

COMMITTEE ON SUBORDINATE LEGISLATION

(2017-2018)

(SIXTEENTH LOK SABHA)

THIRTY-FIRST REPORT

RULES/REGULATIONS GOVERNING THE FUNCTIONING OF DELHI POLICE



सत्यमेव जयते

LOK SABHA SECRETARIAT

NEW DELHI

AUGUST, 2018/SHRAVANA, 1940 (Saka)

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(PRESENTED TO LOK SABHA ON 07th August, 2018)



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COMPOSITION OF THE COMMITTEE ON SUBORDINATE LEGISLATION
(16th LOK SABHA)
(2017-2018)

Shri Dilipkumar Mansukhlal Gandhi Chairperson

Members

2. Shri Idris Ali
3. Shri Birendra Kumar Choudhary
4. Shri S. P. Muddahanumegowda
5. Shri Shyama Charan Gupta
6. Shri Jhina Hikaka
7. Shri Janardan Mishra
8. Shri Prem Das Rai
9. Shri Chandul Lal Sahu
10. Shri Alok Sanjar
11. Shri Ram Prasad Sarmah
12. Adv. Narendra Keshav Sawaikar
13. Shri V. Panneer Selvam
14. Shri Ram Kumar Sharma
15. Shri Nandi Yellaiah

SECRETARIAT

1. Smt. Sudesh Luthra - Additional Secretary
2. Shri Ajay Kumar Garg - Director
3. Smt. Jagriti Tewatia - Deputy Secretary

INTRODUCTION

I, the Chairperson, Committee on Subordinate Legislation having been authorised by the Committee to submit the report on their behalf, do present this Thirty First Report.

2. The matters covered by this Report were considered by the Committee on Subordinate Legislation at their sitting held on 05.01.2016 and 05.04.2017 during which oral evidence of the representatives of Ministry of Home Affairs and Delhi Police were taken.
3. The Committee considered and adopted this Report at their sitting held on 02.08.2018.
4. Minutes of the Fifth Sitting of the Committee (2015-16) held on 05.01.2016, Minutes of the Eleventh sitting of the Committee (2016-2017) held on 05.04.2017 and Extracts from Minutes of Nineteenth Sitting of the Committee (2017-18) held on 02.08.2018 relevant to this Report are included in Appendix-I of the Report.

New Delhi;
02nd August, 2018
11 Shravana, 1940 (Saka)

DILIPKUMAR MANSUKHLAL GANDHI
Chairperson
Committee on Subordinate Legislation

REPORT**CHAPTER -I****A. Introduction**

Delhi Police is an entity established by the Delhi Police Act, 1978. Section 3 of the Delhi Police Act, 1978 *inter-alia* states that there shall be a police force for the whole of Delhi and all officers and subordinate ranks of the police force shall be liable for posting to any branch of the force including the Delhi Armed Police. As per the background note submitted to the Committee, the Delhi Police is committed to its mandate of maintenance of Law & Order of the city having priority areas viz:-

- (i) Thrust on truthful registration of crime
- (ii) Safety of women
- (iii) Safety of vulnerable groups
- (iv) Care of Senior Citizens
- (v) Safety and Security of North Eastern Residents
- (vi) Safety of Churches and Educational institution run by Christian Community
- (vii) Missing children
- (viii) Smart Policing – use of technology
- (ix) Zero tolerance against corruption
- (x) People-friendly & Responsive and transparent Policing
- (xi) Anti-Terrorist Measures
- (xii) Traffic regulation and Road Safety
- (xiii) Tackling street crime – Higher visibility of police

B. History and organizational structure:

1.2 Organized form of policing was established by the British after the First War of Freedom of 1857 with the adoption of the Indian Police Act of 1861. It was on Feb. 16, 1948 that the first IGP of Delhi was appointed and the total strength of Delhi Police was increased by 1951 to about 8000 with one

Inspector General of Police and eight Superintendents of Police. A post of Deputy Inspector General of Police was created in 1956.

1.3 As Delhi witnessed an exponential growth after independence, it was realized by late fifties/early sixties, that the police structure would not be able to cope-up with the growing challenges. The Government of India, therefore, appointed a Police Commission in 1966 under Justice G.D. Khosla to suggest a police machinery that could respond more effectively to the complex policing requirements. Justice Khosla Commission, after extensive examination of the issue, gave its report in 1968 suggesting a major restructuring of Delhi Police. The issue was examined at length and the Delhi Police Act, 1978, was passed by the Parliament introducing the Police Commissioner system in the capital from July 1, 1978.

1.4 The Delhi Police Act, 1978 was enacted to amend and consolidate the law relating to the Police Force in the National Capital Territory of Delhi. Section 4 of the Act provides that the superintendence of the Delhi Police throughout Delhi shall vest in and be exercisable by the Administrator and any control, direction or supervision exercisable by officer over any member of the police force shall be exercisable subject to such superintendence. Section 6 of the Act provides that for the direction and supervision of the police force in Delhi, the Administrator shall appoint a Commissioner of Police who shall exercise and perform such powers and duties and perform such functions as are specified by or under this Act.

1.5 Regarding any proposal to review the Delhi Police Act, 1978, the Ministry in their written reply have stated as under:

"A draft Police Bill to replace the Delhi Police Act, 1978 was considered in the Ministry in consultation with concerned stakeholders and the Ministry of Law & Justice. However, the issue regarding grant of licensing power in the new Bill could not be decided.

Meanwhile, in another matter, a Writ Petition (C) No. 10164/2015 titled National Association of Motion Pictures Exhibitors Vs L.G. Delhi & Ors. has been filed in the Hon'ble High Court of Delhi in which the notification dated 09.01.2015 issued by LG, Delhi under Section 11 of the Cinematography Act, 1952 has been challenged and petitioners have prayed that the licensing power under Cinematography Act, 1952 should remain with Licensing Unit of Delhi Police. In this matter, it has been conveyed to the Central Government Standing Counsel that the Ministry would be guided by the decision of Hon'ble High Court. The matter is sub-judice."

1.6 The Delhi Police Commissioner is assisted by 10 Special Commissioners of Police, 20 Joint Commissioners of Police, 19 Additional Commissioners of Police and 107 Deputy Commissioners of Police/Additional Deputy Commissioners of Police and has a total sanctioned strength of 84536. Delhi Police is divided into 6 Ranges, 11 Districts and 181 Police Stations. There are specialized units to address other key responsibilities like traffic management, intelligence gathering and counter terrorism, VIP security, armed reserves and police training nucleus.

