

2025:PHHC:064285



**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

- | | | |
|------------|--|-----------------------------------|
| (1) | | CRWP-5521-2021 |
| | Kamla Devi | ...Petitioner |
| | Versus | |
| | State of Punjab and others | ...Respondents |
| (2) | | CRWP-6437-2021 |
| | Satyawan | ...Petitioner |
| | Versus | |
| | State of Haryana and others | ...Respondents |
| (3) | | CRM-M-43672-2021 (O&M) |
| | Kaushal | ...Petitioner |
| | Versus | |
| | State of Haryana and others | ...Respondents |
| (4) | | CRWP-9160-2021 |
| | Gurdeep Singh @ Bittu Wallaitia | ...Petitioner |
| | Versus | |
| | State of Punjab and others | ...Respondents |
| (5) | | CRWP-8209-2022 |
| | Sarmukh Singh | ...Petitioner |
| | Versus | |
| | State of Punjab and others | ...Respondents |
| (6) | | CRWP-480-2021 |
| | Avtar Singh@ Laddi | ...Petitioner |
| | Versus | |
| | State of Punjab and others | ...Respondents |
| (7) | | CRWP-8966-2021 |
| | Surjit Singh | ...Petitioner |
| | Versus | |
| | State of Punjab and others | ...Respondents |

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(8)

CRWP-737-2022

Vijay Kumar @ Gavy @ Gyani

...Petitioner

Versus

State of Punjab and others

...Respondents

DATE OF DECISION: JANUARY 16, 2025

Coram : Hon'ble Mr. Justice Rajesh Bhardwaj

Present: Mr. Amandeep S. Jawanda, Advocate,
for the petitioner in CRWP-5521-2021.

Ms. Samridhi Jain, Advocate, for
Mr. Sourabh Goel, Advocate,
for the petitioner I CRWP-6437-2021.

Mr. Nikhil Ghai, Advocate, and
Mr. Manwant Chabba, Advocate,
for the petitioner in CRM-M-4372-2021.

Mr. Vipul Jindal, Advocate,
for the petitioners in CRWP Nos.9160, 480 & 8966 of 2021;
CRWP Nos.8209 and 737 of 2022.

Mr. J.S.Arora, DAG, Punjab.

Mr. Deepak Shabarwal, Addl. A.G., Haryana, and
Mr. Vijesh Sharma, Addl. A.G., Haryana, and
Mr. Kirpal Singh Thakur, AAG, Haryana.

Mr. Rajeev Anand, Addl. P.P., Chandigarh.

Rajesh Bhardwaj, J. (Oral)

1. By way of this order, I shall dispose of eight captioned petitions as common questions of law and facts are involved in all these cases.

2. During proceedings of the main case, the issue regarding installation of CCTV cameras on entry and exit point of all police stations in the States of Punjab, Haryana and Union Territory, Chandigarh arose in view of the directions issued by Hon'ble the Supreme Court in the case of **Paramvir Singh Saini vs. Baljit Singh**, 2021(1) SCC (CrI) 470. The relevant extract of the said judgment is reproduced here-as-under:-

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“14. The duty and responsibility for the working, maintenance and recording of CCTVs shall be that of the SHO of the police station concerned. It shall be the duty and obligation of the SHO to immediately report to the DLOC any fault with the equipment or malfunctioning of CCTVs. If the CCTVs are not functioning in a particular police station, the SHO concerned shall inform the DLOC of the arrest/interrogations carried out in that police station during the said period and forward the said record to the DLOC. If the SHO concerned has reported malfunctioning or non-functioning of CCTVs of a particular Police Station, the DLOC shall immediately request the SLOC for repair and purchase of the equipment, which shall be done immediately.

15. The Director General/Inspector General of Police of each State and Union Territory should issue directions to the person in charge of a Police Station to entrust the SHO of the Police Station concerned with the responsibility of assessing the working condition of the CCTV cameras installed in the police station and also to take corrective action to restore the functioning of all non-functional CCTV cameras. The SHO should also be made responsible for CCTV data maintenance, backup of data, fault rectification etc.

16. The State and Union Territory Governments should ensure that CCTV cameras are installed in each and every Police Station functioning in the respective State and/or Union Territory. Further, in order to ensure that no part of a Police Station is left uncovered, it is imperative to ensure that CCTV cameras are installed at all entry and exit points; main gate of the police station; all lock-ups; all corridors; lobby/the reception area; all verandahs/outhouses, Inspector's room; Sub-Inspector's room; areas outside the lock-up room; station hall; in front of the police station compound; outside (not inside) washrooms/toilets; Duty Officer's room; back part of the police station etc.

