RTI

STATE POLICE COMPLAINTS AUTHORITY

Third Floor,
V.V.Main Tower,
Dr.Ambedkar Veedhi,
Bangalore – 560 001.
Telephone: 080-22868302/03

No.SPCA/05/RTI/2024 Dated:05-02-2024

To:
Mr.Mohd. Aasif,
Common Cause
Common Causwe House,
No.5, Nelson Madela Marg, Pocket 3, Sector C,
Institutional Area, Vasant Kunj,
New Delhi – 110 070.

Dear Sir,

Sub: Your Right to Information Application dated 10-01-2024

*****

With reference to the subject cited above, I am herewith enclosing the certified copy of Government Order No.HD 59 POSAFE 2009 dated 03-12-2010 and also concerned pages in annual report of State Police Complaints Authority pertaining to the year 2020 & 2021.

Thanking you,

Yours faithfully,

7/2/24

(PANKAJA M)
Section Officer & Public Information Officer,
State Police Complaints Authority
080-2286 8303

07/02/24

[redacted]

PROCEEDINGS OF THE GOVERNMENT OF KARNATAKA

Sub: Police Reforms -Constitution of 'Police Complaints Authority' – reg.

Read: 1) Supreme court judgement dt:22-09-2006 in W.P.No.310/1996 – Sri Prakash Singh and others V/s Union of India and others.
2) Letter No.LAW(1)52/2005, dated 19-02-2009 from the DG & IGP, Bangalore.
3) Letter No.LAW(1)52/2005, dated 10-09-2009 from the DG & IGP, Bangalore.

PREAMBLE:

In a Public Interest Litigation (PIL) filed by Sri Prakash Singh and others, in W.P (civil) No.310/1996, the Supreme Court observed that although several commissions, starting with The National Police Commission, have made recommendations for reforms in police, they have not been implemented either by the Union Government or the States. The Court issued six directions to the State Governments for compliance pending framing of appropriate legislations, one of which is that the State Governments should constitute Police Complaints Authority at the State level and at the District level, to look into the complaints against Police Officers.

A committee constituted under the chairmanship of Sri R.Srikumar, the then Director General and Inspector General of Police, for preparing a Comprehensive Police Act, incorporating the directives of the Hon'ble Supreme Court, has submitted a draft of the proposed new Karnataka Police Act. Thereafter a meeting was held under the chairmanship of Hon'ble Minister for Home, on 16-02-2009, in which DG & IGP, Secretary, Parliamentary Affairs & Legislation and representatives of the State Law and Finance Departments also participated, to review the position regarding implementation of the Supreme Court directives and the draft of the proposed new Karnataka Police Act. In this meeting various alternatives were discussed in detail and, in view of the urgency to implement the directives of the Supreme Court, it was decided to issue executive orders in respect of the six directives of the Court pending comprehensive amendments to the Karnataka Police Act or enactment of a new Karnataka Police Act.

The Director General and Inspector General of Police, Bangalore, in his letter read at (2) above, has sent a proposal for establishment of State Level Police Complaints Authority and vide letter read at (3) above has sent a proposal for District Level Committee under the Chairmanship of the concerned Regional Commissioner of the District.

7/2/24

The matter has been examined in detail by the Government. Hence this order.

GOVERNMENT ORDER NO.HD 59 POSAEE 2009,
BANGALORE, DATED 03-12-2010

Under the circumstances explained in the preamble, sanction of the Government is hereby accorded for the constitution of Police Complaints Authority at the State level and at the District level on full time basis with immediate effect.

I. State Police Complaints Authority :

(1) Composition :

1. Retired Judge of the High Court - Chairman

The Chairman shall be selected by the Government out of a panel of names proposed by the Chief Justice of the High Court.

2. Two persons - Members
(one from the Civil Service and one from the Civil Society)

The Members shall be selected from out of the two panels of three members each one from among the retired Civil Service Officer of the rank of Retired Principal Secretary to Government or above and another panel of three names from among the persons in the Civil Society, panels to be obtained from State Human Rights Commission or Lokayukta or Karnataka Public Service Commission.

PROVIDED that a person shall be disqualified for appointment as member if he –

1) has directly or indirectly associated himself with any political party or parties;
2) has been convicted and sentenced to imprisonment for an offence which, in the opinion of the State Government, involves moral turpitude; or
3) is an undischarged insolvent; or
4) is of unsound mind and stands so declared by a competent court; or a body corporate owned or controlled by the Government; or
5) has, in the opinion of the State Government, such financial or other interest as is likely to affect prejudicially the discharge by him of his functions as a member; or
6) has such other disqualifications as may be prescribed by the State Government.

