in jail after transfer, the Superintendent of Police of the district in which the jail is situated shall forward the death report to the Superintendent of Police of the district in which the deceased was convicted who shall forward the same to the Provincial Bureau.

Reports of death of P.R. prisoners in jail.

Jail parades [§ 12, Act V, 1861.]

515. (*a*) It is important that police officers of all ranks should be acquainted with the appearance of criminals not only of their own but of other jurisdictions and Superintendents of Police should, therefore, insist upon all officers, who may be present at headquarters, attending jail parades subject to the proviso that the number of police officers forming the parade party does not exceed 20. Constables also should be included in these parades. Under the rules in the Bengal Jail Court no member of the police jail party shall be permitted to hold any communication with a prisoner except such as is necessary for the purpose of identification. These parades, however, will afford police officers an opportunity of recognising old offenders and of acquainting themselves with the personal appearance of prisoners, particularly unidentified prisoners and prisoners about to be released, and will further furnish indication to officers possessed of intelligence and the faculty of observation as to what prisoners are likely to give information, if interviewed.

(*b*) A parade shall be held every Sunday morning of all prisoners who have within the week been made P. R. and also all P. R. prisoners due for release within the ensuing week.

(*c*) The jail parade report shall be prepared on Saturday afternoon, by an Asistant Sub-Inspector or other officer specially deputed for the purpose, in B. P. Form No. 97 in accordance with the instructions printed on it. He shall enter the names of all persons falling within regulation 492, who are to be made P. R. He shall have access to the jail registers and records with the permission of the jail authorities, and shall collect together the warrants, High Court form, and P. R. slips of the prisoners whose names he enters in the report for the purpose of checking whether the P. R. orders have been correctly made and also for checking the entries in the jail admission register. He shall also collect the names of Criminal Tribes Act members to be released during the next week and communicate the date of release of such members to the officer in charge of the nearest police-station.

(*d*) The officer detailed for the parade shall be present in uniform at the jail at 07-30 hours and the parade shall be held at 08-00 hours.

(*e*) Females will not be paraded, but will be entered in the report.

(*f*) The Court officer shall refer to the jail admission register, the release diary, the warrants, etc., and satisfy himself that the report drawn up on the previous day is correct and complete. He shall check the entries relating to the P. R. and finger print work in the jail admission register and history ticket with those on the back of the P. R. slip, and shall supply any omissions which he may discover in the admission register and the history ticket; but no alteration shall be made in the P. R. slip without enquiry. When the prisoners have assembled, he shall scrutinize the case of each individual and fill in column 6 of the jail parade report. In the case of prisoners admitted by transfer, he shall see if there has been any omission to make a prisoner P. R. or to take or test his finger print. If no P. R. slip has been received for a prisoner who ought to be made P. R., the matter shall be referred to the Superintendent of Police concerned for

consideration, but no reference shall be made to the Calcutta Police regarding the omission to pass P. R. orders or to take the finger prints of persons convicted in Calcutta as the finger prints of every person convicted in Calcutta are taken by the Calcutta Police and sent to the Finger Print Bureau for record whether they are made P. R. or not.

(*g*) All prisoners who remain unidentified up to the time of their release from jail, shall be interviewed after their release with a view to ascertaining, if possible, where they came from and where they are going to. The officer holding the weekly jail parade shall differentiate such impending releases by noting in red ink the word "Unidentified" in column 8, part IV, of the jail parade report, against the name of each unidentified prisoner and in the case of railway criminals shall write the words "Railway Criminals" in red ink to enable the Superintendent of Police to arrange for the interview as the prisoners come out from jail. Such persons shall, whenever possible, be shadowed or followed on their release, with a view to tracing their antecedents and ascertaining their old associates to whom they are likely to return and the result of all such action taken shall be noted in the remarks column of the register of unidentified persons (B. P. Form No. 98).

(*h*) The jail parade report shall be put up before the Superintendent of Police on the following Monday for orders. As soon as action has been taken on orders passed by him, it shall be again put up before him, and he shall satisfy himself that all orders passed by him have been obeyed.

(*i*) In the case of railway criminals an extract from part IV of the register shall be sent to the Superintendent of Railway Police concerned immediately after the preparation of the jail parade report. The extract shall also show the name of the police-station from which the convict was sent up on trial.

(*j*) A register shall be maintained in the Court office showing the names of the officers attending each parade which shall be inspected periodically by the Superintendent of Police and by the Deputy Inspector-General when required.

(*k*) Superintendents of Police shall endeavour to enlist the assistance of officers attached to the jail staff in tracing the identity of unidentified prisoners, and they are authorised to pay a reward of Rs.5 to any jail official who shall be successful either in establishing the identity of an unidentified convict or the previous conviction of a prisoner undergoing trial or imprisonment for an offence under Chapter XII or Chapter XVII of the Indian Penal Code.

516. (*a*) When the trial of a person whose finger print slip has been traced by the Finger Print Bureau has terminated, the result shall be communicated to the bureau in B. P. Form No. 99 accompanied by a fresh finger print slip. If the case ends in discharge or acquittal, the result shall be sent at once, but if it ends in conviction, the communication should be sent after the result of the appeal, if preferred, is known. **Cases traced by the Finger Print Bureau. [§12, Act V, 1861.]**

(*b*) The result of trial of persons traced by the bureau of other provinces shall be similarly communicated to those bureaux and in the same form.

(*c*) When a person traced by the bureau is not sent up for trial, the investigating officer shall communicate the fact direct to the bureau concerned.

(*d*) Finger print slips of persons traced by the bureau should invariably be forwarded with separate despatch cheques and not with those of ordinary record slips.

P. R. slip as release notice. [§12, Act V, 1861.]

517. (*a*) On the 1st and 3rd Saturdays of every month the P. R. slips of P. R. prisoners who are to be released during the following half month and also who had died during the preceding half month, irrespective of the place of conviction or residence, shall be obtained from the jail by the police officer deputed to prepare the jail parade report. The P. R. slips of P. R. convicts shall be treated as release notices.

(*b*) If P.R. slips are not received in time, the fact shall be reported by the Superintendent of Police to the Superintendent of the Jail.

(*c*) The P.R. slips of P.R. prisoners, whose P.R. slips have for any reason not been included in the fortnightly batch and whose release falls due before the despatch of another batch, shall be sent without delay by the jail authorities to the Superintendent of Police direct. In cases of non-observance of this regulation, the Superintendent of Police shall report the matter without delay to the Superintendent of Jail concerned, and send a copy of the report to the Deputy Inspector-General, Criminal Investigation Department.

(*d*) P.R. slip referring to other districts shall be forwarded to the district concerned for information. The number and date of despatch of a P. R. slip shall be quoted in column 8 of B. P. Form No.84. The station officer shall report to the Superintendent a week after the release whether the released convict has returned home.

(*e*) P.R. slips of all P.R. prisoners released on bail shall be sent by the Superintendent of Jail to the Superintendent of Police, who shall return them to the jail if the prisoner is again incarcerated.

(*f*) P.R. slips shall be ultimately pasted with their corresponding foils in the P.R. slip book. The name of the identifying warder noted on the P.R. slip shall be transcribed into the court conviction register by the Court officer.

Finger prints and photographs of non-Asiatic convicts. [§12, Act V, 1861.]

518. Whenever non-Asiatic convicts are made P. R. under regulation 492, the Superintendent shall send their finger prints and photographs to the Deputy Inspector-General, Criminal Investigation Department, for transmission to the Director, Intelligence Bureau, Government of India.

519. The finger prints of a European ex-military prisoner, enlisted outside India, shall invariably be taken on receipt of a requisition from the jail and furnished to the Superintendent of the Jail for transmission along with the application for transfer of the prisoner. **Finger prints of European ex-military prisoners enlisted outside India.** [§12, Act V, 1861.]

520. On receipt of a P. R. slip by the Court officer of a resident of his district convicted elsewhere, the Court officer shall at once ascertain from the police-station in which the convict's home is situated whether information of his conviction was supplied by the police of the district in which he was convicted. If it is learnt that this information was not supplied the Court officer shall at once communicate with the Court officer of the district of conviction informing him of the omission and calling for a copy of the entry in the conviction register. **P. R. slips from other districts.** [§12, Act V, 1861.]

521. All juvenile convicts shall, on release, be taken to their homes by the police and handed over to their relations in the presence of two respectable residents of the neighbourhood. Superintendents of Jails shall send notice of the approaching release of such convicts to the Superintendent of Police one day previously. **Juvenile prisoner to be escorted to their homes.** [§12, Act V, 1861.]

VI.—Chemical examination of exhibits.

522. (*a*) Court officers shall receive from officers in charge of police-stations or investigating officers articles intended for chemical analysis, both in railway and district cases and, after obtaining the orders of the Magistrate shall send them to the Chemical Examiner for examination with a letter describing them (*see* Appendix XVIII). **Chemical examination.**

(*b*) In cases where the cause of death as found by the court is not in accordance with the Chemical Examiner's report, or where that report is contested, a copy of the judgment and of the evidence regarding symptoms and *post-mortem* appearance shall be supplied to the Chemical Examiner, such copies being made in the office of the Superintendent.

523. In cases in which viscera have been preserved with a view to the possible necessity of sending them to the Chemical Examiner for examination, the Court officer shall obtain the order of the Magistrate who deals with the case whether the viscera should be destroyed, or if not, for how long they should be preserved. **Period of preservation of viscera.**

524. Stock and materials required for the preservation of viscera, etc., for chemical analysis in connection with criminal cases are parts of the medical stores which are kept at every district and subdivision. The charge for upkeep is debitable to the Medical Department, but the cost of packing and despatch of viscera shall be borne by the Law and Justice Budget. **Stock and materials for preservation of viscera.**

Malkhana or property room.

VII.—Court malkhana and custody of property.

525. (*a*) The Magistrate shall provide a secure room in every Court to serve as a *malkhana* in which all property sent to court and taken charge of by the Court officer shall be kept.

(*b*) The keys of this room shall be kept by the Court officer, who is answerable that no one makes away with the property or tampers with exhibits in cases. In the room shall be a strong box with a good lock for ornaments, money or documents. Every article shall be neatly lebelled to tally with the number in the register. No private property of the officers may be kept in the *malkhana*.

(*c*) Before going out on tour the Court officer shall make over to the next senior officer not below the rank of Assistant Sub-Inspector—

(1) the key of the *malkhana*, and

(2) all exhibits kept in the strong box that might possibly be required during his absence. He should obtain a detailed receipt for these and note the fact in the daily under-trial case report. The key of the strong box shall be made over in a sealed cover to the Second Magistrate.

The exhibits which are handed over by the Court officer, together with valuables or documents that may be received in the court during his absence, shall be kept in a second strong box in the *malkhana*. The Court officer shall, on return from tour, examine the contents of the second strong box and give a receipt in exchange, noting the fact in his daily report.

Malkhana register. [§12, Act V, 1861.]

526. (*a*) The Sub-Inspector in charge of the court *malkhana* shall keep a register in B. P. Form No. 100 of all property that he is bound by any law or regulation to take into his possession.

(*b*) When any property is to be given back to the owners, the order for return shall be written in column 10 and the authority sanctioning it shall initial his order. The receipt of the person receiving the property shall be taken in the register in column 14.

(*c*) To avoid harassment, small articles shall be returned to owners through officers in charge of police-stations whenever owners express a wish that this should be done. Court officers should ascertain owners' wishes on this point when they come to give evidence. The articles will be sent to police-stations through the monthly pay escorts. The officer in charge of the police-station concerned shall obtain the owners' receipt in duplicate, one copy being sent to the Court officer to be filed in the court *malkhana* register and the other copy being kept on record at the said police-station. In the case of heavy articles, the District Magistrate shall determine wheher the property should be returned to the owners at the expense of the Provincial Government, the cost being met from the Magistrate's contingent grant, or whether the owners should take back their property from the court. In Sessions cases, where the order of the Sessions Judge is required, the Public Prosecutor shall move the Sessions Judge under section 517 of the Code of Criminal Procedure, to pass orders of disposal.

(*d*) When property is no longer required by the courts, such portion of it as consists of cash, bullion, gold and silver ornaments, or other valuable articles of small compass, shall be deposited in the treasury, articles other than cash being kept in a separate small box in charge of the treasurer.

(*e*) Orders shall be taken to convert perishable unclaimed property into cash at the earliest date the law allows.

(*f*) A list of articles found on the person of an accused by the police shall be forwarded with the case diary or final report of the case in accordance with regulation 322. The articles shall be sent with the prisoner in charge of his escort. Court officers shall report to the Superintendent any breach of this regulation.

(*g*) Court officers shall also see that prisoners hold receipts granted by station officers for such articles.

(*h*) On 1st January each year all outstanding items in the *malkhana* register shall be brought forward in red ink. The Court Inspector at sadar and the Circle Inspector at the subdivision shall certify that all outstanding entries have been correctly brought forward.

For arms, ammunition, etc., *see* Appendix XIV.

(*i*) In the case of property which has been proclaimed under section 523 of the Code of Criminal Procedure, the date of expiry of the period of proclamation shall be entered in the remarks column of the register, so as to enable the Court officer to obtain orders regarding the disposal of the property.

(*j*) The Court officer shall put up his *malkhana* register for a thorough inspection once a month by an officer of a rank not lower than that of Deputy Superintendent, at headquarters, and by the Subdivisional Police Officer or Circle Inspector, as the case may be, at each subdivisional headquarters.

Note.—(*i*) All Court officers shall be asked to move Magistrate and Sessions Judges when ordering property to be confiscated, etc., to direct that interesting exhibits, such as articles which indicate new methods of committing crime, shall be sent to the Deputy Inspector-General, Criminal Investigation Department, for disposal.

(*ii*) Court officers shall obtain from trying Magistrates orders for the preservation in police custody of fired cartridge cases found at the scene of dacoity or other crime of violence. These cases shall be kept properly labelled in a box in the court *malkhana* for five years.

527. When a case, in which any person is concerned, is disposed of, the Magistrate's orders as to the disposal of property found on him shall be obtained. In case of imprisonment, the property shall be sent to the jailor. If on conviction a fine is imposed and not paid, a distress warrant shall immediately be obtained, and the property found in possession of the party shall be attached and sold in payment of the fine. **Disposal of property of accused.** [§12, Act V, 1861.]

Disposal of counterfeit coins and exhibits in note forgery cases.
[§ 12, Act V, 1861.]

528. (*a*) Court officers should submit applications to Judicial officers when passing orders under sections 517, 523 or 524 of the Code of Criminal Procedure, for the disposal of counterfeit coins or any implements, such as punches for repairing dies, dies for striking coins, and moulds for casting coins, to consider whether the coins or implements should not be forwarded to the nearest treasury or sub-treasury officer for transmission to the Master of the Mint. The remittance to the Mint should be made through the Deputy Inspector-General, Criminal Investigation Department and should be accompanied by a statement showing the number and date of the case to which the coins or implements relate.

(*b*) The Central Government have ruled that the disposal of exhibits in a note forgery case is a matter for the decision of the court which tries the case. Where the exhibits are ordered to be delivered to the police for destruction, if any particular exhibits are of special interest and should be preserved the Court officer should obtain the court's order to send them to the Deputy Inspector-General, Criminal Investigation Department, for this purpose.

Weapons deposited in malkhanas.
[§12, Act V, 1861.]

529. Rules for the depositing and disposal of weapons in the *malkhanas* are detailed in Appendix XIV.

VIII.—Registers and Records—Reports and Returns.

Periodical reports and returns.

530. A list of periodical reports and returns due to and from the Court office is given in Appendix XII.

Registers and records.

531. (*a*) A list of registers and files to be maintained in the Court office is given in Appendix XIII.

(*b*) In the following regulations are given instructions regarding certain of the registers and returns not dealt with elsewhere.

Register of papers received and despatched.

532. In every Court office a register of papers received and despatched shall be maintained in Bengal Forms Nos. 16 and 19 in which only papers not entered in any other register, such as verification rolls, monthly copies of station cash accounts, etc., will be recorded.

Daily under-trial case report.
[§12, Act V, 1861.]

533. (*a*) A register in B. P. Form No. 101 shall be kept in each Court office. Reports should be prepared daily in duplicate by the Court officer, one copy being sent to the Superintendent and the other remaining in the Court office. This report will include sessions and bad-livelihood cases. The fact that diet and travelling expenses of prosecution witnesses have or have not been paid, or any delay in the payment thereof, shall be entered in column 11, with reasons in case of non-payment or delay. The Superintendent shall submit it to the District Magistrate drawing his attention where necessary to any points requiring his notice; specially any undue delay in disposal of cases, non-payment of diet and travelling expenses to prosecution witnesses, or delay in the payment thereof, by underlining or encircling in red ink

the entries relating thereto. If in spite of repeated entries no improvement is noticed the Superintendent should take the matter up personally with the District Magistrate. On return from the Magistrate, the reports shall be filed in the office of the Superintendent. Whenever a case is adjourned owing to non-appearance of a police officer as witness, the fact and the reason for his non-appearance shall be noted in column 11 of the form. If no reason is given, the Superintendent shall call for one which will be shown to the District Magistrate, if required.

(*b*) Extracts relating to railway police cases shall be forthwith submitted direct to the Superintendent of the Railway Police concerned who will file them in his office after necessary action.

534. (*a*) A register in B. P. Form No. 98 of unidentified persons sent up by the police shall be maintained in all Court offices. (For definition of "unidentified", *see* regulation 493.) **Register of unidentified persons.** **[§12, Act V, 1861.]**

(*b*) When such an unidentified person is in custody of the police, detail concerning him shall be entered in the register by the Court officer.

(*c*) The names of unidentified persons sent up by the Railway Police shall be entered in the register of unidentified persons by the police officers attached to the courts in which such persons are tried, and the words "Railway Police" noted in the remarks column of the register.

(*d*) Subdivisional Court officers shall at once despatch a copy of every entry made in their subdivisional registers to the sadar Court officer, who shall enter it in the sadar court register a separate part being kept for each subdivision. After the disposal of the case, the Subdivisional Court Officer shall send copies of the entires in the remaining columns of the form which could not be previously filled up, for entry in the sadar court register.

(*e*) When a persons is identified as a registered memeber of a criminal tribe or a member of a criminal tribe who has escaped registration, the fact should be noted in column 9, and in column 12 should be noted the action taken against him under the Criminal Tribies Act, 1924. When a person concerned in a case of arms smuggling is ascertained to be a seaman, the words "Seaman—arms smuggler" should be noted in red ink in column 12.

(*f*) The name of the district from which the name, residence and other particulars of an unidentified person are ascertained shall invariably be noted in column 11, the entry being worded thus—

"Verified as a resident of such and such a district."

535. (*a*) A register in B. P. Form No. 102 shall be maintained in the Court office, in which all appeals in police cases shall be entered. **Appeal register.** **[§12, Act V, 1861.]**

(*b*) The register shall be put up once a week at headquarters before the Superintendent and at subdivisions before the Subdivisional Police Officer or Circle Inspector, and they shall satisfy themselves that proper provision for conducting such cases has been made, and that no failure of justice has occurred owing to the Crown not being represented. Copies of any entries referring to appeals in cases sent up by the Railway Police shall be sent to the Superintendent of the Railway Police concerned.

(*c*) In cases of delay in receipt of the notice of appeal, the matter shall be brought to the notice of the District Magistrate.

(*d*) Results of appeal shall be communicated in B. P. Form No. 103 to the officers concerned. Care must be taken by Court officers to see that their connected registers are corrected in accordance with these results.

Magistrate's general register of cases. [§12, Act V, 1861.]

536. (*a*) A register in Bengal Form No. 3817 shall be kept in order that the Magistrate having jurisdiction shall see in a convenient form all cognizable cases reported to the police and the Magistrate who tries a case shall enter his order in the column allotted for this purpose.

(*b*) Cognizable cases in which the Magistrate issues process on complaint made to him or of his own motion, but in which no first information has been laid to the police or enquiry conducted by them, shall not be entered in the register.

(*c*) The senior Court officer is responsible that the register is properly written up, but in order to leave him free to prosecute cases the actual writing of the register and its submission to the Magistrate may be entrusted to the next senior officer below him.

(*d*) On receipt of the first information report of a case the Court officer shall fill in columns 1 to 8 of the register, and, after recording on the top of the first information report its number in the general register, shall submit it and the register to the Magistrate, who will initial column 9. First information reports of heinous or important cases shall, however, be submitted to the Magistrate immediately after receipt.

(*e*) Every case which is reported at a police-station during a year, no matter when the crime was committed, shall be entered in the register and shall receive a consecutive number for that year, even though the first information may not have been received until after the end of the year. The monthly consecutive number shall also be given below the yearly number, thus

$$\frac{19 \text{ (yearly number)}}{5 \text{ (monthly number)}}$$

(*f*) Cognizable cases instituted by complaint or petition to a Magistrate, and referred to the police for investigation shall also be entered in the register, and shown in red ink in the crime compilation sheet.

(*g*) As soon as the final papers of a case are received by the Court officer, whether a charge-sheet or a final report from, he shall fill in columns 10 to 14 of the register and again submit it with the final report or charge-sheet to the Magistrate. The Magistrate, if a charge-sheet has been submitted, shall either take the case on to his own file or shall pass orders, to be entered in column 15 as to what Magistrate is to try the case. If a charge-sheet has not been submitted, but a final report, the Magistrate shall pass such preliminary order as he may consider necessary, e.g., for further enquiry or for the complainant to produce his witnesses, and such order shall be entered in column 15, or if no preliminary order is required he shall pass final orders and enter them in column 16. The entry in column 16 shall indicate clearly how the case is to be shown in the returns, what amount of property is to be entered as stolen and recovered in the *khatian* register, and how any property of which possession has been taken by the police is to be disposed of.

(*h*) When the case has been tried and disposed of, the Court officer shall enter in column 16 the order of the Magistrate as to the commitment, conviction, acquittal, or discharge of the accused, and obtain the Magistrate's initial to the entry, which should indicate clearly how the case is to be shown and, where appropriate, the other details mentioned in clause (*g*) above.

(*i*) In cases of alleged theft of property in which investigation has been refused by the police on the ground that the matter in dispute should be decided by a civil court, property should not be shown by the Magistrate as stolen or recovered in the general register. Court officers should draw the attention of Magistrates to the above and make entries in the compilation sheet accordingly.

(*j*) The order in column 16 for entry of the cases in the returns shall take one of the following forms:—

Not investigated. Enter section	..
True. Enter section	..
Intentionally false. Enter section	..
Mistake of law. Enter section	..
Mistake of fact. Enter section	..
Non-cognizable. Enter section	..

These represents the classification recognised for statistical purposes in Crime Statement A-I prescribed by the Central Government, and all cases shall be brought under one or other of the above classes. Orders such as "dismissed," "struck off as false," doubtful," are not explicit and do not indciate how the case is to be entered. If a Magistrate, notwithstanding, treats a case as doubtful, it must be entered in the returns as true.

(*k*) The names of all accused persons charged with offences under Chapters XII and XVII of the Indian Penal Code, whose real names and residences are not known, shall be underlined in red ink. The names of persons residing outside the district shall be doubly underlined.

(*l*) Persons who have been arrested and subsequently released by the police on bail and have not been required to appear before a Magistrate shall not be shown as acquitted.

(*m*) The entries in columns 10 to 14 relating to a case in which the final report has not been submtited within 14 days from the date of drawing up the first information report shall be made in red ink. Similarly, entries in colums 15 and 16, subsequent to a case having been remanded four times, will be made in red ink.

(*n*) In case in which the accused are absconding and should be arrested, a conspicuous red cross shall be made in the column of remarks, so that it may be easily seen what cases are pending on this account. The various steps taken from time to time to cause the appearance of absconders shall be briefly noted.

(*o*) To ensure absconders not being overlooked, the number of persons charged shall always be shown in column 8, and all these persons should be accounted for in column 12, thus:—

Sent up—Madar Baksh.

Not proved against—Shaikh Salim.

Absconded—Muhammad Ali.

(*p*) When an offender who has been previously convicted is sent up for trial the letters "P. C." shall be written in red ink in column 12 against his name. If a case ends in conviction, the orders shall be entered on conviction and not on expiry of the period allowed for appeal. If a sentence be quashed or modified on appeal, a note of the order shall be made in red ink in the general register to ensure entry of the amended order in the compilation sheets, and information shall be sent to the police-station as required by regulation 535(*d*).

(*q*) Against the name of any convict regarding whom orders under section 565 of the Code of Criminal Procedure, have been passed, P. R. T. 565 shall be noted in the general register in the column of remarks.

(*r*) In column 17 the Court officer shall enter a reference to the corresponding entry in the compilation sheets and note the date of the despatch of the final memorandum. Remands shall be noted in column 15.

(*s*) All railway cases shall be distinguished by a conspicuous red ink "R".

(*t*) At the end of the year charge-sheet cases in which there are absconders shall be shown as pending.

Non-general register. [§12, Act V, 1861.]

537. A register in Bengal Form No. 5449F(B.P. Form No. 104) shall be maintained in all Court offices wherein all cases in which prosecutions have been instituted by the police but no first information reports were drawn up should be entered.

538. (*a*) A *hajat* register in Bengal Form No. 3831 shall be kept in each Court office. **Hajat register [§12, Act V, 1861.]**

(*b*) The Court officer in charge of the register shall receive prisoners from police-stations, or from the custody of Magistrates, or Sessions Judges, on conviction or commitment to *hajat* or for release on bail and shall at once enter their names in the register. He shall also on the appropriate page of the register enter the names of all the prisoners to be produced each day before the Magistrate.

(*c*) It shall be the duty of the jailor to make over the prisoners with their warrants to the Court officer's guard for production before the Magistrate.

(*d*) Prisoners discharged, or acquitted, shall be released in open court; prisoners remanded, or convicted, shall be sent to jail with appropriate warrants; and prisoners enlarged on bail, or on their own recognizances, if present in court, shall be released there. In the latter case the Court officer shall obtain the Magistrate's initials against their names in the *hajat* register in attestation of their release. The Court officer shall see that notification in Bengal Form No. 122 under rule 920 of the Bengal Jail Code is sent to the jailor on the same day in every case of discharge or release of an under-trial prisoner.

539. A register of cases committed to the Sessions shall be maintained in the Court office at district headquarters in B. P. Form No. 105. On the commitment of a case to the Sessions, subdivisional Court officers shall send intimation with necessary details to the sadar Court officer for entry in the register. All favourable and unfavourable comments on the conduct of the police, recorded by Sessions Judges and by the High Court, shall be noted in the column of remarks in this register. A cross reference to the court conviction register should be made in column 11 of the register of cases committed to the sessions. **Register of sessions cases [§12, Act V, 1861.]**

540. (*a*) In every Court office a register in B. P. Form No. 106 shall be maintained, in which the names of mukhtears and pleaders who stand surety and the amount of their capacity shall be entered in alphabetical order. Several pages should be allotted to each surety. The register will be maintained by the senior Assistant Sub-Inspector under the supervision of the senior Sub-Inspector. **Bail-bond register. [§12, Act V, 1861.]**

(*b*) On the final disposal of a case, the entry concerned shall be crossed through by the officer maintaining the register.

(*c*) When a surety's bond is forfeited, the police should object to his being allowed to stand further surety until the amount forfeited has been realised in full. If the bond of a surety is forfeited more than once, the Court officer should request the Magistrate not to accept further bonds from that surety.

Conviction register. [§12, Act V, 1861.]

541. (*a*) A register of persons convicted shall be maintained in all headquarters courts in B. P. Form No. 107.

(*b*) The names of all persons convicted of the following offences shall be entered in it:—

(*i*) Offences or attempt at or abetment of—under Chapters XII and XVII of the Indian Penal Code, punishable with whipping or with imprisonment for three years or upwards.

(*ii*) Personating or attempt at or abetment of—a public servant, etc.—Sections 170 and 171 of the Indian Penal Code.

(*iii*) Causing hurt or attempt at or abetment of—Section 328 of the Indian Penal Code.

(*iv*) Swindling or attempt at or abetment of—Section 417 of the Indian Penal Code.

(*v*) Offences or attempt at or abetment of—relating to forgery of currency notes or bank notes—Sections 489A, 489B, 489C, 489D of the Indian Penal Code.

(*vi*) Criminal conspiracy, when the offence which is the object of the conspiracy is exclusively triable by the Court of Sessions—Section 120B of the Indian Penal Code.

(*vii*) Offences mentioned in the schedule to the Indian Criminal Law Amendment Act, 1908 (XIV of 1908), when the trial has proceeded according to the provisions of that Act.

(*viii*) Badlivelihood—Sections 109 and 110 of the Code of Criminal Procedure.

(*ix*) Gambling—Sections 3, 4 and 11 of Bengal Act II of 1867.

(*x*) Opium—Section 9 of Act I of 1878.

(*xi*) *Arms*—Sections 19(*a*), (*c*), (*f*); 20 of Act XI of 1878.

(*xii*) Offences under the Criminal Tribes Act, 1924 (VI of 1924).

(*xiii*) Offences under the Explosives Substances Act, 1908 (VI of 1908).

(*xiv*) Offences under the Goondas Act, 1923 (Ben. Act I of 1923).

(*xv*) Offences in connection with political agitation punishable with rigorous imprisonment for a term of one year or upwards.

(*xvi*) Offences under the Motor Vehicles Act, 1939—Sections 116-118, 123 and 124 (Act IV of 1939).

Note.—First offenders bound down under section 562 of the Code of Criminal Procedure, shall be treated as convicted.

(*c*) Entries shall be made as soon as sentence is passed. If the sentence is quashed or modified on appeal, necessary corrections shall be made by noting in the column of remarks the date and purport of the order of the appellate court. The names of identifying officers shall be entered from the record of the case and from the release notice of the prisoner, which shall be sent to the police-station concerned through the headquarters Court officer.

(*d*) Convictions at the Sessions shall be registered at the head-quarters court of the district from which the case was committed.

(*e*) At subdivisions entries of convictions shall be made as they occur during the month on loose sheets of the printed form which shall be forwarded to the headquarters court within the first week of the following month and fastened into the headquarters register at the end of the entries for the same month.

(*f*) The conviction sheets shall be put up once a week for examination and signature at subdivisions before the Subdivisional Magistrate, and at headquarters before the Magistrate to whom the duty is made over. The Magistrates shall certify that the entries in the conviction sheets have been checked with the Magistrate's general and complaint registers and that all necessary entries have been made.

(*g*) The completed volumes of the register, after they are neatly bound, shall be kept in the Magistrate's record-room or other safe place, the current volume and the index only being kept by the Court officer in his office under safe custody.

(*h*) Extracts of entries regarding criminals residing in another district or changing their residence shall be forwarded to the sadar Court officer of the district in question for entry in the headquarters court conviction register. After entry the communication shall be returned with a note stating the page and volume of the register in which the contents have been duly entered. Such extracts shall be sent after orders as to P. R. have been passed when the convict is likely to be made P. R. or any appeal preferred has been disposed of or the period of such appeal has expired.

(*i*) The conviction roll of any person born or resident at Chandernagore, who has been convicted of any of the offences enumerated above, shall be sent direct to the Magistrate of Police, Chandernagore. Similar rolls will be received from the French authorities in respect of persons born or resident in British India, who are convicted of the same offences.

(*j*) All cases in which the real names and residences of persons convicted of offences under Chapters XII and XVII of the Indian Penal Code, are not known, shall be entered in red ink.

(*k*) When a convict is made P.R. or $\frac{\text{P. R.}}{\text{T.}}$ by the Superintendent or is ordered by the Magistrate to notify, after release from jail, his residence or change of residence under section 565 of the Code of Criminal Procedure, the letters P.R., $\frac{\text{P. R.}}{\text{T.}}$ or $\frac{\text{P.R.T.}}{565}$ as the case

may be, shall be entered against his name in the remarks column in red ink, and the number of the P. R. slip or the despatch cheque shall be noted in the column "Whether finger print taken". The classification formula supplied by the Finger Print Bureau on the counterfoil of the despatch cheque shall on receipt be transcribed in the register and communicated to the district where extracts from the conviction register have been sent according to clause (*h*). Where a person convicted in a case of arms smuggling is known to be a seaman, the words "Seaman—arms smuggler" shall also be entered in red ink against his name in the remarks column.

(*l*) Conviction rolls of homeless offenders having previous convictions in Calcutta shall be sent to the Commissioner of Police, Calcutta, who shall return the rolls with a note that the contents have been duly entered in his register.

Conviction of foreign criminals in coining or note forgery cases to be reported to the Director, Intelligence Bureau.

542. In coining or note forgery cases in which an Asiatic, not resident of India, is convicted and in which there is reason to believe that the false coins or notes have been manufactured abroad, the Superintendent shall report the fact to the Deputy Inspector-General, Criminal Investigation Department, for transmission to the Director, Intelligence Bureau, Government of India.

If any foreign criminal, whether Asiatic or non-Asiatic, is convicted in a coining or note forgery case which may arouse international interest, a similar report shall be sent for transmission to the Director.

Index to conviction register.

543. (*a*) An index to the conviction register for the whole district shall be maintained in all sadar courts in B. P. Form No. 108.

(*b*) The page, volume and year of the index shall be noted under each man's name in the conviction register.

(*c*) At the close of each month, after the subdivisional conviction sheets are received, the sadar Court officer shall prepare an index for the whole district.

(*d*) Indices for every 10 years shall be kept in bound books.

(*e*) The sadar Court officer shall search the indices of this register to see if a person sent up has been previously convicted or not, and he shall certify on the back of the charge-sheet that he has done so.

(*f*) A key explaining the system of indexing will be found in Appendix XXVIII.

Elimination of names of deceased persons and of persons acquitted on appeal.

544. (*a*) On receipt from station officers of the lists of persons whose names have been removed from the conviction register, the headquarters Court officer shall, after making the necessary corrections in his register, forward the lists to the Superintendent, who shall satisfy himself that the register and indices have been corrected.

(*b*) Names of persons acquitted on appeal shall be struck off the index as soon as intimation is received by the Court officer.

545. (*a*) To facilitate the preparation of the annual crime statements, a khatian register, composed of compilation sheets in B. P. Form No. 109, shall be maintained at each headquarters and subdivisional court. Each description of crime or serial number shall have a sheet or sheets for each police-station. **Court khatian register (Crime return compilation sheets and instructions for filling up the different columns).**

(*b*) Cases in which first information reports are written are recorded in the general register of cases, and from this register shall be gathered the information for the crime compilation sheets with respect to such cases. Cognizable cases instituted by complaint or petition to a Magistrate, and referred to the police for investigation, are also entered in the general register, and shall be shown in the khatian register in red ink.

(*c*) Cognizable cases under Municipal, Railway and Telegraph by-laws, section 120 of the Indian Railways Act, 1890, and section 34 of the Police Act, 1861, vagrancy and bad character cases, Chapter VIII of the Code of Criminal Procedure, etc., are not reported in first information reports, and consequently are not entered in the general register of cases. They are, however, entered in the Magistrate's register of cases, in which no first information report is used, and from this register shall be gathered the information to enter them in the compilation sheets and in the Annual Statement A, Part I.

(*d*) The above description of cases shall be entered in the compilation sheets after final orders in each case have been passed.

(*e*) When entering a case from the general register, or from the register of cases in which no first information report is used, the number of entry in column 1 of the compilation sheet shall be noted in the column of remarks in the register from which the entry is made, thus creating a link between the registers and the compilation sheets.

(*f*) District and Subdivisional Magistrates will direct the officer who keeps the registers of miscellaneous cases and of non-first information cases to let the Court officer have the books for a short time every day and to give him a note of the cases decided on the previous day in order that the compilation sheets may be written up.

(*g*) On receipt of information that an appeal has been lodged, Court officers shall write a large "A" in red ink on the left hand side of column 1 against every case concerned, and when the final result of appeal is known, the necessary alteration shall be made in the columns regarding convictions or acquittals. In one of the spare columns shall be entered the number of cases and persons acquitted on appeal by the Magistrate, Sessions Judge, or High Court.

(*h*) Court officers shall initial their register twice; first when they write "A" opposite the case, and the second time, when they enter the final result of the appeal.

(*i*) Column 10 should include cases in which the police submitted charge-sheets and those the Magistrate called for on his own motion. A case should be shown as convicted when any of the accused sent up is finally convicted of a cognizable offence by competent court. When a case is acquitted on appeal it should be shown as such in columns 11 and 17, necessary corrections being made in these columns. If a case ends in the conviction of the accused under a non-cognizable section, the case shall be shown under columns 4, 6 and 8 of the compilation sheets and the person in column 25 and a spare column for "otherwise disposed of".

(*j*) Column 11 should include cases sent up by the police and those sent up by order of the Magistrate. Cases in which the accused dies, escapes or is declared a lunatic during trial or in which charges are abandoned, compounded or withdrawn (sections 247, 248, 259, 333, 345, 494 of the Code of Criminal Procedure) should not be included in this column. They must be shown in the additional columns provided for the purpose in the remarks column. Acquittals on appeal will also be shown as such in column 11 if they occur during the year.

(*k*) Column 29 should include all persons convicted of a cognizable offence including those dealt with under section 562 of the Code of Criminal Procedure, those convicted under a non-cognizable section being shown under a spare column for "otherwise disposed of". Columns 28, 29 and 30 are meant for persons concerned in true cases only.

Note.—At the close of each year the Court officer shall prepare a statement known as "A", Part I, in B. P. Form No. 115 from the figures recorded in the crime compilation sheets in accordance with the instructions issued for the preparations of the Annual Administration Report.

Statement of serious crime.

546. (*a*) At the beginning of each half-year the Court officer shall prepare statements in B. P. Form No. 110. The Superintendent shall forward through the District Magistrate one copy of the statement to the Deputy Inspector-General of the Range and another to the Commissioner of the Division to reach them not later than the 10th January and 10th July. The Deputy Inspector-General shall first check the returns with those of the previous half-year and of the corresponding half-year of the previous year, and shall compile a consolidated return for his Range. He shall then prepare a concise review of the figures, first criticising and examining the aggregate figures of the Range, and thereafter dealing with any points which may require special notice in connection with the returns of any particular district. He shall send a copy of his review to each district in his Range, and two copies of it to the Deputy Inspector-General, Criminal Investigation Department, together with the consolidated return for the Range and the district returns. These shall be forwarded so as to reach the Deputy Inspector-General, Criminal Investigation Department, not later than the 20th January and 20th July.

(*b*) On receipt of the reviews of Range Deputy Inspector-General, the consolidated Range returns and the district returns, the Deputy Inspector-General, Criminal Investigation Department, shall prepare a review in which he shall examine and criticise the figures for the whole province, the figures for each Range, and where necessary, the figures for any particular district. He shall then submit his review to the Inspector-General and return the district and consolidated Range returns to Deputy Inspectors-General, to enable them to comply with clause (*a*) above with respect to the return for the following half-year.

(*c*) Under the heading "Burglary" only cases which come under serial No. 29 of Statement A, parts I and II shall be entered including cases not investigated under section 157 (*b*) of the Code of Criminal Procedure. An explanation of the fluctuations in burglaries and thefts shall be given whenever possible. The explanation should be supported by facts; thus when a rise in prices is adduced as an explanation, the actual prices of grain for the periods under comparison should be given.

(*d*) Riots attended with murder shall be shown under the head of "Riots" and not of "Murder". Similarly, dacoities attended with murder shall be shown under the head "Dacoity" and not "Murder".

(*e*) In distinguishing between professional and technical dacoities, the intention, and not the character, of the offenders has to be considered; and the assumption must be that every dacoity is professional until it can be shown to be technical. A dacoity committed for the sake of gain is usually professional; a dacoity committed for some ulterior motive, *e.g.*, to enforce a claim or coerce a raiyat, is technical.

Note.—In the case of the Railway Police the returns shall be submitted direct to the Deputy Inspector-General of the Range concerned. In Railway Police returns, B. P. Form No.111 shall be used instead of B. P. Form No. 110, but the other returns shall be the same as for the District Police.

Monthly reports of the officers responsible for the upkeep of registers in the Court office.

547. In order to reduce the number of errors or omissions in the registers maintained in the Court office, officers responsible for the upkeep of the different registers shall submit on the first Sunday of each month to the Court officer answers to various questions as may be prescribed from time to time, concerning these registers. At subdivisions where there are no Court Inspectors, these reports shall be submitted to the Circle Inspector. The Court officer or the Circle Inspector, as the case may be, shall examine these reports and take steps to rectify any defect or omission that may be discovered. These reports will not be submitted to the Superintendent unless there is anything that needs his attention.

IX.—Cash accounts.

Court office cash accounts.

548. (*a*) A cash account shall be maintained at each Court office in B. P. Form No. 85. The account shall be kept *mutatis mutandis* according to regulation 409. In it shall be entered details regarding the pay of the staff and all other sums of money that come into the hands of the court staff. For every sum received by the Court officer he shall grant a printed receipt cheque, in Bengal Form No. 39, signed by himself, to the person depositing the money.

(*b*) Ordinarily speaking the account will be maintained by the officer in direct charge of the *malkhana,* but it will be checked along with the station cash accounts by the officer in charge of the Court office and by the Magistrate's cashier as laid down in clause (*c*).

(*c*) On receipt of the monthly cash account from a police-station, the Court officer shall obtain from the cashier or the clerk in charge of the various cash registers in the offices of the District Magistrate or the Subdivisional Magistrate, as the case may be, a certificate that all sums remitted to the Magistrate have been duly accounted for, and after examining the *malkhana* register and any other relevant papers, he himself shall record a certificate to the same effect in regard to money remitted to his own office. He shall then transmit the accounts to the Superintendent's office. The audit and comparison with the registers in the District or Subdivisional Magistrate's office shall, as far as possible, be done by somebody unconnected with the keeping of the accounts. The certificate referred to shall be given in B. P. Form No. 112.

CHAPTER VIII.

Railway Police.

I.—GENERAL DUTIES OF THE STAFF AND JURISDICTION.

District Police rules applicable to Railway Police.

[§12, Act V, 1861.]

549. The rules relating to the District Police contained in other chapters of these regulations, shall be applicable to the Railway Police, unless the contrary appears from the context or from rules in this chapter.

Railway Police jurisdiction.

[§12, Act V, 1861.]

550. The jurisdiction of the Railway Police extends—

(*a*) over all open lines, *i.e.,* lines open for the public carriage of passengers, animals or goods, within the railway fencing, and, where there is no such fencing, up to 10 feet from the outer rail on either side; but not over any mill or colliery sidings other than those on railway land worked for the purposes of the Railway concerned;

(*b*) over all railway stations, goods sheds, station yards and buildings on railway land within the fencing or boundary of railway station; but not over lands acquired for blocks of residences for railway servants at Howrah, Bandal Junction, Raniganj Asansol, Rampurhat, Burdwan, Lillooah, Ondal, Sitarampur, Barakar on the East Indian Railway; at Kanchrapara, Sara, Paksey, Ishurdi, Santahar, Goalundo, Parbatipur, Saidpur, Siliguri, Lalmanirhat, Katihar, Rajbari, Khulna, Sealdah, Dacca, Barnes junction, Domohoni, Mal junction, Chittagong, Pahartali, Laksam, Bhairab Bazar and Chandpur on the Bengal Assam Railway; at Shalimar, Santragachi, Kharagpur, Benapur, Narayangarh, Bakhabad, Contai Road, Nekureseni, Danton, Vishnupur, Ramsagar, Ondagram, Bheduasole, Bankura, Chhatna, Jhantiphari, Damodar and Burnpur on the Bengal-Nagpur Railway; and

(*c*) over all *ghats* and ferries in the exclusive possession of the Railway.

Note.—The District Police shall deal with the case of a crime occurring on land beneath the arch of a railway bridge or culvert, on a pathway which is used as a public thoroughfare. They shall also deal with a crime on such land even when not forming a public pathway or thoroughfare unless it is definitely shown, by being fenced or otherwise, to be in the occupation of the railway.

551. (*a*) The personnel of the Railway Police force shall be distributed to "Crime" and "Order" branches, according to the allotment statement, and each branch shall normally be detailed exclusively for its own duties as laid down below. The disposition register shall show each branch separately, and when a recruit is enlisted it should be stated in the district order in which branch he is taken. Officers belonging to one branch may be transferred to the other. **Crime and Order Police.** [§12, Act V, 1861.]

(*b*) The cost of the "Order Police" is paid by the Railway as well as one-fourth of the cost of the supervising staff who belong to the Crime branch.

(*c*) The duties of the Order Police are:— **Duties of Order Police.**

(*i*) control of passenger traffic inside the station premises more particularly on the platforms, in the booking offices, waiting halls at the entrance and exit gates and wherever specially required on emergencies by the station officials;

(*ii*) the control of vehicular and other traffic in the station compound;

(*iii*) the maintenance of order at stations and in standing passenger trains; prevention of overcrowding, etc.;

(*iv*) watching loaded passenger trains when standing in stations;

(*v*) the arrest of those found committing nuisances or suffering from infectious diseases, and keeping the station premises clear of idlers and beggars;

(*vi*) the examination of all empty carriages on arrival at terminal stations for property left behind by passengers and to see that carriage fittings have not been tampered with; and

(*vii*) the removal of bodies of persons dying in the train and on station premises and the conveyance to hospital of sick passengers.

(*d*) The duties of the Crime Police are:— **Duties of Crime Police.**

(*i*) investigation into cognizable offences committed within railway limits and prevention of the same;

(*ii*) the arrest of offenders in cognizable cases and detention of them in custody as well of persons arrested by Railway officers and made over to the police, and their production before the Magistrate;

(*iii*) the reporting of non-cognizable cases or infringement of bye-laws of the line to the proper authorities as also all instances of oppression or fraud on the part of railway subordinates or others;

(*iv*) the prosecution of cognizable cases, as well as non-cognizable cases under the Indian Railways Act, 1890, on behalf of the management.

Assistance to the public and railway staff, [§12, Act V, 1861.]

552. (*a*) The Railway Police shall render to all departments of the Railway and to the public, when called upon to do so, all possible assistance not inconsistent with their police duties.

(*b*) They shall at once bring to the notice of the station-master any infraction of the rules and bye-laws of the railway or the commission of any non-cognizable offence under the Indian Railways Act, 1890, either by the railway servants or the general public. Any such occurrence, together with the action taken by the station-master, will be noted in the general diary and the daily report.

(*c*) They shall be vigilant in the prevention and detection of nuisances, and shall bring all such cases to the notice of the station-master immediately.

(*d*) They shall bring at once to the notice of the station-master and enter in the general diary all instances of overcrowding of carriages.

(*e*) They shall prevent persons suffering from small-pox or other infectious disease from entering carriages, and remove from the carriage any person suffering from such disease who may have entered.

Note.—Such persons commit an offence cognizable under section 269 of the Indian Penal Code and section 117 of the Indian Railways Act, 1890. In such cases a first information report shall be submitted, the sufferer being sent to hospital and the charge-sheet being submitted on his recovery.

Railway Police to watch illicit traffic and movements of suspicious characters. [§12, Act V, 1861.]

553. (*a*) The Railway Police shall keep a sharp look out for illicit conveyance of opium and other excisable articles and for persons travelling with unlicensed arms.

(*b*) They shall carefully watch the movements of travellers and at once communicate any suspicious circumstances to their immediate superior and, if necessary, to the District Police.

Persons dying within railway limits. [§12, Act V, 1861.]

554. (*a*) The Railway Police shall be responsible for the burial or cremation in a proper and decent manner, in accordance with the nationality and religion of the deceased, of the bodies of all persons dying within railway limits not claimed by friends. The property of such persons shall be forwarded, under the general rules on this subject, to the Judge, and the cost of the disposal of the body shall be paid by the Magistrate of the district.

The services of domes, employed by the Eastern Bengal Railway authorities are placed at the disposal of the Police on application to the medical officers and Sub-Assistant Surgeons. A maximum fee of Rs.8 for each dead body is payable and will be recovered by the Chief

Auditor from the District Magistrate concerned. When domes, employed by the Railway authorities are not available, their services must be arranged for with the assistance of the District Police, if necessary, and the aforesaid fee can be recovered in the usual manner from the District Magistrate.

Note.—Payment at the maximum rate of Rs.8 is to be made after taking into account the circumstances of the case.

(c) When indigent passengers fall seriously ill while on a train journey, the railway authorities shall be responsible for removing them and handing them over to the Railway Police. Reasonable expenses for sweepers and grass mats for shelter shall be paid by the railway, and if there is a railway hospital or dispensary the sick passenger shall be allowed to remain there temporarily free of charge, but must be removed by the police as soon as possible to the nearest civil hospital. The expenditure on account of removal of sick persons from railway precincts to the nerest civil hospitals shall be met from the allotments placed at the disposal of District Magistrate under "57—Miscellaneous—Donation for charitable purposes—Maintenance of paupers and indigent persons, etc." **Sick passengers.**

(*d*) The Railway Police shall take charge of and arrange to remove to the nearest hospital (Public or Railway) destitute and sick persons found within their jurisdiction. When the attendance of the Railway Police cannot be secured without delay and consequent risk to the sick person, the Railway officials on the spot shall take charge and make the necessary arrangements. The cost of removal and incidental charges are to be recovered from the District Magistrate concerned who will meet it from the allotments placed at his disposal under "57—Miscellaneous—Donation for charitable purposes—Maintenance of paupers and indigent persons, etc." **Disposal of destitute and sick persons (other than passengers).**

555. The Railway Police shall have nothing to do with the purchase or sale of tickets, or the collection of excess fares demanded from passengers. **Tickets and excess fares. [§12, Act V, 1861.]**

556. The Railway Police shall not be called upon to under-take the watch an ward of railway property, and they shall not be required to intervene in case of shortage or missing goods, or to examine the seals of goods wagons, unless they have reason to suspect the commission of a cognizable offence. This is the duty of the Railway Watch and Ward staff with whom, however, the Railway Police should co-operate whenever necessary. (*See* regulation 595.) **Not to guard railway property or inquire into mere cases of missing goods. [§12, Act V, 1861.]**

557. (*a*) The duties and responsibilities of a Railway Police Circle Inspector shall be the same as those of Circle Inspectors of the District Police. He shall specially endeavour to be on good terms with the railway authorities and acquire an accurate knowledge of all the railway servants. **Duties of Railway Police Circle Inspectors. [§12, Act V, 1861.]**

(*b*) In case of any serious accident in his circle, he shall send information to the Superintendent and repair forthwith to the spot.

(*c*) He shall submit a monthly return of inspections in B. P. Form No. 128.

Duties of Platform Inspector.
[§12, Act V, 1861.]

558. (*a*) the following are the duties of a Platform Inspector.—

(*i*) Distributing and supervising the work of the platform staff including Sergeants.

(*ii*) Attending important trains and maintaining order at stations.

(*iii*) Supervision of traffic arrangements within the railway premises.

(*iv*) Looking after the drill and discipline of the force under him, and inspecting the barracks in order to see that they are kept clean and tidy.

(*v*) Deputing Sergeants to visit police-stations for instructing the force in drill and the handling of arms.

(*vi*) Care and custody of arms and ammunition, etc., and keeping the registers and accounts appertaining to them. He shall keep the keys of the magazine.

(*vii*) Indenting for arms, ammunition, accoutrements, etc.

(*viii*) Supervising musketry and revolver practice and the preparation of the reports and returns in connection therewith.

(*ix*) Maintaing the records and registers necessary for the work of his staff.

(*b*) He shall submit a daily diary in B. P. Form No. 18.

(*c*) In the Bengal and Assam Railway, Saidpur district where there is no Platform Inspector at headquarters, the duties laid down in (*vi*) and (*vii*) above shall devolve on the Reserve officer.

Duties of Platform Sergeant.
[§12, Act V, 1861.]

559. (*a*) The following are the duties of a Platform Sergeant:—

(*i*) Attending the arrival and departure of passenger trains and preserving order in the station.

(*ii*) Looking for suspicious characters and reporting their arrival and departure.

(*iii*) Regulation of traffic within the station limits and reporting offenders to the officer in charge of the local railway police-station.

(*iv*) Searching empty carriages and making over to the station master all properties found in such search and obtaining receipt from him therefor.

(*v*) Visiting police-stations for instructing the force in drill and handling of arms.

(*b*) He shall submit a daily diary in B. P. Form No. 18 to the Platform Inspector or to the Circle Inspector (Where there is no Platform Inspector) and perform any other duties which the Superintendent may prescribe in consideration of local requirements.

560. The Superintendent of Railway Police shall depute train guards to travel in important passenger trains or those in which crime frequently occurs. They will be in plain clothes and shall be on the look out for criminals or suspicious persons travelling by the train. Should they detect anyone of this character, they should keep him under watch (unless it is necessary to arrest him in order to prevent a cognizable offence), and report the facts at the first railway police-station they pass. At halting stations they should watch both sides of the train; and interchange information with any Railway or District Police constables present on the platform, such information being record in a note book.

Train guards. [§12, Act V, 1861.]

561. (*a*) Officers deputed on train guard duty should know notorious railway criminal by sight and should be taught to recognise them from the photographs published in the Criminal Investigation Department.

Train guards. to know notorious railway criminals by sight. [§12, Act V, 1861.]

(*b*) For special reasons the Superintendent of Railway Police may order a train guard to work in uniform.

562. (*a*) The following instructions shall be observed by the Railway Police on occasions of tours of the Hon'ble Ministers;—

Instructions to be observed by the Railway Police on occasions of tours of the Hon'ble Minister's of the Provincial Government and the Hon'ble Members of the Governor General's Executive Council. [§12, Act V, 1861.]

(*i*) On receipt of the tour programme of an Hon'ble Minister from the Department concerned the Superintendent of Railway Police will at once inform all his police-stations and posts along the route.

(*ii*) The platform staff at stations at which the train stops should unobtrusively see that the Hon'ble Minister is in no way molested, special attention being paid to beggars or persons who may wish to present petitions.

(*iii*) At stations at which the Hon'ble Minister joins or leaves the train, or at junctions and *ghats* at which changes are made, an Inspector should, where possible, be present. In his absence, a Sub-Inspector must attend. He will see that the platform staff do their duty quietly and properly, and will render every assistance in his power.

(*iv*) When an Hon'ble Minister arrives at or departs from Howrah or Sealdah station, he should, when possible, be met by the Superintendent of Railway Police. It is, however, not desirable that the Superintendent should break into one of his own tours in order to be present, and in such a case the senior police officer at headquarters should meet the Hon'ble Minister.

(*v*) All duties in this connection will be performed by subordinate officers in inspection kit. Officer of and above the rank of Deputy Superintendent will wear working dress with swords.

Similar arrangements should be made in the case of official visits to Bengal by Hon'ble Ministers of other provinces or of the Hon'ble Members of the Governor-General's Executive Council.

(*b*) When an Hon'ble Minister in Bengal goes on duty outside the province, a copy of the tour programme will be sent by the Deputy Inspector-General, Criminal Investigation Department, Bengal, to the Deputy Inspector-General, Criminal Investigation Department, of the provinces concerned, for the information of the Railway Police *en route* and with such instructions as may be necessary regarding the measures of protection required, if any, in each individual case.

Police arrangements when His Excellency the Commander-in-Chief Travels by railway. [§12, Act V, 1861.]

563. The following instructions shall be observed by Superintendents of Railway Police when His Excellency the Commander-in-Chief of India travels by railways:—

(*i*) No escort shall be provided with the train, unless specially asked for.

(*ii*) At stations where His Excellency entrains or alights, an Inspector shall attend with a sufficient force of police to keep clear the space in front of His Excellency's saloon, and to regulate the carriage traffic. The Superintendent shall not attend, unless the occasion is public.

(*iii*) At stations where the special train does not stop no arrangements are necessary.

(*iv*) At stations where the special stops *en route*, the Railway Police officer shall attend, with a small force of constables, and the station-master shall arrange to keep the platform clear of all outsiders. The Circle Inspector shall attend at his headquarters station.

(*v*) When His Excellency travels by ordinary train, the platforms cannot be kept clear, but at departure, arrival and stopping stations the Railway Police officers concerned shall personally attend with a small force of constables to maintain order.

(*vi*) A detail of one head constable and six constables shall be provided as a guard over the vehicles whenever the special train is detained anywhere overnight. (No. 584, dated 23rd June 1911, from the Military Secretary to the Government of India.)

Complaints against Railway Police. [§12, Act V, 1861.]

564. Complaints against any member of the force shall be at once reduced to writing and enquired into by the senior officer on the spot, who shall forward a report of the same to the Circle Inspector and the Superintendent of Railway Police.

II—RELATIONS WITH RAILWAY OFFICIALS.

Railway Police to defer to railway officials. [§12, Act V, 1861.]

565. (*a*) All officials and railway authorities shall be treated with due respect by the force. Police officers shall salute officials of high rank.

(*b*) A Railway Police officer shall do everything in his power to act in harmony with the Railway administration to which he is attached, and shall always pay deference to a request made by a responsible

railway official. In doubtful cases, he shall comply, if possible, with the request, reporting the matter at the same time to his official superior. The Inspector-General shall be the final authority, so far as the police are concerned, and he will, if necessary, refer doubtful points to the Provincial Government for orders.

566. (*a*) The Railway Police shall not interfere with officers or servants of the railway in the execution of their duties, and they shall not enter into discussion if charged by any of the railway servants with neglect of duty. **Interference with or by the railway staff and settlement of personal dispute between police and railway servants. [§12, Act V, 1861.]**

(*b*) They shall avoid all altercations or squables of every kind. If assaulted in the execution of their duty as police officers within the meaning of section 353 of the Indian Penal Code, they may exercise their legal power to arrest the assailant.

(*c*) It has been arranged in consultation with the General Managers, Bengal-Assam, Bengal-Nagpur and East Indian Railways, that differences of opinion and friction between officers and men belonging to the Railway and Police Departments shall be settled immediately departmentally. Any such case, when it occurs, shall be reported to the Superintendent concerned with a view to the institution of departmental proceedings, in co-operation with the Railway departmental head concerned. It is only when the departmental heads cannot agree that the aggrieved police officer may have recourse to the criminal court, and then only with the previous permission of the Superintendent. This arrangement applies reciprocally to railway employees.

Nothing in this regulation relates to cases which under the law must be referred to courts. The investigation of all such cases shall, when possible, be supervised by a superior officer.

567. The Superintendent of Railway Police, shall, if so desired, report at once to the railway administration all serious offences committed on the railway, and the action taken by the police thereon, and shall from time to time furnish such officer as they appoint with reports of crime. **Reports of serious offences to railway authorities.**

III—CO-OPERATION WITH DISTRICT POLICE.

568. Superintendents of Railway Police shall make themselves personally acquainted, and keep in constant touch with the Magistrates and the Superintendents of District Police through whose jurisdiction their Railway district runs and shall arrange to meet them at least once in the course of each year, for the purpose of discussing matters connected with the prevention and detection of crime. **Railway Police Superintendents to be in touch with Magistrates and Superintendents of District Police. [§12, Act V, 1861.]**

Railway Police Inspector to call on Deputy Inspector-General, Magistrate, etc. [§12, Act V, 1861.]

569. Inspectors of Railway Police shall call on the Deputy Inspectors-General, Magistrates and Superintendents of the District Police whenever their duty takes them where these officers are. They shall also make the acquaintance of all Subdivisional Magistrates and Subdivisional Police Officers through whose jurisdiction their line runs and exchange visits with them at frequent intervals for the purpose of discussing matters relating to crime.

Railway Police Sub-Inspectors to be in touch with Sub-Inspectors of district police stations. [§12, Act V, 1861.]

570. Sub-Inspectors of Railway Police shall become personally acquainted with the Sub-Inspectors of all district police-stations through which their railway police jurisdiction runs, attend co-operation meetings held at such police-stations whenever possible and exchange visits with them as often as their duty necessitates and, if possible, not less than once a quarter.

Inspection of railway police-stations by District Magistrates.

571. District Magistrates shall examine the registers of railway police-stations within their districts from time to time and record their remarks in the inspection book of the station. The Superintendent of Railway Police shall see that proper notice is taken of such remarks and send a copy of the remarks and a note of the action taken to the Deputy Inspector-General.

Inspection of district police-stations by Superintendent of Railway Police. [§12, Act V, 1861.]

572. Superintendents of Railway Police may visit all district police-stations through the jurisdiction of which their Railway Police district passes and record their remarks in the inspection register on matters relating to crime and criminals, co-operation between Railway and District Police and any particular cases in which the Railway Police are directly interested.

Mutual help to be given by Railway and District Police. [§12, Act V, 1861.]

573. (*a*) When the attendance and co-operation of the District Police is considered necessary in the investigation of an offence within the jurisdiction of a railway police-station, the Railway Police officer shall send the necessary particulars of the case together with a requisition for co-operation, and the officer from whom such assistance is required shall proceed in person, or, if otherwise engaged, depute an officer to render such assistance. The same rule shall be observed when the attendance and co-operation of the Railway Police is required by the officer in charge of a district police-station.

(*b*) The Railway Police shall, if required, assist the District Police travelling on the line in charge of convicts.

(*c*) All ranks of the District and Railway Police and village chaukidars shall render mutual assistance to each other in the execution of their duty when called upon to do so.

(*d*) In cases of serious railway strikes, the Superintendents of the districts concerned, *i.e.*, through whose jurisdiction the line passes, shall direct the officers in charge of police-stations bordering on the line to report to them any information obtained regarding the activities of

the strikers and the strike leaders and instruct them to send, at the same time, copies of such reports to the Superintendents of Railway Police concerned. District Superintedents shall also issue orders as to what precautions shall be taken to prevent mischief being done within railway fencing and to signal boxes, signals, telegraph and telephone wires, etc., and shall, at the same time, request their District Magistrates to address the presidents of the union boards concerned to co-operate with the police in carrying out such precautionary measures.

District Police within railway limits. [§12, Act V, 1861.]

574. (*a*) The District Police shall not enter upon the lines or premises of the Railway company, except in the performance of their duty, or when called upon to do so by the railway authorities. In the absence of the Railway Police, however, the District Police shall act in all matters of urgency pending their arrival.

(*b*) District Police temporarily deputed to assist in maintaining order inside railway limits, whilst so employed, shall be placed under the orders of the senior officer of the Railway Police present.

Information to be exchanged freely. [§12, Act V, 1861.]

575. (*a*) Both District and Railway Police shall communicate to each other the occurrence of crime and the movements of bad characters, and particularly of any wandering gang or gangs of *coolies* working on the line who are suspected to contain amongst their members men of criminal proclivities.

(*b*) The Railway Police shall make the local Superintendent acquainted with any occurrence on the line that may in any way affect the peace of his district, or have any bearing on the prevention or detection of crime.

(*c*) Each day the Railway Police Inspector shall send extracts relating to cognizable crime from his daily report to the Superintendents of the districts concerned.

(*d*) Similarly, information of matters, such as crime committed outside railway limits, traced by the District Police to within railway limits, shall be forwarded by the Superintendent to the Superintendent of the Railway Police.

Cases in which aid of District Police is always to be invoked. [§12, Act V, 1861.]

576. Railway Police officers will invariably ask for the co-operation of the District Police in the following cases:—

(*i*) when a serious theft has occurred from a goods wagon or shed;

(*ii*) when a series of thefts has occurred, or is occurring from goods wagons or sheds, of property entrusted to the railway as carrier, or of railway material, carriage fixings, etc., from station yards and carriages.

Following up of crime outside Jurisdiction. [§12, Act V, 1861.]

577. In cases of crimes committed within railway limits, which it may be necessary to follow up within the jurisdiction of District Police, the Railway Police shall take any legal steps that may be necessary outside railway limits, but at the same time shall give immediate information to the District Police, who shall be bound to co-operate to the utmost of their power, reporting their proceedings to the

Superintendent. *Mutatis mutandis*, the same course shall be followed when crimes committed outside are traced to within railway limits.

Arrest or recovery of property by District Police in railway cases. [§12, Act V, 1861.]

578. The District Police shall give immediate information to the Railway Police of property found or offenders arrested by them in cases committed within the jurisdiction of the Railway Police, and hand over such property and offenders to the Railway Police. Similarly, the Railway Police shall give immediate information of arrests in district cases and hand over property and offenders to the District Police. In serious cases the District Police shall take up the investigation until the arrival of the Railway Police, when the case shall be made over to them.

Absconders in railway cases. [§12, Act V, 1861.]

579. The Superintendent of Railway Police shall send the rolls of absconders in railway police cases to the Superintendent of the district in which the absconder lives or has relations or associates. The Superintendent shall have the particulars entered in his register in accordance with the rules.

Arrangements between Railway and District Police about surveillance. [§12, Act V, 1861.]

580. (*a*) The Superintendent of Railway Police shall not pass orders for the surveillance of any person residing outside Bengal without previous consultation with the Superintendent of the district in which the person ordinarily resides. The district Superintendent shall not remove from surveillance any person concerned in a railway police case without the consent of the Superintendent of Railway Police.

(*b*) The surveillance of bad characters as laid down in Chapter VI shall remain with the District Police. The watching of bad characters arriving and departing by train and generally within railway limits, however, is a matter for co-operation between the District and the Railway Police. Officers in charge of district police-stations may when necessary depute constables in plain clothes to the railway stations for this purpose. Only constables well acquainted with the bad characters of the district shall be deputed. They shall always carry their appointment certificates to denote their identity.

Domiciliary visits. [§12, Act V, 1861.]

581. In order to be acquainted with their appearance, Railway Police officers shall pay domiciliary visits to such railway criminals as live within easy distance of the railway or such other criminals as are selected by the District Police officers for watch by the Railway Police. For this purpose Railway Police officers may accompany the Sub-Inspector of the District Police when he pays domiciliary visits to such criminals.

List of criminals. [§12, Act V, 1861.]

582. A list of itinerant railway criminals, viz., those who are known or suspected to be committing crime at different places in the Railway district, shall be maintained and kept up to date in the office of the Superintendent, Railway Police. Extracts from the list shall be sent to railway police-stations where such criminals are likely to commit crime. The list shall contain the residence and personal description of the criminal and the cases in which he has been convicted or suspected, and shall be maintained according to the individual's chief *modus operandi*, both in the office of the Superintendent and the

police-station. If the criminal lives within railway limits, the staff of the railway police-station shall be responsible for his surveillance. In other cases this duty shall fall upon the staff of the district police-station in which he resides, but domiciliary visits should be made in the day time not less frequently than once a quarter by the officers of the railway police-station with some of their constables for the purpose of acquainting themselves with the appearance and habits of the criminal.

History sheets. [§12, Act 1861.]

583. The Superintendent of Railway Police may, in consultation with the Superintendent of the district in which a railway criminal ordinarily resides, order the opening of a history sheet in B. P. Form No. 81 if he considers that the criminal requires special attention. The history sheet shall be prepared and maintained by the officer in charge of the district police-station and its number communicated to the Railway Police officer concerned who will keep a note of it in the list mentioned in the previous regulation, or in a supplementary list of history sheet men. Important information regarding the bad character, such as absence from home, conviction, etc., shall be communicated by the district police-station officer for entry in the list.

In the case of homeless persons such history sheets, whenever necessary, shall be opened and maintained by the officer in charge of the railway police-station where the suspect chiefly operates.

Exchange of constables. [§12, Act V, 1861.]

584. (*a*) Railway Police constables shall be deputed in turn to the neighbouring district police-stations and the Sub-Inspectors in charge shall take steps to familiarise them with the personal appearance of railway criminals or such other bad characters as make frequent use of the railway for committing crime. The officer in charge of the district police-station shall arrange to replace the Railway constables so deputed by some of his constables, if so required by the Railway Police officer.

(*b*) When the District Police has under observation a wandering or other gang which may use the railway for eluding vigilance, the officer in charge shall inform the officer in charge of the nearest railway police-station and the latter will depute Railway constables to know the chief members of the gang, the places of these constables being filled temporarily by constables from the district police-station, if necessary.

Minute books.

585. Minute books shall be maintained at each railway police-station containing requests and suggestions received from the District Police with action taken thereon. The books shall be frequently examined by inspecting officers to ensure that proper action is taken. (*See* regulation 387.)

IV.—RAILWAY POLICE-STATIONS AND INVESTIGATION AND PROSECUTION OF CASES.

Railway police-station. [§12, Act V, 1861.]

586. (*a*) The jurisdiction of a railway police-station shall ordinarily be a section of line varying in length with local circumstances, but never greatly exceeding 100 miles.

(*b*) The railway police-station building when possible, shall be on the platform. A sign-board shall be fixed in a conspicuous place outside, and there shall be a notice-board also on which all proclamations and notices by the police shall be pasted.

Circle Inspector and station Sub-Inspector of the Special Police district to exercise the powers of an officer in charge of a district police-station

587. In exercise of the powers conferred by sub-section (*3*) of section 2 of the Police Act, 1888 (III of 1888), the Central Government has authorised every Circle Inspector and station Sub-Inspector of the Special Police district constituted by the notification of the Government of India in the Home Department No. F. 106/28-1/36 Police, dated the 1st April 1937, to exercise the powers of an officer in charge of a district police-station, throughout the local limits of any police-station in the province of Bihar, where any portion of such limits is traversed by the section of the railway line over which he has authority.

All cognizable crime to be investigated. (§12, Act V, 1861.)

588. All cognizable crime committed within railway limits shall be registered and investigated by the Railway Police. It is not necessary to wait for the complaint of a railway official, except in cases under section 101 of the Indian Railways Act, 1890. (*See* regulation 590.)

Cognizable cases.

589. In cognizable offences under the Indian Railways Act, 1890, the station-master or other responsible officer of the company will ordinarily be the informant under section 154 of the Code of Criminal Procedure. Should the occurrence of a cognizable offence come to the notice of a police officer, and the responsible railway official decline to lay information in ordinary cases, the police shall submit a first information report and delay enquiry pending orders of the Magistrate under section 157 of the Code of Crimnal Procedure. In urgent and serious cases the police shall proceed with the enquiry even though no information be laid.

Cases under section 101, Indian Railways Act.

590. No prosecution for an offence under section 101 of the Indian Railways Act, 1890, shall be instituted by a police officer without the sanction of the Superintendent of the Railway Police concerned, which shall be communicated immediately it is accorded to the Agent or the Manager of the Railway.

Procedure for dealing with persons arrested under section 113/ 132 of the Indian Railways Act.

591. Persons arrested under section 132 of the Indian Railways Act, 1890, for failure or refusal to pay the excess charge or other sum demanded under section 113 of that Act can only be sent up in custody if they are unable to give bail or if their true name and address are not ascertained. Section 113 does not apply to cases of fraudulent intention which are covered by section 112.

Non-cognizable cases.

592. The police shall, when requested in writing by a railway officer duly authorised by the Agent or the Manager, take charge of persons arrested by railway servants under section 132 (*1*) of the Indian Railways Act, 1890, and forward them in custody to the Magistrate or release them on bail or personal recognizance. They shall also when necessary conduct the prosecution of such cases in court.

Note (*i*).—The written request of the railway officer must contain sufficient material to justify the action of the police officer in taking charge of the accused person,

and should ordinarily be in the form of a charge-sheet specifying the alleged offence and the names of the witnesses. In the case of a person travelling without a ticket it should be made clear that there is reason to believe that he has refused on demand to give his name and/or address, or the name and address given by him are incorrect.

(*ii*).—Except where a Magistrate has ordered an enquiry under section 155(2) of the Code of Criminal Procedure, it is the duty of the railway authorities an not of the police to enquire into the truth of the charge for which a person is arrested under section 132, of the Indian Railways Act, 1890, by a railway official and made over to the police.

(*iii*).—In cases not covered by the above rule it is open to the police to use the powers of arrest conferred on them by section 132 of the Indian Railways Act, 1890.

Arrest of railway servants. (§12, Act V, 1861.)

593. (*a*) The servants of the railway administration being liable to arrest for breaches of the law like any other members of the community, it is the duty of the officers of the administration immediately to relieve from duty any man whose presence is required by the police to answer to a criminal charge. In such cases notice of arrest shall be given at once by the police to the local head of that department to which the person arrested belongs. If in any case the duty on which the person to be arrested happens to be engaged is such that his immediate arrest would cause risk and inconvenience (*e.g.*, if he were driving a train and no other driver were at hand, or if he were a station-master), the police shall make all arrangements necessary to prevent escape and apply to the proper quarter to have the accused relieved, deferring arrest until he is relieved.

(*b*) The necessity for providing substitutes where servants of the railway administration have been required to sign recognizances to appear before a Magistrate renders it necessary that the police shall immediately advise the local head of the department to which the person required to appear may belong, whenever such occasion arises, and shall take care that time is allowed for their relief to be effected.

Arrest of offenders under section 101, Indian Railways Act. (§12, Act V, 1861.)

594. (*a*) The exercise by the Railway Police of the power of arrest without warrant, given them in section 131 of the Indian Railways Act, 1890, for offences under section 101 of the same Act, is discretionary. It should be exercised only in extreme cases as for instance, when—

(*i*) there has been loss of life or serious injury to person; or

(*ii*) a person is caught in the commission of a grave offence; and

(*iii*) the accused is likely to abscond or to continue to endanger the safety of the public.

When arrest is made without warrant, immediate intimation of such arrest must be given to the head of the railway employees department. Under ordinary circumstances, no immediate arrest is necessary, and application should be made for a warrant in the usual manner.

(*b*) When the arrest of railway servants for offences under section 101 of the Indian Railways Act, 1890, is effected by warrant, in the absence of any direction to the country under section 77 of the Code of Criminal Procedure, the warrant should be executed by a police officer of rank superior to that of an Assistant Sub-Inspector.

Missing goods cases. (§12, Act V, 1861.)

595. (*a*) The term "missing goods" is applied to any property entrusted to a Railway company for conveyance, regarding which information of short delivery or non-delivery is given by the consignor or consignee or by the Railway.

(*b*) The following "missing goods" cases are classified as cognizable:—

(*i*) Cases in which, though wagons arrived with seals intact, the packages or coverings of packages have obviously been cut or tampered with.

(*ii*) Short receipt of goods from wagons arriving with seals missing, damaged or deficient or with top fasteners or ventilators open.

(*iii*) Goods missing from wagons with seals replaced by bazar locks.

(*iv*) Abstraction of goods by boring into bottoms of wagons or trucks.

(*v*) Cases in which articles or goods have been abstracted from booked luggage or parcels.

(*vi*) Goods missing from station premises or goods sheds.

In order to trace easily, such cases shall be distinguished by writing the letters "M.G." in red ink in column 3 of the Khatian (B. P. Form No. 69) and the Village Crime Note Book (B. P. Form No. 78).

(*c*) Enquiry will commence at the station at which the defect or shortage is discovered or reported. If it transpires that the offence occurred in the jurisdiction of some other police-station, the investigating officer may, with the approval of his Inspector, transfer the case, together with all papers, to that police-station and send intimation of such transfer to the Magistrate having jurisdiction over his police-station.

Cattle trespass. (§12, Act V, 1861.)

596. Whenever cattle are found trespassing on any railway provided with fences suitable for the exclusion of such cattle, the Railway Police, or any servant of the railway, may take or send such cattle to the nearest police-station, district or railway, and give information to the officer in charge of such station by a written memorandum containing the following particulars:—

(*i*) the description and number of the cattle seized;

(*ii*) the date, hour and place of seizure;

(*iii*) the name of the person ordering or making the seizure;

(*iv*) the names of the persons who witnessed the trespass.

The officer in charge of the station shall send such cattle to the nearest pound and report the case for the orders of the Magistrate (*vide* section 125 of the Indian Railways Act, 1890).

597. (*a*) Officers of railway police-stations shall deal promptly with passengers who give any information so that they may, if possible, continue their journey in the same train. It may in certain circumstances be advisable for the police officer to board the train and travel for some distance with the informant, rather than detain him. **Railway passengers.** (§12, Act V, 1861.)

(*b*) The ticket of a passenger detained for the purposes of a police enquiry or to give evidence in court can be made available by a subsequent train or steamer, as the case may be.

(*c*) The police officer detaining the passenger should promptly report the matter to the station-master and also explain to him the reason for detention, whereupon the station-master will make necessary entries on the back of the ticket. When the passenger is no longer required, the Sub-Inspector in charge of the police-station having jurisdiction over the railway station or any other police officer (not below the rank of Sub-Inspector) shall issue to the detained passenger for submission to the station-master concerned, a certificate in B. P. Form No. 129 with a request to allow him to proceed on his journey with his original ticket. The counterfoils of the certificate should be kept open for inspection by the officers of the Railway Traffic Department.

598. (*a*) Bills on account of the travelling expenses and diet of prisoners in police custody and the cost of conveyance of stolen property and other articles shall be submitted monthly by station officers to the Superintendent of Railway Police for counter-signature. After countersignature, the Superintendent shall return them to the station officer who will send them for payment direct to the Magistrate within whose jurisdiction the railway police-station is situated. **Bills for prisoners' diet.**

(*b*) When it is necessary for persons made over to the Railway Police under section 132 of the Indian Railways Act, 1890, read with section 113 of that Act to be sent up to the Magistrate's court and the question of diet charges arises through their detention in custody, such charges should be met by the Magistrate, the above procedure for the submission of the bills being followed.

599. Notifications defining the jurisdiction of Magistrates to whom reports should be made in cases of railway accident and criminal cases occurring on railway lines are published in the *Calcutta Gazette* from time to time and reproduced in the *Police Gazette*. The officers concerned shall note them carefully and keep them in a permanent guard file for guidance. **Magistrates having jurisdiction.**

600. (*a*) Police reports in railway accident cases, as well as other police papers connected with railways, shall be submitted to the Magistrate through the Court officer and not direct. **Railway Police cases.** (§12, Act V, 1861.)

(*b*) In the Howrah and Sealdah courts the Railway Police court staff shall conduct the prosecution of railway police cases. In other courts the procedure detained below shall be followed:—

(*i*) The District Police staff shall be primarily responsible for the prosecution of railway police cases. When a railway police case comes into court, the District Police Court

officer shall place the case properly before the Magistrate, and see that the defendants and witnesses are present and the papers of the case are in proper order.

(*ii*) In cases under the Indian Railways Act, 1890, the management of the Railway may, under section 145 of the Act, appoint a Railway Police officer or any other person to conduct the prosecution and where this is done, the responsibility of the District Police ceases. In cases where a technical knowledge of the working of the railway is required, a special railway prosecuting officer, if available, shall be deputed by the Superintendent of Railway Police, to assist the district prosecuting staff or to conduct the prosecution.

(*iii*) The District Police Court officer shall be furnished with charge-sheets, briefs and case diaries.

(*iv*) Intimation of the result of trials and of appeals in all railway police cases shall be communicated by the Court officer direct to the Inspector of the circle from which the cases have been sent up.

(*v*) Relevant extracts from Court officers' daily undertrial reports in respect of railway police cases shall be submitted direct to the Superintendent of the Railway Police concerned in B. P. Form No. 101.

Arms, ammunition, etc., conveyed by railway or steamer.

601. (*a*) It has been arranged with the railway authorities that when any consignment of arms, ammunition, military stores or explosives of any kind is received for despatch, the station-master of the despatching station shall telegraph to the receiving station-master, who should immediately advise the consignee to be prepared to take delivery and also inform the officer in charge of the local railway police-station, if there is any, of the arrival of the consignment. The consignment shall be weighed and checked by the station-master with the particulars given in the way-bill as well as with the license in the presence of the officer in charge (where there is a local railway police-station) or any other officer deputed by him. If any discrepancy is found or suspected by the station-master or the outward condition of the parcel shows signs of having been tampered with, the station-master will withhold delivery and immediately inform the officer in charge of the nearest railway police-station, as well as that of the nearest district police-station if he is more readily available, and the consignment will be opened in the presence of the officer in charge who arrives first. A report by telegram should at the same time be sent by the station-master to the Superintendent of Railway Police.

(*b*) Whenever the officer in charge of a police-station receives information of any discrepancy being found or suspected in any consignment of arms, ammunition, military stores or explosives, he shall at once proceed to the station concerned, check the contents of the consignment and start enquiry, if necessary.

(*c*) If any consignment fails to reach the station of destination within a reasonable period from the date of booking, the station-master of the station to which such consignment is booked shall report the

fact by telegram to the Superintendent of Railway Police and the officer in charge of the railway police-station and enquiries shall be made with all possible speed, by telegram, if necessary, to trace out the consignment.

(*d*) The following rule shall be observed in respect of such consignments booked to (or from) any of the services of the India General Navigation Company, Limited, and the River Steam Navigation Company, Limited:—

On the arrival of the consignment the local agent or sub-agent of the company concerned shall send a special notice to the consignee immediately advising him to arrange with the police to take delivery. A copy of this advice shall, in every case, be sent to the officer in charge of the local police-station who shall come and check the consignment and allow delivery to be made, if it is found in order. Where there is no police-station within 3 miles of the steamer station, however, the consignment shall be cheked by the steamer agent or sub-agent, and if any discrepancy is found or suspected he shall withhold delivery and immediately inform the officer in charge of the local police-station, or the railway police-station, if nearer.

V—ACCIDENTS.

Duties of District Police in connection with enquiries into railway accidents. (§ 12, Act 1861.)

602. The Superintendent of Railway Police is primarily entrusted with the duty of investigation in cases of accident. When a District Police officer in charge of a station receives a report of an accident, he should proceed to the spot, make a preliminary enquiry and see that no persons abscond. On the arrival of the Railway Police, he should leave the case in their hands. Accidents on Railways for which no Railway Police are sanctioned will be investigated by the officers of the District Police having jurisdiction.

Note.—The rules framed under section 84 of the Indian Railways Act, 1890, regarding notices of and enquiries into accidents will be fund in Appendix XXIX.

Persons killed or injured. (§ 12, Act 1861.)

603. The bodies of persons killed in an accident may be sent, after the inquest, for *post mortem* examination to the nearest medical officer empowered to hold such examination after which the bodies may be delivered to the relatives or friends of the deceased. Persons injured may be sent for treatment to the same medical officer or to a railway medical officer whichever is more convenient.

The police cannot compel a person to go to a medical officer for treatment; but if he is required as a witness, they may proceed under section 171 of the Code of Criminal Procedure (*i.e.*, he may be made to execute a bond to appear).

VI.—REGISTERS AND RECORDS, REPORTS AND RETURNS.

First Information Reports. (§12, Act V 1861.)

604. The first information report shall be sent to the Court office of the Magistrate having jurisdiction and a copy of it to the Superintendent of Railway Police. All serious crimes shall also be reported by telegram to these officers as well as to the District Magistrate having jurisdiction.

Special reports. **(§12, Act V, 1861.)**

605. The Superintendent of Railway Police shall submit special reports in cases mentioned in Appendix XV, in accordance with the instructions laid down therein.

Telegraphic intimation of crime on railways. **(§12, Act V, 1861.)**

606. (*a*) Officers in charge of railway police-stations shall send intimation of the following occurrences by telegram with a view to ensuring prompt dissemination of intelligence regarding crime and criminals operating on railways and to securing better co-operation between the different sections of the Railway Police:—

Class of case.	To be reported to—
(*i*) Serious thefts, robberies and dacoities on running passenger trains.	To the Circle Inspector, Railway Police. To the Railway Police at all junction stations on the home line. To all Superintendents of Railway Police in Bengal. To Assistant to the Deputy Inspector-General, Criminal Investigation Department. To Special Assistant to the Deputy Inspector-General, Intelligence Branch. (In cases in which revolutionary activity is suspected or apparent.)
(*ii*) Escapes from police custody (*iii*) Drugging and swindling (cases in which professional criminals are concerned).	To the Circle Inspector, Railway Police. To the Railway Police at all junction stations on the home line. To all Superintendents of Railway Police in Bengal. To Assistant to the Deputy Inspector-General, Criminal Investigation Department.
(*iv*) Important captures by the Railway Police of members of known criminal tribes.	To all Superintendents of Railway Police in Bengal. To Assistant to the Deputy Inspector-General, Criminal Investigation Department.

(*b*) Brief details of any person or class suspected should always be given; but care must be taken to make each telegram as concise as possible.

(*c*) A post copy of the telegram should on the same date be forwarded by the officer in charge of the police-station to the Superintendent with a covering letter giving full details of the occurrence.

(*d*) Superintendents of Railway Police, on receipt of these wires, should use their own discretion as regards repeating the telegrams to the police-stations on their respective lines.

Note.—It must be clearly understood that these orders relate to the Railway Police only. The District Police are not entitled to use the railway telegraph system free of cost; and all officers of the Railway Police must also understand that the use of telegrams free of cost is restricted to cases in which either the Railway company or their passengers are concerned.

Special reports of accidents and collisions. (§12, Act V, 1861.)

607. (*a*) The result of every police investigation into the cases mentioned in paragraph 28 of Appendix XXIX, shall be reported in B. P. Form No. 130, to the Magistrate having jurisdiction, to the Agent or Manager of the Railway and to the Government Inspector.

(*b*) Reports shall be made in the same form to the Range Deputy Inspector-General and the District Magistrate in the following cases:—

(*i*) collisions between trains;

(*ii*) derailment, or attempted derailment of train by obstruction placed on the permanent way or otherwise;

(*iii*) serious accidents, *i.e.*, in which lives are lost, or many persons injured, or in which much damage is done to the permanent way or rolling-stock and traffic is suspended for a considerable time.

(*c*) Copies of first reports only in all serious cases mentioned in (*ii*) shall be submitted in duplicate by the Superintendent of Railway Police direct to the Inspector-General.

Village Crime Note-Book for the Railway Police. (§12, Act V, 1861.)

608. (*a*) The Railway Police shall maintain a Village Crime Note-Book in the same form as used by the District Police. Ordinarily each railway station together with the portion of the line between its own down distant signal and the down distant signal of the next station up the line shall form one union. In the case of stations with very large sheds and yards (to be specified by the Superintendent), the sheds and yards may be treated as separate unions.

(*b*) In Part I shall be entered cases of theft, house-breaking, robbery, dacoity, murder, drugging, swindling and cases under section 126 to 129 of the Indian Railways Act, 1890, including attempts to commit the same. Localised crime shall be entered in black ink and unlocalised crime in red.

In Part II shall be entered the names of persons convicted of offences specified in regulation 394 who reside permanently within the jurisdiction of the union or have no fixed place of residence and are convicted of any such offence occurring in the union.

Part III shall besides other matters as laid down in regulations 391 and 400 contain entries about important railway criminals or gangs of such criminals residing in the district union or town through which the railway line covered by the railway union passes, as well as cases of railway obstruction and important accidents or any other matter of

interest in connection with railway or railway crime. Reference shall also be made to cases occurring outside railway limits in which railway servants or labourers are concerned or suspected.

(*c*) The other regulations relating to the Village Crime Note-Book as laid down for the District Police shall apply *mutatis mutandis* to the Railway Police.

Periodical reports and returns.

609. A list of periodical reports and returns due to and from the different offices is given in Appendix XII.

Registers.

610. A list of registers and files to be maintained in the different offices is given in Appendix XIII.

CHAPTER IX.

Criminal Investigation Department.

I.—FUNCTIONS OF THE DEPARTMENT.

Controlling Officer.

611. The Criminal Investigation Department which includes (1) the Intelligence Branch, (2) the Criminal Intelligence Bureau, (3) the Photographic Bureau and (4) the Finger Print Bureau, is under the control of a Deputy Inspector-General.

Functions of the department.
(§ 12, Act V, 1861.)

612. (*a*) The functions of the Intelligence Branch are to collect and collate information of a political nature.

(*b*) The functions of the rest of the department include the following:—

I. The collection and distribution of information relating to—

(1) The classes of crime detailed below which are ordinarily the work of professional criminals:—

(*i*) dacoity;

(*ii*) highway, railway or mail robbery;

(*iii*) counterfeiting coin or stamps, forging Government currency or promissory notes and uttering or being in possession of the same;

(*iv*) drugging or poisoning;

(*v*) swindling;

(*vi*) murder for gain;

(*vii*) insurance frauds of serious nature.

(*viii*) cases of bank frauds.

(2) Professional criminals and criminal tribes whose operations extend beyond the limits of a single district.

II. (*i*) To control, assist or advise as circumstances require, enquiries or investigations into crime of the classes described in (I) above.

(*ii*) To control or assist enquiries and investigations in connection with cases under sections 400 and 401 of the Indian Penal Code, and proceedings under sections 109 and 110 of the Code of Criminal Procedure against members of specially formidable gangs or criminals.

(*iii*) To control prosecutions arising out of the institution of false civil suits (*vide* Appendix XXX).

III. To assist or advise the local police in, or to take control of, enquiries or investigations into other serious crime in which such control, advice or assistance is invoked by local authorities with the approval of the Inspector-General or as ordered by the Inspector-General or any higher authority.

IV. To make enquiries concerning crime described in (I) above and other crime with the approval or under orders of the Inspector-General or any higher authority.

NOTE.—Counterfeit coins presented at railway stations should be transmited to the Mint for examination by the Deputy Inspector-General to whom the Railways shall transmit copies of their statement of counterfeit coins, and who should detain one specimen of similar coins when more than one is received by the Railways (Government Circular No. 24F., dated the 11th March 1912). Enquiries regarding obcene publications will be dealt with by the Criminal Investigation Department.

Definition of "enquiry" and investigation.

613. "Investigation" in the above regulation has the meaning attached to it in the Code of Criminal Procedure. "Enquiry" means the collection of information prior to an investigation. The power to investigate does not arise until either there is reason to suspect the commission of a cognizable offence, which an officer-in-charge of a police-station is empowered to investigate under section 156 of the Code of Criminal Procedure (*see* also section 157), or, if the offence be non-cognizable a Magistrate directs an investigation under section 155 of that Code.

Collection and distribution of information.

614. Information relating to serious crime, criminals and other matter of interest to the police is chiefly collected from—

(*i*) special reports, first information reports in swindling cases and express letters as laid down in Appendix XV;

(*ii*) special reports received from other provinces;

(*iii*) confessions of convicts;

(*iv*) case histories kept on record in the Criminal Intelligence Bureau;

(*v*) finger print slips received in the bureau;

(*vi*) notices received for insertion in the *Criminal Intelligence Gazette*;

(*vii*) *Police Gazettes* of other provinces and of Calcutta;

(*viii*) reports on crime and criminals received from officers.

NOTE.—It is also the duty of the Assistant to the Deputy Inspector-General to peruse weekly the gazettes of other Provinces, and extract therefrom all matters of interest to the police in Bengal for publication in this province.

Distribution of information—*Criminal Intelligence Gazette.*

615. *The Criminal Intelligence Gazette* is the principal medium for distribution of information. Information is also communicated, if available, on receipt of references from the District Police to the Criminal Intelligence Bureau, Finger Print Bureau and other sections of the Criminal Investigation Department.

II.—CONTROL AND ASSISTANCE IN ENQUIRIES AND INVESTIGATIONS.

Deputy Inspector-General may assume control or only assist. [§12, Act V, 1861.]

616. The Deputy Inspector-General, Criminal Investigation Department, may either assume control of enquiries or investigations, subject to the provisions of regulation 612 or may advise or assist without assuming control.

Responsibility of Deputy Inspectors-General of Criminal Investigation Department and of Ranges. [§12, Act V, 1861.]

617. With the assumption of control the responsibility is transferred from the Deputy Inspector-General of the Range to the Deputy Inspector-General, Criminal Investigation Department. The former shall refrain from passing any orders or comments on enquiries or investigations controlled by the latter.

Such control includes the determination of the broad lines of enquiry or investigations, as well as such supervision of the conduct of the same thereafter as will prevent serious errors or irregularities. Superintendents of districts, except in the special cases mentioned in regulation 621, are responsible under such control, for the details of enquiry or investigation within their districts, but they shall, in all cases controlled by the Criminal Investigation Department, consult the Deputy Inspector-General of that department before ordering the submission of charge-sheets or final reports. In enquiries or investigations in which the Criminal Investigation Department assist or advises the responsibility of control remains with the Deputy Inspector-General of the Range. The Deputy Inspector-General, Criminal Investigation Department, shall issue no orders in respect of enquiries or investigations of which he has not assumed control.

Method of assuming control. [§12, Act V, 1861.]

618. (*a*) The Deputy Inspector-General, Criminal Investigation Department, may assume control of an enquiry or investigation at any stage. On assuming control he shall inform the Deputy Inspector-General of the Range forthwith, sending a copy of his intimation direct to the Superintendent or Superintendents concerned.

(*b*) In excise cases in which the investigation must extend to more than one district, or in which there are intricacies which cannot be dealt with without the aid of a specially skilled detective, the services of an officer of the Criminal Investigation Department, shall be requisitioned by the Commissioner of Excise. In emergencies such requisition may also be made by an officer of lower rank. The Deputy Inspector-General, Criminal Investigation Department, shall, if he thinks fit and if he has an officer available, depute one and also decide whether the officer deputed shall be placed at the disposal of the Commissioner of Excise of whether the control of the enquiry shall be taken over by the Criminal Investigation Department.

Rewards in controlled cases. [§12, Act V, 1861.)

619. In cases controlled by the Criminal Investigation Department, the Deputy Inspector-General, Criminal Investigation Department, will sanction and pay the rewards. In such cases every list containing recommendations for rewards for police officers and outsiders shall be submitted by the Criminal Investigation Department Inspector to the Superintendent concerned after allowing the Circle Inspector or Inspectors interested in the case an opportunity of expressing an opinion. The Superintendent will then submit the list with his remarks to the Deputy Inspector-General, Criminal Investigation Department, through the Range Deputy Inspector-General.

Assistance—intimation of.

620. The Deputy Inspector-General, Criminal Investigation Department, may assist an enquiry or a series of enquiries, e.g., a dacoity campaign or an investigation at any stage and depute officers of his department to co-operate with the local police. He shall inform the Deputy Inspector-General of the Range forthwith, sending a copy of his intimation direct to the Superintendents concerned.

Enquiries or investigations of a special nature under the immediate control of the Deputy Inspector-General, Criminal Investigation Department. [§12, Act V, 1861.]

621. The Deputy Inspector-General, Criminal Investigation Department, may direct enquiries or investigations of a special nature in which Superintendents have no local interest such as enquiries in connection with false civil suits to be conducted by officers of his department under his immediate control instead of through the Superintendent of the districts after obtaining the sanction of the Inspector-General by a general or special order.

Subordination of Criminal Investigation Department officers to Superintendents. [§ 12, Act V, 1861.]

622. In cases in which the services of officers of the department are placed at the disposal of Superintendents without control being assumed, such officers shall work under the Superintendent's exclusive control and responsibility.

Personal diaries. [§ 12, Act V, 1861.]

623. All officers of the department shall submit personal diaries which shall comprise a brief record of their movements day by day together with separate sheets describing the work done upon each enquiry or investigation on which they are engaged. The diaries shall be in B. P. Form No. 136. When officers are required to conduct investigations in person they shall submit case diaries prescribed under section 172 of the Code of Criminal Procedure and need not submit enclosures with personal diaries.

Progress reports. [§ 12, Act V, 1861.]

624. Officers of the Criminal Investigation Department shall submit fortnightly reports showing the progress of investigations or enquiries on which they are engaged. Copies of these reports shall be sent to the Superintendents concerned.

Submission of diaries, enclosures and progress reports in cases taken under control. [§12, Act V, 1861.]

625. (*a*) In enquiries or investigations taken under control except those falling under regulation 621 one copy of the diary, enclosure and progress report shall be sent to the Superintendent, and another to the Deputy Inspector-General, Criminal Investigation Department. In the case of a Sub-Inspector of the department, the diary, enclosure and progress report intended for these officers, shall be submitted through the Circle or Criminal Investigation Department Inspector under whom the Sub-Inspector is working. A copy of any order, instruction or remark of any kind passed by the Superintendent upon a diary or report of an officer of the Criminal Investigation Department shall be forwarded to the Deputy Inspector-General of that Department; orders passed by that officer are governed by regulation 626. Any orders or instructions given by the Superintendent that are intended or likely to divert a Criminal Investigation Department officer from any line of enquiry he wishes to follow or action he wishes to take shall be reduced to writing, a copy being sent, without delay, to the Deputy Inspector-General, Criminal Investigation Department. In enquiries or investigations under the direct control of the Deputy Inspector-General, Criminal Investigation Department, under regulation 621 a copy of the diary, enclosure and progress report shall be submitted direct to the Deputy Inspector-General, and need not pass through the Superintendent.

(*b*) An officer of the department deputed under the regulation 620 to assist enquiries or investigations shall submit the diary, enclosure and progress report as laid down in clause (*a*) above.

(*c*) An officer of the department placed under the Superintendent under regulation 622, shall submit a copy of his personal diary to the Superintendent of the district or the Circle Inspector, according to his rank. A copy shall be sent to the Criminal Investigation Department through the Superintendent for information only.

(*d*) In cases in which officers of the department are required to conduct investigations in person, their diaries under section 172 of the Code of Criminal Procedure shall be submitted according to the regulations for the submission of case diaries, whilst their personal diaries shall be submitted as directed in clauses (*a*), (*b*) and (*c*) above.

Powers and functions of Criminal Investigation Department Inspectors and Sub-Inspectors deputed to districts. [§12, Act V, 1861.]

626. (*a*) Inspectors and superior officers of the Criminal Investigation Department are superior in rank to an officer-in-charge of a police-station and as such may, under section 551, Code of Criminal Procedure, exercise throughout the local area to which they are appointed, the same powers as may be exercised by an Officer-in-charge of a police-station within the limits of his station. They accordingly have power to detail a Sub-Inspector of the Criminal Investigation Department to investigate a particular case when it is considered desirable that the case should be so investigated.

(*b*) (*i*) Officers of the department deputed to districts in cases or enquiries taken under control, except in those mentioned in regulation 621, shall work in subordination to the Superintendent of the district, who shall be responsible for controlling their movements and proceedings, subject to orders received from the Deputy Inspector-General, Criminal Investigation Department. Diaries, enclosures to

diaries and progress reports shall be submitted in accordance with regulation 625. But all other reports and communications as between the department and the officer deputed and all orders issued from the department shall pass through the Superintendent, except in cases of extreme emergency. In such cases, copies of the orders or communications shall be forwarded simultaneously to the Superintendent.

(*ii*) They shall, in case of enquiries, in which the department assists, work in subordination to the Superintendent, who shall control their movements and proceedings relating to the cases and enquiries of his district.

(*iii*) When an enquiry or investigation taken under control or assisted by the department covers more than one district, the officer deputed shall send copies of enclosures to each Superintendent concerned.

(*c*) The Superintendent of the district, who controls the movements of an officer as laid down in clause (*b*) above and receives his diaries in accordance with regulation 625 shall pass his travelling allowance bills.

(*d*) The position of officers of the department *vis-a-vis* subordinate local officers shall be determined in the absence of special order to the contrary, by their relative rank.

(*e*) Officers of the department deputed to districts shall not be employed by the Superintendent upon any enquiry or investigation other than that for which they are deputed without the sanction of the Deputy Inspector-General, Criminal Investigation Department.

627. Cancelled. (*Vide* G.O. No. 2856Pl., dated 14th August 1944).

Procedure in cases under sections 400 and 401, Indian Penal Code.

628. (*a*) It is the desire of the Provincial Government that where a gang is known to exist, steps should be taken to prosecute the members in specific cases. If, however, it is thought that this procedure will not effectively break up the organisation and there appears to be sufficient material for the institution of a gang case (sections 400 and 401 of the Indian Penal Code), the Superintendent will request the Deputy Inspector-General, Criminal Investigation Department, to depute an experienced Inspector of his department to collate the evidence available. On conclusion of this enquiry the Inspector will place before the Superintendent and the Government Pleader of the district concerned a report accompanied by statements based on the different headings of clause (*b*) below. The Superintendent will forward it with his and the Government Pleader's opinion through the District Magistrate, to the Deputy Inspector-General, Criminal Investigation Department. The Deputy Inspector-General will consult the Legal Remembrancer and if he concurs will sanction the institution of the case and inform the Inspector-General and the Deputy Inspector-General of the Range. (*See* regulation 1126.)

(*b*) Though no exact rules can be prescribed for the investigation of gang cases, as each case has its peculiar features, the following

general instructions are laid down for the guidance of police officers in such cases. Evidence on the points noted below must always be sought for an obtained, if possible:—

(*i*) Evidence of the existence of a gang for the purpose of committing dacoity, robbery, or theft during the time specified in the charges (established by proof of facts as contemplated in section 10 of the Indian Evidence Act, 1872).

(*ii*) Evidence of the association of the suspected persons for the purpose of committing dacoities or thefts.

(*iii*) Evidence of relationship by blood or marriage amongst the members of the gang.

(*iv*) Evidence in corroboration of the approver's statement on material points as contemplated in section 114 (*b*) of the Indian Evidence Act, 1872, duly verified by a responsible police officer.

(*v*) Evidence of confessions of co-accused previously recorded at different times and places (*vide* sections 30 and 114 of the Indian Evidence Act, 1872).

(*vii*) Evidence of specific cases of dacoities and thefts committed by the gang.

(*vii*) Evidence of the recovery of property stolen in dacoities and thefts or suspicious property found in possession of the accused.

(*viii*) Evidence of the simultaneous absence from their homes in batches or singly of known members of the gang coincidence with the occurrences of dacoities and thefts in the neighbourhood.

(*ix*) Evidence of any increase or decrease in the number of dacoities or thefts coincident with the presence of absence of the members of the gang.

(*x*) Evidence of the cessation of dacoities and thefts in the affected area after the arrest of the members.

(*xi*) Evidence of the habitual commission of dacoities or thefts to be proved by an aggregate of acts.

(*xii*) Evidence of changes of residence to avoid suspicion.

