Uttar Pradesh Police: Reforms And Employment Status

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ABSTRACT

An essential part of the state's legal system is the police force. Most people associate the word "police" with state personnel whose duty it is to maintain order, especially when it comes to the ordinary application of the penal code. More than just keeping the peace and catching criminals, today's police officers also help with traffic laws enforcement, crowd control at events like rallies and fairs, supporting emergency services like the fire department and flood rescue teams, and mediating small disputes between members of the public. An essential component of the state's justice system is the police. The word "police" mostly refers to state employees whose job it is to uphold law and order, particularly through the execution of the regular criminal code. In addition to preventing crimes and apprehending offenders, police officers nowadays also assist with other welfare tasks such as assisting with traffic regulations, managing crowds at public events and meetings, supporting fire departments and flood rescue teams, and assisting members of the public in resolving small conflicts.

Keyword: Police, Department, Flood, Regulations, Conflicts

1. INTRODUCTION

An essential part of the state's legal system is the police force. Most people associate the word "police" with state personnel whose duty it is to maintain order, especially when it comes to the ordinary application of the penal code. A police officer was defined as "a person paid to execute, as a matter of duty, activities which, if he were so minded, he might have done willingly" by the Royal Commission on the Police Powers and Processes in 1929. Today, the term "police" refers to the executive civil force of a state that is entrusted with upholding public order and putting laws into place to suppress criminal behavior. More than just keeping the peace and catching criminals, today's police officers also help with traffic laws enforcement, crowd control at events like rallies and fairs, supporting emergency services like the fire department and flood rescue teams, and mediating small disputes between members of the public.

The police are a crucial component of the state's justice system. The word "police" mostly refers to state employees whose job it is to uphold law and order, particularly through the execution of the regular criminal code. The Royal Commission on the Police Powers and Procedures of 1929 defined a policeman as an individual who is paid to carry out tasks that, in a better world, he would have done on his own initiative. Today, the word "police" refers to the executive branch civil force of a state charged with upholding laws aimed at preventing and detaining criminal activity as well as upholding public order.

In addition to preventing crimes and apprehending offenders, police officers nowadays also assist with other welfare tasks such as assisting with traffic regulations, managing crowds at public events and meetings, supporting fire departments and flood rescue teams, and assisting members of the public in resolving small conflicts.

1.1 POLICE SYSTEM IN INDIA—A BRIEF HISTORY

Since the Rig and the Atharva Veda identify specific crimes that the Vedic people were aware of, the history of police can be traced back to the early Vedic era. Indeed, there is evidence that security personnel existed as early as the Harappan era. Even if a comprehensive reference to the criminal justice system during the Vedic period is unavailable, the Mauryan period discloses important aspects of it. A 310 BC treatise on the criminal justice system is Kautilya's Arthashastra. It reads like a contemporary police guidebook. DANVARIKA, ANTEVANSIKA, PRADESIKAS, MAHAMATRAS, RAJJUKAS, and so on are mentioned. The three categories of police were durgapal, antpal, and dandpal.

On contemporary lines, the history of Indian police begins with the turn of the 19th century. Before the British era and even for a long while after the start of the rule, the concept of a distinct regular police force as it is known today was never entertained. Warren Hastings didn't begin introducing various police reform initiatives under the Company's control until 1774. These efforts eventually culminated in the Police Act of 1861, which serves as the foundation for the current police system.

The Police Act of 1861, which is 159 years old, is the primary basis of the Indian Police system and structure32 as it is currently set up. Over the course of 120 years, there have been two analyses of police operations conducted at the All India level. The Indian Commission was established in 1902-03 during the British rule, and the National Police Commission established it in 1977. They discovered that the police were widely perceived as being corrupt and oppressive, that they were ill-trained and poorly organized, and that they lacked welfare programs, public relations efforts, grievance procedures, and other necessary tools. We still lacked a proper police administration structure even after gaining independence. It is still necessary for the police to refocus their approach and mindset.

