

No. 24013/26/Misc./2017-CSR.III
Government of India/Bharat Sarkar
Ministry of Home Affairs

N.D.C.C. II Building,
Jai Singh Road, New Delhi,
Dated the 23rd May 2017

The Chief Secretaries,
All State Governments / UT Administrations.

Subject : Actionable points on recommendations of the DsGP/IsGP Conference- 2016 held on 25-27 Nov 2016 at NPA Hyderabad, Separation of law & order duty from investigation- Regarding.

Sir/Madam,

Attention is invited to this Ministry's Advisory No. 24013/201/2009-CSR.III dated 16th July 2010 regarding Prevention, Registration, Investigation and Prosecution of Crime a copy of which is enclosed for ready reference. This Ministry vide its above referred advisory has urged States/UTs that the investigation of crime may be separated from the law & order duty to the police officials and encourage outsourcing non-core police functions to free more policemen for the core policing functions.

2. States have certainly made sincere attempts to improve the criminal justice system. Increasing number of total cognizable crime cases reported in 2013, 2014 and 2015 as 6640378, 7229193, 7326099 respectively (Annexure-I) indicate that people are now more aware of their rights and believe in reporting the crime. At the same time, it is noticed that while there is considerable improvement in registration of FIRs, the percentage of IPC cases investigated stands at 68.4%, 71.8% 71.5% respectively for year 2013 to 2015 (Annexure-II) whereas cases of crime against women, this percentage is just 61.8%, 68.4% and 66.5% respectively (Annexure-III). Data also indicates that there is backlog of cases taken up for investigation and over the period, there is a declining trend in cases in which chargesheets are submitted as compared to total cases in which investigations have been completed by the police.

3. Justice delayed is Justice denied. Time bound completion of investigations is essential to ensure delivery of speedy justice. Law commission of India in its 154th report clearly brought out this aspect by giving following recommendations:

- i) There should be a separate and exclusive cadre of investigating agency to investigate grave offences in every district subject to supervision by the higher authorities. When a case is taken up for investigation by an officer of such agency, he should be in charge of the case throughout till the conclusion of the trial. He should take the responsibility for production of witnesses, production of accused and for assisting the prosecuting agency.

(Ch. II, Para 7)

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- ii) The police official entrusted with the investigation of grave offences should be separate and distinct from those entrusted with the enforcement of law and order and other miscellaneous duties. Separate investigating agency directly under the supervision of a designated Superintendent of Police be constituted. The hierarchy of the officers in such agency should have adequate training and incentives for furthering effective investigations. The respective Law and Home Departments of various State Governments may work out details for structuring and betterment of their conditions of service.

(Ch. II, Para 9)

- iii) The officials of the investigating police force be made responsible for helping the courts in the conduct of cases and speedy trial by ensuring timely attendance of witnesses, production of accused and proper co-ordination with prosecuting agency. Other necessary steps should also be taken for promoting efficiency in investigation. Accordingly, that necessary changes in the Police Acts, both Central and State, Police Regulations, Police Standing Orders, Police Manuals, be made by the Home Departments in consultation with the Law Departments of State Governments.

(Ch. II, Para 9)

4. While States have put in place organizations such as Crime Bureau and Crime investigation department, which deal with specific cases of grave offences either entrusted by state government or the courts, whereas all other cases continue to be handled by police at local level. Since local police is entrusted with critical function of ensuring law & order, entrusting such responsibilities to them not only slows down the investigation process but may impact the quality of investigation as well as maintenance of law and order.

5. Supreme Court vide its order dated 22/09/2006 in Writ Petition (civil) 310 of 1996 in the matter of Prakash Singh Vs Union of India has issued seven directives wherein 4th directives states that '***The investigating police shall be separated from the law and order police to ensure speedier investigation, better expertise and improved rapport with the people. It must, however, be ensured that there is full coordination between the two wings. The separation, to start with, may be effected in towns/urban areas which have a population of ten lakhs or more, and gradually extended to smaller towns/urban areas also.***' Court further directed that these directions shall be complied with by the Central Government, State Governments or Union Territories, as the case may be, on or before 31st December, 2006 so that the bodies afore-noted became operational on the onset of the new year. The Cabinet Secretary, Government of India and the Chief Secretaries of State Governments/Union Territories are directed to file affidavits of compliance by 3rd January, 2007.


