

Chapter V

Suggestions & Recommendations

In the light of the foregoing discussion it is fairly obvious that the imperatives of initiating wide spread and comprehensive police reforms cannot be ignored any further. However, it is felt that the reform agenda needs to go much beyond what has been directed by the Hon'ble Supreme Court. In short, following issues need to be taken up on priority:

1. A National Policy on Crime Prevention needs to be formulated which is consistent with the present and prospective challenges, several nations have already formulated their national policies on crime prevention, with roles and responsibilities clearly defined for different organs of the State and different stakeholders of the society. Besides signalling the resolve of the Government in fighting the crime and strengthening the Law Enforcement effort, it will also strengthen the morale and guide the actions of Police at a National level harmoniously.
2. Setting up a National Police University is also a top reformist priority as a visionary, multidisciplinary and sustained approach is necessary through an institutionalised mechanism for Police Studies, which encompasses Police Science, as it deals with non-crime areas and with whole gamut of administrative functions of Police organisation. Japan and Australia already have such academic institutions in existence. Phenomena of Crime, Criminology and specialised fields like Police Psychology, Cyber forensics etc. need to be professionally studied and researched if we have to curb crime and criminals in the real sense.

3. Separation of Investigation from the law and order work needs to be accomplished on top most priority at national level. This will not only expedite the investigations but would enhance the quality of the investigations also leading to better prosecution and resultant convictions of criminals. The investigating officers would also have to be given incentives to keep up their morale. This separation would have to be carefully planned with less heinous crimes with law and order implications being left to be investigated at the level of local police. This suggestion has also been supported by the Hon'ble Supreme Court, the Second Administrative Reforms Commission, and The National Police Commission.

4. Security of minimum tenure should be given to field-level police executive functionaries and their supervisory hierarchy including the DGP. This will give stability to ongoing crime prevention measures and policies. Incidentally this suggestion has been strongly endorsed by the Hon'ble Supreme Court in its judgement delivered in CWP 310 of 2006.

5. A National Security Commission needs to be established at Central level which should be charged with preparing panels for selection and placement of heads of Central Police Establishments who also need to be given statutorily fixed tenures of reasonable length. This commission should also undertake timely review of measures to upgrade the effectiveness of these forces, improve the service conditions of their personnel, ensure that there is proper co-ordination between them and that the forces are generally utilised only for the purpose they are raised.

6. State Security Commissions and Police Establishment Boards should be constituted at the state level with the aim to stave off unwarranted influence or

pressure of the state executive on state police and laying down guidelines for action of police in line with laws of the land and the Constitution and deciding upon senior level police appoints in the state. The Establishment Board should be charged with all issues related to transfers, postings, promotions and service related matters of middle and junior level officers of police so that political interference in this area can be curbed.

7. Police modernisation schemes should be made more broad based and their funding levels need to be enhanced substantially. The modernisation work should not remain limited to constructing residential and official buildings and purchasing of riot gear and vehicles. Rather it should prepare a futuristic projection of emerging challenges and related training strategies and operational plans and cater to them in an institutionalised and imaginative fashion.

8. The forensic and cyber-forensic establishment in the country is, for most part, in a primitive state. To make investigations qualitatively superior and fruitful, advanced forensic equipment and facilities need to be established at regional and district levels. DNA fingerprinting and profiling facilities need to be made available at least at the zonal levels if not range levels. Each district in the country needs a fully functional forensic science laboratory. This should be ensured on highest priority.

9. Police behaviour and psychology require a complete overhaul. Militaristic training needs to be curtailed and course contents in police training establishments need to be drastically revised. Although IPS officers are given behavioural training yet the major constituent of police – Constabulary is not given any behavioural training or familiarisation with psychology of people and criminals. This needs to be done immediately if police image and effectiveness has to be improved.

10. Last but not the least, no Police reform process can succeed if the other arms of the Criminal Justice System are not reformed. There is need to create more courts to try the backlog of pending cases expeditiously, manned by competent and honest judicial officers. The Prosecution wing has to be strengthened numerically and good lawyers inducted so that prosecutions are competently handled. There is also need to bring modifications in Laws particularly The Evidence Act to allow Police perform in confident, professional and competent manner.
