

Improving the perception about the police in the mind of the public

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Preface

Rakshak Foundation was founded in 2006 by a group of concerned citizens from India's elite educational institutions working in USA. It was in the manner of giving back in a small way to United States and India, countries that had provided them so much in terms of opportunities. The Foundation seeks to create an informed society, aware of its rights and duties, and attempts to address barriers to an equitable and just society. Rakshak Foundation has been submitting well researched opinions on various bills being considered for presentation to the Indian Parliament. Rakshak Foundation has been invited by the Parliamentary Committees of the Rajya Sabha three times in the past two years to depose before them and present their views on proposed Bills which would affect the whole nation once they are enacted by the Parliament.

The Intern is a Third year engineering student in Electrical and electronics, BITS Pilani, Pilani campus and has keen interest towards Public policy making and the topic this project deals with is issue of Indian Police which is either deliberately unseen or preferably unheard. The Intern has keen interest in taking up such topic and has interest in researching these topics and going into the intricacies of these social Issues.

The Intern has tried to make an effort to bring forth the problems that police is facing in tackling crimes in front of the general mass.

Acknowledgements

Well, Acknowledgement is not always enough when it comes to thanking those who helped me in this project. In this project, first of all I am grateful to Rakshak Foundation for giving me this project to carry on research on such a topic, My Mentor Shri Nilabja Choudury, who was so active to help me in taking this project forward, replying to my calls and e-mails immediately. Without his help and the arrangements he made for me, this project would not have been fruitful at all. During this project I visited various police stations of Noida, U.P. and New Delhi. C.O. Dr. Anoop Singh helped me a lot. My Co-intern Nikita Dhole was both resourceful and a wonderful moral support. Thank you is just not the word for her. My Parents, My Institute Director have always showered their blessings for which I am here today.

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Executive Summary

Police is an institution created by Society to act as a watchdog over its members so that they conform to the basic social norms as expounded in the form of Laws, Acts and Statutes. But there seems to be at present a wide divergence between the ways Police functions in relation to the social aspirations. The project aims to study whether these are real or a mere function of skewed perceptions. Considering the present situation, the impression that the general public has about the police is not good, as far as the majority is concerned. So firstly, one had to find out how bad the perception about the police is, if it is at all. After concluding that the perception is bad, one has to find out the reasons as to why it is so and then thinking towards rectifying the problems. After setting up a chart, which contained the consequences or the events that led to the current perception, the intern found out that there are essentially two ways in which this problem can be solved. One is to know the problems that police themselves face and trying to find implementable solutions for the same. The other is to find the ways to stop the unnecessary spread of the perception between people and studying about the role the media plays in generating a false perception. The first way looks to be far more achievable. Going to various police stations and simultaneously knowing the police's as well as public's perspective helped a lot to deal with the situation.

The problem really lies at both the ends but in most of the cases none of the two are to be blamed. The problems are hard to solve as they are not in their hands. As far as the police goes, the sheer lack of resources and the lack of manpower that they face can justify any situation of inefficient crime tackling arising today. On top of that, the scenario is aggravated with the lack of awareness that the general public faces as far as knowing anything about the police administration is concerned; whether it be filing an F.I.R./N.C.R or it may be the conditions in which the police work.

The situation can be improved by increasing the interaction between the public and the police. The broader perspective involves the need for the government to

make the watchdog its priority as security issues haunt the country. The government has to know that just increasing the number of vehicles would not do, it also has to provide for the drivers and additional required fuel. Thus the government has to be careful while dispensing the state budget for the agency. Media has to show the other side of the coin also i.e. the good work that the police does apart from displaying the incidents occurring due to the agency's ignorance. The narrower perspective is about spreading the awareness amongst the public so that they too participate in crime tackling with enthusiasm.

Key findings:

- The problems that the police face are the main reasons why crime is not efficiently tackled today. The following came out as their problems, upon going to various police stations:
 - Less manpower/strength in police administration (total as well as women)
 - Lack of resources – transportation facilities, communication provisions, infrastructure
 - Pathetic living conditions
 - Need for an increase of government expenditure on the watchdog of the nation
 - The amount of aberrations that media can bring in any case
 - Lack of public awareness about the administration and the laws related to it
- The police can actually be bad when there exists a nexus between it and the locals.
- The public can actually be bad in twisting the truth of the incident/complaint in order to get immediate hearing or justice.

Proposed Action Points

After having various field visits and interacting with both the parties i.e. the police as well as the public the following actions if implemented would help in improving the current interface.

- The Ministry of Human Resource and Development has to bring in a chapter in the basic curriculum of secondary education, which would contain the basics of the police administration, its evolution or history, the hierarchy involved, how to file an F.I.R., increasing the public-police interaction.
- The central as well as the state governments have to be well aware of the existing conditions and then allocate the budget accordingly. For ex. The increase in the number of vehicles should have come with an increase in the drivers and the fuel that the new cars would require. Also there is no fund for the maintenance of the old vehicles.
- The Gazetted officers have to make the concept of the 'beat' officer much more prevalent and implement it with full force. It is once concept that can solve many problems. The public would get to know who is the person securing them and it would certainly result into a better perception.
- The media is largely responsible for forming perception of the people. Apart from showing the shortcomings and examples of ignorance by the police agency, it should show also the other side of the coin. If it continues to act as an aberrant to the situations from originality just to get popularity at the cost of misguiding the public, it will have to be regulated.
- The NGOs working on police reforms for example Common Human Rights Initiative have to work to spread the awareness amongst the public. They have to coordinate with the police and act accordingly. Whether through pamphlets, street plays, newspaper articles etc., they have to come up with initiatives to educate the general public

1. Introduction

1.1 Background Information

The police institution as recorded in history has taken its roots in India since Vedic times. However, the term “police” was derived from the name Sir Robert Peel, who 1st appointed a watchdog in Britain in 19th century [1]. That was the era when police was the one who reflected the nature of the society they were serving in. Later it became a watchdog for checking the violation of the law which went hand in hand with the enforcement of the same. Police force is actually the people amongst us who are bestowed with uniform and salary for ensuring peace and smooth functioning of the society.

1.1.1 Role of police force:

In India, the police force has been the neglected and backward part of all the public services by traditions. Police in India has grown under the sub culture of brutality since British times. Police is actually meant for bringing the evil committer to justice. The pervasiveness of police has grown with the increase in population and the development in the country in terms of the communication and transport resources. The role of police has kept changing and varying and also is pursued differently in different regions according to the mentality of the population residing there.

