## Administrative Reforms Commission's 5<sup>th</sup> Report titled "Public Order : Justice for each ... Peace for all"- List of recommendations

SI.	Recommendations made by	Decision of Government
No.	Administrative Reforms Commission	
	(Para 5.2.1.8) State Government and the	
1	Police	
1	a. The following provision should be	(a) & (b)The GoM accepted the recommendation
	incorporated in the respective Police Acts:	contained in Part (a) and decided to leave it to the
	It shall be the responsibility of the State	States for implementation. It did not accept Part (b).
	Government to ensure efficient, effective,	
	responsive and accountable functioning of	
	police for the entire state. For this purpose,	
	the power of superintendence of the police	
	service shall vest in and be exercised by the	
	-	
	State Government in accordance with the	
	provisions of law.	
	The State Government shall exercise its	
	superintendence over the police in such	
	manner and to such an extent as to promote	
	the professional efficiency of the police and	
	ensure that its performance is at all times in	
	accordance with the law. This shall be	
	achieved through laying down policies and	
	guidelines, setting standards for quality	
	policing, facilitating their implementation	
	and ensuring that the police performs its	
	task in a professional manner with	
	functional autonomy.	
	No government functionary shall issue any	
	<i>instructions to any police functionary which are illegal or malafide.(1)</i>	
	(Para 5.2.1.8) State Government and the	
	Police	
2		
-	b) "Obstruction of Justice' should also be	
	defined as an offence under the law(2).	(a) to $(b)$ :
	(Para 5.2.2.30) Separation of Investigation	(a) to (h) : Police and Public Order are State subjects falling in
3	from other Functions	Entry 1 and 2 of the State List of the Seventh
5	a) Crime Investigation should be separated	Schedule of Constitution of India. As such, part (a)
	from other policing functions. A Crime investigation Agency should be constituted	may be left to the States for implementation. Part
	investigation Agency should be constituted in each state.(3)	(b) to (g) may not be accepted while part (h) may be
	in cuch sinter(5)	accepted. The GoM further decided that the salient
		features of the recommendations may be considered
		for inclusion in the new Draft Model Police Act.
		MHA to constitute a Committee of senior officers
		for drafting Model Police Act (hereinafter
		mentioned as Committee) which would submit the
		report at the earliest.

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	(Para 5.2.2.30) Separation of Investigation	
	from other Functions	
	b) This agency should be headed by a	
4	Chief of Investigation under the	
	administrative control of a Board of	
	investigation, to be headed by a	
	retired/sitting judge of the High Court.	
	The Board should have an eminent lawyer,	
	an eminent citizen, a retired police officer,	
	a retired civil servant, the Home Secretary	
	(ex-officio), the Director General of Police	
	(ex-officio), Chief of the Crime	
	Investigation Agency (ex-officio) and the	
	Chief of Prosecution (ex-officio) as	
	Members.(4)	
	(Para 5.2.2.30) Separation of Investigation	
	from other Functions	
	c) The Chairman and Members of the	
5	Board of Investigation should be appointed	
	by a high-powered collegiums, headed by	
	the Chief Minister and comprising the	
	Speaker of the Assembly, Chief Justice of the High Court the Home Minister and the	
	the High Court, the Home Minister and the Leader of Opposition in the Legislative	
	Assembly. The Chief of Investigation should	
	be appointed by the State Government on	
	the recommendation of the Board of	
	Investigation.(5)	
	(Para 5.2.2.30) Separation of Investigation	
	from other Functions	
	d) The Chief of the Crime Investigation	
6	Agency should have full autonomy in	
	matters of investigation. He shall have a	
	minimum tenure of three years. He can be	
	removed within his tenure for reasons of	
	incompetence or misconduct, but only after	
	the approval of the Board of Investigation.	
	The State Government should have power to	
	issue policy directions and guidelines to the	
	Board of Investigation.(6)	
	(Para 5.2.2.30) Separation of Investigation	
	from other Functions	
7	e) All crimes having a prescribed	
/	punishment of more than a defined limit	
	(say three or more years of imprisonment)	
	shall be entrusted to the Crime Investigation	
	Agency. Registration of FIRs and first	
	response should be with the 'Law and order' Police at the police station level(7)	
	(Para 5.2.2.30) Separation of Investigation	
	(Fara 5.2.2.50) Separation of Investigation from other Functions	
	from other Functions	

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0	f) The existing staff could be given an	
8	option of absorption in any of the Agencies	
	- Crime Investigation, Law and Order and	
	local police. But once absorbed, they should	
	continue with the same Agency and develop	
	expertise accordingly. This would also apply	
	to senior officers(8)	
	(Para 5.2.2.30) Separation of Investigation	
	from other Functions	
0	g) Once the Crime Investigation Agency is	
9	staffed, all ranks should develop expertise in	
	that field and there should be no transfer to	
	other Agencies.(9)	
	(Para 5.2.2.30) Separation of Investigation	
	from other Functions	
	h) Appropriate mechanisms should be	
10	developed to ensure coordination between	
	the investigation, Forensic and the Law and	
	-	
	order Agencies, at the Local, District and	
	the State levels.(10)	
	(Para 5.2.3.7) Accountability of Law and	(a) to (e) : The GoM decided that the salient
	order Machinery	features of the recommendations may be
11	a) A State Police Performance and	considered for inclusion in the new Draft Model
	Accountability Commission should be	Police Act. Parts (a) to (c) may be left to the
	constituted, with the following as Members:	States/UTs for implementation. As regards parts
	• Home Minister (Chairman)	(d), the recommendation is not accepted and part
	• Leader of Opposition in the State	(e) may be accepted as the tenure of DGP should
	Assembly	be two years as far as possible subject to
	Chief Secretary	superannuation. The Committee constituted by
	• Secretary in charge of the Home Department;	MHA may look into the matter.
	• Director General of Police as its Member	
	Secretary	
	• (For matters pertaining to Director	
	General of Police, including his	
	appointment, the Home Secretary shall be	
	the Member Secretary)	
	Five non-partisan eminent citizens(11)	
	(Para 5.2.3.7) Accountability of Law and	
	order Machinery	
12	b)The State Police Performance and	
	Accountability Commission should perform	
	the following functions:	
	• Frame broad policy guidelines for	
	promoting efficient, effective, responsive	
	and accountable policing, in accordance	
	with law;	
	• Prepare panels for the office of Director	
	General of Police against prescribed	
	criteria;	
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Sl.	Recommendations made by	Decision of Government
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1.00	• Identify performance indicators to	
	evaluate the functioning of the police	
	service; and	
	Review and evaluate organizational	
	performance of the police service.(12)	
	(Para 5.2.3.7) Accountability of Law and	
	order Machinery	
13	c) The method of appointment of the	
10	Chairman and Members of the State Police	
	Performance and Accountability	
	Commission should be as stipulated in the	
	Draft Model Police Act.(13)	
	(Para 5.2.3.7) Accountability of Law and	
	order Machinery	
	d) The State Government should appoint the	
14	<i>Chief of Law and Order Police from the</i>	
	panel recommended by the State Police	
	Performance and Accountability	
	Commission. The panel will be for the	
	<i>Office' of Director General of Police and</i>	
	not to other posts of the 'rank' of DGP.(14)	
	(Para 5.2.3.7) Accountability of Law and	
	order Machinery	
15	e) The tenure of the Chief of the Law and	
	Order Police as well as the Chief of the	
	Crime investigation Agency should be at	
	least three years. But this tenure should not	
	become a hindrance for removal in case the	
	Chief is found to be incompetent or corrupt	
	or indulges in obstruction of justice or is	
	guilty of a criminal offence. The State	
	Government should have powers to remove	
	the Police Chief but such order of removal	
	should be passed only after it has been	
	cleared by the State Police Performance and	
	Accountability Commission (or the State	
	Investigation Board, in the case of Chief of	
	Investigation). (15)	
	(Para 5.2.4.9) Police Establishment	(a) to (g) –GoM accepted the recommendations
	Committees	contained in parts (a) to (e) and decided that the
	a) A State Police Establishment Committee	salient features of these recommendations may be
16	should be constituted. It should be headed	considered for inclusion in the new Draft Model
	by the Chief Secretary. The Director	Police Act. These can be implemented by the
	General of Police should be the Member	States/UTs in the phased manner at different levels
	Secretary and the State Home Secretary and	in the Police. As for part (f), the GoM decided that
	nominee of the State Police and	the minimum tenure of officers and staff can be 2
	Accountability Commission should be the	years. The GoM did not agree with part (g) of the
	Members. This Committee should deal with	recommendation.
	cases relating to officers of the rank of	
	Inspector General of Police and above.(16)	