C. PUBLICATION OF DELHI POLICE RULES IN GAZETTE

1.7 Article 239AA(1) provides that the Union Territory of Delhi shall be called the National Capital Territory of Delhi and the Administrator thereof appointed under Article 239 shall be designated as the Lieutenant Governor. Article 239AA (2)(a) establishes a Legislative Assembly. Article 239AA (3)(a) *inter alia* empowers the Legislative Assembly to make laws with respect to the matters enumerated in the State List or in Concurrent List in so far as they are applicable to UTs except matters with respect to Entries 1 (Public order), 2

(Police) and 18 (Land) of State List and Entries 64, 65 and 66 of that List in so far as they relate to Entries 1, 2 & 18. Article 162 of the Constitution provides that the executive powers of a State extends to the matters with respect to which the State Legislature has power to make laws. Consequently, the Council of Ministers of the NCT, Delhi has no authority on matters relating to Public Order, Police and Land. These subjects are within the domain of the Parliament. Accordingly, they fall within the executive power of the Central Government (Article 73) and are governed by the LG, Delhi (Article 239, Article 239AA and Delhi Police Act, 1978), who is an appointee of the President of India.

1.8 Against the above backdrop, the Committee took up for consideration the issue regarding the publication of Delhi Police rules in the state Gazette instead of National Gazette, to which the Ministry in their written submission have *inter-alia* stated as under:

“Section 4 of Delhi Police Act, 1978 provides that the superintendence of the Delhi Police throughout Delhi shall vest in, and be exercisable by the Administrator and any control, direction or supervision exercisable by officer over any member of the police force shall be exercisable subject to such superintendence. As per Section 147 (1) of the Act, the Administrator may make rules for carrying out the purposes of Delhi Police Act, 1978. As and when a proposal is sent by the Delhi Police to the Home Department of GNCT of Delhi for its notification in Delhi Gazette (Extra Ordinary) (Part-IV), the same is notified by the GNCT, Delhi in Delhi Gazette after taking approval of the competent authority i.e. L.G., Delhi. After notification, a copy of the same is sent to the MHA by the GNCT of Delhi. As per 148(1) and (2), every rule and regulation made under this Act shall be made by notification in the official Gazette and every rule and regulation made under this Act shall be laid, as soon may be after it is made, before each House of Parliament. Accordingly, the rules are laid on the Table of both the Houses of Parliament by MHA.

D. Cadre review of Delhi Police:

1.11 The Committee desired to know about the necessity of revising the cadre strength of Delhi Police in view of the ever growing population of Delhi. In response the Ministry in their post evidence reply dated 04.05.2016 have stated as under:

"Cadre review is done only for IPS and DANIPS officers. ...For other posts, need based manpower proposals are sent for enhancing the strength from time to time. The Ministry further informed that on the advice of Department of Expenditure , a High Level Committee has been set up in MHA in June 2015 with representatives of MHA, BPRD and Delhi Police to assess the additional requirement of manpower in Delhi Police."

1.12 At the briefing meeting held on 05th April, 2017, the Commissioner of Police in this regard *inter-alia* stated as under:

"As far as the High Level Committee for the assessment of manpower for Delhi Police was concerned, the Committee gave a recommendation to the Delhi Police and the Delhi Police has submitted a proposal thereafter. The proposals which were in topmost priority those have been taken up for the creation of about 14750 posts. We have taken it up with the Ministry of Finance."

1.13 The Committee also enquired about the ratio of the male versus female personnel in Delhi Police and stipulated ratio in this regard and whether any extra efforts are being made for enhancement of women police personnel in

1.9 At the briefing meeting held on 05th January, 2016, the Commissioner of Police *inter-alia* stated as under:

“Delhi is a union territory under Article 239. Delhi was given a special status under Article 239 AA through an amendment but even then, full statehood was not granted to Delhi. It was maintained as a Union Territory. Rights under Entry I, Entry – II and another Entry of State List dealing with land and Entry I and Entry II dealing with public order and police were not given to Assembly of Delhi at the time of its constitution, so these rights remained with Parliament. Lieutenant Governor is nominee of Hon’ble President. Section 4 of Delhi Police Act, 1978 states that Superintendence and control of Delhi Police shall vest in the Administrator. Delhi Police through Administrator and Union Home Minister is responsible to Parliament. Delhi Police through Administrator and Union Home Minister reports to the Parliament of India and is oversought by the Parliament. In respect of Police and public order, Home Branch does not deal on behalf of Delhi Police but on behalf of Lieutenant Governor. Documents in regard are dealt with by Home Branch. They are published in gazette of Delhi but their approval comes from Lieutenant Governor. The proposal for any amendment in Delhi Police Promotion and Confirmation Rules is approved by Lieutenant Governor. We issue order ourselves but in certain cases, where Government approval is required, we do it after approval of Lieutenant.

1.10 On being specifically asked that, when there is full control of Central Government and there is a system existing in Home Ministry then why notifications are being approved by Delhi Government, the Commissioner of Police submitted before the Committee that this is being traditionally followed. For them the Government is not Delhi Government but it is Lieutenant Governor. When there is an issue of police or public order, they ask Lieutenant Governor and their budget comes from Government of India. He further agreed that the Lieutenant Governor can approve the paper and send the same to MHA and then it can be published there.

Delhi Police. The Ministry in their post evidence reply dated 04.05.2016 submitted as under:

"As of now, the percentage of women in Delhi Police is reportedly 9.33%. Government of India has approved on 20th March, 2015 reservation of 33% for women horizontally and in each category (SC, ST, OBC & others) in direct recruitment in Non-Gazetted posts from Constable to Sub-Inspector in the police forces of all the Union Territories including Delhi Police. Delhi Police has reported that in pursuance of the above decision, 33% reservation is being given to women horizontally in each category in direct recruitment in non-gazetted posts from Constable to sub-Inspector in the arising vacancies. 33% reservation of women was also given in the special recruitment of 450 Constables from North East states, Similarly, in Sub-Inspectors and Constables posts where SSC is to conduct the recruitment, the vacancies conveyed contain 33% posts reserved for women."

CHAPTER – II

DANIP Service:

2.1 The acronym DANIPS stands for "NCT of Delhi, Andaman and Nicobar Islands, Lakshadweep, Daman & Diu and Dadra & Nagar Haveli Police Service". It is a Group B Civil Service of the Government of India. Officers of the service are recruited directly through the Civil Service Examination conducted by Union Public Service Commission. The Cadre is also augmented by promotion of non-gazetted officers to the DANIPS. They also form a feeder cadre of the Indian Police Service (IPS) and are responsible for the law & order and policing functions of the National Capital, Delhi and the Union Territories. The Ministry of Home Affairs is the nodal agency. As per the Ministry, the State Police Service (SPS) Officers are inducted to IPS as per the provisions of IPS (Appointment by Promotion) Regulations, 1955. Rule 9 of IPS (Recruitment) Rules, 1954 *inter-alia* provides that 33.33% of the posts in IPS are to be filled on induction from State Police Officers. As per the provisions of Promotion Regulations, for being eligible for consideration for promotion to the IPS, an SPS officer should have completed 8 years service in SPS. Under Regulation 5(2) of the Promotion Regulations, the SPS officers are considered in order of their seniority in the SPS. 8 years service is the minimum requirement for consideration for IPS induction. The Committee were informed that the induction to IPS depends on the availability of vacancies against the promotion quota.

