

WHITE PAPER



State of Policing and Law & Order in Mumbai

December 2021

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I. Foreword

The COVID-19 outbreak has had a global impact on all our lives and has put the various systems that surround our lives, to the test. As doctors, nurses and other healthcare workers went into overdrive, so did our police personnel. Often risking their own lives (100 police personnel deaths in Mumbai happened due to COVID-19 in 2020), they were seen to be on duty to maintain law and order in our cities. We thank Mumbai police personnel for their selfless service in these troubling times.

Mumbai, a metropolitan city where people from all over the country come to live and work, has however recorded a steady number of major offences in the last 5 years with the exception of 2020, which saw a marginal decrease due to the COVID-19 restrictions.

However, it was noticed that there was a high pendency of investigation in cases of crime against children (80%), women (77%) and SLL (Special and Local Laws) crimes (77%) as on 2020. 58% of total rape cases in Mumbai were committed against children in 2020. Furthermore, a massive 98% of POCSO (Protection of Children from Sexual Offences) rape case offenders were known to the victim in 2020. Moreover, as per the POCSO Act, the judgement of all POCSO cases should be tried in POCSO courts and should be completed within a period of one year from the time of cognizance of the offence. However, a massive 28% of the total POCSO cases as on 2020, were not tried in the special POCSO courts and 49% (in 2018), 48% (in 2019) and 45% (in 2020) of total cases took 1 to 3 years to receive judgement.

Furthermore, the percentage of cases examined for forensic investigation also fell from 55% in 2019 to 50% in 2020. 16,608 cases were pending for forensic investigation at the end of 2020. Gaps in the investigation of IPC cases were also alarming. 76% IPC cases were pending for investigation at the end of 2020 out of 1,26,921 cases which were to be investigated in Mumbai.

In the judicial front, Mumbai has not fared well either. Pending trials increased from an already large percentage of 94% (2016) to an even greater 98% (2020). On the other hand, a total of 2,55,355 cases were tried in courts for IPC in Mumbai, out of which judgement was given in just 2% cases as on December 2020. It is also alarming to note, 85% of accused in Class II serious offence IPC cases were acquitted in Mumbai's Sessions Courts as on 2020. Further, 99% of serious offence cases were pending for trial at the end of 2020. It would take 30 years to complete judgement of all the cases that are pending as on 2020 based on the average number of judgements / withdrawals (2550 cases) in the last 5 years of Class II serious offences and assuming no further cases go for trial henceforth.

These gaps in the state of policing and law & order situation in Mumbai can however largely be attributed to the massive shortage in personnel in both these departments. As of 31st July 2021, the number of sanctioned police personnel posts was 51,255, of which 41,396 personnel were working – indicating a shortfall of 19%. Furthermore, there was a shortage of the officers involved in investigation - such as an 18% shortage of P.S.I posts. 50% cases sent to the forensic department were also pending as of 2020. The pendency of cases for forensic examination directly impacts the time taken for investigation of cases. In this regard, an alarming shortage in personnel in the forensic laboratories (45% shortage) was noticed in which, none of the 28 sanctioned posts for scientific officers were filled.

For the judiciary, position for Sessions Court judges were also not filled appropriately. A shortage of 30% was seen in filling Sessions Court judges where only 69 judges were seen to be working of the total 98 sanctioned as of 2021. The shortage has in fact increased since 2020 when it was 14% (74

working out of 86). The condition is similar for Sessions Court public prosecutors as well. A shortage of 30% (35 working out of 50) was seen in this position in 2021, up from a 28% shortage (36 working out of 50) in 2020. With increasing urban population of Mumbai, it is not just important to fill the remaining sanctioned posts, but also to revisit the number of sanctioned posts each year to cope up with the increasing number of trials.

While it is important to hire new personnel, it is equally important to ensure other amenities such as allotment of houses/quarters for them. In 2020, there was a shortage of a massive 31,839 (62%) housing units whereas only 18,402 (36%) housing units were allotted.

There is an urgent need for effective implementation of police reforms to mitigate the various issues mentioned above. Police Complaints Authority (PCA) has been set up and is in its initial stages, however PCA was not operational for Konkan Division, which consists of Mumbai region, until September 2021. Separation of policing and law and order functions ensures that police personnel involved in investigation of cases are not diverted to perform law and order functions. This reform will enable use of separate investigation unit staff who will be able to undertake timely investigation of cases. The data for the segregation of unit staff is not available on record for 2020. Furthermore, State Security Commission (SSC) that lays down broad policy guidelines and evaluates the performance of the police personnel has also not been established.

Mumbai's Members of the Legislative Assembly (MLAs) need to ensure that deliberations are followed through and reforms are made in correlation to their deliberations. A maximum number of questions (97 questions) were asked on 'Police and establishment'. However, reform in this area has not been effectively implemented.

Apart from that, there is a dire need to have adequate police force, forensic personnel, judicial personnel and to fill the sanctioned posts for effective investigation and trial of cases. Ensuring better working and living conditions, setting up of Divisional PCA (Police Complaints Authority) and giving independent authority to try cases and take decisions against atrocities by police, effective monitoring of implementation of special laws such as POCSO Act are also important steps towards better policing. However, citizens also play an important role in reducing crime in a city. Therefore, a multi-stakeholder approach needs to be adopted for creating awareness and sensitising people to prevent sexual abuse of children while also implementing community policing to improve police-citizen relationship. Safety and security are basic necessities for the city that never sleeps and implementing the above-mentioned reforms can go a long way in ensuring the same.

NITAI MEHTA

Managing Trustee, Praja Foundation

II. Acknowledgement

Praja has obtained the data used in compiling this white paper through the Right to Information Act, 2005. Hence it is very important to acknowledge the RTI Act and everyone involved, especially the officials who have provided us with this information diligently.

We would like to appreciate our stakeholders; particularly, our Elected Representatives and government officials, the Civil Society Organisations (CSOs) and the journalists who utilise and publicise our data and, by doing so, ensure that awareness regarding various issues that we discuss is distributed to a wide-ranging population. We would like to take this opportunity to specifically extend our gratitude to all government officials for their continuous cooperation and support.

Praja Foundation appreciates the support given by our supporters and donors, namely Friedrich Naumann Foundation, Madhu Mehta Foundation and numerous other individual supporters. Their support has made it possible for us to conduct our study and publish this white paper.

We would also like to thank our group of Advisors and Trustees and lastly but not the least, we would like to acknowledge the contributions of all members of Praja's team including our research interns, who worked to make this white paper a reality.



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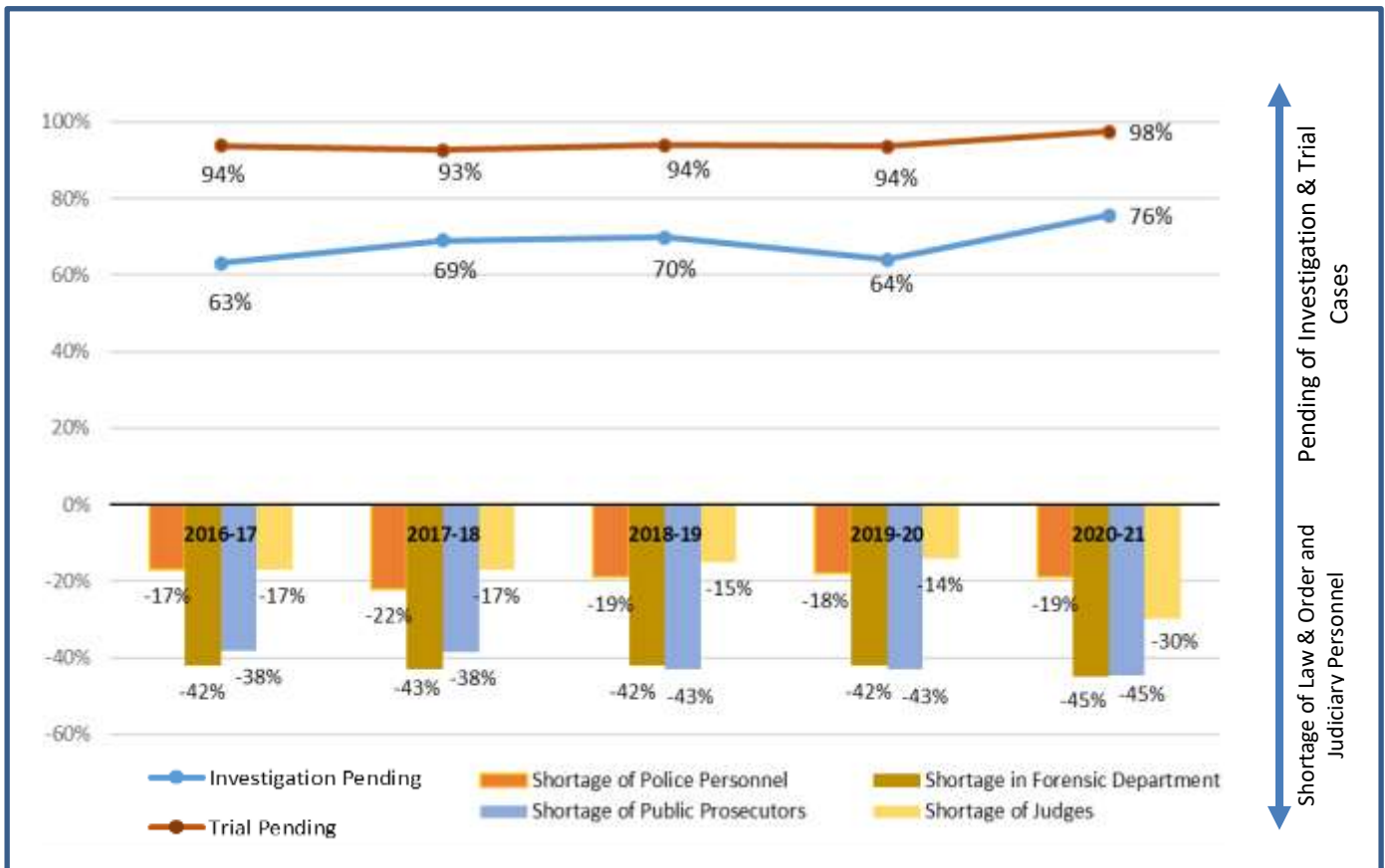
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III. Summary of State of Policing and Judiciary in Mumbai, Its Impact on Solving of Major Crimes and Recommendations

Figure 1 : Pending Investigation & Trial and Shortage of Law & Order and Judiciary Personnel for last 5 Years



Inference:

There were 96,057 cases pending for investigation and 2,49,027 for trial as of 2020.

Table 1 : Key Summary, Impact and Recommendation

State of Police Personnel and Judiciary	Impact on Solving of Major Crimes	Recommendations
<p>There was a shortage of 18% in the post of Police Sub-Inspector (P.S.I.) in 2020-21, who also perform the role of investigation officers.</p> <p>There was a shortage of 45% (233 working out of 426 sanctioned) in Mumbai's Forensic Laboratory in 2020-21.</p> <p>Police reforms such as separation of investigation and law and order that ensures focus of personnel on investigation has been implemented and there are separate Investigation Units set up.</p> <p>There was a 30% shortage in Sessions court judges as of April 2021.</p> <p>There was a 30% shortage in Mumbai's Sessions Court public prosecutors in 2020-21.</p>	<p>There was a high pendency of investigation in cases of crime against women (77%) and children (80%) in 2020.</p> <p>The percentage of cases examined in Mumbai's forensic lab fell drastically from 55% in 2019 to 50% in 2020. 16,608 cases were pending for forensic investigation at the end of 2020.</p> <p>Of the total IPC cases investigated by Mumbai police in 2020 (21,420) charge sheet was filed in 17% of the cases.</p> <p>A total of 2,55,355 cases were to be tried in courts for IPC in Mumbai in 2020 out of which judgement was given in just 2% of cases.</p> <p>98% of total IPC cases & Crime Against women, 97% Crime against children cases were pending for trial as on 2020.</p>	<p>There is a dire need for having adequate police force and forensic personnel and filling the sanctioned posts for effective policing and investigation.</p> <p>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.</p> <p>The police-citizen relations need to be improved through trust building and awareness.</p> <p>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.</p> <p>There is a dire need for having adequate judicial personnel and filling the sanctioned posts for effective functioning of judiciary.</p>
<p>The Protection of Children Against Sexual Offences (POCSO) Act provides for a separate POCSO court to try cases of sexual crimes against children and ensure completion within one year of cognisance of offense.</p> <p>This is however not being properly implemented.</p>	<p>58% of total rape cases (767) were against children (under age of 18) as registered in POCSO in 2020.</p> <p>28% of the total POCSO cases trial as on 2020 was not done in special POCSO Court.</p>	<p>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.</p>

