

Police Reforms in India

Police reforms have been debated in India for over three decades. However, little has changed in the past many decades in the country. In this article, you can read all about why reforms are long due in the Indian policing system, what are the inherent problems with the system, how to solve these problems and the way forward. This is an important part of polity and governance, internal security and related issues in the [UPSC syllabus](#).

Why are Police Reforms Needed?

The basic framework of the Indian police system was made in 1861 in the form of the Police Act, 1861, in the aftermath of the 1857 revolt. However, society has made tremendous strides, especially in the years after independence, and the public's expectations from the police forces have changed dramatically. Also, the nature of the crimes committed has undergone a sea change with factors like technology influencing both crime and investigation. There is a pressing need to modify a system with roots in the 19th century and set up by a colonial government.

There is a need to update and upgrade the police system in the country and make it relevant to the current times and situations.

Problems with the Police System

The problems associated with the system and functioning of the police in India are manifold. Some of the important ones are discussed below.

- **Politician - Police - Criminal Nexus**

- Under the current system, the police forces come under the executive's control.
- The state police forces come under the state government while the central police forces (CRPF, ITBP, SSB, BSF, Assam Rifles, CISF and NSG) come under the Union Home Ministry.
- Over the years, the executive has been able to abuse the power it has and used the police forces for personal or political interests.
- This results in a biased performance of duties by the police personnel.
- This was noted in the Second ARC Report.
- Another related phenomenon has been the criminalisation of politics.

- **Overburdened Police Force**

- Police forces in India (both central and state) are short-staffed.
- As of January 2016, the state forces had 24% vacancies (5.5 lakh) and the central forces had 7% vacancies.
- India has 137 police personnel per lakh of the population while the sanctioned strength is 181. And, this is woefully inadequate when compared to the United Nations recommended standard of 222 personnel per lakh people.
- This results in unsatisfactory working conditions for the personnel with long working hours and an enormous workload.
- Also, there is a lack of adequate representation of women in the police force. They form under 7% of the force which is way short when the number of women-related crimes is concerned.
- All this affects adversely the efficiency and effectiveness of the force.

- **Police Accountability**

- There are many grievances against the police such as unlawful arrests, unlawful searches, torture while in custody and even custodial rapes and deaths.
- Recently, cases of custodial torture and deaths (like the case of a father-son duo in Thoothukudi) and 'encounter' killings had led to serious question marks on the integrity of the police force.
- The police are accused of abusing their power and suppressing the very people they are supposed to protect.
- There are also allegations of corruption against the police personnel.
- There is a need to fix police accountability internally and also through an external independent oversight system.

- **Inadequate Resources**

- The police forces face a severe lack of resources when seen in the light of the enormous and varied responsibilities they undertake.
- CAG audits have reported a shortage of weapons with several state police forces.
- Police vehicles are also in short supply.
- The infrastructure has also to be modernised to help the police personnel solve crimes faster, among other things.

- **Constabulary related issues**

- The constables constitute 86% of the police forces.
- A police constable's duties are not just routine tasks, but involve some amount of judgement and decision making.
- However, the current system of recruitment is not enough to hire people capable of the tasks prescribed.
- There have been suggestions that the current eligibility criteria (of X or XII pass) be modified to suit the requirements.
- Also, a police constable is generally promoted only once in his career and mostly retire as head constable.
- This could result in a lack of motivation on the job.

- **Crime Investigation**

- Crime investigation requires skills and training, time and resources, and adequate forensic capabilities and infrastructure.
- However, the Law Commission and the Second Administrative Reforms Commission have noted that state police officers often neglect this responsibility because they are understaffed and overburdened with various kinds of tasks.
- Also, they do not have adequate training and expertise to conduct professional investigations.

- **Police-Public Relations**

- Police personnel, in the course of performing their duties, have to come in contact with the public.
- They also need the support of the public in the discharge of their duties like solving crimes and maintaining law and order.
- There is a trust deficit among the public when it comes to the police who are often seen as corrupt, inefficient and politically partisan.

Commissions on Police Reforms

There have been various committees or commissions on police reforms. Some of the notable commissions and their recommendations are discussed below.

National Police Commission (NPC)

- The NPC was organised in 1977 with wide terms of reference covering police organisation, role, functions, public relations, etc.
- Between 1979 and 1981, the NPC produced eight reports.

- **Major recommendations:**

- Judicial inquiry for custodial rape, death, hurt, and deaths in case of police firing.
- Political interference in police work had caused gross abuse of power. The NPC suggested a few measures to limit this influence on police work to broad policies and ensuring that police performance is in accordance with the law.
- It recommended measures to make the police more sensitive to the needs and complaints of the marginalised sections of society.
- The NPC has recommended an important amendment to Section 154 Cr.P.C. which would make it incumbent on a police station to register an FIR whether or not the crime has taken place in its jurisdiction and then transfer the FIR to the concerned police station, if necessary.
- Measures to reduce third-degree methods by the police.
- The report recommended the gradual phasing out of all recruitment except at the IPS and the constable level.
- The Police Act of 1861 should be replaced by a new Police Act, which not only changes the system of superintendence and control over the police but also enlarges the role of the police to make it function as an agency which promotes the rule of law in the country and renders impartial service to the community.

- Most of the recommendations of the NPC have remained unimplemented.

Ribeiro Committee

- The committee submitted two reports in 1998 and 1999.
- It endorsed the recommendations of the NPC with certain modifications.

Padmanabhaiah Committee

- The committee submitted its report in 2000 and made over 240 recommendations.
- Out of these, 23 recommendations were not accepted. These related to IPS officers' age of entry, police commissioners system in cities, compulsory retirement to those not empanelled as DIG, etc.

Malimath Committee

- This committee submitted its report in 2003 and was related to the criminal justice system in India.
- Read more on the [Malimath Committee](#) in the linked article.

2006 Supreme Court Directives on Police Reforms

In 1996, a Public Interest Litigation (PIL) filed by two former director generals of police, Prakash Singh and NK Singh requested the Supreme Court to give directions to the government to implement the police commission recommendations. In 2006, the SC gave seven directives regarding the same.

The 2006 SC directives are:

1. Constitute a state security commission to make sure that the state does not exercise undue influence on the police.
2. The DGP should be appointed a transparent and merit-based process and have a minimum tenure of two years.
3. Other police officers on operational duties should also be given a minimum two-year tenure.
4. The 'law and order' and 'investigation' functions of the police should be separated.
5. A Police Establishment Board should be set up to decide transfers, promotions, postings and other service-related matters of the police.
6. Set up police complaints authorities at the state and district levels to enquire into complaints of the public against police officers of and above the DSP rank for serious misconduct including custodial rape and death.
7. Establish a National Security Commission at the central level for preparing a panel for the selection and placement of Chiefs of the Central Police Organisations with a minimum tenure of 2 years.

It is seen that even after 14 years of these SC directives, no state is fully compliant with the reforms.

Way Forward

Despite many commissions and even the SC giving explicit directions to the governments over the issue of police reforms, nothing concrete has materialised in this area. The reason is a clear lack of political will owing to the deep aversion to change in the status quo by the police establishment and the political make-up. If the police forces are truly to be a representative force, and truly be a service-oriented one fit for a democracy, many of the recommendations have to be implemented. Newer technologies like AI, Machine Learning, etc. have to be included in the future changes being discussed in the policing system in the country.

