

Improving Police Efficiency

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ABSTRACT

In the modern age of economic activities and political awakening, the police have to perform the arduous tasks of law enforcement and preservation of peace with utmost care and caution. Its main purpose is to protect the innocent from the depredation of criminals. This involves two main tasks viz., to act as the watch and ward to prevent crime and to chase out criminals who have committed a crime and bring them before a court of law for trial and punishment. The criminals always try to outsmart the police and the police make efforts to find out the culprit by using scientific means. In this process, the police are confronted with several problems. Law and order are vital for any society to achieve and maintain prosperity and morality. To maintain law and order, efficient and effective police is necessary, especially in developing countries like India. Hence, it is high time the political and permanent executive must implement the remedial measures to bring necessary reforms in police functioning.

KEYWORDS: Crime, Law, Police, Public, Reforms, Policing.

1. INTRODUCTION

In the olden culture and jurisprudence, the police were to look after only the "law and order". In those centuries, the police were obedient to the king who was supreme. The police were responsible only to the king. Thereafter, the waves of democracy, human values, modern thinking of sociology etc. came into existence. Now majority of the countries enjoy a democratic system. In the democratic system, the welfare state substituted the age-old principle of autocratic, law and order and strict police state. Now in every country, the area of police has been widened. The modern laws are making the police responsible to answer the public. In the western and developed countries, the police have learned modern technology, good manners etc.

2. THE PROBLEMS OF POLICE

The spurt of socio-economic activities in India after Independence has brought about revolutionary changes in the pattern of Indian society. In the modern age of economic activities and political awakening, the police have to perform the arduous tasks of law enforcement and preservation of peace with utmost care and caution. Its main purpose is to protect the innocent from the depredation of criminals. This involves two main tasks viz., to act as the watch and ward to prevent crime and to chase out criminals who have committed a crime and bring them before a court of law for trial and punishment. The criminals always try to outsmart the police and the police make efforts to find out the culprit by using scientific means. In this process, the police are confronted with several problems. The problems faced by police during investigation render their job difficult, particularly because of the lack of public cooperation and support. People are generally not willing to testify against the offender due to the risk of threats and violence and tiresome criminal law procedure.

3. PRINCIPLES OF POLICING

The Police organization in India is functioning under the Indian Police Act, 1861, as modified in 1912 which has become outdated and outmoded. The police in India, as it exists today, cannot tackle the problems of developing society effectively with their multifarious activities. The mounting problems of law and order and increasing incidence of violence have badly shattered the efficiency of the police administration. It is for this reason that the National Police Commission in its report submitted in May 1981 had suggested a new draft Police Act to cope with the new challenges and an exercise in this direction has already begun at the instance of the Home Ministry of the Central Government. To revitalize the police administration, some States appointed Commissions to suggest reforms in police working but nothing substantial could be achieved because of a general feeling that police is an unproductive and unrewarding necessity. Public distrust for police is mainly due to misuse of powers by the police and its low profile of being rough and tough with people who come in contact with police personnel.

4. ISSUES AFFECTING THE FUNCTIONING OF POLICE

- An overburdened police force: Police force is overburdened especially at lower levels where constabulary is forced to work continuously 14-16 hrs and also for 7 days a week. It adversely

impacts their performance. While the sanctioned police strength was 181 police per lakh persons in 2016 when the United Nations recommended standard is 222 police per lakh persons. 86% of the state police comprise of the constabulary. Constables are typically promoted once during their service. This could weaken their incentive to perform well.

- **Improving police infrastructure:** Failure of police infrastructure like vehicles, weaponry. Also, audits have found that the POLNET network is non-functional in various states. Funds dedicated to the modernization of infrastructure are typically not utilized fully. For example, in 2015-16, only 14% of such funds were used by the states.
- **Lack of public cooperation:** The general public does not cooperate with the police in its work of tracking down the criminals.
- **Political influence:** Second Administrative Reforms Commission has noted that ministers have used police forces for personal and political reasons.
- **Police accountability:** Police forces have the authority to exercise force to enforce laws and maintain law and order in a state. However, this power may be misused in several ways. For example, in India, various kinds of complaints are made against the police including complaints of unwarranted arrests, unlawful searches, torture and custodial rapes.
- **Mutual Non-cooperation:** There is a lack of coordination in police work. The police work involves hazards. The officers tend to play safe.
- **Poor quality of investigation:** Crime per lakh population has increased by 28% over the last decade (2005-2015). However, convictions have been low. So it shows the poor quality of investigation. The Law Commission and the Second Administrative Reforms Commission have noted that state police officers often neglect investigation because they are understaffed and overburdened with various kinds of tasks.
- **Further, they lack the training and expertise required to conduct professional investigations.** They also have insufficient legal knowledge and the forensic and cyber infrastructure available to them is both inadequate and outdated. In light of this, police forces may use force and torture to secure evidence. Crime investigations may be influenced by political or other extraneous considerations.
- **The arrest of women:** In the case of a woman criminal, only women police should arrest her. There are certain other restrictions regarding the time, place etc. However, our police in majority cases do not follow the restrictions and rules.