	Of 134 cases tried in POCSO Court in 2020, 68% took more than one year to complete, from the time of cognizance of the offence.	The implementation of special laws such as POCSO needs to be effectively monitored- for example ensuring that special courts try POCSO cases and disposes the cases within one year as prescribed by the Act.
<p>Under police reforms, there is a need to implement agencies such as the State Security Commission (SSC) to lay down broad policy guidelines and evaluate the performance of the police; however, this has not been implemented.</p> <p>Police Complaints Authority (PCA) has been set up at state level (for complaints against posts of Deputy Superintendent/Assistant Commissioner of Police and above) but not at the divisional level (Konkan Division) for Mumbai. Therefore, there is no authority where public complaints against police officers in Mumbai of rank of Senior Police Inspector and below in cases of serious misconduct or heinous crimes could be made.</p>	<p>Lack of SSC and PCAs leads to poor functioning of policing system and lack of accountability.</p> <p>As the Konkan Divisional PCA was set up in September 2021, it is imperative that all the other Divisional PCAs must be set up, as a serious gap exists in the accountability mechanism of the police department and no proper grievance mechanism for complaints against the police exists.</p> <p>PCA only has powers for recommendation and the final decision regarding any case lies with government.</p>	<p>There is a need to set up the SSC and ensure its effective functioning to enable better service conditions for police and thereby ensure better investigation of crimes.</p> <p>Divisional PCAs need to be set up to enable citizens to complaint against police of or below rank of senior police inspector rank.</p> <p>PCA needs to be given independent authority to try cases and take decisions against atrocities by police.</p>

IV: Crime Statistics

A. Major Crimes Reported in Mumbai

Table 2: Reporting of Major Crimes in Mumbai from 2017 to 2020¹

Major Crimes	2017	2018	2019	2020	% Change from 2019 to 2020
Murder	127	164	165	148	-10%
Rape	751	889	1,015	767	-24%
Molestation	2,268	2,586	2,678	1,945	-27%
Riots	441	545	375	324	-14%
Kidnapping & Abduction ²	2,159	2,202	2,102	1,173	-44%
Chain Snatching	169	171	156	138	-12%
House Breaking (Day & Night)	2,409	2,244	2,058	1,645	-20%
Robbery / Dacoity	881	963	1,008	629	-42%
Thefts	6,704	6,260	5,888	3,433	4%
Vehicle Theft	3,012	3,203	2,693	2,801	-38%

Inference:

- Theft, Motor Vehicle Theft, Molestation, House Breaking, Kidnapping & Abduction are highest Crimes offences reported in 2020.
- However, reporting of major crimes has decreased from 2019 to 2020, for e.g. rape cases fell by 24% and murder by 10%.
- But if compared from 2017 to 2020 Murder cases has increased by 17% (127 to 148) in the last 4 years in Mumbai.

¹ Mumbai Police website: <https://mumbaipolice.gov.in/CrimeStatistics>.

² Crime in India, 2017, 2018, 2019 and 2020 - <https://ncrb.gov.in/en/crime-in-india>

Table 3: Gender wise Victims and Cases of Kidnapping and Abduction in Mumbai from 2018 to 2020³

Year		2018	2019	2020
Total Cases of Kidnapping and Abduction		2,202	2,102	1,173
Kidnapping Victims	Girls	1,368	1,334	767
	%	63%	62%	67%
	Boys	807	803	383
	%	37%	38%	33%
	Total	2,175	2,137	1,150
Abduction Victims	Female	20	15	6
	%	38%	31%	21%
	Male	33	33	23
	%	62%	69%	79%
	Total	53	48	29
Total Victims		2,228	2,185	1,179

Inference:

- 98% of total victims of kidnapping and abduction were children (kidnapping) in 2020.
- 67% of total kidnapping victims were girls in 2020, whereas for abduction majority victims were males (79%).

³ Crime in India, 2018, 2019 and 2020 - <https://ncrb.gov.in/en/crime-in-india>

Figure 2: Age and Gender wise Percentage of victims of Kidnapping (Sec 363, 363A) in Mumbai from 2018 to 2020⁴

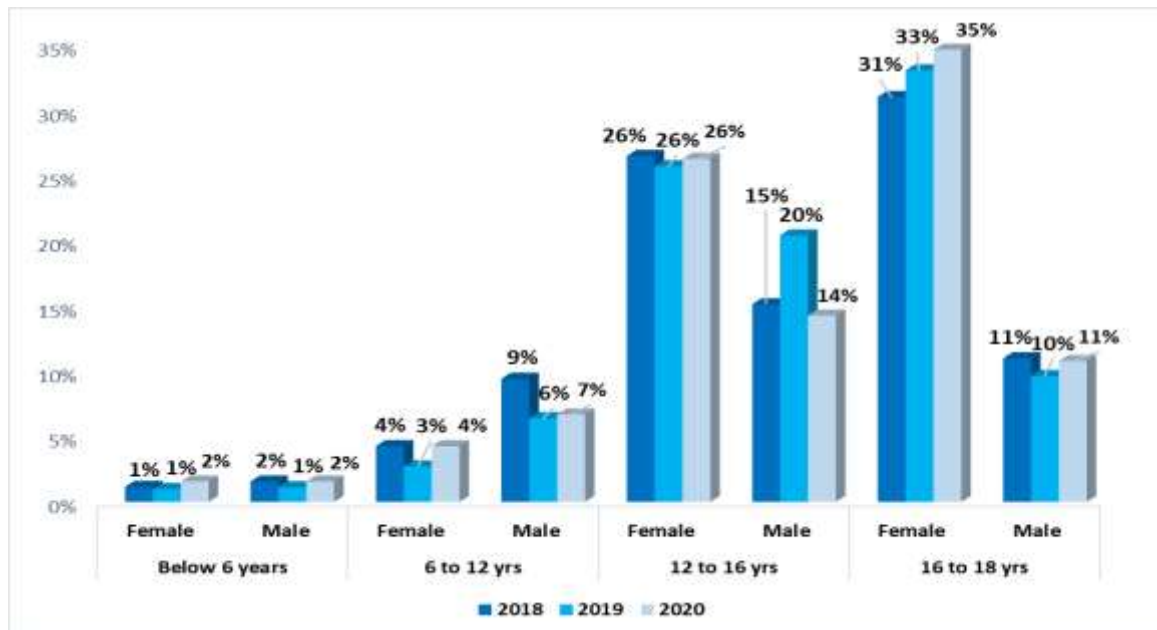
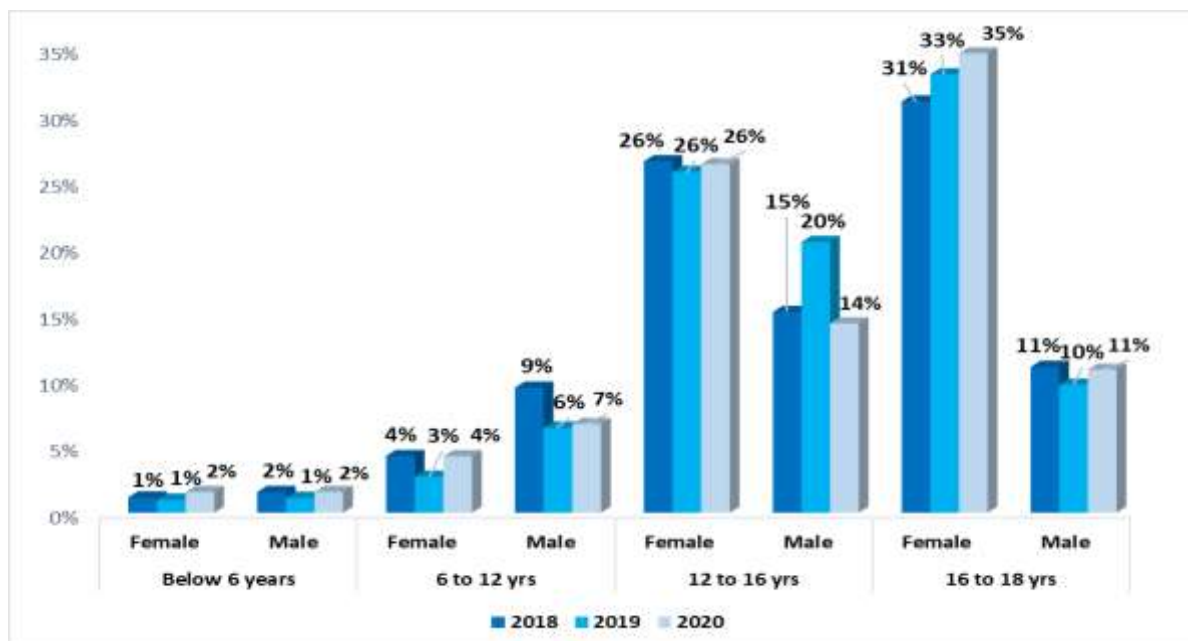


Figure 3: Age and Gender wise Percentage of victims of Abduction (Sec 362) in Mumbai from 2018 to 2020



Inference:

- Most victims of kidnapping were of age group 12 to 16 years (41% in 2020) and 16 to 18 years (45% in 2020).
- 59% abduction victims were of age group 30 to 60 years in 2020.

⁴ Crime in India, 2018, 2019 and 2020 - <https://ncrb.gov.in/en/crime-in-india>

Table 4: Recovery of Victims of Kidnapping and Abduction in Mumbai from 2018 to 2020⁵

Criteria	2018			2019			2020		
	Female	Male	Total	Female	Male	Total	Female	Male	Total
Unrecovered Victims of Previous Years of Kidnapping & Abduction (As on 31st December of last year)	520	261	781	840	458	1,298	905	449	1,354
Persons Kidnapped & Abducted in the current year	1,388	840	2,228	1,349	836	2,185	773	406	1,179
Total Persons Kidnapped & Abducted	1,908	1,101	3,009	2,189	1,294	3,483	1,678	855	2,533
Persons Recovered Alive	1,039	624	1,663	1,283	841	2,124	711	387	1,098
% Persons Recovered Alive	54%	57%	55%	59%	65%	61%	42%	45%	43%
Persons Recovered Dead	29	19	48	1	4	5	2	2	4
Total Recovered (Alive + Dead)	1,068	643	1,711	1,284	845	2,129	713	389	1,102
% Total Recovered	56%	58%	57%	59%	65%	61%	42%	45%	44%
Un-Recovered Kidnapped & Abducted Persons (As on 31st December of current year)	840	458	1,298	905	449	1,354	965	466	1,431
% Un-Recovered	44%	42%	43%	41%	35%	39%	58%	55%	56%

Inference:

- In 2020, out of 2,533 victims of kidnapping and abduction, 44% were recovered.
- However, total recovery percent has fallen in 2020 to 44%, as compared to 61% in 2019.

⁵ Crime in India, 2018, 2019 and 2020 - <https://ncrb.gov.in/en/crime-in-india>

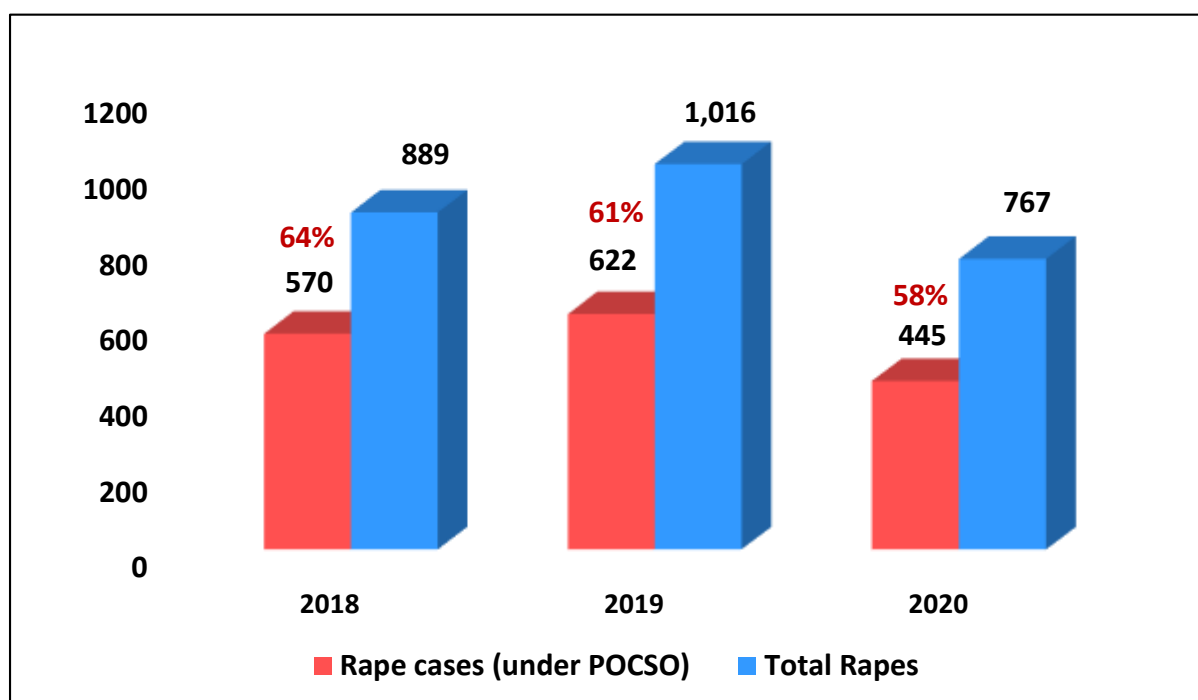
B. Cases under Protection of Children Against Sexual Offences (POCSO) Act⁶

A long due step to protect the rights of children, acknowledging the rampant problem of Child Sexual Abuse (CSA) in India, was enacting of the special law- Protection of Children Against Sexual Offences (POCSO) 2012.

