

# **“Policing – A Human Rights Perspective”**



**Commonwealth Human Rights Initiative**

New Delhi, India

**February 2004**

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**A Report on**  
**“Policing – A Human Rights Perspective”**

seminar organised by  
**Ministry of Home Affairs**  
in association with  
**Commonwealth Human Rights Initiative**  
and  
**Delhi Police**

at  
Ashoka Hotel, New Delhi

on  
**February 12, 2004**

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## Introduction

**T**he “world over governments are reorienting their institutions to human rights standards as they are an important measure of good governance. The law enforcement agencies must protect legitimate interests of the community by providing safety and security to the people. They have to uphold law at all costs and maintain a delicate balance between overlapping interests—a task difficult but not impossible.” These words of the Union Home Secretary, Mr. Anil Baijal set the pace for the day long seminar on “Policing – A Human Rights Perspective,”<sup>1</sup> organised by the Ministry of Home Affairs (MHA), Government of India, in association with Commonwealth Human Rights Initiative (CHRI) and the Delhi Police. This is the first of a series of MHA interventions and dovetails with the efforts of CHRI to create discussion platforms to encourage better policing.



The interface was designed to bring together civil society, the government and the police establishment<sup>2</sup> and reduce the present vacuum, which is evident in the communications channels between the police and the public by developing workable solutions<sup>3</sup> and good practices for Delhi.

## The Themes

Discussions centred around two thematic areas:

- ▶ Police-public interface
- ▶ Good practises in policing

Prefatory remarks covered the well-known concern of all informed groups that much of what ails policing today is embedded in the Act of 1861. The 143-year old Act sets in place a system of policing that encourages the force to be essentially faithful to the ruling executive and typically accountable only to its own hierarchy.

After Independence although there was a radical change in the relationship between the ruler and ruled, policing has remained essentially the same. No new paradigm of democratic policing in service of the public and the Constitution has emerged and this still remained largely inexplicable to the public. Although police is a state subject a few progressive States have drafted new legislations<sup>4</sup>, which were patterned on the Police Act of 1861, but they failed to incorporate the principles of a democratic environment that is accountability to the law, transparency in actions and participation of the people. Over the long term this disjuncture has led to alienation between police and public.

<sup>1</sup> On February 12, 2004 at Hotel Ashoka, New Delhi.

<sup>2</sup> A list of participants is provided in the annexure - 1

<sup>3</sup> Mr. A.K. Jain

<sup>4</sup> Governments of Andhra Pradesh and Madhya Pradesh and the police departments of Himachal Pradesh, Assam, Rajasthan and West Bengal have drafted legislations. Presently, the MHA has also set up a drafting committee to look into the Police Act of 1861.

Several reasons exist for the lack of constructive communication between the police and the public. But foremost amongst these is the issue of extralegal interference. This has often been linked to the archaic legislation in this country, which still sees the people to be subservient to the police, granting few democratic norms to safeguard the misuse of the service for partisan purposes and with no effective mechanisms to ensure police accountability. A recent survey in Kerala<sup>5</sup> showed that the public regarded the police as undependable and slow. A performance report card of the state police also revealed that they have a long way to go before they gain acceptability amongst the people. 57.7% respondents felt that their police are not approachable in solving either their personal problems or social issues; while another common response was that people were conscious about the political interference in postings and transfers. 41% felt that the DGP should control the police organization, while 37% felt that it should be the judiciary and only 7.3 % felt that the politicians should interfere<sup>6</sup>. The survey also came out with certain startling revelations that justice delivery by the police remains illusive and fewer people belonging to the marginalized groups with little access to wealth can gain justice at the first corner stone of the criminal justice system.

An earlier study on the “Image of Police in India” done for the Ministry of Home Affairs and the Indian Institute of Public Opinion revealed

- People consider political interference in police functioning as a greater evil than corruption.
- People also consider political interference as a major factor contributing to poor police image which further leads them to misuse and abuse powers and disregard the law .
- Political interference is perceived to be more pronounced in rural areas than in urban areas.<sup>7</sup>

Both studies confirm each other in the widely held perception that the police as an organisation undoubtedly remains answerable overwhelmingly to the political executive and not to the law or the people leaving little scope for popular accountability, which is envisaged in a democracy.