6. While 'Police' and 'Public Order' are State subjects under the Seventh Schedule (List-II) to the Constitution of India, the Union Government attaches the highest importance to prevention of crime and, therefore, has been advising the State Governments/ UT Administrations from time to time to give more focused attention to the administration of the criminal justice system with emphasis on prevention and control of crime. It is therefore the prime responsibility of States/UTs to make use of the mechanism available with it ensure that investigations of all offences are concluded in a time bound manner and public trust in criminal justice system gets strengthened.

7. Since amendment to Police Act by States may take longer time, the States/UTs are advised to take following immediate steps in the direction of separating law & order from investigation duty:

- a) Establish investigation cell in all districts.
- b) These cells may be headed by SP rank officer and supported by other officials as deemed fit, taking into account the crime scenario.
- c) All new cases may be entrusted to this cell while investigations already underway may continue to be dealt as per existing system.
- d) A roadmap may be made to separate law & order duty from investigation in a time bound manner.
- e) An investigation monitoring cell may be established at State/UT HQ level to supervise and guide the local investigation teams. This cell may be headed by ADG rank officer.
- f) Charge sheet must be filed as soon as the investigation gets completed so that trials get concluded early.
- g) Proper & regular training may be arranged for investigating officers to improve their skill level in use of technology as well as techniques.
- h) Take appropriate steps to ensure that all vacancies in police force get filled in a time bound manner.
- i) Consider outsourcing of non-core police functions to free more policemen for the core policing functions.

8. It is requested to take action as advised in para 7 above and convey roadmap for its implementation in your State/UT within a month which would help in strengthening the criminal justice system. Progress made by States/UTs shall be reviewed in coming DGsP/IGsP conference which is chaired by Hon'ble Prime Minister.

Yours faithfully,




(Dilip Kumar)

Joint Secretary to the Govt. of India,
Tele No. 23438100.

Copy for information and necessary compliance to:-

1. The Principal Secretary/ Secretary Home - All State Governments/UT Administrations.
2. The Director General of Police - All State Governments/UT Administrations.
3. Joint Secretary (UT), UT Division, Ministry of Home Affairs, North Block, New Delhi.


(Mani Ram)
Under Secretary to the Government of India.

Cases reported (CR), Total Cases for Investigation (TCFI), Total Cases in which Investigation Completed (TCI), Percentage of Cases Investigated (%CI) and Cases ChargeSheeted (CCS) under Cognizable Crimes (IPC & SLL) During 2013-2015

