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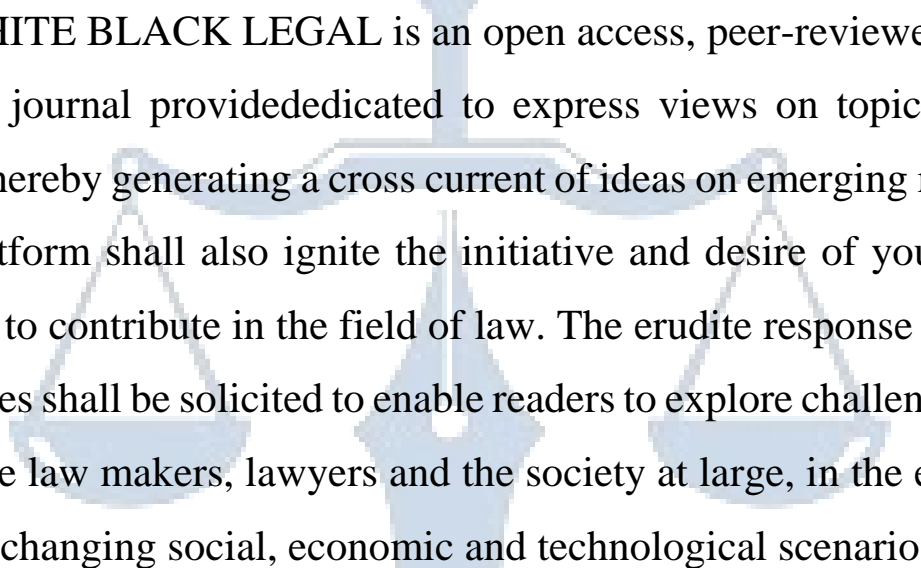


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With this thought, we hereby present to you

W H I T E   B L A C K  
L E G A L

# **CHALLENGES OF INVESTIGATION OFFICER IN CRIME INVESTIGATION**

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## **ABSTRACT:**

*Police is a very important organization of the Government. They are said to be the most visible representation of the Government and first responders in any problems of the citizens. So, they have to play varieties of role and crime investigation is one of the most important roles of the police. While performing this kind of role they may face many challenges. It becomes very important to understand crime investigation procedure along with the role of Investigation officers (IOs). It is also important to find out the challenges being faced by an Investigation officer during crime investigation. On this background, in this present paper an attempt has been made to find the challenges faced by the Investigating officers in investigation of crime in district Moga, Punjab, India. Further it provides suggestions for strengthening Crime Investigation by Police in district Moga, Punjab, India.*

**Keywords:** *Police, Crime, Crime Investigation, Investigation Officer.*

## **INTRODUCTION**

Police organization, in any society, is said to be the chief law enforcement agency of the criminal justice administration. Crime and offences of general nature are, therefore registered and investigated by the police stations. Police station is the primary and the basic unit of crime registration in all civilized societies. The common man whether victim, complainant or informer contacts the police stations in the event of commission of a crime. It is expected that the police station will immediately take action on the report received by it and would register the crime for initiating appropriate and adequate action. Registration of crime and recording of an FIR is thus, one of the fundamental duties of the police.<sup>1</sup>

After the registration of FIR, visit to the scene of crime and collection of evidence, when an Investigating Officer (IO) arrives at the conclusion that reasonable suspicion exists against the

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<sup>1</sup> Model Police Manual. Bureau of Police and Research Development. Ministry of Home Affairs. Government of India retrieved from <http://bprd.nic.in/WriteReadData/userfiles/file/6798203243-Volume%202.pdf>

suspect that he has committed a crime and for completing the investigation his arrest is necessary; he may arrest him in accordance with the law. After arrest, accused person is taken under the police custody, and if the crime is bailable, he may be released on bail, and if the crime is non-bailable, the IO would approach the relevant court for providing police or judicial custody as per the requirement of the investigation. Arrest, Custody, Bail, and Remand are therefore, essential ingredients of police investigation.

Therefore the IO undertakes the several steps for collecting evidence against the accused person(s). If there is enough evidence against the accused person(s), the case is sent to for trial to the court of law, and if enough and sufficient evidence is not available against the accused person(s), thus the police would close the investigation as Final Report (FR); and the case file will be sent to the court for approving the investigation. The whole process is called Investigation.