1.1.2 Emergence of police in India:

It was the British era, when the police emerged as an independent unit under the state administration in 1861 by enactment of the Police Act. This force was supposed to be a disciplined body which exclusively included men. This act brought provinces under the supervision of Inspector General (IG) who was headed by superintendent who eventually was answerable to the Magistrate of the

state. This Police Act of 1861 was a direct attempt to stem the tide of revolt of 1857, which turned out to be the threat for British roots in India. This act portrayed police as an anti-people force in nature and this perception has propagated till now. It is very unfortunate that this brutal act made for crushing down the people who stand against the government is still continuing despite far reaching changes in the governance [2].

1.1.3 Reforms in policing:

This police act still governs almost all provinces of India except few states like Maharashtra, Gujarat, Kerala and Delhi [3]. These states have designed their own act but the crux of these new acts has close resemblance with the 1861 Police Act. The National Police Commission played a crucial role in bringing up the reforms during 1979-81, the 8th report of the commission focuses on the misfortunes which actually plagued the policing in India. But all were in vain as the recommendations are still on paper and have negligible implementation. It ignited many states and institutions to take up inert initiatives.

1.1.4 Existence of Public Services:

The First Police Commission in India brought into preconisation the Indian Police Service which was meant for maintaining law and order. This was not an armed force in itself but it provided with the staff for traffic police, railway police and all other sort of public services. It was framed so that the top ten rankers in the exam which was conducted in Britain were selected and appointed as senior officials in Imperial (Indian) Police. Around 1907 the officers selected through this procedure were asked to carry a tag of IP with their uniform. This system of appointment of police officials was termed as Indian Police Service (IPS) post independence by India's first Union Home Minister Sadar Vallabhbhai Patel. He realised that it won't be possible to maintain law and order effectively without the well-settled, well – disciplined, well- organised and physically strong staff in the democratic nation.

1.1.5 Present situation of appointment of top officials:

A combined civil services examination is now held in India which further distributes the selected candidates to respective services as per the merit. The IPS officers are recruited to various posts after sufficient training. However, the higher officials such as the Director General of Police (DGP)/ Inspector General of Police (IG) are appointed by political personalities. These officials depend on the pleasure of the Chief Ministers or other political leader in power for their transfers and dismissal without any prior notice and valid reason. The officials have to then follow illegal and informal orders issued by politician of the ruling party of the area he is serving as he fears his dismissal from the job. This tends to uncertainty in the tenure of the official. The requirements of the police force are taken care by the Ministry of Home Affairs.

1.1.6 Current scenario of public-police relationship:

The police in the present situation is drenched in such a system of laws and order which is delay oriented and the police is many a times compelled to remain out of the scene as they have to act in accordance to the law. Police was supposed to be a watchdog and public friendly but that is totally opposite to the prevailing condition. But, it is very true that our democracy is institutionally very stronger and segregated than the people who have looked doomsday in the eye believe. Working from the both police and public ends is need of the hour.

1.2 Main Problems, their scope and impact on the society:

We have landed in a very troublesome situation due to the deteriorating public police relationship. There is a period of doom upon us, an ominous darkness that will smother all the light that shines in the great democracy. There is a dire need to look upon the following problems prevailing in the society:

1.2.1 Reluctance of police towards filing FIR :

It is observed that there is reluctance in filing the FIR or registering the complaint by police people. This problem has two dimensions to be looked after. Firstly, the police may intend to take bribe for filing the complaint. Secondly, the efficiency and capability of police staff working at a particular station is judged by the number of complaint registered there. If the number is lofty then the reputation is disgraceful. This is certainly the problem with the yardstick used to measure the efficiency of working. If this problem is not tackled soon, we will certainly loose the track of actual count of crimes committed in the nation.

1.2.2 Illegitimate political interventions:

Today, the police seems to be more accountable to politicians than the public they are actually serving for. Police are often compelled to allow culprits to set free when subjected to political pressure [4]. Moreover, the power of appointment of the top officials also lies with the politicians in India. This makes police to live on the mercy of politicians and always carry the fear of dismissal.

This problem constrains the policemen to follow informal and illegal order issued to them.

1.2.3 Lack of resources in police:

It is known that after education the defence sector of the nation is given priority in the terms of budget. But only 3.86% of budget was allotted to police division in 2012 and the condition has no considerable change till date. The police have to attend people in very inhuman conditions. The barracks built are very congested and unhygienic as well. The food served in mess is not of good quality and there exist some barracks with unavailability of mess. Most of the space allotted to the station is occupied by the vehicles seized in various cases. Police force is also deficient of manpower due to rife in vacancies in police staff. The condition is so erroneous that the police have to ask for pen and paper from the complainant in

order to note the complaint. The persistence of this problem would certainly lead to the icky relationship of police and public. There is an alarming need to pay heed to the grievances of police staff too.

1.2.4 Corruption in police:

Corruption is the chief disease plaguing the police service. This deed of corruption is result of ill ethics and morals of police as well as public. The foremost reason of the corruption is not the greed but the need of the policemen. There arises the urge for bribe as a consequence of the lack of resources and lackadaisical approach of government to basic necessities of police staff. This is not a lopsided problem, but both public and police are equally responsible for soaring of corruption.

1.2.5 Custodial violence:

One of the amplifying problem needs to be taken into account is the custodial violence. There has been around 109 custodial deaths in 2012. Police complaint authorities have been set up in various states and in Delhi as a result of the various reform reports. These authorities are supposed to look after the cases registered against the police personnel. But these agencies are still not working efficiently.