The participants agreed that a transition from regime to democratic policing<sup>8</sup> is entirely desirable and possible. The observance of some basic principles such as the police must first and foremost be subject only to the rule of law rather than the whims of a political executive or be subservience to a political class. The Second Report of the National Police Commission<sup>9</sup> had in fact commented extensively on the manner in which political control has been exercised over the police and how this has led to gross abuses, resulting in erosion of rule of law, and loss of police credibility as a professional organisation. In particular the report had observed that the threat of transfer or suspension is the most potent weapon in the hands of the politician to bend the will of the police.

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<sup>5</sup> A 40-question survey by Corporate Relations as reported in the Deccan Herald on February 29, 2004

<sup>6</sup> Mr. Tharakkan

<sup>7</sup> Mr. C.V. Narasimhan IPS (Retd), a paper on “Insulating the police from extraneous pressure”

<sup>8</sup> G.P. Joshi

<sup>9</sup> 1979-1981

The need for insulating the police from unwarranted interference, in particular in relation to investigation and the need for specialisation in this area of police work has been variously reiterated by the Vohra Committee<sup>10</sup> and the Law Commission that echoed the recommendations of the NPC. More recently the Ribeiro<sup>11</sup> and Padmanabhaiah Committees<sup>12</sup> also emphasised on the need to insulate the investigative wing of the police from undue pressure and subsequently prevent arbitrary transfers of the personnel by the political executive. The Malimath Committee<sup>13</sup> has gone on record to highlight the need for a separate wing of the police, which would be involved in investigations and be accountable only to the Rule of Law, which is the need of the day.

Measures that would go a long way to prevent impunity and ensure that the police work in accordance with the legal mandates include:

- a. An explicit articulation of the new democratic mandate of how the police must function as a professional organization;
- b. Acknowledgement by governments that they have a responsibility to set up and maintain an effective and efficient system of policing.<sup>14</sup>
- c. Set up mechanisms, which will be able to independently monitor police performance such as a State Statutory Committee as elucidated in the National Police Commission recommendations.

The NPC recommendations were made over two decades ago and it has been argued that they are now outdated. Nevertheless an examination of the recommendations made by committees that have followed indicates that its analysis and the essence of its recommendations have stood the test of time. Several interested persons have tried to resurrect them through civil writ petitions<sup>15</sup> and numerous other Committees have been constituted on the basis of these reports. They still hold good as it has details of mechanisms on how to address transparency, accountability and independence of the police. It has been reassessed time and again and on each occasion the recommendations have stood the test of time. Care must be taken to ensure that the essence of the report is considered and projected.<sup>16</sup>

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<sup>10</sup> October 1993

<sup>11</sup> First Report of Ribeiro Committee, 1998

<sup>12</sup> Report on Police Reforms in 2000

<sup>13</sup> 2003

<sup>14</sup> This is mentioned in the Constitution of the Republic of South Africa Article 31 and the South African Police Service Act 1995 where the National Commissioner of Police should every year publish his plans, priorities and objectives for the year. This is intended to enhance transparency in police policy-making and to enable monitoring of the efficiency and effectiveness of the police service.

<sup>15</sup> Mr. N.K. Singh and Mr. Prakash Singh two retired IPS officers filed a Civil Writ petition No. 310 at the Supreme Court in 1996 praying for the issue of orders to the Government to implement the recommendations of the NPC. The petition remains pending with the Supreme Court.

<sup>16</sup> Ms. Kwaljeet Deol

### The Ground Realities

The police being the most noticeable organ of the government and also perhaps the most criticised received few accolades while discussing the situation in Delhi. The proceedings of the seminar brought out that the people of the city lack confidence in the impartiality and effectiveness of their police and at their worst they feared them. The poor, the destitute, people with little access to power or clout, women and children feel most vulnerable in the hands of the police. Experiences of NGOs and community representatives bore out the truth of the formal studies mentioned above. An indicative slice of the problems that persist in policing, the 2001-2002 Annual Report of the National Human Rights Commission was quoted: 165 deaths in police custody; 113 deaths in encounter killings reported by people other than State Governments; 80 cases on disappearances; 1975 on illegal detention; 1768 relate to false implications; and 4638 cases related to other police excesses; 122 cases specifically allege the dignity of women that was violated; and there are 176 cases of sexual harassment. Delhi continues to be in the eye of the storm with a total of 3849 complaints next to Uttar Pradesh and Bihar. These methods of elimination, forced confessions, hostage taking and police abductions and illegal detentions are practised in spite of a plethora of legislations and legal advises from quasi-judicial bodies.