The crime scene investigation process from general crime scene procedure to reconstruction of crime scene is very important and the investigation officer should be handled with care (Starrs, 2005)<sup>2</sup>. In crime investigation, some basic rules of how to locate, identify and preserve various types of evidences and to know how the laboratory might aid in crime investigation (Adams, 1998)<sup>3</sup>. These basic should be followed by every investigation officer in any crime investigation. The thoroughly procedure of Crime Investigation including crime scene, search and seizure, information collection, interrogation etc. is also very important (Becker's and Dutelle, 2013)<sup>4</sup>. The Investigating Officer has a very big role to play in crime investigation. According to Cook and Tattersall (2014)<sup>5</sup> the role of Investigating Officer in terms of leadership and management, decision making, Crime Scene management, conducting search procedures etc. are also need perform carefully. How crime is to be handled, investigated and accounted for is very important. Apart from this, duties of investigator, the procedure of investigation and certain qualities essential to an investigator are also enlisted in this book (Gross, 2008)<sup>6</sup>.

## Objectives

The main objectives of the present study are:

- To find out the challenges being faced by the Investigating Officers in crime investigation in district Moga, Punjab.

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<sup>2</sup> James E. Starrs(2005) *Forensic Science: An Introduction to Scientific and Investigative Techniques*, CRC Press, U.S.A

<sup>3</sup> Thomas F. Adams (1998), *Preliminary Investigation-Police Field operations*, Library of congress U.S.A, pp.264-300

<sup>4</sup> Ronald F.Becker and Aric W. Dutelle (2013), *Criminal Investigation*, Setter Cell Publishers, U.S.A

<sup>5</sup> Tony Cook and Andy Tattersall(2014), *Blackstone's Senior Investigating Officer's Handbook*, OUP Oxford Publishers

<sup>6</sup> Gross(2008), *Criminal Investigation*, Universal Publishing Co., New Delhi



- To give suggestions for strengthening Crime Investigation by Police in district Moga, Punjab.

## **Research Methodology**

The study was relied upon both primary and secondary data. Secondary data was collected from police stations and headquarters, government reports, books, journals, articles, internet etc.

Primary data was collected from police stations of Moga district, Punjab. There are 22 districts in Punjab till now and Moga is the 17<sup>th</sup> populous district of Punjab state. Moga became district on 24<sup>th</sup> of November 1995. Before this, it was sub-division of Faridkot district. It is located in the central zone of the state. It has plane geographical area of 2230 sq.kms that comes to 4.42 percentage (%) of Punjab state. Its boundaries touch Jalandhar in north, Ludhiana in east, Sangrur in south and Ferozpur and Faridkot in west. The headquarter of the district is situated on Ferozpur-Ludhiana highway (NH-92). A railway line is also passing from Ludhiana to Ferozpur through Moga. According to 2011 census Moga district has population 9,92,289.

Like other districts of Punjab, Police District Moga is headed by an officer of the rank of Senior Superintendent of Police (SSP). There are total 14 police stations, 1 temporary Police station and 3 Police Posts situated in District Moga. The strength of manpower is approximately around 2000. Out of these 2000 around 500 police personnel's are involved in Crime Investigation task. For this study 30 Investigation officers from various police stations have been selected through simple random sampling method and an interviewed schedule was administered in order to find out the challenges faced by them. The data was analyzed by using appropriate statistical techniques.