Every member of the State Complaints Authority shall hold office for a period of 3 years.

ಪಂಕಜ. ಎಂ

The following posts are created for assistance of the Authority. (12)

1)	Office Superintendent	- 1
2)	First Division Assistants	- 1
3)	SDA	- 2
4)	Stenographers to Chairman and Members	- 3
5)	Typist	- 1
6)	Drivers	- 3
7)	Group-D	- 1

The orders regarding honorarium and other allowances payable to, and the other terms and conditions of service of the members of the State Complaints Authority will be issued by the State Government separately.

(2) **Functions :**

The Authority would look into complaints against officers of the rank of Superintendent of Police and above, including Additional SP, and take cognizance of only allegations of serious misconduct by the police officers which would include incidents involving death, grievous hurt or rape in police custody.

II. District Police Complaints Authority:

(1) Composition:

1. Regional Commissioner of the concerned Districts - Chairman
2. Two persons - Members
   (one from the Civil Service and one from the Civil Society)

The Members shall be selected from out of the two panels of three members each one from among the retired Civil Service Officer of the rank of Retired Joint Secretary to Government or above and another panel of three names from among the persons in the Civil Society, panels to be obtained from State Human Rights Commission or Lokayukta or Karnataka Public Service Commission and in consultation with State Level Police Complaints Authority.

PROVIDED that a person shall be disqualified for appointment as member if he –

1) has directly or indirectly associated himself with any political party or parties;
2) has been convicted and sentenced to imprisonment for an offence which, in the opinion of the State Government, involves moral turpitude; or
3) is an undischarged insolvent; or
4) is of unsound mind and stands so declared by a competent court; or a body corporate owned or controlled by the Government; or
5) has, in the opinion of the State Government, such financial or other interest as is likely to affect prejudicially the discharge by him of his functions as a member; or

6) has such other disqualifications as may be prescribed by the State Government.

(16)

Every member of the District Complaints Authority shall hold office for a period of 3 years.

The following posts are created for assistance of the Authority.

1)	First Division Assistant	- 1
2)	Stenographers to Members	- 2
3)	Drivers	- 2
4)	Group-D	- 1

The orders regarding honorarium and other allowances payable to, and the other terms and conditions of service of the members of the State Complaints Authority will be issued by the State Government separately.

(2) **Functions :**

The Authority would look into complaints against police officers of and upto the rank of Deputy Superintendent of Police and take cognizance of only allegations of serious misconduct by the police personnel, which would include incidents involving death, grievous hurt or rape in police custody. It may also inquire into allegations of extortion, land / house grabbing or any incident involving serious abuse of authority.

III. Recommendations of the State and District Complaints Authorities :

The recommendations of both the Authorities for any action, departmental or criminal, against a delinquent police officer shall be binding on the competent authority.

By order and in the name of the
Governor of Karnataka

(T.N.RAVIPRAKASH)
Under Secretary to Government,
Home Department (Police Services)

To:

1. The Compiler, Karnataka Gazette, Bangalore – with a request to publish the same in the extraordinary gazette and to provide 1000 copies of the notification to the undersigned.
2. Accountant General, Karnataka State, Bangalore
3. Director General and Inspector General of Police, Bangalore.
4. Commissioner of Police, Bangalore / Mysore / Hubli-Dharwad.
5. Director General of Police, Home guards, Bangalore.
6. Director General of Police, CID, Bangalore.

ಅಧೀನ ಕಾರ್ಯದರ್ಶಿ (ಪ್ರ)

Annexure VIII

(*reference: paragraph 7.1*)

Position of the cases received by the State Police Complaints Authority during the year 2020

