

## THE STATE OF POLICE REFORMS IN INDIA: POINTS TO PONDER

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### ABSTRACT

The police system in India owes its existence to the British rule. The provisions of the Police Act of 1861 were originally meant to cater to crime investigation and controlling law and order. However, the whole scenario has changed dramatically. The government has now taken up police reforms. Although much has been done in this regard, a lot more is to be done.

In the light of new set of crimes, the need for updating the old system is more than required. In this connection, modern advanced technology has been of immense help. Undoubtedly, this is an age of computers. The first step of police reforms is to make use of computers to make an exhaustive database of crimes committed and of the criminals. The CCTNS is such an ambitious project of the Government of India. The second step of reforms deals with providing better and state-of-the-art infrastructure facilities on the ground to facilitate policing activities. For this, states are providing new and latest vehicles to police personnel to effectively enhance their response time. Their housing and other welfare activities are being taken care of. The third aspect covers their postings for which a fixed tenure has been now envisaged.

However, the police force is plagued by undue political interference, pressures of job and sometimes, of superiors which are causing depression in the police force. This needs urgent correction. Thus, the police force is suffering doubly. First, the much-needed police reforms have not been carried out fully and secondly, these reforms do not take care of unbearable mental stress faced by them daily. Unless these reforms address these psychological issues, other reforms might prove to be cosmetic in effect. This paper tries to go deep into the process of ongoing police reforms in the country and their shades of grey too. It also suggests some possible solutions.

**Keywords:** Police Reforms, Infrastructure Reforms, Political Interference, Mental Pressure, Fixed Tenure.

## INTRODUCTION

Police force in India owes its origin to the British rule and the Police Act of 1861 passed by them. The First Police Commission appointed in 1865 defined the police as a "government department to maintain order, enforce the law, and to prevent and detect crime".<sup>i</sup> Simply said, the exact nature of the police work was to maintain law and order and the crime investigation. However, as things turned out to be the maintenance of law and order clearly meant to crush any type of disobedience to the existing British rule in India. Thus, the police force enjoyed enormous power to deal with any situation which amounted to even the slightest disturbance in the public life. Over the years, this almost untrammelled exercise of power became the hallmark of Indian police force. For them, the independent citizens of free India were still under subjection of erstwhile British rule.

The post-independence era in India has been a witness to far-reaching and radical changes in the political, social and economic situation in the country. Since the passing of the Police Act, 1861, no comprehensive review of the existing police system was undertaken neither by the British rulers nor by the Indian lawmakers until the end of decade of 1970's. The Government of India, on 15th November, 1977, appointed a National Police Commission for making a fresh examination of the role and performance of the police force in both the capacities- a law enforcing agency as well as the protector of the rights of citizens in the light of Constitution of India. Though set up in the backdrop of Emergency excesses in which the police played a significant role, the need for overhauling the Indian police system was well expressed by the National Police Commission in the following words:

"The picture of the police.....is far from flattering. Reports and reviews frequently featured in the Press are highly critical of police efficiency, behaviour and integrity. Public appear to be fast losing confidence in the existing arrangements for checking gross abuse of powers by police and also in the ability of the police to deal with the law and order and crime situation in the country. At the same time, we feel greatly concerned to find police morale, particularly at

the level of the Constabulary to be very low, in fact, dangerously low. The Constable feels dejected and frustrated and cut off from the mainstream of police administration as well as public life. He feels whether he acts well or badly his lot is only to receive brick-bats and never a bouquet".<sup>ii</sup>

Almost similar sentiments have been articulated by Mr. K.N.Daruwalla, a renowned police officer and public intellectual, in his article "Handcuffed to Politics" in the following words:

" The Indian policeman's lot is not a happy one. He is overworked, overregulated by laws that give him little respect since statements before police officers carry little weight in courts. He is bullied both by higher khaki echelons as well as by politicians. But the policeman has started revelling in the power granted to him by law, not to mention the power he has usurped from the books. Obtaining search or arrest warrants are not part of his concerns".<sup>iii</sup>

At the outset, the present study analyses the efficacy of various steps taken so far by the Government and the Courts and the reasons for non-achievement of the desired goals, if any. It also attempts to suggest possible solutions.