1.2 Emerging Challenges

Thus far, the primary focus of this study project's debate has been India's police system's evolution and history. Nonetheless, as the research work's title suggests, the primary emphasis of this study is India's police reforms. Here, the question of why this kind of reform is necessary is being posed on its own. In response, it can be argued that while maintaining law and order is the primary duty of the police, they have frequently fallen short of accomplishing this goal due to a variety of significant circumstances that affect India specifically. As a result, different exigencies have arisen. In this context, several key elements are listed as follows:-

1.3 Misuse of Power

The police work in a highly sensitive position every day. The harsh and seasoned criminals, smugglers, killers, and other anti-social forces must be faced by it. The range of tasks and obligations placed on police in the modern era has greatly expanded their authority. The government has granted police broad discretionary powers to deal with any circumstance or emergency, such as making an arrest without a warrant, searching a home or other location, and trapping and physically harming robbers, dacoits, and other criminals they come across to the point of death. Police should generally use their discretionary and other authorities with caution and good judgment, however this is not always the case. When police use their authority to further their own agendas, often with malice, they subject the poor and innocent

people to physical and mental anguish. People become dissatisfied, hateful, and afraid of police in general as a result of this propensity.

1.4 Oppressive Policy

Police brutality is one other issue that has surfaced as a difficulty for the Indian police system, among many others. The purpose of the police is to assist the general public in addition to upholding law and order in the community. On the other hand, police handle cases with a harsh and oppressive demeanor. Furthermore, torture is occurring to detainees under its control.

In India, torturing detainees and those awaiting trial has grown commonplace in police holding facilities. Torture is used by the "Police," or the state's civil force, to coerce confessions or information from detainees or those awaiting trial. The majority of nations' national laws as well as international instruments have made the use of torture absolutely forbidden. Nonetheless, no explicit law protecting people's rights against torture has been enacted in India. The Indian legislative is very troubled by the fact that, despite the country having signed the "Convention against Torture" more than 20 years ago, no explicit legislation or enactment has been made to ratify the treaty. To yet, the legislature has taken no action to pass legislation outlawing torture. Furthermore, the act of torturing is punishable by the Indian Penal Code of 1890 (Sections 330 & 348), which is a national law. However, this law does not apply when a police officer is on duty and commits the tort. As a result, not all potential forms of torture as specified by the Convention against torture are covered by these rules.

1.5 SCOPE OF THE STUDY

The scope extends beyond the definitional component of police. This study aims to provide an overview of police changes in India, as the title suggests. Which issues are the Indian police force dealing with? What procedures should be taken in order to address these issues? What is the legal position in this regard? These will be the main topics of discussion in the sections that follow in this research paper. To keep the conversation organized, an outline of the Indian police force's history and current state has been covered before moving on to the major topic of discussion.

1.6 STATEMENT OF THE PROBLEM

Thus far, the majority of our research has been devoted to the historical development of India's police force. But as this study's title implies, the reforms in India's police force are the main focus here. The question of why this kind of transformation is required is currently being raised on its own. One way to respond would be to say that the police's top responsibility is maintaining peace. However, from an Indian perspective, there are a lot of reasons why the police haven't been able to consistently achieve this, and as a result, various urgent issues have emerged. Every day, police officers face danger because of the abuse of their power. Its populace is made up of murderers, smugglers, vicious criminals, and other antisocial individuals. Due to the vast array of responsibilities and tasks that have been placed on it, the police force of today is more extensive and potent than it has ever been. The government has given police personnel a great deal of latitude in their discretionary powers. These powers include the right to search and make arrests without a warrant, as well as the capacity to trap and kill or seriously hurt a group of robbers, dacoits, or other criminals. Although it is expected of them, police rarely exercise their discretion and other abilities in a responsible manner. Police frequently use physical and psychological torture on helpless and destitute people, exploiting their power for personal gain. This trend breeds discontent, animosity, and distrust of the police force in general.

2. OBJECTIVES OF THE STUDY

1. Examining the suggestions and conclusions of numerous police reform committees, commissions, and reports to comprehend the difficulties facing the Indian police force;
2. To look at the need for reforms in the hiring, education, and authority of police officers, highlighting important areas that need improvement;
3. To make recommendations and develop conclusions for improving the effectiveness, responsibility, and professionalism of the Indian police force.

