

TABLE OF STATES' COMPLIANCE OF SUPREME COURT DIRECTIONS (As on Nov 30, 2007)

Prakash Singh and Others Vs Union of India and Others

SL	STATES	Compliance Status	State Security Commission (1)	Selection & Minimum tenure for DGP (2)	Minimum tenure for I.G. & other field officers (3)	Separation of investigation and law & order (4)	Police Establishment Board (5)	Police Complaints Authority (6)	DRAFTING A NEW POLICE BILL OR NOT
1	Andhra Pradesh	Partial Compliance	<p>Not complied: Objections: 1. Law and order is a state subject 2. Will weaken the government's power of superintendence 3. Contrary to the National Police Commission model. 4. Binding powers were not intended in the three models</p> <p>Suggested modifications: 1. Exclude the Leader of Opposition 2. Grant only recommendatory powers 3. Commission's report should carry the state government's comments also</p>	<p>Complied: Two years tenure assured to the DGP Objections: 1. No involvement of UPSC as per the present rules; requests GOI to amend Rule 7(a) of the IPS (Cadre) Rules 1954 2. Statutory provisions fixing superannuation age of IPS officers will be contradicted; requests GOI to amend the AIS (DCRB) Rules 1958 3. Do not say anything on the grounds for removal.</p>	<p>Complied: 1. Notified, G.O.Ms.No.61</p>	<p>Complied: Already implemented in some urban areas; will be done in a phased manner</p>	<p>Complied: 1. Notified, G.O.Ms.No.62 2. Composition: (i) DGP (ii) ADGP (Law & Order) (iii) ADGP (Administration) (iv) ADGP (Intelligence) (v) ADGP (CID) Objection: 3. Board cannot act as appellate authority over the state / central government</p>	<p>Not Complied: Objections: 1. Adequate oversight fora like NHRC, Lokayuta already exist 2. Will cause unnecessary financial burden on the Exchequer 3. Will adversely affect the working of the police</p>	<p>Drafting Committee appointed; members are: (i) Principal Secretary, Home (ii) Principal Secretary, G.A. (Political) (iii) DGP (iv) Secretary Law (v) Sri R. Prabhakar Rao DGP (Retd.) (vi) Prof. Narasimha Rao</p>
2	Arunachal Pradesh	Full compliance	<p>Complied with modifications:- 1. Adopted Sorabjee model with minor additions. 2. Notified, No. HMB(A)-23/06 3. Composition: (i) CM / Minister in charge (Home) - Chairperson (ii) Leader of Opposition (iii) Chief Secretary (iv) DGP (v) Commissioner (Home) (vi) 5 independent members (vii) IGP - Member Secretary</p>	<p>Complied: 1. Notified, No. HMB(A)-23/06(Pt-I) 2. Caveat: Selection of DGP is done by MHA</p>	<p>Complied: Notified, No. HMB(A)-23/06(Pt-II)</p>	<p>Complied: 1. Notified, No. HMB(A)-23/06(Pt-III) 2. Sparsely populated state. Nevertheless, separation being implemented in nine urban police stations</p>	<p>Complied: 1. Notified, No. HMB(A)-23/06(Pt-IV) 2. Composition: (i) DGP - Chairperson (ii) IGP (iii) DIG (HQ) (iv) DIG (E) (v) DIG (W)</p>	<p>Complied: 1. Constituting a state-level Complaints Authority only. 2. Composition: (i) Retired HC/SC judge - Chairperson (ii) 3 to 5 independent members (iii) Under Secretary of State Vigilance department - Secretary</p>	<p>No comments</p>
3	Assam	Partial Compliance	<p>Act provides for Commission comprising HM, a retired High Court Judge, CS, HS, DGP and five non-political persons of proven integrity and competence.</p>	<p>Complied: Minimum tenure and selection procedure notified, Notification no. HMA 58/07/48 dated February 7, 2007.</p>	<p>Complied: Minimum tenure of 2 years notified, Notification no. HMA 58/07/49, dated February 7, 2007</p>	<p>Partial Compliance: Implemented in Guwahati only</p>	<p>Complied: Board notified, Notification no. HMA 58/07/50 dated February 7, 2007 Composition: 1. DGP Assam 2. ADG/IG (Special Branch) 3. ADG/IG (Training & AP) 4. ADG/IG (Law & Order) 5. ADG/IG (Adm) - Secy.</p>	<p>Complied: Act provides for setting up of state and district level authorities. At the state level, Police Accountability Commission is headed by a retired High Court Judge. District Accountability Authority will be headed by a retired District Judge.</p>	<p>Expert Committee headed by Justice S. Haque (Retd) appointed to draft Model Police Act. Draft Act submitted to Govt.</p>
4	Bihar	As good as Non-Compliance	<p>Bihar Police Bill 2007 provides for State Police Board comprising Chief Secretary, Home Secretary and DGP. It will be dominated by Govt.</p>	<p>DGP will be selected by State Govt. from a panel, tenure will be normally two years. He may be removed earlier than two years for administrative reasons.</p>	<p>Officers' tenure will normally be two years</p>	<p>Act is silent on this point</p>	<p>Act is silent on this point</p>	<p>State government has constituted Complaints Authority at district level only. It will be headed by District Magistrate, other members been Addl. DM and Supdt. of Police</p>	<p>Bihar Police Bill 2007 enacted on March 30, 2007 does not comply with Supreme Court directions or the Model Act drafted by Sorabjee. Bill strengthens bureaucratic control over police and is generally regressive in nature.</p>

