

Standing Order

No.	Issue Date	Issued By	Issuing Unit	Issuing Branch
93	15/11/1989	COMMISSIONER OF POLICE	Police Head Quarters	

Subject : Attendance, arrest, search and escort of women by police.

Contents

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I.INTRODUCTION: Instructions have been issued from time to time pointing out the mandatory provisions of law contained in Cr. P.C. and Punjab Police Rules etc. on the subject cited above and emphasising the need for their strict compliance by all I.Os. Despite, that, irregularities in the matter of attendance, arrest, search and escort of children and ladies by police have been coming to light resulting in avoidable criticism and ignominy of the department. Attention of all concerned is, therefore, again drawn to the provisions contained in sections 51(2) 100(3) and 160(1) Cr.P.C. and P.P.R. 26.18-A(1)(2) & (3) and the instructions of Central Government/Police department issued in this regard, which are again summarised below for compliance by all concerned:

II. SUMMARY OF ORDER (No. 5851-6050/C& T .AC-II, dated 2.5.80)

Arrest of. women may be made by the investigating officer only with the prior sanction of the Assistant Commissioner of Police or by the Inspector/SHO personally and intimation sent to the ACP and Dy. Commissioner of Police immediately.

(ii) No. 5851-6050/C& T .AC-II, dated 2.5.80)

A woman should be searched by a woman and with strict regard to decency (Section 51(2) & 100 (3) Cr.P.C.).

(iii) (NO.5851-6050/C& T .AC-II. dated 2.5.80)

In case a woman is required in connection with her evidence, she shall not be summoned to the police stations as the Proviso to section 160:1) Cr. P.C. prohibits any male person under the age of 15 years or a women to appear in place other than his/her residence for the purpose of examination by the police.

(iv) (Circular No. 23460-660/C& T .AC-II, dated 7.9.88)

All arrests of women whether without or with warrant (bailable or non- bailable) shall be carried out by a police officer not below the rank of Assistant Sub-Inspector, who shall be accompanied by a lady constable/head constable. Similar procedure shall be adopted when women in police custody have to be escorted/ interrogated for purposes of investigation. If lady police is not available, the arrest shall be effected in the presence of responsible persons of the locality (preferably women), male relatives of the person to be arrested or village/Town officials. Such arrests shall be specially reported in the manner described in PPR- 24.12. A report regarding the result of interrogation, if done, shall also be sent to the ACP concerned on the same day through SHO.

(v) (Ref. para 4 of circular No.23460- 660)/C& T. AC-II, dated 7.9.88

When the arrest of a woman is made under compelling circumstances by an officer lower in rank than an Assistant Sub-Inspector, reasons shall be clearly explained. DCP concerned shall forward special reports as required under PPR 24.12, a copy of which shall be sent to the Addl. Commissioner of Police concerned.

(vi) (Circular No. 23460-660/C& T .AC-II, dt. 7.9.88)

As far as practicable arrest of such persons/ladies shall be made at a time so as to enable the police to produce them before the Court concerned for sending them to judicial custody or releasing them on bail as the case may be, the same day.

(vii) (Circular No. 23460-660/C& T .AC-II, dt. 7.9.88)

Where bail is admissible, women shall not be detained longer than is necessary for the production of bonds or sureties.

(viii) (Circular No. 23460-660/C& T .AC-II, dated 7.9.88)

No application for remand to police custody shall be made in respect of women accused without the special order of the gazetted officer concerned. In exceptional circumstances when police requires remand of a woman, the G.O. must satisfy himself about the grants of remand and that proper arrangements have been made for her safe custody, under the charge of lady police.

(ix) (Circular No.11259-500/C& T ,AC-II, dt. 12.8.80)

No woman in police custody shall be lodged in any police building, e.g. police station/police post, Lines, etc. dwelling unit etc. even for a night except in unavoidable circumstances and that too with " the prior permission of the gazetted officer concerned, who shall be personally responsible to arrange the posting of lady police : for the purpose and for taking necessary measures for the safe and decent custody of the prisoner. Such accused shall be produced at once before the magistrate for remand to judicial custody except where a remand to police custody is necessary and has been obtained in accordance with the manner mentioned at No.(viii) above.

(x) (Circular No.11259-500/C&T,AC-II, dt. 12.8.80)

Women remanded to judicial custody shall be transferred to headquarters or properly equipped sub-divisional female judicial lock-ups. All remands to judicial custody shall be reported immediately to the District Magistrate.

(xi) (Circular No.11259-500/C&T.AC-II, dt. 12.8.80)

Women attending police investigations and enquiries as distinct from the those under arrest, shall, on no account, be detained in police stations or with the police any longer than is necessary for the record of information, which they are willing to give. In no case shall they remain with the police between sun-set and sun-rise.

(xii) (S.O. No.93 No.8704-9155/C& T. AC-II, dt. 24.4.84)

The submission of a woman to the custody shall be presumed unless proved otherwise and there shall be no occasion for a male police officer making arrest of a woman to touch her person.

(xiii) (No. 8704-9155/C& T .AC-II, dated 24.4.84)

Female prisoners/under-trials shall be escorted from Central Jailor other institutions to courts and vice-versa in a separate vehicle by a police party, which shall include lady police.

(xiv) (No. 24821-25021/C&T.AC-II, dated .20.09.88)

In all cases of rape and other sensational cases of molestation, Women Police Officer shall be associated, to avoid embarrassment to victims, as they cannot disclose facts as freely to a male officer, as they would do to a women police officer.

(xv) (Circular No. 24821-25021/C& T. AC-II, dt. 20.9.88)

In all cases of crime against women, the Crime (Women) Cell shall be associated during investigation without any exception.

III. WIDE PUBLICITY TO ORDER

A Hindi version of this S.O. is also enclosed. This shall be read over to all police officers at roll calls for a period of 10 days and an entry to this effect shall be recorded in daily diary of all police station/police posts, Lines etc.

IV. SUPERSESSION CLAUSE

This supersedes S.O. No. 93 issued vide No. 8704-9156/C&T.AC-II, dated 24.4.84 and all other orders on the subject.

(KANWALJIT DEOL)DCP/HQ for COMMISSIONER OF POLICE:DELHI
XXVI/9/Spl/Pt.v/59316-500/C& T .AC-II, dated 15/11/89