(*xiii*) Proof of previous convictions for dacoities and thefts (the former alone can be proved in a case under section 400 of the Indian Penal Code, but convictions under sections 379, 380 and 457, etc., of the Indian Penal Code, can be proved on a charge under section 400 or 401 of the Indian Penal Code, to establish the habits of individuals or the association of the members).

(*xiv*) Proof of orders under section 110 (*a*), (*b*) and (*c*) of the Code of Criminal Procedure requiring any of the accused persons to give security for his good behaviour, to prove that the person is a habitual theif (*vide* unreported case of Emperor *versus* Meher Ali Sarkar and others, decided on the 20th March 1901 by J. J. Prinsep and Hill).

(*xv*) Proof orders for security for good behaviour, when two or more of the accused have been bound over in one proceeding under section 110 (*a*), (*b*) and (*c*) of the Code of Criminal Procedure as evidence of association [*vide* section 117 (4) of that Code].

(*xvi*) Documentary evidence in the shape of relevant entries in enquiry slips, in the surveillance register, the Village Crime Note Book, and other registers which are required by order of the Inspector-General to be maintained at a police-station. This evidence would probably be admissible under section 35 of the Indian Evidence Act, 1872; but, if not, might be used under section 159 of that Act to refresh memory.

(*c*) Much evidence which is not ordinarily admissible in criminal cases, is admissible in cases under sectons 400 and 401 of the Indian Penal Code, as the persons accused in these cases are in fact members of a conspiracy, and so section 10 of the Indian Evidence Act, 1872, will apply. Previous convictions of dacoity are admissible in a case under section 400, and thefts under section 401 of the Indian Penal Code, under explanation 2, section 14 of the Indian Evidence Act, 1872 (Emperor *versus* Nava Kumar Patnaik, 1 C.W.N., page 146).

Much of the evidence enumerated under the differnt heads above will be admissible under section 11 of the Indian Evidence Act, 1872.

629. A separate file shall be opened for every enquiry and investigation in which the department takes part, whether by control or assistance, which shall contain copies of all orders or communications issued and of all diaries, reports and communications received.

Records of enquiries and investigations kept in the Criminal Investigation Department.

630. (*a*) Every officer of the department deputed to a district or to Calcutta shall carry with him a letter addressed to the Superintendent or the Commissioner of Police, as the case may be, either describing the nature of the enquiry on which he is sent or, in cases where great secrecy is required, authorizing him to explain the object of his mission verbally. In cases in which the officer is not to work in subordination to the Superintendent, the Superintendent will arrange to give him such assistance as may be necessary.

Letters of introduction. [§12, Act V, 1861.]

(*b*) Such letters shall be delivered personally, unless the Deputy Inspector-General otherwise directs.

(*c*) Where an officer so deputed has occasion to visit a district, to the Superintendent of which he has not received a letter of introduction, he shall invariably report his arrival to the Superintendent and establish his identity, if required to do so, by means of his detective warrant, or otherwise.

631. The rules regarding detective warrants will be found in Appendix XXXI.

Detective warrants. [§112 Act V, 1861.]

III.—Criminal Intelligence Bureau.

Information on record in the bureau. [§12, Act V, 1861.]

632. (*a*) A Criminal Intelligence Bureau is attached to the department to enable it to deal effectively with professional and organized crime, and to supply investigating officers with all information which is on record regarding any particular class of crime or criminal.

(*b*) A "General Index to the information on record" under which information has been complied and classified in the bureau is shown in Appendix XXXII.

References to the Bureau, when to be made. [§12, Act V, 1861.]

633. (*a*) When a case occurs in a district in which the *modus operandi* shows any interesting peculiarity or novelty or indicates that any of the classes of criminals mentioned in Appendix XXXII or any other known class of itinerant professional criminal is concerned and the accused is unknown or has absconded after committing the offence, the investigating officer shall make a reference to the Criminal Intelligence Bureau in B. P. Form No. 137. The descriptive roll in column 7 of the form shall be carefully prepared as far as practicable in accordance with the instructions contained in Appendix X. Such references shall be made at the earliest possible moment and shall be replied to by the bureau with the least possible delay.

(*b*) In cases where the accused is under arrest and finger prints have to be sent to the Finger Print Bureau under regulation 493, no separate reference shall ordinarily be made to the Criminal Intelligence Bureau. In such cases, the Criminal Intelligence Bureau will peruse the search reference slips (B. P. Form No. 53) received in the Finger Print Bureau, make a search in addition to that made by the latter and communicate all available information of value to the Court officer concerned.

Annual elimination of useless information.

634. On receipt of the elimination list as provided in regulation 399 the officer-in-charge of the Finger Print Bureau shall eliminate all useless or out-of-date information.

IV.—Photographic Bureau.

Duties of the Photographic Bureau. [§ 12, Act V, 1861.]

635. A Photographic Bureau is attached to the department. The staff of trained photographers is available—

(*i*) to take photographs of criminals.

(*ii*) to take photographs of foot and finger prints, hand-writing and forged notes,

(*iii*) to take photographs of scenes of crime, and

(*iv*) to make enlargements and prepare photographs for re-production in print.

Classes of criminals whose photographs are on record.

636. Photographs of a number of notorious criminals, classified in Appendix XXXIII, are on record. Superintendents and the Assistant to the Deputy Inspector-General, Criminal Investigation Department, shall secure the portraits of such criminals whenever

possible. Photographs, however, can only be taken in accordance with the provisions of the Identification of Prisoners Act, 1920 (Act XXXIII of 1920).

637. (*a*) A list shall be maintained by the officer-in-charge of the Photographic Bureau showing the places in the province where local photographers reside who have agreed to take photographs for the department at reasonable rates. Whenever possible, in order to save the expense of travelling, the services of such photographers shall be utilised. **Employment of local photographers and deputation of Bureau photographers [§ 12, Act V, 1861.]**

(*b*) In places where no local photographer resides, or in cases where a large number of criminals are required to be potographed separately, a photographer from department shall be deputed.

NOTE.—When a private photographer or a photographer of the department below the rank of Sub-Inspector is employed to take the photograph, an officer not below the rank of Sub-Inspector shall be present when the photograph is taken [*vide* section 2(*b*) of the Identification of Prisoners Act, 1920].

638. (*a*) Photographs shall ordinarily be taken of the head and shoulders only, in full face and profile, and in quarter plate size. **Photographs how to be taken.**

(*b*) Prisoners should be photographed in ordinary and not in prison dress. **[§ 12, Act V, 1861.]**

639. (*a*) Photographs of prisoners should only be taken by order of a Superintendent or officer of higher rank. **Photographing of accused persons.**

(*b*) Photographs should only be taken— **[§12, Act V, 1861.]**

(*i*) in connection with an investigation, inquiry or trial; and

(*ii*) in the case generally of prisoners accused of classes of offences for which a photographic record is deemed necessary.

(*c*) (*i*) In respect of photographs taken under clause (*b*) (*i*) the Superintendent, when sanctioning the taking of the photograph, will state the number of copies to be printed from the negative. When a photographer, other than an officer of the Photographic Bureau, is employed, an officer not below the rank of Sub-Inspector shall be present when the photograph is taken; he shall also be present when the negative is developed and when the prints are taken. When the number of prints ordered by the Superintendent has been completed, the Sub-Inspector shall take possession of the negative and prints and forward them in a sealed cover to the Superintendent, who will keep the negative in his personal custody. When the investigation, enquiry or trial is completed, the negative and prints will be forwarded to the Deputy Inspector-General, Criminal Investigation Department, for disposal. The same procedure shall be adopted when an officer of the department below the rank of Sub-Inspector is employed to take the photograph, but when the officer taking such photograph is of or

above the rank of Sub-Inspector it will not be necessary for another officer to be present [Section 2(*b*) of the Identification of Prisoners Act, 1920].

(*ii*) Negatives sent by post should be carefully packed in soft paper and enclosed in a wooden box. Card-board boxes should not be used, owing to the danger of damage from the post-office stamp.

(*d*) Photographs of persons arrested in connection with an offence punishable with rigorous imprisonment for a term of one year or upwards should be taken only in cases where the place of occurrence and the place of arrest are so far apart that it would cause unnecessary inconvenience to take the arrested person or persons to the spot without applying the preliminary test.

(*e*) A photograph intended to be used for the purpose of identification should be placed in a sealed cover with eight or ten photographs of other persons, taken under similar conditions and despatched by the Superintendent in whose district the case is registered to the officer deputed to conduct the identification or to the Superintendent, if the identification is to take place in another district, with instructions that the packet should not be opened until the time of identification, and then only in the presence of the witness whose identification is to be tested, and either of the Magistrate or of the two or more respectable persons invited to preside over the identification.

(*f*) (*i*) Photographs for record under clause (*b*)(*ii*), will ordinarily only be taken after the conviction of accused persons. But in the case of persons accused of drugging, coining, note forgery, professional swindling, railway thefts and professional pocket-picking on a second conviction, murder of women accompanied with robbery, and also in the case of all persons belonging to the registered criminal tribes, e.g., Barwars, Sanauriahs, Chain Mallahs, Marwari Bauriahs, Muzaffarpur Sonars, Jadua Brahmins and Bhamptas, photographs should be taken for record whether the accused arrested is convicted or not; provided that, except in the case of criminal tribes, the negatives and photographs of the unconvicted persons of the classes mentioned above must always remain in the personal custody of the Deputy Inspector-General, Criminal Investigation Department. They should be placed in sealed covers in an iron safe, the key of which will remain either with the Deputy Inspector-General himself or his Assistant.

(*ii*) Mounted copies shall be kept of all photographs taken or received, and shall be classified according to the classes mentioned in Appendix XXXIII.

Copies of photographs in Excise or Opium Act cases shall be supplied to the Excise Bureau.

(*g*) Formal certificates of the precautions and of the identification proceedings should be made by the officer responsible and attached to the investigation record. The certificates in the forms below should be signed by the officer taking the photographs and by the officer conducting the identification proceedings:

Certificate of officer taking the photograph.

I CERTIFY that under the orders of the Superintendent I took photographs of....., son of..... of village....., police-station....., district....., accused or suspected in case No..... of police-station....., district..... That all the negatives taken by me and the prints struck off from the negative have been forwarded to the Superintendent.

NOTE.—If the photograph was taken by a photographer not belonging to the Photographic Bureau, the officer present under clause (*c*) (*i*) will submit the certificate stating that he was present when the photograph was taken, developed and printed, and that all the negatives and prints were forwarded by him to the Superintendent.

Certificate to be given by the officer conducting the identification.

CERTIFIED that I received a sealed cover from..... and that this cover was not opened until the time of the identification. I also certify that when the cover was opened the following witnesses were present..... ..... The packet, when opened, contained..... ..... photographs, and these were all handed together to the witness who, in the presence of the abovenamed witnesses to the identification. picked out the photograph numbered.....

NOTE.—This certificate should also be signed by the witnesses to the identification

(*h*) Subject to the provisions of clause (*f*), if an untried prisoner, who has not been previously convicted, shall have been photographed, all photographs (both negatives and copies) shall be forthwith destroyed or handed over to such prisoner in the event of his being released without trial or discharged or acquitted by any court, unless the court or (if such person is released without trial), the District Magistrate or Subdivisional Magistrate for reasons to be recorded in writing, otherwise directs.

Procedure for requisitioning the service of the handwriting expert.

640. When the opinion or evidence of a handwriting expert is considered necessary by any judicial officer in a criminal case, a report should be sent by, or through the District Magistrate to the Deputy Inspector-General, Criminal Investigation Department, informing him at the same time of the date by which the opinion of the expert will be required. If the services of the Government expert attached to the Criminal Investigation Department are available or can be made available by the date mentioned, the Deputy Inspector-General will arrange for that officer to do the preliminary work, calling

for the necessary documents to be examined by the expert who will give an opinion and, if necessary, give evidence in court. Otherwise the Deputy Inspector-General will refer the matter to the Superitendent and Remembrancer of Legal Affairs, who will, on his authority, arrange for the engagement of a private expert if he is satisfied that expert opinion is required to meet the ends of justice in the case and determine the scale of fees to be paid to such experts. The fees charged by such an expert for appearance before a court as a witness are debitable to the allotment for "Diet and travelling allowance of witnesses" of the officer at whose instance the requisition is made, or to his allotment for "Other contingent charges" if the fees are paid for obtaining his opinion. In making their report to the Deputy Inspector-General, District Officers should mention the state of their allotments under these heads.

The scale of fees for the Government expert when his services are available in private cases is as follows:—

(*i*) for giving opinion—a minimum fee of Rs.40 per case;

(*ii*) for giving evidence in court—a fee of Rs.40 per case per diem;

(*iii*) for photographic enlargement—Rs.5 for each copy of enlargement.

The usual travelling allowance of the expert and his pay for the period of his absence from headquarters should also be borne by the party concerned.

[*See* Appendix XVII, paragraph 23.]

Foot print expert.

641. The expert attached to the department can give an opinion on matters relating to foot prints. His services for taking moulds and tracings of prints may either be requisitioned by investigating officers or moulds and tracings may be sent to him for examination and opinion.

Forged notes expert.

642. The expert attached to the department can give an opinion on matters relating to note forgery. His services should be requisitioned when required by investigating officers.

V.—FINGER PRINT BUREAU.

Duties of the Bureau.

[§ 12, Act V, 1861.]

643. (*a*) The principal duties of the bureau are—

(*i*) to test, classify, index and arrange slips received for record;

(*ii*) to search slips received for search and communicate results;

(*iii*) to intensify prints on exhibits received and have photo prints taken for comparison;

(*iv*) to examine and test all work connected with the finger print system at central and district jails.

(*v*) to eliminate slips in accordance with the provisions of regulation 646.

(*b*) The officer-in-charge is responsible for the maintenance of efficiency of the bureau and for controlling the movements of experts and dealing with all questions arising from points brought to notice by experts in course of their visits to districts and jails.

(*c*) The staff of the bureau shall consist of officers not below the rank of Sub-Inspector who are experts holding certificates of efficiency as laid down in regulation 652.

644. (*a*) The staff of the bureau shall receive increments of pay as laid down in regulation 775. **Special Increments of pay of experts and grant of honorary rank of Inspector.**

(*b*) The senior experts employed in the bureau will be granted the honorary rank of Inspector on completion of 21 years service in the Police Department and 12 years in the bureau on the distinct understanding that the privilege conferred does not imply any kind of financial consideration. They will enjoy all other privileges of Inspectors in the regular cadre. **[§ 241(1)(b), Government of India Act, 1935 and §2, Act V, 1861, read with §243 of the Government of India Act 1935.]**

645. (*a*) Finger print slips received for record shall be tested, classified, indexed and arranged by experts. The classification and arrangement shall be done in accordance with the instructions contained in the Finger Print Companion written by Rai H. C. Basu Bahadur. **Finger print, slips. [§12, Act V, 1861.]**

(*b*) All slips received for search should be returned with a report on the counterfoil of the search slip as early as possible.

(*c*) Slips submitted for search, in which the prints have not been taken in the proper sequence, or are so blurred as to render classification impossible, should be returned without search and fresh slips demanded.

(*d*) Every slip received for record shall be carefully scrutinized before being classified, tested and recorded, and if found deficient in any respect shall be returned with an objection slip (B. P. Form No. 138) for the submission of an amended or fresh slip.

(*e*) This slips of persons reported to have died in jail shall be removed from the record and destroyed at once. In all other cases of reported death the date of the death report shall be marked in red ink across the slip, which shall remain in the record for another two years when it will be removed and destroyed.

646. In addition to other removals, all slips should come under examination periodically to see if they can safely be removed after such reference to the local police officers as may be deemed necessary. The following rules shall be observed in eliminating slips from the records:— **Periodical elimination of slips. [§12, Act V, 1861.]**

(*i*) The slips of all persons who are not members of a criminal tribe and who are not professional poisoners, note-forgers, coiners, arms-smugglers, dacoits or swindlers shall ordinarily be removed 10 years after the expiry of the last sentence.

(*ii*) The slips of all persons not dealt with under clause (*i*) and those of seamen convicted of arms smuggling shall be removed on their attaining the age of 70 years, but in the case dacoits a reference should be made to their home districts if they happen to be identified or to the district of last conviction, if unidentified.

(*iii*) In the case of a slip that is on record in more than one bureau, the decision as to its removal under clause (*i*) shall rest with the bureau of the province in which the person's home is situated. Intimation of such removal and of any death removal shall be sent by that bureau to the other bureaux in which slip is on record.

Illustrated release notices of prisoners convicted of dacoity, etc.

647. Superintendents of Jails shall, not later than the second week of each month, send to the Deputy Inspector-General, Criminal Investigation Department, direct, after filling in the release portions, the duplicate P. R. slips issued under the second paragraph of regulation 501, of all prisoners convicted under sections 395, 396, 397, 399, 400, 401, 402 and 412 of the Indian Penal Code, who are due for release in the following month.

On receipt of the intimation the Assistant to the Deputy Inspector-General such arrange to have them photographed in accordance with regulation 636 and publish illustrated supplements to the *Criminal Intelligence Gazette* where necessary as laid down in regulation 72.

Action regarding absconder.

648. On receipt of a report that a person whose finger prints are on record has been declared a proclaimed offender, or has escaped from jail or from lawful custody, or has absconded after committing some offence, or has evaded surveillance or has been lost sight of, a red slip in the form below will be attached to the slip, so that immediate information may be given to the police by whom the absconder is wanted, in the event of such absconder's finger prints being subsequently received for search. In such cases a copy of the red slip, together with the absconder's classification number, will be sent by the bureau receiving the report to the other bureaux in which the absconder's finger prints are on record, if no report of such absconding has already been made to them by the District Police:—

ABSCONDER.

Name.....

Case for which wanted, date, warrant, etc. } .....
.....
.....

Intimation of arrest to be sent to.....

Duplicate P. R. slips of non-Asiatic prisoners to be sent to the Deputy Inspector-General, Criminal Investigation Department.

649. Superintendents of Jails shall, not later than the second week of each month, fill in the release portion of the duplicate P. R. slips issued under regulation 501 in the case of non-Asiatic prisoners due for release in the following month and send the same direct to the Deputy Inspector-General, Criminal Investigation Department, after noting therein the date, route, boat, etc., on or by which such prisoners would be travelling in order that such information may be sent to the Director, Intelligence Bureau, Government of India, for transmission to the country of their origin.

650. (*a*) The Finger Print Bureau shall send prompt intimation to the district concerned whenever a member of a registered criminal tribe or a convict admitted to a lunatic asylum is traced in the bureau. **Prompt intimation to be sent whenever a member of registered criminal tribe or a convict admitted to a lunatic asylum is traced.**

(*b*) In the case of P. R. convicts sent to a lunatic asylum from a jail, this fact shall be noted in the F. P. slips by the Finger Print Bureau on receipt of intimation direct from jail.

651. One Sub-Inspector from each of the Dacca and Bakarganj Ranges and two Sub-Inspectors from each of the remaining three Ranges will be deputed annually to the bureau for a ten months' course of training. **Training of Sub-Inspectors deputed from districts. [12, Act V, 1861.]**

The number to be deputed from each Range may, however, be altered with the sanction of the Inspector-General provided that the total sanctioned number to be trained is not exceeded.

652. (*a*) Certificates of efficiency shall only be granted by the Assistant to the Deputy Inspector-General, Criminal Investigation Department, to officers who have undergone a thorough training in the Finger Print Bureau and have passed the test laid down by the head of that office, under the personal supervision of the Assistant to the Deputy Inspector-General. **Granting of "experts" certificates. [§12, Act V, 1861.]**

(*b*) Certificates so granted shall remain in force for three years only from the date of issue and can only be renewed if the officers holding them return to the Finger Print Bureau for a period of not less than one week, and satisfy the Assistant to the Deputy Inspector-General that they have retailed their knowledge and are still fit to hold the certificate. It shall not be necessary for officers attached to the bureau to renew their certificates of efficiency after three years.

653. Experts from the Finger Print Bureau shall be deputed regularly to examine and test all work connected with the finger print system at cental and district jails. **Tours of experts. [§12, Act V, 1861.]**

654. (*a*) The experts shall (*i*) test F.P. slips prepared by proficients, see that all particulars recorded thereon are correct and complete, especially details of previous convictions, and note and initial the work "tested" in the jail admission register, on the back of the P.R. slips, and on the history ticket; (*ii*) prepare fresh E.P. slips of prisoners whose slips bear blurred or indistinct impressions; (*iii*) see that finger prints have been taken of all P.R. prisoners, and that the necessary endorsements have been made on the P.R. slips and history ticket, and in the jail admission register; (*iv*) see that, in the case of prisoners transferred to other jails, P.R. slips or untested F.P. slips have been forwarded to the district concerned; (*v*) see that, in the case of admissions by transfer, P.R. slips or untested F.P. slips have been duly received; (*vi*) scrutinize the court conviction register, the register of unidentified prisoners, the book of P.R. slips, the despatch cheque book and the files of jail parade reports and release notices, and see that all necessary steps in respect of these records have been duly **Duties of experts. [§12, Act V 1861.]**

taken. All errors and omissions shall be brought to the notice of the Superintendent.

(*b*) The experts shall instruct local officers in taking and deciphering finger prints.

Experts' diaries.

655. Experts shall submit a *muffasil* diary in duplicate in B. P. Form No. 18 describing their movements and work to the Assistant to the Deputy Inspector-General, Criminal Investigation Department, through the Superintendent of the district concerned. Superintendents shall forward one copy of the diary with their remarks on all points requiring explanation, and retain the other which, when all action is complete, shall be kept in a separate file to enable subsequent touring experts to check the correction of irregularities previously noticed and to facilitate the inspection of P.R./F.P. work by superior officers.

Citation of experts as witnesses. [§12, Act V, 1861.]

656. (*a*) Experts may be cited as witnesses to prove previous convictions of under-trial prisoners only when the ordinary methods fail, but they shall not be so cited by subordinate police officers without the sanction of the Superintendent. An expert can only prove identity under sections 45 and 73 of the Indian Evidence Act, 1872, while jail warders, police officers and complainants and witnesses in previous cases can prove both identity and previous convictions.

(*b*) Finger Print Experts employed in districts may dispose in court as laid down in regulation 498.

(*c*) If no certificated expert can be procured locally to give evidence, application shall be made to the Deputy Inspector-General, Criminal Investigation Department, who will arrange for the attendance of a certificated expert from the Finger Print Bureau.

(*d*) Any case in which a Magistrate declines to accept the uncorroborated evidence of the finger print expert shall be brought to the notice of the Deputy Inspector-General, Criminal Investigation Department, and if the Magistrate in the judgment has made any comment on the subject, a copy of the judgment shall accompany the report.

Addresses of different bureaux.

657. All covers containing papers concerning finger prints and questions arising therefrom shall be marked "F. P. B." in conspicuous characters and addressed to the different bureaux as shown in Appendix XXXIV.

CHAPTER X.

Establishments.

Police cadres [12, Act V, 1861.]

658. (*a*) The strength and distribution of the Indian Police and of the Bengal Police Service cadres shall be shown in the "Gradation List of Police Officers in Bengal" which is published periodically.

(*b*) The cadres for Inspectors, of all branches, and for Sergeants shall be shown on a provincial basis in separate parts of a gradation list which is printed in April each year and maintained up to date in the office of the Inspector-General.

(*c*) The cadre for Sub-Inspectors of the Criminal Investigation Department and of the Intelligence Branch shall be shown in a gradation list printed in April each year and maintained by the Deputy Inspector-General, Criminal Investigation Department and Intelligence Branch.

(*d*) There shall be in each Range a cadre for Sub-Inspectors, in all branches of the District and Railway Police, serving in the districts within it: this cadre will be shown in a gradation list which shall be printed in April each year and maintained up to date in the office of the Deputy Inspector-General.

(*e*) There shall be for each district separate cadres for (*i*) Sub-Inspectors, (*ii*) Assistant Sub-Inspectors, (*iii*) head constables, (*iv*) naiks and (*v*) constables, both of the Unarmed Police and of the Special Armed Force, which shall be shown in the district gradation list maintained under regulation 913.

659. (*a*) The police establishment of each district is based on a calculation of the actual number of officers required for every duty for which proper authority exists together with a casualty reserve as explained below. **District Police establishments.** [§12, Act V, 1861.]

(*b*) When transferring Sub-Inspectors from one district to another within the Range the Deputy Inspector-General shall see that proportionate numbers of senior and junior officers are kept in each district.

(*c*) The numbers of officers of different ranks in each district, whether of the Unarmed Police or of the Special Armed Force, who are assigned to the various duties for which proper authority exists, shall be shown in allotment statements which are prepared in the office of the Inspector-General and printed periodically. All changes shall be noted in these statements by the Superintendent concerned as soon as he is informed of them.

660. (*a*) The reserve for the Indian Police Service is provided in the rank of Assistant Superintendent for leave, deputation and training. **Casualty Reserve.** [§12, Act V, 1861.]

(*b*) In the rank of Sub-Inspector there is in the Unarmed Police—

(*i*) a casualty reserve calculated at 14 per cent. of the sanctioned number of Deputy Superintendents, Indian Inspectors and Sub-Inspectors, in the district, and intended to provide for vacancies caused by leave granted to such officers and not by any other casulties, and

(*ii*) a reserve for replacing probationers under practical training.

(*c*) There is a casualty reserve in the rank of Sergeant, allotted on a Range basis and calculated at a fixed percentage of the sanctioned number of Europen Inspectors and Sergeants to provide for vacancies caused by leave granted to such officers.

(*d*) In the Special Armed Force there is no casualty reserve in the rank of Sub-Inspector.

(*e*) At the Police Training College there is no casualty reserve in the rank of Sub-Inspector.

(*f*) In the rank of constable there is a casualty reserve calculated at a percentage (which varies with the healthiness of the district) of the sanctioned number of Assistant Sub-Inspectors, head constables and constables. It provides for all vacancies in the ranks of such officers, whether caused by the grant of leave (including hospital leave) or by any other casualty such as training at the Training College, suspension, or (until new appointment are made) retirement, death, resignation and dismissal.

Disposition of the force not to be altered. [§ 12, Act V, 1861.]

661. (*a*) Without a reference to the Deputy Inspector-General of the Range a Superintendent shall not make any permanent change in the number of officers allotted for any prescribed duty or to any police-station in the district or undertake any new duties of a permanent nature.

(*b*) If a Superintendent considers it necessary either of his own motion or at the request of the District Magistrate, to undertake any new duty of a permanent or recurring nature for which no provision exists in the allotment statement, he shall at once report the facts to the Deputy Inspector-General and apply for the necessary increase of the force. If the matter is urgent he shall furnish the necessary force from the existing strength pending the receipt of orders from the Deputy Inspector-General.

(*c*) These orders do not prohibit the employment—

(*i*) of the Unarmed Police on any temprorary duty which although not shown in the allotment statement, falls within the sphere of legitimate police work, or

(*ii*) of the Special Armed Force in any part of the district for the preservation of law and order, but the Superintendent shall submit a report to the Inspector-General through the Deputy Inspector-General of the Range if he finds it necessary to employ a detachment of the Special Armed Force away from headquarters continuously for six months.

Explanation.—In this regulation "permanent" means for more than six months.

Excess in sanctioned scale.

662. If the actual strength of any rank exceeds the sanctioned scale in any district and the excess cannot be adjusted against vacancies in the next higher rank, the Superintendent shall report the circumstances to the Deputy Inspector-General, who shall either adjust the excess against deficiencies in other districts of his Range or, if this is not possible, report the facts to the InspectoreGeneral. The Inspector-General is authorised to sanction any excess in a district scale provided that the provincial sacle is not exceeded.

663. (*a*) The Inspector-General shall, from time to time, notify for each district in the *Police Gazette* the number of officers of each rank in the Unarmed Police who shall constitute a mobilization contigent available under his control for use in emergencies in any part of the province. **Mobilization contingents.** [§ 12, Act V 1861.]

(*b*) In each district the number of officers of each rank to be supplied from each police-station or subordinate post shall be specified in the standing mobilization orders (B. P. Form No. 139) which shall be kept in the Superintendent's office and of which every Inspector in the district shall have a copy.

(*c*) The Superintendent shall from time to time select officers who shall form the mobilization contingent. He shall take care that the Sub-Inspector selected have the requisite qualifications for such commands and that the men are those most likely to be suitable; if the Special Armed Force of the district is not composed of Gurkhas or Garhwalis, he should select men who have recently served in the Special Armed Force. All selections shall be communicated to the officer-in-charge of each police-station concerned in B. P. Form No. 140.

(*d*) Against the name of each officer selected for the mobilization contingent there shall be entered ink the letter "M"—

(*i*) in the register of disposition of force (B. P. Form No. 171) and in the gradation list (B. P. Form No. 173) kept in the Reserve office, and

(*ii*) in the disposition list kept in each police-station.

(*e*) Whenever an officer selected for the mobilization contingent is transferred or otherwise becomes unavailabe, the officer-in-charge of the Reserve office shall report the fact to the Superintendent who shall make a fresh selection under clause (*c*).

(*f*) In order not to deplete the staff of individual police-stations, an officer who orders a partial mobilization should consider the desirability of calling up only a portion of the prescribed contingent from a large number of police-stations instead of the full contingent from a few.

(*g*) When only a part of the contingent is to be mobilized, the Superintendent himself shall choose from the names marked "M" in the disposition list, the officers who are to be sent from different police-stations and shall cause their names to be entered in the district order book.

(*h*) Moblization orders issued to police-stations shall state clearly—

(*i*) the names of the officers to be sent, if the mobilization is partial only;

(*ii*) the place to which they shall proceed, which shall ordinarily be the headquarters of the district;

(*iii*) the officer to whom they shall report themselves: and

(*iv*) whether they are to be armed.

(*i*) On receipt of mobilization orders the officer-in-charge of a police-station shall supply the officers required from it: if any such officer is not available, a substitute shall be supplied, unless the mobilization is for the annual training.

(*j*) If a Superintendent needs additional officers for patrols as an emergency preventive measure when there is a serious outbreak of dacoity in the district, he may order mobilization of Assistant Sub-Inspectors and constables only: supervision of the officers employed on patrol duty should be left to the Inspectors and the officers-in-charge of police-stations where they are so employed.

(*k*) (*i*) When in any emergency, after all the force available in his district has been mobilized, a Superintendent considers reinforcements to be necessary, he shall submit to the Deputy Inspector-General of the Range an application for them, which shall be accompanied (or, if the application is by telegram, shall be followed immediately) by a memorandum stating why reinforcements are necessary and how he has utilised his own force to meet the emergency. He shall forward a copy of the application and of the memorandum to the Inspector-General for information.

(*ii*) When a Superintendent considers in a grave emergency that the force available in his district is inadequate, he may call upon the Superintendent of a neighbouring district for immediate assistance; but he should at once report any such action to the Deputy Inspector-General of the Range who shall keep the Inspector-General informed.

(*l*) A Deputy Inspector-General may order mobilization in any district, and with the consent of the District Magistrate may utilise its contingent within any other district within his Range. He shall keep the Inspector-General informed of all extensive measures of mobilization within his Range, and shall report to him any refusal of consent by a District Magistrate.

(*m*) If a Deputy Inspector-General cannot find sufficient officers in his Range to deal with an emergency within it, he shall apply to the Inspector-General for assistance from districts of other Ranges.

(*n*) The training of mobilization contingents is governed by regulation 795.

Superintendents' power to send Armed Force outside the district. [§12, Act V, 1861.]

664. (*a*) Notwithstanding the provisions of regulation 685 a Superintendent, when called on by the Superintendent or District Magistrate of a neighbouring district or by the Commissioner for immediate assistance in a grave emergency, may move all or part of his emergency force beyond the limits of the district even though he has not received orders from the Deputy Inspector-General of the Range: but if he does so, he shall at once inform the District Magistrate and report the facts to the Deputy Inspector-General, who shall keep the Inspector-General informed.

(*b*) When a Superintendent is ordered by the Deputy Inspector-General of the Range in an emergency to send reinforcements to another district, he shall in the first place, with the permission of the District Magistrate, depute officers immediately from his emergency

force and after a week, if they are still absent (or at once, if he considers this desirable), shall mobilise and call in to headquarters an equivalent number of officers from police-stations or subordinate posts. If the District Magistrate refuses permission, the Superintendent shall report the fact by telegram to the Deputy Inspector-General.

Inspector-General's power to withdraw officers from any district. [§ 12, Act V, 1861.]

665. (*a*) Notwithstanding the provisions of regulation 685 the Inspector-General has full authority to withdraw from any district, for special or emergent duty anywhere outside it—

(*i*) all or part of the Special Armed Force, and

(*ii*) all or part of the sanctioned allotment of any police-station or subordinate post.

(*b*) (*i*) Except in sudden emergencies when the necessity for the employment of extra police could not be foreseen, the Inspector-General shall not withdraw any part of the sactioned allotment under clause (*a*) (*ii*) without giving reasonable notice of his intentions to the District Magistrate and securing his consent.

(*ii*) If the District Magistrate objects to the intentions of the Inspector-General, he shall refer the question to the Divisional Commissioner; and, if the Divisional Commissioner does not agree with the Inspector-General the latter shall accept the Commissioner's opinion or shall refer the matter to the Provincial Government.

(*c*) When the Inspector-General has in a sudden emergency withdrawn police from the sanctioned allotment of any police-station or subordinate post under clause (*a*)(*ii*) without securing the consent of the District Magistrate, he shall at once give intimation of his action to him to the Divisional Commissioner.

Permanent police guards. [§12, Act V, 1861.]

666. (*a*) The supply of a permanent police guard to a Government Department or to a private party requires the sanction of the Provincial Government. Every application for such a guard shall forthwith be submitted to the Inspector-General with the opinions of the Superintendent and the Deputy Inspector-General of the Range as to the necessity of the guard.

(*b*) Permanent poilce guards supplied to banks, to railways other than State Railways and to other non-Governenment concerns shall be considered as part of the regular establishment employed on normal duties and not as additional police appointed under section 13 or 14 of the Police Act, 1861 to keep the peace. Credits for the cost of these guards will be treated as provincial receipts, recoveries being made by the Accountant-General.

Temporary Police guards [§12, Act V, 1861.]

(*c*) The Superintendent may at his discretion supply to another Government Department or, subject to regulation 669, to a private party such temporary police guards as he thinks necessary, provided that, if he proposes that such guards should be in excess of the sanctioned allotment of the district, he must obtain the sanction of the Provincial Government through the Deputy Inspector-General of the Range and the Inspector-General. An application for such sanction shall be submitted in a self-contained report which shall state—

(*i*) the reasons for the entertainment of extra police;

(*ii*) the number of such police to be entertained;

(*iii*) the period for which they are expected to be required; and

(*iv*) an estimate of the cost.

Additional Police under section 15, Police Act, 1861.
[§ 12, Act V, 1861.]

667. All applications for additional police under section 15 of the Police Act, 1861, shall be drawn up by the Superintendent in a report which shall be submitted to the Provincial Government through the District Magistrate, the Deputy Inspector-General of the Range, the Commissoiner of the Division and the Inspector-General. In cases of emergency the District Magistrate shall submit copies of the report simultaneously to the officers named above and to the Provincial Government.

The conditions under which the employment of additional police is admissible are laid down in section 15 of the Police Act, 1861, and the report should show clearly that those conditions exist, and the extent to which the existing police force has proved inadequate. Brief accounts of specific instances of lawlessness should also be given, while the area in which the force is to be posted should be precisely specified. A draft proclamation should accompany the application and the letter should state roughly the cost of the force to be employed and the duration of its employment. In calculating the cost all the items mentioned in Appendix XXXV should be taken into account together with the average pay of each rank. Constables of this additional force should always be of the Special Armed Force and their average pay will therefore include the special pay of that force.

As soon as possible after the Provincial Government has decided that the area in such a distrubed or dangerous state that the appointment of a certain force of additoinal police is necessary, a further report should be submitted to the Provincial Government, through the same, channels, recommending what portion of the force should be paid for by the local inhabitants and what inhabitants should be exempted. To enable the Provincial Government to appreciate the incidence of the charge, the union board or chaukidari assessments of the persons who are to bear the cost should be reported.

Immediately after the force is actually employed an estimate of the cost likely to be incurred should be submitted by the Superintendent to the Inspector-General through the District Magistrate and Deputy Inspector-General of the Range. If it is desired to retain the whole or part of the additional police for a further period, formal application should be made to the Provincial Government through the same channels, at least one month before the expiry of the term for which the force has been sanctioned. If the question of curtailing the sanctioned period is raised, it should be remembered that the men are ordinarily engaged for a fixed period and must be paid for that period. After the force has been withdrawn a statement of the actual cost of the force prepared in accordance with Appendix XXXV and showing the sums realised from sale-proceeds of building materials, costs, etc.,

should be submitted by the Superintendent through the District Magistrate and the Deputy Inspector General of the Range to the Inspector-General for transmission to the Provincial Government.

NOTE.—The orders of the Provincial Government for the assessment and collection of the amounts payable under section 15 of the Police Act, 1861, are contained in Bengal Government Order No. 8454P., dated the 1st December 1913.

Date of deputation and withdrawal of guard to be reported. [§ 12, Act V, 1861.]

668. When a guard is sanctioned, the date of its deputation from the district headquarters shall be communicated by the Superintendent to the Inspector-General, the Accountant-General and the official to whom the guard is supplied. Similar reports shall be sent to the same authorities when any change is made in the strength of the force sanctioned, or when a guard is withdrawn. The date of the return of the guard to headquarters shall be treated as the date of the withdrawal of the guard and reports submitted accordingly.

Additional police for private parties under section 13, Police Act, 1861. [§12, Act V, 1861.]

669. The following principles shall be followed in dealing with applications from private parties for additional police under section 13 of the Police Act, 1861:—

(*i*) Additional police shall not be deputed unless the necessity for them has been established or when the desired result can be obtained by the institution of proceedings under the preventive sections of the Code of Criminal Procedure.

(*ii*) The prevention of any breach of the peace is one of the regular duties of the police; and when there is a dispute the cost of additional police deputed for this purpose shall be met by the Provincial Government and never by a party to the dispute.

(*iii*) The cost of additional police shall be charged to a private person in non-contentious cases only, that is to say, when a person acting within his rights finds himself in a position where the ordinary protection of the police is not sufficient. For example, it may be charged to a person on whose application additional police are deputed to keep order among people assembled at a *mela* or to guard money or other valuables which he has to transport from one place to another, particularly if it be through dangerous country.

(*iv*) The Superintendent shall consult the District Magistrate before passing orders, whenever there is time to do so. When the matter is very urgent, he may himself depute the necessary police, but he shall lose no time in informing the Magistrate and consulting him as to whether the applicant or the Provincial Government shall bear the cost.

(*v*) In estimating the strength of a guard to be supplied to a private person, a Superintendent shal have regard to the question of providing its relief.

(*vi*) Whenever police are supplied to private parties or persons on payment in cases where no extra establishment is entertained, immediate information should be sent to the Accountant-General of the fact, of the period for which the police are to be furnished and of the amount to be recovered.

Withdrawal of additional police supplied under section 13, Police Act, 1861. [§ 12, Act V, 1861.]

670. (*a*) If any person on whose application additional police have been deputed under section 13 of the Police Act, 1861, wishes them to be withdrawn before the expiry of the term fixed when they were deputed, they shall, subject to the proviso to that section, continue to be at his charge until the expiry of such term or until a reasonable time has elapsed for them to be recalled to headquarters and for extra men to be discharged.

(*b*) In any other case, if the question arises of retaining extra police for a shorter period than that sanctioned by the Provincial Government it should be remembered that they are ordinarily engaged for a fixed period and must be paid for that period.

Cost of additional police. [§12, Act V, 1861.)

671. The cost of additional police deputed under sections 13, 14 or 15 of the Police Act, 1861, shall be calculated for the purposes of regulations 666(*c*) and 667 in the manner laid down in Appendix XXXV.

Cost of guards supplied to Government departments.

672. (*a*) When a guard is supplied to another Government Department, its cost (including pay and contingencies) shall be borne by the Police Department, unless it is a guard over a health camp.

(*b*) If a guard is in addition to the sanctioned allotment of the district, the pay bill shall be separate from the district pay bill and the number and date of the letter conveying the sanction of the Provincial Government shall be quoted in it.

Cost of guards supplied for extraordinary duties to private bodies in Darjeeling. [§ 12, Act V, 1861.]

673. (*a*) Temporary police guard may be supplied for extraordinary duties to private bodies and individuals in the twon of Darjeeling. On each occasion the Superintendent shall decide, in consultation with the Deputy Commissioner of the district, whether the application for such guards shall be complied with or not.

(*b*) The cost of these guards shall be charged according to the following daily rates:—

Daily rates.

	Rs.	as.
Inspector	15	0
Sub-Inspector	6	0
Sergeant	12	8
Assistant Sub-Inspector	2	0
Head constable		
Constable	1	8

In addition to the above local allowance should be charged at the following rates:—

	Rs.	as.
Inspector	4	0
Sub-Inspector	3	0
Sergeant	3	0
Assistant Sub-Inspector	2	0
Head constable	1	0
Constable	0	8

(*c*) If the duty lasts for 8 hours or less, a full day's charge shall be recovered. If it lasts for more than 8 hours, reliefs will be provided and double rates charged.

(*d*) The cost thus recovered shall be credited into the treasury intact, but the local allowance shall, at the end of each month, be drawn in a separate bill quoting this regulation as authority and paid to the officers deputed. The credit into the treasury shall be given in two distinct items, one for local allowance and another for the daily rates of recovery, and the refund bill shall specify the date of credit into the treasury as well as the names and designations of the officers to whom payments are to be made.

The entire recoveries should be credited to "XXIII—Police—Police supplied to Public Departments, Private Companies and Persons".

Appointment of special police under section 17, Police Act, 1861. [§ 12, Act V, 1861.]

674. (*a*) (*i*) Special police officers should be appointed under section 17 of the Police Act, 1861, only to meet cases of sudden emergency and, therefore, only for the time during which the special cause of disturbance exists, e.g., during a religious festival or during the existence of a flood which may lead men to cut an embankment which it is essential to preserve.

(*ii*) Special police officers should not be appointed when there are disputes regarding rights in land which have to be settled in the civil courts. In such cases, if the locality is in a disturbed or dangerous condition and if the ordinary preventive sections of the Code of Criminal Procedure are found to be insufficient for the maintenance of peace, it may be necessary to appoint additional police under section 15, but not special police under section 17 of the Police Act, 1861.

(*b*) An application for the appointment of special police officers shall contain all the necessary particulars, of which the principal are—

(*i*) the period for which the officers are required;

(*ii*) the limits within which they are to be employed;

(*iii*) the grounds for apprehending disturbance of the peace; etc., where no such disturbance has already occurred; and

(*iv*) the reasons why the police force ordinarily employed is insufficient.

(*c*) The Magistrate should pass orders under section 17 in proper form for which the sample given in Appendix XXXVI will serve as a guide.

Selection of special police.

675. (*a*) The Provincial Government has a right to call on any resident in the immediate neighbourhood to assist the police in the discharge of their legitimate duty of preserving the public peace when any breach of it is threatened; but it is not right to appoint the ringleaders of contentious factions as special police officers for the purpose of humiliating them in the eyes of their neighbours. It would, however, be reasonable so to appoint them during a time of

excitement on the ground that it is desirable to select leading and influential men whose authority is likely to be respected by the mass of the population, because their presence, while employed in patrolling the streets or on other duties assigned to them by the police in maters of watch and ward, would show that they were engaged not in fomenting the disturbance but in using their influence to repress them.

(*b*) Any person who refuses to serve as a special police officer or who, when serving as such, disobeys lawful orders, is liable to prosecution under section 19, and not under section 29 of the Police Act, 1861.

Duties and discipline of special police. [§ 12, Act V, 1861.]

676. (*a*) Every effort should be made to spare special police officers any avoidable in convenience or hardship. No more should be required from them than is necessary to enable them to perform the duty of keeping the peace which the law imposes on them; they should be employed in the manner best suited to make their personal influence felt and should not be assigned menial or unreasonable duties. The post of special police officer is to be regarded not as in any way dishonourable or involving harsh conditions but as an honourable office to which men are appointed for the preservation of the public peace.

(*b*) The requirements in respect of discipline should usually be light. Any conditions which might be regarded by local residents as offensive and unnecessarily irksome should not be insisted upon. Physical drill, for instance, would in most cases be inappropriate and the saluting of officers below the rank of Inspector unnecessary; while parades or attendance at the police-station, when necessary, should be so regulated as not to cause hardship.

(*c*) It is unnecessary to prescribe a regular uniform. A distinguishing badge, such as a red or dark blue armlet, would probably meet all requirements. Special Police officers need not be called upon to wear belts.

Special Constabulary Reserve. [§12, Act V, 1861.]

677. The Bengal Police Special Constabulary Reserve is established under section 2 of the Police Act, 1861, to assist the regular police force in any emergency in the maintenance of law and order and the prevention of sabotage.

The rules for this Reserve which have been framed under section 12 of the said Act will be found in Appendix XXXVII.

Absorption of temporary constables. [§12, Act V, 1861.]

678. Constables enlisted in temporary vacancies shall as soon as possible be absorbed, if found suitable, in permanent vacancies: if there are not likely to be sufficient permanent vacancies within the period for which they have been temporarily entertained, the Superintendent shall give early intimation to th Deputy Inspector-General of the Range who may be able to arrange for those remaining to be absorbed in other districts.

Reduction of establishment.

679. All reductions in establishment shall be promptly carried out. When there is likely to be any delay, immediate representation shall be made.

680. (*a*) Application for temporary appointments for which the sanction of the Provincial Government is required shall be made by the Deputy Inspector-General at least two months, and in cases of appointments for which the sanction of the Central Government is required, at least four months, before the expiry of the term of sanction. **Renewal of temporary establishment.**

(*b*) A temporary establishment shall, under no circumstances, be retained beyond the sanction period without obtaining fresh sanction and similarly no temporary estblishment shall be entertained without first obtaining the sanction of the Provincial Government.

681. Early in April each year detailed statements of the permanent estblishment (together with an abstract) existing on the 1st April shall be prepared in Bengal Form No. 2440 and submitted by all heads of officers to the Range Deputy Inspector-General concerned, who should check them and submit a consolidated statement for the Range to the Inspector-General. Similar statements shall be submitted to the Inspector-General from the Criminal Investigation Department and Intelligence Branch. In forwarding the statement the Deputy Inspector-General will certify that the total number of officers in each rank is within the sanctioned scale. Full instructions are given in notes appended to the form and in article 62, Civil Account Code. The statement should be carefully checked with service books and a certificate endorsed on it thus—"compared with service books and found to agree". In preparing a consolidated statement for the province, the Inspector-General's office will see that the total number of officers in each rank is within the sanctioned scale. **Detailed of establishment.**

CHAPTER XI.

Special Armed Force.

EMERGENCY FORCE GUARDS AND ESCORTS.

682. At the headquarters of every district except the Railway Police districts there shall be a Special Armed Force which shall provide (*i*) an emergency force at headquarters, (*ii*) an emergency force at selected subdivisions, (*iii*) guards and (*iv*) escorts. It shall include armourers, buglers and the casualty reserve separately calculated on a variable percentage of the total number of head constables and constables of the Special Armed Force sanctioned for the district. **Special Armed Force and its reserve.**

683. (*a*) The Special Armed Force shall be constituted by drafts from the ordinary police of the district out of which as many men as possible shall pass through this force for training, but in posting men Superintendents shall see that those who are unsuitable by physique or any other reason are not drafted into this force. All members of the district force are liable to a term of service in this force for a period of two years at a time and no one shall be kept there for more than this period at a stretch against his will, except under the orders of the Range Deputy Inspector-General. A constable may if he so **Composition of the special Armed Force. [§12, Act V, 1861.]**

desires volunteer for permanent service in the Special Armed Force. These orders do not apply to districts, where the Special Armed Force is constituted of Gurkhas and Garhwalis who shall not serve in other departments of the district force. In other districts, the proportion of the armed force to consist of Gurkhas, Garhwalis and Punjabis shall from time to time be fixed by the Inspector-General and the members of these classes, not being qualified for police-station duties, etc., shall not serve in other departments of the district force.

(*b*) Constables during their period of service in the Special Armed Force shall draw a special pay of Rs.2 per mensem.

Daily drill at headquarters. [§12, Act V, 1861.]

684. (*a*) All available force at headquarters shall be drilled every morning execept Thursday and on holidays. The Superintendent shall prepare a weekly programme of the drill and exercises, including games, to be, performed each day, and of the instructional and other lectures to be given. Riot drill shall be practised frequently and route marches undertaken occasionally. When outdoor work is impracticable, indoor instruction in the treatment of arms and ammunition should be substituted.

(*b*) Muster parades shall be held once a week at all district and subdivisional headquarters, which shall be attended by all available officers. The day and hour for these parades shall be fixed by the Superintendent at district, and by the Subdivisional Police Officer or Circle Inspector at subdivisional headquarters.

Emergency force. [§12, Act V, 1861.]

685. A portion of the Special Armed Force shall always remain in readiness at the headquarters lines or at subdivisions for dealing with the local disturbances. This shall be known as the "emergency force". It shall always remain up to full strength. the personnel will be found from the Special Armed Force and each officer shall take his turn of guard, escort or other duty as occasion requires. The actual number of officers allotted for the emergency force shall always be actually present at headquarters unless a party is specially permitted to be absent with the sanction in writing of the District Magistrate. If frequent reductions have to be made in the strength of the emergency force, the fact shall be reported to the Deputy Inspector-General of the Range.

Duties of officers in regard to the efficiency of Special Armed Force. [§12 Act V, 1861.]

686. Superintendents and Additional Superintendents should, when at headquarters, attend parade in uniform at least once a week and their Assistant and Deputy Superintendent at least twice a week. Their attendances shall be noted by their intials against the heading "Actually on parade" in the morning report. Superintendents are responsible that the force is properly instructed and trained in all items of police drill.

Members of Unarmed Police temporarily at headquarters to remain under Armed Inspector. [§ 12, Act V, 1861.]

687. Officers below the rank of Inspector belonging to the Unarmed Police who may, for any reason, be temporarily at headquarters, shall be under the Armed Inspector and subject to the same routine and discipline as officers of the Special Armed Force.

688. All Sergeants of the Bengal Police shall be deemed to be of the rank of Sub-Inspector for the purpose of the exercise of any power which has been declared under the provisions of the Bengal Public Gambling Act, 1867 (Bengal Act II of 1867), as subsequently amended, and the Bengal Excise Act, 1909 (Bengal Act V of 1909), as subsequently amended to be exercisable by a police officer of the rank of Sub-Inspector. **Rank of Sergeants for the purpose of certain Acts.**

689. (*a*) The officers named below are competent to indent for guards escorts for the pupose of guarding or escorting prisoners, lunatics or treasure, currency notes, etc., opium, liquor in bond, and other valuable property of the Crown:— **Officers competent to indent for guards or escorts.** [§12, Act V, 1861.]

Commissioners.

Judges.

The Registrar, High Court, Dacca (on pay day).

The Secretary, Board of Revenue, Government of East Bengal, Dacca.

Accountant-General, East Bengal, Dacca.

Magistrate of Districts.

Assistant Secretary, Communication, Buildings and Irrigation Department of East Bengal, Dacca (for escort of treasure only).

Settlement Officers (escorts only).

Subdivisional Magistrates.

Munsifs.

Divisional Forest Officer and Range Officers of the Sundarban Forest Division (for the purpose of escorting remittances from Forest Ghat, Khulna, to the State Bank of Pakistan, Khulna).

Executive Engineers (for escort of treasure only).

Assistant Manager of the Pakistan Government Press, Tejgaon, Dacca.

Superintendents of Jails.

Officers-in-charge of Treasuries.

Subdivisional Officers, Telegraphs.

The Divisional Forest Officers and the Range Officers, Chittagong Hill-tracts Division (for escort of treasure only).

Resident Engineers of Electric Supply Cos. at Chittagong, Khulna, Chandpur, Brahmanbaria and Rajshahi (or escorting money from office to the local Treasuries or Banks).

Assistant Collector of Central Excise and Land Customs in East Pakistan (for the purpose of transporting gold and other valuables from the respective districts to Dacca as and when necessity arises).

Land Customs Officer, Benapole, Jessore (for escort of treasure and valuable seized goods from Benapole to Jessore and *vice-versa* once a month only).

The Manager of the Branches of the National Bank of Pakistan (for the purpose of escortnig remittances from the Branches of the Nationl Bank of Pakistan in the districts of Chittagong, Tippera and Mymensingh to the State Bank of Pakistan, Dacca).

The Manager of the Branches of the National Bank of Pakistan (for the purpose of escorting remittances from the Branches of the National Bank of Pakistan in the districts of Dacca and Tippera to the State Bank of Pakistan, Dacca).

(*b*) If any officers ask for guards or escorts that are not provided for by these regulations, they shall be informed that they must obtain the sanction of the Provincial Government through the head of their department without which the required guards or escorts cannot be furnished.

690. (*a*) Instructions for giving notice to postmasters of escorts passing between stations and headquarters will be found in regulation 241.

(*b*) In special cases when large sums have unexpectedly to be sent to any office the head of the local post office may ask the Superintendent for a special escort, and when this can be given without interfering with other work it shall be supplied without payment. It must, however, be distinctly understood that this regulation confers no right to indent for escort.

Magistrates' and Commissioners' guards. [§12, Act V, 1861.]

691. (*a*) If the number of men available for dutv in the lines permits, Superintendents, when requested, shall supply one or two constables to Magistrates and Commissioners to guard their houses during their absence from headquarters.

(*b*) If the District Magistrate so desires, a guard of one head constable and six constables shall accompany him on the occasion of his visits to the interior. Such a force is intended as a guard of honour for the chief executive officer of a district, as well as for court purposes and the custody of under trial prisoners, and no special sanction is necessary. A similar guard shall be supplied to the Divisional Commissioner when on tour at a district or subdivisional headquarters. At other places no guard shall be supplied unless he desires it. Intimation of the Commissioner's desire for a guard will be sent by him to the Superintendent in sufficient time to allow for the deputation of the guard.

(*c*) Any guard required for the custody of under-trial prisoners with Magistrates in camp shall be supplied by the police.

Guards for the Communications and Works Department. [§12, Act V, 1861.]

692. Officer of the Communications and Works Department, when marching or in camp on public duty, shall be allowed a police guard without charge, for the protection of public property, on the application of an officer not below the rank of Excutive Engineer. Such guard shall not be supplied unless the officer travelling is in charge of Government money or valuable Crown property, or unless the country is disturbed.

693. (*a*) With the sanction of the Provincial Government police guards may be supplied to railways under construction. **Guards for railways. [§12, Act V, 1861.]**

When guards are supplied to a railway at its own request for the performance of duties which are not part of the ordinary functions of the police, their cost shall be charge to the railway.

(*b*) Railway bridges, in common with other railway goods and premises, will ordinarily be protected by watchmen in the employ of the railway concerned. In the event of the replacement of these watchmen by police guards—

(*i*) when the services of the police guards are placed at the disposal of the railway at the request of the railway administration, the cost of the guards will fall upon the railway;

(*ii*) if the substitution is made on general ground of State policy and the service is taken over by the police as part of its regular duties, the charges will fall upon the Provincial Government and will be debited to police.

694. Guards supplied to railways and other parties shall be employed only in the district in which they are supplied, as the Superintendent is responsible for their behaviour and inspection Should the party to whom a guard has been supplied desire its transfer to another district, it may be transferred as required. The Superintendent of the district to whcih it is transferred shall then furnish the force and arrange for the proper inspection of the guard. **Guards to remain in their own districts. [§12, Act V, 1861.]**

695. The following are the rules for the guaidance of armed guards, applicable to guards over treasuries and magazines. A translation of these rules into the vernacular spoken by the police shall be hung up in a conspicuous place where the officers on duty can see and study them. **Treasury and magazine guards—Standing orders. [§12, Act V, 1861.]**

NOTE—.The rules shall be considered applicable, as far as possible to all guards over prisoners, treasuries, arms, ammunituon, or other property or persons.

(1) For each sentry posted, there must be specific orders by the Superintendent defining (*i*) the sentry's beat and front, (*ii*) the position of the guard when it is required to fall in and (*iii*) the distance at which intruders are to be challenged.

NOTE.—Where the guard room is at some distance from the sentry's beat the Superintendent shall arrange for a separate sentry over the guard.

(2) When a sentry, who is to be posted at a new post has reached the post assigned to him, he shall be ordered to halt and face in the required direction. The officer posting the sentry shall then read and explain the orders to him, telling him the objcet for which he is posted and showing him the front of his beat. A copy of the orders for each post shall be hung up at the post.

(3) Sentries are to remain on the alert; they must not quit their arms, lounge, sit or lie down, take of any part of their uniform, or on any account converse with any one or quit their post. Sentries should ordinarily traverse the full extent of their beat at least once five minutes, unless local orders to the contrary are prescribed.

(4) A sentry moving about on his post shall always turn outwards when turning about.

(5) On the occasion of the relief of the sentries, one of the head constables of the guard shall invariably post them, except where there is only one head constable, and then the lance-naik or senior constable of the guard may be deputed to see to the relief of the sentries during the day, but never during the night. Senteries shall load and unload their muskets only under the order of the Guard Commander.

(6) When a sentry violates his orders and is put upon his trial, the head constable or any other officer who posted him shall be called to prove the orders of that particular post.

(7) Head constables or other officers relieving sentries, as well as the sentry, shall satisfy themselves on the occasion of each relief that all fastenings are secure. This should be particularly observed when relieving sentries at night.

(8) Sentries will be relieved every two hours. Guards at head-quarters will be relived daily and at subdivisions at least every fort-night, provided that where the local conditions are exeeptional and the difficulties of sending reliefs are great, the maximum period may be extended to a week in the former case and to one month in the latter with the special sanction of the Inspector-General. [*See* also clause (*d*) and note (*iv*) of regulation 1222.]

(9) Treasury guards will invariably be relieved at the hour at which the treasury is opened. Whenever the office-in-charge of the guard or the guard itself is relieved, the treasurer or some responsible officer appointed by him must go round with both the relieved and the relieving officers. They should examine all the doors and windows with their fastening as well as the treasure chest and receptacles, and each should satisfy himself as to the safe condition of everything in the treasury strong-room building. A joint verbal report that the above rule has been complied with should be made to the Treasury Officer directly after such examination, and to the senior police officer present on his arrival in office, if the latter is within reasonable distance of the guard. A note will also be entered in the roster book. [*See* clause 16.]

(10) The treasury strong-room or receptacles for treasure contained therein must on no account be opened or shut by a treasury officer except in the presence of the sentry and the officer on duty.

(11) As soon as the treasury is opened for the day, the doors and windows of the strong-room and their fastenings should be scrutinized, and the seals, locks, hinges, bolts staples and chains of all receptacles of treasure in charge of the guard should be carefully examined. When the treasury is closed the Treasury officer should summon the officer-

in-charge of the guard and the sentry on duty and direct them to satisfy themselves that everything is securely fastened, more particularly the treasury doors and windows. Entries to the above effect will be made on each occasion in the roster book.

(12) Special and immediate report must be sent to the Treasury officer and to the senior police officer present in the station should anything be found wrong or should any lock, bolt or other fastenings be found out of order or bear signs of having been tampered with.

(13) On such occasions or when any other defect or loss is noticed, no member of the guard shall leave the premises, until permitted to do so by the investigating officer.

(14) No box or other receptacle containing treasure shall be left outside the treasury rooms. If on any special occasion, this is found to be unavoidable, the Treasury officer shall at once report the matter to the senior police officer present at the headquarters or subdivisional station, who shall make special arrangements for the safe custody of the treasure, and report the necessity for such special arrangements to the Deputy Inspector-General of the Range. Should any of the officials of the Collectorate keep money or valuables in any place other than the treasury-room, the box containing such shall be properly secured and placed outside under the direct charge of the sentry, in the presence of the officer of the guard. The guard will only be responsible for such chests or safes as are kept outside the strong-room which are secured embedded in the wall or flush with the ground. In no case will the guard be responsible for the contents. When such chests are opened, the officer-in-charge of the guard must be present, and he must test the lock or padlock as soon as it is again closed.

(15) No safe, chest, or any receptacle containing cash belonging to any department other than the treasury shall be placed under watch of the treasury guard sentry without the written permission of the Superintendent or in his absence, the officer-in-charge of his duties. (The police cash chest forms an exception.)

(16) A roster of duty in B. P. Form No. 141 shall be kept by every officer-in-charge of a guard. The left-hand page should be written up every morning showing the names of sentries and hours of relief. On the right-hand page should be noted all reliefs, entries regarding which shall be signed both by relieving and relieved officers, all inspections of guards, doors, windows, padlocks, etc., the rounds of Treasury officer on opening or closing of treasuries, the visits of round officers, any temporary change or illness of sentries or of any member of the guard, any permission granted to any member of the guard to leave the precincts, as well as any other item of importance which may come to the notice of the officer-in-charge. It will be signed by all round and inspecting officers, including gazetted officers, who shall make any remarks that may be necessary about the condition of the guard.

(17) All head constables on guard duty shall be armed with muskets.

(18) (*i*) All sentries guarding buildings which contain treasure, or arms shall be armed with rifles and shall wear one pouch for 20 rounds

only, which will contain 15 rounds of ·303 ball ammunition in chargers. All members of the guard except the sentries will have magazines charged both by day and by night but no round should be in the breech. Magazines will be charged at the first opportunity after guards have been mounted. Sentries on duty will have one round in the breech with remaining 4 rounds in the magazines but safety catches will be kept in the rear. On no account will safety catches be pushed forward when sentries challenge.

(*ii*) Treasury guards or other reliefs shall carry twenty rounds of ball ammunition whenever they move.

(*iii*) One sealed box (as received from the arsenal) containing ball ammunition (which will be changed once a year) shall be kept at each Treasury and Sub-treasury guard room for emergency. The sealed box will be kept in a strong wooden box which will be attached by a chain to the arms rack and well raised off the ground. One key shall be kept by the Guard Commander and a duplicate by the Court officer.

(19) During the day half the guard shall always remain at the treasury dressed and accoutred but from half an hour after sunset to sunrise the whole guard shall be present. Members of the guard shall not be allowed to go to the bazar for their meals.

(20) No fire shall on any account be allowed in treasury buildings. For lighting the zone of fire there should be powerful oil lamps with concave reflecting mirrors placed on posts, if necessary, in such a position as to throw a broad beam of light illuminating as large a field as possible, and at the same time leave the sentry in shadow. Each sentry should also be provided with a bull's-eye lantern to enable to look when necessary, into the strong-room, which will be left in darkness. The number of lamps required must vary according to the conditions of the treasury building but the Superintendent, who is responsible for the safety of the building, must be the final judge of the number required subject to the control of the Range Deputy Inspector-General. The lamps lanterns and sufficient oil of 150 flash point shall be provided by the Collector or other officer in charge of the treasury, who shall also arrange for the daily cleaning and maintenance of the lamp and lanterns, which shall be renewed from time to time on the reasonable demand of the Superintendent.

(21) At headquarters, the Superintendent shall either himself inspect the guard or cause it to be inspected by his Assistant or other officers at short intervals. The Armed Inspector shall visit the Sadar treasury guard at least once in every 24 hours, and he shall visit it between the hours of midnight and 3 a.m., once a week. His visits must be at uncertain hours and shall occasionally be so timed that he will be present at the time of the relief of sentries. Where there is a Sergeant or a Sub-Inspector in the Special Armed Force, this officer may be occasionally, deputed instead of the Inspector, but in no case shall the Inspectors visits be less than three by day and one by night in the week. In addition an officer shall be told off daily to visit all guards (*see* regulation 696), similarly, at subdivisional headquarters, the Circle inspector, and

in this absence, the Court officer, shall depute an officer once by day and once by night to visit the treasury guard. He shall also himself visit the guard at least twice by day and once by night each week when at headquarters. In subdivisions where a Subdivisional Police Officer is posted, that officer shall visit the sub-treasury guard at least twice a week at night. It is the duty of superior officers to see that all officers visiting rounds are thoroughly acquainted with their duties and the points to which they should attend. Round officers shall invariably turn out the guard and not merely content themselves with visiting the sentries at night. They shall test the ability of the sentry to call out the guard from his post.

(22) *Alarm parades.*—(*i*) *For emergency force.*—During the inspection of the guard the Superintendent shall occasionally test the mobility of his emergency force by holding an alarm parade at the treasury. In carrying this out the following points should be observed. The emergency force shall carry out all movements at the double. They shall take every advantage of cover and avoid getting bunched up. Their primary objects is to take possession of and hold the treasury. An alarm parade register in B. P. Form No. 142 shall be kept in the treasury guard room and shall be written up by the senior officer attending the parade.

(*ii*) *For Guards.*—The men of the guard on hearing the alarm shall proceed direct to their posts remaing there in defence of the treasury till the arrival of the emergency force or until further orders.

(*iii*) *For unarmed police.*—Officers of this branch at district and subdivisional headquarters shall also attend alarm parade.

(23) Between sunset and sunrise sentries on treasuries shall call out the number of their post and "All is well" every half hour. If any sentry fails to do so, the fact shall beat once reported by any other sentry to the officer-in-charge of the guard.

(24) Where there are telephones connecting treasury guards and headquarters force, the relieving sentries at each end shall always, between sunset and sunrise, ring up to find out whether the telephone is in working order. If they fail to get a reply, a constable shall be sent from the headquarters force to see whether the wires have been tampered with. An extra constable shall be kept for this purpose alone in the guard-room of the headquarters force. The head constable, when visiting his sentries, shall also ring up occasionally. A register shall be maintained, in which the name of each sentry on the treasury guard shall be noted as soon as he rings up headquarters.

(25) The bulk of cash at subdivisional treasuries shall be kept under double locks, the key of the one remaining with Subdivisional Magistrate and of the other with the treasurer.

(26) The duplicate keys of the Chubb's locks which are in use for the record-room doors of the offices of Collectors are to be placed in a sealed packet and handed over to the officer-in-charge of the treasury guard. The sealed packet will be examined once a week by the record-room

Deputy Collector. The Registration record-room keys may be similarly made over to the police guard, in which case, the sealed packet will be examined once a week by the District Sub-Registrar. But except as provided for below on officer-in-charge or constable of any guard shall take charge of the key of any strong-room, safe or receptacle in which treasure is kept.

(27) When the *nazir* or any responsible member of the office establishment of the civil court does not reside in the close vicinity of the Court house, the duplicate keys of the office shall be handed over to the office-in-charge of the treasury guard, in a cover secured with the seal of the court. The officer-in-charge shall only deliver up the keys in the event of an alarm of fire between sunset and sunrise, or upon presentation of written order from one of the presiding officers of the courts concerned.

(28) Should any one approach the post or building between the hour of sunset and sunrise the sentry must challenge such person and order him to halt. Should he fail to get a satisfactory reply he will bring his rifle to the 'ready' and take off the safety catch, at the same time calling out loudly for the guard to 'stand to'. Should the intruder still fail to obey the order to halt and persist in approaching the sentry's post, the sentry should again order him to halt and, at the same time, threaten to fire. Should the intruder still refuse to halt, the sentry may, at his discretion, use his bayonet or fire. Should there be more than one intruder and should they disobey the orders of the sentry and attempt to rush the building, he should not hesitate to open fire at once.

(29) Arms belonging to members of the guard who are not on duty should be kept in strong wooden racks, the muzzles of the rifles being passed through holes bored in the head rail of the rack, the heel-plates embedded in deep sockets in the lower rail, and an iron rod with a round knob at one end and a ring at the other passed through the upright of the rack and the trigger guards of the rifles and secured by a padlock, the key of which will be in possession of the head constable. A box with a padlock should also be provided in which to keep the packets and loose rounds of members of the guard who are not on duty, the head constable being responsible for their distribution and collection, respectively, when the guard falls in at sunset and sunrise for inspection. The head constable and all the guard shall be accommodated in one room, if possible, the arms being kept in the same room at a distance from windows and doors. The Superintendent should see that no one can enter the guard-room, except by a door in full view of the sentry.

Note—The arms and ammunition of officers on duty shall remain with them.

(30) The entire guard shall be paraded in uniform under arms at sunrise and sunset and shall be carefully inspected by the officer in command. He shall then read out the orders in force relating to the guard, the roster of duty for the day, and shall collect or distribute the ammunition as detailed above before discharging the guard.

(31) The following are the duties of head constables in-charge of guards and sentries. Superintendents and other inspecting officers shall see that these orders are strictly followed:—

(*i*) Each guard shall ordinarily be in the charge of not less than two head constables. The senior head constable shall be solely responsible for the guard unless he is too ill to carry out his duties when he shall hand over the command to the other head constable and at once inform his superior officer and get relieved.

(*ii*) Both head constables shall not be absent from the guard at one and the same time.

(*iii*) If the senior head constable leaves the guard for any reason he shall inform the junior head constable, stating where he is going and the length of time he is likely to be absent, so that he can easily be called, if required. The fact must also be entered in the roster book.

(*iv*) The junior head constable shall only leave the guard with the sanction of the senior head constable. This must also be recorded in the roster book.

(*v*) The duties should be divided between the head constables according to mutual arrangement. Two hours on and two hours off or four hours on and four hours off are suitable periods. The term agreed upon is to be shown in the roster book.

(*vi*) The head constable on duty shall not sleep during his turn of duty and he shall be responsible for the proper supervision of the guard during his turn of duty.

(*vii*) The head constable while on duty shall—

(1) visit the sentries every hour;

(2) see that the sentries are properly and punctually posted and relieved and know their orders, and actually be present at each posting and relief;

(3) see that the sentries perform their duties properly;

(4) see that the guard is ready to turn out at a moment's notice and that it does so smartly;

(5) see that the men are properly dressed and accoutred;

(6) see that the arms and ammunition in his charge are kept in their right places; and

(7) see that all other property or persons under his charge are being properly looked after.

(*viii*) The senior head constable shall be responsible for the conduct of his men and the cleanliness of the arms of the guard.

Note.—The rules regarding strong-rooms and the methods for the storage of coins in Government treasuries are laid down in the Provincial Treasury Rules and the Subsidiary Rules made thereunder.

An officer to be detailed for night rounds. Register of visiting guards. [§12, Act V, 1861.]

696. An officer shall be told off daily to visit all guards once a night, at uncertain hours. The name of this officer, with other particulars shall be entered in a register in B. P. Form No. 143. No entry in the district order book is needed. The Superintendent shall see that the hour of visiting the guards is varied, and that the services of the officer detailed are also utilized for seeing that the Town Police are on the alert. On the following morning the officer who visited the guards shall submit report in B. P. Form No. 144. In sudivisions this register shall be kept by Circle Inspectors.

Police guards for jails. [§12, Act V, 1861.]

697. (*a*) No guard shall be supplied except upon real emergency to any jail without the knowledge of the Inspector-General of Prisons and the approval of the Range Deputy Inspector-General.

(*b*) If in any emergency a Superintendent may think it his duty to supply a guard, the fact shall be reported at once to the Deputy Inspector-General.

(*c*) The occasions on which the Jail Superintendent may apply for police guard and the rules pertaining to them are in Appendix XXXVIII.

Outbreaks in jails.

698. Rule 474 of the Bengal Jail Code is reproduced for the information and guidance of police officers—

"Where the police lines are sufficiently near a jail for the alarm signal to be heard there the constables stationed at the police lines shall take part in alarm parades, and if there is an outbreak they shall march to the jail to assist to quell it. The Superintendent shall make with the Superintendent of Police such arrangements as seem advisable for a concerted plan of action in the case of an outbreak."

Note.—In view of the fact that the Superintendent of Police is specially trained in the duties connected with the quelling of disturbances, this rule should be interpreted to mean that in the event of an outbreak in a jail the Superintendent of the Jail should ordinarily ask the Superintendent of Police to take charge of the operations. The Superintendent of the Jail will continue to remain in charge of the jail. (Government of Bengal Revenue Department, Order No. 2385 R. J., dated the 7th March 1923.)

Senior officer to take command of guard. [12, Act V, 1861.]

699. (*a*) When a police guard is supplied, the senior police officer present shall take command of all those who form the guard, whether police, warders, chaukidars or the like.

(*b*) The officer-in-comand is responsible for the conduct of the guard. The Superintendent shall either himself inspect the guard or cause it to be inspected at short intervals.

Accommodation.

(*c*) Accommodation shall be provided and arrangements for water-supply shall be made by the department to which, or person to whom, the guard is furnished; but when guards are supplied for jail health camps, if the Superintendent can supply tents, they shall use them instead.

700. (*a*) The Armed Inspector is responsible for telling off head constables, naiks and constables for guard and escort duties. Before the force leaves the police lines the Armed Inspector, or in his absence, the Sergeant or the Sub-Inspector or the senior drill instructor shall satisfy himself that it is properly equipped and shall make a note of such inspection in the roster of duty.

Armed Inspector to see that the force detail for guards and escorts duties is properly equipped. [§12, Act V, 1861.]

(*b*) Guards and escorts shall not take with them any articles that are not part of their uniform except bedding and that only if long distances have to be travelled.

No unauthorized articles to be taken by guards and escorts.

701. (*a*) Escorts shall be furnished only on written indents from competent authority. A separate requisition shall be made for each escort required in B. P. Form No. 145 and escort shall be distinguished from each other by the number of the requisition. Persons authorised to indent for escort parties shall be supplied with books of requisition forms by the Superintendent.

Escort requisitions and general rules regarding escorts. [§12, Act V, 1861.]

(*b*) The Superintendent shall determine the strength of the escort to be supplied when it is not laid down by rule. (*See* regulations 704-707.)

(*c*) Forty-eight hours' notice in ordinary cases and 72 hours' notice in the case of escorts proceeding beyond the limits of the province (exclusive of Sundays and holidays) shall be given to the Superintendent to enable him to furnish an escort of the proper strength. But in urgent cases, on requisition from competent authority, Superintendents shall do their best to supply or relieve escorts at short notice.

(*d*) Superintendents shall report promptly to the Deputy Inspector-General of the Range, by telegram when necessary, when they anticipate difficulty in providing escorts within the time fixed by district officers. In such cases special arrangements shall be made by the Deputy Inspector-General for the supply of the force.

(*e*) As a rule railway and inland steam navigation lines shall be utilized as much as possible, and the shortest road from one place to another shall be taken.

(*f*) When large escorts are sent sufficient accommodation in the train or steamer or bus shall be reserved in good time and each Assistant Sub-Inspector or head constable shall be definitely in-charge of a specified number of men of whom he shall have a list.

(*g*) All arrangements as regards carriage shall devolve upon the officer to whom the escort is supplied, and shall not in any way form part of the duty of the police. [*See* regulation 703(*b*).]

(*h*) Prisoners and treasure shall not, except under special circumstances, be sent together.

(*i*) Superintendents shall not despatch treasure or receive charge of it for despatch by railway until assured that arrangements have been made for receiving it at the station of arrival.

(*j*) Escorts shall never travel by night, except when proceeding by railway, steamer or boat, or under special instructions; and the marches shall be regulated so as to take advantage of police-stations or other places of security in which to lodge prisoners and treasure when halting for the night.

(*k*) With a view to utilize as much as possible escorts returning to their districts, indenting officers having prisoners or treasure to be escorted to any place on the line of march shall apply to the senior local police officer present to depute a return escort or any portion of it for this purpose, and such police officer shall, unless there be good grounds for refusal, comply with the requisition and make all necessary arrangements in accordance with rule, sending by the next post, to the Superintendent of the district to which the escort belongs, a copy of the orders he has given to the officer-in-charge of the party.

(*l*) Advantage shall be taken of returning escorts whenever possible for the despatch of treasure or prisoners to the district to which they belong or any district on their line of route. Officers-in-charge of escorts of any kind shall, on arrival at their destination, enquire from the authorities of the district whether any prisoners or treasure are awaiting transfer to their own district or to any district *en route*, and shall take charge of any that may be made over to them for escort. The escort commander shall report himself to the local Superintendent who shall make any arrangement that may be necessary for strengthening the return escort. Escorts arriving at Calcutta shall enquire at both the Alipore and the Presidency Jails.

(*m*) Escorts, when halting at headquarters or subdivisions, prior to escorting prisoners or treasure back to their own districts, shall remain together in the police lines or the police-station compound.

(*n*) When any treasury official is sent in-charge of a remittance he shall remain present whilst the treasure is being examined and shall take back all bags and padlocks. If the escort is returning to the station of original despatch, the chests, etc., should be sent back under its charge, *coolies*, cart-hire and freight being paid by the treasury.

(*o*) Male prisoners when heavily fettered, shall invariably be conveyed to and from railway and steamer stations in carts, or carriages.

(*p*) Female and juvenile prisoners shall be separted as far as possible from adult male prisoners. Female prisoners whether convicted or under-trial while on transit shall invariably be accompanied by a female warder to be furnished by the Jail Department.

(*q*) When an escort proceeds by boat or road, and one or more nights may be expected to intervene before it arrives at its destination, one hurricane lantern for every 10 men, with a sufficiency of oil or funds to procure it, shall be made over to the senior officer of the escort by

the Reserve office for use during the journey. In every place, hut or tent, where prisoners are confined or treasure guarded during halts, and at every place of detention on railways owing to change of trains or steamers, etc., at night, a hurricane lantern shall be suspended, so that the treasure or prisoners may be in the full light.

(*r*) The segregation of prisoners, etc., travelling by railway is obligatory whenever—

(*i*) military prisoners are sent;

(*ii*) the aggregate number of prisoners and guards sent exceeds eight in number;

(*ii*) even one prisoners is sent, if violent or dangerous; and

(*iv*) insanes, civil or military, are sent.

(*s*) Whenever compartments are reserved for the transport of prisoners or lunatics or iron frames attached in order to segregate prisoners or lunatics, payment shall be made at the rates charged by the different railways to the general public for reserved accommodation. In other cases prisoners may be carried by ordinary trains at ordinary rates.

(*t*) When convicts proceed the whole or part of their journey by road, they shall not be marched more than 20 miles in one day. [*See* clause (*j*).]

(*u*) (*i*) When at any time it becomes necessary to allow convicts to stop for necessary purposes, the whole party shall be halted, and not more than two convicts at a time detached for such purpose. These convicts shall have shackles put on their legs singly, and the handcuffs being then removed, they shall be allowed to proceed to a distance of not more than 12 paces from the escort. The halting place shall be carefully selected in a clear and open piece of ground. The handcuffs shall not be removed until the leg-shackles are securely adjusted and *vice-versa*.

(*ii*) Ordinarily two halts shall be permitted in one day to attend to necessary purposes, in addition to the authorized halt, to allow the convicts to cook and eat their food.

(*iii*) When a police-station lying *en route* is used as a halting place the officer-in-charge of such police-station shall give all reasonable aid to the escort commander, but all arrangements for feeding and guarding the convicts devolve during the halt on the police escort and not on the local police.

(*iv*) To prevent dangerous overcrowding, each lock-up in which prisoners are accommodated for the night, shall be measured and the number the room is capable of holding shall be printed on the door. Each prisoner shall have not less than 9 square feet of sleeping space and at least 10 square inches of ventilating openings. In very hot weather vernadahs shall, if possible, be occupied instead of closed rooms.

(*v*) At stations where there is a railway police lock-up, all prisoners escorted by the District Police may, if a halt is necessary, be placed in the lock-up, the escort providing the sentry.

(*w*) (*i*) The regulations regarding escort of prisoners by railway shall, as far as possible, be applicable in case of escort of prisoners by steamer. Prisoners sentenced to more than 6 months' rigorous imprisonment, prisoners awaiting trial for serious offences who have previous convictions, or who are reported to be dangerous, should be put in leg-shackles as well as handcuffs. At night a light chain should be passed through the fetters of each prisoner and the end tied to the sentry, or the ends padlocked to stanchions.

(*ii*) A chain should also be used whenever a prisoner goes to the closet, the end of the chain being passed under the door.

(*iii*) On river steamers the escort commander shall report all circumstances connected with the convicts in his custody to the Commander or Serang of the steamer or flat, to whom he shall apply in all difficulties for advice and assistance and from whom he will receive all orders, necessary for the safe custody and well-being of the convicts.

(*x*) Men supplied from police-stations to strengthen escort shall be relieved at the next police-station in the line of route.

Procedure on receipt of escort requisition. [§12, Act V, 1861.]

702. (*a*) On receipt of an escort requisition, the head clerk shall fill up the printed order on the reverse of it, showing the strength of the escort and the amount of daily allowance or mileage, if any, considered necessary to be advanced to the escort, and shall lay the requisition and the necessary pay cheque, if any, before the Superintendent for approval and signature, after which he shall send them to the Armed Inspector.

(*b*) The Reserve officer shall then prepare a command certificate in B. P. Form No. 10 after entering on it the annual serial number of the escort, the names of all the men composing the escort, the name of the relieving station, if any, the number of railway warrant, if any, or the amount, if any, advanced for travelling expenses; and any particulars furnished by the jail or asylum authorities as to the dangerous character, etc., of prisoners or lunatics. The Reserve officer shall be responsible for explaining all details entered in the command certificate to the escort commander and shall direct him to report himself with his party to the indenting officer half a hour before the time fixed, and also to the chief police officer of the place of destination after making over charge of the prisoners or treasure.

(*c*) The Armed Inspector shall make over the money advanced to the escort commander, take his receipt on the pay cheque, and give him the command certificate and such further instructions as are necessary.

(*d*) When the same boat or conveyance is used by both prisoners or treasure, etc., and by the escort, a fair proportion of the hire should be defrayed by the Police Department. [Note (K), Appendix B, Bengal Government Circular No. 1F., dated the 21st March 1907.]

(*e*) Advances under article 159, Civil Account Code, limited to actual expenses may be made to Inspectors and all non-gazetted police officers employed on escort duty or camp guard if required to perform journeys by road, steamer or railway for which travelling allowance is admissible under the Fundamental and Subsidiary Rules

(*f*) For the payment of expenses incurred in bringing under-trial prisoners to the Magistrates' Court, *see* regulation 333.

(*g*) On return of the escort, the Armed Inspector or the Reserve officer as the case may be, shall fill up the memorandum at the foot of the escort requisition and return it with the balance, if any, due to the Provincial Government to the head clerk, who shall adjust the account, either receiving the unexpended balance or paying the balance due to the escort. From the escort requisition and command certificate the accountant shall prepare the travelling allowance bill for the escort and shall return the requisition and the command certificate duly defaced to be filed with the counterfoil of the latter.

703. (*a*) (*i*) Before the escort falls in for inspection, (*vide* regulation 700) the escort commander shall appear before the Reserve officer to receive necessary instructions and to take over such handcuffs, leg-shackles and lanterns as may be required. He shall take notes of these instructions in his roster. **Duties of escort commanders. [§12, Act V, 1861.]**

(*ii*) While proceeding by railway on escort duty he shall travel in the same compartment with his men and will draw travelling allowance at the prescribed rates.

(*b*) He shall not move, without written instructions as to procedure *en route*, from the officer to whom the escort is supplied and he shall not take charge of any prisoner, lunatic or treasure, unless the officer to whom the escort is furnished pays the railway fare or provides a pass for such person or treasure up to the station at which the entire railway journey will cease, and provides food or money for its purchase for the person or persons to be escorted. [*See* regulation 701 (*g*).]

(*c*) He shall keep all persons and things under escort as close together as possible, to ensure efficient surveillance, placing the police in the rear and on each flank. For this purpose he shall himself remain in the rear. The firearms of the guard shall be examined in the presence of the prisoners or drivers of the treasure carts.

(*d*) He shall permit no communication on any account between outsiders and prisoners or drivers of treasure carts.

(*e*) When he makes over charge at the place of final destination to the officer authorized to receive the prisoners or things escorted, he shall take a receipt for every person or thing delivered, which he shall submit to the Reserve office on return.

(*f*) Escorts returning to their station shall be brought back by the escort commander in a body under proper discipline and shall not be permitted to break off or dawdle on the way.

(*g*) Before taking charge of convicts, he shall see that all handcuffs and fetters are secured and in good order, and that none of the convicts can possibly rid themselves of them without aid. This examination shall be repeated whenever the convicts halt or resume their journey. The handcuffs shall be provided by the police.

(*h*) Before starting, he shall search the prisoners to see that they have no silk, string, wire, files, knives or other weapons secreted about their persons, and he shall check all prisoners and their property with the list made over to him. The same precaution shall be taken by relieving and relieved officers whenever an escort is relieved.

(*i*) When a railway pass or food for the whole journey is not given by the jail, a sum of money sufficient to meet all expenses of dieting and carriage of the convicts on the road shall be provided and given to the escort commander by the authorities of the jail from which the convicts are sent, and he shall meet all expendiutre on account of the convicts from this fund. He shall keep an account of all expenditure on account of the convicts, and whenever that expenditure is made at any police-station or other Government establishment, the officer-in-charge of such station, etc., shall attest such expenditure on the above account. [*See* clause (*s*).]

(*j*) He shall, on reaching his destination, render a detailed account of the funds entrusted to him to the Superintendent of the receiving jail.

(*k*) (*i*) He shall when travelling by railway at once report to the station-master and ask him to wire to the nearest hospital if any member of the escort or any prisoner in custody of the escort be attacked by illness, such as cholera, necessitating immediate medical help. The cost of the telegram shall be borne by the Police Department. The Railway Police on duty at the station shall also be informed of the illness as early as possible and shall render all the assistance possible.

(*ii*) In case of journeys by boat, or road, if a convict or a *collie* of treasure escort becomes so seriously ill as to be unfit for travelling, he shall be left at the next police-station. A convict shall be taken to the nearest jail or lock-up and a *coolie* to the nearest hospital. The fact shall be noted in the roster and report of the circumstances made to the Superintendent, the requisitioning officer and the officer to whom the escort has to deliver up its charge. In case of sickness another *coolie* shall be engaged with the help of the local police.

(*iii*) In case of sickness in steamer journeys recourse shall be had to the medical assistance available on board the steamer, and the officer-in-charge of the escort shall be guided by the advice of the medical officer.

(*iv*) If a convict coupled to another falls sick, he shall be detached from his companion, the latter being coupled to any odd convict there may be in the party, or handcuffs may be put on him alone. Should cholera appear on the march either among the convicts or the carriers of treasure, or the guard, the party shall halt immediately, and the escort commander will apply for orders and assistance at the nearest police-station.

(*v*) In case of death among convicts, he shall report the fact to the nearest police-station and shall make arrangements for the due custody of the corpse by the chaukidar of the place where the death occurs. The officer-in-charge of the station, when such death is reported, shall dispose of the body in the usual manner, should there be no suspicion as to the cause of death.

(*l*) (*i*) Escort commanders are only justified in ordering fire upon a prisoner in the event of a murderous attack by the prisoner upon any person, which cannot be prevented by other means and which would place the person attacked in imminent danger of death or injury.

(*ii*) The escort should be instructed that they should not fire upon a prisoner without orders from the escort commander unless obliged to do so in self-defence.

(*iii*) When a member of an escort party discovers a prisoner attempting to escape, he shall at once raise an alarm, but shall not fire upon the escaping prisoner.

(*m*) When an escape takes place from an escort party, the escort commander shall give prompt notice at the nearest police-station and proceed with the remaining prisoners. If recapture be not immediately effected, the warrant and documents relating to the prisoner and his property shall be reutrned to the jail whence he was despatched.

(*n*) He will, if attacked, defend his charge to the best of his ability according to the circumstances of the case. If his assailants are unarmed he should endeavour to ward them off with fixed bayonets but if they are armed he should not hesitate to open fire.

(*o*) (*i*) Before placing the prisoners in the train and again when alighting he shall satisfy himself by examination that the irons and handcuffs of the prisoners are secure.

(*ii*) Before placing the prisoners in a carriage fitted with cages he shall see that the cages are tightly and securely fastened. If any part of the fittings appears to be loose or unsafe, the fact shall be brought to the station-master's notice.

(*iii*) Prisoners shall ordinarily be kept together in one compartment of a third class carriage and shall be attended by the escort, two of whom when there are enough men, shall be seated at each door of the carriage. Each man shall be careful to keep his arms safely by his side.

(*iv*) If there be not room for the whole of the escort and the prisoners in one compartment, both escort and prisoners shall be divided, so that prisoners shall never be without men of the escort being in the same compartment, at least one at each door.

(*v*) As soon as the train stops at any station, he shall get out and see that the escort is vigilant and that proper order and discipline are maintained among the prisoners. If it is necessary to allow prisoners to leave the train for any purpose, one man from the escort shall be told off to accompany each prisoner. If further assistance should be required, it shall be demanded from the Railway Police. Not more than two prisoners shall be allowed out of the train at a time, and only one when the escort does not exceed three men.

(*p*) He shall invariably inform the police of any station or outpost which may be in his way of the passing of the escort; and, if necessary, men shall be deputed from such station or outpost to accompany the escort to the next station *en route*, with a view to prevent communication with prisoners or drivers of treasure carts, and to protect the party from surreptitious theft.

(*q*) He shall be responsible only for the preservation and safe delivery of the boxes or cases made over to him with unbroken seal, untampered with, and in the condition in which they are committed to him. He should refuse to take charge of any box or package which is not substantially and safely packed or which bears any appearance of having been tampered with.

(*r*) He shall whenever the party escorting treasure has to halt at a railway station, ask for the assistance of the Railway Police in getting a proper place in which to rest and keep the treasure. One of the rooms used by the Railway Police as a station-house shall ordinarily be given up for the night.

(*s*) On return of the escort he shall report himself to the Armed Inspector or in his absence to the Sergeant or senior Sub-Inspector at the Reserve office and give an account of his expenditure, if any.

Strength of escorts for prisoners, and treasure and stamps. [§12, Act V, 1861.]

704. The scales prescribed for escort for prisoners, treasure and stamps by road, country boat, railway and steamer are given in Appendix XXXIX.

Escorts of treasure by railway. [§12, Act V, 1861.]

705. (*a*) When treasure is escorted by railway, the strength of escorts shall be the same by road (*vide* Appendix XXXIX) up to the maximum prescribed in regulation 706 for journey by steamer.

(*b*) The station-master shall give the escort a paper notifying that it is in charge of treasure loaded in so many wagons.

(*c*) No escort is necessary in the case of remittances consisting exclusively of copper, bronze or nickel coin when sent by railway from one treasury to another. Remittances partly of silver and partly of copper, bronze or nickel coin will be sent under an escort.

(*d*) Third class free carriage on the outward and return journey may be demanded from the railways noted below on the following Scale:—

(*i*) When consignments weigh over 54 maunds and under 135 maunds	.. One man.
(*ii*) When consignments weigh over 135 maunds and under 270 maunds	... Two men.
(*iii*) When consignments weigh 270 maunds and over	Four men.

(1) All railways administered by the State.

(2) Bengal and North-Western Railway.

(3) Madras and Southern Mahratta Railway.
(4) Mysore State Railway.
(5) Lucknow-Bareilly section of the Rohilkhand and Kumaon Railway.
(6) Bombay, Baroda and Central India Railway.
(7) Bengal-Nagpur Railway.
(8) South Indian Railway.
(9) Dibru-Sadiya Railway.
(10) All railways over which Government may hereafter reserve control in such matters.

Note.—(*i*) Poddars in charge generally make use of this concession.

(*ii*) The equivalents of these weights in money-value would be as follows.—

Silver coin—

54	maunds	to 135 maunds	..	Rs. 1,50,000 to Rs. 3,75,000.
135	,,	to 270 ,,	.	,, 3,75,000 to ,, 7 50,000.
270	,,	and over ,,	..	,, 7,50,000.

Copper coin—

54	maunds	to 135 maunds	..	Rs. 4,510 to Rs. 11,275.
135	,,	to 270 ,,	..	,, 11,275 to ,, 22,550.
270	,,	and over ,,	..	,, 22,550.

One maund of copper coin packed for remittance is estimated to equal the value of Rs. 82.

706. (*a*) When treasure is conveyed by steamer, a guard of one head constable and six armed constables shall be detailed with any amount not exceeding one lakh. The men shall furnish one sentry by day and two by night, if necessary. With a despatch of treasure exceeding one lakh, the guard shall be increased in proportion up to a maximum of 12 constables. **Escort of treasure by steamer. [§12, Act V 1861.]**

(*b*) When, however, copper, bronze or nickel coin is transmitted by steamer, a police guard need not accompany the remittance. It shall be made over to the Commander or Serang of the steamer by the police officer who escorts it on board. The latter shall be furnished with receipts by the despatching officer, which shall be signed by the Commander or Serang of the steamer. These receipts shall then be forwarded to the Superintendent of the district to which the remittance is sent, who, on arrival of the steamer at his station, shall depute a proper guard to take charge of the amount, granting receipts for the same.

707. (*a*) When currency notes are sent by railway, the strength of the escort shall be determined by the police authorities, but a minimum of not less than two police officers shall be detailed for the duty. The notes shall be carefully packed in sealed parcels or boxes. The guard shall have the box containing the notes in the same carriage with **Escort of currency notes by railway. [§12, Act V 1861.]**

it and shall sit in the end compartment of the carriage with the box under the seat against the outer or end planking. If the box be too large to go under the seat, sufficient accommodation shall be reserved on the terms usually charged by the railway companies.

(*b*) The escort commander shall sign the original invoice sent to the Treasury officer to whom the notes are consigned as well as the copy kept for record. He need not count the notes and his signature is only a receipt for a packet said to contain certain notes.

Special instructions for escorting treasure by railway.
[§12, Act V, 1861.]

708. (*a*) The following instructions for the guidance of police officers-in-charge of remittances of treasure by railway are based on the orders issued in the Government of India's Resolution No. 144 of 12th January 1880.

(*i*) The police officer taking charge of a treasure escort travelling by railway will not see the treasure packed at the treasury, but he will see the boxes weighed and satisfy himself that each box is properly secured before it is transferred to the van and that it is properly placed therein. Before the treasure is loaded, he shall examine the van and see that all openings or ventilators are safely fastened and that the van is secure in every way. If any defects are found he shall immediately bring the matter to the notice of the station-master and unless they are remedied or another and secure van provided, he shall decline to load the treasure and forthwith report the matter to the Superintendent and the Treasury or Bank officer.

(*ii*) The escort should be accommodated in a brake-van attached to the treasure-van, or in the end compartment of the carriage next adjoining the treasure-van, and the doors of the escort's carriage should never be locked.

(*iii*) The escort commander will wire to the receiving officer the number of the train (passenger or goods) conveying the remittance and its hour of departure and will also wire again *en route* if any change in the train has been made or anything has occurred to delay its arrival.

(*iv*) An officer relieving such an escort will see that the numbers of the wagons agree with those given in the blank receipt tendered for his signature, that the locks as well as all openings and ventilators in the van are secure, and that the locked doors of the van cannot be opened.

(*v*) The escort commander should be provided with a lantern which will burn all night, and should cause a sentry to alight at every alternate stopping place and ascertain that the locks have not been tampered with. During any long stoppage a sentry must remain on duty by the door of the treasure wagon (both on the rear and off side of the wagon). If there be several such wagons, it will suffice to tell off four sentries, who may stand one on either side of the train at each end of the wagons.

(*vi*) In case of a breakdown separating a convoy, the escort commander should separate his party, attaching himself to the disabled portion.

(*vii*) On delivering the boxes at the treasury to which they are addressed, he will obtain a receipt for " bags said to contain coin to the value of Rs. " or for " boxes with marks and weights detailed in the invoice, said to contain coin or notes to the value of Rs. ". If any box be short weight or shows signs of having been tampered with, it should be opened in the presence of the escort commander; otherwise he should be allowed to return at once. The form of receipts to be used by a relieving escort should run thus:—

"Received charge from police officer of district of railway wagon No. said to contain boxes aggregating Rs. , wagon No. said to contain boxes aggregating Rs. (and so on). The wagons were duly locked, and one key for each made over. Receipts to be given by other relieving escorts are also acknowledged." The number and contents of each wagon should be detailed in case of a breakdown. The receipt should be in English, if the police officer is acquainted with that language; otherwise, in the officer's vernacular.

(*viii*) The escort commander will present the command certificate for examination to the Treasury or Bank officer taking charge of the treasure. The latter will satisfy himself that he is taking over the treasure from the officer named in the command certificate and will at the same time check the strength of the escort with that stated in the command certificate, noting any difference that he may find. When all is correct he will merely sign the command certificate.

(*ix*) Whenever any breach of these rules occurs, the escort commander must insist on the treasure-van being detached from the train, and should immediately telegraph the facts to the remitting officer, to his own departmental superior, and to the Traffic Manager of the Railway.

(*x*) When a *poddar* accompanies a remittance he is responsible during the whole course of the journey for the contents of the boxes and the police guard acts as an escort. The *poddar* will not interfere in any way in the performance by the escort of its legitimate duties but he must be permitted to satisfy himself that all necessary precautions are being taken. In the event of damage occurring to a box it is the duty of the *poddar* to take over any coin that may fall out and to verify the contents and repack the box if repacking becomes necessary. The escort commander must not permit the *poddar* to be interfered with in the execution of his duties.

(*b*) When making a requisition on the railway authorities for carriage of specie, the Treasury officer will request the station-master to give the escort commander a note stating that it is in-charge of treasure loaded in so many wagons and giving the number of each wagon.

(*c*) On no account shall any Government remittance of specie be carried in a passenger carriage. It shall always be booked.

(*d*) When Government treasure is loaded for despatch by railway the doors on the off side of the van shall be safely secured from the inside and all doors that can be opened from the outside shall be secured by good padlocks supplied by the Treasury officer. The officer in charge of the escort shall obtain a receipt for these padlocks from any guard which may relieve him, or from the Treasury officer of destination.

(*e*) (*i*) Treasure for remittance shall be packed in stout bags, tied and sealed after a slip of paper has been placed in each, naming the treasury at which it was packed, the tale and description of the contents, and the name of the person who counted the contents; the Treasury officer shall satisfy himself generally of the contents of the bag.

(*ii*) For journey by road, the bags may be packed in treasure tumbrils, or in large chests placed in carts at the door of the treasury in the presence of the Treasury officer; for journeys by railway or boat or (if convenient) by road, they shall be packed in stout boxes capable of containing Rs.4,000 to Rs.6,000 each, screwed and bound with iron without gunny covering or ropes, and the hoops should be riveted together where they cross; every box shall have the name of the treasury of despatch cut into or painted on it with a number.

(*f*) If any chest, tumbril, or wagon be secured by double locks, one key should be held by the *poddar* and the other by the escort commander; if there be only one lock, the key should be held by the *poddar,* but the escort commander is responsible for not allowing the chest or wagon to be opened before arrival at its destination, save in case of a breakdown, when the treasure must be removed in his presence. In the case of remittances sent without *poddars* single locks should be used and the keys should be entrusted to the escort commander in a sealed cover which he should not open except when a absolutely necessary in the case of a breakdown on the road.

(*g*) When remittances are sent by steamers, the weight of each box shall be taken and noted at the time of its receipt on board the steamer. This shall be done in the presence of the agent (if there be one) accompanying the treasure on the part of the treasurer.

(*h*) (*i*) When boats are used for escorting treasure or prisoners they shall be provided by the requisitioning authority.

(*ii*) Boats shall on no account be more than 20 yards apart when travelling, and when anchored shall be tied together bow and stern.

(*iii*) At least four constables shall travel in each boat, two in from and two behind the roofed-in portion.

(*iv*) The escort commander shall be particularly careful to see that each Box designed for water conveyance, or having to cross any stream in transit by land, is attached to a buoy, formed of a piece of unsplit bamboo about 3 feet in length and not less than 9 inches in circumference, with a rope at least 20 cubits in length, one end of which shall be festened to the box and the other to an orifice in the bamboo buoy, The length of rope shall, of course, be increased in proportion to the known depth of the rivers by which the treasure is to be conveyed.

This rope shall never be wound about the box, but shall be loosely coiled with the buoy upon the box, so that, in the event of the boats sinking, the buoy may readily indicate the position of treasure and lead to its immediate recovery.

(*v*) Should any boat or a steamer sink, the escort shall remain close to the spot, till relieved or till the treasure is recovered.

(*vi*) Invoices shall be prepared in triplicate, and shall give the marks on every tumbril or chest, and the number and contents of each, and the marks and gross weight and the contents of every box. The escort commander shall count the bags as they are being stowed in the tumbril or chest, or shall see the boxes weighed, and shall sign the receipt at the foot of each copy of the invoice as responsible for "bags packed in tumbrils or boxes of marks and weights, detailed above, said to contain coin to the value of Rs. ." The blanks shall be filled up in words, and if the escort commander be ignorant of English, he shall be required to write the number of bags or boxes which he has received in the vernacular on the copy to be retained by the Treasury officer; another copy shall be despatched by post on the same day to the remittee, and the third made over to the escort commander.

Each invoice shall also be signed by the police officer to whose care the parcel is entrusted when notes are sent under the charge of a guard, but the police officer is not required to count the notes, as his signature is only a receipt for a packet said to contain certain notes. One invoice shall be sent by post to the Treasury officer to whom the notes are consigned, and the other shall accompany the parcel.

(*j*) When the escort commander is relieved in the course of the journey, he will obtain a receipt for "tumbrils in good order said to contain coin to the value of Rs. in bags" or for " boxes in good order, said to contain coin (or notes) to the value of Rs. ." When the remittance reaches the addressee, the latter shall count the bags and weigh the boxes and give a receipt for " bags, said to contain coin to the value of Rs. " or for " boxes of marks and weights detailed in the invoice said to contain coin (or notes) to the value of Rs. ." Except in the cases referred to in clause (*k*), the escort commander shall be allowed to return at once.