Sl.	State/UT	Total Cognizable Crimes (IPC+SLL)														
		2013					2014					2015				
		CR	TCFI	TCI	% CI	CCS	CR	TCFI	TCI	% CI	CCS	CR	TCFI	TCI	% CI	CCS
1	Andhra Pradesh	265705	343149	222119	64.7	197674	139882	192259	129744	67.5	110671	126448	185407	122419	66.0	103711
2	Arunachal Pradesh	2918	5174	2261	43.7	1525	3038	5964	2525	42.3	1727	3149	6576	4575	69.6	2128
3	Assam	89572	196928	77213	39.2	41370	97401	215329	93279	43.3	44456	107465	229353	107462	46.9	50584
4	Bihar	184961	242596	175326	72.3	137218	195040	255286	178567	69.9	126690	195412	273843	171742	62.5	124228
5	Chhattisgarh	289819	296797	288848	97.3	279023	343811	351330	344094	97.9	333714	301915	309193	299947	97.0	289350
6	Goa	7512	11399	6389	56.0	4948	7472	12433	7632	61.4	5474	4556	9319	6095	65.4	4057
7	Gujarat	413236	458304	408168	89.1	388221	422799	462532	419882	90.8	400641	434043	476374	425811	89.4	407521
8	Haryana	121243	138926	108154	77.9	76999	115469	140501	116350	82.8	68374	131989	156094	124913	80.0	72731
9	Himachal Pradesh	15733	20579	15703	76.3	13362	17122	20515	17160	83.6	13670	17221	20573	17097	83.1	14257
10	Jammu & Kashmir	26907	36621	22857	62.4	19968	25453	36931	23642	64.0	18625	25310	38599	26819	69.5	20489
11	Jharkhand	54108	84556	48491	57.3	34060	51656	86379	55015	63.7	39616	52911	84280	50510	59.9	31881
12	Karnataka	159399	210439	144185	68.5	121105	163003	221243	153341	69.3	125786	170866	237331	151561	63.9	122751
13	Kerala	583182	628260	575702	91.6	566246	610365	657540	607084	92.3	592406	653408	702166	650325	92.6	636112
14	Madhya Pradesh	318644	330969	312997	94.6	279608	374169	391822	369966	94.4	327259	354660	380377	356043	93.6	313532
15	Maharashtra	358509	523531	330836	63.2	271751	384815	572098	366342	64.0	289500	423180	628617	387858	61.7	308530
16	Manipur	3930	24869	3044	12.2	377	4509	26327	3657	13.9	454	4851	27521	4358	15.8	702
17	Meghalaya	3468	11502	2729	23.7	1624	3983	12669	3746	29.6	2114	4406	13316	3572	26.8	2065
18	Mizoram	2273	3232	2267	70.1	2080	2575	3539	2812	79.5	2516	2575	3313	2666	80.5	2410