Under this law, child rape, harassment, exploitative use of children for the purposes of prostitution and pornography are all criminalised and severely punished. This Act also brought gender parity- victims of all genders under the age of 18 can report a sexual crime.

The Act (Section 28) also envisioned the setting up of special courts for speedy trial and delivery of justice taking into consideration the exposure that a child would face if proceedings took place in regular courts. Further, the Act (Section 35) provided for the cases to be disposed within a period of one year from the time of cognisance of the offense to ensure speedy justice to the child victims and prevent arduous and prolonged proceedings that would have a negative impact on the victim's health.

Figure 4: Percentage of Rape Cases under POCSO to Total Rapes⁷ from 2018 to 2020



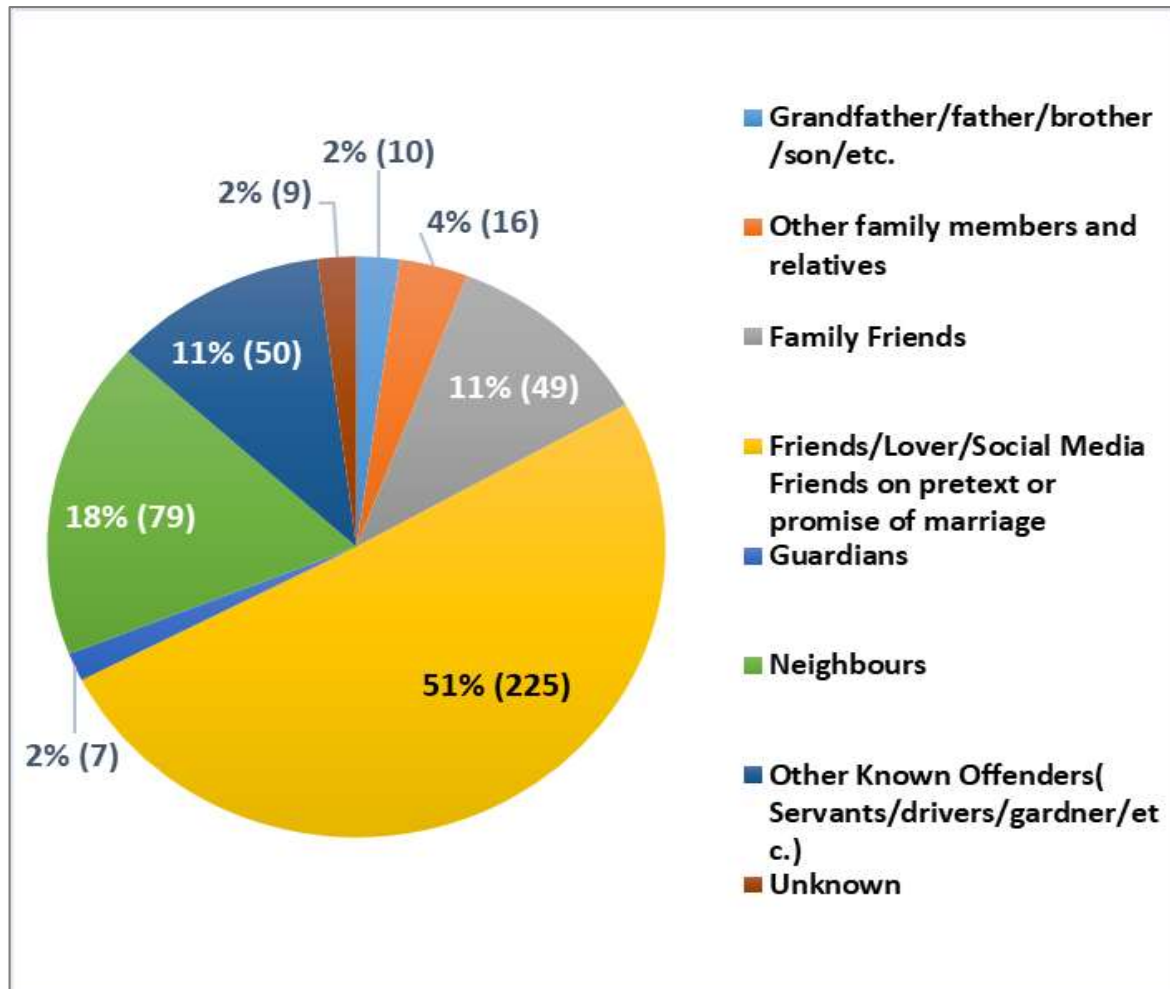
Inference:

- 58% of total rape cases (767) were against children (under age of 18) as registered in POCSO in 2020.
- This highlights the need of 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.

⁶ Crime in India, 2018, 2019 and 2020- <https://ncrb.gov.in/en/crime-in-india>

⁷ Total Rapes cases as per RTI data

Figure 5: POCSO Rape Cases (Section 4 and 6) Offenders Relation to Victim in 2020



Inference:

- In 98% of POCSO rape cases offenders were known to the victim in 2020.
- In 51% cases, rape offenders were friends on pretext of marriage while 18% cases were neighbours.

Table 5: Reporting of Sexual Crimes against Children under POCSO from 2018 to 2020

POCSO Sections	Gender	Cases/Victims	2018	2019	2020
Child Rape (Sec. 4 & 6 of POCSO Act)/Sec. 376 IPC)	Girls	Cases Reported	570	622	445
		Victims	669	628	454
	Boys	Cases Reported	0	0	0
		Victims	0	0	0
Sexual Assault of Children (Sec. 8 & 10 of POCSO Act) / Sec. 354 IPC)	Girls	Cases Reported	548	609	439
		Victims	556	710	453
	Boys	Cases Reported	0	0	4
		Victims	0	0	4
Sexual Harassment (Sec. 12 of POCSO Act)/Sec. 509 IPC)	Girls	Cases Reported	21	23	19
		Victims	24	28	23
	Boys	Cases Reported	0	0	0
		Victims	0	0	0
Use of Child for Pornography/Storing Child Pornography Material (Sec. 14 & 15 of POCSO Act)	Girls	Cases Reported	3	14	14
		Victims	3	14	14
	Boys	Cases Reported	0	5	2
		Victims	0	5	7
Abatement and Attempt of Crimes under POCSO Act (Sections 17 to 22)	Girls	Cases Reported	0	0	2
		Victims	0	0	3
	Boys	Cases Reported	0	0	0
		Victims	0	0	0
POCSO Act r/w Section 377 IPC / Unnatural Offences	Girls	Cases Reported	0	1	3
		Victims	0	1	3
	Boys	Cases Reported	2	45	36
		Victims	2	45	37
Total	Girls	Cases Reported	1,142	1,269	922
		Victims	1,252	1,381	950
	Boys	Cases Reported	2	50	42
		Victims	2	50	48
Grand Total		Cases Reported	1,144	1,319	964
		Victims	1,254	1,431	998

Inference:

- In 96% of the total 964 POCSO cases in 2020 victims were girls, in which highest cases were of rape (445) and sexual assault (439).
- Of the 42 cases reported of POSCO crimes against boys, 86% were unnatural offences (anal/oral intercourse). The low proportion of male cases reported to total cases also reflects the stigma attached to reporting of sexual crimes against males.

C. Road Accident Cases

Table 6: Number of Accidents, Persons Injured and Killed from 2016 to 2020⁸

Year	No. of Accidents	No. of Persons Injured	No. of Persons Died
2016	3,349	3,532	510
2017	3,160	3,287	490
2018	3,162	3,292	475
2019	2,872	2,925	447
2020	1,369	1,393	223

Inference:

- Road accidents in Mumbai have fallen from 2,872 in 2019 to 1,369 in 2020.
- 2,145 people have died and 13,912 people have been injured due to road accidents in Mumbai in the past five years.

D. Railway Crime Statistics⁹

Table 7: Reporting of Major Railway Crimes in Mumbai from 2016-17 to 2020-21

Major Crimes	2016-17	2017-18	2018-19	2019-20	2020-21
Murder	1	2	9	1	3
Dacoity/Robbery	30	569	1,050	1,177	197
All Thefts ¹⁰	2,302	22,802	23,987	18,604	1,191
Rape	5	5	1	6	1
Molestation	32	72	94	91	10
Other IPC	132	204	271	314	67
Total	2,502	23,654	25,412	20,193	1,469

Inference:

- Local railway is a mode of commute for large number of people in Mumbai and safety is an important component of transport. Although crimes in Mumbai railway has decreased significantly, this is attributed to lockdown restrictions imposed.
- Most number of cases reported in 2020-21 were thefts (1,191) followed by dacoity and robbery (197).

⁸ Economic Survey of Maharashtra.

⁹ As per RTI data

¹⁰ In Greater Mumbai Region "All Thefts" were not registered as F.I.R. in Police Station. Till 2015, only missing complaints were filed for majority of the thefts. Praja had been obtaining data only for the FIR registered for thefts for Railway Crime. From 2016, for every theft F.I.R is registered, hence there is an increase in number of registered Thefts that were obtained through RTIs.

Table 8: Accidental Injuries and Deaths in Mumbai Railways from 2016-17 to 2020-21

Police Station	Accidental Deaths					Accidental Injuries				
	2016-17	2017-18	2018-19	2019-20	2020-21	2016-17	2017-18	2018-19	2019-20	2020-21
C.S.T.	124	153	125	122	32	277	325	225	165	25
Dadar	144	128	136	114	27	106	68	99	100	29
Kurla	370	329	354	270	98	282	218	292	272	47
Wadala	157	144	143	121	45	191	230	257	183	42
Churchgate	48	44	44	34	14	171	143	149	154	14
Mumbai Central	165	168	141	116	36	329	281	321	274	31
Bandra	107	109	97	89	23	98	88	127	132	22
Andheri	120	139	126	91	20	287	254	214	193	18
Borivali	274	304	249	235	78	343	328	204	192	41
Total	1,509	1,518	1,415	1,192	373	2,084	1,935	1,888	1,665	269

Inference:

- Accidental deaths have reduced from 1,192 in 2019-20 to 373 in 2020-21.
- Accidental injuries have reduced from 1,665 in 2019-20 to 269 in 2020-21.

Table 9: Reasons of Accidental Railway Deaths in 2020-21

Stations Name	Reason of Accident Deaths									
	Line Crossing	Falling from Running Train	Hit against Rly Pole	Falling in Gaps / Platform	Electric Shock	Suicide	Natural Death due to Illness	Cause Of Death Not Known	Other Reason	Total
C.S.T.	16	4	1	0	0	0	11	0	0	32
Dadar	14	8	0	0	0	1	4	0	0	27
Kurla	68	9	0	0	1	0	20	0	0	98
Wadala	28	10	0	0	0	1	4	0	2	45
Churchgate	9	2	0	0	1	0	2	0	0	14
Mumbai Central	13	11	0	0	1	1	9	0	1	36
Bandra	14	1	0	0	1	0	7	0	0	23
Andheri	17	2	0	0	0	0	1	0	0	20
Borivali	65	6	0	0	0	1	4	0	2	78
Total	244	53	1	0	4	4	62	0	5	373
In (%)	65%	14%	0%	0%	1%	1%	17%	0%	1%	100%

Inference:

- Out of the total deaths due to railway accidents (373) in 2020-21, 65% of deaths (244) were due to line crossing.
- Accident Deaths due to line crossing were highest in Borivali (65) and Kurla (68) in 2020-21.

Table 10: Reasons of Accidental Railway Injuries in 2020-21

Stations Name	Reason of Accident Injuries									Total
	Line Crossing	Falling from Running Train	Hit against Rly Pole	Falling in Gaps/ Platform	Electric Shock	Suicide	Injured due to Illness	Cause of Injury Not Known	Other Reason	
C.S.T.	3	12	0	0	1	0	3	0	6	25
Dadar	2	9	0	0	0	0	7	0	11	29
Kurla	12	15	2	0	1	0	7	0	10	47
Wadala	9	12	0	0	2	0	17	0	2	42
Churchgate	2	2	0	0	1	0	4	0	5	14
Mumbai Central	3	10	1	0	0	0	10	0	7	31
Bandra	6	11	0	0	0	0	4	0	1	22
Andheri	3	10	0	0	0	0	2	0	3	18
Borivali	10	16	0	0	0	0	8	0	7	41
Total	50	97	3	0	5	0	62	0	52	269
In (%)	19%	36%	1%	0%	2%	0%	23%	0%	19%	100%

Inference:

Out of the total injuries due to railway accidents (269) in 2020-21, 36% of injuries (97) were due to falling from trains.