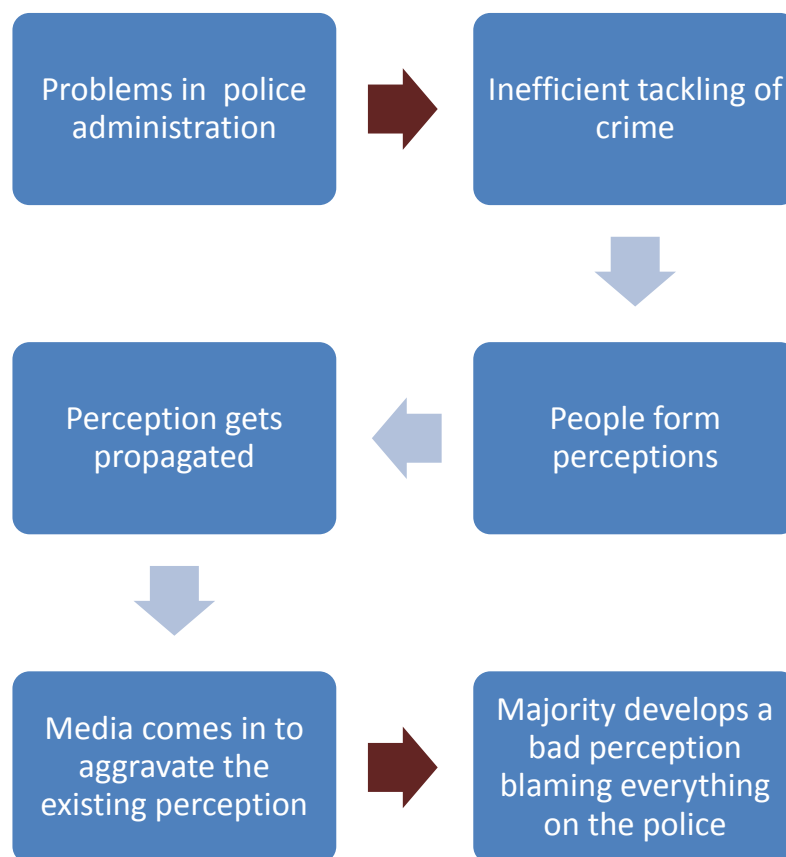
1.2.6 Media's role in creating edifice public perception:

Media is supposed to be the unbiased body serving as informative source for the public about the ongoing affairs in the society. But from the work it does, it is amply clear that today, media knows that defaming the government and its agencies is enjoyed by the public and it can go to any extent just to show that. Meanwhile, no one knows how well the Nithari case was tackled by the police and how efficiently it was investigated as media rarely covers the better part of our governments. Since media is the only major source of information that a layman relies upon, it is misusing it to a great extent at times.

1.3 Goals and Objectives

The following chart roughly shows the consequences that lead to the perception of the public about the police. The highlighted arrows are the ones at which one can work to improve the perception. The other arrows are meant to happen anyway. So the two ways to tackle this problem are:

- Nip the problem in the bud. Study why the police is inefficient and cure the problems at the roots.
- Prevent the perception to be propagated unnecessarily.



The first box contains the root cause of why the perception about the police is quite bad almost everywhere. Improving the perception can be done indirectly by reducing the problems that our police faces (that very few of the general public know) which would lead to efficient crime tackling and in turn, the perception would improve. The objectives could be roughly brought about by carrying out the following tasks:

- Visit a police station and spend 8 hours for at least two days and observe the conversations / transactions between the public and policemen on duty. After each such session try to informally note the level of satisfaction or problem resolution. And take feedback from the police officer on duty about his perspective of the complainant / complaint / problem.
- Go through the complaint register for the month and note the resolution method and whether it tallies with practical experience of two days.
- Talk to the immediate supervisory officer and find out the number and nature of complaints against police officers of the same Police station and go through the enquiry reports if any.
- Study the last five major law and order / crowd control situations which have occurred within the jurisdiction. What was the police response? What was the incident that triggered the gathering in the first place? Was it something that could be avoided or whether it was engineered by an outside agency?
- Visit at least two residences of police constables, mess and barracks and share the experiences of their family. What is their perception of police functioning?
- Conduct a survey of at least 15 complainants randomly and get a questionnaire filled.

- Interview at least two members each from the press, NGOs, teachers, lawyers etc. And tabulate their response to a specially drafted questionnaire.
- Suggest three concrete steps to improve the Public perception towards police functioning.
- Sum up the final experiences separately in one page (250 words) and prepare a final presentation.

2. Methodology

2.1 Literature Search:

The project demanded literature surveying to some extent as I had to know the laws and acts related to police administration. I also had to know what action the police should take in any situation as I had to find some sort of correlation between what the police did and what it should have done. On that basis, and knowing the problems of both the parties, I will be able to conclude whether the perception contains some substance or it has been developed hearsay and via rumours.

- **Police Act, 1861**

It was the first act made by the British government after the Revolt of 1857. It consists of preamble, interpretation clause, constitution of the force and superintendence in the state government, inspector-general of police, powers of the force, appointment and dismissal, resignation, funding, compensation to sufferers ^[5], recovery of payable money, village police officers, penalties and regulation, limitations of the act and much more.

- **Model Police Act, 2006**

This was the latest act related to the police administration. It dealt with preamble, preliminary definitions and interpretations, constitution and organisation of police service, primary rank in police service, armed police units, superintendence and administration of police, role, functions and duties of police, Rural Policing and Village Police System, Policing in Metropolitan Areas, Major Urban areas and other Notified areas, Policing in the Context of Public Order and Internal Security Challenges ^[6], Effective Criminal Investigation including use of Science and Technology in Investigation, Training, Research and Development, Regulation, Control and Discipline, Police Accountability, Welfare and Grievance Redressal mechanisms for Police Personnel, General Offences, Penalties and Responsibilities.

- **NHRC Report**

The fourth chapter deals with measures to improve public-police relationship. It encompasses all the letters by the national human rights commission to various top dignitaries which were chief ministers of all states, district complaint authorities, chief justices of high courts, circular on role and duties of Human rights cells in the state/city police headquarters [7].

- **Data on police organisation in India, 2011**

This report, as the name suggests contains most of the data possible that anyone requires about the police administration. It is drafted by the bureau of police research and development [8]. It has complete data about police administrative offices, police strength and ratio, police budget, police housing, police communications, police recruitment and training, agitations, other information of interest.

2.2 Field Visits

I went for 6 field visits in totality. The objectives of the field visits were to know the problems that the police faces today when it comes to efficient crime tackling. Also stress was laid on the problems faced by the general public/complainants when interacting with the police.

2.3 Surveys

We conducted a survey online to know the perspective of the general public apart from the ones that were coming out of the police station. For the complainants, we had a separate survey chalked out and through the interactions with them we try to fill it up by ourselves on their behalf as they did not have much time.

2.4 Meetings and Interviews

I was in constant touch with my mentor throughout the project. Our main aim was to have a first-hand experience of the present state of policing from a macro viewpoint with special emphasis on police public interface. At the end of the project, we should be able to arrive at a reasonable conclusion on the issues of public perception of police - whether they are real or misplaced having hearsay as their basis. We should also be able to suggest some concrete steps to improve the public image of Police and make Police Public interface mutually beneficial and fruitful. He acted as a facilitator at every step, but it was much better and rewarding if we arrived at our own conclusions based on our field experience.