SI.	Recommendations made by	Decision of Government
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	(Para 5.2.4.9) Police Establishment	
	Committees (16)	
17	b) A separate State Police Establishment	
	committee should be set up with the Chief of	
	Law and Order Police as its Chairperson	
	and two senior police officers and member	
	of the State Police Performance and	
	Accountability Commission as Members	
	(All Members of this Committee should be	
	nominated by the State Police Performance	
	and Accountability Commission) to deal	
	with cases relating to all gazetted officers up	
	to the rank of Deputy Inspector General of	
	Police.(17)	
	(Para 5.2.4.9) Police Establishment	
	Committees	
18	c) These Committees should deal with all	
10	matters of posting and transfers, promotions	
	and also grievances relating to	
	establishment matters. The	
	recommendations of these Committees shall normally be binding on the Competent	
	Authority. However, the Competent	
	Authority may return the recommendations	
	for reconsideration after recording the	
	reasons.(18)	
	(Para 5.2.4.9) Police Establishment	
	Committees	
19	d) Similarly, a District Police Establishment	
	Committee (City Police Committee) should	
	be constituted under the Superintendent/	
	Commissioner of Police. This Committee	
	should have full powers in all establishment matters of non-gazetted police officers. (19)	
	(Para 5.2.4.9) Police Establishment	
	<i>Committees</i>	
20	e) For inter-district transfers of non-	
-	gazetted officers, the State level	
	Establishment Committee may deal with it	
	or delegate it to a Zonal or a Range level	
	Committee(20)	
	(Para 5.2.4.9) Police Establishment	
	Committees	
	f) All officers and staff should have a	
21	minimum tenure of three years. Should the	
	Competent Authority wish to make pre-	
	mature transfer, it should consult the	
	concerned establishment committee for their	
	views. If the views of the establishment are	
	not acceptable to the Competent Authority, the reasons should be recorded before the	
	ine reasons snouia de recoraea dejore the	

SI.	Recommendations made by	Decision of Government
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110.	transfer is affected, and put in the public	
	domain. (21)	
	(Para 5.2.4.9) Police Establishment	
	<i>Committees</i>	
22		
	g) The Board of Investigation should have	
	full and final control on all personnel	
	matters of Crime Investigation Agency.	
	Therefore, the Board should act as the astablishment committee for all series	
	establishment committee for all senior functionaries in investigation and	
	prosecution. An appropriate committee may	
	be constituted at the district level by the	
	Board, for dealing with non-gazetted	
	officials. (22)	
	(Para 5.3.13) Competent Prosecution and	(a) & (b) :
	<i>Guidance to Investigation</i>	
	a) A system of District Attorney should be	The GoM decided to reject the recommendation
23	instituted. An officer of the rank of District	· ·
	judge should be appointed as the District	
	Attorney. The District Attorney shall be the	
	head of Prosecution in a District (or group	
	of Districts). The District Attorney shall	
	function under the Chief Prosecutor of the	
	State. The District Attorney should also	
	guide investigation of crime in the district.	
	(23)	
	(Para 5.3.13) Competent Prosecution and	
	Guidance to Investigation	
	b) The Chief Prosecutor for the State shall	
24	be appointed by the Board of Investigation	
	for a period of three years. The Chief	
	Prosecutor shall be an eminent criminal	
	lawyer. The Chief Prosecutor would	
	supervise and guide the District Attorneys.	
	(Para 5.4.7) Local Police and Traffic	(a) To (d) :
25	Management	The GeM desided to leave it to the states to
25	a) A task force may be constituted in the	The GoM decided to leave it to the states to implement them to the extent possible
	Ministry of Home Affairs to identify those	implement them to the extent possible
	laws whose implementation, including	
	investigation of violations could be	
	transferred to the implementing department.	
	A similar task force should look into the	
	state laws in each state. (25)	
	(Para 5.4.7) Local Police and Traffic	
24	Management	
26	b) To start with, departments like the State	
	Excise, Forest, Transport and food with	
	enforcement divisions may take some	
	officers form the police department of	
	appropriate seniority on deputation and	

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	form small investigation outfits by drawing	
	departmental officers from corresponding	
	ranks for the purpose of investigating cases	
	of violations of appropriate laws; after a	
	transition period, the concerned department	
	should endeavour to acquire expertise and	
	build capacity to cope with the investigation work with its own departmental officials.	
	(26)	
	(Para 5.4.7) Local Police and Traffic	
	Management	
27	c) A Municipal Police Service should be	
	constituted in Metropolitan cities having	
	population of more than one million. The	
	Municipal Police should be empowered to	
	deal with the offences prescribed under the	
	municipal laws. (27)	
	(Para 5.4.7) Local Police and Traffic	
	Management	
28	d) The function of Traffic control (along	
28	with traffic police) may be transferred to the	
	local government in all cities having a	
	population of more than one million. (28)	
	(Para 5.5.4) The Metropolitan Police	
	<i>(Furu 5.5.4) The Metropolitan Folice</i> <i>Authorities</i>	(a) & (b) : The GoM decided that the salient
		features of the recommendations may be considered
29	a)All cities with population above one	
	million should have Metropolitan Police	for inclusion in the new Draft Model Police Act
	Authorities. This Authority should have	and the matter should be left to the States/UTs for
	powers to plan and oversee community	implementation.
	policing, improving police-citizen interface,	
	suggesting ways to improve quality of	
	policing, approve annual police plans and	
	review the working of such plans. (29)	
	(Para 5.5.4) The Metropolitan Police	
	Authorities	
	b) The Authorities should have nominees of	
•	the State Government, elected municipal	
30	councilors, and non partisan eminent	
	persons to be appointed by the government	
	as Members. An elected Member should be	
	the Chairperson. This Authority should not	
	interfere in the 'operational functioning' of	
	the police or in matters of transfers and	
	posting. In order to ensure this, it should be	
	stipulated that individual members will have	
	no executive functions nor can they inspect	
	or call for record. Once the system	

