

Awaiting police reforms

The Indian Police Foundation was inaugurated in 2015 to mount pressure on State governments to implement the directions of the Supreme Court on police reforms (*Prakash Singh v. Union of India*). The court in 2006 had issued seven binding directions to implement those reforms. It took the court a little over 10 years to give its verdict on the writ petition filed by Prakash Singh and me in 1996. We were happy when the orders came because almost all the submissions made by us and several others such as the Commonwealth Human Rights Initiative, the Human Rights Commission, and the Ribeiro Committee were accepted. Eleven years have passed, but States have taken only some grudging steps to implement the reforms. September 22 is observed every year by the Police Foundation as Police Reform Day to create awareness for the much-needed reforms.

The fact is that political authorities still have a stronghold over the police. When a new government is elected, the first thing it does (as it happened recently in Uttar Pradesh) is to replace the Director General of Police (DGP) of the State. In some cases, this is also happening with the Chief Secretaries. There are a few exceptions, no doubt — the Chief Minister of Bihar changed neither the DGP nor the Chief Secretary, both of whom he inherited from his predecessor under rather acrimonious circumstances.

The result is that the police even today is not trusted by the people. They perceive the force as being partisan, politicised, and generally not very competent. Nothing confirms this more than the frequent demand for probes by the CBI into crimes which can be handled by Criminal Investigation Departments. Even in the recent murder case of journalist-activist Gauri Lankesh, there was a demand for a CBI probe.

And what about the CBI? Only a few years back, the Supreme Court had called it a “caged parrot”. If at all, the lock of that cage has become tighter. And very often now, the demand for a CBI probe is accompanied by a Supreme Court-monitored probe.

Much of the problem would not have been if the 2013 Lokpal legislation was put in place. The Lokpal would have the powers to oversee the CBI’s work and would ease the burden of the court. However, even the Opposition is not enthusiastic about the Lokpal as parties across the political spectrum have a vested interest in continuing with the present police system.

Ultimately, it is only strong public opinion that can move the political class to implement the 2006 directives. But the police has to set examples to win public trust. Reform must start at home. Since the political class has a vested interest in the present system, no amount of pressure will work. We will have to fall back on the judiciary, which wants an impartial and professional police force because it knows that the criminal justice system cannot function without a healthy police and investigative agency.

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The new U.S. Fed Chairman is unlikely to opt for policies that might upset the President’s plan

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