(*k*) In all cases in which there may be reasons to suspect that a remittance has been tampered with, either from external appearance or from a discrepancy between the description and weight of the boxes and the particulars given in the invoice, it shall be opened and examined forthwith in the presence of the Treasury officer and of the escort commander, and a strict enquiry shall be instituted in the event of any deficiency being discovered and the result reported by the Treasury officer to the remitting officer, to any officer who may have forwarded the remittance intermediately, and to the officer of account direct.

(*l*) When treasure sent by railway arrives at its destination at night it shall not, if it is in a special wagon, be unloaded till morning. But when the treasure is in a brake-van or on a steamer, and unloading at night is unavoidable, the escort sent to the station should be rather

larger than the minimum scale laid down for the escort of treasure by road. The part of the station or land where the treasury is being moved should be carefully lighted.

(*m*) Treasury officers may not refuse to receive remittances on the ground that the day is an authorised holiday. They should, however, remember not to despatch a remittance on a date which will probably cause its arrival on a day on which the treasury is ordinarily closed, such as Sundays or gazetted treasury holidays.

Escort for money to and from the treasury or to post office.

709. When a bill is sent to the treasury for encashment, or any money is remitted to the treasury for credit to the provincial revenues or to the post office for transmission by postal money orders, an adequate escort, according to the accepted scale, shall be deputed.

[§12, Act V, [1861.]

Note.—This regulation is applicable to police money only.

Escorts to and from subdivisions.

710. (*a*) Escort to and from subdivisions shall, where necessary, be supplied. Subdivisional Magistrates and Munsifs requiring emergency escorts shall write or telegraph to the Superintendent and never, except in cases immediate necessity, apply to the Subdivisional Police Officer or the Circle Inspector, as the case may be, to supply them by withdrawal of force from the police-station. In such cases of immediate necessity the Subdivisional Magistrate shall give a written order to the Subdivisional Police Officer or the Circle Inspector, as the case may be which shall be sent in original to the Superintendent after compliance.

(*b*) Subdivisional Police Officers or Circle Inspectors shall issue orders to officers-in-charge of police-stations in their jurisdictions to send to the Court officer all articles they wish conveyed to the district headquarters at least one clear day before that fixed for the escort leaving the headquarters of the subdivision, or its return journey to the district headquarters.

(*c*) On every occasion when subdivisional treasury guards are relieved the relieved and relieving guards shall be utilised for the escort of prisoners or treasure as far as possible. In all cases intimation shall be given to—(*i*) the Deputy Collector in-charge of the treasury; (*ii*) the Superintendents of the Jails at the district and subdivisional headquarters; and (*iii*) the Subdivisional Magistrate of the subdivision concerned, of the date fixed for the relief of the guard 48 hours in advance.

District remittances and remittances from Munsif's courts.

711. (*a*) District remittances, *i.e.*, remittances from one place to another in the same district, shall ordinarily be made twice in each month only, on such dates as may be fixed.

(*b*) Where Munsifs' court exist, the Judge shall fix the dates in each month on which the money shall be made over to the police for transmission to treasury.

(*c*) On the day appointed, an escort shall proceed to the Munsif's court. The money shall be counted in the presence of the escort commander and placed in a bag, which shall then and there be sealed and made over to the guard, who shall forthwith proceed with it to the treasury or subdivisional treasury. The escort commander shall be furnished with a memorandum of the amount.

(*d*) The escort commander shall cause the bag and seal to be inspected in his presence by the Treasury officer to whom it is addressed and, while held responsible for the total amount in the bag, he shall not be called on to replace any light or spurious coin that it may contain, provided the bag and the seal show no signs of being tampered with.

(*e*) The rules apply only to small remittances made by Munsifs in bags. Larger remittances shall be sent more securely packed. If a remittance be in copper coin, and exceeds 6¼ seers in weight or Rs.500 in value, *coolie* labour shall be employed to be paid for by the Munsif. Should any necessity arise for a second remittance during the month the same course shall be pursued.

Note.—Police escorts should only be provided for remittances exceeding Rs. 100.

712. (*a*) Superintendents indenting for arms or ammunition shall provide an armed escort to take delivery at the Arsenal on being notified by the miltiary authorities of the date on which their requirements will be ready for issue. In the case of consignment of arms and ammunition at the Fort William Arsenal intended for districts outside Bengal, the Superintendent, 24-Parganas, shall, on being informed by the military authorities, furnish the necessary escorts. He shall at the same time give timely notice to the Superintendents of the relieving districts concerned of the date, train and strength of escorts. In the case of consignments at the Allahabad Arsenal the Superintendent of Police, Allahabad, will be responsible for taking them over and for supplying an escort. He will at the same time give timely notice to the Superintendents of the relieving districts concerned of the date, train and strength of escort. **Escorts for arms and ammunition.** [§12, Act V, 1861.]

(*b*) The normal escort will consist of 1 head constable and 6 constables but shall never be less than 1 head constable and 3 constables. The escort commander should be given written authority to take delivery of the arms or ammunition and should be instructed that if circumstances necessitate it there should be no hesitation in using his escorts weapons' to protect his charge and to ensure the safety of the consignment from capture.

(*c*) Similar arrangements should be made *mutatis mutandis* in taking delivery of revolvers or revolver ammunition from private firms. Superintendents shall in such cases use their own discretion regarding the strength of the escort required to ensure safe delivery.

713. (*a*) The police shall escort liquor in bond on transit to depots. **Liquor escorts.** [§12, Act V, 1861.]

(*b*) The Superintendent shall use his discretion as to whether these escort shall be armed with *lathis* or muskets, and their strength shall ordinarily be fixed according to the scale given below—

(*i*) *By land.*—One man for every two carts.

(*ii*) *By water.*—One man for every boat.

(*c*) Ordinarily, a head constable need not be supplied, but a senior constable shall be in charge, and shall give a receipt for the number of casks, crates, cases or vessels which may be made over to him.

(*d*) Consignments should be so timed as to fall in with existing escort arrangements, so that indents on the police for special escort may be avoided far as possible.

Special guards for prisoners. [§12, Act V, 1861.]

714. (*a*) When a notorious criminal or a notable State prisoner forms one of the party, the guard shall be special and regulated in accordance, with the importance of the prisoner or prisoners being escorted.

(*b*) European prisoners and lunatics, shall when practicable, be escorted by a European police officer.

In such cases Europen police officers should purchase when travelling by railway or steamer tickets up to the place to which they are ordered to proceed. Necessary debits for the charges incurred by the Superintendents of other provinces for escorting the prisoner to his destination should be pased on to the Accountant-General, Bengal, for adjustment through their respective Accounts officers.

(*c*) When British soldiers are convicted by the civil power at stations where no European police are available, application shall invariably be made to the local military authorities for a military escort to accompany them to the jail.

Use of handcuffs and leg-irons for convicts under escort.]§12, Act V, 1861.]

715. (*a*) Convicted prisoners are divided into classes A, B and C. Classes A and B ordinarily include certain categories of non-habitual prisoners of good character, social status, education, etc., but habitual prisoners may also be included in class B by the classifying authority on grounds of character and antecedents. Class C consists of prisoners who are not classified in classes A and B. Convicts in class C shall be handcuffed and if necessary roped during transit and transporation convicts shall in addition be furnished with leg-irons. Convicts who have been placed in Classes A and B shall not be handcuffed or roped unless there is a reasonable expectation that such convicts will use violence or attempt to escape or that an attempt will be made to rescue them. In case of doubt the Superintendent or the officer-in-charge in his absence shall consult the District Magistrate or the officer-in-charge in the absence of the District Magistrate. When prisoners under escort are handcuffed, they shall always be handcuffed in pairs, the left wrist of the one being handcuffed to the right wrist of the other. When the number under escort consists of an odd number, 3, 5, 7, 9, etc., the odd man shall be handcuffed to two other prisoners. In case of dangerous or refactory characters, special measures shall be taken with a view to their safe custody under the

order of the Superintendent. While halting, such precautions only shall be taken as are absolutely necessary for security. If leg-irons are used, leather gaiters must be provided by the jailor for each prisoner, to prevent abrasion of the skin. Convict warders and convict overseers need not be handcuffed when under escort from one jail to another.

(*b*) The escort comander shall be supplied with two pairs of removable leg-shackles, if such are available, to be temporarily substituted for handcuffs when convicts are easing themselves on the journeys.

(*c*) Keys of handcuffs shall be kept by the escort commander.

Iron cages for prisoners in railway carriages.

716. (*a*) Iron cages are provided for the windows of third class railway carriages which are required for the transport of prisoners and lunatics. When the cost will not be increased by the use of cages, they shall be requisitioned by the authority indenting for the escort. Such requisitions shall be made in writing to the station-master 36 hours before they are required. [§12, Act V, 1861.]

(*b*) Iron cages are not required for parties not exceeding three in number, women, children, aged, feeble persons, sick or crippled prisoners, who have been convicted of minor offences and are not desperate characters, or harmless lunatics.

Papers of convict to be given to escort commander by jail authorities.

717. (*a*) The escort commander shall receive the following papers from the jail authorities:— [§12, Act V, 1861.]

(*i*) the original warrants of all the convicts confided to his care;

(*ii*) copies of the order of any court requiring the attendance of the prisoners;

(*iii*) the prisoners' history tickets;

(*iv*) the P. R. slips, if any;

(*v*) the medical officers' certificate;

(*vi*) list in English and Bengali, or Hindi containing the names of all the convicts (if any of them are of dangerous character, the fact shall be noted in the lists); and

(*vii*) lists of articles of clothing, cooking, utensils, etc.

(*b*) These shall be furnished to him at the time of despatch for due delivery at the jail of destination, and he shall be responsible for them.

(*c*) All the papers received by the escort commander at the jail of despatch shall be shown by him to the officer-in-charge of each of the jails at which he has ordered to halt *en route*.

Papers of convicts to be shown to the Magistrate of halting places.

718. The descriptive rolls, warrants, and all other papers of convicts to be escorted shall be shown to the Magistrate of the several halting places. In the case of convicts sentenced to transportation, in addition to the original warrant, a statement of previous character to be prepared by the Magistrate, and a descriptive-roll in Bengali and English shall be made over to the officer-in-charge of the guard and by him delivered to the Superintendent of the Jail, to which the convict may be transferred, who shall give a receipt for these papers. [§12, Act V, 1861.]

Diet of prisoners in transit from one jail to another.

719. All convicts in transit from one jail to another shall ordinarily be provided by the Superintendent of the Jail with cooked food. When the journey is likely to extend for more than one day an allowance in cash shall be given by the Superintendent of the Jail to the escort commander to enable him to purchase food according to the prescribed scale. (*See* rule 864 of the Bengal Jail Code). In the case of under-trial prisoners who refuse to carry their food for the journey or are unfit to carry the load, an allowance in cash shall be given to the escort commander. Convicted prisoners who refuse to carry their food shall likewise be given an allowance in cash (*see* rule 865 of the Bengal Jail Code.)

During road journeys prisoners shall not be allowed to drink from pools by the way.

Note.—For instructions regarding the accommodation of prisoners when ravelling in custody, *see* rules 1053 and 1062 of the Bengal Jail Code.

Prisoner or convict under escort not to possess prohibited articles. [§12, Act V, 361.]

720. No prisoner or convict may have in his possession any of the following articles which are prohibited within the meaning of section 42 of the Prisons Act, 1894 (IX of 1894):—

(*i*) alcohol or spirituous liquors of any kind;

(*ii*) materials for smoking, chewing or taking snuff, such as tobacco, pipes, *chillums,* etc.;

(*iii*) *ganja,* opium or any other drug or poisonous article;

(*iv*) poisonous materials, materials for making fire or materials which would cause disfiguration;

(*v*) bullion, metal, money, currency notes, valuable securities, jewellery or ornaments of any kind and articles of value of every description;

(*vi*) books, printed matter, letters or writing materials of any kind not authorized by the Superintendent;

(*vii*) knives, arms ropes, string, bamboos, ladders, sticks, any article likely to facilitate escape, or implements of any kind, except those issued for use in the performance of work, and these excepted only during work hours and at such places as they are required for jail work; or

(*viii*) any article which has not been issued for the use of prisoners from jail stores and supplies.

(*See* rule 660 of the Bengal Jail Code.)

Carriage of clothing and bedding of prisoners. [§12, Act V, 1861.]

721. When the clothing and bedding of prisoners are returned to the jail from they were received, in-charge of the returning escort, a *coolie* shall be employed by the returning escort to carry them, and under no circumstances shall be escort be asked to carry them. The cost of conveyance shall be paid by the jail which returns the clothing. In cases where escorts are returning with prisoners, the latter shall, if the load be not excessive, carry the clothing and bedding, and a *coolie* need not be engaged.

Note.—The load which a prisoner is to carry shall not exceed 12 to 13 seers.

Escort of prisoners required to give evidence in civil and criminal courts.

722. The following rules have been made by the Provincial Government under sections 42 and 51 of the Prisoners Act (III of 1900) *vide Calcutta Gazette,* dated the 17th October 1900]:—

(*i*) On receipt of an order issued by a court of competent authority under Part IX of Act III of 1900, the officer-in-charge of the jail shall make a requisition on the Superintendent of Police for an escort, and the Superintendent shall supply such escort in conformity with the ordinary rules of his department.

(*ii*) The officer-in-charge of such escort shall, in like manner, be guided by the rules of the Police Department in the performance of his duty and in the treatment of the prisoners under his charge.

(*iii*) All prisoners shall be taken to the court before which their appearance is required by the most expeditious route. Prisoners under sentence for criminal offences shall ordinarily travel on foot; but civil prisoners who are desirous of obtaining and are willing to pay for, the indulgence may be provided with suitable means of conveyance. When a railway is available, all prisoners shall be conveyed by rail under charge of the police guard.

(*iv*) The officer-in-charge of the jail shall make over to the officer-in-charge of the guard copies of the orders of the court under which the prisoners are removed, together with a sum of money for their maintenance and road expenses.

(*v*) The officer-in-charge of the guard shall give to the officer-in-charge of the jails a receipt for such prisoners as he may receive, with a statement of the clothing, etc., in each prisoner's possession, and a receipt for the amount of diet money or road expenses which has been advanced on their account. Advances required on account of the escort shall be made by the Superintendent of Police supplying it.

(*vi*) Should there be a jail or lock-up at the place where the court before which the prisoners have to appear is held, the officer-in-charge of the escort shall deliver the prisoners to the keeper of such jail or lock-up and shall not be responsible for their custody while they are in such Jail or lock-up, but shall only be responsible for their custody while escorting them thereto and from such jail or lock-up to the place where the court is held.

(*vii*) On the completion of the duty for which the escort was detailed, the Superintendent of Police supplying it shall, if the presence of the prisoner was required in any civil matter, submit a bill to the court from which the requisition proceeded for the cost of the guard as fixed by the scale in Appendix XL and for the actual expenditure incurred by them on account of carriage by land or water if the journey is not performed entirely on foot, *plus* 10 per cent. for contingencies. A separate bill shall also be forwarded by the Superintendent of Police for the diet and travelling expenses of the prisoner or prisoners. To enable him to do so, the officer-in-charge of the jail from which the prisoner was transferred shall furnish him with an account of the expenses incurred.

(*viii*) All sums received in payment of these bills shall at once be paid into the treasury of the district from which the escort started, for credit to the provincial revenues as a receipt, either to the Police or Jail Department, according as the amount is paid on account of the escort or the prisoners.

Escort of military prisoners or insanes and soldiers. [§12, Act V, 1861.]

723. (*a*) When military prisoners or military insanes are made over to civil authorities for escort, they shall be accommodated on railway journeys as follows:—

(*i*) British officers in reserved 1st class compartments.

(*ii*) British other ranks and Indian officers in reserved 2nd class compartments.

(*iii*) Indian other ranks in 3rd class compartments.

(*b*) When soldiers, either British or Indian, are sent under military escort from one station to another to stand trial on a criminal charge, they will travel like any other party of soldiers on duty, under a warrant furnished by the military authorities, the charge being met from the military estimates. Where a soldier is conducted by a police escort, the charge will be civil; the warrant issued in such cases should include the accused as he is a soldier proceeding to a certain place under the orders of his military superior, and is, therefore on duty.

(*c*) An individual soldier, summoned by the civil authorities to appear in a criminal case, either as a witness or as an accused, but not under custody, should be given a warrant to enable him to perform the journey, the cost being debited to the military estimates.

Escort of lunatics.

724. The following are the rules for the protection of lunatics in transit to an asylum:—

(*i*) The Civil Surgeon, before despatching a lunatic to the asylum for which he is destined, shall furnish a certificate of the actual condition of the patient's health at the time of despatch; and a copy of this certificate shall be given to the escort for exhibition to the police authorities on the road, and to the authorities of the asylum on arrival.

(*ii*) The Superintendent of Police shall give the escort their route, which shall in all cases be the most direct or otherwise the best route, and the escort shall be directed to call at all the police-stations lying on the line of their route. The officer-in-charge of the first police station visited (or should the guard pass a district or subdivisional headquarters station *en route,* the superior officer at such station) shall, after inspecting the certificate prescribed in sub-clause (*i*), enter upon it the date of the lunatic's arrival and the apparent condition of his health, noticing especially any marks of violence, should there be any. The entry shall be copied in the general diary. Should the officer notice any marks of violence, he shall carefully ascertain how the violence was inflicted, collecting all the available evidence, and reporting the matter to headquarters, detaining the escort meanwhile, but forwarding the lunatic, if he is able to proceed. The officer-in-charge of every succeeding station shall act precisely in the same way, with the addition that it shall be his duty to inspect, besides the certificate, any entry or entries made upon it under this regulation.

(*iii*) On the arrival of the lunatic at the asylum, the certificate with all the entries upon it shall be carefully examined and compared with the condition of the lunatic, and an entry of his condition at the time of arival added to the previous entries on the paper.

(*iv*) The escort shall not be dismissed except as hereafter provided, until the Superintendent of the asylum has himself seen the lunatic and compared his condition with the certificate, which shall then, with the Superintendent's entry on it, be sent direct by post to the Magistrate from whose district the lunatic was despatched. In no case shall the escort be detained for more than 24 hours. Should the Superintendent be temporarily absent from the asylum, the certificate of the overseers or SubAssistant Surgeon or doctor in-charge shall be given.

(*v*) In addition to the usual police escort, a female attendant shall accompany any female lunatic who is transferred from a prison to an asylum or from an asylum to a prison, or who is forwarded for release to the custody of her relative or friends. A female attendant shall also accompany any female lunatic who is sent up for trial as recovered. The female attendant shall in all cases be arranged for by the authority that requisitions for a police escort.

Note.—When escorting a non-criminal certified harmless lunatic to the asylum the police shall wear plain clothes.

No relief for escorts for journey within Bengal and strengthening of escorts. [§12, Act V 1861.]

725. (*a*) When the journey is to be made entirely within the province of Bengal, the escort shall not be relieved *en route*. It may, however, be necessary to strengthen the escort at transhipment stations or where a portion of the journey has to be made by road on the termination of a railway or steamer journey. In such cases the extra force shall be supplied by the Superintendent of the district in whose jurisdiction the transhipment station or terminus of the railway or steamer journey lies.

(*b*) Superintendents who require treasure escorts to be strengthened while crossing Calcutta, or while proceeding to any destination from railway stations in Calcutta or *vice versa* should request the Commissioner of Police, Calcutta, to strengthen their escort or guard.

The amount and nature of the treasure (i.e., gold, silver, notes, etc. and the number of the prisoners as well as the probable time during which the escort will be required should be stated.

Relief of escorts to or from other Provinces. [§12, Act V, 1861.]

726. (*a*) Escort of prisoners or treasure by railway to or from other provinces shall be relieved in accordance with the instructions laid down in Appendix XLI.

(*b*) Seventy-two hours' notice shall be given to the relieving station by the officer despatching the escort and when sending requisitions for the relief of escort to any Superintendent in other provinces, Bengal officer shall communicate to the Superintendents concerned the number and class of prisoners and the value and the nature of treasure under escort and the strength of the escort to be relieved. A similar procedure should be followed by the police of other provinces in sending requisitions to Bengal districts. (In the case of escort proceeding to Hazaribagh, Superintendent should give at least one weeks'

notice to the Superintendent of Police, Hazaribagh, to enable him to relieve the escort. When the escort has actually started, a telegram shall be sent at once to the Superintendent who has to relieve or strengthen the escort. If the escort in question is proceeding first by road and then by railway an additional escort or relief is required on the line of journey, the telegram referred to above shall be made over to the escort commandar to despatch as soon as he arrives at the starting railway station. The telegram in both cases shall specify the railway station from which, and the time of the train by which, the escort is proceeding.

A warning should be issued by the despatching officer to the Superintendent of the district in which the relieving station is situated if the prisoners are of a dangerous character. Reliefs for inter-provincial escorts must be provided and compliance with requisitions for relief must be strictly exacted.

Rules for the Provision of Guard of Honour.

[§12, Act V, 1861.]

727. (*1*) A Guard of Honour consisting of 100 rank file of Armed Police will be mounted with the Police band in attendance, if available—

(*i*) For the Ruling Sovereign of U.K. and Members of the British Royal Family, and Sovereigns and Heads of Foreign States on arrival and departure from Pakistan.

(*ii*) For H. E. the Governor-General of Pakistan.

(*iii*) At State ceremonials.

Note.—A Guard of Honour will not be provided for the Governor-General of Pakistan when he is returning from leave of absence the duration of which is less than three months or on change of residence.

(*2*) A Guard of Honour consisting of 50 rank and file of Armed Police with the Police band in attendance, if available, will be mounted—

(*i*) For Hon'ble Prime Minister, Hon'ble Minister, Interior, when on an official visit, Governor of Provinces and the Agent to the Governor-General in Baluchistan within their respective charges.

(*ii*) Rulers of acceding States with a salute of 17 guns and over.

Note.—A Guard of Honour will not be provided for the Governors and the Agent to the Governor-General in Baluchistan when they are returning from leave of absence the duration of which is less than three months or on change of residence or when they are transit outside their jurisdiction or departing from one port or station to another.

(*3*) Advance intimation shall invariably be given by the Secretaries of the officers concerned to the Superintedent of Police concerned regarding the time and the places at which the guard is required. The Guard of Honour will normally be provided on the occasion of public arrival between 7 a.m. and sunset unless instructions are given to the contrary. All the arrivals should be treated as private except if a specific mention to the effect that arrival is public is mentioned in the tour programme.

(*4*) Guards of Honour will be provided by the Police only at non-military stations. At military stations mentioned below, the Armed Forces will have the right to offer Guards of Honour and guards will be provided by the Police if the Armed Force are providing it. The military stations referred to above are the following:—

Karachi, Hyderabad (Sind), Lahore, Rawalpindi, Multan, Sialkot, Jhelum, Campbellpur, Peshawar, Nowshera, Resalpur, Banna, Kohat, Abbotabad, Quetta, Dacca and Chittagong.

The above military stations may be added to or altered from time to time by the issue of an order in this behalf.

Note.—(*i*) When local circumstances preclude the provision of a Guard of Honour of the prescribed strength, the number may be reduced, but any diminution in numbers should not affect the honours to which the personage is entitled.

(*ii*) A Guard of Honour is provided to Foreign Ambassadors and Ministries only when they visit the Governor-General's House to present their Credentials an on other occasions. The guard will usually be supplied by the Armed Forces.

728. The following are the orders on the subject of salutes, and of guards and sentries paying compliments:— **Salutes and compliments.** [§12, Act V, 1861.]

(*i*) Non-gazetted officers shall invariably salute Government officers, both civil and military, whom they can recognise. They shall also salute superior police officers of their own and of other districts when in uniform.

Note.—The term "Government officer" includes all commissioned military officers and gazetted civil officers serving under the Crown not below the rank of Sub-Deputy Collector.

(*ii*) Guard will not turn out after "retreat" or before "reveille" except at tattoo on the approach of an armed party, in cases of an alarm, or to receive grand or visiting rounds, nor will they during this period pay any compliments, except to grand rounds to whom they will present arms.

(*iii*) Sentries mounted over the residence or temporary quarters of His Excellency the Governor, the Hon'ble Ministers or the Inspector-General shall present arms to those officers alone. When officers of lower rank pass their posts they shall stand to attention, slope arms and salute.

(*iv*) Except as provided in clauses (*ii*) and (*iii*) guards shall turn out and present arms, sound the general salute when there is a bugler attached to the guard, and sentries shall present arms as often as His Excellency the Governor, the Hon'ble Ministers, the Inspector-General, or a General Officer of the Army may pass their post.

(*v*) Except as provided in clause (*ii*) and (*iii*) guards shall turn out and present arms once during the day, and sentries shall present arms on all occasions when any Secretary to Government, the Commissioner, Dupty Inspector-General, District Judge, District Magistrate, Superintendent of Police, Civil Surgeon, Commandant, Eastern Frontier Rifles, or the Officer Commanding the station passes. In the case of other Government officers, civil and military, the men not under arms shall stand to attention, and sentries shall slope arms and salute:

(*vi*) Guards shall fall in and slope arms when an Assistant or Deputy Superintendent passes their post and sentries shall slope arms and salute.

(*vii*) When an Inspector, Sergeant or Sub-Inspector passes him, a sentry shall come to attention.

(*viii*) When the officer entitled to a salute passes in rear of a guard, the officer in command shall cause his men to fall in and slope arms facing their proper front. No bugle is to be sounded.

(*ix*) If such officer passes when one guard is in the course of relieving another, both guards shall salute, receiving the command from the senior officer present with them.

(*x*) Guards shall fall in and stand at the slope at all times when armed parties (including the Auxiliary and Territorial Forces) approach their posts.

(*xi*) When an officer entitled to the compliment of "present arms" once during the day, passes a guard a second time on the same day, the men shall fall in and slope arms. The sentry shall present arms.

(*xii*) Sentries shall present arms and guards will stand at attention whenever a funeral party, civil or military, passes their posts.

(*xiii*) When an officer of the Army or of the Auxiliary or Territorial Forces in uniform passes a guard, the men shall stand at attention without falling in. Armed sentries shall stand at attention, slope arms and salute.

(*xiv*) Police officers of all ranks when in uniform shall salute officers of the Army, Navy or Air Force in uniform in accordance with the usual practices between relative ranks.

(*xv*) Officers on beat duty shall salute all Government officers as well as all their superior officers. When lining the streets on State occasions or for a public arrival, etc., no one shall salute, but each man shall come to attention.

(*xvi*) When a *lathi* is carried, the salute shall be given by bringing it to the slope and bringing the right hand across as with muskets.

(*xvii*) Non-gazetted officers on horseback shall salute superior officers, by placing the right hand on the bridle hand and then dropping it smartly to its full extent outside the right thigh.

(*xviii*) Non-gazetted officers on bicycles shall salute by turning their heads smartly in the direction of the officer saluted.

(*xix*) Salutes by police officers shall be returned by the senior officer present.

(*xx*) All police officers in uniform, other than those engaged on traffic duty, shall salute uncased colours when passing them. Officers on traffic duty are not required to pay compliments of any kind, but they shall stand to attention when troops are marching past them.

(*xxi*) A police officer in uniform on entering a court shall salute the presiding officer with his head-dress on in the approved manner. He will remove his head-dress (provided it is a head-dress other than a *pagri*) while giving evidence and replace it before saluting the court on retiring.

Note.—(*i*) In large towns Superintendents should make such arrangements as will give officers employed on town duties opportunities of becoming acquainted with the liveries of coachmen and chauffeurs and the conveyances of all officials whom they may be directed to salute.

(*ii*) All police officers should bear in mind that where there is any doubt as to the rank or position of persons or officials they may meet or who may pass them no harm can be done by saluting, whereas neglect to do so may be mistaken for diecourtesy or personal slight and may engender ill-feeling.

729. (*a*) The rules for the protection of His Excellency the Viceroy and His Excellency the Governor are laid down in the pamphlet which has been supplied to every Suprintendent who shall carefully study and observe them.

Protection of His Excellency the Viceroy and His Excellency the Governor. [§12, Act V, 1861.]

Note.—(*i*) When at Dacca, the Superintendent, Assistant or Deputy Superintendent need not escort the Governor when he leaves the precincts of Government House, unless specially required to do so.

(*ii*) When on escort duty mounted, a police officer shall ride with sword undrawn but with a loaded revolver in the off wallet of the saddle.

730. (*a*) *Public arrivals.*—Before public arrivals of His Excellency the Viceroy or His Excellency the Governor, it is the duty of the Superintendent to visit the railway station or landing-stage, and he shall, in consultation with the District Magistrate, lay down what barriers (post and ½ inch ropes covered with red *salu*), should, if necessary, be erected for gentlemen attending the arrival. Such barriers shall be so arranged as to enable every one entitled to such an honour to be introduced, if possible, to His Excellency without discomfort. Barriers can generally be procured on requisition from the railway or steamer companies. Should tickets for arrivals or public functions be issued, responsible officers shall be appointed to scrutinise them. Gentlemen invited should be requested not to bring their personal body servants, etc., on to the platform or landing-stage.

Public and private arrivals of His Excellency the Viceroy and His Excellency the Governor. [§12, Act V, 1861.]

(*b*) No spectator shall be allowed to leave the platform till the State carriages have moved off.

(*c*) The routes for carriages approaching, waiting or driving away shall be clearly laid down under section 31 of the Police Act and published or circulated, and Sub-Inspectors, Assistant Sub-Inspectors, and head constables told off for these functions should be practised in performing them.

(*d*) When streets are lined by the police for public functions or State occasions, all officers should be warned that their duty is to watch the crowd, traffic and houses and not the procession. When the procession of carriages, etc., is a very long one, the Superintendent should consider the advisability of posting every second constable on either side of the road, with his face towards the spectators on the footpaths.

(*e*) *Private arrivals.*—Similar arrangements, on a scale modified to suit the circumstances of each case, shall be made for the private arrival and departure of his Excellency the Viceroy and His Excellency the Governor.

Tours of the Hon'ble Ministers and public and private arrivals. [§12, Act V, 1861.]

731. (*a*) *Public arrivals.*—During the tours of inspection of an Hon'ble Minister the Superintendent is expected to meet him on his arrival at and departure from district headquarters unless he has previously arranged through the District Magistrate with the Hon'ble Minister concerned for his exemption from such attendance. It is not intended, however that the Superintendent should break into one of his own tours in order to be present and in such an event the next senior police officer at headquarters will meet the Hon'ble Minister. The Superintendent should write apprising the Hon'ble Minister of the reasons for his absence. Similarly, when the station visited is the headquarters of a Range Deputy Inspector-General, that officer is also expected to be present. It is not necessary for the Deputy Inspector-General to be present at other stations unless specially asked to do so.

(*b*) *Private arrivals.*—(*i*) It is not possible to lay down hard and fast instructions but it should be remembered that the Hon'ble Ministers are entitled to receive the courtesy due to them even when their arrivals and departures are private. Ordinarily on such occasions the Deputy Inspector-General at Range headquarters and the Superintendent at district headquarters should make a point of meeting the Hon'ble Minister. The guiding consideration should be whether the officer's absence would be remarked upon as indicating lack of respect or attention to the Hon'ble Minister.

When circumstances render it inconvenient or inappropriate for the Superintendent or the Deputy Inspector-General to be present the reasons for their absence should be explained to the Hon'ble Minister and the next senior police officer at headquarters should be deputed to meet him.

(*ii*) When an Hon'ble Minister visits a place other than the district headquarters, the Subdivisional Police Officer or the Circle Inspector or in his absence, the next senior police officer should meet him. The Superintendent will not be required to attend unless the circumstances of the case make his presence desirable.

(*c*) *Tours of inspection.*—Unless an Hon'ble Minister is engaged on a tour of inspection it is not necessary for the local officers to accompany him on tour. When any tour is undertaken on departmental business, a police officer should accompany the Hon'ble Minister if the latter so desires.

(*d*) *Attendance at meetings and social function.*—Local officers are not expected to attend meetings addressed or attended by an Hon'ble Minister which are of a purely political character. There is, however, no objection to their attendance at professedly social functions organized for the entertainment of Hon'ble Ministers.

732. The following orders are prescribed for special ceremonial parades:— **Ceremonial parades.** [§12, Act V, 1861.]

(*i*) In stations where there are regular, troops the police can only join in a ceremonial parade at the invitation of the former. Such an invitation should always be complied with.

(*ii*) At stations forming the headquarters of a battalion of the Eastern Frontier Rifles the parade will be held by the Commandant, and it will be for him to notify the Superintendent when a parade is to be held and ask him to co-operate. The Superintendent shall co-operate, provided he has a force of not less than 50 men of the Special Armed Force available. The Eastern Frontier Rifles will take the right of the line subject to the provisions of clause (*x*), the Commandant will command the parade.

(*iii*) At stations not being the headquarters of a battalion of the Eastern Frontier Rifles, where there is a detachment of 50 or more rifles of the battalion under an Assistant Commandant and where there are also men of the Special Armed Force the parade will be held by the Assistant Commandant, who will notify the Superintendent that the parade will be held. The latter will co-operate if the available number of the Special Armed Forces is 50 or more.

The Eastern Frontier Rifles will take the right of the line. The parade in such cases will be commanded by the senior police officer present, seniority being reckoned by the Warrant of Precedence for India, or, in cases in which this does not apply, from the date of commission in the Army in the case of the officers of the Eastern Frontier Rifles, and the date of first appointment to Assistant Superintendent's rank in the case of police officers.

(*iv*) In district headquarters at which the number neither of the Eastern Frontier Rifles nor of the Special Armed Force amounts to 50 men, no *feu-de-joie* will be fired, but provided a force of not less than 50 rifles of both services together is available, such force should be paraded, present arms and march past. For less than 50 men no parade will be held.

(*v*) At stations where there is no battalion or detachment of the Eastern Frontier Rifles, but where not less than 100 of the Special Armed Force are available, ceremonial parades will be held under the command of the Superintendent and a *feu-de-joie* will be fired, but where the available force amounts to less than 100 men, it will only be paraded, present arms and march past. For numbers of less than 50 men no ceremonial parades will be held.

(*vi*) Ceremonial parades will be held on—

(1) the anniversary of His Majesty the King Emperor's birthday;

(2) the celebration of the assumption of the title of "Empress of India" by Her late Majesty Queen Victoria; and

(3) such other special occasions as may be ordered.

(*vii*) The procedure on parade will be as laid down in the Manual of Drill for the Bengal Police except when regular troops or the Eastern Frontier Rifles are also on parade, in which case the Special Armed

Force will conform as far as practicable with the existing Army Ceremonial Drill. Whenever a parade is held, the Superintendent shall inform the Commissioner, District Magistrate, District Judge and other gazetted officers in the station as well as the leading gentlemen of the town and neighbourhood several days beforehand of the time and place of the parade and invite them to be present.

(*viii*) Should the Deputy Inspector-General of the Range or of the Criminal Investigation Department be present at any station at which a parade is held, he should attend in uniform. He should take the salute if there be a march past (the Deputy Inspector-General for the Range taking precedence of the Deputy Inspector-General for the Criminal Investigation Department), but he will not command the parade. Should the Divisional Commissioner be present in the station, he should be invited by the Deputy Inspector-General to take the salute. In the absence of the Commissioner from the station the District Magistrate or in his absence the Additional District Magistrate should be invited to take the salute. In all other circumstances the Deputy Inspector-General or in his absence the Superintendent shall take the salute.

(*ix*) All gazetted police officers who may be present in the station though not actually taking part in the parade shall attend in uniform.

(*x*) If members of the Auxiliary Force desire to take part in a parade held under clauses (*ii*) to (*v*) they must be treated as regular troops while on parade and take the right of the line. The precedence, etc., of the officers is regulated by the rules, customs and instructions applying to the regular Army and Auxiliary Forces. At ceremonial parades at which the military and police are present, the question as to whether and when a civilian (Commissioner, District Magistrate) should be invited to take the salute is one for the good sense and discretion of the senior military officer. In coming to a decision he will no doubt consider the relative precedence of the invitee and that the troops would themselves prefer to pay a compliment to one who is known to them even if not personally.

(*xi*) A note of the numbers of all ranks attending any ceremonial parade will be made in the morning report of the date on which such parade is held, and will also be entered in the monthly force return for the information of the Inspector-General.

CHAPTER XII.

Appointment, Recruitment and Promotion.

Appointment of Assistant Superintendents.

733. (*a*) Assistant Superintendents who are members of the Indian Police are appointed by the Secretary of State either in England or in India according to the rules framed by him from time to time.

(*b*) All Assistant Superintendents shall ordinarily be on probation for two years (*see* regulation 801).

734. With the object of securing the services of retired members of the Indian Police who are willing on occasions to respond to an invitation from the Central Government to return temporarily to duty for the purpose of some specific work, e.g., service on a Commission appointed to conduct some particular enquiry, or some special work of a temporary nature, registers are maintained by the Central Government in the Home Department and at the India Office; the register at the India Office is kept up from materials supplied to it from to time by the Central Government, and is confined to those officers only who intend to retire to the United Kingdom or Europe. All officers of the Indian Police who are about to retire may apply to have their names entered in the register, but it will be open to the Central Government not to include the name of any particular officer. An officer who has served under the Provincial Government should apply in B. P. Form No. 146, through the Secretary to Government in the Home Department, and the application will be forwarded with the Provincial Government's remarks thereon to the Home Department of the Central Government. It is particularly important in the case of officers who retire to England or Europe that an address which may be regarded as permanent should be entered.

Registers of retired members of the Indian Police.

735. (*a*) Deputy Superintendents are members of the Bengal Police Service and are appointed (*i*) partly by selection from amongst Inspectors as laid down in Appendix XLII and (*ii*) partly by direct recruitment under the Bengal Provincial Services Recruitment Rules.

Note.—European Inspectors are eligible for appointment by promotion to the same proportion of posts as that fixed for Europeans in the cadre of Inspectors. They are not required to be of Asiatic domicile.

Appointment of Deputy Superintendents. [§241 (1) (b), Government of India Act, 1935.]

(*b*) All Deputy Superintendents recruited direct shall be on probation for two years (*see* regulation 801). The power to confirm a probationer rests with the Provincial Government.

(*c*) The seniority of Deputy Superintendents shall be regulated by the order of their appointment to the service. Any such officer whose confirmation is delayed owing to failure to pass the prescribed departmental examinations or for other reasons may be superseded by his junior who have not so failed, or may lose a definite number of places on the gradation list as the Provincial Government may, on the recommendation of the Inspector-General, decide.

736. On the recommendation of the Inspector-General the Provincial Government may confer the rank of Honorary Deputy Superintendent on senior and deserving Inspectors holding posts of special importance. This shall not preclude them from promotion to the regular grade of Deputy Superintendents. The Chief Drill Instructor and the Chief Law Instructor (College) at the Police Training College, Sardah, shall by virtue of their position and of the responsibility of their posts be *ex-officio* Honorary Deputy Superintendent of Police while holding these appointments. For the purposes of pay, travelling allowance, etc., they shall continue to be treated as Inspectors.

Appointment of Honorary Deputy Superintendents. [§241 (2) (b), Government of India Act, 1935.]

This concession may also be granted to especially deserving Inspectors at the time of their retirement on the understanding that it does not imply any kind of financial consideration, such as additions to pensions. Recommendations for the concession shall be submitted by Deputy Inspector-General to the Inspector-General once a year in January when they have dealt with the annual returns of officers due to retire referred to in regulation 844.

Inspector.

Appointment of Inspectors.
[§241 (1), Government of India Act, 1935, and §2, Act V, 1861, read with § 243 of the Government of India Act, 1935.]

737. (*a*) *Appointing authority.*—Inspector-General.

(*b*) *Method of recruitment.*—Vacancies in the rank of Inspector shall be filled by promotion from the ranks of Sub-Inspector and Sergeant. A provincial approved list of Sub-Inspectors and Sergeants fit to be Inspectors shall be maintained in the office of the Inspector-General. A departmental Board consisting of the Inspector-General and the deputy Inspectors-General in conference shall make selections for this list from nominations obtained from the Deputy Inspectors-General before the conference. Permanent promotions to the rank of Inspector shall be made from this list by the Inspector-General in the order in which the names have been placed in the list by the Board.

(*c*) *Probation.*—(*i*) The period of probation of an Inspector shall be two years from the date on which he is appointed as a probationer, provided that where such probationer has rendered continuous officiating service for four months or more prior to the date of his appointment as probationer, the period of such service shall be taken in reduction of the aforesaid period of two years.

Note.—No leave other than casual leave or leave on full average pay, not exceeding in the aggregate four months, shall count towards the period of probation.

(*ii*) The period of probation may be extended by the Inspector-General by a period not exceeding one year.

(*d*) *Confirmation or reversion.*—(*i*) The Inspector-General may confirm a probationer on the termination of his period of probation.

(*ii*) When a probationer is about to complete the period of probation, the Inspector-General shall record an order confirming him in his appointment with effect from the date of completion of the period of probation, or extending that period, or reverting him to his substantive rank.

(*iii*) When an order is made for the reversion of a probationer to his substantive rank, no proceedings shall be required: but the grounds for reversion shall be stated in the order. No appeal shall lie against such an order.

738. (*a*) The procedure for the selection of Sub-Inspectors and Sergeants, fit for promotion to the rank of Inspector, for inclusion in the provincial approved list, is laid down in Appendix XLIII. **Selection of Sub-Inspectors and Sergeants fit for promotion to the rank of Inspector for inclusion in the provincial approved list. [§ 12, Act V, 1861.]**

(*b*) Officers who are unlikely to be considered fit on their record for eventual permanent promotion, shall not be allowed to act as Inspectors except in very exceptional circumstances when purely temporary local arrangements are unavoidable. In order that Deputy Inspectors-General may be in a position to fill automatically temporary vacancies in the rank of Inspector an approved list of officers fit for acting promotion shall be maintained by each Range Deputy Inspector-General and the Deputy Inspector-General, Criminal Investigation Department and Intelligence Branch, and only officers whose names find entry in these lists should be allowed to act in such vacancies, preference being given to those who are included in the Inspector-General's provincial approved list.

Sergeants.

739. (*a*) *Appointing authority.*—Assistant Inspector-General. **Appointment of Sergeants. [§241 (1) (b), Government of India Act, 1935 and §2 Act V, 1861, read with § 243 of the Government of India Act 1935.)**

(*b*) *Mthod of recruitment.*—Vacancies shall be filled by direct appointment. Applications shall be made to the Inspector-General and a list of applications shall be kept in his office. A Board consisting of the Deputy Inspector-General, Presidency Range, one Assistant Inspector-General to be nominated by the Inspector-General, and the Assistant to the Deputy Inspector-General, Criminal Investigation Department, shall assemble from time to time and shall select candidates after interviewing them. The Board shall prepare a list showing separately for (*i*) the Special Armed Force and (*ii*) the Unarmed Police, the names of candidates in order of merit. When a vacancy occurs, the first candidate in order of merit on the appropriate list shall be appointed by the Assistant Inspector-General subject to his being pronounced fit for service by a Presidency or Civil Surgeon.

(*c*) *Age for recruitment.*—The Board shall not select any Army reservist or discharged soldier above the age of 35, while other candidates shall be over 20 and under 25 years of age.

(*d*) *Medicial certificate.*—The candidates shall be of good health and be pronounced fit for service by a Presidency or Civil Surgeon.

(*e*) *Qualifications.*—The qualifications of a candidate shall be as follows:—

(*1*) *Special Armed Force.*

(*i*) He shall have had service in the regular Army.

(*ii*) He shall possess at least a second class Army educational certificate.

(*iii*) He shall be not less than 5′ 6″ in height and 36″ round the chest.

Note.—Preference will be given to unmarried men.

(2) *Unarmed Police.*

(*i*) He shall have at least passed the Junior Cambridge Examination or its equivalent.

(*ii*) He shall be not less than 5′ 6″ in height and 35″ round the chest.

(*f*) *Probation.*—The period of probation of a Sergeant shall be two years from the date of his appointment in a permanent vacancy. This period may be extended by the Superintendent by a period not exceeding one year. For further extension of the period of probation the sanction of the Deputy Inspector-General shall be obtained.

Note.—No leave other than casual leave or leave on full average pay, not exceeding in the aggregate four months, shall count towards the period of probation.

(*g*) *Confirmation or discharge.*—(*i*) The Superintendent may confirm probationary Sergeants on the termination of the period of their probation.

(*ii*) When a probationer is about to complete the period of probation, the Superintendent shall record an order either confirming him in his appointment with effect from the date of completion of the period of probation or extending that period or discharging him from the service.

Note.—Where orders are required under clause (*f*) the Superintendent shall submit his recommendation for further extension of the period of probation in time to enable him to receive the orders of the Deputy Inspector-General before the expiry of the period of probation.

(*iii*) A probationary or a temporary Sergeant may at any time be discharged from service by the Superintendent, if considered by that authority to be unsuitable for the post of a Sergeant, but the order of discharge shall not be given effect to till it has been submitted to and confirmed by the Deputy Inspector-General.

(*iv*) When an order is made for the discharge of a probationary, or a temporary sergeant no proceedings shall be required; but the grounds for discharge shall be stated in the order. No appeal shall lie against such an order.

Appointment of British Army reservists.

740. British Army reservists may be appointed on probation as Sergeants, if otherwise qualified. The special rules for their appointment and confirmation are given in Appendix XLIV.

Sub-Inspectors.

I.—Unarmed Police.

Appointment of Sub-Inspectors. [§ 241 (1) (b) Government of India Act, 1935, and §2, Act V 1861 read with § 243 of the Government of India Act, 1935.]

741. (*a*) *Appointing authority.*—

Direct appointments . .	Principal, Police Training College.
Departmental appointments . .	Superintendent of Police of district; or
	Special Superintendent of the Intelligence Branch; or
	Assistant to the Deputy Inspector-General, Criminal Investigation Department.

(*b*) *Method of recruitment.*—Vacancies shall be filled once yearly, half by direct appointment and half by promotion from the rank of Assistant Sub-Inspector. In August each year, the Inspector-General shall intimate to each Range Deputy Inspector-General the number of direct appointments to be made in his Range stating how many are to be Muslims and how many members of the scheduled castes and other non-Muslims. His calculations shall be made in accordance with the Bengal Services Recruitment (Communal Ratio) Rules, 1940.

He shall also allot the number of vacancies to be filled by the promotion of Assistant Sub-Inspectors by each Range Deputy Inspector-General and by the Deputy Inspector-General, Criminal Investigation Department and Intelligence Branch.

(*c*) *Direct appointment.*—The Deputy Inspector-General of each Range shall inform each Superintendent of the number of non-Muslim (including members of the scheduled castes) and Muslim candidates whom he has to nominate and the Superintendent shall then call for applications. A district committee consisting of the District Magistrate and the Suprintendent shall examine the applications and submit its nominations to the Range Deputy Inspector-General. The final selection shall be made by a Board consisting of the Range Deputy Inspector-General and two Superintendents of his Range selected by him. No candidate who has not been recommended by the District Committee shall be selected by the final Selection Board. The list of selected candidates with their nomination papers shall be forwarded by the Deputy Inspector-General to the Principal, Police Training College, who shall appoint them and issue the necessary letters to the candidates and direct them to join the Police Training College to undergo a course of training for one year.

(*d*) *Promotion of Assistant Sub-Inpectors.*—(*i*) Nominations of Assistant Sub-Inspectors for promotion shall be submitted by the Superintendent to the Range Deputy Inspector-General. The final selection shall be made by a Board consisting of the Range Deputy Inspector-General and two Superintendents of his Range selected by him. A list of officers selected shall be prepared by the Board and forwarded to the Superintendents of the districts concerned who shall promote them to the rank of Sub-Inspector and issue the necessary notifications.

(*ii*) In the case of the Assistant Sub-Inspectors of the Criminal Investigation Department and the Intelligence Branch the selection board shall consist of the Deputy Inspector-General, Criminal Investigation Department and Intelligence Branch, Special Superintendent, Intelligence Branch, and the Assistant to the Deputy Inspector-General, Criminal Investigation Department. A list of officers selected shall be prepared by the Board and forwarded to the appointing authorities concerned, who shall promote them and issue the necessary notifications.

(*iii*) In order to be eligible for promotion, an Assistant Sub-Inspector shall be sufficiently educated and shall have served with

credit for at least three years in the police. The Inspector-General shall decide whether the selected Assistant Sub-Inspector shall or shall not be sent to the Police Training College on promotion.

(*iv*) Assistant Sub-Inspectors who in the course of training are declared unfit for the post of Sub-Inpectors shall not be allowed to officiate as Sub-Inspectors.

(*v*) In special cases the Inspector-General can exempt Sub-Inspectors from undergoing the usual course of training and officers already under training from completing the course and passing the final examination of the Police Training College prior to their confirmation in the rank of Sub-Inspector. This power will be exercised with caution and only for administrative reasons.

(*e*) *Medical certificate.*—For direct recruitment, candidates shall be required to produce health certificates from a Presidency or Civil Surgeon.

(*f*) *Age for recruitment.*—For direct recruitment, candidates shall be over 19 and under 24 years of age on the 1st September.

(*g*) *Qualifications.*—For direct recruitment, the qualifications of a candidate shall be as follows:—

(*i*) He shall be of good social standing and respectable parentage and shall ordinarily be a native of, or permanently domiciled in, the district from which he is recommended. The candidates from the Indian States of Cooch-Behar and Tripura shall apply through the Resident of the States to the Superintendent of Police, Jalpaiguri and Tippera, respectively.

(*ii*) He shall be of good moral character.

(*iii*) He shall have passed the Intermediate Examination of an Indian University, or the Intermediate or the Islamic Intermediate Examination conducted by the Board of Intermediate and Secondary Education, Dacca, or the Cambridge Higher School Certificate Examination. He shall have a fluent knowledge of English.

(*iv*) He shall be free from disease, constitutional affection or bodily infirmity unfitting him, or likely to unfit him, for police duties.

N. B.—Stuttering or stammering is a defect which renders an applicant ineligible.

(*v*) He shall be not less than 5 feet 3 inches in height and 30 inches round the chest and shall have been vaccinated.

II.—Special Armed Force and Town Police

(*a*) *Appointing authority.*—Superintendent of Police.

(*b*) *Method of recruitment.*—(*i*) The appointment of Sub-Inspectors of the Special Armed Force and of the Town Police shall ordinarily be made by promotion from the rank of head

constable. Nominations shall be made by a departmental Board consisting of the Range Deputy Inspector-General and two Superintendents of his Range to be selected by him. Selection for the provincial approved list shall be made by a Board consisting of all Deputy Inspectors-General in conference who shall prepare two approved lists, one for the Special Armed Force and the other for the town Police. These lists shall be maintained in the office of the Inspector-General and circulated to all Deputy Inspectors-General and Superintendents. Promotion shall be given to the men in the order of seniority in the list as vacancies occur in the Armed or Town Police. A departure from this principle shall only be allowed by the Inspector-General as a special case when it is necessary to promote an officer of a particular class whose name is in the provincial approved list. As soon as an appointment is made, the Superintendent concerned shall inform the Assistant Inspector-General.

(*ii*) In the event of there being no suitable departmental men for promoton, the permission of the Inspector-General shall be obtained to the appointment of ex-Army Indian officers as Sub-Inspectors in the Special Armed Force. Selection for such an appointment shall be made by a departmental Board consisting of the Deputy Inspector-General, Presidency Range, one Assistant Inspector-General to be nominated by the Inpector-General and the Assistant to the Deputy Inspector-General, Criminal Investigation Department.

(*iii*) Selected candidates, whether appointed direct or by promotion, shall not be liable to undergo a course of instruction in the Police Training College.

(*c*) *Medical certificate.*—Ex-Army Indian officers appointed direct shall be required to produce health certificates from a Presidency or Civil Surgeon.

III.—Period of probation, confirmation, dischage or reversion.

(*a*) *Probation.*—(*i*)The period of probation of a Sub-Inspector shall be two years for persons directly recruited and one year for police officers promoted from lower ranks, counting in the former case from the day following the last date of the final examination at the Police Training College, and in the latter case from the date of promotion to the rank of probationary Sub-Inspector:

Provided that the probationary period of Sub-Inspectors of the Special Armed Force and Town Police, whether appointed direct or by promotion, shall be one year.

Note.—No leave other than casual leave or leave on full average pay, no exceeding in the aggregate four months, shall count towards the period of probation.

(*ii*) The period of probation may be extended by the Superintendent by a period not exceeding half the period provided in clause (*a*)(*i*). For further extension of the period of probation, the sanction of the Deputy Inspector-General shall be obtained.

(*b*) *Confirmation or discharge or reversion.*—(*i*) the Superintendent may confirm probationers on the termination of their period of probation.

(*ii*) When a probationer is about to complete the period of probation, the Superintendent concerned shall record an order confirming him in his appointment with effect from the date of completion of the period of probation, or extending that period, or discharging him from the service or, in the case of a promoted officer, reverting him to his substantive rank.

Note.—Where orders are required under clause (*a*) (*ii*), the Superintendent shall submit his recommendation for further extension of the period of probation in time to enable him to receive the orders of the Deputy Inspector-General before the expiry of the period of probation.

(*iii*) The Principal, Police Training College, may at any time discharge a directly appointed cadet under training at the college, if he is satisfied that such cadet is not likely to make a satisfactory police officer.

(*iv*) A directly appointed probationary or a temprorary Sub-Inspector may at any time be discharged from service by the Superintendent, if considered by that authority to be unsuitable for the post of a Sub-Inspector, but the order of discharge shall not be given effect to till it has been submitted to and confirmed by the Deputy Inspector-General.

(*v*) When an order is made for the discharge or reversion of a probationer to his substantive rank, or the discharge of a temporary Sub-Inspector no proceedings shall be required; but the grounds for discharge or reversion shall be stated in the order. No appeal shall lie against such an order.

Selection of candidates by the District Committee for direct recruitment as Sub-Inspectors and submission of nominations. [§ 12, Act V, 1861.]

742. (*a*) Application for direct recruitment as Sub-Inspectors should be submitted in printed form (B.P. Form No. 147) which can be obtained from the office of the Superintendent. A list of all such application shall be prepared each year by the Superintendent. This list shall be prepared in three parts so as to show the names of Muslims, members of the schedule castes, and other non-Muslims separately.

(*b*) Selection in districts will be made by the Sperintendent and the District Magistrate who will call up all the candidates on the list and will select, in order of preference, double the number of each community for whom nominations were called according to regulation 741-I (*c*). (The supplementary selection will allow for possible rejections on medical grounds or owing to the result of verification being unsatisfactory.) The Superintendent will then have the verification rolls of all the selected candidates verified by an officer not below the rank of Inspector.

(*c*) The District Committee will nominate only candidates who are natives of its own district or are permanently domiciled therein. The Superintendent shall require selected candidates to produce health certificates in B. P. Form No. 148 from the Civil Surgeon on payment of a fee of Rs.4, and shall then submit to the Range

Deputy Inspector-General a list of candidates selected of each community in order of selection, stating against each their qualifications and any special grounds of selection and with this list which should bear the District Magistrate's countersignature, he will also send—

(*i*) the original application of these candidates with their certificates and testimonials and recommendations in original;

(*ii*) the verification rolls of the candidates; and

(*iii*) the health certificates of the candidates.

Assistant Sub-Inspectors.

Appointment of Assistant Sub-Inspector [§241 (1)(b), Government of India Act, 1935, and § 2 Act V, 1861 read with § 243 of the Government of India Act, 1935.]

743. (*a*) *Apponting authority.*—Suprintendent of Police.

(*b*) *Method of rcruitment.*—Vacancies shall be filled either (*i*) by promotion from the rank of constable or (*ii*) by direct recruitment.

(*i*) *Promotion of constables.*—Nominations shall be made by the Superintendent to the Range Deputy Inspector-General once a year and the latter officer shall personally interview the men on a suitable opportunity. Thereafter, an approved list of constables fit for promotion, shall be prepared for each district by the Deputy Inspector-General in conference with the Superintendent concerned and appointments shall be made from it on the occurrence of a vacancy in the order in which the names are arranged. In the case of constables of the Intelligence Branch and the Criminal Investigation Department, the Deputy Inspector-General in consultation with a Special Superintendent or the Assistant to the Deputy Inspector-General, as the case may be, shall prepare an approved list of constables fit for promotion, and appointments shall be made from the list in the order in which the names are arranged.

(*ii*) *Direct appointment.*—Such recruitment shall only be made with the previous approval of the Deputy Inspector-General when suitable constables are not available for promotion. Applications called for by the Superintendent of the disrtrict concerned, together with his nominations, shall be submitted to the Range Deputy Inspector-General. The final selections shall be made by a Board consisting of the Range Deputy Inspector-General in conference with the Superintendent concerned and shall be in accordance with the Bengal Services Recruitment (Communal Ratio) Rules, 1940. Directly appointed Assistant Sub-Inspectors shall be sent to the Police Training College for training.

(*c*) *Age for recruitment.*—For direct recruitment, candidates shall be over 19 and under 25 years of age.

Note.—The Inspector-General is empowered to condone excess over the age limit in the case of temporary force of the Intelligence Branch and the District Intelligence Branches.

(*d*) *Medical certificate.*—For direct recruitment, candidates shall be required to produce health certificates from a Presidency or Civil Surgeon.

(*e*) *Qualifications.*—For direct recruitment, candidates shall have passed the Marticulation Examination or its equivalent (see Appendix XLV).

The standard of height and chest measurements shall be the same as for constables.

Note.—This regulation does not apply to recruitment of Assistant Sub-Inspectors for the Photographic Bureau of the Criminal Investigation Department except in so far as it relates to (1) age for recruitment, (2) medical certificate, and (3) educational qualification. The appointing authority for such Assistant Sub-Inspectors shall be the Assistant to the Deputy Inspector-General.

(*f*) *Probation.*—(*i*) For persons directly recruited to the rank of Assistant Sub-Inspector, the period of probation shall be one year, counting from the date of their arrival in a district on return from the Police Training College, and for Assistant Sub-Inspectors promoted from lower ranks, one year counting from the date of their promotion to the rank of probationary Asssistant Sub-Inspector.

Note.—No leave other than casual leave or leave on full average pay, not exceeding in the aggregate four months, shall count towards the period of probation.

(*ii*) The period of probation may be extended by the Superintendent by a period not exceeding six months. For further extension of the period of probation, the sanction of the Deputy Inspector-General shall be obtained.

(*g*) *Confirmation or discharge or reversion.*—(*i*) The Superintendent may confirm probationers on the termination of their period of probation. In the Intelligence Branch and in the Criminal Investigation Department, the Special Superintendent or the Assistant to the Deputy Inspector-General shall be the confirming authority.

(*ii*) When a probationer is about to complete the period of probation, the Superintendent shall record an order confirming him in his appointment with effect from the date of completion of the period of probation, or extending his period of probation, or discharging him from the service or, in the case of promoted officer, reverting him to his substantive rank.

Note.—Where orders are required under clause (*f*) (*ii*), the Superintendent shall submit his recommendation for further extension of the period of probation in time to enable him to receive the orders of the Deputy Inspector-General before the expiry of the period of probation.

(*iii*) A directly appointed probationary of a temporary Assistant Sub-Inspectors, may at any time be discharged from service by the Superintendent, if considered by that authority to be unsuitable for the post of an Assistant Sub-Inspector, but the order of discharge shall not be given effect to till it has been submitted to and confirmed by the Deputy Inspector-General.

(*iv*) When an order is made for the discharge of a probationer or his reversion to his substantive rank or the discharge of a temporary Assistant Sub-Inspector no proceedings shall be required; but the grounds for discharge or reversion shall be stated in the order. No appeal shall lie against such an order.

744. The method of selection of constables for officiating promotion to the rank of Assistant Sub-Inspector is laid down in Appendix XLVI.

Selection of constables for officiating promotion to the rank of Assistant Sub-Inspector [§ 12, Act V, 1861.]

Head Constables.

745. (*a*) *Appointing authority.*—Superintendent of Police.

Appointment of head constables. [§241 (1) (b), Government of India Act, 1935, and § 2, Act V, 1861 read with § 243 of the Government of India Act, 1935.]

(*b*) *Method of recruitment.*—Vacancies occurring in the special Armed Force shall be filled by promotion from the rank of naik, and in the Unarmed Police from the rank of constable. No constable with less than one year's service computed from the date of this finally passing out of the Police Training College, shall be permanently promoted to the rank of head constable in the Unarmed Police. Nomination for promotion shall be made by the Superintendent once a year to the Range Deputy Inspector-General, who shall interview the candidates on a suitable opportunity. The man nominated shall be able to read and write at least one vernacular. If nominated for promotion in the Special Armed Force he shall, unless specially exempted by the Deputy Inspector-General possess a certificate of competency in drill obtained not more than 3 years previously. If nominated for promotion in the Unarmed Police, he must be able to instruct constables in elementary drill and pass an oral examination in a knowledge of his duties. This examination will be held by the Superintendent.

An approved list of armed naiks and another of unarmed constables fit for promotion in their respective branches shall be prepared for each district by the Deputy Inspector-General in conference with the Superintendent concerned and promotions shall be made from these lists on the occurrence of a vacancy in the order in which the names are arranged.

(*c*) *Probation.*—(*i*) The period of probation of a head constable shall be one year.

Note.—No leave other than casual leave or leave on full average pay, not exceeding in the aggregate four months, shall count towards the period of probation.

(*ii*) The period of probation may be extended by the Superintendent by a period not exceeding six months. For further extension of the period of probation, the sanction of the Deputy Inspector-General shall be obtained.

(*d*) *Confirmation and reversion.*—(*i*) The Superintendent may confirm probationary head constables on the termination of their period of probation.

Note.—Officiating head constables who have passed the efficiency bar shall be confirmed as soon as they are absorbed in permanent vacancies.

(*ii*) When a probationer is about to complete the period of probation, the Superintendent shall record an order confirming him in his appointment with effect from the date of completion of the period of probation, or extending that period or reverting him to his substantive rank.

Note.—Where orders are required under clause (*c*) (*ii*) the Superintendent shall submit his recommendation for further extension of the period of probation in time to enable him to receive the orders of the Deputy Inspector-General before the expiry of the period of probation.

(*iii*) When an order is made for the reversion of a probationer to his substantive rank, no proceedings shall be required; but the grounds for reversion shall be stated in the order. No appeal shall lie against such an order.

(*e*) *Discharge*—A temporary Head-constable may at any time be discharged from service by the Superintendent, without proceedings, if considered by that authority to be unsuitable for the post of a Head-constable but the order of discharge shall not be given effect to till it has been submitted to and confirmed by the Deputy Inspector-General. No appeal shall lie against such an order.

Naiks (in special Armed Force only).

745A. (*a*) *Appointing authority.*—Superintendent of Police.

Appointment of naiks. [§ 241 (1) (b), Government of India Act, 1935, and §2, Act V 1861, read with § 243 of the Government of India Act, 1935.]

(*b*) *Method of recruitment.*—Vacancies shall be filled by promotion from the rank of constable. No constable with less than one year's service computed from the date of his finally passing out of the Police Training College shall be permanently promoted to the rank of naik. The man selected shall be able to read and write at least one vernacular.

An aproved list of constables fit for promotion shall be prepared in each district by the Superintendent and promotion shall be made from it on the occurrence of a vacancy in the order in which the names are arranged.

(*c*) *Probation.*—(*i*) The period of probation of a naik shall be one year.

Note.—No leave other than casual leave or leave on full average pay, not exceeding in the aggregate four months, shall count towards the period of probation.

(*ii*) The period of probation may be extendend by the Superintendent by a period not exceeding six months. For further extension of the period of probation, the sanction of the Deputy Inspector-General shall be obtained.

(*d*) *Confirmation and reversion.*—(*i*) The Superintendent may confirm probationary naiks on the termination of their period of probation.

(*ii*) When a probationer is about to complete the period of probation, the Superintendent shall record an order confirming him in his appointment with effect from the date of completion of the period of probation or extending that period or reverting him to his substantive rank.

Note.—Where orders are required under sub-rule (c) (ii) the Superintendent shall submit his recommendation for further extension of the period of probation in time to enable him to receive the orders of the Deputy Inspector-General before the expiry of the period of probation.

(*iii*) When an order is made for the reversion of a probationer to his substantive rank, no proceedings shall be required; but the grounds for reversion shall be stated in the order. No appeal shall lie against such an order.

Constables.

746. (*a*) *Appointing authority.*—Superintendent of Police.

Appointment of constables. [§ 241 (1) (b) Government of India Act, 1935, and § 2, Act V, 1861 read with § 243 of the Government of India Act, 1935.]

(*b*) *Method of recruitment.*—Bengalis shall be enlisted whenever possible provided they possess the necessary qualifications hereinafter specified Recruitment shall be made in accordance with the Bengal Services Recruitment (Communal Ratio) Rules, 1940. Up-country men, Garhwalis or Gurkhas may also be enlisted according to requirements.

(*i*) No Gurkhas of Nepales nationality belonging to the tribes mentioned below shall be recruited in the police:—

Thakurs.	Rais.
Chettres	Limbus
Magars.	Duras.
Gurungs.	Sunwars and Ranabhats.

(*ii*) Gurkhas who are not of Nepalese nationality and Gurkhas who, although of Nepalese nationality, do not belong to the tribes mentioned above, may be enlisted in the police without any restriction.

Note (1).—A Gurkha born in Nepal shall be treated as a Nepalese nationality unless he can produce definite proof that he resides habitually in British India and has no permanent home elsewhere.

(2) A Gurkha born out of Nepal shall be treated as of Nepalese nationality unless he can prove that he resides habitually outside Nepal and that he has on permanent home in Nepal.

(3) No unsupported statement from a candidae belonging to the tribes mentioned in sub-clause (*i*) that he is not of Nepalese nationality shall be accepted. He shall prove either that he was born outside Nepal and that he resides habitually outside Nepal and has no permanent home there or, if he was born in Nepal, that he resides permanently in British India and has no home elsewhere.

(*c*) *Buglers and armourers belong to the rank of constable.*—Bugler boys may be recruited for training as buglers on a reduced pay against vacancies in the rank of constable and be subsequently drafted into the ranks.

(*d*) *Durzis.*—Durzis may be enlisted in the rank of constable; one durzi in the smaller and two in the larger districts should suffice.

(*e*) *Age for recruitment.*—The age of candidates shall be between 18 and 25; but for Indian ex-soldiers the age limit shall ordinarily be 35 years.

Note.—The Inspector-General is empowered to condone excess over the age limit in the case of temporary force of the Intelligence Brance and the District Intelligence Branches.

(*f*) *Medical certificate.*—Candidates shall be of good health and be pronounced fit for by a Civil Surgeon.

(*g*) *Qualifications.*—Candidates shall be able to read and write the vernacular. The standard of height shall be 5 feet 4 inches and of chest measurement not less than 31 inches except for Bengali candidates whose minimum chest measurement shall be 30 inches. The height of candidates resident in Jalpaiguri district shall be 5 feet 3 inches and their chest measurement 31¼ inches, while for the Hill people of Chittagong Hill Tracts, Gurkhas and Garhwalis the minimum height shall be 5 feet and chest measurement 32 inches. Candidates who are below the prescribed physical standard shall not ordinarily be enlisted; but in exceptional circumstances Superintendents may refer their cases to the Deputy Inspector-General, who may, for special reasons to be recorded in writing, sanction their enlistment.

(*h*) *Recruiting party outside the province.*—No recruiting party shall be sent outside the province of Bengal without the previous sanction of the Provincial Government.

(*i*) *Probation.*—The period of probation for a constable shall be two years. No extension of that period shall be allowed.

Note.—(*i*) All continuous service in temporary vacancies immediately preceding appointment on probation shall count towards the probationary period.

(*ii*) No leave other then casual leave or leave on full average pay, not exceeding in the aggregate four months, shall count towards the period of probation.

(*j*) *Confirmation.*—The Superintendent may confirm probationers in their appointment on the termination of their period of probation.

(*k*) *Discharge.*—Probationers may at any time be discharged from service by the Superintendent, without proceedings, if found unsuitable, provided that the grounds for discharge shall be stated in the order of discharge which, however, shall not be given effect to till it has been submitted to and confirmed by the Deputy Inspector-General. No appeal shall lie against such an order.

A temporary constable may at any time be discharged from service by the Superintendent, without proceedings, if considered by that authority to be unsuitable for the post of a constable but the grounds of discharge shall be stated in the order. No appeal shall lie against such an order.

Recruitment of educated men as constables. [§ 12, Act V, 1861.]

747. As a number of posts of Assistant Sub-Inspector are filled by promotion from the rank of constable, Superintendents should endeavour to recruit as constables a certain number of educated young men. Such young men must go through the ordinary training and must be prepared to perform all the duties of

ordinary constables. Before engaging any such candidate, the Superintendent shall make careful enquiries as to his character and exclude any man whose antecedents are not entirely above suspicion.

Recruitment of constables outside the district.

748. If a Superintendent is unable to obtain recruits of the requisite class in his own district, he may request any other Superintendent where men are available to recruit for him the number required. The Superintendent of the recruiting district shall satisfy himself that the candidates are properly qualified as regards health and character. He shall then enlist them and send them along with his own recruits to the Training College, notifying the requisitioning district accordingly. The Superintendent of the requisitioning district shall supply belts and clothing for these recruits. The men shall be shown as enlisted from the date they pass the Civil Surgeon. Superintendents applying to other districts for recruits shall keep vacancies for them and shall see that the district allotment is not exceeded.

Agreement to be taken from constables on enlistment. [§ 12, Act, V, 1861.]

749. Before enlisting a recruit under the Police Act, 1861 and sending him to the Police Training College for training Superintendents shall take from him an agreement in B.P. Form No. 149, whereby he will be required to serve the Provincial Government for three years from the date of his appointment, or in default to refund the cost of the durrie which he has received *plus* the sum which the Provincial Government has expended for railway and steamer fares to enable him to join his first appointment. The terms of service as shown on the reverse of the agreement shall be explained to the recruit by the Reserve officer or any other accredited officer in the presence of the Superintendent or any other responsible officer, and both officers, *viz.*, the one who explains the terms and the other in whose presence the terms are explained, shall sign the certificate at the bottom of the form. The agreement, duly executed, shall be forwarded as soon as possible by registered post to the Principal of the Police Training College. The enforcement of the conditions in the body of the agreement may be relaxed in special cases, but the reasons for such relaxation shall be noted in the district order book and in the recruit's service roll. The agreement shall be filed with the service roll.

Verification roll. [§ 12, Act V, 1861.]

750. Every candidate for direct appointment shall be required to submit a verification roll in B.P. Form No. 150.

It shall be filled in by the candidate himself in his own hand in English, in the presence of the Superintendent. If any candidate is unable to fill in the form, the questions shall be put to him by the Reserve officer or an officer nominated by the Superintendent and such officer shall write down the answers and sign the roll, with his full signature and take the full signature or left thumb impression of the candidate on the form. He shall then produce the candidate before the Superintendent who shall, if satisfied with the answers, sign the roll.

The Superintendent shall then send the roll to the home district of the applicant for verification. In the case of men enlisted by the Training College, the verification roll shall be prepared and forwarded to the recruit's native district by the Principal.

The roll shall be tested by a local enquiry in the candidate's native village by an officer not below the rank of Assistant Sub-Inspector. Further enquiries shall then be made by examining the police-station records. The verifying officer shall report whether the father's name and antecedents of the candidate, as given by himself, are correct and whether there is anything on record against him. The roll shall then be sent to the District Intelligence Branch for further report (*see* instructions on the form).

Note.—(*i*) The roll should not be sent to Nepal for verification.

(*ii*) In the case of residents of Bengal, Bihar, Orissa and Assam the rolls shall be sent direct to the officer in charge of the police-stations concerned while in the case of residents of other provinces it shall be sent to the Superintendent of the district concerned.

(*iii*) For verification rolls in the case of candidates for direct appointment as Sub-Inspectors and clerks, *see* regulations 742 and 766.

If the results of verification are reported to be unsatisfactory and the statement of any candidate is found to be false, his name shall be struck off.

All verification rolls of accepted candidates shall be filed with their service books or rolls as soon as orders of appointment have been passed.

Medical certificate of fitness for service.

751. No person may be substatively appointed to a permanent post under the Crown without a medical certificate of health, which must be affixed to his first pay bill. Selected candidates other than those for Sub-Inspectorship shall be examined free of charge only on the requisition of the head of the department or office for which they have been selected. In Calcutta, such requisition shall be addressed to the medical officer to whom the department has been allotted and to no other officer, and in the *mufassil* to the Civil Surgeon of the district in which they are to serve. In the case of police officers the certificate shall be in B. P. Form No. 148 and in the case of others in a separate prescribed form (*see* Fundamental Rule 10, S. Rs.8-10 and Bengal Service Rules 10-14.)

Medical examination of recruit constables.

752. (*a*) All constable recruits before being enlisted shall be sent to the Civil Surgeon for examination except in the case of recruits for the Dacca District Police who shall be examined by the Teacher of Medical Jurisprudence, Dacca Medical School.

Register of candidates.

(*b*) Every candidate's name shall be entered in a register in B.P. Form No. 151 in which his left thumb impression shall be taken. The register shall be sent with the recruits to the examining medical officer in which he shall take a similar impression on the corresponding side and the two impressions shall be compared. No man shall be enlisted unless the examining medical officer passes him as fit. Only selected recruits shall be sent and no charge shall be made for a medical certificate in their case.

753. All recruits shall be re-vaccinated as soon as they are enlisted and the date of re-vaccination shall invariably be noted on the command certificates for the information of the Principal when the recruits are despatched to the Training College. **Re-vaccination of recruits.**

754. (*a*) Persons appointed as police officers including those appointed to fill temporary vacancies, shall receive the certificate of office mentioned in section 8 of the Police Act, 1861 (B.P. Form No. 152). **Appointment certificates.** [§12, Act V, 1861.]

(*b*) Appointment certificates shall be signed by the Superintendent. Those of Inspectors and Sub-Inspectors appointed direct shall be signed by the Principal, Police Training College.

(*c*) Such certificates, when not written on parchment, shall be backed with cloth.

(*d*) The certificate at the foot of the form shall be signed by the officer by whom the Government Servants' Conduct Rules have been read over to the recruit.

(*e*) All permanent promotions and degradations in rank shall be recorded on the appointment certificate, the entries being made on the back of the form.

755. (*a*) Under the provisions of the Regulations for the Army in India, there is no objection to the employment of reservists of the Indian Army in the Bengal Police Force. They may be recruited up to a limit of not more than 10 *per cent.* of the strength of a district without the consent of the Deputy Inspector-General, and not more than 12½ *per cent.* of the strength of a Range without the consent of the Inspector-General, subject to the following conditions:— **Appointment of reservists of the Indian Army and pensioned or discharged Indian soldiers.**

(*i*) they must be fully trained in drill and fire a musketry course each year (with the police), and

(*ii*) they must be released from their employment immediately mobilization is ordered to enable them to rejoin the colours.

Note.—With reference to (*i*) above, the Superintendent shall furnish annually on demand by the officer Commanding the Regimental Reserve centre concerned a certificate to the effect that reservists have fired their musketry course and have been trained in drill.

(*b*) While serving with the police they are exempted from undergoing military training, and will be attached to the Special Armed Force.

(*c*) Pensioned or discharged Indian soldiers may also be enlisted when suitable candidates are available. The age limit for the enlistment of *ex*-soldiers (including reservists) in the police may be extended to 35 years [*see* regulation 746 (*e*)]. They should only be obtained from the Recruiting Officer or the District Soldiers Board of the area from which the personnel is required.

Re-appointment. [§ 12, Act, V 1861.]

756. No police officer or person who has been in any other Government department, who has once been dismissed may be re-employed without the sanction of the Inspector-General. In the case of a man who has resigned, being selected for re-enlistment, the Superintendent of his former district shall be informed and the character of the applicant ascertained. If a period of six months or more has elapsed since his resignation, a verification roll should also issue. Re-enlisted constables who have previously been trained in the Police Training College need not again be sent there. When men are re-enlisted their previous discharge certificates shall be reclaimed and kept with their service books or rolls. They shall be examined and passed by the medical officer before re-enlistment. Previous service shall not, as a rule, be allowed to count for pension in the case of a man who resigned to avoid a transfer.

Alteration in the declared date of birth of servants of the Crown. [§ 12, Act V, 1861.]

757. It shall be brought to the notice of all applicants for service under the Crown that the declaration of age, made at the time of, or for the purpose of, entry into the service of the Crown shall be deemed absolutely conclusive and no revision of such a declaration shall be allowed to be made at a later period for any purpose whatsoever.

Procedure to be followed in giving acting promotion to Assistant Sub-Inspectors and head constables in leave vacancies of Sub-Inspectors.

758. Assistant Sub-Inspectors and head constables shall not be promoted to act as Sub-Inspectors in leave vacancies except in leave vacancies in the ranks of Inspector and Sub-Inspector of the Special Armed Force. They can be promoted to be acting Sub-Inspectors in permanent vacancies among Sub-Inspectors or in filling temporary appointments, or in the chain of vacancies caused by the promotion of Inspectors to act as Deputy Superintendents in the chain of Deputy Superintendents promoted to act as Superintendents), provided that the arrangements made do not cause any excess in the sanctioned cadre of Sub-Inspectors. Officiating promotion to the rank of Sub-Inspector requires the approval of the Deputy Inspector-General of the Range if the arrangement affects more than one district in a Range.

Assistant Sub-Inspectors and head constables allowed to act as Sub-Inspectors in the Unarmed Police without extra remuneration.

759. As a further incentive to good work and to provide for cases where the leave reserve in the rank of Sub-Inspector is found inadequate, qualified Assistant Sub-Inspectors and head constables may be permitted to act as Sub-Inspectors in the Unarmed Police without extra remuneration, subject to the following conditions:—

(*i*) that the number of absentees at the time exceeds the number sanctioned for the casualty reserve in the rank of Sub-Inspector;

(*ii*) that the number of officers so promoted does not exceed three in Mymensingh, two each in the 24-Parganas, Midnapore, Dacca and Bakarganj and one each in the remaining districts including the railways;

(*iii*) that the officers so promoted do not draw acting or conveyance allowance;

(*iv*) that the promoted officers are treated as Assistant Sub-Inspectors or head constables for the purpose of travelling allowance; and

(*v*) that it remains optional with the promoted officers to wear Sub-Inspector's uniform at their own cost.

These orders preclude any acting arrangement in the place of Assistant Sub-nIspectors and head constables who are promoted.

Havildar-major. [§ 241 (1). (b), Government of India Act, 1935, and §2, Act V, 1861 read with § 243 of the Government of India Act. 1935.]

760. Superintendents may confer the rank of havildar-major on officers whom they consider to be of outstanding merit and who hold the substantive rank of head contable in the Special Armed Force. These posts will be regarded as posts of distinction and not more than one havildar-major will be attached to each emergency force.

For the purpose of pay and travelling allowance a havildar-major shall continue to be treated as a head constable but will rank senior to other head constables.

Orders regarding appointments or promotions to indicate vacancies.

761. Orders regarding appointments or promotions shall invariably indicate the vacancies (permanent or officiating) against which they are made.

Appointment of compounders attached to police hospitals.

762. Appointment of compounders in police hospitals shall be made by the Superintendent in consultation with the Civil Surgeon concerned.

Recommendations for promotion to be left by officers when transferred. [§ 12, Act V, 1861.]

763. To ensure that the claims of deserving Inspectors, Sergeants and Sub-Inspectors to promotion are not overlooked in consequence of the transfer of the officer who is personally acquainted with their respective merits, a Deputy Inspector-General or Superintendent shall, on making over charge of his duties, prepare and leave for the information of his successor a confidential note containing his recommendations regarding those of the officers serving under him who, in his opinion, are fit for promotion to the rank of Deputy Superintendent or Inspector, as the case may be; the new officer when submitting his own recommendations shall carefully consider his predecessor's opinion and bring to notice any officer whom he has excluded, but whose name appears in the list of recommendations left by his predecessor. Officers who have held charge for a period of less than six months need not leave such a confidential note unless they wish.

Recommendations for special promotion. [§ 12 Act, V, 1861

764. (*a*) The Superintendent shall not make recommendations in official letters for special promotion of any officer subordinate to him save in accordance with these regulations or when ordered to do so by the officer empowered to make such promotion. If he desires to bring to notice the good work of any officer he shall do so demi-officially to the Deputy Inspector-General concerned or to the Inspector-General.

(*b*) It is forbidden to apply directly or indirectly, for promotion.

Private employment, employment in other departments of Government or under Governments and appearance at examinations for recruitment to other services or posts.

765. (*a*) *Private employment.*—(*i*) A servant of he Crown shall not apply for private employment, nor shall he signify his willingness to accept such employment without the previous permission of the appointing authority of his post or service.

(*ii*) An application for permission to apply for private employment shall not be entertained unless such authority is satisfied that the premature resignation of the applicant may be accepted without detriment to the public service.

(*iii*) If a servant of the Crown, who is refused permission to apply for private employment, wishes to resign his appointment under the Crown, such resignation shall ordinarily be accepted.

(*iv*) A servant of the Crown, who is permitted to apply for private employment, must on accepting it, resign his appointment under the Crown. After such acceptance he shall not be allowed any leave, and he shall not be permitted to retain a lien on his appointment under the Crown.

(*b*) *Employment in other departments of Government or under other Governments.*—(*i*) A servant of the Crown shall not apply for an appointment in another office or department of Government or under the Crown in another Government, unless the head of such office or department or such other Government has invited applications for the post.

(*ii*) A servant of the Crown must submit his application for such an appointment through the appointing authority of his own post or service, which shall decide whether he shall be permitted to apply. Such permission shall ordinarily be granted, unless such authority considers that the application should not be allowed on the ground that the transfer would not be consistent with the interest of the public service. Application submitted direct to the authority making the appointment shall be rejected, if the authority is a department of, or subordinate to, the Government of Bengal.

(*iii*) No canvassing shall be allowed in the case of applications referred to in this regulation.

Exception.—A servant of the Crown who wishes his name to be considered for an appointment for which applications are not ordinarily invited, may inform the authority which makes the appointment by a letter submitted through the appointing authority of his own post or service.

(*c*) *Apperance at examinations for recruitments to other service or posts.*—A servant of the Crown who wishes to appear at a competitive examination for another service or post shall obtain the previous permission of the Provincial Government.

General orders regarding clerical appointments.

766. Tht following orders apply to all direct appointments:—

(*i*) Preference shall be given to natives of this province.

(*ii*) Vacancies shall be filled in accordance with the Bengal Services Recruitment (Communal Ratio) Rules, 1940. The assistance of recognised Muslim and scheduled caste associations should be invoked when necessary in securing qualified Muslim or schedule caste candidates.

(*iii*) No executive officer shall be appointed to be a clerk without the sanction of the Inspector-General.

(*iv*) A clerk shall produce a certificate of health from the Civil Surgeon as soon as he is appointed. All letters requesting the Civil Surgeon to examine candidates for appointment should be in B. P. Form No. 153. Candidates thus sent for medical examination by the head of the office for which they have been selected shall be examined free of charge. Such medical examination must be made by a Commissoined Medical Officer of the Crown or by the Medical Officer in charge of a Civil Station and the certificate shall be given in Bengal Form No. 790 prescribed in S. R. 8 of the Fundamental Rules and rule 13 of the Bengal Service Rules.

(*v*) No candidate above the age of 25 years shall be appointed.

Note.—The Inspector-General is empowered to condone excess over the age limit in the case of temporary establishments of the Intelligence Branch and the District Intelligence Branches.

(*vi*) A verification roll in B. P. Form No. 150 shall be issued to ascertain the character and antecedents of the candidates and verified by an officer not below the rank of Inspector (*see* regulation 750). No clerk shall be appointed if his past history is not above all suspicion.

(*vii*) No person who is serving in or who has served in any other Government office shall be appointed without a reference to the head of the office concerned.

(*viii*) In the case of a candidate who is or has recently been a college student, a reference shall be made to the Principal of the college.

(*ix*) When a permanent vacancy is to be filled by the appointment of an outsider the head of the office shall advertise it as widely as possible.

Appointments of clerks in the offices of Deputy Inspectors-General.

767. (*a*) Appointments in the clerical establishment in the offices of Deputy Inspector-General shall be made by the Deputy Inspector-General concerned (*i*) by the promotion of clerks already in his own office or in the offices of Superintendents and (*ii*) by direct recruitment in the manner best calculated to secure the kind of recruits required on the pay given.

(*b*) No person who has not passed the Marticulation Examination or its equivalent (*vide* Appendix XLV) shall be appointed without the specific sanction of the Inspector-General.

(*c*) All permanent appointments shall be made on probation for one year in the case of promoted officers and for two years in the case of those recruited direct. On the expiry of the period of probation, probationers shall be confirmed, if found suitable, by the Deputy Inspectors-General.

Appointment of clerks in the offices of Superintendents.

768. (*a*) *Head Clerk, accountant and reader clerk.*—(*i*) Vacancies in the class of head clerk, accountant and reader clerk shall be filled by Deputy Inspectors-General either by promotion of clerks already in the department or by the appointment of outsiders. Clerks thus promoted shall be on probation for one year and outsiders for two years after appointment. On the expiry of this period, probationers shall be confirmed by the Deputy Inspector-General if reported fit by the Superintendent.

(*ii*) Promotion of clerks shall be entirely by merit.

(*iii*) The Inspectors-General shall maintain the following lists—

(1) accountants fit to be head clerks,

(2) clerks fit to be accountants; and

(3) clerks fit to be reader clerks.

He will, when necessary, call for nominations from Deputy Inspectors-General of clerks fit for promotion to these classes. The nominations will be considered at a conference of Deputy Inspectors-General with the Inspector-General. The names of accountants fit for promotion to the class of head clerk shall be selected and placed on the approved list, in order of seniority *inter se* but below those already on the list. The names of clerks fit for promotion to the class of accountant shall be placed on the approved list according to the date on which the examination in accounts and office procedure was passed but below the names of those already on the list. If two or more clerks, selected for entry in the list, passed this examination at the same time, their places on the approved list *inter se*, will be regulated by seniority.

(*iv*) No clerk shall be nominated for the class of head clerk, accountant or reader clerk, permanent or officiating, unless he has passed an examination (1) in accounts with books and (2) in office procedure with books. (*See* regulation 807.)

(*v*) Promotions to fill permanent vacancies or leave vacancies which will eventually become permanent shall be made by Deputy Inspectors-General from the provincial approved lists circulated to them by the Inspector-General. Such promotion shall be made in the order in which the names are arranged on the lists. Temporary vacancies shall be filled by Deputy Inspector-General at their discretion, but they shall give preference to those clerks of their Ranges whose names are on the approved lists. They shall not without the sanction of the Inspector-General appoint to vacancies in the class of head clerk, accountant or reader clerk, clerks who have not passed the examination in accounts and office procedure.

(*vi*) Outsiders may be appointed only if competent clerks cannot be found among those already serving in the department or if for any other reason it is considered desirable to do so in the interest of the public service.

(*vii*) No outsider who has not passed the I.A. or the I.Sc. Examination or who has not served with credit for at least 8 years in a Government office may be appointed without the sanction of the Inspector-General.

(*viii*) The seniority of head clerks, accountants and reader clerks shall be regulated by the order of their appointment to these posts.

(*b*) *Subordinate clerks.*—Appointments of subordinate clerks shall be made by Superintendents. No person who has not passed the Marticulation Examination, or its equivalent (*see* Appendix XLV) shall be appointed without the specific sanction of the Inspector-General.

Subordinate clerks shall be on probation for 2 years and on the expiry of this period shall be confirmed by the Superintendent, if found suitable.

(*c*) *Stenographers.*—The probationary period of newly appointed stenographers shall be two years. The appointment and confirmation of stenographers shall be made by Superintendents with the approval of Deputy Inspectors-General.

Leave vacancies.

769. (*a*) No outsiders shall be employed in leave vacancies in offices where a leave reserve is sanctioned. In offices in which no leave reserve is sanctioned the Superintendent may appoint outsiders in leave vacancies longer than 15 days but not exceeding six months.

(*b*) All vacancies exceeding six months shall be filled by the Deputy Inspector-General from the Range cadre.

Periodical returns in respect of appointment made in different — services and posts.

770. Superintendents and the Principal, Police Training College, shall by the 1st day of April and 1st day of October each year, submit to the Range Deputy Inspector-General a return, in duplicate, in the prescribed forms for the half-year ending on the 31st March and the 30th September showing all appointments, whether made by promotion or by direct recriutment, of Muslims, non-Muslims and members of the shcedule castes and other communities, made by them in the Subordinate srvices and posts. The Deputy Inspector-General will compile a consolidated return for the Range including in it the appointments made by him and submit it to the Inspector-General in duplicate by the 10th April and 10th October together with a copy of each of the orginal returns. The Deputy Inspector-General, Criminal Investigation Department and Intelligence Branch, shall submit a similar return direct to the Inspector-General. The Inspector-General shall submit to the Provincial Government in the Home (Appointment) Department by the 20th April and 20th October each year a consolidated return for the province including in it the appointments made by him together with a copy of each of the original returns. [*See* rules 1 and 14 of the Bengal Service Recruitment (communal Ratio) Rules, 1940.]

Enrolement of boatmen and crews [§241(1) (b) Government of India Act, 1935, and §2, Act V, 1861 read with §243 of the Government of India Act 1935.]

771. Boatman and crews of police boats and launches should, if willing, be enrolled as members of the Police Force under the Police Act, 1861, and, if so enrolled, should be given an appointment certificate under section 8 or that Act and service rolls in B.P. Form No. 180 shall be opened for them.

CHAPTER XIII.

Pay, Increments and Allowances.

I—General Conditions of Service.

General conditions of service of officers of the Indian Police.

722. The conditions of service in respect of pay, overseas pay, special pay leave, pensions and passage concessions and general rights and privileges of officers of the Indian Police are as prescribed by the Secretary of State from time to time under the provisions of section 247 (*1*)(*b*) of the Government of India Act, 1935 and incorporated in the Superior Civil Services Rules, the Reserved posts (Indian Police) Rules, 1938, Fundamental and Subsidiary Rules, Civil Service Regulations, Government Servants' Conduct Rules 1935, General Provident Fund (Superior Civil Services) Rules, the Secretary of State's Services (Medical Attendance) Rules, 1938, and the Civil Services (Classification, Control and Appeal) Rules.

(*See* sections 246, 247, 248 and 250 of the Government of India Act, 1935.)

General conditions of service of officers of the Bengal Police Service.

773. The conditoins of service in respect of pay, special pay, leave, pensions and passage concessions and general rights and privileges of the officers of the Bengal Police Service are as contained in the rules in the following publications:—

(*i*) Fundamental and Subsidiary Rules.

(*ii*) Civil Service Regulations.

(*iii*) Manual of Pays of Provincial and Subordinate Services, 1937.

(*iv*) Government Servants' Conduct Rules.

(*v*) The Bengal Government Servants (Political Conduct) Rules, 1932.

(*vi*) General Provident Fund (Bengal Services) Rules.

(*vii*) The Civil Services (Classification, Control and Appeal) Rules so far as they apply to the Bengal Police Service.

(*viii*) Rules in the several chapters of this volume framed under the Police Act, 1861 (V of 1861) as amended by the Government of India (Adaptation of Indian Laws) Order, 1937.

(*ix*) The Bengal Service Rules.

(*See* sections 56, 241, 258 and 276 of the Government of India Act, 1935.)

General conditions of service of members of the subordinate ranks of the Bengal Police. [§2 of Act V, 1861, read with §243, Government of India Act, 1935.]

774. The conditions of service in respect of pay, special pay, leave, pensions and passage concessions and general rights and privileges of the officers of the subordinate ranks of the Bengal Police shall be such as are contained in the ruels in the following publications which were in force on the 31st March 1937 subject to amendments, if any, made after the said date or to be made hereafter under section 2 or section 7 of the Police Act, 1861 (V of1861):—

(*i*) Fundamental and Subsidiary Rules.

(*ii*) Civil Service Regulations.

(*iii*) Manual of Pays of Provincial and Subordinate Services, 1937.

(*iv*) Government Servants' Conduct Rules.

(*v*) The Bengal Government Servants (Political Conduct) Rules, 1932.

(*vi*) General Provident Fund (Bengal Services) Rules.

(*vii*) Rules in the several chapters of this volume framed under the Police Act, 1861 (V of 1861).

(*viii*) The Bengal Service Rules.

(*ix*) The Bengal Pocile Service Passage Rules, 1939.

II—Pay Increment and Allowances.

775. (*a*) The sacle of pay and special pay of officers of the Indian Police is shown in the "Gradation list of police oficers in Bengal." Scale of pay and special pay.

(*b*) The scales of pay and special pay of officers of the Bengal Police Service and members of the subordinate ranks of the police force and of the clerical and other estblishments are shown in the "Manual of Pays of Porvincial and Sbordinate Services," issued by the Government of Bengal, Finance Department.

(*c*) For Sub-Inspectors employed in the Finger Print Bureau, there are special rates of pay as under:—

(*i*) *Lower scale.*—The same as the ordinary sacle of pay of Sub-Inspectors.

(*ii*) *Higher scale*—Rs.200—25/2—300.

No officer will be eligible for promotion to the higher scale unless he has completed a total period of 12 years' service in the Bureau (whether continuous or not) and has also completed 20 years' total service as Sub-Inspector (excluding the period spent on training). If any officer reverts to district work at his own request or is required to do so for other reasons, he shall on reversion draw the pay of a Sub-Inspector in the ordniary scale accordnig to the length of his service in the department including the period spent in the Finger Print Bureau.

Note.—Officers joining the Finger Print Bureau will as a rule be directly recruited Sub-Inspectors.

776. (*a*) Fundamental Rules 22-29 and Bengal Srevice Rules 42-53 apply to time-scales of pay generally and prescribe the conditions on which service counts for increments in a time-scale.

Note.—Power to withhold increments has been delegated by the Provincial Government to any authority competent to make substantive appointment to a post *See* also regulation 871.

(*b*) Probationary Assistant Superintendents recruited in England shall draw pay from the date on which they report to the authorities their arrival in India and service for increments shall count from that date or from the 1st November of the year of appointment, whichever is earlier, provided that they report their arrival in India not later than

the 31st December of that year. In the case of an officer who for whatever reason does not report his arrival in India until after the 31st December, service for increment will count from the date of such report. Probationers recruited in India shall draw pay from the date they report themselves for duty. All probationary Assistant Superintendents shall draw their first increment after one year's service irrespective of whether they have passed the prescribed departmental examinations or not, but shall not draw the second increment until they have passed the examinations completely.

(*c*) An Inspector, when promoted to be a Deputy Superintendent, shall draw his initial pay according to the provisions in Bengal Service Rules 42 and 55, his substantive pay as Inspector for this purpose being deemed to be the pay which he drew in the scale fixed for the post plus an additional 10 per cent.

(*d*) Probationers who are promoted from a lower rank (*viz.*, Inspectors Sub-Inspectors, Assistant Sub-Inspectors and head constables) and probationary Sergeants and constables shall draw the minimum pay in the time-scale, subject to the condition that they shall count towards increment officiating or temporary service in their respective ranks rendered prior to their appointment as probationers and also their probationary period or any part thereof and shall draw any increment that may fall due to them during the period of probation.

Note.—(1) Promoted Sub-Inspectors while under training at the Police Training College, Sardah, shall be treated as supernumeraries to the cadre and shall draw pay at the fixed rate of Rs. 80 (eighty rupees) per mensem.

While attached to the district for practical training they shall draw pay in the time-scale of Sub-Inspectors subject to the condition that they shall count towards increment officiating and temporary service rendered prior to their appointment as probationers and also their probationary period or any part thereof and draw any increment that may fall due to them during the period of probation.

[Bengal Government Order No. 1419Pl., dated 4th May, 1942.]

(2) A probationer shall draw as initial pay the stage of the time scale next above his substantive pay in the post from which he is promoted.

[G O.No. 3(5-pl dated 31-1-45.]

(*e*) Persons directly recruited to the rank of Sub-Inspector and Assistant Sub-Inspector shall draw the minimum pay in the time-scale throughout the period of probation.

(*f*) The period of training of directly recruited Sub-Inspectors at the Police tarining College does not count towards service for increment.

(*g*) Military service of Indian Commissioned Officers who enlist as Sub-Inspectors discharge from the Army shall count towards increment.

(*h*) Indian ex-soldiers who enlist as constables or head constables on discharge from the Army shall count their military service towards increment.

For instructions regarding the approved service increments of constables' *see* regulation 779.

777. No officer shall be allowed to draw pay at a rate above the stage at which the efficiency bar is fixed until a declaration is made by the authority empowered to withhold increments that it has satisfied itself that the official in question is fit to pass the efficiency bar. **Efficiency bar.**

(*See* Fundamental Rule 25 and instruction thereunder and Bengal Service Rule 46.)

Note.—(*i*) No clerk employed in the office of a Superintendent who has not passed the departmental examination in accounts, shall be allowed to pass the efficiency bar; this condition shall not apply to clerks appointed prior to 1st January 1922.

(*ii*) Clerks appointed on or after 1st October 1940, who have not passed the departmental examination in accounts and office procedure, shall not be allowed to pass the efficiency bar.

778. During the period of instruction at the Training College cadets recruited direct will receive Rs.50 a month as pay, while those promoted from the rank of Assistant Sub-Inspector will be treated as supernumeraries in case they are sent to the college for training and will draw pay strictly according to the probation rules. **Pay of directly recruited cadets and of those promoted from the rank of Assistant Sub-Inspector at the Police Training College. [§2, Act V, 1861, read with §243 of the Government of India Act, 1935.]**

The pay of officers holdnig substantive appointments in other department of Government who may be appointed probationers will be regulated by Bengal Service Rule 42.

779. (*a*) Constables are entitled to an increment of pay amounting to Re.1 after three years' approved service, to a second increment of Re.1 after seven years' approved service, to a third increment of Re.1 after ten years' approved service, and a fourth increment of Re.1 after seventeen years' approved service. There are no grades of constables and constables should not be descrbied as belonging to any grade. **Approved service increments of constables. [§2, Act V, 1861.]**

(*b*) "Approved service" is the service for period named, exclusive of any of the interruption mentioned in clause (*d*).

(*c*) The procedure regarding the withholding of increments laid down in regulation 871 will also apply to constables.

(*d*) The following incidents will constitute interruptions in approved service for the period specified against each:—

(*i*) *Leave without allowances.*—The period of leave.

(*ii*) *Suspension.*—The period of suspension unless honourably acquitted or unless the revising or appellate authority orders to the contrary (Bengal Service Rule 72).

(*iii*) *Any period which the Superintendent shall direct to count as an interruption by a specific order passed after drawing up proceedings.*—The period ordered, but this will not have any effect on the subsequent increment unless ordered to the contrary.

(*e*) Interruption of approved service after a constable has served 17 years and earned the full increments allowed will entail definite punishment of reduction to a lower rate of pay except in cases of clause (*d*) (*i*) and (*d*) (*ii*). Such reduction shall be for stated periods, at the option of the Superintendent, subject, of course, to the usual appeal.

(*f*) Any period of approved service counting for increment, which had been put in by a constable at the time when he was awarded deprivation of an increment as a specific punishment, will remain at his credit on the expiry of the term of his punishment. The period of deprivation of increment or reduction of pay will also count towards future increments unless specific orders are passed to the contrary.

(*g*) The Deputy Inspector-General shall have power to revise any orders passed under the rules or to relax the rule in particular cases of hardship, so far as this can be done, having regard to the provisions of the Bengal Service Rules.

(*h*) The following instructions shall be observed in the application of these rules:—

(*i*) All entries regarding approved service shall be made in the constables' service rolls.

(*ii*) On the attainment of an increment two conspicuous lines should be drawn across the columns, and the following entry made between them in red ink:—

"Earned (first, second, third or fourth) increment."

(*iii*) On the occurrence of any interruption of approved service owing either to absence on leave without pay, to suspension or to a specific punishment as the case may be, the period of interruption must be entered distinctly with the number and date of the district order.

(*iv*) To ensure a constable obtaining his increment on the proper date, his service roll shall be examined at the beginning of each year, and a note made of those men who will ordinarily attain their increment during the year.

(*v*) The entries in the service roll necessitated by these regulations will invariably be initialled by an officer not below the rank of Deputy Superintendent.

Counting of previous service (including military police and military service) towards increment of pay. [§2 Act V, 1861.]

780. (*a*) A subordinate police officer, when re-enlisted after discharge or resignation may, with the sanction of the authority competent to fill the appointment held by him, be allowed to count towards increment of pay the service (including military and military police service) rendered before such discharge or resignation, even though it was not on the same time-scale or was under another Government.

Note.—This rule takes effect from the 25th August 1936.

(*b*) The authority competent to condone such interruption in service under article 422, Civil Service Regulations, should clearly state whether the past service should count towards pension and increment

of pay. Each case should be decided on its merits, and it must always be considered whether the individual is deserving of the privilege. Military or military police service when allowed to count shall be subject to the proviso that any gratuity received is refunded in full under article 511, Civil Service Regulations, or any pensions remains wholly in abeyance under aritcle 514(*b*), Civil Service Regulations.

(*c*) When a person is reappointed after resignation, the full facts of his case should be explained to the Accountant-General, by the appointing authority who should fix his pay according to rules that may be applicable and obtain a report from the Accountant-General that the amount of pay that has been fixed is admissible under the rules.

