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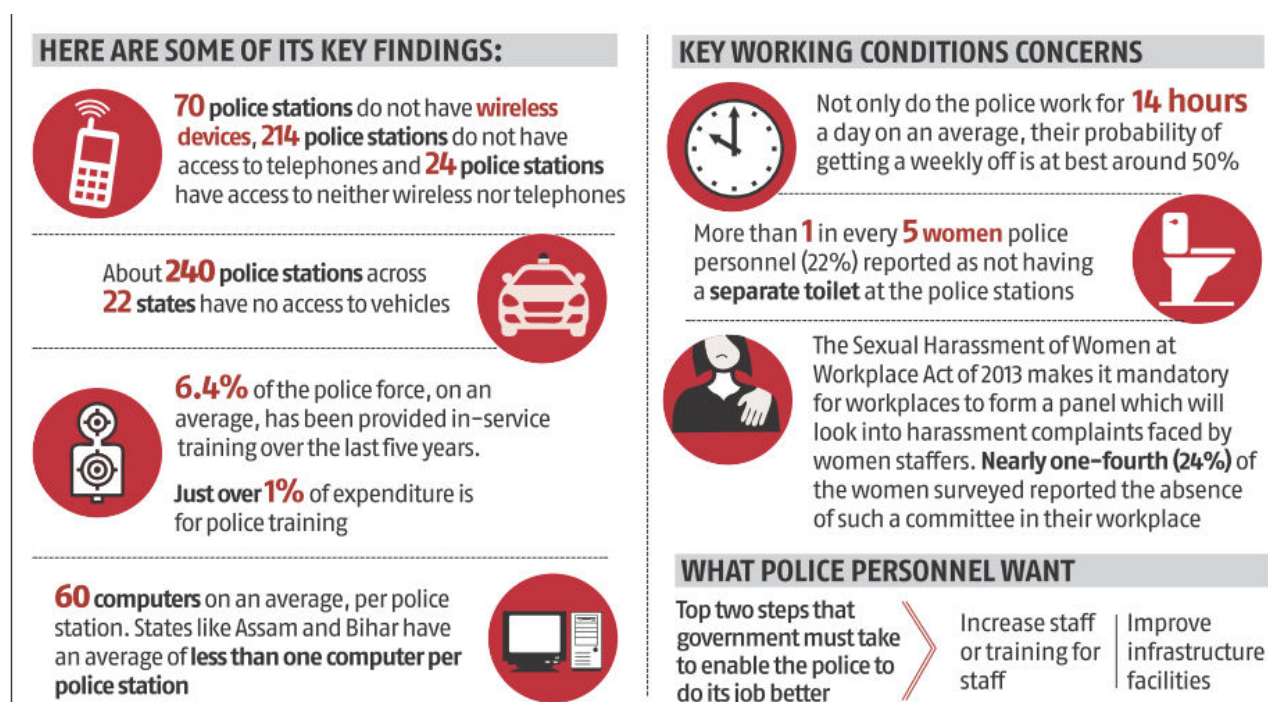
# The Police Status in India

Dr. Brahmanand Pratap Singh

Associate Professor, Political Science, Pratap Bahadur PG College, Pratapgarh City, Pratapgarh, India

## Abstract

The rule of law is the foundation of a just and democratic society. It requires a fair and effective criminal justice system in which the police has a central role to play. The police is also the most recognisable face of the State and a police station is invariably a citizen's first point of contact in an hour of crisis. We expect police persons to protect our lives and liberties, enforce the law and maintain peace and harmony in the society. The sheer range of duties and tasks assigned to them require both, adequate and modern infrastructure, as well as sensitive and well-trained personnel. We need to build capacities of our police persons for not only upholding the law but also in constitutional conduct and compassionate handling of crises involving all sections of citizens.



India aspires to be, and rightly so, an economic superpower with prosperity for all its citizens. But it is also true that India's future as a democracy and an economic powerhouse cannot be secured by an obsolete criminal justice system where the police works for the rulers of the day and not for the real masters, the people of the country. The police in a just and democratic setup, has to be made responsive to the prevailing and emerging needs of this new India. Besides a survey of close to 12000 police personnel inside police stations or at their residences across India (21 States) the study also includes another sample of 10,595 of their family members who were interviewed. The study covers the trying working conditions of police personnel, their meagre resources and infrastructure, crime investigation, diversity, people-police contact and police violence. The survey was designed to elicit perceptions of police personnel about their work environments, their sensitivities, attitudes about the society, and levels of capacities and professional skills. The study also uses official data to construct the big picture of policing and its resources in the States and to show the need gaps in various vital areas.

