

CHAPTER - I

A Background of Police System and Police Reform initiatives by the Central Government in India

The word Police originates from Latin *politia* which corresponds to civil administration. The word police first appeared in French language around 15th Century A.D. meaning administration or political organisation. It acquired its modern sense of an organisation dealing with preservation of law and order around the 18th century. According to Encyclopaedia Britannica police is a body of people organised to maintain civil order and public safety, to enforce law, and to investigate breaches of the law.

The history of police in India before the British rule was nebulous and the British were the earliest to attempt at creation of an organised police in India. It is difficult to trace in India anything like a police system as we understand it today. We have very little knowledge of police administration in early Hindu times. Nevertheless, through the ages, from an early period of recorded history, there are in existence, systems of criminal law and agencies of one kind or another to enforce or execute them. These systems evolved in course of time into an indigenous police system.

Institution of rural police can be traced from the Vedic period. The **Gramini**, an official appointed by the ruler during Vedic period had to work under the control of the elders of the village. While heading the defence corps of the village consisting of paid guards, he also had the responsibility of

collecting revenue and exercising judicial powers. There is a reference to officials named **Jivagribhs** in the Rig Veda and the **Ugras** in Upanishads who appear to have been police officers¹

Kautilya's Arthashastra mentions about the existence of police during the Maurya period but it was more of an espionage system than a regular police as understood presently. Arthashastra envisaged stern repression of crime and various crimes of punishments are prescribed. It throws some light on the administrative system during Chandragupta Maurya's period who had an elaborate secret and repressive police. In the Arthashastra believed to have been composed around 300 BC there is an elaborate discussion on the use of spies in the criminal administration.

Arthashastra mentions 18 major functionaries of whom the Dandapala, Durgapala and the Antapala were military officers, but were discharging Police functions by and large were in charge of peace and order of the country at large. Dauvarika was responsible for maintenance of law and order outside the palace. The Dandapala in later times became out and out a police officer. So was the case of Durgapala (keeper of fort) who later became known as Kotapala and further on as Kotwala² (Kotwal)

The police system under Ashoka was more organised. There were **Mahamattayas**, who were the highest executive officers in the province responsible for maintenance of law and order. The **Pradesikas** were

¹ Ghosh S K, *Police Administration*, Eastern Law House Pvt. Ltd., Calcutta, 1973, p. v.

² Ibid

employed under them for collecting revenue, administration of justice and maintenance of peace and order. The **Rajukas** came next who enjoyed absolute governing powers including those related to peace and order at the district level. Additionally, **Prativedakas** existed who were a special class of officers empower to report the affairs of the people to the emperor at any place and time. On the whole the police system under Ashoka was quite novel and unique in history and it aimed at creation of an advanced type of socialistic state which had interests of the governed as the primary aim of the administrator (king)³.

The Sanskrit drama, particularly the play *Mrichhakatikam* of Sudrak describes policing methods in India of the ancient times which bear uncanny similarity with the policing seen in present day India⁴. Though there is no direct reference to a police organisation in the records of Gupta period it can be safely presumed that the Mauryan system not only continued but was perhaps improved further. The Gupta period marked a trend towards liberalism in administration with its obvious reflections on law and order machinery of the time.

On the breakup of Hindu empire, the Afghan and Moghal rulers which followed introduced their own concept of police administration. On the existing structure of local responsibility for policing, these rulers introduced the feudalistic institutions of Faujdar and Kotwal. The Faujdar represented the

³ Ibid

⁴ Currey J. C., *The Indian Police*, Manu Publications, New Delhi, 1977 cited by N. Dilip Kumar in Goa Police : History and Evolution

executive authority of the Government within the limits of a district. Though he was principally a military officer, he also functioned as the Chief police officer of the area of his command. The district was divided into a number of Parganas or subdivisions which were in charge of Shiqdars. The Faujdar and his subordinates were required to be assisted by the Zamindars who had supplanted the village headman in their police functions, as they now paid and controlled the village watchmen.

