

ASSAM POLICE MANUAL
PART II

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**NAGALAND POLICE MANUAL
PART-II**

INDEX

OFFICE OF THE SUPERINTENDENT OF POLICE

**Ministerial Establishment
(Rules 1 to 17)**

1. Ministerial establishment

There will be one head assistant and one accountant in each district assisted by subordinate assistants according to the importance of each district.

2. Pay

The following is the pay of the ministerial establishment of the offices of the Superintendent of Police:-

(a) Head Assistant	:	₹ 5000 -150 – 8000/-
(b) Stenographer and confidential Assistant	:	₹ 4125 – 100 – 4725 – 125 – 6475/-
(c) Accountants and UDA	:	₹ 4125 – 100 – 4725 – 125 – 6475/-
(d) LDA/Typist	:	₹ 3050 – 75 – 3950 – 80 - 4590/-

The head assistant, accountants and the subordinate assistants will be borne on one State cadre of Divisional Assistants.

3. Appointments and qualifications of head assistants and accountants

Appointment to the class of head assistants and accountants will be entirely by merit cum seniority. All appointments and promotions of head assistants and accountants will be made by the Director General and Inspector General of Police.

Seniority in each rank will be determined by the date of regular appointment in the rank and such seniority will be compiled and maintained in the police Headquarters.

4. Appointments and qualifications of subordinate assistants

Appointments of subordinate assistants will also be made by the Director General and Inspector General of Police.

No person who has not passed the Graduate examination of any recognized University.

5. General orders in regard to ministerial appointments

The following orders apply to appointments of all ranks:-

- (a) Appointments are restricted to candidates who are natives of or domiciled in Nagaland.
 - (b) (i) A candidate must procure a medical certificate of health from a Civil Surgeon or Chief Medical Officer (CMO) (vide Fundamental Rule 10) before appointment. Candidates selected for Government service and sent for medical examination by the head of the department or office for which they have been selected will be examined free of charge. Such medical examination will be made by the Civil Surgeon or the Chief Medical Officer of the department himself. All such certificates should be given in the form prescribed form.
 - (ii) In making appointments, relevant government order with regards to reservation of posts should be strictly adhered to.
- © No one above the age of 30 may be appointed except in cases where government rules permit such relaxation such as in-service applicants, etc.

In applying for such sanction a report should be submitted in the following form :-

- (i) Name of candidate.
- (ii) Date of birth.
- (iii) Post to which it is proposed to appoint the candidate.
- (iv) Reasons for age exemption, if any
- (v) Qualification
- (vi) Postal address and Permanent Address
- (vii) ST and Domicile Certificate.

(d) Appointments should be made on probation and the period of probation will ordinarily be six months, which may, on good reasons being given, be extended but not beyond two years from the date of first appointment. On the completion of this period the man must either be confirmed or discharged. No assistant may be confirmed if his past history be not above suspicion.

The verification rolls should be written by the Superintendent of Police or by some other officer in his presence and sent to the home district of the nominee for enquiry which must not be made by officers below the rank of Sub-Inspector. On return of the verification rolls these will be filed along with the service book. The rules regarding verification rolls in Part III of this Manual will, as far as possible, apply in 'case of ministerial officers.

(e) No person who is serving in, or who ceased to serve in any other Government office may be appointed without a reference to the head of the office in which he is serving, or in which he last served.

(f) In the case of a candidate who is, or who has recently been a college student, no appointment should be made without a reference to the Principal of the College which term includes the heads not only of Government colleges but also of such institutions aided by Government.

(g) A ministerial officer who has been dismissed cannot be re-employed without the sanction of the State Government.

If a ministerial officer who has resigned applies to be re-employed, enquiries should be made from the head of his former office.

(h) Every person appointed as a ministerial officer will receive a letter of appointment under the signature of the officer appointing him.

NOTES

F. R. 10 and S. R. 6 as referred to in this rule read as follows:-

PART II
CHAPTER III
General Conditions of Service

F. R. 10. Except as provided by this rule, no person may be substantively appointed to a permanent post in Government service without a medical certificate of health. The (State) Government may make rules prescribing the form in which medical certificate should be prepared, and the particular medical or other officers by whom they should be signed. It may, in individual cases, dispense with the production of a certificate, and may by general order exempt any specified class of Government servant from the operation of this rule.

Note.-A medical certificate of health should be obtained from all whenever appointments are made to temporary posts which have been made sanctioned at least for a period of one year and whenever such appointments are made without specifying a period. Such certificate may not be insisted upon when the period is less than four months.

S. R. 6. Except as otherwise provided by rules governing recruitment to particular service a person whose age exceeds twenty-five years on the 1st January of the year in which the recruitment is made may not ordinarily be admitted into service of the State in superior pensionable service without the sanction of Government in the Home Department, the Head of the Department or the Commissioner of Divisions. The ordinary limit is extended to-

(a) thirty years in the case of-

(i) a person appointed to Nagaland Civil Service from the Bar ;

(ii) appointments to teaching posts in College in the Nagaland Educational Department;

(iii) appointments to teaching posts on non-technical subjects in Engineering and Technical Institutions; and

(b) twenty-nine years in the case of appointment of Medical graduates in the services of the State Government.

(c) Thirty-five years in respect of candidates in employ in aided schools for appointment to Class II of

Assam School Service; provided they are eligible for the same otherwise and have acquired necessary experience.

Note.- This rule does not apply to the employment in civil capacities of reservists and pension of the Indian Army.

6. Leave of ministerial officers

Superintendents of Police are empowered to grant leave of absence to ministerial officers serving under them up to six months, provided the leave is due under the Fundamental Rules and local arrangements can be made to carry on the work.

Applications for leave should be in the prescribed form.

The rules regarding casual leave will be found in Part-III of this Manual.

7. Vacancies and promotions

All vacancies in the rank of assistants will be reported by the Superintendent of Police to the Director General of Police and Inspector General of Police, who will fill them by fresh appointment, promotion or transfer. In case of temporary vacancies of 6 months or less and if the Superintendent of Police is unable to make suitable local arrangements he should report the fact to the Director General of Police and Inspector General of Police who will arrange to fill the vacancies. Promotions will be made in consideration of merit and seniority.

Absentee statements of assistants who are granted leave of absence should be submitted by the Superintendents of Police.

8. Permanent vacancies to be advertised

When a permanent vacancy is to be filled up by selection from outside candidates, the occurrence of the vacancy together with necessary particulars should be published at the headquarters of the district at least fifteen days before the date fixed for filling the vacancy and should also be advertised in the local papers and media.

9. Periodical transfer of head assistants and accountants

No head assistant or accountant can be allowed to hold his appointment uninterruptedly for more than seven years. After holding it for that period he must be. Superintendents of Police will be held responsible for reporting to the Director General of Police and Inspector General of Police

the liability of their subordinates to transfer under this rule. Inspecting Officers should look into the matter at the time of their inspections.

10. Punishment and appeal of ministerial officers

(a) Ministerial officers of the police department not being enrolled members of the force do not come within the scope of the rules under the Police Act. The rules regarding the punishment and appeals of such officers are governed by the Nagaland Government Servants (Conduct) Rules, 1967, and the Nagaland Government Servants Discipline and Appeal Rules. These rules however correspond with the rules contained in Part III and *mutatis mutandis* the rules in Part III should be followed in dealing with such officers.

(b) The following powers of punishment have been delegated to the Director General and Inspector General of Police and Superintendents of Police.

(I) Director General and Inspector General of Police may impose the following punishments on a ministerial officer-

- (i) Censure.
- (ii) Withholding of promotion.
- (iii) Reduction.
- (iv) Suspension.
- (v) Removal.
- (vi) Dismissal.

(II) A Superintendent of Police may censure all assistants under him

11. Official information not to be divulged

All ministerial officers in Government service must clearly understand that if they are shown to have communicated to persons not employed in the same office whether such persons are in Government service or not, and whatever may be their position, any information, whatsoever, whether important or unimportant which they have obtained in the course of business, they expose themselves to the penalty of immediate suspension and ultimate dismissal-See also Rule 17 of the Government servants' conduct rules.

12. Officers may not accept private service

No ministerial officer may give part of his time to private services, not, when on leave, may take service under any other employer, without the previous sanction of the Director General and Inspector General. See also Fundamental Rule 69.

The acceptance by ministerial and other officers, gazetted or non-gazetted, of employment on commission as agents or secretaries of Insurance Companies or in similar capacity is forbidden.- See also Rule 15 of the Government servant conduct rules.

The rules for the transfer of service from one Government office to another will be as laid down by the Government from time to time. It is laid down that a Government Officer who wishes to transfer his services to a different Government office or department must obtain the consent of the authority which appointed him to his existing post, and, if he does not do so, he will be considered to have committed a breach of discipline which may even culminate in his dismissal.

F. R. 69.- (1) A Government servant on leave may not take any service or accept any employment (including the setting up of a private professional practice as accountant, consultant, or legal or medical practitioner) whether in or out of India without obtaining the previous sanction of the State Government.

(2) The leave salary of a Government servant who is permitted to take up employment under a Government or a private employer during leave shall be subjected to such restrictions as the Governor of Nagaland may by order prescribe.

Note 1.- This rule does not apply to casual literary work to service as an examiner or similar employment nor does it apply to acceptance of foreign service, which is governed by Rule 110.

Note 2.- This rule does not apply where a Government servant has been allowed to take up a limited amount of private practice and service fees therefore as part of his conditions of service, e. g., where a right of private practice has been granted to a Medical Officer.

Note 3.-The grant of leave preparatory to retirement to an officer in foreign service may not be coupled with permission to continue in the service of the same employer during that leave.

Note 4 - Though the grant of permission to take up private employment during the leave on medical certificate is technically covered by the provisions of F. R. 60, it is not intention that the leave which can be obtained on the strength of the medical certificate' should be allowed to a Government servant the state of whose health enables him to earn a competence by private employment. Fundamental Rule 69 should not be construed as permitting a Government servant who avails himself of leave on medical certificates to undertake regular employment during such leave.

Government of India's decisions - (1) Under the orders now in force, Government servants who are permitted to accept private employment during leave preparatory to retirement continue to get their leave salary, while those who are employed by Government in a department other than their own and draw leave salary in addition to pay, 'have their leave salary restricted to the anticipated amount of their pension; and those who are employed in their own departments are treated as having been recalled from leave and thus fore-go their leave and leave salary except to the extent admissible under F. R. 86. The question of removing these disparities to the extent possible, and suitably limiting the period for which a Government servant may be permitted to draw leave salary in addition to the pay of the post in which he is employed during leave preparatory to retirement has been under consideration for some time. The President has now decided that, in supersession of all previous orders on the subjects, such cases will be regulated in the following manner:

(a) When a Government servant who has proceeded on leave preparatory to retirement before the date of compulsory retirement is required for employment during such leave in any post under 'the Central Government, in or outside India, and he is agreeable to return to duty, he will be recalled to duty and the unexpired portion of his leave from the date of re-joining duty will be cancelled. The leave so cancelled will be treated as refused and subject to the provisions of F. R.

86, it may be granted from the date of compulsory retirement of the Government servant. Such recall will be treated as optional for the purpose of F. R. 70.

(b) When a Government servant is employed in any post under the Central Government, while he is on leave under F. R. 86, he may continue to enjoy his leave concurrently with such employment but his leave salary, which may be drawn in addition to pay of the post in which he is employed, will be restricted as follows :

(i) in the case of Government servant eligible for pension, to the amount of pension inclusive of pension equivalent of any retirement gratuity admissible under the new pension scheme which, It is anticipated will be admissible to him on retirement. No subsequent re-adjustment will be made on the basis of the actual amount of pension inclusive of gratuity finally sanctioned; and

(ii) in the case of a Government servant not eligible for pension, to the leave salary admissible in respect of leave on half average pay.