E. Cases Registered in Anti-Corruption Bureau¹¹

Table 11: Number of cases registered in Anti-Corruption Bureau (ACB) from 2016 to 2020

Year	2016	2017	2018	2019	2020
Total Complaints Registered	3,181	3,231	2,852	2,402	1,672
Cases Under ACB	771	671	659	398	199
Total FIRs registered	67	47	45	42	31

Inference:

- 1,672 cases were registered with the ACB in 2020. Of these, FIR was filed in 31 cases. Cases not taken up by ACB are not related to corruption and are transferred to the respective departments that are mandated to take up the respective complaint.
- Out of the 199 cases taken up by ACB in 2020, in only 16% of cases (31 cases), FIR was filed.

Table 12: Department wise number of FIRs registered in ACB from 2016 to 2020¹²

Year		2016	2017	2018	2019	2020
MCGM		21	24	22	18	11
Police		21	7	10	9	7
State Government of Maharashtra	Health Dept.	2	0	1	2	0
	Education Dept.	0	0	1	0	0
	Women & Child Welfare Dept.	1	0	0	0	0
	State Law & Judiciary Dept.	1	3	1	3	1
	Public Works Dept.	1	0	0	0	0
	Revenue, Taxation and GST	2	2	2	2	4
	MHADA and SRA	1	1	4	3	2
Councillor		0	0	0	0	0
MLA		2	0	0	0	0
MP		1	0	0	0	0
Other		16	10	5	4	6

Note: One FIR may be filled against multiple department/person/others; hence, total count of FIR does not match the department wise total.

Inference:

In the year 2020, the highest number of FIR's registered in ACB are against the officials of MCGM department (11) followed by Police department (7).

¹¹ The main function of Anti-Corruption Bureau is to investigate cases of corruption. Citizens can approach ACB if any of the Government officials asks for bribe for example for any government duty.

¹² Data from ACB website: <http://acbmaharashtra.gov.in/>

F. Comparative Statement of Cyber Crime Cases (IPC & LAC Cases)¹³

Table 13 : Number of Cases registered in Cyber Crime from 2017 to 2020

Head	2017	2018	2019	2020	% Change from 2019 to 2020
Tampering of Source Code	13	8	3	4	33%
Hacking	5	30	-	-	-
MIM Attack / Spoofing Mail	-	-	26	14	-46%
Phishing / Hacking / Nigerian Fraud	5	2	34	37	9%
Obscene Email / SMS / MMS	228	295	239	247	3%
Threatening Email / SMS	5	12	-	-	-
Fake Social Media Profile / Morphing Email / SMS	-	-	61	30	-51%
Credit Card Fraud / Cheating	606	461	775	558	-28%
Other	499	554	1,087	1,545	42%
Total	1,361	1,362	2,225	2,435	9%

Inference:

- Reporting of total cases registered in cyber crime has increased by 9% from 2019 to 2020.
- Highest cases register of Credit card fraud/Cheating (558) followed by Obscene Email/SMS/MMS (247) and Phishing/Hacking (37) in 2020.

¹³ <https://mumbaiapolic.gov.in/CrimeStatistics>.

V. Investigation and Trial of Cases¹⁴

Table 14: Cases received and examined by the Mumbai Forensic Laboratory from 2016 to 2020¹⁵

Year	Cases Received	Arrears from last year	Total Cases	Cases Examined	Cases Examined (in %)	Carried Forward for next year
2016	36,157	13,998	50,155	36,428	73%	13,727
2017	33,474	11,399	44,873	33,247	74%	11,626
2018	35,463	11,545	47,008	41,400	88%	5,608
2019	35,488	5,552	41,040	22,530	55%	17,749
2020	22,460	17,749	40,209*	20,227	50%	16,608

Note (*): 284 cases received from other lab and 3,323 cases transferred to other lab.

Inference:

- The pendency of cases for forensic examination directly impacts the time taken for investigation of cases.
- The percentage of cases examined fell drastically from 55% in 2019 to 50% in 2020.
- 16,608 cases were pending for forensic investigation at the end of 2020.

¹⁴ Crime in India, 2018, 2019 and 2020- <https://ncrb.gov.in/en/crime-in-india>

¹⁵ As per RTI data

Table 15: Status of Investigation and Trial of IPC Cases in Mumbai from 2018 to as on 2020

Years	2018	2019	2020
Police Investigation			
Cases pending for investigation from previous year	72,760	79,237	76,763
Cases reported in the current year	40,757	40,684	50,158
Total cases for investigation	1,13,517	1,19,926	1,26,921
Cases withdrawn/transferred/abated/quashed	43	3	7
Cases where final report ¹⁶ submitted	9,808	15,244	9,437
Cases where charge-sheet submitted	24,429	27,916	21,420
Cases pending investigation at the end of the year	79,237	76,763	96,057
% of cases pending for investigation at the end of the year	70%	64%	76%
Trial by Courts			
Cases pending for trial from previous year	2,11,943	2,22,006	2,33,935
Cases taken for trial in current year	24,429	27,916	21,420
Total cases for trial	2,36,372	2,49,922	2,55,355
Cases withdrawn/transferred/abated/quashed	2,562	2,974	1,150
Cases discharged/ acquitted	5,848	5,554	1,764
Cases convicted	5,956	7,459	3,414
% of Conviction	50%	57%	66%
Cases pending trial at the end of the year	2,22,006	2,33,935	2,49,027
% of cases pending for trial at the end of the year	94%	94%	98%

Inference:

- A total of 1,26,921 IPC cases were to be investigated in Mumbai as on 2020 out of which 76% cases were pending for investigation at the end of the year. Out of the cases investigated, charge sheet was filed in 17% (21,420) cases.
- 7% (9,437 out of 1,26,921) cases closed at investigation stage (Final Report) as on 2020.
- A total of 2,55,355 cases were to be tried in courts for IPC in Mumbai as on 2020 out of which 98% cases were pending for trial at the end of the year.
- Of the 5,178 cases in which the trial was completed in 2020, 66% were convicted, 34% were acquitted/discharged.

¹⁶ Cases Ended as FR Non Cognizable, cases Ended as Final Report False, Cases Ended as mistake of Fact or of law or Civil Dispute, Cases True but Insufficient Evidence or Untraced or No Clue, Cases Abated during Investigation

Table 16 : Crime Head wise Investigation of IPC Cases from 2018 to 2020¹⁷

Police Investigation									
Year	Crime Head	Cases pending for investigation from Previous year	Cases reported in the current year	Total cases for investigation	Cases withdrawn/transfered/abated/quashed	Cases where final report submitted	Cases where charge-sheet submitted	Cases pending investigation at the end of the year	% of cases pending for investigation at the end of the year
CLASS - II SERIOUS OFFENCES									
2018	Total Class II Serious Offences	12,050	11,350	23,400	9	1,579	7,482	14,330	61%
2019		14,330	10,256	24,587	0	1,841	7,728	15,018	61%
2020		15,018	7,888	22,906	2	1,402	4,789	16,713	73%
Other I.P.C.									
2018	Other IPC	60,710	29,407	90,117	34	8,229	16,947	64,907	72%
2019		64,907	30,428	95,339	3	13,403	20,188	61,745	65%
2020		61,745	42,270	1,04,015	5	8,035	16,631	79,344	76%
Total									
2018	Total IPC	72,760	40,757	1,13,517	43	9,808	24,429	79,237	70%
2019		79,237	40,684	1,19,926	3	15,244	27,916	76,763	64%
2020		76,763	50,158	1,26,921	7	9,437	21,420	96,057	76%

Inference:

22,906 Class II Serious offences cases were to be investigated in Mumbai as on 2020 out of which 73% cases were pending for investigation at the end of the year. Out of the cases investigated, charge sheet was filed in 21% (4,789) cases.

¹⁷ As per RTI data from State Crime Records Bureau (SCRB)

Table 17 : Crime Head wise Trial of IPC Cases from 2018 to 2020¹⁸

Year	Crime Head	Cases pending for trial from previous year	Cases taken for trial in current year	Total cases for trial	Cases withdrawn/transferred/abated/quashed	Cases discharged / acquitted	Cases convicted	%	Cases pending trial at the end of the year	% of cases pending for trial at the end of the year
CLASS - II SERIOUS OFFENCES (IPC)										
2018	Class II Serious Offences	64,357	7,482	71,839	713	2,046	510	20%	68,570	95%
2019		68,570	7,728	76,298	750	2,047	391	16%	73,110	96%
2020		73,110	4,789	77,899	265	677	116	15%	76,841	99%
Other I.P.C.										
2018	Other IPC	1,47,586	16,947	1,64,533	1,849	3,802	5,446	59%	1,53,436	93%
2019		1,53,436	20,188	1,73,624	2,224	3,507	7,068	67%	1,60,825	93%
2020		1,60,825	16,631	1,77,456	885	1,087	3,298	75%	1,72,186	97%
Total IPC										
2018	Total IPC	2,11,943	24,429	2,36,372	2,562	5,848	5,956	50%	2,22,006	94%
2019		2,22,006	27,916	2,49,922	2,974	5,554	7,459	57%	2,33,935	94%
2020		2,33,935	21,420	2,55,355	1,150	1,764	3,414	66%	2,49,027	98%

Inference:

- 77,899 cases were to be tried in courts for Class II Serious offences in Mumbai as on 2020 out of which 99% cases were pending for trial at the end of the year.
- Of the 793 cases in which the trial was completed as on 2020, 15% were convicted, while 85% were acquitted/discharged.

¹⁸ As per RTI data from State Crime Records Bureau (SCRB)

Table 18: Status of Investigation and Trial of Special and Local Laws (SLL) Cases in Mumbai from 2018 to 2020

Years	2018	2019	2020
Police Investigation			
Cases pending for investigation from previous year	18,601	20,692	22,623
Cases reported in the current year	16,316	20,139	8,518
Total cases for investigation	34,917	40,831	31,141
Cases withdrawn/transferred/abated/quashed	18	0	0
Cases where final report ¹⁹ submitted	158	217	238
Cases where charge-sheet submitted	14,049	17,991	7,007
Cases pending investigation at the end of the year	20,692	22,623	23,896
% of cases pending for investigation at the end of the year	59%	55%	77%
Trial by Courts			
Cases pending for trial from previous year	65,345	70,745	76,899
Cases taken for trial in current year	14,049	17,991	7,007
Total cases for trial	79,394	88,736	83,906
Cases withdrawn/transferred/abated/quashed	304	416	291
Cases discharged/ acquitted	1,820	2,123	350
Cases convicted	6,525	9,298	2,532
% of Conviction	78%	81%	88%
Cases pending trial at the end of the year	70,745	76,899	80,733
% of cases pending for trial at the end of the year	89%	87%	96%

Inference:

- 31,141 SLL cases were to be investigated in Mumbai as on 2020 out of which 77% cases were pending for investigation at the end of the year. Out of the cases investigated, charge sheet was filed in 23% (7,007) cases.
- 83,906 cases were to be tried in courts for SLL in Mumbai as on 2020 out of which 96% cases were pending for trial at the end of the year.
- Of the 2,882 cases in which the trial was completed as on 2020, 88% were convicted, while 12% were acquitted/discharged.

¹⁹ Cases Ended as FR Non Cognizable, cases Ended as Final Report False, Cases Ended as mistake of Fact or of law or Civil Dispute, Cases True but Insufficient Evidence or Untraced or No Clue, Cases Abated during Investigation

Table 19: Status of Investigation and Trial of Crime against Women Cases in Mumbai from 2018 to 2020

Years	2018	2019	2020
Police Investigation			
Cases pending for investigation from previous year	7,663	9,135	10,527
Cases reported in the current year	6,058	6,519	4,583
Total cases for investigation	13,721	15,654	15,110
Cases withdrawn/transferred/abated/quashed	9	2	4
Cases where final report ²⁰ submitted	850	858	574
Cases where charge-sheet submitted	3,727	4,267	2,895
Cases pending investigation at the end of the year	9,135	10,527	11,637
% of cases pending for investigation at the end of the year	67%	67%	77%
Trial by Courts			
Cases pending for trial from previous year	17,089	19,524	22,368
Cases taken for trial in current year	3,727	4,267	2,895
Total cases for trial	20,816	23,791	25,263
Cases withdrawn/transferred/abated/quashed	208	261	108
Cases discharged/ acquitted	720	806	329
Cases convicted	364	356	121
% of Conviction	34%	31%	27%
Cases pending trial at the end of the year	19,524	22,368	24,705
% of cases pending for trial at the end of the year	94%	94%	98%

Inference:

- 15,110 cases of crime against women were to be investigated in Mumbai as on 2020 out of which 77% cases were pending for investigation at the end of the year. Out of the cases investigated, charge sheet was filed in 19% (2,895) cases.
- 25,263 cases were to be tried in courts for crime against women in Mumbai as on 2020 out of which 98% cases were pending for trial at the end of the year.
- Of the 450 cases in which the trial was completed as on 2020, 27% were convicted, while 73% were acquitted/discharged.