A. Promotional avenues of DANIPS vis-à-vis IPS Officers

2.2 On being enquired about the procedure being followed in determining the number of vacancies in respect of IPS and DANIPS Officers, the Ministry of Home Affairs in their written submission stated as under:

"As regards DANIPS, in terms of DANIPS Rules, 2003, 50% of the posts in Entry Grade are filled through Direct Recruitment on the basis of Civil Service Examination conducted by UPSC and rest of the 50% are filled through promotion from the Feeder grade services of DANIPS. For this purpose, vacancies are determined keeping in view the number of promotions, resignation, death and retirement etc. of the existing officers. Further, there is no provision of maintaining any ratio between IPS and DANIPS officers in particular UT. As regards IPS of AGMUT (Arunachal Pradesh, Goa, Mizoram and Union Territories) cadre, determination of vacancies and recruitment is done by the Police Division MHA. The ratio maintained between IPS of UT Segment and DANIPS officers is 1:4.32"

2.3 At the briefing meeting held on 5th January, 2016, Joint Secretary (UT) inter-alia stated as under:

"Like there are State Service Commissions in different states, same way the State of Delhi and Union Territories do not have Public Service Commission of its own. In order to have uniformity and not to have multiplicity of bodies, recruitment is done by UPSC. The examination is same, however those who are at top get IAS, IPS according to their preference and those who are ranked lower are offered DANIPS. The promotion of DANIPS officers is fixed at one-third of IPS cadre. That promotion is done based on the vacancy. However, there are many states where cadre management is better, promotion is done in 8 years, somewhere it is in 10 years. But in Bihar, U.P. it is sometime done in 20-25 years. In future, maybe with better cadre management the delay of up to 20 years can come down. Cadre review is being examined, and with this the strength of IPS will be increased. With increase in strength of IPS, promotion posts will be increased. So, it will be slightly faster."

2.4 The Secretary, Ministry of Home Affairs on the issue further submitted as follows:

“Like in All India Services, they have All India Service Cadre Rules wherein the total strength of cadre is decided and it is divided among all states. It is prescribed in the Rules as to who would be direct recruit, who would be promoted and who to come through deputation. These channels are defined under it as how many people are to be appointed from where. Then if these numbers need to be increased, then a cadre review is done after every 5 years. If cadre review is not done, then strength will not be expanded, there will be some clogging. If posts are created outside of the policing function then many posts can be created. For example, many lateral inductions have been done in Andhra Pradesh. They have created many ex-cadre posts, therefore people are being promoted and seats are getting vacant. But they have not done in many states and due to this it is limited to police functions.”

2.5 Furnishing the details of cadre review done in the last 10 years, the Ministry in their written reply dated 04.05.2016 submitted as below:

Cadre	Year	No. Of Posts
IPS	Cadre Review – 2005	49
	Cadre Review – 2010	79
DANIPS	Cadre Review – 2003	255
	Cadre Review – 2009	315

B. Cadre strength and deployment of DANIPS vis-a-vis IPS:

2.6 When desired to know about the present cadre strength of IPS and DANIPS officers in Delhi Police, as per the written submission dated 04.01.2016 given by the Ministry, the Delhi Police has reported as follows:-

Cadre	Sanctioned strength	Present Strength
IPS	29 – Cadre	54
	21 –Ex cadre	
	50-Total	
DANIPS	54	48 (including 18 looking after)

2.7 On being asked for reasons why only 48 posts have been filled against the total sanctioned post of 54 DANIPS officers, the Ministry in their reply have stated as under:

“The total authorized strength of IPS of AGMUT Cadre is 295. Out of this, 89 posts are earmarked for promotion of SPS officers (DANIPS, Puducherry Police Services, Mizoram Police Services, AP Police Services and Goa Police Services). Every year Screening Committee meeting is conducted to fill the vacancy by promotion of SPS officers to IPS of Joint AGMUT Cadre as per the extant rules of Government of India. Filling up of 06 vacancies for the Select List year 2016 is under process.

2.8 As per the Ministry's written submission dated 04.01.2016 the DANIPS officers who were appointed to entry grade of DANIPS in the year 1995 have been inducted into IPS in the year 2015. Whereas the Ministry in their post evidence reply dated 04.05.2016 have stated that one officer who had joined DANIPS in the years 1994 has been inducted into IPS in 2015 and another officer who had also joined DANIPS in 1994 is likely to be inducted into IPS in 2016.

2.9 When asked about the reasons for the DANIPS Officers being less in number than the IPS in Delhi, the Ministry in their written reply dated 04.05.16 submitted that the IPS/DANIPS officers are posted in accordance with the cadre strength of IPS/DANIPS. At present DANIPS officers are posted less in

number than IPS. 50% DANIPS officers are recruited from UPSC and 50% from promotions. Since DANIPS is a group 'B' service, many officers join when they have exhausted their all attempts. During the briefing meeting held on 5th January, 2015, the Commissioner of Police had stated that if the number of DANIPS Officers is increased, then promotion avenues gets slowed.

2.10 On being asked to give details of officers who had joined at the level of Sub-Inspector and have been promoted to DANIPS, the Ministry submitted that, Delhi Police has reported that at present, only 01 officer has been promoted to DANIPS and made DCP.

2.11 When desired to know whether having a common seniority list of the constituent segments of AGMUT Cadre would remove the present disadvantage of promotion to DANIPS officers, the Ministry in their written reply dated 04.05.16 have stated as under:

“AGMUT Cadre is a Joint Cadre consisting of three States, namely, Arunachal Pradesh, Mizoram, Goa and Ministry of Home Affairs representing all UTs. The cadre strength for each State in the AGMUT is fixed, out of which 33.3% is reserved for induction to the feeder cadre of that particular State Government. The recruitment for DANIPS and State Police Services is completely different. Therefore, the induction process of State Police officers is done as per Rule 5(1) read with 9 of IPS (Appointment by Promotion) Regulation, 1955. Maintenance of common seniority is not feasible.”

2.12 On a query regarding ratio being followed for allocation of vacancies to DANIPS, the Commissioner of Police, Delhi informed the Committee that it was on 50:50. When pointed out that in some States it is only 33%, while it is 50%

in Delhi, in response the Commissioner of Police stated that here it is 50% but we have requested MHA to change the number and MHA is specifically considering on this.

2.13 As regards the total number of IPS/DANIPS officers working as Additional DCP/DCP level in various units of Delhi Police the Ministry in their written reply submitted as under:-

Districts/Units	No. of IPS officers posted as DCP	No. of IPS officers posted as Addl.DCP	No. of DANIPS officers posted as DCP	No. of DANIPS officers posted as Addl. DCP
Districts	11	16	-	08
Units	27	01	17	05 18 (L/A)
Total	38	17	17	31

2.14 Regarding details of number of directly recruited IPS Officers and State Police Service Officers inducted into IPS of 5 batches (from 2002 to 2006) who have been given/not given the district independent charge, the Ministry submitted as below:-

(a)

1.	No. of IPS(RR) officers who have been given District independent charge	09
2.	No. of IPS (RR) officers who have not given district independent charge	00
3.	No. of SPS officers who have been given District independent charge	08
4.	No. of SPS officers who have not been given District independent charge	16

(b)

1.	No. of IPS (RR) officers who were given more than 01 or more district.	08
2.	No. of IPS (RR) officers who were not given more than 01 or more district.	01
3.	No. of SPS officers who were given more than 01 or more district.	14
4.	No. of SPS officers who were not given more than 01 or more district.	05

2.15 As regards the criteria used to assess the requirements for posting of Senior Police Officers from IPS and DANIPS cadre into the Delhi Police, the Committee were informed that the cadre controlling authority of IPS and DANIPS officers is the Ministry of Home Affairs.