## **HISTORICAL BACKGROUND OF POLICE REFORMS**

Beginning from the National Police Commission of 1977, the Government has taken steps to further the reform process in the police system in order to bring about a radical change over. In this regard, the recommendations of the National Police Commission are worth mentioning here.

National Police Commission (1977-81), headed by Shri Dharma Vira, ICS (Retd.), was the first-ever attempt at a thorough review of the Indian police system. It submitted as many as eight reports. The brief contents of each report are stated below:

"1. The first report mainly dealt with the Constabulary and covered subjects such as Pay-structure, Housing, Redressal of grievances, Career planning for constabulary, etc. A total of 28 actionable recommendations were made in this report. Most of these recommendations are

implementable by the State Governments and many of them involve financial implications. Most of the recommendations remain yet to be implemented by a majority of the States.

2. The second report of the N.P.C. deals with important subjects such as Welfare measures for police families, insulating police from political, executive and extraneous pressures, etc. There are a total of 33 actionable recommendations in this report. There are many important recommendations such as Redefining police duties and responsibilities through a new Police Act, posting and tenure of Chiefs of Police, constitution of State Security Commissions, protection against mala fide transfers/suspensions, etc. Implementation of many of these recommendations involves initiative by the Centre and cooperation of the States.

3. The third report, inter alia, deals with Police and weaker sections of the society, village police, corruption in police, economic offences, modernization, and scriptory work in police. A total of 54 actionable recommendations are contained in this report. Some of the important recommendations relate to postings of S.H.Os /S.Ps., weeding out corrupt officers, guidelines for arrests, posting of ACB chief, etc., most of which are yet to be implemented.

4. The fourth report deals with subjects of investigation, trial, prosecution, industrial/agrarian issues, social legislation and prohibition. There are 59 actionable recommendations in this report. Many of the recommendations require amendment of laws for which, the role of the central government is significant. Many important recommendations pertain to Registration of FIR, recording statements of witnesses, arrest, remand, confession, social laws, etc. Most of these recommendations are yet to be implemented.

5. The fifth report of the NPC deals with subjects such as recruitment of constables and sub-inspectors, training of police personnel, District police and Magistracy, women police, police-public relations, etc. There is a total of 27 actionable recommendations made. The Commission has, in this report, reiterated the need for amending the Police Act.

6. The sixth report deals with the I.P.S., police and students, communal riots and urban policing. The Commission has made 23 actionable recommendations in this report. Suggestions have been made for creation of I.P.S. cadres for Central Police Organisations, compulsory training for promotion for IPS officers etc. The Commission has also given a

number of suggestions in respect of basic training and in-service training of I.P.S. officers. The Commission, in this report, has recommended Police Commissioner system for large cities for improving efficiency of urban policing.

7. The seventh report, among other things, deals with Organisation and structure of police, State armed police battalion and district armed reserves, delegation of financial powers to police officers, Traffic regulation, Performance appraisal of police personnel, disciplinary control, role of the Centre in planning, evaluation and coordination, and policing in the North-East. The Commission, in this report, has made 60 actionable recommendations, major among them relate to restructuring of police stations, separation of investigation and law and order, registration of cases, yardsticks for police station performance, powers of DGP, etc.

8. The eight and the concluding report, inter alia, deals with Accountability of Police performance. The report contains 7 major, actionable recommendations, important among them are complaints against police to be defended at government cost, and enactment of a New Police Act, a draft Bill for which forms part of the report. Most of the recommendations are yet to be implemented.