²⁰ Cases Ended as FR Non Cognizable, cases Ended as Final Report False, Cases Ended as mistake of Fact or of law or Civil Dispute, Cases True but Insufficient Evidence or Untraced or No Clue, Cases Abated during Investigation

Table 20: Status of Investigation and Trial of Crime against Children Cases in Mumbai from 2018 to 2020

Years	2018	2019	2020
Police Investigation			
Cases pending for investigation from previous year	6,088	7,628	8,268
Cases reported in the current year	3,511	3,640	2,248
Total cases for investigation	9,599	11,268	10,516
Cases withdrawn/transferred/abated/quashed	1	0	0
Cases where final report ²¹ submitted	652	1,428	1,029
Cases where charge-sheet submitted	1,319	1,572	1,097
Cases pending investigation at the end of the year	7,627	8,268	8,390
% of cases pending for investigation at the end of the year	80%	73%	80%
Trial by Courts			
Cases pending for trial from previous year	5,672	6,554	7,496
Cases taken for trial in current year	1,319	1,572	1,097
Total cases for trial	6,991	8,126	8,593
Cases withdrawn/transferred/abated/quashed	22	51	10
Cases discharged/ acquitted	238	357	134
Cases convicted	177	222	88
% of Conviction	43%	38%	40%
Cases pending trial at the end of the year	6,554	7,496	8,361
% of cases pending for trial at the end of the year	94%	92%	97%

Inference:

- 10,516 cases of crime against children were to be investigated in Mumbai as on 2020 out of which 80% cases were pending for investigation at the end of the year. Out of the cases investigated, charge sheet was filed in 10% (1,097) cases.
- 8,593 cases were to be tried in courts for crime against children in Mumbai as on 2020 out of which 97% cases were pending for trial at the end of the year.
- Of the 222 cases in which the trial was completed as on 2020, 40% were convicted, while 60% were acquitted/discharged.

²¹ Cases Ended as FR Non Cognizable, cases Ended as Final Report False, Cases Ended as mistake of Fact or of law or Civil Dispute, Cases True but Insufficient Evidence or Untraced or No Clue, Cases Abated during Investigation

Table 21: Status of Investigation and Trial of Crimes under POCSO Act in Mumbai from 2018 to 2020

Years	2018	2019	2020
Police Investigation			
Cases pending for investigation from previous year	1,465	1,720	1,867
Cases reported in the current year	1,144	1,319	964
Total cases for investigation	2,609	3,039	2,831
Cases withdrawn/transferred/abated/quashed	1	0	0
Cases where final report ²² submitted	7	22	20
Cases where charge-sheet submitted	881	1,150	848
Cases pending investigation at the end of the year	1,720	1,867	1,963
% of cases pending for investigation at the end of the year	66%	61%	69%
Trial by Courts			
Cases pending for trial from previous year	2,553	3,100	3,802
Cases taken for trial in current year	881	1,150	848
Total cases for trial	3,434	4,250	4,650
Cases withdrawn/transferred/abated/quashed	16	30	7
Cases discharged/ acquitted	191	226	99
Cases convicted	127	192	80
% of conviction	40%	46%	45%
Cases pending trial at the end of the year	3,100	3,802	4,464
% of cases pending for trial at the end of the year	90%	89%	96%

Inference:

- 2,831 POCSO cases were to be investigated in Mumbai as on 2020 out of which 69% cases were pending for investigation at the end of the year. Out of the cases investigated, charge sheet was filed in 30% (1,150) cases.
- 4,650 cases were to be tried in courts for crime against children in Mumbai as on 2020 out of which 96% cases were pending for trial at the end of the year.
- Of the 179 cases in which the trial was completed as on 2020, 45% were convicted, while 55% were acquitted/discharged.

²² Cases Ended as FR Non Cognizable, cases Ended as Final Report False, Cases Ended as mistake of Fact or of law or Civil Dispute, Cases True but Insufficient Evidence or Untraced or No Clue, Cases Abated during Investigation

Table 22: Duration of Pending Investigation and Pending Trials of Crimes under POCSO Act in Mumbai from 2018 to 2020

Duration Since When Cases are Pending for Investigation and Trial	Number and % of cases pending	2018		2019		2020	
		Investigation	Trial	Investigation	Trial	Investigation	Trial
Upto 6 months	No.	410	256	636	522	500	395
	%	24%	8%	34%	14	25%	9%
6 months to 1 year	No.	669	1,415	1,039	1,137	941	1,326
	%	39%	46%	56%	30%	48%	30%
1 to 3 years	No.	641	1,099	192	1,615	512	2,446
	%	37%	35%	10%	42%	26%	55%
More than 3 years	No.	0	330	0	528	10	297
	%	0%	11%	0%	14%	1%	7%

Inference:

- 48% of POCSO cases were pending for investigation for 6 months to 1 year as on 2020, while charge sheeting should be done in 3 months (90 days).
- 55% of POCSO cases were pending for trial since 1 to 3 years and 7% cases were pending for more than 3 years while the POCSO Act prescribes for completion of trial within 1 year.

Table 23: Cases Tried in POCSO Courts in Mumbai and Duration of Trials completion from 2018 to 2020

Number and % of POCSO cases tried		2018	2019	2020
Total Cases Tried under POCSO		334	448	186
Total Cases Tried in POCSO Courts	No.	179	222	134
	%	54%	50%	72%
Duration for Completion of Trials in POCSO Court				
Upto 3 months	No.	13	5	2
	%	7%	2%	1%
3 to 6 months	No.	5	20	15
	%	3%	9%	11%
6 months to 1 year	No.	23	20	26
	%	13%	9%	19%
Total Upto One Year	No.	41	45	43
	%	23%	20%	32%
1 to 3 years	No.	88	107	60
	%	49%	48%	45%
3 to 5 years	No.	44	50	31
	%	25%	23%	23%
5 to 10 years	No.	6	20	0
	%	3%	9%	0%

Inference:

- 28% of the total POCSO cases trial as on 2020 was not done in special POCSO Court in accordance with the Act.
- Of the cases tried in POCSO court as on 2020, in 68% cases trial was completed after a period of one year, whereas the Act prescribes completion of cases within one year.

Table 24: Conviction and Acquittal of various crimes in Mumbai from 2018 to 2020

Type of Crimes	Disposal Status	2018	2019	2020
IPC Crimes	Conviction (%)	50%	57%	66%
	Acquittal (%)	50%	43%	34%
SLL Crimes	Conviction (%)	78%	81%	88%
	Acquittal (%)	22%	19%	12%
Crime Against Women	Conviction (%)	34%	31%	27%
	Acquittal (%)	66%	69%	73%
Crime Against Children	Conviction (%)	43%	38%	40%
	Acquittal (%)	57%	62%	60%
Crimes under POCSO Act	Conviction (%)	40%	46%	45%
	Acquittal (%)	60%	54%	55%

Inference:

- Conviction rate of cases of crime against women was the lowest (27%) followed by cases of crime against children (40%).
- Conviction rate improved over the years in all crimes except cases of crime against Women & Crime against children where it has fallen from 2018 to 2020.

VI. Human Resources in the Policing and Law and Order System

A. Police Personnel

Table 25: Designation wise overall number of police personnel in 2020 and 2021²³

Designation	2020			2021		
	Sanctioned	Working	% difference between Sanctioned and Working	Sanctioned	Working	% difference between Sanctioned and Working
Commissioner of Police (C.P.)	1	1	0%	1	1	0%
Joint Commissioner of Police (Jt. C.P.)	5	4	-20%	5	4	-20%
Additional Commissioner of Police (Addl. C.P.)	11	11	0%	11	11	0%
Deputy Commissioner of Police (D.C.P.)	41	37	-10%	41	40	-2%
Assistant Commissioner of Police (A.C.P.)	125	51	-59%	128	69	-46%
Police Inspector (P.I.)	1,034	905	-12%	1,032	954	-8%
Assistant Police Inspector (A.P.I.)	1,097	1,189	8%	1,093	1,143	5%
Police Sub - Inspector (P.S.I.)	3,252	2,103	-35%	3,279	2,702	-18%
Assistant Police Sub-Inspector (A.S.I.)	3,224	2,041	-37%	3,221	2,585	-20%
Head Constable (H.C.)	8,247	7,345	-11%	8,246	6,945	-16%
Police Naik (P.N.)	7,194	6,406	-11%	7,198	5,864	-19%
Police Constable (P.C.)	21,801	18,974	-13%	21,957	17,738	-19%
Technical Posts	5,036	2,721	-46%	5,043	3,340	-34%
Total Police Force	51,068	41,788	-18%	51,255	41,396	-19%

Inference:

- As of 31st July 2021, the number of sanctioned police personnel posts was 51,255 of which 41,396 personnel were working, a shortfall of 19%.
- There was a shortage of the officers involved in investigation such as a 18% shortage of P.S.I posts.

²³ Data as of 31st July 2020 and 2021 respectively.

Table 26: Department wise Police Personnel²⁴ in 2020 and 2021

Department	2020			2021		
	Police Personnel Sanctioned	Police Personnel Working	% difference between Sanctioned and Working	Police Personnel Sanctioned	Police Personnel Working	% difference between Sanctioned and Working
Special Branch (I - CID)	1,145	880	-23%	1,139	819	-28%
Special Branch (II - Passport)	443	347	-22%	443	343	-23%
Crime Branch	1,930	1,475	-24%	1,948	1,519	-22%
Protection and Security	2,368	1,760	-26%	2,346	1,422	-39%
Armed Police	13,338	11,430	-14%	13,465	10,836	-20%
Wireless Section	387	310	-20%	447	271	-39%
Traffic	4,123	3,002	-27%	4,150	3,686	-11%
Control Room	267	135	-49%	267	153	-43%
Motor Transport	48	27	-44%	48	57	19%
Technical Post	5,036	2,721	-46%	5,043	2,873	-43%
Total	29,085	22,087	-24%	29,296	21,979	-25%

Inference:

- In the police personnel allocated to the different police departments, there is a total gap of 25% in 2021.
- The control room where crime surveillance and taking of complaints through helpline numbers is done, had the highest shortage in personnel (43%) in 2021.

²⁴ Does not include personnel sanctioned and working in police stations.

Table 27: Police Personnel details of Supervisory level officers in 2020 and 2021

Supervisory level officers	2020			2021		
	Sanctioned	Working	% Difference between Sanctioned and Working	Sanctioned	Working	% Difference between Sanctioned and Working
C.P., Jt. C.P., Addl. C.P., D.C.P. and A.C.P.	183	104	-43%	186	125	-33%

Inference:

There was a shortage of 33% in supervisory level personnel in the police force in 2021, down from 43% in 2020.

Table 28: Police Personnel Major Causes of Death from January 2018 to December 2020

Major Causes of Death	2018	2019	2020
Covid-19	0	0	100
Heart Diseases	26	20	16
Jaundice and Liver	9	22	13
Cancer	15	13	11
Accidental Death	9	7	10
Kidney	2	4	8
Suicide	7	3	4
Diabetes	6	4	3
Tuberculosis	5	6	2
Other Diseases	50	65	63
Total	129	144	230

Inference:

- Highest cause of death reported from 2018 to 2020 was of Covid-19 (100 deaths), followed by Heart Diseases (62) and Jaundice and liver (44).
- 14 cases of death by suicide were reported from 2018 to 2020.

Table 29: Shortage in Allocation of Police Housing as on December 2020

Category	Number of Units
Total Houses / Quarters	25,056
Available Houses / Quarters	19,416
Allotted Houses / Quarters	18,402
% Total Houses to Allotted Houses	73%
Under Construction	949
Newly Proposed	457
Shortage of police housing units (police not allotted housing units)	31,839
% shortage	62%
Total Police Personnel	51,255 ²⁵

Inference:

62% of police personnel were not allotted housing units as on December 2020, reflecting a huge gap in police housing in Mumbai.

²⁵ Police Personnel data till July 2021

B. Railway Personnel

Table 30: Railway Police Personnel²⁶ in the Railway Police Stations²⁷ in 2021²⁸

Designation	Sanctioned	Working	% Difference between Sanctioned and Working
Police Inspector (P.I.)	27	22	-19%
Asst. Police Inspector (A.P.I.)	19	19	0%
Police Sub - Inspector (P.S.I.)	75	36	-52%
Assistant Police Sub-inspector	202	182	-10%
Constable ²⁹	1,892	1,356	-28%
Total	2,215	1,615	-27%

Inference:

- There was a shortage of 27% in railway police personnel, highest being in P.S.I (52%) followed by constable (28%).
- There was a shortage of 19% in P.I. (Police Inspector) personnel.

