

**GOVERNMENT OF INDIA
HOME AFFAIRS
LOK SABHA**

UNSTARRED QUESTION NO:5097
ANSWERED ON:27.04.2010
POLICE COMPLAINTS AUTHORITY
Karunakaran Shri P.

Will the Minister of HOME AFFAIRS be pleased to state:

- (a) whether the Union Government and various State Governments have setup Police Complaint Authorities;
- (b) if so, the details and the objectives thereof;
- (c) the total number of complaints relating to serious misconduct including death and sexual assault during custody reported to such authorities during each of the last three years; and
- (d) the extent to which such authorities have helped to curb misconduct including death and sexual assault during custody among the police personnel in the country?

Answer

MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI AJAY MAKEN)

(a) & (b): In Writ Petition (Civil) No. 310/96 – Prakash Singh and others Versus Union of India and Others, the Supreme Court passed several directions to States/Union Territories on police reforms which inter alia, included a direction on setting up of a police complaint authority both at State as well as District level to look into the complaints against the police officers and directed to file affidavits of compliance within stipulated time period. The State level Complaints Authority would take cognizance of only allegations of serious misconduct by the police personnel, which would include incidents involving death, grievous hurt or rape in police custody. The district level Complaints Authority would, apart from above cases, may also inquire into allegations of extortion, land/house grabbing or any incident involving serious abuse of authority. The recommendations of the Complaints Authority, both at the district and State level, for any action, departmental or criminal, against a delinquent police officer shall be binding on the concerned authority.

(c) & (d): The information is being collected and will be laid on the Table of the House.