Date	Name	Designation	Institution	Topic of Discussion
2/6/2014	Manoranjan Kumar	Lawyer	---	public-police interface
4/6/2014	Dr. Anoop Singh	Circle Officer	U.P. Police	Problems faced by the police
5/6/2014	Mrs. Reeta Yadav	S.H.O.	Sector-20, noida police station	public-police interface
5/6/2014	Mr. D. Tewari	Sub-inspector	Sector – 20, Noida police station	Problems faced by police
25/6/2014	Dr. Nanda	Major	Indian Army	Army's perspective about police
26/6/2014	Mr. Pratap Gopendra	A.S.P. Faizabad	U.P. Police	Public Police interface
9/7/2014	Mrs. Renuka Mishra	I.G.(Pers)	SSB	Gender biasing in police

3. Current NGO and Government Efforts

3.1. National Police Commission report:

This commission was appointed by the government of India in the year 1977 and this commission turned up with eight reports between 1978 and 1981 ^[9]. Each report emphasised on particular issues along with the recommendations.

- First report:
It is about countering the custodial violence and custodial deaths. Custodial violence also included alleged rape of women in custody. Commission recommended having strict and serious enquiry against these complaints by establishing police complaint authorities at state level.
- Second report:
 - a) Appointment of Criminal Justice Commission: This body would ensure the smooth and comprehensive working of each wing of the criminal justice. Also it would undertake corrective actions occasionally.
 - b) Role of police: this part of the report intend to put light on the fact that police is supposed to be the service oriented and should be unbiased in helping the common people to bring them to justice without working for the desired interest of the government.
 - c) Political interference in police work: The State Secretary Commission should set foot and monitor appointment of top officials of police, the fixed tenure and no transfer at least for two years. This commission should also check the performance of the state police station and reward them as per their performance. This commission should also work like forum to check the promotions of officers and follow of illegal orders.
 - d) Selection of the top officials of the police: the panel of the officer selected from the IPS cadre should be appointed for the purpose.
 - e) Transfer/suspension orders:

- Third report:
 - a) Treatment of the weaker sections of the society: There should be special unit which would look after the investigations of the cases lying under the Protection of the Civil Rights Act and atrocities against the scheduled castes. Also it suggests amending the section 155 of the Code of Criminal Procedure to avoid ill treatment of weaker sections of the society and to prevent ineffective actions of the police towards the non cognizable offences.
 - b) Postings of the officers: the whole power of posting and appointing of the superintendent should vest with the Chief of the Police.
 - c) Guidelines for the Vexatious arrests
 - d) Guidelines regarding use of handcuffs
 - e) Provision of imprest money to police stations
- Fourth report:
 - a) Registering FIR: Suggests amendment in the Section 154 so that police would register the report irrespective of their area of jurisdiction.
 - b) Statements of witness
 - c) Restoration of the property to victims of crimes
 - d) Compounding offences
 - e) Intimation of arrest
 - f) Inspection of courts
 - g) Attendance of the witnesses
 - h) Use of the third degree method
- Fifth report:
 - a) Recruitment of police should be only at two levels.
 - b) Commissionerate system should be adopted.
 - c) Vertical communication
 - d) The emergence of the Criminal Injuries Compensation Act is recommended.

- e) Women police: the women police stations should be empowered and incentive should be provided for women to join the police force.
- Sixth report:
 - a) Examinations for the promotions of the senior officials
 - b) Communal riots: Commission felt that the heinous crimes are not investigated seriously during communal riots, so the special squads should be prearranged to take care of such issues.
 - c) Reservation in the police staff for minorities: the commission believes that the police recruitment should not reserve places for minorities because it does not allow the police department to rise above the boundaries of cast and creed.
 - d) Separating investigating staff from law and order staff
- Seventh report:
 - a) Norms for the police stations: These norms focuses on the certain set of rules which states the measure of the area , the number of people one police station should look after.
 - b) Restructuring the civil police hierarchy: Basic aim is to reduce the population of constabulary in police.
 - c) Management of the police force: The power of the management should lie in the hands of the Chief of Police of the respective state.
 - d) Establishment of Central Police Committee
- Eighth report:
 - a) Police accountability: The main aim is to make police more accountable to the public they are serving. This should be monitored time to time by any statutory body.
 - b) Withdrawal of protection: this says that the protection provided to the police officials and other public servants under the Section 132 and 197 of CrPC. 1973 should be removed so that the public should feel to press his/her complaint against the official.
 - c) Enactment of Model Police Act

3.2 Prakash Singh Report

A retired police officer, Mr. Prakash Singh in 1996 filed petition to the Supreme Court of India regarding the reformative steps to be taken in police service to make it more efficient in its work and prevent malfunctioning in it ^[10]. Within 10 years of the filing of petition the historic judgement was passed by the Supreme Court unveiling the seven directives to be upheld in police service for its amelioration. The seven directives were as follows:

Directive One

State Security Commission should be set up. It will ensure that police proceedings are not interrupted by politicians.

Directive Two

Top officials in police like DGP should be appointed on the basis of merit along with minimum tenure of two years.

Directive Three

Other officials at operational duties (SHO) should also be bestowed with secure tenure of two years.

Directive Four

The investigation and law and order department should have distinguished staff.

Directive Five

Police Establishment Board (PEB) should be emerged to take decisions on the postings, transfers and promotions of the official below the rank of Deputy Superintendent of Police and also this board is expected to make recommendations on the transfers and promotions of the official of higher ranks.

Directive Six

To check the misconduct by police personnel and custodial violence, Police Complaint Authorities should be elevated to register the complaints against the police personnel.

Directive Seven

Demand of National Security Commission at the union level has been approved to delegate Chief of the Police (CPO).

3.3 Commonwealth Human Rights Initiative

The goal of CHRI's police programme is to develop and spread police reform widely and gain expertise to check the accountability, get involved in building civil society capacity and hence try and advocate for police reform, in turn advising on police accountability, accelerate demand for police reform, particularly towards the Supreme Court directives and the existing laws to monitor government compliance with the Supreme Court directives ^[11].

In 2006, CHRI played a crucial role in facilitating a series of civil society consultation workshops throughout India, to bring the police reform debate towards the community. Also in 2006, the programme dealt with the government Police Act Drafting Committee, trying to provide a critical human rights and civil society voice as a model law was drafted for India. CHRI also intervened in the Supreme Court case Prakash Singh.

A list of past conferences and workshops is set out below.

