

# Police Reform

Vikash kumar  
Research Scholar

# Introduction

- Evolution of police system in India
- Responsibilities of police
- Issues in policing

# Body

- History of Police Reform in India
- Supreme Court direction on Prakash Singh case
- SMART Police
- Challenges in Police Reform

# Conclusion

- Progress in Police reform
- Need to be Done
- conclusion

# Evolution of Police system in India

## East India company (1764 onwards)

- Lord Cornwallis started Daroga system(Cornwallis system)
- Zamindaar police power scrapped
- District divided into Thana headed by Daroga
- 1812-Daroga system abolished

## After 1857 Revolution

- Police Act 1861 -Superior Police services
- 1866- Railway police
- Superior police service and Subordinate Police Service later known Imperial Police Service
- 1948-**Indian police service** replaced Imperial Police Service

# Responsibilities of centre and state (regard of Police)

## State

- Maintaining public order
- Police
- Prisons

## Centre

- Protecting states from external and internal disturbances
- Deploying central Police Forces
- Institutes for Intelligence, Investigation and police Training

**Schedule 7 and Article 355** (constitution of India, 1950)  
Police is a state subject (**Article 246**)

## Responsibilities of Police

Order maintenance

Crime prevention

Crime detection

Investigation

Collection of intelligence

Social responsibilities of the Police

Maintenance of Essential services

Natural calamities, disaster and emergency duties

Democratic and election related duties

Miscellaneous duties and Function

# Why we need Police Reform(Issues in Policing)

**Huge Manpower shortage in police force**

**Un adequate Police Infrastructure**

**Lacking in Sensitization of Police force**

**Political interference**

**Inefficient Police mobility**

**Gender Disparity**

**Century old recruitment process**

**corruption**

## **Huge Manpower shortage**

- The Police –Population Ratio ,currently 192 policemen per Lakh, is less than what is recommended by UN i.e.222 Policemen per lakh
- State police have 24<sup>0</sup>% vacancies

## **Police Infrastructure**

- Bureau of Police Research and development has noted 30.5% deficiency in Police Vehicles
- CAG audit found severe shortage in Weaponry
- 40%-50% vacancies in key segment in Tele communication