3. HYPOTHESIS OF THE STUDY

1. The Indian police force was established as a result of colonization and was intended to uphold law and order rather than safeguard human rights;
2. People frequently perceive the police as corrupt and insensitive to their needs;
3. The police have a dismal track record of looking into crimes and apprehending offenders;

4. RESEARCH METHODOLOGY

The study used a strictly doctrinal methodology, conducting a critical analysis through the use of descriptive and comparative methods. It used a descriptive methodology that included analyzing and assessing rulings from the courts and legislature. This study's main focus was on content analysis of different legal provisions, such as the Indian Police Act (1860), the Indian Penal Code (1860), the Indian Constitution (1950), and the Code of Criminal Procedure (1973), in addition to other substantive laws, special laws, and court rulings. In order to understand the current deficiencies and difficulties in the Indian police system, the research examined many commissions, committees, and reports. In order to support the research, secondary sources including reputable textbooks, journals, newspapers, magazines, periodicals, and online sites were also cited.

5. RESULTS AND ANALYSIS

5.1 Police Reform

The police force has been tasked with a great deal of work, but because of staffing shortages and political meddling, it lacks the independence and manpower to do the job well. Regretfully, there are far too few officers on the force. Because of this, despite a scarcity, it is employed in several projects. The General Police's ability to uphold the law is essential to the stability of society. It conducts investigations, makes arrests, searches areas in compliance with search warrants, arranges for a post-mortem to be performed on a deceased person's body and creates a "Panchnama" in the event of a murder, gathers evidence against suspects and presents it in court, establishes safety from fire and flood, controls sizable crowds at fairs, and so forth. It guards against vandals and other bad actors, safeguarding government officials, manufacturers, and other industrial facilities. Law enforcement also has to abide by the Court's regular directives and orders. It makes sense that in order to properly do these tasks, there should be an excessive number of police officers. Even if there is a scarcity of police officers, they still have to handle all of these responsibilities. The current ratio of 192 police officers per million inhabitants is insufficient when compared to the United Nations' recommended ratio of 222 officers for every 100,000 people. In addition to decreasing the amount and quality of police work, such overwork leads to mental distress among officers, which in turn fuels a variety of misbehaviors. Political interference in police operations is another reason that law enforcement fails. It's common knowledge

that members of a particular group will swarm the police station in large numbers when a member of that group is detained. When a teacher, lawyer, or even janitor goes to jail, the mob targets the police station as a whole. Police find it more difficult to carry out their duties when political forces intervene to take advantage of a crisis for their own benefit.

The story (above) about the terrible conditions facing India's police force at the moment has spurred police reforms in our nation. This is not to argue that India has never thought about reforming the police force. Both before and after independence, a large number of groups were established to discuss how to enhance the nation's legal and public order systems. Soon after the 1857 Mutiny, the 1st Police Commission was founded to examine the nation's policing system.

This Commission was founded in 1860, and the Police Act of 1861, which is now the current law controlling police, was passed as a result of the Commission's conclusions and recommendations. The Second Police Commission was set up by the government in 1902 to investigate the issues that had emerged after the Police Act of 1861 went into force. The Commission published an extensive report that addressed many different aspects of the police, such as their organization, discipline, methods of investigation, oversight by the Magistracy, superior officers' power, collaboration between the district and railway police, and much more.

It's amazing to consider how inept police were once, to the point where the public thought they were "degenerate and aggressive." Following independence, the political and socioeconomic climate of the nation changed, and it became necessary to review police administration on multiple occasions.

Kerala founded the nation's first Police Reforms Committee in 1959, following India's independence in 1947. Then, a number of state governments appointed a number of Police Commissions, mostly in the 1960s and 1970s (West Bengal in 1960–61, Punjab in 1961–62, Delhi in 1968, and Tamil Nadu in 1971, to mention a few). A Working Group on Police was formed in 1966 by the Central Government's Administrative Reforms Commission. This prompted the creation of the National Police Commission (henceforth referred to as NPC) in 1971, which between 1977 and 1981 produced eight reports and suggestions for overhauling the existing police system and creating a Model Police Act. Every government disregarded every one of the National Police Commission's principal recommendations.

5.2 Employment Status of Police in Uttar Pradesh

In India, increasing employment possibilities in both rural and urban areas is the primary goal of economic planning, which also aims to eradicate poverty and solve the issue of unemployment while raising living standards. In 1991, the organized sector employed 267.33 lakh individuals in India, with 85.86 percent of the workers being men and 14.14 percent being women. However, in 2011, there were 289.99 lakh workers in India's organized industry, made up of 20.53 percent employed women and 79.47 percent employed men.

A profession in policing offers social recognition and job security. Like teachers, gang members, and correctional officers, police officers are just one of the many diverse organizations in our society that deal with human problems and serve the public. Contrary to other professions, however, policing is considered to be among the most difficult social service tasks, and the employment trends for Indian police indicated a dismal situation..