²⁶Government Railway Police (GRP)

²⁷ Includes C.S.T., Dadar, Kurla, Wadala, Churchgate, Mumbai central, Bandra, Andheri and Borivali

²⁸ As on 31st March, 2021

²⁹ Constable includes Police Havaldar, Police Naik and Police Constable

C. Forensic Personnel

Table 31: Mumbai Forensic Laboratory personnel for the year 2019-20 and 2020-21³⁰

Year	2019-20			2020-21		
Post	Sanctioned	Working	% Difference	Sanctioned	Working	% Difference
Class-I						
Director General	1	1	0%	1	1	0%
Director	1	0	-100%	1	0	-100%
Joint Director	1	1	0%	1	1	0%
Deputy Director	12	4	-67%	12	5	-58%
Asst. Director	18	6	-67%	18	7	-61%
Sr. Admin Officer	3	1	-67%	3	2	-33%
Total I	36	13	-64%	36	16	-56%
Class-II						
Asst. Chemical Analyser	66	38	-42%	66	29	-56%
Scientific Officer	28	1	-96%	28	0	-100%
Admin Officer	4	2	-50%	4	1	-75%
Total II	98	41	-58%	98	30	-69%
Class-III						
Scientific Asst.	69	43	-38%	69	46	-33%
Lab. Asst.	37	24	-35%	37	23	-38%
Supt./Clerk	72	53	-26%	72	52	-28%
Total III	178	120	-33%	178	121	-32%
Class-IV						
Various Posts	114	75	-34%	114	66	-42%
Total IV	114	75	-34%	114	66	-42%
Grand Total	426	249	-42%	426	233	-45%

Inference:

- The above mentioned data shows sanctioned post and number of working personnel in Mumbai's Forensic Laboratory. The grand total of all Classes (I to IV) shows shortage of 45% i.e. out of 426 only 233 are working for the year 2020-21.
- Highest shortage of personnel was in post of scientific officer, a shortage of 100% i.e. out of 28 sanctioned all post are vacant.
- The shortage of staff in the forensic department can also contribute to the 16,608 cases pending for forensic investigation at the end of 2020.

³⁰ As per RTI data, Data as of March of the respective year. Example 2020-21 data is as of March, 2021.

D. Separation of Investigation and Law and Order Functions

A standing order was passed by former Director General of Police, Sanjeev Dayal, dated 24/05/2015 titled 'Separation of investigation in cases triable under sessions court from law & order' in furtherance of a Supreme Court Judgement in 2006 which laid this out as one of the police reforms to be implemented. Separation of policing and law and order functions ensures that police personnel involved in investigation of cases are not diverted to perform law and order functions such as *bandobast* duty. The standing order provided for setting up of separate investigation unit staff, which can undertake timely investigation of cases. Data regarding the implementation of the standing order has been available since 2017, however the same has not been provided for 2020. Responses received from PIO to our RTI application for the year 2020 states, "Information is not available in our office records" and below is the snapshot of the same. Thus data shown in below respective tables is only till the year 2019.

अर्जदार श्री. एकनाथ पवार यांचा माहितीचा अधिकार कायदा २००५ अंतर्गत मागणी केलेली माहिती खालीलप्रमाणे		
अक्र	मुद्दे	माहिती
९.	Please provide the copies of statement showing information regarding sessions court cases investigated by Investigated Units (IUS), on current implementation of standing order no 24 of 2015 giving by DGP Sanjeev Dayal on separation of investigation in session trable cases from Law and Order functions of the Maharashtra Police; showing total no. of investigation wing being prepared for all session trable cases in police station/ Zones of Mumbai under your jurisdiction, also the sanctioned and working number of investigation and pairavi personnel's rank wise, police station / Zone wise for the time 1st Jan. 2020 - 31st Dec 2020	अनुक्रमांक ०९ बाबत माहिती पोलीस उप आयुक्त(अभियान), मुंबई या कार्यालयाचे अभिलेखावर उपलब्ध नाही.

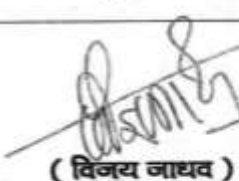

(विनय नायक)
 पोलीस निरीक्षक -वाचक
 पोलीस उप आयुक्त (अभियान),
 यांचे कार्यालय, मुंबई.

Table 32: Implementation of Standing Order (dated 24/05/2015) regarding Separation of Policing and Law and Order Functions of Police from 2017 to 2019

Zone	Total Session Trial cases registered	Out of which total cases Investigated by IU	Total cases Charge sheeted by IU ³¹	Total cases categorised as final by IU	Total cases pending for Investigation by IU	Workforce Required by IU (w.e.f 1st July 2015) ³²		Total Officers & Staff actually working in the Investigation Unit	
						Officer	Staff	Officer	Staff
2017	1,942	1,667	1,163	205	526	131	560	300	678
2018	2,310	2,099	2,106	164	206	131	560	289	711
2019	2,449	2,226	2,075	155	294	131	560	394	803

Inference:

- In furtherance of the Standing Order for separation of investigation and law and order functions (dated 24/05/2015) the investigation unit (IU) is allotted with separate officers and staff based on the caseload.
- The number of officers and police staff allotted to IUs in Mumbai has been increasing from 2017 to 2019.
- Since 2017, when data for the IU is available it can be seen that majority cases have been investigated by the IU- 91% of total sessions trial cases were investigated by IUs in 2019.

³¹ For Total cases charge sheeted, Total cases categorized as final and total cases pending for Investigation by IU may include cases from previous years.

³² As per standing order 24 of 2015, workforce required by IU was suggested according to the number of cases registered in 2015. Currently, the number of workforce has been increased according the need and increase in number of cases registered in Sessions court.

Table 33: Zone wise Implementation of Standing Order (dated 24/05/2015) regarding Separation of Policing and Law and Order Functions of Police in 2019

Zone	Total Session Trial cases registered	Out of which total cases Investigated by IU	Total cases Charge sheeted by IU ³³	Total cases categorised as final by IU	Total cases pending for Investigation by IU	Workforce Required by IU (w.e.f 1st July 2015) ³⁴		Total Officers & Staff actually working in the Investigation Unit	
						Officer	Staff	Officer	Staff
Zone-1	66	52	53	13	9	4	31	23	38
Zone-2	81	76	64	1	12	4	24	54	235
Zone-3	109	109	102	3	4	5	27	37	54
Zone-4	108	108	94	3	11	11	44	33	72
Zone-5	164	38	132	11	16	13	46	53	49
Zone-6	452	452	369	107	81	19	76	49	53
Zone-7	255	255	241	0	14	8	47	25	72
Zone-8	181	152	127	3	22	8	34	18	34
Zone-9	258	212	194	5	61	16	63	18	42
Zone-10	193	192	176	4	8	12	39	12	24
Zone-11	243	243	223	2	18	18	69	26	62
Zone-12	277	277	244	1	32	11	45	39	59
Port Zone	62	60	56	2	6	2	15	7	9
Total	2,449	2,226	2,075	155	294	131	560	394	803

Inference:

- There were 394 officers and 803 other police personnel working in 2019 for IUs in Mumbai.
- This complies with the standing order, which mentioned 131 officers and 560 other police personnel in 2015 based upon the 2,164 sessions trial cases registered in Mumbai in 2014. Given that a total of 2,449 cases were registered in 2019 (a 13% increase as compared to 2014), the corresponding increase in number of police officials (201% increase as compared to 2015) and other police personnel (43% increase as compared to 2015) in 2019 shows accordance with provisions of the order.

³³ For Total cases charge sheeted, Total cases categorized as final and total cases pending for Investigation by IU may include cases from previous years.

³⁴ As per standing order 24 of 2015, workforce required by IU was suggested according to the number of cases registered in 2014. Currently, the number of workforce has been increased according the need and increase in number of cases registered in Sessions court.

E. Police Complaints Authority

Government of Maharashtra constituted the State Police Complaints Authority (PCA), which has been notified on 25th May 2015. It was done in pursuance of Section 22P (2) of the Maharashtra Police (Amendment and Continuance) Act, 2014 (Mah. XXIV of 2014) that came into force from 1st February 2014. Police Complaints Authority can receive complaints regarding serious violation of law or abuse of lawful authority by police authorities. It has the power to conduct enquiries, receive evidence, conduct hearings and give final orders in the form of recommendations to police department and state government regarding initiation of departmental proceedings or registration of FIR if misconduct is established. However, the PCA only has powers for recommendation and the final decision regarding any case lies with the state government.

The State PCA is to consist of 5 members, a retired high court judge (chairperson), retired police officer (not below rank of Special Inspector General of Police, a retired officer of the rank of Secretary to State government or above, an eminent civil society member, and a police officer not below the rank of Additional Director General and Inspector General of Police (Member Secretary).

In Maharashtra, the State PCA was established as per the provision; however, the divisional PCAs have not been set up. Of Pune, Nagpur, Nashik, Aurangabad, Amravati and Konkan divisions only Pune, Nashik and Konkan divisions are functioning. Mumbai falls under the Konkan Division PCA. The establishment of divisional PCAs is very important since the State PCA only accepts complaints regarding officers of the level Deputy Superintendent/Assistant Commissioner of Police and above, whereas complaints regarding police personnel of the rank of Senior Police Inspector and below are to be made to the Divisional PCA. An RTI filed regarding the minutes of meetings held by the Home Ministry of the State government from April 2019 - March 21 regarding PCA shows that no Home Ministry meeting was held regarding PCA. As the Konkan Divisional PCA was set up in September 2021, it is imperative that all the other Divisional PCAs must be set up, as a serious gap exists in the accountability mechanism of the police department and no proper grievance mechanism for complaints against the police exists.



माहितीचा
अधिकार

राज्य पोलीस तक्रार प्राधिकरण, मुंबई

४ था मजला, महानगर टेलिफोन एक्सचेंज इमारत,
कुपरेज फुटबॉल मैदानासमोर, महर्षी कर्वे रोड,
नरीमन पॉइंट, मुंबई - ४०००२१.

टेलिफोन नं.: ०२२ २२८२ ००४५/४६

ई-मेल : mahaspca@gmail.com

रापोतप्रा/माहिती अधिकार/प्र.क्र.: ७६/२०२१/ जा.क्र.:

दिनांक: 22 NOV 2021

प्रति,

श्री. एकनाथ पवार,
प्रजा फाऊंडेशन, बी-१८, दुसरा मजला,
श्री राम इंडस्ट्रियल इस्टेट, १३,
जी.डी. आंबेडकर मार्ग, वडाला, मुंबई ४०० ०३१.

विषय: माहिती अधिकार अधिनियम, २००५ अंतर्गत विचारलेल्या माहितीचे प्रदान...

महोदय,

१. आपला उपरोक्त विषयावरील, दिनांक ०८/११/२०२१ रोजी जन माहिती अधिकारी, रा.पो.त.प्रा., महाराष्ट्र, मुंबई यांना केलेला अर्ज, या कार्यालयात दिनांक ०९/११/२०२१ रोजी प्राप्त झाला. आपण मागितलेली माहिती खालील प्रमाणे आहे.

अ. क्र.	विचारलेली माहिती	पुरविण्यात आलेली माहिती
१	Please provide copy of Annual report of State Police Complaint Authority and Divisional Police Complaint Authority- Konkan (Mumbai) submitted to Maharashtra state government as per SPCA regulation 2017 rule 13 for the year 2017 to 2021.	राज्य पोलीस तक्रार प्राधिकरण आणि विभागीय पोलीस तक्रार प्राधिकरणे ही स्वतंत्र कार्यालये आहेत. राज्य पोलीस तक्रार प्राधिकरणे महाराष्ट्र शासनास सादर केलेला सन २०१७-२०१९ या वर्षाचे प्रमाणित अहवाल सोबत जोडण्यात आले आहेत. विभागीय पोलीस तक्रार प्राधिकरण, कोकण विभाग यांच्याशी संबंधित वार्षिक अहवाल आपणास सदर विभागीय पोलीस तक्रार प्राधिकरण यांचेकडे मिळू शकेल. आपला सदरचा अर्ज माहितीच्या पुतंतेसाठी विभागीय पोलीस तक्रार प्राधिकरण, कोकण, नवी मुंबई यांच्याकडे पाठविण्यात येत आहे. राज्य पोलीस तक्रार प्राधिकरणाचा सन २०२०-२१ चा वार्षिक अहवाल अद्याप सादर झालेला नाही.

२. उपरोक्त माहितीने आपले समाधान न झाल्यास आपण श्री. नितिन गायकवाड, प्रथम अपिलीय अधिकारी, तथा मुख्य प्रशासकीय अधिकारी, राज्य पोलीस तक्रार प्राधिकरण, ४ था मजला, एम. टी. एन. एल इमारत, कुपरेज फुटबॉल मैदानासमोर, महर्षी कर्वे रोड, नरीमन पॉइंट, मुंबई - ४०० ०२१ (दूरध्वनी क्र.: ०२२२२८२००८९) यांच्याकडे सदर पत्र मिळाल्यापासून ३० दिवसांच्या आत अपील दाखल करता येईल.

आपला,

(नंदकिशोर मोरे)

जन माहिती अधिकारी

राज्य पोलीस तक्रार प्राधिकरण, मुंबई

प्रत: निवड नस्ती (रा.पो.त.प्रा.).

F. State Securifaty Commission

The **State Security Commission** was to be set up in furtherance of a Supreme Court order in 2006 regarding implementation of police reforms. One of the core roles of the Commission was to advise the government on broad policy guidelines for better policing in consultation with police chiefs and to monitor efficacy of policing, initiate preventive measures and ensure service-oriented functions of the police³⁵. However, the State Security Commission has not been established as per the order. The last reply of Praja's RTI regarding setting up of the Commission in 2021 is provided below.