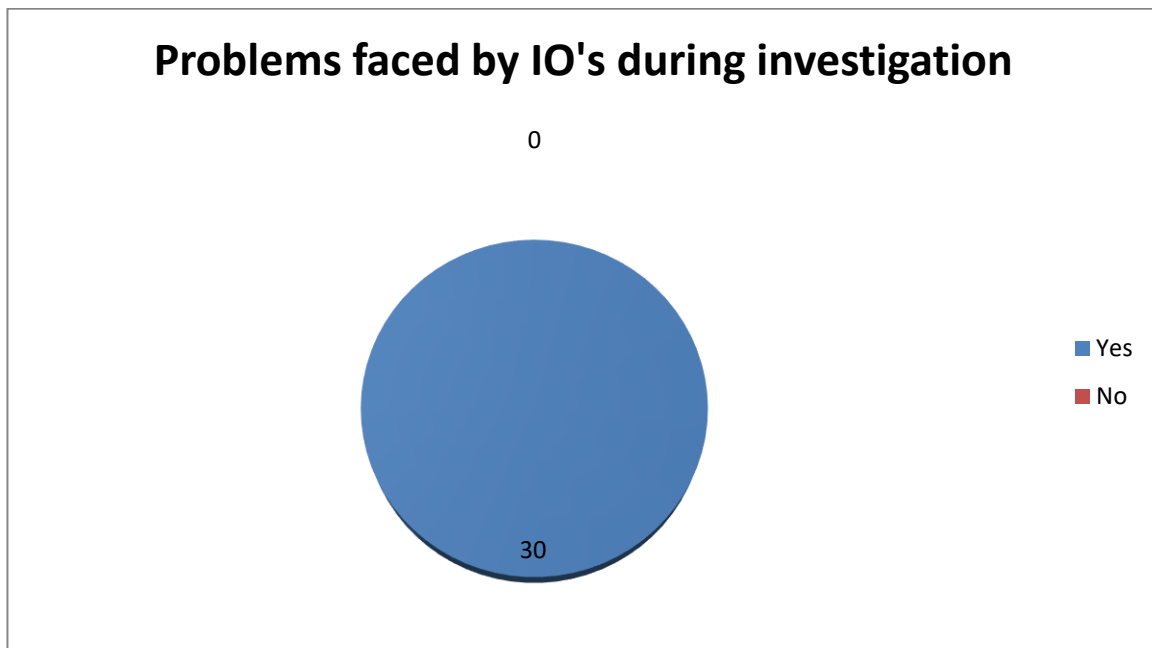
## **ANALYSIS OF RESPONSES OF INVESTIGATION OFFICERS (IOS) OF DISTRICT MOGA OF PUNJAB.**

Many questions were asked through the form of interview schedule to find out the truth, as it were, from the horse's mouth, to know their version and perspective of various problems related to the Police Administration. An overwhelmingly majority of the police officials felt that the role of police needs to redefined in the reasons, as they feel the contemporary context were:

### **Problems faced by IO's at the scene of occurrence:**

When a scene of crime occurred, the task of IO begins at first instance and the problems which are generally faced by him/her are of basic in nature e.g. lack of co-operation, destruction of scene of crime etc. So here an effort was done to know the problems being faced by an IO at the scene of crime. The response has been shown below in figure.

**Figure 1**



**Source: Primary Data**

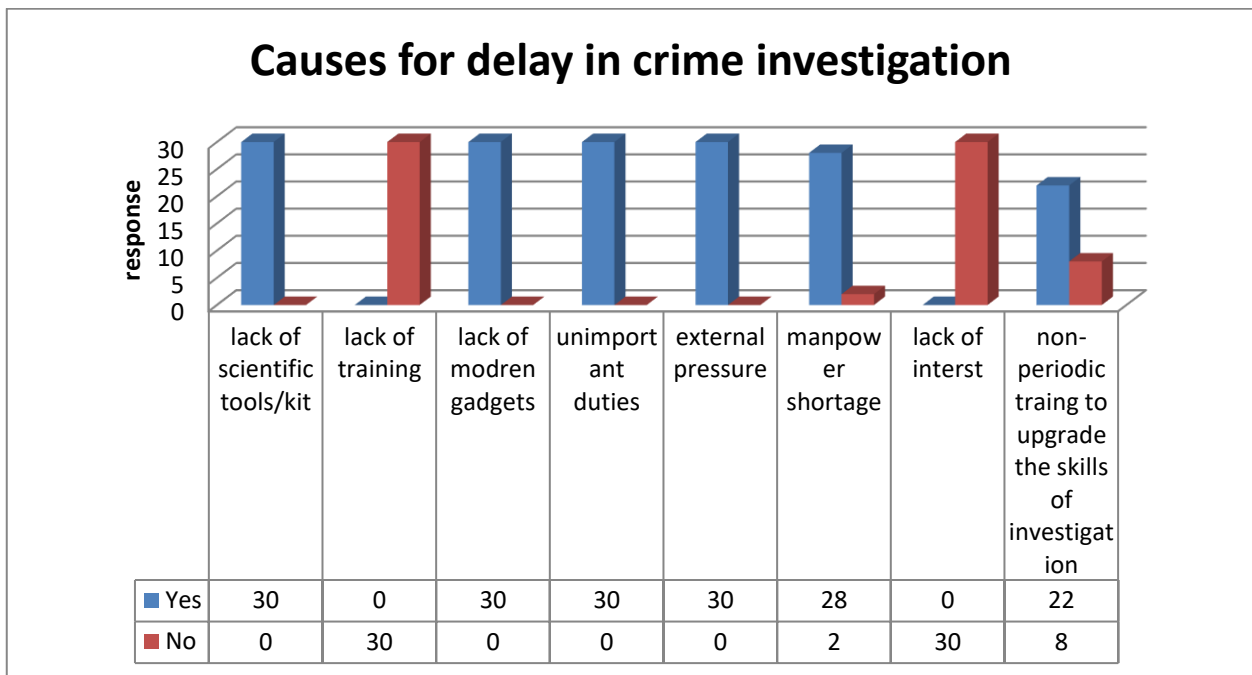
The investigation officers (IOs) were asked to explain the challenges being faced by them during crime investigation in district Moga (Punjab). All the respondents (100%) said that they have to face problems during their visit at the scene of crime (see figure 1). The problems generally faced by investigating officer's during Crime Investigation in district Moga (Punjab) are: lack of stationery, lack of modern gadgets, lack of transportation modes etc.