9. The eight reports of the National Police Commission, thus, contain 291 actionable recommendations relating directly or indirectly to police reforms, of which 86 recommendations require legislative action or major amendments to Rules, 126 require action by the Central Government, 202 involve action by the State Governments, and 109 by police department themselves. Of these, 78 recommendations have financial implications and the rest would have no financial implications in their implementation." iv

#### ***Ribeiro Committee on Police Reforms (1998)***

This Committee was set up in pursuance of the Supreme Court's directions issued in a public interest litigation on Police Reforms. It undertook a scrutiny of the recommendations of the National Police Commission (1977-81), focussing on a few key issues related to police reforms in the light of a subsequent directive of the Apex Court. Five major recommendations were submitted by this Committee on State Security Commission, selection of DGP, complaints against the police, etc. The recommendations could not be implemented as yet.<sup>v</sup>

***Padmanabhaiah Committee on Police Reforms (2000)***

This Committee was appointed by the Ministry of Home Affairs, under the chairmanship of former Home Secretary, Sri K. Padmanabhaiah. The Committee examined various issues concerned with the police reforms and made a total of 208 observations and recommendations. Out of these, 99 recommendations were identified as actionable. Against these, 54 recommendations had to be implemented by the Central Government, 69 by the State Governments and the rest 29 by the police department themselves. 18 recommendations required legislative action; 35 recommendations had financial implications while 64 recommendations had no such implications involved in their implementation.<sup>vi</sup>

***Group of Ministers on National Security (2000-01)***

It was set up in the aftermath of the Kargil Review Committee. This group emphasized the crucial role of the police in national security. As regards to police reforms, 62 actionable recommendations were made. Of these, 9 required legislative action or major amendments in the rules, 54 involved actions by the Central Government, 42 were concerned with the State Governments, and the rest 8 involved action by the police organisation themselves. 11 recommendations involved financial implications and 51 had no such issues.<sup>vii</sup>

***Malimath Committee on Reforms of Criminal Justice System (2001-03)***

This Committee primarily dealt with fundamental principles of Criminal Justice System, investigation, prosecution, judiciary, crime and punishment, and made 158 observations and recommendations. This is a comprehensive report on the reforms in the criminal justice system in which 55 major and actionable recommendations were concerned with police reforms. Again, out of 55, 42 recommendations had to be implemented by the Central Government, 26 required the involvement of the State Governments, and 10 involved the police organisation themselves. 38 recommendations involved legislative action, 12 had financial implications while the rest 43 involved no financial implications. Not much has been done yet to carry out reforms suggested by this Committee.<sup>viii</sup>

## THE STATUS OF POLICE REFORMS IN INDIA

The fate of police reforms in India was very much hinged on the recommendations of the National Police Commission (1977-81). It was a comprehensive exploratory report on the status of police organisation's functioning with suggestions to improve the general image of the police. However, these recommendations could not be implemented wholeheartedly by both the Central and State Governments. They met the same fate as the recommendations of many other Commissions, and Resultantly, a Writ Petition under Article 32 was presented by Sri Prakash Singh, a retired DGP of Uttar Pradesh in the year 1996. In this petition, Prakash Singh vs. Union of India.<sup>ix</sup> The writ was finally decided in 2006. In this petition, the petitioner referred to a research paper "Political and Administrative Manipulation of the Police" published in 1979 by Bureau of Police Research and Development, "warning that excessive control of the political executive and its principal advisers over the police has the inherent danger of making the police a tool for subverting the process of law, promoting the growth of authoritarianism, and shaking the very foundations of democracy."<sup>x</sup>

The Apex Court in this case issued the following directions to the Central Government, State Governments and the Union Territories for compliance till framing of the appropriate legislations:

### ***1. State Security Commission***

" The State Governments are directed to constitute a State Security Commission in every State to ensure that the State Government does not exercise unwarranted influence on the State police and for laying down the broad policy guidelines so that the State police always acts according to the laws of the land and Constitution of the country. This watchdog body shall be headed by the Chief Minister or Home Minister as Chairman and have the DGP of the State as it's ex-officio Secretary. The other members of the Commission shall be chosen in such a manner that it is able to function independent of Government control. For this purpose, the State may choose any of the models recommended by the National Human Rights Commission, the Rebeiro Committee or the Sorabjee Committee, which are as under:

NHRC.	Ribeiro Committee	Sorabjee Committee
1. Chief Minister/HM as chairman	1. Minister I/c Police as chairman.	1. Minister I/c Police (ex-officio Chairperson).
2. Lok Ayukta or, in his absence, a retired Judge of High Court to be nominated by Chief Justice or a Member of State Human Rights Commission.	2. Leader of Opposition.	2. Leader of Opposition
3. A sitting or retired Judge. nominated by Chief Justice of High court.	3. Judge, sitting or retired, nominated by Chief Justice of High court.	3. Chief Secretary
4. Chief Secretary	4. Chief Secretary	4. DGP (ex-officio Secretary)
5. Leader of Opposition in Lower House.	5. Three non-political citizens. of proven merit and integrity.	5. Five independent members.
6. DGP as ex-officio Secretary	6. DG Police as Secretary.	

The recommendations of this Commission shall be binding on the State Government. The functions of the State Security Commission would include laying down the broad policies and giving directions for the performance of the preventive tasks and service-oriented functions of the police, evaluation of the performance of the State police and preparing a report thereon for being placed before the State Legislature.

**2. Selection and Minimum Tenure of DGP**

The Director General of Police of the State shall be selected by the State Government from amongst the three senior-most officers of the Department who have been empanelled for promotion to that rank by the Union Public Service Commission on the basis of their length of service, very good record and range of experience for heading the police force. And, once he has selected for the job, he should have a minimum tenure of at least two years irrespective of his date of superannuation. The DGP may, however, be relieved of his responsibilities by the

State Government acting in consultation with the State Security Commission consequent upon any action taken against him under the All-India Services (Discipline and Appeal) Rules or following his conviction in a court of law in a criminal offence or in a case of corruption, or he is otherwise incapacitated from discharging his duties.

**3. *Minimum Tenure of I.G. of Police and other officers:***

Police Officers on operational duties in the field like the Inspector General of Police in-charge Zone, Deputy Inspector General of Police in-charge Range, Superintendent of Police in-charge District and Station House Officer in-charge of a Police Station shall also have a prescribed minimum tenure of two years unless it is found necessary to remove them prematurely following disciplinary proceedings against them or their conviction in a criminal offence or in a case of corruption or if the incumbent is otherwise incapacitated from discharging his responsibilities. This would be subject to promotion and retirement of the officer.

**4. *Separation of Investigation***

The investigating police shall be separated from the law-and-order police to ensure speedier investigation, better expertise and improved rapport with the people. It must, however, be ensured that there is full coordination between the two wings. The separation, to start with, may be effected in towns/urban areas which have a population of ten lakhs or more, and gradually extended to smaller towns/urban areas also.

**5. *Police Establishment Board:***

There shall be a Police Establishment Board in each State which shall decide all transfers, postings, promotion and other service-related matters of officers of and below the rank of Deputy Superintendent of Police. The Establishment Board shall be a departmental body comprising the Director General of Police and four other senior officers of the Department. The State Government may interfere with decision of the Board in exceptional cases only after recording its reasons for doing so. The Board shall also be authorised to make appropriate recommendations to the State Government regarding the posting and transfers of officers of and above the rank of Superintendent of Police, and the Government is expected to give due weight to these recommendations and shall normally accept it. It shall also function as a forum of appeal for disposing of representations from officers of the rank of Superintendent of Police

and above regarding their promotion/transfer/disciplinary proceedings of their being subjected to illegal or irregular orders and generally reviewing the functioning of the police in the State.