महाराष्ट्र शासन

माहिती अधिकार
शीघ्र जाकेने

क्र.माअअ-०५२९/प्र.क्र.६७/पोल९४
गृह विभाग, मंत्रालय, मुख्य इमारत,
दुसरा मजला, मादाम कामा रोड,
हुतात्मा राजगुरु चौक, मुंबई-३२
दिनांक:- १४ मे, २०२१.

प्रति,
श्री. एकनाथ पवार,
प्रजा फाउंडेशन, २ रा मजला,
श्री राम इंडस्ट्रीयल इस्टेट, जी.डी. आंबेडकर मार्ग,
वडाळा उद्योगमवन जवळ, वडाळा, मुंबई-४००००९.

विषय :- माहितीचा अधिकार अधिनियम २००५ अंतर्गत माहिती अर्ज


महोदय,

उपरोक्त विषयी आपला दिनांक ०९.०४.२०२१ चा माहिती अधिकार अर्ज या कार्यासनास दिनांक ०६.०५.२०२१ रोजी प्राप्त झालेला आहे. आपल्या माहिती अधिकार अर्जात नमूद माहिती खालीलप्रमाणे आहे:-

1. Please provide us the status of State Security commission till date. Please provide us the information about date of establishment and members of State security commission of Maharashtra state.
2. Provide the status of the implementation of Constitution of state security commission till date.
3. Please provide the number of meeting held and provide the minutes of the meetings held till date.

२. आपण अपेक्षिलेल्या माहितीतील उपरोक्त मुद्दा क्र. १ च्या अनुषंगाने आयोगाचे गठन झालेले नसल्याने व मुद्दा क्र. ३ च्या अनुषंगाने बैठका झालेल्या नसल्याने याबाबत माहिती 'निरंक' आहे. तसेच मुद्दा क्र. २ च्या अनुषंगाने शासन स्तरावर कार्यवाही सुरू असून, सद्यस्थितीत आपणास माहिती उपलब्ध करून देता येत नाही. तथापि, यासंदर्भात आपणास सर्वोत्तमरी सहकार्य करण्याची तजवीज ठेवण्यात आलेली आहे.

३. उपरोक्त माहितीने आपले समाधान न झाल्यास आपणास उप सचिव तथा प्रथम अपिलीय अधिकारी, (पोल-९४), गृह विभाग, २ रा मजला, हुतात्मा राजगुरु चौक, मंत्रालय, मुंबई-३२ यांच्याकडे सदर पत्र मिळाल्याच्या दिनांकापासून ३० दिवसांच्या आत प्रथम अपील दाखल करता येईल.

आपला,

(जयंत जनबंधु)
१९.५.२०२१
जनमाहिती अधिकारी तथा अवर सचिव.

१. जयंत जनबंधु, अधिकारी, माहिती अधिकार, शासन, २ रा मजला, मादाम कामा रोड, हुतात्मा राजगुरु चौक, मुंबई-३२

³⁵ <http://www.humanrightsinitiative.org/publications/police/sscrd.pdf>

G. Performance of Public Prosecutors of Mumbai's Sessions Court

There are two types of Public Prosecutors:

- Permanent Public Prosecutors whose current status in Mumbai session courts is that there is only 1 available working personnel out of 15 sanctioned posts.
- Contractual Public Prosecutors whose current status in Mumbai session courts is that there are 35 working personnel out of 50 sanctioned posts.

Public Prosecutors are required by Law (Section 270 of the Code of Criminal Procedure, 1898) to conduct the prosecution in all Criminal trials held in a Court of Sessions, but it rests entirely with Executive to decide in what appeals or revision cases Public Prosecutors are to appear in the Sessions Court. The Public Prosecutor has two types of reports for their appraisal:

1. Disposal Rate of Public Prosecutors:

Table 34: Comparison of Permanent and Contractual Public Prosecutors from 2016-17 to 2020-21³⁶

Year	Sanctioned		Working		Total Cases		Convicted Cases		Conviction Rate (%)	
	Perm anent	Contra ctual	Perman ent	Contra ctual	Perma nent	Contrac tual	Perm anent	Contrac tual	Perma nent	Contrac tual
2016-17	15	40	3	31	79	471	15	157	19%	33%
2017-18	15	50	2	38	45	792	12	249	27%	31%
2018-19	15	50	1 ³⁷	36	-	1,050	-	319	-	30%
2019-20	15	50	1	36	-	904	-	295	-	33%
2020-21	15	50	1	35	-	-	-	-	-	-

Inference:

- Since the practice of contractual public prosecutors has been regularised, there have been no new appointments of permanent public prosecutors, and as of 2020-21 there is only one working permanent public prosecutor, who no longer fights cases but manages the administrative work of the office of Assistant Director and Public Prosecutor.

³⁶ Data is as of March in every year from 2016-17 to 2020-21. Example data of 2019-20 is as on 31st March 2020. However, due to the COVID-19 pandemic, no report generated for 2020-21. 2019-20 data for acquitted/convicted cases is until on 31st December 2019.

³⁷ The single permanent public prosecutor no longer taking up any case because he is the Assistant Director and Public Prosecutor and manages the administrative aspect of the office. Therefore, the disposal and pending cases in the case of permanent prosecutors is not applicable.

Table 35: Strength of Judges in Sessions Courts in Mumbai in 2020 and 2021

Sessions Court Judges ³⁸	2020			2021		
	Sanctioned	Working	% difference between sanctioned and working	Sanctioned	Working	% difference between sanctioned and working
Number of Sessions Judges	86	74	-14%	98	69	-30%

Inference:

There was a 30% shortage in sessions court judges as of April 2021. An understaffed judicial system adversely affects the performance of the judges since the caseload is disproportionately distributed.

Table 36 : Statement showing Number of Cases registered / pending / ongoing and Number of Cases solved in Session court from 1st April 2020 to 31st March 2021

Court	Cases pending for trial from previous year	Cases taken for trial in current year	Total cases for trial	By Judgement	Without Judgement	Cases Transfer	Cases pending trial at the end of the year	%
Main Office	19,049	15,469	34,518	11,177	1,957	384	21,000	61%
Dindoshi Branch	8,518	6,535	15,053	4,907	808	0	9,338	62%
FTC	1,563	543	2,106	321	51	92	1,642	78%
Total	29,130	22,547	51,677	16,405	2,816	476	31,980	62%

Inference:

- 51,677 cases were to be tried in session courts in Mumbai out of which 62% cases were pending for trial as of March 2021.

³⁸ Includes Principal Judge, Addl. Principal Judge, Addl./Asst. Sessions Judges and Adhoc. Addl/Asst. Sessions Judges

VII. Deliberations by MLAs³⁹

Table 37: Issue wise questions related to crime asked by MLAs from Winter 2019 to Winter 2020.

Issues	Winter 2019, Budget 2020, Monsoon 2020, Winter 2020
Murder	30
Rape	10
Rioting	3
Crime Against Children	25
Crime Against Women	54
Accident/Fatal Accident	43
Drugs	25
Extortion/Kidnapping/Threat	4
Scams/Corruption	1
Terrorism related	3
Theft	3
Wrong Conduct/Action by Police	10
Police and Establishment	97
Other Crime related	239
Grand Total	547

Inference:

- 42 questions were raised on murder related cases, while 10 questions were raised on rape cases from Winter 2019 to Budget 2021.
- 27 questions were raised on crime against children & 48 on Crime Against Women.

³⁹ As per RTI data

VIII. Annexures

A. Station wise Mumbai Railway Crime Statistics

Table 38: Station Wise Mumbai Railway Crime Statistics

Head	C.S.T.			Dadar			Kurla		
	2018-19	2019-20	2020-21	2018-19	2019-20	2020-21	2018-19	2019-20	2020-21
Murder	0	0	1	0	0	0	2	0	0
Dacoity/ Robbery	47	80	23	204	184	21	225	242	30
All Thefts	2,242	2,010	202	2,333	2,214	208	5,039	3,833	171
Rape	1	1	0	0	1	0	0	3	0
Molestation	10	4	0	13	12	1	11	16	0
Other IPC	49	71	11	29	40	8	79	82	8

Head	Wadala			Churchgate			M.C.T.		
	2018-19	2019-20	2020-21	2018-19	2019-20	2020-21	2018-19	2019-20	2020-21
Murder	2	1	2	0	0	0	2	0	0
Dacoity/ Robbery	104	266	46	7	18	2	76	42	13
All Thefts	2,926	2,257	103	476	464	34	2,014	1,625	140
Rape	0	0	0	0	1	0	0	0	0
Molestation	6	13	1	8	6	1	13	12	1
Other IPC	18	39	10	6	5	1	14	23	11

Head	Bandra			Andheri			Borivali		
	2018-19	2019-20	2020-21	2018-19	2019-20	2020-21	2018-19	2019-20	2020-21
Murder	1	0	0	0	0	0	2	0	0
Dacoity/ Robbery	115	71	28	114	99	14	158	175	20
All Thefts	2,561	1,660	96	2,147	1,779	93	4,249	2,762	144
Rape	0	0	0	0	0	0	0	0	1
Molestation	6	9	2	18	9	1	9	10	3
Other IPC	18	26	5	27	10	8	31	18	5

B. Crime Head wise Investigation and Trial of IPC Cases from 2018 to 2020⁴⁰

Table 39 : Crime Head wise Investigation of IPC Cases from 2018 to 2020

Police Investigation									
Year	Crime Head	Cases pending for investigation from Previous year	Cases reported in the current year	Total cases for investigation	Cases withdrawn/transferred/abated/quashed	Cases where final report submitted	Cases where charge-sheet submitted	Cases pending investigation at the end of the year	% of cases pending for investigation at the end of the year
CLASS - II SERIOUS OFFENCES									
2018	Murder	224	164	388	1	4	148	235	61%
2019		235	168	404	0	12	168	224	55%
2020		224	148	372	0	7	148	217	58%
2018	Rape	106	319	425	1	6	249	169	40%
2019		169	394	563	0	11	353	199	35%
2020		199	322	521	1	6	223	291	56%
2018	Molestation	2,012	2,038	4,050	3	173	1,642	2,232	55%
2019		2,232	2,069	4,301	0	134	1,659	2,508	58%
2020		2,508	1,507	4,015	1	110	1,082	2,822	70%
2018	Kidnapping & Abduction	3,381	2,202	5,583	0	995	149	4,439	80%
2019		4,439	2,102	6,541	0	1,363	185	4,993	76%
2020		4,993	1,173	6,166	0	992	113	5,061	82%
2018	Grievous Hurt	3,018	1,501	4,519	1	140	1,020	3,358	74%
2019		3,358	1,449	4,807	0	43	1,134	3,630	76%
2020		3,630	1,068	4,698	0	28	699	3,971	85%
2018	Total Class II Serious Offences	12,050	11,350	23,400	9	1,579	7,482	14,330	61%
2019		14,330	10,256	24,587	0	1,841	7,728	15,018	61%
2020		15,018	7,888	22,906	2	1,402	4,789	16,713	73%
Other I.P.C.									
2018	Other IPC	60,710	29,407	90,117	34	8,229	16,947	64,907	72%
2019		64,907	30,428	95,339	3	13,403	20,188	61,745	65%
2020		61,745	42,270	1,04,015	5	8,035	16,631	79,344	76%
Total									
2018	Total IPC	72,760	40,757	1,13,517	43	9,808	24,429	79,237	70%
2019		79,237	40,684	1,19,926	3	15,244	27,916	76,763	64%
2020		76,763	50,158	1,26,921	7	9,437	21,420	96,057	76%




⁴⁰ As per RTI data from State Crime Records Bureau (SCRB)

Table 40 : Crime Head wise Trial of IPC Cases from 2018 to 2020

Year	Crime Head	Cases pending for trial from previous year	Cases taken for trial in current year	Total cases for trial	Cases withdrawn/transferred/abated/quashed	Cases discharged/acquitted	Cases convicted	Cases pending trial at the end of the year	% of cases pending for trial at the end of the year
CLASS - II SERIOUS OFFENCES (IPC)									
2018	Murder	2,674	148	2,822	1	44	20	2,757	98%
2019		2,757	168	2,925	3	41	25	2,856	98%
2020		2,856	148	3,004	1	8	12	2,983	99%
2018	Rape	1,196	249	1,445	5	61	28	1,351	93%
2019		1,351	353	1,704	15	106	39	1,544	91%
2020		1,544	223	1,767	3	46	11	1,707	97%
2018	Molestation	7,270	1,642	8,912	100	240	131	8,441	95%
2019		8,441	1,659	10,100	94	259	79	9,668	96%
2020		9,668	1,082	10,750	34	102	28	10,586	98%
2018	Kidnapping & Abduction	2,087	149	2,236	18	24	15	2,179	97%
2019		2,179	185	2,364	16	38	16	2,294	97%
2020		2,294	113	2,407	2	17	2	2,386	99%
2018	Grievous Hurt	38,902	1,020	39,922	115	470	53	39,284	98%
2019		39,284	1,134	40,418	114	315	50	39,939	99%
2020		39,939	699	40,638	42	97	25	40,474	99.6%
2018	Total Class II Serious Offences	64,357	7,482	71,839	713	2,046	510	68,570	95%
2019		68,570	7,728	76,298	750	2,047	391	73,110	96%
2020		73,110	4,789	77,899	265	677	116	76,841	99%
Other I.P.C.									
2018	Other IPC	1,47,586	16,947	1,64,533	1,849	3,802	5,446	1,53,436	93%
2019		1,53,436	20,188	1,73,624	2,224	3,507	7,068	1,60,825	93%
2020		1,60,825	16,631	1,77,456	885	1,087	3,298	1,72,186	97%
Total IPC									
2018	Total IPC	2,11,943	24,429	2,36,372	2,562	5,848	5,956	2,22,006	94%
2019		2,22,006	27,916	2,49,922	2,974	5,554	7,459	2,33,935	94%
2020		2,33,935	21,420	2,55,355	1,150	1,764	3,414	2,49,027	98%