**Reasons for Delay in Crime Investigation process is due to:**

Another attempt was made to know the reasons for delay in crime investigation process with a few chosen reasons. The suggested reasons were e.g. lack of scientific tools/kit, external pressure, manpower shortage etc. Apart from these chosen causes they were asked to suggest other reasons also. The response for above problems has been shown in figure 2.

**Figure 2**

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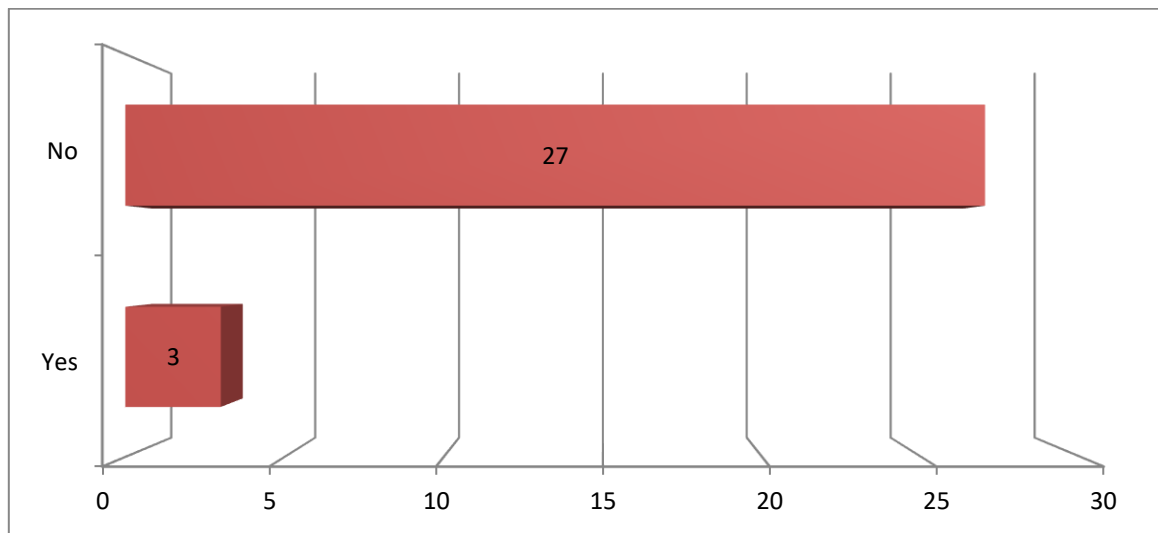
**Source: Ibid.**

The investigation officers (IOs) were asked to explain the reasons for delay in crime investigation process in district Moga (Punjab). So when they were asked about Lack of scientific tools/kit, then we got response as 100% yes; similarly we got 100% as yes for lack of modern gadgets, for external pressure and for unimportant duties. But when they were asked about lack of training and lack of interest then we got response as 'No'. In cases of manpower shortage and non periodic training to upgrade the skills of crime investigation, the response was in 93% and 73% in favour subsequently (see the figure 2).

#### **Public co-operation during crime investigation:**

Public co-operation has a key role in crime investigation process. People must keep it in their mind that police is drawn from society not apart from society. Police is a representative of the public. So they should work in close liaisons. Both should realize their role and responsibilities in order to maintain order and promote social harmony. So by keeping this thing in mind, an attempt was made to know the public co-operation during crime investigation. The response has been shown in table and figure below.

