

दिनांक	14 DEC 2015
दिनांक	17-03
दिनांक	26-11-15

Handwritten notes: *Y. SNE*, *E-1*, *2048*, *18/12/15*, *193*

No VI/45011/7/Gallantry Medal/2015/Ops-6212
 Directorate General
 ITB Police, MHA, Govt of India,
 CGO Complex, Lodhi Road,
 New Delhi-110003

हायरी सं.
 Diary No. 95
 दिनांक
 Date 22/11/15
 786
 23/12

Dated: 18, November, 2015

Memorandum

SUB: Instructions for recommendation for the award of President's Police Medal for Gallantry and Police Medal for Gallantry

Handwritten initials: *ECI*, *15/11/15*

Please find enclosed herewith MHA's Memo No. 11026/03/2015-PMA dated 19th October, 2015 on the subject cited above for information and necessary action.

Handwritten initials: *22/11*, *2/11*, *26/11*

2. In this regard, also refer MHA's earlier memo no. 11026/07/2006/-PMA dated 9th May, 2006 vide which instructions for recalling recommendation for the award of President's Police Medal for Gallantry and Police Medal for Gallantry was forwarded. Recently, Hon'ble Supreme Court of India issued guidelines and also directed that the requirements /norms must be strictly observed in all cases of death and grievous injury in police encounters by treating them as law declared under article 141 of the Constitution of India.

3. It is therefore requested that the guidelines of the Hon'ble Supreme Court of India must be strictly adhered to. A copy of Magisterial Inquiry in all cases of death and grievous injury in police encounters must be sent with the proposal. In gallantry cases, the date of birth and father's name of the recommendee is also required.

4. In future, proposals may be sent in revised proforma for award of PPMG & PMG (copy enclosed). Frontier HQs are also requested to direct all concerned under command to take necessary action as per MHA guidelines.

Encl: 11 pages

(Handwritten Signature)
 (Hosiyar Singh)
 Commandant (Ops)

- To,
1. All Frontier IsG, ITBP
 2. Trg Zone, ITBP
 3. DIG (L&C), ITBP

ENDS :- ITBP/HQ N FTR/EC-3/Guard File(Medal)/2015-1672 DTD- 02/12/15

COPY TO :-

1. DIG (Ops) HQrs Northern Frontier, ITB Police, Seemadwar, Dehradun
2. DisG(SML/DDN), ITBP. with the request to circulate above Memo to all Units under your jurisdiction for strict compliance please.
3. CH(Dehradun), ITB Police; Seemadwar, Dehradun.

SHO
(SML R.)

ASST COMDT (OFFICE)
NORTHERN FRONTIER, ITBP

Encl: 1
M-664 dt-17/12/15

Copy to :-

Comdt, 2nd, 17th, 19th, 43rd and 50th Bns.
Kindly observe all instructions and formalities while such recommendation for this medal is forwarded to higher Head quarter.

Saufman
AC (Office)
SHO (Bn)

No. 1026/03/2015-PMA

Government of India
Ministry of Home Affairs
(Grih Mantralaya)
Police Division-I

New Delhi dated the 19th October, 2015.

प्रधानी (क.प्र. शा. र. व. व. व.) Inspector General (C. & V.)
आयसी संख्या... 622
दिनांक Date... 26/10/15

1/11

To
1/1640

1. Chief Secretaries/ Administrators of all States/UTs
2. Home Secretaries/ DsGP/ CsP of all States/UTs
3. Head of all CPOs/ CAPFs
4. Directors, IB and CBI.

28 OCT 2015

Subject: Instructions for recommendation for the award of President's Police Medal for Gallantry and Police Medal for Gallantry.

I am directed to refer to this Ministry's letter No. ~~1026/01/2006-PMA~~ dated 9th May, 2006 vide which instructions for recalling recommendation for the award of President's Police Medal for Gallantry and Police Medal for Gallantry were circulated. Recently, the Hon'ble Supreme Court of India vide its judgment dated 23/09/2014, in Criminal Appeal No.1255 of 1999 titled People's Union for Civil Liberties & Anr V/s State of Maharashtra & others has issued the guidelines regarding holding of Magisterial enquiry in the cases of death occurred in police firing. (extract attached). The Hon'ble Supreme Court has directed that the requirements/norms must be strictly observed in all cases of death and grievous injury in police encounters by treating them as law declared under Article 141 of the Constitution of India.

