

**GOVERNMENT OF INDIA
HOME AFFAIRS
LOK SABHA**

UNSTARRED QUESTION NO:2277
ANSWERED ON:27.03.2012
COURT DIRECTIVE ON POLICE COMPLAINTS AUTHORITY
Singh Shri Dushyant

Will the Minister of HOME AFFAIRS be pleased to state:

- (a) whether the Supreme Court of India had directed the States and the Centre to set up Police Complaints Authorities at the District and State levels;
- (b) if so, the present status of implementation of the Court's directive; and
- (c) the steps taken by the Union Government to strengthen the complaints process and address police misconduct and lack of accountability?

Answer

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

(a): The Hon'ble Supreme Court of India vide its judgement dated 22.09.2006 in Writ Petition (Civil) No.310 of 1996 – Prakash Singh and others vs UOI had issued several directions to the States, UTs and the Central Government on Police Reforms. One of these directions pertains to setting up of a Police Complaint Authority both at the State as well as at the District level to look into the complaints against the police officers.

(b): A copy of Supreme Court judgment was sent to all State Governments for consideration and appropriate action. Vide its subsequent order dated 16.5.2008, the Hon'ble Supreme Court constituted a Committee under the chairmanship of Shri Justice K.T. Thomas, retired Judge of Supreme Court, inter alia, to examine the affidavits filed by different States in compliance to the Court's directions. The Committee has submitted its report to the Hon'ble Supreme Court and a copy of the report has been circulated to all States/UTs by the Registry of Supreme Court on 4.10.2010. The Hon'ble Court is now examining the status of implementation of its directions. As per this report, 09 States have set up Police Complaints Authorities through executive instructions and 12 States have done so through new Police Act or amendment in the existing respective Police Act. In case of Union Territories, necessary orders have been issued by the Ministry of Home Affairs on 3.3.2010.

(c): 'Police' being a State subject as per VIth Schedule of the Constitution of India, the matter falls with the purview of States and the Hon'ble Court is already seized of the matter.