A people's campaign for better policing - India national workshop (Delhi, April 2007)

People's Participation in Police Reform: A Consultation for the North East of India (Guwahati, February 2007)

Roundtable on policing and public order in India (Delhi, June 2006)

Media on police reform (Delhi, March 2005)

Roundtable conference on police reforms (Delhi, October 2002)

Madhya Pradesh Police Bill workshop (Bhopal, May 2002)

Madhya Pradesh Police Bill workshop (Jabalpur, January 2002)

Prevention of Terrorism Ordinance - Eminent group discussion (Delhi, November 2001)

Madhya Pradesh Police Bill - Public meeting (Itarsi, October 2001)

Madhya Pradesh Police Bill - Public meeting (Vidhisha, October 2001)

Madhya Pradesh Police Bill - Public meeting (Raisen, October 2001)

Madhya Pradesh Police Bill - Media workshop (Bhopal, September 2001)

Madhya Pradesh Police Bill - Workshop (Bhopal, August 2001)

Madhya Pradesh Police Bill - Workshop (Indore, July 2001)

Police reform workshop (Gwalior, April 2001)

Police reform workshop (Shimla, March 2001)

Police reform workshop (Hyderabad, August 2000)

Police reform for police officers (Delhi, July 2000)

Police reform workshop (Delhi, May 2000)

Police reform for police officers (Delhi, February 2000)

Police reform workshop (Bhopal, December 1999)

Police reform - Southern regional workshop (Hyderabad, August 1999)

Police reform workshop (Delhi, May 1999)

Police reform workshop (Delhi, August 1998)

4. Results and Discussions

4.1 Findings from the literature

From the literature survey I came to know the history of the police administration and how it evolved. I got some idea as to where the problem basically lied and how it got propagated. Also I went through the various acts related to the police administration which elucidated further, their working pattern and the actions that they would take in a particular situation. This helped me to assess the reactions of the police to a particular crowd controlling situation or any emergency case. The data that I collected from the reports of the B.P.R.D. were crucial to compare the present situation to the ideal situation whether it be with respect to the budget allocated, the strength of the service, the facilities provided to them, their recruitment policies and so on. The surveys already conducted in different states and countries related to my project were also helpful in constructing the questionnaire. Comparing the models of the other countries also helped me in finding solutions to the existing problems and to some extent the ways to implement them.

4.2 Finding from the fields and impact on the theoretical focus of the project

The field visits were by far the integral part of this project. First hand research was very essential for such a topic as knowing the perception of the public was not possible unless one interacts with them. Also knowing the problems that the police faces today was equally important. Though no reform, no initiative would be successful unless the general public takes part to support it, the problem can be solved from the other end as well. This means solving the problems of the police would be nipping the problem in the bud. If the police tackles crime efficiently, the perception of the public would automatically improve. By visiting various police stations I got to know that the topic of my project is much more important than it would seem to a layman. Unless a person visits a police station and observes how

much is going on there, he would not understand the gravity of this issue. The main outcome of the field visits were knowing the problems in policing which were as follows:

- **Less Manpower/Strength in police administration**

This is the major problem that every police officer feels today. On interacting with the S.H.O.s or the C.O.s of various areas, it was a common view point lack of manpower results to be the root cause of many other problems.

- **Lack of resources:**

The police feels that it does not have copious resources as far as the following aspects are concerned:

Transportation facilities, Communication provisions: Currently there is one jeep allotted to every police station with 150-200 litres of petrol per month. Assuming the mileage to be 10 kms per litre, a jeep can be driven for about 50 kms per day. This clearly shows that the agency has to manage reaching the crime scene apart from the basic resource given to them. This might lead to inefficient crime tackling at times.

- **Pathetic living conditions:**

The public is unaware of the conditions in which the police constables and the other officers live in. I visited 8 police stations and what I found was that the officials are habitual of their conditions. They do not know the offices that are given to other government servants. It was sad to know that they did not even crave for better arrangements and were satisfied living in the present conditions. Even the basic amenities are compromised. The R.O. purifiers are missing, the common toilets are in a bad condition, there were no coolers etc.

- **Government expenditure on the watchdog:**

The problem is grave enough. And this is because the government expenditure on State/UTs police has increased but the changes are not visible to the general public. The expenditures have increased even in the sphere of training procedures. We are yet to deal with the root cause of this problem as to where the money is being siphoned off.

- **The amount of aberration that media can bring in any case:**

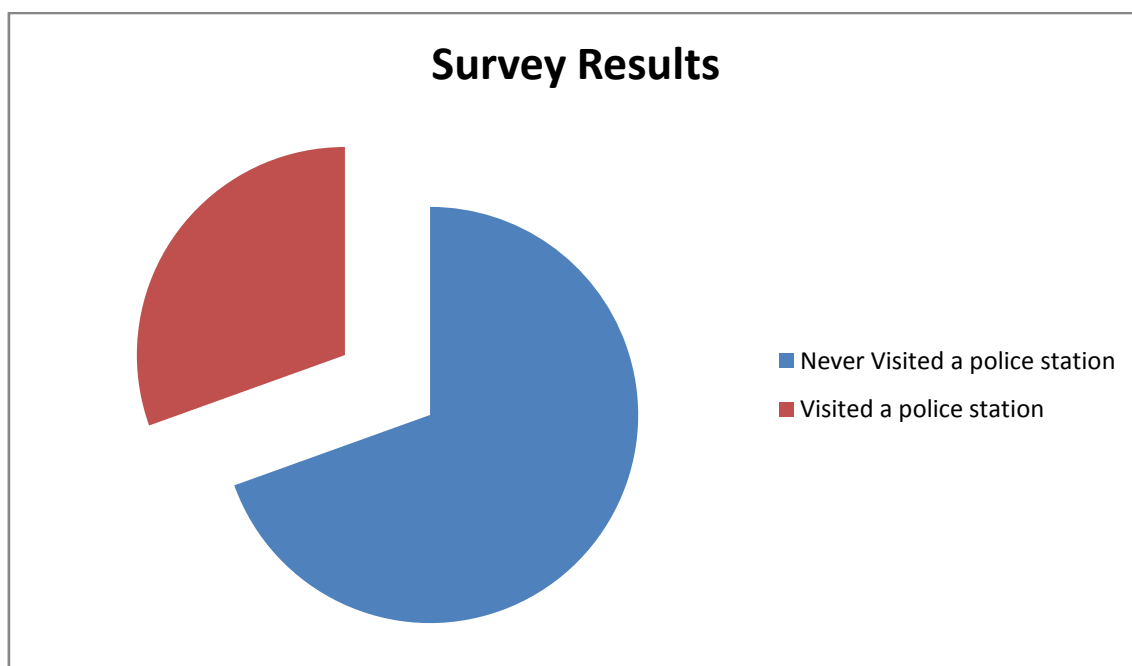
Almost every police officer had an opinion regarding biased media. From each of them, we have at least one story where the media brought about an aberration into. The most recent being related to the Badaun case where the villagers revealed that it was actually honour killing that had taken place. If this is true, and if there is a tiny possibility that media did not reveal it even after knowing it, it is much clear to me that defaming the government and its agencies is enjoyed by the general public and media can go to any extent just to do that. There has to be a stronger regulation upon the media.