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5	Chhattisgarh	Partial compliance	State government has not responded on this point.	Not Complied: Objections: 1. Argues that there is no basis or scientific reasoning for prescribing two year minimum tenure. 2. State government has objections to UPSC role in empanelment	Complied: 1. Notification No. F 11/353/home/07	State government has not responded on this point.	Complied: Notification No. F 11/353/home/07 1. Composition: (i) DGP - Chairperson (ii) ADG (iii) ADG (iv) IGP, Raipur (v) SSP, Raipur	State government has not responded on this point.	Yes - drafting Committee in place headed by Additional Chief Secretary (Home)
6	Gujarat	Partial Compliance: Directions impinge on federal character of the Constitution; undermine its basic structure	Bombay Police (Gujarat Amendment) Bill 2007 provides for State Security Commission comprising CM, HM, CS, HS, DGP and two non-official members	Partial Compliance: DGP shall be selected by State Govt. from a panel of officers, tenure shall ordinarily be a minimum of two years	Partial Compliance: Tenure shall ordinarily be a minimum of two years	Principle of separation accepted, having regard to the population in an area or the circumstances prevailing in such area.	Board constituted comprising DGP(Chairman), Addl. DGP (Admin) Deputy Secretary, IGP(Secretary) Given powers to transfer officer upto rank of Inspector only	Complied Complaints Authority constituted at State and District levels. State Authority will be headed by a retired High Court Judge or a retired Principal Secretary. District Authority will be headed by Supdt. of Police	The Bombay Police (Gujarat Amendment) Bill 2007 enacted.
7	Haryana	Partial Compliance	Partial Compliance. State Police Board constituted. Its functions have however, been modified	Partial Compliance. 1. UPSC kept out of selection process 2. Tenure one year only.	Partial Compliance. Only one year tenure for IG Range and SP	Agreeable	Partial Compliance Establishment Committee formed comprising DGP and two other senior officers not below the rank of IG.	Partial Compliance Complaint Authority formed at State Level. Composition of District Level Authority not clear	State government promulgated Haryana Police Ordinance on December 21, 2006. Its gives DGP and other officers tenure of one year only. State Security Commission's powers diluted. Police
8	Himanchal Pradesh	Partial Compliance	Complied: 1. Chose to constitute a State Police Board, which is the Model Police Act equivalent of the SSC 2. Board notified, <i>Notification No. Home(A)A(4)-10/2005, dated 18 January 2006</i> 3. Composition is different from the Model Police Act and is government dominated.	Partial compliance: 1. Government has taken note of this direction for compliance 2. Amendment in AIS Rules would be required.	Complied: 1. Minimum tenure of two years notified, includes officers in police stations exclusively designated for investigation 2. <i>Notification No. Home (A)A(3)1/2006 dated 25/11/2006</i>	Complied: 1. Separation has been put in place in police stations at the district-level 2. Notified, <i>Notification No. Home(A)C(8)-2/2002, dated 10/5/2006</i>	Complied: 1. Sets up Police Establishment Committees at levels of district, range, and state (following rank structure) 2. <i>Notification No. Home (A)B (14)-69/96 - II Dated December 27, 2006</i>	Partial Compliance: 1. Entrusted the task of Police Complaints Authority to Lokayukta. 2. <i>Notification No. Home (Vig.) A(3)- 6/2006 dated December 22, 2006</i>	State is enacting Police Act keeping in view Sorabjee Committee's Model Police Act, 2006
9	Jammu & Kashmir	Partial Compliance	Not Complied: Seeks exemption on the ground of security situation in the State	Partial Compliance: State Government claims to have issued orders on the subject but these are more than ten or even twenty years old. No action has been taken on SC directions.		Not Complied: Will be counter-productive in the security scenario of the State.	Complied: Board set up by order of DGP (and not of State Government).	Not Complied: State already has Human Rights Commission and State Accountability Commission. Having another Complaints Authority would be exploited by separatist organizations to lodge frivolous complaints	Yes, Committee headed by ADG (CID) set up for the purpose
10	Jharkhand	Partial Compliance	Commission set up headed by CM and comprising leader of Opposition, CS, HS, Advocate General, DGP and five independent members.	Partial Compliance: 1. Have sent letters to the UPSC seeking empanelment of officers. 2. Regarding minimum tenure, State government wants directions be modified	Complied	Complied Already implemented in some cities like Ranchi, Bokaro, Jamshedpur, and Dhanbad	Complied: Board is headed by DGP and has four other senior police officer as members	Complied State Authority will be headed by a retired Judge of Supreme Court/High Court. District Authority will be headed by a retired District and Sessions Judge	Yes. Committee is headed by Home Secretary.

