

TABLE OF STATES' COMPLIANCE OF SUPREME COURT DIRECTIONS (As on May 10, 2007)

*Prakash Singh and Others Vs Union of India and Others*

Sl. No.	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	<b>Partial Compliance, Filed a Review Petition:</b>	<p><b>Not complied:</b> <b>Objections:</b> 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><b>Suggested modifications:</b> 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><b>Complied:</b> Two years tenure assured to the DGP <b>Objections:</b> 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><b>Complied:</b> 1. Notified, G.O.Ms.No.61</p>	<p><b>Complied:</b> Already implemented in some urban areas; will be done in a phased manner</p>	<p><b>Complied:</b> 1. Notified, G.O.Ms.No.62 2. <b>Composition:</b> (i) DGP (ii) ADGP (Law &amp; Order) (iii) ADGP (Administration) (iv) ADGP (Intelligence) (v) ADGP (CID) <b>Objection:</b> 3. Board cannot act as appellate authority over the state / central government</p>	<p><b>Not Complied:</b> <b>Objections:</b> 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 Department (ii) Principal Secretary, G.A. (Political) Department (iii) DGP (iv) Secretary Law Department (v) Sri R. Prabhakar Rao DGP (Retd.) (vi) Prof. Narasimha Rao</p>
2	Arunachal Pradesh	<b>Full compliance</b>	<p><b>Complied with modifications:-</b> 1. Adopted Sorabjee model with minor additions. 2. Notified, No. HMB(A)-23/06 3. <b>Composition:</b> (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><b>Complied:</b> 1. Notified, No. HMB(A)-23/06(Pt-I) 2. Caveat: Selection of DGP is done by MHA</p>	<p><b>Complied:</b> Notified, No. HMB(A)-23/06(Pt-II)</p>	<p><b>Complied:</b> 1. Notified, No. HMB(A)-23/06(Pt-III) 2. Sparsely populated state. Nevertheless, separation being implemented in nine urban police stations</p>	<p><b>Complied:</b> 1. Notified, No. HMB(A)-23/06(Pt-IV) 2. <b>Composition:</b> (i) DGP - Chairperson (ii) IGP (iii) DIG (HQ) (iv) DIG (E) (v) DIG (W)</p>	<p><b>Complied:</b> 1. Constituting a state-level Complaints Authority only. 2. <b>Composition:</b> (i) Retired HC/SC judge - Chairperson (ii) 3 to 5 independent members (iii) Under Secretary of State Vigilance department - Secretary</p>	No comments
3	Assam	<b>Partial Compliance:</b> Complied (2, 3, 5), No comments on other directives	State Government has not responded on this point.	<p><b>Complied:</b> Minimum tenure and selection procedure notified, Notification no. HMA 58/07/48 dated February 7, 2007.</p>	<p><b>Complied:</b> Minimum tenure of 2 years notified, Notification no. HMA 58/07/49, dated February 7, 2007</p>	State Government has not responded on this point.	<p><b>Complied:</b> Board notified, Notification no. HMA 58/07/50 dated February 7, 2007 <b>Composition:</b> 1. DGP Assam 2. ADG/IG (Special Branch) 3. ADG/IG (Training &amp; AP) 4. ADG/IG (Law &amp; Order) 5. ADG/IG (Adm) - Secy.</p>	State Government has not responded on this point.	Expert Committee headed by Justice S. Haque (Retd) appointed to examine Model Police Act.
4	Bihar	<b>Partial Compliance:</b> Has put in place select interim measures	State government has not responded on this point.	<p><b>Complied:</b> Minimum tenure and selection procedure notified, Notification No. 7/VI. Pu. Ha. - 201/2007 khand Gri. Aa. -1233/</p>	<p><b>Complied:-</b> Minimum tenure of 2 years notified, Notification No. 7/VI. Pu. Ha. - 201/2007 khand Gri. Aa. -1233/</p>	State government has not responded on this point.	<p><b>Complied:-</b> Board notified, Notification No. 7/VI. Pu. Ha. -201/2007 khand Gri. Aa. -1233/ <b>Composition:</b> 1. DGP and IGP 2. ADGP (HQ) 3. An IGP nominated by state government 4. A DIG nominated by state government 5. One senior officer belonging to SC/STs nominated by state government</p>	State government has not responded on this point.	Bihar Police Bill 2007 enacted on March 30, 2007 does not comply with Supreme Court directions or the Model Act drafted by Sorabjee. It sets up State Security Commission (Rajya Police Board) comprising Chief Secretary, Home Secretary and DGP. Lays down that DGP will generally have a tenure of two years. Bill strengthens bureaucratic control over police.

