

OFFICE OF THE
DIRECTOR GENERAL OF POLICE
HIMACHAL PRADESH, POLICE HEADQUARTERS
SHIMLA-171002



No. CB-3-17(Instructions)/2018-

Dated:

CIRCULAR NO 2 OF 2018

Sub: Empowerment of constables for enforcement of MV Act and Rules

One of the action point emerging out of DGsP/IGsP Conference-2017 was that educated constable could be better utilised in effective investigation and coordination. Addressing the Conference the Hon'ble Union Home Minister stressed upon devising ways and means to further empower the constabulary particularly in view of the fact that present day recruits were better educated and technically better qualified compared to the results of the past. He suggested pondering over of the possibility of empowering competent Constables to investigate minor crimes, through training and if required through amendments in Cr PC, which shall ease the workload of the investigating officers in Police Stations and improve the quality of investigation as well.

2. As per the Standing Order No. P-II(2)-269(SO)/2011-33771 dated 21/12/2012 issued by PHQ, Honourary Head Constables (HHCs) posted in Districts have been empowered to challan infringement under MV Act after they have undergone one month special course at Districts and Battalion Head Quarters as per prescribed syllabus. It has also been provided in Standing Order that the above HHCs will be eligible to investigate all cases in which punishment provided is up to one year of imprisonment. An entry is supposed to be made on completion of above mentioned special course in Character Roll of the HHCs as per the above mention Standing Order.

3. Districts SsP are therefore requested to use the services of the HHCs who have undergone the special one month course for checking of violation of traffic Rules as per MV Act after a short refresher course, if deemed necessary.

4. Districts SsP may also use the services of B-1 test Pass Constables posted in Districts for checking traffic violations, since the MV Act does not place any bar on power to police

Constable in enforcing the Act. A bare reading of section 130, 202 and 206 of the Act would suggest the above position.

5. Notification NO-TPT-F(6)2/2000 Dated 29/12/2012 issued by the Department of Transport under section 200 of MV Act authorizes police officer not below the Rank of Head Constable to compound offences under the Act, and the authorization to compound the offence should not be confused with power to challan the offence.

6. Districts SsP may also allow suitable graduate police constables posted in Districts to check traffic violation under the MV Act, after putting them through one week of training on the MV Act 1988, Central Motor Vehicle rules 1989 and HP Motor Vehicle Rules 1999.

7. The above is an effort to empower constabulary which would not only increase their self esteem and accountability but also increase effectiveness of police by acting as force multiplier. In case, any officer is found to be indulging in undesirable activities, the challan book issued to the officer can be withdrawn by the supervisory officers.

(Anurag Garg) IPS;
Addl. Director General of Police
Law and Order, HP, Shimla-02

Endst no: CB-3-17(Instructions)/2018- 13433-52

Dated: 15-06-2018

Copy forwarded to:

1. ✓ Addl. Director General of Police, CID, HP Shimla-9 for information.
2. IG AP&T, PHQ, Shimla for information.
3. IGP/DIGP of all Ranges in HP for information.
4. The Dy. Inspector General of Police, TTR, HP, Shimla-2 for information.
5. Principal PTC, Daroh with request to restart one month course specialised course for HHCs
6. All Districts Superintendents of Police in HP for necessary action.

Addl. Director General of Police
Law and Order, HP, Shimla-02