(*d*) A subordinate police officer, who before his appointment to the police, has served in the reserve of the Indian Army may, if his military service whether or not including service with the colours in addition to service in the reserve, was pensonable under military rules but terminated before he had qualified for pension, be permitted at the discretion of the Head of the Department to count for increments of pay the whole of his service with the colours, if any, and half his service in the reserve. Such service shall count twoards periodical increments of pay, provided it counts towards civil pension under articles 356 and 357A, Civil Service Regulations. [*See* also regulation 776(*g*) and 851.]

Note—The counting of service in the reserve shall take effect from the 5th September 1935.

780A. Naiks shall draw pay as constables with a special pay of Rs.2-8 a month in addition to the special pay of Rs.2 a month admissible to constables of the Special Armed Force.

Pay and special pay of naiks. [§2, Act V, 1861, read with §243 of the Government of India Act, 1935.]

781. Armourers shall draw pay as constables. They shall also draw special pay as follows:—

the head armourer, Rs.5, the second Rs.3 and the rest Rs.2 a month.

In certain districts (vide Appendix XLVII) in which a compensatory allowance is sanctioned for constables, they shall draw this special pay in addition.

Pay and special pay of armourers. [§2, Act V, 1861, read with §243 of the Government of India Act, 1935.]

782. The pay of bugler boys of not less than 15 years of age who may be recruited for training as buglers will be Rs.16 a month. On attaining the age of 18 they shall draw the full pay of a constable and the special pay of Rs.2 a month of a bugler when this is available.

They shall count service for increments from the date from which they draw full pay as constables.

Regarding compensatory allowance see Appendix XLVII.

Pay and special pay of buglers and bugler boys. [§2, Act V, 1861, read with §243 of the Government of India Act, 1935.]

Increased rate of pay—how to be drawn.

783. (*a*) No authority is required to enable an officer to draw an increased rate of pay as the result of annual increments except where the passing of an efficiency bar is concerned. In such cases and also in the case of promotion in rank no officer of and above the rank of Deputy Superintendent shall draw the increased rate of pay without pre-audit or without an authority from the Accountant-General.

(*b*) An officer of lower rank appointed to do the work of an officer reduced or dismissed shall not draw the increased rate of pay, pending the result of appeal.

Passage pay and concessions.

784. Every officer of the Indian Police who is eilgible for the passage pay and concessions under the Superior Civil Services Rules, 1924, shall be responsible for reporting to the Inspector-General the names of his wife and children, the date of his marriage, the sex and date of birth of each child and all subsequent events which affect the eligibility for the concession of the officer himself or any member of his family. These particulars shall then be forwarded to the Accountant-General to enable him to maintain their passage accounts.

Grant of passages to Sergeants and officers promoted from that rank.

785. The grant of passages to Sergeants and officers promoted from that rank whose domicile at the time of appointment as Sergeant was non-Asiatic shall be regulated by the Bengal Police Services Passage Rules, 1939.

Grants for purchase and maintenance of uniform, horse and saddlery.

786. (*a*) While it is an ordinary condition of apponitment to the Indian Police that a successful candidate shall provide himself or be provided by his parents or guardians with his uniform or the cost thereof and that he must, when required to do so by the Provincial Government, provide himself with a suitable horse and saddlery at his own expense, the Secretary of State has decided that young officers appointed to the Indian Police from the United Kingdom should, on first appointment, receive a free grant of £30 towards the cost of uniform and a sum not exceeding Rs.600 towards the cost of horse and saddlery in all cases, in which the Provincial Government considers it necessary that a horse should be kept. The amount of the sum to be given towards purchase of horse and saddlery is left to the discretion of the Provincial Government subject to the limit of Rs.600 prescribed by the Secretary of State.

(*b*) The undermentioned officers should also on first appointment receive a free grant of Rs.400 for uniform and a sum not exceeding Rs.600 towards the cost of horse and saddlery in all cases in which it is considered that a horse should be kept—

(*i*) Officers of the Indian Police appointed in India.

(*ii*) Officers promoted to the Indian Police.—These officers will receive an initial grant for the purchase of uniform irrespective of whether they received such a grant (initial or renewal) as Deputy Superintendents. They will also get an initial grant for the purchase of horse and saddlery provided they did not get such a grant as Deputy Superintendents.

(*iii*) Officers of the Bengal Police Service.

(*c*) The grant for horse and saddlery is not a fixed sum but a variable amount not exceeding Rs.600. The officers receiving the grant shall therefore furnish the audit officer, within a month after the money has been drawn, with a certificate to the effect that the price paid by them was not less than the amount of the grant sanctioned for them.

(*d*) The Secretary of State has sanctioned the renewal of the uniform grant at intervals of ten years from the date of appointment or from the date on which the uniform is first maintained whichever is later. At intervals of seven years from the date on which a horse is first maintained the grant for horse and saddlery shall, if the Provincial Government considers that he should maintain a horse, be renewed on the officer certifying that he maintains and has ordinarily maintained a horse for the past seven years.

The Provincial Government may however, withhold the grants for uniform and horse and saddlery from any officer who is due to retire within five years.

The Secretary of State has decided further that these grants should be payable to all officers, whether recruited in England or in India, and that in the case of the latter the initial uniform allowance of £30 should be paid in rupees at the rate of 1*s*. 6*d*. The same conversion rate should be adopted when this allowance is renewed in the case of both classes of officers.

(*e*) The Provincial Goevrnment have authorised the Inspector-General to sanction initial and renewal grants of uniform, horse and saddlery to the officers of the Police Service of Pakistan, the officers promoted to the Police Service of Pakistan, and the officers of the East Bengal Police Service, subject to the terms and conditions as laid down in the preceding clauses. Cases of unusual nature not strictly covered by this Regulation should, however, be referred to Government for decision.

Note.—(*i*) An officer appointed prior to 1920 is entitled to receive the uniform grant and the grant for horse and saddlery with effect from the 15th June 1927.

(*ii*) Deputy Superintendents promoted to the Indian Police will receive their renewal grant for uniform after an interval of 10 years from the date of the appointment to the Indian Police.

(*iii*) In the case of Deputy Superintendents appointed prior to November 1919, the period of 10 years for the renewal of the uniform grant shall be counted from the date on which the grant was first sanctioned or from the date on which the uniform was first maintained, whichever is later.

(*iv*) Deputy Superintendents appointed after November 1919, are entitled to the renewal grant for uniform at intervals of 10 years from the date of appointment or from the date on which the uniform is first maintained, whichever is later.

786A. Inspectors and Sub-Inspectors are entitled to an allowance of Rs.50 and Rs.30 respectively for uniform on their first appointment or promotion to that rank. They are eligible for the renewal grant of the same amount at intervals of ten years from the date of appointment or from the date on which the uniform is first maintained whichever is later. **Kit allowance to Inspectors and Sub-Inspectors.**

No renewal grant shall, however, be paid to an officer who has not more than one year's service before him.

Note—(*i*) Inspectors and promoted Sub-Inspectors should get the initial grant on confirmation to the respective ranks.

(*ii*) Direct Sub-Inspectors should get the initial grant on their joining the Police Training College.

(*iii*) An officer appointed prior to April 1941, is entitle to receive the initial grant during the year 1941-42. He will be eligible for the renewal grant after an interval of ten years, the period of ten years being counted from the date of his drawal of the initial grant.

Conveyance allowances.

787. (*a*) Police officers are eligbile to draw conveyance allowances at the rates shown in Appendix 5 of the Fundamental and Subsidiary Rules.

(*b*) Under S. R. 32 of the Fundamental Rules charges on account of conveyance allowances of Inspectors, Sergeants and Sub-Inspectors are admitted in audit on the certificates of Superintendents regarding the maintenance of the necessary means of conveyance. Superintendents and other inspecting officers shall therefore satisfy themselves at the time of local inspection that the means of conveyance for which allowances are drawn have been maintained in a serviceable condition.

(*See* Article 131A of the Audit Code.)

Compensatory allowances.

788. Details regarding compensatory allowances (including town allowances of clerks) will be found in Appendix XLVII.

CHAPTER XIV.

Training and Examination.

I.—TRAINING.

Training at the Police Training College. [§12, Act V, 1861.]

789. (*a*) All officers who are directly appointed shall, with the following exceptions, undertake the prescribed course of instruction at the Police Training College as laid down in the Bengal Police Training College Manual. The exceptions are:—

(*i*) Sergeants.

(*ii*) Sub-Inspectors or ex-army men who are exempted by special order of the Inspector-General.

(*iii*) Assistant Sub-Inspectors appointed to specialised posts.

(*b*) On completion of the course at the Police Training College, certain officers shall receive further training in the district to which they are posted, as laid down in the succeedings regulations.

Practical training of Probationary Assistant and Deputy Superintendents. in districts and responsibility of Superintendents. [§12, Act V, 1861.]

790. (*a*) (*i*) Probationary Assistant Superintendents and directly appointed Deputy Supreintendents shall, on being posted to districts, be trained in the manner described in clauses (*b*)—(*f*) below. There shall be no departure from the prescribed course without the sanction of the Inspector-General. The Superintendent under whom a probationary officer is posted shall draw up a detailed programme monthly for the probationer's instruction according to that course.

(*ii*) It is the duty of Superintendents to take an interest in the practical training of probationers and to supervise their studies so as to ensure their becoming thoroughly and practically acquainted with all branches of police work and with the best means and equipment for touring.

(*iii*) When inspecting, the Deputy Inspector-General shall see that the probationary Assistant and Deputy Superintendents are trained in accordance with these rules and record their remarks for the information of the Inspector-General.

(*b*) The period of practical training shall ordinarily last for six months.

(*c*) Each probationer shall be attached for the specified periods to the following officers in order to learn the actual details of the work. Whilst so employed he shall make himself thoroughly acquainted with the duties which appertain to the different offices. Each probationer shall devote four hours daily to the different duties enumerated below; and the rest of the day will be at his disposal to study languages and law, if he has not already passed the departmental examination.

I.—Police-station (two months).

Note.—The probationer shall be attached to a *mufassil* police-station.

First month.

(*i*) He shall himself write, under the guidance of the officer in charge of the police-station, the different registers and records maintained by Assistant Sub-Inspectors and Sub-Inspectors and shall hold chaukidari parades and write up the attendance register.

(*ii*) He shall pay at least three visits to important patrol centres and check the night patrols there and shall also look up surveilles at night.

Second month.

(*iii*) He shall personally investigate at least three unimportant cases, preparing all the necessary documents with his own hand, under the supervision of the Circle Inspector.

(*iv*) He shall attend and watch the investigation of all important cases that may occur and report daily the progress of the investigation to the Superintendent.

II.—Circle Inspector's office (one month).

Note.—The probationer shall be attached to a Circle Inspector's office other than one at district headquarters.

(*i*) He shall perform all the duties of the Circle Inspector under the supervision of that officer. The Inspector shall, however, remain responsible for the work of the circle.

(*ii*) He shall accompany the Circle Inspector on tour whenever the latter supervises investigations or inspects police-stations.

(*iii*) He shall write the daily report and progress reports of important cases.

III.—Court office (15 days).

(*i*) He shall work in the Court Inspector's office and, under his supervision, study charge-sheet cases and prepare the necessary briefs for use in the courts.

(*ii*) He shall conduct petty cases before Magistrates.

((*iii*) He shall attend the courts of the Sessions Judge and Magistrates and learn to draft notes and reports of proceedings.

(*iv*) He shall make himself acquinted with the prescribed registers and personally check the contents of the property room with the court property register.

(*v*) He shall attend jail parades and accompany officers detailed to interview prisoners.

IV.—Reserve office (15 days):

(*i*) He shall make himself generally acquainted with the prescribed registers and shall himself write the morning report, disposition register, casualty register, gradation, list, district order book and muster roll under the supervision of the officer in charge.

(*ii*) He shall go through a few files of proceedings and make himself acquainted with the procedure for conducting proceedings.

(*iii*) He shall distribute the pay of the headquarters force.

(*iv*) He shall personally check all arms, clothing and stores with the registers concerned.

(*v*) He shall attend inspection and enquiry committees.

V.—Superintendent's office (one month).

(*i*) He shall himself write for at least ten days each, the daily cash book, receipt and pay cheques and contingent registers and such other records as the Superintendent may direct.

(*ii*) He shall check the last cash balance certificate with all the necessary registers and records.

(*iii*) He shall draft a certain number of special reports.

(*iv*) He shall look into such files of pending correspondence as the Superintendent directs.

(*v*) He shall make himself generally conversant with office procedure.

VI.—District Intelligence Branch (one month).

He shall read the District Intelligence Branch Manual, the files of Intelligence Branch circulars and such other files as the Superintendent may direct. He shall make himself conversant with office procedure and the general principles of Intelligence Branch work, the cipher systems, and the past history of the revolutionary movement in Bengal.

(*d*) Each probationer shall send a diary weekly to the Superintendent briefly recapitulating the work done by him during the week, relating any difficulties experienced or matters not fully understood and specifying any points on which the Superintendent's advice is required.

(*e*) (*i*) While his training keeps him at headquarters a probationer shall attend morning parade at least three times a week and also kit inspections and orderly room when held by the Superintendent or the Additional Superintendent.

Note.—Inspecting officers shall subject probationers to practical tests in drill before reporting them efficient.

(*ii*) During the musketry season he shall attend musketry practice on not less than seven days.

(*iii*) He shall go on night rounds at least twice a week, visiting guards and checking the working of the Town Police.

(*f*) On the completion of the training prescribed above, each probationer shall inspect two *mufassil* police-stations, one Circle Inspector's office and one Court office and supervise two important investigations.

The Superintendent shall go through the inspection notes and supervision reports in the presence of the probationer and point out all errors and omissions indicating in the case of inspection notes, the best methods of checking one register with another.

Practical training probationary Sub-Inspectors in districts.

791. (*a*) At the end of the course of instruction at the Police Training College all directly appointed cadets who have been declared by the Examination Committee to have passed shall be posted to districts as probationery Sub-Inspectors for a period of two years, during which their career shall be watched with a view to ascertaining whether they are likely to make useful, honest and efficient officers. During this period they shall be trained in the manner described below. **[§12, Act V, 1861.]**

(*b*) Each probationer shall be attached for the specified periods to the following officers in order to learn the actual details of the work. Whilst so employed he shall make himself thoroughly acquainted with the duties which appertain to these offices.

Police-station (*six months*).

(*i*) He shall receive a thorough training in the method of keeping and preparing all records reports and returns appertaining to a police-station and shall himself write the various registers and records maintained by Assistant Sub-Inspectors and Sub-Inspectors, under the general supervision of the officer in charge.

Circle Inspector's office (*three months*).

(*ii*) He shall be employed as a reader to a Circle Inspector, whom he shall invariably accompany on tour to gain experience of case-work and of the work of police-stations generally.

Court office (six months).

(*iii*) He shall make himself acquainted with the various registers and records maintained in the Court office under the general supervision of the Court officer. He shall attend the Courts of Magistrates during the trial of police cases and also the Court of Sessions. He shall attend jail parades and accompany officers detailed to interview prisoners.

Reserve office (three months).

(*iv*) He shall work in the Reserve office under the direct supervision of the officer in charge and maintain with his own hand for specified periods some of the more important registers and records. He shall attend morning parade and accompany his superior officer when he goes on night rounds.

Police-station (six months).

(*v*) He shall accompany the officer in charge or any other investigating officer whenever the latter goes out to investigate cases, and shall receive a thorough training in the methods of investigation and all duties connected therewith. He shall, towards the end of the period of training, be entrusted with the investigation of petty cases himself, under supervision.

Note.—When there is difficulty in observing these orders in a district owing to the number of probationary Sub-Inspectors under training exceeding the number of Circle Inspectors or for any other reason, the orders may be modified with the approval of the Deputy Inspector-General of the Range but in such cases the training in a police-station should, as far as possible come last.

(*c*) A probationer promoted from the rank of Assistant Sub-Inspector shall be trained in different branches of police work, generally on the lines indicated above, but the period of training shall be limited to one year only and the prescribed course shall be altered accordingly. The Deputy Inspector-General of the Range shall see that the probationer is specially trained in those branches of police work of which he has had least previous experience.

(*d*) (*i*) Inspectors are held personally responsible for the training of probationers posted under them. This responsibility will be strictly enforced.

(*ii*) As soon as a probationer is posted under an Inspector, the latter shall forthwith draw up a proper and progressive training programme.

(*e*) Every week the probationer shall write a report to be sent to his Inspector setting forth (*i*) the work on which he has been engaged during the week, (*ii*) what he has learned, (*iii*) any difficulties encountered and whether or not they have been surmounted, and (*iv*) any other matter appertaining to his training which he desires to report or which the Inspector requires.

These reports will be retained in a separate file in the Inspector's office, so long as the probationer remains under him. If the probationer is transferred under another Inspector these weekly reports shall be sent to that Inspector.

792. Every directly appointed Assistant Sub-Inspector shall, on being posted to a district, be attached to the following offices for the periods shown:— **Practical training of probationary Assistant Sub-Inspectors in districts. [§ 12, Act V, 1861.]**

	Months.
(*i*) Police-station ..	.. 6
(*ii*) Circle Inspector's office ..	.. 2
(*iii*) Court office	.. 2
(*iv*) Reserve office	.. 2

He shall be attached to the various offices in the order given above and shall be carefully trained by the senior officer in charge of each office in all the duties of an Assistant Sub-Inspector.

793. (*a*) Selected constables shall be sent to the Police Training College for instruction in drill in order to qualify for promotion to the rank of head constable and to act as drill instructors. **Deputation of constables to the Police Training College for instruction in drill. [§ 12, Act V, 1861.]**

(*b*) Constables selected for instruction shall possess the following qualification:—

(*i*) They must not be over 35 years of age.

(*ii*) They must be able to read and write sufficiently well to be able to study vernacular drill books and write simple reports in the vernacular.

(*iii*) They must be of good physique and character.

(*c*) Superintendents shall be responsible for selecting suitable men. Only such constables as are likely to be fit for promotion to the rank of head constable shall be selected.

(*d*) Applications to send constables for instruction shall be made to the Deputy Inspector-General of the Range who shall determine, with the Principal of the College, the number to be instructed and the time when they are to be sent.

(*e*) They shall be kept under training for a period of four months. All constables who pass the examination in drill on the completion of their course of instruction shall be granted a certificate of competency in drill in B.P. Form No. 155. The Principal shall note which of those who obtain a drill certificate are suited to be drill instructors.

(*f*) Any constable who, while under instruction, misconducts himself or proves unfit to receive instruction, is liable to be sent back to his district.

(*g*) All head constables possessing certificates of drill, mentioned in clause (*e*), shall be again deputed every five years to the college for a period of two months to refresh their knowledge in drill. A head constable, who has been employed in the college during the previous five years, need not be deputed for a refresher course.

(*h*) The number of vacancies available is distributed among Ranges as follows:—

Range.	Number of vacancies per annum.
Presidency	22
Rajshahi	22
Bakarganj	12
Dacca	8
Burdwan	24
Total ..	88

(*i*) As a certificate of competency in drill is not required to be held by those eligible for promotion to the rank of head constable in the Unarmed Police, constables of the Unarmed Police shall not be sent for this training except with the permission of the Deputy Inspector-General.

Training of buglers. [§ 12, Act V, 1861.]

794. Buglers shall be trained with the Eastern Frontier Rifles (Bengal Battalion), and the Superintendent shall arrange directly with the Commandant when men should be sent for training. He shall select only men of good character and physique who must be examined and certified by the Civil Surgeon to be free from any physical defect unfitting them for employment as buglers. A fee of Rs.2 shall be paid from the appropriate head for each man trained.

Annual training of the mobilization contingent. [§ 12, Act V, 1861.]

795. (*a*) The mobilization contingent shall attend an annual camp of training at the district headquarters, or elsewhere, as convenient. Whenever possible, the camp should be held in conjunction with an Auxiliary Force camp of exercise. The training shall last for 15 days and the Superintendent shall draw up standing orders and a training programme for the camp.

(*b*) The training shall be supervised by the Superintendent or, in his absence, by an officer appointed by him in this behalf. The Armed Inspector shall be in direct charge of the training, and shall maintain an annual file showing the ranks and names of all officers trained, and all other details of the training given.

(*c*) Training shall be given not only in drill, musketry and kindred subjects, but also in matters of practical value, such as how to surround a house in which armed criminals are hiding, how to ambush and capture dacoits of whom information has been received, and similar exercises.

(*d*) Officers of the mobilization contingent are entitled to daily allowance during training, as laid down in regulation 1236.

796. (*a*) All Assistant Sub-Inspectors, head constables, naiks and constables shall be properly trained in musketry. Details of the musketry course of the prizes which are awarded annually on the result of the course are given below. **Musketry course and award of prizes.** [§ 12, Act V, 1861.]

(*b*) (*i*) Assistant Sub-Inspectors, head constables, naiks and constables of the Special Armed Force and the mobilization contingent shall fire the general musketry course annually. One half of the remaining men of the Unarmed Police shall fire the course each year, so that every man fires the course biennially.

(*ii*) Recruits received back from the Police Training College shall fire the complete course in the district during the first musketry season after their return.

(*iii*) The page number of the register of musketry practice (B.P. Form No. 156) bearing the man's score shall be entered in red ink in the casual leave register against the name of each man who fires under the column for the year in which he fires the course, thus:—

"Musketry, page 117."

(*c*) Before firing the course every man shall be given adequate preliminary instruction by selected instructors and under the supervision of the Armed Inspector in all necessary exercises, aiming, etc., both with and without rests. Each man should be allotted a particular musket with which he will receive this preliminary instruction and fire the course. While aiming targets with circular black bull's-eyes, 6 inches in diameter, shall be used for this preliminary instruction. For this instruction, the force shall be divided into squads of not more than ten men to each instructor.

(*d*) (*i*) The musketry course shall be fired in three parts with different ammunition in the following order:—

Part I—Blank ammunition.

Five rounds per man.

Part II—Buckshot ammunition.

Five rounds per man, to be fired at the prescribed target at a range of 30 yards.

Part III—Ball ammunition.

Six practices of seven rounds each, to be fired at the prescribed target as follows:—

Practices No.	Position.	Description.
I and IV	.. Standing	.. Slow
II and V	.. Kneeling	.. Slow.
III and VI	.. Any position (preferably behind cover).	Rapid.

Practices I to III shall be fired at a range of 50 yards and practices IV to VI at a range of 100 yards. In practices III and VI, 42 seconds shall be allowed for firing the 7 rounds. The first round may be loaded before the order to fire is given.

(*ii*) The Special Armed Force shall fire the complete course with bayonets fixed, but other men shall fire with bayonets unfixed.

(*iii*) Parts I and II are intended for instruction in fire control. The force should be formed into squads of from 10 to 20 men each, in two ranks, the front rank kneeling and the rear rank standing. The ranks shall be changed at intervals. The instructor shall practise the men in firing on the word of command, the commands being varied as much as possible, with the object of reproducing the conditions likely to obtain when the police have to open fire on a riotous mob or on other occasions.

(*e*) (*i*) The target to be used for Part II shall be 6 feet wide and 2 feet high, and shall be set up with its lower edge one foot above the ground. The upper half of the target shall be black and the lower half white.

(*ii*) The target to be used for Part III shall be 6 feet high and 2 feet wide. The target shall be white and divided by two horizontal black lines into three squares, each 2 feet by 2 feet. In the middle square there shall be a circular black bull's-eye, 8 inches in diameter.

(*iii*) Before firing begins, the supervising officer shall inspect all the targets to be used, to see that they are free from any bullet or other holes and correct in all other respects. He shall also check the targets from time to time during the practices to see that scores have been properly recorded.

(*f*) (*i*) Part I of the course may be fired at any convenient place, provided that adequate precautions can be taken against damage to person or property by the wads from the blank ammunition. Parts II and III shall always be fired on a proper range.

(*ii*) When firing is held on the range, a large red flag shall be hoisted above the stop butt before any other preparations are made and shall remain hoisted until firing has ceased and all targets and other equipment have been removed. In addition, the marking party at the butt shall be supplied with a red flag and another red flag shall be kept at the firing point. No shot shall be fired when either of these flags is hoisted. The officer supervising the firing should be accompanied by a bugler when possible, but in any case must arrange a suitable means for signalling to the marking party from the firing point.

(*g*) The Superintendent and all other officers of and above the rank of Deputy Superintendent shall supervise the firing of the course as often as possible and shall occasionally check the dimensions of the target. On other occasion the Armed Inspector shall supervise.

(*h*) (*i*) When practices I, II, IV and V of Part III are being fired, each shot shall be separately signalled, for correction of aim, if necessary. The method of signalling shall be decided by the Superintendent according to local conditions.

(*ii*) In Part III, hits on the target shall score as follows:—

	Points.
Bull's-eye	4
Inner (on the white portion of the middle square)	3
Outer (on the top or bottom square) ..	2

Hits which are partly on one portion of the target and partly on another shall count the higher score, *e.g.*, a hit in the middle square which cuts the circumference of the bull's-eye shall score 4 points.

(*iii*) All scores shall be recorded in the register of musketry practice by or under the direction of the officer supervising the firing, who shall sign each page and attest any corrections. The aggregate score for all six practices shall be the test score for qualification, for marksmanship and for prizes.

(*iv*) The qualifying score for all men shall be 50 per cent. of the possible, *i.e.*, 84 points or more. Men scoring 75 per cent. or more (126 points or above) qualify as marksmen and shall be awarded badges as laid down in regulation 966.

(*v*) (*i*) The prizes to be given annually in each district (*viz.*, for Rs.10, Rs.4 and Rs.2) shall be limited to the number shown in Appendix XLVIII and shall be awarded according to the percentage of the possible obtained.

(*ii*) The best shot in the province shall receive an award of Rs.50.

(*iii*) Three prizes (1st prize Rs.5, 2nd Rs.3 and 3rd Rs.2) shall be awarded to the best shorts of each batch of recruits under training at the Police Training College.

(*iv*) Two or more money prizes shall not be awarded to the same individual, *e.g.*, the best shot in the province cannot also obtain the district prize.

(*v*) No prize shall be given for any score below 66 per cent. of the possible.

(*vi*) Ties will be decided by:—

1st—best score at the longest range.

2nd—fewest misses.

3rd—fewest outers.

4th—fewest centres.

5th—value of each shot in inverse order.

(*j*) Superintendents shall submit to the Deputy Inspector-General of the Range on the prescribed date a short report on the course together with a return in B. P. Form No. 157. Deputy Inspectors-General shall then report to the Inspector-General the name of the best shot in each district in their respective Ranges with the scores obtained in detail. In the score sheet should be shown (*i*) the average score of the district for the whole course, (*ii*) average score for the short range, and (*iii*) average score for the long range.

The Inspector-General will award a prize of Rs.50 to the best shot in the province.

(*k*) The award of prizes shall be published in the *Police Gazette*. The fact that a man has won a prize shall be noted in his service book or roll.

Revolver course and award of prizes.
[§ 12, Act V, 1861.]

797. (*a*) The revolver course laid down in the Manual of Drill for the Bengal Police, Volume II, is compulsory for Assistant and Deputy Superintendents, Inspectors, Sergeants, and Sub-Inspectors and all members of the protective staff of the Central and District Intelligence Branches. Exemption from the course may be granted by the Superintendent if he satisfied that owing to mental or physical characteristics an officer is unlikely to benefit from it.

(*b*) (*i*) Officers other than those employed in the protective staff will fire the course once a year only and before the annual practice is held each officer shall be given at least one day's preliminary instruction under the supervision of the Armed Inspector. (Officers who fail to score more than two hits in either of the disappearing figure head target practices shall only be allowed to repeat each practice once.)

(*ii*) Members of the protective staff shall fire the course once a month.

(*iii*) A member of the protective staff must obtain 50 per cent. of the possible points in his first practice before being allowed to fire his second and third practices in which also he must obtain 50 per cent. of the possible points. (He must obtain 50 per cent. of the total possible points in all practices before being classified as fit to be a personal guard.) If a previously qualified guard scores less than 50 per cent. of the possible points at any practice he shall be kept at that range until he makes the necessary score or until he proves to the supervising officer that he is no longer qualified to be a guard.

(*c*) (*i*) The Superintendent and other officers of and above the rank of Deputy Superintendent shall supervise the firing of the course as often as possible. On other occasions the Armed Inspector shall supervise.

A superior officer should invariably supervise competitive firing.

(*ii*) The course may be fired at any time convenient between 1st April and 31st March. The course for each year will close on 31st March.

(*d*) On the results of the annual course fired by Inspectors, Sergeants and Sub-Inspectors prizes shall be awarded. The course fired by members of the protective staff as well as by the guards of Central and District Intelligence Branches during the month of December shall be taken as competitive.

(*e*) Prizes will be awarded to the best shots in accordance with the provisions below:—

I—Special Armed Force.

(*i*) In the competition for this branch all Armed Inspectors, Sergeants (including those employed in towns and in Railway Police) and Armed Sub-Inspectors (including drill instructors of the Police Training College) shall take part.

(*ii*) The three best shots in the province shall receive prizes, viz., one of Rs.25, one of Rs.15 and one of Rs.10, to be awarded by the Inspector-General.

Note.—No prize shall be given for any score below 50 per cent. of the possible.

II.—Unarmed Police (including Criminal Investigation Department and Central and District Intelligence Branches).

(*i*) The following shall take part in this competition:—

(1) Inspectors and Sub-Inspectors of the District and Railway Police.

(2) Inspectors and Sub-Inspectors of the Police Training College (excluding drill instructors).

(3) Inspectors and Sub-Inspectors of the Criminal Investigation Department.

(4) Inspectors, Sub-Inspectors, Assistant Sub-Inspectors, head constables and constables of the Central and District Intelligence Branches (including members of the protective staff).

(*ii*) There shall be a separate competition for the officers of the Criminal Investigation Department. The officers of the Central and District Intelligence Branches (including members of the protective staff) shall compete together. The Deputy Inspector-General, Criminal Investigation Department, and Intelligence Branch shall arrange the details of the competition.

(*iii*) The number of prizes to be allotted to each Range shall be fixed by the Inspector-General in January each year with reference to the total strength of Inspectors and Sub-Inspectors of the Unarmed Police employed in the Range, at the rate of one prize for every thirty officers, the proportion being that for every 16 such prizes five will be for Rs.15, five for Rs.10 and six for Rs.5.

For the Criminal Investigation Department, prizes shall be allotted in the same proportion, the first prize being of Rs.10 and any additional prizes of Rs.5.

In the case of the Central and District Intelligence Branches the number of prizes shall also be fixed by the Inspector-General with reference to the total strength of all ranks employed in those branches (including members of the protective staff).

(*iv*) The best shot in the province shall receive a silver watch valued at Rs.50.

(*v*) Two or more prizes shall not be awarded to the same individual, *e.g.*, the best shot in the province cannot also obtain the Range prize.

Note.—No prize shall be given for any score below 50 per cent. of the possible.

(*f*) Ties will be decided by:—

1st—highest score in practice No. III.

2nd—fewest misses.

3rd—fewest outers.

4th—fewest centres.

5th—value of each shot in inverse order.

(*g*) Superintendents shall submit to the Deputy Inspector-General of the Range on the prescribed date annual returns in B.P. Form No. 158 showing the names of officers who took part in the competition and the scores obtained by them. Deputy Inspectors-General shall then report to the Inspectors-General the names of the best shots in their respective Ranges with the score obtained.

The report relating to the Special Armed Force shall be separately submitted in B.P. Form No. 158.

The Deputy Inspector-General, Criminal Investigation Department and Intelligence Branch, shall submit a similar report to the Inspector-General.

(*h*) After the Inspector-General has selected the best shots in the province, Deputy Inspector-General shall select the best shots in their respective Ranges or department and award the prizes.

(*i*) The results of these competitions and the award of prizes shall be published in the *Police Gazette*. The fact that an officer has won a prize shall be noted in his service book or roll.

Training in "First Aid to the Injured." [§ 12, Act V, 1861.]

798. All officers of and below the rank of Assistant Superintendent who have qualified for the certificate of the St. John Ambulance Association in "First Aid to the Injured" and who are not members of registered divisions of the Bengal Police Sub-district of Bengal District II, St. John Ambulance Brigade Overseas shall undertake a refresher course once every three years. The Superintendent shall arrange that these refresher course are held annually by the Sub-Assistant Surgeon in charge of the police hospital at a convenient time. The course shall be conducted as laid down in the "Regulations for the formation of classes ", copies of which may be obtained from the Honorary Secretary, St. John Ambulance Association, Calcutta.

The training of officers who are members of registered divisions will be regulated in accordance with the rules and instructions published by the St. John Ambulance Brigade from time to time.

Training of constables in nursing. [§ 12, Act V, 1861.]

799. (*a*) The Superintendent shall arrange for the training of selected constables as nursing orderlies, according to the allotted scale. Men selected for this training shall preferably be those who hold first aid certificates. The training shall be given by the Sub-Assistant Surgeon attached to the police hospital under the direction of the Civil Surgeon according to the syllabus in Appendix XLIX, the course lasting not more than six months. Constables should be so trained during the six months immediately preceding their appointment as nursing orderlies. If any constables is so appointed one year or more after taking the course, he shall, on appointment, be put through a refresher course.

(*b*) Nursing orderlies shall ordinarily hold this post for three years with the option of volunteering for an extension of two years. Thereafter they shall revert to ordinary police duties.

Athletic club [§ 12, Act V, 1861.]

800. (*a*) Superintendent shall use every endeavour to promote the interest and participation of officers in athletic sports and games of all kinds. (An athletic club shall be established at the headquarters of each district and, whenever possible, of each subdivision. An annual sibsidy is granted by the Provincial Government for each headquarters club, and for certain subdivisional clubs (*see* regulation 1167).

(*b*) Superintendents shall encourage members and teams of police athletic clubs to take part in sports and games, friendly and competitive, with the general public. At such meetings when police are competing or attending in numbers as spectators, the Armed Inspector or another Inspector shall, whenever possible be present and, in any case, a Sub-Inspector.

II—EXAMINATION.

Examination of probationary Assistant and Deputy Superintendents in law, languages, accounts and riding.

801. Probationary Assistant Superintendents and directly appointed Deputy Superintendents shall be liable to pass the prescribed departmental examinations in law, languages and accounts (*vide* Departmental Examination Rules, a copy of which is supplied to each probationer) as well as a riding test. An Inspector appointed to officiate as Deputy Superintendent shall be liable to pass in Accounts under these rules.

Acquisition and maintenance of knowledge of the vernacular. [§ 12, Act V, 1861.]

802. (*a*) All police officers shall acquire and maintain a thorough and intimate knowledge of the vernacular of the district within which they are stationed.

(*b*) With a view to maintaining their knowledge in Bengali and improving it, all Assistant and Deputy Superintendents, whose mother-tongue is not Bengali, shall be encouraged to read first information reports and vernacular diaries which they come across in the course of their duty, and shall talk to Sub-Inspectors, as far as possible, in Bengali.

Inspecting officers shall examine them in their knowledge, both colloquial and reading, at the time of inspection.

Examinations in oriental languages.

803. Officers of the Indian Police are eligible to appear at examinations in Oriental languages and earn rewards in accordance with the prescribed rules.

Examination in tribal languages.

804. All officers of and below the rank of Superintendent are eligible to appear at examinations in tribal languages and earn rewards in accordance with the prescribed rules.

Examination of Sub-Inspectors and Sergeants in the vernacular.
[§ 12, Act V, 1861.]

805. (*a*) All Sub-Inspectors and Sergeants will be required to pass the examination in languages prescribed below. Sub-Inspectors shall pass them at the final examination of the P.T.C., Sardah and the Sergeants during the period of probation. Failure to pass within the prescribed period will make them liable to removal in the case of those officers appointed direct and to reversion in the case of others.

No officer will be exempted from the examination he is required to pass except with the special sanction of the Inspector-General.

(*b*) All Sub-Inspectors (except Sub-Inspectors of the Town Police and Special Armed Force) whose mother tongue is not Bengali shall pass the following written and oral tests in Bengali—

Written—

(*i*) Translating a Bengali passage into English—30 Marks.

(*ii*) Translating an English passage into Bengali—30 Marks.

Oral—

(*iii*) Conversing correctly and with facility in Bengali on subjects with which they have official concern—40 Marks.

(*c*) All Sub-Inspectors except Sub-Inspectors of the Town Police and Special Armed Force whose mother tongue is Bengali will be required to pass the following colloquial test in Urdu, provided they have not passed it at the Police Training College.

(*i*) Making a precise in Bengali of a Urdu paper read out to them.

(*ii*) Dictating orders in Urdu on such a paper.

(*iii*) Conversing correctly and with facility in Urdu with two or three Urdu Knowing persons on subjects with which they have official concern.

(*d*) All Sergeants will be required to pass the folowing colloquial tests in Bengali or Urdu whichever is not their mother tongue. The Sergeants who does not know either of these subjects will be required to pass in both the subjects.

Conversing correctly and with facility in the vernacular with two or three Bengali or Urdu knowing persons on subjects with which they have official concern.

NOTE.—(*i*) It will not be necessary for the officers mentioned in this clause to pass any written examination in either subject. The Deputy Inspector-General will be required to certify after such oral examination as may be necessary that the officers colloquial acquaintance with the language is sufficient for the performancy of his duties so as to enable him to understand and be understood in ordinary intercourse both by his men and by outsiders. This examination shall be held by the Deputy Inspector-General during his inspection of districts.

(*ii*) Sergeants employed on town or railway (platform) police work are expected to have a higher standard of knowledge than those employed in the Special Armed Force. Any Sergeant who has passed the simpler test while in the Special Armed Force shall if appointed to act as a Platform or Town Inspector be required to show that he has acquired the necessary standard of knowledge of the vernacular before he is confirmed as Inspector.

(*e*) All Sub-Inspectors of the Special Armed Force or Town Police will also be required to pass a colloquial test either in Bengali or Urdu whichever is not their mother tongue. The test should be a thorough one and the examination should be conducted by the Range Deputy Inspector-General during his inspection of districts.

(*f*) In holding these examination the test should be to ascertain if an officer can carry on with facility the particular work on which he is employed. For instance, in the case of the officers mentioned in clauses (*b*) and (*c*) the paper should contain, among others, law and police terms and expressions used in courts, such as burglary, culpable homicide, bail, recognisance, first information report, plaint, etc., so that it may be ascertained whether the officer knows Bengali and Urdu equivalents of these terms. In the case of Sub-Inspectors of the Special Armed Force and town or railway (platform) Police and Sergeants, all of them do not require this technical knowledge and the test for each branch should be regulated according to the work in which they are employed. For instance, an Armed Sergeant should be capable of instructing his men in Simple movements and the handling of arms and of pointing out errors in drill, etc.

(*g*) In the case of the examination in clause (*b*) 100 will be the full marks as noted against items above and 50 will be the qualifying marks. In the case of (*c*) 100 marks shall be allotted for conversation and 50 for each of the other subjects. Half marks must be obtained in order to qualify. In the case of (*c*) the test shall be held at the Headquarters of the respective districts by the Range Deputy Inspector- General at the time of his inspection and before the date of confirmation. The date, time and the place of the examination will be previously intimated by the Deputy Inspector-General to the Superintendent of Police for the information of all officers liable to pass the tests.

(*h*) The names of officers who pass these examinations and tests, together with the language in which they have passed, shall be sent by the Deputy Inspector-General or the Principal, Police Training College, to the Aissistant Inspector-General for publication in the *Police Gazette*. An entry shall also be made in the officer's service book.

Examination of Sub-Inspectors in law and procedure and criminology.
[§ 12, Act V, 1861.]

806. (*a*) Every directly appointed Sub-Inspector may sit for an examination in Criminology and in Law and Procedure after completing 10 years' service. This is to count from the date he leaves the Police Training College after his final examination.

Every deparmentally promoted Sub-Inspector may sit for such an examination after completing 6 years' service counting from the date of his appointment as probationary Sub-Inspector.

(*b*) An officer who has not passed these examinations completely shall not be promoted to the post of Inspector either in an officiating or a permanent capacity. In special cases the Inspector-General may permit an officer with less than the prescribed period of service to sit for the examination.

(*c*) The subjects of examination will be—

(*i*) Law and Procedure (with books).

(*ii*) Law and Procedure (without books).

((*iii*) Criminology.

(*d*) The details of the examination on each subject are shown in Appendix L. Only unannotated editions of Acts and Codes will be allowed in answering the paper on law with books.

(*e*) The Principal, Police Training College, shall be responsible that new Acts affecting the police are included in the list of text-books from time to time and notified for the information of the officers concerned.

(*f*) An officer who succeeds in passing in one of the subjects will not be required to present himself again for examination in the same subject, but only in that in which he failed.

(*g*) The marks to be assigned to each subject shall be 200 and pass marks 120. The time allowed for each subject shall be three hours.

(*h*) The examination will be held at the headquarters of each range twice a year, in May and December, on dates to be fixed by the Principal, Police Training College. The officers of the Criminal Investigation Department and its branches will be examined at the range headquarters. The Principal shall report to the Inspector-General by the end of March and October each year the dates fixed by him for approval and publication in the *Police Gazette*.

(*i*) The Principal and a Superintendent selected by the Inspector-General shall set the questions and examine the answers. The Superintendent shall send the question paper set by him together with the key to the Principal who has authority to modify any question which he does not consider suitable or to substitute another in its place.

(*j*) The Principal shall forward the question papers, duly completed, to the Assistant Inspector-General who will print and distribute them to Range Deputy Inspector-General according to their requirements.

(*k*) The Range Deputy Inspector-General shall intimate to the Assistant Inspector-General on the 1st of April each year the number of question papers on each subject that will be required for their Ranges.

(*l*) As soon as the examination is over the Range Deputy Inspector-General shall forward the answer papers to the examiners concerned.

(*m*) The Principal shall on receipt of the mark-sheet from the other examiner, tabulate the marks and forward a list of successful candidates to the Assistant Inspector-General who shall notify the results in the *Police Gazette*. On an officer's passing the examination the fact shall be noted in his service book.

NOTE.—(*i*) This regulation does not apply in the case of Sub-Inspectors belonging to the Special Armed Force or Town Police.

(*ii*) This examination has been declared by the Provincial Government to be obligatory for purposes of travelling allowance.

807. (*a*) Clerks in the offices of Superintendents shall be liable to pass an examination in (1) accounts with books and in (2) office procedure with books. A clerk passing in one part and failing in the other will not be required to appear again in the part in which he has already passed. Clerks appearing in the examination in accounts should have a detailed knowledge of Chapters XXIV and XXV of the Police Regulations and the relevant portions of the Civil Service Regulations, Bengal Financial Rules, Treasury Rules, Bengal, and the Subsidiary Rules made thereunder, Civil Account Code, Bengal Audit Manual, Fundamental and Subsidiary Rules and Bengal Service Rules referred to in regulation 1132. Clerks appearing in the examination in office procedure should have a detailed knowledge of Chapters XII, XIII, XV, XVI and XVII (portions concerning clerks only) and of Chapters XXIII and XXVI and a general knowledge of Chapters I, II, III, IV, VI (section II and regulations 360 and 361 of section VIII) and Appendix XXV only, VII (section V), XII, XIII, XIV, XV, XVI and XXII of the Police Regulations. **Examination of clerks in accounts and office procedure.**

(*b*) The examination shall be held in January each year at the headquarters of each district on a date to be fixed by the Inspector-General who will also nominate an officer to set and correct the papers. The marks to be assigned to each paper shall be 100 and the pass marks 60 and the time allowed for each paper shall be three hours.

Deputy Inspectors-General shall report to the Assistant Inspector-General by the first week of December the number of clerks who will appear from each office.

(*c*) If an outsider is appointed direct as head clerk or accountant, he shall pass the examination within one year from the date of his joining the department. Failure to pass shall render him liable to discharge.

NOTE.—Only the clerks appointed on or after 1st October 1940 shall appear at the examination in office procedure.

CHAPTER XV.

Leave, Postings and Transfers.

1.—Leave.

Leave, how regulated.

808. The grant of leave to officers already in service on the 1st January 1922 is regulated by (1) the rules in the Civil Service Regulations, Fifth Edition, (2) the revised rules promulgated under the Government of India, Finance Department, Resolution No. 1367 C.S.R., dated the 29th July 1920, or (3) the Fundamental Rules Part IV, Chapter X, and the Subsidiary Rules framed thereunder by the Provincial Government, according to the option exercised by them. Leave to Indian Police Officers recruited after the 31st Decmber 1921 and to officers of the Bengal Police and subordinate police services and members of the clerical and other establishments recruited between the 1st January 1922 and the 21st July 1931 both dates inclusive is regulated by the Fundamental Rules, Part IV, Chapter X, which came into force from the 1st January 1922, and the Subsidiary Rules framed thereunder by the Provincial Government.

The Bengal Services (Revisions of Leave) Rules, 1934, will apply to all persons, subject to the rule-making control of the Provincial Government, appointed or re-appointed to service under the Crown after the 21st July 1931.

[*See* also Chapter XV of the Bengal Service Rules.]

Limit of absentees. [§ 12, Act V, 1861.]

809. (*a*) The number of subordinate officers below the rank of Sub-Inspector allowed to be absent on leave shall not exceed 10 per cent. of the sanctioned strength of such ranks in a district. This limit shall not include leave on medical certificate or casual leave or leave without pay.

(*b*) The number of Deputy Superintendents, Inspectors and Sub-Inspectors allowed to be absent on leave shall not exceed 14 per cent. of the effective numerical strength of Deputy Superintendents, Inspectors and Sub-Inspectors sanctioned in a district.

NOTE.—(*i*) The term "effective numerical Strength" means the sanctioned strength minus the casualty reserve.

(*ii*) In this clause leave means all kinds of leave and includes sick leave and casual leave.

(*iii*) For the purpose of this clause casualty reserve does not include training reserve.

(*c*) The number of Indian Police officers allowed to be absent on leave at any time shall not exceed 20 per cent. of the total sanctioned strength of the province.

Power of Inspector-General to grant leave. (§12, Act V, 1861.)

810. (*a*) Officers of the Indian Police and Bengal Police Service may be granted by the Inspector-General privilege leave and leave on average pay for periods not exceedings six weeks and permission to prefix or affix Sundays and gazetted holidays to such leave. The Inspector-General is empowered to make the necessary officiating arrangements in place of officers of the Bengal Police Service granted leave in accordance with Appendix XLII.

(*b*) In the case of Inspectors officiating as Deputy Superintendents, the Inspector-General may grant all kinds of leave (except special disability leave) and permit them to prefix or affix Sundays and gazetted holidays to such leave.

NOTE.—(*i*) Copies of notifications regarding the grant of leave and officiating arrangements under clauses (*a*) and (*b*) shall be submitted to the Provincial Government for publication in the *Calcutta Gazette*.

(*ii*) If the grant of leave to any officer is on medical certificate or out of India, Ceylon, Nepal, Burma or Aden, the fact shall invariably be stated in the notification sanctioning the leave.

(*iii*)) The grant of special disability leave requires the sanction of the Provincial Government (*vide* Fundamental Rules 83 and 83A and Bengal Service Rules 192 and 193).

Leave procedure in the case of officers of and above the rank of Deputy Superintendent. (§ 12, Act V, 1861.)

811. (*a*) Applications for leave shall ordinarily be made in Bengal Form No. 2395 at least three months before the date on which the leave is wanted.

(*b*) Officers of the Indian Police and Bengal Police Service of and below the rank of Superintendent and officiating Deputy Superintendents shall submit their applications for leave not exceeding four months through the District Magistrate (in the case of officers employed in districts) and the Deputy Inspector-General to the Inspector-General. (Assistant and Deputy Superintendents shall submit such applications through their Sueprintendents.) In forwarding such applications the Deputy Inspector-General shall record, where possible, his opinion regarding officiating arrangements.

(*c*) Applications for leave exceedings four months shall be submitted direct to the Inspector-General. An officer of the rank of Superintendent applying for such leave shall inform his Deputy Inspector-General, while an Assistant or Deputy Superintendent shall inform both his Superintendent and the Deputy Inspector-General.

(*d*) The Inspector-General will obtain a report from the Accountant-General regarding the admissibility of the leave applied for and forward to the Provincial Government such applications as he is not competent to sanction.

Leave on medical certificates of officers of and above the rank of Deputy Superintendent. (§ 12, Act V, 1861.)

812. (*a*) An officer of and above the rank of Deputy Superintendent who wants leave or extension of leave on medical certificate shall forward to the Inspector-General through his immediate superior an application for permission to apear before the Medical Board, supported by a certificate and a statement of his case in triplicate in the prescribed form to be furnished by the medical officer attending him. For further particulars, see S. Rs. 221-226 of the Fundamental Rules and Appendix 8, Bengal Service Rules.

NOTE—In the case of officers who are still under the leave rules of Civil Service Regulations such leave will be governed by rules in Chapter XLIV of the Civil Service Regulations (Fifth Edition).

(*b*) Having obtained the necessary permissions, the officer shall present himself before the Medical Board which ordinarily assembles every Monday (except when it happens to be a gazetted holiday) at the Medical College Hospital, Calcutta.

Medical certificates—from whom to be obtained in Calcutta or elsewhere.

813. (*a*) In Calcutta the duty of granting medical certifictes to and of countersigning certificate of officers of the Bengal Police, when such certificates are required to be obtained from a Presidency Surgeon, shall be performed by the Professor of Midwifery, Medical College. The certificate shall be granted free of charge whether it is given at the officer's private residence or elsewhere. This will not, however, affect the right of any officer resident in Calcutta, who is entitled to the attendance of a Presidency Surgeon, to consult, in the first instance, for the purpose of treatment any Presidency Surgeon who is not his certifying officer. If he subsequently requires a medical certificte it will be granted by the certifying officer on the recommendation of the Presidency Surgeon consulted.

(*b*) In the *mufassil* this duty shall be performed by the Civil Surgeon or the Civil Medical Officer of the district. He shall on no account grant medical certificates to officers belonging to other districts or countersign such certificates unless requested by the head of the office or department concerned.

Leave of probationary Assistant and Deputy Superintendents liable to departmental examination. (§12, Act V, 1861.)

814. (*a*) No application for leave from any probationary Assistant or Deputy Superintendent liable to sit for a departmental examination will ordinarily be considered if the following half-yearly examination takes place before the exipry of the leave applied for, unless the application specifies that the applicant will attend the examination.

(*b*) If such leave is applied for and the application from such an officer is submitted to the Provincial Government, it should be stated that he is liable to pass an examination, and that the next examination will be held within the period of the leave applied for.

Powers of Deputy Inspectors-General and Superintendents to grant leave to subordinate police officers and leave procedure. [§ 12, Act V, 1861.)

815. (*a*) The Deputy Inspector-General is empowered to grant leave to Inspectors and to make officiating arrangements necessitated thereby, the resultant vacancy in the rank of Sergeant or Sub-Inspector being filled by an officer of the casulty reserve in these ranks but before granting leave to European Inspectors the orders of the Inspector-General shall be obtained regarding officiating arrangements.

NOTE.—There is no objection to an Indian Sub-Inspector acting in a vacancy caused by the grant of leave to a European Inspector when no Sergeant is available.

(*b*) Superintendents are empowered to grant leave to Sergeants provided that substitutes are not required. In cases where substitutes are required, the previous sanction of the Range Deputy Inspector-General shall be taken and if no substitute is available in the Range the Deputy Inspector-General shall refer the matter to the Inspector-General.

(*c*) Superintendents are also empowered to grant leave to Sub-Inspectors and officers of lower rank. If the number of Sub-Inspectors to whom the Superintendent finds it necessary to grant leave exceeds the number of Sub-Inspectors provided for the casualty reserve of a district, he should, if substitutes are required, first ascertain from the Deputy Inspector-General whether it will be possible to provide substitutes from the reserve of other districts in the Range. If the Deputy Inspector-General cannot provide substitute, the Superintendent shall curtail the grant of leave.

(*d*) Applications for leave shall be made in Bengal Form No. 40. (For leave register see regulation 917.)

(*e*) The Superintendent shall forward all applications for leave, except casual leave, from Inspectors to the Deputy Inspector-General through the District Magistrate. Applications shall be submitted in ample time, and in forwarding them, the Superintendent and the District Magistrate should remark whether the leave is recommended, and if so, how the work of the officer going on leave will be performed. If leave is not recommended in any case, full reasons should be given.

In case of an application for leave on medical certificate, an Inspector may, with the approval of the District Magistrate, be granted leave in anticipation of sanction.

(*f*) The Superintendent shall report promptly to the Deputy Inspector-General of the Range the date on which an Inspector or a Sergeant proceeds on leave and returns to duty.

NOTE.—(*i*) Orders regarding the grant of leave to Inspectors and officiating arrangements necessitated thereby shall be published in the *Calcutta Gazette*.

(*ii*) If the grant of leave to any officer is on medical certificate or "out of India, Ceylon, Nepal, Burma of Aden" the fact shall invariably be stated in the notification or order sanctioning the leave.

(*g*) The Deputy Inspector-General, Intelligence Branch, shall invariably be consulted before an Inspector or a Sub-Inspector of the District Intelligence Branch is granted leave.

816. (*a*) No fee shall be charged by a medical officer in the service of the Crown for granting sick certificates, whether the certificate is granted at the private residence of the applicant or elsewhere. **Medical certificate.**

(*b*) Medical practitioners shall be careful to see that sick certificates are not granted until they are fully acquanted with the seasons that have caused the applicant to report sick. It shall be the duty of the medical officer to ascertain particulars regarding the applicant's previous medical history as well as whether he is really on leave and the district to which he belongs. The fact that this has been done shall be mentioned the medical certificate.

816A. (*a*) A subordinate officer in superior service who wants leave or extension of leave on medical certificate shall submit an application to the Superintendent through his immediate superior. The application shall be accompanied by a certificate given by a registered medical practitioner or by a request for the issue of a requisition for examination by a medical officer in the service of the Crown. Police officers under treatment in a police hospital, who required leave on discharge from the hosipital, shall be granted such leave as may be recommended by the Civil Surgeon or the medical officer in charge. **Leave on medical certificate of officers of and below the rank of Inspector and other subordinate officers (§ 12, Act V, 1861.)**

NOTE.—(*i*) In the case of officers on leave outside Bengal medical certificates may be obtained from the registered medical practitioners of the province concerned.

(*ii*) In the case of a servant of the Crown in inferior service the authority competent to grant the leave may accept such certificate as it may deem sufficient.

(For further instructions and form of medical certificate see S. Rs. 227-229 and 229A of the Fundamental Rules and Appendix 8, Bengal Service Rules.)

(*b*) When applicants are reported by their departmental superiors as having reasons other than or in addition to illness for applying for sick leave, they shall be kept under close observation to enable the medical officer to satisfy himself whether or not leave is absolutely necessary, and his final decision shall be based on the result of such observation.

(*c*) If in any case, the certificate granted by a registered medical practitioner is found on enquiry to be false the fact shall be reported to the Council of Medical Registration.

(*d*) All medical certificates upon which leave of any kind is granted or extended should be filed with the medical history sheet.

(*e*) The authority competent to sanction leave may at its discretion secure a second medical opinion by requesting the Presidency or Civil Surgeon (or in the case of the Railway Police the Chief Medical Officer concerned) to have the applicant medically examined. (*See* regulation 813.) In such cases the necessary particulars regarding the applicant's pervious medical history shall be given as far as available for the information of the medical officer.

(*f*) If in any case the opinion of the Presidency Surgeon or the Civil Surgeon is unfavourable to the applicant, an appeal shall lie to the Medical Board and the decision of the Board shall be final. Such appeals should be made within 15 days from the date of communication to the applicant of the result of the medical examination.

(*g*) Applications for permission to appear before the Medical Board shall be made to the Superintendent or the head of the office, as the case may be. Having obtained the necessary permission, the officer concerned shall present himself with the medical certificate before the Board. [*See* clause (*b*) of regulation 812.]

Classification of constables for purposes of leave.

817. Constables shall be treated as in superior service for the purposes of leave. (Government of India, Finance Department No. 428 P., dated the 21st January 1906, forwarded with Bengal Government Order No. 897 J., dated the 7th February 1906.)

Casual leave. (§ 12, Act V, 1861.)

818. (*a*) Casual leave it not recognised by the Fundamental Rules, and an officer absent on this leave is not treated as absent from duty. No arrangement should be made to supply the place of officer absent on such leave. The officer granting the leave and the officer taking it, shall be held responsible if the public service suffers in any way from the absence of the officer on casual leave. Casual leave should only be granted for adequate reasons and cannot be claimed as of right or given when the

interests of public service forbid it. [*See* S. R. 261 of the Fundamental Rules and Note 2, Rule 195, Bengal Service Rules, Part I.]

(*b*) The various authorities empowered to grant casual leave or permission to leave a station or charge during gazetted holidays are:—

(*i*) *Inspector-General*—

In the case of Deputy Inspector-General and of gazetted officers employed in his office.

(*ii*) *Deputy Inspectors-General*—

In the case of Superintendents (subject in the case of officers employed in districts to the approval of the District Magistrate) and clerks and other subordinates employed in their own offices.

(*iii*) *Superintendents*—

In the case of Assistant or Deputy Superintendent and Inspectors (subject in the case of those employed in district to the approval of the District Magistrate and of those posted to the Criminal Investigation Department and Intelligence Branch to the approval of the Deputy Inspector-General) and all officers below the rank of Inspector, clerks and other subordinates.

(*iv*) *Subdivisional Police Officers*—

In the case of Assistant Sub-Inspectors, head constables, naiks and constables.

(*v*) *Inspectors except Armed Inspectors*—

In the case of constables employed under them, provided that the Superintendent allows them to exercise this power.

(*c*) Casual leave may not be combined with any other leave, and may not ordinarily extend to more than ten consecutive days in the calendar year, or to more than ten days in all, but in the case of constables, naiks, head constables and Assistant Sub-Inspectors, who are inhabitants of (*i*) Bengal, (*ii*) Bihar, Orissa and Assam, and (*iii*) provinces west of Bihar, it may be extended to 14, 16 and 18 days, respectively. In the case of Inspectors, Sub-Inspectors and Sergeants such leave may be extended to a maximum period of 15 days in a calender year. If casual leave is taken in extension of gazetted holidays, those holidays shall be counted as part of the leave.

(*d*) If in *exceptional* circumstances, the sanctioning authority grants for urgent *special* reasons, a few days more than the normal number of days permissible, the grant, with the reasons, must be reported at once to the Inspector-General. In the case of officers of and above the rank of Deputy Superintendent such reports shall be submitted by the Inspector-General for the information of the Provincial Government.

(*e*) In all cases in which the officer asking for casual leave, or for leave of absence during holidays, desires to absent himself from the jurisdiction of the officer empowered to grant the request this fact shall be clearly stated in the application.

(*f*) Deputy Inspectors-General shall report to the Inspector-General demi-officially whenever casual leave or leave of absence during gazetted holidays is granted to Superintendents.

(*g*) Superintendents shall notify to the Deputy Inspector-General and to the Inspector-General as well as to their own offices their addresses during such leave. Others officers shall report their addresses to the sanctioning authority.

(*h*) An officer who takes casual leave when on tour is not entitled to draw daily allowance during such leave.

(*i*) If casual leave is overstayed and the overstayal is *bona fide* and no further casual leave can be granted, the whole period shall be converted into regular leave. If the overstayal is not *bona fide* the casual leave originally granted shall be commuted to regular leave and the period overstayed shall be dealt with under Fundamental Rule 73 and Bengal Service Rule 158 as overstayal of regular leave.

Casual leave register [§ 12, Act v, 1861.]

819. The authority which grants casual leave shall cause a register to be maintained. In the case of subordinate police officers the register shall be kept in B. P. Form No. 159 in the Reserve Office. Subdivisional Police Officers and Inspectors empowered to grant such leave shall invariably send a copy of their orders to the Superintendent for entry in this register.

In the case of other officers a register in Bengal Form No. 107 shall be kept. These registers shall be examined by inspecting officers.

Hospital leave. [§ 12, Act V, 1861.]

820. (*a*) The Superintendent may grant hospital leave to police officers of rank not higher than that of Assistant Sub-Inspector and head constable or to launch ratings (including serangs and drivers). The grant of this leave is regulated by S. Rs. 269A-272 of the Fundamental Rules and Bengal Service Rules 200, 200A and 201.

NOTE.—The hospital leave of those members of the police force, who are still under the leave rules of the Civil Service Regulations, and are entitled to hospital leave under Article 288, Civil Service Regulations, will be governed by that article.

(*b*) Unlike ordinary leave, this leave may be granted irrespective of the 10 per cent. limit.

(*c*) To enable the Superintendent to grant this leave, the Civil Surgeon shall furnish him weekly with a list of officers who are sick in police hospital or are receiving medical aid as outdoor patients, with recommendation as to the period of leave required.

(*d*) In the case of an officer who is under treatment in a police hospital but to whom this concession cannot be granted, the procedure should be to grant him, on medical certificate, casual leave, subject to the provision of regulation 818 or such other leave as may be due to him.

Line leave. [§ 12, Act V, 1861.]

821. Leave from parade and other duties in the lines may be granted to officers discharged from hospital, but still weak, on the recommendation of the Civil Surgeon, for not more than 10 days. The Civil Surgeon, in recommending such leave, should consider whether any such convalescent can be put on light duty.

Sick at station leave. [§ 12, Act V, 1861.]

822. Officers of and below the rank of Inspector when unable to attend to their duties occasionally on account of *bona fide* illness shall be regarded as "sick at station" for the first three days on each occasion of their illness and this period shall not be debited to their account of casual leave. Any period in excess of three days shall be debited to the casual leave account. If, however, the period in excess is not covered by the amount of casual leave at their credit the whole period of leave including the three days "sick at station" shall be treated as regular leave.

Leave to proceed to Pasteur Institute.

823. For rules regarding the grant of leave to servants of the Crown proceeding to the Pasteur Institute and hospitals in Calcutta, for treatment, *see* the memorandum issued with the Government of Bengal, Public Health and Local Self-Government Department letter No. 2193(180)Medl., dated the 25th September 1940.

Leave of officers enrolled in the Auxiliary Force. [§ 12, Act V, 1861.]

824. (*a*) The Inspector-General may, on receipt of applications from Officers Commanding the Auxiliary Forces, India, grant leave to officers enrolled in those forces for the purpose of attending drill, musketry, or camps of exercise. Such leave should not be deducted from any casual or other leave which may be admissible any periods spent in training being regarded as duty for the purposes of civil leave and pension.

(*b*) In the case of subordinate officers such leave may be granted by the heads of the offices concerned. [Government of India Order No. A. 1118-1(A. G. A. F.) and Bengal Government Memorandum No. 447P.L., dated 16th February 1921.]

Leave of hospital subordinates.

825. Leave applications of Assistant or Sub-Assistant Surgeons attached to police hospitals shall be dealt with by the Medical Department, while those of compounders and other subordinates shall be dealt with by the Superintendent in consultation with the Civil Surgeon.

Leave of clerks.

826. (*a*) Superintendents are empowered to grant leave of absence to clerks serving under them up to six months, provided local arrangements can be made to carry on the work. Applications for leave other than those with which the Superintendent is qualified to deal will be forwarded to the Deputy Inspector-General of the

Range concerned for orders. A register of leave shall be maintained in B. P. Form No. 177. Application for leave shall be in Bengal Form No. 40.

Leave account.

(*b*) F. R. Form No. 9A shall be maintained for each clerk and shall be kept with the service book. The head clerk shall check and initial each account. (*See* regulation 919.)

NOTE—The rules regarding casual leave will be found in regulation 818.

Lapse of grant of leave. [§ 12, Act V, 1861.]

827. Unless specially ordered otherwise, leave must begin within 35 days of the date of the order granting it. After that period fresh orders must be obtained before an officer can avail himself of such leave.

Leave of officers transferred or under orders of transfer. [§ 12, Act V, 1861.]

828. When an officer is transferred or is under orders of transfer to a new district or post, no leave shall be granted to him within three months from the date of the order of transfer without the sanction of the authority who made the transfer.

Substitutes for officers on leave. [§ 12, Act V, 1861.]

829. The duties of an officer on leave when no officiating arrangement is admissible, shall be discharged by another officer in the same district.

Overstaying leave. [§ 12, Act V, 1861.]

830. No officer shall overstay the leave he has obtained. If an officer has applied for an extension of his leave, but has received no information that an extension has been granted, he shall rejoin his appointment on the expiry of his leave.

Officers to report their addresses when proceeding on or returning from leave.

831. (*a*) Officers of or above the rank of Deputy Superintendent shall, before proceeding on leave, inform the Assistant Inspector-General of their addresses while on leave. Subordinate officers of or below the rank of Inspector shall report their addresses during leave to the Reserve Office.

(*b*) Officers of and above the rank of Assistant Superintendent arriving in Calcutta, when proceeding on or returning from leave or passing through Calcutta on transfer or on duty, shall report themselves at the office of the Inspector-General and record their addresses in Calcutta in the book prescribed for the purpose.

Recall from leave. [§ 12, Act V, 1861.]

832. The authority granting leave is empowered to revoke the order and recall the officer to duty. (*See* Fundamental Rule 70 and Bengal Service Rule 156.)

Leave not to be granted to officers likely to be dismissed or removed from service. [§ 12, Act V, 1861.]

833. Officers against whom charges are under enquiry which may result in dismissal or removal from service shall not be granted leave. If, while an officer is on leave (other than leave on medical certificate) a charge is drawn up against him which may end in his dismissal or removal, the leave shall be cancelled and the officer placed under suspension.

II.—Posting and Transfers.

834. (*a*) The Inspector-General may transfer Deputy Superintendents (other than officers officiating or about to officiate as Superintendent) from one district to another or from the headquarters of a district to a subdivision and *vice versa*.. **Authority competent to make transfers. (§ 12, Act V, 1861.)**

NOTE.—All such transfers and transfers of officiating Deputy Superintendents shall be reported to the Provincial Government for publication in the *Calcutta Gazette.*

(*b*) The Inspector-General may also transfer subordinate officers throughout the general police district.

(*c*) The Deputy Inspector-General may transfer subordinate officers (including compounders attached to police hospitals) from one district to another within his Range, but the Civil Surgeons of the districts concerned should be consulted before compounders are transferred. All postings and transfers of Armed Inspectors, European Inspectors of the Town or Railway Police and Sergeants will require the Inspector-General's previous approval.

NOTE.—All orders regarding the transfer of Inspectors shall be published in the *Calcutta Gazette.*

(*d*) Superintendents may transfer subordinate officers within the district. They shall determine all postings and transfers personally and shall record the order in the disposition register in their own handwriting.

see Note to S. R. 111 of the Fundamental Rules.

(*e*) The Deputy Inspector-General, Intelligence Branch, should invariably be consulted before Inspectors and Sub-Inspectors are trasferred from the District Intelligence Branch.

835. (*a*) All police officers, under section 22 of the Police Act, 1861, may be employed as such in any part of the general police district. But as a general rule, police officers other than Inspectors shall be considered to belong to the district in which they are serving. **General instructions regarding transfer of subordinate police officers (§ 12, Act V, 1861.)**

(*b*) The number of transfers should be reduced to a minimum. The exigencies of sickness, leave, promotion, retirements, serious misconduct and other unpreventable causes make a certain number of changes unavoidable. All the more therefore is it incumbent on Superintendents and Deputy Inspectors-General to abstain from making transfers, particularly transfers of officers in charge of investigating centres, when such transfers can be avoided. (*See* regulation 877.)

(*c*) Officers who are granted leave shall, on the expiry of their leave, ordinarily be sent back to the station from which they took leave, unless they have completed their full period of service there as laid down in regulation 836.

Periodical transfers of subordinate police officers (§ 12, Act V, 1861.)

836. (*a*) The following rules shall be observed regarding the period Inspectors, Sergeants, Sub-Inspectors, Assistant Sub-Inspectors, head constables, naiks and constables shall remain in one district, subdivision, police-station or outpost, Court or Reserve office or on guard duty:—

Inspectors—

Without the approval of the Inspector-General no Inspector shall remain for more than ten years in one district and without the approval of the Deputy Inspector-General for more than five years in a subdivision. The periods mentioned refer to services as an Inspector. European Armed and Town Inspectors posted to Darjeeling, Howrah, Alipore, Barrackpore and Jalpaiguri shall not ordinarily remain there for more than two years.

Sergeants—

Ordinarily no Sergeant shall remain in one district for more than five years. In the case of Sergeants posted to Darjeeling the period shall ordinarily be two years.

Sub-Inspectors—

There is no limit to the period for which a Sub-Inspector may remain in one district. Ordinarily no Sub-Inspector shall remain at one police-station or outpost, Court or Reserve office for more than three years or in the Railway Police for more than five years; but the period may be prolonged for special reasons to be recorded as a district order.

Assistant Sub-Inspectors, head constables naiks and constables.

Ordinarily no Assistant Sub-Inspector, head constable, naik, or constable shall remain at one police-station or outpost, Court or Reserve office or on orderly duty, as the case may be, for more than two years. No Assistant Sub-Inspector, Head constable or constable shall ordinarily remain in the Railway Police for more than five years.

(*b*) Officers appointed as instructors in the Police Training College shall not ordinarily remain on such deputation for more than three years unless they are themselves willing to stay and continue to work efficiently.

(*c*) Deputy Inspectors-General shall work up to these periods in making and supervising transfers and postings.

(*d*) Superintendents shall report the liability of their subordinates to transfer at the end of the prescribed period.

Periodical transfers of head clerks and accountants.

837. No head clerk or accountant can be allowed to hold his appointment uninterruptedly for more than seven years. After holding it for that period, he shall either be transferred or shall go on leave for at least four months. Superintendents shall be held responsible for reporting to the Deputy Inspector-General the liability of their subordinates to transfer under this regulation. Inspecting officers should look into the matter at the time of their inspections.

Transfer of clerks within the Range will be made by the Deputy Inspector-General.

838. (*a*) Every order transferring one officer to take the place of another shall indicate which officer is to move first. Such officer and every officer transferred who has not to be relieved, shall start within ten days of the date of the orders unless he is specially directed to move earlier or later.

Officers transferred to move within ten days. (§ 12, Act V, 1861.)

(*b*) For rules regarding joining time see Chapter XI of the Fundamental Rules and of the Bengal Service Rules.

839. (*a*) The charge of any office, station or post shall be made over and taken over by the relieved and relieving officers personally in each other's presence at the headquarters of the former, except when special permission has been given by the Inspector-General or the Provincial Government, as the case may be, for the transfer of charge to be effected otherwise (*see* S.R. 11 of the Fundamental Rules and Rule 28 of the Bengal Service Rules).

Transfer of charge. (§ 12, Act V, 1861.)

(*b*) When an officer assumes charge as Superintendent, Additional Superintendent, Assistant or Deputy Superintendent, he shall sign a charge certificate in duplicate in Bengal Form No. 2403 and forward one copy to the Inspector-General and one to the Accountant-General. The relieving officer shall also report his assumption of office to the District Magistrate and the Deputy Inspector-General of the Range. (See regulation 1069.)

CHAPTER XVI.

Resignation, Retirement, Pension and Gratuity.

840. (*a*) All resignation shall be in writing signed by the person making the application.

Resignation. (§ 241 (2) (b), Government of India Act, 1935 and § 2, Act V, 1861 read with section 243 of the Govt. of India Act, 1935.)

(*b*) The resignation of a police officer can be accepted by the officer who has power to dismiss him, and a resignation tendered and accepted cannot be withdrawn without the permission of the officer who has accepted it.

(*c*) A police officer is entitled to resign on giving two months' notice. Ordinarily the notice should not be insisted on if the reasons for resignation are satisfactory; but if the officer wishes to resign while an enquiry is being made which may lead to his prosecution or dismissal, or when heavy duties are devolving on the force the full term of the notice shall be enforced. On the other hand, the officer resigning has no right to demand to be retained in the service till the expiry of the full period of notice, but the officer empowered to accept his resignation may, for sufficient reasons to be stated in writing, discharge him either at once or any time within the two months from the date the resignation is tendered.

Leave to be granted before invaliding.

841. (*a*) An officers shall not ordinarily be retired as physically unfit until the effect of granting him prolonged leave has been found to do him no good. (*See* S. R. 219 of the Fundamental Rules and Appendix 8, Bengal Service Rules, Part I.)

(*b*) When a Civil Surgeon is asked to examine an officer to see whether he is unfit for further service, he shall be informed of his age as recorded in his service book or roll.

Principle to determine age when date of birth is not known.

842. The principle laid down in the note under article 283 of the Audit Code, Volume I, shall be followed in determining age when the exact date of birth is not known.

Application or extension of service and compulsory retirement.

843. (*a*) Applications for extension of service of officers who are about to attain, or who have attained, the age of 55, shall be submitted six months before the expiry of the term of service, whether original or extended.

(*b*) Fundamental Rule 56 and Bengal Service Rules 75-79 contain orders regarding compulsory retirement.

NOTE.—If a Superintendent is of opinion that a clerk, who has attained the age of 55, should be compelled to retire, he will report the matter to the Deputy Inspector-General for orders.

Return of officers attaining the age of 55.

844. (*a*) An annual return in B.P. Form No. 160 showing the names of officers whose appointments the Superintendent is not competent to fill and who will, during the following calendar year, attain or pass the age of 55, or may exceed the period of any extension of service already granted shall be submitted to the Deputy Inspector-General on the 1st September.

(*b*) The return shall be submitted in duplicate in two parts—one relating to officers whose appointments the Deputy Inspector-General is competent to fill and the other relating to officers appointed by the Inspector-General. The original copy of the former shall be retained in the Deputy Inspector-General's office and the duplicate copy with the orders noted in the appropriate column shall be returned to the Superintendent. Both copies of the latter will be forwarded by the Deputy Inspector-General with his recommendations to the Inspector-General for orders.

Pensions and gratuities.

845. (*a*) Pensions and gratuities are regulated by the Civil Service Regulations. The regulations below contain additional instructions that will be helpful in the correct preparation and submission of pension cases.

NOTE.—The rules in the Civil Service Regulations are to be read as superseded by rules 13 and 14 of the Superior Civil Service Rules to the extent indicated in those rules.

(*b*) Every effort should be made to submit pension cases complete and without delay so that no hardship may be caused to officers in the early days of their retirement.

Power to sanction pension or gratuity.

846. (*a*) Applications for pension of officers of and above the rank of Deputy Superintendent shall be forwarded by the Inspector-General to the Accountant-General for submission to the Provincial Government for sanction.

(*b*) The Inspector-General is the sanctioning authority in the case of pension or gratuity of Inspectors, Sergeants, Assistant Sub-Inspectors, head constables, naiks and constables and of members of the clerical and other establishments. Pension papers of these officers shall be submitted by the heads of offices concerned to the Inspector-General for orders.

(*c*) Power to sanction pension or gratuity in the case of Sub-Inspectors has been delegated to Superintendents (including Assistant to the Deputy Inspector-General, Criminal Investigation Department, the Special Superintendent, Intelligence Branch and the Principal, Police Training College). Before sanctioning pensions or gratuities these officers shall send the connected papers to the Accountant-General and obtain from him a certificate as to the amount of pension or gratuity admissible in each case.

Amount of pension.

847. (*a*) The pension admissible to an officer, whose pay at the date of discharge does not exceed thirty rupees, will be determined according to the rules prescribed in chapters XVII to XIX of the Civil Service Regulations for the calculation of pensions for superior service, except that all service in the police after the age of eighteen years is qualifying service.

(*b*) The pension admissible to an officer, whose pay at the date of discharge exceeds thirty rupees, is determined by the rules which apply to ordinary service, except that service rendered after the completion of twenty years of age, and declared by Chapter XX of the Civil Service Regulations to be qualifying, is treated as superior service.

(*c*) When a police officer, by promotion to a pay exceeding thirty rupees, loses any benefit as to pension which he would have enjoyed had his pay remained unchanged, his pension may be regulated as if he had not received the promotion.

Superannuation or retiring pension.

848. (*a*) Six months before the date of expiry of the service of every officer, or as soon as orders have been passed on any application submitted for an extension of service, a statement of his service shall be prepared in accordance with the instructions contained in article 907 (*a*), Civil Service Regulations.

(*b*) The statement of officers above the rank of Assistant Sub-Inspector will be submitted to the Accountant-General with a certificate as prescribed in article 907 (*b*), Civil Service Regulations. On its return, immediate steps shall be taken to verify any portion of the service which remains unverified. If this cannot be done, the procedure laid down in article 908 (*e*), Civil Service Regulations, shall be followed.

(*c*) For officers of and below the rank of Assistant Sub-Inspector the pension roll shall be prepared as directed in article 824, Civil Service Regulations. Such periods of service as have to be verified in other offices shall be verified in good time.

(*d*) As soon as the service of an officer has been duly verified, the formal application for pension shall be prepared in A. G. B. Form No. 25, C. S. R. (Bengal Form No. 2397), and shall be submitted to the Inspector-General's office as soon as the officer has retired from service, except that the applications of Sub-Inspectors shall be submitted direct to the Accountant-General.

Invalid pension.

849. (*a*) As soon as an officer has submitted a medical certificate of incapacity for further service in accordance with article 442, Civil Service Regulations, steps shall be taken to verify his service as laid down in regulation 848 above, and his formal application for pension shall be submitted with the least possible delay.

(*b*) The retirement of an officer who is invalided from service should take effect from the date of the invalid medical certificate (*vide* Government of Bengal, Finance Department, Memorandum No. 8405-8527F., dated the 13th August 1937).

(*c*) Police officers who are certified by a medical officer as incapable of further service on account of contracting venereal disease which is the direct result of irregular habits, are debarred by the provisions of article 454 of the Civil Service Regulations from any claim to pension.

Anticipatory pension.

850. In cases where there is reason to believe that there will be delay before the necessary enquiries preliminary to the settlement of the amount of the pension can be completed, and the pension finally sanctioned, the Superintendent shall obtain from the would-be pensioner a declaration in the form prescribed in article 925(*a*), Civil Service Regulations, for the grant of an anticipatory pension and submit it to the Inspector-General (or in the case of Sub-Inspectors to the Accountant-General direct) without delay. This shall be accompanied by certain documents which are mentioned in Appendix LI, item (XXVIII).

Counting of previous military service of British and Indian ex-service men towards civil pension.

851. (*a*) Indian commissioned officers, non-commissioned officers and men of the Indian Army and non-combatant departmental and regimental employees and followers of the supplemental services, who, on discharge from the army have rendered service in the police qualifying for civil pension, may be allowed to count, as part of such service, their previous military service rendered after attaining the age of 20 years, provided it was pensionable under military rules but terminated before a pension was earned in respect of it. Non-commissioned officers and men of the British Service, Warrant Officers and departmental officers of the commissary in respect of service with their units or departments in India; may also be allowed similar concessions (*vide* Article 356, Civil Service Regulations).

(*b*) The Provincial Government may allow military service (continuous or non-continuous) to count as part of the subsequent civil service even in cases where the military service was followed after a lapse of time by the civil service (*vide* Government of India, Finance Department, order No. F. 12—XXXVI-R.II/33, dated 23rd December 1933).

The Provincial Government may also allow military service, which has earned a military pension, to count towards civil pension subject to conditions analogous to those laid down in articles 511—514 of the Civil Service Regulations, *i.e.*, any gratuity which has been received should be refunded, whereas pensions should cease, but the amount intermediately drawn need not be refunded.

(*c*) For the purpose of computing the civil pension admissible, Superintendents should see that the previous military service of all ex-service men serving under them is verified by the Controller of Military Accounts concerned, immediately on their confirmation and a certificate of verification and a report on the following points obtained from him:—

(*i*) whether the military service, including service with the colours in addition to service in the reserve, was pensionable under military rules but terminated before a pension had been earned in respect of it;

(*ii*) whether the employee belonged to one of the classes mentioned in note 2, under Ariticle 356 of the Civil Service Regulations;

(*iii*) whether any bonus or gratuity in lieu of pension was received by the employee for his army service, and if so, whether the same was refunded;

(*iv*) whether the whole of the military service or what portion of it was rendered in India; and

(*v*) whether military service rendered in India or elsewhere was paid for from Indian Revenues or whether a pensionary contribution was received by Indian Revenues.

(*d*) The certificate of verification and the report referred to above of the Controller of Military Accounts concerned should be submitted to the Inspector-General's office along with the ex-service man's sheet roll for the army service, military discharge certificate and the service book for transmission to the Accountant-General, for a certificate as to whether the military service in question and half of the service in the reserve will count towards civil pension under Article 356, Civil Service Regulations.

If the sheet roll referred to above is not available, an extract from the Long Roll should be obtained from the Officer Commanding the unit in which the ex-service man served, and submitted with the other documents mentioned above.

NOTE.—The information as to which of the Controllers of Military Accounts should be addressed for the verification of the Military service of a particular ex-service man should when necessary be obtained from the Controller of Military Accounts and pensions, Lahore.

Preparation of pension and gratuity rolls.

852. (*a*) All pension and gratuity rolls shall be prepared by the Reserve officer and carefully checked by the head clerk with the set of questions to be found in Appendix LI.

(*b*) Thumb impressions shall be taken with great care, and such prominent personal marks only as appear on the applicant at the time of his retirement shall be fully and carefully recorded.

Leave counting towards pension.

853. (*a*) Article 408 of the Civil Service Regulations lays down how much leave with allowances counts towards pension.

(*b*) Periods of leave of all kinds (except privilege and casual leave and the first four months of leave on average pay) and suspension, not counting towards pension, should be separately shown on the second page of the pension roll in a "leave memo."

NOTE.—Periods of absence without leave and of overstayal of leave do not count as service.

Thumb and finger impressions and photographs of applicants for pension or gratuity.

854. (*a*) (*i*) All applicants for pensions or gratuity with the exception of those mentioned in clause (*c*), shall, at the time of preparation of their applications for pension, make before the head of the office, in the first page of their application for pension, in the space provided therein for the purpose, impressions of the balls of the thumb and all the fingers of the left hand. If in any case attendance before the head of the office be a matter of difficulty, or occasion undue expense to the applicant, he may, with the consent of the head of the office, give the impressions before a Magistrate, who shall satisfy himself as to the identity of the applicant and record a certificate stating that he has done so and that the impressions have been taken in his presence.

(*ii*) Impressions similar to those mentioned in clause (*i*) above shall, at the same time, be taken in duplicate in B. P. Form No. 161 and shall be attached to the application for pension or gratuity.

(*b*) As an additional means of identification for the purpose of payment of pension or gratuity heads of offices shall forward to the Inspector-General when submitting applications for pension or gratuity a certified copy of the photograph of each applicant except those mentioned in clause (*c*), for transmission to the Accountant-General. In cases in which heads of offices are the sanctioning authority the photograph shall be forwarded by them direct to the Accountant-General with the copy of the sanctioning order. Applicants will bear the cost of the photograph.

(*c*) This regulation does not apply to persons who have been gazetted officers or persons who hold Government titles.

NOTE.—The system of obtaining pensioners' photographs does not apply to family pensions granted under the Wound and Extraordinary Pension Rules.

Return of pension and gratuity rolls.

855. A return of pensions and gratuities in B. P. Form No. 162 shall be submitted every month to the Inspector-General by all heads of offices.

CHAPTER XVII.

Punishments and Appeals.

856. Officers shall avoid undue harshness in awarding punishments and shall discriminate carefully between offences connoting moral turpitude and minor offences. Every effort shall be made to maintain discipline and to correct the minor faults of police officers by instructions and by warnings without resorting to more severe punishments. **General instructions as to punishments. [§ 7, Act V, 1861, read with § 243 of the Government of India Act, 1935.]**

In awarding punishment, the general character of the offender and the nature of his past service shall be taken into consideration. No major punishment shall be awarded to a police officer, until proceedings, as prescribed hereinafter, have been drawn up against him.

For the purposes of punishment an officer officiating in a higher rank shall be deemed to be of that rank.

NOTE.—Provision for the discharge of probationary Sergeants, Sub-Inspector Assistant Sub-Inspectors and constables are made in the relevant portion of regulations 739, 741, 743 and 746 respectively.

857. Punishments are divided into major and minor. Major punishments include dismissal, removal from service, reduction, deprivation of approved service increment, removal from any office of distinction or special emolument and award of black marks. Minor punishments include warnings, censures (reprimands for misconduct), extra drill, extra fatigue duty and confinement to quarters with or without punishment drill, extra guard, fatigue or other duty. **Major and minor punishments. [§ 7, Act V, 1861, read with § 243 of the Government of India Act, 1935.]**

858. (*a*) The following are the powers of officers in regard to punishments:— **Powers of punishment. [§ 7, Act V, 1861, read with § 243 of the Government of India Act, 1935.]**

(1) The Inspector-General may suspend, reduce, dismiss or remove any police officer of or below the rank of Inspector, or award to any such police officer any one or more of the following punishments, namely:—

(*i*) deprivation of approved service increment;

(*ii*) removal from any office of distinction or special emolument;

(*iii*) entry of black mark against his name according to regulation 874;

(*iv*) censure or reprimand; and

(*v*) confinement to barracks for a term not exceeding 15 days with or without punishment drill, extra guard, fatigue or other duty:

Provided that the punishments mentioned in sub-clause (*v*) shall not be awarded to any Inspector, Sergeant, Sub-Inspector or Assistant Sub-Inspector nor shall punishment drill be awarded to any head constable or naik.

A Deputy Inspector-General has similar power except that in the case of removal or dismissal of Inspectors, he shall forward the proceedings to the Inspector-General for orders.

NOTE.—Forfeiture of leave salary under Fundamental Rule 73 and Bengal Service Rule 158 (*b*), Part I, and deductions from pay on account of loss of or damage to Crown property shall not be treated as punishment.

(*2*) A Superintendent may suspend any Inspector subordinate to him, pending enquiry into his conduct and may award to him the punishment mentioned in (*a*) (*iv*) and enter it at his discretion in the officer's service record, reporting every case to the Deputy Inspector-General of the Range, giving details explanatory of the necessity for his action. He may award to any police officer subordinate to him below the rank of Inspector any punishment which may be awarded to such officer by the Inspector-General or Deputy Inspector-General under this regulation. If, after drawing up proceedings against an Inspector, the Superintendent considers that the offence requires a punishment which he is not empowered to award, he shall record a finding in the proceedings and forward them to the Deputy Inspector-General with his recommendations. The Deputy Inspector-General shall then pass final orders after going through the proceedings, or if he considers that the Inspector should be dismissed or removed from the service, shall forward the proceedings to the Inspector-General for orders.

Proceedings against Inspectors involving recommendations of dismissal or removal from the service should be forwarded by the Superintendent direct to the Inspector-General for orders.

(3) Any officer in charge of a district shall have the power of a Superintendent.

(4) An Assistant Superintendent, Deputy Superintendent, or Inspector has been empowered to suspend any Assistant Sub-Inspector, head constable, naik or constable, pending enquiry into his conduct. Assistant and Deputy Superintendents have further been empowered to exercise within the districts to which they are attached the powers of a Superintendent under section 7(*b*) of the Police Act, 1861, that is, to inflict on head constables, naiks and constables the following punishments:—

> Confinement to quarters for a term not exceeding 15 days with or without punishment drill, extra guard, fatigue and other duties, subject to the proviso to sub-clause (*1*) of clause (*a*).

But these powers shall not be exercised in any district by any Assistant or Deputy Superintendent without the general or special permission of the Superintendent to be given in writing.

(5) Assistant and Deputy Superintendents in charge of sub-divisions and also those Assistant and Deputy Superintendents at headquarters to whom the power may be delegated by Superintendents in writing, are empowered to inflict minor punishments on Sub-Inspectors and officers subordinate to them, and in the case of major punishments, to initiate proceedings and to complete them, except so far as the final order is concerned.

(6) Subject to the condition that the powers shall not be exercised in any district without the general or special permission of the Superintendent, to be given in writing, and that there is no Subdivisional Police Officer, selected Inspectors may be empowered to inflict minor punishments on Assistant Sub-Inspectors, head constables, naiks and constables under them. Such punishments shall be entered in a defaulters' book to be kept by the Inspector in B. P. Form No. 163. Extracts from the register shall be sent from time to time for entry in the Reserve office punishment register.

(*b*) Every order of punishment inflicted by officers referred to in sub-clauses (5) and (6) of clause (*a*) shall be put up by the Reserve officer with the delinquent's service book to the Superintendent who shall decide whether in view of the man's previous character, proceedings should be drawn up against him or whether the minor punishment awarded to him requires modification.

NOTE.—An officer cannot be dismissed or removed from service, by an authority subordinate to the appointing authority.

Prior to 1st March 1936, Sergeants and Sub-Inspectors were appointed by the Inspector-General, and Assistant Sub-Inspectors were appointed by the Deputy Inspectors-General. Such officers therefore cannot be dismissed or removed from service by the authorities referred to in this regulation but officers appointed substantively to those ranks after 1st Mach 1936, may be so dismissed or removed from service.

Proceedings against Sub-Inspectors appointed prior to 1st March 1936, containing recommendations of dismissal or removal from the service should be forwarded by the Superintendent direct to the Inspector-General for orders.

Duties of a Superintendent in respect of the discipline of detachments detailed for duty within his jurisdiction from another district. [§ 7, Act V, 1861, read with § 243 of the Government of India Act, 1935.]

859. The Superintendent to whose district a police detachment is detailed shall exercise the same disciplinary authority over the police officers of the detachment as over the permanent force of his own district in the matter of dismissal, suspension, reduction and award of punishment and any appeal admissible against an order of punishment made by him shall lie to the Deputy Inspector-General of the Range to whom such Superintendent is subordinate and not to the Deputy Inspector-General of the Range from which the offender was detailed. These orders apply *mutatis mutandis* to officers other than Superintendents in whose jurisdiction detachments from outside are working.

Punishment of Sub-Assistant Surgeons compounders and menial staff attached to police hospitals.

860. (*a*) Police officers have no authority to punish the Sub-Assistant Surgeon attached to the police hospital. If there be cause for complaint, the Superintendent shall bring the matter to the notice of the Civil Surgeon for necessary action. As regards the compounders and menial staff, the Superintendent may inflict punishments with the concurrence of the Civil Surgeon.

(*b*) The Bengal Subordinate Services (Discipline and Appeal) Rules, 1936, apply to compounders in police hospitals.

Proceedings to be drawn up in cases of major punishments. [§ 7, Act V, 1861, read with § 243 of the Government of India Act, 1935.]

861. (*a*) No major punishment shall be awarded except in proceedings in the prescribed form (B. P. Form No. 164).

NOTE.—The provisions of this rule do not apply to proceedings based on a judicial conviction or on the finding of a commission.

(*b*) A definite charge shall be framed before evidence is recorded. The alleged offence shall be clearly specified therein together with such particulars of the time and place of the alleged offence as will sufficiently acquaint the person charged with the offence with which he is charged. The person charged shall be given a copy of the charge and shall also be allowed to take copies of all evidence, both oral and documentary, contained in the proceedings.

(*c*) An oral enquiry shall be held if the person charged so requires or if the authority who has drawn up the proceedings so directs. At that enquiry oral evidence shall be heard as to such of the allegations as are not admitted and the person charged shall be entitled to cross-examine the witnesses and to have such witnesses called as he may require:

Provided that the officer conducting the enquiry may, for special and sufficient reasons to be recorded in writing, refuse to call any such witness.

(*d*) The person charged shall be required to put in within a reasonable time a written statement of his defence and to state whether he desires to be heard in person. If he states that he does not desire to put in a written statement or to be heard in person this fact shall be recorded in the proceedings.

(*e*) After the evidence of the witnesses has been recorded and the defence of the person charged placed on record, the officer conducting the enquiry shall in writing—

(*i*) discuss separately each charge,

(*ii*) arrive at a finding on each charge, and

(*iii*) after taking into consideration the previous character of the person charged, make an order or recommend an order to the authority empowered to pass an order.

NOTE.—In cases in which the Enquiring Officers does not pass the final order and re-commends an order to the authority empowered to pass an order, the person charged shall be furnished with a copy of the Enquiring Officer's finding and / or Superintendent of Police's recommendations so that he may at the the personal hearing be in a position to object to or refute anything therein stated which in his opinion is incorrect.

The authority empowered to pass the order of punishment shall grant a personal hearing to the person charged and then passed the final orders. When the enquiring officer himself passes the final order, no personal hearing is necessary, as the persons charged is present, throughout the enquiry.

When the authority competent to pass the final order in the proceedings has come to a provisional decision as to the nature of the penalty to be imposed, he must first ascertain that the delinquent has been given copies of all matter incorporated in the proceedings,

and then order the delinquent to show cause why the particular penalty proposed to be inflicted should not be imposed upon him. This may be done either orally or in writing, but if done orally the reply of the officer being proceeded against must be recorded in the proceedings.

(*f*) Clauses (*c*) to (*e*) shall not apply where the person concerned has absconded, or where for other reasons it is found impracticable to communicate with him.

All or any of the said clauses may, in exceptional circumstances, and for special and sufficient reasons to be recorded in writing, be waived by the officer conducting the enquiry where there is a difficulty in observing them and where such clauses can be waived without injustice to the person charged.

(*g*) If an order is made placing a police officer under suspension it shall be entered in the order sheet and shall state what rate of subsistence allowance may be drawn by him.

An order releasing an officer from suspension shall state whether the period under suspension shall count towards service for leave and pension and shall also state what pay and allowances shall be drawn for the period during which he was under suspension (*vide* Fundamental Rule 54 and Rule 72, Bengal Service Rules, Part I.)

(*h*) A copy of the order of punishment shall be entered in the district order book and a copy thereof furnished to the offender, his dated receipt being taken for the order and attached to the proceedings.

(*i*) The person affected by such order shall, on his depositing the usual copying fees, be given a copy of the whole record or he may provide his own paper and a copyist for the purpose.

(*j*) Proceedings in each year shall be consecutively numbered, and the number of the proceedings together with the offence and the punishment shall be recorded in the service book or roll of the offender.

(*k*) An order of punishment passed on the advice or with the concurrence of a higher authority shall be treated as an order of that authority.

(*l*) No pleader or counsel shall be allowed to appear in any proceeding or appeal.

(*m*) An order of punishment passed in a proceeding shall not be modified or cancelled without the sanction of the appellate authority.

(*n*) No proceedings shall be drawn up against an officer of the rank of Inspector without the sanction of the Deputy Inspector-General except in cases of serious misconduct when a preliminary order of suspension has been passed. In such cases proceedings may be drawn up in anticipation of such sanction.

(*o*) Proceedings against Inspectors and in cases of serious misconduct against officers of and below the rank of Sub-Inspector,

shall be drawn up by the Superintendent. In other cases proceedings may be drawn up and evidence recorded by an officer not below the rank of Inspector (excluding Armed Inspectors) who will then submit the record to the Superintendent for perusal, examination and issue of orders.

(*p*) With the exception of routine entries in the order sheet and the recording of the delinquent's "previous character," proceedings shall be written up by the enquiring officer.

Effect of departmental punishment on prosecutions. [§ 7, Act V, 1861, read with § 243 of the Government of India Act, 1935.]

862. The fact that any departmental punishment has been awarded to a police officer shall not affect his liability to prosecution and punishment under any law for the time being in force.

Discharge or acquittal not a bar to departmental punishment. [§ 7, Act V, 1861, read with § 243 of the Government of India Act, 1935.]

863. An order of discharge or acquittal of a police officer by a court shall not be a bar to the award of departmental punishment to that officer in respect of the same cause or matter.

Retention in service of police officer sentenced by criminal court. [§ 7, Act V, 1861, read with § 243 of the Government of India Act 1935.]

864. (*a*) Every police officer sentenced by a court for an offence implying moral turpitude shall, unless the Inspector-General otherwise orders, be dismissed.

(*b*) A police officer sentenced by a court for an offence not implying moral turpitude, shall ordinarily be dismissed; but, in trivial cases, some more lenient form of punishment than dismissal may be awarded or the offender may not be punished. In such cases the departmental proceedings shall contain a record of the reasons for dismissing or not dismissing the offender.

Proceedings based on a conviction. [§ 7, Act V, 1861, read with § 243 of the Government of India Act, 1935.]

865. When a police officer is to be dismissed or some departmental punishment is intended to be awarded to him on the basis of a charge for which the officer has already been tried and convicted in a court, or found guilty by a commission whose finding has been accepted by the Provincial Government, it shall be sufficient in the departmental proceedings to supply a copy of the judgment of the court, or findings of the commission, the reasons for dismissal or punishment and the record of the previous character of the offender. Such proceedings shall not be instituted until the final appeal, if any, against the order of conviction has been heard, or the period of limitation for such appeal has expired.

NOTE.—In the case of strictures expressed by a Court of Sessions or a Special Tribunal or the High Court, if the Judge or Judges record the opinion that a special enquiry is necessary such enquiry shall be publicly conducted by a commission of two officers, of whom one has had judicial experience and neither belongs to the Police Department.

In cases where a Court of Sessions or a Special Tribunal or the High Court has expressed strictures but has not definitely recorded its opinion that a special enquiry is necessary, the Inspector-General should he consider it necessary, may move the Provincial Government for the appointment of a commission.

Cases in which criminal prosecution inexpedient. [§ 12, Act V, 1861.]

866. In the event of an officer being dismissed on account of an offence for which he is liable to be prosecuted, the reasons which render it inexpedient to prosecute the officer shall be recorded when the order of dismissal is made. Such reasons shall, unless the officer making the order of dismissal considers it inexpedient, be included in the order, of which the dismissed officer shall receive a copy.

Debt. [§ 12, Act V, 1861.]

867. (*a*) All police officers arrested for debt, or having recourse to the Insolvency Court, shall be deemed to have forfeited their appointments unless it can be shown that their embarrassments have been the result of unforeseen misfortunes, or of circumstances over which they could exercise no control, and have not proceeded from dissipated or extravagant habits. Every case in which a servant of the Crown is arrested for debt, or resorts to the Insolvency Court, shall invariably be reported through the Deputy Inspectors-General for the information of the Inspector-General, with a copy of the schedule filed in the Insolvency Court when recourse is had to that court.

(*b*) The extent to which a civil court may direct the attachment of the salary of an officer is laid down in section 60 of the Code of Civil Procedure, 1908.

Insolvency and habitual indebtedness. [§ 12, Act V, 1861.]

868. When a police officer is adjudged or declared an insolvent, or when as much of the salary of a police officer as is legally attachable at one time, is constantly being attached, has been continuously under attachment for a period of two years, or is attached for a sum which in ordinary circumstances cannot be repaid within a period of two years, he will be considered liable to dismissal. Superintendents shall bring to the notice of the Deputy Inspector-General and Inspector-General all such cases, and also the conduct of all officers who allow themselves to fall into embarrassed circumstances.

When as much of the salary of a police officer as is legally attachable at one time is attached it shall be specially ascertained—

(*i*) what is the proportion of the debts to the salary and the extent to which they detract from the debtor's efficiency as a public servant;

(*ii*) whether the debtor's position is irretrievable;

(*iii*) whether it is desirable under the circumstances of the case to retain him in the particular post he occupies, when the matter was brought to notice, or in any position under the Provincial Government.

The report and schedule shall then be submitted to the Inspector-General through the Deputy Inspector-General for orders.

Effect of dismissal or removal. [§ 7, Act V, 1861, read with § 243 of the Government of India Act, 1935.]

869. Dismissal precludes re-employment in the service of the Crown, but removal does not.

Notification of dismissal in the Gazette.

870. (*a*) Ordinary cases of dismissal of non-gazetted officers need not be notified in the official Gazette. The dismissal of public servants shall be notified in the official Gazette only in the following cases, *viz.*,—(1) when it is necessary to notify the public of the removal from service of an officer, whether because his appointment was previously gazetted or from any other cause, and (2) when it is specially desired to exclude from re-employment in the service of the Crown a public servant who has been dismissed for heinous offence, such as fraud or falsification of accounts.

(*b*) The reason for the dismissal of a public officer should not be stated in the notification regarding his dismissal, even in casts in which a conviction has been obtained in a criminal court. It is sufficient to announce in the case of any person whose dismissal is notified in accordance with the principle laid down in clause (*a*) above, that the Provincial Government has dispensed with his services, except in those cases in which the cause of dismissal constitutes a disqualification under the terms of the law regulating the tenure of a particular appointment, and it is for this reason necessary to couple with the announcement of the dismissal a statement of the grounds upon which it has been ordered.

Withholding, of increment [§ 7, Act V 1860, read with § 243 of the Government of Ind. Act, 1935.]a

871. An increment may be withheld, if an officer's conduct has not been good or his work has not been satisfactory. The withholding of increments is a major punishment and therefore shall not be inflicted without formal proceedings. In ordering the withholding of an increment, the withholding authority shall state the period for which it is withheld and whether the postponement shall have the effect of postponing future increments.

If an officer's work has not been satisfactory permission to pass an efficiency bar may be refused without formal proceedings being initiated.

Order of reduction. [§ 7, Act V, 1861, read with § 243 of the Government of India Act, 1935.]

872. The reasons for every order of reduction shall be explicitly stated, and the place to be occupied in the gradation list by the officer who is reduced shall be clearly indicated. Reductions shall be either temporary or permanent.

An order for the temporary reduction of an officer to any stage in the time-scale of pay of his own rank or of any lower rank shall specify—

(*i*) the pecuniary penalty represented by the reduction,

(*ii*) the period for which the reduction is to remain in force, and

(*iii*) whether, on the expiry of the period of reduction, the officer's previous service in the stage of the time-scale from which

he is reduced and the period during which the order of reduction is in force shall count for increment in whole or in part or not at all:

Provided that where an officer is reduced to a lower rank, the period during which the order of reduction is in force shall not count for increment on his reversion to his former rank.