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11	Karnataka	Partial Compliance: State Govt. has drafted Karnataka Police (Amendment) Bill, 2007	Partial compliance: 1. SSC contemplated under Karnataka Police (Amendment) Bill, 2007. 2. No comment on whether the recommendations of the Commission shall be binding on the state government 3. Composition and functions of the SSC have also been modified	Partial compliance:- 1. Tenure of two years accepted. Objection: 2. Selection of DGP will be done by state government from amongst three senior-most empaneled officers.	Complied: Field officers are already provided with a minimum tenure of 2 years, and a maximum of 3 years	Complied:- Separation already in place in all the Commissionerates irrespective of population	Partial Compliance:- 1. Karnataka Police (Amendment) Bill, 2007 provides for Police Establishment Board Objections: 2. Functions have been diluted: (i) It will decide postings/transfers upto Inspectors only as opposed to the direction that mandated upto Dy.SP. (ii) It is not clear that its recommendations regarding posting/transfers regarding senior officers if disregarded by the government, will indicate reasons.	Not complied: 1. The Amendment Bill creates a Police Complaints Authority at the state and district levels, but these are not independent of government. State Level Authority is headed by Chief Secretary, District Level Authority is headed by Regional Commissioner.	Yes, Police Bill was to be presented in the State Assembly.
12	Kerala	Partial Compliance: Promulgated Kerala Police (Amendment) Ordinance 2007 on February 12, 2007	Complied: 1. Chose Ribeiro Committee model 2. Established in <i>Section 7A</i> of 2007 Ordinance 3. Recommendations of Commission will be binding on the state police but the government may, for reasons to be recorded in writing, reject or modify the recommendations	Partial Compliance: DGP shall be appointed by State Govt, from amongst officers of State Govt. who have already been promoted to such rank or are eligible to be promoted. He shall have a tenure of two years.	Complied	Complied: 1. Enshrined in <i>Section 3A</i> of 2007 Ordinance	Partial Compliance: 1. Enshrined in <i>Section 7C</i> of 2007 Ordinance 2. Board has been vested with authority to post/transfer officers of and below the rank of Inspector only as opposed to Dy.SP as mandated by Supreme Court	Partial Compliance: 1. Constituted at both state and district levels 2. Established in <i>Section 7E</i> of 2007 Ordinance 3. Composition of state-level Authority: (i) Retired judge of the High Court - Chairperson (ii) Principal Secretary (iii) ADGP 4. Composition of district-level Authorities: (i) Retired district judge - Chairperson (ii) District Collector (iii) DSP	Yes
13	Madhya Pradesh	Partial Compliance: Government Order dated 14/2/2007 puts in place select measures.	State government has not responded on this point.	Partial Compliance: 1. Puts in place minimum tenure 2. Regarding selection, does not mention UPSC 3. Caveat: Adds a new ground for removal - in a serious law and order situation, if DGP cannot provide leadership or unable to control the situation	Complied	State government has not responded on this point.	Partial Compliance: 1. Board established 2. Composition: DGP and 4 senior officers (i) ADGP (Administration) (ii) ADGP (Special Armed Force) (iii) ADGP (CID) (iv) ADGP (Intelligence) Objection: 3. Decisions of the Board shall be forwarded to the state government before implementation.	State government has not responded on this point.	Yes, Madhya Pradesh Police Bill 2007 is being drafted

