



State of Policing and Law & Order in Mumbai

November 2020

Reported Cases of Major Crimes Against Women has increased in Mumbai from 2015-16 to 2019-20

Major Crimes	2015-16	2016-17	2017-18	2018-19	2019-20	% Change from 2015-16 to 2019-20
Murder	170	141	115	165	164	-4%
Rape	728	576	792	784	904	24%
Molestation	2,145	2,103	2,358	2,533	2,677	25%
Riots	452	454	528	452	365	-19%
Chain Snatching	837	355	162	168	165	-80%
House-breaking (Day and Night)	2,877	2,570	2,427	2,192	2,032	-29%
Thefts	7,006	6,622	6,559	5,869	5,749	-18%
Vehicle Theft	3,324	3,046	3,245	2,849	2,697	-19%

North Central Mumbai Reported Highest Crimes in 2019-20

Rank	Area/ Cases	Murder	Rape	House Breaking	Thefts	Overall
1	Area	NEM	NCM	NCM	NCM	NCM
	Cases	42	281	580	1,833	12,865
2	Area	NCM	NWM	NWM	NWM	NWM
	Cases	40	251	540	1,435	11,088
3	Area	SCM	SCM	NM	SM	NM
	Cases	36	199	501	1,110	7,666
4	Area	NWM	NM	SCM	NM	SCM
	Cases	31	187	416	1,006	7,625
5	Area	NM	NEM	NEM	SCM	SM
	Cases	29	167	317	903	7,223
6	Area	SM	SM	SM	NEM	NEM
	Cases	27	91	232	671	6,594

Note: 1st refers to highest number of crimes reported and 6th is least number of crimes reported

North Mumbai (NM) includes: P/N, R/S, R/N, R/C wards covering areas Dahisar, Borivali, Kandivali, Malad; North West Mumbai(NWM) includes: K/E, K/W, P/S, P/N wards covering areas Jogeshwari, Goregaon, Andheri, Malad; North East Mumbai(NEM) includes: M/E, N, S, T wards covering areas Mulund, Bhandup, Vikhroli, Ghatkopar, Govandi; North Central Mumbai(NCM) includes: H/E, H/W, K/E, L, M/W wards covering areas Vileparle, Kurla, Bandra, Chembur; South Central Mumbai(SCM) includes: F/N, G/N, M/W, M/E wards covering areas Dadar, Sion Koliwada, Mahim, Chembur; and South Mumbai(SM) includes: A, B, C, D, E, F/S, G/S wards covering areas Parel, Worli, Byculla, Colaba, Malabar Hill

Shortage in Personnel Impacts the Performance and Functioning of the Policing and Law and Order System

