

(3) Whistle Blowers Policy - affidavit (1)
Chandigarh Administration

In the High Court of Punjab and Haryana Chandigarh.
CWP No.832 of 2010

H.C. Arora

.....Appellant

Vs.

State of Punjab and others.

.....Respondent

Short reply on behalf of Chandigarh Administration
(Respondent No.3) by way of affidavit of Abhishek Dev,
IAS, Joint Secretary Home, Chandigarh Administration.

I Abhishek Dev, IAS, Joint Secretary Home, Chandigarh
Administration do hereby solemnly affirm and declare as under:-

1. That the Chandigarh Administration has not framed any policy for Protection of whistle blowers.
2. It is submitted that Chandigarh is a Union Territory and has to follow the Policies, Guidelines and Acts of the Government of India. The Administration will follow any Policy/Guidelines of the Government of India in this regard whenever these are issued to the Administration.
3. That for assessing the threat perception and to determine the scale of the security to be provided to the protectees, the Chandigarh Administration has already constituted the Protection Review Group (PRG) as per para 3.2 of the security guidelines (Yellow Book) issued by the Central Government. Para 3.2 of the Yellow Book is reproduced here-in-below for the kind perusal of this Hon'ble Court:-

"3.2 It would be necessary to review these categories regularly in order to increase or decrease security deployment on the basis of current threat perception. A



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committee consisting of representatives from the State special branch, subsidiary Intelligence Bureau and the Home Department, should undertake such a review every six months."

The composition of the Protection Review Group (PRG) constituted by the Chandigarh Administration is as under:-

1	Inspector General of Police, Union Territory, Chandigarh	Chairman
2	All IPS in U.T., Chandigarh	Member
3	Joint Director IB	Member
4	Intelligence Bureau, Haryana	Member
5	Intelligence Bureau, Punjab	Member
6	Joint Secretary Home, U.T. Chandigarh	Member
7	DSP/CID, Chandigarh	Member
8	DSP/Security	Member

The concerns expressed in such matters are examined by the Committee constituted by the Administration (PRG), consisting of experts as mentioned above, under the existing procedures, rules and the guidelines (Yellow Book) issued by the Government of India. The constitution of PRG is multi-agency and it receives inputs from all sources such as the IB, Local Police as well as Intelligence inputs from neighboring states for assessing the threat perception of the protectees. If anything more requires to be done for security need assessment, it can be done by these experts who are specialized to undertake such tasks.

4. That the Chandigarh Administration being Union Territory is required to follow the security guidelines (Yellow Book) issued by the Central Government. The meetings of this PRG are held after every six months to review the security arrangements provided to the individuals after receiving inputs from various

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agencies. However, the PRG holds emergent meetings, if immediate protection is to be provided to certain individuals. The mechanism of PRG adopted and followed by the Chandigarh Administration is working efficiently.

5. That in case there is any threat perception to any individual, he can make a representation to the Protection Review Group, which shall be considered by the said Group (PRG) as the system/mechanism of Protection Review Group, already in existence in U.T. Chandigarh, is very practical and easily accessible to aggrieved parties.

6. That the deponent, however, respectfully submits that in case the Hon'ble High Court wishes to give any suggestion or direction with regard to anything more to be done for this purpose the Chandigarh Administration is bound to follow the same for which purpose, the Chandigarh Administration may also be required to get the concurrence of the Union Ministry of Home Affairs.

Chandigarh
Dated:

A. Bhatnagar Dew
Joint Secretary Home
Chandigarh Department

Verification:

I the above named deponent has verified that the content of paras 1 to 6 of my above affidavit are true and correct to my knowledge and information as derived from the official record. No part of it is false and nothing material has been concealed there from.

Chandigarh
Dated:



A. Bhatnagar Dew
Joint Secretary Home
Chandigarh Department

ATTESTED
A. Arora
Special Executive Magistrate,
U.T., Chandigarh
11/8/2011
(ATUL ARORA)