TABLE 5.1 : EMPLOYMENT TRENDS OF MEN AND WOMEN PERSONNEL IN THE INDIAN POLICE, 1990–2011

Year	Police in India						Proportion		
	Men in Police	Growth Rate (%)	Women in Police	Growth Rate (%)	Total Police	Growth Rate (%)	Men (%)	Women (%)	Total
1990	11,14,818	-----	11,844	-----	11,26,662	-----	98.95	1.05	100
1991	11,38,932	2.16	13,654	15.28	11,52,586	2.30	98.82	1.18	100
1992	11,67,423	2.50	14,492	6.13	11,81,915	2.54	98.77	1.23	100
1993	11,82,840	1.32	15,098	4.18	11,97,938	1.36	98.74	1.26	100
1994	12,14,689	2.69	15,609	3.38	12,30,298	2.70	98.73	1.27	100
1995	12,34,996	1.67	16,014	2.59	12,51,010	1.68	98.72	1.28	100
1996	12,32,417	(-0.21)	17,606	9.94	12,50,023	(-0.07)	98.59	1.41	100
1997	12,59,882	2.23	19,060	8.26	12,78,942	2.31	98.51	1.49	100
1998	12,94,100	2.72	21,635	13.51	13,15,735	2.88	98.33	1.64	100
1999	13,00,566	0.49	24,161	11.67	13,24,727	0.68	98.17	1.83	100
2000	12,76,075	(-1.88)	20,688	(-14.37)	12,96,763	(-2.11)	98.40	1.60	100
2001	12,84,121	0.63	23,889	15.47	13,08,010	0.87	98.17	1.83	100
2002	12,75,712	(-0.65)	33,259	39.22	13,08,971	0.07	97.46	2.54	100
2003	12,72,129	(-0.28)	39,387	18.42	13,11,516	0.19	97.00	3.00	100
2004	12,92,167	1.57	45,016	14.29	13,37,183	1.95	96.64	3.36	100
2005	12,99,339	0.55	43,519	(-3.32)	13,42,858	0.42	96.76	3.24	100
2006	13,54,557	4.25	51,464	18.25	14,06,021	4.70	96.34	3.66	100
2007	13,68,895	1.06	56,286	9.36	14,25,181	1.34	96.06	3.94	100
2008	14,21,273	3.83	52,322	(-7.04)	14,73,595	3.39	96.45	3.55	100
2009	14,92,041	4.98	65,456	25.10	15,57,497	5.69	95.80	4.20	100
2010	15,07,659	1.05	72,652	10.99	15,80,311	1.46	95.40	4.59	100
2011	15,66,274	3.88	93,877	29.21	16,60,151	5.05	94.34	5.66	100

According to Table, there has been virtually little change in the balance of men and women in the Indian police during the past 20 years. While the percentage of women in the police climbed from 1.8% in 1991 to 5.66% in 2011, the percentage of men in the police fell from 98.82 percent in 1991 to 94.34 percent in 2011, which was a relatively small change. The data in the above table shows that there has not been a satisfactory increase in the number of police officers. For the last 20 years, the growth of the total police force has been less than 2.00 percent, with the exception of the years 2006 (4.70 percent), 2009 (5.69 percent), and 2011 (5.05 percent). The percentage of women employed in law enforcement increased to 39.22 percent in 2002, 25.10 percent in 2009, and 29.21 percent in 2011. However, the percentage of women employed in law enforcement decreased to -3.32 percent and -7.04 percent in 2005 and 2008, respectively. Inadequate working conditions for women police officers in India were the primary cause of the negative growth. In 2011, the proportion of female police officers to male officers is calculated to be 1:17. The population per police officer and total strength of the police force in each of India's states and union territories as of January 1, 2012, are displayed in the following table.

