

**GOVERNMENT OF INDIA
HOME AFFAIRS
LOK SABHA**

UNSTARRED QUESTION NO:338

ANSWERED ON:06.08.2013

FUNCTIONING OF POLICE FORCES .

Choudhary Shri Bhudeo;Devi Aswamedh;M.Thambidurai Dr.

Will the Minister of HOME AFFAIRS be pleased to state:

- (a) whether various courts have recently expressed serious concern over the functioning of the police forces and non-implementation of police reforms in the country;
- (b) if so, the details thereof and the reaction of the Union and the State Governments thereto;
- (c) whether the Supreme Court has also sought information regarding implementation of police reforms/functioning of police forces and treatment of women by police personnel in the country from the Union Government;
- (d) if so, the details thereof and the action taken by the Union Government in this regard; and
- (e) the other measures taken to sensitise the police forces while dealing with women and children and the details of advisories issued to the State Governments and police departments in this regard?

Answer

MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI R.P.N.SINGH)

(a) & (d): Yes, Madam. Recently, the Hon'ble Supreme Court of India has taken suo moto cognizance of incidents on various cases. The Hon'ble Court, vide Sua Moto Writ Petition (Civil) No. 139 of 2013, has sought a response of the Government of India, State Governments and Union Territories in the matter. The Government of India and State Governments / Union Territories were requested to file affidavits on the issue of implementation of the directions contained in the judgement of Hon'ble Supreme Court in Prakash Singh and Others vs. Union of India and Others (2006) 8 SCC 1 on various aspects of Police Reforms. Further, State Governments of Punjab and Bihar were also directed to file separate affidavits on the incidents of beating of woman in public and lathi-charge on contractual teachers respectively.

'Police' being a State subject included in the VII Schedule to the Constitution of India, it is the State Governments/UT Administrations, which have to implement various police reforms measures. The Ministry of Home Affairs has filed a Counter Affidavit in the Hon'ble Supreme Court on 02.04.2013 in Sua Moto Writ Petition (Civil) No. 139 of 2013 on behalf of the Union of India regarding implementation of the directions contained in the judgement dated 22.09.2006 in Prakash Singh and Others vs. Union of India and Others case. The matter is sub-judice in the Hon'ble Supreme Court.

(e): 'Public Order' and 'Police' are 'State Subjects' as per the VII Schedule of the Constitution of India. Maintenance of law and order in a State and prevention of crime are primarily the responsibilities of the State Governments. The Union Government, however, attaches the highest importance to the prevention of crime and, therefore, the Ministry of Home Affairs has been advising the State Governments/ UT Administrations from time to time to give focused attention to the administration of the criminal justice system with emphasis on prevention and control of crime. It is the responsibility of the State Governments to ensure that police remains accountable, people friendly, responsive towards public and its behaviour is socially acceptable. The Ministry of Home Affairs vide OM No. 15011/48/2009-SC/ST-W, dated 04.09.2009 had requested all the State Governments & UT Administrations to vigorously enforce the existing legislation relating to crime against women and children; increase the overall representation of women in police forces; sensitise the law enforcement machinery towards crime against women etc. Further, vide OM No. 15011/48/2006-SC/ST-W, dated 14.7.2010 and OM No. 24013/07/Misc/2011-CSR.III, dated 4.1.2012, all the State Governments and UT Administrations were requested to take necessary measures to curb crime against children. The Government of India have been advising the State Governments and UT Administrations from time to time regarding the steps that need to be taken to provide a greater measure of protection to the public, especially women, and in particular, prevent incidence of crime against women and children.

Bureau of Police Research & Development (BPR&D) has requested States/UTs/CPOs/CAPFs to organize workshops at State and District levels on "Gender sensitisation and crime against women" and has released funds for conducting 92 States/District level workshops. BPR&D has also issued an advisory to all States/UTs/CAPFs to include Gender Sensitisation Modules in all of the curriculums of basic and refresher training courses for all ranks of police trainees. Further, BPR&D organizes regular courses on "Investigation of Crime Against Women" every year in its Central Detective Training School.