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14	Maharashtra	Non-compliance: State contends that directions are inconsistent with statutory provisions in existence. Had filed review petition	Not Complied: Objections: 1. Binding power is inconsistent with the spirit of the Constitution 2. Another power centre influencing the working of the police	Not complied: Objections: 1. Fixed tenure will often mean extension of service beyond 60 years 2. Will block promotion prospects of officers next in line, and thereby demoralise them	State government has not responded on this point.	Already in place: Separation already exists at state level; and at the level of Commissionerates and district police Objections: 1. Will require more police personnel; and additional cost 2. Request to effect separation in stages	State government has not responded on this point.	Not complied: Objections: 1. Oversight bodies already exist; will result in duplication 2. Will subject police to multiple proceedings and contradictory orders	No
15	Manipur	Almost full Compliance.	Complied: 1. Notified, No. 2/8(32)/2006-H dated March 31, 2007 Composition: (i) Minister in charge Home - Chairperson (ii) Leader of Opposition (iii) Chief Secretary (iv) 5 Independent Members (v) DGP - Secretary	Complied with modifications: 1. Minimum tenure notified, except in cases of superannuation, No. 18/39/2006-POL/DP, dated December 28, 2006	Complied: 1. Minimum tenure notified, No. 2/8(32)/2006-H dated December 28, 2006.	Does not need to Comply: No need to separate, as no town or urban area has a population of 10 lakhs or more	Complied: 1. Board constituted. Notified, No. 2/8(32)/2006-H dated December 28, 2006 Composition: (i) DGP - Chairperson (ii) ADGP (Admin) (iii) I.G. (Law & Order II) (iv) Director, Manipur Police Training School (v) I.G. (Intelligence)	Complied: 1. State-level Authority constituted. 2. District-level Authority constituted in 8 districts. 3. Notified 2/8 (32)/2006-H dated March 31, 2007.	No
16	Meghalaya	Full Compliance.	Complied: 1. Notified, No. HPL 122/96/516 dated 19/12/2006 2. Chose the Model Police Act.	Complied: 1. Notified, No. HPL 122/96/513 dated 19/12/2006	Complied: 1. Notified, OM No. HPL 122/96/391 dated 22/11/2006	Does not need to comply: No city's population is greater than 10 lakhs; state government, however, considering for Shillong.	Complied: 1. Board has been set up, clarification sought from the central government regarding its powers in the matter of IPS officers. 2. Notified, OM No. HPL 122/96/392 dated November 22, 2006.	Complied with modifications: 1. State level Complaints Authority notified, No. HPL 122/96/515 dated 19/12/2006. 2. Proposes to set up Authority for each of 2 DIG Ranges instead of for all districts, as many districts have small population.	No
17	Mizoram	Almost Full Compliance.	Partial Compliance: 1. Constituted with HM as Chairman and comprising Chief Secretary, DGP and two MLAs, notified, No. C-18018/12/90-HMP(SC) dated 9/11/2006 2. There are no independent members.	Complied.	Complied: 1. Notified, No. C-18018/12/90-HMP(SC) dated 9/11/2006.	Exemption sought because of thin population.	Complied: 1. Notified, No. C-18018/12/90-HMP(SC) dated 9/11/2006.	Modifications requested:- 1. Constituted only at state level. 2. Has requested permission to appoint retired IAS/IPS officer as its head.	No