2. It is therefore requested that the guidelines of the Hon'ble Supreme Court of India must be strictly adhered to. A copy of Magisterial Inquiry in all cases of death and grievous injury in police encounter must be sent with the proposal. In gallantry cases, the date of birth and father's name of the recommendee is also required.

3. Keeping in view the above requirement, the prescribed proforma has been revised. While sending the proposal for award of President's Police Medal for Gallantry/Police Medal for Gallantry, the requisite information must be sent in revised proforma, prescribed for award of gallantry medal (copy enclosed).

4. The other instructions will remain the same as contained in this Ministry's letter No. 11026/07/2006-PMA dated 9th May, 2006.

Encls:-As above.

Yours faithfully,

G. C. Yadav 19/5/06

(G.C. Yadav)
Deputy Secretary(Police)
Tele: 23093256

The following requirements to be followed in the matters of investigating police encounters in the cases of death as the standard procedure for thorough, effective and independent investigation:

- (1) Whenever the police is in receipt of any intelligence or tip-off regarding criminal movements or activities pertaining to the commission of grave criminal Offence, it shall be reduced into writing in some form (preferably into base diary) or in some electronic form. Such recording need not reveal details of the suspect or the location to which the party is headed. If such intelligence or tip-off is received by a higher authority, the same may be noted in some form without revealing details of the suspect or the location.

(2) If pursuant to the tip-off or receipt of any intelligence, as above, encounter takes place and firearm is used by the police party and as a result of that, death occurs, an FIR to that effect shall be registered and the same shall be forwarded to the court under Section 157 of the Code without any delay. While forwarding the report under Section 157 of the Code, the procedure prescribed under Section 158 of the Code shall be followed.

- (3) ~~An independent investigation into the incident/encounter shall be conducted by the CID or police team of another police station under the supervision of a senior officer (at least a level above the head of the police party engaged in the encounter). The team concluding inquiry/investigation shall at a minimum, seek:~~

- (a) ~~To identify the victim colour photographs of the victim should be taken;~~
- (b) ~~To recover and preserve evidentiary material, including blood-stained earth hair, fibers and threads, etc., related to the death;~~
- (c) ~~To identify scene witnesses with complete names, addresses and telephone number and obtain their statements (including the statements of police personnel involved) concerning the death;~~
- (d) ~~To determine the cause, manner, location (including preparation of rough sketch of topography of the scene and, if possible, photo/video of the scene and any physical evidence) and time of death as well as any pattern or practice that may have brought about the death;~~

- (e) It must be ensured that intact fingerprints of deceased are sent for *15 BM*
development. Any latent fingerprints should be located, developed
and sent for chemical analysis.
- (f) Post-mortem must be conducted by two doctors in the District Hospital, one of them; as far as possible, should be In-charge/Head of the District Hospital. Post-mortem shall be video-graphed and preserved;
- (g) Any evidence of weapons, such as guns, projectiles, bullets and cartridge cases, should be taken and preserved. Wherever applicable, tests for gunshot residue and trace metal detection should be performed.
- (h) The cause of death should be found out, whether it was natural death, accidental death, suicide or homicide.
- (4) A Magisterial inquiry under Section 176 of the Code must invariably be held in all cases of death which occur in the course of police firing and a report thereof must be sent to Judicial Magistrate having jurisdiction under Section 190 of the Code.
- (5) The involvement of NHRC is not necessary unless there is serious doubt about independent and impartial investigation. However, the information of the incident without any delay must be sent to NHRC or the State Human Rights Commission, as the case may be.
- (6) The injured criminal/victim should be provided medical aid and his/her statement recorded by the Magistrate or Medical Officer with certificate of fitness.
- (7) It should be ensured that there is no delay in sending FIR, diary entries, panchnamas, sketch, etc., to the concerned Court.
- (8) After full investigation into the incident, the report should be sent to the competent court under Section 173 of the Code. The trial, pursuant to the chargesheet submitted by the Investigating Officer, must be concluded expeditiously.
- (9) In the event of death, the next of kin of the alleged criminal/victim must be informed at the earliest.

