

**SPEECH DELIVERED BY SHRI RANDEEP SINGH SURJEWALA,  
MINISTER FOR INDUSTRIES, GOVERNMENT OF HARYANA AT  
THE CHIEF MINISTERS CONFERENCE HELD ON APRIL 15, 2013  
AT VIGYAN BHAWAN, NEW DELHI ON 'PUBLIC ORDER:  
JUSTICE FOR EACH..... PEACE FOR ALL'.**

**Respected Hon'ble Union Home Minister Shri Sushil Kumar Shinde ji,  
Respected Hon'ble Chief Ministers, Shri M. Ramachandran and Shri R.P.N  
Singh Hon'ble Ministers of State, Ministry of Home Affairs, Hon'ble Home  
Ministers of State Governments, and other distinguished participants!**

At the outset, I would like to commend the initiative on the part of the Union Home Ministry for convening this important meeting. A proactive, responsive, accountable, sustainable and efficient administration is a sine qua non of a healthy democratic system. Public order and policing constitute the very core of administration. Without public order peace and a sense of security in the society no productive activity can take place. Economic growth depends on an environment of peace and justice. The Second Administrative Reforms Commission (ARC), in its 5<sup>th</sup> Report has dealt with public order, policing and attendant issues relating to criminal justice system. We have gathered together today to discuss 153 recommendations of the ARC which relate to the State Governments. I wholeheartedly compliment the Commission at doing an excellent job of bringing together specific recommendations drawing upon the rich experience and wisdom of its own eminent Chairman and esteemed Members, as also by drawing upon the reports of other Commissions and judgments of the Hon'ble Supreme Court of India. Let us take advantage of this distilled wisdom and carry out our mandate.

2. Sir, we have separately communicated the detailed response of Government of Haryana to the 153 Recommendations contained in the ARC's Report. However, I would like to take this opportunity to highlight our views only on some of the recommendations.

**3. POLICE ACT**

I am happy to inform this august gathering that we have already notified a forward-looking police act known as the Haryana Police Act, 2007. Most of the concepts, suggestions and specific advice given in the Report have already been covered, in a large measure, in the provisions of this Act which was notified in 2008. The Act provides for establishment, regulation and management of the police force and to enable it to function as an efficient, professional, effective, accountable, people friendly and responsive agency. Our experience with the implementation of the Act has so far been very satisfactory.

**4. STATE POLICE BOARD**

In line with the suggestions contained in the ARC Report pertaining to strengthening of public order and in turn ensuring justice and peace for all, we have established a State Police Board which serves as an overall supervisory body at the highest level. Board functions are: to aid and advise the State Government, frame policy guidelines for prompt efficient responsive and accountable policing in accordance with the law and to review and evaluate organizational performance of the police service in the State. With fairly wide ranging functions and powers of the Board and well laid out procedures and rules, we have not felt any need to have more institutions or Boards in the administrative structure of the State Police.

**5. POLICE COMPLAINTS AUTHORITY**

I may, however, add that we have set up a 'Police Complaints Authority' which is functioning as a watchdog over the police force within the ambit of the Police Act. Further, the institution of the Lokayukta too has been doing an admirable job by investigating and bringing to book serious violations of law inter-alia, by the police personnel.

**6. INSTITUTIONAL WATCHDOG**

Besides above, State has proceeded to set up 'State Women's Commission', 'State Child Protection Commission' and 'State Human Rights Commission'. State is also proceeding to set up 'State Scheduled Castes Commission'. This will provide the necessary checks and counter balances to any complaints of civil rights violation.

**7. NO FURTHER MECHANISM REQUIRED**

As you are aware, Haryana is a compact State with an excellent network of roads and telecommunications. Our administrative structure is resource-rich, extensive and well tested. Rules and procedures governing police functioning are also well established. We have put in place a system and structure in which the police force has the necessary pre-conditions not only for performing efficiently but also in remaining transparent and accountable in its working. To this extent, the need for overarching supervisory and control systems like the 'State Commission for Performance and Accountability', 'Board of Investigation', 'Inspectorates of Police' etc. as envisaged in the Report, may not be required.