- **Lack of public awareness:**

There is a general complaint by the officers that the public that comes to register their cases does not know the difference between cognizable or non-cognizable cases. Even we did not know that once we studied it in the I.P.C. and the CrPC. The police has to handle all sorts of cases or has to direct the incoming public to the required departments according to their complaints which becomes a tedious task. Once people get to know that the police would not be able to take up their complaints, as it falls into the category of non-cognizable crime, they try to make it into a cognizable one. Another phenomenon that happens daily or most often at least is that people come up with fake cases. For the officer, it is easy for him/her to know if the complainant is speaking the truth or not. He/she also knows if the case would be registered or not. If the officer refuses to file an F.I.R., the

public forms a wrong impression about the police about not registering cases and in turn propagates them to others. There is a strong need for the public to know about the administration and the hierarchy that our nation's watchdog has. We are working upon a chapter upon police administration that might be incorporated in the basic curriculum of secondary education overall India. The public needs to be aware about what cases it can take to the police in general.

- **The perception about the police is mainly due to hearsay and rumours:**



According to the survey conducted in the urban areas of Noida, 70% of the participants had never visited a police station and 82% of these rated the police less than or equal to 2 on a scale of 1 to 5. This clearly shows that the public, without seeing what the actual situation is, through media's implications or rumours has developed a bad perception. When asked for a reason for such perception some of the answers were as follows (which are typical stereotypes about the police):

- They take bribes
- They misbehave with the complainants
- They do not register the cases

- They do not act upon pending cases
- They sit on the tea stalls while they are on their duty
- They do not listen to the poor but are quick to act for the rich

These reasons cannot come to one's mind unless he/she has visited the police station or has developed them through newspapers and media articles.

- After surveying the complainants coming out of the various police stations in Noida, 78% did not know the procedure of filing an F.I.R. which signifies acute lack of awareness amongst the general public.
- 67% feel that there is no interaction or communication between the police and the local public signifying that the concept of beat officer has to be made prevalent.

4.3 Gap analysis

The current scenario remains the same as such. There has not been a 'breakthrough' as far as implementing police reforms are concerned. The 'Prakash Singh vs union of India' report is considered to be nearest to the apt reforms to be brought about but there is no progress as far as implementing them is concerned.

- In India, the system of policing across the country is still by and large within the framework of the 1861 Police Act introduced during the British Raj. Various attempts towards introducing police reforms, necessary for the protection of the force from day to day political interference, have been found a way around through various means. The police finds itself in the grip of the ruling political parties who make decisions on high-level appointments and transfers, interfering with crime investigation and public order functions of the police. Today, the people's faith in the police is diminishing and the force is struggling to cope with rising crime rates and threats to internal security ^[12].

- The state governments are not ready to implement the police reforms and defend by saying the following:

In Prakash Singh, the Supreme Court had only issued “recommendations” and not “directions.” Under Articles 154 and 163, the Executive power of the State is vested in the Governor, who shall act in accordance with the aid and advice of the Council of Ministers or the Cabinet. Citing Article 163 (3), they contended that the Court has no power to question how such advice has been tendered. Emphasis was laid on “shall” (which in law means mandatory, in contrast with “may”, which means voluntary). Shorn of the trappings of legalese, what is the import of these two contentions? In the judgement, the Court had clearly spelled out, repeatedly, that it was issuing “directions”. To now claim that they were “recommendations” is nothing but a sleight of hand the Constitution is an impregnable fortress, and its words and their interpretation remain static. Any interpretation which goes beyond the literal one would be blasphemous. So, the Court should keep away from Executive prerogative, and doing otherwise would mean militating against the scheme laid down by the Constitution’s founders. ^[13]

5. Recommendations, Scope and Strategy for Implementation

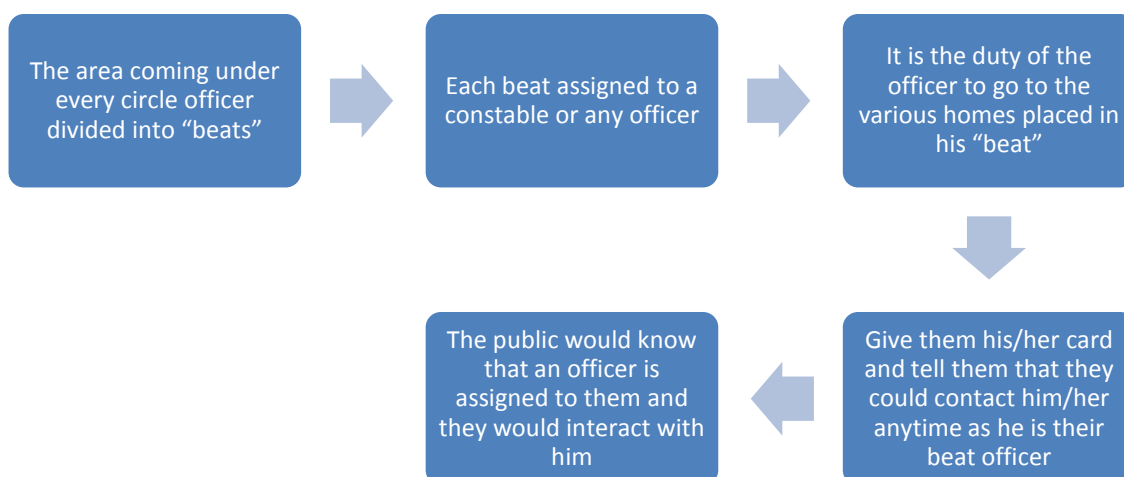
5.1 Recommendation & Scope

1) Recommendation: Increasing police public interaction.

Currently there is little or no interaction between the general public and the police. If the public would know the officers assigned to its area, it would help a lot in maintaining a check as well as tackling crime. Once you make contacts or know someone personally, it is much easier to for you to report to him. If the public would be acquainted with the officers, the officers would have a feeling of responsibility towards them and would work for them accordingly.

Scope: This recommendation through various ways, if implemented would change the current situation in a big way. Increasing the interaction between the two parties can be done efficiently by a concept of “beat system”.

Flowchart:



2) Recommendation: Increasing the strength of the police force

Although this point is a cliché, its importance does not vanish. This is one solution to many problems. The following flowchart clearly shows that if it is implemented, how many issues it can address. Increasing the strength can in no way harm the purpose in any way.