C. RTI Reply on Appraisal of Permanent & Contractual Public Prosecutor & Disposal and Pending cases

Letter Regarding No Appraisal of Permanent & Contractual Public Prosecutor

	<p>अभियोग संचालनालय महाराष्ट्र राज्य मुंबई. DIRECTORATE OF PROSECUTION MAHARASHTRA STATE, MUMBAI Email ID : dppmaharashtra@gmail.com</p>	 एक मजकूर प्रमाणित करी आहे खेतान भवन, संदर्भिका क्र. ८, ५ वा मजला, जे. टी.टी. रोड, बरवहेट, मुंबई - ४०० ०२०. दुरावनी : ०२२-२२०२८२९३. टेलिफॅक्स : ०२२-२२८८११०२
क्र. माअका / १३८ / १९ / २०२१		दिनांक: 21 MAY 2021.
<div style="border: 1px solid black; padding: 2px; display: inline-block;">RPAD</div>		
प्रति, श्री. एकनाथ पवार, प्रजा फाऊंडेशन, पहिला मजला, व्हिक्टोरिया बिल्डिंग, अम्यारी लेन, मिंट रोडच्या मागे, फोर्ट, मुंबई- ०१.		
<p>विषय :- माहिती अधिकार अधिनियम २००५ अन्वये माहिती मिळणेबाबत.</p> <p>संदर्भ :- आपला दिनांक ०१.०४.२०२१ रोजीचा माहिती अधिकारातील अर्ज.</p> <p>महोदय,</p> <p>उपरोक्त विषयाकित प्रकरणी आपला माहिती अधिकारातील अर्ज या संचालनालयास दिनांक २३.०४.२०२१ रोजी प्राप्त झाला आहे.</p> <p>सदरहू अर्जांन्वये मागितलेल्या माहितीबाबत आपणांस कळविण्यात येते की, मुंबईतील राज न्यायालयात कार्यरत असणा-या अतिरिक्त सरकारी अभियोक्त्यांचे सन २०२०-२०२१ या कालावधीतील मुल्यामापन अहवालाचे काम संचालनालयामार्फत अजून पूर्णत्वास आलेले नाही. सदरच्या मुल्यामापन अहवालाच्या नोंदी पुर्ण झाल्यानंतर आपणांस त्या अहवालाच्या नोंदी देण्याची सजवीज देवण्यात येत आहे.</p> <p>उपरोक्त माहितीने आपले समाधान झाले नसल्यास आपण संचालक, अभियोग संचालनालय, महाराष्ट्र राज्य, मुंबई हे प्रथम अपिलीय प्राधिकारी असल्याने त्यांच्याकडे पत्र मिळाल्यापासून ३० दिवसांचे आत अपिल सादर करू शकता.</p>		
		आपला  (वि.वि.जीशा) जन माहिती अधिकारी, अभियोग संचालनालय,



महाराष्ट्र शासन
विधि व न्याय विभाग
मुख्य इमारत, पाचवा मजला,
मादाम कामा मार्ग, हुतात्मा राजगुरु चौक,
मंत्रालय, मुंबई.

दूरध्वनी क्र. ०२२-२२७९३२०४

Email ID : vaishali.borude@nic.in

RPAD

क्रमांक : माअअ-२०२१/०९/प्र.क्र.७/का.१४

दिनांक : ०५ मे, २०२१

प्रति,

✓ श्री. एकनाथ पवार,
प्रजा फाऊंडेशन, १ ला मजला,
व्हिक्टोरिया बिल्डींग, आग्री लेन,
ऑफ मीट रोड, फोर्ट, मुंबई-४०० ००१.

विषय:- माहितीचा अधिकार अधिनियम-२००५ अन्वये माहिती मिळणेबाबत

संदर्भ:- आपला दि.०१.०४.२०२१ रोजीचा माहिती अधिकार अर्ज

महोदय,

उपरोक्त विषयावरील आपण संदर्भाधिन दिनांक ०१.०४.२०२१ रोजी केलेला माहिती अधिकार अर्ज या कार्यासनाला दिनांक २३.०४.२०२१ रोजी प्राप्त झाला आहे. सदर अर्जांन्वये आपण मागणी केलेल्या माहितीच्या अनुषंगाने आपणांस खालीलप्रमाणे माहिती उपलब्ध करून देण्यात येत आहे.

अ. क्र.	मागीललेली माहिती.	उपलब्ध माहिती
१	Please provide the appraisal reports for the criminal prosecution in Criminal courts (Session Courts) in Mumbai for the year २०२०-२०२१. (Please provide the information Assistant Public Prosecutor and Additional Public Prosecutor wise separately.)	सन २०२०-२०२१ या कालावधीतील सत्र न्यायालय, मुंबई येथे कार्यरत असलेल्या अतिरिक्त सरकारी अभियोक्ता यांचा कार्यमुल्यमापन अहवाल या कार्यासनास अद्यापपर्यंत प्राप्त झालेला नाही.

३. यासंदर्भात अपील करावयाचे झाल्यास वरील पत्र मिळाल्यापासून ३० दिवसांच्या आत प्रथम अपीलीय अधिकारी/कार्या.१४, ५ वा मजला (मुख्य इमारत), विधि व न्याय विभाग, मादाम कामा मार्ग, हुतात्मा राजगुरु चौक, मंत्रालय, मुंबई-३२ यांच्याकडे अपील करता येईल.

(वैशाली पं. बोरुडे)

जन माहिती अधिकारी तथा कार्यासन अधिकारी

निवडनस्ती.

C:\Users\kavita.meshram\Desktop\KAVITA-२०२१\RTI-२०२१.docx

Letter Regarding Disposal of Cases Data for 2020-21

जावक क 443/२०२१,
सरकारी अभियोक्ता, वृहन्मुंबई यांचे
कार्यालय, जुने सचिवालय आवार,
तळमजला, कर्मवीर भाऊराव पाटील
मार्ग, फोर्ट, मुंबई
ईमेल ppofficemumbai42@yahoo.com
दिनांक :- १६/११/२०२१.

प्रति,
एकनाथ पवार,
प्रजा फाउंडेशन,
२८१, पहिला मजला,
विकटोरिया विल्डींग,
अग्यारे लेन, ऑफ मिनट रोड,
फोर्ट, मुंबई - ४०० ००१.

विषय: माहितीचा अधिकार २००५ अंतर्गत आपला
दि. १५/११/२०२१ रोजीचा अर्ज या कार्यालयास
दिनांक १८/११/२०२१ रोजी प्राप्त झाला...

महोदय,

उपरोक्त विषयास अनुसरून आपणांस कळविण्यात येते की, सरकारी अभियोक्ता, वृहन्मुंबई या कार्यालयातील अतिरिक्त सरकारी अभियोक्ते यांनी कोरोनाची (Covid-19) परिस्थिती असल्याने आपला वैमासिक कार्यअहवाल सादर केलेला नाही. आपण मागितलेल्या कालावधीतील कार्यअहवाल कार्यालयास प्राप्त झालेला नाहीत. न्यायाने सदरची माहिती देणे शक्य होत नाही.

तरी आपला दिनांक १५/११/२०२१ रोजीचा अर्ज निकाली काढण्यात येत आहे. बरील माहितीने आपले समाधान न झाल्यास अपिलीय अधिकारी, सरकारी अभियोक्ता, वृहन्मुंबई यांच्याकडे आपण अपिल सादर करू शकता.


(सा.भा. खडक)

अधिक्षक तथा माहिती अधिकारी
सरकारी अभियोक्ता, सत्र न्यायालय,

D. Key Pillars of the Criminal Justice System

The process of adjudication requires several factors to work together to get timely action in order to ensure delivery of justice. The several entities come together to form the legal system which does not function efficiently if even one of these entities is ineffective. The investigation, Public prosecution and the Judiciary all need to work in sync for better dispensing of justice. Although no two cases in the criminal trial are quite the same, we see that there is recurrent trend of acquittal in cases. The unmerited acquittals mean serious injustice.

1) Police Investigation:

For Mumbai Police, Police sub-inspector (PSI) and above designations are involved in the work of investigation. The shortage of police force severely impacts the efficiency of police investigation in heinous crime cases. The serious shortfall in the police personnel is one of the reasons for repeated failures to carry out a thorough investigation. Police investigation plays a crucial role in establishing the case. The evidence if collected meticulously provides a strong ground for the public prosecutor and the judiciary to work better. It is important to understand that if these institutions are not well staffed it is going to disproportionately distribute the workload and hamper the performance of investigating officers in carrying out a thorough investigation. The investigation officer needs to have proper time and resources to pursue the case investigation. The issues of police department being understaffed, overworked persists and it affects the performance of the police in investigating cases of severity like rape cases of minors, murder, dowry deaths etc.

2) Public Prosecution:

The performance of criminal justice system depends on the efficient prosecution. It is prosecutor's responsibility to prove the case against the accused and if the prosecutor fails to do so, the case is fated for acquittal. In many of the cases that were acquitted prosecutor could not quite fulfil the responsibility of proving the case against the accused.

"The Prosecutor has a duty to the State, to the accused and to the Court. The Prosecutor is at all times a minister of justice, though seldom so described. It is not the duty of the prosecuting counsel to secure a conviction... His attitude should be so objective that he is, so far as humanly possible, indifferent to the result. It may be argued that it is for the tribunal alone, whether magistrate or jury, to decide guilt or innocence" (Christmas Humphreys (1955 Criminal Law Review 739 (740-741))⁴¹. Prosecutors have authority independent of the police and have the responsibility of maintaining rule of law.

3) Sessions Courts:

The Sessions Court was established under the powers given to the State Government by Section 9 of the Criminal Procedure Code. The Mumbai Sessions Court started functioning from 16th August 1948.⁴² Sessions courts are supposed to speedily and efficiently dispose of cases primarily within the session. However, understaffed courts and procedural aspects of hearings and trials leads to inefficiency in the judicial system. It is important that all these three limbs of the criminal justice system work together to ensure delivery of justice.

⁴¹ Law Commission Report, 197th Report On Public Prosecutor's Appointments can be accessed [here](#).

⁴² <http://ecourts.gov.in/mumbai/citycivil>

E. Key Sections under IPC and Other Acts

Sections/Acts	Descriptions
302	Murder (302)
304	Culpable Homicide not amounting to murder
306	Abetment of suicide
307	Attempt to Murder
323	Voluntarily causing hurt
324	Voluntarily causing hurt by dangerous weapons or means
326	Voluntarily causing grievous hurt by dangerous weapons or means
326,325	Grievous hurt
332	Voluntarily causing hurt to deter public servant from his duty
333	Voluntarily causing grievous hurt to deter public servant from his duty
335	Voluntarily causing grievous hurt on provocation
342	Punishment for wrongful confinement
344	Wrongful confinement for ten or more days
354	Assault or criminal force to woman with intent to outrage her modesty
363	Kidnapping
364	Kidnapping or abducting in order to murder
366	Kidnapping, abducting or inducing woman to compel her marriage, etc.
366 A	Procuration of minor girl
368	Wrongfully concealing or keeping in confinement, kidnapped or abducted person
372	Selling minor for purposes of prostitution etc.
376	Rape
377	Unnatural Offences
392	Robbery
394	Voluntarily Causing hurt in committing robbery
395	Dacoity
411	Dishonestly receiving stolen property
417	Punishment for cheating
420	Cheating and dishonestly inducing delivery of property
457	Lurking house trespass or house-breaking by night in order to commit offence punishable with imprisonment
489 A	Counterfeiting currency-notes or bank-notes
489 B	Using as genuine, forged or counterfeit currency-notes or bank-notes
489 C	Possession of forged or counterfeit currency-notes or bank-notes
506	Punishment for criminal intimidation
511	Attempting to commit offences punishable with imprisonment for life or other imprisonment
120 B	Criminal Conspiracy
14(a)	Foreigners Act, 1946
3(1)(c)	Official Secrets Act
Section 4 and 6, POCSO Act	Child Rape (under the age of 18)
Section 8 and 10, POCSO Act	Sexual Assault of children (under the age of 18)
Section 12, POCSO Act	Sexual harassment of children (under the age of 18)