

Post of the Day

The Public Grievance Commission of Delhi Government would now also function as the Police Complaints Authority. Four officers have been appointed on an ad hoc basis as members of the body. According to reports, the Delhi government had earlier taken prior approval of the Ministry of Home Affairs for extending the role and responsibility of the PGC by a resolution of February 27, 2012. This body in effect forms a separate department under the Public Grievance Commission of the Delhi government. It is important to note here that the guidelines provided by the Supreme Court in the Prakash Singh Case regarding the composition and independence of the commission have totally been ignored in setting up this Authority.

The presence of serving bureaucrats, absence of a retired member of the judiciary and the ad hoc nature of appointment of the members and the totally negate both the letter and spirit of the Supreme Courts jurisprudence. While CHRI congratulates the government on establishing the PCA, we implore that the independence and mandate of this body must not be compromised due to faulty composition. For a better understanding of the PCA's and common problems that such bodies are facing in other states due to faulty composition among other reasons, please see our report on Police Complaints Authorities.

http://www.humanrightsinitiative.org/publications/police/PoliceComplaintsAuthorities_ReformResisted.pdf