Sl. No.	District/City	Cases pending at the beginning of 2020	Cases received during 2020	Total No. of cases for consideration in 2020	Cases disposed off during 2020	Cases pending at the end of 2020
1.	Bengaluru District	3	2	5	3	2
2.	Bengaluru Rural District	215	59	274	90	184
3.	Chikkaballapura District	10	0	10	5	5
4.	Chitradurga District	0	0	0	0	0
5.	Davanagere District	4	1	5	3	2
6.	Kolar District	11	9	20	6	14
7.	Ramanagara District	2	1	3	1	2
8.	Shivamogga District	3	3	6	3	3
9.	Tumakuru District	4	9	13	6	7
10.	Chamarajanagar District	0	1	1	1	0
11.	Chikkamagalur District	3	2	5	2	3
12.	Dakshina Kannada District	9	2	11	6	5
13.	Hassan District	4	2	6	2	4
14.	Kodagu District	3	1	4	1	3
15.	Mandya District	5	3	8	3	5
16.	Mysuru District	21	17	38	8	30
17.	Udupi District	1	3	4	2	2
18.	Bagalkote District	6	3	9	2	7
19.	Belagavi District	16	5	21	6	15
20.	Vijayapura District	1	4	5	3	2
21.	Dharwad District	8	2	10	4	6
22.	Gadag District	0	0	0	0	0
23.	Haveri District	1	1	2	0	2
24.	Uttara Kannada District	12	0	12	4	8
25.	Ballari District	6	3	9	5	4
26.	Bidar District	2	1	3	1	2
27.	Koppal District	1	2	3	1	2
28.	Kalaburagi District	17	0	17	5	12
29.	Raichur District	2	1	3	2	1
30.	Yadgir District	0	2	2	0	2
	Total	**370**	**139**	**509**	**175**	**334**

ಪಂಕಜ.
ಅಧೀನ ಕಾರ್ಯದರ್ಶಿ (ಪ್ರ)
ರಾಜ್ಯ ಪೊಲೀಸ್ ದೂರುಗಳ ಪ್ರಾಧಿಕಾರ

Annexure IX

(*reference: paragraph 8.1*)

Position of opening balance, receipt, disposal and pendency of the cases in the District Police Complaints Authorities during the year 2020

Sl. No	District	Pending at the beginning of 2020	Receipt during 2020	Total	Disposal during 2020	Pending at the end of 2020	No. of meetings
1.	Bangalore Rural	04	00	04	00	04	00
2.	Bangalore Urban	622	26	648	00	648	00
3.	Chikkaballapura	00	01	01	01	00	00
4.	Chitradurga	00	00	00	00	00	00
5.	Davanagere	00	03	03	03	00	03
6.	Kolar	07	16	23	16	07	00
7.	Ramanagara	00	01	01	00	01	00
8.	Shivamogga	15	06	21	00	21	01
9.	Tumkur	00	00	00	00	00	00
10.	Chamarajanagar	09	01	10	00	10	00
11.	Chikkamagalur	10	07	17	00	17	01
12.	Dakshina Kannada	40	02	42	00	42	00
13.	Hassan	25	00	25	00	25	00
14.	Kodagu	27	00	27	00	27	00
15.	Mandya	23	11	34	07	27	01
16.	Mysore	101	12	113	01	112	00
17.	Udupi	17	01	18	00	18	00
18.	Bagalkot	05	01	06	01	05	01
19.	Belagavi	23	04	27	00	27	01
20.	Bijapur	04	04	08	00	08	01
21.	Dharwad	34	02	36	00	36	00
22.	Gadag	00	02	02	00	02	00
23.	Haveri	00	00	00	00	00	00
24.	Uttara Kannada	09	01	10	00	10	00
25.	Bellary	00	05	05	00	05	01
26.	Bidar	14	02	16	00	16	00
27.	Koppal	11	06	17	00	17	00
28.	Kalaburagi	24	00	24	00	24	00
29.	Raichur	03	05	08	00	08	00
30.	Yadgir	00	00	00	00	00	00
Total		**1027**	**119**	**1146**	**29**	**1117**	**10**

* In 2020, there is vacant post of members in some of the district police complaint authorities, hence, no meetings were conducted. As a result, 1117 complaints are pending with the District Police Complaint Authorities.

