

F. NO.15011/48/2009-SC/ST-W
GOVERNMENT OF INDIA/BHARAT SARKAR
MINISTRY OF HOME AFFAIRS/GRIH MANTRALAYA
NORTH BLOCK NEW DELHI /CS DIVISION

New Delhi, the 1st April, 2010

OFFICE MEMORANDUM

Subject: Advisory on Media Policy of Police—regarding

'Police' and 'Public Order' are State subjects under the Seventh Schedule (List-II) to the Constitution of India and, therefore, the State Governments and UT Administrations are primarily responsible for prevention, detection, registration, investigation and prosecution of all crimes within their jurisdiction. The Union Government, however, attaches highest importance to the matters relating to the prevention of crime; and therefore, the Union Government has been advising the State Governments/ UT Administrations from time to time to give more focused attention to the administration of the criminal justice system with emphasis on prevention and control of crime.

2. A good relationship of Police with media helps focus on the positive work done by the Police and the good detective and investigative efforts made. When crimes occur, the situation should be used to put the crime and law and order situation in correct perspective, bring out efforts being made by the police to nab the accused, prevent unnecessary panic, and send a message to the public from the angle of crime prevention and alert them against terrorist acts etc. Press communiqués and conferences form a vital component of communication channel between police and media. However, while sharing information with the public through the media, adequate precautions need to be taken to ensure that only authentic and appropriate information as is professionally necessary is shared without hampering the process of investigation or issues of legal/privacy rights of the accused/victims and matters of strategic and national interest.

The following guidelines may be scrupulously adhered to while dealing with media:

- I. Only designated officers should disseminate information to the media on major crime and law and order incidents, important detections, recoveries and other notable achievements of the police.
- II. Police Officers should confine their briefings to the essential facts and not rush to the press with half-baked, speculative or unconfirmed information about ongoing investigations. The briefing should normally be done only at the following stages of a case:
 - a. Registration
 - b. Arrest of accused persons

- c. Charge-sheeting of the case
- d. Final outcome of case such as conviction/acquittal etc.

In a case that attracts the interest of the media, a specific time may be fixed everyday when the designated officer would make an appropriate statement on the investigation.

- III. In the first 48 hours there should be no unnecessary release of information except about the facts of the incident and that the investigation has been taken up.
- IV. The general tendency to give piecemeal information/clues, on a daily/regular basis, with regard to the progress/various lines of investigation, should be strongly discouraged so that the investigations are not compromised and the criminals/suspects do not take undue advantage of information shared by the Police authorities about the likely course of the investigation.
- V. Meticulous compliance with the legal provisions and Court guidelines regarding protection of the identity of juveniles and rape victims should be ensured, and under no circumstances should the identity of juveniles and victims in rape cases be disclosed to the media.
- VI. Due care should be taken to ensure that there is no violation of the legal, privacy and human rights of the accused/victims.
 - a. Arrested persons should not be paraded before the media.
 - b. Faces of arrested persons whose Test Identification Parade is required to be conducted should not be exposed to the media.
- VII. No opinionated and judgmental statements should be made by the police while briefing the media.
- VIII. As far as possible no interview of the accused/victims by the media should be permitted till the statements are recorded by the police.
- IX. The professional tradecraft of policing and technical means used for the detection of criminal cases should not be disclosed as it alerts potential criminals to take appropriate precautions while planning their next crime.
- X. In cases where National security is at stake, no information should be shared with the media till the whole operation is over or until all the accused persons have been apprehended.
- XI. The modus operandi of carrying out the operations should not be made public. Only the particulars of apprehended persons and details of recovery should be revealed to the media on completion of the operations.
- XII. There should not be any violation of court directions and other guidelines issued by the authorities from time to time on this matter.
- XIII. Preferably, there should be one officer designated as the Public Relations Officer to handle the immediate information needs of all media persons and give the correct and factual position of any crime incident.
- XIV. As and when instances of misreporting or incorrect reporting of facts/details pertaining to an incident or the department comes to notice, a suitable rejoinder

should immediately be issued and, in more serious cases, the matter should be taken up at the appropriate levels for remedial action.

XV. Any deviation by the police officer/official concerned from these instructions should be viewed seriously and action should be taken against such police officer/official.

3. You are requested to kindly issue suitable directions to all concerned under intimation to this Ministry. The receipt of this letter may kindly be acknowledged immediately.

Yours faithfully,

(Nirmaljeet Singh Kalsi)
Joint Secretary to the Government of India
Ministry of Home Affairs, North Block
New Delhi - 110001
Tel. No. 23092630

To,

- 1. The Chief Secretaries of all State Governments and UT Administrations**
- 2. The Principal Secretary / Secretary (Home) of all State Governments and UT Administrations.**
- 3. Copy also for information and necessary action to:**
 - i. The DGs / IGs (In-charge of Prisons) - All State Governments / UTs for information and necessary action.
 - ii. The DGs of CPMFs/CPOs, Ministry of Home Affairs, Government of India.
 - iii. Director CBI, DoPT, Government of India.
 - iv. Ministry of Social Justice and Empowerment (Sh. P.P. Mitra, Joint Secretary), Shastri Bhawan, New Delhi.
 - v. Ministry of Women and Child Development (Mrs. Swarup Kiolkar, Joint Secretary, MWCD) Shastri Bhawan, New Delhi.
 - vi. JS(Judicial), JS(PM), JS(P-I), JS(P-II), JS(UT), JS(NM), JS(HR), JS (NE), JS (K), JS (DM) in Ministry of Home Affairs, Government of India.
 - vii. Shri Onkar Kedia, DDG, Media, Ministry of Home Affairs, Government of India.

(Nirmaljeet Singh Kalsi)
Joint Secretary to the Govt. of India