(190)

(10) Six monthly statements of all cases where deaths have occurred in police encounters must be sent to NHRC by DGPs. It must be ensured that the six monthly statements reach to NHRC by 15th day of January and July, respectively. The statements may be sent in the following format along with post mortem, inquest and, wherever available, the inquiry reports:

- (i) Date and place of occurrence.
- (ii) Police Station, District.
- (iii) Circumstances leading to deaths:

- (a) Self defence in encounter.
- (b) In the course of dispersal of unlawful assembly.
- (c) In the course of affecting arrest.

(iv) Brief facts of the incident.

(v) Criminal Case No.

(vi) Investigating Agency.

(vii) Findings of the Magisterial Inquiry/Inquiry by Senior Officers:

- (a) Disclosing, in particular, names and designation of, police officials, if found responsible for the death; and
- (b) Whether use of force was justified and action taken was lawful.

- (11) If on the conclusion of investigation the materials/evidence having come on record show that death had occurred by use of firearm amounting to offence under the IPC, disciplinary action against such officer must be promptly initiated and he be placed under suspension.
- (12) As regards compensation to be granted to the dependants of the victim who suffered death in a police encounter, the scheme provided under Section 357-A of the Code must be applied.
- (13) The police officer(s) concerned must surrender his/her weapons for forensic and ballistic analysis, including any other material, as required by the investigating team, subject to the rights under Article 20 of the Constitution.
- (14) An intimation about the incident must also be sent to the police officer's family and should- the family need services of a lawyer / counselling, same must be offered.

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... must be ensured at all times...
... the gallantry of
... are given/recommended only when
... the concerned officers is established beyond doubt.

(16) If the family of the victim finds that the above procedure has not been followed or there exists a pattern of abuse or lack of independence investigation or impartiality by any of the functionaries as above mentioned, it may make a complaint to the Sessions Judge having territorial jurisdiction over the place of incident. Upon such complaint being made, the concerned Sessions Judge shall look into the merits of the complaint and address the grievances raised therein.

The above guidelines will also be applicable to grievous injury cases in police encounter, as far as possible.

माननी	
Commandant	
विभागीय कमान	
2403	
प्रधान अधिकारी	
Head Clerk	

(176)

No. I-12015/01/2010/Pers.- 2486

Block No. 2, CGO Complex,
Lodhi Road, New Delhi-110003

Dated: 13/8/14
 डायारी नं.: 2356
 दिनांक: 14-8-14
 Date: 25.8.14

Office Memorandum

Please find enclosed a copy of Ministry of Home Affairs, Police-II Division Office Memorandum No. I-45024/08/2013-Pers-II dated 23rd July, 2014.

2. The same may please be circulated to all the Medical Officers of ITBP for their information.

3. This issues with the approval of DG, ITBP.

Encl. As above.

(Davinder Pal)

Dy. Comdt.(O)/S/A.O. (Pers.)

डायारी सं. 2356
 Diary No. 2356
 दिनांक 25.8.14
 Date 25.8.14

Handwritten notes:
 1. All IsG (Frontier/Zonal) - with the request that the copy of same may please be provided to all SHQrs/ Units under your Command.
 2. The Director (Med)/IG (Med), R.H., ITBP Delhi.
 3. The DisG(Medical), CHs Chandigarh/Dehradun.
 4. The Commandant, BH Delhi, ITB Police.

नं. आ०/त०/०/पु०/आ०/०/अडि०/०/२०१५- ५९८३ दि० ३२/०८/१४

उप-ब्रह्मनिरीसक (विभक्त/लक्षदायक/मौनप्रद) एवं द्वितीय 15/15/16/17/19/21/24/37/42/57/30/30 का सुन्याग्रह एवं प्रि-2 के संदर्भ में आवश्‍याक कार्रवाई हेतु उचित है।

सुन्याग्रह एवं आवश्‍याक कार्रवाई हेतु उचित है।

From 5/19/14

mc -11
9/19/14

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It relates to M...
MA 5/19/14

The Additional Chief Secretary
to Government Haryana, Home Department.

