



A Cop Out

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(This editorial is based on the article 'A Cop Out' which appeared in 'The Indian Express' on 28th March, 2019. The article talks about the problems miring the police department and lack of political will in bringing police reforms.)

Our newspapers are ripe from success story of our nation, each day a scheme is launched to uplift the standard of living, bring social equality, a scientific leap, transform India into a cleaner, healthier and resurgent nation. Even if we make allowance for an element of exaggeration, these initiatives have been laudable and the progress impressive.

It is disappointing; however, that there remains an area left completely untouched where nothing significant has been achieved. Police department even after 70 years of independence reminds of a colonial structure.

Even after one and half decade later, the historic judgment of Supreme Court in 2006 directing states and centre to bring police reforms remain largely in the corridors of SC with little changing on ground.

First Line of Defence

Police forces are responsible for maintaining law and order and investigating crimes, central forces assist them with intelligence and internal security challenges (e.g., insurgencies).

With the advancement in technology, newer versions of threats are continuously arising in the form of cyber-attacks, bank frauds, and organised crimes, just to name a few, which need to be tackled in a more specialised manner.

These have often been called 'fourth generation war'; a warfare with an invisible army which cannot be won by the armies. This is the war of a policeman and if they win, the country wins and if they lose then the country loses.

Against all these security threats, the first line of defence is the police system. Internal security is very much a prerogative of police and efficient policing is needed in order to

tackle these threats. But for that, the police system needs to be efficient, effective and technologically sound.

However our police system suffers from myriad deficiencies. From problems relating to police organisation, infrastructure and environment to obsolete weaponry and intelligence gathering techniques to shortage of manpower to corruption, police force in the country is not in a good shape.

Challenges Grappling the System

The superintendence and control of the police remains a contentious issue as both the Central and State police forces come under the superintendence and control of political executives. It has resulted in the lack of democratic functioning and appropriate direction.

The existing police infrastructure is also inadequate to cater to the needs of the police force. There is a huge manpower shortage in the police department. It stands at 192 policemen per lakh population against the recommended 222 policemen per lakh population by UN.

Overburdening of work not only reduces the effectiveness and efficiency of the police personnel but also leads to psychological distress which contributes to various crimes committed by the policemen.

The recruitment process of police personnel, especially from lowest constabulary level to Sub-Inspector level, is medieval. The overall focus remains on enhancing the physical strength and other essential skills like forensics, law, cyber-crime, financial frauds are either ignored or put on the back burner.

Several commissions have looked into the reform processes which include the Gore Committee on Police Training (1971-73), the Ribeiro Committee on Police Reforms (1998), the Padmanabhaiah Committee on Police Reforms (2000), the Group of Ministers on National Security (2000-01), and the Malimath Committee on Reforms of Criminal Justice System (2001-03).

Despite recommendations from these committees, no substantial changes have been seen. Several state governments are yet to implement these recommendations or bring in any reforms.

In the absence of any initiative by the Centre, the states have gone amok with their separate police Acts. It is ironical that while the British India had one police Act for the entire country, we are confronted with a situation where every state has a different Act with sharp differences in essential features.

Saving the Saviours

States should comply with the Supreme Court's directives given (in Prakash Singh vs. Union of India case) in 2006 in order to tackle systemic problems in policing. The states can enact a model based on the Model Police Act in 2006 prepared by The Police Act Drafting Committee headed by Soli Sorabjee.

SMART police should be created which is Sensitive, Mobile, Accountable, Responsive and Techno-Savvy. Concrete steps should be taken to augment the manpower and infrastructure of the forces.

A Police Welfare Board must also be set up to administer and monitor welfare measures for police, including medical assistance, group housing, and legal aid for officers facing court proceedings.

Police Accountability Commissions should be set up by states to address complaints of police misconduct. However key police functionaries should have a minimum tenure of two years unless they have been convicted by a court, or suspended from service, etc making them free of political coercion.

The commitment, devotion and accountability of the police should only be towards the rule of law and the supervision and control has to be such that it ensures that the police serve the people without bias, pressure, or fear.

Way Forward

A healthy democracy needs a healthy police which is able to enforce the rule of law and can take actions without fear, favour of political dispensation.

Dilapidated condition of the police system can negatively impact upon the security and integrity of the nation. It is time that we freed the police from political interference and transforms it from 'Ruler's Police' to 'People's Police'.