2.16 The Ministry in their written reply submitted to the Committee that:

“The transfers/postings of IPS and DANIPS officers within the Amended Goa, Mizoram & U.Ts Cadre (AGMUT) are decided by the Joint Cadre Authority in the Ministry of Home Affairs on the basis of cadre strength of each segment including NCT of Delhi. Once the services of IPS/DANIPS officers of the rank of Addl. DCPs and above are placed at the disposal of Govt. of NCT of Delhi, a proposal for posting of such officers, as recommended by the Police Establishment Board which was constituted on the direction of Apex Court in Writ Petition (Civil) No. 310/1996- Prakash Singh & ors. Vs UOI & Ors, is submitted by Delhi Police to the Hon’ble L.G. Delhi for approval. As per Rules 6 to 9 of Delhi Police Act, the Lt. Governor, who is the Administrator, is the competent authority for appointment of the officer of the rank of Addl. Deputy Commissioner of Police and above in the NCT of Delhi.”

2.17 The Ministry have also stated that the posting is related to the Delhi Police and other UT Segments, and MHA has no role to play in their internal postings.

2.18 The Ministry further submitted that,

"Delhi Police has reported that keeping in view the seniority, experience, capability and requirement of the assignment, the officer are posted at the district levels. As the direct IPS officers are certainly senior to DANIPS officers who are yet not inducted in IPS service, thus the Direct IPS officers are posted as Addl. DCP-1. They have further stated that at the level of district head even the DANIPS who have been inducted into IPS cadre and have been promoted as Addl. CP have been posted. There is no discrimination between IPS and DANIPS officers regarding their postings."

2.19 On being enquired about the number of DCPs posted in Delhi from DANIPS, the Commissioner of Police stated that as on date, in Delhi 11 DCP posts are Cadre posts and all the officials appointed on these posts are not IPS officers. 3 posts from the aforementioned 11 have been given to officers who have been promoted from DANIPS and they have also been posted in important districts.

2.20 He further stated that the Government does not interfere in this process at all. Our police establishment board takes decision of posting in a very professional manner. Whatever anomaly arose it was because till 90s, DANIPS officers were recruited as per overall cadre and promotions were given accordingly. In 1993 after the decision of the Supreme Court, segment wise promotion was introduced. As the pyramid structure below is wide thus posts in Delhi are comparatively very few. Delhi has posts of 50 DCPs. Cadre strength of Arunachal Pradesh is around 30-35. Due to this Arunachal Pradesh Police personnel have raced far ahead, whereas persons belonging to DANIPS are lagging behind. The reason for this anomaly is that base is very large and further pie is very small. There are some solutions to this which we will discuss with the Home Ministry.

2.21 To a query as to why the Additional Commissioners of Police are not posted in ranges, the Ministry in their written reply submitted that:-

"There is no sanctioned post of Addl. Commissioners of Police for ranges in Delhi Police. However, earlier in some Districts, Addl. CPs were posted to look after the work of DCPs due to shortage of officers in the rank of DCP. At present, no Addl.C.P. rank officer is posted in the District to look after the work of DCP of the District. Certain Addl.CPs used to head ranges but MHA in cadre review have upgraded these posts to the level of Jt.CP. In the past, due to shortage of DCP level officers, Addl. CP level officers headed Districts. Now, Districts are being headed by DCPs only."

2.22 When enquired if the Govt. have any objection in prescribing a ratio, say 50:50 of district postings at Addl. DCP-I and DCP level of promotee DANIPS officers and IPS officers, the Ministry in their written reply submitted as under:

"No comments on behalf of MHA are required, as the internal transfer/ postings is subject matter of Delhi Police."

2.23 During the briefing meeting, the Commissioner of Police on the issue stated as follows:

"Now we have got an idea and what we will do is wherever we require some changes in the law or in the subordinate legislation or in the rules, we will send a suggestion to the MHA. Then the MHA may give its view and give a consolidated reply. Also in DANIPS promotion in the posts of Inspector is also invariably slow. They, in fact, do not reach IPS. Only 1-2 persons are promoted to the scale of Additional S.P. All others retire at lower ranks. The demand of DANIPS officers is that the reduction in direct recruitment quota would lead to more promotions. We would send a note to Home Ministry after examining the same. Then the Home Ministry will consider."

C. TRAINING

2.24 Rapid demographic changes in terms of population size, economic activities and physical extent bring in its wake magnitude of challenges in policing in terms of security, traffic management, enforcement etc. Such a scenario necessitates active preparedness of police force to anticipate and react to constantly changing demands of policing. Training is an important aspect required to prepare policemen for the present day demands of policing keeping them both physically and mentally fit and technologically updated.

2.25 The Ministry in its brief note on Delhi Police have submitted as follows:-

“To achieve the highest standard of professional policing, Delhi Police always endeavors to make its force aware of the latest trends and technologies in this ever changing world by imparting training on latest patterns and organizing re-orientation/Refresher courses particularly:-

- Gender sensitization
- Handling juveniles and senior citizens
- Behavioral attitude
- Familiarization with new law amendments
- Techniques of scientific investigation
- Use of technology
- Discipline and turnout”

2.26 The Committee also undertook a local visit to the Police Training Centre in Jharoda Kalan to acquaint itself of the facilities and infrastructure of the training centres.

2.27 When asked about the location of Police Training Centres, the Commissioner of Delhi Police informed the Committee that:-

“Delhi Police has its main training centre in Jharoda Kalan. In addition to this training Centres are at three other places also. One separate Centre is for ladies, one is in Wazirabad there also we

undertake training and for refresher indoor training facility there is facility Rajender Nagar.”

2.28 On the issue while briefing about the nature and standard of training provided to the Delhi Police/DANIPS recruits, the Commissioner of Police inter-alia submitted before the Committee as under:

“Training is our priority area, we monitor it regularly. A special commissioner of police looks after the work related to exclusive training. Wherever there is any proposal, we immediately forward it after due deliberation. But if it is to be sent to ministry of Home Affairs for sanction, that is a different matters, otherwise we take prompt action on it.”

2.29 While updating the status of infrastructure upgradation of PTC, Jharoda Kalan, the Ministry in their written reply stated as follows:

“Gazetted Officers Mess at PTC is utilized as hostel for DANIPS (Prob.) trainees. It is well furnished accommodation with AC Conference Hall, Dining Hall, Visitor Lounge and rooms with attached bathrooms. WiFi facilities in rooms are also provided to trainees. Keeping in view a large batch of 48 DANIPS trainees last year arrangements were made in other Officers’ Mess ‘Kautiliya Niwas’ having capacity to accommodate 60 officers at a time. Rooms have been refurnished with new furniture and fittings. Cyber Lab and IT Lab is also located in this well maintained building. Internet facilities are also available for trainee officers.