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18	Nagaland	Almost Full Compliance	Complied: Constituted with HM as Chairman and comprising 1) Leader of Opposition 2) Judge (Retd) 3) Chief Secretary 4) Three Ind. Members 5) DGP	Complied. Notification No.POL-9/SF/ 20/2000 dated March 30, 2007.	Complied. Notification No.POL-9/SF/ 20/2000 dated March 30, 2007.	Complied. Notification No.POL-9/SF/ 20/2000 dated March 30, 2007.	Partial compliance: State has a Committee headed by Chief Secretary and comprising DGP, Commissioner and Home Secretary for the purpose under an old order of 1998. . State has constituted an Establishment Board which has been vested with powers only in respect of SIs/ASIs.	Complied. Authority constituted both at state level and district level. State Level Authority is headed by retired Judge; District Level Authority is headed by District Judge.	No
19	Orissa	Partial Compliance	Not complied	Partial Compliance: 1. Two year tenure accepted 2. UPSC role in selection process not considered.	Complied	Complied: In Bhubaneshwar and Cuttack	Partial Compliance It has not been given any power to recommend transfer of senior officers	Partial Compliance: 1. Functions entrusted to Lokpal at the state level 2. No mention of District authority	Yes, Drafting Committee in place headed by Chief Secretary of the state. This Committee shall be assisted by a working group
20	Punjab	Partial Compliance.	State government has not responded on this point.	Complied	Complied	Not complied: Separation is being worked out, to be implemented initially in the cities of Ludhiana, Jalandhar, Amritsar, Patiala, Bhatinda	Partial Compliance: 1. Composition: (i) Director General of Police - Chairperson (ii) ADGP/Administration (iii) ADGP/Intelligence (iv) ADGP/ Law & Order (v) ADGP/Training-cum-Director MRSPPA Phillaur 2. Functions not clarified.	Not complied	Yes
21	Rajasthan	Partial Compliance: Rajasthan Police Bill 2007 passed.	State Police Commission formed comprising Home Minister,Leader of Opposition, CS, HS, DGP and three persons of eminence.	DGP shall be appointed by the State Government from a panel; he shall have a minimum tenure of two years..	Officers will have a minimum tenure of two years.	State government has not responded on this point.	Establishment Board constituted comprising DGP as Chairman and four police officers not below the rank of IGP	State Committee comprising five members consituted, of which four will be persons of eminence. Committee will be headed by an independent member. District Committee will also have five members; independent member will be Chairman	Rajasthan Police Bill 2007 passed
22	Sikkim	Full Compliance.	Complied:- 1. Adopted the Police Act Drafting Committee model 2. Notified, Notification No. 103/Home/2006 dated 28/12/2006	Complied: 1. Selection and tenure notified, No.105/Home/2006 dated 28/12/2006 2. Adopted a variation where SSC will empanel.	Complied: Notified, No. 106/Home/2006 dated December 28, 2006.	No need to comply: Exemption sought as state has thin population.	Complied: Notified, No. 107/Home/2006 dated December 28, 2006. Composition: (i) DGP - Chairperson (ii) Addl. DG/IG (Spl. Branch) (iii) Addl. DG/IG(Crime) (iv) IGP, Law & Order (v) IGP, HQ - Secretary	Complied: Notified, No. 108/Home/2006 dated December 28, 2006. 1. Constituted only at the state level 2. Comes into effect from January 1, 2007	Yes