Civil society participants felt that present police functioning could be far more transparent and less apathetic as the major complaint related to the partisan behaviour of police personnel. Bias was more the rule than an exceptional aberration. The Ashray Adhikar Abhiyan working with homeless people has documented<sup>17</sup> 52,765 homeless people living on the footpaths of Delhi saying that their major and foremost problem was the behaviour of the policeman. Out of 100 persons, each and every one (even women and children) said that they had at least one bad experience with the police<sup>18</sup>.

The public's demand for better policing has raised a response at the highest levels. At the 56<sup>th</sup> Raising Day of the Delhi Police this year, the Deputy Prime Minister expressed his deep concern that the common people lacked faith in the force and asked the personnel to be more citizen-friendly.

To counter some of the negativity of image, the Delhi Police pointed to the vast amount of work they each day undertake with a limited force and indicated some initiatives aimed at changing the behaviour of the personnel by creating out reach programmes:

- ▶ As an outcome of the Ashray Adhikar Abhiyan survey, sensitisation programmes for the police personnel of Nabi Karim, Darya Ganj and Jama Masjid areas are being conducted and there has been a positive impact in the behaviour of the personnel over the recent months where they have shown greater responsiveness to the homeless people.

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<sup>16</sup> Ms. Kwaljeet Deol

<sup>17</sup> in 2000

<sup>18</sup> Mr. Indu Prakash Singh

- ▶ In fulfillment of their motto “Citizen First”<sup>19</sup> the Delhi Police has:
  - ▶ Put in place public grievance cells, which have been set up in each of the 9 police districts of the city exclusively deals with grievances.
  - ▶ Made it a duty of the community liaison officer in each police station to inform the public of the status of their complaints.
  - ▶ Designated a day for the he Station House Officer to be available to the public to deal with their problems.
  - ▶ Paid particular attention to complaints against police personnel where the supervisory officers set aside time to meet with the people in the different jurisdictions.
  - ▶ This is strengthened with a system of feedback mechanism where people fill up forms to inform about their levels of satisfaction that they receive while accessing the grievance system. The feedbacks are used as a barometer to measure the performance at the highest level .<sup>20</sup>

Besides the transparency and accountability processes, the Delhi Police has taken up several other schemes as the:

- ▶ adoption of senior citizens by students;
- ▶ tenant and servant verification scheme;
- ▶ the scheme ‘*Chotta Aman*’ where police personnel supervise and educate teenaged boys to prevent them from indulging in criminal activities;<sup>21</sup> drug de-addiction work with Navjyoti -Delhi Police Foundation<sup>22</sup> ;
- ▶ through executive orders, Crisis Intervention Centres have also been initiated with Prayas, an NGO, where it has become mandatory for all station house officers, duty officers and investigating officers to inform the NGO’s working at the Crisis Intervention Centre about cases of sexual abuse, which helps in quick rehabilitation of a victim.<sup>23</sup>



Apart from programs particular to Delhi, participants drew attention to experiments in different parts of the country that are aimed at providing practical ways in which the police can win confidence of the people without burdening themselves.

In Bangalore, periodic progress reports are sent to complainants on cases under investigation. As a part “the vision” of the Bangalore city police to make systemic changes that ensure transparency, registers are made available at each police station where a person can record

<sup>19</sup> Mr. K.K. Paul

<sup>20</sup> Ms. Kwaljeet Deol

<sup>21</sup> Mr. Vivek Gogia

<sup>22</sup> Mahendra Singh

<sup>23</sup> Vasundhara

his grievance and the officer in-charge of the police station is expected to record in writing his response to the grievance of the citizen. A citizen's charter has also been prepared and extensively publicized. This interaction between the police and community is being supported by a group of proactive NGO's who work on issues on increased access to justice for women through dissemination of legal information<sup>24</sup>, counseling, advice, and legal representation.