AC Classrooms with latest training aids is used for organizing class for DANIPS (Prob.) Batch No.15. This year, for the first time two batches of DANIPS (Prob.) are undergoing training at a time. Well maintained classroom with new furniture is available for them. Apart from above, three AC Conference Halls and two AC IT Labs are available in PTC. Classes on IT subject are conducted in these AC Labs whereas special lectures by visiting faculty and workshops are organized in AC Conference Halls. Modern AC Auditorium having sitting capacity of 400 trainees is also available for training purpose. Sports complex having indoor games facilities i.e. Badminton, Table Tennis, Squash and Gym is utilized for sports. Open stadium with vast green grounds is available for

outdoor training and outdoor sports. Firing simulators, short and long firing ranges are utilized for weapon training. Two well-maintained Academic Blocks to organize training for 1200 trainees is in place. Full-fledged libraries are available.

The PTC Campus is spread over 162 acre of land having residential Blocks/ Flats. This Campus was established in 1983 and new building/structures were added later on. Structures constructed in 1983 have become old and declared out of use. These structures are not used for any training or residential purposes as new buildings/ blocks are available in sufficient number for training and residential purposes.

The PWD authorities are looking after all the minor/ major works reported to be carried out under the supervision of Inspector Estate and ACP/ Estate. All the basic facilities i.e. potable water, electricity, desert coolers, geysers, room heaters, study table lights, neat and clean lavatories, good quality furniture, curtains, intercom facility etc. are available for the DANIPS (Prob.). Further, hygienic conditions are maintained with the help of available staff on day-to-day basis. As far as other Buildings/Barracks are concerned, officials of Estate Branch are in constant touch with PWD authorities to get the survey of office/residential buildings done for day-to-day repair/maintenance and extra ordinary repairs."

2.30 On being enquired about the status of the proposal for up-gradation of the Police Training College to the Academy the representative of the Ministry stated before the Committee as under:

"More facilities should be provided to that police training college. An internal committee was also constituted for this also in which they prepared their report keeping in view many aspects related to improved technology and improved infrastructure. Internal discussion is to be held on it in P.T.C. Thereafter, a decision will be taken on it. This has been done according to the instructions of B.P.R.&D.

There are some issues which are related to institutional infrastructure and which may take some time. However, a prompt action is taken to bring technology in the process in order to enhance standard

of training. We have also detailed proposals which include upgradation of buildings and facilities being provided to trainees in these police training schools."

2.31 Further updating the status the Ministry in their written reply submitted as follow:

"As reported by Delhi Police, the proposal was initiated and sent to Bureau of Police Research and Development (BPR&D) on 7.1.2014 and in the meeting held on 8.1.2014 in BPR&D, Delhi Police was directed to prepare a suitable proposal for up-gradation of the institution to Police Training Academy. An internal committee^d was reportedly constituted by the then Principal/PTC vide order dated 8.11.2016 and draft proposal was handed over to the committee for re-assessment of projects to be added/reviewed as per present scenario/requirement. As regards the expected time line for completion of the project, the Ministry have informed that the expected time-line can be projected once the proposal is finalized after re-assessment.

2.32 Regarding the estimated cost for upgradation of the PTC, the Committee were informed that proposal amounting to Rs.685.85 crores is in the process of review by an internal committee for onward submission to Bureau of Police Research and Development (BPR&D).

2.33 As regards the nature of training programmes being conducted for DANIPS probationers the Ministry informed the Committee as follows:-

"One year training of DANIPS (Prob.) is conducted at Police Training College (PTC) as per the following Standing Orders (SO):

- (i) SO No.304/2008, which contains details of subjects covered for indoor and outdoor training alongwith guidelines and details of nature of training.

- (ii) S.O. No.312/2008 vide which after completion of basic training at PTC, the trainees are sent to Districts/Units for practical training.

Training is a continuous process and efforts are made to update the programmes incorporating new crime trends and relevant social issues. Guest faculties having in-depth knowledge and expertise in specific fields are invited to sensitize and update DANIPS (Prob.) trainees. Their technological knowhow/ skill is being enhanced through professional courses like Cyber Crime and Investigation, Social Media forensic, CDR analysis, collection and preservation of digital evidence, Computer Science, Finger Print Analysis, use of Forensic Tools etc.”

2.34 The Ministry have further stated that,

“The training of DANIPS (Prob.) before 2008 was conducted as per S.O. No.304/2000. Keeping in view the changing social and crime challenges, the Commissioner of Police issued new instructions in 2008 and the same are available in S.O. No.304/2008. The Committee was informed that the S.O. is also under revision and will be issued in near future. To give comprehensive idea of functioning of Commissionerate System, orders were issued by C.P., Delhi, to arrange visit of DANIPS (Prob.) to other cities governed by Commissionerate System. Besides, C.P., Delhi, has delegated financial powers to Principal/PTC, being Head of Office for maintenance and for small purchases to meet the requirement of the institution.”

2.35 The Ministry further stated that the training of ACP/Dy.SP rank officers in Delhi Police is being imparted on the lines of recommendations of BPR&D and their practical training is being conducted as per the S.O. issued in this regard

PART -IIOBSERVATIONS AND RECOMMENDATIONSI. Publication of Delhi Police Rules:

1. The Committee note that Article 239AA(1) of the Constitution provides that the Union Territory of Delhi shall be called the National Capital Territory of Delhi and the Administrator thereof appointed under Article 239 shall be designated as the Lieutenant Governor. Article 239AA (2)(a) establishes a Legislative Assembly. Article 239 AA (3) (a) of the Constitution empowers the Legislative Assembly of the NCT of Delhi to make laws with respect to the matters enumerated in the State List or in Concurrent List in so far as they are applicable to UTs except matters with respect to Entries 1 (Public order), 2 (Police) and 18 (Land) of State List and entries 64, 65 and 66 of that list in so far as they relate to Entries 1, 2 & 18. The Committee further note that in accordance with the provision of Section 148 (1) of Delhi Police Act, 1978, every rule and regulation made under that Act shall be made by notification in the Official Gazette and as per Section 148 (2) every rule & regulation so notified is also required to be laid before each House of Parliament. Therefore, the provisions contained in Section 148 of the Delhi Police Act, 1978 make it amply clear that all the Rules/Regulations made under the Act are to be notified in the Official Gazette and also required to be laid before each House of Parliament. The Committee thus note that the superintendence of the Delhi Police falls within the executive power of the Central Govt. and the same is

exercised by the Administrator viz. Lieutenant Governor who is appointed by the President on the recommendation of the Central Government and the State Legislature of the NCT of Delhi has no authority on matters relating to Public Order, Police and Land as per Article 239 AA of the Constitution. Accordingly, the budget grants in respect of Delhi Police are also included in the Demand for grants of the Ministry of Home Affairs.

