

POLICE COMPLAINTS AUTHORITY
10th FLOOR, CHANDERLOK BUILDING, JANPATH, NEW DELHI- 110001
Ph. No. – 011-21400977, E-Mail ID - pca.delhi@nic.in

I.D.No.92/PCA/RTI/2023-24/ 2821

Dated: 13/12/24

To

Sh. Mohd. Aasif
R/o Common Cause,
Common Cause House, 5,
Nelson Mandela Marg, Pocket-3,
Sector-C, Institutional Area,
Vasant Kunj, New Delhi-110070.


Sub: Information sought under RTI Act-2005 (Application ID No.92/PCA/RTI/2023-24).

Sir/Madam,

With reference to your RTI application received in this Authority on 12.01.2024 vide Dy. No. 1098 for seeking information under RTI Act, 2005. In this regard, the requisite reply as per the available records in this Authority is as under:-

S. No.	Reply
1.	The Police Complaints Authority, Govt of NCT of Delhi has been constituted vide notification dated 29.01.2018 (Copy enclosed)
2.	No such categorized sought information has been maintained in this office. Apart from this, during the period 1 st January 2020 to 30 th December 2022, total Complaints were received-6334 and total complaints were disposed of-5002.
3.	As per available records, this Authority has given recommendation 11 registered caes/complaints for Departmental Inquiry during the Period 1 st January 2020 to 30 th December-2022.
4.	The requisite information does not pertain to this office.
5.	(i)- No such information is available. (ii)- The requisite information is available on the website of PCA- pca.delhi@nic.in . (iii)- The Police Complaints Authority, Govt. of NCT of Delhi is working as per notification dated 29.01.2018.

If you are not satisfied with the reply, you may file an appeal within 30 days after the receipt of information before the First Appellate Authority/Deputy Secretary, Police Complaints Authority, 10th Floor, Chander Lok Building, Janpath, New Delhi-110001.


Public Information Officer
Police Complaints Authority

(TO BE PUBLISHED IN PART-IV OF DELHI GAZETTE) (EXTRAORDINARY)

GOVERNMENT OF NATIONAL CAPITAL TERRITORY OF DELHI

(HOME POLICE-I BRANCH, HOME DEPARTMENT)

5TH FLOOR, C-WING, DELHI SECRETARIAT, I.P. ESTATE, NEW DELHI

Dated, Delhi the 29/01/2018

NOTIFICATION

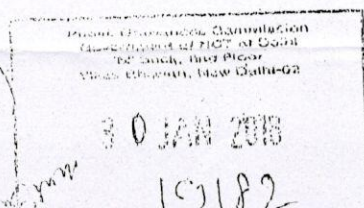
F.No.28/1/2017/HIP-I/Estt./Part file-635-641) In compliance with the directions passed by the Hon'ble Supreme Court in WP (C) No. 310/1996 (Prakash Singh & Ors-Vs-Union of India & Ors) dated 22nd September 2006 and directions issued by Government of India, Ministry of Home Affairs, vide letter No. 14040/108/2015-UTP dated 05th October 2015 and letter No. 14040/108/2015-UTP dated 26th September 2017, the Lt. Governor of the National Capital Territory of Delhi is pleased to constitute the Police Complaint Authority for National Capital Territory of Delhi to deal with complaints relating to Delhi Police as directed by the Hon'ble Supreme Court in the said case, the terms and conditions for Police Complaint Authority for National Capital Territory of Delhi will be as under:

2. **Composition :**

The Police Complaint Authority of National Capital Territory of Delhi shall be headed by the Chairman/Chairperson with three Members. One of the three Members must be a woman. The Chairman/Chairperson will be selected from below mentioned category (a) and one Member each from the categories (b) to (d) will be selected:

- (a) A retired High Court Judge;
- (b) A person of repute and stature from civil society;
- (c) A retired civil servant of minimum of scale of Secretary to GNCT of Delhi with experience in Public Administration; and
- (d) A retired Police officer of minimum of scale of Joint Commissioner/Inspector General of Police or corresponding rank.

In case a woman is appointed as Chairman/ Chairperson, then it shall not be mandatory to have a woman Member.



