COMPLIANCE WITH SUPREME COURT DIRECTIVES ON POLICE REFORMS

TELANGANA

This note presents the status of compliance by Telangana with the Supreme Court directives on police reforms delivered in *Prakash Singh &Ors versus Union of India &Ors,* 2006¹. Compliance is assessed against key parameters of the directives that are applicable at the state-level (refer to the index enclosed) and is based on government orders issued by the state government. It is limited to compliance on paper and does not address implementation on the ground

THE SEVEN DIRECTIVES IN A NUTSHELL

Directive One: Constitute a State Security Commission (SSC) to: i. Ensure that the state government does not exercise unwarranted influence or pressure on the police; ii. Lay down broad policy guideline and iii. Evaluate the performance of the state police.

Directive Two: Ensure that the Director General of Police is appointed through merit based transparent process and secure a minimum tenure of two years

Directive Three: Ensure that other police officers on operational duties (including Superintendents of Police in-charge of a district and Station House Officers in-charge of a police station) are also provided a minimum tenure of two years.

Directive Four: Separate the investigation and law and order functions of the police.

Directive Five: Set up a Police Establishment Board (PEB) to decide transfers, postings, promotions and other service related matters of police officers of and below the rank of Deputy Superintendent of Police and make recommendations on postings and transfers above the rank of Deputy Superintendent of Police

Directive Six: Set up a Police Complaints Authority (PCA) at state level to inquire into public complaints against police officers of and above the rank of Deputy Superintendent of Police in cases of serious misconduct, including custodial death, grievous hurt, or rape in police custody and at district levels to inquire into public complaints against the police personnel below the rank of Deputy Superintendent of Police in cases of serious misconduct

Directive Seven: Set up a National Security Commission (NSC) at the union level to prepare a panel for selection and placement of Chiefs of the Central Police Organisations (CPO) with a minimum tenure of two years

¹Ordered in the Court's judgment in Prakash Singh and Others vs. Union of India, 2006 (8) SCC1.

TELANGANA							
Directives & Parameters	Compliance	Overall Compliance					
Directive 1: State Security Commission							
State Security Commission established	No						
Leader of Opposition included	-						
Number of Independent Members	-						
Independent selection	-	Non-Compliant					
Recommendations made binding	_						
Prepare annual report and submit to assembly	-						
Directive 2: Selection and Tenure of Director General of Police							
Specifies shortlisting by the UPSC	No						
Provides minimum tenure of 2 years irrespective of superannuation	No						
Specifies grounds for premature removal that are clear and limited to the four conditions laid down by the Court	No	- Non-Compliant					
Directive 3: Selection and Tenure of Other Officers							
Provides minimum tenure of 2 years	No						
Specifies grounds for premature removal that are clear and limited to the four conditions laid down by the Court	No	Non-Compliant					
	e 5: Police Establishment B						
Composition is restricted to DGP and 4 senior officers	No Information						
Power to decide transfer & posting for DySP and below							
Recommend transfer and posting for SP and above							
Authorized to function as an appeal forum							
Authorized to review the functioning of the police							
	oa: State Police Complaints	s Authority					
Headed by Retired Judge							
No of Members	No order issued post						
Panel for Selection	bifurcation	Non-Compliant					
Recommendations are Binding	onurouron						
Provides for Independent Investigators							
DIRECTIVE 6b: District Police Complaints Authority							
Headed by Retired Judge							
No of Members	No order issued post	Non-Compliant					
Panel for Selection	bifurcation						
Recommendations are Binding	onucation						
Provides for Independent Investigators							

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	pool of independent investigators	Y/N	compliant	compliant	compliant		