

Police Reforms in India

Police, People, Politics & Public Order

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Policing - a Sovereign State Function

Democracy means...

- Liberty
- Self-Governance
- Rule of Law
- Citizen's Empowerment
- Self-Correcting Institutions

' Purpose is to...make it easy for people to do good and difficult to do evil.'

- Sir William Gladstone

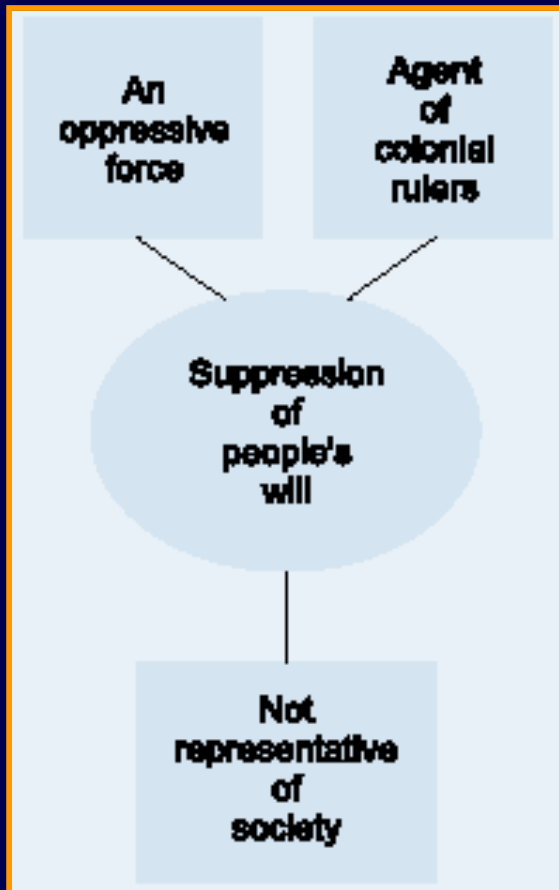
Need for a comprehensive approach...



...based on first principles

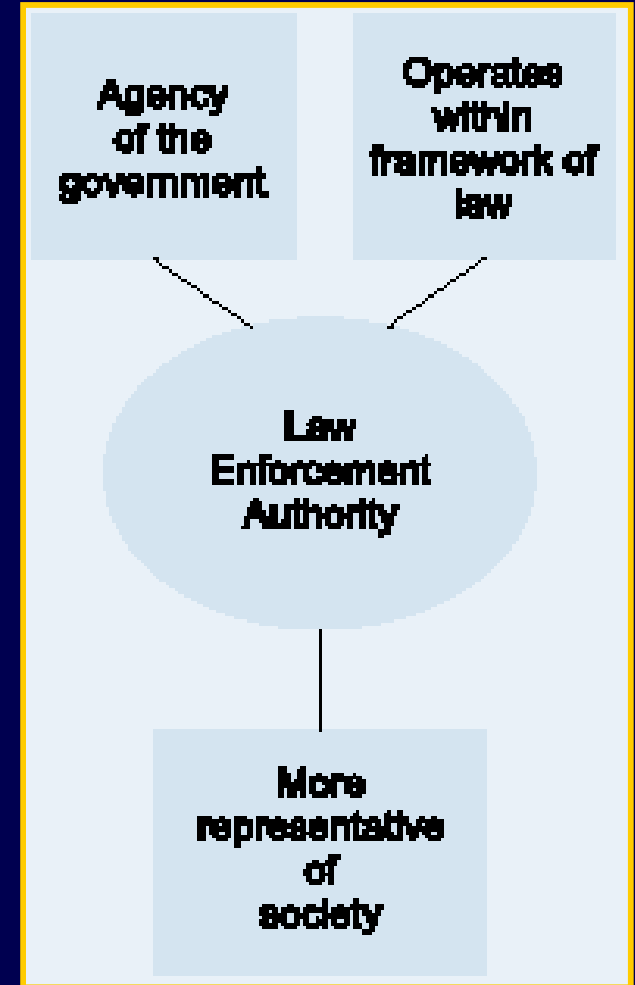
Evolution of Indian Police

Police before Independence



Indian Police Act, 1861
IPC, 1860
Indian Evidence Act, 1872
CrPC, 1898 & 1973

Police Today



The Crisis & The Causes

Incidences of Crime and Violence

Drop in Conviction Rates – IPC Cases

1961	64.8%
2005	42.4%

(where trials are completed; 66% are 'admission cases';
if charge is contested and tried, conviction < 10%)