In respect of the fresh employment during leave, the pay of the Government servant will be regulated as if he were a post 1931 entrant in temporary employ. No leave will be earned in respect of such period of employment during leave.

During such employment, he may also be granted dearness and compensatory allowances, if any, admissible on leave salary, nor will the leave salary be taken into account in calculating the allowances.

(c) The leave salary of a Government servant who is permitted, during leave preparatory to retirement before attaining the age of superannuation, or during leave under F. R. 86 to take up employment under a State Government, or under a private employer or employment payable from a Local Fund, will also be restricted during such employment as in (b) above.

(3) Cases in which officers on leave preparatory to retirement may have already been permitted to accept employment on a basis different from that prescribed above will not be affected.

(4) These orders will also apply *mutatis mutandis* to Government servant subject to leave rules other than those contained to the Fundamental Rules.

NOTES

F. R. 69.- This rule was substituted, vide Notification No. FEG. 15/59/45, dated the 7th May, 1960 to take effect from 7th May, 1960, vide Correction Slip No. 160. The present sub-rule (b) was inserted by Notification No. FEG. 15/59/18, dated 11-7-1959.

The "Government of India's decision" to this rule was substituted vide Correction Slip No. 179.

While leave preparatory to retirement has to be on different basis in some respects, it does not cease to be leave as observed in *Dr. Pratap Singh v, State of Punjab*, AIR 1963 Punj 298] and *Jai Ram v, Union of India*, [AIR 1954 SC 584] ; it is like any other leave revocable at the discretion of the authority empowered to grant it, when the exigencies of public services so require. If the Government servant has obtained lien on the post from which he proceeded on leave, he cannot say that he cannot be suspended from that post and his leave preparatory to retirement cannot be cancelled so as to recall him to duty while simultaneously suspending him.

13. Office hours

Ministerial officers must attend office for the dispatch of business from 09:30 A. M. to 4 P.M. in summer and 09:30 A.M. to 03:30 P.M. in winter, or for such longer period as may be necessary to dispose of their business.

14. Attendance register

An attendance register will be kept up for non-gazetted and ministerial officers of the office the hour of arrival and hour of departure being noted therein, and brief reasons given to account for non-attendance or short attendance. The register will be put up daily before the Superintendent of Police or in his absence to the officer-in-charge of his office. All casual leave granted will be entered in this register.

15. Gazetted holidays

All holidays which are declared to be public holidays under the Negotiable Instruments Act should be given as holidays to all Government servant 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 which the offender professes. 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.

16. Duties of head assistants on taking charge

On the occasion of any change of head assistant the Superintendent of Police should, if possible be present and should satisfy himself that the relieving head assistant has taken charge of the registers and files with which the head assistant deals and has noted all pending matters. The relieving head assistant should examine the accounts from the commencement 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 treasury but not paid. The memorandum should be signed by both the relieved and the relieving officers. The latter should also prepare a list of bills, pay, travelling, clothing, contingent etc. pending preparation, encashment and submission to Accountant General. He should examine the stock book and other books containing particular of Government property and see that they agree with the articles in stock. He should take the earliest opportunity of

examining all receipts and acquittance rolls for three months back and report to the Superintendent of Police whether they are complete or otherwise, the work of taking over charge should not be allowed to occupy more than one day.

17. Duties of head assistant

The primary duty of a head assistant is the supervision of the work of the office. He must see that work is properly distributed, that the time of the other assistants is fully occupied and that they devote their full attention to their work.

Registers to be kept (Rules 18 to 19)

18. Registers to be kept in the office of the Superintendent of Police.

A list of registers and files to be kept in the office of the Superintendent of Police is given as Appendices A to this part.

19. Registers to be kept in the office of Sub-divisional Assistant Superintendents and Deputy Superintendents of Police

A list of register to be kept in the offices of the Assistant Superintendents or Deputy Superintendents of Police in charge of Sub-divisions is given in Appendix A

Special Reports (Rules 20 to 25)

20. Cases in which Special Reports are to be submitted:-

*[Special Reports in the appropriate form will be Submitted by Superintendents of Police to the Deputy Inspector General of Police regarding cases shown in the table below. This list, however, should not be treated as exhaustive, and any case which the Superintendent of Police considers to be of unusual interest or importance, or in which the Inspector General of Police or Deputy Inspector General has called for details, should be treated similarly.

Reports will be sent in duplicate in the following cases only:

- (a) Items marked "D" in the table,
- (b) Cases in which another department of Government is involved,
- (c) Cases of embezzlement or loss of Government funds.

In addition in the items marked "C" a copy of the first report only will be sent to the concerned authority. Reports will be sent to the Commissioner only when called for or directed to do so. Copies of Special Reports need not be sent to the Deputy Commissioner unless requiring judicial or executive action by him.

Items Marked "T" in the table will be reported by telegram in the first instance.

TABLE

Serial No.	Case	Remarks
(1)	Outrages having a political aspect	T.C.D.
(2)	Riots	
(a)	Due to political or religious causes	T.C.D.
(b)	Resulting in loss of life	”
(c)	Involving serious breach of peace	”
(d)	Involving serious attack upon police officers or other Government servants	”
(3)	Acts by Police Officers above the rank of Constable	C.D.
(a)	In which police officers are charged with torture or offences involving moral turpitude	C.D.
(b)	Causing public excitement or discontent	C.D.
(c)	Likely to result in grave scandal	C.D.
(4)	Escapes and rescues from Police custody	T
(5)	Loss of public money from Police custody	C.D.
(6)	Professional Drugging	
(7)	Assaults, between Foreigners and Indians, unless trivial	T
(8)	Murder	
(a)	For gain	
(b)	Having religious or political significance	D
(c)	Otherwise unusually heinous or of special importance	
(9)	Theft of Government stamps, notes, or other property, where the value exceeds Rs. 5,000	C.D.
(10)	Highway Robbery and Mail Robbery	T
(11)	Dacoity	T
(12)	Gang cases under Sections 400 to 402, Indian Penal Code and connected cases under Sections 109 and 110, Criminal Procedure Code	
(13)	Professional swindling	
(14)	Counterfeiting coins, stamps or notes	
(15)	Possession or uttering of counterfeit coins, stamps or notes	
(16)	Theft or loss of fire arms	
(a)	Capable of being used for Military purposes	T
(b)	Rifles, breach loading guns, revolvers and pistols of all kinds	T
(c)	Smoothbore guns, if the theft is believed to have a political aspect	

- (17) Theft or loss of ammunition, explosives, detonators, fuses or large quantities of empty cartridge cases
- (18) Recovery of (a) unlicensed arms (not being cases arising out of failure to renew licenses) T (Breach loading weapons only)
- (b) Ammunition or explosives
- (19) Serious accidents, involving loss of life, or extensive damage to property, or serious injury, or a type usually attended with such loss or injury
- (a) Railway
- (b) Motor Vehicles
- (20) Industrial and Tea Garden strikes
- (21) Calamities, e.g., floods, earthquakes or fires causing serious damage to life or property T

21. Cases to be reported by signal to Inspector General of Police (Crime) and the Inspector General of Police (Intelligence).

22. Report of loss, theft and recovery of arms and ammunitions

The following instructions regarding the reporting of losses and thefts of Government and private firearms and ammunition capable of being used for military purposes are issued.

2. Under Military Regulations, Officers Commanding detachments report the loss or recovery of arms, important components or ammunition to the Superintendent of Police. The Superintendent of Police is then responsible for all further action towards the tracing and recovery of the lost or stolen articles.

3. Reports should be made by Superintendents of Police to the higher authorities of the loss, theft or recovery of arms, important components and ammunition coming under the following category, of which they may receive information from any source, whether military, civil or private:-

- (i) Weapons of various categories such as SLR, AK series, Machine Guns, Light automatics, Grenades etc.
- (ii) Rifles, Revolvers and Pistols, Government or private.
- (iii) Barrels and Bolts of weapons.
- (iv) Ammunition of various categories.

(v) High explosives whether in bulk or in made up charges including fuses and detonators.

A monthly return of such theft, loss and recovery of arms, etc., should also be submitted by the Superintendents of Police to the Inspector General of Police (Intelligence)

4. Reports concerning items of the above category should be made by fastest means wherever there is *prima facie* evidence or reasonable suspicion of a recent theft. In other cases reports should be made by letter. In all cases every effort must be made to include either in the initial report or in a very early continuation report the fullest possible details both for the identification of the missing arms, components or ammunition and as regards the methods and identity of the thieves.

5. A return of all identifiable arms, etc., lost, stolen or recovered should be maintained by the Inspector General of Police (Intelligence) and should be sent in annually to the Director, Intelligence Bureau.

6. When losses are sufficiently serious to be brought to the notice of the Central Government or to rank as matters of public interest; as well as in the following cases :-

(a) When the theft appear to be the work of insurgents, or other organized/ professional thieves,
(b) When the loss appears to indicate that standing rules for the custody of arms and ammunition, either in possession of regiments or individuals or during transit by rail or otherwise, are defective and should be amended, intimation of such losses should be sent to the Director, Intelligence Bureau, New Delhi, and copies of all subsequent reports submitted by the Superintendent of Police should also be sent to him.

7. In the particular case of revolvers and pistols all losses, thefts and recoveries of such weapons as bear the manufacturer's number should be reported to the Director, Intelligence Bureau, by the Inspector General of Police (Intelligence). The reports regarding recoveries should include information, if possible, as to where, when and from whom the weapon was obtained by the person from whom the weapon was obtained by the person from whom recovered. All reports should be submitted as soon as convenient after the loss, theft or recovery.

8. No report need be made under these rules in the case of the loss or theft of smooth bore weapons ammunition for such weapons.

9. Deliberate attempts to smuggle arms and ammunition into India by land or sea or air should be reported promptly to the Director, Intelligence Bureau. Similarly the discovery of fire-arms which appear to have been deliberately smuggled into India should also be reported to the same quarter.

In all instances, full particulars of the articles seized such as the maker's name, place of manufacture, number, bore and other distinguishing marks in the case of fire arms, and maker's name, bore and distinguishing marks in the case of cartridges, should be communicated at the time the report is made or as soon afterwards as possible. Information, if available, obtained from

the smuggler or otherwise, as to where, when and from whom the weapon, etc., were obtained should also be given. Whenever a prosecution is initiated with respect to a reported case of smuggling of, or attempt to smuggle, arms and ammunition, the result should also be communicated to the Director, Intelligence Bureau.

23. Occurrences of which immediate information must be given to the higher authorities

Immediate information must be given to the District Magistrate, with a view to his communicating it to the divisional commissioner of:-

- (i) Riots which involve a serious breach of the public peace;
- (iv) outrages which a political aspect;
- (v) calamities, such as floods and earthquakes which cause serious damages to life or property;

(vi) all other events which have a political or administrative importance such as assaults offered to Government officials other than of ministerial or menial status.

The report to the District Magistrate should, if possible, give information on the following point:-

- (1) The supposed cause of trouble,
- (2) The approximate number of persons concerned.
- (3) The present condition of affairs, specifying more particularly whether there is further out break.
- (4) The number of persons injured.
- (5) The possibility of any person seriously wounded, succumbing to his injuries.
- (6) The action that has been taken or that is intended to take.

When it is not possible to give full information in the first report made to the magistrate which should on no account be delayed, a supplementary report should be made immediately the full facts are known.

24. Instruction for the preparation and submission of special reports:

The following orders should be observed in the preparation and submission of special reports:-

- (a) The first special report should be dispatched as soon as possible after receipt of first information, to be followed by an intermediate consolidated report giving full details of the course the investigation and the orders of the Superintendent of Police as to the return of the case; and a final report or reports (as the case may be) showing the result of the proceedings in each Court including the appellate Court. No further intermediate report need be submitted in any case unless specially called for by the Deputy Inspector General of Police.