In the case of an exceptionally grave offence or proved incompetence, an officer may be reduced permanently to any stage in the time-scale of pay of his rank or of any lower rank and shall then, subject to the ordinary conditions, earn increments of pay from the stage to which he is reduced. His prospects of promotion in rank will depend on his future work.

Orders of degradation to be reported to the Deputy Inspector-General and the Inspector-General.

873. All orders of degradation of Sub-Inspectors, Sergeants and of such Assistant Sub-Inspectors and head constables as have been reported or recommended for promotion to the rank of Sub-Inspector shall be at once reported to the Deputy Inspector-General to enable him to keep his Range gradation list correct. In the case of Sub-Inspectors and Sergeants nominated for promotion to the rank of Inspector a report shall be sent by the Deputy Inspector-General to the Inspector-General.

Black marks.

874. The followng rules regulate the award of black marks:—

(*i*) Constable are excluded from the operation of this regulation. **[§ 7, Act v, 1861, read with § 243 of the Government of India Act, 1935.]**

(*ii*) Black marks may be awarded in lieu of the other punishments enumerated in regulation 857 to Inspectors, Sergeants, Sub-Inspectors, Assistant Sub-Inspectors, head constables and naiks. They are intended to take the place of fines which shall not be inflicted. Not more than one black marks shall be awarded for any one specific offence, nor shall a black mark be awarded in addition to any other punishment.

(*iii*) A black mark shall remain as a permanent punishment on record against an officer.

(*iv*) Black marks shall be entered in the service books or roll of officers and also in officers' confidential report books.

Absence without out leave. [§ 7, Act V, 1861, read with § 243 of the Government of India Act, 1935.]

875. When an officer absents himself without leave (otherwise than by overstaying leave) and it is not thought desirable to grant him regular leave, the delinquent may be punished for misbehaviour after drawing up regular proceedings.

Prosecution for absence without leave. [§ 12, Act V, 1861.]

876. (*a*) Police officers who absent themselves without leave are liable to prosecution under section 29 of the Police Act, 1861. Prosecutions, however, shall only be instituted in exceptional circumstances.

(*b*) Officers absent on leave in Nepal shall be communicated with direct through the Nepalese post and not through the British Legation.

Transfers not to be ordered as punishment [§ 7, Act V, 1861, read with § 243 of the Government of India Act, 1935.]

877. An order for transfer shall not be passed as a punishment.

[§ 12 Act V, 1861.

877A. It may be that the character and conduct of the officer whose case is being dealt with renders a transfer necessary in the interests of the administration, and in such circumstances the transfer may be ordered, but it shall form no part of the order of punishment. The transfer of officers to the lines as a punishment is prohibited.

Punishment drill and confinement to quarters. [§ 7, Act V, 1861, read with § 243 of the Government of India Act, 1935.]

878. (*a*) Punishment drill shall be carried out in marching order under the supervision of a head constable. It shall never exceed two hours in one day, nor one hour at a time, in addition to the ordinary parade and drill. It shall be held in the police lines at the headquarters of districts and at sub-treasury guards in subdivisions. It shall not be taken at the double or with two muskets at a time.

NOTE.—A police officer is in "marching order" when he is fully armed and carrying a haversack containing kit and a greatcoat strapped across his back.

(*b*) An order of confinement to quarters may be for any continuous period not exceeding 15 days. An award of more than 7 days may carry with it punishment drill for 7 days only. In other cases punishment drill may be given on any day of the award. Defaulters shall attend ordinary parades and regularly perform all their duties. While undergoing the sentence of confinement they shall not leave the lines and shall be required to answer their names four or five times a day at irregular intervals. They shall also be employed on frequent periods of fatigue duty (Sundays and Thursdays excepted). The nature and hours of the fatigue duties shall be fixed by the officer awarding the order of confinement provided that the punishment shall be deterrent and adequate.

(*c*) The Reserve officer shall maintain a defaulters' list, i.e., a list of persons punished under clause (*b*) above and every defaulter shall be placed in the special charge of an officer not below the rank of head constable or naik to be told off for the purpose. This officer shall also attend and take the defaulters' roll call.

(*d*) Police officers stationed at outlying police-station where punishment drill cannot be locally carried out, shall perform the drill at district or subdivisional headquarters. During the period spent at headquarters they shall take their turn at guard and other routine duties and shall attend all parades. Police officers stationed at police-stations at district or subdivisional headquarters, where Sepcial Armed Forces are located, shall undergo the drill in addition to their ordinary duties.

Punishment drill shall not generally be awarded except where there is an armed police detachment or treasury guard. At police-stations other than the headquarters of district or subdivisions some other form of punishment shall, if possible, be awarded.

(*e*) When a constable of the Railway Police stationed at an outlying station is awarded punishment drill, he shall be ex-changed temporarily with a constable at the railway station nearest to the headquarters of the district, or, if the headquarters of the district are not on the railway then to the headquarters of the nearest district

which is on the railway. He shall perform the ordinary duties allotted to him at the railway station, and shall in addition attend the local police lines every morning to undergo his punishment drill.

The district order awarding the punishment drill shall be sent to the Railway Police Inspector in whose circle the constable is employed, who shall arrange for the exchange of constable as specified in this regulation and the Sub-Inspector in charge of the railway police-station concerned shall then be responsible for sending the constable daily to the local police lines. The district order shall at the same time be sent to the Superintendent at whose headquarters the punishment drill is to be undergone, who shall direct his Armed Inspector to cause the drill to be carried out and shall return the district order to the Superintendent, Railway Police, with a statement that the drill has been undergone.

879. In matters of discipline, punishments and appeals, clerks of the Police Department shall be governed by the Bengal Subordinate Services (Discipline and Appeal) Rules, 1936.

Discipline, punishments and appeals of clerks.

880. (*a*) Suspension is not to be considered a specific punishment, and is only authorized in cases where the continuance in an office of an officer pending enquiry into his conduct is prejudicial to public interests. When the enquiry is completed, some definite order of acquittal or punishment shall be recorded.

Suspension. [§ 7, Act V, 1861, read with § 243 of the Government of India Act, 1935.]

NOTE.—The rules regulating the pay and allowance of an officer dismissed to removed from office, or suspended pending enquiry into his alleged misconduct and as to how the period of suspension or dismissal is to be treated will be found in Fundamental Rules 52-55 and 43 (*b*) and Bengal Service Rules 70-74 and 71 (Part I).

881. Police officers while under suspension shall reside in the lines unless specially permitted in writing to reside elsewhere. Residence in the lines implies presence in the lines from Retreat to Reveille and attendance at all parades and roll calls within the 24 hours.

Discipline suspended police officer [§ 12, Act V 1861.]

NOTE.—Those absent from parades and roll call without permission render themselves liable to prosecution under section 29 of the Police Act, 1861.

882. (*a*) The table below shows the authority to whom appeals against orders of punishment may be preferred by the different ranks:—

Rank of officer.	Authority inflicting punishment.	Appellate authority.
Inspectors ..	Superintendent: Deputy Inspector-General: Inspector-General.	Deputy Inspector-General Inspector-General: Governor. *
Sub-Inspectors ..	Superintendent ..	Deputy Inspector-General.
Sergeants ..		
Assistant Sub-Inspectors		
Head constables ..		
Naiks		
Constables ..		
Serangs		
Engine drivers ..		
Other engine and deck crews		
Manjis and Mallahs..		

*In such cases the Public Service Commission is consulted and the Governor excercises his individual judgement.

(*b*) No appeal shall lie against an order imposing any one of the following punishments—censure (except in the case of Inspectors) reprimand, confinement to quarters, punishment drill, extra guard or other duty.

(*c*) Against an order of dismissal, removal, reduction, black mark, deprivation of approved service increment, or removal from any office of distinction or special emolument, and in the case of Inspectors, censure, there shall be an appeal to the authorities mentioned below—

(*i*) in the case of an order passed by a Superintendent, to the Deputy Inspector-General;

(*ii*) in the case of an order passed by the Deputy Inspector-General, to the Inspector-General; and

(*iii*) in the case of an order passed by the Inspector-General, to the Governor.*

(*d*) No second appeal shall lie from an order passed in an appeal.

*In such cases the Public Service Commission is consulted and the Governor exercises his individual judgment.

Period of appeal and procedure. [§ 7, Act V, 1861, read with § 243 of the Government of India Act, 1935.]

883. Petitions of appeal or for revision shall be presented to the officer against whose order the appeal is preferred, within 37 days of the date of receipt of the order by the petitioner. Every petition of appeal or for revision shall be accompanied by certified copies of the charges made, of the written statement of the defence, if any, and of the order appealed against. Such officer when transmitting such petition to the appellate authority, shall send the proceedings, service book or roll and confidential report book of the appellant, together with a covering letter. Only relevant papers shall be sent and they shall be properly flagged for reference.

NOTE.—The above procedure shall be followed so far as may be, in submitting original proceedings for orders of a higher authority.

Right to call for records. [§ 7, Act V, 1861, read with § 243 of the Government of India Act, 1935.]

884. The Inspector-General or the Deputy Inspector-General may call for the proceedings of any case, even where no appeal lies, and pass such orders as may seem fit provided that no order under this regulation shall be made to the prejudice of any person unless he has had an opportiunity of showing cause against the proposed order. If he so desires he shall be granted a personal hearing and this fact should be recorded in the proceedings.

Petitions to the king, the Secretary of State and the Governor-General.

885. Rules for the submission of petitions and of memorials to His Majesty the King-Emperor of India or to the Right Honourable the Secretary of State for India and to the Governor-General of India are issued by the Provincial Government from time to time and the correct regulation may be ascertained by reference to the office of the Inspector-General.

886. (*a*) Officers of the Indian Police enjoy the rights in respect of complaints and appeals described in section 248, Government of India Act, 1935. An officer of the Indian Police desiring to make in accordance with that section, a representation to His Excellency the Governor shall forward it through the usual official channels, but may, at the same time, submit a duplicate copy direct to His Excellency the Governor. **Complaints and appeals by officers of the Indian Police.**

(*b*) An officer of the Indian Police desiring an interview with His Excellency the Governor in connection with any complaint shall apply to the Secretary to the Governor and, at the same time, shall send to the superior officer whose action is the cause of the complaint intimation of his application and a short statement of the complaint. This statement shall be forwarded through the Inspector-General to the Secretary, with any necessary comments, so that His Excellency may be in possession of all the facts before the interview.

(*c*) An officer of the Indian Police desiring an interview with His Excellency the Governor on matters of a purely private nature unconnected with official matters shall apply to the Secretary to the Governor after obtaining the formal permission of the Inspector-General.

887. The rights enjoyed by officers of the Bengal Police service (i.e., Deputy Superintendents) in respect of complaints and appeals are described in section 241, Government of India Act, 1935, and the rules made thereunder. **Complaints and appeals by officers of the Bengal police service.**

888. (*a*) Officers are forbidden to submit direct to higher authorities petitions and representations complaining of any order of dismissal, suspension or reduction or any award of punishment passed or made either originally or in appeal. Any officer so doing shall be guilty of a breach of discipline and dealt with accordingly. **Petitions by police officers [§ 12, Act V, 1861.]**

Officers may, however, submit petitions to any higher authority complaining against any such order or award of punishment and praying for relief and shall present such petitions to the officer whose order or award is complained against and the said officer shall then forward the same to the higher authority. [*See* regulation 176.]

NOTE.—"Petition" includes memorials, letter and applications of the nature of petitions.

(*b*) The provisions of this regulation are subject to any rules or orders made by the Central Government or the Provincial Government in respect of representations submitted by recognised associations of servants of the Crown.

(*c*) (*i*) A petition may be either in manuscript or in print.

(*ii*) Every petition shall be authenticated by the signature of the petitioner.

(*iii*) Every petition, and the documents accompanying it, shall if possible, be in English; if not, they shall be accompanied by an English translation authenticated in the manner provided in (*ii*) above.

(*d*) Every petition shall—

(*i*) contain all material statements and arguments relied upon by the petitioner;

(*ii*) be complete in itself;

(*iii*) be accompanied by a copy of the order complained against, and by a copy of any order in the case passed by a subordinate authority; and

(*iv*) end with specific prayer.

(*e*) Petitions, unless addressed to the Governor-General of India, the Secretary of State or His Majesty the King-Emperor, may be withheld by a Superintendent or a Deputy Inspector-General or the Inspector-General to whom they are presented for forwarding to a higher authority, on any of the following grounds:—

(*i*) the petition does not comply in full with the provisions of clauses (*c*) and (*d*) of this regulation;

(*ii*) the petition is illegible or unintelligible, or contains language which is disloyal, disrespectful or improper;

(*iii*) a previous petition from the petitioner on the same subject has been disposed of and the petition discloses no new facts or circumstances which afford grounds for a reconsideration of the subject;

(*iv*) a petition is an appeal against an appellate order in cases in which no further appeal lies;

(*v*) the petition is a representation against a decision which is declared to be final by any law or statutory rule;

(*vi*) the law provides a different or specific remedy in respect of the subject matter of the petition, whether or not any period of limitation prescribed for the prosecution of such remedy has expired;

(*vii*) the petition is an appeal from a judicial decision:

Provided that, if the petition—

(1) is an appeal from a judicial decision in a case in which the Provincial Government has reserved any discretion of interference;

(2) is an appeal from a judicial decision in a suit to which the Provincial Government was a party; or

(3) is a prayer for the suspension or remission of a sentence under Chapter XXIX of the Code of Criminal Procedure;

the petition shall not be withheld unless it falls under sub-clause (*xii*).

(*viiii*) the petition is a mere application for relief, pecuniary or other, which is—

(1) presented by a person manifestly possessing no claim or advancing a claim of an obviously unsubstantial character; or

(2) so belated that its consideration is clearly impossible;

(*ix*) the petition is—

(1) an application for employment in the service of the Crown not made in pursuance of any rule or announcement regarding applications for such employment; or

(2) request for exemption from the provisions of any law or rule prescribing the qualifications to be possessed by persons in the service of the Crown, or by persons engaging in any profession or employment;

(*x*) the petition is a representation against the action of a private individual or a body of private individuals regarding the private relations of the petitioner and such individual or body;

(*xi*) the petition, not being a petition such as is referred to in the proviso to sub-clause (*vii*), relates to matters in which the petitioner has no direct personal interest;

(*xii*) the petition relates to a subject on which a Superintendent or a Deputy Inspector-General or the Inspector-General is competent to pass orders in appeal, and no such appeal has been made by the petitioner to the appellate authority;

(*xiii*) the petition is a representation against an order communicated to the petitioner more than six months before the submission of the petition, and no satisfactory explanation of the delay is given;

(*xiv*) the petition is a representation against failure to exercise a discretion vested in the Sueprintendent or the Deputy Inspector-General or the Inspector-General;

(*xv*) the petition is a representation relating to an order of the Provincial Government refusing to grant or to recommend—

(1) a special pension;

(2) a compassionate pension; or

(3) any pecuniary or other concession to which the petitioner is not entitled under any law or statutory rule;

(*xvi*) the petition is submitted, otherwise than in accordance with any rule, by a person in the service of the Crown with regard to his prospective claim to pension; or

(*xvii*) the petition is a representation with regard to any matter connected with the official prospects or position of a person in the service of the Crown and is not submitted by such person.

(*f*) Superintendents or Deputy Inspectors-General or the Inspector-General shall, when a petition is withheld, inform the petitioner of the withholding and the reason thereof.

(*g*) Superintendents, Deputy Inspectors-General and the Inspector General shall send a quarterly return in B. P. Form No. 165 to the Deputy Inspecor-General, Inspector-General and the Provincial Government, respectively specifying all petitions withheld and the reasons for withholding them.

Joint petitions forbidden.

889. Officers may not submit to a superior authority, joint memorials or petitions. Each officer must apply separately and not in concert with others. This regulation does not apply to combined memorials or petitions relating to subjects unconnected with the position of the memorialists as servants of the Crown.

Petitions on behalf of others.

890. No officer of the Crown may submit any memorial in respect to any matter, connected with the official position which he occupies, in which he is not personally interested, except as the agent of some persons unable to act on their behalf. The personal interest referred to in this regulation may be indirect.

Petitions by clerks.

891. Rules regarding the presentation of petitions by clerks are shown in Appendix LII.

CHAPTER XVIII.

Reserve office.

Reserve office.

892. (*a*) The Reserve office is a branch of the Superintendent's office, which is concerned mainly with matter connected with the equipment, discipline and general management of the whole force of each district, and should ordinarily be located in the police lines.

(*b*) The Superintendent himself (or, in the heavier districts, the Additional Superintendent) shall deal with all questions relating to transfers, leave and promotion. The duty of the Reserve office staff should be confined to laying the different registers before the Superintendent or officer to whom the management of reserve work has been delegated, while the selection of the names of officers to be transferred promoted or granted leave shall rest with the latter officer, who will invariably record his orders in the registers concerned.

Holding of orderly room by Superintendents. [§ 12, Act V, 1861.]

893. Superintendent shall hold orderly room at a fixed time and on a fixed day at least once a week to dispose of all cases of misconduct or petty breaches of discipline and all other matters, such as personal representations, etc., in which they think fit to accord a personal hearing to a subordinate. In doing so, they shall be careful to maintain the authority of the immediate superiors of any person coming before them. An orderly room register (B. P. Form No. 166) shall be maintained in which the substance of the complaint, charge or request, shall be entered, together with the orders passed by the Superintendent.

894. (*a*) Police officers of the Special Armed Force and of the casualty reserve stationed at headquarters awaiting leave or orders of posting shall reside in the lines unless permitted by the Superintendent in writing to reside elsewhere. All such police officers whether residing in the lines, or elsewhere at headquarters, shall attend parades and daily roll calls as ordered. Reserve to reside in the lines. [§ 12, Act V, 1861.]

NOTE.—Those who without permission reside elsewhere or absent themselves from parades or daily roll calls render themselves liable to prosecution under section 29 of the Police Act, 1861.

(*b*) Officers of and below the rank of Sub-Inspector of the Special Armed Force and Unarmed Police residing in the lines shall not be absent therefrom between "lights out" and "reveille" without permission or orders.

895. (*a*) Orderlies are allowed to police officers and various offices and for police hospitals according to the scales sanctioned by the Provincial Government, as shewn in Appendix LIII. Orderlies. [§ 12, Act V, 1861.]

(*b*) No orderlies are to be allowed beyond the sanctioned scale, or to persons not entitled to orderlies, unless under exceptional circumstances, and then only with the express permission of the Inspector-General.

(*c*) Orderlies should only be employed on duties of an official character. It is to be understood that police orderlies are not private servants, and they shall not be utilised as such. (*See* also regulation 113.)

896. The ordinary duties of the Armed Inspector at headquarters shall be as follows:— Duties of Armed Inspector. [§ 12, Act V, 1861.]

(*i*) He shall be in charge of the Reserve office and of the Special Armed Force and all men permanently or temporarily posted to the lines, and be responsible for their drill, discipline, training and efficiency.

(*ii*) When the services of an Inspector are necessary he shall be detailed on escort duty.

(*iii*) He shall be responsible for the care and custody of the arms, ammunition, accoutrements, stores, tents, clothing, etc., and shall keep the accounts and registers pertaining to them.

(*iv*) He shall attend parade daily, except on Thursdays and Sundays.

(*v*) He shall supervise the preliminaries of the musketry course and attend practice on the range whenever held.

(*vi*) He shall hold regular inspections of arms and accoutrements.

(*vii*) He shall inspect the barracks, out-offices and grounds of the lines once a week.

(*viii*) He shall be responsible for the safe custody of the keys of the armoury and the magazine and shall keep them in his personal custody at night.

(*ix*) He shall check the stock book once a month and see if all articles including tents are in good order. He shall also once a month check the stock of clothing with the register of receipt and

issue of clothing, the committee report book and receipt and issue forms. A note shall be made by him in the stock book and the register of receipt and issue of clothing that he has done so. If the clothing and other articles in stock agree with the registers, he shall record a certificate to that effect. He is responsible that this check is correctly made and that any shortage or irregularity is at once brought to the notice of the Superintendent.

(*x*) He shall take delivery of clothing packages.

(*xi*) He shall pay occasional visits to the hospital to see that the orderlies are present and are looking after the patients properly.

(*xii*) He shall occasionally be present at the mounting of the different guards and shall visit all armed guards at headquarters, and go on rounds in the sadar town when required to do so. [*See* regulation 695 (21).]

(*xiii*) He shall tell off the force for duty daily and see to the relief of fixed guards at the prescribed intervals.

(*xiv*) He shall receive reports daily from officers in charge of guards at headquarters.

(*xv*) He shall receive and examine petitions and applications from officers in the lines and lay them before the Superintendent or the officer holding orderly room, at which he shall always be present.

(*xvi*) He shall detail all escorts, calculate the fares, etc., to be advanced, receive the reports of the officers in charge of the escorts on their return and examine the accounts of the money advanced.

(*xvii*) He shall sign command certificates and check them on return of the officers to whom they were issued.

(*xviii*) He shall issue leave certificates, take delivery of the clothing and appointment certificates of officers proceedings on leave and check the leave certificates on their return from leave.

(*xix*) He shall make himself fully acquainted with the Reserve office registers and keep the important registers himself. He shall keep the service books and rolls and deal with all correspondence relating to the force.

(*xx*) He shall be responsible for the preparation of the acquittance rolls and the travelling allowance bills of all ranks in the lines, and shall distribute the pay of the force attached to the lines, headquarters guards and police in hospital.

(*xxi*) He shall see to the preparation of pension rolls of officers and adjust accounts of those leaving the force.

(*xxii*) He shall be responsible for the preparation of all periodical returns relating to the force and submit them on due dates.

Duties of Sergeant of the Special Armed Force [§ 12, Act V 1861.]

897. (*a*) The ordinary duties of the Sergeant attached to the Special Armed Force shall be as follows:—

(*i*) He shall help the Armed Inspector in all matters relating to the drill, discipline and training of the force, to the care and custody of arms, ammunition, accoutrements, stores, tents, clothing, etc., and the registers appertaining to them.

(*ii*) He shall attend all parades. He shall take a muster-roll at night twice a week and report any absentees to the Inspector.

(*iii*) He shall examine all accoutrements in use and see they are kept thoroughly clean.

(*iv*) He shall superintend fatigue duty in the lines, and see that defaulter's drill is properly carried out.

(*v*) He shall visit daily the barrack and the surroundings of the cook-sheds and see that they are kept neat and tidy. He shall see that head constables in charge of barracks enforce the following rules:—

(1) Barracks shall be tidied up daily and the private property of the men shall be neatly stacked on the shelves. A reasonable quantity of private property only shall be allowed. Other property shall be placed elsewhere out of sight.

(2) Bedding when not in use shall be neatly rolled up and placed at the head of the cot.

(3) Kit boxes shall be placed either at the foot of the bed or on a shelf above the cot, whichever is most convenient.

(*vi*) He shall vist armed guards at headquarters at least once a week by day and once a week by night at irregular hours and go the round of the town patrols at night, when ordered to do so.

(*vii*) He shall mount one of the guards at headquarters at least once a week.

(*viii*) He shall take part in and teach outdoor games and sports, and give lectures on the proper handling of arms and ammunition and on behaviour to the public.

(*b*) Except when engaged on ordinary duties in the Special Armed Force, every Sergeant shall submit a diary to the Superintendent daily through his Inspector in B. P. Form No. 18.

Inspection of subdivisional guards by Armed Inspector.
[§ 12, Act V, 1861.]

898. (*a*) The Armed Inspector shall be deputed once every half-year to visit the headquarters of each subdivision. During his visit he shall throughly inspect all arms and ammunition at subdivisional headquarters, whether in the possession of the sub-treasury guard or kept at the police-station, and shall report on their condition and the manner in which they have been kept. He shall inspect the clothing and accoutrements of the sub-treasury guard, test the men in their knowledge of drill and of the rules relating to guards and sentries, hold alarm parades in order to see whether co-operation exists between the police-station (which is armed) and the town police and the emergency force, if any, and the guards, and submit a report in which he shall mention clearly the general state of the guard and point out anything he may consider defective. He shall also hold a parade of all available police at the subdivisional headquarters and instruct them as far as possible in drill and the use of arms. The visit should not ordinarily exceed two days.

(*b*) If for any reason the Armed Inspector cannot be spared for the above duties, a Sergeant or Sub-Inspector shall be deputed, but whenever possible, the Inspector should be deputed.

NOTE.—In subdivisional head quarters where an emergency force under the command of an Armed Inspector is stationed this deputation is not required, as the local Inspector carries out these duties reguarly.

Despatch of recruits to the police Training College. [§ 12, Act V, 1861.].

899. Recruits shall be despatched to the Training College every quarter and should arrive there on the 16th day of January, April, July and October each year, previous intimation being given to the Principal of the College of the number and names of the men from each district. Recruits, before despatch from their districts, shall be very carefully medically examined and their verification rolls shall be carefully tested. Superintendents sending recruits shall send with them to the College their agreement papers, copies of district orders of their appointment bearing their thum impressions, last pay certificates, service rolls, clothing hand books, verification rolls and appointment certificates. All recruits before being sent to the College shall be supplied with a kit as laid down in regulation 958 and provided with railway warrants.

District numbers for head constables, naiks and constables. [§ 12, Act V, 1861.]

900. Every constable on being enlisted in a permanent or temporary vacancy shall be gievn a district number, which shall remain unchanged so long as he remains a constable, naiks or head constable. The number shall run consecutively from unity up to the total number of the permanent and temporary sanctioned strength head constables, naiks and constables of the district. For example, if the permanent sanctioned strength of a district is 50 head constables, 10 naiks and 500 constables and there are in addition 5 temporary head constables, 5 temporary naiks and 30 temporary constables, the brass numbers shall run from 1 to 600. When a permanent or temporary vacancy occurs, the temporary man newly recruited shall be allotted the brass numbr set free by the occurrence of the vacancy and he shall retain this number throughout his service as a head constable, naik or constable in the district. It is unnecessary to change the brass number when a temporary man is made permanent.

The primary object of the number is to serve as a means of identification. It should always be given in all official documents after the head constable's, naik's or constable's name. The number will also be used for marking a head constable's, naik's or constable's accoutrements, etc., and shall be entered in his service roll. (*See* regulation 965.)

Appointment certificates of officers on leave and those discharged, dismissed or removed from service. [§ 12, Act V, 1861.]

901. The appointment certificate of a police officer going on leave shall be taken from him and kept until his return.

Appointment certificates of officers dismissed or removed from service should be destroyed after three years have elapsed; those deceased or discharged should be destroyed at once. The words "A. C. destroyed" will be entered in the last column of the register of casualties (B. P. Form No. 174) under the initial of the Superintendent.

If any certificate is missing, the reason shall be explained by the defaulter. If an officer loses his certificate he shall at once report the loss to the Superintendent and should be punished in default of so doing.

902. (*a*) Discharge includes resignation, retirement on pension, or removal from the service owing to reduction of force, and does not imply misconduct. **Discharge. [§ 12, Act V, 1861.]**

(*b*) All officers who are to be discharged shall be brought into headquarters; their accounts shall be settled; their dues paid them; their uniform taken from; their appointment certificates withdrawn; their pension or gratuity rolls prepared, or when this is not immediately possible, all necessary information for their preparation obtained, and then, but not till then, shall they be discharged.

(*c*) Should any police officer fail to obey the order to join the lines prior to discharge, he shall be treated as absent without leave.

(*d*) A certificate in B. P. Form No. 167 under the signature of the Superintendent, shall be given to every officer leaving the service. The actual cause of each officer's leaving the police force, whether discharged at his own request, dismissed or removed for misconduct, discharged as unfit for further service or discharged on reduction, or whatever the cause may be, shall be stated in the certificate.

903. (*a*) In order to prevent the re-enlistment of officers dismissed or removed from service a discharge slip in B. P. Form No. 168 clearly written in English shall be sent to the native district of the officer dismissed or removed from service and shall be filed in the police-station of which he is a resident. **Discharge slip—Notice of dismissal or discharge to be sent to native district [§ 12, Act V, 1861.]**

(*b*) Discharge slips shall also be prepared for all officers who are discharge from the force, noting briefly the grounds of discharge in each case. The Superintendent of the district concerned shall on receipt of such a slip forward it to the police-station of residence.

904. (*a*) Committees shall be convened for the following purposes:— **Committee. [§ 12, Act V, 1861.]**

(*i*) To examine all new clothing received.

(*ii*) To examine all uniform returned by men proceeding on leave for more than 4 months, or leaving the force.

(*iii*) To examine all new arms, ammunition, ordnance stores and accoutrements received.

(*iv*) To examine all new furniture, camp equipage and other dead stock received.

(*v*) To examine any stores, ordnance or departmental, when transferred to other districts, temporarily or otherwise.

(*vi*) To examine any stores, ordnance or departmental, received on transfer from other districts.

(*vii*) To pass orders regarding condemned camp equipage and other dead stock.

(*viii*) To examine unserviceable arms and other ordance stores.

(*ix*) To make a report and recommendation regarding lost or damaged arms and parts thereof and ammunition.

(*b*) The personnel and details of the procedure of such committees are given in the appropriate regulations.

Registers.

905. A list of registers and files to be maintained in the Reserve office is given in Appendix XIII. Most of the headings of the forms are self-explanatory. The following regulations contain additional instructions in their maintenance.

Stock book. [§ 12, Act V, 1861.]

906. (*a*) A stock book (in B.P. Form No. 169) shall be kept by the Armed Inspector in which shall be entered ordnance stores (except arms and ammunition), accoutrements, camp equipage, handcuffs, steel figures, cots, targets, greatcoats and waterproofs. The Superintendent may also order to be entered therein other Crown property which is kept in the custody of the Armed Inspector.

(*b*) The Armed Inspector shall be responsible for obtaining the orders of the Superintendent on all repairable articles in his charge as soon as they are damaged as well for their being promptly repaired on receipt of orders. He shall maintain a manuscript register for this purpose.

(*c*) The stock book shall consist of two parts and shall be kept according to the instructions printed with the form.

(*d*) Officers in charge of police-stations, court offices, etc., shall invariably give a written receipt for all articles entered in the stock book which are issued to them and each receipt shall be given an annual serial number and filed, the annual serial number being quoted in colum 14 on the issue side of Part I. Similar action shall be taken on receipts given for stores returned to the Arsenal or elsewhere

(*e*) The number of the page of the stock book in which an article is entered shall be noted against the corresponding bill in the contingent register and the number and date of the pay cheque shall also be entered in column 7 on the receipt side of Part I.

(*f*) With the exception of ordnance stores, articles entered in this stock book shall be condemned by a committee as they become unserviceable (*see* regulation 994) and shall either be sold and the proceeds credited to the treasury or if sale is not possible shall be destroyed in the presence of the Superintendent. If articles are sold the number and date of the treasury challan shall be entered in column 12 on the issue side of Part I. Articles in the police lines which are destroyed should be shown in column 12 on the issue side of Part I. Articles at police-stations, court offices, etc., which are destroyed shall be struck off Part II and the authenticated list over the initials of a gazetted officer. Similarly, when articles at police stations, etc., are brought into the lines or transferred to other units the necessary corrections and additions in Parts II and I shall be initialled by a gazetted officer. When articles are condemned a

certificate shall be given by the Superintendent in the following form:—

"Certified that the loss or damage does not disclose a defect of the system or serious negligence on the part of any officer."

(*g*) The Superintendent shall take the stock book with him when he makes his annual inspection of police-stations, court offices, etc.

(*h*) In April the Superintendent shall make a thorugh inspection of the stock book and shall certify in it that all articles shown therein are duly accounted for and that all articles shown as being in the police lines have been inspected by him. A copy of the certificate shall be sent to the Deputy Inspector-General.

NOTE.—(*i*) Items other then furniture supplied to police-stations, outposts and other offices (*vide* Appendix LXIV) will find entry in this stock book.

(*ii*) Muskets complete with oil bottle and pull through changed half-yearly, ammunition changed yearly, greatcoats and waterproofs issued according to season not being permanent issues need not find entry, but the Armed Inspector should safeguard himself by obtaining detailed receipts from officers concerned on issue.

907. (*a*) This register shall be kept in B. P. No. 170 divided into two parts, by the Reserve officer under the control of the Armed Inspector. Ordinarily the number of officers shown as employed in the Special Armed Force should correspond with the sanctioned allotment. **Morning report. [§ 12, Act V, 1861.]**

(*b*) Superintendents, Additional Superintendents, Assistant and Deputy Superintendents shall place their initials against the heading "Actually on parade" in Part II in the morning report of the days on which they attend parades.

(*c*) A brief note shall be made at the foot of each day's report, showing the changes that may have taken place in the force (in the forenoon or afternoon) since the previous day's report, thus—

Sub-Inspector: one died a.m.

Assistant Sub-Inspector or head constable: one promoted p.m.

Constable: one enlisted p.m. and one promoted p.m.

NOTE.—These notes will be useful in making out the pay bill and other monthly reports and returns connected with the force.

(*d*) Details of the entry "miscellaneous duty" shall be given in a footnote.

(*e*) Officers acting in higher ranks shall be shown in their substantive ranks, explanations being given in a footnote.

908. A roster of daily duties in B. P. Form No. 61 shall be maintained in which shall be shown clearly the duty on which each officer is employed and the hours of duty each day. **Roster of duties. [§ 12, Act, V, 1861.]**

Command certificates.

909. Command certificates shall be issued as directed in regulation 163. They shall be defaced after the charges have been billed for and filed in the Reserve office with the appropriate counterfoils. (*See* regulations 702 and 1161.)

Register of disposition of force. [§ 12, Act V, 1861.]

910. (*a*) This register shall be kept in B. P. Form No. 171 divided into two parts—one for the lines and the other for police-station and court establishments.

(*b*) Each posting shall be noted as soon as the joining report is received and each order of transfer shall be recorded by the Superintendent or the Additional Superintendent.

(*c*) The words "in charge" shall be noted against the names of officers who are in charge of police-stations or courts. Sufficient space shall be left in each part for the entries of several years and the register shall not be rewritten more often than is necessary.

District Order Book. [§ 12, Act V, 1861.]

911. In this shall be entered all changes connected with the force, such as, enlistments, transfers, promotions, reductions, dismissals, removal from service, discharges and leave. Each order shall be given a serial annual number and a reference shall always be made to any previous connected order. A margin shall be left on either side. In the left-hand margin shall be noted the number of each order and its subject, such as "promotion," "leave," "transfer," etc. In the right-hand margin shall be entered the various registers and the pages on which extracts have been copied from each order, such as "S. B., volume I, page 20," "P. R. 35." "L. R. 10," etc. (service book, punishment register, leave register, etc.). These marginal entries shall be initialled by the Reserve officer in token of due entry in the (*i*) punishment, (*ii*) casualty, (*iii*) disposition and (*iv*) leave registers (*v*) gradation list, and (*vi*) service-book, etc. The orders shall be as brief as possible. In regard to leave the period of each kind of leave granted shall be specified in the order. The number and date of pay cheque shall be recorded in the margin against the order sanctioning the grant of the reward.

NOTE.—(*i*) Superintendents will keep a separate manuscript book of orders requiring the District Magistrate's approval. Such approval shall ordinarily be obtained before entry is made in the district order book.

(*ii*) The substance of circular orders dealing with quistions of law or procedure issued with the approval of the District Magistrate shall be entered in the district order book. [*See* regulation 15 (*q*).]

(*iii*) A register of letters despatched (Bengal Form No. 19) should be maintained for the issue of copies of all district orders.

Muster roll. [§ 12, Act V, 1861.]

912. A muster roll shall be kept in B. P. Form No. 172. All alterations of pay or postings entered in the district order book shall be posted in this roll. The Armed Inspector shall compare the entries in the muster roll with the district order book and shall initial the master roll and certify opposite the district order that the muster roll has been corrected.

The number and date of the bills of officers who have been dismissed, discharged, have resigned, died or retired on pension as soon as drawn shall be entered in this roll and this entry shall be initialled by the Superintendent or other competent authority at the time of signing the bills.

913. (*a*) A gradation list in B. P. Form No. 173 shall be kept showing separately and with sufficient intervals each class of officer of and below the rank of Inspector arranged in order of seniority. At the top of each class shall be recorded the sanctioned number. Gradation list. [§ 12, Act V, 1861.]

Superintendents may keep the list in one, two or more volumes (*i.e.*, separately for each rank) as they find most suitable for their districts.

914. (*a*) A register of casualties shall be kept in B. P. Form No. 174: Register of casualties. [§ 12, Act V, 1861.]

(*b*) All changes in the force and all casualties shall be entered in this register at the time of their occurrence. All subsequent orders relating to the commutation of leave shall also find entry in this register.

(*c*) In the case of officers dismissed or discharged from service the number and date of the discharge slip issued shall be noted in the column showing the nature of the casualty. (*See* also instructions on the form.)

(*d*) Twice a month the Reserve officer shall forward the register to the accountant of the Superintendent's office.

915. (*a*) All punishments of whatever nature shall be entered in this register in B. P. Form No. 175. An alphabetical index of offenders shall be maintained. Register of punishments. [§ 12, Act V, 1861.]

(*b*) In column 1 a serial number in black ink for minor and in red ink for major punishments shall be entered. In column 2 the nature of the offence shall be shortly but clearly stated; entries such as "neglect of duty," carelessness," "disobedience of orders," etc., are not sufficient. In the last column shall be shown any after-orders that may have been passed regarding the punishments, such as their having been reduced or remitted by any appellate authority. Punishments imposed by orders of a Magistrate or a court shall be shown, and the designation of the authority imposing the same shall be clearly noted.

916. (*a*) In the register of receipt and issue of clothing (B. P. Form No. 176) all clothing received into stock from contractors, or officers who have left the force or gone on leave for more than four months, shall be entered immediately it has been passed by the committee under the following heads:— Register of receipt and issue of clothing. [§ 12, Act V, 1861.]

(1) New.

(2) Returned clothing (serviceable).

(*b*) Under head (1) shall come all clothing received from contractors and new clothing received back from officers.

(*c*) Returned clothing shall be of three kinds—new, serviceable and unserviceable—

(*i*) The new returned clothing shall be entered under head (1).

(*ii*) Serviceable returned clothing shall be entered under head (2).

(*iii*) Unserviceable clothing shall be cut up or destroyed and struck off the accounts.

Leave register. [§ 12, Act V, 1861.]

917. (*a*) A leave register shall be kept in B. P. No. 177. When an application for leave, extension or commutation of leave is submitted by a subordinate officer, the Reserve officer shall carefully check the service records of the applicant, and certify on the application:—

(*i*) what kind and period of leave the applicant has previously taken with dates,

(*ii*) whether the leave applied for is admissible,

(*iii*) the period of each kind of leave admissible, if more than one kind is concerned,

(*iv*) the salary admissible during each kind of leave.

If the leave applied for is not admissible, he shall, if the Superintendent so desires, note on the application to what other leave the applicant is entitled, and the salary admissible during such leave. The head clerk shall also check and certify on the application that the Reserve officer's report is correct.

(*b*) The applications shall then be put up to the Superintendent who shall, before passing orders, see that the certificates of the Reserve officer and the head clerk have been endorsed thereon. Only those applications (for leave other than casual leave) on which the Superintendent has passed orders for registration shall be entered in this register. Intimation shall be given to all applicants of the orders passed on their applications. Applications of an urgent nature, or for leave without pay or on medical certificate, shall be put up at once with the register. Orders shall be passed on the remaining applications on or about the 2nd of each month. Column 11 of the register shall be filled in by the Superintendent personally or, in the heavier districts, the Additional Superintendent, the exact amount of leave granted in each case being noted. At the end of the year all pending applications shall be carried on in red ink to the list for the following year.

NOTE.—As all applications for leave cannot, in the interests of the public service be granted at one and the same time, the authority competent to grant leave shall, in deciding which applications should be granted, examine them with reference to the principles laid down in S. R. 231 of the Fundamental Rules and Appendix 8 (22) of the Bengal Service Rules. Priority of applications should be taken into account only when all other circumstances are equal.

Leave certificate.

918. A leave certificate in B. P. Form No. 178 shall be given to officers of and below the rank of Inspector going on leave. On return from leave, Inspectors, Sergeants and Sub-Inspectors, shall report themselves to the Superintendent or in his absence, to the officer in charge and officers of lower rank to the Armed Inspector. The Superintendent and the Armed Inspector, as the case may be, shall note the date and hour of return on the certificate.

Leave account.

919. A leave account in terms of leave on average pay shall be maintained in F. R. Form No. 9A (obtainable from the Press and Forms Manager) for a servant of the Crown who is subject to the ordinary leave rules of the Fundamental Rules. It shall be filed with his service book or roll and shall always be kept up to date. The Reserve officer as well as the head clerk shall carefully check and initial each account. The local inspecting staff under the Accountant-General will call for and check these accounts from time to time. The leave account should be preserved for a period of 10 years after death or retirement as the case may be.

[*See* S. Rs.213 and 214 of the Fundamental Rules and Appendix 8 (2) and (3) of the Bengal Service Rules.]

Service books and rolls. [§ 12, Act V, 1861.]

920. (*a*) Service books shall be kept in Bengal Form No. 912 and B. P. Form No. 179 should be attached thereto for all subordinate police officers of and above the rank of Sub-Inspector. The service book shall be purchased from the local treasury at three annas a copy, the cost being realized from the officer for whom the book is supplied.

(*b*) Service rolls shall be kept in B. P. Form No. 180 for all police officers below the rank of Sub-Inspector (*viz.*, Assistant Sub-Inspectors, head constables, naiks and constables) and crews of steam launches and boats, and shall be supplied by the forms Department.

(*c*) Service books or rolls may also be maintained for non-gazetted servants of the Crown holding temporary or officiating posts, whose service is transferable and who are likely to be made permanent, in order that a systematic record of their service may be maintained for the purpose of calculating their leave under S. R. 275 of the Fundamental Rules and rule 215 of the Bengal Service Rules and also for determining their pay and seniority at the time of confirmation.

(*d*) Service books or rolls shall remain in the custody of the Armed Inspector under lock and key, and he will be responsible that they are properly kept and up to date.

(*e*) Service rolls shall be arranged in files of 100 books.

(*f*) The service books or rolls of each rank shall be separately numbered. The number so given shall indicate in what file the service book or roll is to be found, and in the case of a head constable, naik and constable, shall be the same as the brass number which he wears as his district number. Service book or roll of persons no longer in the force shall be removed as soon as a casualty occurs and filed separately.

(*g*) Service rolls in Bengal Form No. 2509, shall be maintained for all inferior servants. No service record need be maintained for the menials paid from the contract contingent grant.

[*See* also S. Rs.244-246 and 256 of the Fundamental Rules and Appendix 8 (Part IV) of the Bengal Service Rules.]

NOTE.—For the definition of inferior service *see* Appendix 9 of the Bengal Financial Rules.

Entries in service books or rolls. [§ 12, Act V, 1861.]

921. (*a*) Every step in the official life of a servant of the Crown must be recorded in his service book or roll and every period of suspension from employment and every other interruption of service must be noted, with full details of its duration, in an entry made across the page of the service book or roll and must be attested by the attesting officer. It is the duty of the attesting officer to see that such entries are promptly made. If a servant of the Crown is reduced to a lower substantive post the reason of the reducion must be briefly shown. An officer's service book or roll should be consulted when any quesion of promotion, transfer or punishment arises.

(*b*) At a fixed time early in the year the service books or rolls should be taken up for verification by the head of the office, who after satisfying himself that the services of the servant of the Crown concerned are correctly recorded in each service book or roll, shall record in it a certificate in the following form over his signature:—

"Service verified up to (date) from (the record from which verification is made)."

The head of the office in recording the annual certificate of verification should, in the case of any portion of service that cannot be verified from office records, distinctly state that for the excepted periods (naming them) a statement in writing by the servant of the Crown, as well as a record of the evidence of his contemporaries, is attached to the book.

NOTE.—(*i*) The verification of service referred to above should be in respect or all sevice qualifying for pension, whether permanent, provisional, temporary of officiating.

(*ii*) The periods of temporary and officiating service shall be verified by the head of the office from the district orders concerned and the fact of verification recorded under proper attestation in the service book or roll.

(*iii*) When an officer is transferred from one district to another his service up to the date of his transfer shall be verified and a certificate to that effect recorded in the service book or roll.

(*iv*) The head of the office shall also invariably give necessary particulars with reference to articles 370 and 371 of the Civil Service Regulations with a view to enable the Audit office to decide lateron by reference merely to such particulars whether the temporary or officiating service will qualify for pension or not; for example in the case of officiating service, the nature of the vacancy in which the servant of the Crown officiated, and in the case of temporary service, whether the temporary post was subsequently made parmanent, should be stated. For this purpose, copies of relevant district orders concerning officiating and temporary appiontments and promotions shall be attached to the service book or roll.

(*c*) All rewards, all convictions in a criminal court and all major and minor punishments, shall be entered in the service book or roll. Brief details showing the reason for and the amount of punishment or reward, shall be noted, and a reference shall be made in appropriate columns to the number and year of the entry in the district order book. When service books or rolls are sent to other districts, they shall be accompanied by copies of all district orders relating to rewards and punishments.

(*d*) No particulars are required as to the possession of landed property in the case of constables or the members of launch or boat crews. In the case of all other officers, the entry shall be brought up to date annually by the 15th of April of each year. It is incumbent on every police officer to give information of any property acquired either by himself or his wife, either in his own name or in the names of childern, relatives, servants or dependents or otherwise *benami*. (*See* regulation 112.)

(*e*) Details of adult male relatives in the district in which an officer is employed, shall be entered in the space provided for the purpose and shall be revised each year after enquiries from the officers concerned.

(*f*) In the case of officers re-enlisted, or who have served in some other department prior to joining the police, details regarding their previous service shall be carefully ascertained and noted in the service book or roll. A reference shall also be made, when necessary, to any orders condoning any deficiency in height or chest measurement, or sanctioning re-enlistment.

(*g*) The nature of leave granted shall be specified in words and not merely by a reference to the leave rules. Leave granted need not be entered until it is actually taken.

(*h*) In the case of Inspectors, Sergeants and Sub-Inspectors an entry shall be made in red ink whenever they draw travelling allowance for journeys to attend an examination in language or law and procedure.

(*i*) In the case of recruits an entry shall be made in their service rolls to show whether they have been supplied with a durrie.

(*j*) The entries in the service rolls of constables, head constables and Assistant Sub-Inspectors relating to their literary qualifications shall be made after careful enquiry. No officer shall be shown as literate in any language unless he can read and write short and simple sentences in it. The ability to write names only shall not be considered sufficient for the purpose.

(*k*) It is the duty of every servant of the Crown to see that his service book or roll is properly maintained in order that there may be no difficulty in verifying his service for pension. The head of the office should, therefore permit a servant of the Crown to examine his service book or roll should he at any time desire to do so.

(*l*) Every entry made in a service book or roll shall be signed in full by the Superintendent, Assistant or Deputy Superintendent

or the Office Inspector. The Superintendent must see that the book or roll contains no erasure or over-writing, all corrections being neatly made and properly attested.

NOTE.—For procedure regarding the maintenance of service books of servants of the Crown transferred to foreign service, *see* S. R. 253 of the Fundamental Rules and Appendix 8 (45) of the Bengal Service Rules.

[See also S. Rs. 247-252, 254-255 of the Fundamental Rules and Appendix 8 (39-44 and 46-47) of the Bengal Service Rules.]

Disposal of service books and rolls. [§ 12, Act V, 1861.]

922. The following orders regulate the disposal of service books and rolls:—

(*i*) The service book or roll of an officer who resigns or is discharged from the service before qualifying for pension or gratuity may be made over to him, if claimed within 5 years from the date of such resignation or discharge. If not claimed within that period, the service book or roll should be destroyed.

(*ii*) The service book or roll of an officer who dies while employed under the Crown may be made over to his heirs, if an application be received within three years from the date of his death. At the end of that period the service book or roll should be destroyed.

(*iii*) The service book or roll of an officer who has been dismissed or removed from the service should not be returned. It should form a part of the record of the dismissal or removal, and be destroyed as laid down in Appendix XIII (4), against "File of proceedings."

(*iv*) The service book or roll of an officer retiring on pension or gratuity will be retained with his pension papers and destroyed as laid down in Appendix LXIII under Collection V (Pension and Gratuity).

Forward Diary.

923. (*a*) A forward diary of officers returning from leave shall be maintained by the Reserve officer in Bengal Form No. 25. He shall submit the diary to the Superintendent or the Additional Superintendent, as the case may be, at least two days previous to the date on which the officer is due to return to duty. Orders of posting will then be passed, unless this has already been done.

(*b*) In districts where escorts are numerous a forward diary shall also be maintained for escorts. In it only the name of the officer in charge of the escort and destination need be entered under the probable date of return. The Armed Sub-Inspector shall be responsible for the maintenance of this diary.

(*c*) The Armed Inspector shall examine both diaries at the end of each day and note whether all officers or escorts have returned at the proper time. In cases of delay, he shall bring the fact to the notice of the Superintendent or the Additional Superintendent next morning.

Periodical reports and returns.

924. A list of periodical reports and returns due to and from the Reserve office is given in Appendix XII.

925. (*a*) On the 1st of every month the Superintendent shall prepare in duplicate a monthly return of force in B. P. Form No. 181, one copy being sent to the Deputy Inspector-General and the other direct to the Inspector-General. **Monthly return of force.**

(*b*) The instructions for the preparation of the return are printed on the form in Volume II.

926. (*a*) The death of European police officers of any rank shall be reported in B. P. Form No. 182 immediately on the occurrence of such a casualty. **Reports of death of, and accidents to, police officers.**

(*b*) In the case of serious accidents to Europen police officers whether resulting in death or not which are likely to be telegraphed to England by the press, and in the case of any officer of the Indian Police, who is killed or severely wounded by fanatics or others or who meets with sudden or violent death in very exceptional circumstances, a telegraphic report should be sent immediately to the Inspector-General, who shall communicate the information at once to the Home Department of the Provincial Government together with the names and addresses of the nearest relatives.

926A. Motor vehicles are maintained at certain district and sub-divisional headquarters for the conveyance of the police on duty. Detailed rules for the use and maintenance of such vehicles are contained in Appendix LIII-A. **Motor vehicles for conveyance of the police on duty.**

926B. Procedure for condemnation of the wireless equipments.—when an engine, generator, set or any other equipment worth Rs.1,000 and above becomes unserviceable, it should be first examined by the mechanic-in-charge, Wireless Section. If he considers the equipment to be unfit for further service, a copy of his report should be forwarded by the Wing Commander, Singnal Wing, with his comment to the Commandant, E.P.R., who will convene a committee consisting of himself, Wing Commander, Signal Wing, and one Wireless Inspector to examine and report on the equipment. If the committee decide to condemn the equipment, the report will be submitted to the Inspector-General of Police, East Bengal, for orders. He will then finally pass orders for condemnation and to write off the equipment from the stock register.

When any wireless equipment worth below Rs.1,000 becomes unserviceable, it should be first examined by the mechanic-in-charge Wireless Section, if he considers the equipment, to be unfit for further service, he should submit his report to the Wing Commander, Singal Wing, who will convene a committee consisting of himself, one Wireless Inspector and the Supervisor (Store) to examine and report on the equipment. If the Committee decide to condemn the equipment the report will be submitted to the Commandant, E.P.R., for orders. He will then pass orders for condemnation and to write off the equipment from the stock register. The equipment condemned should be disposed of in the usual manner to the best interest of Government.

CHAPTER XIX.

Uniform and clothing.

I—Uniform of Officers of the Indian Police.

Review order cold weather.

927. *Helmet.*—Wolseley pattern, covered with khaki. No metal fixings. Brown leather chin strap ⅜ inch wide.

Pagri.—A pagri of six fold of khaki with a dark blue flash, a quarter of an inch wide, at the top, between the helmet and pagri; the whole when tied not to exceed three inches in width. As an alternative to the helmet, Indian Officers may wear a pagri of khaki silk, with a blue edge and gold *lungi* ends, a kullah, when worn, should be of gold to match.

Jacket.—Khaki gaberdine single-breasted, cut as a lounge coat of the waist, very loose at the chest and shoulders but fitted at the waist. Military skirt to bottom edge. A silver-plated hook on each side at the waist. Collar to be cut as in an ordinary civilian lunge coat. Two crosspatch brest pockets above, 6½ inches wide and 7½ inches deep to the top of the flap, with a 2½ inches box pleat in the centre fastened at the top with a small Indian Police pattern button; flap, with button hole, the cover pockets, 2½ inches deep and 6½ inches wide. Two expanding pockets below the waist (pleats at the sides) 9½ inches wide at the top 10½ inches at the bottom, 8 inches deep to the top of the pocket, fastened at the top with a small Indian Police pattern button; flap with button hole, to cover pockets, 3½ inches deep and 10½ inches wide; the top of the pocket to be tacked down at the corners in such a manner that the pocket can be expanded at the top also if necessary. Inside watch pocket, fastened at the top with a small Indian Police or other pattern button; flap, with button hole to cover pocket 2½ inches deep and 6½ inches wide. Four medium Indian Police pattern buttons down the front. Pointed cuffs, 5 inches high at the point and 2½ inches behind. Shoulder-straps of same material as garment, fastened with a small Indian Police pattern button. The jacket to be worn with a soft khaki collar and shirt and dark blue silk sailorknot tie. A plain gold safety pin may be worn under the tie to keep the soft collar in place.

Breeches.—Khaki woollen Bedford cord, strapped with buckskin to match.

Boots.—Brown field, soft legs stiffened to a depth of 4 to 6 inches from the top, laced at the instep, with nine pairs of eyelet holes, brown leather garters; no gusset and straps at the top of the leg and no toe-caps.

Spurs.—Light hunting, with brown leather straps and shields and brown leather under straps.

Belt.—Sam Browne of Army regulation pattern, but with white metal mountings.

Sword.—Straight Infantry pattern, with half basket hilt in white metal, and device 'I.P." and crown.

Sword-knot.—Brown leather, with acron.

Scabbard.—Brown leather, Infantry pattern.

Whistle.—Of the usual Police pattern, to be worn attached to a khaki lanyard and carried in the left breast pocket.

Silver metal.—The crown to be 1 inch broad. The stars to be of the "Star of Indian" (five pointed) pattern and 1 inch broad except in the case of Inspector-General. Badges of rank.

(*a*) Director of Itelligence, Government of India ..	Crossed sword and baton with one star abov.
(*b*) Inspector-General of Police	Crown, with three miniature stars (in the form of an equilateral triangle with apex upwards) below.
(*c*) Deputy Directors of Intelligence, Government of India, Commissioners of Police and Deputy Inspectors-General	Crown, with two stars below.
(*d*) Superintendents and Deputy Commissioners of Police of 20 years' service, irrespective of whether they are in the selection grade or not, but provided they have passed the efficiency bar at Rs. 1,000	Crown, with one star below.
(*e*) Superintendents and Deputy Commissioners of Police with more than 15 years' but less than 20 years' service	Crown.
(*f*) Superintendents of Police (officiating or substantive) with less than 15 years' service	Three stars.
(*g*) Assistant Superintendents ..	Two stars.
(*h*) Probationary Assistant Superintendents	One star.
(*i*) Assistant Directors of Intelligence, Government of India	Badges of rank according to seniority in the police scale.

In the case of officers recruited immediately after the Great War whose seniority was decided on the basis of age, the wearing of badges of rank (*d*) and (*e*) above will be regulated as follows:—

(*i*) Superintendents in receipt of basic pay of Rs. 950 but less than Rs. 1,100 ..	Crown.

(*ii*) Superintendents in receipt of basic pay of Rs. 1,100 and over .. .. Crown with one star below.

A Superintendent of Police promoted from the Provincial Service will be entitled to wear the same badges of rank as the directly recruited Superintendent of the Indian Police next below him in the Provincial Cadre. Where the grant of any badge of rank is dependent on the passing of an efficiency bar the promoted officer must have passed that bar. If the directly recruited Superintendent of the Indian Police next below the promoted Superintendent has failed to pass the efficiency bar the latter shall if eligible be entitled to wear the badges to which the former would have been entitled if he had passed that bar.

Officers of all ranks will wear a silver departmental badge, "I.P.", in half-inch block letters at the base of the shoulder strap.

Review Order—hot weather.

On ceremonial occasions during the hot weather the wearing of khaki drill tunic and cotton Bedford cord breeches may be permitted instead of the gaberdine tunic and woollen cord breeches.

Additional items of uniform and equipment.

Officers shall provide themselves with the following additional articles of uniform and equipment and will wear them when special circumstances or orders so require:—.

Trousers (slacks).—Khaki gaberdine to match jacket. Army regulation pattern.

Boots.—Ankle, plain brown leather, with plain toe caps. To be worn with trousers.

Belt.—Second shoulder strap to Sam Browne belt. To be worn when revolver is carried.

Revolver or (at the option of each officer) an automatic pistol, with brown holster and ammunition pouch. The revolver and ammunition pouch will not be worn with Review Order unless specific orders to that effect are issued.

Forage cap.—Dark blue cloth with three cloth welts, 4¼ inches total depth, diameter across the top 10¾ inches for a cap fitting 21¾ inches circumference, the top to be ⅛ inch larger or smaller in diameter for every ¼ inch by which the cap may vary in size of head above or below the before-mentioned standard, *e.g.*, for a cap 22¼ inches in circumference, the diameter across the top to be 10⅞ inches, and for a cap 21 inches in circumference, the diameter to be 10 inches. The sides to be made in four pieces and to be 2⅛ inches deep between the welts. A band of black mohair oakleaf lace 1¼ inches wide to be placed between the two lower welts. Indian Police pattern badge to be worn in the centre of the band in front. The cap to be set up on a band of stiff leather or other material 1¾ inches deep. Chin strap of black patent leather ⅜ inch wide buttoned on to two gorget buttons of Indian Police pattern placed immediately behind the corners of the peak.

The peak of the cap will be of the following pattern:—

For Inspector-General	Patent leather, embroidered all round with plain silver embroidery. Depth in the middle 2 inches. To drop at an angle of 45 degrees.
For Commissioners, Deputy Inspectors-General and Superintendents in receipt of basic pay of Rs. 950 a month and over provided that a Superintendent promoted from the Provincial Police Service shall be entitled to wear a peak of this description from the date the directly recruited officer of the Indian Police next below him on the Provincial Cadre becomes entitled to wear the same ..	As for Inspector-General but embroidered on front edge only.
For all other officers	Plain patent leather peak.

To be worn with a khaki cover of same material and shade as jacket. The forage cap will be worn with review order when the occasion renders the wearing of a helmet unnecessary.

Gloves.—Tan regulation to be worn if ordered.

Officers may at their option provide theselves with the following articles of uniform if climatic conditions render it necessary:—

Overcoat.—Drab mixture cloth, milled and waterproof; double breasted, to reach to the point of the knee, 18 to 20 inches slit at the back with small saddle flap. Turn-down collar 2½ inches deep, with lapel and step, fastening with one hook and eye. Four large buttons on each side, three to button and one under turn. Two button pockets with flap; one inside breast pocket at each side; sword slit at left side; loose turn back cuffs of single material 4½ inches deep; shoulder straps of the same material as the garment fastened with small buttons. Badges of rank and buttons in silver metal. The collar to be provided with a cloth tab to button across the opening at the throat when required. The coat to be lined with drab flannel. The cloth will be that specified for the Province in which the officer is serving.

Serge jacket and serge trousers.—Drab serge.

Working dress.

Working dress.—Uniform is of the same pattern as Review Order but in place of gaberdine and woollen cord, drill will be used for the jacket and slacks, and cotton Bedford cord for the breeches.

The helmet, boots, belt, sword, scabbard, sword-knot, pistol, whistle, badges and forage cap, etc., are the same as for Review Order except that the lanyard attached to the whistle will be dark blue instead of khaki.

Mess dress—cold weather.

Mess jacket.—Dark blue cloth, pointed cuffs, 5 inches high at point and 2½ inches behind, of the same material. Roll collar of black silk. Shoulder straps of blue cloth, tacked under the collar, with badges of

rank as in Review Order, but without shoulder letters. Miniature medals and decorations to be worn on the left lapel, one inch below the point of the shoulder, overlapping if necessary, but not projecting beyond the lapel. Collar badges should be placed ¾ inch below the medals.

Mess dress—cold weather.

Mess waistcoat.—White marcella, corners cut away, open at the front and withuot collar, to be fastened with 4 small Indian Police buttons 1½ inches apart.

Collar and necktie.—Collar, plain white linen, with black tie.

Overalls.—Dark blue cloth of the same shade as that of the jacket, with two stripes of ¾ inch plain mohair braid ¼ inch apart down the outside seam. Black leather foot straps with steel buckle.

Boots.—Wellington, black, patent leather.

Spurs.—Box, with plain rowels.

Forage cap.—As in Review Order but without cover.

Badges of rank.—Miniature—Crowns and stars ⅝ inch broad.

Mess dress—hot weather.

Mess jacket.—White drill, without braid or buttons. Roll collar. Shoulder straps of similar material with a small Indian Police pattern button at the top. One inside breast pocket. Sleeves cut plain with pointed cuffs 5 inches high at point and 2½ inches behind. Badges of rank and collar badges as in cold weather mess dress.

Waistcoat.—As in cold weather mess dress. Where the climate renders this desirable officers may wear a plain dark blue silk kamar-band in place of waistcoat.

Collar and necktie.—As in cold weather mess dress.

Overalls.—White drill with black leather foot straps, or as for cold weather, according to climate.

Boots, spurs and forage cap.—As in cold weather mess dress.

Horse furniture.

Bit.—Universal.

Bridle.—Ordinary double.

Girths.—Dark blue.

Saddle.—Ordinary hunting, fitted with necessary nickel D's.

Frog.—Of brown leather, attached to the shoe case (near side), for carrying the sword scabbard; shoe case with a leather steadying strap.

Full dress.

Officers in possession of Full Dress uniform may wear it on occasion such as presentations at Court, Levees and Weddings. Other officers are not permitted to purchase Full Dress uniform and should wear at Courts and evening State functions either Alternative Dress or Velvet Court Dress (old style) as laid down on pages 5 and 6 of the office of the Secretary to the Governor-General (Public) notification No. F.9/II/36-Public(G.), dated the 30th June 1937. In no case should Full Dress uniform be worn on duty.

Medals.

On ceremonial occasions such as those on which military officers wear their medals with field service uniform, Police Officers should wear medals and decorations with khaki working dress.

The Indian Police Device for use on badges and on buttons— **Indian police device.**



Badges.

For cap, 1⅛ inches in height.

For collar, 1¼ inches in height.

Buttons.

Convex, die struck and embossed.

	Lines.
Large	40
Medium ...	30
Small ...	24
Gorget ...	20

The pattern of Indian Police shoulder badges—



928. Informal working dress may be worn by officers of the Imperial and Provincial Services on duty of a purely informal nature. It may consist of any suitable combination of the following:— **Informal working dress**

(1) Khaki drill jacket as laid down for review order—hot weather.

(2) *Helmet as laid down in regulation 927, or topee.*—Cawnpore Tent Club. Khaki cover and khaki pagri. A piping of Indian Police colours to show ¼ inch above the top of the pagri. Plain khaki pagri for Deputy Superintendents.

(3) *Shirts.*—Khaki twill with collar and tie as for wear with review order if to be worn with khaki jacket, or with Shakespeare collar attached without tie if to be worn without a jacket. In the latter case

it should have a negligee front—four buttons, two breast patch pockets with 1 inch box pleat down centre, pointed flap with hole and button. Breast pockets to be 5 inches wide by 7 inches deep in proportion. Detachable shoulder straps of the same material with a small hole and button at the neck. Collar and shoulder straps should be well starched. Badges of rank and shoulder letters as for khaki drill frock, half-sleeves. Buttons to be of khaki collar bone. Spine protectors if required.

(4) *Shorts.*—Khaki with side pockets and loops for belt.

(5) *Trousers.*—Khaki drill to match jacket.

(6) Puttits, ankle, khaki serge, to be worn with hose tops khaki.

(7) *Stocking.*—Khaki with turndown tops.

(8) *Jodhpur breeches.*—Thin khaki Bedford cord or drill.

(9) *Shoes.*—Brown for use with stockings.

(10) *Boots.*—Brown ankle with plain toe caps for use with putties.

NOTE.—It is to be understood that this is a purely informal working dress and is not to be worn at inspections made by officers superior in rank or when meeting them, unless permission has been previously obtained. When more than one officer is employed on the same duty and informal working dress is worn regulation 928 shall apply.

Review order

929. (*a*) In Bengal, Review Order comprises helmet by day or forage cap with khaki cap cover by night, khaki jacket, breeches, field boots with spurs, khaki shirt, blue tie, Sam Browne belt and sword, with medals and decorations. This uniform will be worn whenever full dress or review order mounted or dismounted, is ordered.

Undress uniform.

(*b*) Undress uniform consists of the uniform specified above with the exception of medals and decorations and Indian title badges. Ribbons only will be worn. This dress will be worn when meeting, escorting or keeping the line of road for the Viceroy or Governor on the occasion of private arivals and departures, in command of armed men other than guards of honour or ceremonial or inspection parades and on all other occasions when ordered. It shall also be worn by officers meeting or paying formal official calls on the Inspector-General and Deputy Inspector-General when the latter are visiting districts on inspection. During inspection by the Inspector-General or a Deputy Inspector-General, officers shall ordinarily wear informal working dress but the inspecting officer should be consulted. In office the Sam Browne belt need not be worn.

Wearing of swords with undress uniform.

(*c*) Except on formal occasions, such as the arrival or departure of a high official, or when in command of a force of police, swords will not ordinarily be worn with undress uniform. If the sword is not worn, the sword frog shall be detached from the belt.

(*d*) Officers attending the private arrival or departure of the Viceroy and Governor at railway stations, steamer ghats, etc., and not actually employed on escort or guard duty, shall wear undress uniform.

(*e*) Khaki jacket and trousers (slacks) may be worn on inspection duty, on duty in towns, when attending court to give evidence or to prosecute a case, at conferences and committee meetings and by Railway Police Officers when escorting the Viceroy or Governor by train. They shall, however, wear review order at stations where the arrival or departure is public.

Informal working dress

(*f*) Any suitable combination of this may be worn for duty in the mufassil, such as inspection and supervision of cases. At headquarters it may be worn for ordinary parades and for office. Mufti also is permissible for wear in office.

Mess dress.

(*g*) Mess dress shall be worn at official public entertainments by night or when an officer is invited to meet the Viceroy, Governor or Commander-in-Chief at dinner or at an official function by night, unless full dress is specially ordered, and when dining military, naval or air force messes.

Wearing of medals and decorations.

930. (*a*) *Medals.*—The ribbon will be one and three-quarter inches in length unless class necessitate its being longer. When two or more medals are worn they will be so arranged that the lower edges (or the lowest point of a star) are in line. The length of all ribbons will be regulated by that of the medal which, including any clasp, is the longest. The bar from which decorations or medals are suspended will be placed immediately above the left breast pocket of the jacket. If only a single medal is worn this will be placed with the inner edge of the ribbon one inch from the inner seam of the pocket flap. With two or more medals the inner edge of the medal ribbons shall be immediately above the inner seam of the pocket-flap. When the decorations and medals cannot, on account of their number, be suspended from the bar so as to be fully seen, they are to overlap. Medals should always be worn so as to show the Sovereign's head. As regards badges of orders the special rules on the subject issued to recipients shall be observed.

In undress uniform or informal working dress the ribbon will be ⅜ inch in length and will be worn on a bar or sewn on the jacket, without intervals, immediately above the left breast pocket of the jacket or shirt. When there is not sufficient room to wear the ribbons in one row, they will be worn in two or more rows not more than ½ inch apart; the centre of the rows to be immediately above the button of the left pocket.

No ribbon will be covered by the lapel of the jacket.

(*b*) Miniature medals will be worn with mess dress on the left breast in one horizontal line, one inch below the point of the shoulder, suspended from a bar of which no part is to be seen. The length of the bar must vary with the number of miniatures, but in no case should it project beyond the lapel or shoulder seam of the jacket. The top of the collar badge should be ¼ inch beneath the lower edge of the medal. Miniature Indian title badges should be worn in the same manner. When the miniatures cannot, on account of their number, be suspended from the bar so as to be fully seen, they are to overlap.

Police officers employed on same duty, how to be dressed.

930A. Police officers employed together on the same duty or attending any function at which uniform is to be worn shall be similarly dressed, and on such occasions it shall be the duty of the Deputy Inspector-General, or in his absence, of the senior officer employed on such duty or attending such function, to order, when the matter is not distinctly regulated by any other rule or superior authority, the particular uniform to be worn. If the Inspector General is to be present, his wishes should be consulted before the promulgation of orders by such officer.

Wearing of uniform at fancy dress balls.

931. The subjoined Army Order No. 96 of 1903, relative to the wearing of uniform at fancy dress balls, shall be observed by gazetted Police Officers:—

"His Majesty the King has been pleased to command that regulation uniform shall not be worn at fancy dress balls by officers of the Regular Army, the Militia, Yeomanry and Volunteer Forces.

The term 'uniform' in this order is to be strictly interpreted as referring to all uniform of regulation pattern as there is no objection to military uniform of obsolete pattern being worm by officers at fancy dress balls."

Public mourning wearing of bands at memorial services.

932. The following rules shall be observed by all ranks:—

(*a*) On occasions of public mourning and when attending funerals or memorial services all police officers, above the rank of Assistant Sub-Inspector, when in uniform, shall wear a band of black crape, 3¼ inches wide, round, the left arm above the elbow. Mourning shall not be worn at levees or drawing-rooms unless the Court is in mourning.

(*b*) On occasions of official mourning, officers in uniform, attending either the Viceregal Court or any outside function where His Excellency the Viceroy is present in State, shall conform to the rules for class laid down for the Viceregal Court.

II.—UNIFORM OF OFFICERS OF THE BENGAL POLICE SERVICE.

Deputy Superintendents.

933. (*a*) The uniform of Deputy Superintendents shall be identical with that of Assistant Superintendents, with the following modifications:—

(1) *Head dress.*—

Review order—hot and cold weather.—A khaki Wolseley pattern helmet as prescribed for the Indian Police, but without the dark blue flash.

(2) *Badges and buttons.*—

(*i*) Deputy Superintendents of all grades shall wear two stars, and probationers one star, as prescribed for Assistant Superintendents.

(*ii*) Instead of the Indian Police device, Deputy Superintendents will wear a provincial device, which shall be 2¼ inches in height, containing the letters "B. P." encircle by a wreath with Imperial crown above.

(*iii*) The departmental badge shall be "B. P." in ½ inch block letters.

(3) *Mess dress* is optional.

NOTE.—A Deputy Superintendent officiating as Superintendent or Additional Superintendent shall wear a khaki helmet (with a khaki pagri and no blue flash) 3 stars on the shoulder and B. P letters.

(*b*) An Inspector on whom the rank of honorary Deputy Superintendent has been conferred shall wear the uniform of a Deputy Superintendent to be purchased at his own cost. **Honorary Deputy Superintendent.**

III—WEARING OF UNIFORM BY RETIRED OFFICERS.

934. Police officers of and above the rank of Sub-Inspector who have rendered approved service of not less than 15 years in the force at the time of retirement may be permitted, after retirement to wear on ceremonial occasions, or when calling on officials of the Crown, the uniform of the rank which they last held. Permission to wear uniform on such occasions should be obtained by officers of the Indian Police from the Provincial Government and by officers of and below the rank of Deputy Superintendent from the Inspector-General. **Grant of permission for wearing uniform by Officers on retirement. [§ 12, Act V, 1861.]**

NOTE.—This regulation applies to the wearing of mess kit by retired officers of the Indian Police residing in India.

IV—UNIFORM OF SUBORDINATE POLICE OFFICERS AND OTHERS.

935. *Head dress.*—Helmet—Cork or pith of regulation pattern, covered khaki drill with khaki *pagri.* Brown leather chin-strap and plated badge fixed in front above fold of *pagri,* the badge to lie on the helmet proper not on the *pagri.* The chin-strap should be worn up when not mounted. **Inspectors. [§ 12, Act V, 1861.]**

Up-country Inspectors.—Red *salu pagri,* 9 yards long with gold fringe 4 inches deep and plated badge, to be worn in front of *pagri.* In the Special Armed Force the *pagri* will be of khaki.

A red *kulla* with gold embroidery shall be worn with the *pagri* by up-country Inspectors.

Forage cap (*for night wear*).—Dark blue serge: diameter across the top 10 inches in a cap of 24 inches circumference: sides 2 inches deep; khaki cover; black patent leather peak 2 inches deep to drop at an angle of 45 degrees; chin-strap of black patent leather ⅝ inch wide, fastened behind the corners of the peak with two small white metal B. P. or B. A. P. buttons. Bengal Police pattern badge to be worn in front of the cap above the centre of the peak.

Pill-box cap.—Covered with khaki felt, having a khaki silk oak-leaf braid band, and khaki silk braid work in loops around the khaki net button in the centre of the crown. The cap to have a chin-strap of leather, to have a leather band inside and to be lined with satin. (For Gurkha and Gharwali Inspectors.)

Pigsticker topee (optional).—May be worn on strictly informal occasions in the *mufassil.*

Badge for head dress.—Silver-plated metal device "B.P." within a wreath, surmounted by a crown.

Jacket.—Khaki drill single-breasted, cut as a lounge coat to the waist, very loose at the chest and shoulders, but fitted at the waist. Military skirt to bottom edge. A silver-plated hook on each side at the waist. Collar to be cut as in an ordinary civilian lounge coat. Two crosspatch breast pockets above, 6½ inches wide and 7½ inches deep to the top of the flap, with a 2¼ inches box pleat in the centre fastened at the top with a small Bengal Police pattern button; flap, with button hole to cover pocket 2¼ inches deep and 6½ inches wide. Two expanding pockets below the waist (pleats at the sides) 9¼ inches wide at the top, 10½ inches at the bottom, 8 inches deep to the top of the pocket, fastened at the top with a small Bengal Police pattern button; flap, with button hole, to cover pockets, 3½ inches deep and 10¾ inches wide; the top of the pockets to be tacked down at the corners in such a manner that the pocket can be expanded at the top also if necessary. Inside watch pocket, fastened at the top with a small button; flap, with button hole to cover pocket 2¼ inches deep and 6½ inches wide. Four medium Bengal Police pattern buttons down the front. Pointed cuffs, 5 inches high at the point and 2½ inches behind. Shoulder straps of same material as garment, fastened with a small Bengal Police pattern button. The jacket to be worn with a soft khaki collar and shirt and khaki sailor-knot tie. A plain gold safety pin may be worn under the tie to keep the soft collar in place.

Trousers.—Khaki, with turned-up ends.

Shorts.—Khaki, with side pockets and loops for belt (working dress).

To be worn with the edge of the shorts two fingers, breadth above the knee cap.

Breeches.—Khaki drill.

Shirts.—Khaki twill with Shakespeare collar attached; 4 buttons in front. Two breast patch pockets with one inch box pleat down the centre, pointed flap and bone button. Breast pockets to be in proportion to the size of the shirt. Shoulder straps of the same material with a button at the top. Shoulder letters as for khaki drill coat. Long sleeves fastened with bone buttons. (Working dress.)

Belt.—Khaki English linen web with fastner of two white metal interlocking squares. (Working dress.)

Shoes.—Brown for use with stockings. (Working dress.)

Boots.—Brown ankle with plain toe-caps for use with putties.

Putties.—Khaki serge.

Armed Inspectors and other Inspectors will wear ankle putties (khaki serge) with khaki stocking tops on all except ceremonial occasions.

(Putties should be tied so that they finish on the out side of the leg, the to of the puttie to be one finger's breath below the top of the tibia.)

Stocking.—Khaki, with turndown tops. (Working dress.)

Greatcoat (optional).—Khaki serge cloth, British warm single-breasted reaching to the point of the knee; slit at the back 18/20 inches; turned down collar, 2½ inches deep, with lapel and step, fastening with one button at the top; three large plated B.P. buttons down front; shoulder straps of the same material as the garment fastened with small plated B. P. buttons; two bottom pockets with flaps, one inside breast pocket on the left; turned back cuffs of double cloth, 3 inches deep with vent and rounded corners. The coat to be half lined with drab Italian cloth, the sleeves to be lined with the same material.

Whistle.—Of the usual Police patern to be worn attached to a khaki lanyard and carried in the left breast pocket.

Sword belt.—For Armed Inspectors, a Sam Browne pattern belt of brown leather with plated mountings to be worn with one shoulder-strap ordinarily; or with two, if a revolver is carried.

For other Inspectors, Sam Browne leather belt, one strap over the right shoulder and no sword frog.

Sword.—For Armed Inspectors only, straight blade 32½ inches long by 1 inch broad near hilt; plated semi-basket hilt with "B.P." device; handle black with silver wire.

Swords and sword frogs will be worn only on full dress occasions or when in command of an armed force.

Scabbard.—For Armed Inspectors only, leather.

In the Darjeeling Police swords and swords-belts of the above description will be worn by all Inspectors, both of the Special Armed Force and Unarmed Police.

NOTE:—(*i*) Revolvers may be issued from the Reserve to Inspectors when occasion requires. The possession of a revolver by an Inspector is optional.

(*ii*) Serge uniform for winter is optional, but if worn must be of the standard shade.

(*iii*) The shade of khaki to be worn is Spinner's Wigan No. I.

936. (*a*) Review Order comprises helmet (or *pagri* with *kulla* for up-country officers and pill-box cap for Gurkha and Gharwali officers) by day or forage cap with khaki cover by night, khaki jacket, khaki shirt, breeches, khaki tie, boots, putties, Sam Browne belt (and swords for Armed Inspectors) with medals and decorations. This

Inspectors wearing of Review order [§ 12, Act V, 1861.]

uniform will be worn on ceremonial occasions whenever full dress or review order, mounted or dismounted, is ordered.

NOTE.—On ceremonial occasions officers shall wear medals and decorations. An Indian title badge should be worn on the left breast suspended by a brooch. It should occupy its proper place in the matter of relative seniority with respect to other decorations and medals.

Wearing of Undress uniform.

(*b*) Undress uniform consists of the uniform specified above except that shorts shall be worn instead of breeches. Ribbons only will be worn instead of medals, decorations and Indian title badges.

This dress will be worn when meeting, escorting or keeping the line of road for high officials on the occasion of private arrivals and departures, in command of an armed force other than guards of honour or ceremonial and inspection parades and on all other occasions when ordered. It shall also be worn by officers meeting or paying formal official calls on the Inspector-General and Deputy Inspector-General when the latter are visiting districts on inspection. It shall be worn during inspection by superior officers.

Khaki jacket and trousers may be worn on inspection duty, on duty on towns, when attending court to give evidence or to prosecute a case, at conferences and committee meetings.

(*c*) Except on formal occasions, such as the arrival or departure of a high official or when in command of a force of police, swords will not ordinarily be worn by Armed Inspectors. If the sword is not worn the sword frog shall be detached from the belt.

(*d*) Officers attending the private arrival or departure of high officials at railway stations, steamer *ghats*, etc., and not actually employed on escort or guard duty, shall wear undress uniform.

Wearing of workingdress.

(*e*) This dress consists of a suitable combination of the following:—

(*i*) *Forage* cap (at night).

(*ii*) *Helmet.*

(*iii*) *Pigsticker topee* (optional, to be worn only on strictly informal occasions in the *mufassil*).

(*iv*) *Khaki shirt* (to be worn open at the neck without a tie).

(*v*) *Shorts.*

(*vi*) *Belt.*

(*vii*) *Stockings.*

(*viii*) *Shoes.*

(*ix*) *Putties.*

(*x*) *Boots.*

This dress will be worn on duty of a purely informal nature, such a inspection and supervision of cases. At headquarters it may be worn in office.

NOTE.—Putties and boots shall be worn on parade by Armed Inspectors.

937. Sub-Inspectors and Sergeants will wear the same uniform as for Inspectors, with the following exceptions:— **Sub-Inspectors and Sergeants.** [§ 12, Act V, 1861.]

Badge of Rank—Sub-Inspectors and Sergeants will not wear the star allowed for Inspectors.

Fatigue cap.—Khaki drill. Plated badge and buttons. (For night wear.) Sub-Inspectors only. They will not wear the forage cap.

Pill-box cap.—As worn by Gurkha and Gharwali Inspectors. Plain bands instead of ornate bands to be used. (For Gurkha and Gharwali Sub-Inspectors.)

Jacket.—Khaki drill; no pleat; pointed cuffs; no buttons on sleeve; shoulder-straps of same material as jacket; plated letters of branch of service to be worn at the base of the shoulder strap; stand-up collar with white metal hooks and eyes; plated buttons according to the branch of service. Two Cross-patch breast pockets above, 6½ inches wide and 7½ inches deep to the top of the flap, with a 2¼ inches box pleat in the centre, fastened at the top with a small Bengal Police pattern button; flap with button hole to cover pocket 2¼ inches deep and 6½ inches wide. Two expanding pockets below the waist (pleats at the sides) 9¼ inches wide at the top, 10½ inches at the bottom, 8 inches deep to the top of the pocket, fastened at the top with a small Bengal Police pattern button; flap, with button hole, to cover pockets, 3½ inches deep and 10¾ inches wide; the top of the pockets to be tacked down at the corners in such a manner that the pocket can be expanded at the top also if necessary. Inside watch pocket, fastened at the top with a small B. P. button; flap, with button hole to cover pocket 2¼ inches deep and 6½ inches wide.

Knickers.—Khaki drill for Sub-Inspectors only. (Sergeants will wear shorts instead of knickers.)

Putties.—Sub-Inspectors and Sergeants will wear ankle putties (khaki serge) with khaki stocking tops on all except ceremonial occasions.

Chevrons.—For Sergeants in all branches three silver stripes. The chevrons should be worn on the upper part of the right arm point downwards. A chevron of worsted braid with three stripes mounted on red cloth of suitable thickness should be worn with informal working dress, i.e., when wearing khaki shirts.

Sword belt, sword and scabbar.—As worn by Armed Inspectors. (For Sergeants and Sub-Inspectors of the Special Armed Force only.)

For other Sergeants and Sub-Inspectors, Sam Browne leather belt as worn by Inspectors of the Unarmed Police.

NOTE.—(*i*) Revolvers may be issued from the Reserve to Sub-Inspectors and sergeants when occasion requires. The possession of a revolver by these officers is optional.

(*ii*) Sub-Inspectors and Sergeants shall wear a whistle attached to a khaki lanyard as worn by Inspectors as part of their dress.

(*iii*) Probationary and officiating officers will wear the same uniform as officers who hold substantive rank.

Sub-Inspectors and Sergeants—Review order. [§ 12, Act V, 1861.]

938. (*a*) This uniform will be the same as for Inspectors with the following exceptions:—

(*i*) Sub-Inspectors shall wear a fatigue cap by night instead of a forage cap.

(*ii*) Sergeants shall wear shorts instead of breeches.

(*iii*) Sub-Inspectors shall wear knickers instead of shorts.

(*b*) As in regulation 936(*b*) for Inspectors.

Undress uniform. Working dress.

(*c*) As in regulation 936(*e*) for Inspectors except that Sub-Inspectors shall wear a fatigue cap at night.

NOTE.—Putties and boots shall be worn on parade.

Watches to form part of Sub-Inspectors equipment. [§ 12, Act V, 1861.]

939. A good reliable watch is an indispensable part of a Sub-Inspector's equipment, and every permanent Sub-Inspector shall provide himself with one and carry it whenever he goes out on investigation or other duty.

Head constables of the special Armed Force. [§ 12, Act V, 1861.]

940. *Badge, pagri.*—B. A. P. brass, encircled by a wreath with Imperial Crown above.

Belt.—Brown leather with circular brass clasp ornamented with crown on plain ground in centre, and "Bengal Police" in circle.

Belt (for shorts).—Webbing with automatic buckle.

(This belt is not included in the first kit, but may be purchased from savings out of maintenance.)

Box, kit.—Of steel, 24 B. W. G. sheet, coloured black and measuring 24 inches long, 14 inches broad and 9 inches deep with padlock fastening. Handles on sides and strengthened at corners, 4 studs, ½ inch deep to keep the box off the ground. Numbers to be painted at the top in white.

(Head constables must supply their own padlocks.)

Boots (black, ankle, laced).—Of approved pattern.

Buttons.—B. A. P. brass.

Cap (khaki drill) for undress uniform.—Gurkhas or Gharwalis shall wear black caps and Sikh and Punjabi Muslims shall wear white *pagris* in place of khaki drill caps when in undress uniform.

Cardigan jacket (grey, long sleeves).—When cardigan jackets are worn over *kurtas,* brass numbers should be worn on the jacket in line with the second button and in the centre of the right of the chest. To prevent the cardigan from fraying a stiffening of cloth 2½″ long and 1½″ broad should be sewn inside the jacket. Holes should be provided in this cloth to take the brass number.

Chevron.—Three worsted stripes on khaki cloth to be worn point downwards on the right upper arm, 5 inches from the sleeve joint. Chevron to be 6½ inches across, bars ½ inch wide, interspace one-eight of an inch.

Coat, blouse (khaki drill).—With yoke, opening half way down, without collar. Two pockets with flap, held down by B. A. P. brass buttons, three B. A. P. brass buttons down front shoulder-straps of same material, fastened with small B. A. P. buttons and brass B. A. P. letters at base of shoulder-straps and ¾ inch from sleeve seam. Brass hook on the left side to support the belt.

Greatcoat.—Irish frieze, military pattern without shoulder-straps, double cuffs, stand and fall collar with hook and eye. Four large brass B. P. buttons down front.

Haversack.—Khaki drill with flap and brass plain button, khaki drill strap 2 inches broad to pass over the shoulder, with a brass runner attached.

Head dress.—Khaki pagri.—Seven yards long with blue fringe 3 inches wide attached to 10 inches of cloth.

(Gurkhas or Gharwalis shall wear slouch hats and on ceremonial occasions khaki " Gurkha pattern" caps in place of pagris.)

Holdall (red) kharua cloth about 3 feet square edged with rope, loops at corners, wooden toggle at one corner.

Kulla (red). With two eyelets on either side, 3 inches from top.

Kurta.—Half-sleeved, khaki twill.

Letters.—B. A. P. brass, ½ inch block.

Mosquito net.—Of the approved pattern.

Numbers, brass.—Three-quarters of an inch figures, with brass plate and pin at back, to be worn in the left-hand corner of the right breast pocket.

Pagri.—See under "head dress."

Putties, ankle.—Khaki serge.

(Putties should be tied so that they finish on the outside of the leg, the top of the puttee to be one finger's breadth below the top of the tibia.)

Sash.—(Red worsted).

(To be worn over right shoulder and over the waist belt with frog and bayonet scabbard outside the sash.)

Shorts (khaki drill).—Two loops for belt; back straps of same material with buttons for fastening.

(To be worn with the edge of the short two fingers' breadth above the knee cap.)

Stocking tops.—Woollen, khaki.

Whistle.—Of the usual police pattern.

(To be worn attached to a khaki lanyard and carried in the left breast pocket the lanyard passing under the armpit and under the shoulder strap.)

NOTE.—(*i*) Khaki *kurtas* may be worn instead of blouses on guard and escort duties and on ordinary parades in the hot weather.

(*ii*) Punjabi Muslims in Special Armed Forces may be allowed to wear fan-shaped *pagri*-ends on ceremonial occasions, provided a complete section of Punjabi Muslims is on parade.

Havildar-major. [§ 12, Act V, 1861.]

941. The uniform of havildar-majors will be that of a head constable of the Special Armed Force except that instead of a chevron they will wear a cloth crown (silver embroidered on a red background) on the left forearm. On ordinary parades they should carry a swagger cane (mounted top with B. A. P. wreath) instead of a rifle and wear a sash. On ceremonial parades they should wear a sash and carry a rifle and side arms.

Constables of the Special Armed Force. [§ 12, Act V, 1861.]

942. Same as for head constables of the Special Armed Force except the red sash, chevrons, belt and belt plate, whistle and lanyard.

NOTE.—Naiks shall wear the same uniform as for constables with a chevron of two bars and be provided with a whistle and lanyard.

Belt.—The leather to be 2½ inches in width by 40 inches in length from buckle to clasp; buckle and clasp must be large enough to permit the leather to pass through and something under 2¾ inches in length. A tongue of leather 3 inches long from the buckle must be attached to the buckle to protect uniform from contact with the brass belt plate. Two loose leather bands ⅜ inch broad, must be supplied with the leather belt. The clasp to be made so as to fit the ½ inch hook on the belt plate. The clasp should be sewn on to the left, but the buckle should be loose and only attached to the leather by the pin.

Belt plate.—Brass 3½ inches×2¾ inches; the brass attachment through which the leather passes to be behind the belt and out of sight; the hook to be ½ inch broad by ¾ inch long and fixed ¾ inch from the edge of length of plate. The inscription to be as under:—

BENGAL POLICE.

NAME OF DISTRICT.

Bengal Police to be ¼ inch letters and the name of the district in ⅜ inch letters, the whole weighing 12 tolas.

Assistant Sub-Inspector and head constables of the Unarmed Police. [§ 12, Act V, 1861.]

943. *Badge, brass.*—B. P. design encirled by a wreath with Imperial Crown above.

Belt.—Same as for head constables of the Sepcial Armed Force.

(Assistant Sub-Inspectors need only wear the belt on parade and ceremonial occasions.)

Box (kit).— Same as for head constables of the Special Armed Force.

Boots.—Same as for head constables of the Special Armed Force.

Buttons, brass.—Regulation "B. P."

Cap (head constables only).—Khaki forage (drill) or, where specially approved, white *pagri.*

Cardigan jacket.—Same as for head constables of the Special Armed Force.

Chevron (head constables only).—Same as for head constables of the Special Armed Force.

Coat, blouse (head constables only).—Same as for head constables of the Special Armed Force, but with B. P. letters and buttons.

Greatcoat.—Same as for head constables of the Special Armed Force except that buttons should be "B.P.."

Haversack (head constables only).—Khaki drill, with 2 inches band and brass runner. Flap fastened by a small plain brass button.

Head-dress for head constables.—Red *salu pagri,* 7 yards long with blue fringe and brass badge consisting of the letter "B. P." encircled with a wreath surmounted by an Imperial Crown. Fringe blue, 3 inches wide, attached to 10 inches of red *salu.*

Holdall—Red *kharua* cloth, about 3 feet square, edged with rope, loops at corners, wooden toggle on one corner.

Kurta (head constables only).—Khaki twill, half-sleeved.

Letters.—"B. P." brass ½ inch block.

Mosquite net.—Of the approved pattern.

Numbers, brass (head constables only).—Same as for head constables of the Special Armed Force.

Pagri.—See under head-dress.

Putties.—Same as for head constables of the Special Armed Force.

Shirts (Assistant Sub-Inspectors only).—Khaki half-sleeved, Shakespeare collar. Two brest pockets and shoulder straps.)

Shorts.—Same as for head constables of the Special Armed Force.

Stockings (Assistant Sub-Inspectors only).—Khaki cotton with turn down tops.

Topee (Assistant Sub-Inspectors only).—Pigsticker Pith covered khaki drill, with khaki *pagri.* Brown leather chin-strap and "B.P." brass badge in wreath fixed in front above fold of *pagri.*

Tunic (Assistant Sub-Inspectors only).—Khaki, with stand-up collar and shoulder straps but without lower pockets. "B. P." letters and buttons. "B. P." letters to be worn on shoulder straps. Brass hook on the left side to support the belt.

Whistle (head constables of the Town Police only).—Same as for head constables of the Special Armed Force. (To be worn attached to a khaki lanyard and carried in the left breast pocket, the lanyard passing under the armpit and under the shoulder strap.)

NOTE.—Assistant Sub-Inspectors may be permitted to wear brown shoes (to be purchased at their own cost) when in working dress.

Constables of the Unarmed police. [§ 12, Act V, 1861.]

944. Same as for head constables of the Unarmed Police except badge, belt and belt plate.

Belt.—Same as for constable of the Special Armed Force.

Belt plate.—Same as for constables of the Special Armed Force.

Boots.—Same as for head constables of the Special Armed Force to be issued to those constables for whom they are prescribed in regulation 955 and Appendix LV.

Whistle and lanyard (for Town Police only).

Darjeeling police. [§ 12, Act V, 1861.]

945. *Belt.*—Black leather, 1¾ inches broad by 40 inches in length otherwise same as for ordinary District Police, with circular brass socket and clasp, "D. P." in raised capital letters 5/8 inch high in centre. Brown belts should be issued to plain's men serving in the Terai force.

Boots.—Black leather, ammunition.

Cap.—Blue with red woollen tuft; brass "B. P." badge for head constables and "B. P." letters in brass for constables.

(The head constables and constables of the Special Armed Force shall wear the badge prescribed for Gurkhas in the Eastern Forntier Rifles with letter, B. A. P." between the crossed kukris.)

Coat.—Blue serge, open down front with side cuts, standup collar with shoulder straps. Red piping round collar seam, down front and round coat, and on cuffs and shoulder straps. Two cross patch breast pockets with flaps and buttoned with a "B. A. P." horn button.

Five button-holes down left front for five 7/8 inch "B. P." horn buttons. The buttons to be secured to the coat by split rings. Two small 5/8 inch horn buttons and "B. P." letters in brass on shoulder straps.

Chevron.—One 3 bar chevron worsted on blue cloth to be worn point downwards on right upper arm, 5 inches from the sleeve joint. Chevron to be 6½ inches across, bars ½ inch wide inter pace one-eight of an inch (for head constables only) and one such 2 bar chevron (for naiks only).

Haversack.—Blue drill.

Knicker-bockers.—Blue serge with red piping down outer seam.

Putties.—Blue serge.

(Head constables wear the same uniform as constables, but with head constables' "B. P." badge in brass on cap.)

The rest of the uniform of all ranks is the same as in the plains, but Inspectors and Sub-Inspectors are permitted to wear serge uniform when the severity of the climate renders it advisable.

NOTE.—Mosquito nets will be issued in Darjeeling to men serving in malarious places such as the Terai.

946. The uniform of the officers of the Railway Police shall be the same as that of the District Police. They will be distinguished by a "B.R.P." badge ⅜ inch deep on the shoulder-straps of Inspectors and similar badges ¼ inch deep on the collars of Sub-Inspectors and Sergeants. **Railway Police.** [§ 12, Act V, 1861.]

Badge for head-dress of Assistant Sub-Inspectors and head constables.—"B. R. P." monogram encircled by a wreath surmounted by Imperial crown in brass.

Badge for head-dress of constables.—"B. R. P." monogram encircled crown above in plain brass.

947. *Badge.*—B. P. **Personal orderly staff of gazetted police officers.** [§ 12, Act V, 1861.]

Breeches (Jodhpur).—White drill. In the *mufassil* there is no objection to shorts (white drill) being substituted for breeches.

Coat.—White drill, turn over collar, buttoned down front—brass round flat buttons.

Fringe.—Blue, 3 inches wide, attached to 10 inches of red *salu.* (Silver, for the Inspector-General's orderlies.)

Kulla, red.—With two eyelets on either side, 3 inches from top.

Pagri.—White cloth, seven yards long (shall not be worn with tail).

Putties.—Blue serge.

Shoes.—Albart, black.

(*For winter season.*)

Khaki warm coat and khaki breeches (Jodhpur).—For orderlies who are required to go to Darjeeling or are required to do early morning or night duty in the winter.

Cardigan jacket.—Natural grey.

Greatcoat.—Without cape, of No. 1 Irish frieze dark shade.

Each of the orderlies proceeding to Darjeeling in connection with the move of the headquarters shall be supplied with a blanket.

NOTE.—(*i*) The head constable attached to the Inspector-General 's personal orderly staff shall wear the uniform prescribed above except that the fringe shall be of gold and the *kulla* gold embroidered.

(*ii*) Office orderlies shall were the uniform prescribed for constables of the Unarmed Police.

(*iii*) *Cycle orderlies* shall wear khaki *kurtas*, shorts khaki, putties khaki *pugris* red.

948. (*a*) *Serangs.*—(*i*) *Cap.*—Red worsted, with black ribbon containing the words "Police Launch." **Serangs Drivers and crews.** [§ 12, Act V, 1861.]

(*ii*) *Holdall.*—Red, *kharua.*

(*iii*) *Jersey.*—Warm, blue.

(*iv*) *Jumper.*—Dark blue drill.

(*v*) *Pyjamas.*—Dark blue drill.

(*vi*) *Waistcoat.*—Red Milton and embroidered with black braid.

(*b*) *Drivers.*—The uniform of a driver is the same as that of a serang, except that his waistcoat is dark green.

(*c*) *Crews—(including deck hands and engine-room hands)* (*i*) *Cap.*—Dark blue worsted, with ribbon, the same as for a serang.

(*ii*) *Greatcoat.*

(*iii*) *Holdall.*—Red, kharua.

(*iv*) *Jersey.*—Warm, blue.

(*v*) *Jumper.*—Dark blue drill.

(*vi*) *Payjamas.*—Dark blue drill.

(*vii*) *Sash.*—Red *salu,* 3 yards long.

(*viii*) *Waterproof coat.*

Manjhis and dandies of boats. [§ 12, Act V, 1861.]

949. *Cap.*—Straw, covered with blue drill, with name of boat in red.

(*i*) *Greatcoat.*

(*ii*) *Holdoll.*—Red, *kharua.*

(*iii*) *Jumper.*—Long blue drill, reaching to the knee.

(*iv*) *Payjamas.*—Blue drill.

(*v*) *Sash.*—Red *salu* (3 yards long).

(*vi*) *Waterproof coat.*

Uniform of Inspectors and Sub-Inspectors—how obtained. [§ 12, Act V, 1861.]

950. Inspectors and Sub-Inspectors shall make their own arrangements for providing themselves with the uniform prescribed in regulations 935 and 937. They shall have at least two serviceable outfits for ordinary wear and one for inspections and ceremonial occasions.

Uniform to be worn whenever on duty. [§ 12, Act V, 1861.]

951. (*a*) All subordinate police officers shall appear in uniform, whenever on duty, unless otherwise ordered by a superior officer.

Exception.—Officers attached to the criminal Investigation Department and Intelligence Branch, Detective Departments and District Intelligence Branches will not wear uniform, unless specially ordered to do so.

(*b*) Police officers off duty may wear either uniform or plain clothes but never partly uniform and partly plain clothes.

Prohibition to wear uniform in social or public functions [§ 12, Act V, 1861.]

952. Police officers are forbidden to attend social and similar functions, *e.g.,* meetings, entertainments, bioscopes, theatres, races, etc., in uniform unless on duty, or unless uniform is prescribed.

Police officers should not wear uniform when appearing in court as accused in a criminal case.

953. (*a*) All officers are responsible that those subordinate to them are clean and properly dressed when on duty. Before detailing any subordinate for duty, the officer detailing him shall inspect him and see that he is correctly, cleanly and tidily dressed. **Responsibility of officers for the dress of their subordinates. [§ 12, Act V, 1861.]**

(*b*) No unauthorized ornament or emblem is to be worn in uniform. If fountain pens, pencils and watches are carried the clips and chains should not be visible.

V—SUPPLY AND MAINTENANCE OF KITS.

954. (*a*) A sum to meet the cost of first kit and maintenance of Sergeants, Assistant Sub-Inspectors, head constables, naiks and constables and launch crews and boatmen shall be placed annually at the disposal of each Superintendent in his district budget under the head "Clothing charges", calculated approximately in round figures. This includes the cost of mosquito nets, brooches and medal ribbons for Assistant Sub-Inspectors, head constable, naiks and constables and the latter two items for Sergeants. **First kit and maintenance grants. [§ 12, Act V, 1861.]**

NOTE.—Appendix LV shows the details of the first kit and maintenance grants.

(*b*) The two grants (first kit and maintenance) as also the expenditure out of these grants need not be distinguished for purposes of accounts or stock-keeping but shall be treated as consolidated.

(*c*) The consolidated grant shall on no account be exceeded without the express sanction of the Inspector-General, no matter how many men are enlisted. All applications for extra grants under this head shall be supported by details and full reasons justifying the additional grants.

(*d*) No part of the grant for clothing shall be allowed to lapse at the close of the financial year. If only a small sum is unexpended, it can be used for the purchase of white coats, caps, kit boxes, cleaning materials, etc. Large unexpended balances shall be reported to the Assistant Inspector-General early in February each year.

(*e*) Expenditure in exceptional circumstances of more than the annual rate of the maintenance grant on individual Sergeants, Assistant Sub-Inspectors, head constables, naiks and constables in one year may be permitted provided the total expenditure in the financial year does not exceed the total maintenance grant calculated at the rate sanctioned for each officer.

955. (*a*) A list of the articles comprising the complete kit of Sergeants, Assistant Sub-Inspectors, head constables, naiks, constables, launch crews and boatmen is given in Appendix LV. **Complete kit for Sergents, Assistant Sub-Inspectors, head constables, naiks, constables, launch crews and boatmen. [§ 12, Act, V, 861.**

(*b*) Serviceable clothing shall not be issued with a first kit but serviceable equipment may be.

(*c*) All clothing issued under this regulation is the property of the Crown but the kit supplied to a Sergeant shall be regarded as his property so long as he remains in service.

NOTE.—Naiks shall wear the same uniform as constables, with a chevron of two bars.

Clothing on transfer. [§ 12, Act V, 1861.]

956. Sergeants, Assistant Sub-Inspectors, head constables, naiks and constables transferred from one district or railway to another or from district to railway and *vice versa* shall take their kits with them. In the case of transfer from district to railway or *vice versa* the badge and letters shall not be taken.

Kits for Assistant Sub-Inspectors under training at the Police Training College. [§ 12, Act V, 1861.]

