

## Minutes of Meeting of NCHSE Environment Helpline held on 31<sup>st</sup> March 2018

The meeting was chaired by Mrs Nirmala Buch, Former Chief Secretary of Madhya Pradesh & Chairperson, NCHSE. Former Senior Bureaucrats, Professionals, Academicians, Architects, Planners, Engineers, Journalists, Advocate, Doctor, Sector specialists and NGO representatives were also present. The list of participants is at Annex –I.

In the meeting following issues were discussed:

1. The issues emerging due to proposal of the State Government to promulgate the Madhya Pradesh Jan Suraksha evam Sanarksha Viniyaman Vidheyak 2018 (hereinafter “Public Security Act”), and
2. Proposal of introduction of Police Commissioner System in two cities of Madhya Pradesh.

Initiating the discussion, Mrs Buch said that for quite some time we are hearing about government’s proposals on improving the Law & order situation in the state through the introduction of the Public Security Act in the whole state and the Police Commissioner system in two cities of the state. She further said that it is being told that these initiatives are aimed at providing more powers to the police. The bill allows them to enter any premises any time of the day or night. She further said that we received information on these initiatives mostly from the media, but no confirmation from the government. Therefore, it has become a matter of great concern for the peace loving citizens of the state.

Shri Narendra Prasad, Former DGP of Madhya Pradesh said that media report regarding the Police Commissioner System is misleading. Shri L S Hardenia suggested that we must create awareness among the citizens about the proposed steps of the state government in the name of restoring law and order situation in the state. Questions were also raised as to the need for such steps for a state which is normally categorised as peaceful.

Deliberations on the two issues are as follows:

### **1. The Public Security Act:**

On the issue of Public Security Act, Mrs Buch said that the proposed Act is not acceptable, since it is in contravention of the constitutional right of privacy of the citizens. Apprehension was also raised about likely misuse of power and harassment of the people. Members were of the view that the IPC has various provisions for the police to take preventive action to restore law and order situation. Therefore there is no need for a separate act.

Prof H M Mishra pointed out that on implementation of Public Security Act, all powers will be transferred to the police overriding the powers of local elected bodies and thereby it will be contravention of constitutional rights of the local bodies under the 74<sup>th</sup> constitutional amendment. He further suggested that State government may consider constituting the

Metropolitan Planning Committee having experts of relevant fields and citizens as members as per constitutional mandate rather than go for the Public security Act.

Mr. Rakesh Dewan pointed out that due to political interference with the working of the Police, criminal activities in the state has increased. Criminals have become fearless. Therefore, there is need for removing political interference. He also pointed out that the living condition of lower level police personnel is not good. This along with long hours of duty impacts on their behaviour, which some time are not citizen friendly. Therefore there is need for strengthening the existing Police administration at the Thana and below through improving the working and living conditions of lower level Police staff.

## **2. Police Commissioner System :**

In the meeting question were raised on why the talk of introduction of Police Commissioner System when the State is bound for assembly election. Mr Arun Gurtoo, Former DGP of Madhya Pradesh informed that in several cities of India Police Commissioner System have been adopted successfully to prevent deterioration of law and order situation. Others pointed out that the objective of new system is to entrust more power to a single officer. At present this power is being shared by the District Magistrate and the Superintendent of Police.

Mrs Buch pointed out that unilateral decision of the government to implement the system is not good. She further stressed that every new system may have various counter acting aspects, which need to be reviewed and brought before the public for their feedback. She further suggested that the system should not be implemented in haste, and after analysing experience elsewhere through visits and thorough review of the feedback received from the public the matter may be considered, may be after the election.

After deliberations, it was decided that Chief Minister may be requested to drop the proposal of enactment of Public Security Act immediately and defer the decision on Police Commissioner System until the Assembly Election citing views of the citizens.

Meeting ended with vote of thanks to all.

**Annexure –I**

List of participants of the meeting held on 31st March 2018

1. Mrs Nirmala Buch, Former Chief Secretary, Madhya Pradesh & Chairperson, NCHSE, Bhopal
2. Shri Arun Gurtoo, Former DGP, Madhya Pradesh
3. Shri Narendra Prasad, Former DGP, Madhya Pradesh
4. Shri L.S. Hardenia, Senior Journalist
5. Shri Rakesh Dewan , Senior Journalist
6. Mrs ( Dr.) Sheela Bhambhal, Physician
7. Shri Shasidhar Kapur, Senior Journalist & writer
8. Shri Rajendra Kothari, Engineer & Social Activist
9. Shri Harish Bhawnani, Engineer and Convenor, Citizen Forum
10. Prof Savita Raje, Architect & Planner
11. Ms Varsha Naolekar, Architect & Planner
12. Shri Ajay Kataria, Architect, Bhopal
13. Shri Awnish Saxena, Architect, Bhopal
14. Prof H. M Mishra, Sociologist & Expert on Governance
15. Dr. Sudesh Waghmare, Forestry & wild life expert & Advocate
16. Shri R K Dixit, Forestry Expert
17. Ms. Rashmi Saraswat, General Secretary, Mahila Chetna Manch, Bhopal
18. Shri Raghuraj Singh, MCM, Bhopal
19. Shri Neelesh Dubey, Child Rights Activist
20. Shri Rajeev Soni, Journalist
21. Ms Rubi Sarkar, Journalist
22. Dr. Pradip Nandi, Environmentalist, NCHSE, Bhopal
23. Shri Avinash Shrivastava, Dy Director (Computer expert), NCHSE