## **8. PROVISION OF FUNDS FOR MODERNISATION**

We are conscious that modernization of the police force is a continuous process. It must involve commitment of adequate resources both by the State as well as by the Centre. Even while the allocation of funds from the Central Government has been diminishing under the Modernization of Police Force programme, the State has endeavored to strongly support modernization of the force through financial and administrative means. As a result, today we have been able to create systems and assets of great utility. To illustrate, we have two high tech control rooms in the State, a comprehensive system of surveillance in the main urban centers is under implementation, we have a large and modern fleet of vehicles, PCRs fitted with GPS are patrolling urban areas, a high speed telecommunication network is spread throughout the State etc. A 'Crime and Criminal Tracking Network System' (CCTNS) is being established which will create a state-wide connectivity between police stations and relevant crime related data bases. Our 12 traffic police stations covering the major highways are functioning to enable immediate intervention. Our training facilities are among the best in the country.

It is pertinent to mention that State has also set up 'State Level Data Centre' (SLDC) and 'State-Wide Area Network (SWAN)'.

## **9. SEPARATION OF CRIMINAL INVESTIGATION WING**

As far as separation of criminal investigation from law and order functions is concerned, we have attempted this by setting up an independent State Crime Branch. There is also a dedicated investigation unit in every police station. We aim also to ensure that the tenure of officers deployed on the investigation side remains stable so that expertise and competence acquired by officers is gainfully

utilized. Agencies connected with criminal investigation like the Forensic Science Laboratory, Finger Print Bureau, criminal investigating agencies at the district level, are all independent of the law and order machinery of the Police and are integrally connected with investigation functions. In the circumstances, there does not appear to be a need for having a Board of Investigation.

**10. SEPARATE ENFORCEMENT WING FOR DIFFERENT DEPARTMENTS**

As far as the setting up of dedicated police to carry out enforcement work for specific government departments is concerned, in our State, we already have dedicated police units permanently attached to the power and irrigation departments. We can consider expansion of this model whenever needed. However, we are of the considered view that in Haryana, there is no need for a separate metropolitan police force. Police Commissionerate systems have been established in major towns and are functioning well. Any overlap of jurisdiction or separation of command would not be desirable.

**11. OUTSOURCING OF NON-CORE FUNCTIONS**

Outsourcing of non-core functions of police is a welcome idea. Some of the functions could be : the service of summons, issue of driving licenses, arms license verification, ministerial jobs in police establishment, traffic control functions etc. Some of these functions could be handed over to outsourced agencies in a phased manner and with requisite training inputs. Police force progressively released from these jobs would be used in other priority areas.

**12. POLICE WELFARE**

Our State is fully committed to the welfare needs and well-being of our police personnel. Government has always liberally contributed to Police welfare

funds. It has set up six top quality police schools and has taken up police housing as a priority project throughout the State

**13. POLICE TRAINING**

Training of police force is our top priority. Our training institutions working at Madhuban, Bhondsi (Gurgaon), Suneria (Rohtak), Newal (Karnal) and Hisar have been doing yeomen's service in the field of imparting foundational training as also upgrading the skills of policemen at different levels. We have also had the opportunity of training the police personnel from a few foreign countries like Srilanka and Afghanistan.

**14. HANDLING OF PUBLIC DEMONSTRATIONS**

We are fully conscious of the importance of having women in the police force especially with regard to the interface with women and vulnerable sections of society. At present, we have two functioning Mahila Police Stations and four more are coming up. All women mobile PCRs are operating in major cities. Our aim is that at least 10% of our police force should be women. We also propose to raise an all woman IRB battalion and for this, I would urge the Government of India to give the necessary support.

**15.** With regard to Centre-state and interstate cooperation and coordination, joint intelligence committees and other need based agencies are actively working and actionable intelligence is shared effectively. We support strengthening of all inter-state and Centre-state mechanisms which strengthen mutual cooperation while respecting each other's autonomy.

**16. SHARE OF WOMEN IN TOTAL CONSTABULARY**

As far as regulation of public demonstrations etc. is concerned, we have already adopted the provisions of the Nariman Committee and the Thomas Committee which were set up at the instance of the Hon'ble Supreme Court of India while addressing the issues of public disorder, damage to public property etc.

The police force is required to follow the Committees' recommendations meticulously. Ours is a peaceful State with communities living in harmony. The State has not experienced any communal or other riot in recent times. Other agitations have been handled with sensitivity and tact. Incidents of violence have been insignificant and with no or minimal fall out.

17. In Haryana, we support all measures which strengthen the capabilities of the district administrations in preempting and controlling law and order situations. Coordination between the District Magistrate or executive magistrates and the Police force has not been an issue. Being endowed with excellent logistics and communication network, prompt joint action is achieved easily with no problems regarding their mutual coordination.