In order to encourage people to give information safely and confidentially the police departments in Delhi, Karnataka and Andhra have launched websites, which allow people to share information through the Internet. In Andhra Pradesh, the system is more elaborate as the e-cops link all police stations, while the Mumbai Police has been able to reduce people's efforts and some of the apprehensions that go with visiting police stations by creating a system of reporting incidents through their website.

While excellent initiatives in themselves participants at the seminar pointed out that several well-meaning experiments are reliant on the personal commitment of a single individual rather than having institutional backing, many reach limited populations and most are little known. The need remains for making every individual in the force adhere to the principles of accountability and transparency, which are the very basis of democratic policing. It is important to bring these principles to bear on the working of the force through statutory provisions that the old Police Act is completely silent on and so caters little to the aspirations of the people.

## **Available Mechanisms**

For democratic policing to take a hold and become embedded in the system itself participants pointed to various mechanisms that can assist bringing in more transparency and accountability.

### ***Transparency:***

A great deal of wrong is aided and assisted by being hidden within the system. Personnel know that departmental ties put a stop to any speaking out against each other no matter how serious the violation. Equally there are few chinks in the wall of police work that permits public to look within the department. The truth becomes a secret, which is well protected by the system<sup>25</sup>. Police personnel emphasised that the nature of police work requires some confidentiality while protecting the identity of witnesses and sources of information etc. and this was readily conceded however, the nature of such confidentiality can be limited without interfering with police work.<sup>26</sup>

The essence of accountability is openness. The people must have access to information made available to them such as copies of departmental rules, copies of complaints they have filed, data or information on crime, policies and procedures adopted while making arrests

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<sup>24</sup> Vimochana: A forum for women's rights based in the city will suggest measures that may be adopted within police stations and outside with regard to improving citizen's access to FIR's, the procedure to drafting complaints and follow up on investigation.

<sup>25</sup> Mrs.Maja Daruwala

<sup>26</sup> Mr. Abraham Kurien

and detentions etc. There is no way in which the people can hold the police accountable unless they have access to the information. The core principles of democratic policing i.e. accountability and transparency overlap each other. Without one, the other is ineffective. The discussants felt that transparency in government agencies especially the police is important as it makes the people understand whether the checks and balances that have been put in place are functioning well.

The NPC in its 5<sup>th</sup> Report urged police transparency in all but four areas: operations; intelligence on the basis of which operations are planned and conducted; privacy of individual citizen and information related to judicial requirements.

### ***Accountability:***

The police claim they need a large amount of discretionary powers and a deal of secrecy in order to maintain operational efficiency, nevertheless they admit that these are often misused. In democratic countries the continuing challenge is to create practical mechanisms for oversight that can curb or correct abuses of police power.

In most democratic countries accountability involves a mixture of both internal and external oversight mechanisms through institutions and individuals. Formal external oversight mechanisms include judicial processes, quasi-judicial organs such as women's commission and human rights commissions etc.

In the 1980's and 1990's only a few countries had a police organisation that had in place effective overlapping and highly elaborate legal structures intended to constrain police discretion and to guarantee the fundamental rights of all residents to be free from arbitrary use of police power. While it is strongly believed that it is only statutorily enforceable mechanisms of accountability that can provide mechanisms to enforce fundamental rights and provide redress to persons whose rights have been violated, the remedy is often difficult to access and impractical. Everyday the burden on the judiciary gets heavier, too many cases remain pending and the system is too time consuming and expensive for the ordinary citizen. Other remedies to prevent the abuse of police power need to be built into the system through necessary legislations so that the judiciary can focus on being the primary guarantor and enforcer of fundamental rights.

Participants felt that internal accountability mechanisms are vitally important building blocks for a disciplined police organisation and it is these that inculcate basic values of democratic policing through the organisation. These include clear chain of commands, standing orders, systems for enforcing discipline, and transparent procedures for handling internal grievances.

In recent years, in jurisdictions outside this country, violations and gross negligence by police departments have led to greater attention to looking closely at how police departments actually function. Close scrutiny and sustained media and civil society campaigns have prompted newer forms of external accountability such as the creation of Human Rights Commissions or Police Accountability Boards as in South Africa, U.K., Canada, Nigeria, Pakistan and other Commonwealth jurisdictions which are based on common law and similarly placed in terms of challenges, hold lessons for moving the police from a force in service of the regime in power to a service oriented democratic policing model.