2. In the light of the above backdrop, the Committee find it contrary to the existing legislative provisions that the Rules or amendment to Rules which are framed under the Delhi Police Act, 1978 are still being published in the Delhi State Gazette instead of being notified in the Central Gazette. The Committee are not appeased by the reply of the Ministry that the same is being traditionally carried out. The Committee view such practice as a procedural irregularity which needs to be rectified. The Committee, therefore, recommend that the Ministry should take necessary steps for publication of the Rules framed under the Delhi Police Act in the Central Gazette and also their laying before each House of Parliament as per Section 148 of the Act.

II. Promotional Avenues of DANIPS vis-a-vis IPS Officers

3. DANIPS is a Group B Civil Service of the Government of India. In terms of DANIPS Rules, 2003, 50% of the posts in the entry grade are filled through an open competitive examination called the Civil Services Examination (CSE) conducted every year on an all India level by the Union Public Service Commission (UPSC) and the rest of the 50%

are filled through promotion from the feeder grade. As regards their induction into the Indian Police Service (IPS), the Committee note that the State Police Service Officers (SPS) are inducted into IPS as per the provisions of IPS (Appointment by Promotion) Regulations, 1955 and Rule 9 of IPS (Recruitment) Rules, 1954 stipulates that 33.33% of the posts in the IPS are filled on induction from State Police Officers. Also, Rule 5 (2) of the Indian Police Service (Appointment by promotion) Regulations, 1955 stipulates eligibility for consideration for promotion of a SPS officer for induction into the IPS Cadre as per which the officer must have completed not less than 8 years of continuous service in the post of Deputy Superintendent of Police or any other post or posts declared equivalent thereto by the State Government. As regards DANIPS, the Committee note from the information furnished by the Ministry of Home Affairs during evidence that the promotion of DANIPS officers is fixed at one third of IPS Cadre. Also, the promotion and consequent induction to IPS Cadre from DANIPS Cadre is based on the availability of vacancy based on All India Civil Service Cadre Rules which decides the total cadre strength of IPS distributed amongst various States and Union Territories. Promotion within the State Police Cadre takes place according to recruitment rules applicable to the respective States/Union Territories. Subsequent promotion/induction to IPS is done segment wise as per seniority and availability of vacancy. The Committee, however, find marked differences in career progression ratio of DANIPS *vis-a-vis* State Police Officers of various States in their induction to the IPS. While in some States a State Police

Officer is inducted to IPS Cadre in 8-10 years, in others it takes as long as 20-24 years. For instance, as per the information furnished by the Ministry, the DANIPS officers who were appointed to the entry grade of DANIPS in the year 1994 have been inducted into the IPS only in the year 2016 i.e. after a gap of 22 years which in the opinion of the Committee signifies a very poor cadre management. The Committee feel that such differential promotional avenues are demoralizing and have a cascading effect on the quality of policing as denial of timely promotion demotivates the officers and adversely affect their morale. While strongly deprecating the existing state of affairs which lacks transparency and any kind of regulatory mechanism, the Committee are of the view that better cadre management of officers of the DANIPS will go a long way to alleviate the stagnation in DANIPS and feel that to improve quality and to promote young and enterprising officers to the service, the promotional opportunities offered should be made more systematic, transparent and regulated by way of incorporating appropriate provisions in the existing Rules/Regulations. Therefore, the Committee strongly recommends that the yearly quota of IPS officers allotted to AGMUT cadre should be first filled by promoting DANIPS officers waiting for a long time so that stagnation arising out of cadre mismanagement is taken care of and till such time no regular recruitment (RR) should be done into IPS till the backlog of DANIPS officers in the yearly quota of IPS allotted to AGMUT cadre, is filled up with those officers who have completed the required service of eight years as minimum eligibility criteria. Then thereafter, 33%

seats reserved for DANIPS officers should be considered for induction into IPS.

4. The Committee further note that as per DANIPS Rules, 2003, 50% of the posts in Entry Grade are filled through Direct Recruitment on the basis of Civil Service Examination conducted by UPSC and rest of the 50% are filled through promotion from the Feeder grade services of DANIPS. The ratio of promotion from State Police Officers/DANIPS to IPS has been kept at 33.33%. In order to alleviate the issue of stagnation and also to correct the past cadre mismanagement, the Committee feel that the Government may consider revising the existing ratio of 33.33 % to 50% by bringing suitable provisions in the IPS Recruitment Rules. The Committee also recommend better cadre management through better cadre planning and timely cadre review so that the DANIPS officers are also able to attain the Joint CP/IG rank promotions till their retirement so that the long experience at ACP/DSP level can be better utilised.

5. The Committee further note with dismay that the Ministry in response to a query pertaining to the status of promotion of DANIPS officers in their written submissions dated 04.01.2016 have submitted that, DANIPS officers who were appointed to entry grade of DANIPS in the year 1995 have been inducted into IPS in the year 2015 whereas, in their subsequent post evidence written replies dated 04.05.2016, the Ministry have submitted that one DANIPS officer who had joined DANIPS in the year 1994 has been inducted into IPS in 2015 and

another officer who had also joined DANIPS in the year 1994 is likely to be inducted into IPS in 2016. In the absence of any kind of explanation for this anomaly the Committee infer that the prevailing system of promotion of DANIPS is not streamlined resulting in induction of a junior DANIPS officer into IPS before his senior. The Committee, therefore, desire that there should be uniformity in the induction of the DANIPS officers into IPS in accordance with their seniority.

III. Deployment of DANIPS officers:

6. The Committee note that transfers/postings of IPS and DANIPS officers within the AGMUT Cadre (Arunachal Pradesh, Goa, Mizoram & U.Ts) are decided by the Joint Cadre Authority in the Ministry of Home Affairs on the basis of cadre strength of each segment including NCT of Delhi and once the services of IPS/DANIPS officers of the rank of Addl. DCPs and above are placed at the disposal of Govt. of NCT of Delhi, a proposal for posting of such officers, as recommended by the Police Establishment Board is submitted by Delhi Police to the L.G., Delhi, who is the competent authority in the matter. The Committee have been informed that the Ministry of Home Affairs has no role in respect of the internal postings relating to Delhi Police. The Committee are, however, concerned to note that there is disparity in District/Unit postings in Delhi of DANIPS officers promoted to IPS vis-a-vis direct IPS recruits because DANIPS Officers as DCP are considered less for District posting. The Committee are surprised to note that in District postings as DCP, the IPS officers are dominating in all 14 Districts of Delhi Police viz. 13 IPS(RR) are posted as DCP as compared to only 1 DANIPS promotee IPS

as DCP. Similarly at Additional DCP level, 10 IPS(RR) officers are posted as Additional DCP-I where as only 4 DANIPS promoted IPS officers are posted as Additional DCP-I. Similarly at Additional DCP-II level 7 IPS(RR) have been posted and 7 numbers of DANIPS promoted IPS officers are posted as Additional DCP-II. The Committee were informed that postings are made at the district levels keeping in view the seniority, experience, capability and requirement of the assignment. The Committee feel that though direct IPS recruits are higher in seniority, the pool of experience of DANIPS officers is much richer because most of DANIPS officers work as ACP/ Addl. DCP for a longer duration as compared to IPS officers at District/Units level in Delhi. The Committee thus feel that these officers can't be categorised as unsuitable for posting in core area particularly on account of their long experience at field level as they are getting the rank of DCP, only after rendering almost 22 to 24 years of service. In this regard, the Committee note that the Delhi Police Commissioner during the evidence before the Committee submitted that the solution to this anomaly will be discussed with the Home Ministry and wherever some changes are required in the law a suggestion will be sent to the Ministry. The Committee, therefore, recommend that the Ministry should work in tandem with Delhi Police and look into the viability of prescribing a fixed ratio for district postings at Additional DCP and DCP level of DANIPS officers promoted to IPS and IPS(RR) officers so as to maintain a balance for ensuring that a large pool of experience available with DANIPS officers can be utilized for better law and order management.