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	stabilizes, this Authority could be vested with more powers in a phased manner. (30)	
31	(Para 5.6.2.) Reducing Burden of Police – Outsourcing Non Core functions. a) Each State Government should immediately set up a multidisciplinary task force to draw up a list of non-core police function that could be outsourced to other agencies. Such functions should be outsourced in a phased manner. (31)	(a) & (b) : The GoM accepted the recommendation and decided that the matter may be left to the States/UTs to implement.
32	<ul> <li>(Para 5.6.2.) Reducing Burden of Police – Outsourcing Non Core functions.</li> <li>b) Necessary capacity building exercise would have to be carried out for such agencies and functionaries in order to develop their skills in these areas. (32)</li> </ul>	
33	(Para 5.7.10) Empowering the 'Cutting Edge' Functionaries a) The existing system of the constabulary should be substituted with recruitment of graduates at the level of Assistant Sub- Inspector of Police (ASI). (33)	(a) to (f) : The GoM decided that parts (a), (b) and (c) may not be accepted. Parts (d), (e) and (f) may be accepted in principle and left to the States for implementation.
34	<ul> <li>(Para 5.7.10) Empowering the 'Cutting Edge' Functionaries</li> <li>b) This changeover could be achieved over a period of time by stopping recruitment of constables and instead inducting an appropriate number of ASIs. (34)</li> </ul>	
35	<ul> <li>(Para 5.7.10) Empowering the 'Cutting Edge' Functionaries</li> <li>c) Recruitment of constables would, however, continue in the Armed Police. (35)</li> </ul>	
36	(Para 5.7.10) Empowering the 'Cutting Edge' Functionaries d)The orderly system should be abolished with immediate effect. (36)	
37	<ul> <li>(Para 5.7.10) Empowering the 'Cutting Edge' Functionaries</li> <li>e) The procedure for recruitment of police functionaries should be totally transparent and objective. (37)</li> </ul>	
	(Para 5.7.10) Empowering the 'Cutting Edge' Functionaries	

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110.	f) Affirmative action should be taken to	
38	<i>motivate persons from different sections of</i>	
	society to join the police service.	
	Recruitment campaigns should be organized	
	to facilitate this process. (38)	
		(a) $\mathbf{T}_{\mathbf{r}}$ (b) The CeW energy 14bet from the formula form
	10 (Para 5.8.4) Welfare Measures for the	(a) To (c) : The GoM agreed that funds for welfare measures for the police should be enhanced. Best
39	Police	practices in the sector should be disseminated.
•	a) Rational working hours should be strictly	r
	followed for all police personnel.(39)	
	b) Walfana maganna fan paliaa panaanal in	
40	b) Welfare measures for police personnel in	
	the form of improved working conditions,	
	better education facilities for their children,	
	social security measures during service, as	
	well as post retirement should be taken up	
	on priority.(40)	
	) Main Landing and the discussion	
41	c) Major housing construction programmes	
	for police personnel should be taken up in a	
	time bound manner in all states.(41)	
	(Dana 5015) Independent Completing	(a) to $(\mathbf{A})$ . The Cold according to the
	(Para 5.9.15) Independent Complaints Authorities	(a) to (f) : The GoM accepted the recommendations.
42		leconnendations.
	a) A District Police Complaints Authority	
	should be constituted to enquire into	
	allegations against the police within the	
	district. The District Police Complaints Authority should have an eminent citizen as	
	-	
	its Chairperson, with an eminent lawyer and	
	a retired government servant as its Members The chairperson and Members of	
	Members. The chairperson and Members of	
	the District Police Complaints Authority should be appointed by the State	
	11 5	
	Government in Consultation with the	
	Chairperson of the State Human Rights	
	Commission. A Government officer should	
	be appointed as Secretary of the District Police Complaints Authority (A2)	
	Police Complaints Authority. (42)(Para 5.9.15) Independent Complaints	
	(Para 5.9.15) Independent Complaints Authorities	
43	b) The District Police Complaints Authority	
-	should have the powers to enquire into	
	misconduct or abuse of power against police	
	officers up to the rank of Deputy	
	Superintendent of Police. It should exercise	
	all the powers of a civil court. The Authority	

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	should be empowered to investigate any case	
	itself or ask any other agency to investigate	
	and submit a report. The Disciplinary	
	Authorities should normally accept the	
	recommendations of the District	
	Authorities.(43)	
	(Para 5.9.15) Independent Complaints Authorities	
44	c) A State Police Complaints Authority	
	should be constituted to look into cases of	
	serious misconduct by the police. The State	
	level Authority should also look into	
	•	
	complaints against officers of the rank of	
	Superintendent of Police and above. The	
	State Police Complaints Authority should	
	have a retired High Court Judge as	
	Chairperson and nominees of the State	
	Government, the State Human Right	
	-	
	commission, the State Loka Ayukta, and the	
	State Women Commission. An eminent	
	human rights activist should be also be the	
	member of the complaints Authority. The	
	Chairperson and the Member of the	
	Authority (eminent human right activist)	
	should be appointed by the State	
	Government based on the recommendations	
	of the State Human Rights Commission. (In	
	case the State Human Rights Commission	
	has not been constituted, then the State	
	Loka Ayukta may be consulted). A	
	government officer should officiate as the	
	Secretary of the Authority. The Authority	
	should have the power to ask any agency to	
	conduct an enquiry or enquire itself. The	
	Authority should also empowered to	
	enquire into or review any case of Police	
	misconduct, which is before any District	
	Police Complaints Authority, if it finds it	
	necessary in public interest to do so.(44)	
	(Para 5.9.15) Independent Complaints	
	Authorities	
45	d) It should be provided that if upon enquiry	
	it is found that the complaint was frivolous	
	or vexatious, then the Authority should have	
	the power to impose a reasonable fine on	
	the complainant.(45)	
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	(Para 5.9.15) Independent Complaints	
16	Authorities	
46	e) The State Police Complaints Authority	
	should also monitor the functioning of the District Police Complaints Authority(46)	
	(Para 5.9.15) Independent Complaints	
	Authorities	
47	f) The Complaint Authorities should be	
	given the powers of a civil court. It should	
	be mandated that all complaints should be	
	disposed of within a month (47).	
	(Para 5.10.4.) An Independent Inspectorate	(a) to (c) : The GoM did not accept the
	of Police	recommendations contained in (a) and (b). It
	a) In addition to ensuring effective	accepted the recommendation contained in part (c).
10	departmental inspections, an Independent	States may explore the possibility of setting up
48	Inspectorate of Police may be established	similar organizations.
	under the supervision of the Police	
	Performance and Accountability	
	Commission to carry out performance audit	
	of police stations and other police officers	
	through inspections and review of	
	departmental inspections. It should render	
	professional advice for improvement of	
	standards in policing and also present an	
	annual report to the Police Performance	
	and Accountability Commission(48)	
	(Para 5.10.4.) An Independent Inspectorate	
	of Police	
	b) For all cases of deaths during	
49	'encounters' the Independent Inspectorate	
47	of Police should commence an enquiry	
	within 24 hours of the incident. The	
	Inspectorate should submit its report to the	
	PPAC and the SPAC.(49)	
	(Para 5.10.4.) An Independent Inspectorate	
	of Police	
50	c) The working of the Bureau of Police	
50	Research and Development needs to be	
	strengthened by adequate financial and	
	professional support, so that it could	
	function effectively as an organization for	
	inter alia analysis of data from all parts of	
	the country and establish standards	
	regarding different aspects of the quality of	
	police service.(50)	