957. Probationary Assistant Sub-Inspectors shall be provided by Superintendents with the following kit before they are despatched to the Police Training College and should also be furnished with clothing hand-books:—

(*i*) Belt (with belt plate)—One.
(*ii*) Caps, khaki fatigue with buttons and badges—Two.
(*iii*) Cardigan jacket—One.
(*iv*) Holdall—One.
(*v*) Kit box—One.
(*vi*) *Kurtas*—Five.
(*vii*) Mosquito net—One.
(*viii*) Shorts, khaki—Three.
(*ix*) Metal polish—One tin.
(*x*) Brown leather polish—One pot.

Kits for recruits under training at the Police Training College. [§ 12, Act V, 1861.]

958. (*a*) Recruits shall be provided by Superintendents with the following kit before they are despatched to the Training College and shall also be furnished with clothing hand-books:—

(*i*) Belt (with belt plate)—One.
(*ii*) Box, kit—One.
(*iii*) Caps (khaki drill complete with two small "B. P." buttons) —Two.
(*iv*) Cardigan jacket—One (unless despatched in March, April or May).
(*v*) *Durrie*—One (to supplied at a cost not exceeding Rs.6. The fact to be noted against the name in the candidate's register).
(*vi*) Haversack—One.
(*vii*) Holdall—One.
(*viii*) *Kurtas* (khaki half-sleeved)—Five.
(*ix*) Mosquito net—One.
(*x*) Shorts (khaki drill)—Three pairs.
(*xi*) Metal polish—One tin.
(*xii*) Brown leather polish—One pot.

Note.—Two khaki *pagris* instead of two khaki drill caps shall be issued to Sikh and Punjabi recruits.

(*b*) Superintendent should insist on each man providing himself with decent bedding.

(*c*) Clothing not in stock at the time of despatch of recruits to the College or required for replacement of kit damaged while at the College shall be sent to the Principal with the necessary issue form.

The Principal shall see that this clothing is issued to the recruit concerned, and entered in his hand-book, and that the issue form, after signature or attestation by thumb impression by the recruit concerned, is countersigned and returned to the district.

959. Umbrellas with covers and leather braces form part of the kit of traffic constables and shall be supplied from the clothing grant of the Superintendent concerned. The articles shall be entered in the stock book and issued to the officer in charge of the Traffic Police during the hot season. After the hot season they shall be withdrawn and stored carefully until needed again. **Equipment for Traffic Police.** [§ 12, Act V, 1861.]

960. Superintendent shall supply patients in the hot weather with 2 *kurtas* made of soft and absorbent material and 2 *doties* or white shorts. In the cold weather a warm grey flannel *kurta* will be supplied in addition. Bands (2 inches in breadth) made from condemned red *pagris* will be sewn on the upper part of the left sleeves of the *kurtas*. **Hospital kit.** [§ 12, Act, V 1861.]

The following is the sanctioned scale of clothing and bedding for Police hospitals:—

Clothing	Bedding.
Payjama—two per bed.	Coirmat—one per bed.
Cotton Jacket—two per bed.	Mattress—one per bed.
Flannel Kurta—two per bed.	Pillow—one per bed.
Towel small—two per bed.	Pillow case—four per bed.
	Bed sheet—four per bed.
	Mosquito net—one per bed.
	Blanket—two per bed.

A reserve equal to 50 per cent. of the articles mentioned above may be maintained in each Police hospital in order to meet the necessity on account of extra admissions, washing, etc.

The charge is debitable to the head "District Executive Force—Hospital charges—Other contingencies—Clothing and bedding of patients".

961. A whistle and khaki lanyard will form part of the kit of all Sergeants, head constables and naiks of the Special Armed Force and head constables and constables of the Town Police and shall be entered in the clothing register and in the clothing hand-book. The whistle shall not be deposited with the rest of the kit when an officer goes on leave. He shall be personally responsible for its safe custody and proper preservation and for its replacement in case of damage or loss. Whistles of officers who retire, die or resign shall be destroyed. **Whistles and lanyard.** [§ 12, Act V, 1861.]

NOTE.—All the Inspector and Sub-Inspectors shall provide themselves with whistles and lanyard of approved pattern

Period for which clothing should last. [§ 12, Act V, 1861.]

962. (*a*) The minimum period for which each article of clothing supplied at the cost of the Provincial Government is required to last is given in Apendix LVI.

(*b*) An article worn out in less than the prescribed period may, at the discretion of the Superintendent, be replaced wholly or partly at the expense of the officers concerned.

Issue and care of greatcoats. [§ 12, Act V, 1861.]

963. (*a*) Greatcoats shall be issued temporarily in October, November, December, January or February to Assistant Sub-Inspectors, head constables, naiks and constables who have to perform night duty. For, a guard furnishing two sentries five greatcoats shall be supplied—four for the sentries and one the officer when changing sentries.

(*b*) The number of greatcoats required shall be estimated according to the following sacle:—

Special Armed Force—One half of the force.*

Police-station staff—One-third of the force.*

Town Police—Two-thirds of the force.*

Railway Police—Whole of the force.*

In the district of Darjeeling, except in the Siliguri subivision greatcoats shall be issued to all Assistant Sub-Inspectors, head constables, naiks and constables as a part of their kit.

(*c*) After the cold weather, all greatcoats shall be called in, overhauled and stored till needed again.

Issue and care of waterproofs. [§12, Act V, 1861.]

964. (*a*) Waterproofs are provided for head constables, naiks and constables on escort duty, at railway stations, steamer *ghats* towns, and certain other posts, where they have to work in the open.

The waterproofs shall be entered in the list of Crown property kept at each post and not in the kit books of individual constables.

Waterproof shall be issued only for use during the rainy season. Officers coming off duty shall hand them over to their reliefs, and when not being used on duty they will be in the custody of the officer in charge of the police-station, or other unit, who will be held responsible that they are kept in proper order. They shall be inspected at the monthly kit inspection.

When not in use, they shall be hung up on the wall of the office or other room, a space being especially set apart for this purpose. They should on no account be kept in or near any hot place, or be put out in the sun to dry. When wet, they should not be kept crumpled up as that will weaken the cloth and impair the rubber. They should be washed, if necessary, with cold water only and without any soap. Oil in any form will seriouly damage them and particular care should be taken to remove at once any oil on them.

After the rains they shall be called into headquarters, overhauled and stored in a cool dry place until needed again. French chalk may be applied to the rubber side of the coat.

* Including the casualty reserve.

(*b*) The number of waterproofs required shall be estimated on the following scale:—

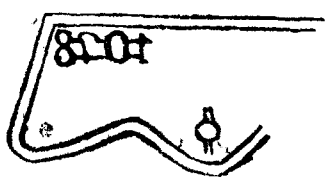
Special Armed Force—One-half of the force.*

Police-station staff—One-third of the force.*

Railway Police—Whole of the force.*

Town Police—Two-thirds of the force.*

965. A brass number shall be worn by head constables, naiks and constables on the top left hand corner of the right breast pocket. the upper edge of the digits to be in line with the left seam of the flap as illustrated below:— **Brass number for head constables, naiks and constables [§ 12, Act V, 1861.]**



966. (*a*) A marksman's badge, consisting of a single rifle, worked in silver on blue or khaki cloth (according to the colour of the uniform), shall be given to every head constable, naiks and constable who scores 75 per cent. or more of the possible and shall be worn for one year. It shall be neatly stitched horizontally on the left sleeve one inch above the cuff. **Marksman's badge. [§ 12, Act V, 1861.]**

(*b*) A register of markman's badges in manuscript shall be maintained in each district. The register, with an adequate number of badges, and an issue form (B. P. Form No. 186) shall be taken to the range daily during the musketry season. When a man earns a badge, his name shall be entered in the register and in the issue form, and the officer presiding shall issue a badge after taking the man's signature in the register as well as in the issue form. Necessary entry shall be made in the clothing hand-book later. Men who requalify the following year shall retain their badges and an entry shall be made to this effect against their names in the register. Those who fail to requalify shall return their badges and an entry shall be made in the register against their names. Special care must be taken to see that the necessary entries in the clothing hand-books and in the committee report book are duly made.

967. A *dobi* should be engaged to wash serviceable clothing taken away from officers and brought into store. Khaki material should neither be boiled nor heated nor exposed to the sun to dry after washing and the use of country soaps, mango peel, limes, soap-nuts (*rita*), *saji*, soda of any other ingredients containing the least acid, the action of which no dye, however fast, will withstand, should be strictly forbidden. Common yellow bar soap alone is all that is required for washing and to keep the garments clean and the *khaki* colour fresh in spite of long wear. The *dhobi* should also **Employment of dhobi for washing clothing. [§ 12, Act 1861.]**

* Including the casualty reserve.

occasionally be employed to iron and dry all clothing in stock in damp districts.

Empolyment of durzi constable. [§ 12, Act V, 1861.]

968. One *durzi* constable in the smaller and two in the larger district will be employed at headquarters for fitting new clothing and for repairing serviceable clothing. [*See* regulation 746 (*d*)].

VI—APPOINTMENT OF CONTRACTORS INDENTS FOR CLOTHING, CLOTHING ACCOUNTS AND KIT INSPECTION, ETC.

Appointment of contractors for the supply of uniform. [§ 12, Act V, 1861.]

969. (*a*) Tenders for the supply of uniform shall be called for, when necessary, in January each year, by the Inspector-General and contracts shall then be allotted in the prescribed manner.

(*b*) A list of the recognised clothing contractors, including jails, the articles which each contractor is to supply and the price fixed for each article, will be published in the *Police Gazette*.

Sealed samples.

(*c*) Samples of each of the approved articles of clothing duly sealed by the Assistant Inspector-General, shall be kept in each Superintendent's office for the purpose of comparison with the articles received from the contractors on indent.

(*d*) Every consignment of clothing shall on receipt, be compared by the Clothing Committee with the sealed samples, and if any articles are found to be inferior in quality or not in accordance with the pattern prescribed, they should be returned to the contractors and the facts reported to the Assistant Inspector-General.

NOTE.—The Superintendent, Darjeeling, is authorised to make his own arrangements for the supply of blue serge coats and knickers, Kilmarnock cap and blue drill haversacks which are prescribed specially for the police force of that district. He shall follow the procedure laid down in Rule 40A of the Bengal Financial Rules regarding contracts and tenders.

Indent for clothing. [§ 12, Act V, 1861.]

970. (*a*) Indents for clothing shall be sent direct to the contractors on the 1st May, 1st September and 15th December each year.

(*b*) Indents shall be in the prescribed form (B. P. Form No. 183) and shall show clearly the number and size of the articles required.

(*c*) Indents shall be carefully checked by Superintendents, who shall see that an unnecessarily large stock is not kept in hand, particularly in the rains. The amount of the indent should be compared with the consumption during the corresponding period of the previous year and should not largely exceed that amount without good reasons. Care should be taken that the proportion of the various sizes indented for corresponds with the probable requirements.

(*d*) The budget grant for clothing should be spent economically, and Superintendent will be held responsible that due care is taken to see that indents are not excessive.

(*e*) For extra police, additional police and guards supplied to private parties, railways, etc., separate indents shall be submitted for the clothing actually required as necessity arises.

971. On the receipt of intimation of the arrival of clothing from contractors, the Armed Inspector or the Reserve officer shall be deputed to take delivery. He shall have the packages weighed in the presence of the authority giving delivery, and if on comparison with the way-bill or railway receipt, it is found that the weight is short, a note shall be made on the way-bill or receipt, which shall be duly attested by both parties. The packages shall also be carefully examined before delivery is taken, especially in the rains, etc. If it is found that any are damaged owing to defective packing, the fact shall be at once brought to the notice of the Superintendent. **Taking delivery of clothing packages. [§ 12, Act V, 1861.]**

972. (*a*) A committtee shall be formed which shall ordinarily consist of the Superintendent or the Additional Superintendent, the Armed Inspector and the Reserve officer to examine all new clothing received from contractors, and all uniform returned by officers proceeding on leave for more than four months or leaving the force. **Uniform Committee. [§ 12, Act V 1861.]**

(*b*) The packages of clothing shall on receipt be opened in the presence of the committee. In the event of any shortage being discovered the Superintendent shall communicate at once with the railway authorities or with the contractors as the case may be. In the case of articles not conforming in all respects to the approved samples he shall act as in regulation 969 noting the fact in the Committee Report Book.

Clothing received from contractors shall be checked with invoices and returned clothing with hand-books.

973. (*a*) A Committee Report Book in B. P. Form No. 184 shall be maintained in two parts, *viz.* (*i*) for new clothing received from contractors and (*ii*) for returned clothing. The proceedings of the committee shall be serially numbered annually and the serial number noted against the entries concerned in the receipt side of the register of receipt and issue of clothing. **Committee Report Book**

(*b*) The Committee Report Book shall be put up along with the bills for clothing. The officer passing the payment order shall note the words "Payment orders passed" in the appropriate column of this book.

974. Clothing should be carefully stored in almirahs and shelves, and a sufficient quantity of napthalene or powdered borax used to keep away insects. The key of the clothing godown shall remain in the custody of the Armed Inspector. **Storage of clothing.**

975. (*a*) All clothing, whether for first kit or maintenance, shall be marked previous to issue with (*i*) the first three letters of the name of the district, (*ii*) date of issue, and (*iii*) the district number of the officer to whom issued, thus— **Marking of clothing. [§ 12, Act V 1861.]**



NOTE.—In the case of the 24-Parganas the abbreviation "Par" will be used.

(*b*) The mark shall be stamped with printing, marking or other indelible ink or paint on a small piece of white cloth which can be sewn on to the uniform, or in the case of *pagris,* jumpers, coats, blouses, shorts, trousers, knickers, haversacks, holdalls and caps, the mark may be put on the article itself, care being taken not to cause disfigurement.

Clothing hand-book.

976. (*a*) Each Sergeant, Assistant Sub-Inspector, head constable, naik and constable shall be provided with a clothing hand-book in B. P. Form No. 185 which shall be written up in the Reserve office at the time of issue of clothing. When any serviceable article is issued, an "S" shall be noted against it.

(*b*) When an article is destroyed or disfigured as unserviceable or taken away for any other reason, it shall be struck through and the correction initialled and dated.

(*c*) Any Assistant Sub-Inspector, head constable, naik or constable who loses his hand-book shall be presumed to have a full kit and shall be required to pay the price of any articles missing, or such portion of the price of all or any articles missing, as the Superintendent thinks fit, due allowance being made for fair wear and tear.

(*d*) In case of doubt, a scrutiny of the issue forms (B.P. Form No. 186) for two years previous will show what articles of clothing an Assistant Sub-Inspector, a head constable or constable should have (except greatcoat) as every officer of these ranks may be presumed to have in his possession a belt, holdall and the requisite buttons, badges and "B. P." letters. In the case of greatcoats a consideration of the time of year and the post at which the defaulter is stationed (*vide* regulation 963), together with the evidence of his fellow constables and the officers at that post, will enable the Superintendent to decide whether he had or had not a greatcoat in his possession.

(*e*) The kits and hand-books of officers of and below the rank of Assistant Sub-Inspector going on leave shall be taken from them and kept in a place of security until they return. (*See* regulation 981.)

(*f*) One hand-book should last an officer throughout his service, and though taken away from him while on leave for more than four months, the same hand-book shall be re-issued on his return from leave. The Armed Inspector shall check the clothing of officers going on leave or finally retiring from the service against the hand-books and shall certify that the hand-book is correct. If any mistakes or shortages are found at this time, the officers shall be produced before the Superintendent before he is allowed to proceed on leave or to resign the force.

Monthly and quarterly check of clothing stock.

977. The stock of clothing shall be checked monthly with the register of receipt and issue of clothing, the committee report book and the defect lists and issue forms by the Armed Inspector who shall certify to the correctness of the stock and accounts (*vide* regulation 896). In districts where the Armed Inspector is not literate in English, this check shall be exercised by the Assistant or Deputy Superintendent. Once a quarter the Superintendent or Additional Superintendent shall check the actual stock with the various registers

and certify to their correctness below the last entry in the register of receipt and issue of clothing.

Kit inspection when and by whom held.

978. Kit inspection shall be held for all ranks, who are supplied with clothing at the cost of the Provincial Government in the manner detailed below:—

(*i*) The Superintendent or Additional Superintendent shall hold kit inspection in the lines and in the sadar police-station once a month as early in the month as possible. Except in the case of the 24-Parganas Howrah, Dacca and Hooghly the Sadar Town Police shall also be required to attend this kit inspection. In the case of Howrah and Dacca the gazetted officer in charge of the Town Police shall hold kit inspection once a month, but may spread his inspection out over the month, inspecting the kits of so many town outputs a week. In the 24-Parganas and Hooghly districts, the Superintendent will arrange that inspections in town outposts shall be made as often as is practicable by himself, his Additional, Assistant or Deputy Suprintendent. The Superintendent or his Additional Superintendent shall hold kit inspection as *mufassil* subdivisional headquarters, *mufassil* police-stations and outlying towns at the time of their annual inspections. Subdivisional Police Officers shall similarly hold kit inspections at the police-stations within their subdivisions, in conjunction with their annual inspections. Circle Inspector shall also hold kit inspection at the time of their yearly or half-yearly inspections of the police-stations within their circle. When holding these inspections, the officer shall prepare in B. P. Form No. 187 a defect list in which shall be entered all clothing which is to be supplied, *i.e.*, items to replace articles which he has condemned, as well as items required to make up the deficiences in a full kit. Defect lists need not be used at kit inspections at headquarters, viz., at kit inspections of the Special Armed Force, Town Police, sadar police-station and sadar court.

(*ii*) In cases where clothing which has been condemned at kit inspections is replaced at the time of such inspections or immediately afterwards the condemned articles shall be destroyed in the presence of the officer holding the inspection in such a way that it will be impossible to substitute the condemned garments for garments which may have been lost or in any other way misappropriated. In other cases the condemned articles shall be destroyed (after new items have been supplied in replacement of condemned ones) in the presence of the officer who distributes new kit and the distributing officer shall certify on the issue form that new clothing has been issued and the condemned items destroyed in his presence.

(*iii*) Articles which have been lost or condemned shall be struck off the individual's clothing handbook by the inspecting officer, under his initials and date. Where the inspecting officer finds that an article has to be condemned before the expiry of the prescribed period for which it should last, or where an item has been lost, he shall prepare a report detailing these facts with his opinion, which shall be formed after due enquiry, as to the responsibility of the individual concerned and his orders (in the case of the Superntendent) or (in the case of other inspecting officers) recommendations as to the

amount, if any, which he should pay towards the cost of the new garment. The defect lists, together with these reports and hand-books, shall then be sent to the Reserve office for action in accordance with regulation 980. The Armed Inspector may hold kit inspection on full dress parades of the Special Armed Force and other officers, in the lines whenever he considers it necessary, but shall not condemn clothing or prepare defect lists. Such parades shall be held with a view to seeing that the officers are clean and are well turned out and that their clothing is properly cared for. Kit inspection shall be held monthly before the distribution of pay by all officers in charge of police-stations and Court officers. The inspection should be thorough and the officer in charge shall be held responsible that the kit tallies with the hand-book and that it is clean and carefully looked after. The fact that the inspection has been made shall be noted by the station officers in their general diaries and by Court officers in their daily reports. No defect reports on these inspections shall be submitted, the object being only to ensure that Assistant Sub-Inspectors, head constables, naiks and constables have their kit in order. If, however an article of kit is found missing or badly damaged, an enquiry shall be made by the Sub-Inspector as to the reasons therefor, a report of which shall be put up to the next officer visiting the police-station or court who is empowered to hold kit inspection.

NOTE.—(*i*) All amounts recovered from the pay of any officer on account of the cost of any article lost or damaged shall be credited under the head "XXIII —Police", The Inspector-General is authorised to sanction, where necessary, refund of any amount previously recovered if any article is subsequently traced [*vide*. Government of Bengal, Home (Police) Department letter No. 2032 (2) PI., dated the 22nd October 1940].

(*ii*) Medals are to be shown at kit inspections when the inspecting officer should ascertain that they are the property of the individual showing them.

Method of kit inspection.

979. Inspections shall be carried out on all occasions in the following manner:—

(*i*) Holdalls shall be stretched in a straight line, and upon them shall be neatly laid out the different articles of kit.

(*ii*) Officers shall stand to attention, each behind his own kit. Belts shall be passed through belt hooks.

(*iii*) Officers shall always wear their best suits at inspections.

(*iv*) Long hair shall not be permitted. Those who shave shall be clean-shaven.

(*v*) *Pagris* shall be tied in one approved pattern. Buttons and badges shall be highly polished. The fit of the collar and length of the coat and sleeves shall be noticed. Accountrements shall be clean and polished.

(*vi*) After noting any defects and pointing them out to the officers concerned the inspecting officer shall proceed to examine the kits. Each officer's kit shall be carefully examined, article by article, and compared with his hand-book, a note being made of what is missing and what is required to complete the kit, and whether clothing has lasted a fair time.

(*vii*) Having made a complete and careful inspection and taken notes for his report, the inspecting officer shall give the order "Squad, close kits," and the officers shall squat down. At the word "one," they shall fold up each article carefully and tie up kits in their holdalls, which they shall hold in their right hand. On the word "two" (which order shall be passed when all have completed tying up their bundles they shall stand up within the bundles in their right hands. On the word "dismiss," they shall move off quietly to their quarters, where they shall place their bundles on their coats and remain standing at attention, while the inspecting officer goes round the barrack to see that all is clean and in order.

(*viii*) Officers shall be made to supply themselves with brances which shall always be used with knickerbockers and trousers. The latter shall always overlap the boots.

Defect lists how to be dealt with.

980. (*a*) The defect lists referred to in regulation 978 shall as receive in the Reserve office, be given an annual serial number, and this number shall be referred to in the relevant issue form. They shall then be put up to the Superintendent or Additional Superintendent who shall pass orders thereon to supply the articles mentioned, giving the total of each item in figures and words. The Reserve officer under the personal supervision of the Armed Inspector shall then proceed to issue clothing in accordance with the orders passed on the defect list. All clothing shall be issued in Issue Form No. 186 on which the signature of the recipient shall be taken. These issue forms shall have a new serial number each year and be filed in consecutive order so as to form vouchers of expenditure, the serial number and the total of each being shown on the issue side of the register of receipt and issue of clothing. The number of the the issue forms should also be entered on the defect list which it is intended to comply with. Should it be impossible for any reason, such as the non-receipt of any particular items from the contractors, to supply the requirements noted in a defect list in one single issue form, the defect shall be kept pending until such time as it has been fully compiled with and the numbers of the various issue forms, which have been untilised to supply in part, the items shown in the defect list, shall be noted thereon. When a defect list has been fully complied with, it shall be filed along with all other defect lists which shall be retained for a period of three years. In issue forms and defect lists all blank columns shall be penned through and all totals shall be struck in figures and in words. Issue forms shall be bound in books. The original copy shall be sent to the police-station or other post concerned for the purpose of taking the receipt of the individual to whom kit is to be issued and shall subsequently be returned to the Reserve office with the certificate thereon from the officer in charge that the clothing has been issued in his presence, and compared with the hand-books and shall on receipt be checked by the Armed Inspector.

(*b*) Hand-books shall be entered up in the Reserve office at the time issues are made. The actual writing of the hand-books may be delegated to a Sergeant, Sub-Inspector or Assistant Sub-Inspector in the Reserve office, but the entries must be checked against the issue

forms by the Armed Inspector. In the left-hand column of the hand-book shall be noted the number and date of the issue form in which the issue is authorised, *e.g.*, I. F. No. 7, dated 14th February 1927.

(*c*) In district where such a practice is feasible, *e.g.*, in districts where touring is done by launch or in Railway Police districts, the following practice is found economical both of time and money. When the Superintendent or Additional Superintendent sets out to inspect a police-station or series of police-stations, he may take with him a number of complete kits. At the time of inspection he can make out the defect list and the necessary issue form with his orders and signature on each and make the requisite issues of clothing direct to the individual concerned, entering up the hand-books himself or by means of his stenographer or one of the police-station staff, in the latter case satisfying himself of the correctness of the entries.

Clothing and hand book of officers leaving the force. [§ 12, Act V, 1861.]

981. The clothing and hand-books of all ranks, who are supplied with clothing at the cost of the Provincial Government, leaving the force by resignation, discharge, dismissal or death, and of Assistant Sub-Inspectors and head constables promoted to the rank of Sub-Inspector, shall be returned into store. A committee shall be held as laid down in regulation 972, and the clothing classified by the Superintendent as *new, serviceable or unserviceable* and the hand-books amended accordingly. New and serviceable clothing shall be taken into stock and entered in the appropriate receipt side of the register of receipt and issues of clothing, quoting the committee number. Clothing of Assistant Sub-Inspectors, head constables, naiks and constables granted leave for more than four months shall be dealt with similarly. Unserviceable clothing and the clothing of those who have suffered from infectious diseases shall invariably be destroyed.

Responsibility of officers regarding the upkeep of clothing. [§ 12, Act V, 1861.]

982. (*a*) Officers in charge of Court offices, Reserve offices and lines, Town Police and police-stations are responsible that the officers under them look after their clothing with due care.

(*b*) Coats, shorts and *pagris* get damp both from rain and from perspiration. These garments should never be put away damp into boxes or holdalls, because if this is done they are bound to rot. Such garments should be aired or dried first and then folded neatly. Cardigan jackets are only required in the cold weather. When no longer required for wear, they should first be carefully washed and dried. A few *neem* leaves, napthalene balls or powdered borax should be put in the cardigan jacket before it is folded and put away for the hot weather. Haversack should be carefully washed periodically. Boots and shoes must be well cleaned. Without the use of any polish or dubbin, the leather is bound to dry and crack. Similarly, when the stitching begins to give way or a hole appears anywhere, the boot or shoe must be taken to the *muchi* for repair.

(*c*) All ranks to whom free clothing is issued are expected to give the same attention to this free clothing that they would give to their own private clothing, and all articles whether cloth or leather must be repaired at the expense of the wearer as soon as the first hole or tear appears.

(*d*) Before depositing kit when proceeding on leave, every officer must have each item carefully washed and Superintendent are entitled to detain in the lines, until this has been done, any officer who neglects this regulation.

CHAPTER XX.

Arms, Ammunition and Stores.

983. Arms, ammunition, all articles and appurtenances necessary for the cleaning and repairing of arms, including regulation packing cases, are called ordnance stores. **Definition of ordnance stores. [§ 12, Act V, 1861.]**

984. (*a*) The scale of arms sanctioned for each district will be published in the *Police Gazette* in January every year. **Scale of arms. [§ 12, Act V, 1861.]**

(*b*) The Inspector-General has power to modify the district scales, but the sanction of the Central Government is requried to effect any increase in the total number of muskets allotted to the province. Indents for making good deficiencies or for replacing unserviceable arms do not however require such sanction. (Government of India, letter No. 1076, dated the 21st October 1910).

(*c*) On indents supported by Government orders all ordnance stores (except ammunition) will be supplied in the first instance by the Allahabad Arsenal. Thereafter they will be replaced on indents as prescribed in the following regulations. Ammunition for muskets will be obtained from the Fort William Arsenal.

985. (*a*) The scale of ammunition has been fixed as follows:— **Scale of ammunition. [§ 12, Act V, 1861.]**

For service—

Ball—Fifty rounds per musket.

Bukshot—(1) Fifty rounds per man sanctioned for treasury guards, magazine guards and escorts only.

(2) Ten rounds per police post, viz., thana, station boat, floating outpost, patrol launch, etc.

For practice annually—

Ball—Thirty rounds per man in the district.

Blank—Fifteen rounds per man put through the annual musketry course *plus* 8 boxes of 180 rounds each in each district to provide for practising *feu-de-joie,* misfires, etc.

Buckshot—Five rounds per man put through the annual musketry course.

(*b*) For the purposes of calculating the amount of practice ball ammunition allowed for each district, the total sanctioned numbe: of Assistant Sub-Inspectors, head constable, naiks and constables shall be added together, but at no time shall any district hold more than 30 rounds of practice ball ammunition per weapon.

Arms—responsibility of Superintendents. [§ 12, Act V, 1861.]

986. Superintendent shall be responsible for the arms in their districts. On assuming charge they shall carefully examine the arms and distribution account (B. P. Form No. 188) and bring any defects to the notice of the Deputy Inspector-General of the Range.

General instructions regarding indents for ordnance stores. [§ 12, Act V, 1861.]

987. (*a*) In indenting for ordnance stores the greatest possible care should be observed in the use of the proper forms, in filling in the proper columns and in nothing the necessary references and certificates, such as the Government sanction or authority. In making any entry no column or space other than the allotted one should be used. If any additional space is required entry should be made on the other side of the form, or on a separate sheet of paper.

(*b*) In preparing these indents only printed forms should be used, and these are to be obtained from the Central Government, Forms Stores [*vide* regulation 1283 (*b*)]. Superintendents should keep in stock a sufficient quantity of these forms.

(*c*) The purpose for which the stores are demanded must be clearly stated in the remarks column, e.g., "required for first issue;" "to replace unserviceable;" "to complete proportion;" "for repairs and re-issue;" or in the case of ammunition, "for the periodical supply authorised."

NOTE.—The procedure for the replacement of lost or damaged arms or lost ammunition is laid down in regulation 994(*e*).

(*d*) The number and date of the original letter of the Central Government or the Provincial Government authorizing the supply should be written at the top of the form.

(*e*) Every requisition must be signed by a gazetted officer when the Superintendent is himself unable to sign it.

(*f*) Separate requisition vouchers (forms must be submitted for each of the following stores indented for or returned, and such articles must also be returned separately:—

(*i*) Small arms and components.
(*ii*) Ammunition.
(*iii*) Empty cartridge cases.
(*iv*) Condemned arms.
(*v*) Condemned ammunition.
(*vi*) Condemned stores.
(*vii*) Surplus articles.

(*g*) The correct vocabulary nomenclature should always be used. If this is not done it is difficult to know what is really required.

(*h*) In all indents for arms, the full description must be given of those in possession, as well as of those required. All indents for arms and ammunition must show in detail the actual items required.

(i) In all indents for arms and ammunition and in sending arms for repairs and replacement the designation of the actual consignee, his address, the means of conveyance and the route should be clearly specified, the name of the nearest and most convenient railway or steamer station being given.

(*j*) The Arsenal authorities will not send any ordnance stores except small arms ammunition by passenger train, unless a request to that effect be endorsed on the requisiton. In such cases sanction to the extra cost to the Provincial Government over that at goods train rates is required, and when such has been incurred, a request by the Arsenal is attached to the delivery voucher, asking the Superintendent to obtain the requisite sanction.

In case any stores are demanded by telegram, they will, in accordance with the above regulation, be issued by passenger train, unless a request for despatch by the cheapest route is embodied in the telegram.

(*k*) Condemned and unserviceable arms, component parts of arms and ordnance stores must on no account be sold locally, but must be returned to the Arsenal, as must empty brass cartridge cases (short or long) and lead, which should be dug out of the butts annually.

Empty drums of oil, lubricating G. S. shall, however, be disposed of locally by public auction and the sale proceeds credited to the treasury.

(*l*) The cost of arms equipment and stores issued from the Arsenal is, under the orders of the Central Government, debited to the Police Department, and the articles therefore become its property.

(*m*) The value of unserviceable arms and ordnance stores returned to the Arsenal will be paid into the Reserve Bank of India to the credit of the Police Department.

(*n*) When ordnance stores including wooden cases are returned by the Police Department to the Arsenal, original credits for the same with the deduction of 10 per cent. on the total value are afforded by the Military Audit officer concerned to the respective Accounts officers of the consignors.

(*o*) Indents for which no disposal orders are necessary should be submitted in a single copy. Where disposal orders are necessary indents should be submitted in duplicate and the original copy will be treated as an indent on which stores will be issued and the duplicate copy will be returned to the indenting officer with the necessary disposal instructions. Indents for the component parts of arms to be supplied by the Allahabad Arsenal should be submitted *in duplicate.*

Indents are not required for the return of arms repaired by the Arsenal.

(*p*) All indents should be submitted in I.A. Form No. Z. 2098 to the Deputy Inspector-General of the Range for countersignature and transmission to the Arsenal concerned. Applications for the

repair of arms should be submitted in I.A. Form No. O. 1370 in quadruplicate. Three copies of the application will be returned by the Arsenal to the applying officer with the necessary orders stating the date by which the arms should be sent to the Arsenal for repairs. On this authority the applying officer will treat the three copies of the forms as an issue voucher and will arrange to despatch the arms to the Arsenal.

(*q*) Vouchers for arms or other ordnance stores sent for repair and return shall be marked with the word "deposit" in red ink in a conspicuous place. Those for stores finally returned shall be marked in red ink "finally returned to ordnance stores."

(*r*) Stores in section H1, K, L and Q1 of the Vocabulary of ordnance stores, India, are supplied by the Fort William Depot, Calcutta. Indents for these stores should be submitted in *duplicate*.

Indents for ammunition. [§ 12, Act V, 1861.]

988. (*a*) Requisitions for ammunition, as it is periodically required, shall be submitted in duplicate in I.A. Form No. Z. 2098 through the Deputy Inspector-General of the Range to the Officer in charge, Fort William Arsenal and a certificate in B. P. Form No. 189, duly filled in and signed by the indenting officer shall invariably be attached to each indent. In all requisitions the description of weapons for which the ammunition is required shall be given in the term used in the Arsenal. A first issue of ammunition shall always be distinguished from a periodical supply, a separate requisition being submitted in each case. A note shall be made on all indents that the Superintendent is prepared to receive the ammunition.

(*b*) The demand for practice and service ammunition shall be shown separately; one description of ammunition shall not be indented for in lieu of the other. This precaution is very necessary, as practice ammunition should cover all expenditure and service ammunition should never be deficient.

(*c*) If there is any deficiency owing to loss of cartridges or fired cases, the Superintendent shall submit to the Deputy Inspector-General of the Range a statement of the number of cases so lost with a committee report.

(*d*) The Deputy Inspector-General shall, if the explanation is considered satisfactory, sanction the writing off of the defficiency and the supply of the ammunition on indent.

(*e*) The Arsenal authorities will issue ammunition only in exchange for fired cases returned, *plus* those lost and written off as laid down in the preceding clause. Only fired metal cases shall be returned.

(*f*) The requisition demanding ammunition in replacement shall be supported by a quotation of the Arsenal receipt voucher for fired cases or the railway receipt in which cases are under despatch.

(*g*) Fired cases of ball cartridges shall be returned only in numbers representing full boxes of 180 rounds and blank or buck-shot cases, if of metal, in packets of 10 rounds each.

989. The Equipment Tables of civil police and jails show the components of a musket ·410 bore and the scale sanctioned for one year's supply. **Component parts of muskets. [§ 12, Act V, 1861.]**

NOTE.—The Equipment Tables have been issued to all districts.

990. (*a*) All actual expenditure from the stock of components shall ordinarily be recouped annually by Superintendents on requisitions through the Deputy Inspector-General of the Range to the Allahabad Arsenal. If, however, the reserve of component parts is at any time exhausted, indents may be submitted at any other time. **Indent for component parts. [§ 12, Act V, 1861.]**

(*b*) Components shall only be issued by the Arsenal in exchange for the actual number of unserviceable components of the same description, returned to the Arsenal. The requisition must, therefore, show the number and date of the receipt voucher for such returned articles. Should there be a deficiency of unserviceable components returned, the procedure laid down in regulation 988, must be followed.

(*c*) Superintendents shall see that armourers do not use components without due reason and that no bazar-made components or components made by the district police armourers themselves are used. No components shall be issued to the armourer without necessary entries being made in the Reserve office stock book and the armourer's receipt taken.

(*d*) All unserviceable components shall be deposited in the store-room after entering them as such in the stock book.

991. A Sub-Inspector, Assistant Sub-Inspector, head constable or naik shall be deputed to take delivery of any stores from railawy or steamer stations; before doing so he shall weigh each case or package and examine the seals. Should he have any cause to suspect that such case or package has been tampered with, he should report the matter to the Armed Inspector for orders. **Taking delivery of stores. [§ 12, Act V, 1861.]**

992. (*a*) Receipts for stores issued from the Allahabad or Fort William Arsenal shall be signed and returned by receiving officer without delay through the Deputy Inspector-General of the Range to the Ordnance Officer in charge of the Arsenal, with a view to their transmission to the Examiner of Ordnance Accounts as vouchers for the adjustment of ordnance accounts. **Receipts for ordnance stores to be returned immediately. [§ 12, Act, V, 1861.]**

(*b*) A close adherence to the foregoing clause is particularly requested, as much correspondence, labour and trouble fall on the Arsenal through the departmental rules not being adhered to by officers indenting for or returning stores.

NOTE.—(*i*) Receiving officers should return receipt vouchers as soon as possible after Ordnance stores are received in order to facilitate prompt adjustment of accounts.

(*ii*) The Superintendents, 24-Parganas and Howrah shall present the receipted copy of the issue voucher to the Ordnance Officer, Fort William Depot, Calcutta, before they take delivery of the stores.

Boxes containing ordnance stores, how to be opened. [§ 12, Act V, 1861.]

993. On receipt of ammunition or stores from the Arsenal, the boxes shall be carefully examined to see that they have not been damaged in any way in transit, but they shall not be opened until required for immediate use. Boxes of ammunition, the seals of which are intact, shall not be opened for the purpose of counting the contents only, as the boxes cannot be soldered up again satisfactorily and, if left open, the contents are likely to deteriorate. The quantity in the invoice from he Arsenal may be acceped as correct. (*Vide* Inspector-General of Ordnance's letter No. 1478-2940, dated the 13th March 1900.)

Committee on ordnance and other stores.

994. (*a*) A committee shall be formed, which shall ordinarily consist of the Superintendent or the Additional Superintendent, the Armed Inspector and the Reserve officer to examine new arms and accoutrements and other ordnance stores, all new furniture, camp equipage and other dead stock received. The proceedings of the committee shall be entered in a register in B. P. Form No. 190. When articles are taken on stock a cross reference shall be made to the page number of the stock book on which they are entered.

(*b*) A similar committee shall also be held on arms and other ordnance stores which are found unserviceable. A report shall be drawn up in Army Form No. A. 2 and signed by each member of the committee. The committee shall come to a definite decision as to how the article came to be unserviceable, i.e., whether through fair wear and tear or otherwise. If the period the articles have been in use cannot be ascertained, a certificate to that effect shall be entered in column 4 of the requisition (I.A. Form No. Z. 2098).

(*c*) A similar committee shall also examine any stores, ordnance or departmental, when transferred to and received from oher districts temporarily or otherwise. The proceedings of the committee shall be entered in B. P. Form No. 190.

(*d*) A similar committee shall also pass orders regarding all condemned camp equipage and other dead stock.

(*e*) In the case of lost or damaged arms and parts thereof and lost ammunition a committee of three officers shall enquire into the circumstances under which the articles were lost or damaged and decide whether the cost of replacement shall be borne by the Provincial Government or otherwise.

The committee shall, when possible, consist of the Superintendent or the Additioal Superintendent, an Assistant or Deputy Superintendent and an Inspector. Where three such officers are not available the Ordnance Department will accept a certificate signed by the Superintendent that a committee of the required number could not be convened.

(*f*) The report of the committee which shall be in Army Department Form No. A.F.A. 2 shall be submitted by the Superintendent to the Deputy Inspector-General of the Range with the indent for orders.

NOTE.—It will not be necessary to submit along with the requisition for replacement of lost arms and ammunition the committee's report thereon to the Ordnance Department, which should be filed in the Deputy Inspector-General's office. The following certificate should, however, be entered on all copies of such requisitions:—

"Certified that the loss of (state the number and descriptions of articles lost) has been duly investigated, and I accordingly sanction the write-off".

(*g*) When the loss or damage of arms, ammunition, etc., is found by the committee to be due to carelessness the committee shall assess the actual value of such articles and direct that the amount be deducted from the pay of the officer at fault, I. A. Form No. A 498 being used for this purpose.

995. All ordnance stores, excepting arms and ammunition, shall be entered in the Reserve office stock book (*vide* regulation 906). **Stock book. [§ 12, Act V, 1861.]**

996. All arms are numbered by the Arsenal. **Marking of arms. [§ 12, Act V, 1861.]**

An additional distinguishing district mark, as prescribed in Appendix LVIII together with a district number shall be stamped on each musket.

997. (*a*) All arms and component parts, when not in use, shall be kept in racks in the armoury, and ammunition in the magazine. The magazine shall be separate from the armoury and built according to the type plan of 1913 which has been accepted by the Chief Inspector of Explosives. **Armoury and magazine and custody and care of arms and ammunition. [§ 12, Act V, 1861.]**

(*b*) The following instructions shall be observed:—

(*i*) No lights or smoking on any account shall be allowed inside or near the magazine.

(*ii*) Oiled cotton rags and waste and articles liable to spontaneous ignition shall not be taken into the magazine

(*iii*) Magazines shall be provided with lightning conductors and these shall be tested at least once a year.

(*iv*) The magazine shall at all times be kept scrupulously clean.

(*v*) No unauthorized person shall at any time be admitted into the magazine.

(*vi*) Empty boxes shall not be kept in the magazine nor any loose packet material.

(*vii*) The Deputy Inspector-General shall inspect the magazine at the time of his annual inspection of the district headquarters.

(*viii*) The following shall be hung up in the magazine:—

A copy of these instructions.

A statement showing the sanctioned stock of the district.

Certificate showing the last date of testing of the lightning conductor.

(*ix*) Ammunition in the magazine shall be kept on trestles well raised off the ground. The boxes shall be kept apart to prevent dry rot and for prompt detection of the presence of white-ants. The legs of all such trestles should be treated with mortant or other such preparation or inserted in containers of water so that white-ants cannot crawl up to the trestles.

(*c*) The Armed Inspector shall be responsible for the safe custody of the keys of the armoury and the magazine. He shall keep them in his personal custody at night. When he leaves headquarters he should make over his keys to the Armed Sergeant, or where there is no Sergeant, to the senior Armed Sub-Inspector.

When making over and taking over the keys both officers should satisfy themselves by check with the registers that the arms and ammunition are intact and in each case the officer taking over should give a receipt for the arms and ammunition in hand. Duplicate keys shall be kept in the custody of the officer in charge of the guard over the magazine and the armoury in a sealed packet or box which shall be examined by the Armed Inspector every day. The Armed Inspector shall be responsible for the proper care and custody of the arms and ammunition and shall keep all accounts and registers appertaining to them. He shall see that the arms in store are clean and in good order, and that all arms issued from and received into store are properly brought to account. He shall examine all arms, etc., returned to his care and bring to notice any deficiency or damage.

NOTE—This regulation shall apply as far as practicable to subdivisional headquarters where ammunition is kept in small quantities only for emergencies and is renewed from time to time as necessity arises. The senior officer will perform the daties of the Armed Inspector in clause (c) above.

(*d*) Officers to whom arms are issued shall be responsible for them until they are returned to store.

(*e*) In giving instruction in the care of arms, stress shall be laid on the following points:—

(*i*) Care shall be taken to prevent the barrel being bent or dented. A musket should never be used for carrying weights.

(*ii*) The Care shall be taken not to run the muzzle into the ground. Should this be accidentally done, the dust shall be at once removed; for if the musket be fired with any obstruction in the muzzle, the barrel will probably burst.

(*iii*) The foresight shall be carefully protected from being bent, blunted or otherwise injured.

(*iv*) The "pull off" of a musket should be between 6 lbs. and 8 lbs., but never less than 6 lbs. Any defects in the "pull off" shall be rectified by the armourer only.

(*v*) A trigger-tester may be used to ascertain the weight of force required to "pull off".

Storage, classification, examination and test and issue of ammunition. [§ 12, Act V, 1861.]

998. (*a*) General instructions for the storage, examination and test of shall arms ammunition, which have been drawn up by the Inspector of Ammunition are given in Appendix LVIII.

(*b*) "Service ammunition" is the quantity of ball and buckshot ammunition which is always to be maintained in stock as reserve to meet emergencies.

(*c*) "Practice ammunition" is the quantity of ammunition, ball blank and buckshot which is yearly expended for exercise and practice.

(*d*) Ammunition for service and for practice shall be kept separate. Service ammunition shall not be expended for practice. The "service" of one year shall be used for practice in the next year so as to ensure old stock being used.

(*e*) Each box of ammunition on receipt shall have a label pasted on it showing clearly (*i*) the contents, (*ii*) the date of receipt and (*iii*) whether it is for service or practice. All ball and buckshot

ammunition on receipt shall be classified as service in the first instance and an amount of the oldest service ammunition in stock equal to the amount received from the Arsenal shall be transferred to practice and labelled "practice" with the date of original receipt.

(*f*) All ammunition issued to guards and escorts shall be from service ammunition.

(*g*) Whenever any ammunition is expended, the officer in charge of the party shall count all unexpended ammunition in pouches and all empty cases piked up, and shall be responsible for any deficiency.

(*h*) Buckshot, cartridges, when carried loose in large pouches, quickly become unserviceable, and must be changed frequently. These shall, therefore, always be carried in the expense pouch. If they fit loosely in the pouch, a piece of soft dry cloth should be inserted to prevent the pellets being shaken out.

(*i*) Ammunition carried in pouches shall be expended for practice after certain periods, which shall be fixed after tests have been carried out with the pouch ammunition. These periods will naturally vary with the climatic conditions in different districts.

(*j*) As blank ammunition readily absorbs moisture when exposed to the air, having no bullet to protect the charge, boxes of this ammunition shall not be opened at damp stations until the ammunition is actually required for use, and shall not then be kept open longer than is necessary. A box having been once opened shall be temporarily reclosed by means of a tape band secured by shellac, cement or varnish, if the contents are not expended at the time.

(*k*) To meet sudden emergencies, four boxes each containing 180 rounds ball shall always be kept open in the magazine gurad room.

Distribution account of arms. [§ 12, Act V, 1861.]

999. (*a*) A detailed account of arms shall be kept, showing their distribution in B. P. Form No. 188. This form consists of two parts. Part I will contain a permanent record of all muskets and bayonets sanctioned for the district, with the Arsenal and district numbers noted in the appropriate columns. The entries in columns 6 and 7 should be made in pencil so as to be easily erased as occasion arises. For example, when a particular musket issued to a police-station is changed after six months, the pencil note showing the distribution should be erased and a fresh note made when the same musket is issued elsewhere. The issue of muskets to police-stations or guards, etc., should be shown both in Parts I and II, one part serving as a check on the other, but no entry should be made in columns 6 and 7 of Part I unless the issue is for a period exceeding 15 days. Part II will show the actual distribution of arms, and the headings are self-explanatory. Any issue or receipt shall be noted in the proper columns and the number present in the armoury shall be shown on the last day of the month when column 7 should be filled in. The temporary issue of arms for periods below 15 days should not be shown in Part I, but must be shown in Part II.

(*b*) In the first week of very month the Superintendent shall certify at the foot of the register that he has personally satisfied himself that all muskets, bayonets, etc., allotted to the district are available and

can be satisfactorily accounted for. During the Superintendent's unavoidable absence, which should not occur in two consecutive months, the certificate shall be given by an Assistant or Deputy Superintendent or by an Inspector.

Ammunition account. [§ 12, Act V, 1861.]

1000. (*a*) An account of the receipt and issue of ammunition shall be kept in a register in B. P. Form No. 191.

(*b*) Ammunition shall be expended according to the date of manufacture and not according to the date of receipt. A red ink entry giving the date of manufacture shall be made below the date of receipt in column 1 of the form.

(*c*) The Superintendent shall certify every month in the register that he has satisfied himself that all ammunition shown on stock can be satisfactorily accounted for.

Inspection of arms by the civil Chief Master Armourer.

1001. (*a*) Arms shall be inspected by the Civil Chief Master Armourer.

(*b*) The following procedure shall be observed in connection with this inspection:—

(*i*) By the first week of January each year all Deputy Inspectors-General will report to the Inspector-General the names of the districts, with dates of last inspection, arranged in order of urgency, the arms of which he wishes to be inspected by the Civil Chief Master Armourer.

(*ii*) On receipt of the reports the Inspector-General will select the district which the Civil Chief Master Armourer should be asked to include in his tour programme for the next financial year and forward a list by the 1st February each year to the Chief Ordnance Officer, Allahabad Arsenal, for necessary action. The date and time of his visit will in due course be notified to the Deputy Inspector-General or Superintendent concerned.

(*iii*) As the Civil Chief Master Armourer will not visit any place but the headquarters of districts, Superintendents should take care that in preparing the list of arms for his inspection all the arms available at headquarters and as many as can be called for from police-stations, etc., are included in his inspection. As the arms are interchanged periodically, those not inspected by the Civil Chief Master Armourer during one inspection should be called for during his next inspection so that all the arms of the district may be inspected periodically.

(*iv*) Prior to the arrival of the Civil Chief Master Armourer numerical rolls on I.A.F.O. Form No. 1455, shall be prepared by the Superintendent or the Deputy Inspector-General, Criminal Investigation Department and Intelligence Branch, as the case may be, in duplicate, showing the district and arsenal numbers and marks on the arms, etc.;

(*v*) An officer, who will be member of the Board to be assembled subsequently, will be present during the whole of the time the Civil Chief Master Armourer is examining the arms.

(*vi*) The Civil Chief Master Armourer will fill in the first three pages of I. A. F. O. Form No. 2263E and columns 5 to 12 of the I. A. F. O. Form No. 1455 in duplicate keeping one copy for reference and handing the other to the officer referred to above for subsequent completion.

(*vii*) On receipt of the Civil Chief Master Armourer's report (I. A. F. O. Form Nos.2263 E and O 1455), a Board will be assembled composed of the Superintendent and two other officers, one of whom will be the officer who attended the Civil Chief Master Armourer inspection.

(*viii*) The Board will ascertain the cause and fix responsibility for all deficiencies and damags to arms reported by the Civil Chief Master Armourer on I. A. F. O. Form No. 1455.

(*ix*) The Superintendent shall make three copies of the completed forms (I. A. F. O. Form No. 2263 E) and dispose of them as noted below, retaining the original for his own use:—

(1) one copy to the Chief Ordnance Officer, Allahabad Arsenal,

(2) two copies to the Range Deputy Inspector-General, one copy of which should be forwarded to the Inspector-General with remarks.

(*x*) Superintendents are responsible that all necessary action is taken on the Civil Chief Master Armourer's reports and that a certificate is submitted to the Inspector-General (through the Deputy Inspector-General) as soon as possible that all repairs and replacements recommended by the Civil Chief Master Armourer have been carried out.

(*xi*) Superintendents of districts in which there are railway police-stations should inform the Superintendents of Railway Police concerned of the impending visit of the Civil Chief Master Armourer to their districts so that the muskets allotted to the railway police-stations situated in those districts can be sent into headquarters and inspected by the Civil Chief Master Armourer along with the arms of the District Police.

1002. (*a*) Arms shall be cleaned once a week or oftener if considered necessary by the Superintendent. **Cleaning and examination of arms. [§ 12, Act V, 1861.]**

(*b*) All muskets shall be stripped and overhauled once every half year and the Armed Inspector shall see that this is done by preparing a roster giving against each weapon the approximate date on which its next overhaul should be taken up. He shall also scrutinise as frequently as possible the work of the armourers while they are stripping or taking down actions or reassembling them.

(*c*) To maintain a proper record of the dates of overhaul the Armed Inspector shall enter these dates in the remarks column of B.P. Form No. 188 which for this purpose shall be divided into 4. This shall be in addition to the vernacular register kept by the armourer.

(*d*) The Superintendent at his monthly check shall see that the overhauls are duly made and that the arms have been recalled from police-stations where necessary. [*See* regulation 237 (*h*).]

(*e*) The scale of materials and tools for the cleaning, lubrication and preservation of arms and general instructions for the cleaning and examination which have been drawn up by the Inspector of Small Arms, Ichapur, are given in Appendix LVIII (Part II).

Armourers. [§ 12, Act V, 1861.]

1003. (*a*) A staff of armourer constables is sanctioned for each district and the Police Training College, the actual strength being determined according to a sliding scale, *viz.*, one man if the number of police and jail arms is 200 or less, two men if the number exceeds 200, and three men if the number exceeds 400, and so on.

(*b*) The armourers shall repair all arms belonging to the Jail Department on the understanding that the necessary component parts are supplied by that department. The arms of the Criminal Investigation Department (including the Intelligence Branch) and the Bengal and Assam Railway Police, Sealdah, shall be looked after by the armourers of the 24-Parganas District Police, those of the Government Railway Police, Howrah, by the armourers of the Howrah District Police, and those of the Bengal and Assam Railway Police, Saidpur, by the armourers of the Rangpur District Police.

(*c*) They shall attend parade not less than once a week and shall do their musketry course each year.

(*d*) They shall be responsible to the Armed Inspector for the proper condition of all arms in the armoury, and the head armourers shall inspect the arms at headquarters, including those belonging to the jail, at least once a month.

(*e*) Armourers are supplied with the tools shown in the Equipment Tables of Civil Police and Jails.

(*f*) No fixed period has been laid down for the duration of these tools. They will be replaced when unserviceable in the same manner as component parts.

(*g*) Armourers' shops should be built close to the beat of the sentry on the magazine and should always be locked in the absence of the armourer. The key shall be with the armourer, who is responsible for its contents.

(*h*) The head armourer shall be responsible for the care and custody of all tools and for all spare component parts of arms in the armoury. He shall also keep up a manuscript list of receipts and expenditure of spare component parts.

NOTE.—If the armourers are unable to write, the list shall be written up in the Reserve Office at the dictation of the head armourer.

(*i*) The head armourer shall also keep a book showing the work done and the number of arms repaired and overhauled.

(*j*) Superintendents are empowered to allow armourers to do outside work and take payment therefor, subject to the condition that all such work is done in their leisure hours.

Qualification of constables selected for deputation to Arsenal. [§ 12, Act V, 1861.]

1004. Constables selected for deputation to the Allahabad Arsenal to qualify as armourers must have some previous mechanical training, *i.e.*, they must have some knowledge and experience of arms, and repair and manufacture of tools, etc.

1005. (*a*) Whenever any arms or ordnance stores except small arm ammunition are declared unserviceable or not repairable by the district armourer, a report in I. A. Form No. Z. 2098 shall be sent to the Officer in charge, Allahabad Arsenal, direct, with a request that permission to return the arms to the Arsenal for replacement or repairs may be accorded. They shall on no account be sold or destroyed without specific orders. [*See* regulation 987 (*k*).] **Return of unserviceable and repairable arms and ordnance stores. [§ 12, Act V, 1861.]**

(*b*) In the application for permission to return arms, component parts of arms or other ordnance stores, it shall be distinctly noted whether the arms, etc., to be returned are—

(*i*) surplus over requirements;

(*ii*) unserviceable and to be replaced by other;

(*iii*) for repairs and re-issue.

NOTE.—Orders regarding the disposal of arms surplus to requirements or other stores of ordnance supply shall in the first instance be obtained from the Inspector-General through the Deputy Inspector-General of the Range and on receipt of his orders it should be referred to the Chief Ordnance Officer, Allahabad Arsenal, in I. A. Form No. Z. 2098, before the stores are returned to the Arsenal.

(*c*) On receipt of permission, the arms or ordnance stores including arms for repairs in Rifle Factory shall be sent to the Arsenal and a report in I. A. Form No. Z. 2098, shall be submitted to the Chief Ordnance Officer.

(*d*) When arms are inspected by the Civil Chief Master Armourer, the Superintendent shall, immediately after the inspection is completed, prepare and forward to the Allahabad Arsenal through the Deputy Inspector-General of the Range indents in duplicate for components which are deficient. Only one report is required to be submitted in I.A. Form No. Z 2098 where a condemned arm has to be returned to the Arsenal and replacement demanded at the same time.

(*e*) In all cases of the return of unserviceable or repairable arms or stores to the Arsenal, receipt and issue vouchers, each in quintuplicate in I. A. Form No. Z. 2096 showing the Arsenal nomenclature and the numbers of the stores, shall be sent by post so as to reach the Arsenal or factory a day or two before the arrival of the stores. Three copies of the vouchers should be signed and two copies should remain unsigned.

(*f*) The receipt of arms, ammunition, empty cartridge cases, or other stores returned to the Arsenal without proper vouchers will not be acknowledged, and such stores will remain in the Arsenal at the risk and responsibility of the senders.

1006. (*a*) Fired cartridge cases shall be returned to the Fort William Arsenal, as soon as possible after the annual musketry course. They shall be returned in good condition in used ammunition boxes, securely closed, to prevent loss in transit. Care shall be taken that grit and dirt are removed and that no live cartridges are included. Disciplinary action will be taken if live cartridges are found in any consignment of fired cases. **Fired and empty cartridge cases. [§ 12, Act V, 1861.]**

(*b*) The number of small arm ammunition empty cases returned at one time shall be multiples of the number of ball cartridges contained in a full box. Under no circumstances shall the bullets be removed from "misfires" of S. A. A., nor shall any round of ball or blank be tampered with.

(*c*). All fired cases made of paper shall be thoroughly burnt in the presence of the Armed Inspector, who shall certify to that effect in the ammunition account register, noting therein the number thus disposed of and a copy of his certificate shall be reproduced on the next indent for blank ammunition. The metal bases shall be thrown away.

(*d*) Empty cases of ·380 cartridges expended in practice shall be melted down, if possible, and sold as old brass. If this is not possible, they should be destroyed.

Defective cartridges. [§ 12, Act V, 1861.]

1007. Reports of casualties in small arms ammunition, together with defective cartridges, shall be forwarded to the Fort William Arsenal with a report in I. A. F.—01453 (*vide* letter No. 02-77, dated the 15th August 1925, from the Ordnance Officer in charge, Fort William Depot).

Exploded and misfire cartridges to be packed separately. [§ 12, Act V, 1861.]

1008. Unexploded cartridges, *i.e.*, cartridges that have misfired, shall be returned to the Fort William Arsenal, without the charges being removed, for examination as to the cause of the misfire, but shall be packed in a box by themselves. The exploded cases shall be packed in the presence of the Armed Inspector. A certificate signed by that officer shall be submitted, stating that he has packed the exploded cartridges, and that he has satisfied himself that no unexploded cartridges have been included. The practice of mixing unexploded cartridges with exploded cases and sending them to the Arsenal is highly dangerous to those concerned in the smelting of these cases.

Misfires or doubtful cases shall be kept entirely separate from fired cases and they shall be separately vouchered as 'misfires' and packed as such.

Preparation of vouchers when returning ordnance stores. [§ 12, Act V, 1861.]

1009. (*a*) When returning stores to the Allahabad or Fort William Arsenal, or to the Rifle Factory, Ishapur, the officer preparing the vouchers shall see—

(*i*) that the authority for the return of stores is quoted on the vouchers;

(*ii*) that separate vouchers are submitted for small arms and their components, for ammunition and for accoutrements;

(*iii*) that vouchers, both receipt and delivery, are sent, and

(*iv*) that the ordnance establishment number and date of the voucher on which the stores were originally received on payment are quoted on the voucher, or, if this is not available, that a certificate by the indenting officer concerned to the effect that the stores were originally issued on payment is endorsed on the voucher.

(*b*) When returning stores to the Arsenals or depots; five copies of vouchers, *i.e.*, one receipt and four delivery vouchers, shall be prepared. Of these, one copy (*i.e.*, delivery voucher) will be retained by the indenting officer or consignor and the remaining four (*i.e.*, one receipt and three delivery vouchers) will be forwarded to the ordnance establishment, who after examination of the stores, will return the receipt voucher to the consignor duly signed, in acknowledgment of receipt of the stores, retaining the other three copies (*i.e.*, delivery vouchers). Instead of, therefore, a receipt voucher being attached to the indent for the replacement of the articles returned to the Arsenal, it will be sufficient if the Arsenal voucher number is quoted on the indent. [Letter No. C.B.3505 (A.R.), dated the 29th July 1914, from the Junior Controller of Military Supply Accounts to the Accountant-General, Bengal.]

Despatch of ordnance stores. [§ 12, Act V, 1861.]

1010. (*a*) Before despatching any ordnance stores the following instructions shall be followed:—

(*i*) The correct nomenclature and the number of the stores shall be entered in the prescribed vouchers (I. A. Form No. Z. 2096).

(*ii*) A packing note in Army Form No. G. 1028 shall be placed in each box, detailing its contents and giving the packer's name.

(*iii*) The weight of the packing case or box and the station from which despatched shall be shown in the receipt and delivery vouchers (I.A. Form No. Z. 2096), which are forwarded with the railway receipt to the Arsenal.

(*iv*) Stores intended for the Allahabad Arsenal shall be booked to "Allahabad Fort Station" and not "Allahabad."

(*b*) All arms, whether repairable, or unserviceable, shall be carefully examined and unloaded before return to the Arsenal, and any small screws or other components found deficient shall be shown in the vouchers.

(*c*) No consignment of ordnance stores shall be forwarded "bearing" to the Arsenal. When stores are despatched to the Arsenal by railway or steamer, the amount paid as freight shall be entered in the delivery voucher. This is necessary to enable the Arsenal authorities to pay for any undercharge made by the railway or steamer company through error at the despatching station. The Arsenal authorities decline to pay demurrage incurred while enquiries are being made on this point.

Facsimile of seals to be sent. [§ 12, Act V, 1861.]

1011. A *facsimile* of the seals used when despatching arms, empty fired cases and small arms ammunition, except boxes, with original seal intact, shall be furnished to the Arsenal in every instance that a consignment is sent. The seals of the boxes shall be countersunk to avoid being broken or damaged in transit.

Revolvers and revolver ammunition. [§ 12, Act V, 1861.]

1012. (*a*) Revolvers for the use of police officers have been sanctioned in certain districts of the province. (Government of India, Home Department, letter No. 581, dated the 29th June 1909, to the Government of Bengal and letter No. 1025, dated the 29th October 1909. to the Government of Eastern Bengal and Assam.)

(*b*) Revolvers and revolver ammunition shall be obtained free of customs duty from the contractors appointed by the Inspector-General.

(*c*) A revolver of recognised pattern forms part of the equipment of every officer of and above the ranks of Sergeant and Sub-Inspector (Government of Bengal Order No. 3863 P.J., dated the 21st September 1920).

(*d*) The following is the scale of revolver ammunition sanctioned for the Bengal Police, excepting the Police Training College:—

Service—24 rounds of ball per weapon.

Practice—288 rounds of ball per officer on protective duty and 48 rounds of ball for others who have to fire an annual revolver course.

One-half of the annual supply of ammunition required for practice shall be obtained at the beginning of each year and the remaining half in two equal instalments later on (Government of India, Home Department, letter No. 386, dated the 20th June, 1917, and Government of Bengal, Police Department, letter No. 272Pl.S., dated the 14th July 1933). At no time shall the amount of practice revolver ammunition on charge in a district exceed 50 per cent. of the supply for the year. No interruption to the training need occur owing to want of ammunition in waiting for the second or third instalment. The second instalment shall be indented for as soon as half of first instalment of 50 per cent. is consumed, that is, when the stock on charge has been reduced to 25 per cent. of the total for the year. The third instalment shall be indented for under similar circumstances. A district will thus always have 25 per cent. of the total supply to proceed with while waiting for a new instalment (Government of Bengal Order No. 2797P.D., dated the 13th August 1917).

(*e*) The following is the scale of revolver ammunition sanctioned for the Police Training College:—

Ball—84 rounds per man trained.

Blank—18 rounds per man trained.

(Government of India, Home Department, letter No. 26—21—38 Police, dated the 7th December 1938.)

(*f*) No distinction shall be made between "Service" and "Practice" revolver ammunition which shall be kept together. The stock of revolver ammunition shall, however, never be allowed to fall below the amount prescribed for "Service."

Costody of revolvers and revolver ammunition. [§ 12, Act V, 1861.]

1013. (*a*) Revolvers, when not in use, and revolver ammunition shall remain in the care of the Armed Inspector in a locked chest or almirah in the magazine. The chest or almirah shall be approved of by the Superintendent, a copy of the approval being pasted inside the box or almirah.

(*b*) The ammunition shall be kept in the magazine and shown in a separate part of the register of ammunition. The annual supply shall only be obtained on indent from the Arsenal after return of empty cases (*vide* regulation 988), in multiples of 12.

(*c*) The Armed Inspector may keep one revolver, and a small amount of ammunition for use in emergencies in his own custody, but he shall be responsible that the weapon and ammunition is kept in a secure place.

(*d*) The Armed Inspector, when receiving charge, shall acknowledge receipt of the revolver and ammunition and will remark on their condition in the charge certificate.

(*e*) Inspectors shall be responsible for keeping their revolvers clean. The Superintendent shall certify in the monthly force return that he has examined all the revolvers and ammunition during the month and has found them clean, serviceable and in good condition.

Repairs of defective revolvers and disposal of condemned revolvers.

1014. All defective ·380 bore revolvers which cannot be repaired by the district armourers, shall be sent to Messrs. R. B. Rodda & Co., Calcutta, for repairs. If they are of opinion that any weapons are beyond repair their report shall be placed before the district committee for orders. (*Vide* regulation 994.) If the committee condemn the weapons as unserviceable, a copy of the committee's report (containing the makers' numbers of the revolvers which have been condemned) shall be submitted to the Inspector-General who will then pass formal orders for their destruction. A copy of each order will be sent to Messrs. Rodda & Co. who will forward the condemned weapons to the Commissioner of Police, Calcutta, for disposal.

Deposit of small arms and ammunition in the police armoury.

1015. (*a*) Inspectors, Sergeants and Sub-Inspectors proceeding on leave shall, if they possess any small arms, deposit their revolvers and ammunition in the police armoury at the head-quarters of their district, unless the Superintendent in his discretion permits the officers to take their arms with them. This permission should ordinarily be granted when applied for.

(*b*) A register shall be maintained in the police armoury at the headquarters of each district in which shall be entered particulars of all the arms and ammunition received from officers proceeding on leave. A proper receipt shall be issued to all officers who deposit their arms in the district police armoury.

List of accoutrements. [§ 12, Act V, 1861.]

1016. (*a*) A list of accoutrements in use is given in Appendix LIX.

Accoutrements are expected to last for four years.

(*b*) Accoutrements for Sergeants, Assistant Sub-Inspectors, head constables, naiks and constables may only be obtained on the written orders of the Deputy Inspector-General.

(*c*) Sanction for purchase shall normally be applied for in April and October. In applying for sanction to purchase any class of accoutrements for which there is a prescribed scale the Superintendent shall report the number of such accoutrements in the district and the number sanctioned for the district under the prescribed scale.

Scale of accoutrements. [§ 12, Act V, [1861.]

1017. The following is the sanctioned scale of accoutrements:—

Articles.	Scale.
(*i*) Musket slings and ammunition pouches.	The number of muskets allotted to the distict *plus* 5 per cent.
(*ii*) Bayonet scabbard and bayonet frogs.	The number of bayonets allotted to the district *plus* 5 per cent.
(*iii*) Expense pouches ..	The number of the guards and escort force of the district *plus* 5 per cent.
(*iv*) Kukri, kukri scabbards, kukri frogs. (Darjeeling and Jalpaiguri only.)	The number of head constables, naiks and constables of the Special Armed Force *plus* 5 per cent.
(*v*) Greatcoat straps ..	The number of head constables, naiks and constables sanctioned for the Special Armed Force *plus* 5 per cent.
(*vi*) Bugles, bugle slings, revolver holsters and swords	The scale varies according to the requirements of the different districts.
(*vii*) Whistles and lanyards	No scale is laid down, but Superintendents are expected to indent for them with the same regard for strict economy as when indenting for uniform.
(*viii*) *Lathis* and half-*lathis*	The scale for Special Armed Forces police-stations, outposts, courts, town outposts and Railway Police shall be according to the sanctioned strength of Assistant Sub-Inspectors, head constables, naiks and constables at the rate of half the force, long *lathis* and an equal number of short *lathis*.

Note.—The method of using these *lathis* is laid down in the Manual of Drill for the Bengal police and shall be taught at the police Training College and regularly practised in districts.

Marking of accoutrements. [§ 12, Act V, 1861.]

1018. Leather accoutrements shall be marked immediately on receipt either with a hot iron or some indelible ink. All metal accoutrements, such as oil bottles, etc., shall be marked with a steel punch. The mark shall consist of a serial number, the year of receipt and the distinguishing letters of the district, as given in Appendix LVII. The marks shall be so placed as not to show when the article is in use, and shall be renewed before it becomes illegible.

Cleaning of accoutrements. [§ 12, Act, 1861.]

1019. The Armed Inspector is responsible that the accoutrements in store are properly cleaned. Officers to whom accoutrements are issued shall themselves be responsible for keeping them clean.

1020. (*a*) The following supply of tents is authorised by the Provincial Government:— **Camp equipage. [§ 12, Act V, 1861.]**

For Inspector-General—

One single-pole tent, full size.

One hill or Swiss cottage tent.

One necessary tent, 4 feet×4 feet.

Four pals, 14 feet×14 feet.

For Deputy Inspector-General—

One single-pole tent second size.

One necessary tent, 4 feet×4 feet.

Three pals, 14 feet × 14 feet.

For Superintendent—

One hill or Swiss cottage tent.

One necessary tent, 4 feet×4 feet.

Two pals, 14 feet×14 feet.

For Assistant and Deputy Superintendents in charge of a subdivision—

One hill or Swiss cottage tent.

One necessary tent 4 feet ×4 feet.

Two pals, 14 feet×14 feet.

For the Special Armed Force and emergencies and for the occasional use of Assistant and Deputy Superintendents and European Inspectors on deputation—

One hill tent, with the usual necessary tent, and pals for the accommodation at one time for the total number of men sanctioned either for the mobilization contingent or for the emergency force for each district, whichever is greater. One pal should ordinarily accommodate 12 men.

NOTE.—The verandahs may be square or round as desired.

(*b*) The allotment of hill or Swiss cottage tents for the undermentioned districts has been specially fixed as follows.—

Hoogly	3
Howrah	1
24-Parganas	2

(*c*) Tents are expected to last eight years and pals and tarpaulins six years. A certificate of their having been eight or six years in use, as the case may be, shall be furnished in support of application for new one.

Power to sanction purchase of camp equipage. [§ 12, Act V, 1861].

1021. Deputy Inspectors-General of Ranges have been empowered to control expenditure for purchase of tents, pals and tarpaulins and to arrange for their supply. They are empowered to sanction expenditure up to a limit of Rs.1,000 in each case. The full scale of tents will not necessarily be sanctioned for a district, but sanction will be given in accordance with the circumstances of each district. Application for sanction to purchase all camp equipage shall normally be made in June.

Care and marking of tents. [§ 12, Act V, 1861.]

1022. (*a*) All tents should be marked on receipt: a piece of stout linen marked with the date of receipt, the place of manufacture the district initials and a number to avoid having portions of tents mixed up with each other, should be sewn on to each separate portion of the tent in a place where it will not ordinarily be seen when in use. The wooden poles and the ridgepole, if any, should have the above marks burnt on or cut into them.

All camp equipage should be similarly marked.

(*b*) Superintendents shall exercise great care in the transportation and storage of tents. When taking over charge of a district, tents should always be pitched and closely examined by Superintendents.

Padlocks.

1023. (*a*) All indents for locks of local manufacture which must comprise annual demands, as far as possible, should be sent direct to the Chief Controller of Stores, Indian Stores Department, Hardware Branch, Delhi, for compliance. Casual demands will also be supplied in cases of real urgency.

(*b*) The procedure for the purchase of locks laid down in rule 8, Appendix 3 of the Bengal Financial Rules, shall be followed.

Annual statement showing the strength and armament of the force.

1024. (*a*) An annual statement showing the strength and armament of the force shall be submitted in B. P. Form No. 192 direct to the Inspector-General by the Deputy Inspector-General, Criminal Investigation Department and Intelligence Branch, all Superintendents and the Principal, Police Training College on or before the 10th January every year.

(*b*) Under the heading "Police officers below the rank of Assistant Superintendent or Deputy Superintendent" shall be shown Inspectors, Sergeants and Sub-Inspectors as the case may be.

(*c*) In a separate statement should be shown the sanctioned strength of each class of officers as well as the vacancies in each class which will tally with the total strength and vacancies shown in columns I(1), II(1), III(1), IV(1) and V(1).

(*d*) Particular care should be taken that the grand totals of arms shown in the statement tally with the total sanctioned number of arms for all purposes, both permanent and temporary but arms temporarily lent by one district to another should be included only in the statement of the district which permanently possesses them.

(*e*) Only such arms in possession of the police as are supplied under the sanction and at the cost of the Provincial Government should be included in the statement, and weapons which police officers purchase at their own private cost should be excluded.

Return of expenditure on stores purchased in India.

1025. Appendix 2 of the Bengal Financial Rules contains rules for the supply of articles required for the public service. In order to show the extent to which the requirements are being met by the purchase of stores of local manufacture from Government factories and private dealers, Deputy Inspectors-General and Superintendents shall submit to the Inspector-General annually on the due date a return of expenditure on stores purchased in India in Bengal Form No. 105. The Inspector-General shall then submit to the Provincial Government an abstract return together with a review explaining the causes of important variations under any head compared with the previous year. Difference in the value of (*i*) imported stores, (*ii*) goods obtained from Government factories, and (*iii*) goods obtained from private dealers, as compared with the figures of the previous year, should also be explained with particular reference to the various items included in column 1 of the return.

CHAPTER XXI.

Medical Attendance and Police Hospitals

Medical aid to servants of the Crown.

1026. (*a*) All gazetted officers of the department living at the headquarters station of a district are entitled to free medical attendance for themselves at their own residences from Civil Surgeons. Non-gazetted officers drawing over Rs.50 and under Rs.300 per mensem, are entitled to free medical attendance of Assistant Surgeons or where there is no Assistant Surgeon to the services of the medical subordinate provided for the purpose. Similarly, officers drawing Rs.50 or less per mensem are entitled to the free medical attendance of a Sub-Assistant Surgeon, who will call in the Assistant Surgeon in serious cases. The Civil Surgeon should attend in all cases of urgency or danger, when asked to do so by the Assistant Surgeon or Sub-Assistant Surgeon. All clerks in the service of the Crown are entitled to medicines for themselves free of charge.

(*b*) In the case of a servant of the Crown entitled to free medical relief who is seriously ill, when the local medical officer in attendance is of opinion that a consultation is necessary, he may move the Surgeon-General to depute another medical officer for the purpose of consultation and the Provincial Government will bear the travelling expenses of the officer deputed. (Government of India Order No. 629, dated the 16th August 1913.)

Physical fitness of police officers.

1027. Activity, strength and good health in a police officer are essential for the performance of his duties. If, therefore, any police officer is suffering from any disease, constitutional affection or bodily infirmity which prevents the active performance of his duty, the

Superintendent shall have him medically examined, and if he is reported by the medical officer to be unfit for active duty he should either be placed on leave until cured, or if the disease is incurable he shall be removed or a report submitted for his removal, as the case may be. Where necessary, the Inspector-General will arrange with the Surgeon-General for convening a medical board.

NOTE.—The orders regulating hospital leave will be found in regulation 820 and those regarding recommendations for leave or pension by the medical officer in regulations 816 and 841.

Police hospital. (§ 12, Act V, 1861.)

1028. (*a*) When police officers are admitted into hospital their names shall be entered in a register in B.P. Form No. 193. Each admission and discharge shall be initialled by the Civil Surgeon.

(*b*) The Superintendent or the Additional Superintendent shall visit the police hospital at least once a week. He shall sign the visitors' book and record therein any suggestion which he wishes to make for the consideration of the medical authorities. He shall have the hospital wards made as comfortable and cheerful as possible.

(*c*) Nursing orderlies shall be attached to each hospital according to the allotted scale.

Sub-Assistant Surgeon.

1029. (*a*) The Sub-Assistant Surgeon in charge of a police hospital is responsible for all hospital stores and equipment in the hospital.

(*b*) He shall use the prescribed bed-head ticket, B. P. Form No. 194 for all patients.

(*c*) In case of an epidemic at any police-station or outpost, the Civil Surgeon may depute him to the police-station or outpost concerned.

Admission into police hospital.

1030. (*a*) Any officer stationed at headquarters who wishes to go to hospital must report himself through his immediate official superior to the Armed Inspector who will send him to hospital immediately with a sick report in B. P. Form 195. The Sub-Assistant Surgeon will admit into hospital any person who is seriously ill and enter his name in the in-door hospital register. If the officer is not so ill as to require treatment as an in-door patient, the Sub-Assistant Surgeon will, if necessary, prescribe for him and enter his name in the outdoor patients' register, and will send him back to the Armed Inspector. In either case the sick report will be immediately sent back to the Armed Inspector, and in case of patients not admitted, he shall note whether they are to be given light duty and for how long.

(*b*) If the Sub-Assistant Surgeon is doubtful about the case, he will keep the patient under observation in hospital for not more than 24 hours and enter his name in the out-door patients' register with a note in the remarks column "kept in hospital for observation". At the end of 24 hours he will either admit him to hospital or send him

back to the Armed Inspector. The Armed Inspector will enter the name of the patient so detained in a report on the day following that on which he was first sent to hospital, and the Sub-Assistant Surgeon will endorse on it what final orders have been passed on the case.

(*c*) When a patient is admitted to hospital, it will be the duty of the Reserve officer to send to the hospital the patient's medical history sheet in B. P. Form No. 196 which will remain in hospital so long as he is under treatment. On his discharge the Sub-Assistant Surgeon will fill up the necessary columns in the sheet and return it to the Reserve office and it will be filed with the service book or roll.

(*d*) At police-stations or places other than headquarters any one who wishes to go to hospital will report himself to the officer in charge who will send him to the local dispensary with a sick report in B. P. Form No. 195. If in the opinion of the local doctor the patient should be sent to the headquarters hospital, the officer in charge will at once send him there with a sick report; otherwise the local doctor will treat him and act in accordance with clauses (*a*), (*b*) and (*c*) above. On discharge of the patient he will fill up the reverse of the sick report and return it to the officer in charge who will send it to the Superintendent. The Superintendent will forward it to the Civil Surgeon for orders as to what entry should be made in the medical history sheet. The period and nature of all outdoor medical treatment shall also be entered in this history sheet. On discharge from the local hospital patients shall report themselves immediately to the officer in charge.

(*e*) In places where there is no local dispensary the officer in charge shall use his discretion as to whether the patient should be sent to the hospital at headquarters or not.

(*f*) Sub-Assistant Surgeons must not, except in cases of emergency, admit to hospital any person not bringing a sick report. Patients discharged from hospitals at headquarters must immediately report themselves to the Armed Inspector. They shall on no account be detained by the Sub-Assistant Surgeon after discharge without the express permission of the Civil Surgeon and the Superintendent.

(*g*) The Principal of the Police Training College shall see that the medical history sheet form is properly filled up for every person under his control who is suffering from disease and goes to hospital, and that on discharge it is filed with the service book or roll.

(*h*) In exceptional cases where the Civil Surgeon certifies that the treatment of any police officer of or below the rank of Inspector (i.e., Inspectors, Sergeants, Sub-Inspectors, Assistant Sub-Inspectors, head constables, constables and crews of police launches and boats enlisted under the Police Act, 1861) is necessary and unavoidable in a hospital other than the police hospital, the police officer concerned shall be treated in such a hospital nearest to his station. Any hospital fees for treatment on this account shall be met by the Provincial Government subject to the recovery of diet charges as laid down in regulation 1180. Similarly in the case of these police officers, the

cost of X'Ray and bacteriological examinations or any special treatment that may be considered necessary on the recommendation of the Civil Surgeon shall also be borne by the Provincial Government.

The sanction of the Inspector-General shall be obtained in each case before payment is made.

(*i*) Members of the police force suffering from venereal diseases and Kala-Azar shall receive free treatment in police hospitals.

Admission of Railway police head constable and constables into District Police hospital. (§ 12, Act V, 1861.)

1031. Every head constable or constable of the Railway Police who is unable, owing to sickness, to take his turn of duty for more than 24 hours shall be sent with a sick report to the nearest or most easily reached District Police hospital for treatment and information sent to the Railway Police Reserve office. No one under medical treatment, unless discharged cured, shall leave the hospital in which he is a patient without permission from his own Superintendent or the Superintendent of the district to which the hospital belongs. His medical history sheet, if one is in existence, shall be sent by the Railway Police Reserve office to the hospital in question, as soon as possible after receipt of information that he has been sent to hospital. This history sheet or if he has no previous medical history, a new history sheet shall be returned duly filled up to the Reserve office when he is discharged from hospital.

Admission of Railway police constables into railway hospitals. (§ 12, Act V, 1861.)

1032. In emergent cases, and if accommodation is available, Railway Police constables who fall ill and whose condition is so serious that they cannot be removed to the District Police hospital may be admitted into the nearest railway hospital.

Rules for the treatment of Railway Police constable railway hospitals are laid down in Appendix LX.

The Superintendent, Railway Police, shall see that the Railway Medical Department reports in Forms M. D. 5 and M. D. 6 are properly filled up for every constable under his control and filed with his service book or roll on his discharge.

NOTE.—In the case of treatment of Railway police constables in railway hospitals and in police hospitals in other provinces, the debit raised by the Chief Accounts Officer of the Railway or the Accountant-General concerned, as the case may be should be adjusted under the head "Railway Police—Other contingencies—Other contingent charges" and the usual recovery, if any, should be made from the pay of the constables concerned.

Scale of diet of patients in police hospitals.

1033. (*a*) The Civil Surgeon is authorised to fix a diet scale for each patient in a police hospital such as full diet, half diet, spoon diet, milk diet, etc.

(*b*) The rates of diet allowance for each district will be notified from time to time. The prescribed rates may be exceeded by the medical officer in charge of the hospital in special cases, if special articles of diet or special quantities of articles of ordinary diet are necessary for the treatment of the patient. A contractor may be appointed for the supply of food.

(*c*) Diet shall ordinarily be supplied to Assistant Sub-Inspectors, head constables and constables while under treatment in hospitals other than police hospitals according to the scale prescribed by the Civil Surgeon for patients in police hospitals. The prescribed scale may, however, be exceeded, where necessary, by the medical officer in charge of the hospital. The cost of diet supplied shall be recovered in the manner prescribed in regulation 1180.

1034. (*a*) To each police hospital a constable will be attached as diet sarkar. His chief duty will be to keep up under the medical officer's orders register A (B. P. Form No. 197) and he will fill in columns 1 to 6 of Form B (B. P. Form No. 198). **Duties of diet sarcar.**

(*b*) The diet shall be distributed through the cook. The diet sarkar shall keep in register A a daily account of the articles required for consumption. For this purpose he shall first fill in the upper portion of the register showing the class of diet prescribed for each patient in his bed-head ticket and sum up the total of each class. He shall then calculate, according to the prescribed scale, by filling in the memorandum at foot, the quantity of each article required, viz., rice, *dal*, etc. A copy of the daily requirements thus prepared shall be given to the contractor for supply. The diet register shall be printed in duplicate and machine numbered and the contractor's copy shall be made by the carbon process. After supply the contractor's copy will be returned with a certificate by the Sub-Assistant Surgeon that the articles were received in good condition. The contractor's monthly bill will be based on a summation of these certified copies.

(*c*) After the close of the month the diet sarkar will fill in from the bed-head tickets columns 1 to 5 of Form B. In order to work out the average cost of the diet for recovery from patients (*vide* explanatory note below), the cost of all articles received during the month shall be first totalled. Then a total shall be struck of the number of diets consumed during the period for which the contractor's bill is paid, i.e., a total of the highest item or serial number for each day of the diet register. Dividing the total amount of the bill by the total attendances the average cost per diem will be obtained. Multiplying the average cost by the number of days each patient is detained at the hospital, the total cost for each will be arrived at which shall be transcribed into column 6 of Form B. When the statement includes the names of constables of other districts, the particular district to which they belong shall be specified against their names in the remarks column. Fractions of a pie are not to be taken into account in making calculations.

NOTE.—For instance, if the total of the contractor's bill is Rs.240-12-6 and the total of daily attendance during the month is 690, each patient would have to pay 5 annas 7 pies per day and a constale, whose net half pay is Rs. 10 and who is in hospital for the whole month of 31 days would be debitable with Rs.10-13-1 but as the amount to be deducted must never exceed the man's net pay (*vide* regulation 1180) the Provincial Government in this case would have to pay the balance 13 annas 1 pie.

(*d*) A certificate shall be added to each diet bill under the signature of the Sub-Assistant Surgeon that he has satisfied himself that the quantities of the diet articles billed for are not in excess of those actually required by the prescriptions entered on the bed-head tickets.

(*e*) The statment in Form B together with the contractor's bill after being checked from the register certified to by the Sub-Assistant Surgeon and passed by the Civil Surgeon or medical officer in charge, will be forwarded to the Superintendent's office at the close of each month.

Preventive measures against malaria. (§ 12, Act V, 1861.)

1035. (*a*) In order to protect the members of the force from malaria, adequate measures shall be adopted in places where malaria is prevalent, as advised by the Public Health Department from time to time and published in the *Police Gazette*.

(*b*) Every member of the force suffering from fever in any station must receive prompt treatment by a doctor, if possible.

(*c*) In outlying police-stations and outposts where no doctor is available or where there is no adjacent hospital or dispensary, members of the force suffering from fever shall be treated by the officer in charge in accordance with the following instructions or any further instructions published in the *Police Gazette* from time to time.

The Superintendent shall, in consultation with the Civil Surgeon, arrange to supply a stock of quinine mixture which shall be kept at all times of the year at such a police-stations or outposts. The mixture which shall be composed of 10 grains of quinine to an ounce of water shall be prepared in the police hospital, and on the bottle which contains this mixture shall be pasted specific instructions as to the dose. An ounce of the mixture shall be given twice daily in the case of an adult suffering from fever. If after four days of such treatment the fever still continues the patient should, if possible, be seen by a doctor who will advise further treatment or he should be sent to the headquarters police hospital forthwith.

(*d*) In addition to such prophylactic treatment as may be advised in the *Police Gazette* from time to time it is essential that other anti-malarial measures, such as the destruction of mosquito breeding places, clearing of jungle in the vicinity of quarters and barracks, spraying of pools and ditches with oil and spraying of quarters with pyrexthrum compounds and any other measures recommended by the Health authorities; shall be carried out.

(*e*) All mosquito nets in quarters and barracks shall be tied over the beds, and tucked in under the mattresses in the afternoon before dusk. The nets shall be well shaken before tying to see that no mosquitoes are inside. The mosquito nets shall be kept in good repair so that there may not be any holes in them. In order to ensure this the nets shall be examined by the officer in charge or the next senior officer once a week at least during the months of June to December.

NOTE.—Action taken under this clause shall daily form the subject of an entry in police-station and outpost general diaries.

(*f*) The Armed Inspector at headquarters and officers in charge of police-stations and outposts must instruct their subordinates accordingly and see that these measures are invariably adopted.

(*g*) Where possible anti-malarial squads should be formed by Superintendents at headquarters in consultation with the Health authorities.

(*h*) *The responsibility of officers for the health of their subordinates cannot be too greatly emphasised.* It is, therefore, the duty of inspecting officers to see that these rules are carefully observed.

CHAPTER XXII

Honours, Decorations and Rewards.

I—HONOURS AND DECORATIONS

Honours and decorations which may be recommended by Superintendents.

1036. (*a*) *"Bahadur" and "Sahib" Titles.*—A Superintendent may recommend any officer subordinate to him for a "Bahadur" or "Sahib" title. Such recommendations should be confined to officers of outstanding merit who should normally be of or above the rank of Inspector. Recommendations in the form shown in Appendix LXI should be submitted to the Range Deputy Inspector-General on or before the 15th April (for New Year's Day Honours) and 15th November (for Birthday Honours) each year. Deputy Inspectors-General will forward their recommendations to the Inspector-General on or before the 1st May (for New Year's Day Honours) and 1st December (for Birthday Honours) and in doing so will arrange the recommendations in order of preference. In making their recommendations Deputy Inspectors-General may omit any names sent up by a Superintendent or include names of officers not sent up by a Superintendent.

The Inspector-General will submit his recommendation to the Secretary to His Excellency the Governor, through the Government of East Bengal on the 1st June and 2nd January. (*See* also regulations 1037 and 1041.)

(*b*) *Imperial Service Order.*—This order is restricted to those employed in the administrative and clerical branches of service under the Crown. Superintendents may make recommendations for this award on or before the 15th November each year in the manner prescribed in clause (*a*).

(*c*) (*i*) *Kaisar-i-Hind Medal.*—Awarded for distinguished service rendered during floods, famines and serious epidemics or for services of outstanding benefit to the public. Recommendations may be submitted in the manner prescribed in clause (*a*).

(*ii*) The Kaisar-i-Hind Bronze (3rd class) Medal is a suitable reward for recognizing the services rendered by the members of the public in cases of the type described in sub-clause (*i*). Superintendents may report such cases to District Magistrates.

(*d*) *King's Police and Fire Services Medal and Indian Police Medal.*—Recommendations should be made in the manner prescribed in regulations 1037 and 1041.

(*e*) *Medal of the Royal Humane Society.*—This is an award made for gallantry in saving life from drowning. Recommendations should be made in the form shown in Appendix LXII and should be sent to the Provincial Government through the District Magistrate and Divisional Commissioner. Such recommendations may also be made by Superintendents on behalf of the members of the public.

Procedure for the submission of recommendations for the grant of the king's police and Fire services Medal.

1037. (*a*) The qualifications for the grant of the King's Police and Fire Services Medal shall be as follows:—

(*i*) Conspicuous gallantry in saving life and property, or in preventing crime or arresting criminals; the risks incurred being estimated with due regard to the obligations and duties of the officer concerned.

(*ii*) A specially distinguished record in administrative or detective service or other police service of conspicuous merit.

(*iii*) Success in organizing Police or Fire Services, or in maintaining their organization under special difficulties.

(*iv*) Special services in dealing with serious or widespread outbreaks of crime or public disorder, or fire.

(*v*) Valuable political and secret services.

(*vi*) Special services to Royalty and Heads of States.

(*vii*) Prolonged service; but only when distinguished by very exceptional ability and merit.

(*b*) On or before 15th April and 15th November each year Superintendents shall submit their recommendations to the Range Deputy Inspector-General who shall forward those he considers suitable, together with any cases he considers have been omitted, to the Inspector-General in the manner prescribed in clause (*a*) of regulation 1036. The Deputy Inspector-General, Criminal Investigation Department and Intelligence Branch, shall submit his recommendations direct to the Inspector-General.

The list shall contain the full name and rank of each person recommended, the Police or Fire Services of which he is or was a member, and particulars of the action or service for which the grant of the medal is recommended.

(*c*) Cases that fall within the scope of sub-clauses (*i*) and (*iv*) of clause (*a*) should be reported to the Inspector-General *as soon as they occur* by the Superintendents concerned through the Range Deputy Inspector-General and by the Deputy Inspector-General, Criminal Investigation Department and Intelligence Branch, direct.

Awards under sub-clause (*i*) of clause (*a*) will be made as soon as possible after the event occasioning the grant.

NOTE.—(*i*)The medal is open to all ranks of a recognised police Force and to members of recognized Fire Services.

(*ii*) The award of the medal will not be a bar to the subsequent award of the Indian Police Medal.

Grant of a Bar to the King's Police and Fire services Medal.

1038. (*a*) Any act of gallantry which is worthy of recognition by the award of the King's Police and Fire Services Medal, but is performed by one upon whom the decoration has already been conferred, may be recognised by the grant of a bar attached to the riband by which the medal is suspended. For every such additional act an additional bar may be added and for each bar awarded a small silver rose shall be added to the riband when worn alone. Recommendations for the grant of a bar shall be submitted in the same manner as recommendations for the grant of the medal.

(*b*) Recipients of a bar to the King's Police and Fire Services Medal shall be allowed the distinction of wearing on the riband, on occasions when the medal and bar are not actually worn, a distinctive silver rose similar to that worn by recipients of a bar or bars to the Distinguished Service Order, Military Cross, Distinguished Conduct Medal and Military Medal.

Monetary allowances admissible to recipient of the king's Police and Fire Services Medal and of the Bar to the Medal.

1039. (*a*) Recipients of the King's Police and Fire Services Medal or a bar to the medal, shall, where the decoration is awarded for an act of gallantry, be entitled to monetary allowances subject to the conditions set forth below:—

(*i*) The allowance should be granted only to officers of and below the rank of Inspector. The allowance shall not be merged into salary for the purpose of calculating average pay or pension.

(*ii*) The amount of the allowance should depend on the substantive rank of the recipient at the time when the act of gallantry is performed and it should continue to be paid at that rate on promotion to higher ranks (including ranks above that of Inspector).

(*iii*) In the case of an officer already in receipt of an allowance, an addition should be made to the allowance on the award of a bar to the medal, according to the rank of the recipient at the time when the services for which the bar is awarded, are rendered, provided that if at the time of the award of the bar the recipient is of higher rank than when he was awarded the medal, he shall be entitled to substitute for the original allowance *plus* the additional allowance, the amount of allowance he would be entitled to draw had he been awarded the medal in his present rank.

(*iv*) The allowance should be granted from the date of the act for which the award is given, provided that no allowance should be drawn for any period earlier than 1st April 1933. Unless the allowance is forfeited for misconduct, it will continue until death.

(*v*) Where an individual is in receipt of the allowance at the time of his death, it shall be continued for life or till re-marriage

(unless forfeited for misconduct) to his widow (the first married wife having the preference).

Widows of individauls posthumously granted the medal or bar are also eligible for the allowances.

(*b*) The rates of the allowance for the different ranks will be as follows:—

Rank	Allowance for medal or for bar awarded to an officer not already in receipt of an allowance. Per mensem. Rs. a. p.	Allowance for bar awarded to an officer already in receipt of an allowance. Per mensem. Rs. a. p.
Inspector	25 0 0	12 0 0
Sub-Inspector and Sergeant	15 0 0	7 0 0
Assistant Sub-Inspector	10 0 0	5 0 0
Head constable	7 8 0	3 8 0
Naik and constable	5 0 0	2 8 0

(*c*) In submitting recommendations for the award of the King's Police and Fire Services Medal or a bar thereto it should be clearly stated when these recommendations are based on an act of gallantry and consequently carry with them the recommendation for grant of an allowance.

NOTE.—(*i*) When a police officer from British India is awarded the King's Police and Fire Services Medal for an act of gallantry performed by him while in foreign service, his substantive rank in foreign service should determine the rate of the allowance.

(*ii*) When a police officer from British India on deputation to an Indian State is awarded the king's Police and Fire Services Medal in respect of an act of gallantry performed in the State and the India State refuses to pay the allowance admissible, it is not incumbent on a Provincial Government to pay the allowance when the officer reverts to his province.

Forfeiture of the King's Police and Fire Services Medal.

1040. (*a*) The King's Poilce and Fire Services Medal awarded for gallantry is liable, subject to His Majesty's decision, to be forfeited if the holder is guilty of treason or sedition or of disgraceful conduct of an unnatural kind. The latter is to be held to refer to offences punishable under section 377 of the Indian Penal Code.

(*b*) If the medal is awarded other than for gallantry it is liable to forfeiture if the holder is guilty of crime or disgraceful conduct in the case of a person still serving in the force; and if guilty of treason or sedition in the case of a person no longer serving. In both cases further special conditions apply to persons who at the time in question are serving in the armed force of the Crown.

(*c*) Forfeited medals may be restored at the pleasure of His Majesty.

(*d*) If a receipient of the King's Police and Fire Services Medal, who is in receipt of an allowance, is found guilty of disgraceful conduct which in the judgment of the Provincial Government disqualifies him for the allowance, the Provincial Government may withhold it.

1041. (*a*) The qualifications for the grant of the Indian Police Medal shall be as follows:— **Procedure for the submission of recommendations for the grant of the Indian Police Medal.**

(*i*) Conspicuous gallantry.

(*ii*) Valuable services characterised by resource and devotion to duty, including prolonged service of ability and merit.

(*b*) Awards under sub-clause (*i*) of clause (*a*) will be made *as soon as possible* after the event occasioning the grant. Cases falling under this sub-clause should be reported by Superintendents to the Inspector-General *as soon as they occur* through the Range Deputy Inspector-General and by the Deputy Inspector-General, Criminal Investigation Department and Intelligence Branch, direct.

(*c*) Awards under sub-clause (*ii*) of clause (*a*) will be made at the same time as those for the King's Police and Fire Services Medal, in the manner prescribed in clause (*b*) of regulation 1037.

(*d*) The list of recommendations shall contain the full name and rank of each person recommended, the police force of which he is or was a member, and particulars of the action or service for which the grant of the medal is recommended. Recommendations made under sub-clause (*ii*) of clause (*a*) should be placed in order of merit as far as possible.

NOTE.—(*i*) The medal is open to all ranks of a recognized Police Force and to members of recognized Fire Services.

(*ii*) The award of the medal will not be a bar to the subsequent award of of the King's Police and Fire Services Medal.

1042. Any act of gallantry which is worthy of recognition by the award of the Indian Police Medal, but is performed by one upon whom the decoration has already been conferred, may be recognised by the grant of a bar attached to the riband by which the medal is suspended and for every such additional act an additional bar may be added and for each bar awarded a small silver rose shall be added to the riband when worn alone. This rose will be the same as the rose worn in similar circumstances on the riband of the King's Police and Fire Services Medal. Recommendation for the grant of a bar should be submitted in the manner laid down above in the case of the submission of recommendation for the grant of the medal. **Grant of a bar to the Indian Police Medal.**

1043. When awarded for gallantry the Indian Police Medal will carry a monetary allowance at half the rates sanctioned for the award of the King's Police and Fire Services Medal for gallantry and under the same conditions. The allowance is payable from the date on which the act of gallantry for which the medal is awarded is performed, provided that no allowance is drawn for any period earlier than 1st April 1933. In the case of the posthumous award of the medal, or the bar, the allowance is admissible to widows of men granted the medal or the bar for acts of gallantry performed after 31st December 1929. **Monetary allowances admissible to receipients of the Indian Police Medal and of the bar to the Medal.**

Forfeiture of the Indian Police Medal.

1044. The conditions and procedure laid down for the forfeiture of the King's Police and Fire Services Medal shall also apply to the Indian Police Medal (*vide* Government of India, Home Department, letter No. F/114-11-32-Police, dated the 16th August 1932).

Recommendations for honours and decorations to be complete and treated as confidential.

1045. Officers making recommendations must see that each recommendation is complete in itself and no reference should be made to past unsuccessful recommendations. All recommendations for honours, decorations, etc., must be treated as confidential.

Replacement of lost medals [§ 12, Act V, 1861.]

1046. (*a*) When it is reported that a medal has been lost, all available evidence regarding the loss should be recorded and the Superintendent will note his opinion as to whether the loss occurred (*i*) when the man was on duty and from causes entirely beyond his control; (*ii*) by accident; or (*iii*) wilfully, and whether the medal should be replaced at public expense or otherwise. In cases falling under (*i*) and (*ii*) application for replacement shall be made to the Inspector-General, through the Deputy Inspector-General, in B. P. Form No. 199, and the proceedings in Army Department Form No. A. F. A. 2. The application shall be written on foolscap paper, ruled lengthwise, a margin of an inch being left on each side of the paper, and all names written in printed characters. These shall be submitted in duplicate with a transmitting letter giving the description of the medals and the various clasps, if any. The application shall be accompanied by the following certificate, and the Treasury officer's receipt for the cost of the decoration:—

"Certified that after a careful investigation I am satisfied that the decorations were lost in an accidental manner, involving no culpability on the part of the loser."

In cases falling under (*iii*) proceedings shall be drawn up against the police officer concerned, and, if sentenced to a major punishment, he must serve three years of uninterrupted good conduct before he can be recommended for the grant of a new medal on paying the value thereof.

It is necessary that the replacement of medals should be carefully safeguarded, and every effort made to prevent their falling into the possession of unauthorized persons.

For this reason, it is seldom that medals can be permitted to be replaced at the public expense. Such replacement is confined to cases in which the loss of the medal was due entirely to unavoidable circumstances, such as shipwreck, fire, etc. In interpreting this regulation, care should be taken to differentiate between such accidental losses as might ordinarily be incurred in private life and those which are incurred solely through the exigencies of the service. Thus, loss by theft, burglary, loss of baggage while travelling, or loss due to defective fastenings, etc., are such as might be incurred by any individual and are not, therefore, to be considered as fair charges against the public.

(*b*) In the case of men who earned the decorations in regiments which have been disbanded, the application shall be forwarded direct, after investigation by the Superintendent, to the Officer Commanding the Unit to which the person belonged when the medal was granted, for verification and disposal.

(*c*) When the clasps are not lost, they shall be transmitted with the application to be attached to the new medal.

(*d*) In the case of military medals, the Inspector-General will record his opinion on the application and forward it to the Central Government, Defence Department.

(*e*) Unclaimed medals of deceased men shall be forwarded to the Officer in charge, Medal Section, Central Government, Defence Department.

(*f*) All representations with reference to the grant of the Royal Humane Society's medals shall be forwarded to that Society through the Central Government.

(*g*) Applications for replacement of the original Delhi Durbar Medals (1911) granted to officers of the Police Department should be addressed to the Provincial Government by the Inspector-General.

(*h*) The authority to which the application is made will then verify the claim, investigate the loss and, if considered necessary, sanction the replacement of the medal. This procedure will also apply to the case of pensioners. In their case, however, the loss should be investigated by the civil officer of the district in which the pensioner resides. A charge of the sum of Rs.8 will be made for replacing a silver medal.