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3. Appointment, Removal and terms & conditions of appointment:

- (i) Lt. Governor, National Capital Territory of Delhi shall be the Appointing Authority of the Chairman/Chairperson and Members of the Police Complaints Authority.
- (ii) (a) The Chairman/Chairperson of the Authority shall be selected out of a panel of names proposed by Chief Justice, High Court of Delhi.
(b) The members of the Authority shall be selected out of the panel prepared by the Chief Secretary, Delhi after consultation with Lok Ayukta and Chairman, Public Grievances Commission.
- (iii) The term of the Chairman/Chairperson and Members of the Authority shall be five years. The upper age limit for Members shall be 65 years but the Chairman/Chairperson may continue beyond 65 years, if necessary, to complete 03 years tenure, subject to the approval of Lieutenant Governor.
- (iv) The remuneration & perks of the Chairman/Chairperson and the Members of the Police Complaints Authority will be as notified by the Government from time to time.
- (v) The Chairman/Chairperson or Member of the Police Complaints Authority shall be removed by the Lieutenant-Governor, National Capital Territory of Delhi after giving him/her an opportunity to be heard, on any of the following grounds:
 - a) Proven misconduct or misbehaviour;
 - b) Persistent neglect to perform duties;
 - c) Occurrence of any situation that would make him/her not suitable for appointment; or
 - d) Engaging during term of office in any paid employment outside the duties of office.

(vi) The Chairman/Chairperson and the members of the Police Complaints Authority be whole time members of the Authority and will not engage in any other remunerative activities.

4. Role and functions

The role and functions of the Police Complaints Authority will be as under:

- (i) The Authority shall inquire into allegations of "serious misconduct" against personnel, as detailed below, either *suo motu* or on a complaint received from any of the following:-
 - a) a victim or any person on his/her behalf on a sworn affidavit;
 - b) the National Human Rights Commission; or
 - c) Lieutenant-Governor or Chief Secretary or Principal Secretary(Home), Government of Delhi.

Explanation: "Serious misconduct" for the purpose of this chapter shall mean any commission or omission of a police officer that leads to or amounts to:

- a) death in police custody;
- b) grievous hurt in police custody;
- c) rape or attempt to rape in police custody;
- d) arrest or detention without due process of law; or
- e) Extortion or land/house grabbing or any other incident involving serious abuse of authority.

Provided that no anonymous and pseudonymous complaints shall be entertained.

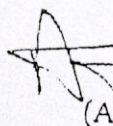
- (ii) Any complaint not covered in category (i) above, may also be referred to Police Complaints Authority by Lieutenant-Governor or Chief Secretary or Principal Secretary (Home), Government of Delhi.
- (iii) The Police Complaints Authority may not entertain those cases which are under consideration before any Court or the National Human Rights Commission or any other statutory body.
- (iv) Cases of complaints regarding Delhi Police will be looked into by Police Complaints Authority and not by Public Grievances Commission. Accordingly the cases relating to Delhi Police which are with Public Grievances Commission shall be transferred to Police Complaints Authority.

5. The power of the Police Complaints Authority will be as under:

- (i) The Authority may require any person or authority to furnish information on points or matters as in the opinion of the Authority may be useful for or the subject matter of the complaint;
- (ii) The Authority, before finalising their report, shall afford the Delhi Police an opportunity to present their view and additional facts, if any, not already known to the Authority. The Authority may review their findings on receipt of information from Delhi Police that may have a material bearing on the case;
- (iii) Upon completion of the inquiry, the Authority shall communicate its findings/recommendations to Chief Secretary, Delhi.
- (iv) The Authority will endeavour to submit their findings and recommendations within a period of sixty days from the date of receipt of the complaint.
- (v) The Authority will submit biannual reports to the Lieutenant-Governor of Capital Territory of Delhi about the cases which are pending before the Authority, specifying those cases which are pending for more than 60 days.

6. The recommendation of the Police Complaints Authority shall ordinarily be binding. If for the reasons to be recorded in writing, the Government decides to disagree with the findings of the Authority.

By order and in the name of the Lieutenant-Governor of
Capital Territory



Spl. Secretary
Govt. of NCT