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51	<ul> <li>13. (Para 5.11.8) Improvement of Forensic Science Infrastructure – Professionalization of Investigation</li> <li>a) There is need to set up separate National and State Forensic Science Organizations as state-of-the-art scientific organizations. At the state level these organizations should function under the supervision of the Board of Investigation.(51)</li> </ul>	(a) To (d): The GoM in its $2^{nd}$ meeting held on 26.02.2013 agreed with the recommendations contained in part (b) & (c). It had further decided that smaller states should have at least one Forensic Lab. The GoM accepted the recommendation contained in part (a) with the observation that the State Forensic Science Organizations should not be placed under the Board of Investigation. As regards part (d), the GoM accepted the recommendation.
52	b) There is need to expand the forensic facilities and upgrade them technologically. Every district or a group of districts having 30 to 40 lakhs population should have a forensic laboratory. This should be achieved over a period of five years. Government of India should earmark funds for this purpose for assisting the states under the police modernization scheme. All the testing laboratories should be accredited to a National Accreditation Body for maintaining quality standards.(52)	
53	c) The syllabus of MSc Forensic Science should be continuously upgraded in line with international trends.(53)	
54	d) Necessary amendments should be effected in the CrPC and other laws to raise the level and scope of forensic science evidence and recognize its strength for criminal justice delivery.(54)	
55	(Para 5.12.6.) Strengthening Intelligence Gathering a) The intelligence gathering machinery in the field needs to be strengthened and at the same time, made more accountable. Human intelligence should be combined with information derived from diverse sources with the focus on increased use of technology. Adequate powers should be delegated to intelligence agencies to procure/use latest technology.(55)	(a) to (g) : The GoM accepted the recommendations contained in Paras (a) to (g). It decided, however, that intelligence officers should be held accountable only if the intelligence is far off the mark.

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-	(Para 5.12.6.) Strengthening Intelligence	
	Gathering	
56	b) Intelligence agencies should develop	
	multi-disciplinary capability by utilizing	
	services of experts in various disciplines for	
	intelligence gathering and processing.	
	Sufficient powers should be delegated to	
	them to obtain such expertise (56)	
	(Para 5.12.6.) Strengthening Intelligence	
	Gathering c) Intelligence should be such that	
57	administration is able to use it to act in time	
01	by resorting to conflict management or by	
	taking preventing measures (57)	
	(Para 5.12.6.) Strengthening Intelligence	
	Gathering	
50	d) Instead of monitoring public places by	
58	posting a large number of policemen it	
	would be economical as well more effective	
	if devices like video cameras/CCTVs are	
	installed in such places (58).	
	(Para 5.12.6.) Strengthening Intelligence	
	Gathering	
59	e) The beat police system should be revived	
	and strengthened (59)	
	(Para 5.12.6.) Strengthening Intelligence	
	Gathering	
60	f) Informants giving information should be	
	protected to keep their identity secret so that	
	they do not fear any threat to life or	
	revenge. However, they could be given a	
	masked identity by which they could claim	
	their reward at an appropriate time and also	
	continue to act as informants as the	
	situation develops (60)	
	(Para 5.12.6.) Strengthening Intelligence	
61	Gathering	
01	g) In case of major breakdown of public	
	order, the State Police Complaints Authority	
	should take appropriate acting to fix	
	responsibility on the police officers for	
	lapses in acting upon intelligence or on the	
	intelligence officers in case there has been a	
	failure on their part.(61)	

SI. No.	Recommendations made by Administrative Reforms Commission	Decision of Government
110.	15. (Para 5.13.5) Training of the Police	(a) to (j) : The GoM accepted the
	a) Deputation to training institutions must	recommendations and appreciated the emphasis
62	be made more attractive in terms of facilities	
	and allowances so that the best talent is	given by the Commission on training.
	drawn as instructors. The Chief of Training	
	in the state should be appointed on the	
	recommendation of the Police Performance	
	and Accountability Commission.(62)	
63		
05	b) The instructors should be professional	
	trainers and a balanced mix of policemen	
	and persons from other walks of life should	
	be adopted.(63)	
64	c) Each state should earmark a fixed	
	percentage of the police budget for training	
	purposes.(64)	
	d) For each level of functionary, a calendar	
65	of training for the entire career should be	
	laid down.(65)	
66	e) There should be common training	
	programmes for police, public prosecutors	
	and magistrates. There should also be	
	common training programmes for police	
	and executive magistrates.(66)	
67	f) Training should focus on bringing in	
	attitudinal change in police so that they	
	become more responsive and sensitive to	
	citizens' needs.(67)	
68	g) All training programmes must conclude	
00	with an assessment of the trainees,	
	preferably by an independent agency.(68)	
	preferably by an independent agency.(00)	
69	h). Modern methods of training such as	
0)	case study method should be used.(69)	
70	<i>i) Impact of training on the trainees should</i>	
, 5	be evaluated by independent field studies	
	and based on the findings the training	
	should be redesigned.(70)	

SI. No.	Recommendations made by Administrative Reforms Commission	Decision of Government
71	<i>j) All training programmes should include a module on gender and human rights. Training programmes should sensitise the police towards the weaker sections. (71)</i>	
72	16. (Para 5.16.6) Gender Issues in Policing a) The representation of women in police at all levels should be increased through affirmative action so that they constitute about 33% of the police.(72)	(a) to (c) : The GoM accepted the recommendations. It decided that 33% representation of women in Police should be achieved in the next five years.
73	b) Police at all levels as well as other functionaries of the criminal justice system need to be sensitised on gender issues through well structured training programmes.(73)	
74	c) Citizens groups and NGOs should be encouraged to increase awareness about gender issues in society and help bring to light violence against women and also assist the police in the investigation of crimes against women.(74)	
75	<ul> <li>17.(Para 5.17.9) Crime against Vulnerable Sections</li> <li>a) The administration and police should be sensitised towards the special problems of the Scheduled Castes and Scheduled Tribes. Appropriate training programmes could help in the sensitizing process.(75)</li> </ul>	(a) To (f) : The GoM accepted the recommendations except part (e) relating to deployment of police personnel in police stations on the basis of religious or linguistic minorities.
76	b) The administration and police should play a more pro-active role in detection and investigation of crimes against the weaker sections.(76)	
77	c) Enforcement agencies should be instructed in unambiguous terms that enforcement of the rights of the weaker sections should not be downplayed for fear of further disturbances or retribution and	