Investigative case load up - 6.96 lakh to 23.65 lakh
Charge sheeted cases up – 54% to 81%

Low Conviction Rates

(2005, NCRB)

Murder
Attempt to Murder
Culpable Homicide
Burglary
Molestation
Rape
Cruelty

Crime Check

(2005, NCRB)

1 molestation every 15 min.
1 rape case every 29 min.
1 dowry death every 77 min.
1 sexual harassment every 53 min.
1 cruelty by husbands and relatives every 9 min.



The Crisis & The Causes

Bribery, Corruption, Abuse of Office

Public Experiences & Perceptions:



- 80% of citizens paid bribes for services
- 87% perceive that police dept. is corrupt
- Petty corruption in Police (Traffic, Crime) - Rs. 3899 crores.

Source: India Corruption Study, 2005 by TI-CMS

- 79% dissatisfied with their police
- 5% satisfied 'only to some extent'

Source: 2nd ARC's Fifth Report Survey, 2006-07

The Crisis & The Causes



Inefficiency, general incompetence

Insensitivity towards citizenry; demonstrated arrogance

Patronage

Behind technology, latest developments

Use of brute force, intimidation, harassment – investigations & custodial deaths, crowd management, etc.

The Crisis & The Causes

Unequal Application of Rule of Law

Sire, above the line of fire !



Order came from higher up to release you, Your Honour, I beg your pardon, I didn't know you were a VIP!

(Courtesy: RK Laxman)

More of an agent of the well-connected, powerful few elites.

Jessica Lall, Priyadarshini Mattoo, etc. cases – 'shoddy/slow/tardy investigation', etc.

Whither ordinary, poor, disadvantaged citizen?

USA: Barbara Bush
UK : Euan Blair



What do you mean law and order has suffered under me? I've transferred top officers, suspended a constable, shifted...

(Courtesy: RK Laxman)

The Crisis & the Causes – *The other side*

Our Police overburdened with disparate duties:

- Traffic control
- Crime Investigation
- Riot Control
- Routine Law & Order, Petty Crimes
- VIP Security 'Bandobast'
- Protecting material assets
- Serving court summons, bringing witnesses & accused, etc.
- Tackling organized crime, extremism, insurgency, etc.

Poor resource allocation – low prioritization

Less than 0.2% of GDP on criminal justice/judicial system
(UK 4.3%, USA 1.4%, Singapore 1.2%)

The Crisis & the Causes – *The other side*

Severe Human Resources crunch

Low Police- Population Ratio:

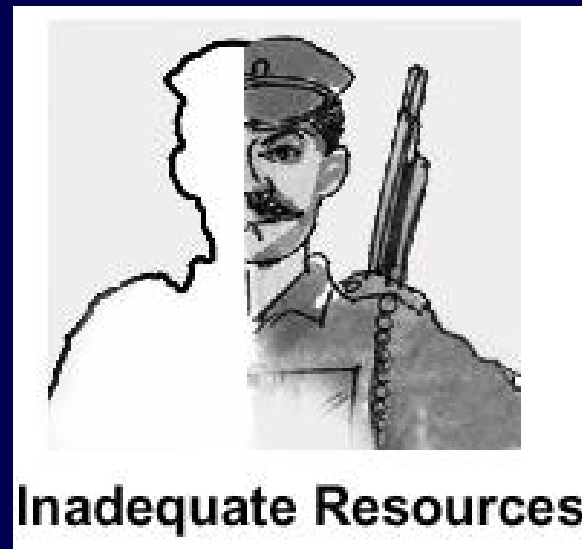
Thailand	1:228
UK	1:290
USA	1:334
New Zealand	1:416
Japan	1:563
India	1:694