II—REWARDS

1047. (*a*) The grant of a reward to an officer, and the reason therefor, shall be entered in the district order book, and a copy written in the officer's service book or roll in red ink. **General conditions regarding grant of rewards.**

(*b*) Certificates and testimonials shall not be given to police officers except in accordance with regulation 1048. A similar prohibition exists in the case of clerks.

(*c*) When granting money rewards to outsiders, officers should take into account the status of the individual to be rewarded and the degree of courage, etc., displayed.

1048. Officers are forbidden to grant certificates to subordinates after they have ceased to have any official connection with them. If a subordinate asks a former superior to grant him a certificate, the former superior should confine himself to saying that he will be glad to answer any reference that may be made by a would-be employer. In answering such a reference the officer should be careful to guard himself by stating clearly that his answer applies only to the time **Grant of certificates to subordinates (§ 12, Act 1861.)**

when he had official relations with the applicant. This regulation, however, is not intended to apply to the case of servants of the Crown who, on retirement, are looking for employment outside India. In such cases former superiors may sometimes give direct certificates, but such certificates should be carefully worded.

Good service marks. (§ 12, Act V, 1861.)

1049. The following rules have been prescribed for the grant of good service marks. Deputy Inspectors-General should keep a watch on the grant of good service marks and see that a fairly even standard is maintained throughout the Range in granting them:—

(*i*) Good service marks may be given to all officers of and below the rank of Inspector. They are awarded for specific acts of good service, for good work in specific cases and not for general good service. They shall be awarded by the Superintendent who shall draw up proceedings stating shortly the reason why the good service mark is awarded and quoting the number and date of the cases, if any. The award of good service marks shall be entered in the service book or roll under heading "Rewards" and the entry shall mention the number and date of the district order.

(*ii*) Good service marks shall, in the case of officers above the rank of constable be ordinarily awarded in lieu of and not in addition to a money reward, but in the case of constables may be in addition to a money reward.

(*ii*) The Superintendent may, on his own authority, award to the same person three good service marks for one specific act or for good work in one case, and with the sanction of the Deputy Inspector-General may award more than three such marks.

(*iv*) Good service marks will give a prior claim to promotion and shall be taken into consideration when promotion of officers are made among officers of equal seniority, i.e., appointed to the rank in the same year.

(*v*) If the Superintendent considers that the service rendered is deserving of greater reward than three good service marks, he shall forward the proceedings to the Deputy Inspector-General, who shall either grant more than three good service marks or forward the proceedings to the Inspector-General, with a recommendation that a special certificate be granted.

(*vi*) Reduction in rank or pay, forfeiture of increment, or three black marks shall cancel all good service marks.

(*vii*) If the Superintendent directs, one or more good service marks may cancel the effect of any period of interruption of service awarded under regulation 779(*d*)(*iii*).

(*viii*) Good service marks shall not be lavishly granted or their object will be defeated.

(*ix*) Officers of the Criminal Investigation Department and Intelligence Branch will, compared with other police officers, have special opportunities for gaining distinction, and this should be borne in mind in awarding good service marks to them.

(*x*) The award of good service marks by the Inspector-General or Deputy Inspector-General shall be published in the *Police Gazette*.

1050. The Inspector-General may award to any police officer of or below the rank of Inspector a parchment certificate either in lieu of or in addition to other rewards. Such certificates shall be considered rewards for the purpose of regulations 70 and 921(*c*). **Grant of parchment certificates to police officers. (§ 12, Act V, 1861.)**

1051. The Inspector-General may grant parchment certificates over his own signature to members of the public in cases of meritorious work performed in aid of the police. Superintendents shall report deserving cases in detail to the Inspector-General, through the Deputy Inspector-General, with their recommendations for the grant of such certificates. **Grant of parchment certificates to members of the public. (§ 12, Act V, 1861.)**

1052. (*a*) Any private person or group of persons arresting and handing over to the police a criminal in the act of committing dacoity or robbery or murder or of making preparation or assembling with others for that purpose may be rewarded as follows:— **Rewards for the arrest of dacoits.**

	Rs.
For each unarmed person arrested ...	500
For each person arrested who is armed with firearms, sword, bomb, dagger, iron rod, or any other weapon of offence	1,500

Where the arrest is due to more than one person acting collectively the amount of the reward admissible should be distributed to the different persons having regard to the part played by each in the arrest.

(*b*) The presentation of the reward rests solely with the District Magistrate, who, if satisfied that the above conditions have been fulfilled, shall report to the Provincial Government what reward he proposes to offer and on receipt of orders, distribute it as promptly as possible after the conclusion of the legal proceedings. Superintendents shall at once bring to the notice of the District Magistrate all cases deserving of reward under this order—Bengal Government Orders Nos. 3318-19 P.-D., dated the 20th September 1915, 11434P., dated the 23rd September 1915, 14810P., dated the 23rd December 1915 and 3472-3476Pl., dated the 19th December 1923.

(*c*) Rewards for the arrest of armed and unarmed dacoits and criminals caught in the act of making preparation to commit dacoity or in the act of assembling for the purpose of committing dacoity are debitable to the provincialised grant under the head "25—General Administration—General establishment—Other contingencies—Rewards to private persons for capturing dacoits (voted)".

(*d*) The following principles should be observed in making recommendations for the grant of rewards for the arrest of dacoits:—

The sum of Rs.500 and Rs.1,500, respectively, should be regarded as the maximum and not as the normal amount to be recommended. Recommendations should be carefully framed with regard to the financial circumstances of the person in whose favour the reward is recommended and the degree of personal courage and resource shown by him in his action. While the conspicuous display of these qualities should be adequately recognised, the reward recommended should not amount to a windfall out of all proportion to the ordinary means of the beneficiary. Where the act in question amounts to no more than the normal exercise of the right of defence of property by a householder or his servants, it is obviously undesirable to transfer to the Provincial Government the onus naturally falling on the employer of rewarding an act of personal loyalty or to constitute a claim on the part of a person who has saved his own property to a reward for doing so.

(*e*) Recommendation for a reward should be made in B. P. Form No. 200.

NOTE.—(*i*) Recommendation for award of any arms should be avoided except for exceptional reasons.

(*ii*) There is no bar to a recommendation for a reward being made in case of arrest of dacoits while retreating after the commission of a dacoity or in the event of a dacoit being killed.

(*iii*) In case of death of a person while attempting to arrest a dacoit, rewards may be recommended for his heir or heirs.

Grant of rewards when previously offered. [§ 12, Act V, 1861.]

1053. (*a*) The officers mentioned below are empowered to offer rewards for the apprehension of offenders and for intelligence leading to the discovery of crime up to the amount noted against each in any one case:—

	Rs.
Inspector-General	500
Commissioners of Divisions ...	500
Deputy Inspector-General	250
District Magistrates	250
Superintendents	150

(*b*) In offering rewards for information leading to the discovery of crime, police officers are advised to place a limit on the time for which the offer of the reward will hold good in the first place and also ordinarily to lay down the condition that the reward will be paid for the information leading to the discovery and conviction of the offender. This will leave it open to the officer offering the reward to pay a portion only if the offender is discovered, but not brought to justice. Rewards which have been previously offered may be granted to any person, whether a member of the police force or not, who has earned it, provided that a reward may not be granted to a police officer whose

ordinary duty it may have been to perform the act for which the reward was offered. Under Fundamental Rule 48(*b*), any servant of the Crown is eligible to receive such rewards.

1054. (*a*) The officers mentioned below are empowered to grant rewards up to the amount noted against each to a member of the police force for work done within the course of his ordinary duties, when the work is, in the opinion of the officer granting the reward, of such exceptional merit or of such an arduous or peculiar nature as to justify a special reward:— **Grant of rewards when not previously offered. [§ 12, Act V, 1861.]**

			Rs.
Inspector-General	...	...	500
Deputy Inspectors-General	...	...	250
Superintendents	...	...	150

They are also empowered to grant rewards up to the above limit to private persons for assisting the police in their duties, when the assistance given is, in the opinion of the officer granting the rewards, of such a nature as to justify a reward.

(*b*) The grant of a reward is subject to the condition that funds are available in the budget of the officer granting the reward.

(*c*) The grant of rewards for work done outside the ordinary course of a police officer's duties is governed by Fundamental Rules 46 and 47 and Bengal Service Rules 62 and 63 (Part I).

(*d*) Officers above the rank of Inspector are not eligible for rewards in cash. Rewards in kind may be granted to Deputy Superintendents only in very exceptional cases, with the sanction of the Provincial Government. An officiating Deputy Superintendent is eligible for a reward if the work for which it is granted was performed when he was in the rank of Inspector.

NOTE.—The Provincial Government has also authorised Deputy Inspectors-General and District Magistrates to sanction the payment of rewards, not exceeding Rs. 250 in any case, to police or other officers for the arrest of a criminal, or for information or special services in connection with the enforcement of the law, in cases where they are not competent to excercise higher powers under the provisions of the law or of statutory rules or of any other authorized code.

(*e*) Chaukidars and dafadars may also be rewarded in special cases under this regulation, if it is impossible to find from the Chaukidari Reward Fund sums sufficient to reward adequately services rendered by them [*vide* regulation 1062].

1055. No rewards, whether in cash or kind, shall be distributed until the case in connection with which the rewards are sanctioned has been finally disposed of. Where a reward has been previously offered for the apprehension of an absconder it shall be paid out irrespective of whether any judicial proceedings are likely to ensue or not. In other cases there shall not be any avoidable delay in distributing rewards when these rewards are not concerned with cases which are under trial or triable in courts of law. **Distribution of rewards. [§ 12, Act V 1861.]**

Rewards offered by private persons. [§ 12, Act V, 1861.]

1056. The Inspector-General, Deputy Inspectors-General and Superintendents are competent to sanction the acceptance by police officers of rewards in kind offered by private persons or corporate bodies for the detection of crime or for other good work provided that the value in each case does not exceed Rs.500, Rs.250 and Rs.150, respectively (*see* also regulations 1057 and 1058).

General police rewards. [§ 12, Act V, 1861.]

1057. No police officer may accept a reward from any private person or corporate body except under the conditions noted below. If any sum of money be offered by a private person or corporate body to a police officer as a reward in recognition of the successful investigation of crime or other good work or as a stimulus to detection, the fact shall at once be brought to the notice of the Superintendent. He may accept the amount and shall credit it, if accepted, in the treasury. These rewards are known as "General Police Rewards."

Payment or refund of reward offered by the public. [§ 12, Act V, 1861.]

1058. When a reward thus offered shall have been, in the opinion of the Superintendent wholly or partially earned, he shall sanction the payment of the whole amount offered, or of such proportion of it as he may consider to have been earned, up to the limit of Rs.500 in each case, to the police officers or others who may have earned it. When the Superintendent considers that no portion of the reward has been earned, he shall refund the amount to the person or corporate body who offered it. (*See* regulation 1174.)

Rewards under Opium, Excise and Other Acts.

1059. Rewards can be granted for successful detection of cases under certain sections of the following special Acts:—

(*i*) The Opium Act, 1878 (I of 1878)—Debitable to Excise budget.

(*ii*) The Bengal Excise Act, 1909 (Ben. Act V of 1909)—Debitable to Excise budget.

(*iii*) The Indian Arms Act, 1878 (XI of 1878)—Debitable to Law and Justice—Courts of Law budget.

(*iv*) The Bengal Public Gambling Act, 1867 (Ben. Act II of 1867)—Debitable to Police budget.

(*v*) The Indian Explosives Act, 1884 (IV of 1884) and the Explosive Substances Act, 1908 (VI of 1908)—Debitable to Police budget.

(*vi*) The Bengal Births and Deaths Registration Act, 1873 (Ben. Act IV of 1873)—Debitable to Police budget.

It is the duty of the Court officer, when the circumstances are appropriate, to bring the rules connected with the distribution of rewards to the notice of the convicting Magistrate and to apply for the authorized rewards on behalf of the police officers concerned.

Rewards in Arms Act cases.

1060. (*a*) If a person is convicted of an offence punishable under the Indian Arms Act, 1878, rewards may be granted to those officers or other persons who gave the original information which led to the conviction of the offenders and also, if there be sufficient reason, to

those who actually arrested the offender or seized the property in respect of which the offence was committed.

(*b*) District Magistrates are empowered to pay such rewards at their discretion up to a limit of Rs.250 in each case, and up to Rs.500 with the previous sanction of the Commissioners of Divisions. Proposals for the payment of rewards exceeding Rs.500 shall be submitted through the Commissioners of Divisions for the sanction of the Provincial Government.

(*c*) Rewards may not be granted by Magistrates subordinate to District Magistrates. When a subordinate Magistrate convicts an offender under the Indian Arms Act, 1878, he shall submit the records of the case to the District Magistrate, together with his recommendation as to the grant of a reward and the persons to whom it should be paid, and the District Magistrate shall pass such orders thereon as he may think fit.

(*d*) In fixing the amount of the reward the fact of the arms and ammunition being new or old, serviceable or unserviceable, should be taken into consideration.

(*e*) Rewards should be paid as soon as possible after the order of the court of first instance is confirmed, or if no appeal has been preferred, after the period allowed for appeal has expired.

(*f*) Payments for rewards will be drawn up by Magistrates in their contingent bills and charged against "Law and Justice— Courts of Law." Provision for rewards should be made under this head by Magistrates in their district budgets.

(*g*) Exceptional cases may occur in which it is desirable to grant rewards to officers or informers in cases which do not end in conviction or in which judicial proceedings are not instituted. Rewards in such cases will be paid by the Police Department under departmental rules. The same procedure should be followed in successful prosecutions with regard to informers whose names it is not desirable to divulge.

(*h*) The rewards should always be on a liberal scale, and this is particularly necessary in the case of weapons which are habitually used for the purpose of murder and assassination. Large rewards should, therefore, be given for information leading to the recovery of a revolver, automatic pistol or magazine pistol of similar weapon possessed without lawful authority.

Recommendations for the grant of rewards to members of chaukidari panchayats.

1061. The power of recommending members of chaukidari panchayats for rewards for services rendered is a valuable means at the disposal of police officers towards the prevention and detection of crime, of which full advantage should be taken, and to enable the District Magistrate to maintain a register of services rendered by individual panchayats, Superintendents shall invariably bring to his notice any assistance rendered by panchayats to police officers and whether the service rendered is worthy of reward. They shall also let it be widely known among their subordinate officers that such rewards will be granted.

Rewards to chaukidars.

1062. (*a*) The rules for rewarding chaukidars will be found in the Chaukidari Manual. Police officers of all ranks shall bear in mind that without judicious rewards it is impossible to expect chaukidars to take interest in their work, or to give proper assistance to station officers. Rewards to be effective must not only be given with discrimination, but with the utmost promptitude.

(*b*) Rewards shall ordinarily be given for—

(*i*) Information leading to the prevention and detection of crime.

(*ii*) Seizure of stolen property.

(*iii*) Arrest of offenders or absconders.

(*iv*) Personal courage shown in resisting dacoits, or in capturing thieves or other offenders.

(*v*) Reporting the movements of bad characters and suspicious persons.

(*vi*) Meritorious conduct, not included in the above clauses, which the District Magistrate, with the concurrence of the Commissioner, considers deserving of rewards.

(*c*) Ordinarily, rewards to chaukidars and dafadars should be paid from the Chaukidari Reward Fund in accordance with the principles laid down in rule 185 of the Chaukidari Manual and rule 48 of the Union Board Manual, Volume II, which are rather wider in scope than regulations 1053 and 1054. But if, in special cases, it is impossible to find from the Chaukidari Reward Fund sums sufficient to reward adequately services rendered by chaukidars and dafadars of the nature contemplated in regulations 1053 and 1054 there is no objection to their being granted rewards under those regulations.

NOTE.—For diet and travelling allowances of dafadars and chukidars employed on guard duty in connection with the tour of His Excellency the Viceroy or His Excellency the Governor, *see* regulation 1165.

Rewards to clerks.

1063. Clerks are not eligible for rewards for work done in the course of their ordinary duties. A clerk furnishing information leading to the detection of a case or to the apprehension of an offender may be considered for a reward in the same manner as any private person.

Honoraria to clerks.

1064. The grant of honoraria to clerks is governed by Fundamental Rule 46 and Bengal Service Rules 62-64 (Part I), which apply to all servants of the Crown.

CHAPTER XXIII.

Superintendent's office.

I.—OFFICE STAFF.

Clerical establishment.

1065. (*a*) The clerical establishment in each office shall consist of a head clerk, an accountant, a reader or readers, a stenographer ([redacted] sanctioned) and a staff of subordinate clerks.

(*b*) Clerks (including those employed in the Police Training College) are borne on Range cadres.

(*c*) No executive officer may be employed in any office without the sanction of the Inspector-General nor may apprentices be so employed under any circumstances.

1066. (*a*) Clerks shall attend office for the despatch of business from 11 hours to 17 hours (local time) or for such longer period as may be necessary to dispose of their business. **Office hours.**

(*b*) The hours of attendance in the offices situated in Calcutta will be those of the Bengal Secretariat.

(*c*) Muslim employees shall be permitted to leave office at 16 hours during the month of *Ramzan* and, if they so desire, should be permitted to absent themselves on Friday throughout the year between 12-30 hours and 14-00 hours for the purpose of attending *Jumma* prayers. Work in the office will not on this account be suspended.

1067. If a Superintendent, Assistant or Deputy Superintendent is unable on account of illness to attend office for more than a week in one month, or for more than three consecutive days at any time, the circumstances shall be reported for the information of the Inspector-General without delay. **Illness of Superintendent and Assistant or Deputy Superintendent.** **[§ 12, Act V, 1861.]**

1068. (*a*) All holidays which are declared to be public holidays under the Negotiable Instruments Act, 1881, should be given as holidays to all servants of the Crown, subject to the single condition that it should be open to the head of an office to stop a holiday notified under the Act, in the case of an individual guilty of idleness or inattention to duty, unless the day in question is deemed specially sacred by the members of the religion to which the officer professes to belong. On holidays which are not notified under the Negotiable Instruments Act, but announced by executive order, the general rule should be to close an office entirely only where the absence of the persons on whose behalf the holiday is given will prevent the work of the office from being properly done, otherwise the persons concerned should alone be permitted to absent themselves, the office being kept open. **Gazetted holidays.**

(*b*) This rule is to be interpreted as subject to the exigencies of the public service. No police officer or clerk can claim a holiday as of right if there are essential or emergent duties to be performed.

II.—Office procedure and Routine.

1069. (*a*) When an officer assumes charge as Superintendent (or as Additional Superintendent specially charged with the control of the District Intelligence Branch) he shall forward to the Special Superintendent, Intelligence Branch, Criminal Investigation Department by name a report of receipt of all confidential books, circulars, and papers (including the District Note-Book), bringing to notice any defects, if the files do not appear to him to be complete and securely **Assumption of charge by Superintendent and Additional Superintendent.** **[§ 12, Act V, 1861.]**

kept. (*Vide* Appendix A to the Manual of Rules and Orders for District Intelligence Branch offices.)

(*b*) Within seven days of assuming charge of a district, the Superintendent shall submit to the Deputy Inspector-General of the Range a memorandum in B. P. Form No. 201 stating briefly the condition in which he has found the office registers, arms and accountrements, clothing, contract contingent expenditure, and accounts generally, giving details of the balance in hand at the time of taking over charge.

Assumption of charge by head clerk and accountant.

1070. (*a*) When a head clerk or an accountant is relieved, the relieving officer shall examine the accounts from the beginning of the month and make a memorandum in the cash account of advances and other sums outstanding, of any debts payable out of money already drawn, of sums for which no receipts have been received, and of bills, etc., sent to the treasury but not paid, the memorandum being signed by both the relieved and relieving officers.

(*b*) The relieving officer shall also check the list, prepared for him by the relieved officer, of bills, pay, travelling, clothing, contingent etc., pending preparation, encashment and submission to the Accountant-General.

(*c*) A relieving head clerk shall examine the stock and other books containing particulars of Crown property and see that they agree with the articles in stock.

(*d*) The relieving officer shall take the earliest opportunity of examining all pending receipts and acquittance rolls and report to the Superintendent whether they are complete or otherwise.

(*e*) The Superintendent shall satisfy himself that the relieving officer has taken charge of the registers and files with which he has to deal and has noted all pending matters.

Registers and files.

1071. A list of registers and files to be maintained in the office of the Superintendent is given in Appendix XIII.

Periodical reports and returns.

1072. A list of periodical reports and returns due to and from the office of the Superintendent is given in Appendix XII.

Covers containing letters etc, how to be opened.

1073. (*a*) All covers, whether containing English or Vernacular papers, shall be opened and the letters therein stamped with the date of receipt by or in the presence of the Superintendent or the officer to whom he may delegate this duty. The date should be then initialled by the Superintendent or the officer deputed and all letters sent to office, but case diaries shall be made over to the head clerk or other clerk responsible for custody of confidential papers. The Superintendent shall be held responsible for keeping himself informed of the contents of all important papers received in his office.

(*b*) Whoever is entrusted with this duty should be warned that if on opening a cover he finds inside another envelope marked "Secret" or "Confidential", and addressed by name to the head of the office,

he should be careful not to open it, but should make it over at once to the Superintendent. Even if the Superintedent is away on tour the letter shall not be opened. The Superintendent shall invariably open such covers himself; no subordinate should open them.

Letters on receipt to be registered and submitted for orders.

1074. On being handed over to the head clerk or correspondence clerk, each letter shall be stamped with a docket stamp on the top left-hand corner with the following particulars, entered in the register of letters received and submitted along with connected papers, if any, on the same or on the following day to the Superintendent for orders:—

Date of receipt.	No. of file.
No. of collection.	Serial No. of letter.

Docket stamps may be obtained from the Deputy Controller of Stationery.

Register of English letter received.

1075. (*a*) This register (in Bengal Form No. 16) shall be divided into five parts as follows:—

(1) Inspector-General and Deputy Inspector-General.

(2) Accountant-General.

(3) Other Superintendents.

(4) Contractors.

(5) Miscellaneous.

(*b*) When a letter is entered to which no reply is required, the letters "N. R." should be prominently entered in column headed "Number and date of reply, etc." This entry will be made after the Superintendent has passed orders on the letter. In the column showing the subject matter, a précis of a letter of which a copy is kept is not required, but only an indication of its contents sufficient for its identification. In the case of a letter in half-margin form of which no copy is kept, the précis may be fuller.

If a paper on receipt is forwarded in original, it shall be entered in this register as well as in the issue register.

Register of English letters issued.

1076. In this register (in Bengal Form No. 19) shall be entered in order of despatch, all letters and telegrams issued from the Superintendent's office.

Reminders shall not be separately registered. Their despatch with date, shall be noted against the original entries in the column for reminder.

The value of service stamps used shall be noted in the column of the register headed "Value of stamp."

The letter "T" shall be entered in the remarks column in cases where service stamps are used in despatching telegrams in order to distinguish the expenditure from that for ordinary postage.

Numbering of letters, endorsements, etc.

1077. The following procedure shall be followed in all offices in numbering letters, endorsemensts, etc.:—

The issue number of a letter is the serial number given to it in accordance with the order in which it is entered in the issue register. When a letter or endorsement is issued to more than one officer it should have only one serial number, the number of officers to whom it is issued being indicated against it in brackets. Thus a letter numbered 12 issued to 5 Range Deputy Inspectors-General should be numbered as 12(5). Similarly, if a letter is issued to 5 officers and copies of it are forwarded to other officers the main letter and the endorsement should have only one serial number in the register, the endorsements being distinguished by sub-numbers under a horizontal line thus:—

Letter No.—

12(5) to all Range Deputy Inspector-General.

12/1(26) copy to all Superintendents of Police.

12/2(1) copy to Deputy Inspector-General, Criminal Investigation Department.

Registers of papers received in and issued from the head mohurir's section.

1078. (*a*) In the receipt register (in Bengal Form No. 16) shall be entered all papers received, except the following which, being registered elsewhere or filed day by day, need not be entered in this book: first information reports, progress reports final memoranda, case diaries, release notices and periodical returns.

General diaries or final report forms sent specially by a Circle Inspector to the Superintendent should, however, be registered. If a paper on receipt is forwarded in original, it shall be entered both in the receipt and issue registers.

(*b*) All papers despatched (including half-margins, which are returned in original) shall be entered in the issue register (in Bengal Form No. 19) and the value of stamps used for each separate cover shall be duly noted in the column of that register headed "Value of stamp." If more than one communication is sent in one cover, the total value of stamps used should be entered in the prescribed column against one of the entries only, a reference to this entry being given in the "remarks" column against the remaining communications.

(*c*) Papers upon which no further action is necessary will be shown in the "remarks" column as filed.

Peon book.

1079. A peon book shall be kept in Bengal Form No. 47 in which receipts shall be taken for all papers sent out by hand to officer at headquarters.

Treatment of secret and confidential papers.

1080. Documents requiring special precautions to prevent unauthorised disclosure of their contents shall be marked by a responsible officer as "Secret" or "Confidential" according to their respective importance. When sent by post they shall be enclosed in

double cover; the inner one shall be sealed and marked "Secret" or "Confidential' and shall be superscribed with the name only of the addressee, while the outer cover shall bear the usual official address and shall not be marked "Secret" or "Confidential". "Secret" or "Confidential" documents shall always be sent by registered post and secret papers should in addition be sent "acknowledgment due".

Confidential letters to be dealt with by a selected clerk.

1081. Confidential papers shall not pass through the office. If the assistance of a clerk is necessary the Superintendent's stenographer or a clerk selected by the Superintendent should deal with them.

Classification and custody of confidential papers.

1082. (*a*) All confidential papers shall be kept in a locked almirah the key of which shall remain in the personal custody of the Superintendent.

(*b*) At the end of each year and prior to transfer the Superintendent shall destroy all confidential papers which it is no longer necessary to keep.

(*c*) The Superintendent shall be held personally responsible for the safe custody of secret and confidential documents and if they leave his custody he shall invariably obtain a receipt for them.

He will maintain a confidential receipt register and should any document leave his possession or be destroyed, he will record a note against the appropriate entry in the register.

(*d*) Rules regarding the safe custody of District Intelligence Branch records will be found in the Manual of Rules and Orders for District Intelligence Branch offices.

Service books of clerks.

1083. Service books (Bengal Form No. 912) shall be kept for all clerks and shall be maintained, *mutatis mutandis,* in accordance with the regulations governing those of executive officers.

The service books shall remain under lock and key in the custody of the head clerk who shall keep them up to date.

NOTE.—For instructions regarding confidential character rolls of clerks, *see* regulation 76.

Library catalogue.

1084. (*a*) The head clerk shall be in charge of the library. He shall be primarily responsible for the custody and preservation of the books composing the office library. A catalogue of the books shall be made and kept up to date by him in B. P. Form No. 202. Each book should be labelled with a number corresponding to a number in the catalogue, and as new books are added to the library, they should be labelled and numbered in like manner. Each book should also be marked on several leaves with the office stamp. The books should be divided into the following groups and each group should have a separate page in the catalogue, and the books their own serial numbers:—

(*i*) Acts (in chronological order).

(*ii*) Police Administration Reports (in chronological order).

(*iii*) Police Gazette (in chronological order).

(*iv*) Manuals, including Civil Service Regulations, Civil Account Code, Fundamental and Subsidiary Rules, Bengal Service Rules and Bengal Financial Rules.

(*v*) Miscellaneous.

(*b*) Copies of all Acts are kept in the District Magistrate's library to which the Superintendent is allowed free access. Duplicate copies should not be kept except of such Acts as are in very frequent use.

Correction slips.

1085. The head clerk shall be responsible for seeing that correction slips are forthwith inserted in all publications and the date of the entry is entered at the end of each volume. [For register of correction slips, *see* B. P. Form No. 214.]

Indent for maps.

1086. Indents for printed district maps required on public service from the Survey Office of the Central Government shall be submitted direct to the Officer in charge of the Map Record and Issue Office, Calcutta, for compliance.

Superintendents shall furnish all Subdivisional Police Officers, Circle Inspectors and all police-stations with maps of their respective jurisdictions, which will be supplied by the Director of Land Records and Surveys, Bengal.

Town beat maps.

1087. Superintendents shall have in their offices a map of each town in their districts, on a scale of not less than 8 inches to the mile, showing the boundaries of the beats into which it is divided for the purposes of watch and ward, and the streets, roads and lanes which intersect the beats.

Maintenance of crime maps. [§ 12, Act V, 1861.]

1088. A crime map of their respective jurisdiction shall be maintained in the office of each Superintendent, Subdivisional Police Officer and Circle Inspector in the same way as the police-station maps prescribed in regulation 390. If one crime map for the whole district would be unwieldy, it may be kept in two or more parts.

Channel of correspondence.

1089. (*a*) Unless otherwise specifically ordered, the Superintendent shall address all correspondence intended for the Inspector-General to the Range Deputy Inspector-General who will pass final orders when competent to do so and will submit to the Inspector-General, in self-contained letters, only those cases requiring his orders.

(*b*) In cases of minor importance, where the reference is complete in itself, Superintendents shall address the letter to the Assistant Inspector-General through the Range Deputy Inspector-General and shall send the letter in duplicate so that the letter, if he so wishes, may forward one copy to the Inspector-General with a memorandum giving his own opinion.

(*c*) Correspondence regarding the general criminal administration of the district (including cases of serious misconduct on the part of police officers and matters of importance affecting the public) must pass through the District Magistrate. Correspondence regarding the internal administration of the Police Department (such as accounts, supplies, promotion, leave and transfers) will not pass through him.

(*d*) Correspondence dealing with (1) the opening of new investigating centres, (2) additional police, (3) changes of sites of police-stations, (4) important land acquisition schemes and (5) important questions of criminal administration will be sent by the Superintendent through the District Magistrate to the Deputy Inspector-General and thence through the Divisional Commissioner to the Inspector-General. The Deputy Inspector-General will correspond direct with the Inspector-General regarding departmental administration, but letters to the Inspector-General regarding the criminal administration shall be forwarded through the Divisional Commissioner. Official correspondence between the Range Deputy Inspector-General and the Divisional Commissioner should be avoided as far as possible, personal discussion and unofficial references being freely resorted to.

No formal correspondence with subordinate officers at headquarters.

1090. Correspondence between Superintendents and their subordinates at headquarters shall be carried on by means of unofficial notes or memoranda.

NOTE.—For instructions regarding correspondence with the District Magistrate, *see* regulation 17.

Applications or proposals requiring sanction of Inspector-General or higher authority.

1091. In submitting applications or proposals which require the sanction of a higher authority, Superintendents shall see that facts are fully stated and all available materials given to enable the authority to come to a decision—

(*a*) For instance, in applying for an extra grant, the reasons why the sanctioned allotment has been exceeded should be stated, and if it throws light on the matter the expenditure in preveious years should be stated.

(*b*) In applying for additional establishment, temporary or permanent, the application shall be supported by facts and figures. Detailed instructions are given in rule 68 of the Bengal Financial Rules.

(*c*) Whenever proposals are submitted entailing expenditure, it shall be clearly stated from what head of the sanctioned budget the cost is to be met. If there is no budget provision a reappropriation statement (Bengal Form No. 2537) shall be submitted. If no reappropriation is possible, this shall be stated, and it should be explained why the proposal cannot be postponed to the next financial year and why the need for the expenditure was not foreseen in time for its inclusion in the budget estimates.

Cases for opinion of Legal Remembrancer and Advocate-General.

1092. (*a*) Cases for the opinion of the Legal Remembrancer or the Advocate-General shall be submitted through the Inspector-General.

(*b*) The Inspector-General shall submit cases direct to the Legal Remembrancer, but those to the Advocate-General shall be sent by him through the Provincial Government.

Drafting and fair copying of letters.

1093. (*a*) All letters and reports shall be concise and shall relate to no more than one subject. The name and designation of the sender shall be shown at the head of each letter.

(*b*) Each paragraph shall be numbered, and the first paragraph shall contain a reference to the subject matter and to the number and date of any previous correspondence.

(*c*) Marginal notes shall be made of any enclosure. If there be more than one enclosure, the enclosures shall be numbered or lettered, and shall be attached to the letter.

Demi-official correspondence.

1094. No demi-official letter shall be quoted in official correspondence without the express sanction both of the sender and the receiver.

No forwarding letter in certain cases.

1095. No forwarding letter or memorandum shall be sent with contingent bills, nomination rolls, indents for stationery, forms, rubber-stamps, travelling allowance bills, periodical returns and statements, *Police Gazette* notices and other similar papers, unless they contain something that requires explanation. Pension or gratuity rolls, however, shall always be sent with a covering letter.

Original documents not to be sent in correspondence.

1096. Original correspondence shall not be permitted to leave the office in which it is received unless it is clearly not required for record.

Weekly pending list.

1097. To prevent pending correspondence from being overlooked, the clerk in chrage of the correspondence shall keep a list (B. P. Form No. 203) showing all letters received or issued, to which no reply has been received or despatched within seven days. Old entries pending from the previous week should always be carried forward in red ink. This list shall be put up weekly before the Superintendent or, in his absence from headquarters, to the officer who may be in charge of his office, for inspection and orders. In heavy districts the Superintendent may delegate this duty to the headquarters Deputy Superintendent, but he shall check the list himself as often as possible—at least once a month. Instructions for preparing the list are given at the foot of the form.

Arrangement of Correspondence (collections and files.)

1098. (*a*) English correspondence shall be classified and arranged first by collections and secondly within each collection by files, each file having its consecutive number within the collection and its distinctive subject or title.

A single file will consist of every letter received and the draft of every letter issued, except half-margin memos. of which no copy is kept (*see* regulation 178) in the course of a consecutive correspondence on one subject. Each paper shall be placed in chronological order, the first letter issued or received being placed at the bottom.

To each letter shall be assigned a consecutive number on the file known as the serial number. This number will be marked on the letter in the proper place. With each letter will be kept any enclosures and any notes or orders which may have been written on a separate paper. These enclosures and notes should be stitched or tagged to the letter to which they belong. They will not be given a separate serial number on the file. Each file will be kept in a file cover, Bengal Form No. 11.

A collection is an aggregate of files, the subject of which falls under some general classification, and which are kept together for convenience and economy of space.

(*b*) A list is given in Appendix LXIII of collections and files. The collections should ordinarily be adopted, but the Superintendent with the sanction of the Deputy Inspector-General, may open additional collections.

The list of files is not intended for general adoption. In each district the Superintendent should prepare a standard list of files which are required in each collection and these files should, so far as possible, be given the same number on each successive year. But new files shall of course be opened on any given year as occasion requires.

(*c*) If a letter be the commencement of a new correspondence and not in continuation of an existing file, it will form the nucleus of a new file to which will be assigned the next consecutive file number within the collection to which it belongs and also a title indicating its subject. An entry of the new file shall at once be made in the file index.

1099. The file index (B. P. Form No. 204) will be divided into collections, one page or more being reserved for each collection according to the number of files likely to be opened within the collection during the year. **File index.**

1100. (*a*) Letters will be classified as follows according to the period for which they are to be preserved:— **Classification of letters.**

"A"	to be preserved	permanently or for an indefinite period.
"B"	ditto	for ten years.
"C"	ditto	for two years.

In the list given in Appendix LXIII the various files or subjects have been classified accordingly.

(*b*) On receipt of a letter in office and before it is submitted to the Superintendent the head clerk will mark clearly on the letter in in red pencil or red ink the letter "A," "B" or "C" according to the period for which it is to be preserved.

It is to be understood that although a subject as classed in the Appendix referred to above is to be preserved permanently or for 10 years, it is not intended that all letters, even of trivial importance dealing with the subject, must be preserved for that period. The head clerk shall use his discretion and even a letter dealing with subject classed "A" or "B" should be marked "C" if it be only of temporary importance. If in doubt, the head clerk shall take the orders of the Superintendent.

Preservation of records and registers.

1101. (*a*) All papers connected with the investigation of cases (*e.g.*, first information report, case diaries, statements under section 161 of the Code of Criminal Procedure, documentary exhibits, lists of property, final memo., and other miscellaneous connected papers) which do not form part of a judicial report, shall be kept together and preserved as below:—

(*i*) In all cases in which the accused has absconded.	Until the Magistrate orders their destruction on the ground that there is no further reasonable hope of arrest.
(*ii*) In non-bailable cases declared true by Magistrates but not tried out, and under sections 109 and 110, of the Code of Criminal Procedure.	Fourteen years, provided that in cases under sections 454, 455, 456 457, 379, 380 and 381 of the Indian Penal Code, in which no person has been reasonably suspected, the records shall be preserved for three years only.
(*iii*) In all other cases (bailable or not, tried out or not) and cases under sections 108, 107, 144 and 145 of the Code of Criminal Procedure.	Three years, provided that in all cases of a professional nature under Chapter XVII of the Indian Penal Code, professional and political murder and murder of informers, professional swindling, coining, note forgery and attempts thereof in which a person though not conviced is found or reasonably suspected to be concerned and in all cases of dacoity, conspiracy for dacoity and cases under sections 400 and 401, Indian Penal Code, the records shall be preserved for 14 years.

(*b*) The periods for which all other papers and registers, reports and returns are to be preserved will be found in Appendix XIII. If for any special reason, the officer in charge of the police-station or the Inspector considers that a particular record should be preserved for a longer period than as noted above, he shall recommend accordingly.

(*c*) On receipt of the final memo. the papers in connection with a case (*e.g.*, duplicates of final form, charge-sheet, first information report, case diaries, etc.) shall be filed together with a docket slip

showing what papers the file contains. The year in which the file is to be destroyed shall be noted on it conspicuously in red ink.

(*d*) The Inspector while inspecting the police-station shall note in the last column of the *khatian* register the period for which the record of each particular case shall be preserved.

(*e*) Records of cases in which there are absconders shall be distinguished by noting "A" in red ink conspicuously in the last column of the *khatian* register and also on the docket slip of the file of the case.

(*f*) At the close of each year separate bundles shall be made up of—

(*i*) Papers relating to absconders.

(*ii*) Those to be kept for 14 years.

(*iii*) Those to be kept for three years.

(*g*) In January each year the officer in charge of the police-station shall examine the records and entries in the last column of the *khatian* and prepare a list of records and registers due for destruction and submit the same to the Inspector who, after satisfying himself of its correctness by a personal inspection at the police-station, shall pass orders in accordance with the Appendix XIII(8). On receipt of his orders the papers shall be burnt or destroyed.

(*h*) A list of registers to be deposited in the Magistrate's record-room shall also at the same time be prepared to enable the Superintendent to chcek them and arrange for their despatch to the record-room on the 1st of July.

(*i*) A list of cases in which accused persons have been absconding for more than five years shall also be prepared and submitted to the Superintendent, who will forward it to the Magistrate with his remarks as to whether the records concerned should still be preserved.

(*j*) The fact that the records have been destroyed shall be noted in the *khatian* register against the cases concerned.

(*k*) No record shall be removed from the police-station without a slip being left in its place to show where it has gone.

1102. (*a*) The periods for which records are to be preserved are laid down in Appendices XIII and LXIII. The destruction of records and the transmission of those to be preserved to the Magistrate's record room shall be taken up in May each year. The head clerk shall examine the bundles of English correspondence and extract such as are due for destruction. The head clerk and the Reserve officer shall report what registers and other records they have for destruction and orders will be passed on their reports by the Superintendent. Orders for the destruction of records of Circle Inspectors' offices, police-stations and Court offices shall be passed by the Circle Inspector or the Court Inspector, as the case may be, at the time of inspection; in accordance with Appendix XIII (7), (8) and (5). Circle Inspectors, Court, Reserve and station officers and head clerks shall at the same time submit to the Superintendent for orders a list of registers and records to be deposited in the Magistrate's record room. **Destruction of records.**

(*b*) All papers to be sent to the Magistrate's record-room will be despatched there on the 1st of July of each year, a complete list of such being sent to the record clerk through the Magistrate one month beforehand so as to enable him to make arrangements for their reception. If the Superintendent subsequently wants any of these records for reference he shall apply to the Magistrate.

(*c*) Records to be destroyed shall be burnt in the presence of a responsible officer.

Arrangement of records of cases.

1103. As soon as a case has been disposed of, all the case diaries and other papers connected with it shall be sent by the Circle Inspector to the Superintendent's office where first information reports, Circle Inspector's progress memos., final memos. from court and case diaries shall be filed in order, month by month, for each station separately, all the papers of each case being strung together. The clerk in charge shall separate these records into two monthly bundles, one containing charge-sheet cases and the other containing cases which have not been investigated or in which final reports have been submitted. A fly-leaf in B. P. Form No. 205 shall be attached to the papers of each of the charge-sheet cases, the number of years for which the papers are to be preserved in the record room being clearly stamped on it. No fly-sheet need be attached to the papers of other cases but a list should be prepared in which the number of years for which the records are to be preserved shall be noted. The number of years shall always be the largest number for which any paper in the file is to be preserved, e.g., if there are papers in the file which by different interpretation of the rules for the preservation and destruction of records, may be kept three or fourteen years, the figure on the fiy-leaf, or in the list should be fourteen. These bundles shall be neatly labelled and registered for transmission to the Magistrate's record room at the end of June of the following year.

III.—Office work connected with crime and other matters.

Superintendent's Note Book. [§ 12, Act V, 1861.]

1104. (*a*) Superintendents (including Superintendents of Railway Police) shall maintain and keep in their personal custody confidential note books.

(*b*) The note book shall be maintained in two volumes. Volume I shall contain a breif note of the geographical features of the district with particular reference to means of communication, the relative healthiness of the police-stations, special criminal features, important festivals or procession, relations between the communities, etc., etc. Volume II shall be kept in the nature of a "Who's who?" and shall contain in alphabatical order a brief character sketch of all important residents of the district and a note of their activities.

(*c*) The object of this note book is to enable newly joined Superintendents to obtain a ready working knowledge of the conditions and people of the district and therefore information which is readily available in other standardised registers should not be included in it.

(*d*) All entries must be signed and dated.

1105. When an inaccurate, false or grossly exagerated report regarding police action is published in a newspapers, the Superintendent shall report the correct facts promptly to the Inspector-General direct sending a copy to the Deputy Inspector-General of the Range. Superintendents shall use their discretion as to whether they shall report by telegram or by letter. **Correction of inaccurate reports in the press. [§ 12, Act V, 1861.]**

Expedition is of the utmost importance otherwise the value of the contradiction is lost.

1106. (*a*) The following classes of cases against the police shall be specially reported by Superintendents to the Inspector-General through the District Magistrate and the Range Deputy Inspector-General, an advance copy being submitted to the Inspector-General direct:— **Reporting of misconduct of police officers.**

(*i*) All cases, likely to give rise to public comment, in which accusations of ill-treatment or torture are made against members of the force.

(*ii*) Other criminal charges likely to occasion public comment.

(*iii*) All civil suits instituted against police officers in connection with acts done in the discharge of public duty.

(*iv*) All cases in which comments made in judgments by a Court of Sessions or a Court of superior status on the conduct of the police are of special significance, or suggest that an officer of or above the rank of Sub-Inspector has connived at or been guilty of extortion, bribe-taking or any other serious offence.

NOTE.—In cases of falling under (*i*) preliminary reports shall be submitted to the Inspector-General by telegram which shall be followed by the special reports referred to above. If any case either under (*i*) or (*ii*) above, on which no report has been submitted, subsequently becomes the subject of comment in the press, the Superintendent should submit a report, and superior officers should call for a report directly the press comments come to their notice.

(*b*) Cases in which police officers are charged with serious offences or are guilty of serious misconduct, which do not fall within the category of cases of the nature described in (*i*) and (*ii*) above, shall be specially reported to the Deputy Inspector-General through the District Magistrate, and he shall deal with them himself without submitting them to the Inspector-General. The District Magistrate, to whom a spare copy shall be supplied, will, if he considers fit, send a copy of any such report to the Commissioner, and he will make a note of this fact in the report which he forwards to the Deputy Inspector-General. In cases of the Railway Police the report shall be sent direct to the Deputy Inspector-General of the Range concerned. Reports shall not be submitted by the Superintendents in cases other than those mentioned above, but they shall maintain a register of all cases of minor misconduct on the part of the police which will be open to inspecting officers during inspection or at any other time and they may call for the papers of any case and pass such orders as they may consider necessary. The register shall be kept in B. P. Form No. 206.

In cases in which no departmental action is taken, Superintendents shall record a finding (with reasons) as to the merits of the case.

(*c*) The first report, which will be drawn up, *mutatis mutandis*, on the lines of a special report, shall be submitted without delay, and shall contain the facts of the alleged misconduct or a copy of the complaint with a note as to the action which is being taken. The next report shall contain an impartial statement of the facts ascertained after such enquiry as may be conducted under the provisions of these regulations. In the case of a criminal or civil suit the report submitted after enquiry shall include an expression of the opinion of the local officers as to whether or not the officer concerned should be defended at the cost of the Provincial Government or his expenses refunded to him.

(*d*) The Deputy Inspector-General shall scrutinize the reports, direct the enquiries, when necessary, and in the most serious cases conduct personal enquiries.

(*e*) The Commissioner shall, on receipt of any such reports from the District Magistrate, communicate his views and suggestions or recommendations to the Inspector-General, and is at the same time at liberty to mention the matter to the Provincial Government either in a special or general communication. Intermediate stages of importance in all cases and the final decision (unless the Inspector-General himself decides to deal with the matter) shall be similarly reported.

(*f*) Where the facts, as reported or ascertained, include matters which it is undesirable to enter in an ordinary official letter they shall be reported in duplicated in a separate demi-official letter.

(*g*) In cases in which the misconduct has been such that it has been decided to send the offending officer for trial to the court, and the District Magistrate has decided to try the case himself, it is for him to determine whether he should see the confidential reports or direct the Superintendent to send a copy of this portion of his report direct to the Commissioner.

NOTE.—(*i*) Superintendents must be careful to distinguish these cases from the usual special report cases. The latter refer to crime only, whereas the former refer to the misconduct of police officers. Superintendents shall use special report forms in writing these reports, but they shall delete the words "Special Report", substituting for them the words "Misconduct Report".

(*ii*) The Superintendent under whom the offender is employed shall submit the report required under this regulation.

(*h*) The Superintendent shall go through the record of every case brought against a police officer in the courts, and shall take departmental cognizance of every criminal case in which a police officer is convicted or acquitted or discharged (except when the case is declared false) and record his order in writing.

Annual administration report.

1107. (*a*) To enable the Inspector-General to submit to the Provincial Government an annual report on the administration of his department, Superintendents shall submit on the expiry of each calendar year an annual report in two portions, one regarding crime and the other regarding departmental matters.

(*b*) Two copies of the departmental portion of the report shall be submitted to the Inspector-General, one copy direct, and the other through the District Magistrate and the Range Deputy Inspector-General. Of the crime portion also two copies shall be submitted, one through the Deputy Inspector-General and the other through the District Magistrate and the Divisional Commissioner.

The copy of the departmental portion and the crime portion through the Deputy Inspector-General should reach the office of the Inspector-General by the 15th February and the other two copies by the 1st March. A third copy of the statements referred to in Appendix XII (serial Nos. 22-34) shall be prepared and sent direct to the Inspector-General, as soon as completed and in no case later than the 15th February.

(*c*) The report shall be written on one side of the paper only. A fresh sheet shall be allotted to each paragraph and each sheet shall bear the name of the district at the top. A note should be made of the outstanding features of the year's administration and any important variations in the figures should be explained. Full instructions regarding the preparation of the report shall be issued annually by the Inspector-General.

(*d*) Deputy Inspector-General of Ranges and the Deputy Inspector-General, Criminal Investigation Department and Intelligence Branch, shall also submit a short general survey of the year's administration of their charges.

1108. Superintendents shall see that sales of arms and ammunition are verified as laid down in paragraphs 115-120, section XII of the Bengal Arms Act Manual, 1924. **Verification of sales of arms and ammunition.**

1109. (*a*) Subject to clause (*b*) whenever a defalcation or loss of any public money, departmental revenue or receipts, stamps, opium, stores, or other property belonging to or in the custody of the Police Department, is discovered, a report shall immediately be made by the Superintendent to the Inspector-General, even when such loss has been made good by the person responsible for it. The Inspector-General shall forward a copy of the report to the Accountant-General and to the Provincial Government. When the matter has been fully investigated, a further and complete report shall be submitted as to the nature and extent of the loss showing the errors or neglet of rules by which such loss was rendered possible and the prospects of effecting a recovery. The submission of such report does not debar the local authorities from taking any further action which may be deemed necessary. **Report regarding defalcation or loss of public money, etc.**

(*b*) Petty defalcations involving losses not exceeding Rs.200, each need not be reported to the Accountant-General and the Provincial Government, unless there are in any case important features which merit detailed investigation and consideration.

1110. (*a*) This is an annual return showing the condition of the pillars and towers or platforms marking the principal stations of the Great Trigonometrical Survey in the district. **Return of trigonometrical survey pillars.**

(*b*) In the blank space on the top of the form will be entered the name of the district or other territorial division for which the return is made.

(*c*) In the first column of the reutrn will be inserted the name of the station, as given in the list prepared in the Trigonometrical Survey office. Whenever practicable the names should be written in the order in which they occur in the survey lists.

(*d*) When a station cannot be identified by the survey name, but a tower or platform is found, which is presumably a survey station, the name by which it is locally known will be inserted in column 2.

(*e*) In consequence of changes in the boundaries of district, etc., several stations do not now appertain to the district for which they were returned by the Survey Department. Notice of such alterations will be very valuable and should be inserted in the return.

(*f*) The return should be sent in annually to the Superintendent, Great Trigonometrical Survey, as soon as possible after 1st January. Blank copies of this form may be obtained whenever required from the office of the Superintendent, Great Trigonometrical Survey, Dehra Dun, United Provinces.

(*g*) Inspections of the Great Trigonometrical Survey Pillars must be made by police officers not below the rank of Assistant Sub-Inspector. Sub-Inspectors in charge of the police-stations shall undertake a fair share of such work.

NOTE.—In areas where there are union boards these duties have been transferred to them and to the circle officer.

Inspection forms.

1111. (*a*) A statement for the use of the inspecting officers in B. P. Form No. 70 showing the incidence of crime and how dealt with by the police and the courts, shall be submitted to the Superintendent at the end of each half year. The following instructions for the preparation of the statement should be followed:—

(*i*) The entries from columns 3 to 10 and 12 to 19 will be made in pencil so long as any cases of the half year are pending, so that the entries may be easily erased and necessary corrections made as occasion arises.

(*ii*) On the 1st January and July the statistics for the half year shall be copied by the police-station staff on to a loose sheet and forwarded to the Superintendent through the Circle Inspector.

(*iii*) From the police-station forms each Circle Inspector will prepare in duplicate on similar forms a total for his circle, station by station (not by investigating officer), and submit one copy to the Superintendent's office for record together with the station forms. Similarly, the Superintendent shall prepare a total for his district, circle by circle, not station by station.

(*iv*) After the totals have been checked in the Superintendent's office, the police-station copies shall be returned direct to the police-station, the duplicate circle copy being retained and filed in the Superintendent's office with the district total.

(*v*) At the end of the next half year, the return for the half year just ended shall be submitted, and the returns for the four previous half years shall be resubmitted with the pencil entries referred to in sub-clause (*i*) above amended up to date. From these returns the Circle Inspectors and Superintendents shall bring their totalled returns up to date. The returns for previous half years shall continue to be resubmitted up to and including the time when all cases are completely disposed of and can be entered finally in ink.

(*vi*) Against foot-note (2) the retult of such prosecutions will be added. The comparative statements should be carefully filled in.

(*b*) Inspecting officers shall not, except with the previous sanction of the Inspector-General, direct the preparation of any other forms for the purpose of inspections.

NOTE.—The statement for the Railway Police shall be prepared in B. P Form No. 71.

1112. (*a*) An inspection register in B. P. Form No. 207 shall be kept at each office (including Court and Circle Inspector's office), police-station and outpost. **Inspection register. [§ 12, Act V, 1861.]**

(*b*) Biennial district inspection remarks of the Inspector-General and annual inspection remarks of the Deputy Inspector-General and the Inspector-General's review thereon are issued in triplicate to Superintendents. The original shall be returned, one copy shall be filed in the inspection registers of the offices inspected and the third copy shall be filed in the Superintendent's office. Action taken shall be noted on all three copies.

(*c*) Copies of remarks recorded in inspection registers of police-stations or subordinate posts by Hon'ble Ministers or by officers other than the Superintendent or officers subordinate to him shall be sent in full to the Superintendent who will, if their importance so warrants, forward copies in duplicate in half-margin to the Deputy Inspector-General.

(*d*) Copies of inspection remarks recorded by the Superintendent or any officer subordinate to him shall not be sent in full to the office of the Superintendent, but only such extracts as the inspecting officer may so direct. These shall be sent in duplicate and in half-margin and on receipt in the office of the Superintendent shall be made over to the stenographer, who will send the original for action to the officer or clerk concerned and will note the movements of the original on the duplicate. He will bring to the notice of the Superintendent any undue delay and, on all action being taken, he will put the file up to the Superintendent for final orders.

(*e*) Extracts of any remarks made by inspecting officers which relate to sanitary measures shall be sent by the Superintendent to the Director of Public Health through the Deputy Inspector-General.

(*f*) All visits by inspecting officers, however short, shall be noted in the register.

1113. Daily reports of Circle Inspectors on return from the Magistrate, and after any action required has been taken, shall be filed in chronological order, in monthly bundles, separately for each subdivision. (*See* regulation 192.) **Daily crime reports to be filed in monthly bundles.**

Personal diaries of Inspectors.

1114. Personal diaries of Inspectors shall be filed in the office of the Superintendent after they have been persued by the Superintendent and action taken thereon. The diaries should be sent to the Superintendent when on tour.

Index of crime. [§ 12, Act V, 1861.]

1115. This register shall be maintained in B. P. Form No. 14 in the office of the Superintendent in accordance with the instructions, *mutatis mutandis,* contained in Appendix XI. The register need not be taken on tour by the Superintendent.

Special reports of crime. [§ 12, Act V, of 1861.]

1116. (*a*) Intimation shall be given and special reports in B. P. Form No. 208 shall be submitted in accordance with the instructions given in Appendix XV. [For register of special reports, *see* B. P. Form No. 209.]

(*b*) Copies of the first special report shall be sent to Superintendents of bodering districts, whether within or without the province, to whom hue-and-cry notices have been sent. Copies of subsequent reports need be sent only if they contain something of special interest to those officers.

(*c*) Copies of remarks made by the District Magistrate on a special report shall be forwarded to other officers to whom a copy of the report has been sent.

(*d*) The first special report shall be submitted upon receipt of the information at headquarers and the second as soon as the full circumstances of the case have been ascertained. Subsequent reports shall be submitted every fortnight until the investigation is closed, except in unimporant cases when the officers to whom the reports are sent have indicated that only a final report is needed. After the investigation is closed, reports shall be submitted on the completion of each stage, such as committal or conviction.

(*e*) The first report shall normally be the first information report or a translation thereof made by the reader clerk and checked and edited by the senior officer present at headquarters. Subsequent reports until the close of the investigation shall comprise the Circle Inspector's or, the Criminal Investigation Department Inspector's progress reports carefully edited, a supervision note by the Subdivisional Police Officer, where there is one, and a forwarding commentary by the Superintendent or Additional Superintendent controlling the investigation. Reports subsequent to the close of the investigation shall contain the orders passed by the court on the completion of each stage. In the event of an acquittal, the grounds for it shall be noted, and if an appeal is being preferred a note shall be made whether arrangements have been made for the Crown to be represented.

(*f*) All special reports shall be concise, shall be written in good English and shall contain—

(*i*) all details ascertained up to date regarding the commission of the offence and information regarding the progress and quality of the investigation;

(*ii*) both the name and designation of any officer of or above the rank of Sub-Inspector who is mentioned;

(*iii*) the name, father's name and residence of any person arrested or suspected.

(*g*) Special reports of cases of crime against property and of murder or drugging for gain shall also contain—

(*i*) translations of all confessions, subject to the exceptions below:—

Confessions for the purpose of this rule include statements of a confessional nature made to the police, to Magistrates or even to other persons, such as a President, union board or panchayat. Statements of a confessional nature, however, that are obviously false, lacking in verifiable details and repetitions of previously submitted confessions shall not be included. Divergencies, *i.e.*, discrepancies, omission or additions of interest, between a confession recorded by a Magistrate and a confessional statement made by the same person to anybody else shall be duly commented upon in the special report with which the confession is forwarded;

(*ii*) information whether the suspects or convicts belong to any gang or are registered members of any criminal tribe under the Criminal Tribes Act, 1924;

(*iii*) full particulars of the *modus operandi*.

(*h*) Special reports on coining cases shall, if any instrument or materials for counterfeiting coin be found in any place within or near a house, contain an exact description of that place. A confidential note attached to the special report shall contain the name, father's name and residence of the informant, the purport of the information and a note on—

(*i*) the status and character of the informant;

(*ii*) the opportunity which he had of obtaining the information;

(*iii*) the circumstances in which he came forward to give the information;

(*iv*) whether he had cause for enmity with the person informed against;

(*v*) whether the information was given orally or in writing;

(*vi*) the action taken on receipt of the information.

(*i*) Special reports on note forgery cases shall contain a note on the presence or absence of water marks.

(*j*) All special reports should be regarded as documents belonging solely to the police and open to perusal only by the Superintendent and his superior officers and by any person specially authorised by the Superintendent to have access to them, subject to the powers of the District Magistrate or any Magistrate dealing with the case. The clerk in whose custody special reports are kept shall be held responsible for their safe custody.

1117. District Magistrates are required to report promptly to Commissioners of Divisions (by telegram when the officers are not in the same station) all matters coming under the following heads:— **Reports of serious riots, outrages and calamities.**

(*i*) serious riots which indicate a disturbed condition over a wide area, or which are likely to be followed by disturbances

elsewhere, unless repressive measures are promptly taken by the authorities;

(*ii*) collisions between Europeans of all classes of Indians which have a political importance as affecting local or general relations between the two communities, but not cases of alleged assaults regarding which there is no confirmation, or assaults of a positively insignificant character;

(*iii*) outrages which have a political aspect;

(*iv*) calamities, such as floods or earthquakes, which cause serious damage to life or property; and

(*v*) all other events which have a political and administrative importance.

Superintendents are not required to prepare the reports in these cases, but they shall arrange to supply prompt information regarding such occurrances, so as to enable District Magistrates to comply with the orders of the Provincial Government.

Standing instructions for flood relief shall also be drawn up by Superintendents for the guidance of police-station officers.

Register of absconding offenders.

1118. (*a*) A register in B. P. Form No. 210 shall be maintained in the office of the Superintendent of absconding offenders whose homes are within the district, that is, whose names find entry in Part I of the police-station registers. Entries shall be made police-station by police-station. The beginning of the register shall contain an index and the end of the register shall contain a list of absconders who have committed crime in the district, but whose homes are outside the district, that is, those whose names are entered in part II of the police-station registers.

(*b*) The Superintendent shall see that the names of absconding offenders are registered both in his own register and in the register of the police-station in which lies the home of the absconder or his relatives. He shall pass orders for such registration on receipt of the final memorandum unless he has already done so, e.g., on the monthly return of unexecuted warrants. In direct cases the names of absconders shall not be registered until action has been taken under sections 87 and 88, Code of Criminal Procedure.

(*c*) As soon as the name of an absconder has been entered in this register, the Superintendent shall send the roll of the absconder to the police-station concerned for entry in the police-station register, and a copy of it to any district or other police-station of his own district, where the absconder may have relatives, for entry in Part II of the register.

(*d*) The Superintendent will compare his office register with the police-station register at the time of his annual inspection of police-stations and shall refer to the District Magistrate the case of any absconder whom he considers to be no longer wanted.

(*e*) Court officers and officers in charge of police-stations shall at once report to the Superintendent the arrest or surrender of any absconder.

(*f*) When any absconder is no longer wanted the officer concerned shall be informed and both the police-station and the Superintendent's office registers shall at once be corrected.

Arrest of deserters from the Indian Army. [§ 12, Act V, 1861.]

1119. On receipt of intimation that a resident of his district has deserted from the Army the Superintendent shall treat him as an absconder and send his descriptive roll for publication in the *Criminal Intelligence Gazette* and enter his name in the absconders' register. Once a year enquiries should be made from Officers Commanding concerned whether the deserters entered in the absconders' register are still liable for arrest.

Conditions of a remission of sentence under seetion 401, Cr. P.C., to be explained to the convict concerned.

1120. In all cases of conditional remission or suspension of sentence under section 401, Code of Crniminal Procedure, the Superintendent or a senior police officer shall personally interview the convict before he is released from jail and read over and explain to him clearly, in the presence of responsible witnesses, the conditions on which his sentence has been remited or suspended. The convict shall further be required either to sign the document detailing the conditions or to affix his thumb impression thereto and a copy of the same shall be made over to him. (*See* regulation 385.)

Nominal roll of convicts deported to Port Blair. [§ 12, Act V, 1861.]

1121. Superintendents should themselves fill in columns 2, 3, 4 and 6 of the "Nominal roll with detailed account of crime and previous history of the prisoner" (Bengal Form No. 5066) which accompanies every convict deported to Port Blair, and should not leave this duty to a clerk. (*See* rule 827 of the Bengal Jail Code.)

Brief histories of dacoity cases.

1122. (*a*) Brief histories of all true cases of dacoity and of preparation to commit, assembly for the purpose of committing, and conspiracy to commit dacoity occurring in the province shall be written up and printed year by year and district by district after a close study of both the special diaries and the special reports.

(*b*) They should be in the following schedule form and not in narrative:—

(*i*) Special Report No. , and year with police-station case No. and date

(*ii*) Date of occurrence.

(*iii*) Place of occurrence and distance and direction from police-station with the name of the complainant (not informant).

(*iv*) Section (this will show attempt, preparation, assembly or aggravated forms of dacoity).

(*v*) *Modus operandi, e.g.,* method of effecting entry, weapons and lights carried, dress, disguise, war-cries, language, torture, cautions and signs for departure, any peculiar methods adopted, such as the use of chemicals in opening iron safes, etc.

(*vi*) Result of the case.

(*vii*) Names with parentage and residence (village, police-station and district) of persons concerned or reasonably suspected. Name of gang or gangs responsible, if known, shall be mentioned in block letters.

(*viii*) Cross-reference to any other case in which the accused have been concerned.

(*c*) As soon as the Magistrate has disposed of the Final Report, or on the conclusion of the trial the history in each case shall normally be prepared by the Circle Inspector and sent to the Superintendent, with English translations of important and useful confusions believed to be true, whether made to the police or to the Magistrate, but in any case where it is evident that the trial will not be finished at a reasonably early date a brief history shall be submitted before the completion of the trial and the final result reported on its conclusion.

As the Bengal Government Press does not receive papers written on both sides, the brief histories and their annexures should be typed on one side of the paper only.

(*d*) At the end of the year, the Superintendent on receipt of the brief histories of all the true cases of dacoity shall cause a consolidated alphabetical list to be prepared of all the names of persons concerned or reasonably suspected, and, after final check, shall send the brief histories and the English translations of the confessions to the Criminal Investigation Department with a note showing the number of copies required.

(*e*) The Criminal Investigation Department will then send a requisition to the Bengal Government Press with instructions to print necessary copies of the brief histories and to send them to the district concerned for distribution to the Criminal Investigation Department, Range Deputy Inspector-General, bordering districts, circles and police-stations.

(*f*) The full name with *aliases*, the parentage and the residence of each convicted and suspected person shall be entered in the consolidated alphabetical index followed, respectively, by the letter "C" or "S", the S. R. number and year of the case. The letter "A" shall precede the names of approvers, and the name of any one who has made a true confession shall be underlined.

A sample index "K" is given below for guidance:—

"Kalu Mir, son of Tofel Mir, of Basudebpur, police-station Egra, district Midnapore, S. 17—1924.

Kamdar Khan, son of Ershad Khan, of Nayanpor, police-station Danton, district Midnapore. C. 18—1924.

A Kanu Bhumji, son of Prasad Bhumji, of Rampur, police-station Panskura, district Midnapore. S. 21—1924.

Keramat Ali, son of Pir Baksh, of Guturia, police-station Rajarhat, district 24-Parganas. S. 35—1924".

1123. (*a*) Criminal histories shall be written up for gange or individuals whose operations are known to extend beyond the limits of a single district. No criminal history need be written in the case of purely local gangs and criminals, with the exception of those concerned in the following classes of professional crime:— **Criminal histories.**

(*i*) Poisoning.

(*ii*) Note-forgery.

(*iii*) Swindling.

(*iv*) Professional coining.

(*b*) Criminal histories shall be prepared in B. P. Form No. 211, and submitted to the Deputy Inspector-General, Criminal Investigation Department, with the final special report of the case. They shall be typewritten and the Superintendent shall keep copies in his office and at the police-station in which the members concerned reside.

(*c*) When criminal histories of several persons implicated in the same case are submitted together, a detailed history of the case need be given only in the sheet of the principal member of the gang, a reference to it being made in the sheets of other members.

(*d*) As criminal histories are permanent records of criminals, they must be accurate and shall receive careful scrutiny from Superintendents themselves before they are submitted.

(*e*) Criminal histories in excise and opium cases shall be prepared by the Excise Department.

1124. A record shall be opened in the office of the Superintendent for each enquiry or investigation (other than such as are governed by regulation 621) controlled by the Criminal Investigation Department. This record shall contain copies of all orders or communications received from the Department or issued by the Superintendent in connection with the case; and all diaries, reports or communications received by the Superintendent from officers of the Criminal Investigation Department deputed to the district, except such as are forwarded to the Department in original. **Records of enquiries or investigations controlled by the Criminal Investigation Department to be kept in the district.**

1125. (*a*) The offience of criminal conspiracy may be divided into four classes:— . **Institution and prosecution of conspiracy cases.**

[*Vide* section 196(A) of the Code of Criminal Procedure.]

(1) Conspiracy to commit cognizable offences punishable with death, transportation or rigorous imprisonment for a term of 2 years or upwards.

In such cases there are no antecedent conditions prior to cognizance being taken in court.

(2) Conspiracy to commit—

(*i*) any non-cognizable offence except those described in (3), or

(*ii*) a cognizable offence not punishable with death, transportation or rigorous imprisonment for a term of 2 years or upwards.

In these cases the written consent of the Provincial Government or the Cheif Presidency Magistrate or the District Magistrate empowered in this behalf, is necessary before any court takes cognizance.

Under Bengal Government order No. 1211P.—D., dated the 24th May 1913, the initiation of proceedings in such cases can be undertaken with the written consent of the District Magistrate, or of the Chief Presidency Magistrate.

(3) Conspiracy to commit any non-cognizable offences named in sub-section (*1*) of section 195 of the Code of Criminal Procedure.

In these cases the court shall take cognizance only on the written complaint as contemplated in that sub-section.

(4) Conspiracy to commit—

(*i*) an illegal act other than an offence, or

(*ii*) a legal act by illegal means, or

(*iii*) an offence to which the provisions of section 196 of the Code of Criminal Procedure apply.

Unless a complaint is made by order or under authority of the Provincial Government or some officer empowered by the Provincial Government, no court shall take cognizance of such offences.

The Provincial Government wishes to emphasize the desirability of resorting to prosecution of the offence of criminal conspiracy with due care, and only when the authorities are satisfied, after taking necessary legal advice, that there are reasonable grounds for instituting proceedings. Where the assistance of the police is invoked in such cases, police officers will be guided by the principles followed in the institution and conduct of gang cases. The police officer employed for the purposes of supervision and local control must be of known integrity and experience, and should go into the witness-box at an early stage of the case to show how the evidence has been got together and sifted. The Deputy Inspector-General, Intelligence Branch, shall immediately assume control of all cases in which prosecution has been sanctioned by the Provincial Government and in cases in which the District Magistrate has sanctioned the initiation of proceedings and has invoked the assistance of the police. The nature of the control to be exercised is laid down in regulation 617. The Deputy Inspector-General, Intelligence Branch, will be responsible for keeping the Provincial Government and the Inspector-General informed of all important stages of the case, and the Superintendent of the district in which the proceedings have been instituted will be responsible for keeping the Commissioner and the District Magistrate similarly informed.

(*c*) The procedure for the preparation and prosecution of all the classes of conspiracy case analysed in clause (*a*) above, and of gang cases is laid down in rules 17 and 18 at page 34 of the Legal Rembrancer's Manual.

(*d*) The cases referred to in class (*a*)(*1*) shall, as soon as instituted, be specially reported to, the Deputy Inspector-General, Criminal Investigation Department, who may either assume conrol thereof or

otherwise render assistance to the District Police concerned. In cases of conspiracy to commit a series of dacoities or roberies, it must be remembered that section 400 or 401, Indian Penal Code, involves, respectively, the offences of conspiracy to commit dacoities and roberies or thefts.

1126. (*a*) All gang cases will be investigated by the Criminal Investigation Department; for action to be taken by Superintendents *see* regulation 628. **Gang cases.**

(*b*) Superintendents shall obtain, as soon as possible after delivery, copies of judgments in gang cases and send them to the Criminal Investigation Department.

1127. Gang cases shall be named after the chief approver, if there be one, and if there is not, after the principal leader of the gang in the case. If the gang consist entirely of a recognised caste, the name of the caste should be added in brackets. Each case will be allotted consecutive number by the Criminal Investigation Department on receipt of the final report, and the name of the district will show the number in brackets, e.g., "Banwari Dusadh (Chokai Dusadh), Gang case No. 10, Rajshahi." Gang cases shall be described by this system in all correspondence, notes and reports. **Naming of gang cases.**

1128. (*a*) A gang register file shall be maintained by the Superintendent for each gang of criminals, such as dacoits, swindlers, burglars, coiners or forgers, who systematically commit crime as a gang. Each such file shall contain— **Gang register files and Index.**

(*i*) a history of the gang and of its leaders, showing how the gang came into being, its connections with other gangs, the places where its members are in the habit of meeting, the names of receivers and supporters and any relationships between its members; and

(*ii*) a chart in B. P. Form No. 212 in which, under the entry for each case, there shall be written against the name of any member implicated, the letter S, C, A or D, to indicate that he has been suspected, convicted, acquitted or discharged. If a member has been registered under the Criminal Tribes Act, 1924 (VI of 1924), the letters C.T.A. shall be entered in red ink against his name in the second column of the chart. If any case in which the gang is concerned is a special report case, its district member shall be entered in the appropriate column of the chart.

(*b*) A copy of the chart shall be kept at each police-station in which members of the gang reside. Each year the officer in charge shall make enquiries regarding every such member, and the chart shall be brought up to date by the Superintendent, who shall also add a note to the history of the gang recording briefly its activities during the year.

(*c*) Gang register files shall be kept in two bundles, one of which shall contain the files of active and the other those of inactive gangs. The classification of these files shall be revised each year.

(*d*) There shall be maintained in the Superintendents' office a consolidated alphabetical index of all names contained in the charts. Against each name a reference shall be given to the file number, the page of the history on which the name occurs and its serial number on the chart.

(*e*) Gang Register files and the index should accompany the Superintendent on tour at the time of his inspection of police-stations when his remarks should be recorded in his own hand-writing. The annual remarks compiled from the reports of officers-in-charge should be typed annually in the register and again checked at the next inspection.

Inspection and copying of Sessions Court's record.

1129. (*a*) Under rule 58(*a*) in Chapter III of the High Court's General Rules and Circular Orders (Criminal), Sessions Judges give Magistrates and Superintendents facilities for inspecting the records of cases in their courts.

(*b*) The same rule governs the preparation of copies from the records of Sessions Courts. A Superintendent requiring such copies shall apply to the District Magistrate and depute a clerk or officer to make copies of any papers other than those to be copied by the Judge's establishment. If the court is in another district the Superintendent of that district shall, on request, thus depute a clerk or officer.

Judgments in civil suits against police officers— how obtained.

1130. In cases of civil suits instituted by private individuals against police officers, Superintendents may obtain copies on stamped paper of judgments, when necessary, on payment in accordance with the rules framed by the High Court, the charge being met from the police budget.

Superintendents and their subordianates to study the index to information on record in Criminal Intelligence Bureau.

1131. Superintendents are required to study, with care, the index to the information on record in the Criminal Intelligence Bureau of the Criminal Investigation Department as shown in Appendix XXXII, and to insist on their subordinates doing the same, in order that they may become thoroughly familiar with the various classes of professional criminals about whom information is available in the bureau.

CHAPTER XXIV.

Accounts.

I—Cash and Cash Accounts.

Authoritative rules for keeping accounts.

1132. Authoritative rules for receiving, keeping and disbursing of money and for the keeping of accounts are contained in the Civil Account Code, the Bengal Audit Manual and the Bengal Financial Rules, regarding pay, allowances and leave in the Fundamental and Subsidiary Rules and the Bengal Service Rules and regarding pension in the Civil Service Regulations. All Superintendents, Assistant

and Deputy Superintendents, head clerks, accountants and Reserve officers are expected to be familiar with the rules which are relevant to the department. No rule in the Police Regulations has any authority as against these books, and should not be quoted in correspondence as overriding them.

1133. (*a*) All accounts shall be in sole charge of the accountant and all bills, both original and copy, shall be prepared and initialled by him, and examined and initialled by the head clerk before they are signed by the Superintendent or by the gazetted officer authorized to sign bills for the Superintendent. **Charge of accounts.**

(*b*) As head clerks continue to be responsible for all their duties, including all cash transactions, during their absence on casual leave they shall, on return from shch leave, examine the accounts from the date they proceeded on leave and intial all pay and receipt cheques written up and bills cashed during their absence.

Exception.—In the 24-Parganas, Dacca, Bakarganj and Mymensingh the duties of the accountant shall be performed by the senior assistant accountant and those of the head clerk in connection with the examination of bills and accounts by the senior accountant.

In allotting duties the Superintendent shall observe the principle that cash and accounts are kept quite separate, subject to the general supervision of the head clerk.

1134. (*a*) The cash chest shall be in charge of the head clerk, who is the cashier for the purposes of all accounts rules. **Charge of cash chest**

Exception.—In the 24-Parganas, Dacca, Bakarganj and Mymensingh the duties of the cashier shall be performed by the senior accountant, subject to the provision of regulation 1133.

(*b*) The chest shall be fastened or placed in a position of security under the protection of the guard over the treasury.

(*c*) Whenever the amount of undisbursed pay or any other amount be too large to keep safely in the office cash chest, the money shall be kept in the treasury in a separate sealed bag with a slip specifying the amount attached to it. The bag shall be placed under double lock and key in the presence of the treasurer and the police officer who conveys it to the treasury. The police officer shall obtain a receipt for the bag which shall, on application, be delivered out of the treasury, when required, in the presence of the treasurer and the officer deputed to receive it. The latter shall acknowledge its return and surrender the receipt.

1135. No deviation from regulations 1133 and 1134 shall be allowed without the written permission of the Inspector-General. **No deviation of rules regarding charge of cash and accounts to be allowed without Inspector-General's orders.**

All moneys to be paid into Government treasuries. [§ 12, Act V, 1861.]

1136. (*a*) Superintendents shall pay into the Government treasury all moneys, of whatever kind, which come into their possession as officers of the Crown. They shall not retain in their own hands money which is either the property of the Crown or is deposited with them, or entrusted to them for any public purpose.

(*b*) All receipts shall be paid, without deduction, into the treasury and credited in gross in the accounts; and any expenditure shall always be met from money drawn from the treasury, and shall also appear in the accounts. The crediting of net receipts after deduction of expenditure is not allowed. No officer shall appropriate money realized locally towards current expenditure.

(*c*) When any money is sent to the treasury for credit to the provincial revenues, the *chalan* shall always be signed by the Superintendent, Assistant or Deputy Superintendent, or an Inspector specially authorized by district order, and not by the accountant.

(*d*) The chalans with which the money is forwarded to the treasury shall specify distinctly the nature of every receipt, and it is for the Treasury Officer, who has full instructions in the matter (or can ask for them), to say whether the amounts are to be credited to the provincial revenues or to be placed in deposit in any way.

Full particulars and complete classification of accounts under major, minor and detailed heads to which each amount should be credited shall be recorded on the *chalan*.

(*e*) The only moneys which a Superintendent may have in his safe are (*i*) the permanent advance and (*ii*) pay in course of distribution. (For custody of undisbursed pay *see* rule 76 of the Bengal Financial Rules.)

(*f*) These orders do not apply to money which it is necessary to retain for purposes of police investigation, in cases in which question of the identity of the precise coins or notes may arise; but if such questions are not involved, the treasury, and not the district safe, is the proper place for the custody of the money.

Pay and receipt cheques.

1137. (*a*) No sum of money, however small, shall be paid or received on any account without the authority of a pay or receipt cheque in duplicate in Bengal Form No. 39 or 50 and on no account shall any manuscript form be used. But when money is sent to, or received from, the treasury, or when the actual payee is present and is paid in the office of the Superintendent or when his dues are remitted by postal money order and a receipt in duplicate is not required, the pay and receipt cheques shall not be written in duplicate. The original form shall be defaced by a line across it.

(*b*) Only one cheque book of each sort shall be in use at a time, and all payments and receipts of every description, whether pay, contingencies, travelling allowance remittances from other districts, etc., shall be made by cheques numbered consecutively, the first cheque in each month being No. "1".

(*c*) Cheques shall be used economically. One receipt cheque shall ordinarily be made out for all bills cashed on the same day, the amounts under different heads being noted on the cheque. Similarly, one pay cheque shall, where possible, be used for the total amount to be sent on any day to each subdivision (excepting the sadar), the different sums intended for each station or office under each head being noted on the cheque. Separate pay cheques shall be made out for every office or station in the sadar subdivision for the total amount to be sent on any day to each office or station the amounts under different heads being separately noted on each cheque. The cheque shall be made payable to the officer responsible for the distribution of the amount who shall acknowledge receipt on its reverse.

(*d*) The duty of signing cheques may be delegated to an Additional Superintendent or to an Assistant or Deputy Superintendent, or in the absence of the Superintendent, or any of these officers, to an officer of lower rank. Such delegation shall be entered in the district order book and when cheques are signed by an officer below the rank of Inspector, they shall be countersigned by the Superintendent or the gazetted officer dealing with accounts on his return to headquarters.

(*e*) When any sum of money is to be received or paid, the accountant shall write out and initial the cheques and its duplicate and have it signed by the Superintendent or the officer empowered to sign cheques. Whenever a pay cheque is submitted for signature, the bill itself shall also be put up with it. The number and date of the pay cheque shall be recorded on the bill and the entry shall be initialled by the officer signing the cheque so that the bill may not be used in support of a second pay cheque. The cheque will then be taken to the head clerk who, on actual payment or receipt of the money, shall initial the cheque and its duplicate and, in the case of payment, take the payee's signature on the back of the cheque. The accountant shall then enter the amount in the cash book.

(*f*) All pay cheques, duly receipted on the reverse, shall be defaced and attached by the account to the duplicate in the cheque book. The receipt cheques for money sent to police-stations and other offices shall also be attached to the duplicate pay cheque. Receipts for money orders and treasury *chalans* shall be filed with the pay cheques in the same way.

(*g*) When a sum of money is made over to an escort, the officer in charge of the escort shall acknowledge the receipt of the money on the reverse of the duplicate pay cheque and the cheque shall be sent for signature by the person for whom the money is intended.

(*h*) Accountants shall note on the back of every receipt cheque the numbers of all its pay cheques (except on receipt cheques in connection with contingent money and recoupment of permanent advance). They shall also note the number and date of the pay cheque relating to the payment of a reward in the margin of the district order book against the order sanctioning the reward.

Cash book. **1138.** (*a*) A daily cash book shall be kept in D. P. Form No. 215.

(*b*) The following instructions shall be observed in making entries in the cash book:—

(*i*) The entries shall be very brief, as it is merely intended as a check on the cash in hand.

(*ii*) Every item received or paid with the exception of the pay and allowances (including travelling allowances) of gazetted officers shall be shewn.

(*iii*) Details of items in hand under each head and of advances outstanding each day shall be shown below where the daily balance is struck. Only the number and date of each receipt cheque of which any portion is outstanding and the amount so outstanding shall be shown. Notes shall be made against each item in red ink as it is paid or adjusted.

(*iv*) Money paid by a bill or order on any but the sadar treasury of the district shall always find entry in the cash book on both sides of the account, the credit side showing the sum as having been received by bill, and the debit side exhibiting the payment to such and such a payee by a bill on such and such a treasury.

(*v*) Money remitted by transfer receipt shall also be treated as a cash payment, the entry being worded as a payment by transfer receipt. In case a bill and not money is sent to the treasury for the purpose, the transaction shall be shown on both sides of the cash book as if it were an actual cash receipt and expenditure.

(*vi*) Transfer receipts, money orders and cheques when received, shall be treated as cash.

(*vii*) Deductions form pay bills on account of income-tax, hospital diet and provident funds shall in no case be exhibited in the cash book, the net sum only being credited on account of pay.

(*viii*) The cash book shall be totalled, balanced and closed daily, and the balance under each of the columns shall be struck separately.

(*ix*) The accountant shall initial the foot of every page of the cash book, and he and the head clerk shall initial the daily balance.

(*c*) The cash book duly completed shall be laid before the Superintendent or Additional Superintendent or Assistant or Deputy Superintendent at headquarters, who shall compare it with the receipt and pay cheque books and the contingent register and initial each entry. He shall also see (*i*) that the balances of the previous day have been correctly brought forward and daily balance struck; (*ii*) that the balances struck are correct, and that the amounts are actually in the cash chest; (*iii*) that the amounts drawn from the treasury, or received from others, do not remain too long in hand.

(*d*) During the absence of the officers mentioned in clause (*c*) from headquarters the cash balance may be verified and entries in the cash book initialled by an officer below the rank of Assistant or Deputy Superintendent. In such cases one of the officers mentioned above shall, on his return, compare the entries with the pay and receipt cheques and initial the daily balance. As, however, the Superintendent is responsible to the Provincial Government for the proper maintenance of the cash book, he shall examine and initial it at least once a month.

Tresury pass Book.

1139. Transactions with the treasury shall be recorded in a treasury pass book in Bengal Form No. 2510. All entries in the pass book will be made by the treasury staff and attested by the Treasury Officer. The entries should be compared daily or as often as possible with those in the cash book in order to guard against accidental and premeditated omission to enter in the cash book all sums received from or paid into the treasury.

Police-station and Court office cash account to be compared with the Superintendent's office accounts.

1140. (*a*) The police-station and Court office cash accounts shall be compared monthly with the entries in the accounts of the Superintendent's office and initialled by the head clerk.

(*b*) Accountants shall bring to the notice of the Superintendent all cases in which any sum of money has remained in hand for more than two months.

Erasures and corrections in account registers and records.

1141. Erasures and overwritings in any account register or records or in the cash book are absolutely forbidden; if any correction be necessary, the incorrect entry shall be cancelled neatly in red ink, and the correct entry inserted. Any such correction or any interpolation deemed necessary should be authenticated by the head of the office or any other gazetted officer authorised to deal with account matters.

Certificate regarding cash book.

1142. A certificate in B. P. Form No. 216 shall be submitted to the Inspector-General on or before the 15th of each month. The certificate shall be signed by the Superintendent, or by the Additional Superintendent when this power has been so delegated, after personally checking the accounts.

Audit of police accounts.

1143. (*a*) The accounts of police offices will be periodically inspected by the audit staff of the Accountant-General.

(*b*) The primary object of this inspection is to assist the head of the office in maintaining an efficient system of regularity and control of financial transactions committed to his charge. It is not intended that he should be relieved of his responsibilities in the matter of frequent check and supervision. The sole responsibility for his accounts shall rest with him. The audit staff will not be responsible in any way for irregularities which may occur in the accounts in spite of their instructions. They will merely advise the head of the office as to the best way of meeting his responsibility.

(*c*) With a view to avoiding unnecessary correspondence the head of the office should assist the auditor in the disposal of formal objections, as far as practicable, on the spot and for this purpose should scrutinize carefully the remarks and figures in the draft note and rectify in consultation with him any incorrect entries or misstatements before initialling the draft.

(*d*) One type-written copy of the inspection notes will be forwarded to the head of the office concerned by the Examiner, Outside Audit, Calcutta, from which five copies shall be made out. Broadsheets will then be prepared by pasting each paragraph or sub-paragraph or item of the inspection notes at the top of a separate sheet of foolscap. The different officers should then record their remarks *seriatim* below, attaching as many extra sheets as may be necessary to dispose of each paragraph or sub-paragraph or item thereof. At the head of the note recorded by each officer it must be clearly indicated whose remarks follow and for this purpose the following headings will be used as the case may be:—

(*i*) Explanation of head of office.

(*ii*) Remarks of superior officers.

(*iii*) Orders of the head of the department.

(*iv*) Accountant-General's final remarks.

(*v*) Orders of the Provincial Government (where necessary).

The head of the office will retain one copy of the broadsheets in his own office and forward the other copies with his remarks within three weeks of the receipt of the report to the Deputy Inspector-General, who will similarly record his remarks, keep one copy in his office and transmit three copies as soon as possible to the Inspector-General, who after recording his remarks will keep one copy in his office and send the other two copies to the Accountant-General within two months of the date of receipt. The Accountant-General will note his remarks and return one copy for further necessary action to the head of the office who will note the action taken by his office and cause it to be produced before the auditor when he next visits the office.

Accounts objection.

1144. A copy of the objection taken by the Accountant-General to proceedings or to expenditure as beyond the powers of sanction of the local authorities concerned shall invariably accompany the letter of reference to the Inspector-General or the Deputy Inspector-General requesting sanction to such proceedings or expenditure.

II—SECURITY DEPOSITS.

Officers required to give security.

1145. (*a*) The following officers are required to give security of the amount indicated:—

(*i*) All head clerks and accountants who are required to handle cash except head clerks and accountants in the offices of the Range Deputy Inspectors-General—Rs.500.

(*ii*) Head clerks and accountants in the offices of the Range Deputy Inspectors-General, all Sub-Inspectors in charge of Court offices and Court Inspectors where such officers are posted—Rs.300.

NOTE.—(*i*) Accountants who are *not* required to handle cash need not deposit any cash security but should exceute security bonds in B. P. No. 219 with two sureties of Rs.250.

(*ii*) *See* rule 40, note 3, of the Bengal Financial Rules.

(*iii*) Clerks whose names are entered on the provincial approved list of clerks fit to be accountants shall commence contributing monthly deposits of one-fourth of their pay from the month after notification of such entry and shall bind themselves by two sureties for the amount of security required of an accountant as laid down in clause (*c*) below.

(*b*) The rules regarding security deposits shall apply, *mutatis mutandis*, to clerks promoted to act as head clerks and accountants. All clerks qualified to be promoted as head clerks and accountants should be encouraged to commence depositing in the Savings Bank so that, when their time for acting promotion comes, they may have a substantial amount towards their security deposit at their credit.

(*c*) Security shall be either a deposit in the Post Office Savings Bank or a Government Promissory Note. If the whole security can be deposited at once, the head of the office shall call upon the depositor to sign a bond in B. P. Form No. 217 if the officer has to handle Crown money or in Bengal Form No. 284 if he has not to handle Crown money; if not, a bond in Bengal Form No. 282 or B. P. Form No. 218, as the case may be, shall be executed in which the person who has to give security binds himself by two sureties for the amount, and in which he agrees to monthly deductions of not less than one-fourth of his pay. As soon as the full amount of the security required has been deposited, a fresh bond shall be executed by the depositor in B. P. Form No. 217 or Bengal Form No. 284, as the case may be.

NOTE.—More than one-fourth of an officer's pay shall not be deducted without special reasons.

As an alternative, the following procedure may be adopted in the case of all securities of Rs.500 or less:—

(*1*) The officer may give a fidelity bond of an Insurance Company approved by the Provincial Government (such as the Clive Insurance Company, the National India Insurance Company, the Ocean Accident and Guarantee Corporation, Limited, or the General Accident, Fire and Life Assurance Corporation, Limited) for the full amount of the required security guaranteeing the Provincial Government against losses through dishonesty, negligence or disregard of the rules on the part of the officer.

(*2*) Deductions will then be made at the rate of 10 per cent. of the officer's pay, the fidelity bond to be cancelled only after the full amount of the security bond had been deposited in cash.

The head of the office will be responsible for seeing that fidelity bonds which expire before the full amount of security has been recovered by deduction from pay, are renewed in good time so as to cover the outstanding amounts.

(*d*) Where cash security is required and promissory notes are deposited, they should, as regards the original deposit, be for such an amount as would, if they were realized, approximate the cash value of the security required. In cases of depreciation after original deposit no further deposit should be insisted on; in such cases the risk of depreciation in the value of the promissory notes tendered will be accepted by the Provincial Government.

When the amount of security is not in excess of Rs.500, cash certificates may be accepted, provided they are formally transfrred under rule 5 of the cash certificate rules, an extract from which is reproduced below:—

A holder of cash certificates may tender them as security to any department of Government for the amount at which the certificates were purchased and not for their face value provided that the certificates are formally transferred to the pledgee with the sanction of the Head Postmaster of the office in which or in one of the Sub-offices attached to which the certificates are for the time being registered. The certificates may, with the permission of the Head Postmaster, be transferred by the pledgee to the original holder on the removal of the pledge

Cash certificates pledged as security may be kept in the custody of the pledgee.

(*e*) All bonds prescribed in these regulations shall be registered and shall be sent after they have been subjected to scrutiny and found valid for safe custody to the Inspector-General of Registration. They shall be sent in registered covers, the receipts obtained being retained for reference, when necessary. The head of the office shall be responsible that deductions from pay are regularly enforced. These security bonds shall be on plain paper and be exempt from payment of registration fees (including fees under article "N" of the registration fee table).

(*f*) When a servant of the Crown who has furnished security takes leave or is deputed to other duty for not more than six months, he should ordinarily be required to stand surety for the servant of the Crown appointed to act for him to the extent of his own security or for the difference between the security offered by the acting incumbent and that prescribed for the appointment. If, however, in special circumstances the permanent incumbent is unable to do so, the servant of the Crown acting for him must furnish the full amount of the security, or, at the discretion of the head of the office, half the amount in cash and the rest in fidelity bonds. Security to the full amount should always be taken when the acting appointment is made for more than six months.

Provided further that if a servant of the Crown holding substantively a post in which no security is demanded is appointed for a period not exceeding three months to a post in which security is

required, the head of the office may permit him to furnish security for a reduced amount, or when the security required does not exceed Rs.500, may, for special reasons to be recorded, exempt him from furnishing any security.

(*g*) It is obligatory on all officers who are required to execute security bonds with sureties to report without loss of time any change in the status of their sureties which is calculated to render their suretyship invalid or insufficient. Apart from any special enquiries which may be made upon receipt of such information the head of the office should ensure that persons standing surety for security bonds for accountants (including assistant accountants) who are not required to handle cash are of proved financial stability and that periodical enquiries are made in order to ascertain whether the sureties are alive and solvent.

(*h*) All sums recovered shall be deposited in the Post Office Savings Bank in order that the officers furnishing the security may derive the benefit of the interest that may accrue on the sum at the close of the year. The Security may, with advantage to the officers concerned, be converted into Government promissory notes.

(*i*) Security deposits are received by the Post Office Savings Bank on the following terms:—

The account is opened in the name of the person depositing the security. He is required to sign a letter (B. P. Form No. 220) addressed to the Postmaster of the Post Office Savings Bank, undertaking not to make any claim for the principal of the sum deposited, except with the express written sanction of the head of the office nor to object to its payment by the Post Office to the head of the office upon his claiming it, and not to make any claim for the interest after such officer shall have revoked his authority to receive it.

(*j*) The pass books of officers employed in subdivisions shall remain with the Circle Inspector and those of officers employed elsewhere with the head of the office. The head of the office or the Circle Inspector, as the case may be, shall see that the monthly instalments are deducted from the pay of the officers concerned and deposited in the local Post Office Savings Bank. When the full amount of the deposits has been paid, the pass-books shall be kept in the cash chest in the headquarters office.

(*k*) Court Inspectors who draw their own pay shall deposit the monthly instalment in the Post Office Savings Bank at the time the bill is cashed. For this purpose the Superintendent or the Circle Inspector, as the case may be, will temporarily hand over the pass book to the officers concerned or to their messengers.

(*l*) When a Government promissory note is given as a security, it shall be endorsed by the owner to the Accountant-General, Bengal, and shall then be sent by the head of the office to the Accountant-General with a forwarding letter.

If, however, a Government promissory note is given as security for 12 months or less, or if it is so given for a period of more than 12 months but the owner does not desire to draw any interest during

that period, the note shall remain in his name and shall be sent for safe custody to the nearest treasury or, if he is stationed in Calcutta, to the Accountant-General. The security bond shall convey authority to the Provincial Government, if necessity arises, to appropriate the note.

(*m*) Promissory notes and Savings Bank deposits lodged as security may be returned six months after the person who gives the security has vacated the office, provided no claim has arisen or is likely to arise against the security; but security bonds should be retained permanently or until it is certain that there is no necessity for keeping them.

(*n*) When an officer is permanently transferred to another district his security should be transferred with him. The manner in which his Savings Bank account is transferred will be found in the Post Office Savings Bank Depositor's Rules.

(*o*) The head of the office shall maintain a register of securities and deposits in B. P. Form No. 221. In the remarks column the number and date of letter forwarding Form No. 220 to the Postmaster should be given. When the amount or security is paid by monthly instalments, the amount of each payment should be entered in column 6, the entries being one above the other. Sufficient space for the entries shall be left between the names.

(*p*) The head of the office shall be held personally responsible for the observance of the above rules. At his annual inspection he shall look up each officer's security.

When taking over charge he shall satisfy himself that these regulations have been carefully observed.

III—Budget Estimates and Budget Control.

Preparation and submission of budget estimates.

1146. (*a*) The rules in the Bengal Financial Rules, Chapter 11, regarding the budget shall be studied and followed. Superintendents shall give their personal care and attention to the preparation of the budget estimates (Bengal Form No. 5317) and shall not leave the work in the hands of their head clerks. The budget shall be submitted so as to reach the Inspector-General on the 1st August each year.

(*b*) No provision shall be made in the budget estimates for increased establishment or for any item of expenditure which requires the sanction of a higher authority. All figures which are abnormal or new shall be fully explained, as otherwise they cannot be accepted. If it is proposed to include in the budget any new expenditure of considerable amount, this shall not be included in the body of the budget but in a separate note.

(*c*) The budget is not the place in which to solicit sanction to increase of establishment or expenditure. Application for sanction shall be made separately before the budget is submitted.

(*d*) If any question of increase of establishment or other expenditure has been referred to the Inspector-General and is pending orders, a reference to the correspondence shall be made in the "remarks" column of the estimate. These instructions apply also to allowances other than travelling allowancess. The number of officers drawing each class of allowance (e.g., pony allowance, bugler allowance, etc.) shall be noted in the "remarks" column.

NOTE.—It must be cleraly understood that the fact that provision for expenditure has been made in the sanctioned budget does not obviate the necessity for obtaining sanction for expenditure for which sanction is necessary. In applying for such sanction the following shall always be stated in the application:—(*i*) that sufficient provision to meet the expenditure exists, (*ii*) the head of the budget under which such provision is made, and (*iii*) the reasons which require the expenditure.

Detailed instructions for preparing budget estimates.

1147. The following instructions shall be followed in preparing estimates under the undermentioned sub-heads of expenditure:—

Pay.—All charges on account of pay, establishment and fixed allowances shall be provided for according to fixed sanctions. In calculating the provision to be made for the pay of constables, the number with approved service (*i*) not exceeding three years, on Rs.20, (*ii*) exceeding 3 years but not exceeding 7 years, on Rs.21, (*iii*) exceeding 7 years but not exceeding 10 years, on Rs.22, (*iv*) exceeding 10 years but not exceeding 17 years, on Rs.23 and (*v*) exceeding 17 years, on Rs.24 shall be carefully ascertained and noted against the appropriate entry in the budget, and the amount to be provided calculated accordingly. The rate of pay drawn by each incumbent on the 1st April of the year for which the estimate is framed shall form the basis of calculation, and increments which may fall due during the year shall be considered.

Travelling allowance.—The estimate shall be based on the actual expenditure of the past three years, and if any larger expenditure has to be provided for, reasons for the increased provision shall be given in the column for remarks.

Contingencies.—The same procedure shall be followed as in the case of travelling allowance in respect of contingent expenditure and other fluctuating charges.

The total provision under all sub-heads of contract contingencies should not ordinarily exceed the total allotment made in the sanctioned budget of the current year. Increases and decreases within that total may be made. If any increase in the total provision is proposed, it must be fully justified. The prospects of any additional grant being given are not great, since the balance of the total allotment for the department, which is kept undistributed, is very small and is required for meeting unexpected expenditure which may occur during the year. The provision made should, therefore, be in accordance with the initial grant (omitting subsequent grants) of the current year, unless some very strong reason can be given.

In preparing estimates for petty repairs to buildings and oil for lighting purposes, the following scales are laid down as a general guide. They are not rigid, and Superintendents may use their

discretion in increasing or decreasing the allotment within the total limit of their budget grants:—

PETTY REPAIRS TO BUILDINGS.

	Yearly. Rs.
Police-station	250
Outpost	100
Reserve lines	350

OIL FOR LIGHTING.

	Rs.	A.	p.		
Large investigating centre	2	13	0×12		
Small investigating centre	1	14	0×12		
Town outpost	0	15	0×12	per	barrack light.
Reserve lines	14	0	0×12	for average	an average district.
Inspector's office	0	7	8×12		

As a general result of experiment, it is found that the average monthly cost of burning one lantern throughout the night (including cost of wick and matches) is annas 15. This latter figure will enable officers to calculate the correct grant in exceptional instances such as a large Reserve office or town outpost, etc. Lighting charges of Court police offices shall be met from the contract grant of Superintendents according to actual requirements.

Police rewards.—Provision shall be made as in the sanctioned budget of the current year, unless there be some special reasons for increase or decrease. The actuals of the previous three years shall be given.

Clothing.—Provision shall be made for a lump grant in accordance with the authorised scales laid down in Chapter XIX.

Office and ground rents and other fixed payments.—All sanctions up to date, and such other amounts for which sanction is necessary, shall be provided for, and full details furnished in the Appendix or the "remarks" column of the budget. Charges for which sanction already exists shall be separated from those for which sanction is necessary.

Books.—It is useless making provision under this sub-head without giving details. The names and prices of all books required shall be stated.

Petty construction.—The amount provided in the sanctioned estimate under this head depends not so much on actual requirements as on the amounts which the Provincial Government can place at the disposal of the department. In the budget estimates Superintendents shall provide for all urgent work and shall append to their estimate a list of

the works with rough estimates. At the beginning of the year allotments from the petty construction grant shall be made by the Inspector-General to Deputy Inspectors-General.

Athletic clubs.—Provision should be made in accordance with the scale laid down in regulation 1167.

Purchase of land.—Ordinarily, provision cannot be made unless the matter has been separately referred to the Inspector-General.

Rewards for marksmanship.—Provision under this head shall be made in accordance with regulations 796 and 797.

Charges incurred to be drawn at once and not thrown on the grant of another year.

1148. (*a*) All charges incurred shall be drawn and paid (subject of course, to the preparation of a bill in the proper form in the case of sums paid from the permanent advance) at once. In no circumstances shall they be allowed to stand over to be paid from the grant of another year.

(*b*) If possible, expenditure (*i.e.*, expenditure for which there is no budget provision), shall be postponed till the preparation of a new buget has given the opportunity of making provision, and till the sanction of that budget has supplied means; but on no account shall charges actually be incurred and thrown on the grant of another year.

Accounting of expenditure. [§ 12, Act V, 1861.]

1149. (*a*) By the 5th of every month all disbursing officers shall submit to the Inspector-General statements of accounts in Form B (Bengal Form No. 2605) of the sums drawn by them from the treasury under all heads of expenditure excepting the expenditure under "Pay of officers" and "Pay of establishment." The numbers and dates of the treasury vouchers should be noted against each entry in the statement, duly supported by bill extracts in Form A (Bengal Form No. 2604).

The following is the procedure to be followed by disbursing officers:—

(*i*) When bills are prepared for the above classes of expenditure, complete account classification will be entered in the bills as well as in the bill extracts which will be attached to the bills at the time of presentation to the treasury for payment. Ordinarily, when payment is made, these bill extracts will be returned stamped with the treasury seal bearing the date of payment. If in any case there is delay in receiving back the bill extracts from the treasury the fact should be reported to the Accountant-General through the Inspector-General.

(*ii*) On receipt of the allotments from the Inspector-General disbursing officers will open separate registers by major, minor and sub-heads and note the allotments under the primary units—(*a*) Allowances, honoraria, etc., (*b*) Contract contingencies and, (*c*) Other contingencies with their distribution according to secondary units in red ink at the top of the register under each detailed head concerned. The register prescribed in rule 90 of the Bengal Financial Rules may be utilised for the purpose.

(*iii*) These allotments should also be noted in red ink in the column prescribed for the purpose in statement B. If the allotment against any detailed head be subsequently increased or reduced, the alterations should be noted in red ink by *plus* or *minus* entries.

(*iv*) Should the disbursing officers receive information from the Inspector-General that particular items have been misclassified, they will correct the accounts of expenditure and the available balances of the allotments by means of *minus* or *plus* entries in red ink.

(*v*) At the end of each month the expenditure against each detailed head of account will be totalled. The total expenditure will then be deducted from the allotment shown at the top of each column in the statement and the balance thus worked out will be brought forward to the account of the next month.

(*vi*) All book adjustment charges will be shown separately in red ink in statement B at the end of the cash entries and should be taken into account in working out the balance of the appropriation.

