

POLICE CIRCULAR ORDER NO. 218

SUBJECT : Torture on persons accused of criminal offences while in police custody-use of the third degree method severe consequences thereof :

In the distant past, police earned notoriety in the public for the practice of torture on persons suspected or accused in criminal offences, primarily with a view to extracting confessions from them or for obtaining clues for detection of "cases". Such tortures were so cruel and barbarous that many of the suspects brought to Police Stations met death while in police custody. More than anything else, acts of cruelty and barbarity often committed by the police against persons merely on suspicion or on the basis of flimsy evidence made them the objects of fear and hatred in the eyes of the public.

2. Specific instructions have been issued in the past as well as in recent years to abjure such barbarous practices in course of investigation of case and deterrent actions have also been taken against officers and men of the Police stations where severe damages or deaths have occurred to persons while in police custody. This position remains unchangeable till to-day. Officers and men in the Police Stations should bear in mind that their acts contrary to law and standards of civilized behaviour will be countered with drastic deterrent action far less condoned or tolerated.

3. In recent years many steps have been taken to popularise the various scientific methods of investigation and bring within the easy reach of the Police Stations such scientific instruments and appliances, which would help the investigating officer to find out clues for detection of offences. Many Officers including Sub-Inspectors and Inspectors of Police have been trained in the Central Detective Training Schools or otherwise have undergone refreshers courses organised by the State C.I.D. Crime Branch. In order to encourage necessary scientific attitude among the Investigating Officers. Duty Meets are being organised every year and those officer and men showing proficiency in various scientific methods of investigation are being duly rewarded. A Scheme is under preparation for giving substantial monetary rewards to those officers, who detect important criminal offences by applying scientific methods of investigation with the hope that the Police Station Officers would feel encouraged to abjure the old and archaic practice of the third degree method in preference to the scientific methods.

4. Since no undue pressure is to be exerted on the investigating officers in the matter of detection of cases, here is absolutely no justification for them to stoop down to the third degree method in their anxiety to detect cases. Police Officers, particularly working in Police-Stations should take note of the fact, that their work in the Police-Stations and the Circles would not be judged merely on the basis of odd detection of cases by hook or by crook but from other angles, such as scientific approach to incriminating objects found during spot visit, application of the various methods of fingerprint, foot print of suspects, scientific treatment of other objects such as human hair, dust paint etc and painstaking questioning of suspects in the manner of a psychiatrist, proper documentation of crime and criminals in the Police-Stations and constant reference to the same. A crime, which could not be detected to-day for want of clue, is likely to be detected tomorrow or the day after provided the investigating officer maintains the required degree of alertness and has the capacity to correlate the various incomplete clues he comes across in course of investigation of the many cases, which he has not been able to detect for one reason or the other. Haphazard investigation and odd detections resulting from the use of the third degree method are neither desirable, nor helpful for the Police in the long run.

5. Hence, it is enjoined on all Police Officers and men, particularly working in Police Circles, Police-Stations and Out-Posts that the practice of the third degree method and torture on suspects should be positively given up, otherwise the wrong-doers among them would meet deterrent departmental action from the authorities including dismissal from service.

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