Unfilled, Sanctioned Posts – 1,01,898

(NCRB, 2005)

Low manpower planning; little autonomy in hiring

Investigative Case Load on Officers too high
(need for a 96% reduction, based on Malimath Committee
Recommendations)



Severe Stress &
Demoralization

The Crisis & the Causes – *The other side*

Cutting-edge functionalities not empowered:

88% of the police force – constabulary – no investigative powers
12% only have statutory investigative powers

No environment to take initiative

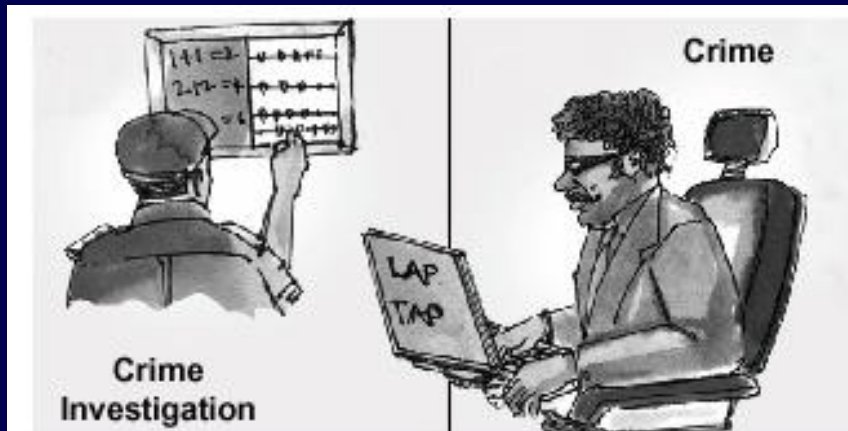
Poor career prospects - Low morale:

Much of police force to follow orders blindly – orderly system
Even superiors do not feel empowered – constant political interference

Poor relationship between authority & accountability - lack of sense of ownership

The Crisis & the Causes – *The other side*

Lack of Modern, Professional Training & Specialization



Believe it or Not!

World's first anthropometric system in Bengal (1892)









World's first Finger Print Bureau in Calcutta (1897)

Inadequate Forensic Science Labs –specialized Sci. & Tech. not being put to use

(only 5-6% of criminal cases referred to FSLs)

Police & Detective Training Schools – not in pace with requirements

Outdated Training – Not citizen-centric: Entrenched attitudes – insensitivity, arrogance & patronage, crowd management, conflict management, intelligence gathering issues

	31	32	33	34	
				Political Interference	 Finish!
	 30	 28			26
	21	22		27	
					25
		19		17	16
	 Corruption				
	11	12	13	14	15
				Disparate Outlets	
		9		7	6
		 Inefficiency			
	1	2	3	4	5
	 Start here				
				Sorry! Miss a Turn	

Want Justice?



The Crisis & the Causes – *The other side*

- General administrative failures –
 Authority- Accountability fracture
- *Pervasive corruption in public services*
- Problems related to Prosecution – inadequate coordination
- Judiciary/Criminal Justice process – huge pendency of cases, low conviction rates, etc.

Commissions & More Commissions

- Kerala Police Commission (1959)
- Uttar Pradesh Police Commission (1960)
- Bihar Police Commission (1961)
- West Bengal Police Commission (1962)
- Punjab Police Commission (1963)
- British India Police Commissions (1860 & 1902) – Madras Police Act
- National Police Commission (NPC, 1977-81)
- Law Commission Reports
- All India Committee on Jail Reforms (1980-83)
- National Human Rights Commission (NHRC) recommendations
- Julio Ribeiro Committee (1988)
- Padmanabhaiah Committee on Police Reforms (2000)
- Malimath Committee on Reforms of Criminal Justice System (2003)
- Administrative Reforms Commission (ARC, 2005-)