**Figure 3**  
**Public Co-operation during Crime Investigation**



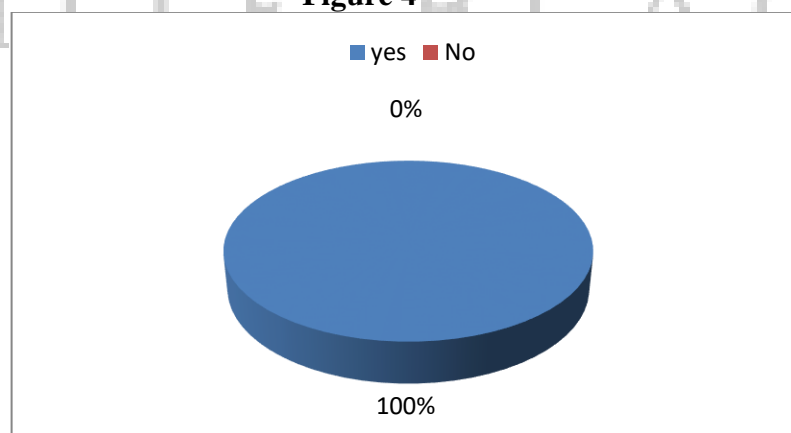
**Source: Ibid.**

The investigation officers (IOs) were asked regarding public co-operation during crime investigation process in district Moga (Punjab). Thus they expressed their opinion regarding the non-cooperative behavior of general public in crime investigation process. So we got 90% response for non-cooperation while 10 % for co-operation. They were also asked for the reasons of their non-cooperative behavior and main reason they expressed that the public do not want to indulge in the case and avoid becoming witnesses, show hostility towards the case. According to the respondents, the behavior of public is unfriendly with them. (See the figure 3)

**Other duties responsible for poor investigation:**

As we discussed in the previous question the causes for delay in Crime Investigation. Here another attempt was made to know more about the poor Crime Investigation in district Moga of Punjab. So here they were asked whether the other duties e.g. VIP duties, ‘Bandobust’ duties etc. are responsible for poor crime investigation or not. The response has been shown in figure.

**Figure 4**



**Source: Ibid.**

The investigation officer’s were asked about the challenges being faced by them during the crime investigation process in district Moga of Punjab. Thus they expressed 100% opinion in favour that the other duties except the investigation are responsible for poor investigation. (See the figure

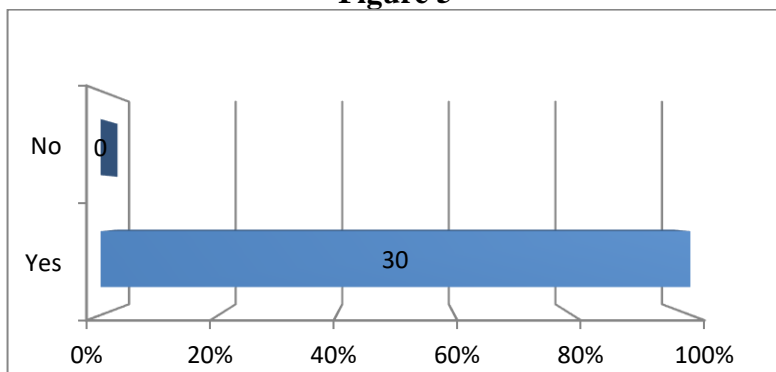


4)

**Workload:**

Duties may be responsible for poor crime investigation in large extent. By keeping this thing in mind, a question was asked regarding their workload. Here an attempt was made to know that the either limited cases should be assigned to IOs or not. This effort has been done in order to lowering their workload. The response has been shown in figure.

**Figure 5**



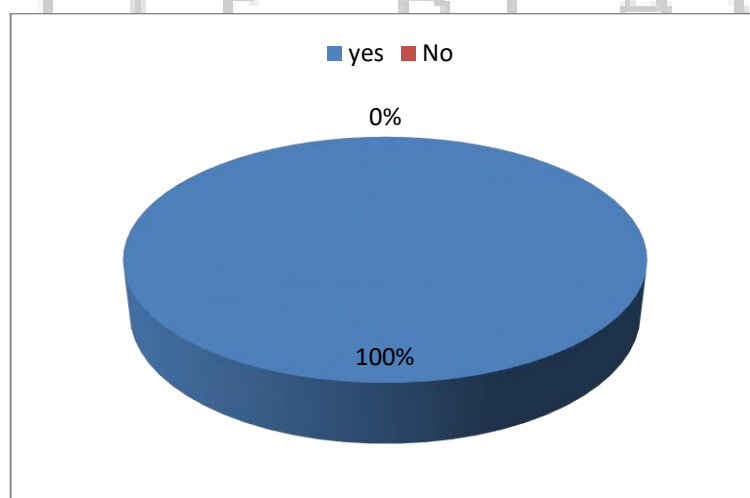
**Source: Primary Data**

The investigation officer's were asked about the challenges being faced by them during crime investigation process in district Moga of Punjab. Thus they expressed their response 100% that the limited cases should be assigned to IO's.

