

Police Complaints Authorities

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In news- Recently, the National Human Rights Commission (NHRC) asked the Union government and state governments to set up Police complaints authorities.

What is the Police Complaint Authority(PCA)?

- PCA is a body that **adjudicates allegations of improper or shoddy investigations, refusal to file FIRs, custodial torture grievous hurt, rape or death in police custody**
- It makes recommendations to the government for taking disciplinary action against erring police officers.
- In India, seventeen states have established the PCAs through State Police Acts, while ten states have done this through executive orders.

Key recommendations of NHRC-

- The NHRC has asked the Union Ministry of Home Affairs and the State Governments to set up Police Complaints Authorities as per the **Supreme Court judgment in Prakash Singh vs. Union of India, 2006.**
- The NHRC's core advisory group on criminal justice system reforms has said **there is an immediate need to set up police complaints authorities at the State/UT and district level.**
- The core group, which met on August 18, recommended to the MHA and the States that the **status of compliance should be displayed on the websites of the Ministry and the State Home Departments.**
- It also said the **MHA and the Law Ministry should consider implementing the recommendations of the 113th report of the Law Commission** to add Section 114 B to the Indian Evidence Act.
- This would ensure that in case a person sustains

injuries in police custody, it is presumed that the injuries were inflicted by the police and the burden of proof to explain the injury lies on the authority concerned.

- The core group also recommended making the **legal framework technology-friendly** to speed up the criminal justice system.
- It also recommended that the **Supreme Court's December 2020 order to instal CCTV cameras with night vision in all police stations should be "implemented immediately" to ensure accountability.**
- Among the recommendations were the **involvement of trained social workers and law students with police stations as part of community policing** and incorporating community policing in police manuals, laws and advisories.

Current status-

According to data provided by the Home Ministry to the Lok Sabha in March, 16 States and UTs had implemented police complaints boards.

Law commission of India

- It is an executive body established by an order of the Government of India.
- Its major function is to work for legal reform. Its membership primarily comprises legal experts, who are entrusted with a mandate by the Government.

Section 114B of the Indian Evidence Act

- It was originally passed in India by the Imperial Legislative Council in 1872, during the British Raj.
- It contains a set of rules and allied issues governing admissibility of evidence in the Indian courts of law
- The law is mainly based upon the firm work by Sir James Fitzjames Stephen, who could be called the founding

father of this comprehensive piece of legislation.