**KEYWORDS:** police, status, economic, citizens, personnel, society, resources, diversity, environments



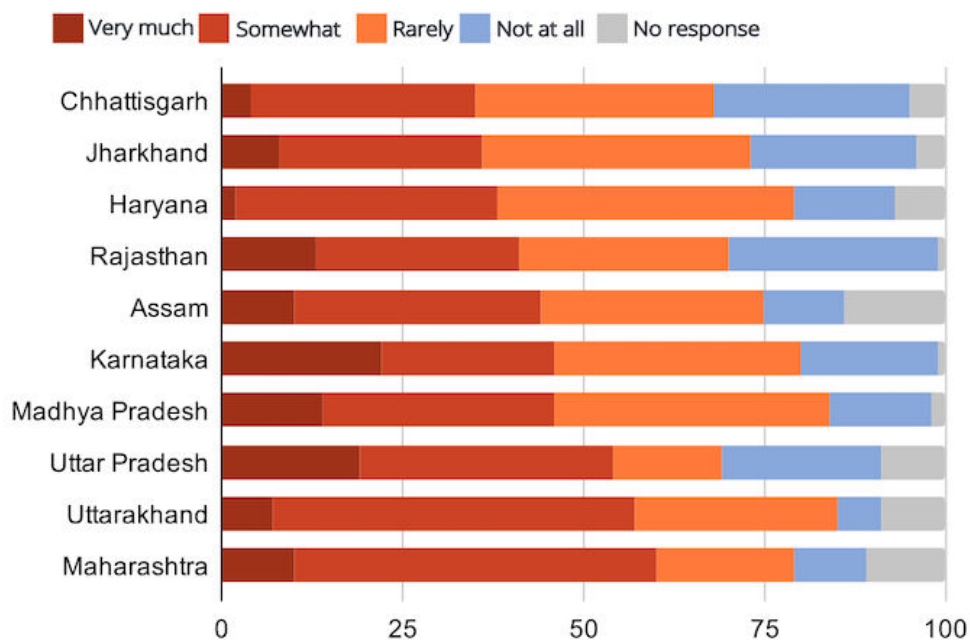


## I. INTRODUCTION

In the age of algorithms, when data is treated as gold, or the new oil, human stories are often seen as a distraction. This report has avoided that trap. [1]

### 10 State Police With Highest Bias Against SCs

Answers (in %) to the question "Are SCs naturally prone towards committing crime?"



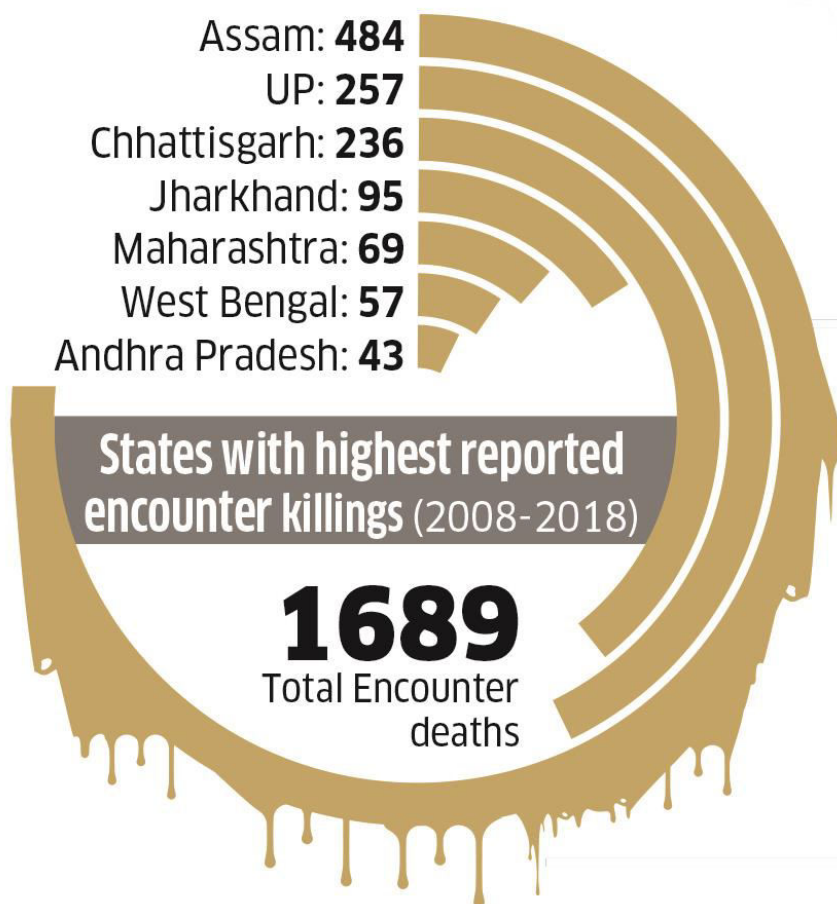
Source: Status of Policing In India Report 2019

