

Mobile towers erected by Pakistan in border areas

‡2574. MS. SUSHILA TIRIYA: Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether Government is aware of that Pakistan has erected nine mobile towers in the border areas to strengthen its network there;

(b) whether it is also a fact that Pak mobile signals are reaching in the Indian territory;

(c) whether it is also a fact that threat of breach of security has risen due to Pakistan's mobile network;

(d) whether the officers of the Department of Telecommunication have conducted any enquiry into this matter; and

(e) if so, the details thereof and the steps being taken by Government to deal with this situation?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRIMATI RADHIKA V. SELVI): (a) Yes, Madam. Government is aware that Pakistan have erected nine mobile towers in its territory along the border areas.

(b) Yes, Madam. Pakistani mobile signals are reaching in the Indian territory.

(c) The reach of Pakistani mobile signals in the Indian territory have security related implications.

(d) and (e) A survey was conducted in February, 2008 at 44 locations on the Indian side of Indo-Pak Border by the Vigilance and Telecom Monitoring Cell of Department of Telecommunication to ascertain the extent of reach of Pakistani mobile signals in the Indian territory. It has been found that at 39 locations, Pakistani mobile signals reach Indian territory. Necessary remedial steps are taken from time to time to deal with the situation.

197th Report on Public Prosecutor's Appointments

2575. SHRI SHANTARAM LAXMAN NAIK: Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether Government has examined the 197th Report on Public Prosecutor's appointments;

(b) what were the main recommendations of the Report;

(c) the details of recommendations accepted by Government for implementations;

(d) the details of recommendations implemented; and

(e) the details of recommendations proposed to be implemented?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRIMATI RADHIKA V SELVI): (a) to (e) The 197th Report of Law Commission on Public Prosecutor's Appointments was laid in Lok Sabha on 7.9.2007 and in Rajya Sabha on 19.11.2007. The salient features of the recommendations of the Law Commission are given in Statement (*See* below). Since the Criminal Law and Criminal Procedure are on the Concurrent List of the

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Seventh Schedule to the Constitution of India this requires consultation with State Governments and Union Territory Administrations. The Report has been referred to all the State Governments and Union Territories Administrations for their comments/views. No time frame can be fixed in this regard.

Statement

The salient features of the recommendations of the 197/A Report of the Law Commission of India, inter alia, are as follows:

- (i) Filling posts of Public Prosecutors and Additional Public Prosecutors in Sessions Court under Section 24(4) from among members of the Bar who have had experience in conducting Sessions cases is more in the interests of the prosecution system and in the public interest. The law must expressly provide that the Sessions Judge must give weight to experience in conducting Sessions cases and to good character while selecting members of the Bar.
- (ii) A combination of appointments from (a) among Assistant Public Prosecutors belonging to the cadre of prosecuting officers, with a long period of service and (b) of direct recruitment on contract basis from the Bar from among those who have conducted Sessions cases, is necessary and will be a fair and efficient prosecution system. The ratio between the two sources to the post of Additional Public Prosecutors must be 50% to 50%.
- (iii) The post of Public Prosecutor in the District must always be manned by a member of the Bar who has been empanelled by the District Magistrate in consultation with the Sessions Judge;
- (iv) It must be ensured that those Assistant Public Prosecutors empanelled for appointment to the posts of Additional Public Prosecutors are properly screened by way of an interview by a State level Committee consisting of a retired High Court Judge or a sitting High Court Judge, nominated by the Chief Justice of the High Court of the State and Secretary to the State Government, the Law Secretary and the Director of Prosecution.

Custodial deaths

† 2576. MS. SUSHILA TIRIYA: Will the Minister of HOME AFFAIRS be pleased to state:

(a) the number of persons died under police custody during the year 2007-08 in Uttar Pradesh, Madhya Pradesh, Rajasthan, Chhattisgarh and Orissa;

(b) the action taken against the guilty police personnels; and

(c) the steps taken by Government to prevent such incidents in future?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI SHRIPRAKASH JAISWAL): (a) As per information available with National Human Rights Commission (NHRC), the number of persons died in Uttar Pradesh, Madhya Pradesh, Rajasthan, Chhattisgarh and Orissa under police custody during the year 2007-08, are as under:

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