- Cooked-up evidence: The police must conduct the investigation properly. However, in several cases, the police cook-up evidence, by threatening the witnesses, concocting the stories, etc. either to help an influential person to enable him to be acquitted or to involve an innocent person to produce before the Court to enhance the number of the cases.
- No physical exercise: While the police officers in the training period, they take physical training. Thereafter, they forget to do physical exercise.
- Forensic labs: Expert bodies have however said that these laboratories are short of funds and qualified staff. Further, there is indiscriminate referencing of cases to these labs resulting in high pendency.
- Lack of coordination between center and states is a matter related to maintenance of law & order results in the ineffective functioning of the police force. The police force is not in the position to tackle present problems of cybercrime, global terrorism, Naxalism because of structural weaknesses.
- The prevalence of the Rank system within the police force results in abuse of power by the top-level executive over lower-level personnel.

5. REFORMS NEEDED

There are several other defects besides mentioned above. Average Indian fear to approach police for help. He feels shy if he is asked to come to the police station to give evidence or surety. This is the actual position to-day in India about the police. There are incidents in the past that' they beat the Magistrates, Advocates, and Judges and humiliated them. In this present system too, it is not out of place to mention here that by the fear of the police, the crime rate is lesser in India compared with other developed countries. The modern criminologists and sociologists guide the Government by suggesting certain good ways of reforming the police. They are:

- Investigation: In India, the crime rate has increased by 28% over the last decade. However, conviction rates (convictions secured per 100 cases) have been fairly low. In 2015, the conviction rate for crimes recorded under the Indian Penal Code, 1860 was 47%. The Law Commission has observed that one of the reasons behind this is the poor quality of investigations. Experts have recommended that states must have their specialized investigation units within the police force that are responsible for crime investigation.

- **Increase of Police:** It is no doubt to note that the strength of police personnel in every police station is very less and not sufficient to meet the actual position in society. The population is increasing very rapidly. The crime rate in our society is increasing. At the same rate, the number of police is not increased. The Government is entrusting several duties on police, who are lesser in number.
- **Wages:** The wages are lesser comparing the actual living wage index. Every State Government thinks that the police earn too much bribe amount and with that ill-opinion, they do not enhance the wages. It is the general principle that when labor gets sufficient wages for his family, he does not tend to steal or corruption. Here our Governments do not pay sufficient wages for our police. To maintain their families and dependants, several police personnel are compelled to commit corruption against their wills and wishes.
- **Duty without leisure:** Our police personnel works for 24 hours without proper leaves. There is a heavy load of work on every police constable to higher officer. While the police in developed countries enjoy their duties with prescribed duty hours, our police are doing slavery to the Government.
- **Ammunition:** Every police person and police station must be equipped with modern and scientific equipment. Israel's country is very smaller equal to one of our Districts. The police of Israel are using Helicopters and light aircraft in detecting or chasing the criminals.
- **Independent Complaints Authority:** The Second Administrative Reforms Commission and the Supreme Court have observed that there is a need to have an independent complaints authority to inquire into cases of police misconduct.
- **Padmanabhaiah commission:** It has also been recommended that constables, and the police force in general, should receive greater training in soft skills given they need to deal with the public regularly.
- **Legal and Technical knowledge:** Every police must be trained legal and technical knowledge and he must be improved by regular contact classes every year. Legal and technical knowledge should be imparted in regional languages.
- **Housing:** The importance of providing housing to the constabulary (and generally to the police force) to improve their efficiency and incentive to accept remote postings has also been emphasized by expert bodies, such as the National Police Commission.

- **Police accountability:** In India, various kinds of complaints are made against the police including complaints of unwarranted arrests, unlawful searches, torture and custodial rapes. To allow the police greater operational freedom while ensuring accountability, various experts have recommended that the political executive's power of superintendence over police forces be limited.
- **Strict punishment:** First of all, every police officer must be taught with good manners and courtesy. In any allegation against any police officer for his arrogant behavior, he must be enquired in the public by a High Court judge. No political interference should be made. There must be strict punishment on the police, who harass or torture the public or ill-behaved.
- **People:** The people must be educated. The people must aware of their rights. They should not fear the police. They must question the atrocities of police, whenever the occasion arises.
- **Police infrastructure:** Modern policing requires strong communication support, state-of-art or modern weapons, and a high degree of mobility. The CAG and the BPRD have noted shortcomings on several of these fronts. For instance, an audit of the Rajasthan police force (2009 to 2014) concluded that there was a shortage of 75% in the availability of modern weapons against the state's own specified requirements. The CAG has found that there has been a persistent problem of underutilization of funds meant for modernization. In 2015-16, the center and states allocated 9,203 crore rupees for modernization. However, only 14% of it was spent.
- **Awards and Rewards:** The Central Government and every State Government should give awards and rewards to the honest and brave police personnel.
- **Police-public relations:** Police-public relations are an important concern ineffective policing. The police-public relations are in an unsatisfactory state because people view the police as corrupt, inefficient, politically partisan and unresponsive. One of the ways of addressing this challenge is through the community policing model. Community policing requires the police to work with the community for the prevention and detection of crime, maintenance of public order and resolving local conflicts, to provide a better quality of life and a sense of security. Various states have been experimenting with community policing, including, Kerala through 'Janamaithri Suraksha Project', Rajasthan through 'Joint Patrolling Committees' and Assam through 'Meira Paibi'.

6. CONCLUSION

Law and order are vital for any society to achieve and maintain prosperity and morality. To maintain law and order, efficient and effective police is necessary, especially in developing countries like India. Hence, it is high time the political and permanent executive must implement the remedial measures to bring necessary reforms in police functioning.

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