Special reports on the cases noted below should be submitted in duplicate:-

- (i) Complaints against police officers above the rank of Assistant Sub-Inspector.
- (ii) Complaints against police officers of or below the rank of Assistant Sub-Inspector, unless they are of a trivial nature.
- (iii) Cases of political importance.
- (iv) Serious cases of dacoity.

(b) In the case of theft or loss of private weapons, whenever possible, the name of the maker and the number of the weapon should be given and any other particulars which are likely to lead to its identification.

(c) A new series of consecutive number should be given to the special report cases of each year.

(d) All special reports should be type-written.

(e) All special reports should be drafted by the Superintendent of Police himself. When this duty is, for any sufficient cause, made over to any subordinate officer, the Superintendent of Police should check and countersign the report. When owing to the absence of the Superintendent of Police from headquarters, neither of these courses can be followed, a note to that effect should be made at the end of the report.

(f) Copies of any remarks of importance made by a magistrate on a special report should be forwarded by the Superintendent of Police to the Director General and Inspector General of Police to whom the special report is sent.

(g) If a case ends in acquittal, the Superintendent of Police should state the ground therefore. If a copy of the judgment of the sessions court is required, the Superintendent of Police should apply to the District Magistrate who will arrange to give the copy required. When the sessions is held in another District Magistrate of that district should be asked to obtain a copy.

(h) In all the special reports the name as well as the designation of Sub-Inspectors and police officers of higher rank should be given.

(i) In special reports of dacoity cases in which an appeal is preferred, the Superintendents of Police should state whether the Legal Remembrancer has been instructed to support the conviction.

j) In all counterfeit cases the special reports should be full and should deal particularly with the following points:-

(i) name, address, parentage, status, and character of the informant;

(ii) his opportunity of obtaining the information given;

(iii) the circumstances under which he has come forward to give information, and whether he has any cause of enmity with the person informed against;

(iv) the purport of the information, and whether given in writing or orally;

(v) the action taken on receipt of information.

If for any reason the Superintendent of Police does not desire any part of the above information to be given in the special report it should be given in a confidential note sent with the first special report. When instruments or materials for counterfeiting currencies are found in a place, inside or outside a house, a full description of the place, with its position and situation, should be given.

(k) All special reports should be regarded as a document belonging solely to the police and open to perusal only by the Superintendent of Police and his superior officers and by any person specially authorized by the Superintendent of Police to have access to them, subject of course to

the powers of the District Magistrate or any magistrate dealing with the case. The clerk in whose custody special reports are kept must be held responsible for their safe custody.

(l) Special reports and case diaries which relate to facts or contain mention of facts which either for personal reasons or for reasons of State if may be desirable to keep confidential should be kept in the custody of the Superintendent of Police, a note being kept in the file to indicate where the documents are.

(m) Detailed rules for the custody of case diaries and statements of witnesses recorded under Section 161, Cr. P. C., until the final disposal of the case by the Magistrate or Judge, or an appeal if preferred has been decided or the period allowed for an appeal has expired, are laid down in Part IV and V of this manual and the Superintendents of Police should take special care that they are kept under lock and key by the head clerk or other clerk responsible for the custody of confidential papers.

(n) Whenever any gang or ordinary bad character are suspected to be concerned in a dacoity or other serious offences against property, which are under the rules to be specially reported, the action taken or proposed to be taken against such gang or bad characters should be clearly stated in the special report on the case.

25. History sheets in gang and other cases

A copy of the history sheet duly filled in should accompany the final special report of a case and when history sheets are not sent in with the final report, the fact that they are under preparation should invariably be stated in the report. Such history sheets are only to be written up in the case of gangs or individuals whose operations are known to extend beyond the limits of a single district. In the case of local gangs and criminals the histories should always be available by reference to the Thana of residence. The history sheets when prepared will afford a mass of information materials for gang prosecution under Sections 400 and 401, Indian Penal Code especially in regard to evidence of associations, etc. They may also facilitate the investigation of cases and help in the capture of absconders.

Superintendent of Police's Register of Crime (Rules 26)

26. Superintendent of Police's register of crime:

The object of this register is to enable the Superintendent of Police to see in what part of his district crime is most rife, to watch the action of Sub-Inspectors in the matter of abstention from enquiry, to check delays in investigating and in reporting crimes and in the disposal of final reports by the magistrate. This last form of delay should be brought to the notice of the magistrate of the district:

(a) The register must be submitted daily to the Superintendent of Police along with the first information report, the court officer's concise memorandum or the Inspector's progress memorandum of investigation, the case diaries (if any) and the final memorandums. The entries must be written up in the office as the first information report, the concise memorandums and the final memorandums respectively are received and must be initialed by the Superintendent of Police when made.

(b) The Superintendent of Police's order must also be recorded on the final memorandum and signed by him.

(c) The duty of the Superintendent of Police in regard to this register must not be delegated to any other officer, except when the Superintendent of Police is absent from headquarters or with the special sanction 'of the Inspector General to be recorded in writing for each officer.

(d) The book should be divided into as many parts as there are police stations in a district, one part being set aside for each police station and all crime reported to have been committed in a station being entered in the same part. There should be an index to denote on what pages the entries relating to each police station commence. Each part should contain in a station during a year.

(e) Outpost cases when incorporated with those of a station to which it is subordinate should be distinguished by writing the name of the outpost in column I.

(f) The number of persons accused should always be clearly shown in column S in order that absconders may not be overlooked.

(g) In column 6 should be entered not only the section under which the offence falls, but also, as briefly as possible the description and value or any property stolen.

(h) Column 9 will be filled in from the court Officer's concise memorandums and from the progress memorandums of investigation sent to the Superintendent of Police by Circle Inspector. The names of all persons against whom a charge is proved should be entered. The names of absconders should be marked with a red cross and the number of page and entry in the absconder's register should be given.

The letters "W.P.A. and 299" should be noted on the cross indicating that warrants, proclamation and attachment orders have been issued and evidence under Section 299, Criminal Procedure Code recorded,

W

Thus P x 255

A

(i) A station yearly serial number should be given to each charge sheet or final report form and shown above the letters "C. S." or "F.R." Thus C.S. would indicate

16

that up to date 16 charge sheets had been sent from the particular Thana in charge sheet for; F.R. would indicate that 28 final reports had been sent up in final report form.

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(j) If any explanation is called for from the Inspector or Investigating Officer recording any case, the facts should be noted in the column for remarks with the dates of order and of disposal.

(k) The names of persons convicted of offences under Chapter XII or XVII, Indian Penal Code, whose real names and residences, have not after enquiry been ascertained, should be underlined in red ink. Such persons should be treated as unidentified and registered in the district where they may happen to be convicted.

(l) Entry of Magistrate's final order.-The columns for the final orders of the magistrate will be filled in from the final memorandum of each case, submitted by the court officer in accordance with Rule 74, Part IV. If a case ends in conviction both the sentences and the section under which the accused person was convicted must be given. The final memorandum will show whether any person who may have absconded is wanted or not and the Superintendent of Police must issue in each case such orders as may be necessary in regard to him.

(m) In column 12 of the register will be entered the Superintendent of police's order regarding the supervision of criminals as P.R. etc., the opening of history sheets, and steps to be taken against absconders. These must be entered by the Superintendent of Police himself and copied on the counterfoil of the final memorandum.

(n) The outer-foil will then be sent to the officer- in-charge of the police station or outpost concerned, who will make the necessary entries in his registers,

NOTES

Chapter XII of the Indian Penal Code deals with offences relating to coin and Government stamps, Sections 230 to 269 and Chapter XVII deals with offences against property like theft, extortion, robbery and dacoity, criminal misappropriation of property, criminal breach of trust, receiving of stolen property, cheating, fraudulent deeds and dispositions of property, mischief, criminal trespass-sections 378 to 462.

Instructions as to certain registers (Rules 27 to 31)

27. Sub-district register of crime

Every Assistant Superintendent or Deputy in charge of a sub-division will keep up a register of crime for his sub-division.

28. Register of absconded offenders:

(a) A register of absconded offenders whose homes are within the district and whose names are entered in Part I of police station register in the district will be kept in the office of the Superintendent of Police, entries in it being arranged Thana by Thana. Outpost absconders should be entered under the station to which the out-post is subordinate. In this register absconders will be differentiated into; (i) those with wife or family ties; and (ii) those without. A list should be kept on a page at the end of this register, of absconders living in other districts who have committed crime in the district. The names of such persons are entered in Part II of the station register.

(b) At the beginning of the book there will be an alphabetical index giving the names of all the absconders and the names of the police station to which they belong.

(c) The definition of an absconded offender will be found in Part V.

(d) The Superintendent of Police is responsible that all absconded offenders are registered first in his own register and afterwards in that of the police station. The number of the entry in the police station register should be noted in column I of the Superintendent of Police's register. He should pass orders for registration on receipt of the final memorandum of each case, if he has not previously done so. In direct cases the names of the absconders should not be registered until action has been taken against them under Sections 87 and 88, Criminal Procedure Code. The entries in the register should be compared with the entries in Part I of the station register of absconders, the register being brought in for the purpose in the month of April or any other month fixed by the Superintendent of Police.

(e) To ensure that no absconders escape notice the entries in the register or absconded offenders should also be compared with the list of outstanding warrants brought forward in the Sadar Court Officer's warrant register in the months of April and October and with the lists of outstanding warrants forwarded in these months from sub-divisions to the Superintendent of Police's office.

(f) After registration in his office, it is the duty of the Superintendent of Police to send the roll for entry in Part I of the police station register, and copies of it to any district or other police station of his own district where the absconded offender may have relatives for entry in Part II of the station register, to see that in cases calling for it action is taken under Sections 87, 88 and 512, Criminal Procedure Code, and that the roll is published in the Criminal Intelligence Gazette, if the individual is of sufficient notoriety.

(g) Court officers will send intimation to the Superintendent of Police of surrender or appearance of absconders otherwise than by the Police and Thana officers will report all arrests of absconders to the Superintendent of Police. The Superintendent of Police will send such information to all Thanas and outposts where the absconder's name has found entry and correct his own register. In cases in which the name of the absconder has been published in the Criminal Intelligence Gazette the arrest or surrender should also be published.

(h) At the time of his annual check, the Superintendent of Police will consider the case of any absconder who may appear likely to be no longer wanted.

NOTES

Sections 87 and 88 of the Code of 1898 correspond to Sections 82 to 85 of the 1973 Code and read as under:

"82. Proclamation for person absconding:

(1) If any court has reason to believe (whether after taking evidence or not) that any person against whom a warrant has been issued by it has absconded or in concealing himself so that such warrant cannot be executed, such court may publish a written proclamation requiring him to appear at a specified place and at a specified time not less than thirty days from the date of publishing such proclamation.

(2) *The proclamation shall be published as follows.*- (i) (a) it shall be publicly read in some conspicuous place of the town or village in which such person ordinarily resides;

(b) It shall be affixed to some conspicuous part of the house or home stead in which such persons ordinarily resides or to some conspicuous place of such town or village:

(c) a copy thereof shall be affixed to some conspicuous part of the Court-house;

(ii) the court may also, if it thinks fit, direct a copy of the proclamation to be published in a daily newspaper circulating in the place in which such person ordinarily resides.

(3) A statement in writing by the Court issuing the proclamation to the effect that the proclamation was duly. published on a specified day, in the manner specified in clause (i) of subsection (2), shall be conclusive evidence that the requirements of this section have been complied with, and that the proclamation was published on such day.

