Police Reform

Why in news?

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Supreme Court bench declined the plea of a lawyer demanding immediate action to usher in major police reforms in the country.

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What is the history of Police Commissions?

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- After almost 70 years of independence, we are still governed majorly by Indian Police Act (IPA) of 1861 which was drafted as a direct consequence of the Revolt of 1857.
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- In 1902-03, a Police Commission was established for the Police reforms under **Sir Andrew Frazer** and Lord Curzon.
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- It recommended the appointment of Indians at officer level in the police. Indians could rise only to the ranks of Inspector of Police, the senior N.C.O. position. However they were not part of Indian Imperial Police.
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- In 1977, the Janata Party government established National Police Commission under **Dharamveer**.
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- It produced eight reports, including a Model Police Act, between 1979 and 1981. But, the majority of recommendations of the NPC have remained unimplemented.
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- There is a deep-seated and strong resistance to the idea of police reforms. Politicians and bureaucrats have developed a great vested interest in retaining control over the police organisation.
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- In 2005, a Committee under **Soli Sorabjee** was set up by Ministry of Home Affairs submitted a **draft Model Police Act**.
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- The Act provided for social responsibilities of the police and emphasizes that the police would be governed by the principles of impartiality and human rights norms, with special attention to protection of weaker sections including minorities.
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What is Prakash Singh case?

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- In **Prakash Singh Vs Union of India (2006),** SC delivered a judgement instructing the central and state governments to comply with a set of **seven directives** that laid down practical mechanism to kick-start police reforms.
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- The directives include,\n\n
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1. Constitute a **State Security Commission (SSC)** to ensure that the state government does not exercise unwarranted influence or pressure.
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2. Ensure that the DGP is appointed through the merit-based transparent process with a **minimum tenure** of 2 years.
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3. Even police officers on operational duties are also provided minimum tenure of 2 years.
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4. Separation of Investigative and Law and Order functions of the police.
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5. Set up a **Police Establishment Board** to decide on transfers, postings, promotions and other service related matters.
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6. Set up **Police Complaints Authority** at state and district level to inquire into public complaints against police officers.
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7. Set up **National Security Commission** at the Union level to prepare a panel for selection and placement of Chiefs of the Central Police Organizations.

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- It also mandated a New Police Act on the basis of a Model Police Act prepared by Soli Sorabjee and circulated to the States.
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What the states have been doing?

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- ‘Police’ being a State subject under the Constitution, the process of consultation was time-consuming.
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- Events since 2006 have been dismaying, with several State governments devising their own means to **dilute and wholly sabotage** what the SC had laid down.
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- On the facade, the new Police Acts appeared to be fully compliant but in fact, they were a ruse to outwit the court.
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- This is why we still see DIGs and IGs being handed out a two-year tenure on paper, but given marching orders midway.
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- A few States have made officers temporarily in charge of the post of DGP without having to obey the SC direction.
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Why politicians aren’t the only problem?

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- The pathetic state of police stations and their culpable tardiness in responding to the common man are too well known to be chronicled.
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- Callousness towards the common man’s simple, legitimate and uncomplicated requests, be it the rich or poor who go to the police on a grievance, is far too common.
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- **Policemen either ignore complaints,** or take side with the aggressors/perpetrators.

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- The excuse of preoccupation with law and order problems and **inadequate manpower** cannot fully explain the predilection for inaction that has become routine in policing.
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- Thus, there is not always a politician who is asking the police to act blatantly against ethics or to behave with gross apathy.
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What could be done?

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- Autonomy of our police forces, independence from political influence is a must for police to perform their job professionally.
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- Other reforms that can be done includes,\n
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1. **Filling the half a million vacancies** and avoid huge manpower deficiencies.
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2. Upgrading police transport and other infrastructure facilities.
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3. Housing has a direct impact on the welfare and morale of police personnel. The National Police Commission had recommended family accommodation for all the gazetted and non-gazetted personnel.
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4. Working hours of police personnel need to be regulated.
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5. The police subject in state list can be **transferred to concurrent list** or at least few crimes in federal list and entrust their investigation to a Central agency.
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- Thus it is time to **implement SMART Police** — police which would be strict and sensitive, modern and mobile, alert and accountable, reliable and responsible, tech-savvy and trained.
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Source: The Hindu

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