**Separation of investigation task from other duties:**

As we have discussed the causes of poor crime investigation and workload of IOs above, so by keeping these factors in mind, next a question was asked for separation of investigation task from other duties, in order to make speedier investigation and quick disposal of cases. The response has been shown in figure below.

**Figure 6**



**Source: Ibid.**

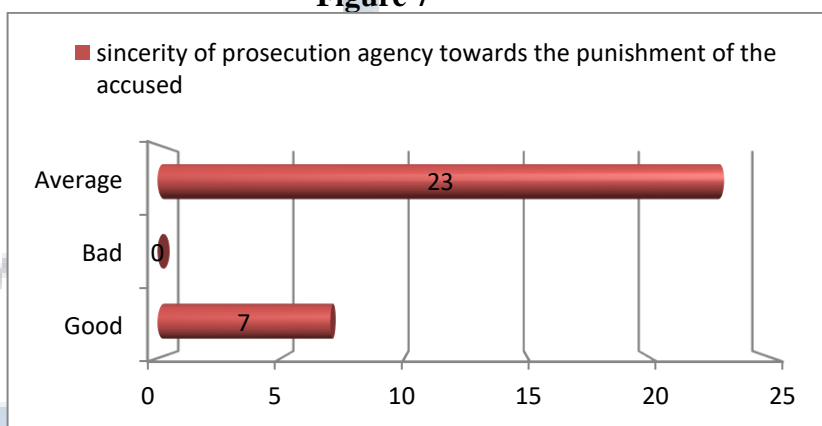
The Investigation officers were asked about the challenges being faced by them during their crime investigation process in district Moga of Punjab. They expressed their opinion 100% in favour

that the investigation task should be separated from the other duties (i.e. law and order security duties etc).

**Prosecution agency and successfulness of case:**

As we know that CJS has four pillars: the investigating agency; the judiciary; the prosecution agency and prisons and correctional services. So when police investigate a case the next role is played by prosecution agency. In this way they both have to work in close liaisons. Successfulness of case thus depends upon the sincerity of prosecution agency. By keeping this thing in mind a question was asked from IOs of Moga police regarding the sincerity of prosecution agency in district Moga of Punjab.

**Figure 7**



**Source: Ibid.**

The investigation officers were asked about the challenges being faced by them during their crime investigation process in district Moga of Punjab. The majority of the respondents (83%) were of the opinion that the sincerity of the prosecution agency towards the punishment of the accused or towards the successfulness of the cases is average. However, only (17%) believed it to be good.



**Findings and Conclusion:**

From the above discussion it is found that the investigation officers in district Moga, Punjab are facing many issues and challenges with regards to their works. Some of the challenges found from the analysis are presented below:

**Issues and challenges being faced by Investigation officer in district Moga (Punjab)**

- 1. Lack of stationeries:** The word ‘stationery’ seems But in actual, office stationery plays a huge role in office settings, without office stationery, it would be most likely being impossible to conduct business without any degree of frustration. We can say, it would be like a soccer player going to play without soccer or shoes. During this research process, lack

of stationery was found as major problem among the police stations in district Moga of Punjab.

**2. Lack of modes of transportation:**

Typically the use of transportation by police officers is to reach the scene of crime immediately, for patrolling purpose and to transport the criminal suspects. But during this research process, according to the feedback provided by the Investigating Officers, lack of transportation modes was detected as a serious problem in district Moga (Punjab).

**3. Non co-operation from superior authorities:** Successful Administration depends upon cordial relationship between senior officers and junior officers of various ranks. The Police officers are just like 'Entrepreneur' of a factory who has to see that functioning of the factory goes on well without increasing any risk. So its duty a senior officers that they should feel the pulse of their junior staff. They should help them by lowering their heavy workload. Timely interaction and supervision are essential ingredients to deliver justice through efficient and effective manner. But, non co-operative behavior from superior authorities was observed as a problem during this research procedure in District Moga. Crime Investigation process is team task, so here proper liaison from top to bottom (Hierarchy) is required at utmost.