83. *Attachment of property of person absconding:*

(1) The Court issuing a proclamation under Section 82 may, for reasons to be recorded in writing, at any time after the issue of the proclamation, order the attachment of any property, movable or immovable or both, belonging to the proclaimed person:

Provided that where at the time of the issue of the proclamation the Court is satisfied, by a affidavit or otherwise that the person in relation to whom the proclamation is to be issued,-

(a) is about to dispose of the whole or any part of his property, or

(b) is about to remove the whole or any part of his property from the local jurisdiction of the Court, it may order the attachment simultaneously with the issue of the proclamation.

(2) Such order shall authorize the attachment of any property belonging to such person within the district in which it is made; and it shall authorize the attachment of any property belonging to such person without such district when endorsed by the District Magistrate within whose district such property is situate.

(3) If the property ordered to be attached is a debt or other movable property, the attachment under this section shall be made-

(a) by seizure, or

(b) by the appointment of a receiver; or

(c) by an order in writing prohibiting the delivery of such property to the proclaimed person or to anyone on his behalf; or

(d) by all or any two of such methods, as the Court thinks fit.

(4) If the property ordered to be attached is immovable, the attachment under this section shall, in the case of land paying revenue to the State Government, be made through the Collector of the district in which the land is situate, and in all other cases-

- (a) by taking possession; or
- (b) by the appointment of a receiver, or
- (c) by an order in writing prohibiting the payment of rent on delivery of property to the proclaimed person or to any one on his behalf; or
- (d) by all or any two of such methods, as the Court thinks fit.

(5) If the property ordered to be attached consists of live-stock or is of a perishable nature, the court may, if it thinks it expedient, order immediate sale thereof, and in such case the proceeds of the sale shall abide the order of the Court.

(6) The powers, duties and liabilities of a receiver appointed under this section shall be the same as those of a receiver appointed under the Code of Civil Procedure.

84. Claims and objections to attachment.-

(1) If any claim is preferred to, or objection made to the attachment of, any property attached under Section 83, within six months from the date of such attachment, by any person other than the proclaimed person, on the ground that the claimant or objector has an interest in such property, and that such interest is not liable to attachment under Section 83, the claim or objection shall be inquired into, and may be allowed or disallowed in whole or in part:

Provided that any claim preferred or objection made within the period allowed by this sub-section may, in the event of the death of the claimant or objection, be continued by his legal representative.

(2) Claims or objections under sub-section (1) may be preferred or made in the Court by which the order of attachment is issued, or, if the claim or objection is in respect of property attached under an order endorsed under sub-section (2) of Section 83, in the Court of the Chief Judicial Magistrate of the district in which the attachment is made.

(3) Every such claim or objections shall be inquired into by the Court in which it is referred or made:

Provided that it is preferred or made in the Court of a Chief Judicial Magistrate, he may make it over for disposal to any Magistrate subordinate to him.

(4) Any person whose claim or objection has been disallowed in whole or in part by an order under sub-section (1) may, within a period of one year from date of such order, institute a suit to establish the right which he claims in respect of the property in dispute; but subject to the result of such suit, if any, the order shall be conclusive.

85. Release, sale and restoration of attached property.-

(1) If the proclaimed person appears within the time specified in the proclamation, the court shall make an order releasing the property from the attachment.

(2) If the proclaimed person does not appear within the time specified in the proclamation, the property under the attachment shall be at the disposal of the State Government, but it shall not be sold until the expiration of six months from the date of the attachment and until any claim preferred or objection made under Section 84 has been disposed of under that section, unless it is subject to speedy and natural decay, or the Court considers that the sale would be for the benefit of the owner in either of which cases the court may cause it to be sold whenever it think fit.

(3) If, within two years from the date of the attachment, any person whose property is or has been at the disposal of the State Government, under sub-section (2) appears voluntarily or is apprehended and brought before the Court by whose order the property was attached, or the court to which such court is subordinate, and proves to the satisfaction of such Court that he did not abscond or conceal himself for the purpose of avoiding execution of the warrant, and that he had not such notice of the proclamation as to enable him to attend within the time specified therein, such property, or, if the same has been sold, the net proceeds of the sale, or, if part only thereof has been sold, the net proceeds of the sale and the residue of the property, shall, after satisfying there from all costs incurred in consequence of the attachment, be delivered to him."

As held in the case of *Kartarey v. The Slate of U.P.*, (1976)1 SCC 172, (para 43), to be an absconder in the eye of law, it is not necessary that a person should have run away from his house, it is sufficient if he hides himself to evade the process of law, even if the hiding place be his own home.

As held in the case of *Birad Dan v. Slate*, AIR 1958 Raj 167, the requirements of Section 82 of the Code are imperative and if these requirements are not complied with the proclamation would not sustain the penalty prescribed under Section 83 of the Code. Similarly held in *Parmar Calubha Karambha v. State*, AIR 1954 Sau 145 that failure to comply with all the requirements of publication would make the proclamation illegal and void.

Absconding by itself, would not lead to a conclusion of a guilty mind. Even an innocent person may feel panicky and run away to avoid arrest when falsely suspected of a grave crime, as held in *Chintamani Nahak alisa Nalk v. State*, (1984) 2 Crimes 220 (Orissa).

The provisions must be strictly construed, as held in *Pal Singh Santa Singh v. The State*, AIR 1955 Punj 18, as the failure to obey the orders therein has penal consequences.

As held in *Hameed Khan v. State*, AIR 1957 All, the enquiry into claim under Section 84, is a judicial proceeding.

As held in *Pal Singh Santa Singh v. The State*, AIR 1955 Punj 18, there is no prescribed period for attachment of property and hence the court can at any time after issuing the proclamation, order attachment.

As held in *Panchu Gopal Mullik v. State*, AIR 1955 Cal 524, the Criminal Court is not concerned with the question of possession only but it can enquire into the question of interest in the property.

29. Dacoity register

There will be kept in each district a dacoity register (in 4 parts) in which will be recorded the following information:

(a) *Part I.* - A short history of every dacoity convicted or detected in the district. The information will be obtained from records of the case or if it is an old case from the village crime note book, supplemented, if possible, by enquiry from the persons convicted.

The name of every person who has been convicted of dacoity should be entered.

Information regarding old cases imperfectly recorded or lost can often be revised or renewed, and at the same time valuable facts as to the connection between old and new cases, and to hereditary criminals can sometimes be ascertained by enquiry from old convicts.

Each case will be entered in chronological order and have a serials number which will be reproduced in the index.

(b) *Part 2.*- A list of the known and suspected gangs residing in the district, with a history of the gang and of the gang leaders showing how and when the gang was formed and with what other gangs it is connected.

(c) *Part 3.*- An "Appendix" containing copies of all confessions believed to be true whether retracted or not.

(d) *Part 4.*- An index in Form No. 15 of Schedule XL (A) (Part I) of the names of all persons, either convicted, or made approvers, or who are known or reasonably suspected to have been concerned in dacoity, whether sent up and acquitted or not.

30. Stock book

In this will be entered every article belonging to Government with the date of its receipt except clothing departmental and ordinance stores and other Government property kept in the lines by the reserve officer for which there are separate stock books, but all articles classed as furniture will be entered in this book as well as in that of the reserve.

A page or more should be set apart for each office, station, and outpost and a copy of the list of articles, authenticated by the signature of the Superintendent of Police should be furnished to the officer in charge and hung up in a conspicuous place in the station or office concerned. Every increase or decrease should be carefully noted and officers taking charge of offices, stations, and outposts should report whether the articles they received tally with the list. The Superintendent of Police should check the list, at his inspections and the list should be sent to headquarters for comparison with the stock book at least once a year.

31. Register of stationery

A clerk must be placed in charge of the stationery and a register in Form No. 14. of Schedule II, showing the receipt and issue of stationery must be kept by him. As any item is issued, the clerk in charge should enter the amount and obtain a receipt for it in this register.

The Stock of stationery must be verified annually by a Gazetted Officer by actual counting shortly before the new supply is received.

FORMS (Rules 32 to 40)

32. Supply of forms

All standardized forms which are classified by schedules are supplied by the Nagaland Government Press or by contractors who are appointed by the Government for the purpose from time to time.

33. New forms

No new forms may be prescribed and no alteration in any standardised forms may be made except under the orders of Government or other authority competent to prescribe forms. When any such addition or alteration is proposed a report should be submitted to the authority competent to prescribe the forms. Should it be necessary to introduce any non-standardised form in any office, previous sanction of Government must be obtained through the Director General and Inspector General of police.

34. Officer in charge of forms

In every office the head clerk will be in charge of forms. A subordinate clerk may also be deputed to keep the accounts of receipts and consumption. All indents should be prepared by the head clerk.

35. Storage of forms

In every office there should be provided a sufficient number of racks or almirahs in which the forms can be neatly arranged and stored and whenever possible, they should be kept in a room which can be kept locked up. It is essential that the general office staff should not have access to the stock of forms without the knowledge of the officer in charge.

36. Register of forms

All forms as soon as received should be counted and placed on the rack and entered in the register of receipts and issue of forms in Form No. 89 of Schedule II. Separate portions of the racks should be reserved for forms of different schedules. Each rack and every shelf in the rack should be conspicuously numbered in paint and the number of the rack and the shelf in which any form is kept should be entered in register. Forms should be arranged in bundles of hundreds, and below the stock of each form a cardboard index showing the name and number of the forms should be placed.

37. Index to register of forms

An index to the register of forms should be prepared showing against each form the page of register relating to that form. This index should be stitched in the front part of the register.

38. Unauthorized supply

In addition to the entry of forms received under annual, emergent or supplementary indents, the receipt and issue of forms borrowed or lent should be shown. Similarly, if with the sanction of Government forms are printed locally, these should also be entered, such entries should be made in red ink.

39. Issue of forms

Forms should ordinarily be issued on a fixed day, once a week or once a fortnight or at such interval as may be most convenient. The practice of making over at one time to the department, or assistants concerned a whole year's supply is prohibited. No form should be issued except on a requisition in form No. 90 of Schedule II. The requisitions should reach the forms assistant on the day previous to that fixed for issue. The requisitions after being signed by the receiving officers should be filed.

The forms assistant should enter all issues in the register at the time of issue. The head assistant must, at the close of every month, inspect and initial the register. He should satisfy himself that the requisitions for forms have been reasonable and that forms are not asked for indiscriminately, and if not so satisfied, should take the necessary measures to check extravagance in the use of forms.

40. Stock taking:- It should be the duty of the head assistant to count the number of forms in stock once a year. He should compare the number found in stock with the balance shown in the register, and also see that the issue are supported by the requisitions. Any shortage found should be at once brought to the notice of the head of the office. The head of the office should also occasionally verify some of the balances and must verify the whole stock once a year. Requisitions should be kept for one year so that inspecting officers may check the expenditure of forms.

INSTRUCTIONS AS TO CERTAIN FILES (Rules 41 to 49)

41. Bill Copy Book: -In the bill copy book will be copied establishment and all other bills (with the exception of travelling allowance bills and also contingent bills, which find entry in separate register), transfer receipts and payment orders of any kind whatever, which have to be cashed at the treasury or other places. The copy of each bill, transfer receipt and payment order should be initialed by the Superintendent of Police when he signs or endorses, with a view to its encashment the original bill, transfer receipt, or payment order. Copies of leave statements must also be kept in the book. The book should be paged throughout and a page certificate noted on the inner side of the cover under the initial of the Superintendent of Police.

42. Tour diary of Superintendent of Police, etc: - Superintendents of Police, Additional Superintendent of Police, Assistant Superintendents and Deputy Superintendents of Police when absent from headquarters on inspection duty or otherwise will keep a brief diary showing how their time is employed and what matters of interest from a police point of view come to their notice.

The diaries should be written in half margin on foolscap paper, and should be written up on the spot from day to day, or at short intervals, and at the end of the tour.