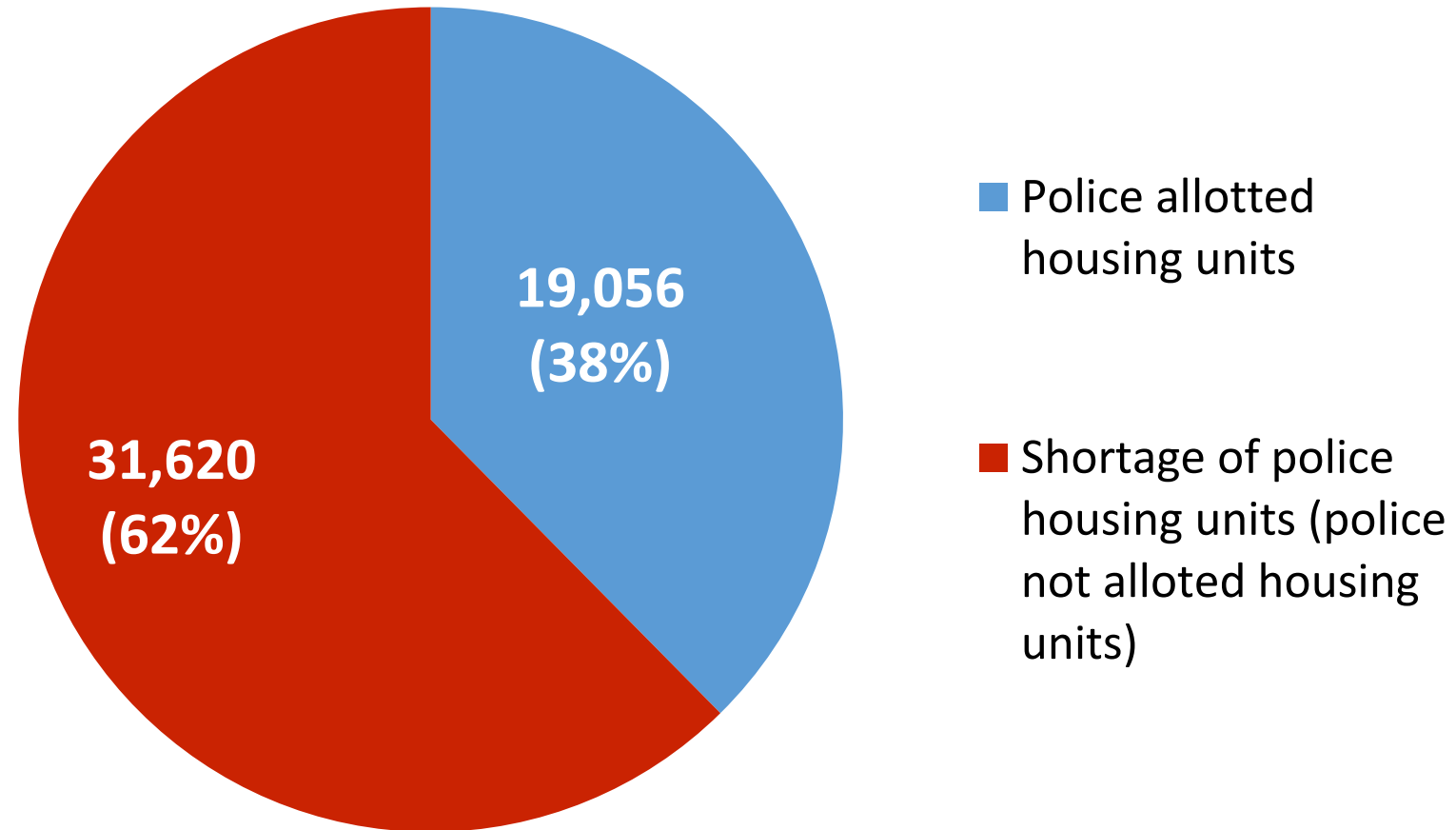
Personnel	2019			2020		
	Sanctioned	Working	%	Sanctioned	Working	%
Police	50,488	41,115	-19%	51,068	41,788	-18%
Forensic Laboratory	426	249	-42%	426	249	-42%
Sessions Court Prosecutors	50	36	-28%	50	36	-28%
Sessions Court Judges	82	70	-15%	86	74	-14%

Note: Prosecutors and forensic data is as on March of that year, Judges data is as on April of that year, and Police data is as on July of that year as received through RTI.

Highest Deaths among Mumbai police from April 2017 to October 2020 were due to Heart Related Diseases

Major Causes of Death	April 2017 to March 2018	April 2018 to March 2019	April 2019 to March 2020	April to October 2020
Heart diseases	35	39	23	16
Cancer	14	15	16	7
Diabetes	8	3	7	0
Tuberculosis	3	5	4	2
Respiratory diseases	2	4	2	4
Liver/Kidney disorders	9	8	14	12
Suicide	4	5	5	2
Accident	9	6	5	8
COVID-19	0	0	0	90
Other	66	48	63	24
Total	150	133	139	165