19	Nagaland	1696	2184	1358	62.2	1032	1671	2437	1687	69.2	1701	1931	2623	1818	69.3	1342
20	Odisha	90184	128322	85164	66.4	75841	93657	132374	90299	68.2	77426	103208	145241	103492	71.3	89534
21	Punjab	64283	96299	53823	55.9	46047	64974	103516	53889	52.1	42684	60236	109863	57124	52.0	43714
22	Rajasthan	268379	280305	183999	65.6	148658	268558	289933	270191	93.2	161073	262176	281776	263952	93.7	160320
23	Sikkim	1135	1473	1225	83.2	916	1265	1513	1226	81.0	937	950	1182	748	63.3	556
24	Tamil Nadu	696678	872760	678012	77.7	483229	505079	663084	524148	79.0	478984	442162	580833	461872	79.5	412646
25	Telangana	-	-	-	-	-	127706	176491	121276	68.7	95335	122778	172951	124602	72.0	98147
26	Tripura	6546	7703	6613	85.8	5272	5759	6862	5606	81.7	4456	4864	6117	4537	74.2	3446
27	Uttar Pradesh	2343188	2184080	2119356	97.0	2027993	2634805	2686533	2629837	97.9	2508336	2791341	2848029	2781544	97.7	2655854
28	Uttarakhand	177960	180001	177011	98.3	173823	179923	182341	180128	98.8	175886	98866	101077	96765	95.7	92944
29	West Bengal	189153	281019	186369	66.3	152752	206380	300814	199347	66.3	169139	206278	304226	215823	70.9	183131
	TOTAL STATE(S)	6540321	7601977	6240219	82.1	5552222	7050839	8210595	6972472	84.9	6219150	7113155	8336170	7025545	84.3	6248173
30	A & N Islands	2658	3468	2935	84.6	2716	2868	3401	2694	79.2	2556	3059	3766	3200	85.0	3045
31	Chandigarh	5432	7176	4532	63.2	3451	4678	7143	4483	62.8	3167	5113	7773	5386	69.3	3854
32	D&N Haveli	329	679	379	60.3	269	297	547	291	53.2	215	303	559	262	46.9	199
33	Daman & Diu	267	424	215	50.7	155	252	461	223	48.4	156	319	557	257	46.1	186
34	Delhi UT	86800	124931	58961	47.2	34274	165562	219564	102240	46.6	42674	199976	317159	177014	55.8	50666
35	Lakshadweep	62	142	81	57.0	66	115	176	62	35.2	47	65	179	98	54.7	57
36	Puducherry	4509	6093	4588	75.3	4144	4582	5114	4386	85.8	3830	4109	5034	3636	72.2	3206
	TOTAL UT(S)	100057	142863	71691	50.7	45075	178354	236406	114379	48.4	52645	217944	335027	189853	56.7	61213
	TOTAL (ALL INDIA)	6640378	7744840	6311910	81.5	5597297	7229193	8447001	7086851	83.9	6271795	7326099	8671197	7215398	83.2	6309386