A few brief notes should be recorded for each day, showing what the officers did and what they observed to enable the Inspector General to obtain an insight into the doings of the Superintendents of Police and his assistants and to issue any necessary instructions on any suggestion or proposal made. The distance travelled each day and the halting places should be noted.

The original tour diary should be sent to the Deputy Inspector General in the first week of the month following, to be returned after perusal direct to the Superintendent of Police to be filed in his office.

43. Weekly diary of Inspector: - The weekly diaries prepared and submitted by Inspectors will be filed in the office of the Superintendent of Police who will carefully peruse these diaries in order to guide and supervise Inspectors in the performance of their duties. The diaries should be sent to the Superintendent of Police when on tour.

44. Court officer's duty under trial reports: - For the court officer's daily under trial case reports see Part IV. These reports should be carefully perused by the Superintendent of Police and forwarded to the District Magistrate. He should draw the attention of the District Magistrate to any points requiring his notice, specially any undue delay in disposal of cases. On return from the Magistrate, the reports will be filed in the office of the superintendent of Police.

45. Daily crime reports: - Daily reports on return from the magistrate, and after any action required has been taken, should be filed in chronological order, in monthly bundles, separately for each subdivision.

46. Town beat-maps: -The Superintendents of Police should have ready for use in their offices a map of each municipal town in their district, on a scale of not less than eight 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.

Every street, road and lane should be numbered and named, and the position of houses especially continuous rows of houses should be clearly indicated. All public buildings of any importance, especially police stations and outposts should be distinguished. Street lamps should be shown by lines of red dots.

The area and population of each beat should be roughly estimated and number of registered bad characters living in it should be ascertained, and noted.

A note showing exactly the hours of day and night duty, and of what the former consists, should also be prepared – See Rule 280-283, (Part-V).

47. Copies of general (station) diaries: - General diaries after being entered in the register provided for the purpose in each Inspector's office will be sent after the expiry of the month by the Inspector to the Superintendent of Police's office in monthly bundles. A clerk in the Superintendent of Police's office will examine these diaries to ascertain whether all the diaries during the month have been sent, and that they are arranged in order of date.

48. Miscellaneous returns from Police Stations: - Periodical and miscellaneous of each description received from police stations should be filed together, particulars of the returns contained in the file being given on an outside docket.

49. Arrangement of records of cases: - First information reports, progress memorandums of case diaries, court officer's concise memorandums, final memorandums from court offices and

case diaries should be filed in order, month by month, for each station separately, all the papers for each case being strung together. There would then be no difficulty either in finding required paper or in noticing the absence of any report. The clerk in charge will be responsible that monthly bundles are made up as soon as all the cases are complete and that such bundles are sewn up in cloth, and neatly labeled and registered for transmission to the magistrate's record room at the end of April of the following year. As soon as a case has been disposed of, all the case diaries and other papers connected with it should be sent to the Superintendent of Police by the circle Inspector, A fly leaf should be attached to the papers of each case, the number of years for which the papers are to be preserved in the record room in accordance with Rule 81, Part V being clearly stamped on it. The figure should represent the largest number of years for which any paper in the file is to be preserved. Thus, if there are papers in the file which by different interpretation of Rule 81, Part V, may be kept 2, 3 or 14 years, the figures on the fly leaf should be 14.

GENERAL POLICE REWARDS (Rules 50 to 53)

50. All rewards offered by public to be reported to the Superintendent of Police

No police officer may accept a reward from any private person or corporate body except under the conditions mentioned below. If any sum of money offered by a private person or corporate body to police officer as a reward in recognition of successfully investigation of crime or other good work or as a stimulus to detection the fact must at once be brought to the notice of the Superintendent of Police. He may accept the amount and must credit it, if accepted, into the treasury. These rewards are known as General Police Rewards.

51. Director General and Inspector General will sanction payment or refund of reward.

When a reward thus offered has been earned, the Superintendent of Police must submit to the Inspector General a roll. He must report at the same time the conditions on which the reward was offered and certify that they have been complied with. If the Director General and Inspector General who is empowered to sanction the payment of general police rewards up to Rs. 500 in each case, sanctions the distribution of the reward to the officer recommended, he will have the roll published in Part II of the police gazette, the number and date of the notification being the authority for drawing the money. Should the reward or any part of it not be earned, the person who offered it may apply through the Superintendent of Police to the Inspector General for a refund. The Inspector General, if he thinks fit, will order the refund.

52. Register of general police rewards to be kept

A register will be kept in the office of the Superintendent of Police in which all particulars regarding the receipts and payment or refund of such rewards will be entered at the time of each transaction.

53. Distribution of rewards

No rewards, whether in cash or kind, should be distributed until the case including appeal in connection with which the rewards were sanctioned has been finally disposed of.

LIBRARY (Rules 53 to 59)

54. Library catalogue

The head Assistant in the office of the Superintendent of Police will be in charge of the library. He will primarily be responsible for the custody and preservation of the books composing the office library. A catalogue of the books should be made and kept up to date by him. Each book should be labeled with a number of corresponding to a number in the catalogue, and as new books are added to the library, they should be labeled 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 :-

- (a) Acts (in chronological order).
- (b) Circular and circular memorandums (in chronological order).
- (c) Police Administration Reports (in chronological order).
- (d) Miscellaneous.

55. Correction slips to the Police Manual Fundamental Rules, Subsidiary Rules, Civil Service Regulations and Civil Account Code

The head assistant will be responsible that the printed correction slips to all reference books are at once inserted in their proper place in each copy in office. A note should be made at the end of each book of the date of the latest correction slip pasted. A register of correction slip in Form No. 13 of Schedule II will be maintained in each Superintendent of Police's Office.

56. Government Gazette and civil list, etc

The Superintendents of Police will be supplied with a copy of:-

- (a) The Government Gazette, weekly.
- (b) The Police Gazette, monthly and criminal Intelligence Gazette, weekly.
- (c) The civil list quarterly.

- (d) The list of Superior Police Officers, quarterly.
- (e) The list of Inspectors, Sub-Inspectors, and Ministerial Officers in the Police Department, half-yearly.

These should be correctly filed for reference, the different parts of the Government Gazette being bound half-yearly after receipt of the index. The Volumes of Government Gazettes will be preserved for two year: - See also Appendix A.

57. Selections from newspapers

The Superintendents of Police will be supplied with a copy of the selections from newspapers published in the State. These selections will be kept in the personal custody of the Superintendent of Police who will study the various items of news. The scrutiny will not be confined to matters affecting the police only, but Superintendents of Police should read the whole memorandum in order to keep themselves informed of the general trend of public opinion and of events which are passing in different parts of the State. Any item concerning the police or the working of the courts in their district should engage their special attention, and where the matter is of special importance, the facts should be reported to the Deputy Inspector General of Police who in his turn, will in serious or important cases pass the report on to the Director General and Inspector General.

58. File of Director General and Inspector General of Police's circulars and circular memorandums

All orders by the Director General and Inspector General or State Government intended to be permanent will either be issued in the form of circular or circular memorandums. All circular and circular memorandums should be kept in the Superintendent of Police's Office in separate files each in serial order. A printed index will be supplied after the close of the year for all circulars and circular memorandums as issued during the year. The head assistant will be responsible for reporting, if any serial number does not reach him. Circulars which affect and are to be sent to station officers will be issued with a separate serial number and a separate file of them should be kept in the office of the Superintendents of Police.

59. Temporary orders of Director General and Inspector General of Police

All orders dealing with matters of temporary interest or importance, and not of general application, which are not inserted in the manual or embodied in circular will be published as paragraphs in the police gazette.

SPECIAL POLICE (Rules 60 to 62)

60. Employment of special police

(1) *Reasons for appointment.*- Special police should only be appointed to meet cases of sudden emergency, and therefore only for the time during which the special cause of disturbance exists i.e., during a religious festival, or the existence of a flood which may lead men to cut an embankment which it is essential to preserve. Special police should not be appointed, however, in the case of disputes regarding rights in land which have to be settled in the civil court. If in

such cases the locality is in a disturbed and dangerous condition, and the ordinary preventive sections of the Criminal Procedure Code are found to be insufficient for the maintenance of peace, it may be necessary to appoint additional police under Section 15 of the Act.

(2) [*Selection of men.*-When breaches of the peace are taking place or are threatened, the Government can call on any resident in the immediate neighborhood to assist the police in the discharge of their legitimate duty of preserving the public peace.

If time permits and if suitable persons are available, an opportunity should first be given for voluntary enrolment. Leading and influential men of all sections, including any section which is believed to be responsible for the disturbances, should be invited to show to the public by their employment in patrolling or other watch and ward duties entrusted to them by the superior police officers that the leaders are not engaged in fomenting disturbances but are using their influence to repress the situation. Nothing should be done merely with the object of humiliating individuals or placing an embargo on the personal freedom of any party or section.

It is not the intention of Section 17 of the Police Act that persons should be appointed only in the rank of special constables; they may be appointed as special constables, special head constables, special Assistant Sub-Inspectors or special Sub-Inspectors according to their social position].

(3) *Form of application.*- An application for the appointment of special police officers should contain in all the necessary particulars, principally:-

- (1) The period for which the special police officers are required;
- (2) The limits within which they are to be employed;
- (3) Where no disturbance of the peace has occurred the grounds for apprehending a disturbance of the peace, etc;
- (4) The reasons why the police force ordinarily employed is insufficient; and
- (5) The duties to be performed.

A sample form of magistrate's order given in the Appendix-D appointing special police officers, will serve as a guide.

(4) *Nature of duties to be assigned to special police officers.*- Having regard to the reasons for their appointment, special police officers should be employed in the manner best suited to make their personal influence felt and should have no unreasonable duties assigned to them. Attendance at police stations for the submission of reports should, if really essential, be made as convenient as possible and personal attendance for the purpose should be dispensed with in the case of elderly person or persons of position who can send their reports in writing. In short, no Superfluous or unnecessary discipline should be imposed on special police officers.

(5) *Uniform of special police officer.*- Ordinarily, it will be unnecessary to require special police officers to wear a regular uniform of any sort, and it will meet the requirements of the case if

such officers wear an Armlet, breast-ribbon or other simple distinguishing badge which cannot easily be torn off in a disturbance. Regulation police belts should be reserved for the use of regular police officer, but a regulation baton may be issued to any special police officers who desires to have a wear on for self protection in case of emergency.

61. Recoveries on account of special and additional police

All sums recovered on account of special and additional police should be credited into the treasury intact, the number and date of the Government order sanctioning the extra police being quoted. The cost of the police employed, both pay and contingencies will be charged against the relevant head of account.

62. Guard for railways, other departments and private persons, etc.

For guards supplied to railways and other departments of Government. See Part III.

Whenever Police are supplied to private parties or persons on payment in cases where no extra establishment is entertained, immediate intimation 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.

The sanction of the Government or of the Director General and Inspector General is not required unless it is proposed to entertain such guards in excess of the sanctioned strength of the district force.

Instructions Regarding Certain Reports and Returns (Rules 63 to 69)

63. List of reports and returns: - A list of returns to be furnished from the offices of the Superintendent of Police is given as Appendix-B to this part. In the following paragraphs instructions are given regarding certain returns which require elucidation and are not dealt with in other parts of the manual.

64. Certificate regarding cash book: - A certificate will be submitted to the Director General and Inspector General on or before the 10th of each month. This certificate must be signed by the Superintendent of Police himself after personally checking the .accounts.

65. Receipts of Police Department: - This statement will be submitted on the following month through the treasury officer of the district.

66. Quarterly return of inspection of arms and ammunition shops: - Rules regarding inspection of arms and ammunition shops are set forth in V-18 and 56. A return of such inspections in Form No. 203 of Schedule XL (A) (Part I) should be submitted quarterly by the 7th

of the month following the quarter to the Deputy Inspector General of Police Director General and Inspector General of Police.