# Various Expert Bodies on Police reform

## National Police Commission

- 1977-81
- NPC produce 8 Reports

## Ribeiro Committee

- 1998
- Established by the Supreme court

## Padmanabhaiah Committee

- 2000
- Deal with the issue of Politicization and criminalization of the Police

## Malimath committee

- 2002-03
- Suggested change to the Indian Penal Code

## Police Act drafting Committee

- 2005
- Drafted a new Model Police Act to replace the 1861 Police Act

## Supreme court direction on Prakash singh case

- 2006
- SC issued 7 directives

## 2nd ARC

- 2007
- Noted that police-public relation were unsatisfactory

## Police act drafting Committee 2

- 2015



## SC direction on Prakash Singh case 2006

Supreme court  
direction on Prakash  
Singh case

constitute

Separate the  
investigation from  
the Law and Order

Security of tenure for  
officer eg.DGP(at  
least 2 years

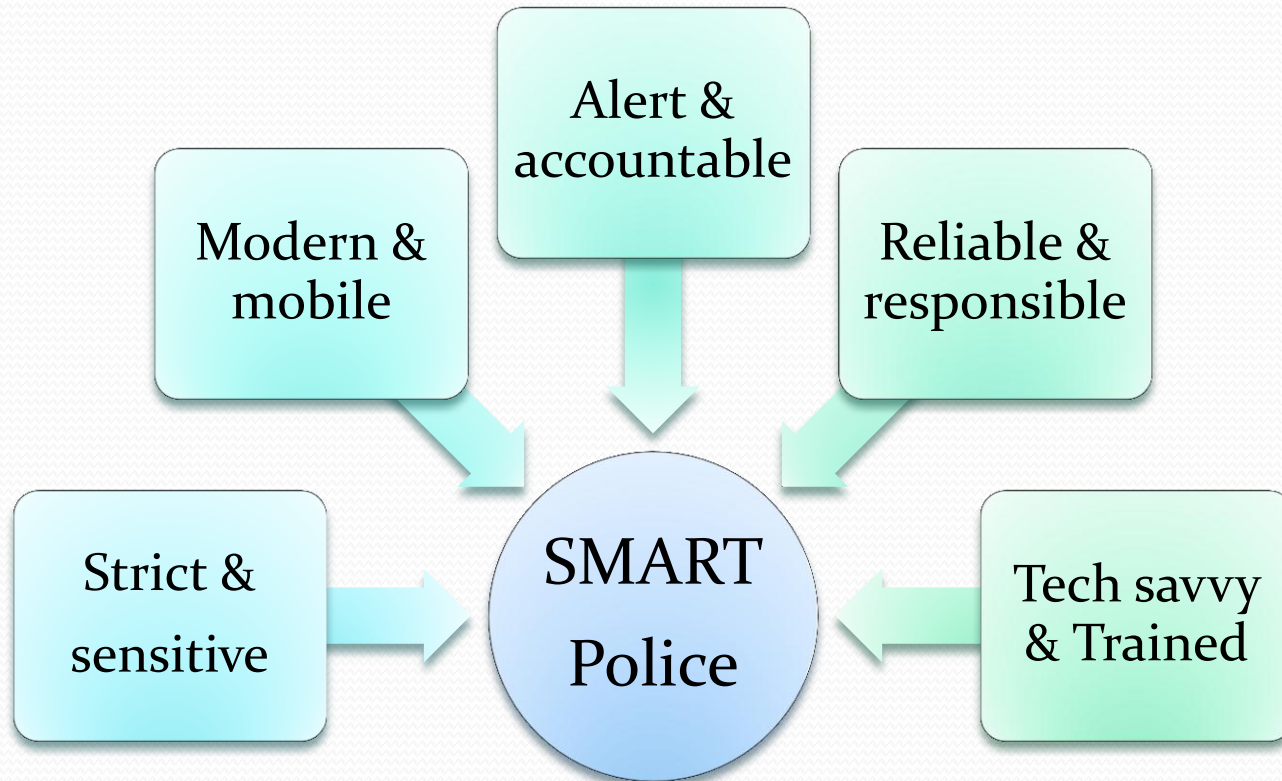
state security  
council

Police Complaints  
Authorities

Police  
Establishment Board

National Security  
Commission

## GoI Came up with concept of SMART Police in 2014



# Challenges in police Reform

Lack of operational freedom

Accountability to the political executive

Underutilisation of funds for modernisation

Nature of the duties are very uncertain

Police Reform



# Progress in Police Reform

- Model Police Act, 2006
- Many states comply SC directives (refer Niti Ayog Report )
- The PLONET project for better telecommunication
- Various states have been experimenting with community police , e.g. kerala-Janmaithri Suraksha Project
- Madras HC said that state government should contemplate giving policemen a day off in a week.

Annexure II

| Sr. No. | State | State Security Commission (Direction No.1)   | Selection & Tenure of DCP (Direction No.2)  | Tenure of other Officers (Direction No.3)  | Separation of Investigation from law & order (Direction No.4)  | Police Establishment Board (Direction No.5)   | Police Complaints Authority (Direction No.6)   | Remarks  |
|---------|-------|--|---|--|--|---|--|--|
| 2       | Bihar | The Act [Section 23] provides for setting up a State Police Board, "within six months of the Act coming into force".<br>Comments<br>1) The composition of the Board (Section 24) does not conform to any of the three models suggested by the Supreme Court. It is a three member (all officials) body of which the Chief Secretary is the chairman, the DCP a Member and the Home Secretary, the Member Secretary.<br>2) Its recommendations are not binding on the Government.<br>3) Its report is not required to be placed before the State Legislature. | For the selection of DCP, the Act [Section 4] provides "appointment from out of a panel of officers who are either already working in the rank of DCP or are found suitable for promotion to the rank of DCP" by a Committee constituted under the provision of AIS Rules, 1961. Empowerment of independent body is not required.<br>Comments<br>1) The criteria for empowerment is also not spelt out.<br>2) The minimum tenure of two years is also not made mandatory. It will only "generally" be so, not necessarily.<br>3) Conditions for premature removal of DCP include subjective consideration, such as incipience for | Section 10 provides for a minimum tenure of two years for officers of the ranks of Constables to Inspectors.<br>Section 30 provides a source "generally", not minimum of 2 years for supervisory police officers.<br>Comments<br>1) Conditions for premature removal include subjective consideration, such as incipience for "any other reason" or "administrative grounds", which are subject to misuse.<br>Need to fill vacancies "caused by transfer" is also violative of Supreme Court guidelines. | Section 30 provides for the constitution of "Special Investigation Units".<br>Comments<br>1) These units will take up investigations only of specified crimes, instead of all crimes, many of which will continue to be investigated into by the IAS & order staff.<br>2) The provision, then, does not fully satisfy the Supreme Court direction. | The Act [Section 30] provides for the constitution of "Special Investigation Boards" for the officers of the ranks of Constables to Inspectors.<br>Comments<br>1) For higher ranks of officers, there is no Board provided for, members and postings of these officers will, thus, be governed by rules framed by the Government from time to time.<br>2) Even the Constables constituted under Section 50 of the Act will deal with only transfers and postings and not with other service-related matters.<br>3) These are not "departmental bodies", in their composition.<br>4) They are not also | The Act [Section 19] provides for the constitution of a "District Accountability Authority", for each district.<br>Comments<br>1) There is no provision for a State-level Complaints Authority.<br>2) The district level Authorities, in their composition, do not conform to the Supreme Court directive. Instead of being headed by a retired District Judge, their Chairpersons will be District Magistrates concerned.<br>3) The other members are also all officials with no representation of non-officials.<br>4) The recommendations of the Authorities will not be binding on the administrative authorities concerned. | Bihar Police Act, 2007 was passed by State.<br>State has definitely resolved that Courts have not been confused with powers to make policy decisions.<br>Act has been challenged at state level. |

## Compliance report of Bihar

## Need to be Done

- Need to regulate the working hour
- Adequate facilities of Transport
- Improve housing facilities
- Independent complaint Authority
- Improve Soft Skills
- Augmentation in the Police strength
- Community Policing
- Enhance Forensic Infrastructure
- Improve Intelligence Gathering
- Police Training
- Gender Parity in Police Force
- Mitigating Political interference
- Targeting requirement of women (currently 1.79%), 2<sup>nd</sup> ARC recommended 33%
- Preventing Police Torture

# Police Reform

**Ruler's Police**

to

**People's Police**



The needs for a fast growing economy like India for safe environment particularly in light of the complex security threats in present time (Terrorism, Lwe, cyber crime) are imminent. review of the police governance framework, the legal set up, the issue ailing the police force-all call from making police reforms one of the greatest priority for the country.



**Thank  
You**