

POLICE ORDER No. 237

SUBJECT—Taking finger prints of persons arrested in connection with Political Agitation

Section 4 of the Identification of Prisoners Act, 1920 provides that any person who has been arrested in connection with an offence punishable with rigorous imprisonment for a term of one year or upward shall if so required by a Police Officer, allow his measurement to be taken in the prescribed manner. In the same Act in section 2 (a) measurement has been defined to include finger impression and foot impression. Recently a case came to the notice of the Central Government where Police officers took finger impressions of persons who were arrested on the charge on attempting or inciting others to the commission of an offence punishable with imprisonment for a term of one year or more even though such attempt was in pursuance of a political agitation. The purpose underlying the legislation permitting finger prints being taken of a prisoner is to facilitate the identification of the said prisoner at a future date in the event of such person either being arrested for or being concerned in the commission of some other offence. In other words, the intention is not only to facilitate the investigation of the offence in question but also to have on record certain material which may be of help at a later date in the event of some person being involved again in commission of crime.

In the case of political agitators of some standing those who come the above category there is considerable scope for discretion in the matter of taking their finger prints as such action by police may be misconstrued as an act of harassment.

It is, therefore, impressed on all officers to use their discretion in the matter of taking finger prints of persons arrested in connection with political agitation for offences covered by section 4 of the above Act because of the implications this discretion should be exercised with great care and caution.