It works on the intersections of the official, often impersonal, data and direct human contact. The report looks at the big picture without ignoring the people behind the rows and columns of statistics. We have dissected data for hidden trends and complemented it with human responses gathered through face-to-face interviews with police personnel and their family members. Special care has been taken to involve men and women at the lowest rungs of policing hierarchies and from different social backgrounds. It is for the first time that views of police personnel and their family members have been taken across India, and compared, on pressures faced by them and their vulnerabilities. It is also for the first time that official data is analysed to show the rates of improvement or decline in the indicators of the performance of police forces over time and on the parameters discussed above. Comparisons are done State-wise to bring out the variations across India.[2]

The new and emerging threats of cybercrimes, money laundering, terrorism and insurgency have posed new challenges to policing and intelligence gathering operations. Police forces the world over are experimenting with new levels of training and proficiencies, real-time use of data, humane but effective interrogation techniques and transparent tools of surveillance. Cybercrimes like phishing, identity theft, online banking frauds are forcing the police to keep itself



updated with the latest technology, and hence an urgent need to modernise and digitise our policing . Campaigns like ‘Digital India’ would ring hollow, if the police are not equipped with computers and necessary software, along with the skilled and trained staff. We are also aware that big data policing may distort the traditional roles of police and prosecution. Global experiences show that the invasive ways of human targeting that are incrementally being used today can be inaccurate, and if misused or left unchecked, even damaging for the perception of fairness in the justice system.[3]



This tells us that technology is not value-neutral and the users must be made aware of its threats along with advantages. There is no alternative to a decisive policy change with abundant caution and appropriate capacity-building efforts down to the lowest rungs of police structures. But sadly, despite India seeing itself as a global hub for Information Technology, there are still police stations without access to wireless, computers, vehicles or even telephones. Police personnel are often unable to reach a spot of crime or unrest because of the unavailability of vehicles or the staff. While the infrastructure to fight cybercrimes or terrorism is woefully inadequate, we still lack the rudimentary facilities. Hundreds of police stations are unable to provide drinking water or clean toilets to their personnel. The report shows that it is common for policemen and women to work . The official data tells us, and it should be a cause for worry, that only about 6 percent of police personnel in most Indian States were provided in-service training in the past five years. Out of these, the senior officers were more likely to receive training than the constables. Isn't there a correlation between the lack of training and a popular belief among police personnel that complaints about gender violence are bogus or that the migrants and the people of transgender or minority communities are naturally more prone to committing crimes?

The face-to-face surveys were coordinated by Lokniti's network of academics at the universities and research institutions across India. Getting access to police stations and homes of personnel was initially difficult during a pilot



study in New Delhi. Fortunately, things became a lot easier once we got out of Delhi and after we generously received supporting letters from the Indian Police Foundation, a think tank dedicated to police reforms. These worked everywhere except in Tamil Nadu where the police hierarchy was particularly suspicious and unyielding. We sincerely hope to complete our survey in Tamil Nadu in the coming months and upload it online.[4]



**SC directives, if implemented effectively, can act as a deterrence against police excesses. There is a lack of awareness among the people and even the politicians about such provisions.**

**Hormis Tharakan**, Former RAW chief and Kerala DGP

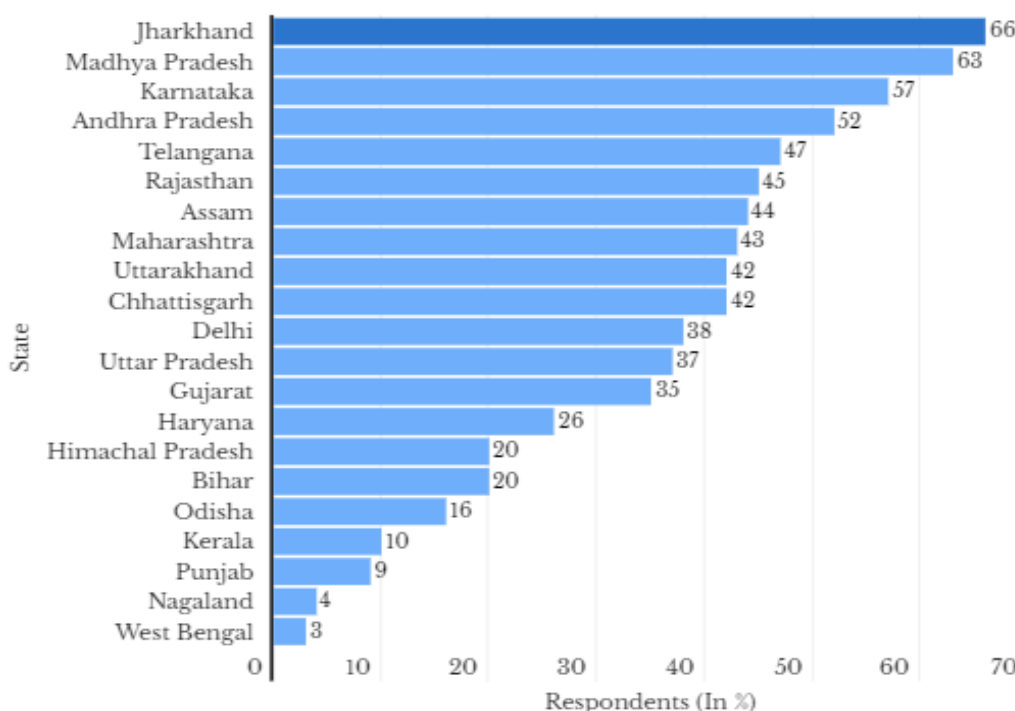
<p><b>What is a Police Complaints Authority?</b></p> <p>A Police Complaints Authority (PCA) is an external body that addresses the public's grievances of misconduct by the police on various issues, including custodial torture / death, illegal arrest etc.</p>	<p><b>Status of Police Complaints Authority</b></p> <p>Erstwhile J&amp;K and Uttar Pradesh have not yet instituted a PCA; at least 10 other states, including West Bengal, Tamil Nadu, Andhra Pradesh, Telangana do not have functional PCAs</p>	<p><b>United Nations Convention Against Torture (UNCAT)</b></p> <p>The UNCAT is an international human rights treaty, that aims to prevent torture and other degrading treatment.</p> <p>India signed the United Nations Convention Against Torture in 1997; it is one of five countries yet to ratify the treaty.</p>
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## II. DISCUSSION