(*vii*) The statement shall be signed by the Superintendent or by the Additional Superintendent and where there is no Additional Superintendent by the Assistant Superintendent or Deputy Superintendent but the Superintendent should satisfy himself by a periodical check that expenditure under any particular head is not progressing so rapidly that it may ultimately lead to excess.

(*viii*) Without the previous sanction of the Inspector-General disbursing officers shall not exceed the budget grants or incur any expenditure which may result in an excess over the grants allotted to them. They shall watch the progress of expenditure month by month, and as soon as they notice that their allotment is likely to be exceeded they shall at once report to the Inspector-General the approximate amount of the excess anticipated giving full reasons for the increased expenditure under each head. Additional grants, however, will not as a rule be sanctioned until January each year or later, by which time it should be possible to see whether any savings are available to meet such excess.

(*ix*) Large savings anticipated under any head should be surrendered forthwith to enable the Inspector-General to utilise them. It should be borne in mind that a disbursing officer is responsible not only for excesses but also for savings.

(*c*) All disbursing officers shall furnish the Inspector-General with a statement in B. P. Form No. 222 on the 8th January each year, showing the grant, probable expenditure, extra grant required or anticipated savings under all heads during the year.

The statement should be very carefully prepared, as it is the basis on which the amounts of extra grants required for the whole province and anticipated savings are worked out in the Inspector-General's office and should be checked personally by the disbursing officer. It must be borne in mind that an overestimate or an understimate renders the provincial figures useless, and disbursing officers will be responsible for seeing that an accurate estimate is prepared.

IV—CONTINGENCIES AND CONTINGENT REGISTERS AND BILLS.

Control of contingent expenditure. [§ 12, Act V, 1861.]

1150. The head of the office shall be personally responsible for any excess expenditure over his contract grants. Though an allotment is made in a lump sum under the heads "Contract contingencies" and "Other contingent charges", disbursing officers shall invariably watch expenditure with reference to the detailed heads. Relieving officers who have grounds for complaint against their predecessors of excessive expenditure shall enter such complaint in the memorandum of taking over charge (B. P. Form No. 201) and attach to it a statement of the actual expenditure incurred.

NOTE.—*See* rule 88 of the Bengal Financial Rules.

Permanent advance.

1151. (*a*) The Inspector-General may sanction a permanent advance for offices subordinate to him up to the amount advised by the Accountant-General as appropriate.

NOTE.—*See* rule 28 of the Bengal Financial Rules and paragraph 488 of the Bengal Audit Manual.

(*b*) In the case of transfer of charges and yearly on the 15th April each officer holding a permanent advance shall send an acknowledgment to the Accountant-General of the amount due from and accountable for by himself.

NOTE.—Regarding recoupment of the permanent advance, *see* S. R.59 of the Bengal Financial Rules.

Contract contingencies.

1152. Contract contingencies are those for which a lump sum is allotted annually to disbursing officers wthtin which they can incur expenditure without sanction.

NOTE.—The various items of contract conitgencies and the rules regulating them will be found in paragraph 417 of the Bengal Audit Maunal.

Regular contingencies.

1153. Regular contingencies are those which are incurred by disbursing officers as the occasion for them arises, in accordance with fixed scales, without the sanction of a superior authority.

NOTE.—The various items of regular contingencies and the rules regulating them will be found in paragraph 430 of the Bengal Audit Manual.

Special contingencies.

1154. Special contingencies are those which cannot be incurred without the sanction of the controlling officer or of the Provincial Government being previously obtained. They will be budgeted for, in the ordinary manner, and within the budget provision

the Inspector-General has power to sanction expenditure up to Rs.1,000 on each item. The term "each item" shall denote one article, or several articles of the same kind purchased at one time; but when, as in the case of stores, it is necessary to purchase in one order several articles of different kinds, all the articles purchased in one order should be regarded as one item, and if the total cost exceeds the limit of Rs.1,000 the previous sanction of the Provincial Government to the expenditure should be obtained.

NOTE.—The various items of special contingencies and the rules regulating them will be found in paragraphs 432 and 433 of the Bengal Audit Manual.

Mistakes in classification—how rectified.

1155. Each class of contingencies, namely, contract, regular and special, shall be drawn on district vouchers, and charges for contract contingencies may not be included either in regular or special contingent bills. If, however, any disbursing officer by mistake draws any contract charge on a voucher in which the regular or special contingent charges are drawn, the Accountant-General shall debit the amount to the contract grant of the department incurring the expenditure and inform the disbursing officers concern, the latter shall add the amount to the total expenditure shown in his contract contingent register and shall show the correct total in the next contract contingent bill. If a disbursing officer himself detects a mistake of this kind, he shall inform the Accountant-General and request him to correct his registers.

Classification of incidental Charges.

1156. (*a*) In the case of inter-departmental supplies of stores the incidental charges iincluded in the invoices should be debited to the head to which the cost of stores is debited.

(*b*) In the case of stores purchased from private companies, the incidental charges paid by the supplying companies and included in the invoices should also be charged to the head to which the cost of stores is debited.

(*c*) In the case of inter-departmental supplies as well as in the case of stores purchased from private companies, incidental charges (e.g., railway freight if not paid and included in the invoices by the supplying officers, cooly hire, etc.) incurred by the officer to whom the articles or stores are consigned are adjustable under the head "Contract contingencies" in the departments in which the contract contingent system is in vogue, and in other departments under the head "Office expenses and miscellaneous" or "Other contingent charges" as the case may be.

Contingent Registers.

1157. (*a*) Heads of offices shall keep a separate register for each of the three classes of contingencies, viz., one for regular contingencies and one for special contingencies in Bengal Form No. 2401, and one for contract contingencies in Bengal Form No. 2402. The regular and special contingent registers should be divided into several parts according to the various sub-heads, such as clothing, reward, escort, etc. The head of the office or the officer to whom the duty of signing pay and receipt cheques has been delegated shall himself initial the contingent register. When the amount of stamp bills is entered in the contract contingent register, the enrty in the stamp account register

should be compared and initialled. When an article is purchased the number of the page of the stock book in which it is entered shall be noted in the column for description in the contingent register. Charges for the purchase of furniture shall be shown separately from those for repairs in the body of the contingent register, but in the bill they shall be shown under one head "Purchase and repair of furniture".

NOTE.—*See* rules 90-92 and 99 of the Bengal Financial Rules.

Contingent bills.

1158. (*a*) Contingent bills for each subdivision shall be prepared containing the items which it is necessary to pay in the subdivision. The bills for the sadar subdivision shall be cashed at the headquarters and those for each other subdivision shall be enfaced by the Treasury officer and sent to the Subdivisional Police Officer or the Circle Inspector, as the case may be, to be cashed.

(*b*) Bills shall be numbered in a separate annual series for each register. Bills for regular and special contingencies shall be drawn under each sub-head separately and given a separate annual number.

(*c*) Sub-voucers, which are usually the Superintendent's pay cheques, duly receipted on the back, shall have separate consecutive numbers, commencinig each month with "No. 1" written on them conspicuously in red ink. This number shall be entered in column 1 of the contingent bill.

(*d*) Contingent bills, not supported with all necessary sub-vouchers, will be refused payment at the treasury except in those cases where the amount of a bill or an item thereof, for which the sub-voucher cannot be furnished, is much in excess of the permanent advances of the drawing officer.

NOTE.—(*i*) Whe e the charges cannot in the first instance, be defrayed from the permenent advance of the disbuersing officers, they will fall within the exceptions for which a relaxation of the rule has been allowed, and these items should be specifically mentioned in the regular contingent bill, as required by the printed certificate thereon. In those cases in which the permanent advance is considered too small to allow even of ordinary payments, it may be suitably increased.

(*ii*) For orders regarding refunds or retrenchments, *see* rule 97 of the Bengal Financial Rules.

(*iii*) For instructions regarding signing of contingent bills, *see* regulation 1192

Power to issue recurring contigent charges.

1159. All officers entitled to draw contingent bills are authorised to incur recurring contingent charges up to Rs.10 a month and to six months' duration, subject only to the existence of the necessary budget provision.

(*See* rule 86 of the Bengal Financial Rules.)

Encashment of contingent bills at treasuries of other districts.

1160. Whenever under the exigencies of the public service it is necessary that a contingent bill should be cashed at a treasury other than that at which it is ordinarily payable, it may be cashed at such treasury on presentation on the countersignature of the local Superintendent.

Escort charges, how to be drawn. [§ 12, Act V, 1861.]

1161. (*a*) All escort charges, including daily allawances, incurred strictly on account of the police as distinguished from prisoners, treasure, etc., escorted, shall be borne by the Police Department, and charged under a special head "Escort charges" in the district contingent bill, as laid down in paragraph 379(30) of the Bengal Audit Manual.

NOTE.—Charges incurred in sending urgent covers to the *mufassil* by special messengers who are not paid at contract rates of pay, shall be adjusted as travelling allowance and not as escort charges.

(*b*) The details of the charges should be entered in a travelling allowance bill form in the preparation and submission of which regulation 1238 shall apply *mutatis mutandis*. This should form an enclosure to the contingent bill in which such charges are drawn. The command certificates should be defaced and filed with their counterfoils after noting that the charges have been billed for.

Recovery of escort charges from Reserve Bank. [§ 12, Act V, 1861.]

1162. (*a*) A separate account shall be kept in each Superintendent's office of the strength of each escort supplied for the remittance of treasure, showing the number of officers of each rank deputed and the time and date of departure and return on each occasion. The charges shall be calculated according to the scale given in Appendix XXXV. Apart from complete days (days should be calculated from 12 midnight) if an escort is sent out in the forenoon and returns in the afternoon each such occasion should be considered a complete day and half a day if the escort leaves in the afternoon and returns in the forenoon.

(*b*) Except in the 24-Parganas, the following items shall be excluded from the cost to be recovered from the Reserve Bank of India on account of escorts supplied in connection with the remittance of treasure:—

(*i*) cost of buildings or of hired accommodation,

(*ii*) cots,

(*iii*) municipal taxes,

(*iv*) water rate, lighting and sanitary charges.

In the 24-Parganas, where a separate staff for the purpose of escorting treasure is sanctioned, its entire cost shall be recovered from the Reserve Bank of India.

(*c*) The Accountant-General will arrange to recover from the Reserve Bank of India the charges on account of these escorts calculated on the above basis and credit the amount to the provincial revenues under the appropriate head.

(*d*) The Superintendent shall submit to the Accountant-General by the 10th of each month a statement showing separately the charges on account of (*i*) pay and allowances, etc., and (*ii*) leave and pension contribution of the escorts employed in the remittance of treasure during the preceding month.

Payment of contingent charges.

1163. (*a*) As soon as payment order is passed all vouchers, sub-vouchers, and other supporting documents, e.g., a contractor's bill, supported by the original order for goods, shall be stamped "Paid".

In case of a payment order on a bill unsupported by vouchers, the bill shall be stamped "Paid" at the time of payment is initialled in the contingent register.

(*b*) Sums exceeding Rs.100 will be paid, except in the case of payments to police officers of and above the rank of Assistant Sub-Inspector, in the presence of a gazetted officer and the fact certified on the counterfoil of the pay cheque. All other payments shall be made by the head clerk who shall record a similar certificate on the cheque.

Clothing bills method of payment.

1164. (*a*) Payment for clothing received from the Jail Department shall be made by work bill. These work bills shall be submitted by the Jail Department in triplicate, the original being attached to the regular contingent bill. The duplicate shall be returned, duly signed, without delay, to the Jail Department, the triplicate being retained by the Superintendent for future reference.

(*b*) All payments for clothing to other contractors shall be made by remittance transfer receipt, unless the contractors appear personally for payment.

(*c*) Bills for clothing shall be put up for payment order with the committee report book and the officer passing the order shall note in this book the words "Payment order passed" over his initials and date. On payment being made the accountant shall note in this book the pay cheque number and date and this entry shall be initialled by the officer signing the pay cheque.

Payment of expenses of dafadars and chaukiders on public duty.

1165. (*a*) Diet and travelling allowance, lodging hire and lighting expenses of dafadars and chaukidars employed on duty in connection with the public service or in connection with the arrangements for guarding railway lines, roads and streets during His Excellency the Viceroy's or His Excellency the Governor's tours shall not be paid from the District Chaukidari Reward Fund but from the Provincial Police budget under the head "Contract Contingencies."

(*b*) Chaukidars and dafadars employed on guard duty in connection with the tours of His Excellency the Viceroy or His Excellency the Governor shall be paid at the following rates:—

(*i*) annas 8 a day as diet allowance for all the days on which they are away from home; and

(*ii*) the actual railway fare when travelling by rail, and an allowance of annas 8 a day for road journeys if the distance travelled is over 5 miles.

The payments shall be made in advance, and if this is not possible, arrangements shall be made to pay them within a week of the service. Superintendents shall exercise careful scrutiny in admitting the claims under sub-clause (*i*) above, so as to ensure that a larger number of days' absence than reasonable is not allowed.

(*c*) Chaukidars and dafadars while employed on miscellaneous duties in connection with the public service should also receive the allowances at the rates specified above. Payments should be made as soon as possible, after the service has been rendered.

(*d*) Charges on account of travelling expenses of chaukidars and others incurred on requisitions of police officers in identifying convicts shall also be borne by the Police Department from the grant under the head "Contract contingencies."

Payment of charges to Police officers when despatched as special messengers or summoned to or despatched from office on urgent business etc. [§ 12, Act V, 1861.]

1166. When a police officer not higher in rank than a Sub-Inspector or a Sergeant is despatched as messenger on business to a place in the neighbourhood of the office to which the business appertains or is outside the ordinary course of duty, suddenly summoned to or despatched from office, etc., on urgent business, the actual expense incurred may be charged to the Provincial Government, provided that the head of the office certifies that the charge was unavoidable. (*Vide* footnote to paragraph 417 of the Bengal Audit Manual and Appendix 3, rule 2A of the Bengal Financial Rules.) The charge should be treated as contingent charge and not as travelling allowance.

This regulation also applies in the case of a police officer required to execute a warrant or serve a summons immediately.

Grant for athletic clubs.

1167. For each headquarters athletic club Superintendents are authorised to incur expenditure up to a limit of Rs.50 per annum in districts with Special Armed Forces of about 100 strong and Rs.75 and Rs.100 in districts where the strength of these forces are approximately 150 and 200 respectively. For each of the detachments at Tollygunge and Barrackpore in the 24-Parganas, at Serampore in Hooghly, at Asansol in Burdwan and at Kharagpur in Midnapore, a further sum of Rs.25 per annum may be spent under this head by the Superintendents concerned. The Principal, Police Training College, may also incur an expenditure for this purpose up to Rs.300 per annum.

Grant for police rest houses.

1168. It is open to the Provincial Government to sanction grants for police rest houses at headquarters stations of districts where subordinate police officers (including those from other districts) can find shelter and board, subject to the condition that the expenditure incurred is confined to—

(*i*) either providing and maintaining or paying the rent of the building so occupied, and

(*ii*) granting a small allowance towards the upkeep of the furniture.

Rent regitsrr

1169. (*a*) To prevent double payments of house-rent a rent register should be maintained in the office of the Superintendent in B. P. Form No. 223, and all payments, with dates, should be recorded in the respective monthly columns. The payments of rent for May, for instance, should be recorded in the column for May and not in the column for the month in which the payments are made.

(*b*) Officers occupying hired buildings shall submit to the Superintendent, duly filled in, a rent roll in B. P. Form No. 224 by the 10th of the month following that for which the rent is due.

1170. The payment of rents on lands and buildings in police occupation up to the prescribed limit requires sanction, subject to budget provision, from competent authority [*vide* paragraph 430(*b*) of the Bengal Audit Manual]. **Rents on land and buildings in police occupation.**

Rents shall be paid during the year for which they are sanctioned, and whether a claim is made or not the money shall be sent to the owner and a receipt taken.

1171. The following procedure shall be adopted in recovering rent from officers who occupy departmental or hired buildings for which rent is payable:— **Rent— Recovery of.**

(*i*) Before the close of each month the Superintendent shall prepare a rent-roll in B. P. Form No. 225 in duplicate, and send the original copy to the Treasury Officer.

(*ii*) The Treasury Officer shall verify deductions made in bills, and, if no deductions have been made, shall recover the amount, and, after note of the recoveries by him, he shall forward the rent-rolls to the Accountant-General who will certify to the fact that the credits have been actually brought to account. The rent-roll shall then be forwarded to the Superintendent.

(*iii*) The duplicate copy of the rent-roll shall remain in the office of the Superintendent to enable him to prepare the next rent-rolls.

(*iv*) The Superintendent shall deduct the amount due from non-gazetted officers in the monthly pay bills, and shall instruct gazetted officers to make the necessary deductions in their own pay bills.

(*v*) In the event of rent not being realized in any month, the Superintendent shall carry forward in the next month's rent-roll the arrears due and add them to the current demand.

(*vi*) The Superintendent shall maintain a demand and collection register in B. P. Form No. 226 to note the demands and the subsequent realizations as certified by the Accountant-General.

(*vii*) Rents of departmental and hired buildings shall be credited under "XXIII—Police—Miscellaneous."

(*viii*) When an officer from whom rent is due leaves the district, the amount of rent to be recovered shall be noted in his last pay certificate.

(*ix*) The incumbent, whether permanent or temporary, of an appointment for whose benefit a house has been constructed or hired, and who is not entitled to free quarters, will be held responsible for the rent during his tenure of the appointment.

(*x*) The Superintendent is responsible for the recovery of these rents.

Reward register.

1172. To ensure that rewards awarded to police officers and to private persons are promptly drawn and paid a register in B. P. Form No. 227 shall be maintained in the Superintendent's office in two parts—one for police officers and the other for private persons.

The instructions for writing up the register are given on the form.

Reward bills. [§ 12, Act V, 1861.]

1173. (*a*) All rewards sanctioned in a month shall be drawn together in one bill.

(*b*) When larger rewards than the Superintendent can sanction are paid, the number and date of the authority sanctioning such rewards or the paragraph of the *Police Gazete* in which they are notified shall be cited in the bill.

(*c*) When it is considered undesirable to reveal the name of an informar to whom a reward has been paid, a certificate in the handwriting of the Superintendent to the effect that the reward has been duly paid to a person whose *incognito* it is necessary to preserve, shall be submitted to the Accountant-General in support of the payment in lieu of the payee's receipt ordinarily required.

General Police Rewards—how to be drawn and power of superintendents to sanction the refund of rewards when not earned. [§ 12, Act V, 1861.]

1174. (*a*) The amount deposited by private persons or corporate bodies on account of General Police Rewards in accordance with regulation 1058 shall be credited to the head "XXIII—Police—Miscellaneous". Such rewards when earned should be drawn in separate bills in which charges for other rewards should not be included and a certificate should be furnished in the bills to the effect that the total amount drawn in this and the previous bills does not exceed what has been credited for the purpose.

(*b*) The Provincial Government has authorized Superintendents to sanction the refund of sums credited as revenue in accordance with clause (*a*) when such rewards are not earned.

Power of the Deputy Inspector General, Criminal Investigation Department, to sanction refund of fees and rewards when not earned.

(*c*) The Deputy Inspector-General, Criminal Investigation Department, has been authorized to sanction the refund of the sums received by him from private persons or corporate bodies for the services of the Finger Print and Foot Print Experts in connection with law suits as also of rewards offered and deposited with him for the successful investigation or detection of crime or recovery of stolen goods and credited as revenue, when the services of the experts are not actually required and when the rewards are not earned by any body.

He may also sanction, where necessary, refund of any amount out of the sums received by him as (*i*) fees for handwriting experts and (*ii*) cost of photographs for finger print and handwriting cases, and credited as revenue.

Charges for additions or alterations to launches or boats.

1175. Charges for additions or alterations to launches or boats are treated as special contingencies and are to be distinguished from replacements or repairs which come under the head of contract contingencies. When any additions or alterations are to be made, the sanction of the Inspector-General must be obtained, and if the cost exceeds Rs.1,000, the sanction of the Provincial Government is necessary.

1176. The Superintendent shall check details of establishment and the rates of boat hire for all boats under his control; he should see that the sanctioned rates are not exceeded without obtaining the previous sanction of the Provincial Government through the Inspector-General. **Check of hired boat establishment.** [§ 12, Act V, 1861.]

1177. Permanent boat hire is debitable to the head "District Police—Other contingencies—Fixed boat hire and contingencies" and shall be drawn in fully vouched contingent bills. Temporary boat hire is debitable to "Contract contingencies" and shall be drawn in contract contingent bills. The payments shall represent the actual expenditure incurred by the officers on their boats. **Charges on account of boat hire—how to be drawn.**

1178. (*a*) The head of the office shall order payment on account of "service bearing" or "unpaid" covers only when the cheque is supported by the covers themselves, with the amount of the charge marked on them under the initials of the Postmaster or Deputy Postmaster who receives the payment. **Bearing charges.**

(*b*) The head clerk is the officer responsible for the payment of post-bearing charges. He shall examine all the covers before drawing out the pay cheque, and see that they agree with the amount demanded by the post office peon.

(*c*) The head of the office shall see that all bearing covers are destroyed when he signs the pay cheque, and on this he will endorse "covers destroyed," so that cannot be used again in support of charges.

(*d*) Any irregularity or incompleteness of the address, superscription, or signature on a cover renders it liable to be treated as an ordinary unpaid cover, any service stamps which it may bear not being recognized.

(*e*) In offices where the number of bearing covers received daily is large, a portion of the permanent advance may be given to the Postmaster provided the head of the office continues personally responsible for it.

1179. (*a*) The pay of sweepers (whether whole-time servants or not) should be treated as recurring contingent charge [*vide* paragraph 417(15) of the Benngal Audit Manual and Appendix 9 of the Bengal Financial Rules]. **Pay of sweepers.**

(*b*) Superintendents are competent to entertain sweepers (part or whole-time) required for police lines, police-stations, outposts, etc., without the sanction of any higher authority, provided the charge can be met from their budget grant under the head "Contract contingencies" and the pay does not exceed Rs.13 per mensem for Calcutta (excluding Alipore) and Rs.25 per mensem for the rest of the Province.

NOTE.—(*i*) A Deputy Inspector-General may also entertain sweepers for his own office provided the pay does not exceed the scale prescrived above.

(*ii*) Where the Superintendent's office is not in or near the Magistrate's office, a pay at the same rate as is allowed to sweepers in the latter office should be paid.

(*iii*) Where the Superintendent's office adjoins the Magistrate's office, an allowance not exceeding Rs. 2 a month should be paid to one of the Magistrate's sweepers.

Recovery of cost of hospital diet.

1180. (*a*) The total cost incurred on account of hospital diet, as ascertained at the end of each month, will be paid partly by the Provincial Government and partly by deductions from the pay as explained below. No money will on any account be realised in cash (*see* regulation 1033).

(*b*) In cases where the amount chargeable to any officer exceeds one-half of his net pay (*i.e.*, the amount remaining after all deductions have been made) the excess amount shall be paid by the Provincial Government and charged under the head "District Police—Hospital charges—Diet of patients."

(*c*) A constable who remains in hospital while under suspension and who draws only subsistence allowance will not be liable to any deduction on account of his diet expenses. But if he is subsequently released from suspension on full pay for the period under suspension, the usual deduction not exceeding one-half of his net pay will be made from his arrear pay.

A constable who remains in hospital while on sick leave or furlough or on leave other than leave on full average pay will not be liable to any deduction on account of his diet expenses.

(*d*) When officers of one district are admitted into the hospital of another the Superintendent will immediately send intimation to the Superintendent of the district to which they belong, who will withhold disbursement of any pay due to them until the "B" Form (B.P. Form No. 198) is received. The relevant extract from this form showing the amount recoverable from each officer will be forwarded in due course to the Superintendent concerned and the amount will be deducted from the pay bill drawn in their own distrist, the extract being attached to the bill in which the deduction is made. A note of the deduction will be made in detail on the bill, but it will not be entered in statement C (B. P. Form No. 228) of that district. On receiving intimation that the deduction has been made, the Superintendent in whose district the officer was a patient, will enter the recovery in a separate item in statement C quoting in the margin the number of bill and the district in which it was effected.

(*e*) With regard to the recovery and adjustment of hospital diet expenses incurred by Superintendents in Bihar, Orissa and the United Provinces on behalf of Bengal Police constables, while under treatment in police hospitals in those provinces, no direct remittance by money order should be made. A charge of annas seven a day for each indoor patient representing the daily average cost of medical attendance, medicines, service and other contingent expenditure *plus* the daily cost of diet, will, if supplied, be debited by the Accountant-General of the provinces concerned, against the Provincial Government of Bengal through the exchange account. Hospital diet expenses incurred by Superintendents in those provinces on behalf of Bengal Police constables should be recovered by Superintendents in Bengal from the pay of the constables concerned on receipt of intimation together with necessary particulars of recovery from Superintendents of the provinces concerned. Dues outstanding against officers while in a hospital on sick leave on half average pay should be waived but claims against those on average pay should be recovered.

When an officer who has been in hospital during the month is transferred, this fact should be clearly entered in his last pay certificate. The relevant extract from Form B should be sent as soon as possible to the Superintendent of his new district and his pay for that month should be withheld until the extract has been received.

(*f*) The diet expenses of officers discharged or on leave will be recovered from them in the hospital patient's pay bill. (*See* regulation 1189).

(*g*) The above regulations are also applicable to the crews of police launches and boats who enlist under the Police Act 1861, and whose pay does not exceed Rs.20 a month.

(*h*) When Police personnel are treated in a hospital under the Health and Local Self-Government Department the cost of diet of those personnel will be met in the usual way from the head from which the cost of the hospital concerned is met. At the end of each month the Superintendent of the Hospital will send to the District Superintendent of Police through the Civil Surgeon of the district a list of Police personnel treated in that month. The list will contain the name of each person treated, the period of stay in hospital, the disease from which he suffered and the cost of his diet during the stay in the Hospital. On receipt of the list each month the Superintendent of Police will calculate the amount recoverable from the person concerned, deduct it from his pay bill and take action to adjust this as receipt under "XXVII—Medical receipts on account of provincialisation, etc." When the personnel concerned belong to the establishment of another district the Civil Surgeon should send a list of Police patients with necessary particulars to the Superintendent of Police of the district concerned for necessary recovery of the diet charge.

No Police personnel will be admitted in a hospital under the Health and Local Self-Government Department except when sent by Civil Surgeon from Police Hospital and in cases of emergency on a requisition signed by an officer of rank not below that of a Sub-Inspector of Police containing the following particulars:—

(1) Name in full.

(2) Roll Number or identification Number, if any.

(3) Rank.

(4) Establishment of the district to which he belongs.

NOTE.—Regarding the adjustment of the charges on account of Railway Police *see* note to regulation 1032.

1181. (*a*) On receipt from officers in charge of police-stations of monthly bills on account of the travelling expenses and diet of prisoners in police custody and the cost of conveyance of stolen property and other articles sent to the court, the Superintendent's office shall compile one original bill for the month in duplicate in B. P. Form No. 229 and send it to the District Magistrate (*see* regulations 333 and 598). **Bills for prisoners' diet and travelling expenses and cost of conveyance of stolen property, etc., sent to the court.**

(*b*) When money is received from the Magistrate it shall be sent by the Superintendent to each station along with the month's pay.

V—Pay Bills, Acquittance Rolls and Distribution of Pay.

Pay bill of officers of and above the rank of Deputy Superintendent.

1182. (*a*) Officers of and above the rank of Deputy Superintendent shall draw their pay in Bengal Form No. 2428 (T. O. Form1) or (in the case of Presidency payment) in Bengal Form No. 2431 (T. O. Form 1A).

(*See* rules 51 and 54 of the Bengal Financial Rules).

(*b*) An officer whose pay is subject to individual audit and is not less than Rs.500 per mensem, has the option of drawing his pay partly at the headquarters of the district in which he may be serving and partly at the capital town of the province, subject to the following conditions:—

(*i*) Not less than Rs.100 in any one month shall be drawn outside the district headquarters treasury and all sums drawn in the provincial caiptal must be in multiples of Rs.100.

(*ii*) The amount required to be drawn at the provincial capital shall not be altered at intervals of less than 3 months.

If an officer desires to avail of this concession, he should send previous intimation to the Accountant-General, specifying the amount (in hundreds) which he wants to draw at the headquarters. In drawing up the pay bill for the district or sub-treasuries, he should first prepare the bill with full pay and deductions on account of fund, income-tax, etc., and then deduct from the net amount the lump amount he wants to draw in Calcutta. The bill for this amount should then be presented at the counter of the Accountant-General's office through his bankers or other authorised agents who will cancel the receipt stamps affixed to the bill.

(*See* S. R. 104 under T. O. 18 of the Bengal Financial Rules.)

NOTE.—For definition of the term "authorized agents" in clause (b), *see* notes under rule 54 of the Bengal Financial Rules.

Pay bill of Inspectors.

1183. (*a*) Inspectors (including temporary and officiating Inspectors) shall draw their pay in the form prescribed for gazetted officers but for purposes of audit they will be treated as non-gazetted officers. They shall prepare their bills in duplicate and submit the duplicate copy for record in the Superintendent's office and as soon as the bills are cashed they shall also send bill extracts of allowances, if any.

(*b*) To enable the Treasury Officers or the Accountant-General, as the case may be, to exercise proper check, specimen signatures of Inspectors together with intimation regarding retirement, death, etc., should be supplied by Superintendents or the Deputy Inspector-General, Criminal Investigation Department and Intelligence Branch, to the Treasury Officers or the Accountant-General, as the case may be. Monthly consolidated absentee statements relating to these officers shall also be furnished by the Inspector-General to the Accountant-General in accordance with regulation 1185. In case there is any change in the rate of emoluments due to increments, leave, etc., necessary certificates to that effect in the prescribed form should be issued by Superintendents or the Deputy Inspector-General, Criminal Investigation Department and Intelligence Branch, to the Treasury

Officers or the Accountant-General, as the case may be, to enable them to pass the pay or leave salary at the changed rates on the authority of the certificate. The Inspectors concernned should also be informed of the changes, if any, in the rate of emoluments, to enable them to prepare their bills accordingly.

NOTE.—Superintendents or the Deputy Inspector-General, Criminal Investigation Department and Intelligence Branch, as the case may be, will be responsible for maintaining the service books and leave accounts of Inspectors.

Monthly statement of officers actually in the force.

1184. (*a*) The Reserve officer shall submit to the Superintendent at the close of each month a statement showing the number of officers in each class who were actually in the force during the month, broken periods being shown by decimal points.

(*b*) In respect of officers under suspension, sick in hospital, officiating in a higher rank, promoted, degraded or reverted, and officers who joined or left the force during the month, the statement shall show in the appropriate part the name and number of officer, his place of posting and the date and hour of the casualty.

Consolidated absentee statement.

1185. (*a*) For the audit of the pay of the non-gazetted establishment including Inspectors, four separate consolidated absentee statements, viz., one for the Inspectors officiating as Deputy Superintendents, one for other Inspectors, one for Sub-Inspectors and one for Sergeants in Bengal Form No. 2438 shall be submitted by Deputy Inspectors-General to the office of the Inspector-General by the 11th of each month for transmission to the Accountant-General. To enable Deputy Inspectors-General to prepare a consolidated statement for the Range, Superintendents shall submit such statemnets to them by the 7th of each month.

(*b*) The consolidated statements prepared by the Deputy Inspector-General should show all acting arrangements made in each district in the Range in the cadres of Deputy Superintendent, Inspectors, Sergeants and Sub-Inspectors. The entire chain of acting arrangements made in consequence of an absence need not, however, be shown in the statements, but the whole chain should be split up into two or three smaller chains, as the case may be, and in each statement only the officers acting from the "next below" class should be shown. The number of posts left unfilled in each cadre should be shown at the bottom of each of the four separate absentee statements and details regarding the nature of the vacancies should be briefly explained.

(*c*) Absentee statements need not be submitted in the cases of Sergeants except when an officer outside the cadre, *e.g.*, a Sub-Inspector or a head constable, is appointed to fill any vacancy. When vacancies are kept unfilled, the statement should contain a note to that effect.

(*d*) Full information regarding vacancies, new appointments, leave, transfers, deaths and other casualties shall invariably be furnished in these statements even when no officiating arrangements are made.

(*e*) Similar statements for clerks borne on the Range cadre shall be submitted direct by Deputy Inspectors-General to the Accountant-General on the 15th of each month. To enable Deputy Inspectors-General to prepare a consolidated statement for the Range, Superintendents shall submit to them by the 10th of each month, a statement in Bengal Form No. 2438 showinng all temporary promotions in the class of head clerk, accountant (including reader clerk) during the previous month. A blank statement should be submitted if no such arrangements have been made.

Acquittance rolls.

1186. (*a*) On the 27th day of each month, officers in charge of police-stations shall send by the quickest route to the Superintendent's office an acquittance roll in B. P. Form No. 230 filling in only the first three columns, showing number, name and rank of each officer. The names shall be arranged according to ranks in order to facilitate check with the gradation list and other registers maintained in the Reserve office. Should any new name appear, an explanation shall be given in the column of remarks such as "Received by transfer from ."

(*b*) The acquittance roll for officers attached to subdivisional courts, treasuries and lock-ups shall be sent in similarly by Subdivisional Court officers while the roll for the froce in the Reserve lines and headquarters guards shall be submitted by the Reserve officer and that for the sadar courts and the Superintendent's office staff by the Sadar Court officer and the accountant respectively. A separate acquittance roll shall be prepared for officers sick in hospital (*vide* regulation 1188).

(*c*) In respect of officers on leave the Reserve officer shall submit a separate acquittance roll showing the nature and period of leave, the date and hour of departure and return and postings; if the officer is not due to return before the 15th of the month, he shall attach a money-order form with the name and home address filled in leaving the amount blank. This does not apply to officers who receive their leave salary in person at headquarters.

(*d*) As each roll is received, the accountant shall check it with the gradation and disposition lists, and enter in the proper column any deduction or alterations which it is necessary to make in pursuance of entries in the punishment, casualty and leave registers and the district order book. Leave certificates of officers returned from leave shall be attached to the acquittance rolls in which a note to this effect shall be made against each name.

(*e*) The accountant shall see that names have been properly included, that no names have been omitted or wrongly entered and that all broken periods and deductions have been properly entered.

(*f*) The accountant is responsible for the correctness of pay bills, while the Reserve officer is responsible for the correctness of the reserve office register. The latter will give the accountant every assistance in the preparation of the pay bills of the force. The Reserve office and the accounts branch should therefore work in close co-operation in the preparation of these bills.

1187. (*a*) As each acquittance roll is completed, the accountant shall enter its total in B. P. Form No. 231 (Abstract of acquittance roll). He shall fill in carefully the memorandum showing the number of officers of the different ranks and pay for whom pay is drawn and the number absent on leave, etc., and verify the entries with the monthly statemnet submitted by the Reserve officer in accordance with regulation 1184. **Abstract of acquittance roll.**

1188. (*a*) On receipt in the Superintendent's office of the monthly abstract of cost of diet supplied to patients in the police hospital in Form B (B. P. Form No. 198) together with the contractor's bill, duly checked, by the Sub-Assistant Surgeon and passed by the Civil Surgeon, the Reserve officer shall fill in the remaining columns of the form in accordance with regulation 1034 and prepare an acquittance roll for hospital patients. **Acquittance roll for hospital patients and diet bill.**

He will then make over the form together with the contractor's bill and the acquittance roll to the accountant to enable him to prepare the hospital patient's pay bill and the diet bill.

(*b*) The diet bill will be in Bengal Form No. 2480, in which the amount of the contractor's bill will be charged for under "Diet of hospital patients" and to this bill Form B will be attached. The amount of the bill must agree with the total of column 6 of Form B. On encashment of this bill the contractors will be paid by the Superintendent himself or through the Civil Surgeon as may be found most convenient.

1189. The hospital patniets' pay bill will be in Bengal Form No. 2434, and all deductions on account of diet will be shown in column 13. To this bill a statement will be attached showing charges and recoveries in Form C (B. P. Form No. 228). The bill will be headed with words "Hospital patients". **Hospital patients, pay bill.**

The pay of patients on leave, discharged, etc., should be drawn in this bill.

NOTE.—(*i*) A separate hospital pay bill will drawn for launch and boat crews.

(*ii*) The bill for officers posted to subdivisions (other than the sadar subdivision) should be drawn by cash order on sub-treasuries.

1190. (*a*) As soon as the entries in the abstract acquittance roll have been verified the accountant shall prepare pay bills in the prescribed forms strictly in accordance with the instructions given in Subsidiary Rules 89-96 made under the Treasury Rules, Bengal, as well as those printed on the forms, subject to the limitations imposed by regulations 1201 and 1208. **Preparation of Establishment bills.**

Where there are subdivisional treasuries, the pay of the force in the subdivision shall be paid by means of bills on the subdivisions signed by the Superintendent. The bills for amounts payable from the sadar treasury shall therefore be prepared separately from those payable from each subdivisional treasury, but in districts where it is more convenient to send the pay of the subdivisional force by cash order, the accountant shall prepare the bills for the whole force. The bills or cash orders for the amount to be drawn from the subdivisional treasury shall be made payable to the Subdivisional Police Officer or the Circle Inspector, as the case may be.

(*b*) The pay of officers who are sick in hospital shall be drawn in separate bills (*see* regulation 1189).

(*c*) The main establishment bills payable from the sadar treasury shall contain a complete record of all officers on duty, on leave, discharged or dismissed during the course of the month but whose pay has not been drawn and disbursed, on deputation or under suspension on the last day of the month including those transferred from other districts whose last pay certificates have not been received.

(*d*) The names of Assistant Sub-Inspectors, head constables, naiks and constables on leave or acting which are not shown in the absentee statement shall be shown in the body of the bill with the details of the laeve or officiating arrangements.

(*e*) The pay and allowances which for some reason or other (to be particularised in the bill) cannot be drawn shall be shewn as held over in the main bill and in such cases the names of the officers concerned, whatever their rank may be, shall be shewn in the bill.

(*f*) To guard against double drawal of pay the accountant shall consult the register of last pay certificates maintained in accordance with regulation 1210.

(*g*) When the pay of an officer transferred from another district is drawn the pay earned by him shall be shewn in full in the bill and the amount recovered on account of any advance taken by him in accordance with regulation 1239 shall be deducted from the total of the bill in a distinct entry, stating when and from where the advance was taken.

(*h*) No separate absentee statement need be furnished with the bills, provided that the casualties are reported to the controlling officer for inclusion in the consolidated absentee statements (*see* regulation 1185). In the case of payments in Calcutta (*i.e.*, the bills which are presented to the office of the Accountant-General), however, the absentee statement should continue to be furnished with the bills presented by the drawing officer.

(*i*) Every bill shall be supported by—

(*1*) schedules of income-tax, provident fund deductions and bill extracts, where necessary;

(*2*) certificates given on the bill form;

(*3*) a medical certificate of fitness for service under the Crown in the case of newly appointed officers (with the exception of Assistannt Sub-Inspectors, head constables, naiks and constables). (*See* S. R. 8 of the Fundamental Rules and rule 13 of the Bengal Service Rules);

(*4*) last pay certificates, where necessary.

(*j*) Heads of offices are personally responsible for the correctness of the facts stated in the bill and the certificates and other statements attached to it.

Duplicate copies of bills.

1191. (*a*) All bills (with the exception of contingent bills which find entry in separate registers) shall be written in duplicate with carbon paper, the duplicate copy being pasted in a foil book.

A combined pay bill and acquittance roll in Bengal Form No. 2432 shall be maintained for establishments other than executive police establishments and the receipt of the payees concerned shall be taken in the office copy thereof. For the executive police establishments pay bills shall be prepared in Bengal Form No. 2434 and a separate acquittance roll shall be maintained for them in Bengal Form No. 5211 (B. P. Form No. 230).

(*b*) Three files of bills shall be kept for (*i*) pay, (*ii*) travelling allowance and (*iii*) miscellaneous including General Provident Fund withdrawals, excise rewards, advances for house building, advances for equipment of police officers, bills for blankets supplied by Magistrates, etc. Each kind of bill shall bear a separate annual serial number.

(*c*) At the end of each month, when these duplicate copies of the bills are compared with the cash book, a certificate should be entered in the last monthly foil of the foil book, giving details of the bills that have not been cashed. This will enable the Superintendent to see in subsequent months that no bills or paynment orders have been overlooked.

1192. (*a*) The Superintendent, the Additional Superintendent, the Assistant Superintendent or Deputy Superintendent shall sign all pay, contingent and other bills. In the absence of such officers, the Superintendent may authorise an Inspector to sign bills only when such authorisation is absolutely necessary, subject to the conditions laid down in note 3 under S. R. 67 of the Treasury Rules and Subsidiary Rules framed thereunder. No non-gazetted officers are authorised to sign bills. **Signing of bills.**

(*b*) The following instructions shall be observed by the Superintendent or the officer in charge before signing bills:—

[*See* also clause (*e*) of regulation 1201.]

(*i*) To see that the different columns of pay bills tally and that the net amounts agree with column 11 of the abstract acquittance roll.

(*ii*) To satisfy himself that the number of officers of the different ranks for whom pay is drawn, *plus* the number under suspension, on leave or deputation, etc., and of vacancies, agree with the sanctioned strength as well as with the statement submitted by the Reserve Officer in accordance with regulaion 1184 and that discrepancies, if any, are reconciled.

(*iii*) To see that all acquittance rolls for the previous month's pay have been duly received and filed in his office. Should this not be the case, he may pass an order to the effect that the pay of the officer who ought to have sent in the roll properly receipted is not to be drawn for a period not exceeding one month, or until some valid cause for the delay is shown.

(*iv*) To see that the total of the bill is written both in figures and in words, that the later shall begin with the word "Rupees" and that no space is left for fraudulent alteration before or after either entry.

(It will suffice if the amount in whole rupees is entered in words followed by the annas and pies in figures.)

NOTE.- The total must carefully be checked by the officers concerned while signing the bill.

(*v*) To note in signing contingent bills the instructions laid down in rule 92 of the Bengal Financial Rules and the following instructions:—

(1) When it is necessary to draw money for contingent expenses from the treasury, as for example, when the permanent advance begins to run short, and in any case at the end of each month, or when a transfer of office takes place, the accountant will rule a red ink line across the page of the contingent register or registers, add up the several columns and post the several totals in a separate bill for each class of contingent expenditure. He will then lay the bill with the sub-vouchers and registers before the head of the office who will carefully scrutinise the entries, initialling the entries in the contingent register if this has not already been done by him and sign the bill which the accountant will then date and number and present for payment at the treasury.

(2) The heads of contingent expenditure are generally printed in the forms used and it will be sufficient if the totals from the contingent register are posted against the printed heads. If the heads are not printed they will be entered in manuscript and the totals posted against them. In the case, however, of expenditure requiring explanation, full details of the charges should be entered in the bills except when they are given in the sub-vouchers sent to the Audit Office.

NOTE.—When the advance is running short, a demand may be presented in excess of the balance: this item too should be charged in the register and included in the bill, the number given being that which the sub-voucher will bear when payment has been made.

(*vi*) To see that the progressive totals are made in the contingent register.

(*vii*) To see that all vouchers in support of the amounts charged in the bill are placed before him with the bill, that the memorandum of allotment and expenditure has been filled in and that the expenditure as shown in the contingent bill agrees with that in the contingent register.

(There shall be no office copies of contingent bills, as the contingent register is meant to supply the place of an office copy.)

(*viii*) To see that the correct head of classification is recorded on all bills, the classification in the budget being taken as a guide.

(*ix*) To see that incorrect entries, if any, are cancelled neatly in red ink and the correct entry inserted. (The officer signing the bill shall initial each such correction.)

Encashment of bills at sadar.

1193. The pay bills for the sadar shall be sent to the treasury, as soon as it opens for encashment. If the money has not been made over before 2 p.m. to the officer deputed for the purpose, he shall decline to take it on that day and return for it the next morning. The officer deputed to the treasury to receive money shall be held responsible that the proper amount is received.

1194. (*a*) At headquarters a gazetted officer shall be told off to superintend the distribution of pay of the force in the Reserve lines and headquarters guards. He shall attest each individual payment as it is made by his initials against the entry in the acquittance roll. After the distribuion for the day is concluded the Armed Inspector shall return the undisbursed amount, if any, to the Superintendent's office with the following certificate from the officer superintending the distribution, recorded on the acquittance roll:— Distributio of pay

"Certified that the officers named in the acquitance roll have been paid in my presence, with the exception of those noted below, whose pay agreegating Rs. , is returned."

(*b*) A gazetted officer shall also superintend the distribution of pay at the Superintendent's office and the despatch of pay and acquittance rolls to police-stations and other offices in the sadar subdivision through escorts. He shall inspect the signatures of the officers in charge of escorts on the abstract acquittance rolls and certify that the different sums have been distributed in his presence.

(*c*) In the case of subdivisions (other than the sadar subdivision) where cash remittances are not made the bills or cash orders payable from the sub-treasury shall be forwarded by post together with the acquittance rolls to the Subdivisional Police Officer or to the Circle Inspectors, as the case may be, who shall arrange to draw the money from the sub-treasury. All sums either received in cash or by bills or from any other sources shall be sent together with the acquittance rolls by the Subdivisional Police Officer or the Circle Inspector, or in their absence, by the Court officer to the officer in charge of the headquarters police-station who shall enter them in his cash account and remit them to outlying police-stations and the local Court Police through escorts deputed by them to receive the money, keeping the amount intended for his own station satff.

(*d*) All sums received at police-stations or courts shall be entered in cash accounts and no unnecessary delay shall be made in distributing the amount. Officers in charge of police-stations and other disbursing officers shall attest each individual payment as it is made by their initials against the entry in the acquittance rolls. They shall then return the acquittance rolls duly completed and stamped for all payments over Rs.20 to the Superintendent's office together with the undisbursed amount, if any, and a certificate in the following form:—

"Certified that I recevied the sum of Rs. and that the officers named in the acquittance roll have been paid with the exception of those mentioned below who could not be paid for the reasons noted against their names."

(*e*) Before a resident of Nepal is permitted to go on leave, clear instructions shall be taken from him by the Reserve officer regarding his pay, etc., which should be dealt with in one of the three following ways:—

(*i*) Sent by R. T. R. to the British Envoy at the Court of Nepal.

(*ii*) Remitted to the nearest post office by money order at his own cost. In this case very definite instructions as to how the money-order is to be delivered to him must be recorded.

(*iii*) Not drawn until he returns from leave.

NOTE.—Pay and allowances, etc., of police officers stationed at a distance of more than five miles from a sadar or subdivisional treasury, should at the discretion of the Superintendent, be remitted by money-order when this method of transmitting money is more economical than sending it by escort, subject to the proviso that the amount to be remitted by post at any one time should not exceed six hundred rupees. The charge for money order commission should be met from the grant for contingencies.

Undisbursed and arrear pay and allowances.

1195. The accountant shall enter all undisbursed pay and compensatory allowances in the daily cash book and grant the officer in charge of the escort a receipt for the amount. Subsequent payment shall be made by the head clerk in the presence of a gazetted officer who shall attest such payments in the acquittance roll. When a gazetted officer is not available at headquarters the head clerk shall disburse the amount due to officers of and below the rank of Assistant Sub-Inspector and shall attest such payments in the acquitance roll. To enable the head clerk to disburse the amount the accountant shall supply the Armed Inspector every Saturday with a list of officers whose dues are pending in the Superintendent's office. The Armed Inspector shall at roll call every day detail those present in the lines whose names are on the list to appear under the escort of a head constable at the Superintendent's office the next morning at an hour convenient to the head clerk and the accountant to receive their dues. In cases of officers who have been posted to sub-treasury guards or to outlying detachments of the Emergency Force, the Armed Inspector shall communicate this information to the accountant.

Escort of pay.

1196. Superintendents may make their own arrangements for escort parties to carry the pay to the different stations. Men shall not be called in from *mufassil* stations for this purpose when the numbers at headquarters are sufficient to furnish the escorts. The strength of such escorts shall be fixed according to rules, and they shall be in attendance at the hour named.

Officer in charge of escort to give a receipt for the total amount made over to him.

1197. The head clerk shall note in the command certificate the total amount made over to an escort party and require the officer in charge of the party to give a receipt for the total amount in the abstract acquittance roll.

Thumb impression to be taken on acquittance rolls.

1198. The left thumb impression of illiterate payees and of officers of whose identity the disbursing officer is not satisfied, *e.g.*, officers on deputation from other districts who are unknown to him, shall be taken against entries in the acquittance roll.

Remittance transfer receipt.

1199. For payment of subordinates by remittance transfer receipts and demand drafts, *see* articles 170 (*1*) and 168, Civil Account Code.

When a bill is drawn to make payment by means of remittance transfer receipt, the bill shall be endorsed: "Received contents by transfer to remittance transfer receipts" or "Received contents in cash

Rs. and transfer to remittance transfer receipts
Rs. " according as the whole or part only of the amount is to be paid by remittance transfer receipt, and it shall be accompanied by a duly filled-up application for the issue of the remittance transfer receipt.

1200. The acquittance rolls on being received back in office shall be brought together each month into one bundle with the abstract acquittance roll. Each monthly bundle shall be covered with a docket signed by the Superintendent or any gazetted officer, showing the date or dates on which the pay was drawn and the date on which the acquittance rolls were received back complete with signatures. The dockets shall be initialled by the accountant and one other clerk chosen for the purpose by the Superintendent. Acquittance rolls showing payments and receipts in support of any supplementary pay bills which may have been drawn shall also be entered in the abstract acquittance roll and put with the monthly bundle to which they belong. **File of aquittance rolls.**

NOTE.—A certificate of payment from the Postmaster in case of non-receipt of the payees' acknowledgment for the amount sent by mony order will be accepted in audit. If, however, the payee returns to duty before the original acknowledgment or a certificate of payment can be obtained it will be sufficient if an acknowledgment of the receipt of the amount by money order is obtained from him on the acquittance roll and attested by the Superintendent or a gazetted officer.

1201. (*a*) A register shall be kept in B. P. Form No. 232, in which shall be entered all pay, leave salary and acting or other allowances not drawn in the bill for the month for which they are due, all sums to be drawn or refunded in consequence of promotions or reductions made in the month, which have been ordered subsequent to the cashing of pay bills and all pay and allowances refunded by short drawal or in cash into the treasury. Except in cases of overstayal of leave and absence without leave, the register shall give exact details of the pay or allowances held over for future payment as shown in columns 2, 3, 4 and 5 of the pay bill form respectively. At the end of the year and pay or allowances outstanding shall be carried on in red ink to the register for the following year. **Register of pay and allowances held over.**

(*b*) Twice a month the Reserve officer shall forward the register of casualties to the accountant. The accountant shall enter all sums to be drawn or refunded in each month, by reason of orders of promotion or reduction passed subsequent to the cashing of pay bills, in the register of pay and allowances held over for future payment; and after certifying that he has done this in the last column shall return the register to the Reserve officer.

(*c*) In cases in which it is apparent that no claim is likely to be made, the held over entries may be discontinued after three years. If the claim is preferred after the register is desroyed, the original bill shall be referred to for the verification of details and after payment is made the fact should be noted in the bill.

(*d*) If an officer fails to submit a certificate of maintenance of a conveyance with the monthly acquittance roll, the rate of allowance last drawn shall be shown as held over. Unless, however, he can show good cause for not submitting the certificate the allowance should be

disallowed. When he subsequently produces the certificate, the amount shown as held over shall be drawn or, if necessary, revised. In the latter case, the arrear bill shall be supported by a copy of the order sanctioning the revision. If it is subsequently found that no conveyance was maintained by an officer, the amount shown against him in the bill and in the register of pay and allowances held over shall be struck off and the fact reported to the Accountant-General.

(*e*) The Superintendent or the officer signing the bill shall compare the items shown as held over in the bill for the subdivision or office with the entries on this account in the register of pay and allowances held over.

Arrear and supplementary pay bill.

1202. (*a*) All claims shall be presented with promptitude. Delayed payments are not only irregular and productive of inconvenience, but are in themselves highly objectionable, as tending to impair the efficiency of audit and to facilitate frauds.

(*b*) Arrear pay shall be drawn not in the ordinary monthly bill, but in a separate bill, with a reference to the bill from which the charge was omitted or withheld or in which it was refunded by deductions, or to any special order of the Provincial Government granting a new allowance. Such bills can be presented at any time. The names of officers for whom arrears of pay are drawn, shall appear in these bills.

(*c*) In the case of arrear pay due to promotion or increase of emoluments with retrospective effect, the bill should be supported by a copy of the order.

(*d*) In all bills for arrear claims a certificate shall be furnished to the effect that the claim is within the sanctioned scale.

(*e*) These bills shall be carefully checked by the Superintendent or any other gazetted officer, item by item, before the are signed. He shall see that all amounts drawn in supplementary bills are covered by amounts shown as held over in the main bill except in the cases of arrear pay due to promotion or increase of emoluments with retrospective effect and of arrear pay due to officers who join a district after the monthly bill is prepared and paid.

(*f*) When any bill is submitted for signature the register of pay held over for future payment (B. P. Form No. 232) shall also be put up at the same time. The Superintendent or the officer signing the bill shall check the sums shown in the register with those in the bill and initial the entries in the register in token of check. The number and date of the bill shall be noted in column 7 of the register against the month for which the pay is drawn, and initialled by the Superintendent or the officer signing the bill. In case of officers returned from leave the items shall be compared with the leave certificate and the names scored through in red ink in the register.

NOTE.—The bill for officers posted to subdivisions (other than sadar subdivision) should be drawn by cash order on sub-treasuries.

Investigation of claims to arrears of pay and allowances.

1203. (*a*) No claim against the Provincial Government not preferred within six months of its becoming due can be paid without the sanction of the Accountant-General. In the case of claims for petty amounts of Rs.5 or less, however, pre-audit by the Accountant-General will be necessary only when they are not preferred within one year of their becoming due.

(*b*) Claims to arrears of pay or allowances or to increments which have remained in abeyance for a period exceeding one year cannot be investigated by the Accountant-General except under the special order of the authority which appoints the servant of the Crown by whom the claim is made. A claim which is not included in the original bill will not be passed in audit unless a satisfactory explanation is forthcoming for its non-inclusion. Deputy Inspector-General and Superintendents shall forward such bills direct to the Accountant-General for investigation in cases of officers appointed by them.

(*c*) In the case of officers appointed by the Inspector-General such bills shall be submitted to him and if the cause of delay is satisfactory he will forward the bills to the Accountant-General for investigation. It is within the competence of the Inspector-General to refuse any arrear claim when the cause of delay is not preferring it earlier has not been explained to his satisfaction.

NOTE.—*See* note 3 under rule 30 (*b*) of the Bengal Financial Rules.

Supplementary bills for officers discharged, dismissed, deceased and for those who retire or resign.

1204. A separate bill shall be prepared in the usual pay bill form for the pay of officers who are discharged or dismissed or who retire or resign and the amount shall be paid to them immediately after the termination of their service. The number and date of the bill shall be entered in the muster roll which should be put up to the Superintendent at the time of signing the bills. In every separate bill of this kind a note shall be added for the information of the Accountant-General explaining the reason for the extra bill.

NOTE.—(*i*) The practice of paying officers discharged during the month from the permanent advance and of recovering the amount when the pay bill is cashed in the succeeding month is forbidden except in cases of special urgency.

(*ii*) Regarding the payment of pay and allowances claimed on behalf of a deceased servant of the Crown rule 52 of the Bengal Financial Rules should be seen. The above procedure should be followed in the preparation of pay bills of deceased officers.

Pay of officers on temporary deputation to another district.

1205. The pay of subordinate officers on temporary deputation shall be drawn in the district to which they are deputed on the strength of last pay certificates.

Exception.—When an officer is deputed from the border police-station of a district to the border police-station of an adjoining district in order to gain a personal knowledge of bad characters his pay will be drawn in the district from which he is deputed.

Pay of temporary establishment.

1206. (*a*) Charges on account of temporary establishments shall not be drawn until proper sanction has been obtained to the employment of the staff. A copy of the order should be attached to the first bill in which the charge is drawn, and its number and date quoted in subsequent bills.

(*b*) When an officer holding a temporary appointment finally quits the service on the 31st March, the pay for the whole month due to him may be paid on the afternoon of that day, provided there is provision in the sanctioned budget for the purpose.

Pay and subsistence allowance of subordinate officers under suspension.

1207. An officer under suspension is entitled to a subsistence grant under Fundamental Rule 53(*c*), the amount of the grant being regulated by Fundamental Rule 43(*b*). (*See* rule 71 of the Bengal Service Rules, Part I.) If, therefore, an authority suspending a subordinate officer grants his subsistence allowance, it may be drawn and disbursed, but if it is not required for immediate disbursement, it should be shown as "held over" and drawn subsequently. When under Fundamental Rule 54, the officer is reinstated or granted a higher rate of allowance during the period of suspension by the same or the appellate authority, the amount shown as "held over" should be revised and subsequently drawn on the authority of the sanction and the same check should be applied to the investigation of arrear claims as is done in the case of promotion with retrospective effect. Until sanction is given to the grant of an allowance under Fundamental Rule 53(*c*), remarks such as "under suspension" should be made in the pay bill as well as in the register of pay and allowances held over against the name of the officer concerned, no amount being shown in the latter register.

Pay of subordinate officers for periods of absence without leave.

1208. The pay of officers for periods of absence without leave or overstayal of leave shall not be drawn at all. Their names shall be entered both in the pay bill and in the register of pay and allowances held over but the amount due for this period need not be shown as it will be calculated according to the kind of leave which is subsequently granted. Until final order is passed regarding leave, remarks, such as "overstaying leave" shall be recorded against the names in the pay bill as well as in the register.

Pay of medical officers attached to police hospital.

1209. The pay of Sub-Assistant Surgeons attached to police hospitals shall be drawn in separate bills by the officers themselves under the countersignature of the Civil Surgeon. The pay of compounders shall be drawn by the Superintendent.

Last pay certificate.

1210. (*a*) In the case of transfer of a gazetted officer and an officer of the rank of Inspector a last pay certificate is issued by the Treasury Officer or the Accountant-General, as the case may be. Whenever an Inspector is transferred from one place to another the Superintendent or the Deputy Inspector-General, Criminal Investigation Department and Intelligence Branch, concerned shall send immediate intimation to the Treasury Officer or the Accountant-General, as the case may be. In the case of transfer of a non-gazetted officer of or below the rank of Sergeant or Sub-Inspector and a clerk from one district to another the head of the office shall issue the last pay certificate in Bengal Form No. 2508. This certificate shall be attached to the first pay bill drawn after transfer.

(*b*) Pay cannot be drawn for broken periods and shall only be paid after the expiration of the month to which it relates. Officers transferred during a calendar month therefore shall draw the full pay for that month in the new district.

NOTE.—When an advance of pay is granted to any police officers on short deputation whose pay will continue to be drawn by the officer granting the advance, the fact that the recovery of the advance will be effected by the latter shall be recorded on the advance bill.

(*c*) To guard against double drawal of pay, heads of offices shall maintain a manuscript register in which shall be recorded the details of last pay certificates issued. The accountant shall consult the register at he time of preparation and checking of pay bills.

Retrenchment.

1211. (*a*) An order for retrenchment is personal, and the officer who draws the money shall refund the amount so retrenched on receipt of the retrenchment memorandum from the Accountant-General. If he considers that he has a case, he may apply for sanction to the amount retrenched after complying with the order to refund.

(*b*) The number and date of orders for retrenchment shall invariably be cited against the entry of deduction made in the bill in which the money is refunded.

(*c*) Deductions on account of overdrawals of pay and allowances shall be made from the next pay bill unless otherwise ordered by the Accountant-General.

(*See* rule 32 of the Bengal Financial Rules.)

Refund of subsistence allowance received by police officers from civil courts for giving evidence.

1212. Inspectors shall pay into the treasury of their own motion any amount received by them from the civil courts as subsistence allowance for giving evidence and intimate the fact to the Superintendent. If they attend the civil courts without receiving any subsistence allowance, they should obtain from the presiding officer a certificate that no payment has been made and must submit it to the Superintendent. Failure to make due payment shall be treated as a serious offence.

On receipt of a summons from the civil court in the Superintendent's office for serving upon an officer, a mark should be made against the entry in the receipt register of vernacular papers and the paper should be treated as pending until intimation has been received from the officers concerned as indicated above.

In the case of other police officers the accountant shall deduct from the pay of the officer concerned the amount received by him as subsistence allowance by short drawal, attaching the certificate of payment received from the court to the bill. The Superintendent, or in his absence from headquarters, the officer in charge of his office, shall be responsible that such deductions are duly made.

Monthly statement of pay.

1213. To ensure pay of subordinate officers not being drawn in excess of the sanctioned scale, heads of offices shall submit to the Inspector-General on or before the 10th of each month a statement in B. P. Form No. 233. Instructions for filling up the form are printed on the back thereof.

VI—TRAVELLING ALLOWANCES AND TRAVELLING ALLOWANCE BILLS.

Travelling allowance—Fundamental and subsidiary Rules to be followed.

1214. The general rules relating to travelling allowance are given in the Fundamental and Subsidiary Rules and should be strictly observed.

A synopsis of the more important rules as applicable to police officers is given below for the convenience of the officers concerned but nothing contained in these regulations can be held to override the rules in the Fundamental and Subsidiary Rules.

Controlling officers for countersigning travelling allowance bills and classification of police officers.

1215. (*a*) Controlling officers in respect of the travelling allowance bills of police officers and establishments are those declared as such by the Provincial Government (*vide* S. R. 183 and Appendix 17 to the Fundamental Rules). S. R. 187 prescribes the duties of controlling officers in signing or countersigning these bills.

(*b*) The following are the grades as defined in S. R. 24 of the Fundamental Rules (Subsidiary Travelling Allowance Rules) under which the various ranks of police officers fall:—

(*i*) Imperial Police Officers and all officers of the Crown in receipt of actual pay exceeding Rs.750 per month	.. 1st grade.
(*ii*) All servants of the Crown in receipt of actual pay of not less than Rs.150 but not exceeding Rs.750 per month and not included in the first grade	.. 2nd grade.
(*iii*) All servants of the Crown in superior service (except naiks and constables) not included in the 1st or 2nd grades	.. 3rd grade.
(*iv*) Naiks and constables	.. 4th grade.

NOTE.—The class of servant of the Crown should be determined with reference to his "pay" as defined in Fundamental Rule 9 (21) and Bengal Service Rule 5 (28) and not with reference to his substantive pay.

Jurisdiction of subordinate officers defined.

1216. (*a*) The jurisdiction of the Circle Inspector has been defined to be the area comprised within the several police-stations which he inspects, and that of officers of and below the rank of Sub-Inspector the area of the police-station to which they are attached.

(*b*) The jurisdiction of Court, Armed or Town Inspectors will be held to be limited to the headquarters of the stations to which they are attached while the jurisdiction of other officers attached to Court, Reserve or Town Police shall be held to be the area of the police-station within the limits of which such court, reserve or town is situated.

(*c*) Officers employed in the office of the Superintendent shall, for purposes of this regulation, be held as attached to the Reserve.

(*d*) The jurisdiction of officers employed in the Criminal Investigation Department (including the Intelligence Branch) shall be limited to the City of Calcutta.

(*e*) The jurisdiction of officers employed in the District Intelligence Branch and District Detective Department shall be considered to be the headquarters station of the district to which they are attached.

(*See* Appendix No. 9 of the Fundamental and Subsidiary Rules.)

Place at which Journey begins and ends.

1217. Under note 2 to S. R. 38 of the Fundamental Rules the court house of the chief local executive officer shall be the point from which a journey is held to commence or at which it is held to end.

1218. The ordinary mileage rates are given in S. R. 51 and the ordinary daily allowances in S. R. 56 of the Fundamental Rules. **Mileage rates and daily allowances.**

A list of special rates of daily allowances is given in Appendix No. 6 of the Fundamental and Subsidiary Rules. *See* also S. R. 57.

1219. The Inspector-General and Deputy Inspector-General are empowered under S. R. 103 of the Fundamental Rules to permit a non-gazetted subordinate whether appointed to a temporary or permanent post, to draw travelling allowance for the journey to join his first appointment in the public service. In selecting men from up-country or other districts, Superintendents shall always bear this in mind. **Travelling allowances for journey to join first appointment.**

1220. Police officers below the rank of Inspector are not entitled to travelling allowance for journeys on tour (other than journeys by rail or steamer) within their respective jurisdictions except as provided below. (*See* S. Rs. 69, 83 and Appendix 10 of the Fundamental and Subsidiary Rules.) **Travelling allowance for journeys on tour.**

Provisions in S. R. 87 are applicable to the officers of the Railway Police.

(*i*) Officers of and below the rank of Sub-Inspector may draw daily allowance at the ordinary rates for all road journeys of more than 15 miles from their headquarters provided that in the case of officers attached to a police-station, the place to which they travel is beyond the limits of the police-station. The fixed conveyance or horse allowance drawn by Sub-Inspectors will not be affected by the grant of daily allowance.

In special cases where an officer is required to make a rapid jounney by road, the Provincial Government, on being satisfied as to the necessity for the journey and the insufficiency of the allowance ordinarily admissible may permit him to draw his actual reasonable expenses.

(*ii*) Assistant Sub-Inspectors, head constables, naiks and constables other than those who are provided with boats at the expense of the Provincial Government, may draw actual expenses for journeys by boat where this is the ordinady mode of travelling.

(*iii*) Officers employed in the District Intelligence Branches and the District Police Detective Departments may draw travelling allowances at the ordinary rate for any journey on tour of more than 5 miles from the headquarters of the disrict to which they are attached, provided that, except in the case of officers posted to Alipore, Howrah and Dacca, no conveyance allowance is drawn.

(*iv*) S. R. 69 allows travelling allowance for journeys outside jurisdiction under the ordinary rules to officers of and below the rank of Sub-Inspector but no daily allowance is admissible unless the journey extends to a place more than 15 miles from their headquarters.

NOTE.—(*i*) Constables when deputed on duty (other than escort duty) beyond their jurisdiction to a place more than 15 miles from their headquarters are entitled to a daily allowance of four annas. When the journey performed by

road beyond jurisdiction (including such part of it as lies within jurisdiction) exceeds 20 miles on any day and is to a place more than 15 miles from their headquarters, they can draw mileage in lieu of daily allowance.

(*ii*) In police-stations where travelling by land as well as by boat is necessary Sub-Inspectors may draw the usual conveyance allowance as laid down in Appendix 5 of the Fundamental and Subsidiary Rules; where their jurisdiction is entirely accessible by boat, and a horse or a cycle is not required, on conveyance allowance is permissible.

Travelling allowances for journeys on escort duty.

1221. (*a*) Police officers of all grades below the rank of Inspector on escort duty are entitled to their actual expenses as laid down in clause (*b*) (except for journeys by railway or steamer) within the limit of the travelling allowance admissible under the Fundamental and Subsidiary Rules. When the journey beyond jurisdiction exceeds 20 miles by road they may exchange their daily allowance *plus* actual baggage expenses for milage allowance but in that case actual baggage expenses cannot be charged in addition—*see* S. Rs. 56, 63, 69; 81 and 83.

(*b*) The actual expenses referred to above will include ferry tolls (if not exempted from payment), boat-hire, cost of conveyance by road or boat of necessary baggage, including utensils (*vide* item 8, Appendix 10 of the Fundamental and Subsidiary Rules) up to the maximum prescribed in the following scale:—

	Seers.
Sergeants and Sub-Inspectors	30
Assistant Sub-Inspectors and head constables ..	15
Naiks and constables	10

NOTE.—(*i*) The above scale is also applicable in other cases as well, except on transfer or on relief.

(*ii*) Regarding special concession granted to officers who are obliged to travel in a lower class by railway than that to which they are entitled, *see* Note to S. R. 38A.

Travelling allowances for journeys on tansfer.

1222. (*a*) S. Rs. 111 to 113, 116, 117 and 119 to 123 of the Fundamental Rules govern the grant of travelling allowance for journeys on transfer.

(*b*) All police officers (except constable) below the rank of Assistant Superintendent are eligible for the full concession admissible under S. R. 113 for journeys on transfer within the district (Government of Bengal order No. 2685Pl., dated the 12th July 1938).

(*c*) A constable when transferred from one district to another is entitled to travelling allowance as laid down in S. R. 119 and to the concession under S. R. 117.

(*d*) The deputation of head constables and constables on sub-treasury guard duty is treated as a temporary transfer and no halting allowance is admissible.

NOTE.—(*i*) Officers of an above the rank of Deputy Superintendent shall attach to other travelling allowance bills the original orders regarding their tansfers and postings.

(*ii*) Charges for luggage included in travelling allowance bills should be supported by the actual payee's receipt.

(*iii*) The Central Government has authorized the payment of charges for the carriage of the baggage of policemen transferred temporarily on duty within their own districts for short period to keep orders at fairs or to perform other similar temporary duties, the scale fixed being that one cart should suffice for six men or for such smaller numbers as are deputed. Such charges are met from the grant under "Contract contingencies".

(*iv*) Charges on account of the carriage of bedding, etc., of treasury or other guards on relief at places where the treasury or the place of posting is at a distance from the police lines and vice versa shall be met from the grant under "Contract contingencies."

Conveyance of horses, camp equipment, etc.

1223. S. Rs. 71, 84, 85 and 86 read with Appendix 12 and items 40, 41, 42, 43C and 44 of the Delegation chapter of the Fundamental Rules govern the recovery of charges for the carriage of horses, tents, bicycles, etc., when travelling on public duty.

NOTE.—The number of bicycles which can be carried at the expense of the Provincial Government by officers of and above the rank of Sub-Inspector is limited to one.

Travelling allowance of sick or wounded police men.

1224. S. R. 152A and clause (*vi*) of item (8), Appendix 10 of the Fundamental Rules govern the grant of travelling allowance to sick or wounded police officers of and below the rank of Assistant Sub-Inspector when sent for treatment in a hospital.

Travelling allowance for journeys to attend an examination.

1225. (*a*) S. Rs. 127 to 130 of the Fundamental Rules govern the grant of travelling allowance for journeys to attend an obligatory departmental examination.

(*b*) If an officer has culpably neglected the duty of preparing himself for an obligatory examination, the Inspector-General may disallow the travelling allowances to which he would otherwise have been entitled.

NOTE.—(*i*) For the purpose of this regulation the departmental examination in law and procedure and criminology of Sub-Inspectors is considered to be a single examination of one standrad.

(*ii*) In the remarks column of the travelling allowance bill shall be noted the number of occasions on which the allowance has been drawn before for attending the examination.

Travelling allowance for journeys to undergo training.

1226. A list of police officers who are entitled to travelling allowance for journeys to undergo training is given in Appendix 16 of the Fundamental and Subsidiary Rules. (*See* S. R. 160).

Daily and conveyance allowances of Sub-Inspector deputed for training in Finger Print Bureau.
[§ 2, Act V, 1861 read with § 243 of of the Government of India Act, 1935.]

1227. Sub-Inspectors deputed for a course of training in the Finger Print Bureau shall draw, in addition to their substantive pay, daily allowance at the rate ordinarily admissible up to a maximum of Rs.20 a month in each case in lieu of house allowance. They will continue to draw conveyance allowance at the rates prevailing in their districts, provided they actually keep horses or bicycles, as the case may be.

Travelling allowance for journeys to give evidence.

1228. (*a*) The rules regulating the travelling allowances of police officers summoned to give evidence in criminal and civil cases will be found in S. Rs. 150-151 of the Fundamental Rules. The responsibility for enforcing the orders therein contained rests on the head of the office.

(*b*) A witness should not be refused payment of his expenses on the ground of failure to do his duty merely because he has been discharged without examination.

Travelling allowance when travelling by the Viceroy's or Governor's special train.

1229. If an officer travels in the Viceroy's or Governor's special train, he will draw the full travelling allowance admissible under the rules, subject to deduction from his travelling allowance bill of the actual fare which, but for the free transit by the special, he would have paid.

If he travels in an ordinary train he will purchase his own ticket and draw the ordinary travelling allowance. No recoveries will be made in this case unless the fare is, in the first instance, advanced from the tour fund, in which case the accounts of the fund will be adjusted by recoveries in cash. (Government of Bengal order No. 1837F., dated the 2nd March 1908, to the address of the Accountant-General.)

Travelling allowance when means of locomotion are provided at the expense of the provincial Government.

1230. Travelling allowance for journeys by means of locomotion provided at the expense of the Provincial Government or by police launch is governed by S. Rs. 174 and 172 respectively of the Fundamental Rules.

NOTE.—(*i*) The grant of the travelling allowance to a Sub-Inspector is subject to the restriction that he travels beyond his jurisdiction to a place more than 15 miles from his headquarters.

(*ii*) Regarding the daily allowance of constables for a journey by road, *see* Note 2 of S. R. 83.

Charges for use of Government elephants.

1231. (*a*) When elephants belonging to the Crown are used by an officer for the carriage of articles for which, if they were carried on a cart, he would have to pay the hire of a cart, a charge of Rs.2 per diem shall be made for each elephant so used; but when used partly for private and partly for official purposes, as for instance, when an elephant carries personal luggage as well as articles which are the property of the Crown, one rupee per diem shall be charged for each elephant. When an officer goes out on inspection or other such duty in tracts where it is impossible for him to travel except on an elephant, no charge at all need be made for that elephant.

(*b*) When deductions are made from travelling allowance bills on acount of the hire of elephants, the gross charge for travelling allowance should be exhibited in the accounts and the deduction on account of elephant hire treated as a receipt of Police Department, if the elephant belongs to that department.

Travelling allowance of clerks and menial servants.

1232. A clerk or a menial servant is, except in cases of transfer, or when travelling by boat or public conveyance, only entitled to actual travelling expenses not exceeding the rate for his class. A certificate shall invariably be furnished in support of such charges to the effect that the amounts charged for in travelling allowance bills represent actual expenses.

1233. The travelling allowance bills of Sub-Assistant Surgeons of police hospitals shall be drawn by Superintendents under the countersignature of Civil Surgeons, who are the controlling officers. **Travelling allowanees of Sub-Assiatant Surgeons.**

1234. Non-officials attending the annual police parade to receive rewards are entitled to travelling allowances on the scale allowable to witnesses in criminal cases. The charge should proceed against the head "Travelling Allowance" in the provincial police budget. **Travelling allowance of non-officiais attending the annual police parade to receive rewards.**

NOTE.—This regulation applies to retired police officers receiving rewards and medals such as the King's Police and Fire Services Medal and the India Police Medal.

1235. When an officer halts at one place for a certain number of days, and then moving to a distance not exceeding five miles for a shorter period than three nights, halts there, the halts at the former and latter places should be treated as one continuous halt for purposes of S. Rs. 78 and 79 of the Fundamental Rules. The days occupied in the journey should not, however, be treated as forming part of the continuous halt. **Halts to be treated as continuous when made in two places the distance between which does not exceed 5 miles.**

1236. Officers brought into headquarters for mobilization training should be treated as on tour and will be entitled to draw daily allowance for the period of their halt. They are exempted from the limit of ten days for which daily allowance is ordinarily admissible, provided that the allowance payable to them for days in excess of ten does not exceed half the usual rate and that daily allowance is not granted for a total period of more than 15 days. **Daily allowanceofofficers brought into headquarters for mobilization training.**

1237. When an increased daily allowance admissible under S. R. 61 of the Fundamental Rules for boat journeys in river districts is claimed for any day on which an officer halts, a certificate shall be entered in, or attached to, the bill to the effect that a boat was retained and paid for on the day in question. **Special rates of daily allowances for boatjourneys.**

1238. (*a*) Charges on account of travelling expenses shall be build for during the month following the one in which they are incurred in the manner prescribed below:— **Travelling allowances bills.**

(1) Columns 1 to 10, 14 ad 22 of the travelling allowance bills (Bengal Form No. 2447) for the staff of each police-station, Court office, Reserve office and Detective Department shall be filled in by the senior Assistant Sub-Innspector attached to it. Charges for out-posts shall be included in the bill of the police-station to which they are subordinate, charges for Sub-treasury guards and emergency force at subdivisions shall be included in the Reserve office bill. The bill for the District Intelligence Branch shall be prepared by a clerk or some other officer attached to it. An acquittance roll in B. P. Form No. 234 will be prepared and attached to each bill. In it the column for the amount will be left blank and will be filled in by the accountant at headquarters.

(2) Should any officer whose name is included in the bill, have left on transfer or leave, a note must be made both in the bill and in the acquittance roll showing to what place he has gone.

(3) (*i*) Officers in charge of police-stations shall check the travelling allowance bills of Assistant Sub-Inspectors, head constables and constables subordinate to them with the general diary and with their *mufassil* diaries or command certificates and shall then forward them to the Circle Inspector with a certificate endorsed on the bills in the following form:—

Certified that I have carefully examined all the entries in columns 1 to 10, 14 and 22 of the travelling allowance bills sent herewith the general diary and with the officers' *mufassil* diaries or command certificates and find them correct. I also certify that no unnecessary charge has been made.

Also certified that escort charges have been billed for and the command certificates have been defaced and filed with their counterfoils.

I have also certified myself that all journeys for which railway, steamer or omnibus service warrants were used have been included in this bill, the number and date of each warrant and the class of accommodation being shown in the remarks column.

(*ii*) The officers in charge of District Intelligence Branches and of the Detective Departments shall similarly check the bills of their staff and certify as directed in clause (*i*).

(*iii*) The Court Inspector, and at subdivisional headquarters where there is no such officer, the senior Court Sub-Inspector shall check the bills of their staff with the daily under-trial case reports and command certificates and shall certify as laid down in clause (*i*) except that the words "daily under-trial case reports" will be substituted for "general diary".

(*iv*) Armed Inspectors shall check the bills of their staff with escort requisitions and command certificates and certify as laid down in clause (*i*) except that the words "escort requisitions and command certificates," will be used instead of general diary.

(*v*) Circle Inspectors shall check the bills of all Sub-Inspectors in their circles, strike out all items which they consider should be disallowed, record a certificate as to their correctness and forward them to the Superintendent.

(4) Inspectors (including temporary and officiating Inspectors) shall draw their travelling allowance in the form prescribed for gazetted officers, subject to the countersignature of controlling officers.

(*i*) The bills of Circle Inspectors after being checked against their personal diaries, and items considered unnecessary having been struck out, will be similarly certified to by the Subdivisional Police Officer, where there is one, or by a gazetted officer at headquarters.

(*ii*) The bills of the Court, Armed, Detective Department and District Intelligence Branch Inspectors shall be checked by a gazetted officer at headquarters with their personal diaries and a cerificate shall be recorded on the bills as to their correctness.

(*iii*) The bills of the subordinate officers of the Criminal Investigation Department and Intelligence Branch working in districts shall be checked and certified to by an officer selected for the purpose by the Superintendent under whom they work.

(5) All bills shall be submitted to the Inspectors concerned by the 7th of the month following that to which they relate, and must be forwarded by them so as to reach the office of the Superintendent by

the 15th of the month. Should it not be possible to submit the bill of any officer with a monthly bill, a "held over" list shall be attached to it showing that claims are to follow. These "held over" lists shall be filled in the office of the Superintendent to serve the purpose similar to that of the register of pay and allowances held over. Bills returned for correction shall also be etered in the "held over" file. Controlling officers shall not countersign bills for arrear charges without checking them against these "held over" lists and obtaining a satisfactory explanation for their not being submitted in due time.

(6) The accountant shall examine all certificates and fill up the remaining columns of the bills and column 4 of the acquittance rolls. He shall strike off the acquittance rolls the names of officers who have left on transfer to another station, and shall enter them on the acquittance rolls of the stations to which they have been transferred. The names of officers who have gone on leave for a longer period than a month shall be struck off the acquittance rolls of the stations they have left and shall be entered in the bill and acquitance roll of the Reserve office.

The acquittance rolls shall be checked against the disposition register, and the rolls totalled separately. The total of every bill shall be entered in an abstract of acquittance roll and the officer signing the bill shall also initial the abstract.

(7) In presenting the bills for encashment at the sadar treasury, the Superintendent shall send with it a memorandum addressed to the Treasury Officer showing what amount is required in cash for distribution at sadar and for what sums cash orders on sub-treasuries are required. A certificate shall be attached stating that the police officers for whose ravelling allowances cash orders are required, are stationed within the jurisdiction of the sub-treasuries.

(8) The cash orders, when received, shall be sent to the Subdivisional Police Officer or the Circle Inspector, as the case may be, along with the acquittance rolls for encashment and distribution. The acquittance rolls after having been duly receipted by the payees shall be returned to the Superintendent.

(9) The travelling allowance bills of Assistant and Deputy Superintendents and Inspectors posted to subdivisions (excepting the sadar) will be enfaced for payment at a sub-treasury by the sadar treasury.

(10) When supplementary or arrear bills are submitted the officers entrusted with the duty of checking bills shall certify as to their correctness and forward them to the office of the Superintendent where the accountant shall check them with the "held over" lists, and the bills of the month to which they appertain, and shall certify that the charges included in them have not been drawn previously. He will then take action in accordance with clauses (6) to (8) and make an entry in the "held over" list, against the names of officers for whom arrear or supplementary travelling allowance is passed of the number and date of the bill.

VII—Advances and Recoveries.

Advances on transfer. [§ 12, Act V, 1861.]

1239. (*a*) Heads of offices are competent to sanction an advance of pay to any officer subordinate to them who is under orders of transfer.

NOTE.—An additional Superintendent or an Assistant or Deputy Superintendent in charge during the Superintendent's absence may sanction such advances.

(*b*) Should any Deputy Inspector-General or Superintendent himself require an advance of pay on transfer, he is empowered to draw it under Article 159(*a*) of the Civil Account Code.

(*c*) The Principal, Police Training College, may grant, at his discretion, to probationary Assistant and Deputy Superintendents and Sub-Inspectors, when they are posted to districts after completing the college course, an advance not exceeding the amount of travelling allowance which they may get under the rules.

(*d*) When joining or returning from the training college, each probationary Assistant Sub-Inspector, head constable and recruit constable may be granted, at the discretion of the Superintendent or the Principal of the Training College, as the case may be, an advance not exceeding half a month's pay. Travelling expenses from the college will be adjusted on their arrival in districts. Railway and Steamer warrants should be used as far as possible.

This advance may be allowed, if necessary, while a recruit constable is awaiting despatch to the training college.

(*e*) Receipts for all advances made to non-gazetted officers shall be taken in an acquittance roll. The grant of an advance to these officers as well as to Inspectors shall also be recorded in their last pay certificates by the head of the office concerned or the Treasury Officer or the Accountant-General, as the case may be.

(*f*) These advances shall be recovered in three equal monthly instalments from the pay of officers.

Advances otherwise than on transfer. [§ 12, Act V, 1861.]

1240. (*a*) Superintendents may sanction at their discretion advances up to a sum equivalent to one month's substantive pay to police officers not above the rank of Sub-Inspector deputed on duty (otherwise than on transfer) to districts other than their own, subject to the following conditions, namely:—

(*i*) that the deputation is expected to be for a period of not less than fifteen days:

(*ii*) that the advance shall be recovered in three equal instalments from the officer's pay bills, beginning with the pay bill for a whole month's pay first drawn after the advance is taken; and

(*iii*) that no second such advance shall be made to the same officer until the first has been fully made off.

Advances of travelling allowance from permanent advance.

1241. Superintendents may sanction advances of travelling allowance to subordinate police officers out of their permanent advance.

NOTE.—For the procedure regarding the adjustment of such advances, see note under clause (*a*) of rule 28 of the Bengal Financial Rules.

1242. (*a*) An application for an advance shall be made in Bengal Form No. 2639 (B. P. Form No. 235). Heads of offices are empowered to sanction advances under rule 15(*3*) (*b*) of the General Provident Fund (Bengal Services) Rules to all officers of and below the rank of Deputy Superintendent. Advances under rule 15(*3*)(*a*) of these rules may be sanctioned only by the Inspector-General and Deputy Inspectors-General. Superintendents shall therefore refer such cases to the Deputy Inspector-General for sanction. **Advances from General provident Fund.** [§ 12, Act V, 1861.]

(*b*) All applications for advances under the General Provident Fund (Superior Civil Services) Rules shall be submitted to the Inspector-General who will obtain the sanction of he Provincial Government.

1243. (*a*) To enable probationary Sub-Inspectors to purchase uniform and equipment on their first appointment, an advance of a sum not exceeding Rs.150 may be allowed by an officer not below the rank of a Superintendent to a probationary Sub-Inspector on his successfully passing out of the training college, provided he applies for it within three months from the date of his fist leaving the college and executes a registered bond in B. P. Form No. 236 with two sureties binding themselves to repay the advance within a stated time. Such bonds shall not be exempted from the payment of stamp duty or registration fees, and shall remain in the custody of the Superintendent until the full amount of the advance has been recovered, when they shall be preserved for one year. **Advances to probationary Sub-Inspectors for purchase of uniform, etc.** [§ 12, Act V, 1861.]

(*b*) The amount of the advance shall be recovered in monthly instalments of Rs.15 from the officer's pay, the recovery commencing six months from the date of his leaving the college.

(*c*) A bicycle does not form part of the equipment of a Sub-Inspector. Under Article 158 of the Civil Account Code, the sanction of the Provincial Government is necessary for the grant of advances to probationary Sub-Inspectors for purchasing bicycles.

1244. The Inspector-General is empowered to sanction house building advances for officers subordinate to him in strict accordance with the rules laid down in Article 155, Civil Account Code. *See* also Chapter 10 of the Bengal Audit Manual. **House building advances.**

1245. A register of recoveries shall be kept in B. P. Form No. 237 in which shall be entered all miscellaneous recoveries due from officers, together with the dates of recovery and deposit in the treasury. The items shall be serially numbered for each year and column 5 shall be initialled by the officer who signs the bill in which recovery is made. **Register of recoveries.**

1246. (*a*) All charges on account of additional police shall be drawn on separate bills and the charges recoverable shall be included in the statement of cost prepared in accordance with regulation 671 and Appendix XXXV. **Charges on account of additional police how to be drawn and receipts and recoveries how to be classified.**

(*b*) All sums recovered on account of additional police under sections 13 to 15 of the Police Act, 1861, shall be credited into the treasury, the number and date of the orders sanctioning the extra force being quoted in treasury *chalans*. The receipts or recoveries on

account of additional police under sections 13 and 14 of the said Act should be shown in the *chalan* under the minor heads (*i*) Police supplied to Railways (*ii*) Police supplied to Municipal, Cantonments and Town Funds, or (*iii*) Police supplied to Public Departments, private companies and persons, as the case may be, under the major head "XXIII—Police".

The receipts or recoveries under section 15 of the Act should be shown under the detailed head "Recoveries under section 15 of the Police Act, 1861 (Bengal Police)" under the head "XXIII—Police—Miscellaneous".

CHAPTER XXV.

Buildings and Housing.

I.—GENERAL.

Standard designs of buildings and by what agency to be constructed.

1247. Police buildings shall be constructed according to standard designs, either departmentally or by the Communications and Works Department.

NOTE.—Magazines, whatever their cost, shall be built and maintained by the Communications and Works Department.

Kutcha buildings not to be erected near permanent ones.

1248. (*a*) No structure with an inflammable roof should be erected within a radius of 30 yards, nor any structure with inflammable walls and corrugated iron or other type of *pucca* roof within a radius of 20 yards from a building constructed of permanent materials.

(*b*) The above limits of 30 or 20 yards are fixed as minima, not because it is considered that these limits will confer absolute immunity from the risks, but because they are considered to be limits that can conveniently be enforced in most cases, taking into consideration the area of land usually attached to public buildings.

(*c*) Where circumstances admit, inflammable buildings should be placed at a greater distance than 30 or 20 yards, as the case may be, from permanent buildings, more especially from court-houses, record buildings or other buildings of a valuable nature.

Instructions egarding preparation and submission of building projects.

1249. (*a*) Applications for the construction of buildings shall be submitted in B. P. Form No. 238.

(*b*) The following instructions shall be observed by Superintendents in submitting such applications:—

(*i*) An explanatory memorandum showing the necessity of the project, item by item, should be given.

(*ii*) All requirements should be brought out at the same time and not piecemeal.

(*iii*) If the work is to be executed by the Communications and Works Department, a proposal for the acquisition of land need not be separately started, as the cost of land is included in the building estimates. The cost of land should be ascertained from the Collector.

(*iv*) If a chaukidari shed is to be constructed, the highest number of chaukidars attending parade on any one day except the quarterly pay days should be given.

(*v*) In the case of a police-station it should be stated whether it will be a large or a small one. A small police-station is one with a staff of 8 or less constables.

(*vi*) In *mufassil* police-stations (where municipal arrangements do not exist) if latrines are requisitioned for, it must be stated what arrangements can be made for their regular cleansing.

(*vii*) It should invariably be stated whether accommodation for inspecting officers will be necessary or not in the police-station building.

(*viii*) For cook-sheds, the number of Hindu, Moslem and scheduled caste constables for whom cooking accommodation is required should be accurately given.

(*ix*) In the case of police hospitals a statement showing the daily average number of indoor patients admitted to the hospital during the last three years should be submitted.

(*x*) Every proposal regarding change of site must contain particulars as to the tenure on which the land is to be held, *i.e.*, whether it is to be leased at an annual rental, held rent-free, purchased or acquired under the provisions of the Land Acquisition Act (I of 1894). The probable cost of the land in each case shall also be mentioned.

(*xi*) If an old building is to be sold as a consequence of the erection of a new building, an estimate of the amount which it or its materials are likely to realize shall also accompany the application. Similarly, if an old site is to be given up, the pecuniary result of its disposal shall be stated.

Transfer of buildings to the Communications and Works Department.

1250. If it is desired to transfer any departmental building to the books of the Communications and Works Department, an application shall be made through the Deputy Inspector-General of the Range to the Inspector-General for submission to the Provincial Government in the Department of Communications and Works.

Register of lands and buildings and plan of lands.

1251. (*a*) A register of lands and buildings in B. P. Form No. 239 shall be maintained in each Superintendent's office. (*See* also regulation 375.)

(*b*) This register is divided into group of four pages, one group being assigned to each station and outpost; the buildings in the Reserve lines to be counted as one station. If all the buildings cannot be

entered on the second page of the group, two or more pages should be used, but the first page of the group should be filled up only once for each set of buildings. If there be other detached buildings at head-quarters or subdivisions, they shall be entered in a separate group. There should be an index at the beginning of the book.

(*c*) If at any time a building is altered, the alterations should be noted under each column in red ink. If a building is reconstructed, the former entries should be penned through and fresh entries made.

(*d*) An accurate plan of all lands in occupation by the department should be kept, drawn on the scale of 64 inches=one mile, that is 1¼ chains=one inch. The plans should be drawn on tracing paper and kept in a portfolio separate from the register. On each plan shall be shown some permanent or semi-permanent marks, such as trees, roads, tanks, and masonry pillars, etc., to enable the land to be identified. One plan for each group only is needed; plans of buildings are not necessary.

In the case of site plans of land acquired under the Land Acquisition Act, 1894, the Collector may be requested to have the plans checked on the spot by a kanungo in the course of his touring.

II.—Cmmunications and Works Department buildings.

Major and minor works.

1252. (*a*) Works on the Communications and Works Department books are divided into (*i*) major works, *i.e.*, works, the cost of which exceeds Rs.10,000 and (*ii*) minor works, the cost of which does not exceed Rs.10,000.

(*b*) The power of sanctioning the construction of all major works and such minor works as relate to residential buildings rests with the Provincial Government. The cost of major works is met from the Communications and Works Department budget and that of minor works from the minor works grant placed at the Inspector-General's disposal.

Initiation of major works projects and administrative approval.

1253. (*a*) When a Superintendent requires a building to be constructed by the Communications and Works Department, or requires additions or alterations to buildings already borne on the books of that department, which additions or alterations are likely to cost more than Rs.10,000, he shall submit a report in B. P. Form No. 238 to the Inspector-General through the District Magistrate and the Deputy Inspector-General of the Range.

(*b*) If the Inspector-General approves of the initiation of the project he shall forward to the Executive Engineer a requisition for the preparation of a preliminary report and rough estimate of the cost of the work, together with such general plans of sketches as may be necessary to elucidate the proposal.

(*c*) The Executive Engineer shall then prepare the rough estimates and plans required, and after having them scrutinized and passed by the Superintending Engineer shall forward them to the Inspector-General, who shall submit the whole project to the Provincial Government for administrative approval.

1254. (*a*) *Non-residential projects.*—(*i*) The power of administrative approval to the execution of minor works other than residential projects rests with the Inspector-General and the cost is met from the grant for minor works in the Communications and Works Department budget placed at his disposal. He has no power to accord final or technical sanction to detailed estimates for minor works or major works. When a Deputy Inspector-General or a Superintendent requires a new building to be built by the Communications and Works Department, or any addition or alteration to a building on the books of that department which will not cost more than Rs.10,000, he shall send a requisition direct to the Executive Engineer in B. P. Form No. 238 for the preparation of detailed plans and estimates after ascertaining from the Inspector-General whether funds are likely to be available during the current or the following year. **Initiation of minor works projects and administrative approval.**

(*ii*) On receipt of the requisition, the Executive Engineer shall prepare detailed plans and estimates and send the same direct to the Deputy Inspector-General or the Superintendent as the case may be. The Deputy Inspector-General or the Superintendent shall then, if he approves of the project, countersign it and submit it to the Inspector-General (in the case of the Superintendent through the Deputy Inspector-General) with a report explaining the necessity for the work, for administrative approval and allotment of funds.

(*iii*) The Inspector-General will, if he approves of the project, countersign the principal plans and on the abstract of cost record his approval, using the words "approved for Rs. " over his signature and return the approved plan and estimate with an allotment of funds direct to the Executive Engineer concerned.

(*b*) *Residential projects.*—(*i*) The administrative approval of the Provincial Government is necessary in all cases relating to (1) construction, (2) purchase, (3) special repairs, or additions and improvements to residential buildings.

(*ii*) The Inspector-General may allot funds for such works from the minor works grant at his disposal up to the limit of his power of sanction, provided that the estimate has been administratively approved by the Provincial Government.

NOTE.—Projects costing not more than Rs. 200 shall be submitted bye the Inspector-General after countersignature to the Provincial Government in the Communications and Works Department. All other projects shall be submited to the Provincial Government in the Home (Police) Department.

1255. (*a*) The selection of sites for police buildings shall ordinarily be made by a committee composed of the District officer as president, the Civil Surgeon, the Executive Engineer and the Superintendent of Police as members. The committee will be assembled by the District officer at the request of the Executive Engineer. In outlying stations officers may, on their own responsibility, depute their subordinates to represent them on the committee. **Selection of sites.**

(*b*) The Executive Engineer will advise the Committee on the points noted in the Communications and Works Department Code, paragraph 146 and Appendix V. He will prepare a plan of the site

selected embodying such information as may be necessary in each case, e.g., if the site is on land liable to be flooded, the highest flood level should be shown with reference to the general level of the site. He will forward this plan with the proceedings of the Committee, after both have been countersigned by the members, to the Superintending Engineer of the Circle.

(*c*) The Superintending Engineer will, if he approves of the site and arrangements of the buildings, countersign the plan and forward it with the proceedings to the Deputy Inspector-General for countersignature and return to the Executive Engineer of the buildings, the Superintending Engineer will discuss the matter with the President of Site Committee, and, if unable to agree, will forward the plan to the Deputy Inspector-General with his opinion.

(*d*) If the officers composing the Committee are unable to agree as to the site proposed, the case should be referred to the Deputy Inspector-General for decision. A note of any objections made should be attached to the proceedings of the Committee. After deciding the case so referred, the Deputy Inspector-General will communicate his decision and send the plan of the site approved by him to the Superintending Engineer and at the same time he will communicate his decision to the President of the Site Committee. In cases where the views of the Deputy Inspector-General differ from those of the Superintending Engineer the matter should be referred to Government through the Inspector-General for decision.

(*e*) In the case of important buildings the Deputy Inspector-General will, before countersigning the plan, send it through the Inspector-General to the Director of Public Health for opinion.

(*f*) No alteration in the relative positions of buildings on the site selected is permissible except with the authority of a fresh and properly constituted Site Committee.

(*g*) For further particulars see paragraph 146 and Appendix V of the Communications and Works Department Code.

Completion reports of original work executed by the Communications and Works Department.

1256. Completion certificates of original works of the Police Department executed by the Communications and Works Department shall be signed by the Superintendent or the Deputy Inspector-General, as the case may be. If he is not satisfied with the work he shall note the defects and forward a duplicate copy of his comments to the Inspector-General so that the matter may, if necessary, be taken up with the Communications and Works Department. Irrelevant remarks should not be made on these certificates.

Repairs to buildings borne on the books of the Communications and Works Department.

1257. (*a*) All annual and petty repairs that may be necessary during the period intervening between periodical repairs to buildings borne on the books of the Communications and Works Department shall ordinarily be carried out by the agency of that department.

(*b*) The police officer in charge of such buildings, other than residences, shall be responsible for all minor repairs (such as the

repairs of doors and windows, their fastenings, replacement of broken glass panes in doors and windows, repairs of thatch and tiles, the repair of ceiling cloths, *punkhas* and other fixtures and all such works as can be done by an ordinary *mistry* without skilled supervision). It will be the duty of the officer occupying the building to see that all such items are in good order as soon as periodical repairs have been completed. He shall make some person of his establishment answerable for the general condition of the building and the fixtures; as also for keeping a watch on the attacks of white-ants; for paying strict attention to cleanliness of the interior and the neatness of the exterior of the building and its surroundings and for keeping rain-water down-pipes and surface drains (where such exist) free from all obstruction. The cost involved is debitable to the contingent grants of the officers in occupation. (*See* rules 155 and 272 of the Bengal Financial Rules.)

(*c*) The departments in occupation of buildings borne on the books of the Communications and Works Department are empowered to carry out all petty works of construction and repairs in respect of non-residential buildings up to a limit of Rs.2,500 from their departmental grants, provided that such works are executed in accordance with the Communications and Works Department standard to the satisfaction of the Executive Engineer. The administrative approval of Government is not required in such cases but the sanction of Government in the Communications and Works Department should invariably be obtained when fresh detached structures are erected on land attached to such buildings. If, however, the Police Department desire to employ the agency of the Communications and Works Department for the execution of petty works and repairs in certain cases, they are at liberty to do so.

In order to avoid expenditure on bad work, the Executive Engineer should be given facilities to examine materials and inspect work in progress. Officers of the Communications and Works Department, however, should not be asked to prepare plans and estimates, but the Executive Engineer should be allowed to inspect the plans and estimates prepared by the agency employed by the Civil Department. When work has been carried out departmentally in accordance with this assignment, the Civil Department should send to the Executive Engineer the detailed completion plans after endorsing thereon the actual cost of the work.

(*d*) The above order will not apply to works and repairs in connection with sanitary, water-supply, fire appliances, and electric installations. All such works and repairs in all Government buildings, residential or non-residential, belonging to the Communications and Works and Police Departments should invariably be carried out by the Communications and Works Department under rule 3, Appendix 3 of the Bengal Financial Rules. The expenditure in respect of departmental police buildings should be met from the departmental grant.

No repairs or petty works of construction can be carried out departmentally in residential buildings borne on the books of the Communications and Works Department under any circumstances.

Occupation and vacating Government buildings used as residences and payment of rent.

1258. (*a*) Under rule 281 of the Bengal Financial Rules the incumbent, whether permanent or temporary, of an appointment for whose benefit a house has been constructed, or purchased, or leased by the Provincial Government, is held responsible for the prescribed rent during the tenure of the appointment.

(*b*) When an officer for whom quarters are thus provided vacates the building, he shall report the fact to the Superintendent, who shall intimate the same to the Executive Engineer in charge.

(*c*) The Executive Engineer shall, on receipt of the report of such vacancy, make specific inquiry from the Superintendent as to how the building will be utilized.

(*d*) If no report of vacancy is received from the Superintendent, the Executive Engineer shall, as at present, continue to assess rent against the officer previously holding the appointment and who has failed to report the vacancy.

(*e*) If the building is not likely to be occupied within one month by the successor of the officer vacating it, the Superintendent shall suggest whether the quarters would be suitable for any other officer under him; but in no case shall he allow any one to occupy the building without the consent of the Executive Engineer.

(*f*) The Superintendent shall immediately bring to the notice of the Executive Engineer in charge of buildings occupied as residences any increases of the salaries or local allowances of the occupants of those buildings.

III.—Departmental Buildings.

Departmental buildings.

1259. (*a*) *Classification.*—Departmental building projects (including repairs) are divided into the following categories:—

(*i*) Works—Original.

(*ii*) Works—Repairs.

(*iii*) Petty construction.

(*iv*) Petty repairs.

(*b*) *Definitions.*—(*i*) *Construction.*—A work which either alters the shape of a bulidnig or entirely renews it shall be classed as "construction". This term includes (1) all new constructions, whether of entirely new works or of additions and alterations to or remodelling existing buildings and (2) additions, alterations, replacements, remodelling or all repairs to newly purchased or previously abandoned buildings in order to make them fit for use.

Projects costing more than Rs.2,500 but not exceeding Rs.15,000 are "Works—Original" and those costing not more than Rs.2,500 are "Petty construction".

(*ii*) *Repairs.*—The term "repairs" indicates primarily operations undertaken to maintain in proper condition buildings in ordinary use, *i.e.*, those works which restore a building to its original form but do not alter it. It also includes all repairs which may be necessary to existing buildings on account of storms or other natural causes.