Sher Shah, the Afghan chieftain continued the traditional principles of local responsibility and held village headmen responsible for the safety of the area within the villages. At Pargana level the Shiqdar and Amin shared the responsibility of policing which in turn came under Faujdar who supervised a Sarkar formed out of several Parganas. The head of city police in urban areas was known as Kotwal who had both enforcement and judicial functions to perform.

During the Sultanate era also the institution of Kotwal flourished who had widespread powers for law enforcement and maintaining public safety and statistics. Kotwal was at the same time collecting intelligence for the state and also worked as a magistrate. He was not a military officer and his force was civilian in character.

The Kotwal was usually paid a huge salary from which he was required to incur expenses of establishment of police. He had to maintain a large body of peons, horse patrols and a sizeable number of spies and was also

answerable for the value of property stolen. His appointment, however, was considered a lucrative one as his establishment cost as were very low and both he and his subordinates freely indulged in extortion from the individuals. The criminal code being severe and punishments being deterrent there was fear of authority in the minds of ordinary people which exacerbated the rapacity of those charged with police like enforcement functions.⁵

The Moghals followed *mutatis mutandis* the same system of village based policing and Kotwal led urban policing. However the institution of Thanadars or officers in charge of army posts was a further improvement during this period. However these Thanadars never investigated offences or carried out routine police functions as we understand today.

The vivid description of duties of Kotwal, the chief of city police is given in the Ain-i-Akbari the diary of King Akbar⁶. He had to present at all royal and vice regal durbars. He received daily reports from watchmen and sweepers of goings-on in the city, and he maintained a number of paid informers. He arranged the watch and ward of streets at night, and at all places of public gathering he kept subordinates to look out for pick-pockets and other thieves. The control of prostitutes, the distillation liquor and sale of intoxicants was within his jurisdiction. He also had to look after people in prison, hear the charges against them and decide many of them, and also execute sentences.

⁵ Misra S.C., *Police Administration in India*, NPA Magazine Section, Mount Abu, 1970 also see Report of Indian Police Commission 1902-3

⁶ Currey J.C. *op. cit.*

The Kotwals were assisted by Naibs or deputies. Orders of Kotwals were applicable to the district Kazi⁷.

It can be concluded by saying that the Hindu and the Mughal police systems of the Government were autocratic and militaristic. Under Ashoka, Akbar and the Peshwas the principles were the same though with considerable difference in details. The ruler and his principle agents combined in their own persons the functions of military commander for internal security purposes, revenue collector, judge, magistrate, and head of the police. Subedars, their representatives' in charge of provinces also had these powers. Even Faujdars had the same powers in their jurisdictions. While the Zamindars or taxpaying farmers were responsible for crime control, the village headmen were both revenue and police officials and had magisterial powers.

Coming to the phase of East India Company's rule in India we need to accept that Lord Warren Hastings was a pioneer in the administration of law and order. In certain proceedings of the Governor-in-Council on 19th April 1774, he analysed the prevailing crime situation in his domain and developed his ideas on the subject of Policing. He felt that numerous gangs of dacoits, robbers who were infesting the Bengal province were afforded protection by Zamindars. He believed that this evil had resulted owing to the disappearance of the Moghal Faujdars and Thanadars. Further, he felt that the very principle of fairness followed by the codes was indirectly giving encouragement to evil doers, as the standard of evidence demanded made

⁷ Mishra S.C. *op. cit.*

punishment difficult, thereby letting off many notorious leaders of dacoit gangs.

Lord Warren Hastings therefore proposed to revive the office of Faujdar for the suppression of violent crimes and for the communication of intelligence and to force all land owners to assist them in these duties. He made a historic proposal for the creation of a separate office under the authority and control of the President of the Council to receive and collect the information collected by the Faujdars⁸. In retrospect, it can be seen that this latter proposal was the seed from which the fully developed Police System of Modern India sprouted and developed. However this innovation could hardly last for years and due to unsatisfactory performance by 1781 all the Faujdars except the ones for Hoogly were removed bringing this experiment to a naught.

As the overriding objective of police organization designed in 1861 was to maintain the stability of the British Raj, the purpose was admirably achieved by emulating the Irish Constabulary model – by placing police under direction and control of the executive authority through the office of the District Officer who acted as the agent of the colonial government.

