



Policeman, Train Thyself

This article is related to General Studies-
Paper II (Governance).

Indian Express

Writer - Maja Daruwala (board member and
senior advisor, Commonwealth Human Rights
Initiative)

20 Dec., 2018

Even without political support, there is much the police leadership can do to reform itself, and create a force suitable for a democracy. The failure of everyday performance and emergency response and the strictures and censure that follow should have compelled the leadership to take active steps yet much has been left unattended.

This month, the most senior police officials from across the country will gather to discuss important matters of national concern. With them will be a smattering of the senior bureaucracy and visiting ministers. The meeting is a closed-door affair under the aegis of the Intelligence Bureau.

The final agenda is always heavily influenced by the prevailing political zeitgeist and its preoccupations. Given the feverish attention they have received from the media, it is no surprise that this year's hot topics include fake news, lynchings, and the newly-invented but undefined "urban naxal". Whatever their place in the list of issues that are taxing the leadership's minds they are at best extraordinary transient phenomena. They emerge and decline with changes in the political environment. Beyond these external threats are the perennial internal infirmities of policing arising out of multiple injuries inflicted on the police by themselves and the political executive. These have endured and festered.

There is too much long-term evidence to deny the depth of the malady. The Emergency, the violence against Sikhs in 1984, the Gujarat violence of 2002, the repeated accusations of extra-judicial killings and excess use of force, the selective use of process to target minorities and opponents of the establishment, the frequent failures of intelligence and the inability to ensure an environment of safety for women have all been too well documented to bear denial.

The failure of everyday performance and emergency response and the strictures and censure that follow should have compelled the leadership to take active steps yet much has been left unattended.

When taxed, the police leadership blames institutional malfunction on multiple factors: The police can be no better than "the system" or society around them; the malevolence of a few should not be used to castigate the whole; there are perennial shortages of infrastructure and manpower. But the premier justifications for leadership status are those two old hoary chestnuts — past colonial design faults and present political interference. This hand wringing does not align well with the image of the most powerful folk presiding over an agency that has the monopoly to use coercive force against its own population. If they prefer to be backed by the power of a political regime rather than rely on the law of the land to protect their actions, they cannot play victim.

Yet, even when playing handmaiden to political power, there is much that senior police officials can be getting on with which would substantially mend policing. Winnowing out the rotten apples rather than transferring them and closing ranks against criticism is certainly one such measure. Today, the leadership resists accountability, hides behind Sections like 197, refuses to face up to the use of torture yet swears they do more to "discipline" their own than any other service. Ideally, senior police officers should welcome as allies the human rights commissions and the newly-minted Police Complaints Authorities rather than strongly resist and disobey their attempts at ensuring accountability wherever possible.

Working with the people they are meant to serve rather than in isolated splendour is another sure means of arriving at better policing. This requires the police to take deliberate steps towards people's participation. Police stations must be re-claimed as the public utilities they are, rather than the unapproachable bastions they have become. Localised policing plans can be made in consultation with the public. Beat policing, as has been successfully managed in Kerala, can become a universal means of being visible and keeping in touch with the community. Police personnel of all ranks can be incentivised to live within the communities they serve rather than in "lines" that re-enforce a defensive sub-culture that views the public with suspicion.

Training is a singular gateway to checking for bad seeds and creating skilled individuals. Presently, even the fanciest brick-and-mortar training institutions reinforce a regimentation of the mind over knowledge and initiative. Manned all too often by side-lined, unskilled and often disgruntled teachers, course content privileges marching and drill over testing for prejudice, imparting forensic and conflict resolution skills, or seriously inculcating constitutional values. It would take very little for the collective leadership to prioritise the reform of training.

Examples serve as a strong stimulus for good or bad behaviour. Democratic policing must be able to demonstrate democratic values — like equality. The "orderly" system and other similarly demeaning duties forced on trained police personnel symbolise unrecognised talent, inferiority and an unwillingness among the leadership to acknowledge the constabulary as colleagues. The real mental and class distance between officers and men leaves room for outside al-



legiances to fill the vacuum of influence. Loyalty wanes, unequal and rough treatment within translates into similar treatment of the public. The effort to recalibrate the relationship from one of master and servant to professional collegiality can only come from the top.