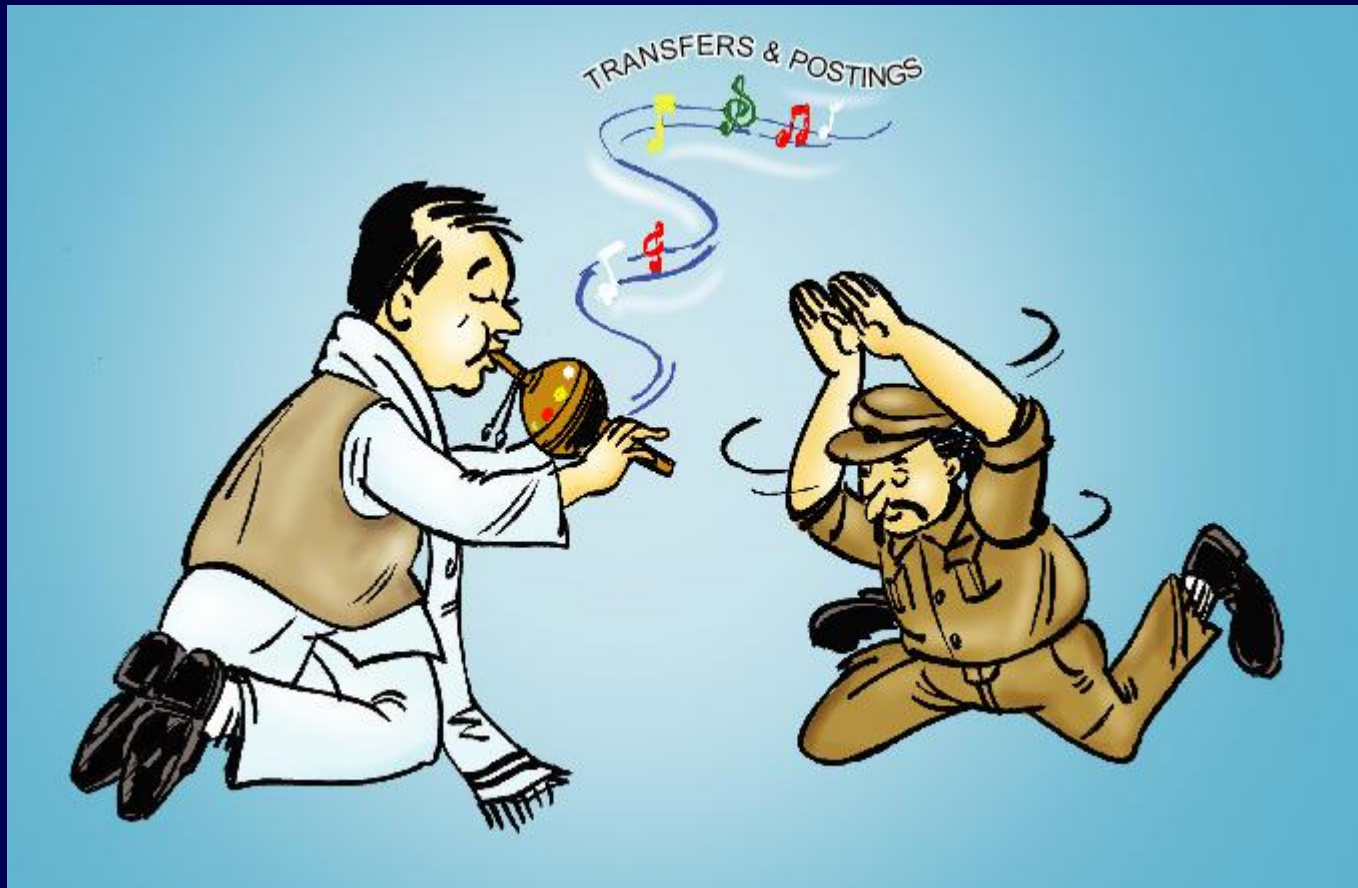
Communal Riots -

Comm

- Supreme Court's judgment in *Prakash Singh & ors vs. Union of India* (2006) - WP(C) 310 of 1996
- Police Act Drafting Committee (PADDC, 2005) – Model Police Bill (2006)

Still, Why no Police Reforms?

The strangle-hold of present culture of politics



Still, Why no Police Reforms?