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23	Tamil Nadu	Very Partial Compliance	Partial Compliance : Acceptable in principle. However, clarification sought regarding its composition, powers, functions, responsibilities and accountability. State has also said that it is necessary to ensure that composition and working of the Commission does not impinge on the separation of powers envisaged under the Constitution. Has promised to bring suitable legislation incorporating the principle laid down by Supreme Court.	Partial Compliance: Direction is desirable and acceptable in normal circumstances. However, fixing rigid tenure may lead to practical difficulties. State Government should have "absolute freedom" in selecting the most suitable officer for the post of DGP. Involvement of UPSC neither practical nor necessary. State Govt. has addressed Govt. of India to amend relevant provisions of Service Rules. Minimum tenure of two years for DGP accepted.	Partial Compliance: Direction is desirable and acceptable. However, it cannot be rigidly enforced. Suitable orders will be issued	Complied: Order issued by State Government, vide G.O. Ms No.640 dated April 26, 2007.	Complied : Order issued by State Government, vide G.O. Ms No.639 dated April 26, 2007.	No need to comply: 1. An effective system to look into complaints against police officers already exists, including an active state human rights commission 2. Will be expensive and act only as "parallel authorities" to the mechanisms already in place	A new Police Act is being draft
24	Tripura	Almost full compliance	State Police Board constituted comprising HM, retired High Court Judge, CS, HS, DGP and two independent members.	DGP shall be appointed from amongst three senior-most officers of State Police. Tenure shall normally be two years.	Tenure of key police functionaries shall normally be two years, maximum of three years.	Although there is no town with a population greater than 10 lakhs, government has decided to introduce separation in East & West Agartala Police Stations.	Police Establishment Committee constituted comprising DGP and four senior-most officers of police	Act provides for setting up of state level Police Accountability Commission headed by a retired High Court Judge	Tripura Police Act 2007 passed
25	Uttar Pradesh	Very Partial Compliance	Non Compliance: State claims that it has already a Civil Services Board comprising Principal Secretary(Home), Principal Secretary to CM and DGP	Objections:- 1. The presumption of the state government's bias, and impartiality of UPSC, is not correct 2. Empanelment of 3 officers will restrict the state government's power to choose the best officer as the DGP 3. Extension of the superannuation period will adversely affect junior officers' prospects	Objections:- 1. Procedure laid down for transfers are lengthy and tedious 2. Restricts the government's options to transfer in cases of public interest	Partial Compliance: Similar past experiments had failed. However, State Govt. has issued orders for separation in all police stations headed by Inspector.	Objections:- 1. Board's powers against the established canons of the administrative system of the State 2. Promotion, transfer etc., already administered by internal Committees comprising DGP and other senior police officers; the Board will only duplicate 3. Will cause administrative delays and dissatisfaction among junior officers	Objections:- 1. Adequate fora already exist 2. Statistics show that there is no need for district level Complaints Authorities 3. Retired persons are not accountable	UP State Police Reforms Commission appointed to make recommendations in the light of Supreme Court directions and draft a bill to enable the State Govt. enact a new Police Act
26	Uttarakhand	Almost complied	Complied	Partial compliance: 1. Tenure of two years accepted. 2. No reference to selection procedure at all.	Complied: Office Memorandum issued	No need to separate as no town has a population more than 10 lakhs	Complied: Board has been set up. Office memorandum issued	Complied: Apart from state level, district level authorities set up in Almora and Pauri	No
27	West Bengal	Partial Compliance	No Response	DGP shall be selected by State Govt. from a amongst the four senior-most officers of the State cadre; his minimum tenure will be at least two years.	Police officers on operational duty in the field shall have a normal tenure of two years.	No Response	Board will be headed by DGP and comprise three senior-most Addl. DG's as members and DIG HQ as Convenor	No Response	Has set up a High Powered Committee chaired by Additional Chief Secretary, Home Department to draft a new West

TABLE OF UNION TERRITORIES' COMPLIANCE OF SUPREME COURT DIRECTIONS (As on Nov 30, 2007)

