

Police Reforms—Wait & Watch!

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The challenges to policing today goes beyond just lack of modern gadgetry or infrastructure, but as the Prime Minister in his address at the Chief Minister's conference held on April 15 this year had rightly emphasized the need is there for *depoliticisation to the maximum extent possible* and the imminent urgency to implement **'humane policing', both being the prerequisites to good governance.**

All of this is also a part of the overall strategy of administrative reforms to which the United Progressive Alliance's, Common Minimum Programme is committed to. According to the Prime Minister *'a well trained sensitive, citizen-friendly, firm police force is a necessity and the Chief Ministers may like to initiate the required reform, in training, in service conditions, in career progression, in technical support as has been provided in the recommendations made by different committees on police reforms.*

All of the above assumes importance because the Prime Minister on 1 September, will lead a conference to address all the district police chiefs across the country on institutionalized mechanisms to audit police functioning and deal with public complaints against the police; a legal framework for promoting greater community participation in policing and a proposal to include internal scrutiny as a subject in concurrent list. The primary agenda behind this is to improve service delivery and functioning of the police. To reach a consensus, prior to this Conference, three preparatory workshops had been conducted in Srinagar, Mumbai and Hyderabad with the MHA police division and the National Police Academy as facilitators.

But the question looming at large is that whether the Prime Minister at all be able to *convince the men and women in khaki* about the weakening effects of outside interference that includes the increasing police-politician nexus in present day policing, knowing fully well that police is a state subject and that all control over transfers and posting will remain to be with the state executive. The fact that the police need to be made more accountable to the law; raise standards in recruitment, training and leadership and the need to improve the terms of conditions of work and service has been reiterated time and again by different Police Commissions since 1977.

However, the importance of the dialogue is that this is the first time in the history of independent India that a Prime Minister has highlighted the importance of police reforms and recommended suggestions. Though Indrajit Gupta while he was the Union Minister was the only other politician who had taken the effort to write to all the Chief Ministers of all states and had exhorted them to rise above narrow partisan or political considerations and introduce

police reforms on the lines recommended by the NPC¹, however it had failed to evoke even a single response. Subsequently Commissions have given their precious recommendations but have failed to stir even a single soul of a politician in this country.

Where do the people stand in all of this? The police according to public perception is brutal, corrupt and inefficient. *According to the 'corruption index' prepared by the CMS-Transparency International (India) the police has been ranked as the most corrupt of all.* While 88% of the police which comprises of the constabulary remain to face problems of limited manpower resources, infrastructure and poor service conditions. Even after 58 years of Independence they continue to carry their .303 rifles, lacks training and skills necessary to tackle increasing crime of complex magnitude. They remain to be treated as unskilled labor, get low salaries and poor social status. Although several of them come with post graduate degrees and even a couple of doctorates, they are viewed as incompetent, biased, ghettoized and brutal, the isolation of the constabulary is manifold and self-perpetuating.

Crime statistics on the police is chilling. The statistics below reflect that instead of being saviors and upholders of law, they themselves are perpetrators of crime.

Crimes by police	No. of cases
Deaths in Police Custody ²	183
Other Police Excesses ³	9622
Death in Police custody who were remanded to such custody by the court ⁴	33
Death in Police custody who were not remanded to such custody by the court ⁵	61
Cases of Human Rights Violations ⁶	85
No. Of Police personnel sent for trial ⁷	1216
Against whom Disciplinary action initiated ⁸	20321
Total number of Police complaints reported ⁹	55,115

This has further created distrust and isolation amongst the police so much so that the public hesitate to lodge complaints to the police. This has also been backed by surveys conducted by CHRI in Tamil Nadu, Rajasthan, Assam (2001) and Raipur (2005) which have revealed that 50 % of the time the citizens are not convinced that the police are helpful.

¹ National Police Commission set up in 1977-1981, headed by Dharam Vira

² National Human Rights Commission Report (2002-2003), pg 54.

³ Ibid, pg, 169.

⁴ Statistics from the National Crime Records Bureau (2003), pg 451

⁵ Ibid.

⁶ Ibid, pg 484.

⁷ Ibid, pg 483.

⁸ Ibid, pg 484.

⁹ Ibid, pg 483.

But funds should not be a constraint to good policing or setting in standards as police modernisation alone registered a sharp increase of 19.8 per cent since last year with a whooping grant of Rs 14,772 crores. But unfortunately, large chunks of this money remain unutilised for unforeseen reasons. Yet each year, states come back asking for more and more. Careful examination reveals that the money is spent on logistics like procuring bullet proof vehicles or on providing basic infrastructural facilities. Despite all these grants the Indian police still lack adequate scientific equipment for investigation and training for investigation and forensic tests making it impossible to handle difficult and complex cases.

The State Governments have not lagged behind in setting up Committees or commissions alone. The Kerala Police Reorganisation Committee in 1949 set a precedence to different State level initiatives in sixties and seventies. The appointment of the Working Group on Police by the Administrative Reforms Commission in 1966 was the first sign of central government's interest in the subject. This was followed by the setting up of the Gore Committee on Police Training in 1971. Followed closely by the National Police Commission in 1977 with wide terms of reference covering police organization, its role and functions, accountability relations with public, political interference, misuse of powers, evaluation of performance. It was the first Commission appointed at National Level that produced 8 reports between 1979-1981 which suggested wide-ranging reforms in the existing police set up.

The Ribeiro Committee was set up again on the directions of the Supreme Court and it produced 2 reports in 1998 and 1999. The bold recommendations made by the Vohra Committee on the establishment of a Nodal cell in the MHA to deal with the problem of nexus between crime syndicates, political leaders, government functionaries and others though debated in informed quarters have gathered dust. Padhmanabhaiah Committee on Police Reforms was set up in 2000 again made about 240 recommendations with emphasis on recruitment, Promotions, community policing; fixing the tenure; code of conduct for removing corrupt officers. The latest committee to be set up is the Kamal Kumar committee which recommended that since 1980, 600 recommendations have remained unimplemented due to lack of funds. This despite the fact that figures over a four-year period proves beyond doubt that anywhere between Rs. 1000 crores central funds were released to the states out of which only 79.93 per cent was utilized, while in 2003-2004 out of Rs. 705.27 crores grant only 37.80 per cent was utilized. Other committees headed by Justice Malimath in March 2003, Dhirendra Singh etc also made both progressive and regressive recommendations.

Few days back the a Parliamentary Consultative Committee on Police Reforms (2005) recommended that constables be given more powers and better weapons—like .303 rifles be replaced with modern rifles and lathis with short batons. It also recommended amongst other things that more powers be given to constables, better promotion avenues, suggested direct recruitment to head constable and the assistant sub inspector posts to be done away with. Other recommendations of the committee include replacing the Police Act of 1861. Infact almost all Committees and commissions have suggested that there must be an immediate attempt to change the archaic legislation and bring in contemporary laws for the

democracy. The lack of implementation of recommendations basically stinks of resistance at different levels which are far beyond the comprehension of lesser mortals - as the ordinary citizen in India.

The forthcoming conference in September is a huge opportunity for not only the police chiefs to come starched and gleaming to the Capital but as educated men and women of an elite service to make a sincere attempt to truly uphold the bastion of democracy by practicing the rule of law and natural justice in their districts. As for the political attempt by the reform minded Prime Minister, he needs to continue to dialogue and make an effort to at least put in place accountability mechanisms and performance boards in at least the administrative units such as Delhi and the other UT's over which the Central Government has jurisdiction. This will set a pace and be an exemplary measure to showcase to the rest of the country. Till then, we must *wait and watch* for police reforms to become reality through this attempted dialogue.