The Committee are of the view that by doing so, the morale of these experienced DANIPS officers will definitely get a boost, which may result in motivating them to deliver effective result. In this regard, the Committee further desire the Delhi Police to consider equal distribution of ACPs subdivision postings among IPS (RR), DANIPS(RR) and DANIPS(Promotee) officers. Similarly equal distribution in postings amongst IPS (RR) and IPS (Promotees) in respect of senior positions like District Additional DCPs-I, Additional DCPs-II, District DCPs, Joint CP (Range) etc. In case of shortfall of officers from any category, the vacancy can be filled from other category of officers till the shortfall has been filled.

Review of Rules/Regulations and Delhi Police Act, 1978

7. The Committee note that a draft Bill to replace the Delhi Police Act, 1978 was considered by the Ministry of Home Affairs in consultation with the concerned stakeholders and the Ministry of Law and Justice. However, the matter has not progressed further on account of the indecision regarding grant of licensing power in respect of cinema halls to the Delhi Police in the new Bill. The Committee desire that due attention may be given by the Government to this important matter and they may be apprised of the progress in respect of finalisation of the draft Bill.

Miscellaneous Issue

Creation of Additional Posts

8. As regards the additional requirement of manpower for Delhi Police, the Committee note that in accordance with the recommendation of the High Level Committee comprising of representatives of the Ministry of Home Affairs, Delhi Police and Bureau of Police Research Development (BPRD), the Delhi Police had submitted a proposal for creation of about 14750 additional posts . The Committee recommend that this issue be given top most priority by the Government and the additional posts are created at the earliest possible for ensuring better police service in the national capital. The Committee also note that on 20th March, 2016 the Government of India had approved reservation of 33% for women horizontally and in each category (SC&ST, OBC and others) in direct recruitment in non-gazetted posts from Constable to Sub-Inspector. The Committee would like to be apprised about the details of the statutory provisions for 33% reservation of women.

9. Filling of Annual Confidential Reports

It has been brought to the notice of the Committee that the annual confidential reports (ACRs) of Inspectors in Delhi Police are written by DCP rank officers with no or little involvement of ACP ranked officers or even the Additional DCPs in the district. On the other hand, the ACRs of ACPs are written by Additional DCP-I or Additional DCP-II. The Committee find it an anomalous situation, wherein the ACRs of lower ranked officers such as Inspectors are being written by DCPs and

that of higher ranked officers like ACPs are being written by Additional DCPs. The Committee feel astonished to observe this unique system currently existing in Delhi Police. In the opinion of the Committee such system creates lacuna thereby weakening the direct control and supervision of ACPs over the Inspectors. The Committee understand that Bureau of Police Research and Development(BPRD) had made recommendations which inter-alia include that ACP would initiate the annual performance appraisal of the SHO and Sub-inspectors under his charge and would be a reviewing officer in respect of officers whose ACRs have been initiated by the SHOs. The Committee, therefore, recommend that ACP ranked officers should be empowered to write ACRs of Inspectors and DCP ranked officers should act as a reviewing authority.

10. Calculation of year of appointment

The Committee understand that in case of DANIPS officers, the appointment year is calculated from the year in which they are made to join the service for training, which usually starts late, after a gap of one year, which affects their seniority adversely. However, in the case of IPS(RR) officers they join service within the year in which the results are declared. So the Committee strongly recommends that in the case of DANIPS officers also, the result year should be taken as the year of counting for seniority, irrespective of the date of joining for training. If required, the training of DANIPS officers should start from December of the year concerned to avoid a year loss of seniority as per the practice followed in other services training.

IV. Training

11. The Committee note that effective training of police staff is a vital component of policing. With Delhi experiencing exponential growth in terms of population, economic activities etc and the ensuing social and crime challenges being faced by the Delhi Police, it necessitates active preparedness of police force. The Committee also note that the training is being undertaken on the lines of the recommendations of Bureau of Police Research and Development (BPRD). The Committee have been informed that the training of DANIPS Probationers is being conducted as per the Standing Order 304/2008 & S. O. 512 of 2008. The Committee have further been informed that the said S.O is under revision and will be issued in near future. Taking into consideration the rapid and constant changes in technology, the Committee are of the view that the Ministry should put in place a mechanism for regular review of the S.O.s governing the training component of trainees incorporating updated courses which would help the probationers to handle such challenges. The Committee, therefore, recommend that the Government should expedite the revision of SO 512 in a time bound manner so as to ensure that a better training program is enforced in order to enable them to meet the future challenges.

12. The Committee also note that training aspect has been considered one of the priority areas by the Delhi police which is being regularly monitored by the office of the Commissioner of Police. The Committee appreciate the active monitoring by the office of the

Commissioner of Police. The Committee are of the view that in order to provide effective training to its personnel, it is imperative that the Delhi police have state of the art training facilities to enable them to meet the day to day challenges of the modern world. The Committee further note that a proposal for upgradation of PTC amounting to Rs. 685.85 crores is in the process of review by an internal committee since 2016 for onward submission to Bureau of Police Research and Development (BPR&D). Though the Committee appreciate that efforts are being made by the Delhi Police to provide latest infrastructural facilities and teaching techniques to its trainees, the Committee feel disappointed at the delay being caused in upgrading the current training facilities to provide better state of the art facilities to its officers. The Committee, therefore, recommend that the Ministry may take necessary steps to expedite the matter and intimate the progress made in this regard to the Committee.

NEW DELHI;
02 AUGUST, 2018
11 SHRAVANA, 1940 (SAKA)

DILIPKUMAR MANSUKHLAL GANDHI
CHAIRPERSON
COMMITTEE ON SUBORDINATE LEGISLATION

WITNESSES

Ministry of Home Affairs

1. Shri Ashok Prasad - Secretary (Internal Security)
2. Shri Dillip Kumar - Joint Secretary (UT)
3. Shri Rakesh Mittal - Director

Delhi Police

1. Shri B.S. Bassi - Commissioner of Police, Delhi Police
2. Shri G.S.Awana - DCP, Delhi Police
3. Shri Rajan Bhagat - DCP, Delhi Police

2. At the outset, the Chairperson welcomed the Members of the Committee.

3. Thereafter, the representatives of Ministry of Home Affairs (Department of Home) and Delhi Police were called in. The Chairperson then welcomed the representatives of the Ministry of Home Affairs (Department of Home) and Delhi Police to the sitting of the Committee and also drew their attention to Direction 55(1) of the Directions by the Speaker regarding confidentiality of the proceedings. The Committee then heard the views of representatives of the Ministry of Home Affairs and Delhi Police on the Rules/Regulations governing the functioning of the Delhi Police.