TABLE 5.2: EMPLOYMENT TRENDS IN MALE AND FEMALE PERSONNEL IN THE INDIAN POLICE, 1991–2010

Year	1991	Per Cent	1995	Per Cent	2000	Per Cent	2005	Per Cent	2010	Per Cent
Men in Police	11,38,932	98.82	12,34,996	98.72	12,76,075	98.40	12,99,339	96.76	15,07,659	95.40
Women in Police	13,654	1.18	16,014	1.28	20,688	1.60	43,519	3.24	72,652	4.59
Total	11,52,586	100	12,51,010	100	12,96,763	100	13,42,858	100	15,80,311	100.00

According to Table 5.2, there has been a very slight growth in the percentage of women in the Indian police from 1.8% in 1991 to 4.59% in 2010. Table 3 displays the increase in the number of Indian police officers as well as the number of female officers from 2001 to 2010. It is evident that the proportion of women in the Indian police has only increased to a fairly reasonable level in the years 2002 and 2009— that is, 39.22% and 25.10%, respectively—while there was negative growth in the years 2005 and 2008.

TABLE 5.3: GROWTH OF INDIAN POLICE FORCE AND WOMEN IN INDIAN POLICE, 2001–2010

Year	No. of Police Personnel	No. of Women Police Personnel	Proportion of Women Police Personnel (Per Cent)
2001	13,08,010	23,889	1.83
2002	13,08,971	33,259	2.54
	(0.07)	(39.22)	
2003	13,11,516	39,387	3.00
	(0.19)	(18.42)	
2004	13,37,183	45,016	3.36
	(1.95)	(14.29)	
2005	13,42,858	43,519	3.24
	(0.42)	(-3.32)	
2006	14,06,021	51,464	3.66
	(4.70)	(18.25)	
2007	14,25,181	56,286	3.94
	(1.34)	(9.36)	
2008	14,73,595	52,322	3.55
	(3.39)	(-7.04)	
2009	15,57,497	65,456	4.20
	(5.69)	(25.10)	
2010	15,80,311	72,652	4.59
	(1.46)	(10.99)	

5.3 MEASURES TAKEN TO IMPROVE POLICE SYSTEM IN INDIA

1. The police forces should have access to sufficient infrastructure and resources, such as cutting-edge facilities, machinery, and technology, to improve their operational capabilities.

2. To guarantee openness, equity, and merit-based hiring of police officers, recruitment practices ought to be redesigned. Thorough evaluations of applicants' competency, moral character, and fit for law enforcement positions ought to be part of the hiring procedure.

3. Training materials ought to be updated to reflect modern methods of law enforcement, such as community policing, technology utilization, and human rights consciousness. Programs for ongoing training and skill improvement should be put in place to guarantee police personnel's professional development.

4. The police should be given the authority and freedom they need to do their jobs well, and procedures should be put in place to guarantee responsibility and guard against abuse of authority. The use of police authority should be subject to explicit rules and procedures.

5. It is imperative to develop robust oversight and accountability mechanisms to tackle incidents of police misconduct, corruption, and human rights violations. To guarantee objective investigations and appropriate responses, independent monitoring entities including internal disciplinary processes and police complaints authority should be reinforced.

6. The community and the police should be encouraged to trust and work together. To close the gap between the police and the community they serve, community policing initiatives, public outreach programs, and platforms for citizen participation in policing should be created.

7. To guarantee that reforms are implemented successfully, a precise plan including deadlines and quantifiable metrics needs to be developed. It is necessary to set up monitoring and evaluation systems in order to gauge the success and influence of the reforms.

6. CONCLUSION

The police profession entails death, trauma, violence, grief, danger, time constraints, long hours, work shifts, courtroom appearances, and interacting with civilians. It also involves political meddling, insufficient staff, a lack of technical aids, frequent transfers, a lack of cooperation, and constant criticism from the public, media, and other parties. Various committees and commissions appointed by the Indian government have offered proposals and improvements to address these issues and shortcomings in the system. The majority of these measures, meanwhile, turned out to be insufficient. To make Indian policing a less demanding and intricate social service, the government ought to strictly adopt the proposals, changes, and policies made by various committees and working groups. If the recommendations made by various committees are put into practice comprehensively, they can enhance police accountability and performance while also lowering national crime rates.

In terms of employment, the overall number of police officers increased by 5.05 percent in 2011, however the number of female officers increased by 29.21 percent. As of January 1, 2012, the Bureau of Police Research and Development released a report stating that the percentage of women in the entire police force was a mere 5.32 percent. The information showed that India's total increase in the police force's size was not entirely sufficient. This suggests that the nation needs to hire additional police officers. Furthermore, there should be a focus on promoting the involvement of more women in law enforcement. In actuality, there are several openings in the police hierarchy at various levels, which hinders the efficient operation of the majority of India's internal security organizations.

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