Constant monitoring of the Delhi Police by external mechanisms such as the public grievances cells, the monitoring by the National Human Rights Commission and the national media, have, it was agreed reduced cases of custodial deaths or sexual assaults. However, it has proved harder to bring down routine custodial violence<sup>27</sup> and the issue of abuse of discretionary powers when the police make arrests or while questioning or while using lethal and non-lethal force remains a challenge and requires close monitoring by the police leadership if policing is to change. Close regulation by an independent judiciary or civilian institutions such as public complaints authority can ensure the transparency of systems in which the public otherwise lack faith.

There is an increasing demand for civilian oversight institution all over the world due to widespread loss of public confidence in the policing system.<sup>28</sup> Civilian oversight models also known as Civilian Complaint Review Board (CCRB) now functioning in over 90 jurisdictions in the US have lessons to offer. But the typology of oversight bodies depends on the aspirations of the people and how transparent a system is willing to be.

- ▶ Perhaps the most independent type of body is where there are paid independent civilian investigators who examine complaints, investigate and arrive at results, which are then communicated to the CCRB, that takes up the matter with the chief of police for necessary actions.
- ▶ There are other forms of CCRB's where investigations are carried out by the police but the supervision or review is done by a board which finally recommends to the police chief.
- ▶ Another form of CCRB is where the internal affairs department receives complaints and conduct inquiries which are then recommended to the police chief. If the complainant is not satisfied, he can write to the CCRB to review and recommend a different disposition which may/may not be acceptable to the police chief.
- ▶ The audit system entails the appointment of an auditor who does not investigate but review the department's procedures and policies regarding investigation and suggests necessary changes in the system.

The debate presently raging in the US is concerned with the degree of discretion that can be used by police chiefs to impose or withhold discipline from officers who abuse power; and should the police be subject to oversight or control by persons or groups outside the police establishment? Another debate concerns the degree of power to direct local police affairs that should be ceded to mayors and the political establishment versus having independent boards, monitors or quasi-judicial bodies like citizen review boards? Other proponents of CCRB's are caught in the debate concerning the degree to which internal police investigations and disciplinary processes should be transparent and open to public scrutiny, i.e. either to the press or to monitors or inspectors.<sup>29</sup>

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<sup>27</sup> Ms. Kwaljeet Deol

<sup>28</sup> Mr. G.P. Joshi

<sup>29</sup> Presentation by Mr. G.P. Joshi on civilian oversight mechanisms.

Closer to home the notion of independent oversight bodies or institutions, remain nascent. On several occasions the Central Government has taken initiatives to herald change to policing rhetoric. But it is common knowledge that the initiative taken by Mr. Indrajit Gupta, Union Minister in 1997 to write to all the Chief Ministers in the country to liberate their police from the clutches of political control has gone largely unnoticed. Nevertheless there are experiments, which show a sure sign in moving towards democratic policing as in Kerala which has the groundwork for more democratic policing and external supervision. Mr Tharakan the Director General of Police for the state iterated the State's endeavour to build a transparent system; set-up credible and effective complaint handling mechanisms and procedures; establish institutional arrangements to consult community and involve them in police work; make the police force composite, representing a general mix of population; make police culturally aware so that they can deal with the problem of policing a pluralistic society.<sup>30</sup>

CHRI's own initiative of organising a Round Table Conference in Trivandrum on June 26 – 27 with the Press Club consequently led to the discussion with the Chief Minister, Mr. A.K.Anthony on the need for accountability mechanisms for the police along with functional autonomy. This subsequently led to the ingenuity of the Government in setting up of a police performance evaluation board. The other initiatives that have shown the way to this novel institution are:

- a. A toll free phone number where the identity of the caller could be kept secret to convey information to the police.
- b. The police must keep the complainants or victims informed on the progress of a case. This also includes giving a copy of the FIR to the complainant and an entry made in the first case diary. If an investigation is not completed in 3 months, an explanation must be given to the complainant. Similarly if the investigations are completed only after one year or six months a senior police officer is required to justify the reasons for the delay.
- c. In Trivandrum regular monthly meetings between the Station House Officers and the local community has improved the relationship between the public and the police. This program is functioning well in some places due to the initiative by a few spirited individuals. Presently the resident's welfare associations have also been involved in regular meetings with the senior police personnel in the urban areas.