****

ಪಂಕಜ. 27/2/24
ಅಧೀನ ಕಾರ್ಯದರ್ಶಿ (ಪ್ರ)

Annexure VIII

(*reference: paragraph 7.1*)

Position of the cases received by the State Police Complaints Authority during the year 2021

Sl. No.	District/City	Cases pending at the beginning of 2021	Cases received during 2021	Total No. of cases for consideration in 2021	Cases disposed off during 2021	Cases pending at the end of 2021
1.	Bengaluru District	184	168	352	21	331
2.	Bengaluru Rural District	2	11	13	2	11
3.	Chikkaballapura District	5	5	10	0	10
4.	Chitradurga District	0	5	5	1	4
5.	Davanagere District	2	10	12	0	12
6.	Kolar District	14	12	26	0	26
7.	Ramanagara District	2	6	8	1	7
8.	Shivamogga District	3	5	8	0	8
9.	Tumakuru District	7	20	27	3	24
10.	Chamarajanagar District	0	5	5	0	5
11.	Chikkamagalur District	3	6	9	0	9
12.	Dakshina Kannada District	5	4	9	1	8
13.	Hassan District	4	10	14	0	14
14.	Kodagu District	3	3	6	0	6
15.	Mandya District	5	17	22	0	22
16.	Mysuru District	30	24	54	2	52
17.	Udupi District	2	2	4	0	4
18.	Bagalkote District	7	6	13	1	12
19.	Belagavi District	15	14	29	0	29
20.	Vijayapura District	2	7	9	1	8
21.	Dharwad District	6	7	13	0	13
22.	Gadag District	0	1	1	1	0
23.	Haveri District	2	4	6	0	6
24.	Uttara Kannada District	8	4	12	0	12
25.	Ballari District	4	7	11	0	11
26.	Bidar District	2	5	7	0	7
27.	Koppal District	2	10	12	0	12
28.	Kalaburagi District	12	9	21	0	21
29.	Raichur District	1	7	8	1	7
30.	Yadgiri District	2	5	7	0	7
	Total	**334**	**399**	**733**	**35**	**698**

***In some of the District Police Complaints Authority, due to vacant post of the members, the meeting was not held.**

7/2/24
ಪಂಕಜ. ಎಂ
ಅಧೀನ ಕಾರ್ಯದರ್ಶಿ (ಪ್ರ)
ರಾಜ್ಯ ಪೊಲೀಸ್ ದೂರುಗಳ ಪ್ರಾಧಿಕಾರ

Annexure IX

(*reference: paragraph 8.1*)

Position of opening balance, receipt, disposal and pendency of the cases in the District Police Complaints Authorities during the year 2021

Sl. No	District	Pending at the beginning of 2021	Receipt during 2021	Total	Disposal during 2021	Pending at the end of 2021	No. of meetings
1.	Bangalore Rural	4	13	17	7	10	0
2.	Bangalore Urban	0	0	0	0	0	0
3.	Chikkaballapura	0	3	3	2	1	0
4.	Chitradurga	0	7	7	2	5	2
5.	Davanagere	0	2	2	2	1	2
6.	Kolar	5	18	23	10	13	0
7.	Ramanagara	1	8	9	3	6	0
8.	Shivamogga	21	10	31	13	18	2
9.	Tumkur	0	0	0	0	0	0
10.	Chamarajanagar	10	2	12	0	12	0
11.	Chikkamagalur	17	9	26	6	20	0
12.	Dakshina Kannada	39	6	45	0	45	0
13.	Hassan	25	8	33	0	33	0
14.	Kodagu	27	1	28	0	28	0
15.	Mandya	0	0	0	0	0	0
16.	Mysore	112	15	127	0	127	0
17.	Udupi	18	0	18	0	18	0
18.	Bagalkot	5	0	5	1	4	1
19.	Belagavi	17	19	36	5	31	0
20.	Vijayapur	8	4	12	8	4	10
21.	Dharwad	36	2	38	0	38	0
22.	Gadag	0	5	5	4	1	3
23.	Haveri	2	3	5	4	1	4
24.	Uttara Kannada	10	1	11	0	11	0
25.	Bellary	0	11	11	11	0	0
26.	Bidar	15	5	20	0	20	0
27.	Koppal	17	0	17	0	17	0
28.	Kalaburagi	24	7	31	0	31	0
29.	Raichur	8	8	16	12	4	1
30.	Yadgiri	0	0	0	0	0	0
Total		**421**	**167**	**588**	**90**	**498**	**25**

***In some of the District Police Complaints Authority, due to vacant post of the members, the meeting was not held.**

****

ಬಿ.ಕೆ.ಶಿವಕುಮಾರ್
ಅಧೀನ ಕಾರ್ಯದರ್ಶಿ (ಪ್ರ)
ರಾಜ್ಯ ಪೊಲೀಸ್ ದೂರುಗಳ ಪ್ರಾಧಿಕಾರ