62% of Mumbai police have not been Allotted Police Housing as on March 2020

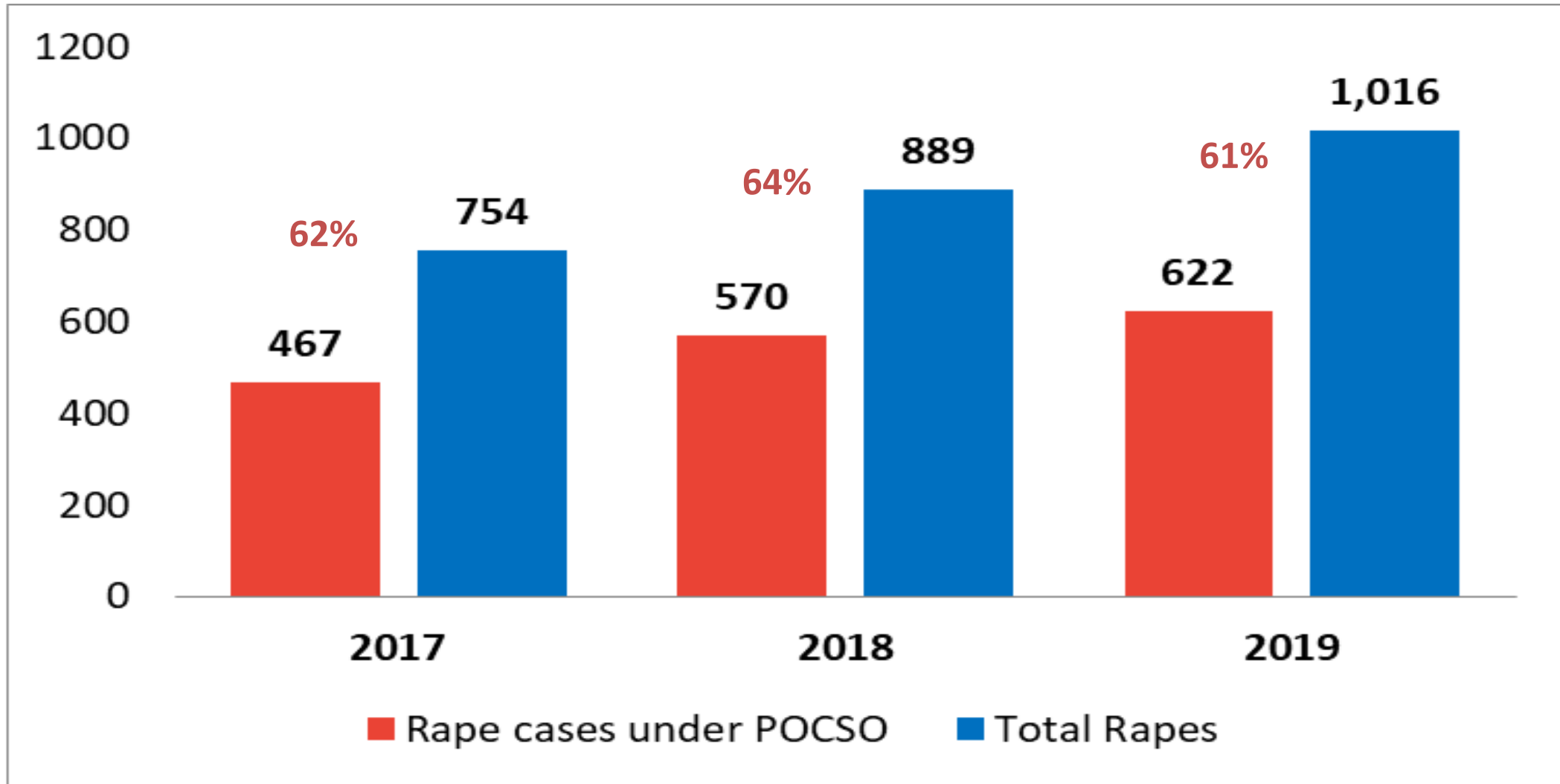


High Pendency in Investigation and Trials in Mumbai in 2019

Investigation/Trial	IPC Crimes	SLL Crimes	Crime Against Women	Crime Against Children	Crimes Under POCSO
Police Investigation					
Total cases for investigation	1,19,926	40,831	15,654	11,268	3,039
% of cases pending for investigation at year end	64%	55%	67%	73%	61%
Trial By Courts					
Total cases for trial	2,49,922	88,736	23,791	8,126	4,250
% of Convicted cases	57%	81%	31%	38%	46%
% of Acquitted/Discharged cases	43%	19%	69%	62%	54%
Number of cases pending for trial at year end	2,33,935	76,899	22,368	7,496	3,802
% of cases pending for trial at year end	94%	87%	94%	92%	89%

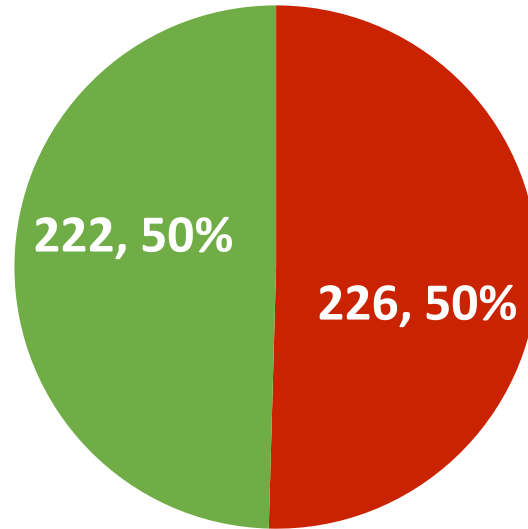
- There was a **high pendency of investigation** in cases of crime against women (67%) and children (73%) in 2019.
- The percentage of cases examined for forensic investigation **fell drastically from 88% in 2018 to 55% in 2019**. 17,749 cases were pending for forensic investigation at the end of 2019.
- A total of 2,49,922 cases were to be tried in courts for IPC in Mumbai in 2019 out of which **judgement was given in just 6% cases**.