Recent attempts in providing functional autonomy to the police regarding transfers, postings, punishments and rewards have made Kerala the torchbearer for reforms in the country. Mr. Tharakan mentioned that CHRI's timely intervention in Kerala while they were thinking of further improvements had led to the setting up of the *police performance evaluation board*<sup>31</sup> which will review police performance over 2003 to 2004 under the aegis of the able Chief Minister. This is the first such attempt of a civilian review board in the

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<sup>30</sup> Mr. P.K.H Tharakan

<sup>31</sup> Similar Police Performance boards have been suggested in the NPC where a part of the duty of the State Security Commission would be to evaluate police performance. Similarly the Ribeiro Committee also suggested a Police Performance and Accountability Commission; while the Padmanabiah Committee suggested for a statutory independent Inspectorate of Police which would look into police efficiency and effectiveness.

country. Although the charter of the board is limited their independent assessment of the law enforcement will set a trend and will gradually wear away the deep resistance within the department. This board is in a way similar to the Commission suggested by the Ribeiro Committee on Police Performance and Accountability<sup>32</sup>, however it does not have the sanctity of legislature as the leader of the opposition is not a member and nor does the Police Performance Evaluation Board have the support of the police department as the Director General of Police is not a convener as suggested by the Ribeiro Committee.

### Conclusion

The seminar throughout emphasised the need for the police to be responsive, adopt democratic norms while interacting with the public and have overall transparent means of dealing with public grievances. Time and again the various Commissions have given viable suggestions to build a people friendly service. Yet due to lack of political will and resistance within police and the political establishment, many of the recommendations have gathered dust.

However on several occasions there have been positive responses made by the police department to articulate a change and to build better police-community relations even without waiting for some prescribed legal or institutional framework. Unfortunately this means that these experiments die out and often well meaning experiments uncritically practiced leaves space for further abuse of power and more public alienation.

Police participants recognized that despite constraints much of the impetus for reforming police functioning in small day-to-day ways lay with them and even small initiatives would provide a considerable amount of positive spin off with their relations with the public. Civil society organizations felt that while progress was excruciatingly slow engagement with police in these dialogues provides a welcome opening for engagement and influencing change.



Recognizing that there are many statutory, political and institutional resistances to reforming policing in Delhi it was nevertheless felt that there remains much space to bring in practical workable solutions that will improve policing functions and image. The MHA is committed to encouraging these and gathering together and documenting these experiments so that knowledge about them is readily available and experiments can be replicated.

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<sup>32</sup> According to the Ribeiro Committee, the Commission will oversee the performance of the police and ensure that it is accountable to the law of the land. The Commission would also ensure security of tenure for senior police personnel.

## TOWARDS WORKABLE SOLUTIONS



Some workable solutions which were discussed by the participants have been classified under thematic areas are given below:

### 1. Recommendations made by previous commissions:

- ▶ National Police Commission (NPC) recommendations need to be implemented and simultaneously be a part of the compulsory reading at the police training schools and academies<sup>33</sup>.
- ▶ The MHA may like to take up any Union Territory such as Delhi and implement the recommendations of the NPC as a pilot project and document the process.<sup>34</sup>
- ▶ There is a need to improve the status, working and living conditions of the constabulary<sup>35</sup> and treat them as skilled workers and give them responsibility<sup>36</sup> as mentioned by in the NPC, the Ribeiro Committee and the Padmanabhiah Committee.

### 2. Democratic Mechanisms:

- ▶ An independent evaluation of existing police accountability mechanisms<sup>37</sup> and community policing initiatives<sup>38</sup> is necessary.
- ▶ While functional autonomy should be given to the police, it should be simultaneously ensured that effective mechanisms exist to guarantee police accountability.. Implementation of such measures would close the gaps with the public and brings in an element of transparency.<sup>39</sup>
- ▶ Strengthen witness protection programmes and establish the crisis intervention centres in police stations across the country<sup>40</sup>.
- ▶ There is need to involve the community through consultations<sup>41</sup> and find a solution to local problems. This can further be strengthened by the initiative taken by the government, especially the MHA, the police and the civil society.