As Britain expanded its empire, a policing model deemed ideal for colonial rule came to be identified. The model called The Irish Constabulary Model was based principally on the experience the English had while they tried to enforce order in Ireland (which rejected rule from Westminster)

⁸ Ghosh S. K., *op. cit.* p.6

through Irish Constabulary established under the Constabulary Acts of 1822 and 1836.⁹

Irish Constabulary sought legitimacy at Westminster rather than among the indigenous population. It was an alternative to an army of occupation with no community mandate whatsoever. On a structural level it was highly centralised with a recognised chain of command from the individual constable, through chief constable to inspector general, who in turn was responsible to chief secretary and lord lieutenant.

Another significant characteristic of the model was that it firmly established the principle that the constable was answerable to the chief constable rather than the law, the chief constable himself being responsible to central government.

On the other hand the Metropolitan Police Act 1829 established the principles that shaped modern English policing. First, policing was to be preventive and the primary means of policing was conspicuous patrolling by uniformed police officers. Second, command and control were to be maintained through a centralised, quasi-military organizational structure. Third, police were to be patient, impersonal and professional. Fourth, the authority of the English constable derived from three official sources – the crown (not the political party in power), the law, and the consent and co-operation of the citizenry. Finally, the oversight of the Home Secretary was to operate in such matters as establishment, administration, and disciplinary

⁹ Mawby, R. I. (1990), *Comparative Policing Issues* (London: Unwin Hyman)

regulations, leaving the direction of policing as such in the hands of the two Joint Commissioners and now the Commissioner of the Metropolitan Police. In other words, the Secretary was not explicitly or implicitly given the authority to direct police operations.

Policing in Britain for the past 173 years has continued to rest on these broad principles, and the Police Act guarantees the independence of the office of Chief Constable. In maintaining responsibility of direction and control of his force, the Act places high value on the principles that the Chief Constable should be free from the conventional processes of democratic control and influence in relation to decisions in individual cases.

If we compare both the aforementioned policing models using the three criteria of legitimacy, structure and function, it becomes evident that the English and Colonial (Irish) models of policing are quite distinct. In terms of legitimacy, while the English system is founded on the law and on local government accountability, an alien authority using its law to suit its purpose legitimises the colonial model:

"In the colonial system, the police not infrequently usurped the role of judge, jailer and executor. The 'order' imposed by the police did not automatically square with the 'law' with which it was habitually coupled."¹⁰

To a certain extent, the same can be said of the structure. While the police forces of England were decentralised, civilian, and not organized in a military fashion, although senior officers tended to be recruited from the

¹⁰ Arnold, D. (1986), *Police Powers in Colonial Rule: Madras 1859-1947* (Oxford: Oxford University Press)

military, the colonial system featured a military structure, with personnel often drawn from the armed forces, usually (and certainly in the case of senior officers) aliens, armed, and living in separate quarters.

The two models are also distinctive in terms of their functions. While the police forces under the English system accepted responsibility for a range of non-crime tasks, their responsibilities for general administration were nowhere as important as in the colonial model. Moreover, the role of the former in maintaining order and protecting the state from political protest, while scarcely ignored, never attained the priority it had in the colonies.

Against the above said theoretical backdrop, In India, Sir Charles Napier created an Irish-type police in the province of Sind in the 1840s, and a similar system was later adopted in other provinces as well. The Sind police may fairly be claimed as the parent of the modern Indian Police. It consisted of a Military Preventive police and a civil Detective Police. He made the police a separate and self-contained organisation under their own superior officers, whose sole duty and responsibility was to supervise them, and see that they had adequate means to deal with crime¹¹

The Napier model was based on two main principles: Firstly, that the police must be kept entirely distinct from the military in their support of the government. And secondly, the police must be an entirely independent body there to assist the civilian authorities in discharging their responsibilities for law and order, but under their own officers.