17. CCTV systems that have to be installed must be equipped with night vision and must necessarily consist of audio as well as video footage. In areas in which there is either no electricity and/or internet, it shall be the duty of the States/Union Territories to provide the same as expeditiously as possible using any mode of providing

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electricity, including solar/wind power. The internet systems that are provided must also be systems which provide clear image resolutions and audio. Most important of all is the storage of CCTV camera footage which can be done in digital video recorders and/or network video recorders. CCTV cameras must then be installed with such recording systems so that the data that is stored thereon shall be preserved for a period of 18 months. If the recording equipment, available in the market today, does not have the capacity to keep the recording for 18 months but for a lesser period of time, it shall be mandatory for all States, Union Territories and the Central Government to purchase one which allows storage for the maximum period possible, and, in any case, not below 1 year. It is also made clear that this will be reviewed by all the States so as to purchase equipment which is able to store the data for 18 months as soon as it is commercially available in the market. The affidavit of compliance to be filed by all States and Union Territories and Central Government shall clearly indicate that the best equipment available as of date has been purchased.

18. Whenever there is information of force being used at police stations resulting in serious injury and/or custodial deaths, it is necessary that persons be free to complain for a redressal of the same. Such complaints may not only be made to the State Human Rights Commission, which is then to utilise its powers, more particularly under Sections 17 and 18 of the Protection of Human Rights Act, 1993, for redressal of such complaints, but also to Human Rights Courts, which must then be set up in each District of every State/Union Territory under Section 30 of the aforesaid Act. The Commission/Court can then immediately summon CCTV camera footage in relation to the incident for its safe keeping, which may then be made available to an investigation agency in order to further process the complaint made to it.

19. The Union of India is also to file an affidavit in which it will update this Court on the constitution and workings of the Central Oversight Body, giving full particulars thereof. In addition, the Union of India is also directed to install CCTV cameras and recording equipment in the offices of:

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- (i) Central Bureau of Investigation (CBI)*
- (ii) National Investigation Agency (NIA)*
- (iii) Enforcement Directorate (ED)*
- (iv) Narcotics Control Bureau (NCB)*
- (v) Department of Revenue Intelligence (DRI)*
- (vi) Serious Fraud Investigation Office (SFIO)*
- (vii) Any other agency which carries out interrogations and has the power of arrest.*

As most of these agencies carry out interrogation in their office(s), CCTVs shall be compulsorily installed in all offices where such interrogation and holding of accused takes place in the same manner as it would in a police station.

The COB shall perform the same function as the SLOC for the offices of investigative/enforcement agencies mentioned above both in Delhi and outside Delhi wherever they be located.

20. The SLOC and the COB (where applicable) shall give directions to all Police Stations, investigative/enforcement agencies to prominently display at the entrance and inside the police stations/offices of investigative/enforcement agencies about the coverage of the concerned premises by CCTV. This shall be done by large posters in English, Hindi and vernacular language. In addition to the above, it shall be clearly mentioned therein that a person has a right to complain about human rights violations to the National/State Human Rights Commission, Human Rights Court or the Superintendent of Police or any other authority empowered to take cognizance of an offence. It shall further mention that CCTV footage is preserved for a certain minimum time period, which shall not be less than six months, and the victim has a right to have the same secured in the event of violation of his human rights.

21. Since these directions are in furtherance of the fundamental rights of each citizen of India guaranteed under Article 21 of the Constitution of India, and since nothing substantial has been done in this regard for a period of over 2½ years since our first Order dated 03.04.2018, the Executive/Administrative/police authorities are to implement this Order both in letter and in spirit as soon as possible. Affidavits will be filed by the Principal Secretary/Cabinet

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Secretary/Home Secretary of each State/ Union Territory giving this Court a firm action plan with exact timelines for compliance with today's Order. This is to be done within a period of six weeks from today.

22. We record our gratitude to Shri Siddhartha Dave, learned Amicus Curiae, for rendering his services to this Court."

3. This Court, in pursuance of the interim order passed on 27.07.2021, sought affidavits from the respondent-States regarding compliance of the aforesaid directions passed by Hon'ble the Supreme Court regarding installation of CCTV cameras on entry and exit points of all police stations in their respective jurisdictions and further directions were issued by this Court from time to time for compliance of the aforesaid directions.

