

Rethinking police reform

State police forces in India are among the least trusted public institutions. Can anything be done?

First, the background. Schedule Seven to the Indian Constitution lays out 61 items that are the subject of state authority. Public order, police and prisons top this list. Each of the 29 states and seven Union territories has a police force of its own. The unit of state policing is the police station. According to the Bureau of Police Research and Development (BPRD), there are 15,268 police stations in the country today. These stations are organized under various administrative units like circles, subdivisions, districts, ranges and zones. Major cities also have a commissionerate to coordinate and direct operations.

Police ranks range from the director general of police (DGP, who typically leads a state), the assistant superintendent of police (ASP), to the constable in a police station. The ASP to DGP ranks are officers of the central cadre of Indian Police Service (IPS). The median ratio of police officers to constabulary—what the police call the teeth-to-tail ratio—is 5%. There are a total of about 1.8 million police personnel employed by Indian state police organizations today—and there are also 300,000 vacancies. This results in a median 200 policemen for every 100,000 people, though it ranges widely from 76 in Bihar to 700 in Delhi. On a combined basis, the police force operates 180,000 vehicles today, ranging from light to heavy. In short, the combined state police force in India is a massive people, process and logistics organization.

In addition to these state police forces, the Centre manages seven police organizations—Central Reserve Police Force (CRPF), the Central Industrial Security Force (CISF), the Railway Protection Force (RPF), the Sashastra Seema Bal (SSB), the Border Security Force (BSF), the Indo-Tibetan Border Police (ITBP) and Assam Rifles (AR). The latter four guard India's border with Nepal, Bhutan, Pakistan, Bangladesh, China and Myanmar, respectively—functions allocated to the Centre under the Constitution. CISF is used to guard critical infrastructure, including airports; the CRPF is used to maintain internal law and order, especially during communal rioting.

Despite being headed by an IPS officer, the National Security Guard (NSG), charged with counter-terrorism, is not considered a "police force" because its core operational capability is provided by the Indian Army. The Central Bureau of Investigation (CBI) that was born as an internal affairs department to police corruption among central government employees has additionally evolved to take on cases of special crime "referred" from the states that are more complex or more controversial than usual.

According to a Takshashila Institution survey of public trust, state police organizations rank dead last among government organizations and agencies. Numerous committees and commissions have opined on the issue of police reform. Most of them have approached the problem from a quantity, capacity, capability, training, compensation and benefits point of view. The solutions may generally be grouped into the idea of "if you make the policeman's conditions better, then everything will improve." While all of these factors are material, very few expert groups have spoken about the criminalization of the police force as a direct consequence of the criminalization of politics and the capture of the police as an instrument of implementation. Dealing with 21st century challenges with the (currently applicable) Police Act of 1861 is also bound to create a host of issues.

The politicization of the police is a tough problem to solve in an environment in which money, votes, and instruments of intimidation (misuse of the police) mix in one unholy melting pot. The Second Administrative Reforms Commission (ARC), in its fifth report on public order, tackles the issue of police reform in the most constructive way of any recent discussion on the matter. Alas, its

recommendations remain unheeded.

The ARC recommended that the investigative functions of police be separated from the day-to-day law and order functions and that the superintendence of the government over police be restricted in such a manner that the force retains operational autonomy. The ARC suggested a State Accountability Commission made up of five members of government, including the home minister and chief secretary and five non-partisan eminent citizens. The ARC recommendation resolved the politicization dilemma by delegating operational control to the force and democratizing governance to a commission (the public are the ultimate masters, according to the ARC). Others have argued for even less political control.

In a democratic system, there is no getting away from ultimate accountability to the political system. Codifying checks and balances in respective police Acts will bring assurance against illegal orders by the political establishment to the police. Currently, politicians use the power of the police for their purposes, but sidestep any responsibility for their failures. Only by giving full accountability to the politicians can society hold the politicians responsible for their actions. Only when we marry full political accountability with the betterment in capacity, capability and equipment can we begin true police reform. And begin it must.

PS: “*Doveryai, no proveryai*”, is a Russian proverb that means “Trust, but verify”.

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