<sup>33</sup> Maja Daruwala, Director CHRI

<sup>34</sup> Mr. A. Kurien

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<sup>40</sup> Vasundhra

<sup>41</sup> A.K. Jain

- ▶ Creation of a centralized police station, which can have jurisdiction all over Delhi for accepting and filing complaints.<sup>42</sup> The NPC in Report 4 has recommended an amendment to Section 154 Cr.PC, allowing the FIR to be recorded by a constituent unit of the police station .<sup>43</sup>
- ▶ The process of making the department transparent may be augmented through a social audit<sup>44</sup> or a victim logy study .<sup>45</sup>

### 3. Orientation Programmes:

- ▶ Demilitarisation of the police<sup>46</sup> through training/sensitisation programmes especially at the cutting edge level<sup>47</sup>.
- ▶ Sensitise the police personnel on harassment faced by women under Sec 498A and understand the problems faced by vulnerable groups like women and children<sup>48</sup>.
- ▶ Create an awareness of duties and rights among the masses using school and university curriculum<sup>49</sup>.



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<sup>45</sup> Mr. Shankar Sen

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<sup>48</sup> Dr. Shalu Nigam

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**MINISTRY OF HOME AFFAIRS**  
*IN ASSOCIATION WITH*  
**COMMONWEALTH HUMAN RIGHTS INITIATIVE (CHRI) &  
 DELHI POLICE**

**Venue:** Ashoka Hotel, Banquet Hall

**Date:** February 12, 2004

**AGENDA**

**INAUGURAL SESSION**

Welcome Address	10:00-10:05	Mr. A.K. Jain Add. Secy. MHA
Inaugural Address	10:05-10:15	Home Secretary
Presentation: "Policing and Human Rights"	10:15-10:35	Mr. A.K. Jain Jt. Secy Human Rights MHA
Perspectives on Policing and Human Rights	10:35-10:50	Mrs. Maja Daruwala Director, CHRI
Tea	10:50-11:15	

**POLICE - PUBLIC INTERFACE**

Moderator: Mr. K.S. Dhillon IPS (Retd)

**SESSION I:**

Introduction	11:15-11:20	Mr. K.S. Dhillon
Elements for good policing	11:20-11:40	Mr. G.P. Joshi, CHRI
The Police-public interface: What is working in Delhi?	11:40-12:00	Ms. Kawaljeet Deol Delhi Police
The police-public interface: What is not working in Delhi?	12:00-12:10 12:10-12:20	Action Aid - Mr. Indu Prakash Singh Parivartan - Mr. Arvind Kejriwal
Discussion:	12:20-13:20	
Summing up	13:20-13:30	Mr. K.S. Dhillon
Lunch	13:30-14:15	

**BEST PRACTICES**

SESSION II:

Moderator: Mrs Maja Daruwala

Introduction	14:15-14:20	Mrs. Maja Daruwala
Recent developments in Kerala Police	14:20-14:35	Mr. P.K.H. Tharakan IPS
Civilian Oversight: Developments Elsewhere	14:35-14:55	Mr. G.P. Joshi
Discussions	14:55-16:00	
Summing up	16:00-16:15	Mrs. Maja Daruwala
Valedictory	16:15-16:30	Commissioner of Police, New Delhi
Vote of Thanks	16:30	MHA

# THE COMMONWEALTH HUMAN RIGHTS INITIATIVE

The Commonwealth Human Rights Initiative (CHRI) is a non-partisan, non-profit independent international non-governmental organisation mandated to work towards the practical realisation of human rights in Commonwealth countries. Human rights advocacy and education are at the core of all CHRI activities.

CHRI aims to raise awareness of and adherence to internationally recognized human rights instruments and declarations made by the Commonwealth Heads of Governments, and more particularly the values embodied in the Harare Declaration.

CHRI was based in the United Kingdom until 1993, when it opened a head office in India at New Delhi. In May 2001 CHRI opened a new office in Accra, Ghana in order to develop human rights interventions particularly appropriate to the context of Commonwealth Africa.

CHRI is working in the following areas:

- ▶ Police Reforms
- ▶ Prison Reforms
- ▶ Right to Information
- ▶ Constitutionalism
- ▶ Human Rights Advocacy
- ▶ Biennial Report to CHOGM



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