

COMMON CAUSE

A REGISTERED SOCIETY

AN ORGANISATION FOR VENTILATING COMMON PROBLEMS OF THE PEOPLE

COMMON CAUSE HOUSE, 5, Institutional Area,

Nelson Mandela Road, Vasant Kunj, New Delhi –110 070. Phone : 2613-1313, Fax: 45152796

<http://commoncause.in> [e-mail:commoncauseindia@gmail.com](mailto:commoncauseindia@gmail.com)

February 14, 2011

Dear Chief Minister,

I am addressing this letter on behalf of Common Cause, which has an abiding interest in police reforms and has been campaigning for them for more than fifteen years.

The system of policing in our country is essentially based on the Indian Police Act of 1861, which was designed to sustain the British colonial rule. Since Independence, several attempts have been made to devise a statutory framework for an effective, accountable and people-friendly police service, but the considered recommendations of various expert committees and commissions have largely been ignored.

Two important developments, which took place in the second half of 2006, provided an impetus to the movement for police reforms. First, in a writ petition filed by Prakash Singh, Common Cause and another, the Supreme Court issued seven time-bound directions to the Union and the State Governments to ensure the functional autonomy and public accountability of the police. Secondly, the Police Act Drafting Committee set up by the Union Home Ministry under the chairmanship of Shri Soli Sorabjee formulated the "Model Police Act" (MPA), which attempted a comprehensive reform of the system of policing in line with the directions of the Supreme Court in the aforesaid case. The Second Administrative Reforms Commission (ARC), which submitted its report on "Public Order" shortly thereafter, also extended broad support to the propositions of MPA, while suggesting certain additional measures to make the police service more citizen-centric and accountable.

Common Cause has the conviction that these three formulations taken together form a credible base for reforming the system of policing to meet the contemporary needs of a pluralist democracy undergoing rapid socio-economic change. We have joined hands with two like-minded civil society organisations, namely Commonwealth Human Rights Initiative and Foundation for Restoration of National Values, to make a beginning with the National Capital Territory of Delhi and induce the Ministry of Home Affairs (MHA) to take the lead by enacting a progressive police law for Delhi. The coalition has also prepared a draft Delhi Police Act, which is largely based on MPA and incorporates some of the suggestions of the Second ARC. Our approach has received broad support from the MHA, which is reflected in the Draft Delhi Police Bill, 2010 posted on its website in October, 2010. We intend to take an active part in the ensuing stakeholder consultation to give a final shape to the new police legislation for the National Capital Territory of Delhi.

In the meantime, the committee set up by the Supreme Court under the chairmanship of Justice K. T. Thomas to monitor the compliance of the directions of the Court by State Governments has submitted its report. The report has listed deviations in respect of the State Governments of Uttar Pradesh, Maharashtra, Karnataka and West Bengal.

and its coalition partners would be happy to work closely with the State Government in formulating a legislative proposal for a new state police law, just as we are contributing to the formulation of the new police law for Delhi.

We request you to give us an appointment at your earliest convenience, so that we may present the salient features of the proposed law, which, we believe, should be on the lines of the enclosed draft. Also enclosed for your reference are copies of MPA and relevant excerpts from ARC's report on Public Order.

With best regards,

Yours sincerely,

(Kamal Kant Jaswal)
Director

Ms. Mayawati,
Chief Minister of Uttar Pradesh,
5, Kalidas Marg, Lucknow, U.P.

Enclosures:

- Proposed U.P. Police Act
- Model Police Act, 2006
- Excerpts from Second ARC's Reports