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	adequate preparation should be made to	
	face any such eventuality.(77)	
78	d) The administration should also focus on	
	rehabilitation of the victims and provide all	
	required support including counselling by	
	experts.(78)	
79	e) As far as possible the deployment of	
	police personnel in police stations with	
	significant proportion of religious and	
	linguistic minorities should be in proportion	
	to the population of such communities	
	within the local jurisdiction of such police	
	station. The same principle should be	
	followed in cases of localities having	
	substantial proportion of Scheduled Castes	
	and Scheduled Tribes population.(79)	
	f) Government must take concrete steps to	
80	increase awareness in the administration	
	and among the police in particular,	
	regarding crimes against children and take	
	steps not only to tackle such crimes, but also	
	to deal with the ensuing trauma.(80)	
	(Para 5.18.9) National Security Commission	(a) : The GoM had considered the recommendation
81	a) There is no need for a National Security	in the $2^{nd}$ meeting held on 26.02.2013 and accepted
01	Commission with a limited function of	the recommendation.
	recommending panels for appointment to	
	Chiefs of the Armed Forces of the Union.	
	There should be a separate mechanism for	
	recommending the names for appointment	
	as Chief of each one of these forces, with	
	the final authority vesting in the Union	
	Government. (81)	
	19. (Para 5.19.6) Union-State and Inter-	(a) : GoM decided to defer the matter and
	State Cooperation and Coordination	requested MHA and Inter-State Council to expedite
82	a) The Ministry of Home Affairs should	this.
	proactively and in consultation with the	
	states, evolve formal institutions and	
	protocols for effective coordination between the Union and the states and among the	
	the Union and the states and among the	
	states. These protocols should cover issues	
	like information/intelligence sharing, joint	
	investigation, joint operations, inter-state	
	operations by a state police in another state,	
	regional cooperation mechanisms and the	

SI.	Recommendations made by	Decision of Government
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	safeguards required.(82)	
	(Para 6.1.2.4.) Measures to be Taken during	(a) to (f):
83	Peace Time	The GoM accented the recommendations
05	a) The administration should be responsive,	The GoM accepted the recommendations
	transparent, vigilant and fair in dealing	
	with all sections of society. Initiatives such	
	as peace committees should be utilized	
	effectively to ease tensions and promote	
	harmony.(83)	
	(Para 6.1.2.4.) Measures to be Taken during Peace Time	
84		
	b) The internal security plan/riot control scheme should be updated periodically in	
	consultation with all stakeholders and in the	
	light of previous episodes. The role of all	
	major functionaries should be clearly	
	explained to them (84)	
	(Para 6.1.2.4.) Measures to be Taken during	
	Peace Time	
85	c) A micro analysis should be carried out in	
	each district to identify sensitive spots and	
	this should be regularly reviewed and updated(85)	
	(Para 6.1.2.4.) Measures to be Taken during	
	Peace Time	
86	d) The intelligence machinery should not	
	slacken during normal times and credible	
	<i>intelligence should be gathered from multiple sources.</i> (86)	
	maniple sources.(80)	
	(Para 6.1.2.4.) Measures to be Taken during	
a –	Peace Time	
87	e) Regulatory laws such as the Arms Act,	
	1959, Explosives Act, 1884 and Municipal	
	Laws related to construction of structures	
	should be enforced rigorously (87).	
	(Para 6.1.2.4.) Measures to be Taken during Peace Time	
	f) Public agencies should follow a zero	
88	tolerance strategy in dealing with violations	
	of laws (88)	
	(Para 6.1.3.1.3) Security Proceedings	a) & (b) : The GoM accepted the
	a) The use of preventive measures in a	
89	planned and effective manner needs to be	recommendations for implementation by the States.
	emphasized. Training and operational	
	manuals for both Executive Magistrates and	
	police need to be revised on these lines(89)	
	· · · · ·	

SI.	Recommendations made by	Decision of Government
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	(Para 6.1.3.1.3) Security Proceedings	
	b) Regular supervision and review of these	
90	functionaries by the DM and the SP	
	respectively should be done to focus	
	attention on effective use of these	
	provisions. For the purpose, a joint review	
	on a periodic basis by the DM and SP	
	should be done (90).	
	22. (Para 6.1.3.2.7) Addressing Property	(a) to (d) :
	Disputes to Prevent Disruption of Public	
	Order	The GoM accepted the recommendation and asked
	a) An Explanation may be inserted below	Ministry of Law to examine whether timeframe of
91	a) An Explanation may be inserted below Section 145 of the Code of Criminal	one year may be incorporated in CrPC for disposal
	Procedure clarifying that when from the	of cases under Section 145.
	evidence available with the Executive	or cases under Section 143.
	Magistrate it is clear that there is an attempt	
	to dispossess a person or where a person has	
	been illegally dispossessed of his property	
	within sixty days of filing the complaint and	
	that such acts cause a reasonable	
	apprehension of a breach of the peace, such	
	magistrate can pass an order contemplated	
	in sub- section (6) of the aforesaid Section	
	notwithstanding pendency of a civil case	
	between the parties involving the same	
	property.(91)	
02	b) A timeframe of six months may be	
92	stipulated for concluding the	
	proceedings.(92)	
	r ····································	
93	c) Specific but indicative guidelines may be	
	issued by the Ministry of Urban	
	Development to the State Governments to	
	lay down the minimum standards for	
	maintenance of land records in urban areas	
	including municipal ward maps so as to	
	minimize possibility of disputes about	
	possession and boundary of immoveable	
	property.(93)	
	property.(75)	
	d) Detailed guidelines already exist in	
94	, C .	
	almost all states to periodically update land	
	records in rural areas. Strict compliance of	

SI. No.	Recommendations made by Administrative Reforms Commission	Decision of Government
	such guidelines needs to be ensured as out of date land records contribute to disputes and resultant breaches of peace.(94)	
95	23. (Para 6.1.4.5) Regulating Processions, Demonstrations and Gatherings a) Based on the experience with major riots and the recommendations of various Commissions of Inquiry and pronouncements of the Supreme Court and the High Courts, fresh and comprehensive guidelines may be drawn up for regulation of processions, protest marches and morchas.(95)	(a) to (c) The GoM accepted the recommendations in part (a) and (b) and decided that as regards part (c), the recommendation may be accepted in principle and left to the States for implementation.
96	b) The guidelines should include preparatory steps (through intelligence sources), serious consultation and attempts to arrive at agreement with the groups/ communities involved, regarding route, timing and other aspects of procession. They should also cover prohibition of provocative slogans or acts as well as carrying of lethal weapons. It should be specifically stated in the guidelines that all processions or demonstrations should be dealt with the same degree of fairness and firmness.(96)	
97	c) Organisations and persons found guilty of instigating violence should be liable to pay exemplary damages. The damages should be commensurate with the loss caused by such violence. The law should provide for distribution of the proceeds of damages to the victims of such violence.(97)	
98	(Para 6.1.5.3.) Imposition of Prohibitory Orders a) Prohibitory orders once imposed, should be enforced effectively. Videography should be used in sensitive areas(98)	(a) : GoM accepted the recommendations and left to the States for implementation
	(Para 6.1.6.6.) Measures to be taken once a Riot has Started	(a) to (g) : The GoM accepted the recommendations in principle and left them to the States for