To All the Deputy Commissioners in Haryana

Memo No. 5/19/2005-3H(C)
Dated, Chandigarh, the 25.08.2014

Subject:- Revised policy/instructions regarding payment of ex-gratia grant to the family member of Central Armed Police Forces (CAPF) and Central Para Military Forces (CPMF) killed in operational area terrorist activities belonging to Haryana State.

Reference is made to this office memo No. 5/19/2005-2 HC dated 4.1.2006 and dated 30.01.2014 on the subject cited above.

2. The Governor of Haryana is pleased to enhance the rate of ex-gratia grant to be given to the family members of Central Armed Police Forces (CAPF) and Central Para Military Forces etc. who died in harness or disable in the performance of their bonafide official duties while serving in operational areas in war or terrorist / militant attack. The Governor of Haryana is further pleased to enlarge the scope of the payment of ex-gratia grant to include contingencies like performance of their duties during natural calamities, elections, rescue operations etc. which demands extra coverage and decisions towards performance of their duties. The revised structure will be as under:-

No.	Contingency covered	Existing rate for assistance	Revised rate of assistance from 19.2.14
1	Death in war and Action against Militants /Terrorist etc.	Rs. 2,50,000/-	Rs. 20,00,000/-
2.	Death during Internal Security Duty , operations etc.	Rs. 2,00,000/-	Rs. 20,00,000/-
3.	Death during rescue Operation, Election duty, natural calamities etc.	Nil	Rs. 20,00,000/-
4.	(a) Disability (75% and above) for all eligible persons	Rs. 1,00,000/-	Rs. 15,00,000/-
	(b) Disability (50% to 74%) for all eligible persons	Rs. 75,000/-	Rs. 10,00,000/-
	(c) Disability (25% to 49%) for all eligible persons	Rs. 50,000/-	Rs. 5,00,000/-

3. The enhanced amount is applicable to the ex gratia grant who killed on or after 19.2.2014 only.
4. The grant of ex-gratia prior to issue of this policy will be given as per policy No. 5/19/2005-2HC dated 4.1.2006.
5. All other conditions as contained in office memo No. 5/19/2005-2HC dated 4.1.2006 regarding grant of ex-gratia shall remain unchanged.
6. The expenditure will be met from the scheme code -N-51-22.2235-60-200-77-51(Object Head (09)-Grant- in-aid.

7. This issue with the concurrence of Finance Department conveyed vide their U.O. No. 1/54/2005-5 F.G.II (31319) dated 11.11.2013 and U.O. No. 10049 dated 15.05.2014.

Dated Chandigarh
the 25.08.2014

ROSHAN LAL
Additional Chief Secretary
to Government Haryana, Home Department

Endst. No. 5/19/2005-3H(C)

Dated Chandigarh, the 25.08.2014

A copy is forwarded to the following for information and necessary action:-

1. Secretary, Government of India, Ministry of Home Affairs, North Block, New Delhi.
2. All Director General of Central Para Military Forces in India.
3. Directorate General Border Security Force, Admn. Directorate Kendriya Karyalaya Parisar, Block No. 10, Lodhi Road, New Delhi-110003.
4. Accountant General (A&E), Haryana, Chandigarh.
5. All Secretaries, Zila Sainik Boards, Haryana.

Jagat Singh
Under Secretary, Home (C)
for Additional Chief Secretary
to Government Haryana, Home Department

Endst. No. 5/19/2005-3H(C)

Dated Chandigarh, the 25.08.2014

A copy is forwarded to Addl. Chief Secretary to Government Haryana, Finance Department for information w.r.t. their U.O. No. 1/54/2005-5 F.G.II (31319), dated 11.11.2013 and U.O. No. 1/54/2005-5 F.G.II 10094 dated 15.5.2014.

Jagat Singh
Under Secretary, Home (C)
for Additional Chief Secretary
to Government Haryana, Home Department

To

The Additional Chief Secretary
to Government Haryana, Finance Department

U.O. No. 5/19/2005-3H(C)

Dated Chandigarh, the 25.08.2014

CC

PSCM/ CS/ACSH/ Secy. R.S.B/ Cabinet Branch.