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5	Chhattisgarh	<b>Partial compliance:</b> seeks 6 month extension	State government has not responded on this point.	<b>Not Complied:</b> <b>Objections:</b> 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	<b>Complied:</b> 1. Notification No. F 11/353/home/07	State government has not responded on this point.	<b>Complied:</b> Notification No. F 11/353/home/07 <b>1. Composition:</b> (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	<b>Non-compliance:</b> Directions impinge on federal character of the Constitution; undermine its basic structure	<b>Objections:</b> 1. Police is governed by various statutory laws 2. There is no unwarranted influence over the police 3. Will undermine the jurisdiction and power of the state government 4. The Commission will have powers without accountability	<b>Objections:</b> 1. Under the existing rules, the DGP is to be appointed by the state government 2. No provision for UPSC's involvement 3. Involvement of UPSC neither practical nor possible 4. Would act against the interest of some officers 5. Would lead to dissatisfaction in the higher police ranks	<b>Objections:</b> 1. The policy is already being followed with some checks 2. Fixed tenure may result in vested interests 3. Government should have the right to transfer concerned police officers	<b>Objections:</b> 1. Law & order police is better equipped to carry out investigation in certain cases 2. Will mean extra resource/expenditure	<b>Objections:</b> 1. Will create a separate power center 2. Will be neither answerable nor accountable to the people 3. Will not be competent to take any disciplinary proceedings against IPS officers	<b>Objections:</b> 1. Adequate fora already exist (NHRC, Central Vigilance Commission) 2. Financial burden 3. Multiplicity of disciplinary authorities, resulting in conflicting decisions and delays	No
7	Haryana	<b>Partial Compliance</b>	<b>Partial Compliance.</b> State Police Board constituted. Its functions have however, been modified	<b>Partial Compliance.</b> 1. UPSC kept out of selection process 2. Tenure one year only.	<b>Partial Compliance .</b> Only one year tenure for IG Range and SP	Agreeable	<b>Partial Compliance</b> Establishment Committee formed comprising DGP and two other senior officers not below the rank of IG.	<b>Partial Compliance</b> 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 Establishment Board has DGP and only two other senior officers, they have not been given powers to post/transfer officers of any rank
8	Himanchal Pradesh	<b>Partial Compliance</b>	<b>Complied:</b> 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.	<b>Partial compliance:</b> 1. Government has taken note of this direction for compliance 2. Amendment in AIS Rules would be required.	<b>Complied:</b> 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>	<b>Complied:</b> 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>	<b>Complied:</b> 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>	<b>Partial Compliance:</b> 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	<b>Partial Compliance</b>	<b>Not Complied:</b> Seeks exemption on the ground of security situation in the State	<b>Partial Compliance:</b> 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.		<b>Not Complied:</b> Will be counter-productive in the security scenario of the State.	<b>Complied:</b> Board set up by order of DGP (and not of State Government).	<b>Not Complied:</b> 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	<b>Almost Complied:</b> Partial compliance to (2). Complied with the rest.	<b>Complied:</b>	<b>Partial Compliance:</b> 1. Have sent letters to the UPSC seeking empanelment of officers. 2. Regarding minimum tenure, State government wants directions be modified	<b>Complied</b>	<b>Complied</b> Already implemented in some cities like Ranchi, Bokaro, Jamshedpur, and Dhanbad	<b>Complied</b>	<b>Complied</b>	No