67. Annual Administration Report: - On the expiry of each calendar year two separate annual reports should be submitted by the Superintendents of Police, one regarding crime, and the other regarding purely departmental matters. Full instructions regarding the preparation of the report are contained in the circulars dealing with the subject. The departmental portion and the crime portion of the report should be submitted to the Director General and Inspector General of Police. The printed headings of the various paragraphs of the annual report should be pasted in proper order in separate sheets of foolscap paper. Each paragraph should be begun on a fresh sheet and a fair margin should be left. On each sheet the name of the district should be written and the pages numbered consecutively.

Figures from all districts should reach the office of the Director General and Inspector General by the middle of February at the latest. The date which the report is completed and signed by the Superintendents of Police should be reported to the office of the Director General and Inspector General by fastest means. The report should be written on half margin on both side of the paper, each paragraph commencing on a separate sheet and each sheet bearing the name of the district at the top.

Brief narratives of heinous cases of particular importance or presenting any peculiarities, legal or otherwise, should be inserted in their appropriate places in the annual report, under the serials to which they belong.

68. Deaths of gazetted officers and pensioners to be reported

(a) The death of all gazetted officers serving in the police department must be reported without delay to the Director General and Inspector General - See also Rule 1-18.

(b) The deaths of civil pensioners must be reported to the treasury officer.

69. Procedure for the submission of recommendations by local officers for the grant of "the Indian Police Medal"

The Indian Police Medal can be awarded only to a police officer who has performed an act of exceptional courage and skill, or has exhibited conspicuous devotion to duty-Vide the Central Government, Home Department letter No. 932, dated the 6th October, 1909.

When submitting recommendations for this medal, Superintendents of police should particularly bear in mind that the primary qualification is conspicuous gallantry in saving life and property, or in preventing crime or arresting criminals, and that conspicuous devotion to duty is but a secondary qualification.

The dates and places of all incidents referred to in the recommendation should be particularly noted, and the recommendation should be submitted in duplicate so as to reach the office of the Director General and Inspector General by the 1st May of each year.

The character and service roll, written up-to-date, of the officer concerned should be submitted with a certificate as under:-

“Certified that there is nothing in the past career of to render him ineligible for the grant of the Indian Police Medal and that he has not incurred censure of, or has been concerned in any proceedings which have been censured by any magistrate or court”.

INDENTS (Rules 70 to 92)

70. Indent for forms

Superintendents of Police will prepare indents for forms used in their offices and those of their subordinate offices in the prescribed form and submit them so as to reach the office of the Director General and Inspector General of Police on the date notified by Government annually. It is of great importance that this date is adhered to, as late submission causes much inconvenience in consolidation in the Secretariat.

Superintendents of Police will collect from their subordinate offices their indents which will first be checked by the Sub-Divisional Police Officer who will certify that the indent is for only the necessary quantity of forms and that there is no surplus stock. The Superintendent of Police after scrutiny will consolidate the indents using a separate indent form for forms of each schedule and the consolidated indent will then be sent to the Director General and Inspector General of Police as noted above, indicating the cheapest route for dispatch.

71. Emergent and supplementary indents

Forms will be supplied only once a year to each officer and emergent and supplementary indents are prohibited except where –

- (i) owing to some change of procedure or organization definitely unforeseen expenditure is unavoidably incurred, or
- (ii) an old form is declared obsolete and not to be used, a new form being prescribed.

The reason for any emergent or supplementary indent will be full explained in the column of remarks, and unless adequate, the Inspector General will not forward the indent.

72. Instructions for preparing indent of forms: - The indents should be prepared with care and accuracy in the form prescribed to Government. The figure of receipts, consumption and balance should be noted in the appropriate columns with reference to the stock shown in the register of receipts and issue of forms and stock in hand. If the stock after verification is found short an explanation should be given after due consideration of the consumption during the previous year and of the circumstances expected to happen as far as could be foreseen. When the quantity required is more than 5 per cent, over the average consumption of the two previous year an explanation of the increase is also to be given in the column of remarks.

73. Check of forms: - As soon as delivery of the parcel is taken it will be invariably opened in the presence of the head assistant and the number of piles mentioned in the memorandum forwarding the invoices verified. Within one week from the date of taking delivery of the parcels

one pile of each kind of forms will be counted. If the number of forms in one pile is found correct the number of forms in other piles of the same form may be assumed as correct if the weight of each pile is checked and they need not be counted.

As soon as the forms are counted two copies of the forwarding memorandum should be returned to the contractors and one copy sent to the Under Secretary to Government without delay and in no case later than ten days from the date of receipt of the packages. If there be any shortage it should be noted on the forwarding memorandum; if no shortage is reported the contractors cannot be hold responsible for any shortage subsequently discovered.

Any defect in the quality of the paper or printing should also be reported.

74. Indents for stationery: - Indents for stationery will be submitted by Superintendents of Police to the Government Printing Press, Kohima Director General and Inspector General of Police as soon as possible after the allotment of the stationery grant is communicated to them.

75. Local purchase of stationery of small value: - Articles of stationery should be purchased locally unless such purchase is absolutely necessary. In such cases the Director General and Inspector General is authorized to sanction petty local purchase of stationery and rubber stamps up to a limit of Rs. 20 in each case subject to the condition that charges on this account should be treated as contract contingencies and met from contract grant and a certificate should be given by drawing officers on each bill on which contract contingencies are drawn that the bill does not contain any charge for stationery or rubber stamp in excess of Rs. 20. The purchase of fountain pens is prohibited.

76. Typewriters and duplicators: - Typewriters and duplicators may be purchased after obtaining sanction from the State Government.

Typewriters and duplicators will be periodically examined and repaired.

The following information should be furnished in support of each application for sanction to the supply of typewriters and duplicators:-

In requisition for Type-writers;-

- (i) strength of the ministerial staff of office,
- (ii) average number of letters used during the month,

- (iii) number of type-writers already in use,
- (iv) number of competent typists employed. In requisition for duplicators.
- (v) number of circulars annually issued.
- (vi) number of duplicators already in use.

77. Classification on letters for purposes of destruction: - Letters will be classified as follows according to the period for which they are to be preserved.

- A. To be preserved permanently or for an indefinite period.
- B. „ „ for ten years.
- C. „ „ for two years

In the list given in Appendix-C the various files or subjects have been classified accordingly.

On receipt of a letter in office and before it is submitted to the Superintendent of Police, the Head Assistant will mark clearly on the letter in red pencil or in red ink the letter A, B or C according to the period for which it should be preserved.

It is to be understood that although a subject as classified in Appendix- C is to be preserved permanently or for ten years. It is not intended that all letters even of trivial importance dealing with the subject must be preserved for that period. The head Assistant must use his discretion and even a letter dealing with a subject classed A and B should be marked C if it be only of temporary importance. If in doubt, the head Assistant will take the orders of the Superintendent of Police.

78. Destruction of records

(i) The destruction of records should be taken up in May in each year. The head Assistant will examine the bundles of correspondence and extract such as are ripe for destruction. The head Assistant, Circle Inspectors, reserve and court officers will report what registers and records they have - (1) for destruction, and (2) for transmission to the magistrate's record rooms vide Rule 68 and orders will be passed on their reports by the Superintendents of Police. No register or record will be destroyed without the orders of the Superintendent of Police. Orders for classification of records for destruction in police stations and out posts will be passed by the Inspector at the time of his inspection, *vide* Part V.

(ii) All papers to be sent to the magistrate's record room will be dispatched there on the first of July of each year a complete list of such papers being sent to the record Assistant through the magistrate one month before hand so as to enable him to make arrangements for their reception. If the Superintendent of Police subsequently wants any of these records for reference he must apply to magistrate.

(a) Records to be destroyed should be burnt in the presence of some responsible officer.

(b) A report to the effect that all records liable to be destroyed according to the rules have been so destroyed should be submitted annually on the 15th July to the Inspector General.

79. Covers to be opened in presence of Superintendent of Police and letters dated

All covers should be opened and stamped with the date of receipt by or in the presence of the Superintendent of Police or the officer in charge. The date should be then initialed by the Superintendent of Police or the officer in-charge and all letters sent to office, but covers containing case diaries will be made over to the head Assistant or other Assistant responsible for the custody of confidential papers.

80. Letter to be registered: - On being handed over to the head assistant or correspondence assistant each letter will be stamped with the docket stamp on the top left-hand corner with the following particulars and entered in the "Register of letter received" and submitted along with

connected papers, if any, on the same or on the following day to the Superintendent of Police for orders:-

Date of receipt.

Number of collection

Number of file.

Serial number of letter.

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 must at once be made in the file index.

81. Notes and orders how written: - Short notes or orders should be written on the margin of the original paper. If there is no room separate sheet of paper should be used and kept with the file.

82. Channel of correspondence: - Superintendents of police will not correspond direct with Government. All correspondence between the Superintendents of Police and the Director General and Inspector General should be direct but when such correspondence has reference to the criminal administration of a district (including question dealing with serious case of misconduct on the part of police officers and all matters affecting the public), it must pass through the Deputy Inspector General/Inspector General of Police.

83. Letters to Director General and Inspector General how to be addressed

In communicating with the Director General and Inspector General of Police's office, all letters should be addressed to the "Director General of Police".

84. Correspondence must pass through superior officers: - Unless there is some special rule or practice to the contrary, no police officer should communicate directly with any superior officer otherwise than through his immediate departmental superior. If on an emergency he considers it necessary to communicate directly with any superior other than his immediate superior, he should at the same time forward a copy of such communication to the latter, stating also the reason for his having taken the course adopted by him.

85. Formal correspondence with District Magistrate: - Superintendents of Police must not correspond formally with District Magistrates Communication should be verbal or unofficial, a note being submitted with the original file or paper requiring orders.

86. Original correspondence not be sent: - Original correspondence of reports should not except for special reasons, be sent for perusal with a request that the papers may be returned when no longer required. Copies should be sent. Extracts of correspondence may, when necessary, be inserted in a letter in preference to attaching copies.

87. Covering letters: - No covering letters should be sent with periodical reports and returns, contingent bills and nomination rolls, unless there be something which requires explanation. Pension or gratuity rolls should however, be sent with a covering letter.

88. Enclosures: - When more than a few enclosures or annexures are submitted, they should be conspicuously numbered and lettered, and be attached to the letter by a thread of sufficient length or by a tag to allow of all the papers being fully opened.

89. Language of official communications: - All communications addressed by police officers of Nagaland to police officers of other State or to officers in a district in which there is a different vernacular, should be in the English language.

90. Communication to officials of other countries: - Should an occasion arise on which a police officer desire to communicate with any authority outside India in respect of the detection or apprehension of an offender, he should communicate with the Deputy Inspector General/ Director General and Inspector General of Police in order that action may be taken through the Director, Intelligence Bureau, who is authorized to correspond by telegram with authorities outside India.

91. Demi official correspondence: - No demi-official letter or telegram should be quoted in official correspondence without the express sanction both of the sender and the receiver.

92. Applications or proposals requiring sanction of Director General and Inspector General of Police or Higher authority: - In submitting applications or proposals which require the sanction of a higher authority, Superintendents of Police must 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 previous years should be stated.

(b) In applying for an additional establishment, the application must be supported by facts and figures. A proposition statement in the prescribed form must be submitted and all columns carefully filled up. In preparing proposition statements detail should be furnished only of the particular establishments affected, the remainder being shown by totals. Whenever proposals are submitted entailing expenditure it must be clearly stated from what head of the sanctioned budget the cost is to be met. If there is no budget provision a re-appropriation statement, must be submitted, and if no re-appropriation is possible, this must be stated.

