

**GOVERNMENT OF INDIA
HOME AFFAIRS
LOK SABHA**

UNSTARRED QUESTION NO:2432

ANSWERED ON:12.03.2013

SUGGESTIONS ON POLICE REFORMS

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Will the Minister of HOME AFFAIRS be pleased to state:

- (a) whether the Union Government has received any suggestions or memoranda from the social organisations and others regarding police reforms;
- (b) if so, the details thereof and the total number of such suggestions/memoranda received during each of the last three years and the current year; and
- (c) the action taken by the Union Government in this regard?

Answer

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

(a) to (c): Various letters and representations are received from individuals/Social Organizations from time to time in the Ministry of Home Affairs suggesting police reform measures. The suggestions are noted and the concerned individuals/social organizations are responded informing them that police reforms is an ongoing process and police being a State subject included in the Seventh Schedule to the Constitution of India, it is for the State Government / UT Administration to implement various police reforms measures. In Ministry of Home Affairs no such data on suggestions received are maintained.

However, a Review Committee was constituted by the Ministry of Home Affairs in December 2004 to review the status of implementation of recommendations made by the various past Committees/ Commission. The Review Committee short-listed 49 recommendations from out of the recommendations of the previous Committees/ Commission on Police Reforms as being crucial to the process of transforming the police into a professionally competent and service oriented organization. The Review Committee submitted its report to this Ministry in 2005. These 49 Recommendations were sent to the State Governments/UTs for implementation. Also the Hon'ble Supreme Court of India passed a judgement on September 22, 2006 in Writ Petition (Civil) No. 310 of 1996 - Prakash Singh and others Vs UOI and others on several issues concerning Police Reforms. The directions were:-

- (i) Constitute a State Security Commission on any of the models recommended by the National Human Right Commission, the Reberio Committee or the Sorabjee Committee.
- (ii) Select the Director General of Police of the State from amongst the three senior-most officers of the Department empanelled for promotion to that rank by the Union Public Service Commission and once selected, provide him a minimum tenure of at least two years irrespective of his date of superannuation.
- (iii) Prescribe a minimum tenure of two years to the police officers on operational duties.
- (iv) Separate investigating police from law & order police, starting with towns/ urban areas having population of ten lakhs or more, and gradually extend to smaller towns/urban areas also.
- (v) Set up a Police Establishment Board at the state level for, inter alia, deciding all transfers, postings, promotions and other service related matters of officers of and below the rank of Deputy Superintendent of Police, and
- (vi) Constitute Police Complaints Authorities at the State and District level for looking into complaints against police officers.
- (vii) Set up a National Security Commission at the Union level to prepare a panel for being placed before the appropriate Appointing Authority, for selection and placement of Chiefs of the Central Police Organisations (CPO) who should have also be given a minimum tenure of two years.

So far as Central Government and Union Territories are concerned, there has been a significant and substantial compliance of the directions of the Hon'ble Supreme Court by the Government of India.

The Hon'ble Supreme Court of India in the order dated 16th October, 2012 in the aforesaid case directed the State Governments/UTs and Union of India to submit a status report on the implementation of the directions given in its judgement dated 22nd September, 2006. The Ministry of Home Affairs has filed status report in the form of an Affidavit dated 2.1.2013 on behalf of Ministry of Home Affairs Union of India in the Hon'ble Supreme Court.

The Centre has been persuading the State Governments from time to time to bring in the requisite reforms in the police administration to meet the expectations of the people. Police reform measures are also supported through the grants-in-aid released to the State Governments under the Scheme for Modernisation of State Police Forces (MPF) by the Ministry of Home Affairs. The major items of police infrastructure for State police supported under the Scheme are mobility, modern weaponry, training infrastructure facilities, forensic science equipment, security equipment, traffic equipment, construction of residential buildings for lower level police personnel, etc.