4. Later on time, the affidavits were filed by the respective States and on examining the same, further directions were given by this Court from time to time for installation of CCTV cameras in accordance with the norms fixed by Hon'ble the Supreme Court while strictly adhering to the storage capacity, power back up by making suitable capacity invertors and also with regard to periodical repair/maintenance of these CCTVs/Inverters. Thereafter, the States of Punjab, Haryana and Union Territory, Chandigarh further filed their respective affidavits by submitting their action taken reports for compliance of the directions issued by Hon'ble the Supreme Court in **Parminder Singh Saini's case (supra)** as well as by this Court while passing various orders. The action taken reports with regard to installation & recording capacity of CCTV cameras, power back up by installation of inverters and periodical repair/maintenance of CCTV cameras and inverters, emerging out from the various affidavits filed by the State authorities, are culled out as under:-

COMPLIANCE REPORT/ACTION TAKEN REPORT BY
THE STATE OF PUNJAB

Affidavit dated 13.11.2023

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4. *That PHHC has informed as under:-*
- (i) *The process of installation of CCTV Cameras in 423 Police Stations has been completed by the implementing/working agency M/s TCIL.*
 - (ii) *The work of installation of CCTV Cameras in 31 CIA Staff premises has also been completed.*
 - (iii) *The work of installation of CCTV Cameras has been completed in 153 Police Posts.*
- All work of installation of CCTV Cameras has been completed by the implementing/working agency M/s TCIL.”*

Affidavit dated 10.01.2024

- “3. *That in compliance with the aforesaid order dated 14.11.2023 passed by this Hon’ble Court, information has been obtained from Punjab Police Housing Corporation Ltd. (PPHC) vide their office Ref. No.210/PPHC/Works dated 08.01.2024.*
4. *That PPHC has informed as under:-*
- (i) ***CCTV Cameras have been made in operational in 423 Police Stations, 31 CIA offices and 153 Police Posts, as per lists sent vide letter no.1080/PPHC/Works dated 11.11.2023.***
 - ii) ***Provision for recording of CCTV cameras for 18 months has been made, at each location.***
 - (iii) ***The working agency M/s TCIL has to keep operational/maintain the CCTV system for 3 year, after completion of work.”***

Affidavit dated 19.10.2024

“2. *That on the last date of hearing on 03.09.2024 in the present petition, the following order was passed by this Hon’ble Court:-*

“Precise contention raised by learned counsel for the petitioner(s) is that the status report filed by the learned State counsel is silent regarding the power backup of CCTV camera installed as directed by this Court vide order dated 15.11.2021.

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Learned State counsel seeks time to file an additional affidavit regarding the same.

On his request, adjourned to 21.10.2024.

A photocopy of this order be placed on the files of connected cases.”

3. *That in compliance with the aforesaid order dated 03.09.2024 passed by this Hon’ble Court, information has been obtained from Punjab Police Housing Corporation Ltd. (PPHC) vide their reference No.4182/PPHC/Works dated 19.09.2024.*

4. ***That PPHC has informed that provision for 10 hour battery back-up is available at each location where cameras have been installed at Police Stations, CIA Staff premises and Police Posts in the State of Punjab. A translated copy of the aforesaid reference dated 19.09.2024 is enclosed and marked as ANNEXURE R-1.”***

**COMPLIANCE REPORT/ACTION TAKEN REPORT BY
THE STATE OF HARYANA**

Affidavit dated 04.10.2023

4. *That the project of installation of CCTV Cameras in all Police Stations and Police Posts is being implementing by the Haryana Police Housing Corporation which has submitted its report vide memo No.HPHCD/Tech. Br./PKL 20719 dated 27.09.2023 and 29.09.2023. As per the report, CCTV Cameras at 216 Police Stations and 303 Police Posts have been installed. However, presently all CCTV’s are not in working condition and recording is not available yet as per agreement and the system is in testing stage. Further, installation work of CCTV at remaining Police Stations and Police Posts is in progress. The duration of CCTV cameras recording i.e. storage capacity shall be 18 months once the system go-live. Besides, as per agreement the operation and maintenance of CCTV’s for a period of 5 years is under the scope of agreement with the Contractual Agency i.e. M/s Broadcast Engineering Consultant India Ltd. C-56/A 17, Sector-62, Noida, UP.*

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**Affidavit dated 05.01.2024**

4. That the CCTV cameras have already been installed in all the Police Stations and Police Posts in the State. The project for installation of CCTV Cameras in all Police Stations and Police Posts was assigned to Haryana Police Housing Corporation. The Haryana Police Housing Corporation has awarded the work contract to M/s Broadcast Engineering Consultants India Limited, Noida (BECIL).

5. That Managing Director, Haryana Police Housing Corporation vide letter No.HPHC/Tech. Br./PKL/31768 dated 26.12.2023 has sent a report alongwith latest information received from the contractor firm vide letter dated 20.11.2023 and reply to observations made by this Hon'ble Court in its order dated 21.08.2023 is as under:-

- (i) CCTV Cameras at all locations have been installed. However, the same are under testing and commissioning phase.
- (ii) The system is being provided with a storage of 18 months as per the Hon'ble Supreme Court guidelines & RFP requirements.
- (iii) The contract signed between HPHC and BECIL includes the comprehensive annual maintenance of 5 years after Go-Live.

