

Why Do We Need Police Reforms in India?

While we all acknowledge that there, indeed, should be police reforms because of the way it has been functioning so far, the fact remains that the popular perception of the police is very negative. The police, as they function now, are perceived as unresponsive, obtrusive, callous, corrupt, inefficient and ineffective notwithstanding the multifarious constraints and odds against which our police are pitted namely a rickety infrastructure, shortage of manpower, lack of necessary financial and other resources, lack of adequate training, unremunerative compensation and, most importantly, excessive political interference.

So, there definitely is more than a case for not only reforming the police organisation to cushion it against various ominous and insidious influences of the political power play, but also to make its functioning more transparent, responsive, sensitised, effective and independent, simultaneously equipping it with all the requisite infrastructure, resources and manpower. If we are really serious about 'minimum government, maximum governance', we definitely need to pay serious attention to ensure suitable and customised changes in our police organisation in keeping with the changing times and its complex demands on police.

Of all, the modernisation of the police force is something which requires immediate attention. At a time, when the criminals and terrorists are much better trained and equipped, we definitely need to do something about sprucing up the infrastructure available with our police force. Not only is there a need for a much better training curricula custom-made to the requirements, but there is also an urgent need to provide a modern infrastructure equipped with state of the art policing equipment and resources. Though some such changes have been made at many places in keeping with the recent Supreme Court judgements and various recommendations by sundry committees instituted for the purpose, but they are again piecemeal and on ad hoc basis. We need to do the same throughout, in a uniform manner without any exception.

But even though accepting the need for the police reforms, there have been clear voices of dissent from those corners which are liable to lose power and control over the police as a result of the proposed reforms. These voices have been those of the political and permanent

executive. They feel that the reforms, as proposed, need more threadbare discussion and debate than plunging headlong into its implementation without minding the implications thereof but the judiciary has dug its heels in terming such suggestions and arguments as dilatory tactics.

The fact remains that the political class has long used and abused the police force in furtherance of their petty political interests. As the police are the most visible face of the government and are equipped with the raw power, the political class has always desired increasing control over the same to be in better position to entrench their vested interests. While police are supposed to be readily accessible in service of the people, the reality is just the opposite. The common man continues to be in fear of police and definitely does not feel comfortable approaching police for any help or assistance. His interaction with the police continues to be problematic. Hence, the need of an image make-over for our police force with suitable changes in its attitude and orientation towards policing.

Even while believing that many of these fears are baseless, one does feel that the supervisory control of the magistracy over the police should not be weakened any further. Keeping in mind the Actonion (of Lord Acton) dictum of 'power corrupts and absolute power corrupts absolutely', we should be careful that while guaranteeing absolute independence to police, they should not be allowed to become an empire in themselves, unamenable to any supervisory control. While there are provisions of a Complaints Board, such a structure has always been found to be too formal in its operation.

Ergo, there is definitely a need to revive the supervisory powers of the Executive Magistrate over the police, as also envisaged in the Police Rules but fallen in disuse. The Executive Magistrate in the field is the grass-root officer who is more easily accessible to the people and has a much more people-friendly face than the police. So, such age old practices as *thana* inspection and some say in performance evaluation by the Magistrate should be revived and further strengthened. Such a move would only strengthen and reinforce the reciprocal relationship between the two.

While one appreciates the fears expressed by all the sides, one also feels that one should, indeed, not rush through something as vital as police reforms and all related aspects ought to be thoroughly discussed before being implemented. Alternatively, the police reforms, as proposed, can be implemented, on a pilot basis, in one or two states (which have already consented to such reforms) while simultaneously continuing with an informed discussion and debate over police reforms. The learnings from the 'pilot states' can later be factored to further fine-tune these reforms. But police reforms are definitely something that require more than dilettantism and amateurish attention.

Even though this judicial activism has raised some hackles and ruffled some feathers, the ball for the police reforms has been set rolling. While the implementation of the proposed legislation may take time owing to fierce opposition from certain quarters, at least, a beginning has been made in transforming our police force into a more people-friendly and modern force. And with the Prime Minister and the Home Minister eager about implementing the far-reaching reforms, one is tempted to believe that this time police reforms shall receive

their due share of attention and something positive shall come about. So, one should be more positive and optimistic because of the fact that this time judicial activism is matched by the government's enthusiasm to reform the police organisation. One is sure that when these reforms see the light of the day and eventually implemented, we would not only have a more sensitive and effective police force, we shall also have a better society to live in.

Besides, police organisation being an inalienable part of our governance structure, a more sensitised, better trained and better equipped police force shall definitely result in remarkable capacity building of a very important institution. One is sure that there shall be requisite consensus among the concerned stake-holders to bring in the desired transformation in our police and policing.

Salient Points

- The popular perception of the police is very negative. They are perceived as unresponsive, obtrusive, callous, corrupt, inefficient and ineffective.
- The modernisation of the police force requires immediate attention.
- Although accepting the need for the police reforms, there have been clear voices of dissent from those who are liable to lose power and control over the police.
- The political class has long used and abused the police force in furtherance of their petty political interests.
- While police is supposed to be readily accessible in service of the people, the reality is just the opposite.
- There is need of an image make-over for our police force.
- Keeping in mind that 'power corrupts and absolute power corrupts absolutely', we should be careful while guaranteeing absolute independence to police.
- The Executive Magistrate in the field is the grass-root officer and has a much more people-friendly face than the police.
- Age old practices as *thana* inspection and performance evaluation by the Magistrate should be revived.
- The police reforms, as proposed, can be implemented, on a pilot basis and learnings from it can later be factored to further fine-tune these reforms.