Rules Regarding Confidential Correspondence (Rules 93 to 96)

93. Confidential letters to be enclosed in two covers and sealed: - Confidential papers are invariably to be put into double cover the inner one being sealed and marked "Confidential" and superscribed with the name only of the addressee. While the outer cover should bear the official address and should not be conspicuously sealed or marked

“Confidential”. In cases of confidential communications of importance the cover should be registered.

94. Confidential letters to be opened by Superintendent or Police himself: -

All confidential letters should be opened by, or in the presence of the Superintendent of Police. Whoever is entrusted with the duty of opening the covers should be warned that if he finds an envelope marked “Confidential” or “Secret” and addressed to the head of the office whether by name or otherwise, he should be careful not to open it, but should make it over at once to the Superintendent of Police or the Gazetted officer holding charge of his office in his absence. All ordinary confidential and secret letters should be addressed to the “Superintendent of Police” and not to the officer by name. These can then be opened by the Gazetted Officer holding charge of the office in the absence of the Superintendent of Police.

When the letter is intended for an officer himself and it is particularly desirable that it should not be opened by anybody else, the inner envelope containing the communication should be addressed to him by name. Such letter will never in any circumstances be opened by any officer except the addressee, even if the latter officer is out on tour or for some other reason, is absent from his headquarters. An additional safeguard would be to add the superscription “Personal” and/or “To be opened by the addressee only” on the envelope but, in view of the foregoing, this should not be necessary.

95. Confidential letters to be dealt with by the Steno only: - Confidential letters must not pass through the office. It should be handled only by the Steno to the Superintendent of Police. They should pass from hand to hand either by personal delivery or be sent in sealed covers.

96. Confidential papers to be entered in a special register and locked up: - After the necessary action has been taken on them, confidential papers should be entered in a special register in which should be entered the date of receipt, number and date of the letter, and nature of the action taken. They should then be pasted in a book on guard leaves and serially numbered and kept together with the register in locked almirah or box the key of which should always remain with the Superintendent of Police. When a paper is taken out of, or returned to, the almirah or box, a note to that effect should be made in the register. An index to register should be prepared in offices where the cases are considerable in number. When any head of an office goes on leave, he should hand over the key to his successor after verifying the contents of the box or almirah in his presence.

Service Stamps
(Rules 97 to 98)

97. Register of receipt and issue of service stamps: - A register of receipt and issue of service postage stamps will be kept by the accountant.

In this register should be kept an account of the receipt from the treasury of service stamps and of the issues to the various officers who require them such as officers in charge of police stations

and outposts and the issue assistant of the Superintendent of Police's office should be shown in the issue register and not in this register.

98. Economy in postage stamps

Economy must be exercised in the expenditure on postage.

Appeals and Memorials (Rules 99 to 101)

99. Other petitions: - Petitions will be received only when forwarded through the proper channel. They must be written in intelligible respectful and temperate language and must and with a specific request or requests. The practice of sending an advance copy direct in addition to the original copy submitted through the proper channel is irregular and is prohibited.

100. Joint petition forbidden: - Officers may not submit to a superior authority joint memorials or petitions. Each officer must apply separately and not in concert with others. This rule does not apply to combined memorials or petitions relating to subject unconnected with the position of memorialist as Government servants.

101. Petitions on behalf of others: - No officers in the employment of Government may submit any memorial in respect of 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 other behalf. The personal interest referred to in this rule may be indirect.

BUILDINGS

General Rules (Rules 102 to 105)

102. Standard designs: - There shall be a Police Engineering Project headed by a Chief Engineer/ Additional Chief Engineer and required number of Superintendent Engineer, Executive Engineers and other gazetted and non-gazetted staff to look after the engineering aspects of the Nagaland Police. There shall also be a separate electrical engineering wing staffed with the required number of both gazetted and non-gazetted staff who shall oversee all matters pertaining to the electrical engineering which shall be under the overall supervision of the Chief Engineer/ Additional Chief Engineer and the divisional engineer.

- (a) Police Building shall be constructed according to standard designs under the guidance of the technical branch of the Police Engineering Project.
- (b) In the case of important buildings the Chief Engineer/Additional Chief Engineer, Police Engineering Project through the Director General and Inspector General shall seek the assistance of the Engineering –in-Chief of the Works and Housing Department.

- (c) The Chief Engineer/Additional Chief Engineer of the Police Engineering Project shall be the final authority on all technical matters in the Nagaland Police.

103. Kutcha buildings not to be erected near permanent ones

No buildings with roofs of thatch or other inflammable materials should be constructed within a radius of 50 yards of a building constructed with permanent materials. This radius is the minimum which should be exceeded where possible.

104. Classification of buildings: - Police buildings may be constructed and maintained departmentally by the Police Engineering Project.

105. Register of lands and buildings:

(a) This register in which are to be entered departmental buildings as also those on the book of the other Department taken on loan is divided into groups of four pages, one group being assigned to each station and outpost; the reserve buildings to be counted as one station.

If there be other detached buildings at headquarters or sub-divisions, they shall be entered in a separate group. There should be an index at the beginning of the book.

(b) On the first page of the group shall be entered information regarding area, boundaries and ownership of the land as required in the various columns of the form. On the second page will be given specifications of the buildings, date of construction and cost, thus-

Roofs - Thatch, corrugated iron, tiles, etc.

Walls - Brick-in-lime, brick-in-mud, double dharmat mat, ekra etc.

Posts - Sal palmwood, steel joints, etc.

Plinth - Masonry, mud, etc. and height from ground; and date of construction.

And on the third and fourth pages the amount spent on departmental repair and the year it was spent. If the building has been constructed according to any of the sanctioned type plans the plan (e. g. Assam type plan) should be specified in column I at page 2 of each group. In the case of buildings constructed and maintained by the Police Engineering Project, the designation of the building and the capital cost will suffice.

(c) If at any time the building is altered, the alterations should be noted under each column in red ink. If a building is reconstructed, the former entries should be panned 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, 1 ½ chains-the inch. The plans should be drawn on tracing paper and kept in a portfolio separate from the register. These need not be sent to the Director General and Inspector General's office. 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, the Collector may be requested to have the plans checked on the spot by a departmental official.

(e) At every police station a record of lands and buildings belonging to the police station shall be maintained. It shall consist of.

(ii) An accurate site plan of the police station showing all the land in possession of the department with boundaries and boundary pillars. This should be a tracing of a correct and certified plan kept in the office of the Superintendent of Police.

(f) No entry of any building, structure, etc., once made in the register should be struck off without the orders of the Inspector General of Police.

Departmental Buildings (Rules 106 to 116)

106. Sanction and provision for departmental buildings:

(a) Departmental buildings are constructed under the sanction of the Director General and Inspector General.

(b) Before an estimate is sanctioned it should be very carefully scrutinized in order to see that the departmental limit will not be exceeded the work should not generally be taken up departmentally.

107. Proposals for changing the jurisdiction or site of a police station or outpost

Proposals for altering the jurisdiction of any police station or outpost or for the creation of a new investigating centre should be submitted to the Director General and Inspector General. The reasons for the change should be fully stated. An estimate of the cost of acquiring the new site and of constructing the new buildings must be given, and it must be stated how the existing site and buildings are to be disposed of and whether any additions to or re-distribution of the sanctioned force will be needed. Information on the following points must be given and also separately for the area or areas which it is proposed to transfer-

(i) Area in square miles.

(ii) Population.

(iii) Number of cognizable cases reported.

(iv) Number of cognizable cases investigated.

(v) Number of unnatural deaths reported.

(vi) Number of reports under Sections 107, 109, 110 and 145, Criminal Procedure Code, submitted.

A map showing the present and proposed boundaries of the police station or outpost should also be submitted. The inch to the mile skeleton thana jurisdiction map, if it has been issued, should be used.

108. Completion reports: - When a new building has been completed, completion report shall be sent to the Director General and Inspector General of Police. The Superintendent of Police/Unit Commanders shall himself jointly inspect the building along with the divisional engineer before submitting a completion report, but when this cannot be conveniently done, the duty of inspecting the building and signing the completion report may be delegated to an Additional or Assistant or Deputy Superintendent of Police and in the case of small departmental works to an Inspector of Police subject to the following conditions:-

- (i) that the completion report shall be countersigned by the Superintendent of Police who shall be responsible that the work is properly done;
- (ii) that the completion report shall be verified by the Superintendent of Police during his annual inspection of the place or any other convenient time.
- (iii) that the Superintendent of Police shall note on the completion report the reason why he was unable to inspect the building himself.

109. Accidents to police buildings

(a) Whenever a Police building is burnt, blown down or destroyed in any other way, an enquiry should be made by some superior officer to the Superintendent of Police himself, when possible and a report submitted to the Director General and Inspector General of Police explaining the cause of the disaster.

(b) In case of a fire due to improperly protected lights or negligence in cooking operations, it will be a question whether the officer at fault should not be held responsible for the accident. It must be impressed on all ranks therefore that the use of unprotected light in police buildings is absolutely forbidden.

110. Nature or departmental repairs: - Repairs undertaken by departmental agency consist of all repairs to buildings not borne on the public works books and minor repairs to buildings, other than residence, which are borne on the public works books, that may be required during the period intervening between periodical repairs.

NOTE-Such minor repairs of doors and windows, their fastenings and glass; 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 mistri without skilled supervision. It will be the duty of the officer occupying the buildings to see that all such petty items are in good order before re-entering the building after periodical repairs.

111. Annual repairs

(a) At the beginning of every financial year the divisional engineer of the Police Engineering Project shall, after consulting the unit commanders, prepare the annual repair plan and submit to the Chief Engineer/Additional Chief Engineer who has have it approved and finalized with the Director General and Inspector General of Police and this should be distributed in such a manner

so as to keep all buildings in the best possible state of report, one year and less another, as may be found necessary. Clear specifications and estimates of repairs required shall be made out in all cases and distinct orders given for the execution of such repairs.

When a revised estimate becomes necessary for any works, the original estimate shall be marked "cancelled" and payment, if any, made on the original estimate shall be transferred to the revised estimate.

112. Grants to meet exceptional cases (Special Repairs):- In the case of partial destruction of station or other building by an accident, or if for any reasons extensive alterations are necessary, an application shall be made to the Director General and Inspector General for grant for reconstruction. The Director General and Inspector General is authorized to deal with the case under the rules in force for construction. This shall be undertaken only subject to availability of fund.

113. "Repairs defined: - Those works which restore a building to its original form but do not alter it are classified as repairs".

114. Disposal of old buildings and sites: - 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 fetch shall also accompany the reports. Similarly, if an old site is to be given up, the pecuniary result of its disposal shall be stated. The amounts realized shall be paid into the treasury and not used for expenditure.

115. Preparation of land acquisition estimates in connection with projects

In order to expedite the acquisition of land for Government purposes a separate estimate for the acquisition of land required for a project may, after the project has been administratively sanctioned, be sanctioned by competent authority. The estimated or actual cost of the land should subsequently be incorporated in the final project estimate.

116. Gifts of land: - When land is offered free by a zemindar or other individual for a police purpose such as the construction of a new police station, it may be accepted, provided that a deed of gift binding the givers and his heirs, successors and assignees is executed. Such deeds shall be drawn up by the Government pleader. The grant may be conditional, that is that the land is to be returned when no longer required by Government for the purpose for which it is given. The Superintendent of Police on accepting such offers shall have regard to all circumstances existing in the locality at the time when the gift is made.

Police Engineering Project
(Rules 117 to 130)

117. Buildings undertaken by Police Engineering Project: - Any works undertaken by the Police Engineering Project and shall be borne on the books of that department.

118. Sanction of major works: - The power of sanctioning the construction of all major works, and minor works rests with the Government and the cost is met from the Police Engineering Project.