Shift in the nature of corruption

From license-quota-permit issues, petty corruption
to grand corruption (contracts & tenders, transfers & postings)

Root cause is present electoral politics - Inexhaustible demand for illegitimate money

Criminalization of Politics – ‘Robin Hood’ syndrome, settlements, etc.

Vicious Cycle:

Corruption + Criminalization → Electoral Politics → Police System

No wonder, States have not fully implemented SC's verdict!

**How to bell the cat?
Change in the Political Culture**

Achieving Police Reforms – *The Supply Side*

Key Principles:

Responsibility of the elected government

Dis-aggregation and Decentralization – local policing

Independence of Crime Investigation from unwarranted political influence

Authority, Autonomy & Accountability

Empowerment of functionaries, Professionalization & Specialization & Infrastructure

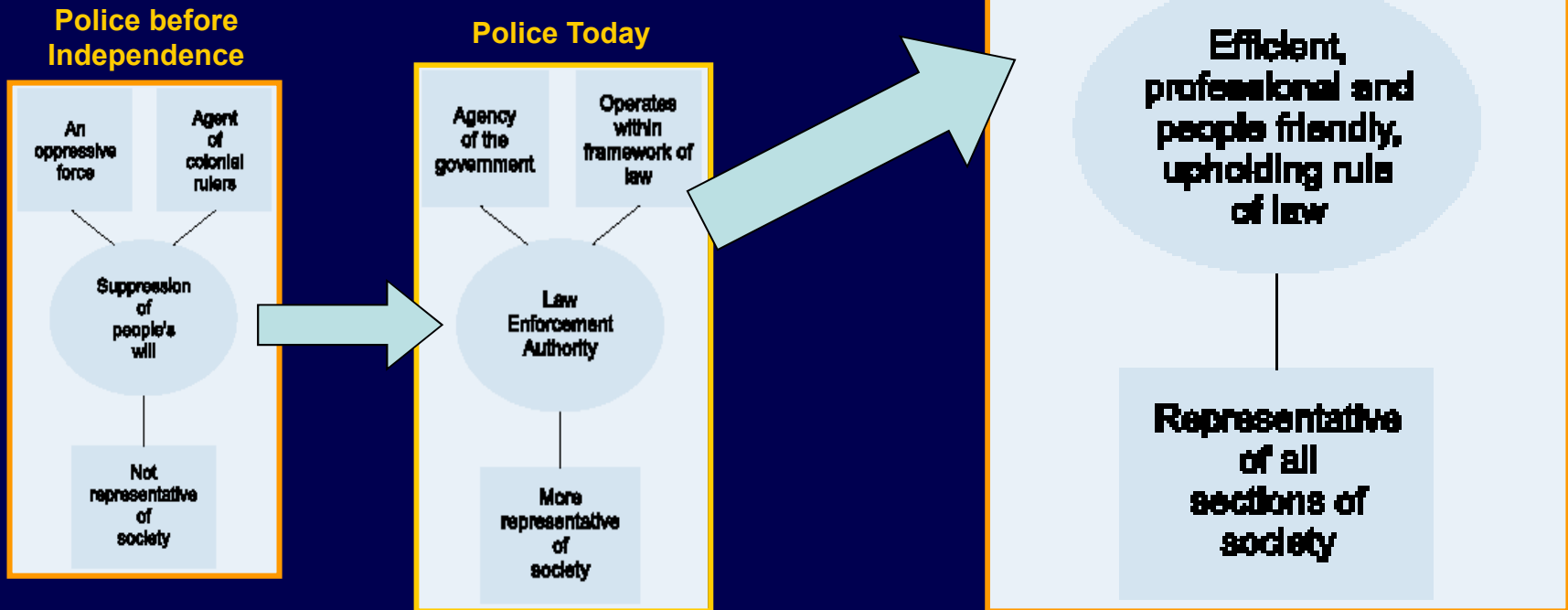
Criminal Law and Judicial Reforms

Urgent need for a New Culture of Politics

Achieving Police Reforms – *The Supply Side*

Key Roles of

- Concerned citizens & Civil Society
- Media



Citizen-centric Police System



Thank You!