

**GOVERNMENT OF INDIA
HOME AFFAIRS
LOK SABHA**

UNSTARRED QUESTION NO:4471
ANSWERED ON:07.12.2010
ADMINISTRATIVE REFORMS COMMISSION
Owaisi Shri Asaduddin

Will the Minister of HOME AFFAIRS be pleased to state:

- (a) whether the Union Government has received any recommendations from the Administrative Reforms Commission (ARC) to maintain law and order and to effectively tackle federal crimes and to deploy forces in the affected States;
- (b) if so, whether the said recommendations involved constitutional issues and Center-State relations;
- (c) if so, the details thereof;
- (d) whether the Union Government has held any meeting with the State Governments on the recommendations of the ARC and the issue relating to the National Development Council; and
- (e) if so, the details and the outcome thereof?

Answer

MINISTER OF THE STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI MULLAPPALLY RAMACHANDRAN)

(a) to (c): Yes, Madam. The 2nd Administrative Reforms Commission (ARC), in its 5th Report titled 'Public Order' released in June, 2007, inter alia made recommendations for tackling 'federal crimes' and deployment of forces in affected States for maintenance of law and order.

There is no definition of 'federal crime' in the Indian Penal Code (IPC). Since 'Public order' and 'Police' figure as Entry 1 and 2 respectively in List II (State List) in the Seventh Schedule of our Constitution, the recommendations involve constitutional issues having ramifications on Centre-State relations.

The Union Government, however, attaches highest importance to the matter of prevention of crime and therefore, the Union Government has been advising the State Governments/ UT Administrations from time to time to give more focused attention to the administration of criminal justice system with emphasis on prevention and control of crime. In April 2007, the Government constituted a Commission on Centre -State Relations (CCSR) under the Chairpersonship of Shri Justice Madan Mohan Punchhi (Retd.), former Chief Justice of India to look into the issues of Centre-State relations. CCSR has since submitted its report on 19.04.2010. The Report of the Commission is being examined by the Inter-State Council Secretariat in consultation with the State Governments/Union Territory Administrations and concerned Ministries/ Departments of the Central Government.

(d) & (e): No meeting has so far been held with the State Governments in connection with the 5th Report of the 2nd Administrative Reforms Commission.