61% of Total Rape Cases in Mumbai were Committed Against Children in 2019



Implementation of Special Law Provisions –The Case of POCSO Courts in Mumbai

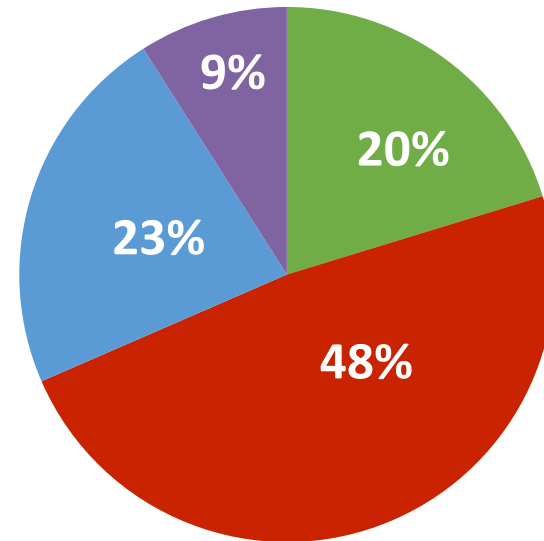
Section 28 of POCSO Act:
All POCSO Cases to be tried by **Special POCSO Court**



- Cases tried in other criminal courts
- Cases tried in POCSO court

In half of the total POCSO cases trial in 2019 was not done in special POCSO Court.

Section 35 of POCSO Act:
POCSO Court to **complete trials within one year** of cognizance of offence.



- Upto 1 Year
- 1 to 3 years
- 3 to 5 years
- 5 to 10 years

Of 222 cases tried in POCSO Court in 2019 only 20% cases were completed within one year.

Life Cycle Study of Sessions Court from 2013 to 2017

- Praja conducted a lifecycle study of sessions court cases to understand the conviction rates, reasons for acquittal, time taken for investigation and trial for heinous IPC crimes.
- The first sessions court study on 1,326 sessions court cases with judgement from 2008 to 2012 was published in Praja's 2018 report on State of Policing and Law and Order. It showed the conviction rate to be 23% of the cases studied. Of the cases that were acquitted, 90% were due to failure to prove charge, due to lack of evidence or witnesses.
- The second sessions court study currently done is of 2,450 sessions court cases with judgement from 2013 to 2017.

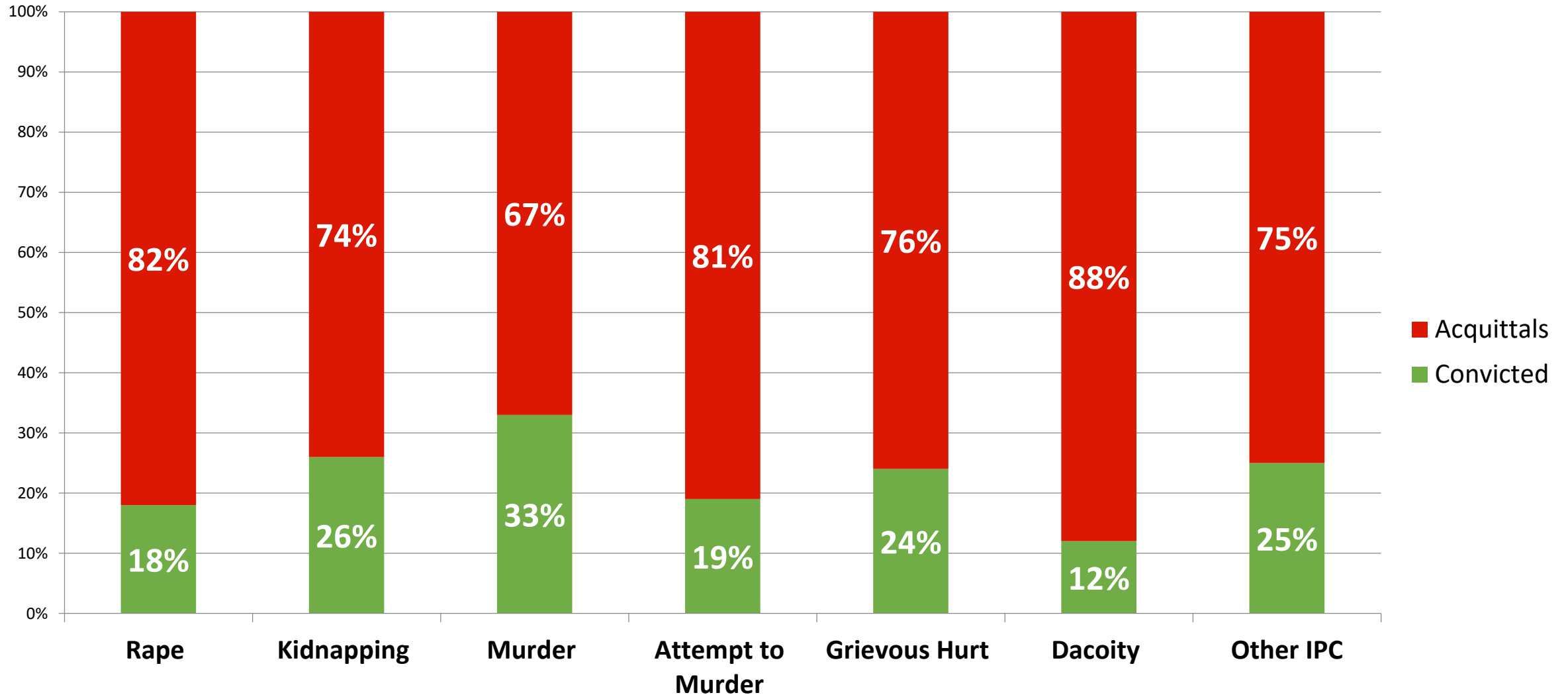
Conviction Rate of IPC crimes in Mumbai's Sessions Court has remained almost same since last 10 years