Scope:



To implement this solution, the public is to be lured to join the police force. This can be done only when the state governments better the current conditions of police officials of lower ranks by increasing their pay, making sure that the budget allocated for their resources is indeed being properly channelled and used for the required task and other reforms. Also by increasing police public interaction, the people will be more aware.

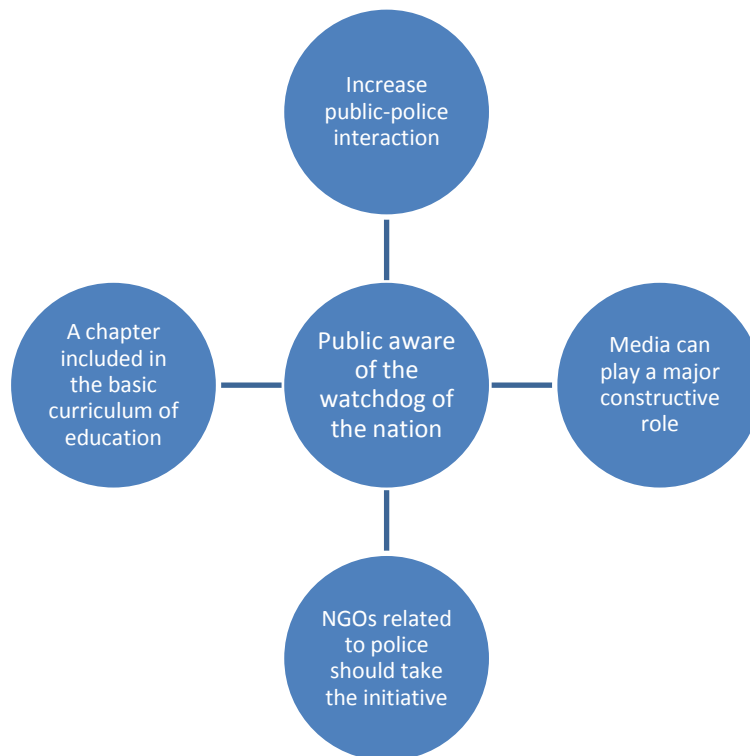
3) Recommendation: The public has to be made aware of the laws and activities of the police administration

This is the current need of the hour. The perception and the working of the police can improve drastically once the public supports it. The public is unaware of the basics of police administration. It doesn't even know the

difference between cognizable/non-cognizable crimes. The police has to go through their petty complaints which are related to revenue sector, water/electricity facilities or labour laws.

Scope: This solution has a huge scope. It will save the time that the police has to waste listening to many redundant complaints. Knowing the mechanism on which police works, the public would be a greater and more logical assessor

Flowchart:



6. Suggestions for future work

For future work and to take the project even beyond the allotted tenure, I have the following points which should be considered:

- Drafting a chapter related to the police administration, its evolution, its current state, laws related to it etc. to be incorporated into the basic curriculum of secondary education.
- The survey was conducted for the people of Uttar Pradesh only. The sample size has to be increased.
- Having an insight to how the budget allocated for the police resources is dispensed
- Finding the differences between various state police administrations and their policies
- Finding out the contributions of different NGOs and the feasibility of their work.
- Understanding the issue of soft censorship in media and its relevance in the current scenario

7. Conclusion

- As far as concluding for the mid-term is concerned, I think I have achieved the objectives of my project as planned.
- Addressing the problem of improving the public perception about police, I planned to know the problems that the police faces before going to the other side of the coin, the public.
- In the current scenario, even if police does not tackle crime efficiently, it is majorly due to the difficulties that they themselves face.
- The lack of resources that the police faces today is a big issue that the general public is not aware of. There problems are grave, the agency does not have proper resources whether it is transportation facilities, communication provisions, allocated lands.
- The problems can range from pathetic living conditions, unnecessary V.I.P. duties, 12 or 24 hour duties to compromise with their basic amenities.
- What the public can see is that crime is increasing. It does not have the patience to look into its reason and blames everything upon the local watchdog.
- There is lack of awareness in the public as far as knowing much about the police administration is concerned.
- Media can and does play a major role in biasing the public and forming its perception about the government and its agencies.
- Police-public interaction has to increase if a drastic change to the current situation is demanded.

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9. Appendix

Meetings and Interviews

Date: June 2, 2014

Time: 2:15 PM

Person: lawyer

Duration of Discussion: 30 minutes

Discussion:

- As per him the police force in Delhi is much more efficient at work. They provide the information sooner than state police in Uttar Pradesh and Bihar do.
- He pointed out that police in Delhi are pre-occupied with many other chores such as attending VIP's, providing security at huge functions, providing security on national festivals, etc.
- He said that Delhi police co-operates in better way and always take note of complaints. Whereas the police in other state try to resolve the issue without reporting it anywhere due to personal interest and even they do not want to land people in trouble, genuinely.
- He also said that public must hold good perception about police here.
- He also criticized the working culture and traditional behaviour of police officers working in state police stations. For example, he told us that police in south India see foreigners as accuse if caught in any case and he had attended such case himself.
- He told us that when budget is allocated priority is given to defence and next to that educational sector is the one which gets descent part of

budget, still our educational system is hollow and this is the main cause of every problem.

- According to him, if people get properly educated then they themselves will be capable of looking after their safety and welfare. They can judge right and wrong path easily. This will reduce the burden on defence force when people are enabled enough to defend themselves from getting trapped in trouble.
- It is high time for public to generate self-incentive to follow law and order and to adopt the path of truth and courage. He said it is time taking process to change the law, it is proven fact. So, the way out is to change the circumstances of the place, society, town, city and the state we are living in. We should actually stop blaming police, instead we should demand in proper way and refuse to adopt improper manner of resolution for the sake of our profit.

Date: June 2, 2014

Time: 2:15 PM

Person: S.H.O.

Duration of Discussion: 30 minutes

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- He pointed out that police in Delhi are pre-occupied with many other chores such as attending VIP's, providing security at huge functions, providing security on national festivals, etc.

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- He also said that public must hold good perception about police here.
- He also criticized the working culture and traditional behaviour of police officers working in state police stations. For example, he told us that police in south India see foreigners as accuse if caught in any case and he had attended such case himself.
- He told us that when budget is allocated priority is given to defence and next to that educational sector is the one which gets descent part of budget, still our educational system is hollow and this is the main cause of every problem.
- According to him, if people get properly educated then they themselves will be capable of looking after their safety and welfare. They can judge right and wrong path easily. This will reduce the burden on defence force when people are enabled enough to defend themselves from getting trapped in trouble.
- It is high time for public to generate self-incentive to follow law and order and to adopt the path of truth and courage. He said it is time taking process to change the law, it is proven fact. So, the way out is to change the circumstances of the place, society, town, city and the state we are living in. We should actually stop blaming police, instead we should demand in proper way and refuse to adopt improper manner of resolution for the sake of our profit.