Prakash Singh and Others Vs Union of India and Others

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1	Andaman & Nicobar	Partial Compliance:	Complied with modifications: 1. Chose the NHRC model 2. No legislature, which means: (i) Lt. Governor will be Chairperson (ii) Leader of Opposition cannot be included 3. No DGP, so IGP will be Member Secretary	Need not comply: IGP is the senior most officer, he is appointed by MHA, upto MHA to comply.	Complied only with regard to SHOs: Ensures minimum tenure for SHOs Modifications requested: 1. Life is hard in tsunami affected areas, so officers may be posted only for one year 2. Premature transfer be allowed on officers' request	Need not comply: Population not sizeable enough, is less than 5 lakhs	Modifications requested: 1. Composition As no DGP, Board consists of: (i) IGP (A & N) - Chairperson (ii) DIG (Int) (iii) DIG (Range) 2. Powers Officers above the rank of Dy. SP are appointed by the central government, so the Board will look into the matters of officers up to the rank of Dy. SP only	Modifications requested:- 1. One Complaints Authority for 3 districts 2. Common Chairperson for SSC and Complaints Authority	MHA has to draft Model Police Act.
2	Chandigarh	Partial Compliance	Modifications requested: 1. No Legislature. 2. Proposed Composition: (i) Administrator - Chairperson (ii) Retired Judge of Punjab and Haryana High Court. (iii) Home Secretary (iv) IGP	Need not comply: Inspector General of Police is the senior most officer. He is appointed by MHA, which is to comply.	Partially complied: 1. Issued for SHOs 2. Higher field officers are appointed by the central government	Partially complied: objections raised: 1. Will require more staff. 2. Meanwhile, IG has been asked to take effective steps, keeping in view the available personnel.	Complied with modifications: Composition As no DGP, the Board consists of: (i) IGP (A & N) - Chairperson (ii) DIG / SP/ HQRs (iii) SP(Chandigarh) (iv) SP/ Operations (v) SP/ Security Powers Board will look into matters of officers up to the rank of Inspector.	Complied: A Complaints Authority already exists.	MHA has to draft; Model Police Act.
3	Dadara & Nagar Haveli	Partial Compliance: Complied 1,5 & 6 with modifications Need not comply with 2,3,4.	Complied with modifications: 1. Request a common Commission for both UTs 2. Chose NHRC model 3. Request a retired district judge as member, nominated by the CJ of Bombay High Court	Need not comply: MHA is the cadre controlling authority.	Need not comply: MHA will have to take appropriate action.	Does not need to comply: No need for separation as population is thin.	Complied with modifications: 1. Composition: (i) DIG - Chairperson (ii) SP (Daman, Diu, Silvassa) (iii) Adtl. Supdt. Of Police 2. Powers - Board will look into the matters of police officers up to the rank of Inspector only	Complied with modifications:- 1. Requests a common Complaints Authority for both UTs 2. To be headed by a retired district judge, recommended by CJ of Bombay High Court 3. Two independent members from each UT, to be selected by MHA from a panel submitted by UT Administrator.	MHA has to draft Model Police Act.
4	Daman & Diu								
5	Delhi	Non-compliance.	No response on this item. It is argued that Delhi is not a State.	Police Chief should have a tenure of two years.	Confidence should be reposed in the Police Commissioner	Separation is being implemented.	Board would dilute and undermine the authority of Commissioner of Police.	Several authorities are already in place to hear complaints against Police.	MHA has to draft Model Police Act.
6	Goa	Full Compliance.	Complied Accepted NHRC model .	Action to be taken by MHA	Govt. accepts minimum tenure for SPs & below	Separation not necessary in view of thin population.	Board constituted comprising DGP, IGP, DIG, Senior- most SP and one more SP as Member Secretary	Police Complaints Authority constituted for State	
7	Lakshadweep	Partial Compliance.	Complied with modifications:- Composition: 1. Administrator - Chairperson 2. Secretary (Home) 3. SP, Lakshadweep 4. District & Sessions Judge	Need not comply:- MHA to take appropriate action.	Partially Complied:- Order issued to SP to ensure minimum tenure of 2 years for SHOs	Need not comply.	No comments	Agreeable to Comply: Proposal submitted to MHA for approval.	
8	Pondicherry	Partial compliance	Taken steps to establish, chosen the Sorabjee model.	IGP is the head of police. He is appointed by MHA, which is to take appropriate action.	Taking steps to ensure minimum tenure of 2 years for other officers	Separation of law and order from investigation already in place in major police stations.	Decided to set up Board, with IGP as Chairman	Not complied on the ground that there is already Vigilance Department and Human Rights Commission.	