Source: Crime in India

Cases reported (CR), Total Cases for Investigation (TCFI), Total Cases in which Investigation Completed (TCI), Percentage of Cases Investigated (%CI) and Cases ChargeSheeted (CCS) under Cognizable Crimes(IPC) During 2013-2015

Sl.	State/UT	IPC														
		2013					2014					2015				
		CR	TCFI	TCI	% CI	CCS	CR	TCFI	TCI	% CI	CCS	CR	TCFI	TCI	% CI	CCS
1	Andhra Pradesh	218015	287586	178186	62.0	159540	114604	162798	107572	66.1	89858	110693	165162	109239	66.1	91857
2	Arunachal Pradesh	2776	4927	2132	43.3	1417	2843	5647	2365	41.9	1584	2968	6237	4353	69.8	1973
3	Assam	87186	187618	75484	40.2	40229	94337	204665	93424	44.7	43322	103616	216702	103889	47.9	48612
4	Bihar	167455	217317	160175	73.7	123530	177595	228727	160488	70.2	111020	176973	246915	154640	62.6	109158
5	Chhattisgarh	56870	63573	56069	88.2	46356	58200	65252	58800	90.1	48509	56692	63143	54974	87.1	44477
6	Goa	4312	7684	3309	43.1	1949	4466	8796	4562	51.9	2509	3074	7279	4466	61.4	2619
7	Gujarat	157435	175661	154884	88.2	135346	131385	147411	131421	89.2	112937	126935	142628	123451	86.6	105833
8	Haryana	72098	87761	70600	80.4	45500	79947	91579	70843	83.9	44398	84466	99156	81909	82.6	44125
9	Himachal Pradesh	13750	17609	13287	75.5	11063	14160	17088	14293	83.6	11017	14007	16794	13976	82.9	11275
10	Jammu & Kashmir	25390	33280	21382	64.2	18622	23848	33523	22155	66.1	17314	23583	34951	25046	71.7	18973
11	Jharkhand	48208	75334	43556	57.8	29861	45335	75893	48797	64.3	34794	45050	72135	44075	61.1	27175
12	Karnataka	136689	183500	123095	67.1	100415	137338	190301	129279	67.9	102889	138847	198534	124875	62.9	97631
13	Kerala	176334	210969	172095	81.6	164468	206789	240702	203692	84.6	192688	257074	292501	254112	86.9	244145
14	Maharashtra	234385	348864	211003	60.5	152883	249834	382667	237006	61.9	162992	275414	470802	251818	59.8	174492
15	Manipur	3178	18071	2318	12.8	143	3641	19387	2957	15.3	794	3847	20277	3776	18.6	460
16	Meghalaya	3259	10664	2568	24.1	1517	3679	11688	3505	30.0	1944	4079	12249	3348	27.3	1892
17	Mizoram	1709	2579	1708	66.2	1538	2140	3013	2383	79.1	2095	2228	2859	2290	80.1	2056
18	Nagaland	1216	1585	948	59.8	649	1157	1765	1202	68.1	766	1302	1820	1182	64.9	762
19	Odisha	71718	98963	66586	67.3	57488	74569	103088	70073	68.0	57721	83360	116297	82894	71.3	69197
20	Punjab	36667	58050	31930	55.0	24455	37162	59553	32825	55.1	22313	37983	64711	35795	55.3	23457
21	Rajasthan	196224	206140	129638	62.9	97293	210418	277157	210835	92.8	107406	198080	214262	198186	92.5	99640
22	Sikkim	851	1189	966	81.2	666	1065	1788	1016	78.9	763	766	952	582	61.1	897
23	Tamil Nadu	203579	310559	194392	62.6	172029	193200	296548	202926	68.4	168666	187558	280954	197457	70.3	159284
24	Telangana		0				106830	150975	105600	69.9	81744	106282	151143	111155	73.5	87171
25	Tripura	6210	7312	6303	86.2	4982	5499	6521	5366	82.3	4229	4692	5844	4362	74.6	3289
26	Uttar Pradesh	276445	256442	205267	80.0	138462	240475	280267	237516	84.7	146918	241920	284664	235631	82.8	147631
27	Uttarakhand	9546	11067	8550	77.3	6157	9156	11108	9349	84.2	5504	10248	11995	8483	70.7	5411
28	West Bengal	169535	248390	169378	68.2	138425	185672	264637	180840	68.3	152001	179501	262868	190247	72.4	160214
29	TOTAL STATE(S)	2558493	3372158	2327700	69.0	1863760	2687767	3581449	2623429	73.3	1954181	2749852	3703388	2692147	72.7	2007123
30	A & N Islands	612	1275	970	76.1	762	746	1051	712	67.7	582	862	1201	715	59.5	566
31	Chandigarh	4077	5405	3252	60.2	2179	3221	5200	3134	60.3	1841	3248	5314	3480	65.7	1997
32	D&N Haveli	314	601	363	60.4	253	277	514	282	54.9	209	269	501	237	47.3	174
33	Daman & Diu	746	385	200	51.9	140	233	418	199	47.6	137	302	521	246	45.3	105
34	Delhi UT	80184	108475	53561	49.4	29014	155654	206141	96839	47.0	37541	191377	300540	169564	56.4	44079
35	Lakshadweep	40	103	56	54.4	41	81	128	37	28.9	24	50	141	75	53.2	36
36	Puducherry	3756	5247	3861	73.6	3477	3584	4017	3411	84.0	3030	3440	4197	2932	69.9	2576
37	TOTAL UT(S)	89279	121491	67263	51.2	35816	163796	217469	104614	48.1	43359	199548	312415	177248	56.7	49593
38	TOTAL (ALL INDIA)	2647722	3493649	2389963	68.4	1899576	2851563	3798918	2728043	71.8	1997540	2949400	4015803	2869395	71.5	2056716

