



PRESS STATEMENT

Strong monitoring by Supreme Court only way to prevent further backsliding of police reforms: CHRI

New Delhi, September 22 – The seven directives on police reforms, delivered by the Supreme Court of India on this day in 2006, implemented in earnest, can address common ills that give rise to poor police performance and unaccountable law enforcement.

Yet, on this 14th anniversary, the Commonwealth Human Rights Initiative (CHRI) said that it was only the continued and vigorous monitoring by the Apex Court that could guard against further non-compliance. CHRI said that a renewed push by the Court was necessary since implementation of the directives by states remained slow, piecemeal and largely regressive.

“The Court’s directives provide mechanisms to instil checks and balances to prevent political interference in policing, strengthen accountability, and make internal management systems fair and transparent,” said Devika Prasad, Programme Head, Police Reforms at CHRI.

“If implemented in the letter and spirit of the Court’s scheme, institutionalising the directives can be a springboard towards systemic changes needed in policing.”

On September 22, 2006, widely celebrated as Police Reforms Day, the judgement in the *Prakash Singh and Others vs. Union of India and Others 2006 (8) SCC 1* made it binding on central and state governments to comply with a set of directives based on priority areas of police reform generated since 1979. However, with no real will to reform, the principles and practice of policing in India have witnessed little change.

“Police reforms in India remain a distant dream because states have distorted the envisioned reforms to preserve the status quo, instead of bringing in genuine changes,” remarked Sanjoy Hazarika, CHRI’s International Director.

“Government failure to adhere to the directives can only be cured by the Supreme Court’s continued monitoring,” he added. CHRI said that the Court’s course corrections and admonition to states during its monitoring had been a hallmark of the Prakash Singh case. But, “we urge it to ensure that monitoring is regular and rigorously holds states to account for non-compliance,” Hazarika said.

The states and the Centre have adopted legislative and policy frameworks that fall foul of the Court’s directives. The checks and balances that the Supreme Court directives seek to instil are being obstructed in multiple ways. Thus,

- Only six states provide security of tenure for their police chief
- Only seven states provide for independent shortlisting of candidates in the process of appointing police chiefs; everywhere else, the heads of the police continue to be handpicked by the state government



- Only 13 states institute an internal mechanism to enable the police leadership to make decisions on transfers and postings of state police officers without political interference
- None of the Union Territories comply fully with the directives
- Serving police and government officers are adjudicating members on police complaints bodies, though these are to be independent of the police department

While 18 states have since passed new Police Acts/Amendment Acts to incorporate the directives, none fully comply with the Court's standards or suggested legislative models. The remaining 11 states (including erstwhile state of Jammu and Kashmir) have taken a further piecemeal approach of implementing the directives through executive orders. Either way, there has not been adequate consultation, either within the police or with the public, in shaping or implementing the reform measures envisioned through the directives.

The most recent cases of excess force unleashed during the lockdown, and fatal violence inside or outside the police station, which have affected marginalised communities most acutely, point to the urgent need for police reform based on human rights.

(CHRI has been tracking states' and UTs compliance with Supreme Court of India directives on police reforms since 2006. To know more about the directives, click [here](#).)

(To access CHRI's assessment of status of compliance by States & UTs in 2020, click [here](#).)

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