FOR KIND ATTENTION OF INSPECTOR TRILOK SINGH

503
9.7.13
8

No 1-45024/28/2009/Pers-
Directorate General, ITB Police 4425
Govt of India/MHA
Block-2, CGO Complex
Lodhi Road, New Delhi-110003.

Dated. 02/07/13

MEMORANDUM

Sub Counting of previous Military Service for civil pension.

The following officers of I.T.B. Police Force have submitted applications for counting of their past military service for the purpose of pension :-

S/No	Name	Unit/Formation
01)	Sachin Sharma, Asstt. Comdt	32 nd Bn
02)	Anup Kumar Gupta, Asstt. Comdt	Under Basic Trg at Academy.

Sim
and file

2. In this connection it is intimated that matter was referred to DOP&T but it has been advised by them that CCS (Pension) Rules are not applicable to the officers who joined the service in Central Govt on or after 01.01.2004 and the past military service rendered by them can not be counted towards civil pension as no rules for such officers are available. It has also been clarified that the provisions of DOP&T OM No 28/30/2004-P&PW(B) dated 26.07.2005 are also not applicable in this case as these provisions are attracted only for cases involving technical resignation from one post to join other post.

SE/
7.

3. It is observed that the officers are representing time and again on the same subject and on the same ground and the concerned Units, Sectors, Ftrs & TCs are also forwarding the same to Dte. Genl., knowing fully that pension rules are not applicable for Govt. Servants appointed on or after 01.01.2004. Therefore, it has been desired by Competent Authority to inform all concerned to advise the officers working under their command not to make unnecessary correspondence on the issues which can not be addressed under the existing rules. All concerned may kindly be informed accordingly.

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and file
circulate

To: *subject with under command.*

(DAVINDER PAL)
Dy Comdt (Office)/SAO(Pers)

2. DIG (Adm), Cen. Ftr, ITB Police Force
DIG/Dy Director, ITBP Academy, ITB Police Force.

Copy to :-
All Ftr HQrs/SHQrs/TCs, ITB Police Force.

9/8/13

Enclosure No. 346

Dtd. 10-7-13

(DAVINDER PAL)
Dy Comdt (Office)/SAO(Pers)

Consult. 18/36/42 Bn for information -> further w/g at your end please

[Handwritten signature]
AC (Office)
CHD

61

170

493	दिनांक Date 16-6-11
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...	...
...	...
...	...

No. I-45017/1/2011/Estt- 615
DIRECTORATE GENERAL, ITB POLICE
MHA/Govt. of India
Block-2, CGO Complex
Lodhi Road, New Delh-03

Dated: 06/06/2011

CIRCULAR

SUB: VOLUNTARY RETIREMENT ON COMPLETION OF 20 YEARS OF QUALIFYING SERVICE - INSTRUCTIONS REGARDING.

File -2
6

Reference Dte. Gen. memorandum No. I-40012/07/91-Esst-5(Co-ord) dt. 08.12.1994 on the subject cited above (copy enclosed), wherein Unit Commandants were directed to obtain prior approval of higher authorities.

- The matter has been discussed in the Fortnightly Co-ordination meeting held on 23.05.2011 at this Directorate General. Inspector General is the Appointing Authority in respect of Subedar Major and Inspector and in case of Assistant Sub-Inspector and Sub-Inspector, the Appointing Authority is Dy. Inspector General.
- As such it has been decided that powers to dispose off the voluntary retirement cases in respect of Group "B" & "C" (SOs Non-Gazetted) Combatised personnel is hereby delegated to the respective Frontier Inspector General. In the cases of Head Constable and Constable status-quo may be maintained.
- These issues with the approval of DG, ITBP.

(Signature)
(K.B.SINGH)
Inspector General(HQ)

- To,
- All IsG Frontier.
 - All DisG Frontier.
 - All DisG Training Centre /NITSRDR/CH.
 - All Commandants ITBP Units/BHD.
 - All branches at Dte. Genl, CRO.