#### **6. Police Complaints Authority**

There shall be a Police Complaints Authority at the district level to look into complaints against police officers of and up to the rank of Deputy Superintendent of Police. Similarly, there should be another Police Complaints Authority at the State level to look into complaints against officers of the rank of Superintendent of Police and above. The district level Authority may be headed by a retired District Judge while the State level Authority may be headed by a retired Judge of the High Court/Supreme Court. The head of the State level Complaints Authority shall be chosen by the State Government out of a panel of names proposed by the Chief Justice; the head of the district level Complaints Authority may also be chosen out of a panel of names proposed by the Chief Justice or a Judge of the High Court nominated by him. These Authorities may be assisted by three to five members depending upon the volume of complaints in different States/districts, and they shall be selected by the State Government from a panel prepared by the State Human Rights Commission/Lok Ayukta/State Public Service Commission. The panel may include members from amongst retired civil servants, police officers or officers from any other department, or from the civil society. They would work whole time for the Authority and would have to be suitably remunerated for the services rendered by them. The Authority may also need the services of regular staff to conduct field enquiries. For this purpose, they may utilise the services of retired investigators from the CID, Intelligence, Vigilance or any other organisation. The State level Complaints Authority would take cognizance of only allegations of serious misconduct by the police personnel, which would include incidents involving death, grievous hurt or rape in police custody. The district level Complaints Authority would, apart from above cases, may also inquire into allegations of extortion, land/ house grabbing or any incident involving serious abuse of authority. The recommendations of the Complaints Authority, both at the district and State levels, for any action, departmental or criminal, against a delinquent police officer shall be binding on the concerned authority.

#### **7. National Security Commission:**

The Central Government shall also set up a National Security Commission at the Union level to prepare a panel for being placed before the appropriate Appointing Authority, for selection

and placements of Chiefs of the Central Police Organisations (CPO), who should also be given a minimum tenure of two years. The Commission would also review from time-to-time measures to upgrade the effectiveness of these forces, improve the service conditions of its personnel, ensure that there is proper coordination between them and that the forces are generally utilised for the purposes they were raised and make recommendations in that behalf. The National Security Commission could be headed by the Union Home Secretary as it's Secretary.

The aforesaid directions shall be complied with by the Central Government, State Governments or Union Territories, as the case may be, on or before 31st December, 2006 so that the bodies aforesaid became operational on the onset of the new year. The Cabinet Secretary, Government of India and the Chief Secretaries of State Governments/Union Territories are directed to file affidavits of compliance by 3rd January, 2007".<sup>xi</sup>

This was, indeed, a historic judgment by the Apex Court, but "it has remained path-breaking on paper".<sup>xii</sup> Its most important direction was concerned with setting up of a State Security Commission with a view to insulate the police from outside pressures. In this regard, several States have enacted laws, ostensibly in compliance with the Orders of the Supreme Court. But they are violative of the letter and spirit of the judicial directions. For all practical purposes, the old order continues.<sup>xiii</sup>

Secondly, the provision regarding the selection of minimum tenure for the DGP post has had partial effect. Recently, on the post of Police Commissioner of Delhi, an officer has been appointed four days prior to his retirement which is against the directions of the Supreme Court. Thirdly, the direction about separation between the investigation and prosecution wings in the police department is still pending in almost all the states. This has to be taken up seriously as it would help in raising the standards of prosecution work by lessening the burden on policemen who are overburdened. Fourthly, the establishment of the Police Complaints Authority (PCA) has not taken place anywhere. The NPC had recommended that there should be a PCA at the state level, headed by a retired judge of the SC or High Court chosen out of a panel of names proposed by the Chief Justice of the State. A similar structure was envisaged for the PCA at the district level. The State PCA would look into murder, rape and other serious misconduct committed by the police. The district PCA, on the other hand, would look into extortion, and

incidents involving serious abuse of authority. "The most important part of this decision was that the recommendations of the PCA would be binding on the state". Affidavits filed in the Supreme Court showed that not a single state or UT has implemented the PCA provision.<sup>xiv</sup> The Union of India as well as the States have defied the directions of the Apex Court on different pretexts. They have also invented the means to dilute the spirit behind these directions. In reference to the NPA recommendations, the Supreme Court's positive intervention is laudatory. But the factual position is well expressed by Justice Thomas Committee (2010) which stated its "dismay over the total indifference to the issue of reforms in the functioning of police being exhibited by the states". Two years later, Justice Verma Committee which was constituted in the wake of Nirbhaya rape case, to suggest appropriate amendments in the Criminal Laws of the country, had expressed its belief that "if the Supreme Court's directions in Prakash Singh are implemented, there will be a crucial modernisation of the police to be service oriented for the citizenry in a manner which is efficient, scientific and consistent with human dignity".<sup>xv</sup>