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11	Karnataka	<b>Partial Compliance:</b> Complied with 3 and 4. Partial compliance of 1, 2 and 5 Has not complied with 6	<b>Partial compliance:</b> 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	<b>Partial compliance:-</b> 1. Tenure of two years accepted. <b>Objection:</b> 2. Selection of DGP will be done by state government from amongst three senior-most empaneled officers.	<b>Complied:</b> Field officers are already provided with a minimum tenure of 2 years, and a maximum of 3 years	<b>Complied:-</b> Separation already in place in all the Commissionerates irrespective of population	<b>Partial Compliance:-</b> 1. Karnataka Police (Amendment) Bill, 2007 provides for Police Establishment Board <b>Objections:</b> 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.	<b>Not complied:</b> 1. The Amendment Bill creates a Police Complaints Authority at the state and district levels but it is not independent of government.	Yes, Police Bill will be presented in the State Assembly within six months
12	Kerala	<b>Partial Compliance:</b> Promulgated Kerala Police (Amendment) Ordinance 2007 on February 12, 2007	<b>Complied:</b> 1. Chose Ribeiro Committee model 2. Established in Section 7A 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	<b>Partial Compliance:</b> 1. Tenure of two years accepted. 2. Selection procedure mandated by Supreme Court not accepted	<b>Complied</b>	<b>Complied:</b> 1. Enshrined in Section 3A of 2007 Ordinance	<b>Partial Compliance:</b> 1. Enshrined in Section 7C 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	<b>Partial Compliance:</b> 1. Constituted at both state and district levels 2. Established in Section 7E of 2007 Ordinance 3. <b>Composition of state-level Authority:</b> (i) Retired judge of the High Court - Chairperson (ii) Principal Secretary (iii) ADGP 4. <b>Composition of district-level Authorities:</b> (i) Retired district judge - Chairperson (ii) District Collector (iii) DSP	Yes
13	Madhya Pradesh	<b>Partial Compliance:</b> Asked for four months extension. Government Order dated 14/2/2007 puts in place select measures.	State government has not responded on this point.	<b>Partial Compliance:</b> 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	<b>Complied</b>	State government has not responded on this point.	<b>Partial Compliance:</b> 1. Board established 2. <b>Composition:</b> DGP and 4 senior officers (i) ADGP (Administration) (ii) ADGP (Special Armed Force) (iii) ADGP (CID) (iv) ADGP (Intelligence) <b>Objection:</b> 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	<b>Non-compliance:</b> State contends that directions are inconsistent with statutory provisions in existence. Has filed review petition	<b>Not Complied:</b> <b>Objections:</b> 1. Binding power is inconsistent with the spirit of the Constitution 2. Another power centre influencing the working of the police	<b>Not complied:</b> <b>Objections:</b> 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.	<b>Already in place:</b> Separation already exists at state level; and at the level of Commissionerates and district police <b>Objections:</b> 1. Will require more police personnel; and additional cost 2. Request to effect separation in stages	State government has not responded on this point.	<b>Not complied:</b> <b>Objections:</b> 1. Oversight bodies already exist; will result in duplication 2. Will subject police to multiple proceedings and contradictory orders	No
15	Manipur	<b>Almost full Compliance.</b>	<b>Complied:</b> 1. Notified, No. 2/8/(32)/2006-H dated March 31, 2007 <b>Composition:</b> (i) Minister in charge Home - Chairperson (ii) Leader of Opposition (iii) Chief Secretary (iv) 5 Independent Members (v) DGP - Secretary	<b>Complied with modifications:</b> 1. Minimum tenure notified, except in cases of superannuation, No. 18/39/2006-POL/DP, dated December 28, 2006	<b>Complied:</b> 1. Minimum tenure notified, No. 2/8(32)/2006-H dated December 28, 2006.	<b>Does not need to Comply:</b> No need to separate, as no town or urban area has a population of 10 lakhs or more	<b>Complied:</b> 1. Board constituted. Notified, No. 2/8(32)/2006-H dated December 28, 2006 <b>Composition:</b> (i) DGP - Chairperson (ii) ADGP (Admin) (iii) I.G. (Law & Order II) (iv) Director, Manipur Police Training School (v) I.G. (Intelligence)	<b>Complied:</b> 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	<b>Full Compliance.</b>	<b>Complied:</b> 1. Notified, No. HPL 122/96/516 dated 19/12/2006 2. Chose the Model Police Act.	<b>Complied:</b> 1. Notified, No. HPL 122/96/513 dated 19/12/2006	<b>Complied:</b> 1. Notified, OM No. HPL 122/96/391 dated 22/11/2006	<b>Does not need to comply:</b> No city's population is greater than 10 lakhs; state government, however, considering for Shillong.	