Source: Crime in India

Cases reported (CR), Total Cases for Investigation (TCFI), Total Cases in which Investigation Completed (TCI), Percentage of Cases Investigated (%CI) and Cases ChargeSheeted (CCS) under Total Crimes Against Women for Crimes against Women During 2013-2015

Sl.	State/UT	2013					2014					2015				
		CR	TCFI	TCI	% CI	CCS	CR	TCFI	TCI	% CI	CCS	CR	TCFI	TCI	% CI	CCS
1	Andhra Pradesh	32809	44056	26990	61.3	26002	16512	24404	15678	64.2	13389	15931	24573	15189	61.8	13233
2	Arunachal Pradesh	788	453	245	54.1	186	351	513	208	58.1	241	384	596	442	74.7	259
3	Assam	17449	32867	14388	43.8	9317	19139	37108	17464	47.1	10035	23258	42865	21839	50.9	12262
4	Bihar	13609	21111	11279	53.4	9448	15383	23831	13652	57.3	10131	13891	24066	12920	53.7	9141
5	Chhattisgarh	7012	7519	5867	78.0	5453	6255	7443	6338	85.2	5596	5720	6824	5746	84.2	4852
6	Goa	440	658	298	45.3	243	488	833	432	51.9	321	365	766	453	59.1	309
7	Gujarat	12283	13618	11631	85.4	11261	10837	12241	10798	88.2	10148	7762	9136	7616	83.4	7016
8	Haryana	9089	10399	6795	65.3	6374	8974	10157	8674	85.4	5721	9446	10883	8981	87.5	5306
9	Himachal Pradesh	1478	1725	1074	62.3	1049	1517	1857	1476	79.5	1117	1280	1661	1321	79.4	1009
10	Jammu & Kashmir	3509	4386	2552	58.2	2522	3321	4279	3003	70.2	2355	3363	4639	3500	75.4	2536
11	Jharkhand	6506	9479	5530	58.3	4543	5972	9584	5584	58.3	4544	6518	10518	6109	58.7	4706
12	Karnataka	12027	15701	10110	64.4	9733	13914	18104	12896	71.2	11264	12705	17700	11902	67.2	10012
13	Kerala	11216	14359	10165	70.8	9927	11380	15145	10901	72.0	10118	9708	13754	9489	69.0	8819
14	Madhya Pradesh	22061	23105	20051	86.8	19729	28678	31561	27602	87.5	25455	24135	28088	23713	84.4	21543
15	Maharashtra	24895	32258	20750	64.3	20301	26693	36787	24387	66.3	22775	31126	43505	25788	59.3	22728
16	Manipur	285	1393	171	12.3	78	337	1504	700	13.3	71	266	1570	185	11.8	94
17	Meghalaya	343	1091	337	30.9	296	388	1121	381	34.0	312	334	1071	289	27.0	224
18	Mizoram	177	230	167	72.6	159	258	322	240	74.5	240	158	241	201	83.4	197
19	Nagaland	67	83	50	60.2	48	67	90	54	60.0	46	90	176	86	68.3	69
20	Odisha	14173	19704	12387	62.9	12094	14606	20908	13658	65.3	12172	17144	24381	16570	68.0	15010
21	Punjab	4994	7470	3439	46.0	2953	5425	8317	4378	52.6	3158	5291	9230	5024	54.4	3538
22	Rajasthan	27933	29248	14731	50.4	14473	31151	34032	31284	91.9	16422	28165	30877	28358	91.8	14555
23	Sikkim	93	125	104	83.2	100	110	131	106	80.9	103	53	75	38	50.7	36
24	Tamil Nadu	7475	12348	7133	57.8	6091	6325	10393	6164	59.3	4750	5847	10005	6319	63.2	4191
25	Telangana	0	0	0	-	0	14136	20430	13414	65.7	11363	15135	22116	15630	70.7	13901
26	Tripura	1628	1888	1674	88.7	1546	1615	1846	1581	85.6	1341	1267	1529	1198	78.4	1025
27	Uttar Pradesh	32546	37723	28078	74.4	21868	38467	46476	37423	80.5	26384	35527	44579	34755	78.0	24744
28	Uttarakhand	1719	1900	1455	76.6	1022	1395	1642	1440	87.7	979	1453	1655	1126	68.0	851
29	West Bengal	29826	50294	32229	64.1	30112	38299	56609	36725	64.9	35287	33218	52956	36887	69.7	34920
	TOTAL STATE(S)	295930	395191	249680	63.2	226880	321993	437668	308231	70.0	245838	309540	439987	301734	68.6	237086
30	A & N Islands	106	151	129	85.4	111	115	137	115	83.9	97	136	158	118	74.7	96
31	Chandigarh	488	646	282	43.7	256	432	722	420	58.2	262	463	765	446	58.3	276
32	D&N Havell	21	36	22	61.1	12	21	34	20	58.8	16	25	39	17	90.8	17
33	Daman & Diu	24	38	20	52.6	18	15	25	14	56.0	14	28	39	19	48.7	12
34	Delhi UT	12888	21949	8015	36.5	6429	15265	27857	8855	38.7	6395	17104	31059	11674	37.6	7792
35	Lakshadweep	3	5	2	40.0	1	4	7	3	42.9	3	9	13	1	7.7	1
36	Puducherry	86	127	64	50.4	64	77	102	64	62.7	57	80	103	74	71.8	66
	TOTAL UT(S)	13616	22952	8534	37.2	6891	15929	23879	9491	39.7	6844	17845	32176	12344	38.4	8255
	TOTAL (ALL INDIA)	309546	418143	258214	61.8	233771	337922	461547	315722	68.4	252682	327394	472163	314078	66.5	245341

Source: Crime in India