Affidavit dated 18.10.2024

2. That it is submitted that CCTV Cameras have been installed in all Police Stations and Police Posts in compliance with order dated 02.12.2020 passed by Hon'ble Supreme Court of India in SLP (Crl.) No.3543 of 2020-Paramvir Singh Saini vs. Baljit Singh and others through Haryana Police Housing Corporation Limited, Panchkula and the project has been implemented by M/s Broadcast Engineering Consultants India Limited, Noida, U.P.

3. That it is submitted that as per the report received from Haryana Police Housing Corporation Limited, Panchkula vide their memo. No.HPHC/Tech.Br./PKL 15666 dated 14.10.2024,

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online UPS of capacity 5 KVA with power backup of 10 hours for Police Station and 2 KVA online UPS with power backup of 10 hours for Police Posts has been provided for the said CCTV project.

That the above report is being submitted in compliance of the directions dated 03.09.2024 passed by this Hon’ble Court.”

**COMPLIANCE REPORT/ACTION TAKEN REPORT BY
THE UNION TERRITORY, CHANDIGARH**

Affidavit dated 10.10.2023

3. That it is submitted that in compliance of the order dated 21.08.2023 passed by the Hon’ble High Court, it is submitted that all the cameras/CCTV are in working condition and the storage capacity of the said camera recording is 18 months. Furthermore, there is a five year Annual Maintenance Contract agreement of the project for repair/maintenance of CCTV cameras on periodic basis with Smart City Limited, Chandigarh. The information sought by the UT, Chandigarh is provided here as under:-

<i>S.No.</i>	<i>Information Sought</i>	<i>Reply</i>
<i>1.</i>	<i>Whether all the Cameras/CCTV are in working condition?</i>	<i>Yes, all the cameras are in working order.</i>
<i>2.</i>	<i>What is the duration of CCTV cameras recording i.e. storage capacity?</i>	<i>18 months</i>
<i>3.</i>	<i>What arrangements/agreements have been made for proper repair/maintenance of CCTV cameras on periodical basis i.e. Annual Maintenance Agreements?</i>	<i>There is a five year Annual Maintenance Contract (AMC) agreement of the project for repair/maintenance of CCTV cameras on periodic basis with Smart City Limited, Chandigarh.</i>

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4. That it is submitted that the State of UT, Chandigarh, also filed a detailed affidavit dated 17.07.2023 before the Hon'ble Supreme Court in "**SLP (CRL) NO.3543 of 2020 titled Paramvir Singh Saini vs. Baljit Singh and others**" in compliance of order dated 18.04.2023. The true copy of the affidavit dated 17.07.2023 is annexed herewith as Annexure R-1.

5. That the Respondent UT Chandigarh is duty bound to comply with the directions issued in "**Paramvir Singh Saini vs. Baljit Singh and others (2021) 1 SCC 184**" and is under time bound process to comply with the same in letter and spirit."

Affidavit dated 19.10.2024

3. That it is submitted that in compliance of the order dated 03.09.2024 passed by the Hon'ble High Court, it is submitted that report has been obtained from concern i.e. Chandigarh Smart City Ltd. through Incharge, Police Command & Control Centre (PCCC) Sector 17, Chandigarh that all the cameras/CCTV in Police Stations were installed in the year 2022 and were made operation on 01.09.2022. Furthermore, most importantly in regards to query put up by the Hon'ble High Court regarding Power backup of CCTV Cameras, it is relevant to mention here that , **all cameras installed has a maximum power-backup of 4 hours in case of any electricity cut/shortage.**

4. That the Respondent Police Authorities are duty bound and further undertake to carry out all the directions as and when issued by this Hon'ble Court."

5. Finally, on appreciating various affidavits/status reports filed by the States, it transpires that the directions of Hon'ble the Supreme Court in **Paramvir Singh Saini's case (supra)** with regard to installation of CCTV cameras on entry and exit point of all police stations in the States of Punjab, Haryana and Union Territory, Chandigarh, recording capacity of CCTV cameras, power back up by installation of inverters and periodical repair/maintenance of CCTV cameras and inverters have been complied with.

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Furthermore, the case of **Paramvir Singh Saini's case (supra)** is still pending adjudication before Hon'ble the Supreme Court who is strictly monitoring the aforesaid task.

6. In view of the above, no further directions need to be issued in all these petitions and hence, the same are disposed of in view of the compliance reports submitted by way of various affidavits by the States of Punjab, Haryana and the Union Territory, Chandigarh. Besides, it is made clear that the States of Punjab, Haryana and the Union Territory, Chandigarh shall be bound by the undertakings given in their respective affidavits, which shall be treated as part of this order.

7. A photocopy of this order be placed on the files of all other connected cases.

January 16, 2025
vinod*

(Rajesh Bhardwaj)
Judge

Whether Speaking/Reasoned: NO/YES
Whether Reportable: NO/YES