<b>Complied:</b> 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.	<b>Complied with modifications:</b> 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	<b>Almost Full Compliance.</b>	<b>Partial Compliance:</b> 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.	<b>Complied.</b>	<b>Complied:</b> 1. Notified, No. C-18018/12/90-HMP(SC) dated 9/11/2006.	Exemption sought because of thin population.	<b>Complied:</b> 1. Notified, No. C-18018/12/90-HMP(SC) dated 9/11/2006.	<b>Modifications requested:-</b> 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	<b>Almost Full Compliance</b> except in respect of Est. Board.	<b>Complied:</b> Constituted with HM as Chairman and comprising 1) Leader of Opposition 2) Judge (Retd) 3) Chief Secretary 4) Three Ind. Members 5) DGP	<b>Complied.</b> Notification No.POL-9/SF/ 20/2000 dated March 30, 2007.	<b>Complied.</b> Notification No.POL-9/SF/ 20/2000 dated March 30, 2007.	<b>Complied.</b> Notification No.POL-9/SF/ 20/2000 dated March 30, 2007.	<b>Partial compliance:</b> 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.	<b>Complied.</b>	No
19	Orissa	<b>Partial Compliance</b>	<b>Not complied</b>	<b>Partial Compliance:</b> 1. Two year tenure accepted 2. UPSC role in selection process not considered.	<b>Complied</b>	<b>Complied:</b> In Bhubaneshwar and Cuttack	<b>Complied</b>	<b>Partial Compliance:</b> 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 headed by ADGP (Intelligence)
20	Punjab	<b>Partial Compliance.</b> Have asked for an extension up to <b>June 30, 2007</b> to comply. Intend to file review	State government has not responded on this point.	<b>Complied</b>	<b>Complied</b>	<b>Not complied:</b> Separation is being worked out, to be implemented initially in the cities of Ludhiana, Jalandhar, Amritsar, Patiala, Bhatinda	<b>Partial Compliance:</b> 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.	<b>Not complied</b>	Yes
21	Rajasthan	<b>Non- Compliance:</b> Rajasthan Police Bill 2007 is being drafted.	State government has not responded on this point.	State government has not responded on this point.	State government has not responded on this point.	State government has not responded on this point.	State government has not responded on this point.	State government has not responded on this point.	Being Drafted
22	Sikkim	<b>Full Compliance.</b>	<b>Complied:-</b> 1. Adopted the Police Act Drafting Committee model 2. Notified, Notification No. 103/Home/2006 dated 28/12/2006	<b>Complied:</b> 1. Selection and tenure notified, No.105/Home/2006 dated 28/12/2006 2. Adopted a variation where SSC will empanel.	<b>Complied:</b> Notified, No. 106/Home/2006 dated December 28, 2006.	<b>No need to comply:</b> Exemption sought as state has thin population.	<b>Complied:</b> Notified, No. 107/Home/2006 dated December 28, 2006. <b>Composition:</b> (i) DGP - Chairperson (ii) Addl. DG/IG (Spl. Branch) (iii) Addl. DG/IG(Crime) (iv) IGP, Law & Order (v) IGP, HQ - Secretary	<b>Complied:</b> 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	<b>Non-compliance:</b> Seeks extension of 6 months; filed a review petition in the Court (on 8 February 2007)	<b>Partial Compliance :</b> 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.	<b>Partial Compliance:</b> 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. Has promised to issue suitable orders incorporating the principle laid down by Supreme Court.	<b>Partial Compliance:</b> Direction is desirable and acceptable. However, it cannot be rigidly enforced. Has promised to issue suitable orders.	<b>Complied:</b> Order issued by State Government, vide G.O. Ms No.640 dated April 26, 2007.	<b>Complied :</b> Order issued by State Government, vide G.O. Ms No.639 dated April 26, 2007.	<b>No need to comply:</b> 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	Drafting a new Police Act for the State
24	Tripura	<b>Partial compliance</b>	<b>Objections:-</b> Argues that as the Court's directives are interim measures and until new legislation is passed, implementation of the directives (1,2,3,5) will result in two parallel authorities.			<b>Complied:</b> Although there is no town with a population greater than 10 lakhs, government has decided to introduce separation in East & West Agartala Police Stations.	<b>Non-compliance</b>	<b>Partial Compliance:</b> Decided to set up District-level Complaints Authority for West Tripura District in first phase.	