SI. No.	Recommendations made by Administrative Reforms Commission	Decision of Government
99	a) If violence erupts, then the first priority	implementation
	should be to quickly suppress the violence.	L
	In cases of communal violence, the	
	situation should be brought under control	
	by effective use of force (99)	
	(Para 6.1.6.6.) Measures to be taken once a	
	Riot has Started	
100	b) Prohibitory orders must be enforced	
	rigorously.(100)	
	Para 6.1.6.6.) Measures to be taken once a	
	Riot has Started	
101	c) If the situation so warrants, the forces of	
	the Union and the Army should be	
	requisitioned and used without any	
	reluctance or delay. (101)	
	(Para 6.1.6.6.) Measures to be taken once a	
	Riot has Started	
102	d) The Commissioner of police or the	
	District magistrate and the Superintendent	
	of Police should be given a free hand to deal	
	with the situation in accordance with law (102)	
	(102) (Para 6.1.6.6.) Measures to be taken once a	
	Riot has Started	
103	e) The media should be briefed with correct	
	facts and figures so that there is no scope	
	for rumour mongering.(103)	
	(Para 6.1.6.6.) Measures to be taken once a	
104	Riot has Started	
104	f) The Police needs to be equipped with	
	state-of -the-art crowd dispersal	
	equipments(104)	
	(Para 6.1.6.6.) Measures to be taken once a Piot has Started	
105	Riot has Started g) The District Magistrate should ensure	
105	that essential supplies are maintained and	
	relief is provided, especially in vulnerable	
	areas and particularly during prolonged	
	spells of 'curfew'(105)	(a) to (f) :
	(Para 6.1.7.9) Measures to be Taken Once	(a) to (f) :
106	Normalcy has been Restored	The GoM accepted the recommendations. Ministry
100	a) No sanction of the Union Government or	of Law may examine whether time limits for
	the State Government should be necessary	•
	for prosecution under Section 153(A).	completion of inquiry can be included in the
	Section 196 Cr PC should be amended	relevant Act.
	accordingly.(106)	
	(Para 6.1.7.9) Measures to be Taken Once	
	Normalcy has been Restored	

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107	b) Prosecution in cases related to rioting or	
- • ·	communal offences should be not sought to	
	be withdrawn. (107)	
	(Para 6.1.7.9) Measures to be Taken Once	
	Normalcy has been Restored	
108	c) Commissions of Inquiry into any major	
	riots/violence should give their report within	
	one year.(108)	
	(Para 6.1.7.9) Measures to be Taken Once	
	Normalcy has been Restored	
109	d)The recommendation made by a	
	Commission of Inquiry should normally be	
	accepted by the Government and if the	
	Government does not agree with any	
	observation or recommendation contained	
	in the report of the Commission, it should	
	record its reasons and make them	
	public(109)	
	(Para 6.1.7.9) Measures to be Taken Once	
110	Normalcy has been Restored	
110	e) All riots should be documented properly	
	and analyzed so that lessons could be drawn	
	from such experiences(110) (Para 6.1.7.9) Measures to be Taken Once	
	Normalcy has been Restored	
111	f) There is need for adequate follow up to	
	ensure proper rehabilitation of victims(111)	
		(a) :. The GoM accepted the recommendation in
	(Para 6.2.4) Accountability of Public	principle and left its implementation to the States
	Servants Charged with Maintaining Public	
	Order	
112		
	a) The State Police Complaints Authority	
	should be empowered to identify and fix	
	responsibility in cases of glaring errors of	
	omission and commission by police and	
	Executive Magistrates in the discharge of	
	their duties relating to the maintenance of	
	public order (112)	
	(Para 6.3.15) The Executive Magistrates	(a) & (b) :
	and the District Magistrate	GoM accepted the recommendations in principle
113	a) The position of the District Magistrate vis-	and left its implementation to the States.
	à-vis the Police, and as a coordinator and	
	facilitator in the district needs to be	
	strengthened. The District Magistrate	
	should be empowered to issue directions	
	under the following circumstances:	
	<i>i. promotion of land reforms and settlement</i>	
	promotion of and reforms and settlement	

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	of land disputes;	
	<i>ii. extensive disturbance of public peace and</i>	
	tranquility in the district	
	(The decision of the DM as to what	
	constitutes extensive disturbance of public	
	peace should be final);	
	iii. Conduct of elections to any public body;	
	iv. handling of natural calamities and	
	rehabilitation of the persons affected	
	thereby;	
	v. situations arising out of any external	
	aggression or internal disturbances;	
	vi. any similar matter, not within the	
	purview of any one department and	
	affecting the general welfare of the public	
	of the district;	
	vii. removal of any persistent public	
	grievance (as to what constitutes persistent	
	public grievance, the decision of the DM	
	shall be final); and	
	viii. whenever police assistance is required	
	to enforce/implement any law or	
	programme of the government(113)	
	(Para 6.3.15) The Executive Magistrates	
	and the District Magistrate	
	b) These directions shall be binding on all	
114	concerned. Directions in respect of item No.	
	ii should normally be issued in consultation	
	with the Superintendent of Police (114)	
	(Para 6.4.2) Capability Building of	(a) & (b) :
	Executive Magistrates	GoM accepted the recommendations
115	a) All officers likely to be posted as	
115	Executive Magistrates should be specially	
	trained in the relevant laws and procedures	
	and should be eligible for posting only after	
	qualifying in an examination.(115)	
	(Dana (A)) Canalitta Duitting (	
116	8	
	-	
		(a) & (b) :
		The GoM accepted the recommendations to be
117		implemented by the States.
	the time of crisis.(117)	
116	<ul> <li>(Para 6.4.2) Capability Building of Executive Magistrates</li> <li>b) On the lines of a police manual, each state should also evolve a Manual for Executive Magistrates. (116)</li> <li>(Para 6.5.7) Inter-Agency Coordination <ul> <li>a) In a District, the District Magistrate</li> <li>should coordinate the role of all agencies at the time of crisis. (117)</li> </ul> </li> </ul>	*

SI. No.	Recommendations made by Administrative Reforms Commission	Decision of Government
110.	(Para 6.5.7) Inter-Agency Coordination	
118	b) In major cities, with the Police Commissioner System, a coordination committee should be set up under the Mayor, assisted by the Commissioner of Police and the Municipal Commissioner. All major service providers should be represented on this coordination Committee.(118)	
119	<ul> <li>31. (Para 6.6.4) Adoption of Zero Tolerance Strategy</li> <li>a) All public agencies should adopt a zero tolerance strategy towards crime, in order to create a climate of compliance with laws leading to maintenance of public order.(119)</li> </ul>	(a) & (b): The GoM accepted the recommendations in principle and left its implementation to the States.
120	b) This strategy should be institutionalised in the various public agencies by creating appropriate statistical databases, backed up by modern technology, to monitor the level and trends of various types of offences and link these to a system of incentives and penalties for the officials working in these agencies. It should be combined with initiatives to involve the community in crime prevention measures.(120)	
121	32. (Para 7.3.7) Facilitating Access to Justice - Local Courts a) A system of local courts should be introduced as an integral part of the judiciary. There should be one such court for a population of 25,000 in rural areas (this norm could be modified for urban areas).(121)	(a) to (e) : The GoM had considered the recommendation in the $2^{nd}$ meeting held on 26.02.2013 and accepted the recommendations in principle.
122	b) The local courts should have powers to try all criminal cases where the prescribed punishment is less than one year. All such trials should be through summary proceedings.(122)	
123	c) The judge of the local court should be appointed by the District and Sessions Judge in consultation with his/her two	