In this regard, it is pertinent to note that there is a petition pending in the SC since 2013 asking for the implementation of the Directives given by the Court in Prakash Singh's case. This is high time that this petition be heard and disposed of accordingly.<sup>xvi</sup>

## **MAHARASHTRA EXPERIENCE**

A few months back a shocking incident took place in Maharashtra state where the incumbent Police Commissioner, Mr. Param Bir Singh, was removed from his office after serving there for 13 months though the fixed tenure of Police Commissioner is two years. This was apparently done in the wake of an attempt of possible terrorist attack on the residence of Mr. Mukesh Ambani, country's top industrialist living in Mumbai. As the investigation began, its prima facie showed up a nefarious link between the police, criminals and the politicians. This was strongly hinted in a letter written by Mr. Singh which caused a furore all over the country in which he cast aspersions at the then Home Minister of Maharashtra in connection with this case. At the behest of the Hon'ble High Court, the matter was referred to the CBI for further investigation which is still continuing. If the issues raised by the erstwhile Police Commissioner, Param Bir Singh, are found true, it will be a real tragedy in regard to the Indian political system as a whole. This case highlighted the evil practice of extortion which has taken

roots in the routine working of police, not only in Maharashtra but almost everywhere. The unprecedented level of corruption among the policemen is a grave cause of concern. The degree may be different in different States. Recently, in Uttar Pradesh, two IPS officers were suspended on the basis of corruption charges while several subordinate police personnel were terminated and removed from service also. But neither the obnoxious link between the police, politicians and the criminals are weakening nor the level of corruption in the force is coming down. The Maharashtra Experience is chilling and calls for urgent reforms.

In this context, it may be noted that in the cases of corruption, the standard practice is that of instituting a departmental enquiry which takes long time to conclude, and more often the accused somehow manages to get favourable results. Even if an FIR is registered against the guilty official/officer, it takes time to conclude the investigation. In the meanwhile, the officers get transferred to other places and the new incumbent may or may not take interest in the pending enquiry/investigation. Consequently, the initial enthusiasm and the energy get diluted which often results in the favour of the accused personnel. This lacuna was tried to be covered by the Supreme Court's directions which made a provision for the Police Complaints Authority at the State and district level for looking into complaints against police officers. While the district level Authority was empowered to enquire into the complaints against the police officers of and up to the rank of Deputy Superintendent of Police, the State level Authority could look into the matters concerning the officers of the Superintendent of Police rank and above. The State level Authority was to be headed by a retired High Court Judge and the district level Authority was to be presided over by a retired District Judge. These Authorities were to be equipped by other independent members of unblemished record also. The purpose was to ensure an independent and unbiased enquiry against the erring officers. Had this direction been implemented, the problem of corruption, extortion etc. in the police force might be reined in to a large extent. In the backdrop of Maharashtra episode, it became urgent and necessary to act upon this direction of the Apex Court at the earliest. In this regard, it is pertinent to note that there is a petition pending in the SC since 2013 asking for the implementation of the Directives given by the Court in Prakash Singh's case. This is high time that this petition be heard and disposed of accordingly.

## **SOME POSITIVE EFFECTS OF POLICE REFORMS**

From above, it is obvious that the recommendations of the National Police Commission reiterated by the Supreme Court in Prakash Singh's case still remain in the dormant stage. Its major recommendations are waiting to be implemented in letter and spirit. Yet, the wind of police reforms has started blowing in many grey areas related to the infrastructure development and the welfare activities of the police personnel. These can be enumerated as such:

### ***1. Infrastructure development***

During the last decade, States have paid attention to the infrastructure development within the police organisation. Ample amount of money has been allocated to improve the condition of the dilapidated buildings of police offices, police lines, residences of policemen etc. Several residences have been built inside the police thanas so that policemen posted there could keep their families with them. Similarly, the renovation of existing infrastructure facilities has injected a sense of belonging into the police force. They don't feel a neglected lot. These efforts have definitely helped in boosting their morale.