Date: June 6, 2014

Time: 2:15 PM

Person: Sub-inspector

Duration of Discussion: 30 minutes

Discussion:

- He says that people don't respect police in the same manner as they did 20 years before. Now people don't even fear to conduct crime in front of them.
- People are ill-treated in tehsildar's office but people don't point out that because of personal interest in the proceedings.
- They are on duty for 24 hours and are still expected to work with patience. The uniform of police doesn't make them super human to work with same speed and efficiency without any incentive.
- Family time is difficult to spot out.
- Every other person looks with doubtful sight and hesitates to talk in normal manner.
- The barracks are meant to live but there condition is so adverse that even breathing is tough. The constables adjust in very inhuman conditions. Animals enter the rooms and bathrooms are in so vulnerable condition that they can't be used in rainy seasons. Even mess is not available in the barracks.
- No arrangements for shady place to stand, pure water to drink and still public expects a cool and calm treatment from sepoy standing right under the burning sun for hours.
- Only public expectation is taken care of, aren't police people part of human society?
- Many a times it happens so that the police officer returns from VIP duty and he is informed about fresh crime, he rushes there. After returning someone get to that police official with some problem and expects instant action.

This is bit difficult to provide with less manpower.

- New recruitments in police department are full of qualified people with better communication skills as a consequence brotherhood may have increased.
- The change has begun, but it will take time to adopt modern techniques. Providing emergency service by dialling “100” is also good initiative.
- Police is not independent; it drives as it is driven by government. Even policemen working at lower ranks see forward for change in the deadly system from higher and young authorities.
- Police are working like arms with trigger monitored by external force, treated as machines, no praise, no comfort, not enough salary to survive with daily hike in prices of basic commodities.

Date: June 27, 2014

Time: 10 AM

Person: ASP Faizabad

Duration of Discussion: 4 hours

We went to the officer’s police station in Pura Kalandar, Faizabad. It was as expected in the midst of a less developed area where the infrastructure of the police station was dead clear as soon as we entered through its gate. Sir took us for a tour of his police station and explained us the reason for the existence of various departments. Further, observing the police public interface for around three to four hours led us to the following conclusions:

- The cases were brought up mostly by the lower middle or the lower class of the society meaning that the problems really lie with them and not the upper middle or the upper class
- None of the cases (not even a single one of them) was related to the complaints that a police officer has to handle, but all of them were something which if the police won’t deal with, would consequent into police cases.

- For ex: A case where a man came to the police station for rain water disposal. He was allegedly saying that other person is forcefully disposing rain water in front complainant's house. This short turned into big issue when complainant involved local leader for not supporting him.
- The police might also straight forwardly neglect such cases, but since there is an uproar amongst the general public with cases related to rapes and murders of women (thanks to the media), police has to forcefully look into each and every case of women protection.
- The other cases were in general land disputes where all the police could do was call for the presence of both the parties so that they would mutually lead to a compromise solving the problem.
- In general, the police took up or tried to solve each and every case. In spite of lack of man power the constables were sent to various disputed areas to have a look into the cases (though it was the duty of the lekhpal or the land authority to deal such cases).
- There are a few complainants that would never reach a status quo with the police and they have been coming to the station since a year and a half. The police is tired of dealing with such people. It pleads for the awareness amongst the people to be improved.
- It might be possible that the lower officers (constabulary force) misbehave with the general in public i.e. on streets or markets. Such behaviour comes only due the temperament that the officers have i.e. to report to their higher authorities and not act as a public friend. For ex. the constable who left us to a taxi, shouted at the driver unnecessarily to ensure our comfort. This was only due to the instructions that he got from the A.S.P. that we kids should have a comfortable journey.

Date: June 25, 2014

Time: 9:30 AM

Person: Former PAC Head

Duration of Discussion: 4 hours

Some important points he brought to our notice were:

- **Budget Allocation:** Total budget allocated to the Police department is almost 2-3% of the total government budget. The government generally doesn't pay much attention as it does not give them direct benefits.
- **Grants given by state government and central government:** If the central government gives 100 crores to the state government .It is mandatory to the state government that according to the category of the state, it has to invest certain amount for the same purpose. It imposes restriction on state government which results in reluctance by the state government on amount to be spend.
- **Job security:** Naturally every officer tries to secure his job, which sometimes restricts his/her freedom of decision making.
- **There is difference between act and directives.** Act is mandatory to the certain areas, while the directives are not mandatory. In the case of Prakash Singh (Former DGP), Supreme Court has given directives and state governments are supposed to follow them.

Date: June 25, 2014

Time: 9:30 AM

Person: DIG CRPF

Duration of Discussion: 1 hour

We started our discussion with the origin and the basics of the CRPF. The aim behind continuing with such force was central government should have its own reserve force, which will aid the state governments in critical situations (Formerly known as Crown Representative Force).As the police is state subject the motto of the CRPF is to help out the civil force by working with them cooperatively. When

given specifically, CRPF has more power to control the situation.(e.g. North Eastern states, J&K).He believes that special power acts are necessary to maintain law and order in critical areas. As he has been working with civil police, his experience can be composed as:

- In comparison with the civil police, CRPF staff faces more instability in family life.
 - CRPF is expected to be more prompt than the civil police, despite of the acute shortage of the resources.
 - There prevails no considerable vacancy in CRPF staff.
 - The role of media: case of Aap Ki Adaalat.
 - There is dire need of NGO, which should interact and counsel public.
 - Youth should be inculcated with the ethics which are lagging currently.
- Making youth sensitive will help in reducing the crime rate.



The entrance of Noida police station



Lack of staff, The constables have to manage menial works



Ceased vehicles at Sector – 20, Noida police station

“The highest measure of democracy is neither the
‘extent of freedom’ nor the ‘extent of equality’ but
rather the highest measure of participation.”

- A.D. Benoist

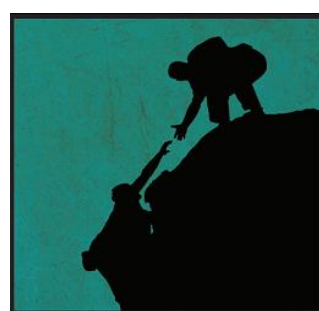
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