

General Studies – 2; Topic: Role of civil services in a democracy

Police Reforms

1) Introduction

- The primary role of police forces is to uphold and enforce laws, investigate crimes and ensure security for people in the country.
- Under the Constitution, police is a subject governed by states.
- There has been almost 30 years of debate on policing and reform in India.

2) Need for Police Reforms

- If India is to achieve its status as a great power, it is absolutely essential that police is restructured and modernised.
- Without the police ensuring good law and order in the country, the other services would find it difficult to operate.
- To transform the colonial police structure of the country into a progressive, modern force sensitive to the democratic aspirations of the people.
- To eliminate the undue political interference. The police of today are victims of politicization as well as criminalization.
- To instil the confidence of the people in the institution of police by making police more people friendly.
- The security of the society and the welfare of the people is dependent on the efficiency of the police.

3) Supreme Court directions on DGPs appointment

- The Supreme Court ordered all states and Union territories to not appoint any police officer as acting Director General of Police (DGP).
- The court directed all the states to send names of senior police officers to the UPSC for being considered as probable candidates to be appointed as DGPs.
- The UPSC will prepare a list of three most suitable officers and the states will be free to appoint one of them as police chief.
- Endeavour should be made that a person, who had been selected and appointed as DGP, has a reasonable period of service left.
- However, the extended term beyond the date of superannuation should be a reasonable period.
- This will put an end to favouritism and political influence in DGP-level appointment.

4) Madras HC ruling on police weakly off

- The Madras High Court has said that the state government should contemplate giving policemen a day off in a week like other government officials in order to spend time with their families.
- The court suggested to introduce an 8-hour, three-shift system for police personnel.
- It will help them rejuvenate themselves and relieve them from stress.
- Policemen were forced to work round-the-clock, sometimes without any holiday.
- This would not only affect the police but also their families.
- The court further noted that a conducive atmosphere should be created for the policemen as it would help keep the morale high in the interest of the society.

5) Concerns / Challenges

- Justice Thomas Committee (2010) expressed its dismay over the total indifference to the issue of reforms in the functioning of police being exhibited by the states.
- No effort by the government to make the concept of SMART police a reality.
- Officers in the field are transferred round the year.
- The complaints authorities are generally dysfunctional.
- Crime, terrorism and external threats take a huge toll on economic growth and that these cost India 9 per cent of its GDP. (China lost only 4 per cent, Japan 3 per cent).
- More policemen die in the performance of their duties every year in the country than in all of Europe.
- Police face shortage of manpower, has poor infrastructure, and has no functional autonomy.
- The internal security problems — the Maoist insurgency, Kashmir situation, Northeast separatist movements, terrorist threats, etc
- Lack of coordination within the police departments.
- The long working hours as well as the isolation of police force from the public. There are instances of policemen living in sub-human conditions.
- For an average policeman there is lack of knowledge about Indian Penal Code and Code of Criminal Procedure.
- He/ she do not get a chance to develop and refresh his professional skills in service.

6) Way Forward

- The police force needs to be freed from the stranglehold of the executive and given functional autonomy to enforce the rule of law.
- Implementing Supreme Court's directions in Prakash Singh case that police must be service oriented for the citizenry in a manner which is efficient, scientific and consistent with human dignity.
- It is high time that Government consider bringing police in the "concurrent list" of the Constitution.
- Clear separation of law and order and crime functions of the police.
- Need to fill up the huge vacancies in the police and upgrade its infrastructure in terms of housing, transport, communications and forensics.
- Police should be a SMART Police - a police which should be strict and sensitive, modern and mobile, alert and accountable, reliable and responsible, tech-savvy and trained.
- The police must get its due and must be enabled to perform its mandated functions.
- Providing proper training to the constables and inculcating in them a sense of confidence and discipline.
- Evidence based policing is gaining credibility day by day – Indian police force must be exposed to it.
- Second ARC recommended that the government should declare certain crimes as "federal" and entrust their investigation to a Central agency.
- Police need to have the operational freedom to carry out their responsibilities professionally, and satisfactory working conditions, while being held accountable for poor performance or misuse of power.
- What we need today is People's Police.
- Our strength and influence abroad begins with the steps we take at home. Our policymakers must appreciate this simple truth.