¹¹ Currey J.C. *op. cit.* p. 20

Although the new police was to be employed solely on police work and was to be supervised by officers whose sole duty it was to control and direct them, the system lacked logical finish. Paradoxically, the district heads of police were organizationally under the command of their provincial chief, the captain of police, while operationally each one of them was subject to orders of his respective civilian authority. In essence, the senior officers of the force were merely to be good managers of the men under their command while the District Officers, apart from their revenue and judicial functions, were tasked with the responsibility of maintaining law and order in their respective districts.

It may look quite inconceivable that the British administrators, with liberal backgrounds, did not believe in the principle of separation of powers. Actually most of them did; but as pragmatists it was their 'considered view' that only by supplementing and not by judicially reviewing or correcting the police actions (often taken at the behest of executive authorities) could the writ of the rulers be established with maximum of vigour and ease.

Some 'liberalisation' in views, however, started with the Bird Committee's report of 1838. The Committee was tasked to look into the 'desirability' of introducing in India police reforms similar to those Sir R. Peel had introduced in London in 1829. After stressing that the chief cause of police inefficiency was its inadequate supervision, the Committee recommended that control over police be entrusted exclusively to an officer other than the Collector.

An intense debate followed the Bird Commission report. There also

came a scathing indictment of the system by the Torture Commission of 1855, which concluded that revenue authorities in Madras were grossly misusing their police powers to extort revenue from the poor peasants. These historic developments led the Directors of East India Company to examine afresh the vexed subject of police reform in India.

In 1856, after examining the available evidence, the Directors issued orders clearly emphasising that further organizational development of police throughout the sub-continent would proceed on the basic premise that the District Magistrate would cease to have any role in the affairs of police. In line with the basic principles of a modern organization, they decided to commit the police exclusively to a European – Superintendent of Police responsible only to his departmental hierarchy. In what may be termed as the most important policy directive of 24 September 1856 – for the reorganization of police throughout British India, the Directors observed that the police in India had lamentably failed in accomplishing the tasks for which it was established. Identifying ineffectual and irrational control by the District Magistrate as one of the major causes of police failure, they directed:

“The management of the police of each district be taken out of the hands of the Magistrate and be committed to an European officer with no other duties and responsible to a General Superintendent of Police for the whole presidency”¹²

The state of affairs of police functioning had so touched its nadir that

¹² Gupta, A. (1974), *Crime and Police in India* (up to 1861) (Agra: Sahitya Bhawan) p. 354-55

certain comments made by the then top British functionaries are worth a recollection. Sir Frederick Halliday remarked in 1956 “ the native police, unless it is closely and vigorously superintended by trust worthy officers is sure to be a scourge” He described the village police as “Utterly useless for police purposes” and “a curse instead of a blessing” for the community. He further said “it is even a question whether an order issued throughout the country to apprehend and confine them would not be more appropriate to put a stop to theft and robbery than any other measure that could be adopted.

The implementation of the 1856 directive could have rid the police of many of its chronic organizational ills, but the ‘Mutiny’ of 1857 completely transformed the whole liberal perspective. The clock was turned back and tightening of control over police was felt a more compelling necessity both to rein in the natives and prevent policemen from ever falling into the footsteps of mutineers. The historic decision regarding separating the police from the executive authorities was withdrawn, and it was strongly advocated that with the judicial and police powers concentrated in the same hands, the District Officer would be more effective in keeping the junior police ranks loyal to the rulers. In this backdrop the police Act 1861 came into being.

Police Commission of 1860

The ‘mutiny’ of 1857 shook the very roots of the administration of law and order in India. It made the imperial government realize the inadequacy of police machinery and the urgency of a unified and organized police system for the entire country. The Court of Directors of the East India Company in its

despatch dated 24 September, 1856 accepted a fairly liberal and progressive common plan of reorganization of the police in British India, specially as the Government was worried over the mounting cost of the police, particularly the Military Police. This was the background, in which the Government of India appointed a Commission to enquire into the whole question of police administration in British India and to suggest ways and means for an increase in police efficiency and to recommend sizeable reduction in the excessive expenditure involved in maintaining the police force.¹³

The Police Commission of 1860 brought-forth its report in the course of a few months and its recommendations had a very far-reaching effect. The Commission *inter alia* recommended the following:

(i) Abolition of the Military Police as a separate organization, which in the Commission's view was neither necessary nor desirable.