Beyond, and indeed above all this, the senior management needs to re-imagine the police not in the colonial image that requires them to cling to power rather than principle but as a law-upholding service that creates an environment within which each one of us and indeed each individual police person can enjoy his or her fundamental rights to the fullest.

If, at this December leadership conclave, even these small steps are not deliberated on, or are again left unaddressed, papered over, or worse denied and defended, it will only be one more opportunity lost. From the consequences of this neglect, the public suffer and the police suffer.

GS World Team...

Police Reform

What is the police system?

- The police force is a set up body of the people empowered by the state, which acts to protect the laws created by the state, protecting property and limiting civil disorder.
- The powers provided to the police include legitimate use of force. The police force is defined as a separate force from the military or other organizations involved in protecting the state.
- Police is a special topic under the State List (List II, Schedule 7 of Indian Constitution).

Why police reforms need?

- Infrastructural deficiencies
- Decrease in workforce
- Low quality of forensic examination and training
- Lack of state-of-the-art weapons
- Lack of vehicles and communication equipment
- Lack of transparency
- Political intervention
- Police insensitivity

Instructions given by various committees and Supreme Court

- A "State Security Commission" should be formed, whose responsibility will be to keep Police free from external pressure.
- A "Police establishment Board" should also be constituted, which in turn gives autonomy to the police in the matters of the policing.
- A "police complaint cell" should be constituted, which can investigate serious complaints against the police.
- Apart from ensuring the tenure of D.G.P. to two years, The term of the IG and other police officers should also be fixed.
- Increase the number of police force in the states and increase the number of women force in the police.
- To make the police functioning modern, it will have to be provided with modern weaponry and advanced forensic investigation system.
- The Act of 2006 formulated by the Soli Sorabjee

Committee should be implemented by abolishing the Police Act of 1861 created by the British Government.

History and related committees

- The first police commission was made immediately after the rebellion of 1857. Enactment of the Police Act of 1861.
- In 1902, the second police commission was made by AHL Fraser to improve police in India.
- After independence, in Kerala in 1959, Kerala has established a Police Improvement Committee.
- The Gore committee on police training,
- National Police Commission,
- Ribeiro Committee on Police Reform,
- Padmanabhai Committee on Police Reforms,
- Prakash Singh Vs. Union - Supreme Court directs to improve the police
- Soli Sorabjee Committee

Expected improvement

- Change in the Indian Police Act 1861
- Increase in police-population ratio
- Need for change in Section 132 and 197 of the Criminal Procedure Code
- Need of Lokpal law
- Prime Minister Narendra Modi has called the Indian Police to make smart, sensitive, modern, alert and accountable, reliable, techno-savy and trained.

Challenges

- In India there is lack of effective means for collecting and analyzing intelligence data.
- The quality of investigating departments of states is continuously falling. There are vacancies for posts in many top investigative agencies and police departments.
- The available weapons and equipment available to the police are of old, low and obsolete nature.
- Police is neither adequately trained nor adequately informed about technical knowledge, so they can't effectively use the technology.
- There is lack of coordination between different police departments and investigating agencies.
- The police is suffering from political interference.



Expected Questions (Prelims Exams)

1. Recently 'Police reform' has been a subject of dabate. In this reference, consider the following statements-

1. First Padnabhan committee was formed for Police reform.
2. Sardar Patel first formed National Police commission after taking charge as home minister.

Which of the above statements is/are correct?

- (a) Only 1 (b) Only 2
(c) Both 1 and 2 (d) Neither 1 nor 2

Expected Questions (Mains Exams)

Q.1:-Although Neutral and stress free Police force is the basic of growth of economic improvement and Political stability in the country, governments have not taken steps for basic reforms in Police. In this contest, Explain the measures which should be taken for Police reforms and the challenges infront of these. **(250 Words)**

Note: Answer of Prelims Expected Question given on 19 Dec. is 1(d/*), 2 (b), 3 (c)

Dear aspirants, due to typo error in the question no.1 based on the article of 19, Dec. 2018 'Not correct' has been typed at the place of 'correct' Thus, ractifying this mistake the Answer is being provided considering 'correct' statements. Thanks.

World
Committed To Excellence

