

Code of conduct to prevent misuse of power by police

2634. SHRI RAJ KUMAR DHOOT: Will the Minister of HOME AFFAIRS be pleased to state:

- (a) whether it is a fact that there are laws against cruelty towards animals but there is no check against cruelty by police when they insult and beat mercilessly any suspect in public;
- (b) the number of such incidents of cruelty and atrocity by police brought to notice by media during 2009-10 and action taken against guilty officers in each case;
- (c) is there any code of conduct to prevent misuse of power by police; and
- (d) if so, the details thereof and the authority responsible for its implementation?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI MULLAPPALLY RAMACHANDRAN): (a) Any act involving use of unlawful force by a police officer is an offence and punishable under the Indian Penal Code, 1860 and the Code of Criminal Procedure (Amendment) Act, 2005.

(b) As per the Seventh Schedule of the Constitution of India, 'Police' is a State subject and it is primarily the responsibility of the State Government to ensure safety and security of their people and take action against the erring police men in such cases. No such data is maintained centrally.

(c) and (d) Police powers are limited by the provisions of the Constitution, the Police Act, the Criminal Procedure Code, the Evidence Act etc. In case of violation of human rights, Courts have the power to demand accountability from the Police. Besides, the above, the aggrieved person/accused can approach State Human Rights Commission or National Human Rights Commission.

White paper on investigation into bomb blasts

2635. SHRI SHYAMAL CHAKRABORTY: Will the Minister of HOME AFFAIRS be pleased to state:

- (a) what is the status of the investigation into terror perpetrated by Hindu fanatics that is linked to several blasts like Malegaon, Mecca Masjid blast in Hyderabad and other places in the country;

- (b) whether Government has contemplated to bring out a White Paper in this connection;
- (c) if so, by when; and
- (d) if not, the reasons therefor?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI AJAY MAKEN): (a) Anti-Terrorism Squad (ATS), Rajasthan is investigating the bomb blast at the Ajmer Sharief Dargah in which three persons have been arrested. The Malegaon bomb blast case of 2008, has been investigated by Anti-Terrorism Squad (ATS), Maharashtra. In this case, 11 accused have been arrested and 3 accused are wanted. ATS, Maharashtra has filed charge sheet in this case on 20.1.2009. The National Investigation Agency (NIA) has conducted investigation in the Goa bomb blast case and charge sheet has been filed on 14.5.2010. The Mecca Masjid blast case is under investigation by the Central Bureau of Investigation (CBI). CBI has arrested 2 accused person against production warrants.

- (b) There is no such proposal.
- (c) Does not arise.
- (d) The situation does not warrant issuance of White Paper by the Government.

Increase in communal clashes

2636. DR. GYAN PRAKASH PILANIA: Will the Minister of HOME AFFAIRS be pleased to refer to answer to Unstarred Question 2006 given in the Rajya Sabha on 22 July, 2009 and state:

- (a) whether communal incidents in the country continued to increase during 2006 to 2008 being 679, 761, 943 respectively and what was scenario during 2009, State-wise; and
- (b) which were three worst affected States?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI AJAY MAKEN): (a) As per available information, the number of communal incidents in the country in the years 2007 and 2008 registered increase over preceding year due mainly to violence in the State of Orissa in those years. In 2009, the number of communal incidents in the country was 849 showing a decline from preceding year. The State-wise communal incidents in 2009 are given in the Statement (See below).