4. The representatives of the Ministry/Delhi Police at the outset presented a brief Power Point Presentation and briefed the Committee about the strength of Delhi Police, Ministerial Staff, pending proposals for creation of posts, registration of FIR in cheating cases, suggestion to reduce burden on courts in compoundable cases, number of cases per Investigating Officer, factors for delay in trial, time spent in Courts, role of Police regarding encroachment, traffic prosecution, etc. Thereafter, the Committee deliberated on various issues broadly covering aspects such as

organisational set up of Delhi Police, promotion avenues of DANIPS officer vis-a-vis IPS, necessity of revision of cadre strength of Delhi Police, Menace of touts/unauthorized taxis at Airports, etc.

5. The Committee were also apprised vis-a-vis the logic for publication of rules governing the functioning of Delhi Police in State Gazette instead of Central Gazette. The Committee, thereafter, sought information about the mechanism governing the accountability of Delhi Police vis-a-vis Delhi Government - Administrator (LG) - Ministry of Home Affairs, role of Ministry of Home Affairs in overall functioning of Delhi Police etc.

6. The representatives of the Ministry furnished clarifications on the queries raised by the Committee. On some of the points, the information on which was not readily available with the representatives of the Ministry, the Chairperson asked them to furnish written replies to those points within 15 days to the Lok Sabha Secretariat.

7. The Chairperson then thanked the representatives of the Ministry for presenting their inputs on the subject before the Committee.

The witnesses then withdrew.

8. A verbatim record of the proceedings of the sitting has been kept separately.

The Committee then adjourned.

WITNESSES

Ministry of Home Affairs

1. Shri Rajiv Mehrishi : Secretary
2. Shri P.K. Srivastava : Joint Secretary (UT)
3. Shri Rakesh Mittal : Director (Delhi)
4. Shri A. V. Dharma Reddy : Director (Services)

Delhi Police

1. Shri Amulya Patnaik : Commissioner of Police, Delhi
2. Shri T.N. Mohan : Special CP
General Administration)
3. Shri Sanjay Singh : Special CP (Training)

LG Secretariat

1. Shri Vijay Kumar : Secretary to LG

GNCDT

1. Dr. M. M. Kutty : Chief Secretary
2. Shri S.N. Sahai : Principal Secretary (Home)

2. At the outset, the Chairperson welcomed the Members of the Committee. Thereafter, representatives of the Ministry of Home Affairs were called in. The Chairperson welcomed the representatives of the Ministry to the sitting of the Committee and also drew their attention to Direction 55(1) of the Directions by the Speaker regarding confidentiality of the proceedings. The Committee then took oral evidence of the representatives of the Ministry of Home Affairs on the Rules and Regulations governing the functioning of Delhi Police.

3. The representatives of the Ministry first made a brief power point presentation outlining the various facets of the functioning of Delhi Police such as crime prevention, public access and

grievance redressal system, various initiatives taken by Delhi Police to maintain law & order and training programmes being undertaken by the Delhi Police for its officers and staff etc. Thereafter, the Committee sought clarifications from the representatives of the Ministry on issues like the powers of Commissioner of Police, recruitment and deployment of police personnel including DANIPS Officers vis-a-vis IPS officers, their terms and conditions of service, their functions and responsibilities etc. The Committee also raised questions on the aspect of implementation of the recommendations of Bureau of Police Research and Development (BPR&D) in training of the DANIPS (Probationers), compliance of Standing Order No. 304/2008 issued in this regard, availability of necessary infrastructure for imparting training to the DANIPS (Probationers) etc. The Committee also decided to undertake a local visit to the Police Training Centre located at Jharoda Kalan, Delhi to inspect the existing infrastructural facilities available for training of police personnel.

4. The representatives of the Ministry furnished clarifications to the queries raised by the Committee. On some of the points, the information on which was not readily available with the representatives of the Ministry, the Chairperson asked them to furnish written replies to those points within 15 days to the Lok Sabha Secretariat.

5. The Chairperson then thanked the representatives of the Ministry for presenting their inputs on the subject before the Committee.

6. The witnesses then withdrew.

7. The verbatim proceedings were kept on record.

The Committee then adjourned.

**MINUTES OF THE NINETEENTH SITTING OF THE COMMITTEE ON SUBORDINATE
LEGISLATION (2017-2018)**

The Nineteenth sitting of the Committee (2017-18) was held on Thursday, the 02nd August, 2018 from 1500 hours to 1600 hours in Room No. 146, Third Floor, Parliament House, New Delhi.

PRESENT

Shri Dilipkumar Mansukhlal Gandhi Chairperson

MEMBERS

2. Shri Birendra Kumar Choudhary
3. Shri Shyama Charan Gupta
4. Shri Jhina Hikaka
5. Shri Janardan Mishra
6. Shri Prem Das Rai
7. Shri Chandul Lal Sahu
8. Shri Alok Sanjar
9. Adv. Narendra Keshav Sawaikar
10. Shri Ram Kumar Sharma
11. Shri Nandi Yellaiah

SECRETARIAT

1. Smt Sudesh Luthra - Additional Secretary
2. Shri Ajay Kumar Garg - Director
3. Shri Nabin Kumar Jha - Additional Director
4. Smt Jagriti Tewatia - Deputy Secretary

2. At the outset, the Chairperson welcomed the Members to the sitting of the Committee. The Committee then considered the following draft Reports:-

- (i) Draft Thirty-first Report on the Rules/regulations governing the functioning of Delhi Police.
- (ii) Draft Thirty-second Report on the Action taken by the Government on the observations/recommendations contained in the 26th Report of the Committee (16th Lok Sabha) regarding Rules/Regulations framed under AIIMS Act, 1956.
- (iii) Draft Thirty-third Report on the Action taken by the Government on the observations/recommendations contained in the 24th Report of the Committee (16th Lok Sabha) regarding National Highway Fee (Determination of Rates and Collection) 2nd Amendment Rules, 2014.
- (iv) Draft Thirty-fourth Action Taken Report on the observations/ recommendations contained in the 11th Report of the Committee (16th Lok Sabha) on Cigarettes and other Tobacco Products (Packaging and Labelling) Amendment Rules, 2014.
- (v) Draft Thirty-fifth Action Taken Report on the recommendations/ observations contained in 5th Report (16th Lok Sabha) of the Committee.
- (vi) Draft Thirty-sixth Action Taken Report on the recommendations/ observations contained in 9th Report (16th Lok Sabha) of the Committee.

3. After deliberations, the Committee adopted the same with slight modifications in the draft 34th Report on Cigarettes and other Tobacco Products (Packaging and Labelling) Amendment Rules, 2014. The Committee also authorized the Chairperson to present the same to the House.

The Committee then adjourned.