**18. CITIZEN FRIENDLY REGISTRATION OF FIRs**

As far as citizen friendly registration of crimes is concerned, we have already computerized all police stations and FIRs are being entered and copies thereof generated through computers. This creates a transparent and useful data base as well. The possibility of online registration of complaints/DDR's is also being considered.

**19. CONFESSIONS BEFORE POLICE SHOULD REMAIN INADMISSIBLE**

Regarding confession before police, we are strongly against any changes in the existing provisions of the Cr.P.C and the Indian Evidence Act. Confession made before the police cannot be made admissible irrespective of the precautions taken. We cannot tinker with the basic rights and freedom of citizens. We however, support the recommendation regarding the judge's obligation to proactively ascertain the truth during the trial and also the increased proposed punishment for perjury.

**20. NEED FOR A 'STATUTORY WITNESS PROTECTION PROGRAMME' AND A 'VICTIM COMPENSATION SCHEME'**

We would also welcome any initiative by the Government of India to formulate a model 'Statutory Witness Protection Programme'. In this context, I would like to inform this esteemed gathering that Haryana has formulated a comprehensive victims compensation scheme for which the State will provide the necessary funds. Under the scheme, victims of serious crimes would get compensated as per a prescribed scale of compensation.

**21. NO TAMPERING WITH FEDERAL STRUCTURE**

We are also in favour of a strong federal structure which safeguards the autonomy of the State. We cannot support any step which compromises the federal structure in any manner. It is not possible for us to support any provision which enables the Central Government to move in the central forces into a State without the State's consent or requisition. Law and order being State's subject should be allowed to remain State responsibility. Central assistance or Army



assistance in civil situations is invariably sought by State authorities whenever the situation demands.

**22. NEED FOR IDENTIFICATION OF FEDERAL CRIMES BUT A MECHANISM BE ESTABLISHED TO TAKE STATES ON BOARD.**

It is acceptable that “Federal crimes” be identified and listed but this should not imply that the Central Government can suo-moto intervene and dilute State’s autonomy while tackling such crimes and law and order situations. Centre-state relations are based on trust. We must cherish this trust.

**23. CITIZEN’S INVOLVEMENT IN POLICE FUNCTIONING**

Involvement of citizens in helping police functioning is a welcome thought and we support it. In Haryana, we have a network of non-government organizations which willingly participate in certain functions such as traffic control related work. This has been a success.

**24. ROLE OF MEDIA**

Role of media has now become extremely important because of the reach of media and the way it influences peoples’ minds. Its role in the context of law and order situations must be constructive and their general attitude must show maturity and balance. A regular interaction with Police and civil authorities is indeed required so that the media appreciates the importance of situational nuances and intricacies.

**25. In nutshell, may I take this opportunity to make some more specific recommendations:**

- (i) Centre should create a comprehensive fund for police modernization i.e.-
  - (a) upgradation of arms/ammunitions;
  - (b) upgradation of technology;
  - (c) a more universalized training module with specific focus on nexalite affected areas, smuggling of arms and drugs through North-Eastern and Western Borders;
  - (d) a Universalized Witness Protection Programme;
  - (e) a Comprehensive Victim Compensation Scheme.
  
- (ii) A time bound implementation of 'Crime and Criminal Tracking Network (CCTNS)' is an essential pre-requisite.
  
- (iii) A Sub-Committee of Centre and State be constituted to consider and recommend amendments to Cr.PC. in light of report of National Police Commission.
  
- (iv) Organized Crime Syndicates for transcend State boundaries and at time have trans-National Character.

Federal crimes, be it economic - IT related – organized crimes, are a reality. There is an urgent need to involve a mechanism for federal Investigation and tackling crime without compromising on the federal structure and autonomy of States.

- (v) A sub-Committee of Centre and State be constituted to look at the cases/crimes which can be re-classified so that summary trial and pro-bargaining is allowed. It may be primarily aimed at petty/small crimes requiring correctional courses rather than penal action.

(vi) Report of the All India Committee on Jail Reforms has been gathering dust. So are the report of many other sub-committees constituted for the purpose. Let a sub-group be constituted to make specific recommendations and suitable legislative measures within a time bound frame in light of these reports.

**26.** I would like to end by expressing a hope that this conference will enrich and raise the level of discourse on this most sensitive issue of public order peace and justice. We should resolve today that we shall, through committed, coordinated and cooperative actions and involvement of police, civil administration, local bodies, civil society and the media perform our given tasks to the best of our abilities.

Thank You!

Jai Hind !