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	senior-most colleagues. Retired judges or	
	retired government officers (with	
	appropriate experience) could be	
	appointed.(123)	
124	d) These courts may function from	
	government premises and could also be in	
	the form of mobile courts.(124)	
105	e) These local courts may be constituted by	
125	a law passed by the Parliament to ensure	
	uniformity.(125)	
	(Para 7.5.1.11) Citizen Friendly	(a) to (d) :
	Registration of Crimes	The GoM accepted the recommendations contained
	a) Registration of FIRs should be made	in parts (a) (b) & (d) in principle and left their
126	totally citizen friendly. Technology should	implementation to the States. On part (c), it
	be used to improve the accessibility of police	observed that a comprehensive report covering all
	station to the public. Establishing call	aspects of criminal law is under consideration of the Law Commission. It decided that the report of the
	centers and public kiosks are possible	Law Commission may be awaited and MHA may
	options in this regard(126)	get it expedited
	(Para 7.5.1.11) Citizen Friendly	
	Registration of Crimes	
127	b) Police station should be equipped with	
	CCTV cameras in order to prevent	
	malpractice, ensure transparency and make	
	the police more citizen-friendly. This could	
	be implemented in all police stations within	
	a time frame of five years. (127)	
	(Para 7.5.1.11) Citizen Friendly	
	Registration of Crimes	
128	c) Amendments to the Cr P C should be	
	made as suggested by the National Police	
	Commission.(128)	
	(Para 7.5.1.11) Citizen Friendly	
	Registration of Crimes	
129	d) The performance of Police station should	
	be assessed on the basis of the cases	
	successfully detected and prosecuted and	
	not on the number of cases registered. This	
	is necessary to eliminate the widely	
	prevalent malpractice of 'burking' of	
	cases.(129)	
	(Para 7.5.2.4) Inquests	(a) The GoM accepted the recommendation and
130	a)All State Governments should issue Rules	noted that the MHA has issued a comprehensive
	prescribing in detail the procedure for	Advisory to all States/UTs on prevention of crime
	preservoing in actual the procedure jor	_

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No.	Administrative Reforms Commission inquests under Section 174 CrPC.(130)	on 16.07.2010.
131	Inquests under Section 174 CFPC.(130)Para 7.5.3.13) Statements Made beforePolice Officera) Section 161 and 162 of CrPC should beamended to include the following.i. The statement of witnesses should beeither in narrative or in question andanswer form and should be signed by thewitness.ii. A copy of the statement should be handedover to the witness immediately underacknowledgement.iii. The Statement could be used for bothcorroboration and contradiction in a Court	(a) & (b) : The GoM did not accept the recommendation contained in part (a). It accepted only part (b) of the recommendation relating to audio or video recording of statements of all important witnesses.
	of Law(131)	
132	<ul> <li>35. (Para 7.5.3.13) Statements Made before a Police Officer</li> <li>b) The statements of all important witnesses should be either audio or video recorded.(132)</li> </ul>	
	(Para 7.5.4.10) Confession before Police	(a) to (d) :
133	a) Confessions made before the police should be admissible. All such statement should be video-recorded and the tapes produced before the court. Necessary amendments should be made in the Indian Evidence Act.(133)	The GoM did not accept the recommendations.
134	36. (Para 7.5.4.10) Confessions before Police b) The witness/accused should be warned on video tape that any statement he makes is liable to be used against him in a court of law, and he is entitled to the presence of his lawyer or a family member while making such a statement. If the person opts for this, the presence of the lawyer/family member should be secured before proceeding with recording the statement.(134)	
135	c) The accused should be produced before a magistrate immediately thereafter, who shall confirm by examining the accused whether the confession was obtained voluntarily or under duress.(135)	

Sl. No.	Recommendations made by Administrative Reforms Commission	Decision of Government
136	d) The above-mentioned recommendations should be implemented only if the reforms mentioned in Chapter 5 are accepted (136)	
137	37. (Para 7.7.1.10) The Judge's Obligation to Ascertain the Truth a) It is necessary to amend Section 311 CrPC and impose a duty on every court to suo motu cause production of evidence for the purpose of discovering the truth, which should be the ultimate test of the criminal justice system. Suitable amendments to the Indian Evidence Act, 1872 may also be made to facilitate this.(137)	(a): The GoM decided to defer the decision till the receipt of the Report of the Law Commission. The GoM asked MHA to get it expedited.
138	38. (Para 7.7.2.14) Right to Silence a) Regarding grave offences like terrorism and organised crimes, in the case of refusal by the accused to answer any question put to him, the court may draw an inference from such behaviour. This may be specifically provided in the law.(138)	(a) : The GoM had considered the recommendation in the $2^{nd}$ meeting held on 26.02.2013 and did not agree to the recommendation.
139	(Para 7.7.3.6) Perjury (a) The penalties provided under Section 344 Cr.P.C for those found guilty of perjury after a summary trial should be enhanced to a minimum of one year of imprisonment.(139)	a) & (b) Regarding part (a), the GoM decided that MHA may take up enhancing the sentence for perjury from three months to one year with M/o Law. Regarding part (b), the GoM accepted the recommendation.
140	(Para 7.7.3.6) Perjury (b) It should be made incumbent upon the Courts to ensure that existing perjury laws providing for summary trial procedure are unfailingly and effectively applied by the trial courts, without awaiting the end of the main trial.(140)	
141	40. (Para 7.7.4.6) Witness Protection a) A statutory programmme for guaranteeing anonymity of witnesses and for witness protection in specified types of cases, based on the best international models should be adopted early.(141)	(a) The GoM accepted the recommendation.

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	41. (Para 7.7.5.6) Victim Protection	
1.40	a) A new law for protecting the rights of the	(a): The GoM accepted the recommendation.
142	victims of the crimes may be enacted. The	
	law should include the following salient	
	features:	
	<i>i.</i> Victims should be treated with dignity by	
	all concerned in the criminal justice system.	
	ii. It shall be the duty of the police and the	
	prosecution to keep the victim updated	
	about the progress of the case.	
	iii. If the victim wants to oppose the bail	
	application of an accused he/she shall be	
	given an opportunity to be heard. Similarly,	
	for release of prisoners on parole, a	
	mechanism should be developed to consider	
	the views of the victims.	
	<i>iv. A victim compensation fund should be</i>	
	created by State Governments for providing	
	compensation to the victims of crime.(142)	
	compensation to the victims of crime.(142)	
	(Para 7.7.6.6) Committal Proceedings	(a): The GoM decided that the views of Ministry of
143	(a) Committal proceedings should be	Law should be taken by MHA.
115		Law should be taken by with t.
	reintroduced where the magistrate should have powers to record the evidence of	
	prosecution witnesses. Suitable	
	amendments may be carried out in Chapter	
	XVI of the Code of Criminal Procedure.(143)	
	43. (Para 7.8.5) Classification of Offences	(a) $\mathcal{E}$ (b) :
144		The GoM decided that the recommendations of the $\frac{1}{2}$
1	a) A comprehensive reclassification of	Law Commission may be awaited. It directed
	offences may be done urgently to reduce the	MHA/Ministry of Law to expedite the finalization
	burden of work for both the Courts and the	of recommendations.
	Police. A mechanism for ensuring regular	
	and periodic review of offences should also	
	be put in place to make such reclassification	
	an ongoing and continuing exercise.(144)	
145	b) The objective of this exercise should be to	
	ensure that crimes of a petty nature	
	including those which require correctional	
	rather than penal action should be taken	
	out of the jurisdiction of the police and	
	criminal courts so that they are able to	
	attend to more serious crimes. Such	
	offences should, in future be handled by the	
	local courts.(145)	