25	Uttar Pradesh	<b>Non-compliance:</b> Has not complied at all	<b>Objections:-</b> Will infringe the rights of the state government and dilute its authority	<b>Objections:-</b> 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	<b>Objections:-</b> 1. Procedure laid down for transfers are lengthy and tedious 2. Restricts the government's options to transfer in cases of public interest	<b>Objections:-</b> 1. Similar past experiments have failed 2.Specialized agencies like the Criminal Investigation Department (CID) and the Economic Offences Wing already exist	<b>Objections:-</b> 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	<b>Objections:-</b> 1. Adequate fora already exist 2. Statistics show that there is no need for district level Complaints Authorities 3. Retired persons are not accountable	No
26	Uttarakhand	<b>Almost complied</b>	Complied	<b>Partial compliance:</b> 1. Tenure of two years accepted. 2. No reference to selection procedure at all.	<b>Complied:</b> Office Memorandum issued	No need to separate as no town has a population more than 10 lakhs	<b>Complied:</b> Board has been set up. Office memorandum issued	<b>Complied:</b> Apart from state level, district level authorities set up in Almora and Pauri	No
27	West Bengal	<b>Partial Compliance</b>	No Response	No Response	No Response	No Response	Police Establishment Board set up, vide order dated March 30, 2007. Another Board set up for Kolkata Police also.	No Response	Has set up a Committee chaired by additional Chief Secretary, Home Department to draft a new West Bengal Police Act based on the Model Police Act.

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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
1	Andaman & Nicobar	<b>Partial Compliance:</b>	<b>Complied with modifications:</b> 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	<b>Need not comply:</b> IGP is the senior most officer, he is appointed by MHA, upto MHA to comply.	<b>Complied only with regard to SHOs:</b> Ensures minimum tenure for SHOs <b>Modifications requested:</b> 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	<b>Need not comply:</b> Population not sizeable enough, is less than 5 lakhs	<b>Modifications requested:</b> <b>1. Composition</b> As no DGP, Board consists of: (i) IGP (A & N) - Chairperson (ii) DIG (Int) (iii) DIG (Range) <b>2. Powers</b> 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	<b>Modifications requested:-</b> 1. One Complaints Authority for 3 districts 2. Common Chairperson for SSC and Complaints Authority	MHA has to draft Model Police Act.
2	Chandigarh	<b>Partial Compliance</b>	<b>Modifications requested:</b> 1. No Legislature. 2. <b>Proposed Composition:</b> (i) Administrator - Chairperson (ii) Retired Judge of Punjab and Haryana High Court. (iii) Home Secretary (iv) IGP	<b>Need not comply:</b> Inspector General of Police is the senior most officer. He is appointed by MHA, which is to comply.	<b>Partially complied:</b> 1. Issued for SHOs 2. Higher field officers are appointed by the central government	<b>Partially complied:</b> <b>objections raised:</b> 1. Will require more staff. 2. Meanwhile, IG has been asked to take effective steps, keeping in view the available personnel.	<b>Complied with modifications:</b> <b>Composition</b> 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 <b>Powers</b> Board will look into matters of officers up to the rank of Inspector.	<b>Complied:</b> A Complaints Authority already exists.	MHA has to draft; Model Police Act.
3	Dadara & Nagar Haveli	<b>Partial Compliance:</b> Complied 1,5 & 6 with modifications Need not comply with 2,3,4.	<b>Complied with modifications:</b> 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	<b>Need not comply:</b> MHA is the cadre controlling authority.	<b>Need not comply:</b> MHA will have to take appropriate action.	<b>Does not need to comply:</b> No need for separation as population is thin.	<b>Complied with modifications:</b> <b>1. Composition:</b> (i) DIG - Chairperson (ii) SP ( Daman, Diu, Silvassa) (iii) Adtl. Supdt. Of Police <b>2. Powers -</b> Board will look into the matters of police officers up to the rank of Inspector only	<b>Complied with modifications:-</b> 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	<b>Non-compliance.</b>	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	<b>Full Compliance.</b>	<b>Complied</b> 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	<b>Partial Compliance.</b>	<b>Complied with modifications:-</b> <b>Composition:</b> 1. Administrator - Chairperson 2. Secretary (Home) 3. SP, Lakshadweep 4. District & Sessions Judge	<b>Need not comply:-</b> MHA to take appropriate action.	<b>Partially Complied:-</b> Order issued to SP to ensure minimum tenure of 2 years for SHOs	<b>Need not comply.</b>	<b>No comments</b>	<b>Agreeable to Comply:</b> Proposal submitted to MHA for approval.	
8	Pondicherry	<b>Partial compliance</b>	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	<b>Not complied</b> on the ground that there is already Vigilance Department and Human Rights Commission.	

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9	Government of India's Views		There could be a Central Committee for Union Territories' Police <b>Comments :</b> 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" <b>Comments :</b> 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 <b>Comments :</b> 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. <b>Comments :</b> 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. <b>Comments:</b> 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 May 10, 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.