SL.N O	UTs	Compliance Status	State Security commission (1)	Selection & Minimum tenure for DGP (2)	Minimum tenure for I.G. & other field officers (3)	Separation of investigation and law & order (4)	Police Establishment Board (5)	Police Complaints Authority (6)	DRAFTING A NEW POLICE BILL OR NOT
9	Government of India's Views		There could be a Central Committee for Union Territories' Police Comments: No objection to having an integrated SSC for all UTs. However, composition suggested by Government is totally dominated by its representatives, which is against the spirit of Supreme Court directions	Involvement of UPSC unnecessary. Tenure be two years "as far as possible" Comments: UPSC involvement would ensure fair selection. Tenure should be two years.	A rigid prescription of two years across the board would not be possible or feasible. Will be unfair to officers of other services Comments : Objection is untenable. Government should give stability to officers of other services also.	Agreeable	Agreeable. Boards are being set up in each of the UTs, though the pattern varies. Board should not have appellate functions. Comments: Variations in UTs would be acceptable but these should be in keeping with the spirit of Supreme Court directions	There are several public complaint redressal mechanisms already in place, these may be strengthened instead of adding another institution. Comments: Two-tier Complaints Authority headed by retired judges of Supreme/High Court would inspire confidence.	Model Police Act for UTs being enacted

Note: Delhi and Goa are states, but have been shown here for convenience

**TABLE OF GOVERNMENT OF INDIA'S COMPLIANCE OF SUPREME COURT DIRECTIONS
(As on Nov 30, 2007)**

Prakash Singh and Others Vs Union of India and Others

Supreme Court Directions	Government of India's Response	Comments
National Security Commission comprising Union Home Minister, Heads of CPOs, Security Experts with Union Home Secretary as its Secretary	Committee on National Security & Central Police Personnel Welfare formed. It has also been enlarged with the induction of a Retired DG of a CPMF and retired Chief Justice of a High Court. GOI have objection to nomenclature "NSC".Heads of CPMFs may be invited to this body "if considered relevant or imperative"	There is no reason why heads of CPOs should be kept out of NSC. They are commanding huge forces of even more than two lac strength. They should be associated in deliberations concerning National Security. Devaluation of NSC into a Committee is objectionable
Role of NSC would be in the selection and placement of Chiefs of CPOs	Government has objection on the ground that sometimes the existing heads of CPOs are themselves under consideration.	In such cases, which would be rare, the concerned officers could be kept out of the deliberations
NSC would also i. review measures to upgrade the effectiveness of Forces, ii. improve service conditions of personnel, iii. ensure coordination between them and see that the Forces are utilized for purposes they were raised	Government is opposed to heads of CPMFs being associated in these matters.	These matters vitally concern the operational efficiency of the Central Paramilitary Forces. The Heads of the Forces must be consulted in these matters.
Tenure of Heads of CPOs	Flexibility is needed in the interest of exigencies of service	Heads of Central Paramilitary Forces play a very vital role in internal security of the country. They should have a stable tenure.

COMPLIANCE SCORE-CARD OF STATES (As on Nov 30, 2007)

Compliant	Partially Compliant	Notionally Compliant/Almost Non-Compliant
Arunachal Pradesh	Andhra Pradesh	Bihar
Assam	Chhattisgarh	Maharashtra
Manipur	Gujarat	Tamil Nadu
Meghalaya	Haryana	Uttar Pradesh
Mizoram	Himachal Pradesh	Delhi
Nagaland	Jammu & Kashmir	
Sikkim	Jharkhand	
Tripura	Karnataka	
Uttrakhand	Kerala	
Goa	Madhya Pradesh	
	Orissa	
	Punjab	
	Rajasthan	
	West Bengal	