Inhuman duty hours can be directly attributed to the inability of the States to fill the sanctioned strength of the police force, which in turn impacts their efficiency. It also audits the presence of bare minimum facilities like drinking water, clean toilets, stationery, storage facilities that are indispensable at any public office. In the survey, the police personnel in States were asked questions regarding the availability and access to basic physical, technological and human infrastructure, and all types of training imparted to them. Apart from political interference, which has been recognised as a major problem even by the Supreme Court and the Second Administrative Reforms Commission, crime investigation is also affected by a range of other factors. Some of these are lack of adequate infrastructure/ resources, staffing, the cooperation of witnesses and victims during an investigation, etc. This chapter tries to find the obstacles faced by the police during crime investigation. After looking at the workload and the resources available in the previous sections, this chapter attempts to uncover the frailty of the broader eco-system of criminal justice by examining the police attitudes and the external pressures working on them. Studies have shown that increasing female representation in the police is directly associated with increased reporting of violent crimes against women and a decline in domestic violence. A lack of gender sensitivity leads to reinforcement of stereotypes, and biases, against both, the women within the police as well as women who have an interface with the police. The chapter presents women personnel's experience with working conditions, infrastructure and task deployment. We also analyse the attitudes and opinions of both male and female personnel regarding women in police and crimes against women. Prison Statistics says that two-third of the prisoners are undertrials. As reported, disadvantaged sections such as the Scheduled Castes, Scheduled Tribes and Muslims are disproportionately incarcerated and also underrepresented in the police forces. Similarly, the likelihood of poor people being awarded capital punishment is also much higher. The focus of the chapter is on discriminations on caste or religious identities. It analyses the extent to which training on human rights and caste sensitisation has been imparted to tackle prejudices.[5]



## 2 In 3 Police Personnel In Jharkhand Think Mob Violence Over 'Cow Slaughter' Is 'Natural'



Ministry of Home Affairs, in its ranking of police stations, has emphasised on the need for the police station to be 'welcoming for citizens'. But the high number of non-reporting of the crimes reflects how police stations are viewed as spaces that discourage and intimidate common people. No wonder, about 99 percent of cases of violence against women are not reported (National Family Health Survey, round ). Home Ministry's own police reforms programme is quite elaborate and ambitious but this shows that its implementation on the ground leaves much to be desired.[6]

### III. RESULTS AND CONCLUSIONS

Incidents of police brutality are also common across States. Unfortunately, India has not only failed to ratify the United Nation's convention on human torture , but has also refrained from passing the Prevention of Torture Bill. In this we examine how the police perceive the processes related to registration of the FIR. We study the police's perceptions about whether and why people hesitate to contact them. We also review the propensity of police to use excessive violence or to justify the killings of 'criminals'.



At Common Cause we believe that if we wish to change something decisively, we must face it, comprehend it and be able to measure it. And that is why it is hoped the present study will create baseline literature on policing in India and high light the need gaps for policymakers and serious researchers. We hope the display of State-wise variances will encourage healthy competition among States and their political leaderships. Advocacy and awareness campaigns are important because real progress is difficult without political leadership grasping the problems and showing the resolve to change things. We hope this report will help all those in the police forces, politics, academics and civil society who want to use the empirical indicators for policy engagement or to create awareness and public pressure.[6]

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