119. Sanction of minor works: - The power of according administrative approval to the execution of minor works other than residential projects rest with the Director General and Inspector General and the cost is met from the grant for minor works in the Police Engineering Project placed at his disposal. He has no power to accord final or technical sanction to detailed estimates either for major or minor works.

Petty works relating to non-residential building require no formal administrative approval. The Director General and Inspector General will simply place funds at the Executive Engineers disposal to carry out the works.

120. Sanction for residential projects

Expenditure on minor and petty works in connection with residential buildings requires the sanction of Government. The terms, residential buildings“ does not include quarters for employee in inferior service, constables, head constables and Assistant Sub-Inspectors. A stable even when not attached to any residential building should itself be treated as residential.

121. Stages of Government sanction

(a) Every project which has to come before Government shall pass through three stages:-

(1) Administrative approval;

(2) Preparation of, and sanction to detailed plans and estimates;

(3) Financial provision.

(b) The first stage, which is described in the succeeding rules, alone concerns the initiating officer. It consists of the approval to a project of which the general scheme and rough estimate of cost are placed before them, and no funds can be allotted and no action taken until this approval has been obtained.

122. Administrative approval for major works:

(a) When a Superintendent requires a building to be constructed by Police Engineering Project, or requires additions or alteration to building already borne on the books of that department he should submit a report to the Director General and Inspector General with full details regarding the requirements, necessity and urgency of the work. Such projects will be initiated by the Director General and Inspector General, who will obtain from the Executive Engineer a rough project containing an approximate estimate preliminary plans, information as to site and other details as may be necessary to elucidate the proposal. Having satisfied himself that all his requirements are embodied in the project and the report fully elucidates the proposals, he will countersign the report and plans and submit the proposals to Government in the Home Department which will accord administrative approval.

123. Preparation and submission of rough plans and estimates:

The Executive Engineer shall prepare the rough estimates and plans required, and after having them scrutinized and passed by the Additional Chief Engineer shall forward them to the Director General and Inspector General, who shall submit the whole project to the Government for administrative approval. If it is desired to carry out the work during the current year and there is

no budget provision for the work, it should be suggested, when applying for administrative approval, that the cost may be met by re-appropriation of funds from some other work or works, and if not the administrative department may be asked to arrange for funds, if possible, in consultation with Police Engineering Project and Finance Departments.

124. Approval - By whom given

(a) Administrative approval will be given by the department of the Secretariat which deals with the ordinary administrative business of the department, and in applying for this it will rest with the Director General and Inspector General to prove the necessity, on administrative grounds, of the work which he recommends the Government to undertake. No application shall reach Government which does not contain such a clear account of the matter as shall enable it to decide not only whether administrative approval should be given to the project, but also what degree of urgency attaches to it.

(b) Preparation of detailed plans and estimates -

When administrative approval has been accorded and communicated to the Police Engineering Project the department shall issue the necessary instructions for the preparation of detailed estimates and plans. Detailed plans and estimates of a project administratively approved will be prepared by the Executive Engineer without specific orders from the Additional Chief Engineer who will obtain an assurance from the Finance Department, that funds will be available before permission to prepare a detailed project is given.

125. Administrative approval for minor works - Allotment of funds

(a) The Director General and Inspector General has at his disposal a small amount under minor Works budget under this head. When a Superintendent of Police requires a new non-residential building to be built by the Police Engineering Project, or any addition or alteration to a non-residential police building on the books of department he shall approach the Director General and Inspector General of Police to send a requisition to the Executive Engineer for the preparation of detailed plans and estimates.

(b) On receipt of requisition, the Executive Engineer shall prepare detailed plans and estimates, and forward them to the Director General and Inspector General of Police through the Superintendent of Police.

(c) In cases of petty works the Superintendent of Police shall first ascertain from the Director General and Inspector General of Police if he is in a position to provide necessary funds. If funds are likely to be available, the Superintendent of police shall send a requisition on the Executive Engineer for the preparation of plans and estimates. The Executive Engineer shall then furnish the plan and estimate to the Superintendent of Police who, if he approves of the project, shall countersign and submit them to the Director General and Inspector General of Police for provision of funds.

(d) The Director General and Inspector General shall then countersign the report prefacing the estimate and the principal plans, and except as regards residential buildings on the abstract of cost record his approval, using the words “approved for Rs. over” his signature. He will then

intimate his approval to the project and return the approved plan and estimate to the Police Engineering Project office from whom they were received with an allotment of funds.

(e) Civil officers shall not call on the Executive Engineer to prepare detailed estimates for works for the execution of which funds are not available from the grants placed at the disposal of the Director General and Inspector General of Police.

126. Selection of sites:- The Deputy Commissioner of the district is the Land Acquisition Officer and as such all acquisition of land shall be executed through the Deputy Commissioner and all compensation for such acquired land shall be paid only and strictly through the Deputy Commissioner only. Having acquired any piece of land a separate allotment order shall be obtained from the Deputy Commissioner a copy of which shall be kept in safe custody in the office of the Unit concerned and also with the divisional engineer.

(a) The selection of sites for police buildings shall ordinarily be made by a committee composed of the District officer as president, a representative of the administrative department, the Executive Engineer of the Police Engineering Project and an officer representing the Police Headquarters and a representative of the Unit concerned as members. This committee will be assembled by the designated chairman of the committee. In outlying station, officer may, on their own responsibility, depute their subordinates to represent them on the committee.

(b) The Executive Engineer will advise the committee on all technical points, e.g., position and facing of buildings, etc. He will prepare a plan of the site selected, embodying such information on the above points 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 Chief Engineering/Additional Chief Engineer, Police Engineering Project.

(c) If the officers composing the committee should finalise the site selection by consensus. A note of any objection made should be attached to proceedings of the committee.

(d) The site when formally approved by the Government and compensation duly disbursed to the land owners and allotment order from the Deputy Commissioner of the district having been received, the police Engineering Project will formally take possession of the purchased land, a copy of the map of the purchased land will be kept in safe custody by the Unit concerned as well as the Police Engineering Project.

(e) In cases where the views of the Director General and Inspector General differ from those of the local authorities the matter should be referred for the decision of the Government.

(f) In the case of important buildings the Director General and Inspector General before countersigning the plan, shall seek the opinion of the Engineer-in-Chief of the Works and Housing Department.

(g) Two plans are required, in addition to the block plan which shows the position of the subsidiary building with reference to the main building on the site selected, a small plan is required showing the position of the site with reference to its surroundings on north, south east and west.

(h) No alteration in the relative position of buildings on the site selected is permissible except with the authority of a fresh and properly constituted site committee.

127. Repairs to Public Works Department buildings

(a) All annual and special repairs to buildings borne on the books of the Police Engineering Project shall be carried out by the agency of that department.

(b) The officer in-charge of each building shall be responsible for the replacement of broken glass except at the time of annual repairs. He shall make some persons of his establishment answerable for the general condition of the building, including the glass in each room, and the fixtures, as also for keeping a watch on the attacks of white ants, for paying strict attention to the cleanliness of the interior and the neatness of the exterior of the building, and of the surroundings, etc., and for keeping the rain-water, down-pipes and surface drain (where such exist) free from all obstructions. Charges for such items including replacement of glass panes shall be met by the officer concerned in his contingent bill.

(c) *Residential buildings* - The Instructions given in the above paragraph do not apply to residential buildings. All repairs to such buildings shall be executed and accounted for by the Police Engineering Project, whether rents for the buildings are recovered from the occupier or not.

128. Additions and alterations to police buildings

(a) No additions or alterations should be made to a police building without the sanction of the Director General and Inspector General.

(b) No structures, roofing, wrestling pits or places of worships, etc. temporary or permanent, should be erected in the thana compounds or on any police land without first obtaining necessary sanction from the Director General and Inspector General of Police and the Police Engineering Project, the latter only when the laid is borne on the books of that department.

(c) Superintendents of Police will report promptly to the Director General and Inspector General any breach of these orders detected on inspection, together with the explanation of the officer responsible for allowing it.

129. Budget provision

Provision for all original works undertaken by the Police Engineering Project and "repairs" of the works borne on the Public Works book shall be included in the State budget.

130. Expenditure of funds provided in Police Engineering Project budget

The amount provided for original works and repairs in the State budget estimates will ordinarily be expended through the agency of Police Engineering Project.

Residential Buildings (Rules 131)

131. Occupation and vacating of Government buildings

(l) The incumbent, whether permanent or temporary, of a post to which a building owned or leased by Government or a portion thereof has been allotted for use as a residence by the

incumbent of the post will be held responsible for the prescribed rent during his tenure of the post. The Government may suspend the allotment of a residence to a post –

- (a) Which is temporarily held by an officer under Fundamental Rule 49 in addition to another post, if the officer does not actually occupy the residence;
- (b) The incumbent of which discharges the duties of another post if such duties prevent him from occupying the residence;
- (c) to which an officer has been transferred from another post in the same station, if the officer is in occupation of a residence allotted to such other post and the Government do not consider it necessary that he should change his residence;
- (d) in which an officer is officiating for a period not exceeding two months, if the officer is prevented from actually occupying the residence by circumstances which, in the opinion of the Government, justify the suspension of the allotment.

(2) When an officer for whom quarters are thus provided by Government vacates the building, he shall report the fact to the Superintendent of Police who shall intimate the same to the Executive Engineer in charge of the building.

(3) The Executive Engineer shall, on receipt of the report of such vacancy, made specific inquiry from the Superintendent of Police as to how the building will be utilized.

(4) If the building is not likely to be occupied within one month by the successor of the officer vacating it, the Superintendent of Police shall suggest whether the quarters would be suitable for any other officer under him, but in no case shall he allow anyone to occupy the building without the consent of the Executive Engineer.

Land Acquisition (Rules 132)

132. Acquisition of land

(i) When acquisition of land is necessary, the Superintendent of Police, who selects the land on behalf of the police department, is bound to see that the interests of Government, of the public and of private individuals are duly considered, and that sites and alignments are chosen so as to cause the minimum of expenditure, annoyance and loss compatible with the attainment of the object for which the land is required. In particular he will avoid lands which contain any religious building, tombs or grave-yards or lands to the acquisition of which there is likely to be any objection from a religious point of view. In cases of doubt he will consult the Deputy Commissioner.

APPENDIX-A **(REFERRED TO IN RULE 18)** **PART-II**

FILES

1. File of confidential character rolls
2. File of special reports
3. File of history sheet in gang and other cases
4. File of plan of land in occupation of the department
5. File of requisition for forms
6. File of tour diaries of Superintendents, etc.
7. File of weekly diary of Inspectors
8. File of court officers' daily under trial case reports
9. File of daily crime reports
10. File of general or station diary
11. File of miscellaneous and periodical returns from police stations
12. Record of cases including
13. (i) First information reports
(ii) Progress memorandum of investigation
(iii) Concise memorandum
(iv) Final memorandums
(v) Case diaries
14. File of rolls of general Police rewards offered
15. File of Government Gazettes
16. File of civil list
17. File of quarterly list of superior police officers
18. File of half-yearly list of Inspectors, Sub-Inspectors and ministerial officers.
19. File of Director General and Inspector General of Police's circulars and circular memorandums
20. File of hue and cry notices
21. File of periodical returns and reports
22. File of quarterly returns of theft, loss and recovery of arms, ammunition and explosives.
23. File of annual administration reports
24. File of annual returns
25. File of correspondence
26. File of jail parade reports
27. File of reports of arrival and departure of gangs
28. File of Annual Police Administration Reports of the State of Nagaland
29. Permanently
30. Index of crime
31. Register of letters received
32. Register of letters dispatched
33. Note book
34. Stamp register
35. Stationery register
36. Sub-divisional order book
37. Register of confidential letters received and dispatched
38. Confidential demi-official book
39. Inspection report book