Sl.	Recommendations made by	Decision of Government
No.	Administrative Reforms Commission	
146	(Para7.9.7) Sentencing Process a) The Law Commission may lay down 'Guidelines' on sentencing for the 'Trial Courts in India so that sentencing across the country for similar offences becomes broadly uniform(146)	(a) & (b): The GoM had considered the recommendation in the 2nd meeting held on 26.02.2013 and decided that the Report of the Law Commission may be awaited.
147	(Para7.9.7) Sentencing Process b) Simultaneously, the training for trial court judges should be strengthened to bring about greater uniformity in sentencing.(147)	
148	(Para 7.10.14) Prison Reforms a) The Union and state Governments should work out, fund and implement at the earliest, modernization and reforms of the Prison System as recommended by the All India Committee on Jail Reforms (1980- 83).(148)	(a) to (c) : The GoM accepted the recommendations contained in part (a) and (b) and directed MHA to send a proposal to Ministry of Finance to enhance the Finance Commission grant for prison reforms. The GoM decided that part (c) of the recommendations may be left to the States for implementation.
149	(Para 7.10.14) Prison Reforms b) The attendant legislative measures should also be expedited.(149)	
150	(Para 7.10.14) Prison Reforms c) Rules regarding Parole and Remission need to be reviewed. An Advisory Board with a retired judge of the High Court, the DGP and the Inspector General of Prisons should be set up to make recommendation on parole. The recommendations made by	
	the Board should normally be accepted. In case of difference, State Government should obtain the advice of the board again, stating its own views in writing. A similar or the same Board may deal with cases of remissions.(150)	
151	(Para 8.2.15) Obligations of the Union and States a) A law should be enacted to empower the Union Government to deploy its Forces and to even direct such Forces in case of major public order problems which may lead to the breakdown of the constitutional machinery	(a) & (b) : The GoM did not accept the recommendations.
	in state. However, such deployment should take place only after the state concerned fails to act on a 'direction' issued by the Union under Article 256 of the Constitution. All such deployments should be only for a	

No.       Administrative Reforms Commission         temporary period not exceeding three         months, which could be exceeded by         another three months after authorization by         Parliament.(151)         (Para 8.2.15) Obligations of the Union and         States         152         b) The law should spell out the hierarchy of         the civil administration which would         supervise the Forces under such         circumstances.(152)         (Para 8.3.14) Federal Crimes         a) There is need to re-examine certain         offences which have interstate or national         ramification and include them in a new law.         The law should also prescribe the procedure         for investigation and trials of such offences.         The low should also prescribe the procedure         for investigation and trials of such offences.         ii. Terrorism         iii. Acts threatening National security         iv. Trafficking in arms and human beings.         v. Setition         vii. Assassination of ( Including attempts on) major public figures         viii. Serious economic offences.(153)         (Para 8.3.14) Federal Crimes         b) A new law should be enacted to govern         the working of the CBI. This law should	SI.	Recommendations made by	Decision of Government
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The following offences may be included in this category:       i.         i. Organised Crime (examined in paragraph 8.4)       ii.         ii. Terrorism       iii.         iii. Acts threatening National security       iv. Trafficking in arms and human beings.         v. Sedition       vi. Major crimes with inter-state ramifications         vii. Major crimes with inter-state ramifications       vii. Assassination of (Including attempts on) major public figures         viii. Serious economic offences.(153)       (Para 8.3.14) Federal Crimes b) A new law should be enacted to govern the working of the CB1. This law should also stipulate its jurisdiction including the power to investigate the new category of crimes.(154)         (Para 8.3.14) Federal Crimes       c) The empowered committee recommended in the Commission's Report on 'Ethics in Governance' (Para 3.7.19) would decide on cases to be taken over by the CB1.(155)         Para 8.4.17) Organised Crime       (a) The GoM did not acc recommendation.         156       (a) Specific provisions to define organized arises should be included in the new law governing 'Federal Crimes'. The definition of organized crime in this law should be on the lines of the Maharashtra Control of Organised Crime Act, 1999.(156)       (a) The GoM had considered the recommendation.         157       (Para 8.5.17) Armed Forces (Special Powers) Act, 1958       the 2 <sup>nd</sup> meeting held on 26.02.2013 and the clime of the contex of the conte			
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Sl.	Recommendations made by	Decision of Government
No.	Administrative Reforms Commission	
	1958 should be repealed. To provide for an	accept it.
	enabling legislation for deployment of	
	Armed Forces of the Union in the North-	
	Eastern states of the country, the Unlawful	
	Activities (Prevention) Act, 1967 should be	
	amended by inserting a new Chapter VI A	
	as recommended by the Committee to	
	Review the Armed Forces (Special Powers)	
	Act, 1958. The new Chapter VI A would	
	apply only to the North-Eastern states.(157)	
	(Para 9.1.5) The Role of Civil Society	(a) to (c) :
	a) Citizens should be involved in evaluating	The GoM decided that the implementation of the
158	the quality of service at police stations and	recommendations may be left to the States.
	other police offices(158)	
	(Para 9.1.5) The Role of Civil Society	
	b) Government should incentivize citizens'	
159	initiatives.(159)	
	(Para 9.1.5) The Role of Civil Society	
	c) Formal mechanisms should be set up at	
160	the cutting edge level to involve	
	citizens/citizen's groups in various aspects	
	of public order management.(160)	
	51. (Para 9.2.7) The Role of the Media in	(a) to (e) :
	Public Order	The GoM decided that implementation of the
161	a) The Administration must make facts	recommendations may be left to the States
	available to the media at the earliest about	
	any major development, particularly	
	activities affecting public order. (161)	
162	b) In order to have better appreciation of	
	each other's view points there should be	
	increased interaction between the	
	Administration and the media. This could	
	be inter alia in the form of joint workshops	
	and trainings. (162)	
	unu truntings. (102)	
163	c) The Administration should designate	
105	<i>,</i> 3	
	points of contact at appropriate levels (a	
	spokesperson) for the media which could be	
	accessed during whenever required. (163)	
164	d) Officers should be imparted training for	
	interaction with the media. (164)	
165		
103	e) A cell may be constituted at the district	
	level which may analyse media reports	
	· · ·	

Sl. No.	Recommendations made by Administrative Reforms Commission about matters of public importance. (165)	Decision of Government