Years	Cases	Convicted	Acquitted	Total
2008 to 2012	Number of cases	310	1,016	1,326
	% of cases to total	23%	77%	100%
2013 to 2017	Number of cases	586	1,864	2,450
	% of cases to total	24%	76%	100%

Time Taken for Sessions Court Trial has doubled in 2013-17 compared to 2008-12

Years	Months Taken			
	FIR date to Charge sheet	Charge sheet to first hearing date	First Hearing to Decision Date	FIR to Decision Date
2008 to 2012	11.6	1.9	12.3	25.8
2013 to 2017	11.1	0.7	28.6	40.4

On an Average, only 24% of IPC cases were Convicted in Mumbai's Sessions Courts from 2013 to 2017

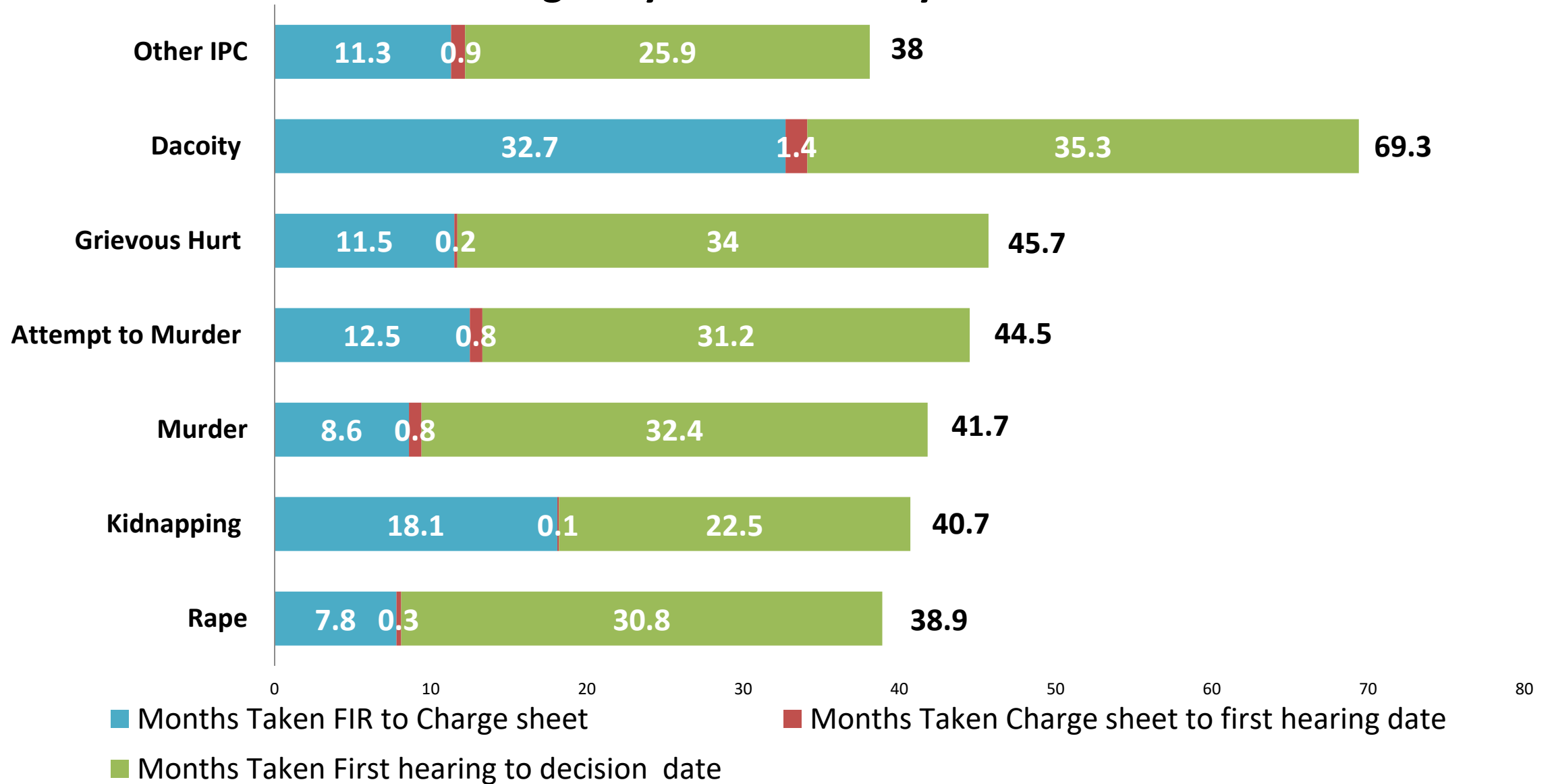


Reasons for Acquittal

On an Average, 80% of IPC Cases were Acquitted Because of Failure to Prove Guilt Due to Lack of Evidence/Witness

Major Crimes	Reasons (% of cases)				Total Acquitted Cases
	Witness/Victim Hostile	Complainant withdrew case	Benefit of doubt	Failure to prove guilt charge(lack of evidence/witness)	
Rape	9%	3%	12%	77%	388
Kidnapping	10%	5%	7%	78%	59
Murder	9%	0%	13%	78%	232
Attempt to Murder	19%	0%	12%	68%	219
Grievous Hurt	14%	0%	9%	77%	44
Dacoity	0%	0%	12%	88%	50
Other IPC	5%	0%	11%	84%	872

It took 3.4 years on an Average to solve cases from FIR to Judgement, Highest being 5.8 years in Dacoity cases



Recommendations (1/2)

Human Resources

- There is a dire need for having **adequate police force, forensic personnel, judicial personnel and filling the sanctioned posts for effective investigation and trial of cases.**
- There is a need to ensure **better working and living conditions** for police personnel, so that they can perform their duties effectively.
- **Police reforms such as separation of investigation and law and order** although implemented, the number of investigation officers required based on the number of cases needs to be regularly revised.