**4. Stress due to heavy workload:** Law enforcement officers recognize that stress is part of the profession and working conditions. In the past, police culture did not recognize stress as a problem affecting their officers. However, there is now plenty of evidence and research showing that unmanaged stress can lead to anxiety, depression, and post-traumatic stress disorder (PTSD). During this research process, heavy workload such as security duties, VIP duties etc. apart from law & order was noticed as a cause of stress among investigating staffs in district Moga of Punjab. They are not getting enough rest and not eating properly in order to fuel the body is increasing the effects of fatigue. Being fatigued on-duty causes many issues such as poor decision making and other cognitive task difficulties, and this thing affect the crime investigation process badly. So there is need of hour to immune the investigating officers from such kind of disease. This is another serious dilemma which is found during research process in district Moga of Punjab.

**5. Political pressure:** Police system is related to politico-social system in India. Police a part of society not apart from society. Police administration is not an applied mechanism, but a living, breathy organism shaped by the political, social and economic trends of the society. To conclude it we can say "what grammar is to language, police is to the society." And

public support plays vital role in police work. Generally policing is prejudiced by political party in power. Thus the investigating officers have to work under political pressure and this is a major problem faced by investigating officer during crime investigation in district Moga of Punjab.

**6. Lack of investigation kit:** As we know that forensic science is a application of science to law. So forensic science has wider importance in crime investigation process. The field of crime scene investigation is constantly changing. With advances in technology and science, we have more tools than ever to help us solve crimes. But in order to take advantage of these tools, a investigating officer needs to stay up-to-date with the latest tools and techniques. But when research was conducted in district Moga of Punjab, thus we came to know that investigating officers are generally facing problems due to lack of investigation kit.

**7. Lack of modern gadgets:** Modern gadgets like digital cameras, video cameras for capturing the crime details are basic requirement of every police station and Investigating officer. According to the feedback provided by the Investigating officers, lack of these kind of gadgets were found as major problem. They said usually they have to capture details with their own cellular phone.

**8. Non co-operation from general public:** Police personnel are drawn from society. Police is an important part and parcel of this society. We cannot consider them apart from society. Police have to depend upon public to access information about the activities of social elements. Prosecution of criminals has to be made on the basis of evidence collected from the people. In nut shell, we can say that active public co-operation is required for effective Crime Investigation process, in order to deliver justice to public. But during this entire research process, hostile behavior of public was detect and collected through the process of interview schedule in district Moga (Punjab).

**9. Lack of manpower:** The sanctioned manpower strength as per as the parametric requirement of state police is required in each state and each police district. But during the research process, according to the feedback provide by the Investigating officer's, shortage of manpower was complained. Moreover the revealed data from the office of Crime Branch Moga also show the same trend. The shortage of manpower also affects their 'Shift length'. Thus they have to work usually for 12-14 hours and sometimes more than 14 hours.

**10. Long working hours and No weekly off:** The frustration among the police officers due to long working hours and no weekly off is generally expressed through offensive conduct and behavior with the public and this frustration leads to the erosion of societal image of police *and hostility of the public. Since public cooperation is an essential ingredient of effective policing, all this causes an enormous adverse impact on the quality of police*



*service. As steps to solve this problem, the study has found that a shift system and more manpower are required for effective 24/7 policing. The situation of inordinately long and irregular working hours for police station staff is, thus, quite serious. Long and irregular work hours have multiple negative impacts on efficient policing, since weary, over-worked and over-exhausted personnel cannot be expected to put in their best in their work. This is also a serious problem which is felt during the research process in district Moga of Punjab.*

### **Conclusion:**

During the research process, heavy workload such as long working hours, VIP duties and other law and order duties except the investigating task was noticed as a cause of stress among the police personnels in district Moga (Punjab). The high occupational stress may also leads to the poor decision making and then it will affect the Crime Investigation task in whole area. The shortage of the manpower was detected as another serious hazard for Crime Investigation task in district Moga (Punjab). So for healthy Police culture and effective policing the Investigating officers must be stress free. The hazards could be minimized by recruiting more police personnels and by reducing their shift length size. The focus should be based upon 'quality work' not on 'quantity work'. So, a limited number of cases should be assigned to each Investigating Officers.

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