(ii) The constitution of a single homogeneous police force of civil constabulary for the performance of all police duties, the general superintendence of which was to be vested in the respective State Governments.

(iii) Police was to be organized on provincial basis with an Inspector-General of Police in charge of the 'general police district' on the pattern of Royal Irish Constabulary.

(iv) A district-based police system in which each of the district establishments was to be headed by the Superintendent of Police who was to

¹³ Bharti D. *Police and People : Role and Responsibilities* APH Publishing Corpn. New Delhi, 2006, p.17

function under the general control and supervision of the District Magistrate.

(v) A subordinate police force was to consist of Inspectors, Head Constables, Sergeants and Constables.

(vi) The Commission recommended retention of village police though it labelled it to be both inefficient and corrupt;

The major recommendations of the Police Commission of 1860 were incorporated into a Bill which was passed into a law as Act V of 1861. The Police Act of 1861 was adopted in all provinces except Bombay Presidency. Here Regulation XII of 1827 continued to govern the Police. It was only in the year 1885, that an Inspector General of Police was appointed for Bombay Presidency though his counterparts were created in most of the provinces in or around 1861. The basic structure of the police organization as it exists in India today is based on the Police Act of 1861.

The Era of Police Act, 1861

Though the British Crown took over the Government in November 1858, the introduction of a professional police administration had to wait until the year 1861, when the Police Act was enacted. Under the Police Act 1861, the Inspector General of Police as the chief of provincial police assumed specific responsibilities in the areas of police policy formulation and the line operations involved in the execution thereof. His appointment was firmly controlled by central government although, once appointed, he was to act as an advisor to the provincial government on all matters connected with the police administration of the province.

In carrying out his responsibilities, the Inspector General was to be assisted by several Deputy Inspectors General posted on a territorial basis, usually each to a group of three to five districts called a range. The Deputy Inspector General was to exercise a general supervision over the District Superintendents in his range, and they were to look towards him for advice, guidance, leadership and co-ordination of police work within the range.

As head of the district police, a District Superintendent was made responsible for all matters relating to the internal economy of the force, its management and the maintenance of its discipline and the efficient performance of all its duties connected with the prevention, investigation and detection of crime.

The Bane of Dual Control

Under the Police Act of 1861, in addition to being under the senior police hierarchy, the District Superintendent was simultaneously subjected to the operational – lateral – control of the District Magistrate. Under paragraph 2 of section 4 of the Act:

"The administration of the police throughout the local jurisdiction of the magistrate of the district shall, under the general control and direction of such magistrate, be vested in a district superintendent and such assistant district superintendents as the Provincial Government shall consider necessary."

The police administration at the district level was thus subjected to a dual control – all administrative, technical, financial, professional and

organizational control of Inspector General through his deputies; and the lateral general control and direction of the District Magistrate. Also, postings and transfers of Superintendents of Police and officers senior to them were the concern of the Provincial Government, not of the Inspector General.

Because of its failure to rectify the long-discovered structural defects of the Irish model, an intense criticism of the draft Police Act of 1861 started right from the day it was introduced in the Legislative Assembly. It was variously described as 'old wine in new bottle' and 'a new friend with an old face.' Nonetheless the Act was passed with the hope that 'at no distant period' the police in India would be reformed on lines similar to Peel's.

Sir James Stephan, a law member of the Governor General's Council in 1870-71 and a political philosopher of the Indian Civil Service, however, was quick to put the whole debate about police reform in the 'correct' perspective. After accepting that the administration of justice was not in a satisfactory state in any part of the Empire, he enunciated in succinct terms:

"The first principle to be borne in mind is that the maintenance of the position of the district officers is absolutely essential to the maintenance of British rule in India and that any diminution in their influence and authority over the Natives would be dearly purchased even by an improvement in the administration of justice¹⁴."

In practice, at least in some provinces, the ground position was far worse in that the police operations were controlled and directed not merely by the

¹⁴ Gupta, A. op. cit.