Monitoring and Accountability

- One of the police reforms was implementation of Police Complaints Authority (PCA) at the state and divisional levels. **Divisional PCA** needs to be set up for Mumbai to enable citizens to complaint against police of or below rank of senior police inspector. **PCA needs to be given independent authority** to try cases and take decisions against atrocities by police.
- Police reform of **State Security Commission to make** broad policy guidelines and evaluate the performance of the police needs to be set up.
- The **implementation of special laws such as POCSO** needs to be effectively monitored- for example ensuring that special courts try POCSO cases in a timely manner and dispose the cases within one year as prescribed by the Act.

Sensitisation of Sexual Crimes against Children

- There is need for a **multi-stakeholder approach to be adopted for creating awareness and sensitising people to prevent sexual abuse of children**, by engaging with all the stakeholders i.e. children, families, communities, schools, colleges, civil society organisations and the police.

Police-Citizen Relations

- It is important that citizens gain faith and are comfortable in reaching out to police when they witness or face crime. For this the police-citizen relations need to be improved through **trust building and awareness**.
- Police officials need to be **sensitised** to involve citizens as partners in policing, welcome inputs from the community and act in a collaborative and co-operative manner when it comes to reporting of cases, leads, etc. For this **training** and counselling of police officials on the behavioural skills towards citizens needs to be done.