

## APPOINTMENT OF DGP – POLITY

NEWS: The Union Government has notified a **Single Window System** for appointing **State Director-General of Police/Head of Police Force**.

WHAT'S IN THE NEWS?

### Background and Context

- The **new policy effective from April 22, 2025**, is introduced in response to the **non-compliance by several States** with the Supreme Court's directions in the *Prakash Singh v. Union of India* case (2006) and the Ministry of Home Affairs (MHA) guidelines related to DGP/HoPF appointments.
- The initiative aims to bring **uniformity, transparency, and accountability** in the process of appointing the heads of police forces in States and Union Territories.

### Objective of the New Policy

- The primary objective is to **streamline and standardize** the empanelment process of **Directors General of Police (DGPs)** and **Heads of Police Forces (HoPF)** by various States before final selection by the Union Public Service Commission (UPSC).

### Key Features of the Policy

- **Standardized Formats:** Introduction of a **detailed checklist** and **uniform formats** to be used by States while submitting proposals for empanelment.
- **Streamlined Process:** Designed to ensure a **quick, smooth, and consistent empanelment process** through UPSC, reducing bureaucratic delays.
- **Fixing Responsibility:** A **Secretary-rank officer** must now certify the **eligibility and residual tenure** of the officers being proposed for empanelment.
- **Composition of Empanelment Committee:**
  - Chaired by the **Chairperson of UPSC**.
  - Includes **Union Home Secretary, Chief Secretary of the State, State DGP**, and a senior officer from Central Police Organisations or Central paramilitary forces.

### Eligibility Conditions (Based on SC and MHA Guidelines)

- Officers being considered must have a **minimum residual service of 6 months** from the date of the anticipated vacancy.
- States must send their proposals **at least 3 months in advance** of the DGP/HoPF post falling vacant to ensure timely empanelment.

### Control and Superintendence Over State Police

- Under the **Seventh Schedule** of the Constitution, **"Police" is a State subject**, meaning that States have primary control over their police forces.

- At the **district level**, the **District Magistrate (DM)** supervises the police through the **dual system of control**, where both the DM and the Superintendent of Police (SP) hold authority.
- In **urban areas**, the **Commissionerate system** is followed, where executive and policing powers are combined under the Police Commissioner for faster decision-making.

### Recruitment and Promotion in Police Forces

- **State Governments** directly recruit personnel for ranks like **Constables**, **Sub-Inspectors**, and **Deputy Superintendents of Police (DySP)**.
- The **Central Government** recruits **IPS officers** through UPSC for appointment at the rank of **Assistant SP**; IPS is an **All-India Service** created under Article 312 of the Constitution.
- **Promotions** are used to fill many of the senior positions, including higher Sub-Inspector and DySP ranks.

### Supreme Court Directions in Prakash Singh Case (2006)

- The SC issued **seven directives** to depoliticize and professionalize the police:
  - **State Security Commission**: To ensure police operate independently of political influence and improve accountability.
  - **Police Establishment Board**: To decide transfers, postings, and promotions for officers below DySP, and make recommendations for higher ranks.
  - **Police Complaints Authorities**: To address public complaints regarding serious misconduct or abuse by police.
  - **Fixed Tenure**: Minimum 2-year tenure for DGPs and other key officers to prevent arbitrary transfers.
  - **DGP Appointment Guidelines**: To select DGP from the top 3 officers empanelled by UPSC, based on merit, seniority, and experience.
  - **Separation of Functions**: Investigation functions should be separated from law and order duties to ensure professionalism and efficiency.
  - **National Security Commission**: To handle appointments of Chiefs of Central Armed Police Forces (CAPFs).

### Need for Police Reforms

- **Colonial Legacy**: The **Police Act of 1861**, designed for colonial rule, still governs policing, which is unsuitable for a democratic society.
- **Political Interference**: Widespread political influence in transfers and promotions undermines police neutrality.
- **Custodial Deaths**: Rising cases of custodial violence and deaths have triggered concerns about accountability and misuse of power.

- The **D.K. Basu judgment (1996–1997)** laid down **guidelines** to prevent custodial torture and deaths.
- **Inadequate Training:** Police training remains outdated with inadequate focus on **human rights, ethics, technology, and community engagement**.
- **Delay in Implementation:** Most reform directives (including those from the SC) remain **poorly implemented**, with patchy compliance by States.

### Expert Bodies Supporting Reforms

- Several expert bodies, including the **2nd Administrative Reforms Commission (ARC)**, have emphasized that **police reforms are vital** for improving governance, rule of law, and public trust.
- The **Malimath Committee, Ribeiro Committee, and National Police Commission** have all made recommendations aligned with the *Prakash Singh* directives.

### Conclusion

- Police reforms, especially the implementation of the **Prakash Singh judgment**, are essential for building a **transparent, professional, and accountable police force**.
- Despite judicial directives and expert reports, **progress remains uneven** across States.
- The **new DGP empanelment policy of 2025** is a step toward better compliance, but its success will depend on the **political will of States** and **monitoring by the Centre and Judiciary**.

Source: [https://www.thehindu.com/news/national/centre-notifies-single-window-system-for-appointing-state-dgps/article69869239.ece#:~:text=The%20Single%20Window%20System%20comprises,UPSC\)%2C%20police%20sources%20said.](https://www.thehindu.com/news/national/centre-notifies-single-window-system-for-appointing-state-dgps/article69869239.ece#:~:text=The%20Single%20Window%20System%20comprises,UPSC)%2C%20police%20sources%20said.)