District Magistrate, but at the sub-divisional level by his subordinate, the Assistant Commissioner, and at the divisional level, by his superior, the Commissioner. In fact the police were impressed upon to act as the 'hands' of the civilian authorities, thereby reducing the former to an agency of the latter and practically excluding the Inspector General and his deputies from supervision of police not only in the sphere of law and order but also, to a very large extent, even from its internal administration.

These retrograde steps, including, in particular, constant interference with the authority of senior officers of police over the men under their command, had a crippling effect on the ill-conceived police organization, in addition to exacerbating the bitter complaints of police oppression and extortion, apart from spoiling the discipline of the force.

The Police Commission 1902-03

By the beginning of 20th century, the situation became so 'bad' that Lord Curzon, the Governor General, had to declare police reform as one of the most urgent needs of Indian administration. Accordingly, in July 1902, he appointed a commission to be presided over by Sir Andrew Fraser, Chief Commissioner of the Central Provinces, to report on the state of the police organization.

The commissioners, in their report submitted in 1903, recorded their 'emphatic' view that the 1861 system had completely failed. One of the major causes of its failure, according to them, was undue interference with the police by the civilian authorities. "The purpose of Police Act 1861 was not

to create a system of dual control but merely to provide for a reserve of authority outside the police organization, to be exercised by the District Magistrate only sparingly and in very specific situations, while the day to day police work was to be directed and controlled solely by the senior officers of police," they said. But, oddly enough, the recommendations of the Fraser Commission fell short of addressing adequately the fundamental and chronic organizational ills of police, or bringing about any substantial reform.

Why the British did not feel able to reform police, despite overwhelming evidence in support of reform, was largely because they wanted to ensure in-built subservience of police to the executive administration; not to mention that corruption, lack of professional excellence, police high-handedness and resultant police-public estrangement were some of the obvious by-products of this policy. It was also due to the fact that they were not prepared to make terms and conditions of police rank and file attractive enough. In other words, the police organization was designed not to attract better talent.

In his note of dissent, the Maharaja of Darbhanga, one of the Indian members of the Fraser Commission, maintained in line with Sir Frederick Halliday that the 'junction of the thief-catcher with judge was surely more anomalous in theory and more mischievous in practice'. The connection between the district superintendent and the magistrate needed to be severed entirely and completely, because as bed-fellows, they were capable of causing incalculable harm. He maintained that his own experience in Bengal had made him believe that it was essential to sever this connection

between the police and the magistracy in the high interest of justice and fair play.

Ironically, similar liberal and rational views of vision and professional wisdom were frequently expressed, but were almost always superseded by the overriding considerations of precipitating the Raj. Functioning under the guiding principles of this colonial philosophy, the police performed remarkably well in its role as an occupying force. Although this role kept it miles away from the public and often turned it into a target of emotional abuse by those who were pitted against the British.

After independence the need for police reforms was felt and many states set up their own police commissions. The first state police commission was set up in 1959 in Kerala. Most of the States had the Police Act of 1861 as a model while drafting the state acts, hence the same idea and structure is broadly found in the most State Police Acts. Here we will not analyse the formal police reform attempts but merely recount the reform commissions after independence.

Gore Committee on Police Training (1971–1973)

The Gore Committee on Police Training was set up to review the training of the state police from constabulary level to the IPS level. The committee made 186 recommendations, 45 of those were related to police reforms. The recommendation that relates to the police training has mostly been implemented however the recommendations relating to the structure of the police system on the other hand have been overlooked.

National Police Commission (NPC) (1977 – 1981)

The National Police Commission (NPC) was the first commission to exhaustively review the Indian police system. NPC wrote eight reports in four years. The eight reports suggested altogether 291 recommendations all related to police reforms. Most of the recommendations have not been implemented.

The **First Report** given in 1979 tackles the constabulary and administrative issues such as pay-structure, housing, redressal of grievances, career planning for constabulary etc. 28 recommendations were suggested but the most important recommendations still need to be implemented by the states.