### ***2. Police modernization***

In order to change the existing structure of police force in tune with that of the developed nations, many steps have been taken by the governments. First of all, the vehicles currently in use are being systematically replaced by latest vehicles in order to ensure better mobility. This is being done at all levels including the thana level. They are authorised to wear uniforms made of better synthetic cloth instead of old cotton cloth. Their working places, such as police office, thanas, and the other buildings are now equipped with better furniture and accessories. The use of computers is rapidly becoming a normal feature.

### ***3. Technological advances***

With the use of computers, new apps and devices have been uploaded in order to facilitate the flow of information from the thana, the lowest level to the systems installed at the secretariat and the DGP level. This has added to transparency in the whole system of policing. The CCTNS (Crime and Criminal Tracking Network and Systems) is an important step in that direction.

Similarly, the use of CCTV cameras and other modern scientific instruments are being used to augment the existing capacity and quality of crime investigation.

## CONCLUSION

The reforms in the police organisation is a long-standing issue. Many Commissions and subsequent Committees have been constituted by the respective governments at the Centre and the States, but it appears that all efforts in that direction have come to a naught so far. The most obvious reason is that the governments are not keen to change the face of the police force. Even the Supreme Court's directions have not been followed in letter and spirit. Here, it is worth mentioning that the police force is now plagued with systemic corruption, inefficiency, non-professional attitude and status ad hocism. The police force has gradually lost the confidence of the public for whom the average policeman is an embodiment of oppression in the way it used to be in the time of British rule in India. Though some kinds of reforms are being carried out in the name of modernization, the major recommendations of the National Police Commission and the subsequent directions of the Apex Court are waiting in abeyance. This is indeed a sorry state of affairs which requires urgent attention of the lawmakers.

In this context, one important point is to be highlighted. In fact, the whole gamut of police reforms is based on changes in their functions, duties and corresponding responsibilities. The process of modernization is ensuring their welfare in regard to their office and residential conditions. But still their working hours are long and highly stressful. That reflects in their day-to-day activities making them more eccentric and ill-behaved uniformed force. So, the most important factor in police reforms is bringing about attitudinal change which seems to be missing in all the recommendations of various Commissions created to facilitate the ensuing process of long pending police reforms. Unless there is a change in their attitudes and behaviour towards the people in general, nothing concrete is going to happen. By creating different mechanisms and institutions to make policemen accountable will not serve the purpose unless they change their role as "friendly police" in place of being a colonial instrument of oppression.

## ENDNOTES

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- <sup>i</sup> Available at (<https://cseplus.nic.in>>Home, accessed on 3.8.2021.
- <sup>ii</sup> Report of the Review Committee on the Recommendations of National Police Commission and Committees on Police Reforms, March 2015, available at <https://kya.gov.in>, accessed on 3.8.2021.
- <sup>iii</sup> Keki N Daruwalla, Handcuffed to Politics, The Economic Times, dt October 12, 2018.
- <sup>iv</sup> Report of the Review Committee on the Recommendations of National Police Commission and Committees on Police Reforms, March 2015, p. 6-8, available at <https://kya.gov.in>, accessed on 3.8.2021.
- <sup>v</sup> Ibid, p. 8.
- <sup>vi</sup> Ibid, p. 8.
- <sup>vii</sup> Ibid, p. 9.
- <sup>viii</sup> Ibid, p. 10
- <sup>ix</sup> 2006 AIR SCW 5233
- <sup>x</sup> Prakash Singh vs Union of India, 2006 AIR SCW 5233, p. 5237.
- <sup>xi</sup> Supreme Court Weekly, 2006 AIR SCW 5233, p.5240-5243.
- <sup>xii</sup> Colin Gonsalves, Unchanging police, The Indian Express, April 7, 2021.
- <sup>xiii</sup> Prakash Singh, Cop out in Delhi, The Indian Express, February 2, 2020.
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