The **Second Report** also given in 1979, deals with welfare measures for police families and how to avoid political and executive pressure on the police force. The recommendations propose a new police act to reclassify police duties and responsibilities, postings and tenures of Chiefs of Police, constitution of state security commissions, protection against subjective transfers/suspensions. 33 recommendations were made in the second report, where both the centre government and the state governments needed to take action.

The **Third Report** focuses on the police force and weaker sections of the society, village police, corruption in the police, economic offences and modernisation. Some of the 54 recommendations are related to postings of

Station House Officers / Superintendent of Police, how to combat corrupt police officers as well as guidelines for making arrests. Major part of the recommendations has not been implemented.

The **Fourth Report** deals with the issues of investigation, trial and prosecution, industrial/ agrarian issues, social legislation and prohibition. The suggestions deal with registration of the First Information Report (FIR), recording of statements of witnesses, arrest, remand and confession, amongst others. 59 recommendations were suggested, most of them have not been implemented.

The **Fifth Report** covers issues like recruitment of constables and sub-inspectors, training of police personnel, district police and magistracy, women police and police public relations. 27 recommendations were made in this report.

The **Sixth Report** takes up the issues of the IPS, police and students, communal riots and urban policing. 23 recommendations were made, some of them dealing with creation of IPS cadres for central police organisations, compulsory training for promotions for IPS officers etc.

The **Seventh Report** focuses on the organisation and structure of the police, state armed police battalions and district armed reserves, delegation of financial powers to police officers, traffic regulation, etc

The **Eighth Report**, given in May, 1981 touched the subject of accountability for police performance. This report suggests *inter alia* 7 major

recommendations such as complaints against the police should be defended at governments cost, it also contains a draft of a new police act.

Ribeiro Committee on Police Reforms (1998)

The Ribeiro Committee was set up in 1998 on the orders of the Supreme Court following a Public Interest Litigation (PIL) on police reforms. The committee proposed five major recommendations related to state security, selection of DGP and complaints against the police, these recommendations have not been implemented.

The Ribeiro Committee has been criticised for revising the recommendations of NPC rather than reviewing the action taken on them. There was a sentiment that this committee had diluted some of the important recommendations of NPC regarding the State Security Commission by making it a non – statutory body and by appointing the DGP as the ex-officio Secretary and Convenor of the Commission.

Padmanabhaiah Committee on Police Reforms (2000)

Former Union Home Secretary Shri K. Padmanabhaiah was appointed chairman of this committee in 2000 by the Ministry of Home Affairs. The committee inspected the recruitment to the police force, training, duties and responsibilities, police officer's behaviour, police investigations, prosecution, amongst others. It made 99 actionable recommendations, of which 54 need to be implemented by the central government and 69 need to be implemented by the state governments.

Group of Ministers on National Security (2000–2001)

The Group of Ministers on National Security was constituted for four tasks namely a) the intelligence system b) internal security c) border management and d) the management of defence. 62 recommendations were made, 54 need action to be taken by the central government and 42 by the state governments.

Malimath Committee on Reforms of Criminal Justice System (2001–2003)

The Malimath Committee addressed the issues related to the Criminal Justice System, investigation, prosecution, judiciary, crime and punishment. The report has been heavily criticised by human rights organisation for its suggestion of changing the burden of proof. This committee made 158 observations and recommendations. There are 55 major recommendations of which 42 have to be implemented by the central government and 26 by the state governments.

Soli Sorabji Committee (2005)

Central government appointed an 11 member committee on 20 September 2006 to draft a new Indian Police Act headed by former Attorney General Soli Sorabji. The Committee was to opine whether the Model Police Act drafted by the NPC to replace the Police Act of 1861, needed any modification. Reforming Police attitude, Scientific Investigation, Protection to the weaker sections of the society and providing people oriented service were some important points to be considered while drafting the new Act. The

Committee held 40 meetings and drafted a model Police Act having 221 Sections in 16 Chapters this draft had been forwarded to states subsequently to serve as a model for their respective State legislations, Police being a state subject.

States on their part have not shown any great enthusiasm in the reformative strain of this Act in as much as they have twisted it as per their perceptions giving the Police Reform agenda a go by in some cases.
